#### F/YR23/0477/O

Applicant: Mr L Russell Agent :

**Seagate Homes** 

Land East Of Halfpenny Lane, Wisbech, Cambridgeshire

Hybrid Application: Outline application with matters committed in respect of access to erect of up to 250 x dwellings, and Full application to erect 102 x dwellings (15No. 1-bed, 41No. 2-bed, 35No. 3-bed and 11No. 4-bed) with associated parking, landscaping and public open space, and the formation of a bund and an attenuation basin, involving the demolition of existing building

Officer recommendation: Grant

Reason for Committee: Town Council recommendation, and number of neighbour representations, contrary to officer recommendation.

#### 1 EXECUTIVE SUMMARY

- 1.1 The application site comprises approximately 13.5 hectares of predominantly flat agricultural land, located on the southern edge of Wisbech. The application site forms part of the South Wisbech Broad Location for Growth, as designated within the Fenland Local Plan 2014, and the Council has approved a Broad Concept Plan for the site.
- 1.2 The application is a hybrid application seeking full planning permission for 102No. dwellings, a new access, culverting of watercourses, associated parking, landscaping and public open space, a bund and an attenuation basin; and outline planning permission for up to 250No. dwellings. The proposal also includes demolition of an existing building and the provision of off-site highway improvements and bus stop upgrades.
- 1.3 The proposed development would provide 13.92% affordable housing (equating to 49No. affordable dwellings) and an infrastructure contribution of £2,000 per plot (which would not meet the full amount of infrastructure contributions requested by consultees). However, the proposed infrastructure contributions, in addition to proposed off-site highway improvements, are sufficient to ensure that the proposed development would have acceptable highway safety and transport impacts. It is acknowledged that the proposed financial contributions fall significantly short of the requested education and healthcare contributions, which would result in the proposed development creating an additional burden on existing infrastructure. However, an independent financial viability review of the proposed development has been carried out which confirms that a greater level of financial contributions and affordable housing provision than that which proposed would result in the proposed development being financially unviable to deliver.
- 1.4 Although the proposed development would result in a high magnitude of change of land use, from agricultural to residential, it is important to acknowledge in this regard that the principle of altering the character and appearance of the

application site has already been considered acceptable through the sites allocation as a Broad Location for Growth and the approval of a Broad Concept Plan.

- 1.5 Having regard to all relevant planning policies and material planning considerations, and subject to the completion of a Section 106 legal agreement, it is considered that the proposed development would amount to sustainable development and would broadly accord with the development plan as a whole. There are no material considerations of sufficient weight to indicate that a decision should be made other than in accordance with the development plan.
- 1.6 The application is therefore recommended for approval.

#### 2 SITE DESCRIPTION

- 2.1 The application site comprises approximately 13.5 hectares of predominantly flat agricultural land, located on the southern edge of Wisbech. The application site is accessed via the northern extent of Halfpenny Lane, which is an unclassified road located within the application site and adjoining New Drove. There are a number of watercourses running through the application site, including an Internal Drainage Board watercourse which is located in a north-south direction along Halfpenny Lane. The application site also contains a number of trees and a derelict brick building. The application site is located within Flood Zone 1 (low risk of flooding from rivers and sea) and is generally at low risk of flooding from all other sources, having regard to the Environment Agency's latest flood maps. The application site forms part of the South Wisbech Broad Location for Growth, as designated within the Fenland Local Plan 2014, and the Council has approved a Broad Concept Plan for the site.
- 2.2 There are residential properties adjacent to the north and east boundaries of the application site, which are located along Redwing Drive, Kingfisher Drive and Elm Low Road. The A47 is located adjacent to the south boundary of the application site. Agricultural land is located adjacent to the west boundary of the application site.

#### 3 PROPOSAL

- 3.1 This is a hybrid planning application seeking:
  - Full planning permission for the erection of 102No. dwellings (15No. 1-bed, 41No. 2-bed, 35No. 3-bed and 11No. 4-bed), a new access, culverting of watercourses, associated parking, landscaping and public open space, a bund and an attenuation basin; and
  - Outline planning permission, with matters committed in respect of access, for the erection of up to 250 dwellings.
- 3.2 The proposal also includes demolition of an existing building and the provision of off-site highway improvements and bus stop upgrades.
- 3.3 The full element of the application comprises Phase 1, and the outline element of the application comprises Phase 2, of the proposed development.
- 3.4 The application includes a Section 106 Heads of Terms and draft Section 106 Agreement which agrees to the provision of 49No. affordable dwellings (comprising 26No. Affordable Rented and 23No. Shared Ownership), an on-site public open

space scheme, and an infrastructure contribution of £2,000 per plot (£704,000 total).

3.5 Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/

# 4 SITE PLANNING HISTORY

4.1 F/YR15/1125/SC - Screening Opinion and Scoping Opinion: Residential and associated development - Environmental Statement Required 27 Jan 2016

# 5 CONSULTATIONS (Latest comments summarised)

#### 5.1 Wisbech Town Council

Object due to overdevelopment of the site, inadequate access arrangements and insufficient community infrastructure.

# 5.2 Local Highway Authority (Development Management team)

No objection in principle. However, the following comments require attention to make the development acceptable in highway terms:

Access - The access strategy to the site is acceptable but is subject to agreement from the Internal Drainage Board as their drain will need to be culverted for a long length to facilitate access. The culvert structure will not be adopted by the County Council. The off-site infrastructure as shown on the drawing 3509.SK210 P11 is accepted and agreed.

Layout (Full application) - The accessibility plan which has been submitted shows an internal looped cycle route, but this is in conflict with the highways layout plan which does not include a cycle route on the road which serves plots 87-102. To avoid any ambiguity, recommends that the accessibility plan and site layout are amended to match each other.

Layout (Outline application) – No objection to the indicative proposals.

# 5.3 Local Highway Authority (Transport Assessment team)

# Pedestrian and Cycle Accessibility

There is a live planning application for the expansion of the Thomas Clarkson Academy [Planning application ref: F/YR24/0857/F for a new secondary school]. To facilitate the school expansion, the school has been requested to deliver a toucan crossing in the vicinity of the western spur of New Drove [on Weasenham Lane].

The additional trips crossing Weasenham Lane generated together by both the proposed development and the school expansion would require a controlled crossing for safety. The proposed development would also benefit from the toucan crossing, improving safety for residents traveling to schools, the town centre, and bus stops.

Therefore, should the school expansion attain approval and the toucan crossing be delivered, the cost of delivering the toucan crossing should be shared between the school and this development.

Requests that the proposed development:

- Provides a contribution of £150,000 towards the delivery of a toucan crossing [on Weasenham Lane] in the vicinity of the western spur of New Drove, and deliver the access works shown on drawing no. 8/3088-CCL-XX-XX-DR-C-210A-P02 [in the event of the toucan crossing being delivered, which is dependent on planning application F/YR24/0857/F being approved]; or
- Delivers the access works [and alternative crossing] set out on drawing no. 8/3088-CCL-XX-XX-DR-C-210-P01 [in the event of the toucan crossing not being delivered].

In addition, requests that the proposed development:

- Provides a contribution of £100,000 towards Cambridgeshire's Local Cycling and Walking Infrastructure Plan (LCWIP) active travel infrastructure improvements within Wisbech, to enhance accessibility of the site by sustainable travel modes and ensure the development does not have a severe impact on the capacity of the surrounding highway network.
- Provides a contribution of £390,000 towards bus service enhancements, to enhance accessibility of the site by sustainable travel modes and reduce the impact of the development on the surrounding highway network.
- Provides upgrades to the Weasenham Lane 'Boleness Road' bus stops (including Real Time Passenger Information infrastructure, if the developer can provide an additional contribution £21,000 towards maintenance of the RTPI infrastructure).
- Provides a Travel Plan, inclusive of bus vouchers and / or active travel vouchers.

The proposed development will have an impact on the capacity of the following junctions:- Freedom Bridge roundabout; B198 Cromwell Road/Redmoor Lane/A47 roundabout; A47/March Road roundabout; and A47/Elm High Road roundabout. Consider that the LCWIP contribution and bus service enhancements contribution would suitably mitigate the proposed developments impacts at these junctions.

No objection, subject to the above being secured by planning conditions / a Section 106 agreement.

# 5.4 **Active Travel England**

Assuming that the Local Highway Authority is recommending planning obligations / conditions to secure the proposed infrastructure, travel plan and LCWIP contribution; has no objection and supports the application subject to planning conditions securing provision of bus stop upgrades on Weasenham Lane, agreement of an Internal Design Code, and provision of cycle parking facilities.

# 5.5 National Highways

Recommends conditions are attached to any grant of planning permission requiring a Travel Plan identifying measures to reduce trip generation and remedial measures to be implemented should trip generation targets within the Travel Plan not be achieved.

#### 5.6 **CCC Historic Environment Team**

An archaeological historic building record has been undertaken for the building to be demolished. This identified the building in question as an open-topped ("scotch") kiln, bearing close physical resemblance to the 'Norfolk' regional variants, despite there being no documentary or cartographic evidence for clay extraction or 'official' usage for brickworks on this site. It appears to be an example of localised industrial processes, responding to the rapid expansion of Wisbech in the 19th century, and supported by excellent transport links provided by the Wisbech Canal and tramway close by to the east. Its usage for this purpose seems to have been short-lived, and in the early 20th century it was roofed in timber and used for storage of fruit from the orchards that grew up immediately surrounding the site.

The significance of the building has suffered due to its degree of preservation, having lost the attached timber firing sheds, that to the south side being almost totally collapsed and on the north side removed entirely. It also exhibits later alterations associated with its use as a store, including the crude insertion of a window at the west end. Whilst its later usage adds a degree of local interest, given the importance of the fruit industry in relation to the development of Wisbech, this is not considered sufficient to off-set the loss of historic fabric which has occurred, and it is not considered that this particular example would be likely to meet the tests for national listing, were it to be submitted for assessment.

Further to the above, sub-surface archaeological investigation of the whole site, comprising geophysical survey and a trial trench evaluation, has also been completed prior to determination as requested. These investigations identified primarily ditched features of medieval and post-medieval date, identified as enclosures and field boundaries, as well as a probable palaeochannel which may have been associated with the former route of the River Great Ouse before it was diverted in the medieval period.

Together these investigations provide the requisite information needed to make an informed judgement regarding the impacts of the development proposal on the historic environment. Whilst there will inevitably be some degree of harm occasioned by the loss of the historic kiln building, which is an asset type which has suffered high rates of attrition both regionally and nationally, its degree of preservation is not such that warrants retention, or would be likely to meet the criteria for national listing, when compared with other surviving examples. Therefore, consider that it would not be proportionate to uphold an objection to its removal, although given its local significance would welcome consideration by the developer as to how the upstanding brick masonry part of the structure might be consolidated and retained within open space for the Outline part of the development, once plans for this part of the scheme are further developed.

No further archaeological requirements and no objection on archaeological grounds to development proceeding as proposed.

# 5.7 CCC Ecology

Adequate surveys have been completed to determine the ecological impact of the scheme and set out how the scheme will deliver adequate mitigation / compensation and biodiversity net gains.

The proposal is acceptable on ecology grounds, providing that the biodiversity compensation / mitigation measures and enhancements recommended within the Phase 2 Ecology Survey report and Preliminary Ecological Appraisal are secured via planning conditions.

