

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 27 FEBRUARY 2019

1.00 PM

**COUNCIL CHAMBER, FENLAND HALL,
COUNTY ROAD, MARCH, PE15 8NQ**

Committee Officer: Jo Goodrum
Tel: 01354 622285
e-mail: memberservices@fenland.gov.uk

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 10)

To confirm and sign the minutes from the previous meeting of 30 January, 2019.
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 4 To receive Members declarations of any interests under the Local Code of Conduct or any interest under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 5 F/YR17/1127/O.
North of The Green and North of 145-159 Wisbech Road, March, Cambridgeshire

118no dwellings involving demolition of 147a Wisbech Road (outline application with matters committed in respect of access) (Pages 11 - 40)

To determine the Application
- 6 F/YR18/1126/O.
Land east of The Bungalow, Iretons Way, Chatteris, Cambridgeshire

Erection of a dwelling (outline application with matters committed in respect of access and layout) (Pages 41 - 46)

To determine the Application

7 F/YR18/1146/F.

Land West Of 327, Norwood Road, March, Cambridgeshire

Erection of 2 x single-storey 3-bed dwellings with attached single garage (Pages 47 - 58)

To determine the Application.

Members: Councillor A Miscandlon (Chairman), Councillor S Clark (Vice-Chairman), Councillor Benney, Councillor D Connor, Councillor S Court, Councillor Mrs M Davis, Councillor A Hay, Councillor Mrs D Laws, Councillor P Murphy, Councillor Mrs F Newell, Councillor W Sutton and Councillor Mrs S Bligh,

PLANNING COMMITTEE



WEDNESDAY, 30 JANUARY 2019 - 1.00 PM

PRESENT: Councillor A Miscandlon (Chairman), Councillor S Clark (Vice-Chairman), Councillor Benney, Councillor S Court, Councillor A Hay, Councillor Mrs D Laws, Councillor P Murphy, Councillor Mrs F Newell and Councillor W Sutton,

APOLOGIES: Councillor D Connor, Councillor Mrs M Davis and Councillor Mrs S Bligh,

Officers in attendance: Stephen Turnbull (Legal Officer), Jo Goodrum (Member Services & Governance Officer), Nick Harding (Head of Shared Planning) and David Rowen (Development Manager)

P59/18 PREVIOUS MINUTES

The minutes of the meeting of 9 January 2019 were confirmed and signed.

P60/18 F/YR17/0304/F LAND EAST OF 88 SUTTON ROAD, LEVERINGTON

ERECTION OF 221 DWELLINGS, CONSISTING OF 4X3 STOREY 4 BED, 44X2 STOREY 4 BED, 103X2 STOREY 3 BED, 61 X 2 STOREY 2 BED, 4X2 STOREY 1 BED, 4X1 BED FLAT AND 1 X 2 BED FLAT

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

David Rowen presented the report to members and drew their attention to the update report which had been circulated. He also advised that a further late representation had been received in objection to the application.

Members received a presentation, in accordance with the Public Participation Procedure, from Elena Vandjour in objection to the application.

Ms Vandjour explained that she is a local resident living on Sutton Road, whose property almost backs onto the proposed site. She stated that she has submitted three letters of objection to the proposal and cannot see any reference to her concerns or other resident's objections in the officer's report. She added that, in her opinion, this type of back land development is out of character with the existing houses along the Sutton Road.

Ms Vandjour made reference to a planning application F/YR13/0848/O which was refused on appeal in March 2015 on the grounds of the character and also flood risk and also referred to a smaller development which was also refused by the Inspector. She stated that the proposal before members today is for dwellings to be situated on flood zone 2 and 3 and the proposal includes raising the ground level of up to a metre in height which puts her property at risk of flooding, especially with the threat of rising sea levels in the years to come with the proposed site likely to be underwater for a large part of the year if the flood defences along the River Nene were not in place.

Ms Vandjour stated that the displacement of flood water adjoining the residential properties is worrying and the Environment Agency have also raised concerns as mentioned in section 5.2 of the report, where it states that 'if there is a finite volume of water able to pass into a defended area following a failure of the defences, then a new development, by displacing some flood water will increase flood risk to existing properties. We strongly recommend the owners prepare a Flood Warning and Evacuation plan following discussion with Fenland DC emergency planners.' She commented that she cannot see that a sequential test supplied by the applicant justifies using land in flood zone 2 and 3 where there is allocated land available to the east of Wisbech which is in flood zone 1.

Ms Vandjour added that the report states that currently there is no planning permission in existence for East Wisbech and a much more detailed analysis is required to demonstrate that the East of Wisbech cannot be built on, and in her opinion, this is a serious failure in the overall recommendation. She concluded that the planning officer's report has not addressed the objections raised by both her and other residents, particularly in relation to flood risk and a flawed sequential test. The recommendation in the report is balanced, but the issues she has raised already lend the application towards refusal. She added that if members are minded to approve then a smaller development should be considered for zone 1, whilst leaving flood zone 2 and 3 for open space or a nature reserve.

Members received a presentation in accordance with the Public Participation Procedure from Tim Slater, acting on behalf of the Agent in support of the application.

Mr Slater stated that the application was first submitted in March 2017 and any matters identified by the planning officers have been addressed. He stated that, in his opinion, there are significant impediments to the delivery of planned growth in the town due to the physical restraints, predominantly flood risk, financial and viability issues and in the preparation of the application these issues have been addressed with the proposal being a sustainable development in an accessible location delivering much needed housing, including affordable housing provision.

Mr Slater expressed the view that the proposal is policy compliant in relation to its location and design and as there are 249 homes on a non allocated site adjacent to a main town it is compliant with Policy LP4, which enables large sites to come forward as windfall sites in sustainable locations. With regard to flood risk, he feels the proposal is also compliant with 60% of the site being in flood zone 3 and 40% in flood zone 1 and, therefore as it has been identified as being at flood risk a sequential and exception test have been carried out. He made the point that much of the land identified for future housing growth in and around Wisbech is also at risk of flooding and the approach that has been considered with regard to mitigation and design shows one way in which this issue can be addressed, adding that the Environment Agency and the Lead Local Flood Authority have raised no objections to the proposal.

Mr Slater stated that with regard to section 106 contributions, the proposal is consistent with Policy LP5 with the viability exercise concluding that the site is not viable, however, the applicant is an independent developer and has experience of building in Wisbech and can work with different parameters in terms of profit margins and contingencies and is able to make an offer of 10.4% of affordable housing as well as financial contributions of £500,000 to education and £82,000 to the NHS. He stated that from discussions with officers, the delivery of 24 affordable houses is significant and the applicant is in discussions with Rent Plus. The site is acceptable as detailed within the officer's report and it will also deliver a number of highway and connectivity improvements as part of the off-site highway package and it hoped that the development will show that good quality housing can be delivered in Wisbech.

Members asked questions, made comments and received responses as follows:

- Councillor Mrs Laws expressed the opinion that the report is very extensive and informative;

however she stated that she has never seen a tunnel of that length for badgers or wildlife and questioned whether it would not be more cost effective to relocate the badgers? Mr Slater stated that there are protected animals on the site, a design exercise has taken place to mitigate the issue and the proposal has been reviewed by the Councils Wildlife Officer who has deemed the tunnel as an appropriate solution. Other options were considered, such as relocation, but the advice received was that the tunnel was the most appropriate solution.

- Councillor Mrs Laws stated that when the application was in its infancy, there was an offer of enhancement to the village and asked whether the financial contribution was still a consideration. Mr Slater stated that his client had historically made an offer to carry out upgrade works to Leverington Parish Hall via the Hall Committee, he has decided he will still agree to honour that offer though it would be done outside of the Section 106. The applicant came forward to the public seating area with the agreement of the Chairman to address the committee. Stephen Turnbull, the Legal Officer stated that if the proposed donation does not fall within the scope of the Section 106, it is not a matter which members should take into account when determining the application. The applicant stated that the Parish Hall Chairman along with architects, have drawn up a schedule of works along with improvements they would like and he has agreed and signed to say that he will honour those works.

Members asked questions of Officers, made comments and received responses as follows:

- Councillor Mrs Laws asked for clarity with regard to the Internal Drainage Boards concerns. David Rowen stated that they have expressed reservations about the surface water disposal methods, however, the LLFA who are the statutory consultee are satisfied with the proposal.
- Councillor Sutton expressed the view that he has reservations around the issue of development of this scale in flood zone 2 and 3.
- Nick Harding clarified that the legal advice that had been sought was to ascertain whether the areas identified in the Fenland Local Plan for housing, could have automatically passed the sequential test as they are areas of 'search for development' and not definite site allocations. The advice was that they could not be given priority on sequential test grounds as they were not allocations, even though we went through a sequential test process in order to identify it, (West Wisbech), in the Local Plan. He added that officers are aware that the site is right beside the river. The Environment Agency have indicated that they did have a slight concern over the potential impact arising as a consequence of the failure of the defences in close proximity of the site and if the amount of water that comes through is relatively limited in volume. Officers have, therefore, evaluated what the chances are of the defences failing, (there is no evidence to prove the likelihood of them failing compared with anywhere else) and what is the likelihood of that failure resulting in a limited amount of water coming through into the site and onto the adjacent land. He added that as there is no information available of the likelihood of either of those events, it would be difficult to recommend refusal of the application on those grounds.
- Councillor Hay expressed the view that she has concerns over the flood defences and also the concerns raised by North Level Internal Drainage Board who state that the ground is not capable of the infiltration and the Emergency Planning Officer who has stated that a flood evacuation plan is required. Councillor Mrs Laws stated that in Whittlesey there was a similar issue and the Environment Agency recommended that a flood evacuation plan needed to be drawn up and Whittlesey Town Council and the Emergency Planning Officer at Fenland District Council worked together and there are now 20 flood wardens. The flood alert system is very good and the Environment Agency is very supportive and informative.
- Councillor Sutton asked whether the proposal has any effect on the works being carried out by Royal Haskoning with regard to the Wisbech Garden Town Project and the relief drain which is proposed. Nick Harding stated that the flood risk work being undertaken with regard to the Wisbech Garden Town proposal is in its early stages still and not identified in any plan or policy and because of this it would be unreasonable to refuse planning permission. He added that the Garden Town project has still to undertake testing to see whether it is a viable development proposal and is at its very earliest of stages. The location has yet to be determined as to whether it is a sequentially preferable location for development, however, currently the

Environment Agency has not signed up to any specification for a flood risk assessment in relation to the development and a site specific flood risk assessment which has been prepared in accordance with national specifications has not been completed yet and, therefore, the application before members today could not be said to be harmful to the Garden Town project.

- Councillor Mrs Laws commented that there have been investigations and studies carried out, the principle authorities surrounding water and flooding are engaged with the authority and are having conversations and are aware of planning applications.

Proposed by Councillor Mrs Laws, seconded by Councillor Murphy and decided that the application be APPROVED, as per the officer's recommendation.

(Cllr Sam Clark registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she has been lobbied on this application)

(The Chairman registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that all Members of the Planning Committee had received an email from Rent Plus with regard to this application)

P61/18 **F/YR18/0646/O**
LAND SOUTH OF 6 EASTWOOD END, WIMBLINGTON

ERECTION OF UP TO 3 NO DWELLINGS(OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

This item was withdrawn.

P62/18 **F/YR18/1095/O**
THE LAURELS, HIGH ROAD, BUNKERS HILL, WISBECH ST MARY

ERECTION OF UP TO 3 NO DWELLINGS INVOLVING DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

David Rowen presented the report to members and drew their attention to the update report that had been circulated.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Gareth Edwards, the Agent.

Mr Edwards explained that this area of Wisbech St Mary has seen a number of new developments erected, with the Parish Council having recommended approval for the proposal and have recently installed a length of footpath. He stated that it is hoped that over a period of time this will be added to, in order to provide a footway link to the remainder of the village and by adding more dwellings in the proposed location it will give more reason for the footpath to be further extended.

Mr Edwards stated that Cambridgeshire Highways have requested that a new footpath should be added along Rat Row to link with the current High Road footpath, which will provide a safe route for residents to access the bus stop at the front of the site. He stated that whilst he acknowledges that the site is within flood zone 3 on the Environment Agency maps, they have previously stated that the maps can prove to be misleading. He added that as maps provide modelling of the

maximum values of flood depths, velocity and hazard rating, he has provided up to date maps of both the flood risk assessment and also in the sequential and exception test study which shows that the proposed site is unaffected by flood water in the year 2115 in both the 1 in 200 and 1 in 1000 and as this is the most up to date data, in his opinion, it should be within flood zone 1.

Mr Edwards expressed the view that the only site that was currently available was a site for three dwellings which currently has an old dwelling on it which is going to be utilised and the garden used for the three proposed dwellings which as stated within the exception test, are to achieve an A rated energy performance and he would be happy to accept a condition on this. He added that local developers provide local tradesman and due to larger sites and allocations they would not be able to purchase sites like this due to purchase prices and infrastructure costs.

Members asked questions, made comments and received responses as follows:

- Councillor Mrs Laws stated that when you read the details of this application it states that the Environment Agency and the Internal Drainage Board have no objection but they will need to have formal land drainage consent and that will be required to form the proposed new access. She added that it was a very interesting site visit and on the visit all that could be seen is new dwellings as the site is overgrown and needs attention and on this occasion providing that the appropriate conditions are added, she expressed the opinion that the proposal would fit very nicely on this site and it would complement and enhance the other properties in that location.
- Councillor Sutton expressed the view that not all of Fenland is at risk of flooding and members should consider their decision very carefully.
- Nick Harding commented that this application is not classed as a settlement as it is given an 'elsewhere' label within our Local Plan and in accordance with our sequential test protocol we have had to widen the search area with regard to alternative sites at lesser flood risk to the whole district and not just the immediate location.
- Councillor Hay expressed the view that she would find it very difficult to refuse this application, having just agreed to support 221 houses next to the River Nene in Wisbech. She added that North Level Internal Drainage Board and the Environment Agency have both said they are happy with the proposal and she will be supporting this application.
- Councillor Sutton expressed the view that he appreciates that officers have to follow policies and with the application being on the edge of the hamlet, he would have agreed with the officer's recommendation. However as the proposal is right in the centre of the hamlet and as sustainability is compromised by no pavement, but supplemented with a bus stop, he will be supporting the application.
- David Rowen stated that from an officer's point of view the recommendation was straight forward as the Local Plan clearly sets out a settlement hierarchy and does not include Bunkers Hill within it, with Bunkers Hill not forming part of the Wisbech St Mary settlement. The policies within the Local Plan state that elsewhere locations, such as this development, should only be allowed in certain circumstances, none of which are covered by this particular application. With regard to the sustainability aspect, Bunkers Hill has no facilities and, therefore, anybody residing in Bunkers Hill will have to travel by car to other settlements for their services, as there are no footpaths to link Bunkers Hill to Wisbech St Mary, it is a national speed limit road and the National Planning Policy Framework discourages the reliance on the use of car for a main means of transport.
- Councillor Benney stated that, whilst it maybe a small hamlet, a small development like the proposal being discussed goes towards meeting the 5 year land supply and if there is no encouragement for the smaller hamlets to grow then they will disappear.

Proposed by Councillor Hay, seconded by Councillor Benney and decided that the application be APPROVED, against the officers recommendation as Members considered that the benefits of the scheme in terms of contributing to the sustainability of the settlement and recognising that the site lay within a developed hamlet providing additional

housing outweighed flood risk and character considerations.

Members determined that officers be authorised to put appropriate conditions on the permission.

P63/18 **F/YR18/1086/LB**
MARCH TOWN HALL, MARKET PLACE, MARCH

WORKS TO A LISTED BUILDING COMPRISING OF REPLACEMENT CASEMENTS TO 15NO FIRST-FLOOR (WINDOWS 1-15) AND REPAIRS TO CASEMENTS TO 7NO GROUND FLOOR WINDOWS (WINDOWS 16 -22) ON NORTH, SOUTH AND EAST ELEVATIONS INCLUDING 5NO WINDOWS WITH SECONDARY GLAZING

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

David Rowen presented the report to members and drew members attention to the update report.

Members received a presentation, in accordance with the Public Participation Procedure, from Councillor Mrs French in support of the application.

Councillor Mrs French explained that March Town Hall was purchased in 2001/2 by the late Councillor Peter Skoulding, it was then given to the Town of March and since this time the Civic Trust has been formed with the trust gaining a grant from the National Lottery fund of over £1,000,000. She stated In the past the building was used as a Magistrates Court for nine years and was in a bad state of repair and in 2005 the Town Hall re opened and has been used over the past 14 years for many activities, however the windows have deteriorated and when the restoration of the building took place, the windows were not replaced as they proved to be too costly.

Councillor Mrs French added that when the restoration took place the application allowed for the installation of metal double glazed windows. She made the point that March Town Council supports this application and that a precedent has already been set with the previous application in 2003 being approved, she cannot understand why this application is being recommended for refusal today. She expressed the view that the new double glazed windows are for the upstairs room which is used for many purposes including the Town Council which is currently cold, draughty and noisy and the double glazing will address these issues and it is hoped that the Civic Trust can obtain an energy rating certificate and save heating costs if the windows are installed.

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Matthew Hall, the Agent.

Mr Hall pointed out that directly below some of the first floor windows to be replaced, there are already double glazed aluminium doors and windows, which were approved in 2003. He stated that where the shop front is located, which is double glazed, is on the most prominent elevation of the building facing the market square and the windows that are to be replaced are not the original fabric of the building, they were replaced in the 1970's with the proposal maintaining the oak surrounds because that is the original material and they are in a reasonable condition.

Mr Hall expressed the view that there are at least 26 other local authorities who have approved the use of slim line double glazed units within Grade 1 and Grade 2 listed buildings in this country with the slim line windows having been specifically designed for the use in listed buildings and are single glazed units which aim to be energy efficient. He added that the manufacturer has confirmed that they are 4mm thick glass panes with a gap between and with careful use with the timber windows there will be minimal difference in the appearance of what is currently in place. Mr Hall

added that within the officer's report under item 10.17, it states that there will be no or little difference to the building when viewed externally and the windows are an area where a gain can be made with regard to energy efficiency; other aspects of the building cannot be changed as it would alter the appearance of the building and impact on the original fabric. He stated the proposal is not to remove all of the windows in the building; it is only to replace them where they are beyond repair and where the others have been maintained for as long as possible and there is already approved double glazing in the building.

