F/YR23/0209/RM

Applicant: Mr Nigel Marsh Agent : N/A

Land South West Of 317, Wisbech Road, Westry,

Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale pursuant to outline permission F/YR20/0905/O to erect 3 \times dwellings (3 \times 2-storey 3-bed)

Officer recommendation: GRANT subject to conditions

Reason for Committee: Deferred at previous Committee meeting to allow for the applicant to provide additional information

1 EXECUTIVE SUMMARY

- 1.1 This application was deferred at committee in May 2024 to allow for the applicant to provide further information in respect of surface water drainage; foul connection and bin collection.
- 1.2 Despite regular requests, the applicant has not provided the information, and it is considered that a reasonable period of time has now passed. However, notwithstanding the failure to submit the details requested, it is considered that the details can be subject to planning conditions. The reasons for this are outlined in section 2 of the update report.
- 1.3 The application is therefore recommended for approval subject to conditions.

2 UPDATE AND ASSESSMENT

- 2.1 This application was deferred at Committee on 1st May 2024 to allow for the applicant to provide further information in respect of:
 - Foul drainage connection point (including a request to confirm easement rights to achieve this)
 - Confirmation that the ground conditions are conducive to the surface water drainage strategy e.g., through percolation tests
 - Bin collection strategy comprising either confirmation of access rights via Woodville Drive or a private collection arrangement
- 2.2 Despite regular requests, there has been no further information submitted. However, notwithstanding the failure to provide the details requested, it is considered that the details can be subject to appropriate planning conditions.
- 2.3 In respect of the foul sewage connection point and providing percolation tests to ensure that the ground conditions are conducive to the surface water drainage strategy submitted, these details are required prior to the commencement of the development as they form an intrinsic part of the proposal, the approval of which cannot be disaggregated from the carrying out of the rest of the development.
- 2.4 Details in respect of bin collection can also be secured through a planning condition to ensure details are submitted to and agreed in writing by the Local Planning Authority prior to first occupation of the first dwelling.

- 2.5 Given this, the application is referred back to the Committee with the recommendation to grant permission subject to the additional conditions referenced above.
- 2.6 Contained within Appendix A is the report presented at Committee in May 2024. The minutes of the planning committee meeting can be found at Appendix B

3 CONCLUSION

- 3.1 Despite regular requests, the LPA have not received the information and technical data within a reasonable period of time. Notwithstanding this, it is not considered that the details are pertinent prior to determination of this reserved matters application as those requested can be secured through appropriate conditions as referenced above.
- 3.2 As it does not alter or overcome the previously asserted compliance with the relevant policies, as such the conclusions and recommendations in Appendix A remain largely unchanged in this regard, notwithstanding the view expressed by Members previously and save for additional planning conditions (proposed conditions 6, 7 and 8 below) to finalise maters of drainage and refuse collection. The Officer recommendation for approval on this basis remains.

4 RECOMMENDATION:

GRANT; subject to the following conditions:

All external materials used in the construction of the dwellings shall be in accordance with details on the approved plans.

Reason: To safeguard the visual amenities of the area in accordance with the requirements of policy LP16 of the Fenland Local Plan (2014) and policy H2 of the March Neighbourhood Plan

Prior to the occupation of the dwellings hereby permitted, the proposed landscaping shall be completed and shall be maintained and replaced where necessary for a period of 5 years from the date of first occupation.

Reason: To ensure the implementation of the planting scheme in the interests of carrying out satisfactory development and for the wider interests of biodiversity in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014 and policy H2 of the March Neighbourhood Plan

The approved accesses and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.

Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan (2014)

All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan, 2014.

Notwithstanding the provisions of Classes A, B, C, D, and E of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended (including any alterations to its roof), no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwellings unless planning permission has first been granted by the Local Planning Authority.

Reason: In the interests of residential and visual amenity in accordance with policy LP16 of the Fenland Local Plan 2014

Notwithstanding the details submitted, no development shall take place until percolation tests have been carried out in accordance with BRE Digest 365, or such other equivalent guidance as may be agreed in writing by the Local Planning Authority, and the results of the percolation test have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the submitted surface water drainage strategy which shall be completed in full prior to the first occupation of the development. If the percolation test results show that ground conditions are not conducive to the surface water drainage strategy as submitted, then an alternative method of surface water disposal shall be submitted for approval by the Local Planning Authority prior to any development taking place and shall be carried out and completed prior to the first occupation of the development.

Reason: To ensure that the site can be adequately drained and to comply with policy LP14 of the Fenland Local Plan (2014).

Notwithstanding the details submitted, no development shall take place until full details of the foul drainage connection point (including a request to confirm easement rights to achieve this where relevant) for the site shall be submitted to and approved in writing by the Local Planning Authority. The means of foul drainage shall be implemented and fully operational prior to the first occupation of the development.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of foul sewage and to ensure that the development does not increase the risk of flooding and to comply with policy LP14 of the Fenland Local Plan (2014).

Prior to the occupation of any of the residential units hereby approved, and notwithstanding details of the refuse storage areas shown on plan 10087, Rev B, details of the refuse collection arrangements shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall then be implemented in accordance with the agreed details and thereafter maintained in perpetuity.

Reason - To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan (2014).

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

F/YR23/0209/RM

Applicant: Mr Nigel Marsh Agent : Mr Stuart Beckett Inspire Architectural

Land South West Of 317, Wisbech Road, Westry,

Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale pursuant to outline permission F/YR20/0905/O to erect 3 x dwellings (3 x 2-storey 3-bed)

Officer recommendation: GRANT

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks approval of reserved matters relating to access, appearance, landscaping, layout and scale pursuant to outline permission, F/YR20/0905/O.
- 1.2 The application proposes a policy compliant scheme which raises no issues in terms of adverse highway impacts, visual or residential amenity.
- 1.3 Accordingly, the reserved matters submission can be recommended for approval subject to conditions.

2 SITE DESCRIPTION

- 2.1 The site lies on the edge of March and comprises part of the current garden land serving 317 Wisbech Road ('the host building'). The host building is set back from the main highway behind a linear formation of dwellings along Wisbech Road and is accessed via a driveway which leads off the access, Gypsy Lane, serving the KFC restaurant and Cobblestones Public House. Access can also be gained via a private drive which runs between 315 ('Shepherds Folly') and 319 ('Truleighjoe') Wisbech Road.
- 2.2 The host dwelling is a two-storey detached property with the aforementioned frontage dwellings comprising bungalows with detached garages set to the rear and accessed via the private driveway.
- 2.3 To the north of the site, development has been completed that comprises 8no detached two storey dwellings. Except for the restaurant and public house beyond the site to the south-east, the area is characterised by a mixture of residential development and of varying scales and designs.
- 2.4 The site lies in Flood Zone 1, therefore at low risk of flooding.

3 PROPOSAL

3.1 The application seeks the approval of reserved matters relating to the detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR22/0970/O for the erection of three detached dwellings.

- 3.2 The three plots are to be of an individual design and will be erected to the northern side of the site. Whilst the three plots will be sited alongside each other in a linear form, plot 2 is to be sited further forward within its plot than plots 1 and 3 either side. Amended plans were received during the course of the application and re-notification was carried out due to the nature of the amendments and the alteration to the description of development. The amendments comprised the following:
 - Removal of detached garages to plots 1 & 2 and removal of integral garage to plot 3. All plots will provide 2no off-street parking spaces;
 - Reduction in the overall pitch of the roof of all plots from 45 degrees to 35 degrees which has seen a reduction in height;
 - Reduction in the number of bedrooms from 5no to 3no
- 3.3 Plot 1 is to be accessed via the private road, from the A141, and consists of a double fronted, two storey dwelling incorporating a pitched roof with front to rear ridge and gable end elevations with an overall ridge height of 7.5m. There proposes a two-storey front gabled projection and a single storey rear extension projecting approximately 3m. Materials proposed include Wienerberger Tuscan Red multi facing brickwork with a terracotta roof tile and white uPVC fenestration.
- 3.4 Plot 2 is to be accessed via Gipsy Lane and will consist of a double fronted dwelling incorporating a pitched roof with front to rear ridge and gable end elevations with an overall height of 8.1m. A small canopy is proposed to the front elevation and a single storey rear extension projecting approximately 4m. Materials include Harvest Buff Multi facing brickwork with a Slate Grey roof tile and white uPVC fenestration.
- 3.5 Plot 3 is also to be accessed via Gipsy Lane and will consist of a double fronted dwelling incorporating a pitched roof with front to rear ridge and gable end elevations with an overall ridge height of 8.1m. Materials proposed are akin to those for plot 1 with Wienerberger Tuscan Red multi facing brickwork with a terracotta roof tile and white uPVC fenestration. The dwelling would be provided with two parking spaces in a tandem relationship on the south-eastern side of the dwelling.
- 3.6 Bin storage will be contained within the rear garden areas and adjacent to the northwestern boundary with a bin collection area to be provided along Woodville Drive.
- 3.7 Each dwelling would be provided with a private rear amenity area sufficient to comply with a third of the plot size enclosed by a 1.8m high close boarded fence.