Recommend planning conditions to secure the following:

# 1. Site-wide

- a. Ecological Design Strategy, to include a BNG strategy.
- b. Construction Ecological Management Plan (CEcMP).

# 2. Phase / parcel:

- a. Updated ecology surveys.
- b. Detailed lighting scheme sensitively designed for wildlife, demonstrating delivery of EDS.
- c. Detailed landscape and biodiversity enhancement scheme, demonstrating compliance with site-wide Ecological Design Strategy and Construction Ecological Management Plan, delivery of Biodiversity Net Gain, and delivery of biodiversity enhancement through detailed design (e.g. highways and building design).

#### 5.8 Wildlife Trust

Recommends that a BNG Assessment is submitted and considers that the development appears to include very little green infrastructure and natural greenspace.

There is a significant need to provide high quality natural and other greenspaces in Wisbech to address the biodiversity and climate crises, help improve quality of life and health outcomes, and help to attract inward investment. It is essential that major new developments play their role and do not exacerbate the current deficits in green infrastructure within the town.

However, loss of biodiversity and provision of accessible natural greenspace could be delivered through the creation of a natural open space on the land to the west of Halfpenny Lane.

# 5.9 NHS Property Services and Cambridgeshire and Peterborough Integrated Care System

The Health Impact Assessment does not consider the impact of the proposed development on the primary care estate and the provision of GP services in the locality.

The GP practices within the Wisbech Primary Care Network (Trinity Surgery, Clarkson Surgery, North Brink Practice and Parson Drove Surgery) collectively do not have the capacity to absorb the population associated with the proposed development. The development would therefore have an impact on the primary

healthcare provision in the area and its implications, if unmitigated, would be unsustainable.

GP Practices within the Wisbech Primary Care Network have the potential to be redeveloped or expanded to mitigate the incoming population associated with the development.

Requests a contribution of £360,407 to create additional floorspace at GP Practices within the Wisbech Primary Care Network.

# 5.10 NHS East of England Ambulance Service

Requests a contribution of £130,963 to create additional ambulance services to absorb the additional patient demand generated by this development on emergency ambulance health services.

Supports the central open space and would welcome orchards, trees or meadow flower areas within the communal garden. Makes recommendations for soft and hard landscaping to support physical, health, mental health, wellbeing and community cohesion.

# 5.11 CCC Development and Policy Team

Request the following contributions to mitigate the impacts of the proposed development on education and libraries:

• Early Years - £98,574 for the full application + the following table contribution for the outline application:

Contribution	Market and Intermediate				Affordable Rent				Project
per dwelling	1	2	3	4+	1	2	3	4+	cost/place
Early Years	0	655	1,309	2,292	0	2,619	3,928	4,583	18,187

- Primary School N/A
- Secondary School £225,429 for the full application + the following table calculation for the outline application:

Contribution	Market and Intermediate				Affordable Rent				Project
per dwelling	1	2	3	4+	1	2	3	4+	cost/place
Early Years	0	0	3,954	7,909	0	0	10,545	23,727	26,363

• Libraries - £52,097

# 5.12 Lead Local Flood Authority

No objection in principle to the proposed development.

The following documents demonstrate that surface water from the proposed development can be managed through the use of tanked permeable paving and an attenuation basin with settlement forebay areas discharging via flow control into the existing watercourse and restricting surface water discharge to greenfield equivalents.

- Civil Engineering Response to LLFA Comments, Clancy, Ref: 3088, Rev: P01, Dated: 10th February 2025
- Ditch Sections (all sheets), BHA, Ref: 3509, Rev: P2, Dated: 31st January 2023
- Phase 1 Drainage Strategy, Clancy, Ref: 3088, Rev: P01, Dated: 2nd January 2025

- Surface Water Drainage Maintenance & Management Plan, BHA, Ref: 3509, Rev: 1, Dated: 31st January 2023
- Flood Risk Assessment and Drainage Strategy, BHA, Ref: 3509, Rev: 1, Dated: 31st January 2023

The applicant has provided maintenance and management strategy outlining practices and adoption details of the surface water drainage system.

Recommend planning conditions to secure:- a detailed surface water drainage scheme; measures to mitigate surface water run-off during construction; and a survey and report of the surface water drainage system following completion.

#### 5.13 Middle Level Commissioners

The Hundred of Wisbech IDB object as the proposal does not meet their requirements or current guidance.

Requests completion of a hydraulic study of its system. In the absence of any hydraulic modelling, it is difficult to be conclusive but it is considered that whilst these systems may be adequate for its current use it is becoming apparent that it is unlikely that they will be suitable to accommodate flows from this and other developments in the area as the impacts of climate change occur.

Raise the following summarised concerns relating to on-site water level and flood risk management systems:

- Detrimental effects of surface water run-off and overland flows from the site adversely impacting neighbouring properties or other locations which may be affected by the proposed ground raising/re-shaping operations.
- Access by routine maintenance machinery to the on-site water level and flood risk management systems, particularly to the attenuation basins.
- Adverse impacts and the additional costs associated with the proximity of the existing water main and the proposed hedge, footpath, foul sewer etc to the Boards system.
- Currently the Board has an exemption that enables it to dispose of wet dredging's on agricultural land within its 9.0m wide maintenance access strip. However, a change of land use would require an alternative arrangement and agreement with the land owner(s) for increased costs associated with the disposal of wet dredging's to a suitable waste management tip in perpetuity.
- The proposed attenuation basins are too small and in the wrong location.
- Piecemeal development being proposed in various locations within the district which is resulting in many small and isolated attenuation systems which will be difficult to maintain and will be a future liability for the parties concerned, the failure of which could potentially increase flood risk. One larger but readily maintainable attenuation basin rather than several smaller ponds serving individual phases would be viewed more favourably by the Board.
- The shape and size of the attenuation basin must be installed to the correct dimensions and be in a suitable working condition before any other works to form the site depot, highways or buildings commences on site.
- Management and maintenance of the associated water level and flood risk management systems serving the site.

Also raises concerns regarding biodiversity impacts.

# 5.14 Environmental Health

No objections.

Accepts the submitted details relating to air quality, contamination and noise impacts.

Requests a Construction Environmental Management Plan, piling details (if necessary), and Phase II contamination investigation, a light impact assessment and noise mitigation measures.

# 5.15 Housing Strategy and Enabling Officer

Policy LP5 of the Fenland Local Plan (2014) seeks 25% affordable housing on developments where 10 or more homes will be provided.

The Fenland Viability Report (2020) indicates that 20% affordable housing is likely to be the maximum level of provision that can be achieved through planning obligations. Consequently, while the Council aims to deliver policy compliant 25% affordable housing provision on qualifying schemes where possible, it is acknowledged that a reduced percentage of affordable housing via planning obligations to a maximum of 20% will be achievable in most instances.

The current tenure split expected for affordable housing in Fenland is 70% affordable rented tenure and 30% shared ownership. However, following consideration of the viability issues, agrees to an alternative tenure split.

# 5.16 CCC Definitive Map Team

Public Byway 21, Wisbech runs along the southern boundary of the development for approximately 96 metres.

Whilst the Definitive Map Team has no objection to this proposal, the Byway must remain open and unobstructed at all times.

# 5.17 Cambridgeshire Constabulary Designing Out Crime Officer

Considers the area to be of low to medium risk to the vulnerability to crime.

Provides recommendations for external lighting, boundary treatments, cycle storage, parking, landscaping and public open spaces.

# 5.18 Anglian Water

The foul drainage from this development is in the catchment of West Walton Water Recycling Centre that will have available capacity for flows from the proposed development.

The sewerage system at present has available capacity for flows from the propose development.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. The application indicates that the method of surface water drainage is via SuDS.

The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals.

# 5.19 Cambridgeshire Fire and Rescue Service

Requests that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

Access and facilities for the Fire Service should also be provided in accordance with Building Regulations.

# 5.20 Councillor Sam Hoy

Objects to the application.

The application goes into some of the drain and the field already floods.

[Previously raised concerns regarding the phasing of upgrading the access on Halfpenny Lane and requested a condition that the developer must upgrade Halfpenny Lane first or at least before no more than 10 houses are built. Also, previously requested that Section 106 contributions are distributed towards upgrading Elme Hall roundabout (as proposed in the Wisbech Access Study) rather than affordable housing].

# 5.21 Councillor Dal Roy

Objects to the application.

There are inadequate roads to serve the development. Improvements to the access roads and Elme Hall roundabout are needed to improve traffic flow. The Elme Hall roundabout is already at capacity so additional road users would add to this problem.

Drains would not be able to cope with the extra run off.

Overdevelopment of this scale would further add to issues in Elm.

Once drainage and roads have been improved a possible smaller amount of housing would be more sustainable.

#### 5.22 Councillor Matthew Summers

Supports the full application, although echoes Councillor Hoy's concerns and hopes that the upfront improvements to the access road can be a condition.

However, objects to the outline application because it doesn't show adequate consideration of existing properties, particularly impacting open field views and light. Would hope to similar arrangements as they have provisioned to separate

the road from the proposed development. However, acknowledges that is the right kind of location for meeting the districts housing need.

#### 5.23 Local Residents/Interested Parties

Objections have been received from occupiers of 28 properties, raising concerns relating to the following summarised issues:

- Location of the proposed development.
- Residential amenity impacts (including loss of privacy, loss of outlook, loss of open views, loss of light, noise pollution and air pollution).
- Damage to neighbouring properties.
- Property value impacts.
- · Biodiversity impacts.
- Environmental impacts.
- Flood risk and drainage impacts.
- Traffic impacts.
- Highway safety impacts.
- · Visual amenity impacts.
- Antisocial behaviour impacts.
- Security impacts.
- Infrastructure impacts (capacity of doctors surgeries, dentists, schools etc, levels of affordable housing and Section 106 contributions).
- Loss of arable agricultural land.
- Overdevelopment.

#### **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 Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

#### 7 POLICY FRAMEWORK

# National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 7 – Ensuring the vitality of town centres

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 10 - Supporting high quality communications

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

Chapter 17 – Facilitating the sustainable use of minerals

# **National Planning Practice Guidance (NPPG)**

# **National Design Guide 2021**

#### 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
- LP5 Meeting Housing Need
- LP7 Urban Extensions
- LP8 Wisbech
- LP13 Supporting and Managing the Impact of a Growing District
- 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
- LP17 Community Safety
- LP18 The Historic Environment
- LP19 The Natural Environment

# Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

# Delivering and Protecting High Quality Environments in Fenland SPD 2014

# **Developer Contributions SPD 2015**

# Cambridgeshire Flood and Water SPD 2016

#### **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 49 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
- LP6: Renewable and Low Carbon Energy Infrastructure
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP13: Custom and Self Build
- LP19: Strategic Infrastructure
- LP20: Accessibility and Transport
- LP21: Public Rights of Way
- LP22: Parking Provision
- LP23: Historic Environment
- LP24: Natural Environment
- LP26: Carbon Sinks and Carbon Sequestration

LP27: Trees and Planting

LP28: Landscape

LP29: Green Infrastructure

LP31: Open Space and Recreational Facilities

LP32: Flood and Water Management

LP33: Development on Land Affected by Contamination

LP34: Air Quality

LP36: Residential Site Allocations for Wisbech

#### 8 KEY ISSUES

- Principle of development
- Character and appearance of the area
- Highway safety and transport
- Housing mix
- Affordable housing provision
- Residential amenity
- Flood risk and drainage
- · Archaeology and historic environment
- Biodiversity
- Biodiversity Net Gain (BNG)
- Infrastructure and contributions

# 9 BACKGROUND

# Environmental Impact Assessment (EIA)

- 9.1 The Local Planning Authority have previously issued a Screening Opinion for residential and retail development of the application site in January 2016, determining that an Environmental Statement was required (ref: F/YR15/1125/SC). This Screening Opinion was issued on the basis of a red line boundary of the application site and a description of the proposed development, without the benefit of any technical assessments or views of technical consultees.
- 9.2 During the course of this planning application, a new Screening Opinion specific to the proposed development has been carried out under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. This Screening Opinion has been carried out with consideration given to the information contained within the detailed assessments accompanying the planning application and the views of technical consultees. On the basis of the technical assessments and the consultation responses relating to this planning application, it is considered that proposed development would not have significant environmental effects in the context of EIA development and therefore an Environmental Statement is not required.