Members asked questions, made comments and received responses as follows;

- Councillor Mrs Laws stated that on the site visit, members saw the windows which had been changed and also the aluminium windows which were at the base of the building. She added that having reviewed the proposal that has been put forward, the frames will look aesthetically very similar and with regard to the erosion of the building, that has probably taken place from the 1970's onwards. She expressed the opinion that when looking at the front of the building the thickness of the glazing does not make a difference and agreed with the comments that the agent had made with regard to the limitations surrounding the energy efficiency of the building.
- Councillor Hay expressed the view that had the whole building still remained in its original state, she would understand the concerns in the officer's report, but a large part of the frontage of the building has metal double glazing and, therefore, from the outside the double glazing suggested would not be noticeable. Had the application been for UPVC windows, then she would not be in favour of the application, however the applicant appears to be doing their utmost to keep the windows in keeping with the building.
- David Rowen advised members that when the building was originally built, it appears to have had slightly more arched windows, which got changed in the 1960s to have squarer openings. From the 1960's to 2003 the openings have been bricked up and a different style of window has been installed. In 2003, it is likely that more weight was possibly given to changing the building back to its original form than possibly to the usage of materials. It was likely that consideration was also given to putting that part of the building into a long term use and possibly incorporating the funding bid that Councillor Mrs French had alluded to in her presentation. He concluded by saying that members need to consider that the duty in law to ensure any changes to a listed building respect the external fabric.
- Councillor Sutton stated that this is an easy application to determine and stated that, in his opinion, members have a balance between keeping the historic content and feeling versus the better insulation. He expressed the view that there are a few options to consider, however he feels that the installation of histo glass would be the preferable option.
- Councillor Benney expressed the view that the best way to keep a building in a good state of repair is to keep it occupied and that means the building needs to be fit for purpose. If a new building was to be constructed today it would have to have double glazing installed, a 30mm cavity between the glass and energy rated. With the technology and materials available today the building should be made fit for purpose and kept it in a good state of repair. Double glazing also helps to reduce noise, making it a far more bearable facility to be in.
- Councillor Mrs Laws stated that she has taken David Rowen comments on board with regard to the history of the building, but stated that the building needs to be used and needs to be energy efficient.
- Councillor Sutton takes on board the comments that have been made and agrees that the building needs to be energy efficient. The March Society agree with the Conservation Officer's comments to avoid double glazed windows and retain the original design whilst exploring the use of histo glass.

Proposed by Councillor Sutton that the application be REFUSED as per the officer's recommendation, however there was no seconder to support Councillor Sutton's proposal.

Proposed by Councillor Mrs Laws, seconded by Councillor Murphy and decided that the application be APPROVED against officer's recommendation.

Members determined that officers be authorised to place suitable conditions on the consent.

(Councillor Court registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of March Town Council and he would be abstaining from the vote regarding this application)

2.42 pm

Chairman

F/YR17/1127/O

Applicant: Mr T Knowles

**Agent : Mr Chris Walford
Peter Humphrey Associates Ltd**

**Land North of The Green And North Of 145-159, Wisbech Road, March,
Cambridgeshire**

**Erection of up to 118no dwellings (outline application with matters committed in
respect of access) involving demolition of 147a Wisbech Road**

Reason for Committee: More than 5 letters of local objection received contrary to
Officer's recommendation.

1 EXECUTIVE SUMMARY

This proposal is in outline form with the detail of access only for up to 118 dwellings on land to the rear of properties on Wisbech Road in March. The land is partly in agricultural use and partly unused made up ground. The northern boundary of the site abuts the Ely-Peterborough Railway line.

The proposed access off Wisbech Road involves the demolition of No 147a and seeks to provide an adoptable access road. The application includes an indicative layout to demonstrate that up to 118 dwellings may be accommodated on the site which also indicates a SuDS drainage area and public open space.

Objections from residents on Wisbech Road include concerns over traffic safety and congestion, visual and ecological impact arising from the development and drainage issues.

Local Plan Policy LP3 defines March as a Market Town where the majority of the district's new housing, employment growth, retail growth and wider service provision should take place. The site is considered to satisfy the criteria set out in Local Plan Policy LP4 Part B inasmuch as it is on the edge of March. It is therefore an appropriate site to deliver additional housing within the town subject to acceptable impacts.

The illustrative masterplan satisfactorily indicates how the site could be laid out in order to achieve both the quantum of development and necessary supporting infrastructure. The proposal would make the required contributions toward education, transport, Healthcare, open space and would provide a policy compliant level of affordable housing.

Having fully assessed all three dimensions of sustainable development it is concluded that there are no overriding technical objections or material considerations that indicate that permission should not be granted in this instance and the application should therefore be approved subject to the required planning obligations and conditions.

Recommendation – Approve subject to S106 & conditions

2 SITE DESCRIPTION

- 2.1 The application site is 4.85 hectares of land north of Wisbech Road (the B1099) in the western side of March. It is to the rear of houses on Wisbech Road, The Green, West Close and Meadowlands and abuts properties on Meadowlands Retail Park and the Ely-Peterborough railway line.
- 2.2 The land appears to be partly in agricultural use (to the east) and the remainder unused or used as paddocks with some horses grazing. There is a line of small trees separating an existing field access from the paddock area, and hedgerows/trees abutting the edge of the agricultural area. The site includes that occupied by No 147a Wisbech Rd a bungalow with rear garden.

3 PROPOSAL

- 3.1 The proposal is in outline for up to 118 dwellings with only access being committed at this stage. Layout, Scale, Appearance and Landscaping are 'Reserved Matters' to be considered at a future date (should outline permission be granted). An illustrative layout has been submitted which is not necessarily the way the development will be carried out, it is provided to demonstrate that up to 118 dwellings could be accommodated on this site. Following consultee comments, additional details/ evidence has been provided including further transport assessment evidence and modelling, bat surveys and drainage information.
- 3.2 The application includes the following supporting documents:
 - Transport Assessment and Framework Travel Plan
 - Water Vole Survey
 - Reptile Survey
 - Great Crested Newt Survey
 - Bat emergence survey
 - Reptile Survey
 - Geo Environmental Desk Study (contaminated land)
 - Flood Risk Assessment
 - Drainage Strategy
 - Indicative Layout
 - Design and Access Statement
- 3.3 The applicant has agreed a draft heads of terms for financial and open space contributions against the proposal and these are set out below at sections 9.46 to 9.55 below.
- 3.4 Full plans, associated documents and consultee comments for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=P032R7HE01U00>

- 3.5 It is noted that the Design and Access Statement refers to an indicative housing mix drawn from the Cambridgeshire Sub regional Strategic Housing Market Assessment. The indicative layout would provide the following mix to meet housing need:

No of beds	No of properties
1	8
2	29
3	58
4	23

- 3.6 The application does not include a viability assessment and is therefore intended to meet infrastructure requirements and affordable housing provision in accordance with policy requirements.

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/95/0502/O	Erection of food store (Class A1) together with petrol filling station car parking servicing landscaping and access Land North West Of Meadowlands, Wisbech Road, March, Ca	Refused	23/02/1996
F/0828/88/O	Residential development - 4.885 ha Land to rear of 145A Wisbech Road (to be demolished) March Land To Rear Of 145A Wisbech Road (To Be Demolished) Ma	Refused	10/08/1989
F/0079/84/F	Extension to bungalow and erection of a garage 147A Wisbech Road March 147A Wisbech Road March Cambridgeshire PE15 8EY	Granted	05/03/1984
F/0445/78/F	Layout of land for Industry/Warehousing/Storage by the construction of roads and sewers David Brown Tractors Ltd Wisbech Road March	Refused	18/08/1978

5 CONSULTATIONS (summarised)

March Town Council

- 5.1 Recommend approval.

CCC Highways

- 5.2 No highways objections subject to provision of flare at Peas Hill roundabout, financial contribution toward cycle infrastructure project and conditions securing the following;

- Provision of access prior to the first occupation of the development
- Provision of Peas Hill roundabout flare prior to first occupation
- Details of the proposed arrangements for future management and maintenance of the proposed streets within the development until adopted.
- Provision of the road(s), footway(s) and cycleway(s) to at least binder course surfacing level prior to first occupation.

CCC Infrastructure Contributions

- 5.3 CCC identifies contributions are required for the following:
- Early years

- Primary School
- Libraries and Lifelong Learning

Anglian Water Services Ltd

- 5.4 Advises that Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. The site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space or is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991.
- 5.5 The foul drainage from this development is in the catchment of March Water Recycling Centre that will have available capacity for these flows.
- 5.6 Requests a condition requiring compliance with the agreed drainage strategy and details of a foul water strategy pre-commencement.

FDC Environmental Health

- 5.7 Raises no objection to contaminated land report subject to conditions securing a remediation scheme.
- 5.8 Raises concerns over potential noise impacts from the adjacent railway line but consider that this could be addressed at design stage under reserved matters application.

Strategic Housing Officer

- 5.9 Raises no objection given the proposal is for policy compliant levels (25%) of affordable housing. Would prefer to see a tenure mix as follows:

Affordable Rent

- 8 x 1 bed dwellings
- 10 x 2 bed dwellings
- 4 x 3 bed dwellings
- 1 x 4 bed dwelling

Shared Ownership

- 2 x 2 bed dwellings
- 8 x 3 bed dwellings

Peterborough City Council Ecologist

- 5.10 Satisfied no evidence of reptiles, great crested newts, water voles and roosting bats found. Advises that the recommendations in section 5 of the ecology report are implemented/ secured by condition to include the following:
- 1) provision of bat boxes in the new development;
 - 2) Sensitive lighting scheme to avoid disturbance to foraging and commuting bats;
 - 3) Building to be re-surveyed for bats should it not have been demolished by two years from date of survey (i.e. June 2020).
- 5.11 Would particularly advise the retention of the mature southern boundary hedgerow alongside The Green in the site layout. Recommends that a suitably worded condition be attached requiring the avoidance of site clearance works during nesting/ breeding season, or where this is not possible, that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or

that works would not disturb any nesting birds. Requests that a range of bird nest boxes are installed that cater for a number of different species such as House Sparrow, Starling & Swift.

- 5.12 All construction trenches should be covered overnight or a means of escape provided for any mammals that may have become trapped. In addition recommends that impenetrable barriers are avoided by allowing adequate gaps to be retained under any new fencing.

Environment Agency

- 5.13 No objection provided the development is sequentially located, with dwellings in Flood Zone 1. No further comments provided.

Natural England

- 5.14 Considers the proposal does not impact on any designated environmentally sensitive sites. It points to standing advice regarding protected species but does not object.

Cambs Police - Designing Out Crime Officers

- 5.15 Requests that they are consulted at reserved matters stage in order to mitigate against vulnerability to crime. Would also like to see consideration be given to principles of Secured by Design, as they believe this development could make Gold standard.

Cambs Fire & Rescue

- 5.16 No objections subject to securing provision of fire hydrants

NHS England

- 5.17 The proposed development will be likely to have an impact on the NHS funding programme for the delivery of primary healthcare provision within this area and specifically within the health catchment of the development. NHS England would therefore expect these impacts to be fully assessed and mitigated.
- 5.18 The existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 269 residents and subsequently increase demand upon existing constrained services.
- 5.19 The development would give rise to a need for improvements to capacity, in line with emerging CCG estates strategy; by way of refurbishment, reconfiguration, extension, or potential relocation, for the benefit of the patients at Mercheford House Surgery; a proportion of the cost of which would need to be met by the developer - £42,435

CCC Lead Flood Authority (LLFA)

- 5.20 Raises no objection subject to securing a site wide surface water drainage scheme based on sustainable drainage principles prior to development commencing.

Senior Archaeologist (CCC)

- 5.21 The site should be subject to a programme of archaeological investigation secured through the inclusion of a pre-commencement condition.

Network Rail:

- 5.22 Formally consulted however no response received

Local Residents/Interested Parties

Neutral

- 5.23 1 resident letter received raising concerns over drainage and outlook impacts but welcomes the roundabout improvement and S106 contributions

Objectors

- 5.24 Objections received from 14 local households referring to the following:
- Highway safety concern regarding the proposed access and its poor accessibility at peak traffic times. Existing residents state that they are often unable to exit their property to turn right due to traffic backing up to the roundabout with the A141.
 - Concern regarding traffic safety and speeding referring to numbers of accidents,
 - The proposed access will increase problems of visibility for immediately neighbouring access points,
 - Concerns of increased likelihood of flooding and drainage issues,
 - Increased noise to nearby neighbours impacting on enjoyment of existing garden areas,
 - Anti-Social behaviour
 - Density/Over development
 - Poor Design/Appearance
 - Impact on Local services/schools which are unable to cope,
 - Loss of view/Outlook
 - Likelihood of overlooking/loss of privacy
 - Ecology impacts
 - Loss of property value
 - Impact on local services and facilities
 - Construction nuisance
 - Ground contamination
 - Visual harm
 - Queries why the dwelling needs to be demolished
 - Occupant of dwelling proposed for demolition concerned over being homeless

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 and the March Neighbourhood Plan, 2017.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Fenland Local Plan 2014 (FLP)

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 - Housing

- LP5 – Meeting Housing Need
- LP6 – Employment, tourism, community facilities & retail
- LP12 – Rural Area Development Policy
- LP13 – Supporting and Mitigating the Impact of a Growing District
- LP14 – Climate Change and Flood Risk
- LP15 – Facilitating the creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP17 – Community Safety
- LP18 – The Historic Environment
- LP19 – The Natural Environment

March Neighbourhood Plan 2017 (MNP)

- H2 – Windfall Development
- H3 – Local Housing need

Supporting/ Supplementary Planning Documents (SPD)

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- FDC Developer Contributions SPD (2015)
- Resource Use & Renewable Energy SPD (2014)
- Cambridgeshire Flood & water SPD (2016)
- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) which includes the RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES

- **Principle of Development**
- **Biodiversity & Ecology**
- **Loss of Agricultural land**
- **Access, Highways and Transport**
- **Flood Risk & Drainage**
- **Ground conditions (contamination)**
- **Noise**
- **Planning Obligations**
- **Resident Comments**

9 ASSESSMENT

Principle of Development

- 9.1 Local Plan Policy LP3 defines March as a Market Town where the majority of the district's new housing, employment growth, retail growth and wider service provision should take place. The site is considered to satisfy the criteria set out in Local Plan Policy LP4 Part B inasmuch as it is on the edge of March. It is therefore an appropriate site to deliver additional housing within the town (towards the 4,200 new homes target set out in Part A of Policy LP4). Further criteria to be met by any such development are set out in Policy LP16 including that the development should, amongst other things, not adversely impact on the amenity of neighbouring users. The delivery of housing on this site would form a logical extension of existing development to the south-west of March in a sustainable location. The site is located within walking distances of the train station, shopping, employment, recreation and other community facilities.
- 9.2 The development will result in the permanent loss of 4.85Ha of High Grade agricultural land. In order to achieve the objectives of the Council's Local Plan

policies it was always likely that the loss of such land would result. The amount of land being lost for agricultural purposes does not require any consultation with Natural England, as required by Schedule 5 of the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended), as the threshold for such consultation is 20 hectares or more. Accordingly whilst the loss of 4.85 hectares of land is unfortunate, it is not, in this instance, considered unacceptable as the policy direction within the Local Plan would have required the use of sites at the periphery of the market towns and the amount of land being lost is not of a scale which requires consultation with Natural England.

- 9.3 The March Neighbourhood Plan allows for Windfall development subject to proportionate pre-application community consultation being undertaken. However, this application was submitted in advance of the MNP being adopted and as such no community consultation was undertaken.

Indicative layout and scale parameters

- 9.4 Whilst the application is in outline only, to allow full evaluation and consideration of the development to determine whether the proposed amount of development can be satisfactorily accommodated on the site, an indicative layout plan is required detailing the potential location of buildings, routes and open spaces, and scale parameters for upper and lower limits for the dimensions of the buildings and detail on the use of development.
- 9.5 The submitted illustrative masterplan indicates how the site could be laid out in order to achieve both the quantum of development and necessary supporting infrastructure e.g. roads, open space, drainage. Although only indicative at this time, the layout plan shows a mix of detached and semi-detached properties accessed mainly via adopted (or adoptable standard) roads. Private roads generally serve small pockets of units at the perimeters of the site. As mentioned, a large area of open space is proposed at the western corner which incorporates an attenuation pond to facilitate surface water drainage of the site. The open space occupies the area of Flood Zone 2 and 3. It is noted that approximately 12 of the dwellings enter into the area of FZ2 with one in FZ3. Naturally this would not accord with the sequential test and it would be expected that the final layout would see all dwellings within Flood Zone 1. Officers have no reason to believe that this couldn't be achieved through a revised layout secured at future reserved matters.
- 9.6 The indicative layout proposes approximately 0.65Ha (6,500m²) of public open space (excluding the area of SuDS). The FDC Developer Contributions SPD requires development of sites over 2Ha (as in this case) to secure 0.4Ha of land per 10Ha of development site for equipped play area along with an un-prescribed level of general green amenity space. In this case therefore approximately 0.2Ha (2000m²) of play area would be required to be equipped. Whilst the indicative layout provided doesn't specify this, it is recognised that a large area of amenity greenspace is proposed and Officers consider that the policy compliant level of equipped play area could be provided alongside the proposed quantum of development with a substantial area of amenity green space, the precise details of which would be secured at reserved matters stage. Furthermore, biodiversity enhancements could also be secured within the open space and around the perimeter of the site utilising new and existing hedgerows and trees.
- 9.7 As such, whilst the layout is only indicative at this time and would require some amendments in order to mitigate the effects of noise (see 'Noise' section below), improve road alignment and avoid flood risk, Officers consider that the proposed

quantum of development could be delivered within the site area along with the policy compliant level of open space including the equipped play area and supporting infrastructure.

Access, Highways & Transport

- 9.8 Policies LP15 and LP16 of the FLP seek to ensure that development can be served by adequate highways infrastructure – avoiding identified risks, maximises accessibility and helps to increase the use of non-car modes by giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. Paragraph 108 of the NPPF requires development to take account of opportunities for sustainable transport modes, provide safe and suitable access for all people and that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 9.9 The scheme is proposed to be served by 1 main vehicular access leading off Wisbech Road (B1099) and this detail is committed as part of this application. The access is located between No's 149 and 145a Wisbech Road, requiring the demolition of no. 147a. The access a 5.5m wide sealed surface with 2.0m wide footpaths on either side connecting the existing infrastructure along Wisbech Road. Drop kerb crossing points either side of the access mouth are proposed.