4 SITE PLANNING HISTORY

F/YR20/0905/O	Erect up to 3 dwellings (Outline application with all matters reserved)	Granted	25.11.2020
F/YR07/0948/O	Erection of 2 workplace homes	Refuse	20.08.2007
F/YR07/0690/O	Erection of 2 single storey workplace homes for Class B1 Use	Refuse	31.10.2007
F/YR01/0704/F	Erection of extensions to existing Dwelling Westry Wisbech Road	Granted	14.09.2001
F/YR01/0280/O	Erection of 2 dwellings Land South Of Woodville	Granted	04.09.2001
F/YR02/0419/RM	Erection of 2 x 3-bed detached	Approved	18.06.2002

	bungalows with detached single garages Land South Of Woodville		
F/YR02/0953/RM	Erection of 1 x 4-bed detached bungalow and double garage	Approved	20.09.2002
	Plot 1 Land South Of Woodville		

5 CONSULTATIONS

- 5.1 March Parish Council Approval
- 5.2 **Environmental Health** The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposals as they are unlikely to have a detrimental effect on local air quality, the noise climate, or be affected by ground contamination.
- 5.3 **Middle Level Commissioners** We are writing in relation to the above planning application. As you are aware, neither the Middle Level Commissioners nor our associated Boards are, in planning terms, statutory consultees and, therefore, do not actually have to provide a response to the planning authority and receive no external funding to do so.

With the exception of the simplest matters, we are instructed to advise that we no longer provide bespoke responses to planning applications unless we are requested to do so by the Board and/or the applicant, as part of our pre-/post-application consultation process. However, on this occasion, the Board has requested that we contact your authority in respect of the above development.

We respond as follows: As you are aware from responses to other recent planning applications, we have had discussions with representatives of both respective Boards regarding the above development and also the other developments within the immediate area.

The position of both Boards in relation to drainage from these developments is outlined below:

- * Surface water discharge to the private watercourse adjacent to site is acceptable "in principle" although this would be based on an attenuated discharge to greenfield rates. In addition, the Board would require that the receiving watercourse is of a suitable condition to accept the discharge and there is a positive connection to the wider drainage network downstream of the site.
- * Inspire Architectural drawing number 270-06 Rev B on your planning portal shows soakaways to the rear of the proposed dwellings. The Board would need evidence that the soakaways have been designed to BRE365 standards.
- * As you will be aware, the discharge of treated effluent to a 'surface water' soakaway, as proposed on this drawing, would not meet the government's binding rules for a small sewage discharge to the ground.
- * Please be advised that a discharge consent for treated foul effluent from the above development to local watercourses would not be granted consent at this time. Due to the number of properties from all the developments in this area the volume of treated effluent discharge would be significant. This would place a significant increased "load" on the receiving system in addition to the other issues associated with the disposal of treated effluent from non- adopted systems, such as the increased risk of pollution and odours as a result of "spills", possibly due to the lack of maintenance of the units, potential detrimental effect on the water environment, etc.
- * The disposal of treated effluent from all development sites, including the one above, would therefore need to be to the local public sewer, the closest being in Hostmoor Avenue. We have advised all of the developers that they should liaise with each other to propose a suitable system to provide connection for all of the proposed developments.

It is believed that discussions are currently taking place between AWS and the developers in Woodville Drive, so it is suggested that AWS are contacted in the first instance. Please note that a discharge consent for treated effluent would still be required, although in this respect to the Middle Level Commissioners, as the local AWS foul system ultimately discharges to the Middle Level System via the March Treatment Plant.

An updated drainage plan was received, and the MLC were reconsulted on 28th February. No additional comments have been forthcoming.

5.4 **County Highways -** The Local Highway Authority raises no objections to the proposed development. While I have reservations regarding the capacity for parking and turning within the site, and more specifically for plot 1, the proposed dwellings are located sufficiently distant from Wisbech Road, that this issue is unlikely to have a detrimental impact on safe use of the public highway.

The Local Planning Authority may however wish to request further clarification in this regard to prevent reversing out onto shared private driveways, which appear likely to include pedestrian use. Bin collection appears to be from a shared private driveway to the north of the dwelling plots. The Local Planning Authority must be satisfied that these can be adequately serviced.

5.5 **County Ecology –** *No comment*

5.6 Local Residents/Interested Parties:

Responses based on the original submission:

Six letters of objection from properties within March and summarised as follows:

- Noise concern over working hours
- Overlooking & loss of privacy
- Nuisance Shading / loss of daylight
- Over-development or overcrowding of the site
- Negative / adverse visual impact of the development
- Out-of-scale or out of character in terms of appearance
- Presence of 'Japanese knotweed'
- Affects house price/devaluation of property

One letter stating neither object or support:

- Shared access disruptions need to be agreed.
- Suggestion of Japenese Knotweed being on site needs to be investigated

Responses based on amended plan renotification:

Five letters of objection from properties within March and summarised as follows:

- No real difference on the plans
- Overlooking
- Bungalows would be better suited
- Neighbourhood engagement would have been welcomed
- Disruption during construction
- Presence of Japanese Knotweed

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) and the March Neighbourhood Plan 2017.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) (2023)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context Identity Built Form Movement Nature

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

LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 - Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

March Neighbourhood Plan 2017

H2 – Windfall Development

H3 - Local Housing Need

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP4: Securing Fenland's Future

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP20: Accessibility and Transport

LP22: Parking Provision

8 BACKGROUND

8.1 Planning application, F/YR20/0905/O, was granted in outline form with all matters reserved for the erection of up to 3 dwellings. This application is therefore seeking reserved matters approval for the erection of three dwellings.

9 KEY ISSUES

- Principle of Development
- Layout, Scale and Appearance
- Landscaping
- Access
- Drainage
- Other matters

10 ASSESSMENT

Principle

- 10.1 The principle of development for the erection of up to 3 dwellings has been established by the grant of outline planning permission, reference F/YR20/0905/O.
- 10.2 It should be noted that this point of general principle is subject to broader planning policy and other material considerations which are discussed in more detail in the following sections of this report.