# South Wisbech Broad Location for Growth (Fenland Local Plan 2014)

9.3 The application site comprises part of the South Wisbech Broad Location for Growth, where a new urban extension to Wisbech (mainly for business purposes, though including potential for residential development in the eastern half of 'very approximately, around 100' dwellings) is supported by Policy LP8 of the Fenland Local Plan 2014.

# <u>South Wisbech Broad Location for Growth - Broad Concept Plan (Fenland Local Plan 2014)</u>

9.4 On 29<sup>th</sup> April 2015, Fenland District Council approved a Broad Concept Plan for the South Wisbech Broad Location for Growth. The Broad Concept Plan includes 54 hectares of employment land and around 350 dwellings. The application site comprises Phase 2 of the Broad Concept Plan.

# Residential site allocation LP36.01 (Emerging Local Plan)

9.5 The application site comprises part of a residential site allocation for 316 dwellings within the Emerging Local Plan.

#### 10 ASSESSMENT

#### **Principle of Development**

# **Broad Location for Growth**

- 10.1 Policy LP8 of the Fenland Local Plan 2014 (the Local Plan) designates the South Wisbech Broad Location for Growth broadly to the north of the A47, south-east of New Drove, north and south of Newbridge Lane, and along Cromwell Road between Newbridge Lane and the A47/B198 roundabout.
- 10.2 Policy LP8 of the Local Plan support a new urban extension within the South Wisbech Broad Location for Growth, provided:
  - All transport implications can be overcome (which is very likely to require improved east-west road links to relieve pressure on Weasenham Lane, with the arrangements for delivering such improved east-west links being agreed as part of the broad concept plan for the broad location);
  - Existing areas of high quality woodland, including mature orchards, be retained and enhanced to serve as multifunctional public open space areas with amenity, biodiversity and community food value;
  - Noise mitigation and screening measures be provided along the A47, and between the residential and business areas as appropriate.
- 10.3 Policy LP7 of the Local Plan requires urban extensions (i.e. the broad or specific locations for growth identified in Policies LP8-11 of the Local Plan) to be planned and implemented in a coordinated way, through an agreed overarching Broad Concept Plan (BCP), that is linked to the timely delivery of key infrastructure. Policy LP7 specifies that a BCP approved by Planning Committee is an informal 'in principle' approval to which subsequent planning applications would be expected to adhere to.
- 10.4 In addition, policy LP7 of the Local Plan states that, whilst phasing may be agreed, the Council will need to be satisfied that the key aspects of the BCP will be delivered. Therefore, prior to any planning permission being granted, appropriate safeguards must be demonstrably in place to prevent cherry-picking of profitable elements of the urban extension being built first and the provision of appropriate infrastructure either delayed or never materialising.

#### The BCP

- 10.5 The BCP sets out proposals on 217 acres of land, comprising the South Wisbech Broad Location for Growth, for:
  - Around 350 homes to the east of the site
  - Around 54 hectares of employment land
  - A new East West road from Cromwell Road/New Bridge Lane in the west, along the site to link Newbridge Lane with Boleness Road. This road will facilitate access into the whole of the South West Wisbech site but will also offer improved access for the whole of Wisbech
  - A new roundabout on A47
  - New junctions or upgrades to existing junctions
  - The retention and enhancement of some areas of existing high quality woodland and mature orchards which can serve as multifunctional public open space areas
  - The location of pedestrian and cycle ways within the proposed development and linking to existing facilities elsewhere such as to the town centre.
- 10.5 The BCP indicates that the 350 homes to the east of the site would be served by an access road running along Halfpenny Lane and connecting to New Drove.
- 10.6 The BCP indicates landscape buffers along the A47.

# Alignment with the BCP

- 10.7 The application site does not comprise any of the employment land within the BCP and would not prejudice the full delivery of Phase 1 of the BCP. Employment development has been delivered within part of Phase 1 on the east side of Cromwell Road. There is also a planning application currently pending consideration for further employment development within part of Phase 1 on the west side of Cromwell Road.
- 10.8 The proposed development would provide up to 352 dwellings within the eastern area of the South Wisbech Broad Location for Growth. This accords with the BCP in terms of acceptable quantum of development (around 350 dwellings).
- 10.9 The proposed development includes a new primary access road running along Halfpenny Lane and connecting to New Drove. This accords with the BCP in terms of access.
- 10.10 The area of the application site adjacent to the A47 forms part of the outline planning application, however it is indicatively shown to accommodate a landscape buffer including a bund. This accords with the BCP in terms of landscape buffers along the A47.
- 10.11 Although the proposed development would result in some tree removals which could be mitigated by a high quality soft landscaping scheme, it would not result in the loss of high quality woodland or mature orchards. This accords with the BCP in terms of retaining high quality woodland and mature orchards.
- 10.12 Two potential pedestrian / cycle links are indicated within the area of the outline planning application, however these are not committed details. The application indicates that the existing Halfpenny Lane would be used as a footway and cycleway adjacent to the western boundary of the site and providing connectivity

between the A47 and New Drove. The application also proposes new footways and cycle routes within the proposed development, which would link to New Drove and the wider area. This accords with the BCP in terms of providing new pedestrian and cycle routes within the proposed development and linking to existing facilities.

- 10.13 A new east-west road (linking Cromwell Road/New Bridge Lane with Boleness Road) and a new roundabout on the A47, have not been delivered to date. However, those highway network improvements are more intrinsically linked with the areas of land within Phases 1 and 3 of the BCP. This planning application has demonstrated that the proposed development would have acceptable impacts on the highway network in terms of access and junction capacity without the delivery of a new east-west road and new/upgraded junctions.
- 10.14 The South Wisbech Broad Location for Growth is formed of multiple land ownerships and there is therefore no guarantee that a holistic phased development of the entire BCP would be achievable. However, the application demonstrates that the proposed development can be delivered without any significant impacts on the delivery of the wider BCP.
- 10.15 For the reasons set out above, it is considered that the proposed development broadly aligns with the visions of the BCP. It is therefore considered that the principle of development is acceptable, in accordance with policies LP7 and LP8 of the Local Plan and the BCP.

# Character and appearance of the area

- 10.16 Policy LP16 of the Local Plan requires that development proposals 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, reinforces local identity and not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.17 Notwithstanding the protection to the character and appearance of the area which is afforded by policies within the Local Plan, it is inevitable that some of the district's landscape will alter within the plan period in order to meet the Council's growth aspirations including housing delivery requirements and therefore that some character harm will occur. Therefore, although it is acknowledged that the proposed development would result in a high magnitude of change of land use, from agricultural to residential, it is important to acknowledge in this regard that the principle of altering the character and appearance of the application site, from open agricultural fields to a major-scale residential development with a new access along Halfpenny Lane, has already been considered acceptable through the sites allocation as a Broad Location for Growth and the approval of the BCP.
- 10.18 The application site is not subject to any statutory or non-statutory landscape designations and does not contain any rare, valued landscape features. The character and appearance of the application site is typical of the local countryside, comprising predominantly flat agricultural fields, and is not of any significant landscape importance. Due to the flat topography, the presence of adjacent built form, and the opportunities for significant soft landscape screening (including landscape bunds), the application site is not considered to be of high sensitivity to the proposed development. The proposed development would be located adjacent

to existing residential development to the north and east and, aided by its confinement by the A47 to the south, would appear as a natural urban extension on the edge of the town.

- 10.19 The layout for Phase 1 of the proposed development (seeking full planning permission) includes the siting of two-storey dwellings and single-storey bungalows along the north and east boundaries of the site. The scale and storey heights of these proposed dwellings would relate sympathetically to existing neighbouring dwellings located on Elm Low Road, Heron Road and Redwing Drive which are predominantly two-storey dwellings and single-storey bungalows. The proposed development also includes some 2.5-storey dwellings which are rare within the surrounding area; however these dwellings are proposed to be sited more centrally within the site and would therefore form part of the prevailing character of the new development which would extend into the outline area of the application site. Details of layout for Phase 2 of the proposed development (seeking outline planning permission) are reserved at this stage.
- 10.20 The soft landscaping masterplan for Phase 1 of the proposed development includes the provision of a new landscaped bund located towards the western edge of the site, new areas of public open space, a new attenuation basin, new tree and hedgerow planting, and retention of an existing watercourse providing a green corridor through the site. The soft landscaping masterplan demonstrates that a high quality soft landscaping could be achieved, which would mitigate the proposed tree removals and provide an overall soft landscape enhancement. A detailed soft landscaping scheme for Phase 1 could be secured by a planning condition. The public open space is located in a relatively central location, particularly with consideration given to the outline element of the application within the southern area of the site. The public open space is also located adjacent to the main spine road and one of the two secondary roads, where it is highly accessible from both of these roads and would contribute positively to the character and appearance of the proposed development. The hard landscaping for Phase 1 of the proposed development include the provision of a main spine road running through the site, with two secondary roads branching off. The main spine road and secondary roads provide direct access to frontage dwellings located along them. with the secondary roads also including a modest provision of private drives and parking courts. The proposed hard and soft landscaping details are considered to be of a high quality and would aid assimilation of the development into the surrounding area. Details of landscaping for Phase 2 of the proposed development are reserved at this stage, however the application provides indicative details showing a bund along the south boundary of the site adjacent to the A47. A high quality soft landscaping scheme for Phase 2 of the proposed development could be secured as part of any future application seeking approval of the reserved matters.
- 10.21 Phase 1 of the proposed development would provide a mix of high quality, traditionally designed dwellings. The proposed dwellings are varied in scale, design and materials, which would contribute positively to the existing mixed character of the local built environment. With consideration given to the high quality design of the proposed dwellings, and their sensitive scale and layout in relation to existing built form within the locality, it is considered that the proposed dwellings would not adversely impact, in design or scale terms, on the street scene, settlement pattern or landscape character of the surrounding area.

- 10.22 Detailed matters of the appearance, landscaping, layout, scale of Phase 2 of the proposed development are not matters for consideration under this planning application. However, with consideration given to the South Wisbech Broad Concept Plan, it is considered that the application site contains sufficient space to accommodate up to 250 dwellings within the Phase 2 area with acceptable impacts on the character and appearance of the area.
- 10.23 With consideration given to the South Wisbech Broad Concept Plan, it is considered that the proposed development would have acceptable impacts on the character and appearance of the area, in accordance with policy LP16 of the Local Plan.