Transport Assessment

- 9.10 The application is supported by a Transport Assessment which includes the most recent 60 months accident data, current bus service and assessments of various junctions in March that are likely to be affected by the development which includes;
- Junction of the A141 Wisbech Road/ Isle of Ely Way/ Wisbech Road/ Whittlesey Road
 - Junction of the A141 Isle of Ely Way/ Gaul Road;
 - Junction of the A141 Isle of Ely Way/ Burrowmoor Road;
 - Junction of the B1099 Dartford Road/ Robingoodfellow's Lane/ B1101 Creek Road/ Broad Street; and
 - Junction of the B1101 High Street / Burrowmoor Road
 - Junction of March Road with A47
 - Junction of A141 Isle of Ely Way with March Road and B1101
- 9.11 Based on the analysis that has been undertaken in this TA the key points are summarised below:
- The proposed development is well located to existing amenities and services that encourage travel by active modes of travel such as walking and cycling;
 - There is a good range of local amenities and services within walking and cycling distance of the proposed development that would cater for the day-to-day needs of future residents;
 - The existing pedestrian infrastructure in the vicinity of the proposed development provides good accessibility to and from the site by walking;
 - The local area is well served by a network of footpaths, and there are positive opportunities for walking within the vicinity of the proposed development; and
 - Cycling infrastructure in the vicinity of the proposed development is limited, however, the site is accessible via cycling along the B1099 Wisbech Road, and quieter cycle routes are available via a comprehensive permeable network of local streets, providing good connectivity to all areas of March.
 - That the existing bus services stop close to the site and enable access to key towns and cities

Mitigation

- 9.12 The LHA in their assessment of the TA identified that the existing capacity problems at Peas Hill Roundabout would be further impacted upon via the development – most likely through additional queue lengths along Wisbech Road on the approach to the roundabout. Following detailed discussion with the LHA, the applicant has agreed to deliver additional infrastructure by way of a flare to the Wisbech Road approach onto Peas-Hill roundabout (to the west of the access). It is considered that this infrastructure is a necessary transport mitigation measure designed to reduce congestion along Wisbech Road on the approach to the roundabout. The flare will enable traffic to filter left more effectively joining the southbound carriageway of the A141. The flare has undergone a Stage 1 safety audit process with the LHA and is confirmed to be acceptable.
- 9.13 In addition the LHA are seeking a financial contribution to secure enhanced cycle infrastructure along Wisbech Road to improve more sustainable modes of transport. The LHA considers this is a necessary mitigation measure.

Indicative Road Layout

- 9.14 Although illustrative at this time, the internal road configuration comprises mainly of standard gauge road and footways indicating that this could be adoptable subject to final specification and approved construction design. The current arrangement comprises a looped road with runs of straight roads which may result in speed issues and therefore this detail may require attention e.g. introducing some bends or speed reducing measures, however this detail would be determined via future Reserved Matters for layout. A small number of properties are accessed via tertiary private drives and again the exact detail would be considered at reserved matters stage. Notwithstanding this, the general indicative layout is considered to demonstrate that adequate access could be provided within the site to serve the quantum of development proposed.

Resident Concerns

- 9.15 Whilst residents' comments which raise concerns in respect of congestion, speeding and safety of pedestrians have been noted, Officers have been provided no clear evidence to substantiate this, with the TA and proposed mitigation demonstrating that the development would not lead to severe impacts on the transport network of road safety and therefore would be unable to robustly defend a refusal on this basis.

Transport Conclusions

- 9.16 The LHA has confirmed their acceptance of the overall scheme having regard to the scale of the development, proposed access arrangement, proposed Peas Hill Roundabout flare arrangement and the supporting Transport Statement (and subject to the aforementioned contribution toward cycle infrastructure). The enhancement to the roundabout should be provided prior to the first occupation of the development and would be subject to final design under S278 of the Highway Act i.e. the final specification is to be agreed with the LHA. The trigger for the cycle infrastructure contribution would be agreed through the s106 negotiation process.
- 9.17 As such it is concluded that, subject to the delivery of the mitigation package requested by the LHA, the development would not give rise to any severe, cumulative transport impacts, that safe and suitable access can be delivered and

that sustainable modes of transport can be secured through the development thereby satisfying policies LP15 and LP16 of the FLP.

Biodiversity & Ecology

- 9.18 Natural England has confirmed that the development is unlikely to adversely affect the Nene Washes SSSI European designated (Natura 2000) site.
- 9.19 However, due to the specific site conditions and surrounding environment, the applicant has undertaken Phase 1 habitat surveys for Reptiles, Great Crested Newts (GCN) and Water Voles given the presence of adjacent ditches. In addition, following recommendations from the Council's Wildlife Officer, the applicant has subsequently undertaken emergence surveys for Bats.
- 9.20 The applicant's Ecologist surveys conclude that there was no evidence of either species being present at the site but recommends that a condition is secured that in the unlikely event that water voles or evidence of their presence is found during works, all works must immediately cease and a suitably qualified ecologist should be contacted.
- 9.21 The Council's Wildlife officer makes recommendations arising from the survey work including a condition securing the provision of bird and bat boxes, a lighting scheme to prevent disturbance to foraging and commuting bats and the dwelling to be re-surveyed for bats should it not have been demolished by June 2020. In addition, it is recommended to secure the retention of the southern hedgerow in view of its ecological importance. This would require a slight layout change and possible reduction in dwelling numbers which would be considered at reserved matters stages.
- 9.22 The proposal involves the removal of a number of trees and shrubs which are likely to support nesting birds during the nesting season (1st March to 31st August). It is therefore recommend that a condition be attached requiring the avoidance of such site clearance works during this period, or where this is not possible, that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds.
- 9.23 Suitable habitat is present within the application site to support foraging mammals some of which are Species of Principle Importance under s41 of the NERC Act 2006. It is therefore recommended that as a precaution, all construction trenches are covered overnight or a means of escape provided for any mammals that may have become trapped. In addition impenetrable barriers should be avoided by allowing adequate gaps to be retained under any new fencing. The Councils' Wildlife Officer has also made recommendations regarding additional native planting.
- 9.24 It is concluded that subject to the recommendations set out above the proposal is anticipated to result in no net loss to biodiversity.

Loss of Agricultural Land

- 9.25 The site comprises 4.86Ha of a mixture of low grade and high Grade 2 agricultural land (data taken from DEFRA 'magic' mapping, 2019) although it

borders with generally low grade land due to the urban development surrounding it and therefore the exact mix is difficult to establish.

- 9.26 The NPPF, paragraph 171(footnote 53) advises that the economic and other benefits of best and most versatile agricultural land (BMV land) should be taken into account and that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. Annex 2 of the NPPF defines BMV land to be land in Grades 1, 2 and 3a of the Agricultural Land Classification.
- 9.27 Therefore, the site is identified as comprising some 'high grade' (BMV) agricultural land. Having regard to the wider DEFRA mapping site, it is notable that a significant majority of Fenland District falls within the BMV land with only the main Market towns, the Kings Delph and Morton's Leam areas and the north of March including the prison area falling within the lower grades (3b and below). As such, it is recognised that there are very few areas of poorer quality agricultural land and it would not be possible therefore for Fenland to achieve its housing targets without developing areas of BMV land. It is also important to note that the Council's housing target is not a ceiling and opportunities to deliver housing in places outside of those allocated through the development plan should be favourably considered where they comply with the development plan when taken as a whole.
- 9.28 Notwithstanding this, the site area is not considered to be 'significant' having regard to para 171 of the NPPF and the extent of remaining BMV land in the district.

Flood Risk & Drainage

- 9.29 Policies LP14 and LP16 of the FLP seek to ensure that development can be served by adequate surface and waste water infrastructure, avoids identified risk e.g. flooding, and uses sustainable drainage systems which should be designed to contribute to improvement in water quality in the receiving water course.
- 9.30 The site lies in Flood Zones 1, 2 and 3. Given the scale of the development with a site area of over 1Ha, a site specific flood risk assessment (FRA) and drainage strategy has been provided which indicates that Sustainable Drainage Systems (SuDS) can be used at the proposed development to successfully restrict discharge rates in line with the Lead Local Flood Authority's requirements. The surface water is proposed to eventually discharge into the adjacent Internal Drainage Board controlled assets.

Surface water

- 9.31 The County Council's Lead Local Flood Authority has considered the FRA and drainage approach and is generally supportive of the scheme. Whilst they disagree with the approach by the applicant in respect of arranging the SuDS around the layout rather than the other way round, they consider this could be satisfactorily addressed through the reserved matters submission. They also raise question with the accuracy of the reporting of internal ditches but conclude that the attenuation and conveyance of surface water would not increase the risk of surface water flooding. Finally, they question the applicant's assertion that permeable paving is not an effective method of surface water management – advising that there are several examples where this has been employed locally with success. Again, they conclude that this is a matter that can be appropriately dealt with at reserved matters stage.

- 9.32 In summary therefore, the LLFA consider that the development could adequately manage surface water within the site without posing a risk of flooding within or outside the development subject to conditions securing a detailed surface water drainage scheme for the site, based on sustainable drainage principles and using infiltration where ground conditions are conducive to this and/or attenuation. Furthermore, the LLFA require details for the long term maintenance arrangements of the surface water drainage system (including all SuDS features). This could also be reasonably secured via planning condition.

Waste Water

- 9.33 Anglian Water advises that the foul drainage from this development is in the catchment of March Water Recycling Centre that will have available capacity for these flows. Anglian Water raises no concerns over any existing problems and indicates that the development could be suitably accommodated subject to an agreed foul water strategy – acknowledging that a development impact assessment has been prepared by the applicant in consultation with Anglian Water to determine a feasible mitigation strategy with no requests for any improvements that would be required to existing infrastructure. Anglian Water are content to secure a condition requiring details of a foul water strategy prior to the commencement of development.
- 9.34 Notwithstanding this, the development would be required to provide adequate waste water infrastructure under Part H of the Building Regulations 2010 and this would need to be satisfied and 'signed off' through Building Control/ Approved Inspector prior to occupation of the development. The applicant would need to liaise with Anglian Water in agreeing this infrastructure and connection methods.
- 9.35 In conclusion, the dwellings would lie in an area at lowest risk of flooding and could be served by sustainable surface water and waste water drainage systems which would avoid any potential increase in flood and pollution risk from the development in accordance with Policies LP14 and LP16 of the FLP.

Ground conditions (contamination)

- 9.36 The applicant has prepared a ground investigation report (a Phase 2 geo-environmental assessment) which involved intrusive ground investigation and laboratory analysis of samples. This was deemed necessary given that material has recently been imported onto the site whereby the material was not fully understood.
- 9.37 The findings of the report indicate whilst some evidence of Asbestos Containing Material (ACM) was encountered, associated with the imported material, laboratory analysis has not shown concentrations of contaminants to be present, which could pose a significant risk to future site users. However, the report states that as a precautionary recommendation, a layer of clean imported topsoil at a minimum depth of 150mm should be installed within garden and landscaped areas, where these coincide with the recently imported material.
- 9.38 The Council's Environmental Protection team has reviewed the report and concur with the findings and recommendations, concluding that the development could be made acceptable subject to conditions securing a written method statement for remediation of the site followed by a completion report confirming that the contaminated areas have been fully remediated. It is also recommended that a standard unsuspected contaminated land condition is secured given the historical use of the site in the interests of human health.

Noise

- 9.39 The application site lies immediately south of the railway line. The indicative layout denotes a row of dwellings set back approximately 25 – 30m from the line. The Council's Environmental Protection team raised concerns over the potential for noise to adversely affect the living conditions of future occupiers due to the unknown levels of noise that would be experienced. Following this, the applicant commissioned a noise assessment from a qualified consultant who assessed the noise and likely impacts of the development and any proposed mitigation.
- 9.40 The report indicates that unacceptable levels of noise would be experienced from properties at the north of the site and that mitigation is therefore necessary. The proposal put forward includes the erection of a 3m high acoustic fence.
- 9.41 The Council's Environmental Protection team consider that this may not be sufficient to overcome noise at 1st floor level and does not take into account vibration that may also be experienced from the rail activity. They conclude that the scheme requires re-designing in order to demonstrate that these concerns can be overcome. Notwithstanding this, the erection of a 3m high fence or similar structure may adversely affect outlook for future residents, creating an undue sense of enclosure thereby harming residential amenity.
- 9.42 Following further information provided by the applicant's noise consultant, in noting that the application is outline at this stage, with matters of scale, layout, appearance and layout reserved, the Council's Environmental Protection team concludes that with possible mitigation (as set out the consultant's report) to be implemented in the design scheme could alleviate their concerns, especially in the area layout redesign and designation of exclusion zones. All proposed mitigation will be reviewed as part of the reserved matters application.
- 9.43 As such, it is considered that there are design and layout solutions which could effectively mitigate the noise impacts from the adjacent railway line – for example, this could be in the way of low-rise flats with winter-gardens (enclosed glazed patios/ balconies) facing onto the railway line which would act as a buffer for the rest of the development combined with acoustic fencing for ground floor noise mitigation. Such detail can be effectively secured at reserved matters stage and it would be expected that this would be supported by technical evidence of its effectiveness against noise and vibration impacts.

Planning Obligations

- 9.44 Policy LP5 of the FLP seeks to secure appropriate housing to meet the needs of the district including affordable housing as well as meeting the particular needs of all sectors of the community. Policy LP13 sets out the Council's approach to securing appropriate infrastructure to mitigate the impact of development and a growing district. LP15 seeks to ensure that all development contributes to the delivery of transport related infrastructure. LP16(g) seeks to ensure that development provides publicly accessible open space and access to nature.
- 9.45 Officers have carried out consultation with Cambridgeshire County Council's Education, Waste and Transport teams, NHS England, the Council's Housing team, March Town Council and the Developer Contributions SPD; which amongst other things sets out open space and outdoor sports contributions. Following this, a draft S106 Heads of Terms has been generated and shared with the applicant who has subsequently agreed with the contributions and obligations sought which are as follows;

Affordable housing

- 9.46 LP5 sets out that developments of 10 or more dwellings would require 25% of housing within that development to comprise affordable housing – therefore affordable housing **30 units** for this development of 118 dwellings. Furthermore, the Council's housing team has advised that based on the 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, 21 dwellings should be for affordable rent and 9 dwellings for an intermediate tenure.

Education

- 9.47 Cambridgeshire County Council has identified that mitigation is required for the development in respect of Early Years and Primary school where all are at capacity and projects have been identified. In addition they seek a contribution for libraries and lifelong learning and transport improvements.
- 9.48 They have confirmed that a contribution towards Secondary Schools and Strategic Waste will not be sought in this instance due to there being existing capacity. The County Council contributions are as follows;

Early Years

- 9.49 Project: Expansion of Westwood Community Early Years facility by 52 places. The total cost of the project is £1,300,000 and contributions will be sought on the basis of £25,000 per place (£1.3m/52 places). Therefore a contribution of **£700,000** (subject to final housing mix) is sought as the development is expected to generate 28 places.

Primary Education

- 9.50 Project: Expansion of Westwood Community primary school by 90 places (3 classrooms). The total cost of the project is £1,530,000 and contributions will be sought on a basis of £17,000 per place (£1,530,000 /90 places). Therefore a total contribution of **£799,000** is sought as the development is expected to generate 47 places.

- 9.51 *Libraries & Lifelong Learning*

Project: To enhance the existing library facilities in March e.g. books, resources and equipment.
A tariff-based charge of £42.17 per head (based on 2.5 persons per dwelling) is sought. Therefore a total contribution of **£12,440.15** based on a quantum of 118 dwellings.

Transport

- 9.52 Project: Cycle infrastructure improvement scheme from Peas Hill Roundabout to Marylebone Road and March Town Centre involves on-road cycle lanes and removal of centre line on Wisbech Road (as identified in the March Town Strategy). Project cost £15,000.
Contribution sought: **Up to £15,000 depending on existing pooled contributions.**

Planning conditions would also secure direct delivery of the Peas Hill roundabout flare which would be delivered by the developer and therefore no financial contribution is sought for this.

Healthcare

- 9.53 NHS England has carried out a health impact assessment and advises that the existing GP practices do not have capacity to accommodate the additional growth resulting from the proposed development. The development could generate approximately 269 residents and subsequently increase demand upon existing constrained services. The intention of NHS England is to promote Primary Healthcare Hubs with co-ordinated mixed professionals. This is encapsulated in the strategy document: The NHS Five Year Forward View.
- 9.54 The development would give rise to the need for the reconfiguration of internal space at Riverside Practice to provide increased capacity for the benefit of the patients in the March area.

As such the following project has been identified to mitigate this impact;
Project: reconfiguration of internal space at Riverside Practice; a proportion of the cost of which would need to be met by the developer.

Amount requested: £42,435

Open Space & Sports

- 9.55 In accordance with FDC Developer Contributions SPD 2015 the open spaces and sports obligations can be broken down as follows: (site area is 2.73 hectares)
- Neighbourhood Park – £ 19,440 off site contribution
 - Natural greenspace – £ 24,300 off site contribution
 - Allotments – £ 4,860 off site contribution
 - Outdoor Sports contribution – £ 38,880 off site contribution
 - Children’s Play – on-site delivery equating to minimum 0.2Ha in area.
- 9.56 The development would also be expected to provide an area(s) of amenity greenspace to enable free-play which would be considered at reserved matters stages.
- 9.57 These above contributions/ obligations are all considered to meet the statutory tests under Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 as they are required to mitigate the impacts of this development i.e. to make the development acceptable.
- 9.58 The applicant has confirmed their agreement to enter into a S106 obligation for the above and has not challenged this on viability grounds. As such it is assumed that the development is viable to deliver along with the above mitigation.

Resident Comments

- 9.59 Whilst it is considered that most comments and concerns raised have been addressed in this report the following matters require consideration;

Noise and Pollution

- 9.60 Concerns have been raised by residents that the development would give rise to amenity harm through the construction process in respect of noise dirt and dust. It is recommended that a Construction Management Plan (CMP) is secured detailing as a minimum;

- Working days/times
- Noise levels of any mechanical plant e.g. piling machines.
- Estimated duration of use mechanical plant.
- Techniques proposed to reduce noise from the site.
- Techniques proposed to reduce dust from the site and around any access roads.

9.61 A wheel wash (or other facility) could also be secured through this scheme to ensure that mud is not tracked onto the highway in the interests of highway safety.

9.62 It is considered that the use of appropriate conditions would ensure that the construction of the development would not result in adverse impacts on noise and air quality, notwithstanding the developers requirements to comply with health and safety law.

Residential Amenity

9.63 Notwithstanding the requirement for a CMP to control noise and pollution from the development of the site, the indicative layout demonstrates suitable separation for existing dwellings adjacent with hedgerow and other landscaping that could be secured to act as a buffer. Future reserved matters would secure appropriate scale, layout and appearance to ensure that residential amenity of existing and future occupiers would be carefully considered, for example overlooking, overshadowing and overbearing impacts.