Layout, Scale and appearance

- 10.3 The layout of the development broadly follows that of the indicative plan submitted with the outline application. There are two access points to the site, as approved within the outline permission, with the access from Gypsy Lane to be covered in permeable block paving. The remaining vehicular areas of the site would be surfaced in gravel.
- 10.4 The three dwellings would be broadly positioned in a linear form of development with Plot 2 set slightly forward within the overall site. Soft landscaping in the form of a native laurel hedge would be provided on the south-eastern corner of the site with private garden areas provided to the rear of each dwelling.
- 10.5 LP16 seeks to secure high quality environments having regard to impacts on matters such as residential amenity such as noise, light pollution, loss of privacy and loss of light.
- 10.6 Policy H2 of the March Neighbourhood Local Plan states that proposals for residential development will be supported where they meet the provisions of the Fenland Local Plan and, inter alia, a) The proposal will not result in unacceptable impact on levels of light, privacy and private amenity space for the occupants of the proposed dwellings. The impact of proposals on existing neighbouring properties will be assessed against Policy LP16 of the Local Plan and f) the proposal is of a high standard of design.
- 10.7 The proposed layout of the plots demonstrates they will be arranged in a linear form with plot 2 sitting slightly further forward within the overall site than the other plots either side. Amended plans were received that demonstrate a reduction in roof pitch to each of the plots which has led to an overall reduction in ridge height. The first-floor rear elevations of the three dwellings would be set no less than 20m from the front elevations of the existing properties on Woodville Drive with a 1.8m close boarded fence erected along the boundary. Given the degree of separation, it is not considered that the proposed development would pose concerns in respect of overlooking, visual dominance or overshadowing to those properties to the direct north along Woodville Drive.
- 10.8 Given the distance of separation, no less than 30m, and their offset relationship with the properties fronting Wisbech Road, the proposed development would not impact adversely upon the occupiers.
- 10.9 No.317 Wisbech Road itself lies to the north-west of the site with plot 3 of the proposed development lying in closest proximity to the existing dwelling. This dwelling sits tight to and is slightly angled away from the north-western boundary with Woodville Drive and

benefits from a single storey rear extension; single storey side extension and bedroom window and en-suite obscure glazed window within the first floor rear elevation. Plot 3 of the proposed development is to be sited to the south-west of the dwelling with no windows proposed within its north-eastern gabled elevation. With a 10m gap retained to the south-western corner of the existing dwelling and its angled siting will ensure no perceived detrimental harm to the occupiers.

Occupant Amenity Space

- 10.10 The development would provide future occupants with an acceptable level of internal and external amenity space.
- 10.11 Criteria (h) of Policy LP16 states that a development should provide sufficient private amenity space, suitable to the type and amount of development proposed; for dwellings other than flats, as a guide and depending on the local character of the area, this means a minimum of a third of the plot curtilage should be set aside as private amenity space.
- 10.12 The development would not have a perceived detrimental impact on the residential amenity of the neighbouring residential properties and would provide an acceptable level of amenity for future occupants. However, reserved matters approval would be subject to condition removing permitted development rights for any extensions, roof extensions or alterations and insertion of windows within side elevations to ensure acceptable future privacy and amenity impacts.
- 10.13 In summary, the amended layout enables appropriate levels of amenity space, parking and manoeuvring and accords with the layout envisaged in the outline application. As such, it is considered the development would accord with the general spatial character of the area, albeit forming a back land style of development with limited adverse impacts to neighbouring residential amenity, and, subject to necessary conditions, the proposal will be compliant with Policies LP2 and LP16 in this regard.
- 10.14 The dwellings would be set back behind existing development with only Plot 1 being visible from Wisbech Road and the other plots only partially visible between gaps in existing housing. The dwellings have been designed to be modest in their dimensions with heights reflecting those of the recently constructed properties to the north along Woodville Drive. As such they would not appear dominant within the area and would blend in with the mixed pattern of residential development within the vicinity.
- 10.15 Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Further to this, policy LP16, criteria (d) states refers to developments should make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment, provide resilience to climate change, reinforce local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.16 Further to both National and Local Planning policy, the National Design Guide (2021) illustrates how well-designed places that are beautiful, healthy, greener, enduring and successful can be achieved in practice and forms part of the Government's collection of planning practice guidance. Policies I1 and I2 refer to local character and identity along with well-designed, high quality designed buildings. It is to be noted that there is no overall uniformity within the locality with regards to scale, design and materials of dwellings with a notable presence of bungalows along Wisbech Road. To the north of the site is a more recent residential development which comprises 8no dwellings of similar characteristics and material pallet.

- 10.17 The plans and application form state plots 1 and 3 are to be constructed of red multi facing brickwork with a terracotta roof tile whilst plot 2 is proposing a buff brick and slate roof. In terms of the design of the dwellings, whilst these differ to those immediately surrounding the site and are of bespoke character, amendments took place during the course of the application to ensure that they were more appropriately scaled. Given there is such a significant variance in materials and design within the locality, the proposed development is considered to be of a high quality ensuring there would be no adverse impact on the character of the surroundings and given the significant setback from the street scene ensures visual prominence is limited.
- 10.18 It is considered that the layout, scale and appearance of the three dwellings is commensurate to that envisaged in the indicative designs of the outline permission and is acceptable having regards to the site surroundings and character of the area in accordance with policy LP16 of the Fenland Local Plan 2014 and policy H2 of the March Neighbourhood Local Plan.

Landscaping

10.17 Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This is reflected in Local Plan Policy LP16 which seeks to promote high quality environment through, among other means, well designed hard and soft landscaping incorporating sustainable drainage systems as appropriate.

Hard landscaping

- 10.18 There are two access points to the site, one from Truleighjoe and the other from Gipsy Lane. The latter is to serve plots 2 and 3 and will be surfaced in Marshalls Driveline Priora in Bracken along with Cotswold golden shingle to private driveways whilst the access to plot 1 is from Truleighjoe, a hardcore, compacted driveway with a similar gravel driveway proposed. Natural stone paving is proposed to the rear patios and pathways to each plot.
- 10.19 A 1.8m high close boarded fencing would also separate the plots to the rear and along Woodville Drive. The latter will incorporate gates to be utilised for bin access. The proposed landscaping and boundary treatments would improve integration within the surrounding pattern of development, with consideration of its setting.

Soft landscaping

- 10.20 Upon carrying out a site visit, it was evident that several trees had already been felled. It is to be noted that these were not afforded any protection, therefore no consent was required.
- 10.21 There are several other trees within the site which are to be retained. In order to ensure retention, and given their amenity value, a condition will be imposed ensuring the root protection areas of the trees will be protected during construction.
- 10.22 Each plot will benefit from grassed areas adjacent to the dwellings to the rear and a small element to the front with a native laurel hedge proposed to the south-east corner of the site.
- 10.23 In summary, the landscaping is considered to be satisfactory, subject to a condition requiring details in respect of the root protection areas of the trees to be retained and soft landscaping being planted out within the first planting season following occupation as standard. The proposal would accord with Local Plan Policy LP16 and NPPF (2023).

Access

- 10.24 Local Plan Policy LP15 seeks development schemes to provide well designed, safe and convenient access. Regarding parking, Local Plan Policy LP15 seeks development schemes to provide well designed car and cycle parking appropriate to the amount of development proposed, ensuring that all new development meets the Council's defined parking standards as set out in Appendix A. Appendix A (Parking Standards) of the Fenland Local Plan (2014) requires three bedroom dwellings to provide two parking spaces.
- 10.25 Policy H2 of the March Neighbourhood Plan, criteria d) states that the proposal should include a safe vehicular access and will not result in severe impacts on the road network taking account of any mitigation proposed.
- 10.26 Access to the site is via two existing access points that serve residential properties, one taken from a private drive, accessed from Wisbech Road and one to the rear of the site, Gipsy Lane. There is no evidence to suggest that the cumulative impact of the development on the highways network would lead to any severe harm or adverse impact that would warrant refusal on these grounds.
- 10.27 Amended plans were received reducing the number of bedrooms from 5no to 3no for which each dwelling would require two parking spaces. The amendments also see the removal of a detached garage to plot two with two adequately dimensioned spaces available and the removal of the integral garage to plot 3 given the size was not sufficient to accommodate a vehicle. Two spaces are provided to the front of the dwelling. A turning head is also provided with access preserved to 317 Wisbech Road and so meets the standard.
- 10.28 Whilst neighbour comments are noted in respect of the private driveway, it is not anticipated, based on the scale of the development that this would lead to unacceptable impacts with plot 1 solely utilising this access. Any issues surrounding disruption using this access would ultimately be a private matter between owners and those with rights of access.
- 10.29 In summary, there have been no objections raised from County Highways with the amended development not anticipated to give rise to unacceptable highways/parking impacts and could achieve safe and effective access in accordance with policy LP15 of the Local Plan and H2 of the March Neighbourhood Plan.