# Transport, highways and parking

- 10.24 Policy LP15 of the Local Plan requires all development proposals to:
  - Provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors including habitat connectivity (linking to existing routes where opportunities exist) that give easy access and permeability to adjacent areas; and
  - Provide well designed car and cycle parking appropriate to the amount of development proposed, ensuring it meets the Council's defined parking standards as set out in Appendix A.
- 10.25 The application is accompanied by two highway layout plans, providing alternative schemes for new crossing facilities on Weasenham Lane. One option includes a toucan crossing to the west of New Drove and the other option includes a crossing with a pedestrian refuge island to the east of New Drove. Both of the highway layout plans include proposals to culvert a substantial length of the existing watercourse which is orientated north-south along Halfpenny Lane, in order to provide a new road and footway access connecting the proposed development with New Drove. This accords with the broad access location indicated within the South Wisbech Broad Concept Plan. Following completion of the proposed new access road, the existing Halfpenny Lane would become a footway / cycleway.
- 10.26 Both of the highway layout plans also include proposals for the provision of new footways, and widening of some existing footways, on New Drove and Weasenham Lane, in addition to bus stop upgrades on Weasenham Lane. The proposed footways would provide a safe and convenient pedestrian route following the desire line between the proposed development and Weasenham Lane.
- 10.27 The Local Highway Authority Development Management team considers the proposed access strategy to be acceptable, but states that this is subject to agreement from the Internal Drainage Board as their drain will need to be culverted to facilitate the access. Obtaining permission to culvert the watercourse to facilitate the access is a civil matter between the developer and the Internal Drainage Board, which falls outside of the scope for determination of this application. With consideration given to the recommendations of the Local Highway Authority, it is considered that the application proposes a well-designed, safe and convenient access, in accordance with policy LP15 of the Local Plan.
- 10.28 The Local Highway Authority Development Management Team states that the proposed culvert structure would not be adopted by Cambridgeshire County

- Council. Details of future management and maintenance of this could be secured by a condition.
- 10.29 The Local Highway Authority Development Management Team also states that the accessibility plan or highways layout plan should be amended so that the internal cycle route matches on both plans, to avoid ambiguity. This discrepancy could be adequately resolved via a planning condition.
- 10.30 The two alternative highway layout plans accompanying the application were submitted by the applicant following a request from the Local Highway Authority Transport Assessment Team. The reasoning for their request for alternative highway layout plans is due to them considering it necessary for a toucan crossing to be provided on Weasenham Lane in an event of the planning application F/YR24/0857/F (for development of a new secondary school) being approved; but considering an alternative pedestrian refuge island crossing in a different location to be acceptable in an event of planning application F/YR24/0857/F not being approved. The Transport Assessment Team considers that the additional trips crossing Weasenham Lane generated together by both the proposed development and the school expansion would require a controlled crossing for safety; and that the proposed development would also benefit from the toucan crossing, improving safety for residents traveling to schools, the town centre, and bus stops.
- 10.31 The Transport Assessment Team therefore requests that the proposed development provides either:
  - a) A contribution of £150,000 towards the delivery of a toucan crossing [on Weasenham Lane] in the vicinity of the western spur of New Drove, and deliver the access works shown on drawing no. 8/3088-CCL-XX-XX-DR-C-210A-P02 [in the event of the toucan crossing being delivered, which is dependent on planning application F/YR24/0857/F being approved]; or
  - b) Delivers the access works [and alternative crossing] set out on drawing no. 8/3088-CCL-XX-XX-DR-C-210-P01 [in the event of the toucan crossing not being delivered].
- 10.32 In addition to the provision of a crossing on Weasenham Lane, the Transport Assessment Team considers that contributions of £100,000 towards Cambridgeshire's LCWIP (for active travel infrastructure improvements within Wisbech) and £390,000 towards bus service enhancements are necessary to enhance accessibility of the site by sustainable travel modes and ensure that the proposed development does not have a severe impact on the capacity of the surrounding highway network.
- 10.33 The Transport Assessment Team states that the requested contributions towards the LCWIP and bus service enhancements would suitably mitigate the proposed developments impacts on the capacity of nearby junctions. In addition, they consider that upgrades to the Weasenham Lane 'Boleness Road' bus stops and a Travel Plan are necessary to mitigate the impacts of the proposed development.
- 10.34 With consideration given to the recommendations of the Local Highway Authority, it is considered that the proposed highway works and requested contributions are necessary to ensure that the proposed development has acceptable impacts on highway safety and the local transport network.
- 10.35 The car parking standards set out within Appendix A of the Local Plan specify that dwellings with up to three bedrooms should have two car parking spaces and

dwellings with four bedrooms or more should have three car parking spaces. A garage can count as a parking space provided the size exceeds 7 metres x 3 metres. The proposed external car parking spaces comply with the parking space size standards set out within Manual for Streets. With the exception of Plot 100 (which complies with the car parking standards through the provision of two external car parking spaces and one 7 metres x 3 metres garage space) all other plots include an adequate level of external car parking provision, The proposed development would provide an acceptable level of car parking provision for Phase 1 of the proposed development, in accordance with the Council's parking standards specified within Appendix A of the Local Plan. Car parking provision for Phase 2 of the proposed development would be a matter for consideration as part of any subsequent Reserved Matters application should planning permission be approved.

10.36 It is therefore considered that, subject to the mitigation works requested by the Local Highway Authority Development Management and Transport Assessment teams being secured by planning conditions / a Section 106 agreement, the proposed development would have acceptable transport and highway impacts, and would provide acceptable car and cycle parking provision, in accordance with policy LP15 and Appendix A of the Local Plan.

# **Housing mix**

- 10.37 Policy LP3 of the Local Plan states that development should provide a scale and mix of housing types that will meet the identified need for Fenland (as informed by an up-to-date Cambridge Sub Region Housing Market Assessment (SHMA)) and a range of new job opportunities in order to secure balanced communities.
- 10.38 The latest SHMA data (Housing Needs of Specific Groups, GL Hearn, October 2021) suggests the following mix of homes size by tenure as a strategic mix for Fenland for the 2020-2040 period:

Size	Market	Affordable homes to buy	Affordable homes to rent		
1 bedroom	0-10%	20-25%	35-45%		
2 bedrooms	20-30%	35-45%	35-45%		
3 bedrooms	40-50%	25-35%	10-20%		
4+ bedrooms	20-30%	5-10%	0-10%		

- 10.39 The application proposes the following housing mix for the 102 dwellings seeking full planning permission:
  - 15No. one-bedroom dwellings (15%)
  - 41No. two-bedroom dwellings (40%)
  - 35No. three-bedroom dwellings (34%)
  - 11No. four-bedroom dwellings (11%)
- 10.40 The proposed market housing mix for the full element of the application does not fully accord with the strategic mix for Fenland specified within the latest SHMA. However, it would secure a good number of smaller, more affordable dwellings a specific area identified as being in need within the GL Hearn report. The affordable housing mix for the full element of the application is unknown at this stage and

- would be secured through the Affordable Housing Scheme requirement of the Section 106.
- 10.41 Furthermore, the overall housing mix is unknown at this stage as details of the housing mix for the (up to) 250 dwellings seeking outline planning permission has not been committed as part of this application. Therefore, it is necessary to append a planning condition requiring a housing mix for the outline element of the application to be agreed with the Local Planning Authority. This could ensure that the overall scheme provides an acceptable affordable housing mix that will meet the identified need, in accordance with policy LP3 of the Local Plan.

# Affordable housing provision

- 10.43 Policy LP5 of the Local Plan states that, on sites of 10 or more dwellings, the Council will seek the provision of 25% as affordable dwellings (rounded to the nearest whole dwelling). In addition, it states that the Council will expect to secure affordable housing on the basis of the above targets, but will negotiate with developers if an accurate viability assessment indicates these cannot be met in full.
- 10.44 Notwithstanding policy LP5 of the Local Plan, the Council's Local Plan & CIL Viability Assessment (HDH, December 2019) sets out expectations of viability for sites across the district. The conclusions advise that schemes north of the A47 highway are unlikely to be able to achieve any affordable housing provision. This is a material consideration which the Council has previously given significant weight to and which has been used to set the viability expectations for many other developments in the district.
- 10.45 The proposed development includes the provision of 49No. affordable dwellings, which equates to 13.92% of the dwellings across the development. This follows an independent viability review of the applicants' viability assessments which concluded that the proposed development would be viable with developer contributions of £2,000 per plot and 13.92% affordable housing provision.
- 10.46 The affordable housing would comprise 26No. Affordable Rented dwellings and 23No. Shared Ownership dwellings which, following consideration of the viability issues, has been agreed by the Council's Housing Strategy and Enabling Officer.
- 10.47 With consideration given to the financial viability conclusions relating to the proposed development, it is therefore considered that the proposed development would provide an acceptable level and type of affordable housing provision, in accordance with policy LP5 of the Local Plan.

# Residential amenity

- 10.48 Paragraph 135 of the National Planning Policy Framework (NPPF) states that planning decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 10.49 Policy LP2 of the Local Plan states that development proposals should positively contribute to creating a healthy, safe and equitable living environment by promoting high levels of residential amenity and avoiding adverse impacts. In addition, policy LP16 of the Local Plan requires that development proposals do not

- adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.
- 10.50 Due to the nature of the proposed use (residential) and its proximity to neighbouring residential properties, it is considered that the proposed development would not result in any significant adverse residential amenity impacts to neighbouring properties in terms of noise or air pollution impacts. In order to ensure acceptable residential amenity impacts in terms of light pollution, it is considered necessary to append a planning condition requiring an external lighting scheme to be agreed with the Local Planning Authority.
- 10.51 The application commits full details of the 102No. dwellings comprising Phase 1 of the proposed development. With consideration given to the height, scale, design and layout of the proposed dwellings within Phase 1, in addition to their orientation and proximity relative to existing neighbouring properties, it is considered that Phase 1 of the proposed development would not result in any significant loss of privacy, outlook or light to existing neighbouring properties. In addition, Phase 1 would provide acceptable internal living and external amenity space, and acceptable levels of natural light, privacy, outlook, noise and natural surveillance; positively contributing to providing a healthy, safe and equitable living environment by promoting high levels of residential amenity.
- 10.52 In respect of the outline element comprising Phase 2 of the proposed development, detailed matters of appearance, landscaping, layout and scale are reserved. With consideration given to the substantial area of the site within which Phase 2 of the proposed development would be accommodated, it is considered that an acceptable scheme of up to 250 dwellings could be achieved at Reserved Matters stage with sufficient space, and separation distances from existing neighbouring properties, to ensure a high standard of residential amenity is achieved for future occupiers of the proposed dwellings and to prevent any significant impacts upon the residential amenity of existing neighbouring properties.
- 10.53 Although neighbour and District Councillor concerns regarding loss of open views are acknowledged, loss of views is not a material planning consideration and therefore such impacts do not weigh against the application.
- 10.54 It is acknowledged that construction of the proposed development would result in additional noise and disturbance to existing neighbouring properties during the construction period. However, such impacts would be temporary and could be mitigated to acceptable levels by appending a condition requiring a Construction Environment Management Plan (CEMP) to be agreed by the Local Planning Authority. Due to the major scale of the proposed development and proximity to neighbouring properties, it is considered necessary to append a planning condition requiring a CEMP to mitigate noise, light, air pollution and other potential nuisances which could impact the residential amenity of nearby properties during the construction phase.
- 10.55 It is therefore considered that the proposed development would not cause any significant adverse impacts to the amenity of neighbouring users, and it would provide a high standard of residential amenity to future occupiers of the proposed dwellings, in accordance with policies LP2 and LP16 of the Local Plan and paragraph 135 of the National Planning Policy Framework.