9.64 Whilst it is likely that the acoustic environment will change through the introduction of this development, the detailed matters of layout, and landscaping (which would need to include boundary treatments, hard surfacing and lighting) would need to consider the impact of the development on neighbouring properties and how this could be managed e.g. acoustic boundary treatments where necessary, bound surfaces rather than loose gravel and the locations of internal roadways and footpaths and respective lighting. At this time therefore, there is no evidence to suggest that such impacts which could arise as a result of the development, couldn't otherwise be mitigated through detailed design.

9.65 It is considered therefore that subject to appropriate detailed design secured through future reserved matters, residential amenity would not be significantly compromised through the development.

Increase in ASB

9.66 The Police have been consulted on the application and has raised no objection to the proposals. The Police would be consulted on future reserved matters submissions with an approach to designing out crime.

Loss of view/Outlook/ visual impact

9.67 The planning system operates in the public interest and there is no right to a private view within planning legislation. However matters of outlook are a material consideration but are not considered as part of this outline application. They would instead be considered at design submission stage under reserved matters. Likewise concerns raised over visual impact would be considered at reserved matters stage.

Devaluing property/ loss of sale

- 9.68 The planning system does not exist to protect private interests such as value of land or property and as such no weight can be afforded to this concern.

Waste/ Litter

- 9.69 Waste produced and removed off-site during the construction of the development would be controlled under license through the Environment Agency. The County Council confirms that a contribution towards strategic waste infrastructure will not be sought through this development. Furthermore, the district council has a statutory duty to collect household waste and already operates in the March area. The future layout reserved matters detail would be expected to provide details of adequate household waste collection arrangements.

Not a site allocated for development

- 9.70 The district has an identified need to deliver housing through the plan period up to 2031 which is achieved through larger allocated sites and unallocated (windfall) sites such as this and as set out through Spatial strategy policy of the Fenland Local Plan. This development would assist with meeting that need.

Why does 147a need to be demolished?

- 9.71 One resident queries the need for the demolition of 147A when an access track exists directly adjacent. The access track is single track and would not achieve the required visibility or adoptable standards and as such it is necessary to demolish the property in order to achieve safe and effective access onto Wisbech Road.

An application for development of the site was previously refused.

- 9.72 It is noted that planning permission for development on the site was previously refused in 1989 (see history section above) due to inadequate sewerage systems and the development at that time being outside of the developable area of March. Both local and national policy have changed significantly since that time and the current development plan does not exclude the application site from development and Anglian Water has confirmed that the current sewerage systems have capacity to deal with the development.

Occupant of dwelling proposed for demolition concerned over being homeless

- 9.73 Based on these comments, the property appears to be privately rented at present. Whilst the comments from the current occupier of 147a are noted, this ultimately constitutes a civil matter for the owner and occupier to resolve. Notwithstanding this, it is likely that a number of alternative properties for private rent would be available in the March area should this be required.

10 Summary and Conclusions

- 10.1 Paragraph 11 of the NPPF states that a presumption in favour of sustainable development lies at the heart of the Framework.
- 10.2 The policies in the NPPF when taken as a whole constitute the Government's view of what sustainable development means. Paragraph 8 of the NPPF lists the three dimensions to sustainable development; the economic, social and environment dimensions, and says how these roles should not be undertaken in isolation, and therefore to achieve sustainable development a proposed development should jointly and simultaneously deliver gains that are economic, social and environmental.

- 10.3 In respect of the application site and its suitability for housing development, the site has a number of factors in its favour in terms of potential suitability for residential development as follows;
- The developable area for housing will be in flood zone 1, the lowest risk category for fluvial flooding and that to which the development plan directs residential development in preference,
 - can be served by safe and effective access,
 - is accessible to natural green space and play space and incorporates sustainable links to wider leisure networks thereby promoting leisure and health opportunities,
 - is remote enough from heritage assets above ground so as not to result in substantial harm,
 - is in suitable proximity of local services which can be accessed on foot and via public transport,
 - is of sufficient scale to incorporate affordable housing within the site.

In terms of constraints to the potential suitability of the site for development (especially for residential purposes), it is:

- located in an area of archaeological potential which may ultimately limit the quantum of or locations of development dependant on subsequent findings at investigation stage,
 - is adjacent to the railway line thereby restricting some design and layout opportunities,
 - the site currently comprises some grade 2 agricultural land which is defined as good to moderate land by Natural England and BMV land as per the NPPF.
- 10.4 In terms of sustainability, the proposal would contribute towards economic growth, including job creation both during the construction phase and in the longer term through the additional population assisting the local economy through spending on local services/facilities. Furthermore, the scale of the development (as opposed to smaller sites of less than 11 dwellings) would yield financial contributions e.g. towards securing an expansion/ alterations of local schools, healthcare and transport improvements . Environmentally; the proposal offers potential for the incorporation of additional planting and habitat enhancement and the visual impacts of the development are considered to be acceptable given the limited harm and net benefits arising from additional landscaping. Finally, it would increase the supply of housing - including a policy compliant provision of affordable housing homes to aid in addressing the identified shortfall which has social benefits.

- 10.5 Having fully assessed all three dimensions of sustainable development and in applying the planning balance it is concluded that the benefits of the proposal outweigh the identified harm. In summary, there are no overriding technical objections that indicate that permission should not be granted and the application should be approved subject to the recommended obligations as set out in 9.46 to 9.55 above and the conditions as listed below.

11 RECOMMENDATION

1. That the Committee delegates authority to finalise the planning conditions and terms of the S.106 agreement to the Head of Planning, and

2. Following completion of the S106 obligation to secure the necessary education and health contributions, policy compliant levels of affordable housing and open space as detailed in this report, application F/YR17/1127/O be approved subject to conditions listed below.

OR

3. Refuse the application in the event that the obligation referred to above has not been completed and the applicant is unwilling to agree to an extended period of determination of 4 months, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

1.	<p>Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.</p>
2.	<p>Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission. The development to which this permission relates shall be begun no later than the expiration of two years from the final approval of the reserved matters.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.</p>
3.	<p>The development hereby permitted shall be carried out in accordance with the approved plans listed in the table below insofar as they relate to site access.</p> <p>Reason: For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans.</p>
4.	<p>The residential elements of the development shall not exceed 118 dwellings (Use Class C3).</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5.	<p>No demolition/ development shall take place until a written archaeological scheme of investigation (WSI) has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:</p> <ul style="list-style-type: none"> i) The statement of significance and research objectives; ii) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; iii) The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI. <p>Reason: In order to ensure the preservation of the historic environment in accordance with policy LP16(a) and LP18 of the Fenland Local Plan, 2014. A pre-commencement</p>

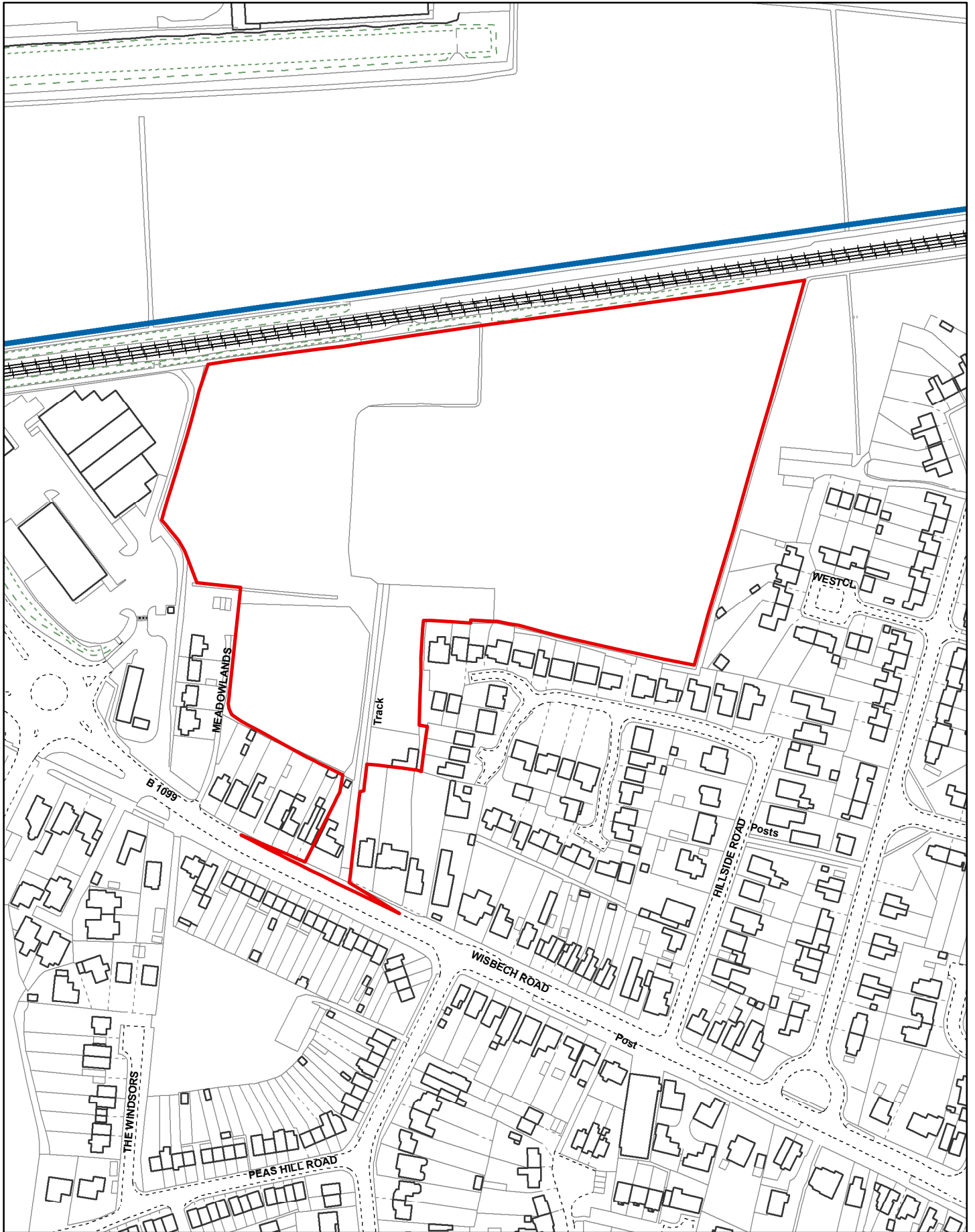
	condition is necessary in order to ensure irreversible loss to the historic environment is avoided.
6.	<p>Prior to the commencement of any development, a Construction Environmental Management Plan (CEMP), shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall accord with and give effect to the waste management principles set out in the adopted Cambridgeshire & Peterborough Minerals and Waste Core Strategy (2011) and Waste Hierarchy when completed. The CEMP shall include the consideration of the following aspects of construction:</p> <ol style="list-style-type: none"> a) Site wide construction programme. b) Contractors' access arrangements for vehicles, plant and personnel including the location, design and specification of construction access and the traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures, along with location of parking for contractors and construction workers, c) Construction hours d) Delivery times for construction purposes e) Soil Management Strategy including a method statement for the stripping of top soil for reuse; the raising of land levels (if required); and arrangements (including height and location of stockpiles) for temporary topsoil and subsoil storage to BS3883:2007 f) Noise monitoring method including location, duration, frequency and reporting of results to the LPA in accordance with the provisions of BS:5228 g) Maximum noise mitigation levels for construction equipment, plant and vehicles h) Vibration monitoring method including location, duration, frequency and reporting of results to the LPA in accordance with the provisions of BS:5228 i) Setting maximum vibration levels at sensitive receptors j) Dust suppression management and wheel washing measures to prevent the deposition of debris on the highway and the general environment k) Site lighting l) Drainage control measures including the use of settling tanks, oil interceptors and bunds m) Screening and hoarding details n) Liaison, consultation and publicity arrangements including dedicated points of contact o) Location of Contractors compound and method of moving materials, plant and equipment around the site. <p>The Construction Environmental Management Plan shall be implemented in accordance with the agreed details, unless minor variations are otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: In the interests of safe operation of the highway and protection of general residential amenity in accordance with policy LP15 and LP16 of the Fenland Local Plan, 2014. A pre-commencement condition is required in order to ensure that any operational development does not cause harm to the amenity of the area of users of the adjoining highway.</p>
7.	<p>No development excluding the demolition and enabling or site-wide infrastructure works shall begin until details of the finished floor level of all buildings in that plot or phase and associated external ground levels have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be implemented in accordance with the approved details.</p> <p>Reason: In the interests of visual and residential amenity in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
8.	<p>Prior to or concurrently with the submission of the reserved matters layout application the following detail shall be submitted;</p> <ol style="list-style-type: none"> (i) a plan showing the extent of the road and cycle network which is to be adopted by

	<p>the local highway authority, and</p> <p>(ii) a scheme for the construction and long term management of any development roads, parking courts and footpaths/ cyclepaths within that phase which are not to be publicly adopted has been submitted to and approved in writing by the local planning authority.</p> <p>The scheme shall include:</p> <ul style="list-style-type: none"> - road and footway cross-sections showing their levels and construction; - details of lighting (identify illumination levels within those areas and the style of any lighting columns and luminaires to be used); - the provision to be made for access to these roads by local authority refuse collection vehicles or alternative arrangements for collection. <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: In the interests of highway safety and to ensure that roads are managed and maintained thereafter to a suitable and safe standard with adequate highway infrastructure provided in accordance with policy LP13, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
9.	<p>All roads and footways linking the dwellings to the adopted highway shall be constructed to at least binder course level prior to the first occupation of any dwelling unless an alternative timetable and scheme has been approved in writing by the local planning authority.</p> <p>Reason: In the interests of highway safety and to ensure that roads are managed and maintained thereafter to a suitable and safe standard with adequate highway infrastructure provided in accordance with policy LP13, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
10.	<p>Prior to or concurrently with the submission of the reserved matters layout and landscape applications a surface water drainage scheme for the site, based on sustainable drainage principles, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before development is completed.</p> <p>The scheme shall include:</p> <ol style="list-style-type: none"> a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change) , inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance; c) Detailed drawings of the entire proposed surface water drainage system, including levels, gradients, dimensions and pipe reference numbers d) Full details of the proposed attenuation and flow control measures e) Temporary storage facilities; f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants; g) Full details of the long-term maintenance/adoption of the surface water drainage system. The details shall identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes; h) Measures taken to prevent pollution of the receiving groundwater and/or surface water; i) A timetable for implementation. <p>Reason: To ensure that the proposed development can be adequately drained and to</p>

	ensure that there is no flood risk on or off site resulting from the proposed development in accordance with LP14 of the Fenland Local Plan 2014.
11.	<p>With the exception of the demolition element of this permission, no development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with LP14 of the Fenland Local Plan 2014.</p>
12.	<p>Prior to or concurrently with the submission of the layout and landscape reserved matters applications a scheme shall be submitted to and approved in writing by the Local Planning Authority detailing the biodiversity enhancements and protection measures commensurate to the recommendations as laid out within the submitted Ecology surveys;</p> <ul style="list-style-type: none"> - Middlemarch Environmental: Nocturnal Emergence and Dawn re-entry Bat Surveys, Report No: RT-MME-127765, June 2018 - Middlemarch Environmental: Great Crested Newt Habitat Suitability Index Assessment, Report No: RT-MME-123012-01, August 2017. - Middlemarch Environmental: Water Vole Survey, Report No: RT-MME-123012-02, August 2017 - Middlemarch Environmental: Reptile Survey, Report No: RT-MME-123012-03, August 2017 <p>The scheme shall include the following;</p> <ol style="list-style-type: none"> 1. How site clearance and construction works will be undertaken having regard to the protection of reptiles, birds, hedgehogs and other mammals which may be present 2. Details regarding numbers, designs and locations for a range of bat boxes/ bat tiles to be incorporated into the new dwellings 3. Avoidance of site clearance works during breeding/ nesting season, or that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds. 4. Details regarding numbers, designs and locations for a range of bird nest boxes to be installed that cater for a number of different species such as House Sparrow, Starling & Swift. 5. Details of fencing which shall incorporate gaps for ground foraging mammals. <p>The development shall be carried out in accordance with the approved details.</p> <p>Reason: In order to ensure that biodiversity and ecology in and around the site is preserved and where possible enhanced in accordance with policy LP16 and LP19 of the Fenland Local Plan, 2014.</p>
13.	<p>Prior to or concurrently with the submission of the layout and landscape reserved matters application a scheme, including dimensioned plans for the protection of retained trees and hedgerow, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include:</p> <ol style="list-style-type: none"> (a) a layout plan which shows the position, crown spread and Root Protection Area of all trees and hedgerow to be retained and which also shows those proposed to be removed; (b) a Tree and hedgerow Constraints Plan showing the Root Protection Area/s (RPA) and the crown radius of all retained trees and hedgerow in relation to the proposed development layout; (c) a schedule of works for those trees and hedges to be retained, specifying pruning and other remedial or preventative work, whether for physiological, hazard

	<p>abatement, aesthetic or operational reasons;</p> <p>(d) the location, alignment and specification of tree and hedgerow protective barriers, the extent and type of ground protection, and any other physical protection measures. The Tree and hedgerow protection must be erected/installed prior to work commencing with that plot or phase and shall remain in place for the duration of construction works;</p> <p>(e) details of the alignment and positions of underground service runs;</p> <p>(f) any proposed alteration to existing ground levels, and of the position of any proposed excavations, that occurs within the root protection area of any retained tree or retained hedgerow.</p> <p>The development shall be undertaken in accordance with the approved details.</p> <p>Reason: In the interests of visual amenity and environmental quality in accordance with policy LP16 and LP19 of the Fenland Local Plan, 2014.</p>
14.	<p>Prior to the first occupation of the development hereby permitted an additional approach lane at Peas Hill Roundabout along Wisbech Road shown in principle on Plan No 2429-SK-04 Rev P04 shall be provided.</p> <p>Reason: To ensure that sufficient capacity is available within the highway network to cater for the development proposed.</p>
15.	<p>Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling.</p> <p>Reason: In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
16.	<p>The access to Wisbech Road as detailed on plan ref: Site Access Arrangement 2429-SK-02 Revision A shall be provided and completed to Cambridgeshire County Council Highways construction specification prior to the first occupation of the development.</p> <p>Reason: In the interests of highway safety in accordance with policy LP13 and LP15 of the Fenland Local Plan 2014.</p>
17.	<p>The following steps (a and b) shall be carried out and completed prior to the first occupation of the development;</p> <p>(a) A written method statement for the remediation of land and/or groundwater contamination affecting the site shall be submitted to and approved in writing by the local planning authority. 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.</p> <p>(b) The provision of two full copies of a completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring proposals shall be submitted to and approved in writing by the Local Planning Authority. This should also include any contingency arrangements.</p> <p>Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with LP2 and LP16 of the Fenland Local Plan 2014.</p>