Drainage

- 10.30 Policy LP14 aims to ensure that development is compatible with its location taking into account the impacts of climate change and flood risk. The site lies in Flood Zone 1 and therefore at the lowest risk of flooding.
- 10.31 Policy H2 of the March Neighbourhood Local Plan states that proposals for residential development will be supported where they meet the provisions of the Fenland Local Plan and where the site is at a low risk of flooding (i.e. not within land designated Flood Zone 2 or 3 by the Environment Agency) and will not create flooding problems on or off-site, including problems associated with surface water run-off.
- 10.32 The application form submitted at outline indicates that surface water is proposed to be managed via soakaway. A condition was imposed at outline that states that the details for submission under condition 1 shall include a scheme for the disposal of surface and foul water that shall be approved by the Local Planning Authority prior to the commencement of development.
- 10.33 Whilst the drainage plan originally submitted with this application indicated that surface water was to discharge into a water crate storage system, there was no drainage strategy that detailed discharge rates and water quality. The comments from the Middle Level Commissioners (MLC) were noted and appeared that they would agree in principle

to receiving surface water from the scheme, subject to appropriate discharge rates and water quality.

- 10.34 In discussions with the applicant, an updated drainage plan was received at the end of February along with details relating to greenfield run off rate estimations. The information and updated plan submitted demonstrates that a biodisc sewage treatment plant is to be installed within each plot with foul water being discharged into the public sewer. Further to this, and in order to retain a greenfield run off rate of 0.01l/s, there proposes the installation of a crate storage system which is designed to retain surface water for absorption into the surrounding site with no excess surface water runoff into the middle level watercourse to the east of the site.
- 10.35 The MLC were reconsulted at the end of February upon submission of the additional information and updated plan, but to date, no comments have been forthcoming. It is to be noted, however, that the details and plan submitted would address the concerns raised initially. Notwithstanding this, the application is not a major development therefore is not of a significant scheme that warrants detailed attention. However, the applicant has presented a scheme that is considered to be suitable having regard to other properties in the vicinity. It is also to be noted that the scheme would require separate Building Regulations and possibly IDB consent. Should such approvals/consents from either body (where required) not be forthcoming, the applicant may need to address this via a further application to amend the drainage strategy as proposed here.
- 10.36 In summary, the scheme presented is considered to be suitable and addresses the condition attached to the outline permission in respect of disposal of foul and surface water.

Other matters

- 10.37 Neighbours have raised concerns surrounding the presence of Japanese Knotweed on the site. A site visit was carried out by an Environmental Health Officer on 31st October 2023 and has confirmed there is no sign of Japanese Knotweed on the site.
- 10.38 There have also been concerns raised in respect of depreciation of house value. This is not a material planning consideration.

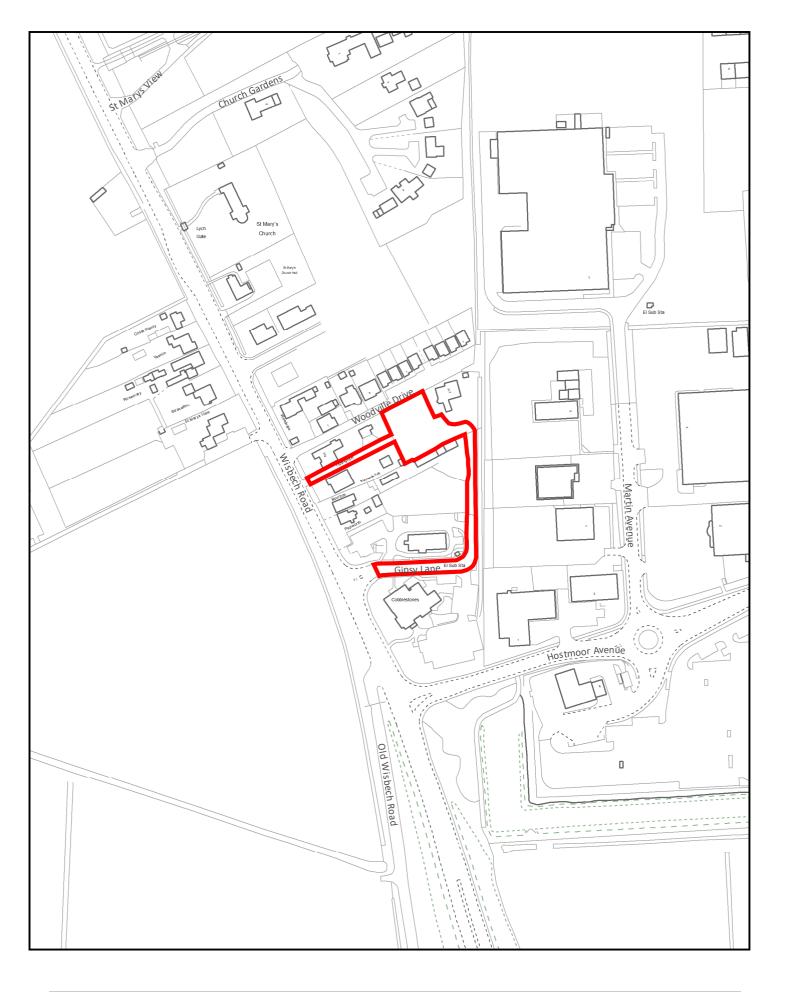
11 CONCLUSIONS

11.1 The principle of development has already been established by way of the outline permission and the application complies with the relevant conditions therein. The proposed scheme does not raise any significant issues and, as such, a favourable recommendation may be forthcoming.

12 RECOMMENDATION: GRANT

1	All external materials used in the construction of the dwellings shall be in accordance with details on the approved plans.
	Reason: To safeguard the visual amenities of the area in accordance with the requirements of policy LP16 of the Fenland Local Plan (2014) and policy H2 of the March Neighbourhood Plan
2	Prior to the occupation of the dwellings hereby permitted, the proposed landscaping shall be completed and shall be maintained and replaced where necessary for a period of 5 years from the date of first occupation.
	Reason: To ensure the implementation of the planting scheme in the interests of carrying out satisfactory development and for the wider interests of biodiversity in

	accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014 and policy H2 of the March Neighbourhood Plan
3	The approved accesses and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.
	Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan (2014)
4	All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.
	Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan, 2014.
5	Notwithstanding the provisions of Classes A, B, C, D, and E of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended (including any alterations to its roof), no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwellings unless planning permission has first been granted by the Local Planning Authority.
	Reason: In the interests of residential and visual amenity in accordance with policy LP16 of the Fenland Local Plan 2014
6	The development hereby permitted shall be carried out in accordance with the following approved plans and documents
	Reference Title 10087-004 Proposed Elevations (revision B) 10087-007 Site plan (revision B) 10087-002 Proposed Elevations (revision B) 10087-006 Proposed Elevations (revision B) 270-06 Proposed Drainage Plan (revision B), as amended and received on 26 th February 2024
	Reason: For the avoidance of doubt and in the interest of proper planning.