# Flood risk and drainage

- 10.56 The application site is located within Flood Zone 1 (low risk of flooding from rivers and sea) and is generally at low risk of flooding from all other sources, having regard to the Environment Agency's latest flood maps.
- 10.57 Paragraph 181 of the National Planning Policy Framework states that, when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.
- 10.58 Paragraph 182 of the National Planning Policy Framework states that applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. In addition, paragraph 182 states that sustainable drainage systems provided as part of proposals for major development should:- a) take account of advice from the Lead Local Flood Authority; b) have appropriate proposed minimum operational standards; and c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.
- 10.59 Policy LP14 of the Local Plan requires that all development proposals adopt a sequential approach to flood risk from all forms of flooding. Furthermore, it requires major development proposals to be accompanied by a Flood Risk Assessment and a Drainage Strategy demonstrating that suitable consideration has been given to surface water drainage, appropriate arrangements for attenuating surface water run-off can be accommodated within the site, and issues of ownership and maintenance are addressed. In addition, policy LP14 of the Local Plan states that the use of Sustainable Drainage Systems (SuDS) will be required to ensure that runoff from the site (post development) is to greenfield runoff rates for all previously undeveloped sites, which should include sufficient area within the site to accommodate SuDS for the short term management of surface water drainage.
- 10.60 Policy LP16 of the Local Plan requires proposals for all new development to demonstrate that the site is suitable for its proposed use with layout and drainage taking account of ground conditions, with no significant surface water impacts.
- 10.61 Figure 6.8 of the Cambridgeshire Flood and Water SPD provides a surface water drainage hierarchy, which is consistent with the surface water drainage hierarchy contained within National Planning Practice Guidance (NPPG). Figure 6.8 of the Cambridgeshire Flood and Water SPD states that rainwater shall discharge to the following, listed in order of priority:
  - 1. To ground in an adequate soakaway or some other adequate infiltration system; or where that is not reasonably practicable
  - 2. A watercourse; or where that is not reasonably practicable
  - 3. A surface water sewer, highway drain or other drainage system; or where that is not reasonably practicable
  - 4. A combined sewer.
- 10.62 Local and national planning policies and guidance steer new development towards areas with the lowest risk of flooding from all sources, through the application of a sequential test and an exception test (where necessary). Due to the application site being located within Flood Zone 1 and being at low risk of flooding from all other sources, the application passes the sequential test and the exception test is not necessary.

- 10.63 The application is accompanied by a Flood Risk Assessment and Drainage Strategy which states that infiltration would be an unfeasible means of surface water disposal due prevailing ground conditions. The application therefore proposes to discharge surface water from the proposed development into the existing watercourse network within the application site. The application therefore demonstrates that it follows the surface water drainage hierarchy set out within the Cambridgeshire Flood and Water SPD.
- 10.64 The proposed development includes the culverting of a substantial length of the existing watercourse along Halfpenny Lane, to facilitate the proposed new primary access road serving the site from New Drove. In addition, the proposed development includes the culverting of smaller sections of existing watercourses within the application site to facilitate crossings for secondary roads and provide general permeability through the site.
- 10.65 A large attenuation basin is also proposed towards the southern extent of Phase 1 of the proposed development. The application proposes to direct surface water from Phase 1 of the proposed development into attenuation basin, which includes a headwall connection and flow control measures to facilitate discharge of surface water into the existing watercourse network at greenfield run-off rate.
- 10.66 The Lead Local Flood Authority states that the application demonstrates that surface water from the proposed development can be managed through the proposed measures and has no objection in principle to the proposed development. In accordance with paragraph 182 of the National Planning Policy Framework, the Local Planning Authority has taken account of advice from the Lead Local Flood Authority. With consideration given to this advice, and in the interests of ensuring acceptable flood risk and drainage impacts, it is considered necessary to append the planning conditions recommended by the Lead Local Flood Authority to secure a detailed surface water drainage scheme; measures to mitigate surface water run-off during construction; and a survey and report of the surface water drainage system following completion.
- 10.67 Consultation responses from the Middle Level Commissioners, District Councillors and local residents have raised concerns in respect of flood risk and drainage impacts.
- 10.68 The Middle Level Commissioners have objected to the proposed development, on behalf of the Hundred of Wisbech IDB, due to it not meeting their requirements or current guidance. The main issues of concern raised by the Middle Level Commissioners in relation to flood risk and drainage impacts of the proposed development, are summarised and addressed under the relevant headings below.

# Request for hydraulic study of its system

10.69 It would not be reasonable, necessary to requiring a hydraulic study of the IDB's system to be carried out as part of this planning application. Therefore, this request would not meet the relevant tests for a planning condition, as set out within paragraph 57 of the National Planning Policy Framework.

# Detrimental effects of surface water run-off and overland flows

- 10.70 The IDB have acknowledged that the existing network is adequate for current flows, which includes the existing unattenuated pre-development flow of water leaving the site which increases with volume and intensity during storm events.
- 10.71 The proposed development would not result in any significant raising of ground levels and the proposed ground levels indicate that water would be directed towards the roads, public open space and watercourses within the site. The proposed attenuation basin has been designed to accommodate approximately twice the volume of storage which would be lost from proposed culverting (based on a worst-case water level). In addition, the proposed development would limit surface water run-off to greenfield rates and would not result in an overall volumetric loss of open attenuation. Therefore, the application demonstrates that the proposed development would not have detrimental effects on surface water run-off and overland flows.

# Maintenance access

- 10.72 The application documents indicate that a private management company will be responsible for the maintenance of the on-site watercourses and attenuation basin and sufficient easements will be provided to allow maintenance to be undertaken.
- 10.73 Access arrangements and easements for IDB maintenance are matters which are outside of the scope of the determination of this planning application.

# Adverse impacts and costs associated with proximity to the Boards system

10.74 The application demonstrates that a 9 metre easement zone would be retained to the whole length of the open section of the IDB watercourse (the section of the watercourse which is not proposed to be culverted). The IDB have separate controls outside of the planning system to safeguard IDB assets and easement zones. Such impacts, along with associated costs relating to them, are matters outside of the scope of the determination of this planning application.

# Disposal of wet dredgings

10.75 Arrangements and agreements with relevant landowners, regarding disposal of wet dredgings, are matters outside of the scope of the determination of this planning application. The application demonstrates that a 9 metre easement zone would be retained to the whole length of the open section of the IDB watercourse which provide space to facilitate dredging operations.

# <u>Size</u>, location and implementation of proposed attenuation basin

10.76 The proposed attenuation basin has been designed to accommodate approximately twice the volume of storage which would be lost from proposed culverting (based on a worst-case water level) and would be located in a suitable location given the proposed ground levels of the site. This has taken into account the additional impermeable areas to be created by the proposed development. Implementation of the proposed attenuation basin would be secured as part of the requirements of the recommended conditions relating to surface water drainage design / construction surface water drainage.

# Piecemeal development

- 10.77 The proposed development is for an urban extension on the edge of Wisbech, designated as a Broad Location for Growth within the Local Plan and subject to an approved Broad Concept Plan. The proposed development is for a specific phase of the approved Broad Concept Plan and, as such, is not considered to comprise piecemeal development.
- 10.78 It is acknowledged that the application is proposed in two phases, comprising a full planning application and outline planning application, which may restrict a more holistic drainage strategy being deliverable. In addition, it is acknowledged that the IDB's preference is for one larger attenuation basin, rather than multiple smaller attenuation basins serving individual phases. However, multiple attenuation basins serving different phases of development proposals enables water quantity to be controlled at source, and provides benefits of reduced flood risk in an event of failure in comparison to one larger attenuation basin.

#### Management and maintenance of water level and flood risk management systems

10.79 Full details of management, maintenance and adoption of the on-site drainage features would need to be agreed with the Local Planning Authority as part of the requirements of the recommended condition relating to surface water drainage design. It is therefore considered that adequate management and maintenance of drainage features can be secured by a planning condition.

# Flood risk and drainage conclusion

- 10.80 With consideration given to the submitted drainage strategy and the recommendation of the Lead Local Flood Authority (the statutory consultee for surface water on major planning applications), it is considered that an acceptable detailed surface water drainage strategy could be reasonably secured by a planning condition prior to commencement of any development.
- 10.81 Consideration as to whether other relevant consents would be granted by the Middle Level Commissioners is a matter which is outside of the scope of this planning application.
- 10.82 The application proposes to discharge foul water into a main foul sewer, which is the most sustainable form of foul water disposal. Anglian Water state that the sewerage system has available capacity for the flows from the proposed development. The proposed development foul water drainage arrangements are therefore considered acceptable.
- 10.83 It is therefore considered that the proposed development would have acceptable flood risk and drainage impacts, with appropriate minimum operational standards and maintenance arrangements to ensure an acceptable standard of operation for the lifetime of the development, in accordance with policies LP13, LP14 and LP16 of the Local Plan, paragraphs 181 and 182 of the National Planning Policy Framework, and guidance contained within the Cambridgeshire Flood and Water SPD and National Planning Practice Guidance.

# **Archaeology and historic environment**

- 10.84 Policy LP16 of the Local Plan requires development proposals to protect and enhance heritage assets and their settings to an extent commensurate with policy in the National Planning Policy Framework and in accordance with Policy LP18.
- 10.85 Policy LP18 of the Local Plan requires development proposals, that affect any designated or undesignated heritage asset, to:
  - (a) describe and assess the significance of the asset and/or its setting to determine its architectural, historic or archaeological interest; and
  - (b) identify the impact of the proposed works on the special character of the asset; and
  - (c) provide a clear justification for the works, especially if these would harm the asset or its setting, so that the harm can be weighed against public benefits.
- 10.86 The application is accompanied by an Archaeological Evaluation Report, including results of an archaeological geophysical survey and trial trenched evaluation. Cambridgeshire County Council Historic Environment Team have confirmed that the sub-surface archaeological investigation of the whole site, comprising geophysical survey and a trial trench evaluation, has been completed and that there are no further archaeological requirements.
- 10.87 The application is also accompanied by a Historic Building Survey Report which provides an evaluation of the building which is proposed to be demolished within the outline area of the application site. This identified the building in question to be an open-topped ("scotch") kiln, which appears to be an example of localised industrial processes, responding to the rapid expansion of Wisbech in the 19th century, and supported by excellent transport links provided by the Wisbech Canal and tramway close by to the east; before being used for storage of fruit within the 20th century. Whilst there would be some degree of harm occasioned by the loss of the historic kiln building, it is considered that its degree of preservation is not such that warrants retention or would be likely to meet the criteria for national listing. Furthermore, CCC Historic Environment Team have confirmed that they have no objection to the demolition of the existing building within the application site and that no further archaeological investigation is required. Whilst it is acknowledged that the demolition of the building would result in the loss of a non-designated heritage asset, the building is not considered, taking into account the comments from CCC Historic Environment Team, to be worthy of nomination for spotlisting and the less than substantial harm resulting from its loss would be outweighed by the public benefits of delivering development which forms part of the South Wisbech Broad Concept Plan.
- 10.88 With consideration given to the findings of the Archaeological Evaluation Report and the Historic Building Survey Report, and the recommendation of Cambridgeshire County Council Historic Environment Team, it is considered that the application provides an adequate evaluation of the historic and archaeological features within the site and demonstrates that the proposed development would have acceptable impacts on heritage assets, in accordance with policies LP16 and LP18 of the Local Plan and the National Planning Policy Framework.