18.	<p>If, during development, contamination not previously identified is found to be present at the site:</p> <ul style="list-style-type: none"> (i) it shall be reported to the local planning authority within 1 working day; (ii) no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until site investigations have been carried out and a remediation strategy has been submitted to and approved in writing by the local planning authority detailing how this unsuspected contamination will be dealt with; (iii) the remediation strategy shall be implemented as approved; (iv) no occupation of any part of the development identified in the remediation strategy as being affected by the previously unidentified contamination shall take place until: <ul style="list-style-type: none"> a. the approved scheme has been implemented in full and any verification report required by the scheme has been submitted to and approved in writing by the local planning authority; b. if required by the local planning authority, any proposals for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action have been submitted to and approved in writing by the local planning authority. (v) the long-term monitoring and maintenance plan shall be implemented as approved. <p>Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with LP2 and LP16 of the Fenland Local Plan 2014.</p>
19.	<p>Approved Plans:</p> <p>Location Plan: 5127-03d Site Access Arrangement: 2429-SK-02 Revision A</p>



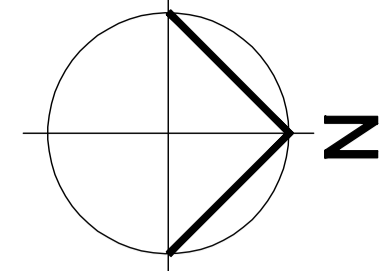
Created on: 30/11/2017

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F/YR17/1127/O

Scale = 1:2,500





SITE PLAN (SHOWING INDICATIVE SITE LAYOUT) 1:500

House Type Schedule

- 101 - 1 Bedroom 11/12/13
- 102 - 2 Bedroom 14/15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100
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11/04/2017 - Topographical survey overlaid on site layout
 15/07/2016 - Design of layout revised. BE/C
 17/08/2016 - House type schedule added. BE/C
 18/09/2016 - Access road amended to engineers comment

Detailhawkley Associates
 ARCHITECTURAL DESIGN AND BUILD

PROJECT
 PROPOSED RESIDENTIAL DEVELOPMENT

100
 WISEBECH ROAD
 MARCH
 CAMBRIDGESHIRE

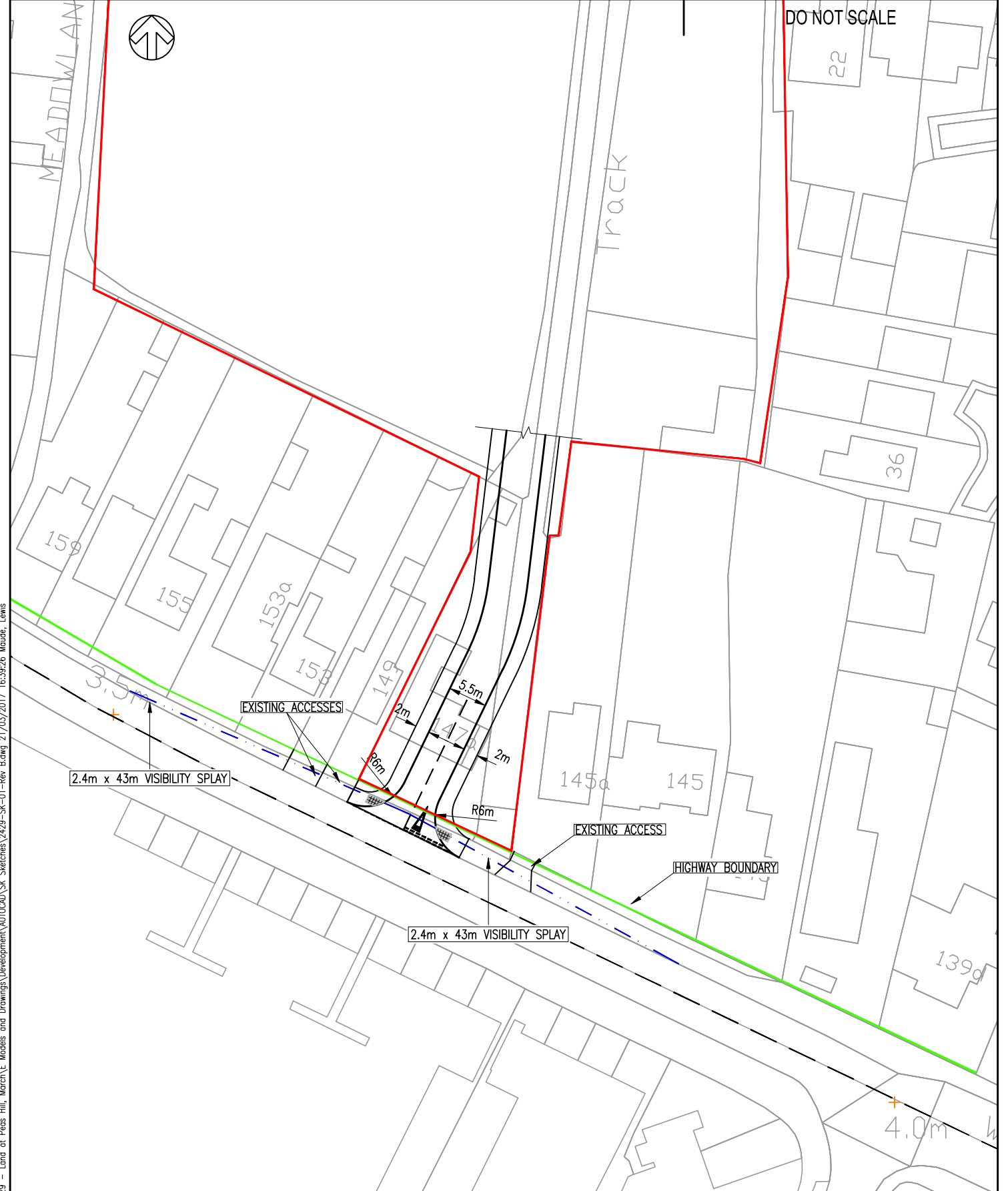
CLIENT
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 ARCHITECTURAL DESIGN AND BUILD

100
 WISEBECH ROAD
 MARCH
 CAMBRIDGESHIRE



\\uk.wspgroup.com\central_data\Projects\70022429\70022429 - Land at Peas Hill, March\E Models and Drawings\Development\AUTOCAD\SK Sketches\2429-SK-01-Rev B.dwg 21/03/2017 16:39:26 Maude, Lewis

A	21/03/2017	LM	FIRST ISSUE	NJE	e
REV	DATE	BY	DESCRIPTION	CHK	APD
SCALE @ A3: 1:500		CHECKED: NJE	APPROVED: NJE		
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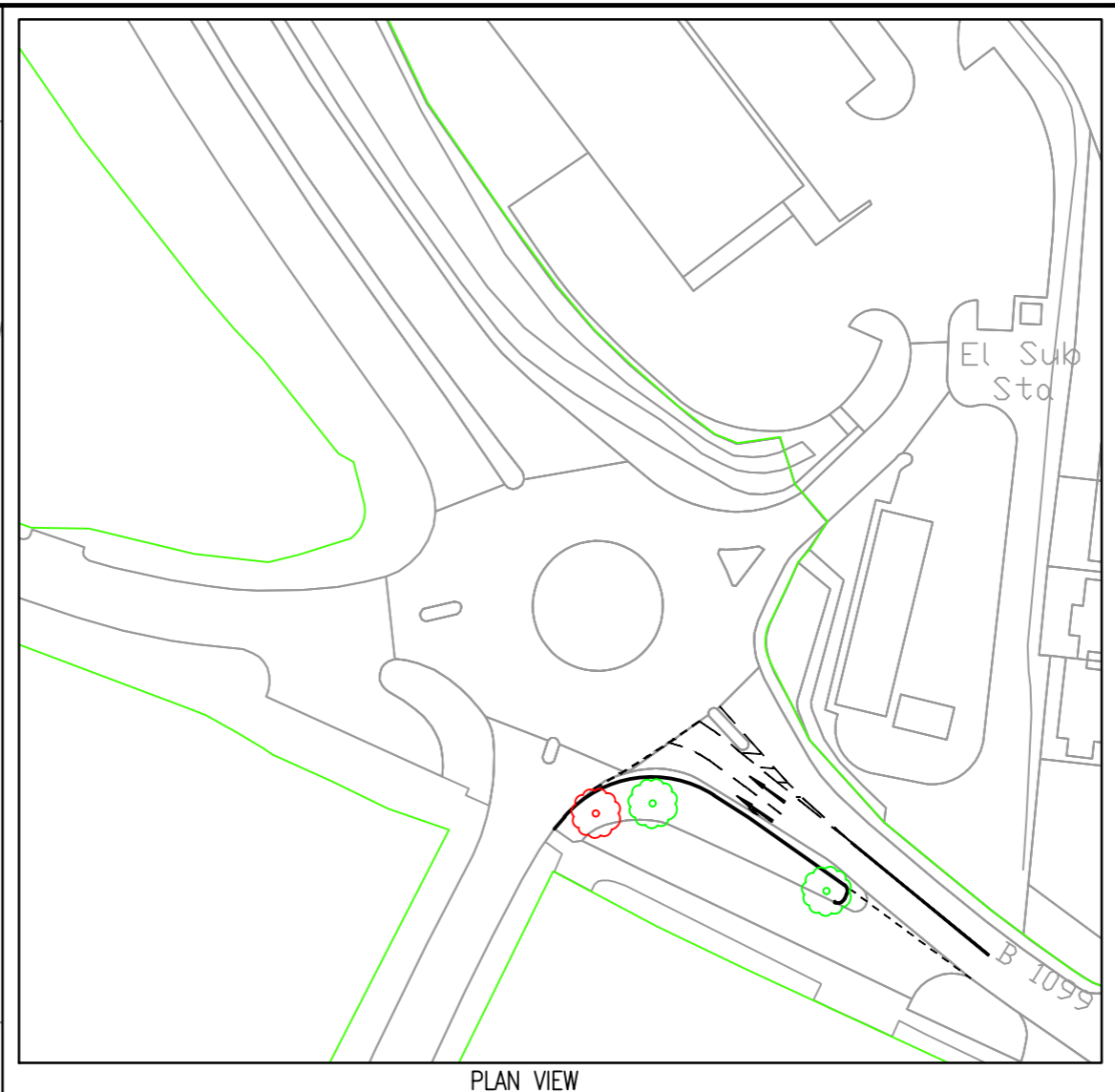
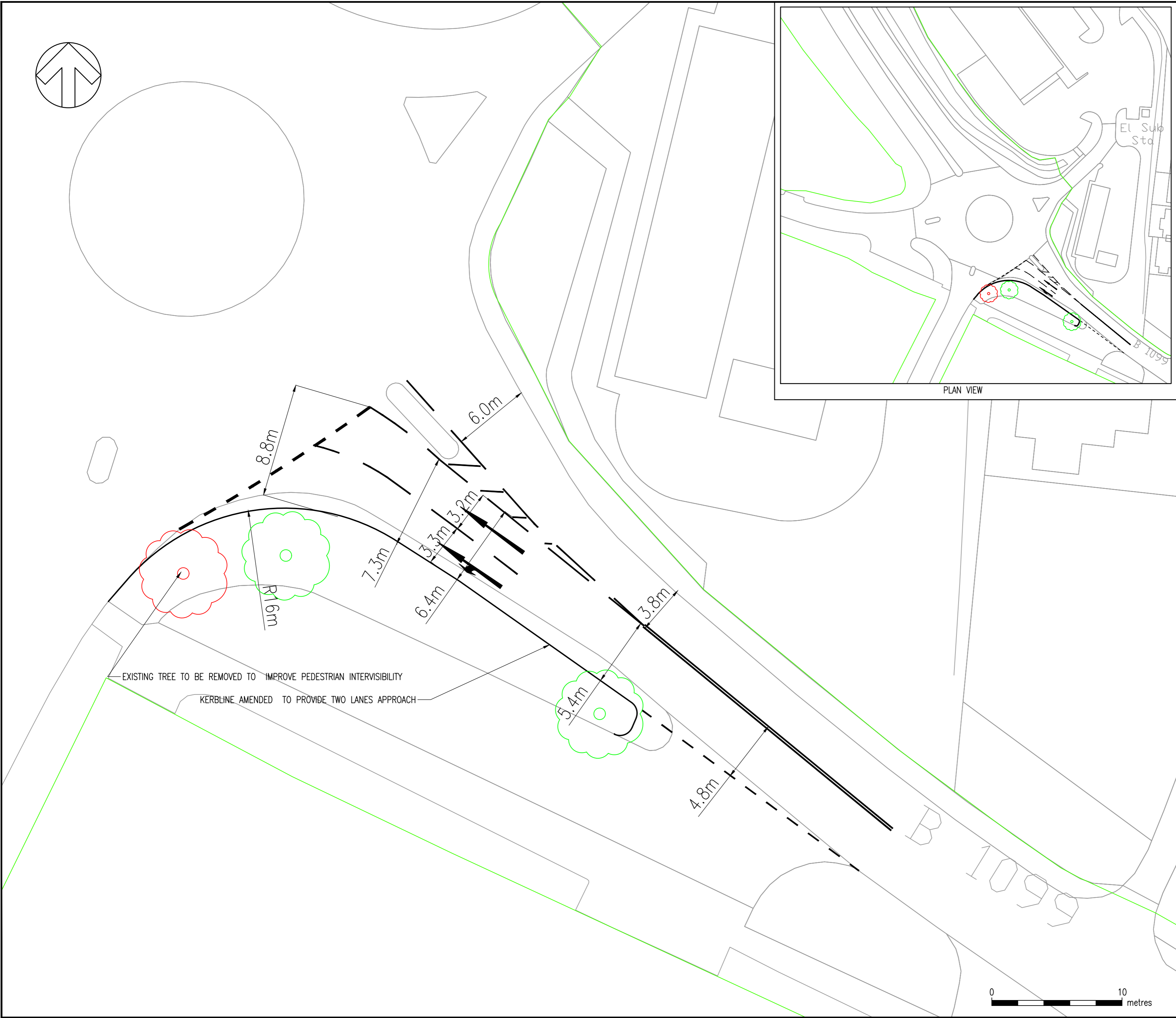
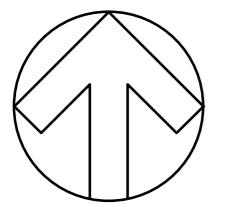


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 www.wspgroup.com www.pbworld.com

CLIENT: KNOWLES TRANSPORT LTD.
 ARCHITECT: PETER HUMPHREY ASSOCIATES

PROJECT: LAND AT WISBECH ROAD, MARCH		
TITLE: SITE ACCESS ARRANGEMENT		
CAD FILE: 2429-SK-02	DESIGN-DRAWN: LMM	DATE: March 17
PROJECT No: 70022429	DRAWING No: 2429-SK-02	REV: A

File name: \\UK.WSPGROUP.COM\CENTRAL_DATA\PROJECTS\70022429- LAND AT PEAS HILL, MARCH, MODELS AND DRAWINGS\DEVELOPMENT\AUTOCAD\SKETCHES\2429-SK-04- ROUNDABOUT.DWG, printed on 22 November 2018 17:26:19, by Malecki, Atur



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- KEY:**
- HIGHWAY BOUNDARY
 - EXISTING TREE
 - TREE TO BE REMOVED

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REV	DATE	BY	DESCRIPTION	CHK	APP
P04	22/11/2018	AKM	LANE LENGTHS ADJUSTED FOLLOWING RSA COMMENTS	LK	LK
P03	24/09/2018	AKM	TREES ADDED	AKM	LK
P02	14/09/2018	LMM	APPROACH AMENDED FOLLOWING CCC COMMENTS	AKM	LK
P01	03/09/2019	LMM	FIRST ISSUE	LK	LK

DRAWING STATUS: **S2 - FOR INFORMATION**



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CLIENT: **KNOWLES TRANSPORT LIMITED**

ARCHITECT: **PETER HUMPHREY ASSOCIATES**

PROJECT: **WISBECH ROAD, MARCH**

TITLE: **EXISTING ROUNDABOUT WITH PROPOSED FLARE**

SCALE @ A2: 1:200	CHECKED: LK	APPROVED: LK
PROJECT No: 70022429	DESIGNED: LMM	DRAWN: LMM
DRAWING No: 2429-SK-04		DATE: November 18

REV: **P04**



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F/YR18/1126/O

Applicant: Mrs J Smith

Agent : Mr Lee Bevens
L Bevens Associates Ltd

Land East of The Bungalow, Iretons Way, Chatteris, Cambridgeshire

Erection of a dwelling (outline application with matters committed in respect of access and layout)

Reason for Committee: 6 or more unresolved written opinions from 6 or more separate sources have been received from within the ward area or adjacent ward area which differ from the officer recommendation.

1 EXECUTIVE SUMMARY

The application is for the construction of a single-storey dwelling on the site, which is an elsewhere location as defined in Local Plan policy LP3.

The dwelling would replace an existing static caravan on the adjacent site that is occupied by the applicant as ancillary accommodation associated with The Bungalow.

No evidence is provided as to how the proposal meets the any of the specified exceptions set out in policy LP3 (such as an agricultural workers dwelling) for residential development in such locations, and therefore there is an 'in principle' policy opposition to the development of the site.

2 SITE DESCRIPTION

The application site is an existing single-storey residential dwelling and its ancillary facilities, surrounded by a metal railing topped brick wall to the front elevation, and a 1.8 metre closeboard timber fence to the side elevations.

The application site lies within flood zone 1, the zone of lowest flood risk.

3 PROPOSAL

The proposal is an outline application for the construction of a new single-storey dwelling on the land associated with the existing property and to its south east on an area currently used for the parking of vehicles. Layout and access are the only matters submitted for approval at this time.

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

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PJOP9AHE01U00>

4 SITE PLANNING HISTORY

F/YR18/0974/O	Erection of a dwelling (outline application with matters committed in respect of access and	Withdrawn 5/12/18
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	layout)	
F/YR18/0551/CER	Certificate of lawfulness (existing): siting of a caravan for residential purposes	Withdrawn 20/7/18
F/YR17/0369/CER	Certificate of Lawful Use (Existing): The use of a mobile home as a separate dwelling for a period in excess of 10 years and conversion of stable block to kitchen and bathroom	Refuse issue cert lawful use 2/1/18
F/YR14/0872/F	Installation of a biomethane injection pipeline (to inject into the National Grid) involving the erection of an associated plant compound with 2.4m high boundary security fence and gates	Withdrawn 19/12/14
F/YR14/0783/SC	Screening opinion: Installation of a Biomethane Injection pipeline (to inject into the National Grid)	Further details not required 21/10/14
F/YR05/1109/F	Erection of a 3-bed bungalow involving demolition of existing dwelling	Granted 21/11/05

5 CONSULTATIONS

FDC Environmental Health

No objections. Request condition regarding unsuspected contamination.