Created on: 29/03/2023

F/YR23/0209/RM

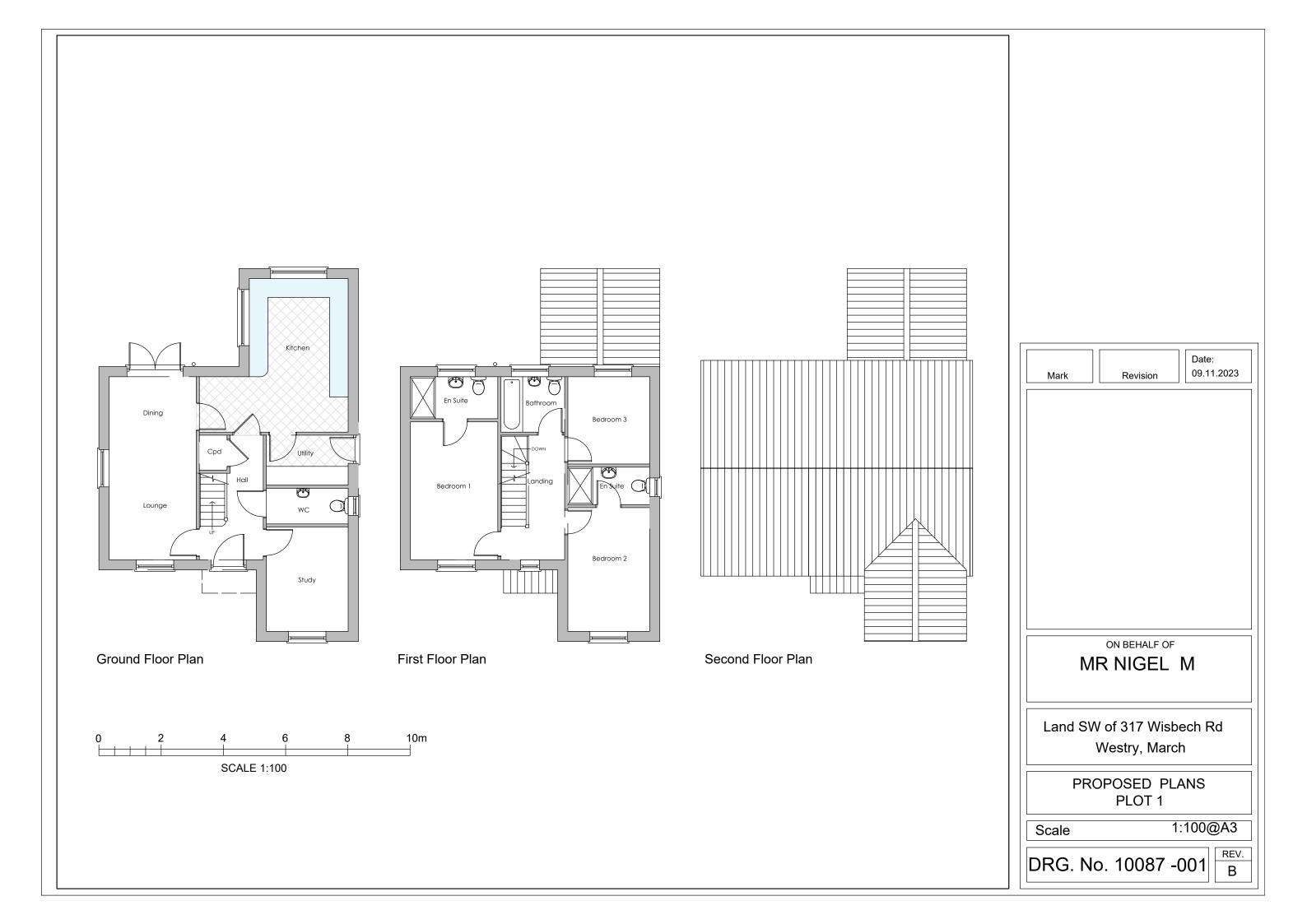
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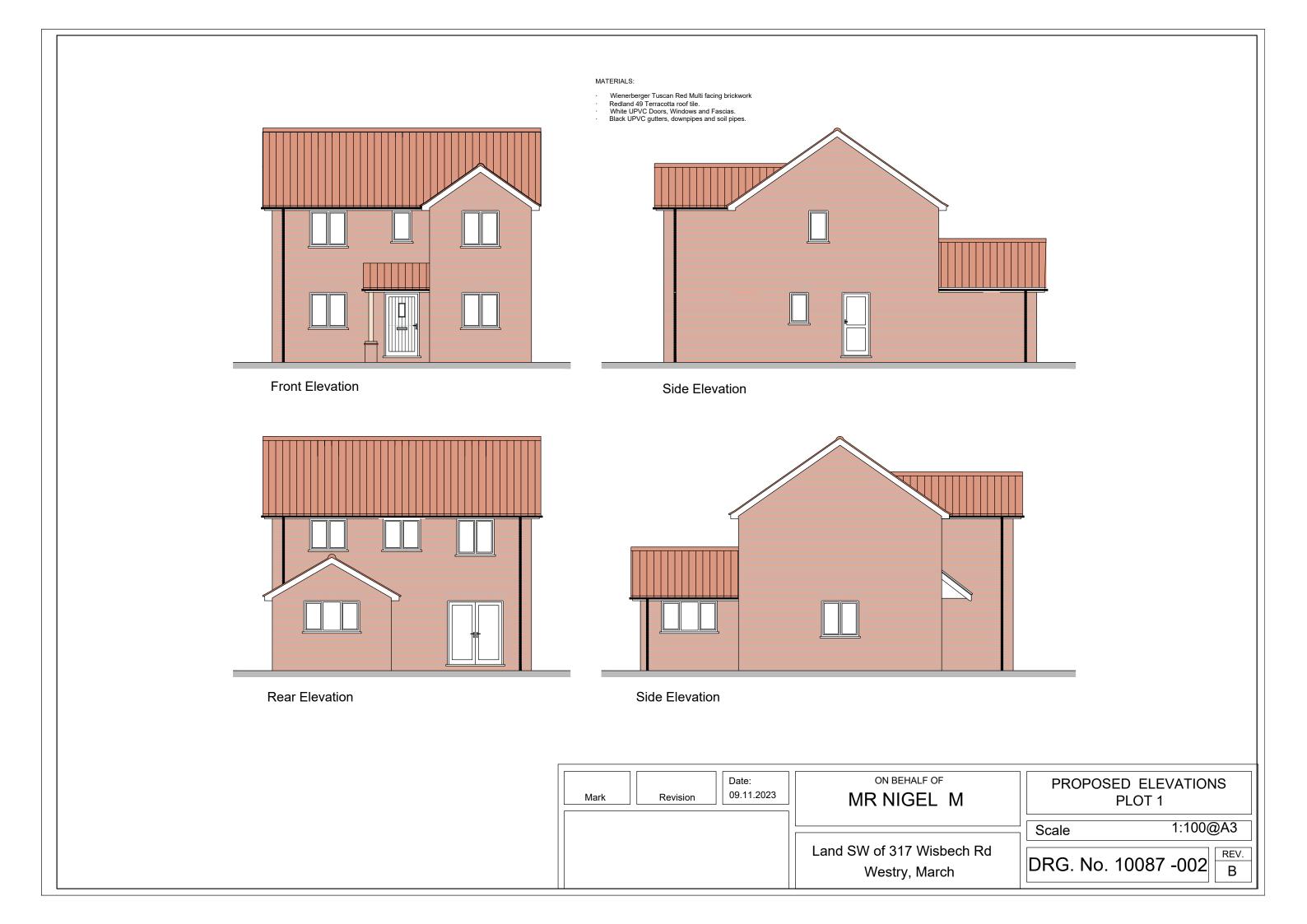