# **Biodiversity**

10.89 Policy LP16 of the Local Plan requires development proposals to protect and enhance biodiversity on and surrounding the proposal site, taking into account

- locally designated sites and the special protection given to internationally and nationally designated sites, in accordance with policy LP19 of the Local Plan.
- 10.90 Policy LP19 of the Local Plan states that the Council will conserve, enhance and promote the biodiversity interest of the natural environment throughout Fenland and, through the processes of development delivery (including the use of planning obligations), will ensure opportunities are taken to incorporate beneficial features for biodiversity in new developments.
- 10.91 The proposed development would result in a loss of arable land and a partial loss of open watercourses, grassland, trees and scrub.
- 10.92 The application is accompanied by a Preliminary Ecological Appraisal, which concluded that further survey work was required to assess the impacts of the proposed development on the following protected species:- bats, water vole, breeding/wintering birds, reptiles and amphibians. Due to the application site providing suitable habitat for a range of protected species, the Preliminary Ecological Appraisal proposes a strategy to mitigate detrimental impacts on them through appropriate habitat creation. The proposed habitat creation includes boundary vegetation, ornamental planting, hedgerow planting, trees, grassland, mixed scrub, ditch enhancements, an attenuation basin, grass verges, public open space design, and arable land management prior to development.
- 10.93 Further to the recommendations of the Preliminary Ecological Appraisal, further biodiversity surveys and assessment were carried out and submitted during the course of the application, including a Water Vole Survey, Wintering Bird Surveys, a Phase Two Survey Report, a Biodiversity Net Gain Metric and a Biodiversity Net Gain Report. The biodiversity assessments accompanying the planning application demonstrate that the proposed development has applied the hierarchy of avoiding, mitigating and then compensating biodiversity harm, in accordance with paragraph 193 of the National Planning Policy Framework. The Biodiversity Net Gain Report relates solely to Phase 1 of the proposed development and indicates that a significant net gain could be achieved for that phase of the proposed development.
- 10.94 Cambridgeshire County Council Ecology Advisory Service have stated that adequate surveys have been completed to determine the ecological impact of the scheme and set out how the scheme will deliver adequate mitigation / compensation and biodiversity net gains. Furthermore, they state that the proposal is acceptable on ecology grounds, providing that the biodiversity compensation / mitigation measures and enhancements recommended within the Phase 2 Ecology Survey report and Preliminary Ecological Appraisal are secured via planning conditions.
- 10.95 With consideration given to the biodiversity assessments accompanying the application, and the recommendations of Cambridgeshire County Council Ecology Advisory Service, it is considered necessary to append planning conditions to secure the following:
  - 1. Site-wide
  - a. Ecological Design Strategy, to include a BNG strategy.
  - b. Construction Ecological Management Plan (CEcMP).
  - 2. Phase / parcel:
  - a. Updated ecology surveys.
  - b. Detailed lighting scheme sensitively designed for wildlife, demonstrating delivery of EDS.

- c. Detailed landscape and biodiversity enhancement scheme, demonstrating compliance with site-wide Ecological Design Strategy and Construction Ecological Management Plan, delivery of Biodiversity Net Gain, and delivery of biodiversity enhancement through detailed design (e.g. highways and building design).
- 10.96 Subject to condition securing the above, it is therefore considered that adequate protection and enhancement of biodiversity could be secured via planning conditions, in broad accordance with policies LP16 and LP19 of the Local Plan and the National Planning Policy Framework.

# **Biodiversity Net Gain (BNG)**

- 10.97 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.98 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

#### Infrastructure and contributions

- 10.99 Policy LP13 of the Local Plan sets out that planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development. Conditions or a planning obligation are likely to be required for many proposals to ensure that new development meets this principle. Developers will either make direct provision or will contribute towards the provision of local and strategic infrastructure required by the development either alone or cumulatively with other developments. Where a planning obligation is required, in order to meet the above principles of infrastructure provision, this will be negotiated on a site-by-site basis. This will be required in addition to the affordable housing requirement as set out in policy LP5 of the Local Plan.
- 10.100 Statutory tests set out in the Community Infrastructure Regulations 2010 (Regulation 122) requires that Section 106 planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind to the development. Section 106 obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.
- 10.101 Having regard to the scale and nature of the proposal, and further to consultation with statutory bodies to establish infrastructure requirement, in summary, the following is sought through this development:
  - Affordable Housing (See 'Affordable housing provision' section of this report);
  - Highway mitigation (See 'Transport, highways and parking' section of this report):
  - Education, healthcare and infrastructure contributions (See below).

- 10.102 The Council's Local Plan & CIL Viability Assessment (HDH, December 2019) sets out that, in addition to providing 20% affordable housing provision for sites south of the A47 highway, schemes should be able to provide £2,000 per dwelling. The Heads of Terms accompanying the planning application includes agreement to pay an infrastructure contribution of £2,000 per dwelling, which would total up to £704,000.
- 10.103 Due to the significant financial contributions which the Local Highway Authority states is necessary to ensure the proposed development has acceptable impacts on highway safety and the local transport network, this results in £43,000 of available contributions to be shared between Cambridgeshire County Council Growth and Development Team, NHS Cambridgeshire and Peterborough Integrated Care System and East of England Ambulance Service.
  - 10.104 It is acknowledged that the proposed financial contributions fall significantly short of the requested education and healthcare contributions, which would result in the proposed development creating an additional burden on existing infrastructure. However, viability is a material consideration in decision making and the Council's. The Local Plan & CIL Viability Assessment confirmed that the district has issues regarding viability (particularly north of the A47) and an independent financial viability review of the proposed development has been carried out which confirms that a greater level of financial contributions and affordable housing provision than that which proposed would result in the proposed development being financially unviable to deliver.
- 10.105 In this case, the proposed development would provide acceptable infrastructure and contributions, in the context of the viability position set out within the Council's Local Plan & CIL Viability Assessment and the independent viability review of the proposed development. The proposed infrastructure and contributions are considered necessary to make the development acceptable and would meet the tests of CIL regulations in that they are, i) necessary to make the development acceptable in planning terms; ii) directly related to the development; and, iii) fairly and reasonably related in scale and kind to the development.
- 10.106 Allocation of the proposed financial contributions towards specific infrastructure projects is a matter which can be dealt with as part of a Section 106 legal agreement.

# Other matters

# Anti-social behaviour and security

10.107 Concerns have been raised within representations from local residents regarding anti-social behaviour and security impacts resulting from the proposed development. However, there is no evidence indicating that the proposed development would result in such impacts and Cambridgeshire Constabulary's Designing Out Crime Officer has not objected to the proposed development. It is therefore considered that the proposed development would not result in any significant anti-social behaviour or security impacts.

# Public consultation

10.108 Appropriate public consultation has been carried out in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Council's Statement of Community Involvement.

# Loss of arable agricultural land

- 10.109 National and local planning policies and guidance indicate that careful consideration should be given to loss of Best and Most Versatile (BMV) agricultural land, however they do not prohibit loss of BMV land. The appropriateness of utilising BMV land is a matter of planning judgement on a case-by-case basis.
- 10.110 Natural England's East Region Agricultural Land Classification Map classifies the application site as Grade 1 (Excellent) agricultural land. Therefore, the proposed development would result in a loss of BMV land. However, the loss of BMV land has already, in principle, been agreed by the Council through the inclusion of the site as a Broad Location for Growth within the Local Plan and through the approval of a Broad Concept Plan. These factors are significant material planning considerations which outweigh the loss of BMV land resulting from the proposed development.

# Issues raised within representations that are not material planning consideration

10.111 Concerns raised by local residents / interested parties in respect of potential damage to neighbouring property and impacts of the proposed development on existing property values are not material planning considerations relevant to the determination of this planning application.

# 11 CONCLUSIONS

- 11.1 The proposed development would provide up to 352 dwellings within the eastern area of the South Wisbech Broad Location for Growth, in broad alignment with the approved South Wisbech Broad Concept Plan, in accordance with policies LP7 and LP8 of the Local Plan.
- 11.2 The proposed development would result in a high magnitude of change of land use which would alter the character and appearance of the area on a local scale; however such impacts are unavoidable to facilitate delivery of residential development on the site in accordance with the Local Plan's spatial strategy for development.
- 11.3 It is acknowledged that the proposed financial contributions fall significantly short of the requested education and healthcare contributions, which would result in the proposed development creating an additional burden on existing infrastructure. However, with consideration given to the financial viability of the proposed development which is a material consideration in decision making, it is considered that the proposed contributions are acceptable in this instance.
- 11.4 Having regard to all relevant planning policies and material planning considerations, and subject to the completion of a Section 106 legal agreement, it is considered that the proposed development would amount to sustainable development and would broadly accord with the development plan as a whole. There are no material considerations of sufficient weight to indicate that a decision

should be made other than in accordance with the development plan. The application is therefore recommended for approval.

#### 12 RECOMMENDATION

- 12.1 Members are recommended to APPROVE the application in accordance with the following terms;
  - 1. The Committee delegates authority to finalise the terms and completion of the Section 106 legal agreement and planning conditions to the Head of Planning; and,
  - 2. Following the completion of the Section 106, application F/YR23/0477/O be approved subject to the draft planning conditions set out Appendix 1; or,
  - 3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the Section 106 legal agreement, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

# **Appendix 1** – Proposed Draft Conditions to include the following;

#### 1 Commencement

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 Detailed surface water drainage scheme

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Phase 1 Drainage Strategy, Clancy, Ref: 3088, Rev: P01, Dated: 2nd January 2025 and shall also include:

- 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 abovereferenced 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) Full details of the maintenance/adoption of the surface water drainage system;
- d) Permissions to connect to a receiving watercourse or sewer.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site

resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts, in accordance with Policies LP14 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

# 3 Construction drainage

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to, and approved in writing by, the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself, recognising that initial works to prepare the site could bring about unacceptable impacts, in accordance with Policies LP14 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

# 4 Drainage completion survey

Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development, in accordance with Policies LP14 and LP16 of the Fenland Local Plan 2014.

# 5 **Foul Drainage**

Prior to the commencement of development, a scheme and timetable for the provision and implementation of foul water drainage shall be submitted to, and approved in writing by, the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved

scheme and thereafter retained in perpetuity.

Reason: To prevent environmental and amenity problems arising from flooding and to provide a satisfactory means of sanitation, in accordance with Policies LP2, LP14 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

# 6 | Contamination investigation

No development approved by this permission shall be commenced prior to an investigative contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraph (a) and the results of will help decide if the following stages are necessary.

- (a) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs (c), (d) and (e).
- (b) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.
- (c) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
- (d) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.