FDC Scientific Officer (Land Contamination)

No objection. Request unsuspected contamination condition

Natural England

No comments to make

Cambridgeshire County Council Highways Authority

Details should be provided to demonstrate the access is suitable for two-way vehicle movement, and the access should be splayed to provide easier ingress/egress of the A142.

Visibility splays of 2.4m x 215m should be detailed.

Defer for amended plans or refuse because of a failure to demonstrate satisfactory access that does not increase highway safety risk.

Local Residents/Interested Parties

Supporters

Six letters of support were received identifying the following reasons for their support:

- Don't feel it will have a negative impact on property or traffic.
- Please to see a proposal to keep the family together on the site.
- Won't have a detrimental impact on the surrounding area.

6 STATUTORY DUTY

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

National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 79: Avoid the development of isolated homes in the countryside unless specified exceptions apply

National Planning Practice Guidance (NPPG)

Determining a planning application

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

LP16 – Delivering and Protecting High Quality Environments across the District

8 KEY ISSUES

- **Principle of Development**
- **Access and layout**

9 BACKGROUND

The proposal follows a previous application for a certificate of lawfulness for the siting of a caravan for residential purposes that was refused on the basis that insufficient evidence had been supplied to demonstrate the alleged use, and subsequent applications for both a certificate of lawfulness for that use, and an outline application for a new dwelling that were both withdrawn once the officer's recommendation of refusal had been made known to the agent.

No formal pre-application advice has been sought in respect of the current proposal, however it was indicated that the recent outline application was to be recommended for refusal prior to its withdrawal. No alterations have been made to the proposal since that indication was given.

10 ASSESSMENT

Principle of Development

The application site is located beyond the built up area of the settlement of Chatteris, and as a result is located in an area that would be defined as 'Elsewhere' within policy LP3 of the Fenland Local Plan.

Policy LP3 requires that for development in elsewhere locations to be considered acceptable, it must be demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Policy LP12 further elaborates on these requirements, setting out the specific information requirements to support such applications.

The application in question makes no attempt to justify the location on any of these identified grounds, instead arguing that the proposed dwelling would not adversely impact the character and appearance of the surrounding countryside, that the applicant is keen to remain living in this location due to its proximity to her parents and that it is a sustainable proposal as it will allow the applicant to remain living on

the site in a permanent well-built dwelling instead of the static caravan currently located on the adjacent land.

Whilst it is noted that the scheme indicates that the existing static caravan will be removed from the site as a result, this is not a factor in the sustainability of the development, with the NPPF noting that there are three strands to sustainable development, these being economic (ensuring sufficient land of the right types is available in the right places at the right times to support growth), social (supporting strong, vibrant communities with accessible services) and environmental (making effective use of land and minimising waste and pollution whilst moving to a low carbon economy). Whilst the removal of the static caravan is indicated on the plans, as it lies outside the application site its removal could not be required by condition.

The construction of a new permanent dwelling in this location would not meet the sustainability objectives, resulting in piecemeal development in a location that fails to support the existing settlements and services and does not support or facilitate the move to a low carbon economy. Without the supporting justification noted, the proposal is also contrary to the location policies of the development plan (LP3 and LP12 part D).

Access and layout

The proposed new dwelling is indicated as using the existing vehicular access to the site, with the proposed dwelling located parallel to The Bungalow, which is located to the north west. The plans detail a 4 metre wide access road into the site, leading to parking at the rear of the properties sufficient for the needs of both dwellings. The proposed plans also detail provision of front and rear gardens to the proposed new dwelling and space at the rear of the site for the keeping of a touring caravan.

The vehicular access into the site is detailed with 2.4 metre by 120 metre visibility splays, however as the road from which access is provided is subject to the national 60mph speed limit, visibility splays should be provided to a 2.4 metre by 215 metre standard. It is noted however that the scheme states that the existing static caravan on the site would be removed and therefore the actual alteration/intensification of the access use is limited. It would not be appropriate to refuse the application on this basis therefore.

11 CONCLUSIONS

The proposal is for a new dwelling in an elsewhere location and there is no justification for such a location in line with the requirements of local plan policies LP3 and LP12 part D. It is accepted that the applicant currently lives on the site in a static caravan ancillary to the existing permanent residential dwelling, however this does not justify the construction of a new dwelling nor does it make the site a sustainable location.

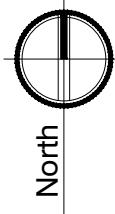
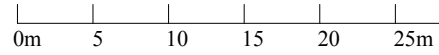
12 RECOMMENDATION

Refuse for the following reason:

Policies LP3 and LP12 part D of the Fenland Local Plan (2014) seek to direct new development to the most sustainable locations in line with national guidance set out in paragraph 78 of the National Planning Policy Framework. The application site is located beyond the built up parts of any of the settlements within the district

and is therefore an elsewhere location as defined in policy LP3. No supporting justification is given as to how the site meets the exceptions specified within policy LP3, nor is any evidence provided meeting the requirements of policy LP12 part D for the construction of new dwellings in such locations. On that basis, the proposal is contrary to policies LP3 and LP12 part D of the Fenland Local Plan (2014) and there are no material considerations that justify its approval contrary to those policies.

Scale: 1:500



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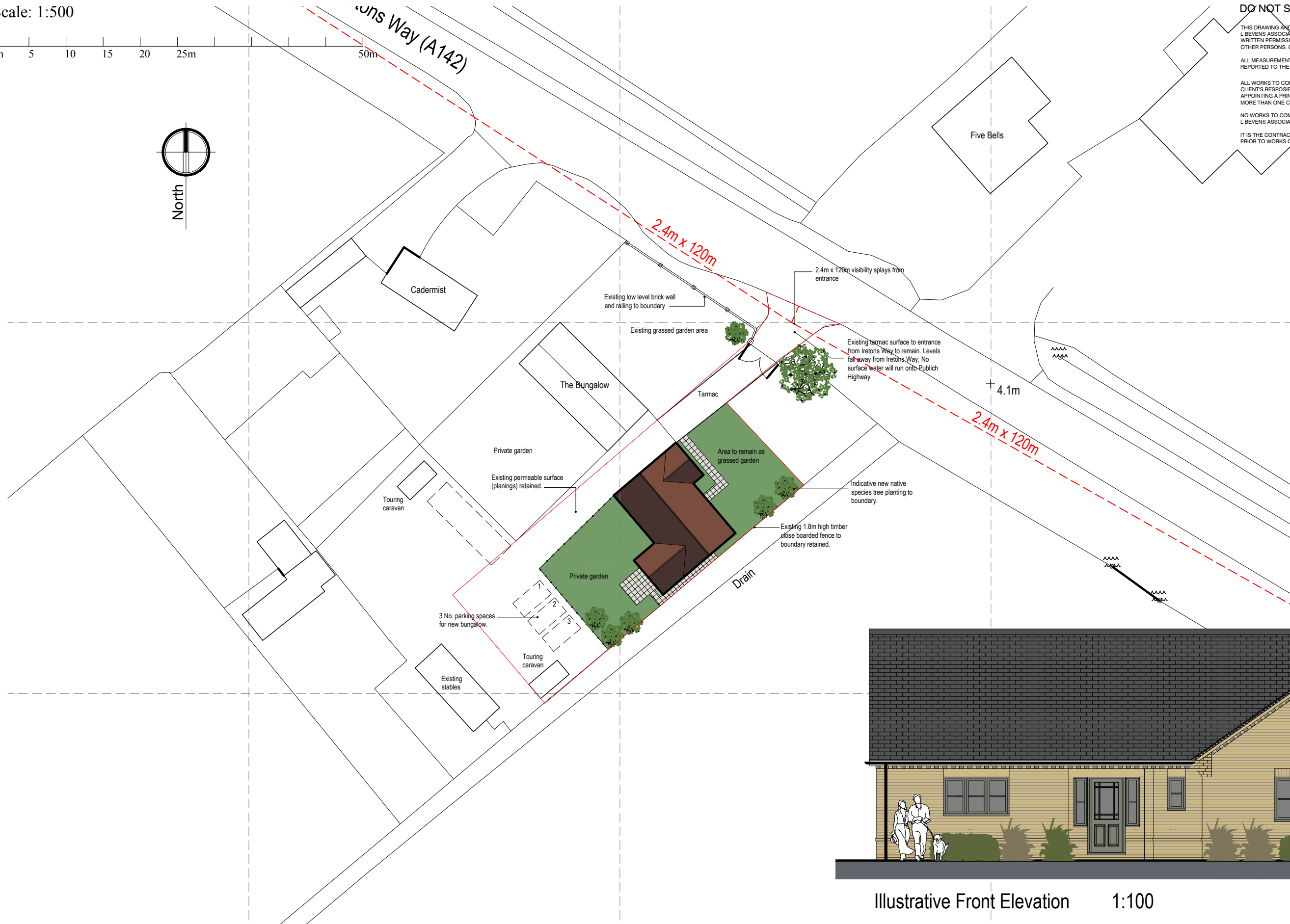
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ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED.

IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.



Illustrative Front Elevation 1:100



L BEVENS ASSOCIATES LTD
ARCHITECTS

The Doghouse, 10 Cricketers Way, Chatteris, Cambridgeshire. PE16 6UR

Tel: 01354 693969



Mob: 07739 562818

Land south-west of The Bungalow,
Iretons Way (A142), Chatteris, Cambridgeshire.

Project Mrs J Smith

Block Plan

Rev A Oct. 2018 Site boundary amended to match Location Plan

Scale	Date	Drawn	Checked
1:500 @ A3	September 2018	L B	
Drawing Number			Revision
CH18/LBA/470/OP-1-101			A

F/YR18/1146/F

Applicant: Mr D Creese

Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited

Land West Of 327, Norwood Road, March, Cambridgeshire

Erection of 2 x single-storey 3-bed dwellings with attached single garage

Reason for Committee: 6 or more unresolved written opinions from 6 or more separate sources have been received from within the ward area or adjacent ward area which differ from the officer recommendation.

1. EXECUTIVE SUMMARY

The proposal is a full application for the construction of two dwellings on the land.

The site is located within March, on land designated as being at the lowest risk of flooding, and involves the development of a currently empty plot of land.

The proposal follows a previous withdrawn application that proposed the construction of 3 dwellings on the site.

The scheme relates appropriately to its surroundings and does not result in any impacts that justify its refusal.

2. SITE DESCRIPTION

- 2.1. The application site is currently scrub grassland located to the rear of 325-329 Norwood Road, surrounded on three sides by existing closeboard timber fencing, with an existing store/stable on the fourth side. To the north of the site is a bungalow accessed from Smiths Chase, which faces out over the site from two existing windows (bedroom and living room), located approximately 1.5 metres from the site boundary.
- 2.2. The fence on the southern boundary of the site is supplemented by an evergreen conifer hedge located within the gardens of the adjacent properties, approximately 3m in height.
- 2.3. On the opposite side of Prospect Road to the west are three further bungalows accessed directly from the private road.
- 2.4. The site is located in Flood Zone 1.
- 2.5. Access to the site will be from Prospect Road.

3. PROPOSAL

- 3.1. The proposal is for the construction of two single-storey dwellings on the land, incorporating single garages and providing a turning space between the dwellings to allow vehicles to leave in a forward manner.

3.2. Access to the site is shown as being along Prospect Road, a private road with an existing access onto Wisbech Road.

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/YR05/0680/O	Erection of 5 dwellings involving demolition of existing dwelling	Granted 28/7/05
F/YR18/0780/F	Erection of 1 x single-storey 3-bed with garage and 2 x 2-storey 3-bed dwellings	Withdrawn

5. CONSULTATIONS

March Town Council

5.1. Recommend approval

Cambridgeshire County Council Highways Authority

5.2. *Turning head has the appearance of a parking space, could this be overcome? Prospect Road doesn't allow two-way vehicle flow at the access and could result in vehicles being sat stationary on Wisbech Road. Request amended plans.*

Senior Archaeologist (CCC)

5.3. *We 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.*

Local Residents/Interested Parties

12 letters of objection to the proposal have been received from 7 distinct sources raising the following points:

- Additional traffic along Prospect Road
- Prospect Road is not designed for heavy traffic and should not be used to deliver materials to the site.
- Prospect Road is private and the applicant does not have the right to use it
- Exit of Prospect Road does not have good visibility
- Lack of visitor parking
- Development does not make allowance for turning for the existing properties
- Insufficient space proposed to manoeuvre into proposed parking spaces.
- Proposal will impact on light into living and bedrooms
- Loss of outlook, loss of privacy
- Do not want to suffer loss of light from any trees that will be planted.
- Don't see how private housing meets needs
- Benefits only the developer
- Solely undertaken for private profit
- Overdevelopment of the area
- Loss of this urban green space
- What mitigation is proposed to reduce the risk of surface water flooding
- No information on foul effluent disposal
- Dormice and bats reside in the field
- Japanese knotweed has been confirmed as growing on the land

- Will the proposals destroy the roots of the conifer trees present on the boundary of the site.
- The land has been used for the burial of fridges and freezers.
- Development of the site will impact on mental wellbeing and will have to consider moving house.
- Object to access from Norwood Road shown on plan SE-864-05A, noise from construction traffic would be horrendous, disturb the foundations of the neighbouring dwelling and exacerbate existing difficulties at the Maple Grove junction. Use of this access would also prejudice access to the neighbouring dwelling's gas box.
- Development would result in disturbance of the peace currently experienced at neighbouring dwelling.
- Wish to avoid impact on views, particularly sunsets.
- Town Council would only consider approving 1 bungalow
- Devaluation of neighbouring property
- Only supported by those with a vested interest in the site

Supporters

14 letters of support for the proposal have been received from 9 distinct sources noting the following points:

- Good central location, ample gardens and improvement of the road.
- Owner has lived and invested in March for over 3 decades.
- Looks like the best proposal so far
- Aren't the council in trouble for not delivering enough housing?
- Understood the Council had already granted permission
- Well considered layout and a welcome contribution to March
- Would bring benefits to March's economy
- Well-designed development with good access

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)

7.2. National Planning Practice Guidance (NPPG)

Determining a planning application

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

LP4 – Housing

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

7.4. March Neighbourhood Plan 2017

H2 – Windfall development

8. KEY ISSUES

- **Principle of Development**
- **Design and Amenity**
- **Highway Safety**
- **Flood Risk**
- **Other matters**

9. BACKGROUND

- 9.1. The site has been subject to a preliminary enquiry in relation to development of the site for residential purposes. That enquiry provided two options for development, one of which was indicated as having the potential to gain a positive recommendation (proposing two new dwellings both accessed from Prospect Road), whilst the second was indicated as being unlikely to gain support, (also for two dwellings but both accessed between the existing host dwelling and 329 Norwood Road).
- 9.2. Subsequently, an application was made for the construction of a single bungalow and a pair of semi-detached dwellings, however this application was withdrawn prior to being determined.

10. ASSESSMENT

Principle of Development

- 10.1. The application site is located within the town of March, identified in the Fenland Local Plan (2014) as being one of two primary market towns within the district, and one of the settlements within which the majority of the District's new housing is to be provided.
- 10.2. The site is within flood zone 1 and there are no historic or ecological designations that would indicate a presumption against the principle of residential development here.
- 10.3. Analysis of the patterns of development of the area make it clear that infill and backland schemes have been utilised to enable the development of the area for residential purposes, see the following section on Design and Amenity in this respect.

Design and amenity

- 10.4. The dwellings to the south and east along Norwood Road and Wisbech Road are mainly two-storey properties, and represent the historic development along these routes. The more recent infill development to the rear of these roads is almost exclusively single-storey by contrast, including the existing dwellings accessed from Prospect Road and Smiths Chase, which are most closely associated with the application site.
- 10.5. Policy LP16 requires proposals to deliver high quality environments, listing several contributory elements to meeting this requirement, which include (amongst other things) making a positive contribution to the local distinctiveness and character of the area, and not adversely impacting on the amenity of neighbouring users.
- 10.6. Extensive comments have been received in relation to the proposal on these matters and are considered as follows:
- 10.7. Privacy & Amenity Impact.
- 10.8. The two proposed dwellings to be built on the site are single-storey in nature, and the site is surrounded by closeboard fencing, noted on the site plan to be 1.8 metres in height. The dwelling immediately to the north of the

application site currently has the closest relationship, and that property benefits from two windows that look out over the land over the separating fence from a distance of approximately 1 metre due to variation in land levels between the two sites. The remaining dwellings adjoining the site have considerably less close relationships, with the properties on Prospect Road having a 15 metre separation from the front elevations of the proposed dwellings, and building-building separation distances of over 20 metres and over 40 metres respectively to the south and east of the site. Given those distances, only the dwelling immediately to the north is cause for concern. That concern must be tempered however by the following facts. Although the windows in this property look over the intervening fence due to variation in land levels, this fence could be reconstructed so as to be 2 metres high above the higher of the two land levels, without the need for a planning application. The neighbour would have no option but to accept such a fence and the impact it would have on the outlook from their windows, which would be considerably greater than the construction of the proposed dwelling, which in part mitigates the impact due to the location of its driveway along this boundary.

10.9. The original scheme has been amended at the request of officers to increase the separation distance between the front of the proposed dwellings and the properties on the opposite side of Prospect Road. As these dwellings are now separated by 15 metres it is considered that the relationship is within acceptable tolerances.

10.10. The views from the proposed dwellings to the rear (east) is, given the separation distances involved, not likely to result in unacceptable adverse impacts to residential amenity. The concerns regard noise coming from the use of the space is noted, however it is of the same character as the use of the existing land as ancillary domestic garden and would not therefore justify refusal of the scheme.

Character Impact

10.11. As noted earlier, the application site lies behind the historic line of development along Wisbech Road and Norwood Road and other developments in such areas, including both Prospect Road itself and Smiths Chase to the north, have been developed almost exclusively through the use of single-storey properties. The proposal continues this trend, with a pair of handed residential units, each accommodating 3 bedrooms. The application notes that materials of construction are to be agreed, and therefore an appropriately worded condition to ensure use of appropriate materials would be necessary. In scale and design terms therefore, the proposed dwellings would be completely in accordance with the character of development in the area

Highway Safety

10.12. The public comments received in relation to the application also make several objections with regard to the proposed access along Prospect Road and construction vehicle access and are considered as follows:

Intensification of the use of Prospect Road and access visibility

10.13. Prospect Road is an unadopted Private Road, with 3 addresses registered as gaining access from it. The proposal is for the construction of an additional 2 dwellings, resulting in 5 properties using the road for access. This is the normally

accepted upper threshold for numbers of dwellings accessed from a single private road, and on that basis the principle of the intensification of the use is not considered to be unacceptable. The access visibility is noted alongside the comments of the Highways Authority, however the boundary treatments flanking the access are beyond the applicant's control and Wisbech Road at this point benefits from a significant off-road parking bay that allows vehicles to pull off the road and wait to enter Prospect Road if required. On this basis the visibility is not sufficiently poor or dangerous to justify refusal of the application.