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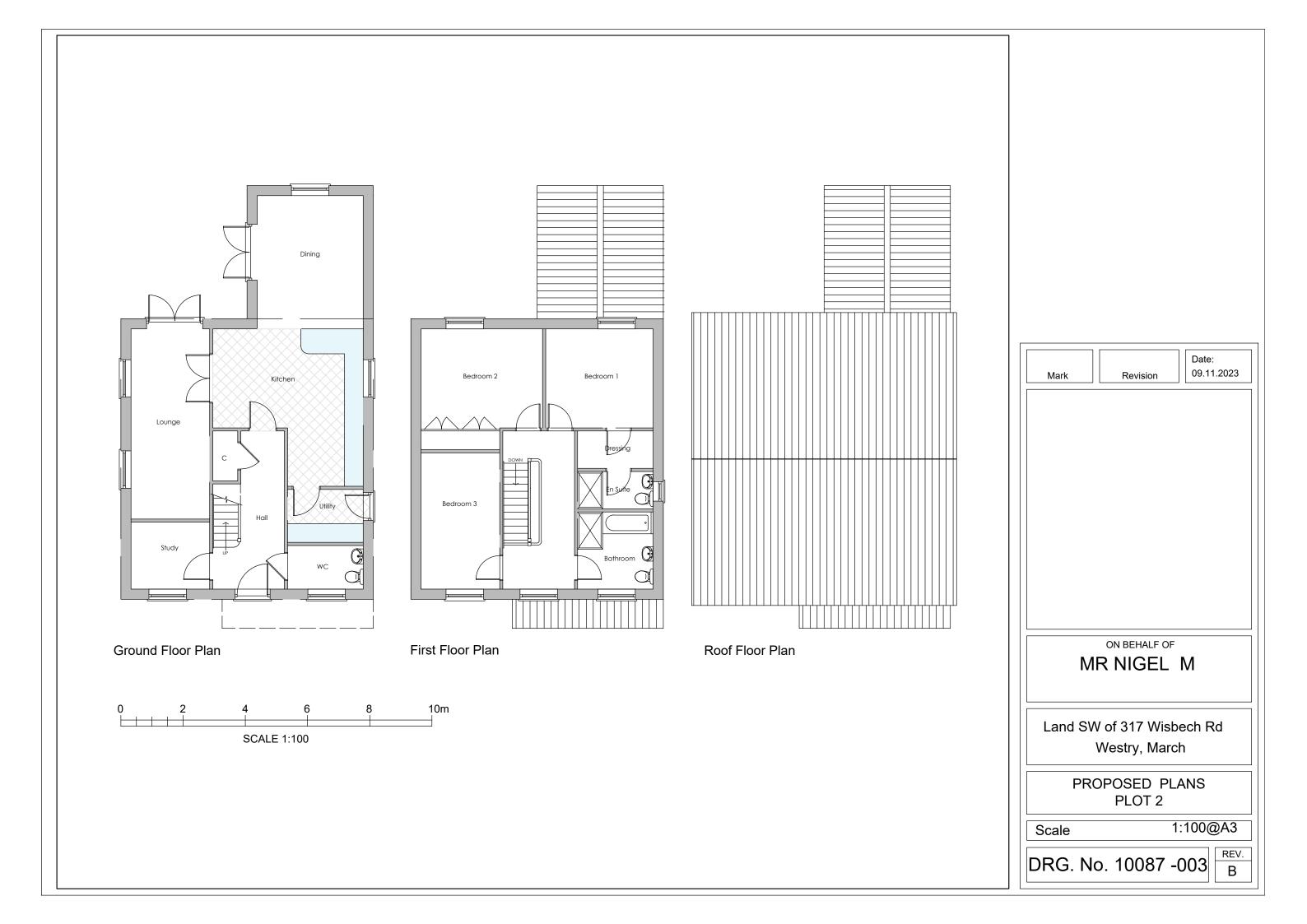
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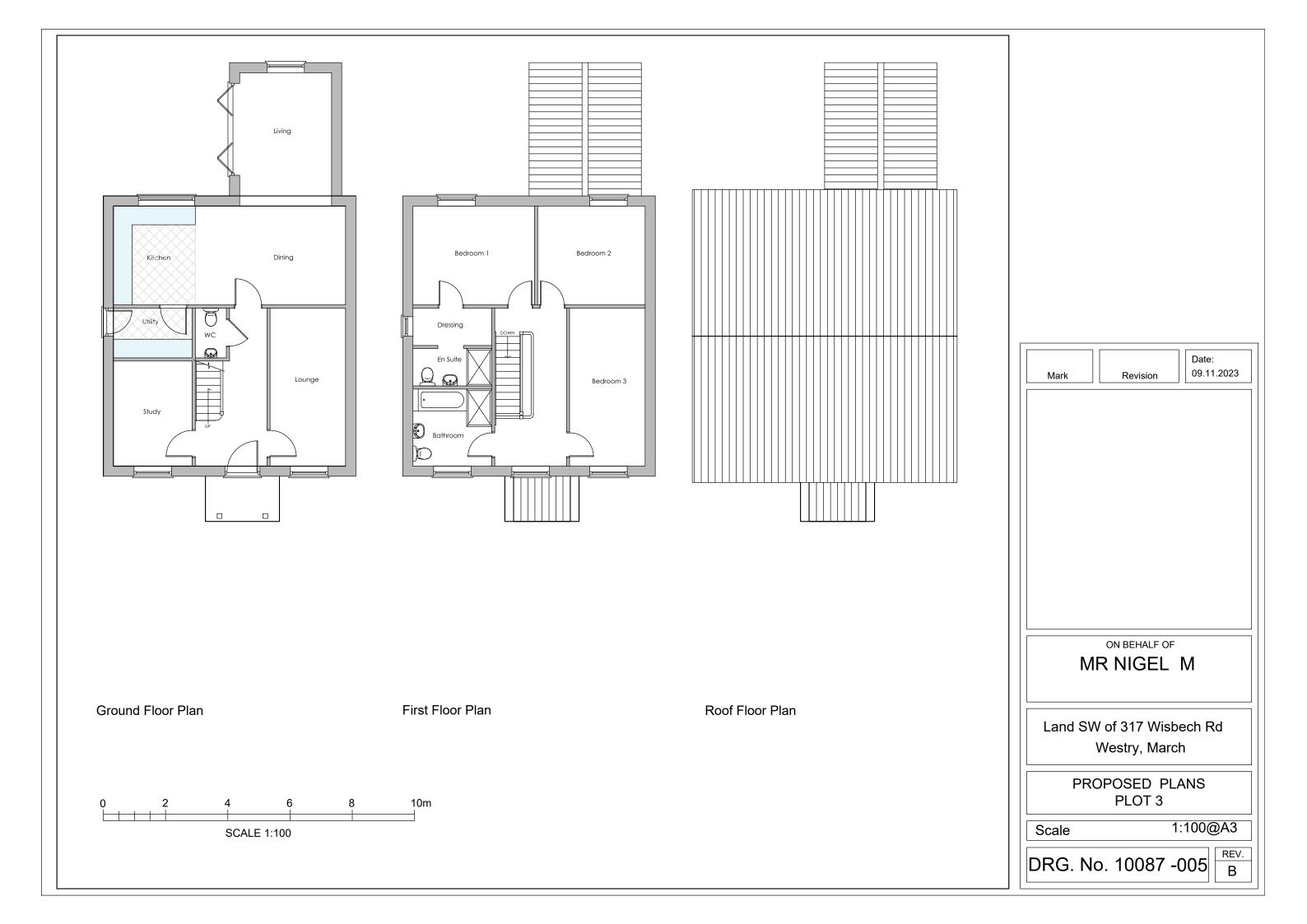