Reason: To control pollution of land and water in the interests of the environment and public safety, in accordance with Policy LP16 of the Fenland Local Plan 2014 and the National Planning Policy Framework. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

# 7 Construction Environmental Management Plan

Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing by, the Local Planning Authority. The CEMP shall include, but shall not be limited to, mitigation measures for noise, dust and lighting during the construction phase. The CEMP shall be adhered to at all times.

Reason: To mitigate environmental and amenity impacts during the construction phase of the proposed development, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014. The condition is precommencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

# 8 | Piling

In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall assessed in accordance with the provisions of BS 5228:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites.

Development shall be carried out in accordance with the approved statement.

Reason: To protect the residential amenity of the neighbouring properties, in accordance with policies LP2 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

#### 9 Arboricultural Method Statement

No development shall take place until a detailed Arboricultural Method Statement (AMS) has been submitted to, and approved in writing by, the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required, as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas, and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS.

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies LP16 and LP19 of the Fenland Local Plan 2014. The condition is precommencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.

# 10 | Ecological Design Strategy

No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancements (including recommendations in the Preliminary Ecological Appraisal and Phase 2 Ecology Survey reports) has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.

- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Biodiversity Net Gain strategy identifying how biodiversity net gain (or at least no net loss) will be achieved
- e) Extent and location/area of proposed works on appropriate scale maps and plans.
- f) Type and source of materials to be used where appropriate, e.g. native species of local provenance
- g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development
- h) Persons responsible for implementing the works, such as Ecological Clerk of Works
- i) Details of initial aftercare and long-term maintenance
- j) Details for monitoring and remedial measures.
- k) Details for disposal of any wastes arising from works.

The EDS must include off-site compensation measures (if required).

The EDS shall be implemented in accordance with the approved details and all features shall be retained in the manner thereafter in perpetuity.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

# 11 CEMP: Biodiversity

No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall incorporate recommendations of the Preliminary Ecological Appraisal and Phase 2 Ecology Survey reports and must include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) The times during which construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 12 | Lighting design strategy for biodiversity

Prior to occupation of the development hereby approved, a "lighting design strategy for biodiversity" in accordance with ILP Publications' "Guidance Note 8/23 Bats and artificial lighting" shall be submitted to, and approved in writing by, the Local Planning Authority for all proposed lighting within the development hereby permitted.

## The strategy shall:

- a. identify those areas /features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b. show how and where external lighting will be installed (through the provisions of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014.

# 13 Landscape and biodiversity enhancements and habitats improvements

Prior to commencement of the development hereby approved, a scheme for the landscaping and biodiversity enhancements and habitat improvements as set out within the site-wide Ecological Design Strategy and Construction Ecological Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping and biodiversity enhancement details to be submitted shall include:

- a) planting plans to all areas, retained hedge and trees, species, numbers, size and density of planting; the planting shall be sufficient to result in overall no net loss of biodiversity.
- b) placement, type, number and details of any recommended biodiversity enhancements and habitat improvements,
- c) means of enclosure noting that all new garden fencing should be designed to allow hedgehogs to be able to pass through the fencing
- d) details of bird and bat boxes (including elevation drawings)
- e) details of siting and timing of all construction activities and other mitigation measures identified in the Construction Ecological Management Plan, to avoid harm to all nature conservation features
- f) details of other features identified in the Ecological Design Strategy (e.g. highways features / building design)
- g) a timetable for landscaping and biodiversity enhancement implementation.

## h) management and maintenance details

The approved landscape and biodiversity enhancement scheme shall be carried out within 6 months of the approval of the scheme. The approved landscape scheme shall be carried out within the first available planting season following approval of the scheme and in accordance with the timetable for implementation approved as part of the submitted scheme.

The approved landscape and biodiversity enhancement scheme shall be maintained thereafter in perpetuity.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

### 14 Update of biodiversity surveys

If the development hereby approved does not commence within 12 months from the date of the planning consent; and prior to the commencement of works on each land parcel, the approved ecological measures secured through other conditions shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of key species identified in the Preliminary Ecological Appraisal / Phase 2 Ecology Survey reports and identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014.

#### 15 Travel Plan

Prior to first occupation of the development hereby approved, a Travel Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The Travel Plan shall include suitable measures and incentives inclusive of bus vouchers and/or active travel vouchers to promote sustainable travel. The Travel Plan shall be implemented prior to first occupation of the dwellings hereby approved.

Reason: To encourage sustainable modes of travel, in accordance with Policy LP15 of the Fenland Local Plan 2014.

# 16 Bus Stop upgrades

Prior to first occupation of the dwellings hereby approved, the developer shall deliver the bus stop improvement works as shown in principle on drawing nos. 8/3088-CCL-XX-XX-DR-C-210A-P02 and 8/3088-CCL-XX-XX-DR-C-210-P01

at the two 'Boleness Road' bus stops on Weasenham Lane.

Reason: To encourage sustainable modes of travel, in accordance with Policy LP15 of the Fenland Local Plan 2014.

## 17 Management and maintenance of streets

No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to, and approved in writing by, the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with Policy LP15 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 18 | Parking and turning

Prior to the first occupation of each dwelling, the proposed on-site parking/turning area for that dwelling 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 1, 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.

## 19 | Travel accessibility

Notwithstanding the submitted details, prior to commencement of the development hereby approved, a travel accessibility plan shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: To encourage sustainable modes of travel and in the interests of highway safety, in accordance with Policy LP15 of the Fenland Local Plan 2014.

## 20 | Cycle storage details

Prior to works proceeding above slab level, full details of a scheme for cycle storage for each dwelling shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of each respective dwelling.

Reason: In the interests of security, the convenience of cyclists at the premises, and to encourage sustainable forms of transport in accordance with Policies LP15 and LP16 of the Fenland Local Plan 2014.

#### 21 Materials

No development above slab level for any dwelling or garage shall take place

until full details of the materials to be used for the exterior walls and roofs for the dwellings and garages have been submitted to, and approved in writing by, the Local Planning Authority.

The development shall be carried out in accordance with the approved details unless minor variations are otherwise first agreed in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the area, in accordance with Policy LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 22 | Fire hydrants

No development above slab level shall take place until details for the provision of fire hydrants has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented before any dwelling is occupied or in agreed phases.

Reason: To ensure a satisfactory form of development and ensure public safety, in accordance with Policy LP16 of the Fenland Local Plan 2014 and the National Planning Policy Framework. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

#### 23 | External Lighting

A scheme for external lighting including management and maintenance details shall be submitted to, and approved in writing by, the Local Planning Authority prior to development proceeding above slab level.

The scheme shall be accompanied by a technical report prepared by a qualified competent person setting out;

- i) the specification of lights and lighting structures,
- ii) locations and heights of all lighting,
- iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area.

The approved scheme shall be implemented on site prior to first occupation of the development, or in agreed phases and thereafter retained and maintained as such thereafter.

Reason: To safeguard the residential amenity and security of neighbouring occupiers, to preserve the character and appearance of the area, to safeguard the adjacent railway from unacceptable glare, and to protect nocturnal biodiversity, in accordance with policies LP2, LP16, LP17 and LP19 of the Fenland Local Plan 2014.

## 24 | Hard and soft landscaping scheme

No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been submitted to, and approved in writing by, the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels;
- b) hard surfacing, other hard landscape features and materials;
- c) existing trees, hedges or other soft features to be retained;
- d) planting plans, including specifications of species, sizes, planting centres number and percentage mix;
- e) management and maintenance details.

The approved hard landscaping scheme shall be carried out with regard to the dwelling to which it relates, prior to the occupation of that dwelling and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Reason: In order to preserve and enhance the character and appearance of the area, and to aid mitigation of the visual and environmental impacts of the development, in accordance with Policy LP16 of the Fenland Local Plan 2014.

## 25 Maintenance of hard and soft landscaping

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 (except those contained in enclosed rear gardens to individual dwellings) 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.

## 26 | Refuse collection strategy

Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to, and approved in writing by, the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.

Reason: To ensure a satisfactory form of refuse collection, in accordance with Policy LP16 of the Fenland Local Plan 2014 and Policy 14 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021.

## 27 | Boundary treatments

Boundary treatments shall be erected in accordance with drawing no. HPW-SH-PD-BEP-006 REV B prior to occupation of each respective dwelling.

Reason: In order to preserve and enhance the character and appearance of the area and provide high levels of residential amenity, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.

## 28 | Noise mitigation

Prior to first occupation of the dwellings hereby approved, a detailed scheme of noise mitigation measures for each dwelling shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme of noise mitigation measures shall include the noise mitigation measures specified within the Road Traffic Noise Assessment report (Ref: 20230124 7377 Wisbech ProPG.docx) unless otherwise agreed in writing by the Local Planning Authority. The noise mitigation measures for each dwelling shall be implemented in accordance with the detailed scheme of noise mitigation measures prior to first occupation of each respective dwelling.

Reason: In order to provide high levels of residential amenity, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.

#### 29 | Construction hours

Construction hours and deliveries, with the exception of internal fit-out, shall be limited to the following hours:- 07:30-18:00 each day Monday-Friday, 07:30-13:00 on Saturdays and none on Sundays or Bank / Public Holidays.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policies LP2 and LP16 of the Fenland Local Plan 2014.

## 30 | Approved plans

### **Outline Application**

#### 1 Reserved Matters

Approval of the details of:

- i. the layout of the site
- ii. the scale of the building(s);
- iii. the external appearance of the building(s);
- iv. the landscaping

(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.

Reason: To enable the Local Planning Authority to control the details of the development hereby permitted.

#### 2 Reserved matters timing

Application for approval of the first Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission. Application for approval of the last Reserved Matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.

Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990.

#### 3 **Commencement**

The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

#### 4 Quantum

The development hereby approved shall not exceed 250 dwellings (Use Class C3).

Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.

## 5 Housing mix

Prior to or alongside any Reserved Matters application/s, a housing mix scheme shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters shall accord with the approved housing mix scheme.

The scheme shall include:

- A plan showing the location and distribution of market and affordable units (including tenure type).
- A schedule of dwelling sizes (by number of bedrooms).
- A statement which demonstrates how the proposals contribute to current and future housing needs as identified in the most recently available evidence relating to the locality.

Development shall not commence until the housing mix scheme has been approved in writing by the Local Planning Authority.

Reason: In order to ensure that an appropriate housing mix is provided for the proposed development taking into account the objective of creating a sustainable, mixed community, in accordance with Policy LP3 of the Fenland Local Plan and the National Planning Policy Framework.

#### 6 Detailed surface water drainage scheme

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Phase 1 Drainage Strategy, Clancy, Ref: 3088, Rev: P01, Dated: 2nd January 2025 and shall also include:

- 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 abovereferenced 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) Full details of the maintenance/adoption of the surface water drainage system;
- d) Permissions to connect to a receiving watercourse or sewer.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts, in accordance with Policies LP14 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 7 Construction drainage

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to, and approved in writing by, the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself, recognising that initial works to prepare the site could bring about unacceptable impacts, in accordance with Policies LP14 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 8 Drainage completion survey

Upon completion of the surface water drainage system, a survey and report from an independent surveyor shall be submitted to, and approved in writing by, the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development, in accordance with Policies LP14 and LP16 of the Fenland Local Plan 2014.