Right of access

- 10.14. Comments submitted alongside the application indicate that the owner of the site does not have permission to access the site from Prospect Road, however this is not a matter that is material to the planning decision reached on the site and is instead a matter for private negotiation between developer and the owners of the road.

Construction vehicle access

- 10.15. Comments have been received indicating that Prospect Road is not suitable for construction vehicles and also that use of the existing access alongside the host dwelling would result in unacceptable impacts on its living conditions. Given the relatively minor scale of the proposal, impacts from construction vehicles are likely to be extremely limited, both in scale and duration and there are no abnormal circumstances that would justify an attempt to control access routes.

Parking and turning provision

- 10.16. The site plan submitted alongside the application shows each of the proposed new dwellings benefitting from a single garage with two additional tandem parking spaces in front of the garage, with turning provided within Prospect Road. A separate turning head is provided between the two dwellings to allow turning of vehicles away from the driveways, which with a depth of over 9m off Prospect Road is sufficient to accommodate the likely turning requirements of the dwellings and most typical visitors.

Flood risk

- 10.17. The site is noted as being within Flood Zone 1 and therefore there is no 'in principle' opposition to its development for residential purposes. The Environment Agency website does note however that the site is at a medium to high risk of flooding from surface water; however no surface water drainage strategy accompanies the application. Given the identified risk, it would be appropriate to require such detail should permission be granted.

Other matters

- 10.18. Several other matters have been raised for consideration during the course of the application, which are considered as follows:
- 10.19. Devaluation of surrounding property and the presence of Japanese Knotweed are not material to the planning merits of the proposal, nor are the spoiling of views across the site from other properties, or the motivations of either the applicant for making the application or third parties for supporting it.
- 10.20. Ecological value – there is no evidence provided in the relevant objections to demonstrate that protected species are present on the site, and the site is within a residential curtilage at present. Any works would still need to comply

with the requirements of the Wildlife and Countryside Act 1981 and it would not be appropriate to attempt to duplicate the controls of those regulations as part of any planning permission granted on the site.

- 10.21. Burial of domestic appliances on the land – as a matter of principle this does not affect the granting of permission, however a condition to require an appropriate response should any unsuspected contamination be found on the site would be appropriate if the scheme is granted.
- 10.22. Services provision – there is no requirement for a property to have a connection to mains gas, and there is no indication that there is insufficient capacity for foul drainage within the public sewer at this location.
- 10.23. It is not understood where the comment regarding the Town Council only supporting a single dwelling on the site has originated as in their formal response to the application they recommended approval of the scheme.

11. CONCLUSIONS

- 11.1. In conclusion, the principle of the development is one that is not opposed by the relevant policies of the development plan. The design of the proposed dwellings and their impacts on amenity are within the thresholds that would be considered acceptable and would not justify refusal of the scheme. The impacts on highway safety and flood risk are manageable and there are no other matters that justify the refusal of the application.

12. RECOMMENDATION

Grant

- 12.1. From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).
- 12.2. The applicant has been consulted on the proposed conditions and has confirmed their agreement to them in writing. Therefore, should the application be approved and the consent granted with the proposed conditions after 1st October 2018, it is considered that the requirements of section 100ZA(5) have been met.
- 12.3. The proposed conditions are as follows;

- 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 No demolition/ development or preliminary ground works of any kind shall take place on the site [within the area indicated on the attached plan] until the applicant, or their agents or successors in title, has secured the implementation of a programme and timetable of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.

Reason: To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan.

To enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation.

This is a pre-commencement condition because archaeological investigations will be required to be carried out before development commences to ensure important findings can be recorded.

- 3 Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.

Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.

A pre-commencement condition is necessary in order to ensure that surface water drainage is adequately dealt with and thereafter retained in perpetuity.

- 4 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.

Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.

- 5 Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part A, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).

Reason

In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.

- 6 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 any walls, fences or other means of enclosure forward of the front elevation of the dwellings hereby approved (as detailed in Schedule 2, Part 2, Class A).

Reason: To ensure the open plan design of the development hereby permitted is maintained, in the interests of the character and appearance of the overall development in accordance with Policies LP14 and LP16 of the Fenland Local Plan 2014.

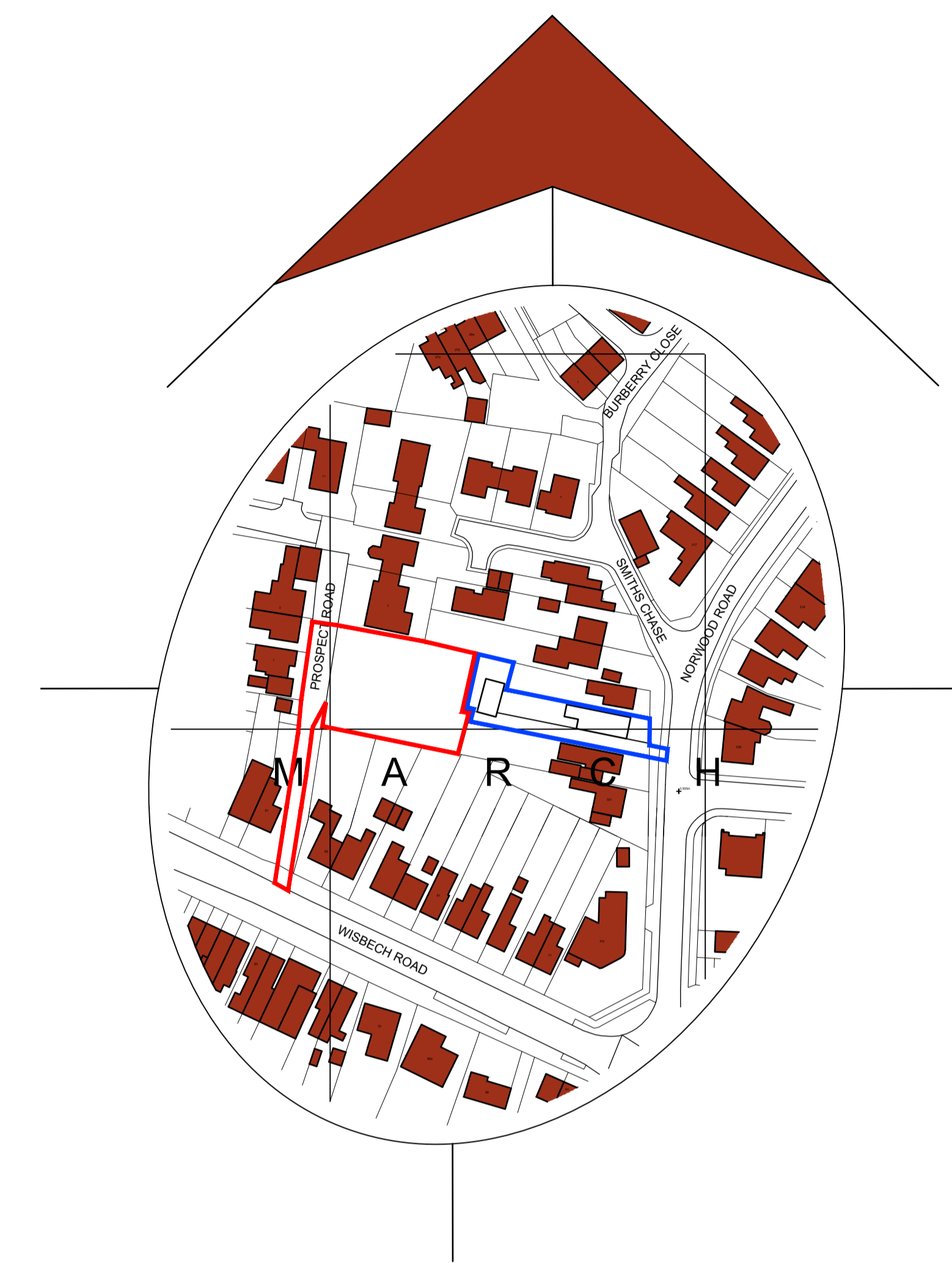
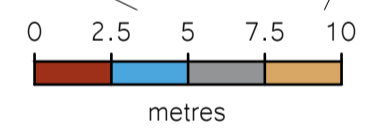
- 7 No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.

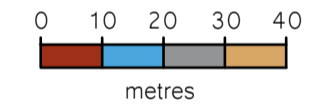
- 8 The development hereby permitted shall be carried out in accordance with the approved plans and documents



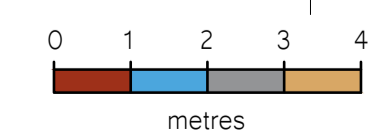
Site Plan
Scale: 1:250



Location Plan
Scale: 1:1250



Plot Relationship
Scale: 1:100



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SITE PLAN KEY

- Un-surveyed OS buildings
- Existing buildings surveyed
- Proposed buildings
- Proposed graveled areas
- Proposed grassed areas
- Site access
- Existing trees and vegetation
- Proposed trees and vegetation
- Structures to be demolished
- Existing lamp post

Revisions

A	Aug 2018	Clients Amendments
B	Oct 2018	Revised for planning
C	Dec 2018	Planning Amendments
D	Feb 2019	Planning Amendments

Status
FOR APPROVAL

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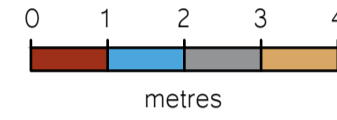
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Proposed Residential Dwellings	June 2018	As Shown
Norwood Road, March		Sheet Size
For Creese Homes Ltd		A1
Drawing Title	Job No.	Drawn by
Site Plan & Location Plan	SE-864	M.N.
	Dwg No.	Revision
	20	D

Plot 1



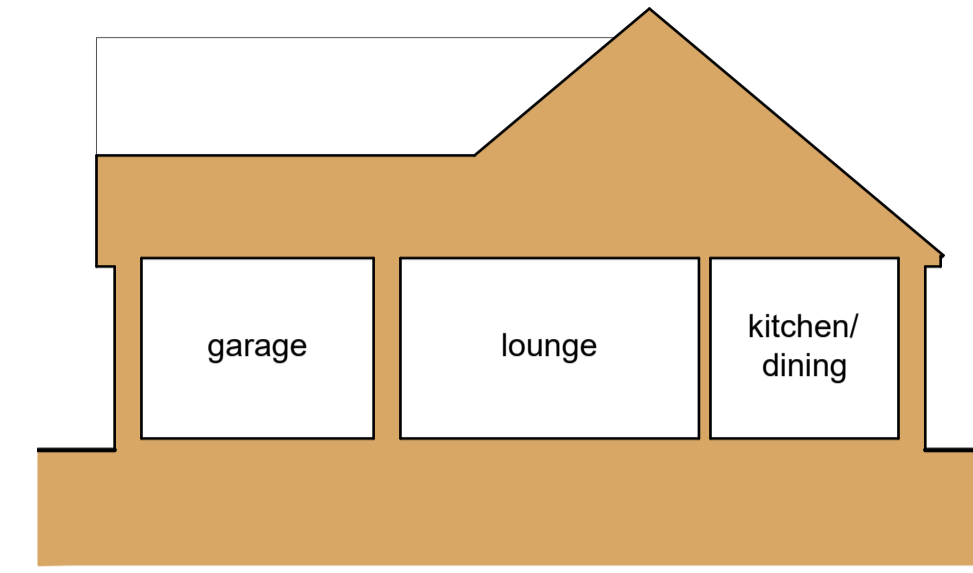
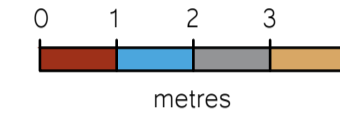
Front Elevation

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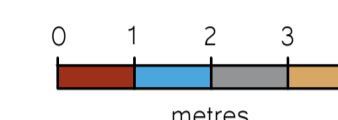
Side Elevation

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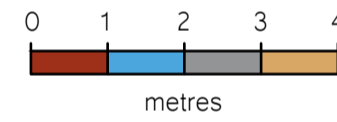
Section A-A

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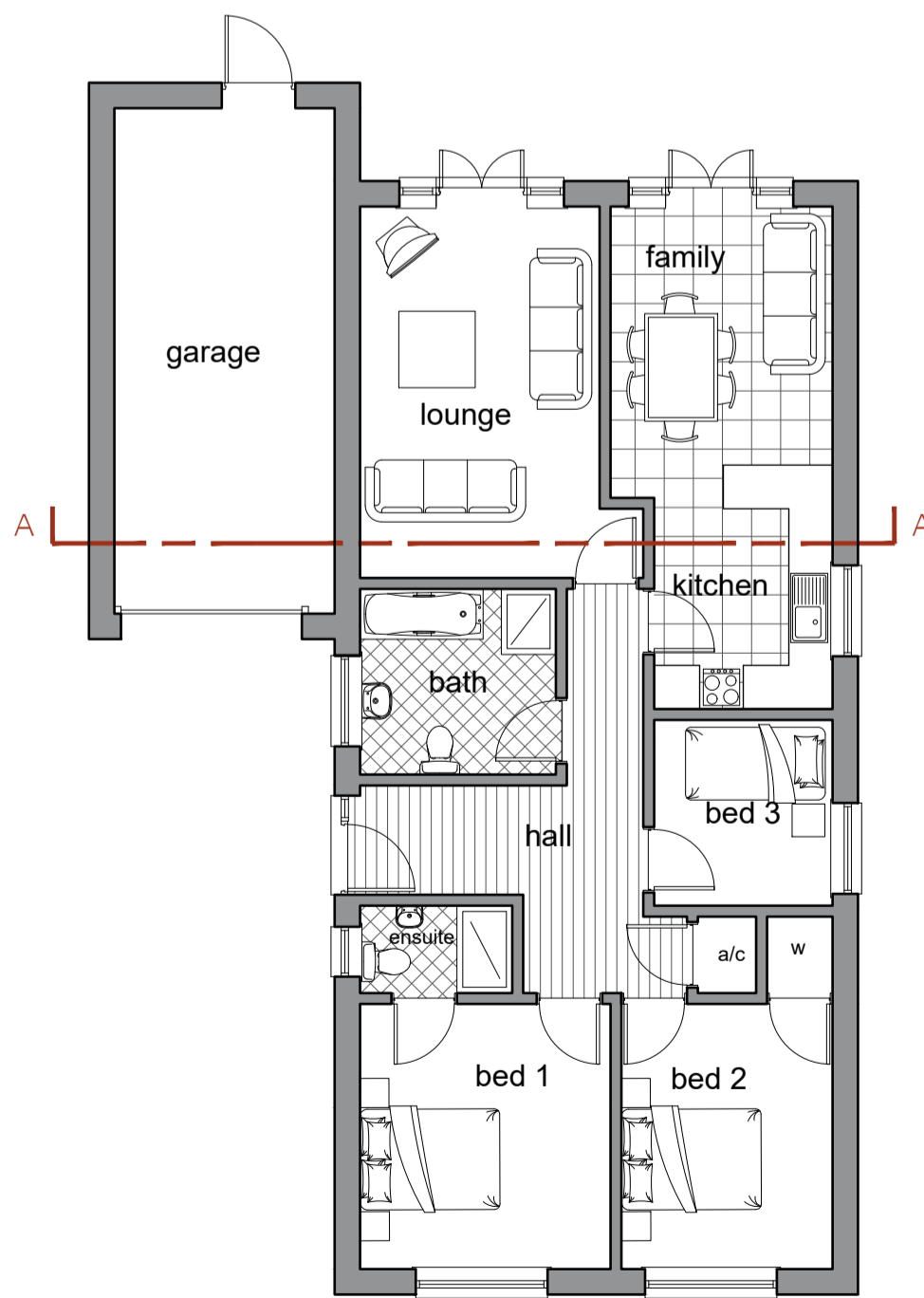
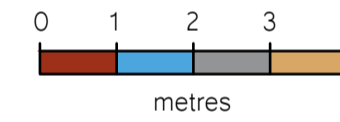
Rear Elevation

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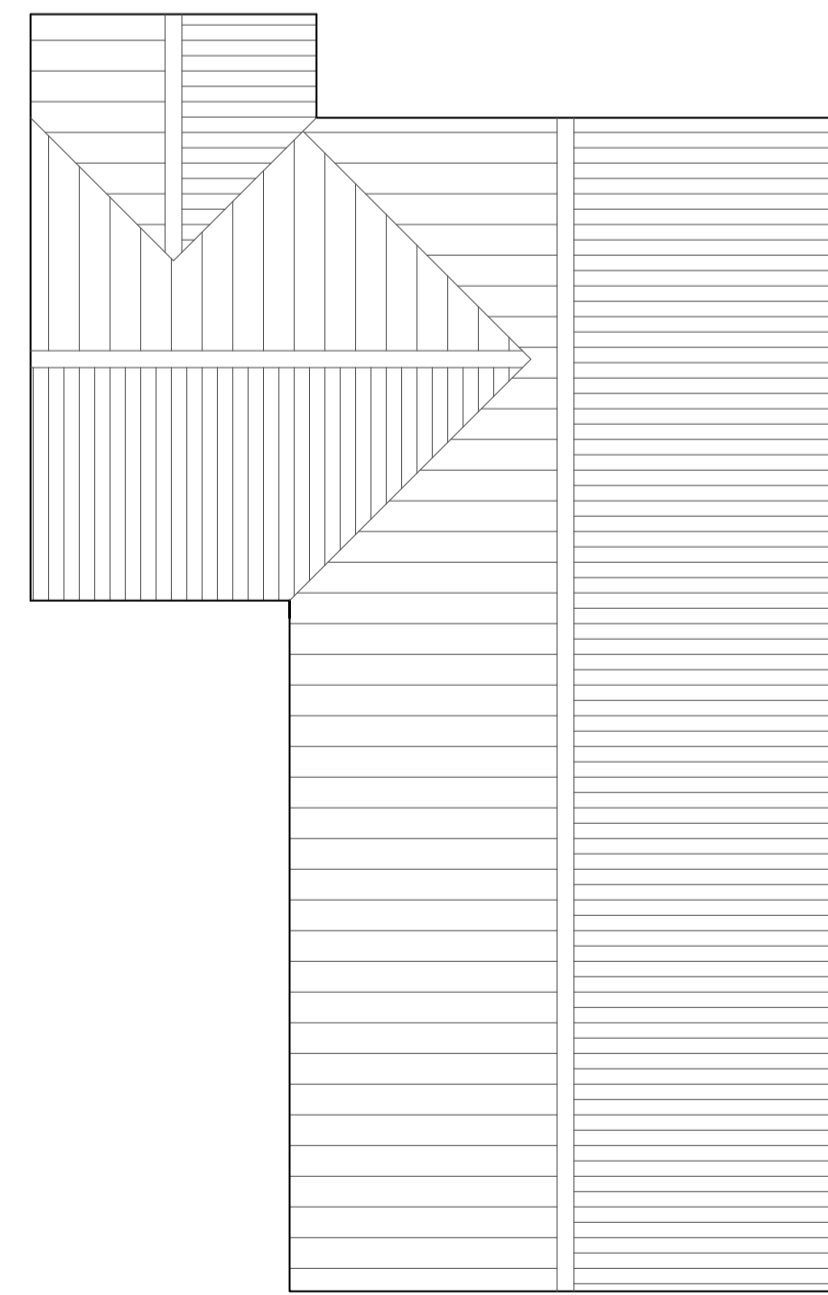
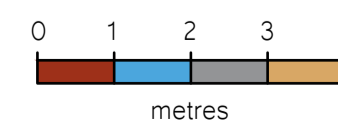
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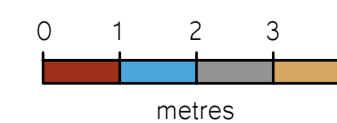
Ground Floor Plan