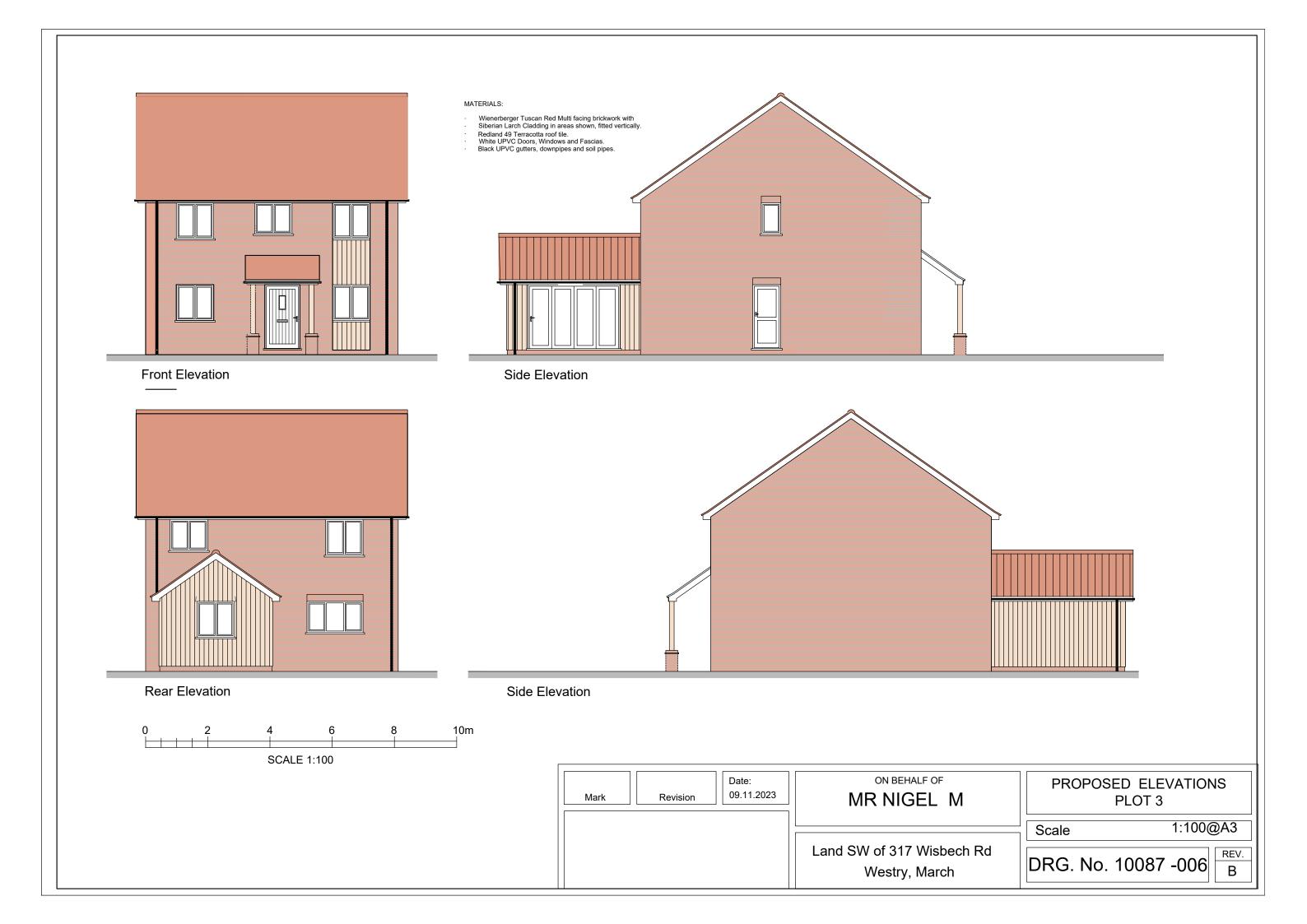


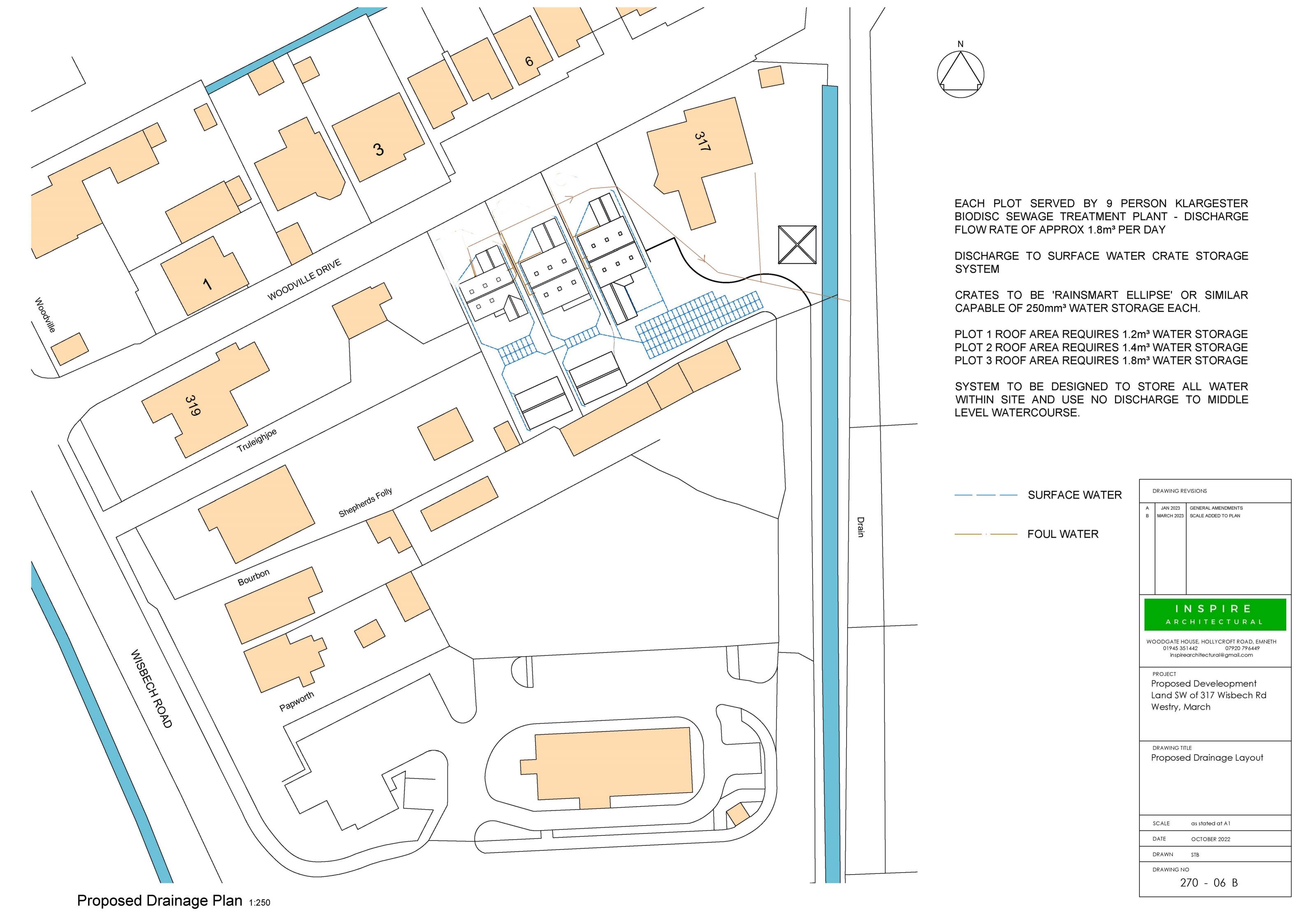












PLANNING COMMITTEE

WEDNESDAY, 1 MAY 2024 - 1.00 PM



PRESENT: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor R Gerstner, Councillor P Hicks and Councillor S Imafidon.

Officers in attendance: Troy Healy (Interim Head of Planning), Gavin Taylor (Principal Development Officer), Stephen Turnbull (Legal Officer) and Jo Goodrum (Member Services & Governance Officer)

P125/23 PREVIOUS MINUTES

The minutes of the meetings of the 20 March and 3 April 2024 were confirmed and signed.

P126/23 F/YR23/0209/RM

LAND SOUTH WEST OF 317 WISBECH ROAD, WESTRY
RESERVED MATTERS APPLICATION RELATING TO DETAILED MATTERS OF
ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO
OUTLINE PERMISSION F/YR20/0905/O TO ERECT 3 X DWELLINGS (3 X 2STOREY 3-BED)

Gavin Taylor presented the report to members and drew attention to the update report that had been circulated.

Members asked officers the following questions:

Councillor Marks referred to condition five in the officer's report and expressed concern over how the discharge of water will be dealt with as over the last 2 to 3 months that area has suffered from major episodes of flooding causing issues for those residents living in the vicinity and also flooding onto the highway. He made the point that due to the episodes of flooding it necessitated in the removal of large volumes of water being taken away by tankers and asked officers what guarantees they could provide with regards to having a robust enough drainage plan for the site? Gavin Taylor explained that the proposal for the drainage strategy is to rely on the underground storage crates to the south of the dwellings to attenuate the surface water and then through percolation to discharge the water as the site does currently. He made the point that, under Building Regulations Part H, it would need to be demonstrated that the site is conducive to percolation. Gavin Taylor stated if the application reaches the Building Regulation stage and it transpires that the proposal is not conducive to the strategy in terms of surface water then the condition in the officer's report states that the development must accord with the proposed plans and, therefore, the applicant would need to bring a revised strategy back to the officers for consideration. He explained that, when considering foul drainage, the proposal is to discharge into existing foul sewers and the Internal Drainage Board have made a comment previously which states that it leads to their system and, therefore, there would need to be a consent built in there. Gavin Taylor added that, when considering the foul water, it would be down to Building Regulations to be satisfied whether the foul drainage aspect is achievable and if they are not satisfied then a revised strategy would need to be submitted. He explained that in regard to the latest Environment Agency map the site is shown to be in a low flood risk area from rivers and seas and also at a low flood risk area from surface water and there is no

technical evidence to demonstrate that this would lead to any sort of additional significant flooding, however, the applicant would need to satisfy Building Regulations of that drainage strategy but the proposal is not dissimilar to what has been agreed on other schemes so there would be nothing from a planning point of view to indicate that it could not be accepted at the current time. Councillor Marks stated that he still has concerns that the properties built over the last 2 to 3 years have also gone through the same process of submitting plans but there has still been flooding issues and he asked whether there is any process before the foundations are commenced where a proper robust drainage plan can be agreed and implemented? Gavin Taylor responded that the committee would need to agree that what is in the officer's report is not robust enough. He stated that officers are satisfied that the details submitted are adequate for a scheme of three dwellings as it is not a major scheme and there would not be the expectation for the Lead Local Flood Authority or Anglian Water to comment on as they only deal with major schemes. Gavin Taylor stated that if members are not satisfied that the submitted details are not robust enough to convince them that this is a satisfactory scheme then that would have to form part of their considerations when making their determination.