#### 9 Foul Drainage

Prior to the commencement of development, a scheme and timetable for the provision and implementation of foul water drainage shall be submitted to, and approved in writing by, the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved

plans/specification at such time(s) as may be specified in the approved scheme and thereafter retained in perpetuity.

Reason: To prevent environmental and amenity problems arising from flooding and to provide a satisfactory means of sanitation, in accordance with Policies LP2, LP14 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 10 | Contamination investigation

No development approved by this permission shall be commenced prior to an investigative contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraph (a) and the results of will help decide if the following stages are necessary.

- (a) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs (c), (d) and (e).
- (b) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.
- (c) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
- (d) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.

Reason: To control pollution of land and water in the interests of the environment and public safety, in accordance with Policy LP16 of the Fenland Local Plan 2014 and the National Planning Policy Framework. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

#### 11 Construction Environmental Management Plan

Prior to any work commencing on the site, a Construction Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing by, the Local Planning Authority. The CEMP shall include, but shall not be limited to, mitigation measures for noise, dust and lighting during the construction

phase. The CEMP shall be adhered to at all times.

Reason: To mitigate environmental and amenity impacts during the construction phase of the proposed development, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014. The condition is precommencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

### 12 | Piling

In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall assessed in accordance with the provisions of BS 5228:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites.

Development shall be carried out in accordance with the approved statement.

Reason: To protect the residential amenity of the neighbouring properties, in accordance with policies LP2 and LP16 of the Fenland Local Plan 2014.

#### 13 Arboricultural Method Statement

As part of any Reserved Matters application/s, a detailed Arboricultural Method Statement (AMS) shall been submitted to the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required, as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas, and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.).

Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies LP16 and LP19 of the Fenland Local Plan 2014. The condition is precommencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.

## 14 | Ecological Design Strategy

No development shall take place until an ecological design strategy (EDS) addressing mitigation, compensation and enhancements (including recommendations in the Preliminary Ecological Appraisal and Phase 2 Ecology Survey reports) has been submitted to and approved in writing by the local planning authority.

The EDS shall include the following:

- a) Purpose and conservation objectives for the proposed works.
- b) Review of site potential and constraints.
- c) Detailed design(s) and/or working method(s) to achieve stated objectives.
- d) Biodiversity Net Gain strategy identifying how biodiversity net gain (or at

least no net loss) will be achieved

- e) Extent and location/area of proposed works on appropriate scale maps and plans.
- f) Type and source of materials to be used where appropriate, e.g. native species of local provenance
- g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development
- h) Persons responsible for implementing the works, such as Ecological Clerk of Works
- i) Details of initial aftercare and long-term maintenance
- j) Details for monitoring and remedial measures.
- k) Details for disposal of any wastes arising from works.

The EDS must include off-site compensation measures (if required).

The EDS shall be implemented in accordance with the approved details and all features shall be retained in the manner thereafter in perpetuity.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 15 | CEMP: Biodiversity

No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall incorporate recommendations of the Preliminary Ecological Appraisal and Phase 2 Ecology Survey reports and must include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)
- d) The location and timings of sensitive works to avoid harm to biodiversity features.
- e) The times during which construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs if applicable.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure biodiversity is protected and enhanced, in accordance

with Policies LP16 and LP19 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 16 Lighting design strategy for biodiversity

Prior to occupation of the development hereby approved, a "lighting design strategy for biodiversity" in accordance with ILP Publications' "Guidance Note 8/23 Bats and artificial lighting" shall be submitted to, and approved in writing by, the Local Planning Authority for all proposed lighting within the development hereby permitted.

## The strategy shall:

- a. identify those areas /features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b. show how and where external lighting will be installed (through the provisions of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014.

# 17 Landscape and biodiversity enhancements and habitats improvements

Prior to commencement of the development hereby approved, a scheme for the landscaping and biodiversity enhancements and habitat improvements as set out within the site-wide Ecological Design Strategy and Construction Ecological Management Plan, shall be submitted to and approved in writing by the Local Planning Authority. The landscaping and biodiversity enhancement details to be submitted shall include:

- a) planting plans to all areas, retained hedge and trees, species, numbers, size and density of planting; the planting shall be sufficient to result in overall no net loss of biodiversity.
- b) placement, type, number and details of any recommended biodiversity enhancements and habitat improvements,
- c) means of enclosure noting that all new garden fencing should be designed to allow hedgehogs to be able to pass through the fencing
- d) details of bird and bat boxes (including elevation drawings)
- e) details of siting and timing of all construction activities and other mitigation measures identified in the Construction Ecological Management Plan, to avoid harm to all nature conservation features
- f) details of other features identified in the Ecological Design Strategy (e.g. highways features / building design)
- g) a timetable for landscaping and biodiversity enhancement implementation.
- h) management and maintenance details

The approved landscape and biodiversity enhancement scheme shall be carried out within 6 months of the approval of the scheme. The approved landscape scheme shall be carried out within the first available planting season following approval of the scheme and in accordance with the timetable for implementation approved as part of the submitted scheme.

The approved landscape and biodiversity enhancement scheme shall be maintained thereafter in perpetuity.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

## 18 Update of biodiversity surveys

If the development hereby approved does not commence within 12 months from the date of the planning consent; and prior to the commencement of works on each land parcel, the approved ecological measures secured through other conditions shall be reviewed and, where necessary, amended and updated.

The review shall be informed by further ecological surveys commissioned to i) establish if there have been any changes in the presence and/or abundance of key species identified in the Preliminary Ecological Appraisal / Phase 2 Ecology Survey reports and identify any likely new ecological impacts that might arise from any changes. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

Reason: To ensure biodiversity is protected and enhanced, in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014.

## 19 Fire hydrants

No development above slab level shall take place until details for the provision of fire hydrants has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall be implemented before any dwelling is occupied or in agreed phases.

Reason: To ensure a satisfactory form of development and ensure public safety, in accordance with Policy LP16 of the Fenland Local Plan 2014 and the National Planning Policy Framework. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

#### 20 | Management and maintenance of streets

No development shall commence until details of the proposed arrangements for future management and maintenance of the proposed streets within the

development have been submitted to, and approved in writing by, the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into under Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with Policy LP15 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

#### 21 | Binder course

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

Reason: To ensure that each dwelling is appropriately served by highway infrastructure in the interests of highway safety and sustainability in accordance with policies LP15 and LP16 of the Fenland Local Plan, 2014.

## 22 Travel Plan

Prior to first occupation of the development hereby approved, a Travel Plan shall be submitted to, and agreed in writing by, the Local Planning Authority. The Travel Plan shall include suitable measures and incentives inclusive of bus vouchers and/or active travel vouchers to promote sustainable travel. The Travel Plan shall be implemented prior to first occupation of the dwellings hereby approved.

Reason: To encourage sustainable modes of travel, in accordance with Policy LP15 of the Fenland Local Plan 2014.

## 23 Bus Stop upgrades

Prior to first occupation of the development hereby approved, the developer shall deliver the bus stop improvement works as shown in principle on drawing nos. 8/3088-CCL-XX-XX-DR-C-210A-P02 and 8/3088-CCL-XX-XX-DR-C-210-P01 at the two 'Boleness Road' bus stops on Weasenham Lane.

Reason: To encourage sustainable modes of travel, in accordance with Policy LP15 of the Fenland Local Plan 2014.

### 24 Cycle storage details

Prior to works proceeding above slab level, full details of a scheme for cycle storage for each dwelling shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented in full prior to the first occupation of each respective dwelling.

Reason: In the interests of security, the convenience of cyclists at the premises, and to encourage sustainable forms of transport in accordance with Policies LP15 and LP16 of the Fenland Local Plan 2014.

## 25 | External Lighting

A scheme for external lighting including management and maintenance details shall be submitted to, and approved in writing by, the Local Planning Authority prior to development proceeding above slab level.

The scheme shall be accompanied by a technical report prepared by a qualified competent person setting out;

- i) the specification of lights and lighting structures,
- ii) locations and heights of all lighting,
- iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area.

The approved scheme shall be implemented on site prior to first occupation of the development, or in agreed phases and thereafter retained and maintained as such thereafter.

Reason: To safeguard the residential amenity and security of neighbouring occupiers, to preserve the character and appearance of the area, to safeguard the adjacent railway from unacceptable glare, and to protect nocturnal biodiversity, in accordance with policies LP2, LP16, LP17 and LP19 of the Fenland Local Plan 2014.

# 26 **Noise mitigation**

As part of any Reserved Matters application/s, a detailed scheme of noise mitigation measures for each dwelling shall be submitted to the Local Planning Authority.

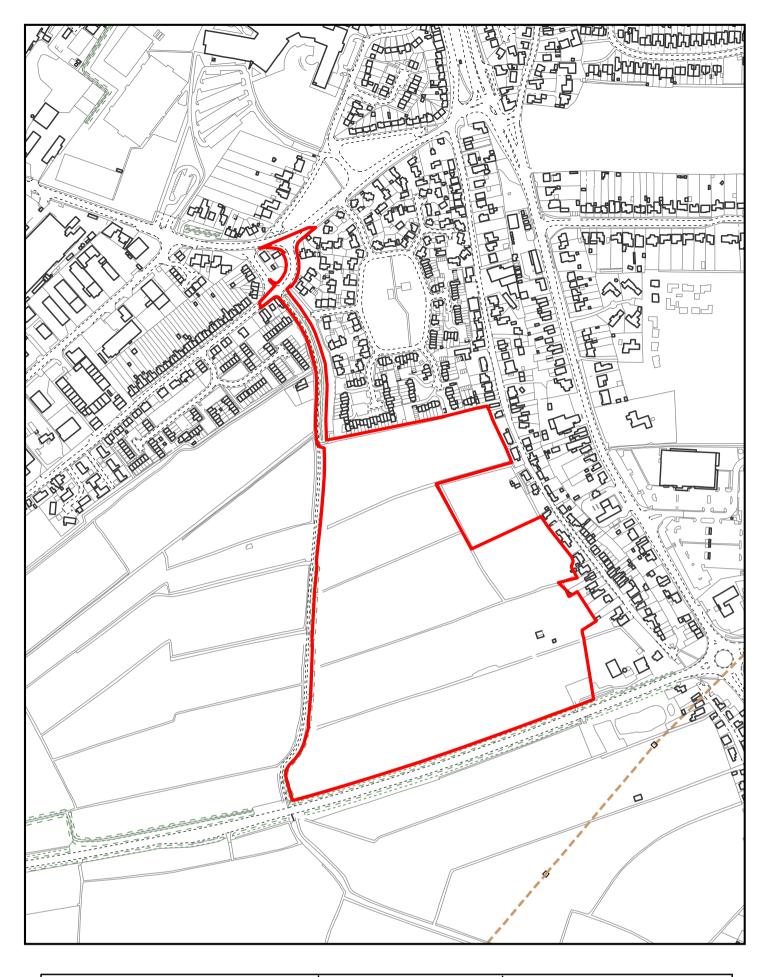
Reason: In order to provide high levels of residential amenity, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.

#### 27 | Construction hours

Construction hours and deliveries, with the exception of internal fit-out, shall be limited to the following hours:- 07:30-18:00 each day Monday-Friday, 07:30-13:00 on Saturdays and none on Sundays or Bank / Public Holidays.

Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policies LP2 and LP16 of the Fenland Local Plan 2014.

#### 28 | Approved plans



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