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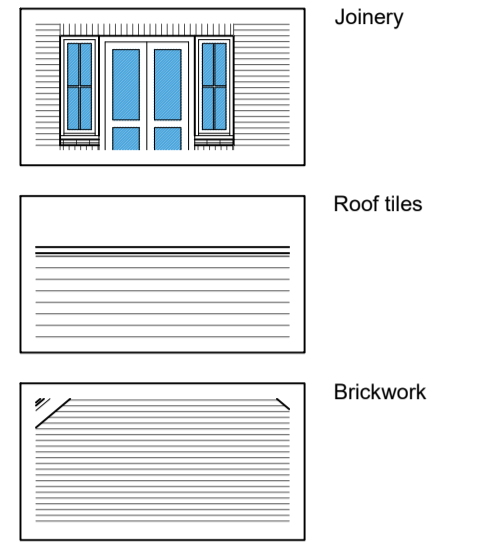
Roof Plan

Scale: 1:100



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ELEVATION KEY



Revisions	
A	Dec 2018 Planning Amendments
B	Feb 2019 Planning Amendments

Status
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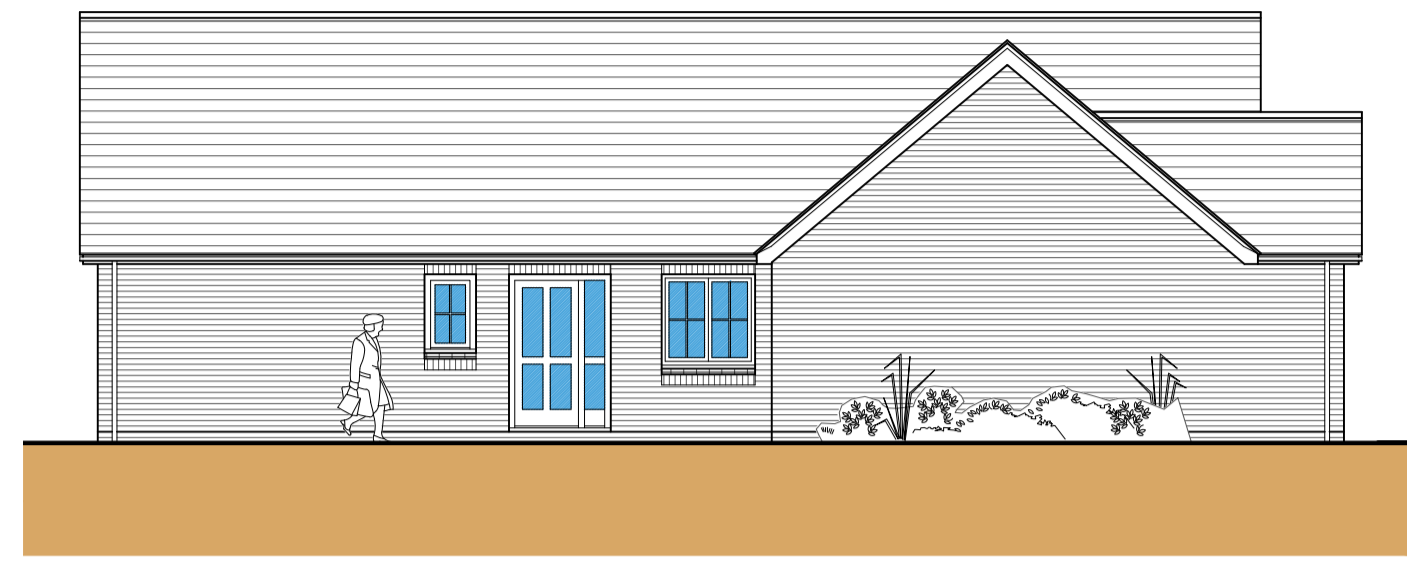
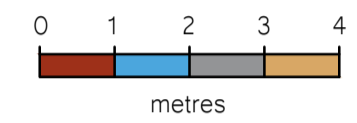
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Drawing Title Planning Drawing Plot 1 Floor Plans, Elevations & Section	Job No. SE-864	Drawn by M.N.
	Dwg No. 21	Revision B

Plot 2



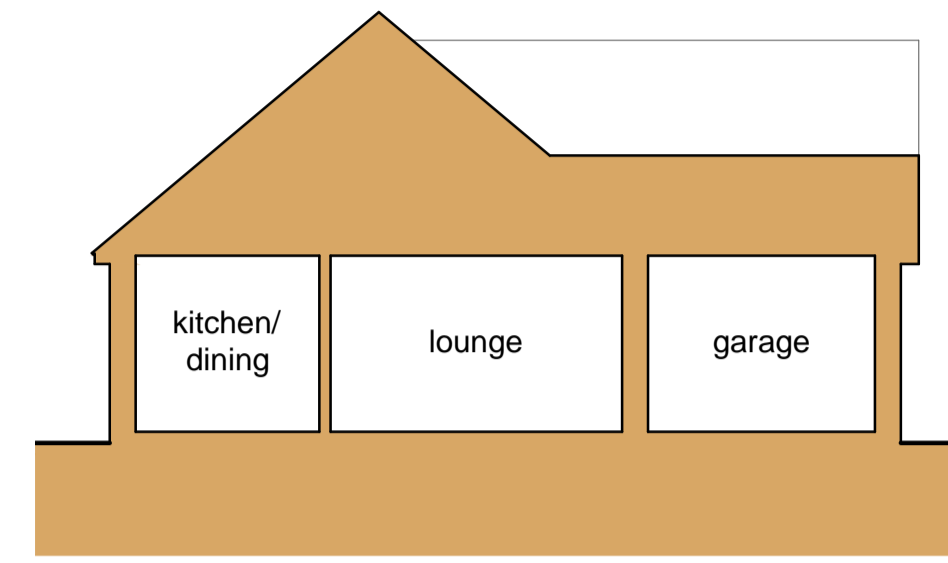
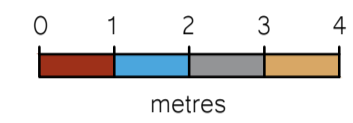
Front Elevation

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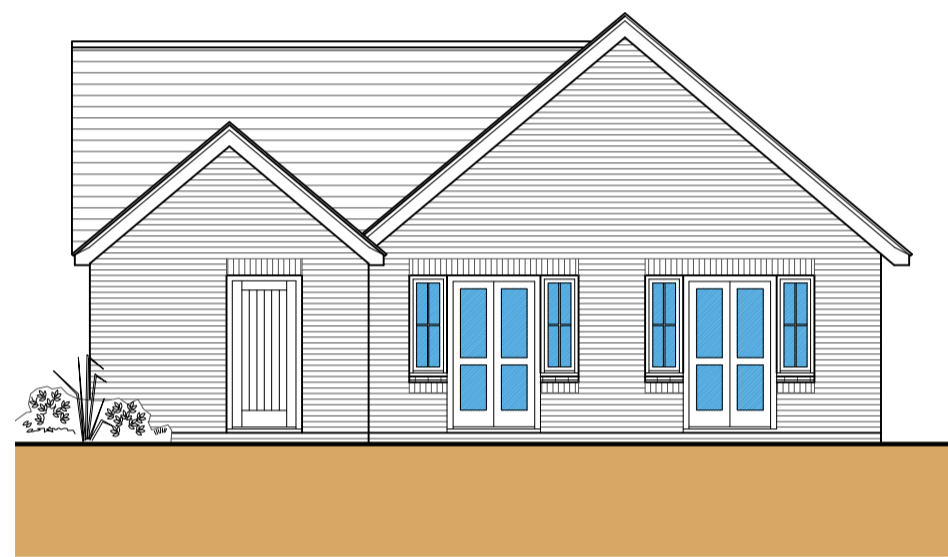
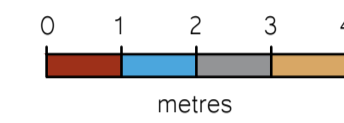
Side Elevation

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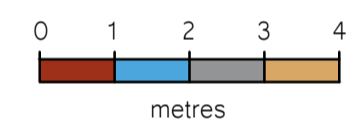
Section A-A

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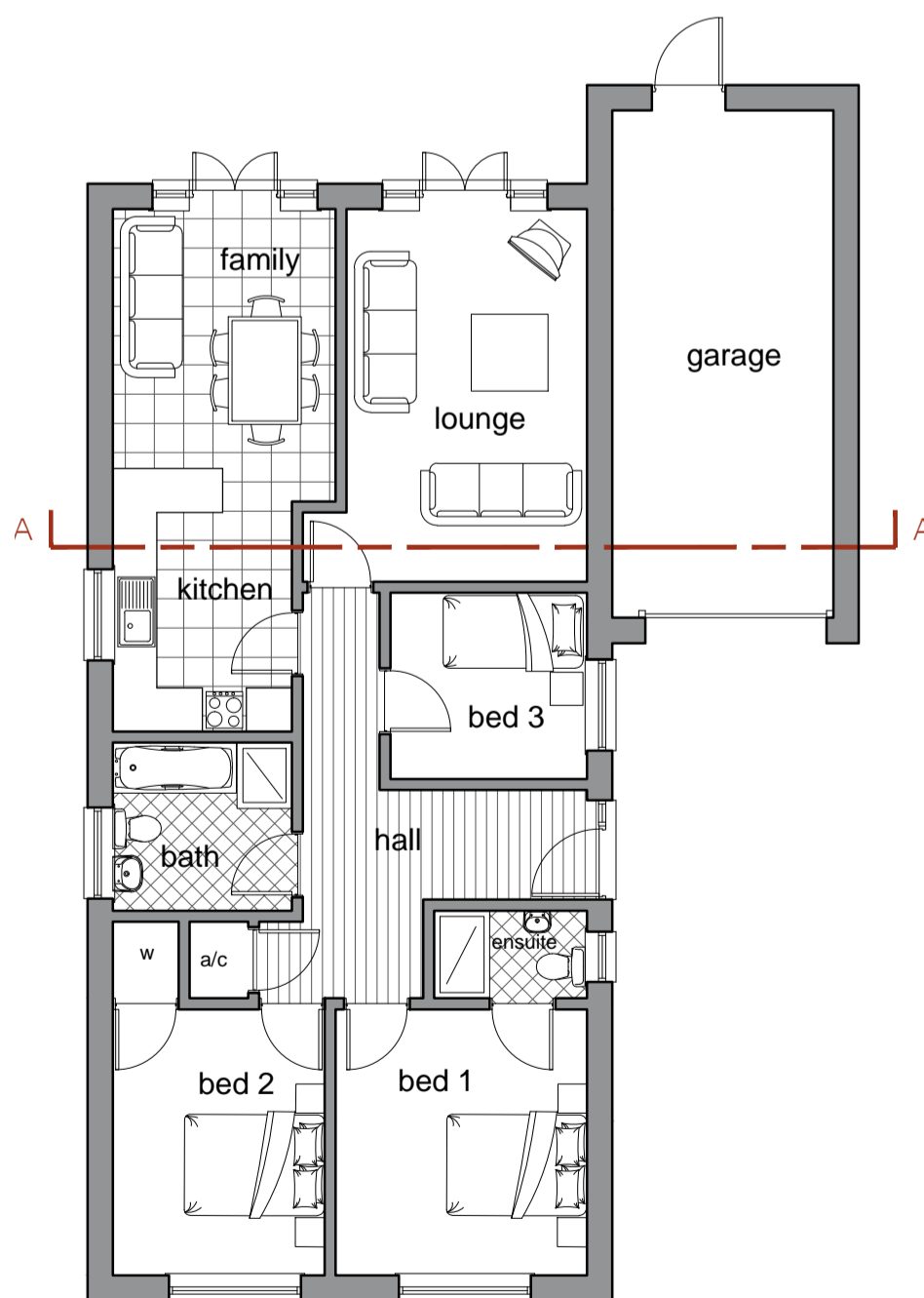
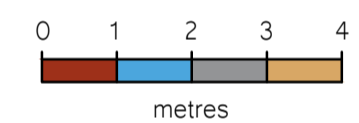
Rear Elevation

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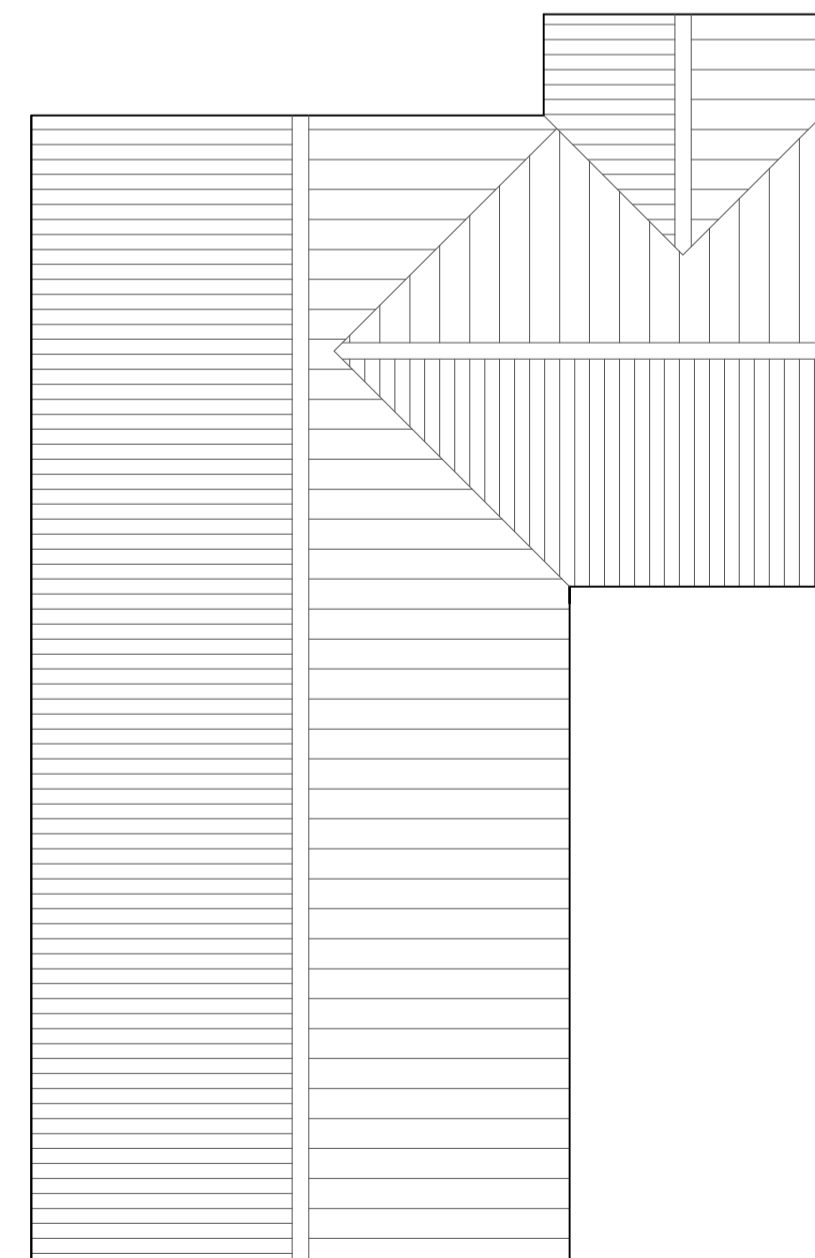
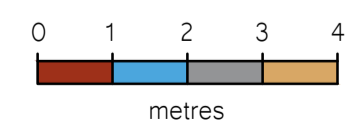
Side Elevation

Scale: 1:100



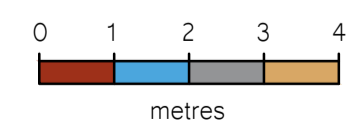
Ground Floor Plan

Scale: 1:100



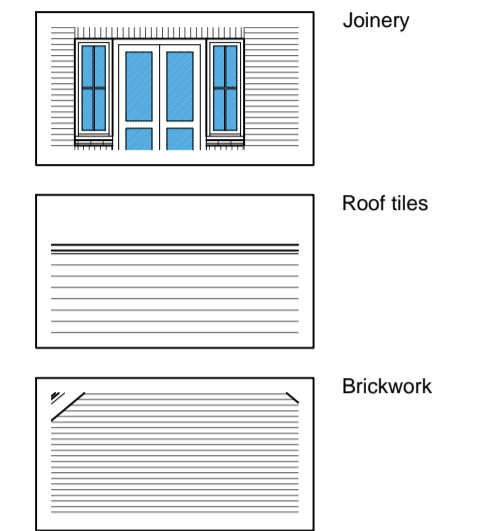
Roof Plan

Scale: 1:100



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ELEVATION KEY



Revisions	
A	Oct 2018 Revised for planning
B	Dec 2018 Planning Amendments

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Job Title Proposed Residential Dwellings Norwood Road, March For Creese Homes Ltd	Date June 2018	Scale As Shown Sheet Size A1
Drawing Title Planning Drawing Plot 2 Floor Plans, Elevations & Section	Job No. SE-864 Dwg No. 22	Drawn by M.N. Revision B