- Councillor Connor stated that he is not satisfied with the scheme, and it is well known that there have been issues with regards to flooding at that location and the application does not fill him with confidence. He stated that he is not confident that the percolation of the soil will work, and he is disappointed that the agent and applicant have chosen not to come before the committee to answer any queries and questions that the members may have. Councillor Connor added that he would like to see something far more substantial to be provided which would include where the connectivity to the main sewer was going to be. He made the point that the committee need to mindful of what has happened over the last 3 to 4 months and the committee cannot subject other residents to the flooding episodes which have taken place in recent times.
- Councillor Imafidon asked officers to provide the distance from the site to the connection for the main sewer and for clarification that officers have advised the committee that the foul water will be discharged into the Internal Drainage Board (IDB) drainage system. Gavin Taylor referred the committee to the aerial photograph and pointed out that the buildings to the east of the red line site there is a foul sewer in that location and the run from that drain is looked after by the IDB, as they have indicated that in their comments to officers. He explained that the applicant would need to join that run under Part H of Building Regulations, but they would need to demonstrate how that would be achievable and what the flow rates would be, with the distance from the site to Martin Avenue being around ninety metres.
- Councillor Hicks stated that it is his understanding that the site needs to be connected through the yard area of FACT, the community transport organisation, and he questioned whether that is correct and if permission has been sought. Gavin Taylor explained that would be a private matter and not a material consideration. He added that the proposal is to connect to the foul and if successful it would be in accordance with the plans as proposed and if that is not achievable because of either agreement or otherwise then the development would not be able to accord with those plans as proposed. Councillor Hicks questioned whether his understanding is correct that if that permission is not granted then the planning permission cannot be obtained? Gavin Taylor explained that planning permission has already been granted through the outline application stage and it is the reserved matters part of the application process which is being determined by the committee today. He made the point that it is the details which are being agreed today, however, the development would need to accord with those details and if that transpires not to being achievable then the applicant would need to come back with a further application to amend those plans.
- Councillor Benney expressed the view that nobody appears to be content with the
 application before them today. He added that he is aware that Councillor Mrs French lives
 adjacent to the development site and he is aware of the issues that she has encountered
 over the last few months, and he cannot see how the application will not alleviate any of
 those concerns and, in his opinion, will add to those problems. He expressed the view that

he would like to see a condition in place with regards to where the water is going to run to as he has serious concerns.

- Councillor Gerstner asked whether officers are satisfied that the bin collection can be undertaken from the shared private driveway? Gavin Taylor responded that subject to the applicant obtaining the right agreement to place their bins at that location it is achievable in his view.
- Councillor Connor stated that the applicant would need to get permission from whoever owns Woodville Drive, however, the applicant could engage with a private contractor to enter at the rear of KFC in order to service a bin collection.

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

- Councillor Benney stated that there is nothing that he likes with this application and the site is shoehorned in and he does not feel that the drainage strategy is at all suitable for what is there including the wastewater and sewerage. He stated that there is no access for the bin collection unless a private agreement is introduced where the waste can be collected from Woodville Drive and, in his view, there appears to be many assumptions with the application which makes it an incomplete application, making the point that it is disappointing that the applicant or agent are not present in order to answer the committees' questions. Councillor Benney expressed the view that he has serious concerns with regards to the drainage at the site and he witnessed first hand the flooding issues that Councillor Mrs French and her family encountered which was very distressing to see. He added that he does not feel that the application should be approved just because it means somebody can make a profit and the residents who live near to the site must also be considered. Councillor Benney added that the site will not alleviate the flooding problems which this area suffers from which resulted in neighbouring properties pumping the water out onto the highway and the Police being called. He expressed the view that the application is incomplete and does not satisfy him in various aspects of the proposal and he feels that it should not be approved.
- Councillor Gerstner stated that he agrees with the points made by Councillor Benney, and added that within the officer's report it does make reference to a revised drainage and pump and sewerage plan which was submitted. He expressed the view that he does agree with the other members of the committee that the application is very questionable and more detailed information needs to be supplied.
- Councillor Marks expressed the view that he also has major concerns over the proposal and whilst it appears that there is supplementary information concerning drainage it does not make it clear when that was undertaken. He stated that there have been episodes of flooding which have taken place since Christmas, and he made the point that the drainage information could have been compiled prior to the instances of flooding which took place. Councillor Marks made reference to the aerial photographs and expressed the view that they appear to be quite old as around the site there has been a lot more properties built which in turn has meant there is more land coverage of tarmacked drives, and he is concerned that all is going to happen is to make further problems for the local residents. He added that he would like to see the application deferred in order that the developer can be attend committee to answer their concerns and questions.
- Councillor Benney stated that he would like to see drawings and drainage plans to
 demonstrate the connectivity in order that the committee have the confidence that the water
 and sewerage from the site can be dealt with properly and agreed that the application
 should be deferred in order for further information to be provided. He added that if
 permission cannot be sought to access over third-party land then the development will not
 take place anyway.
- Councillor Imafidon agreed and added that he would like to see the drainage plans before
 any decision can be made. He made the point that he has been advised that the soil in that
 area is mainly clay and, therefore, careful consideration has to be given before a decision is
 made.
- Councillor Benney stated that he is not happy to approve the application as he does feel
 that it is fit for purpose and asked officers to clarify that, if the application was deferred in

order to give the applicant a fair chance to come back with the necessary documentation concerning the drainage schemes and how the water and sewage is going to be dealt with, would that be something that officers could work with as without that information he cannot see how the committee can consider the application. Gavin Taylor stated that, in order to gain a better understanding of what drainage information is required in order to satisfy members, a request could be made to ask where the foul connection point is and how that would be made from the site to the nearest connection point. He added that when considering the surface water, a request could be made with regards to the demonstration of the ground conditions being suitable for soakaways as proposed percolation tests as he is not aware that there are any Planning Officers who are qualified to be able to understand in-depth drainage information. Gavin Taylor explained that the applicant could submit drainage information from a qualified hydrologist or drainage consultant who could confirm that the ground is suitable for the proposed drainage strategy.

- Councillor Marks stated that the committee need to see clarification for the discharge of foul water and whilst he appreciates that it is going through third party land, he would like to see some evidence that they have the permission to do so. The Legal Officer stated that the question can be asked of the developer, however, it is not a planning matter and advised the committee that it would not be prudent to do so. He added that if the applicant chooses to provide the information then that is their choice, but it is not relevant to the committee's determination of the application.
- Gavin Taylor asked the committee to clarify what further information is being requested with regards to the bin collection? Councillor Benney stated that he is not confident that there is access to empty the bins from Woodville Drive and he asked for a different scheme to be provided by using private collectors by accessing the properties from Gypsy Lane. He added that the applicant may also consider submitting an in-principle agreement that the landowners would allow the bin collection to take place from there.
- Councillor Connor added that he would also like a request added for more information with regards to the sewer connection at the first available point.

Proposed by Councillor Benney, seconded by Councillor Marks and agreed that the application be DEFERRED, solely on the grounds of drainage, foul water, percolation and sewage details together with the bin collection arrangements.

Members do not support the officer's recommendation of approval as they require further detailed information concerning the drainage and surface water sewage arrangements as well as details concerning the bin collection for the site before they are in a position to consider the application further.

(Councillor Mrs French declared that she lives in close proximity to the application site and took no part in the discussion or voting on this item)