

PLANNING COMMITTEE DATE: 9 October 2018

APPLICATION NO: F/YR16/1170/O

SITE LOCATION: CFC Disposals Limited, Upwell Road, Christchurch, Wisbech

UPDATES

1. **S106**

Further to the publication of the officer's report, the applicant has prepared a s106 agreement which provides policy compliant contributions towards open space, affordable housing and secondary education.

Subject to the satisfactory completion of the s106 and subject to the conditions detailed below, officers would now recommend approval of the development.

Resolution:

Further to the receipt of a S106 agreement which indicates that the impacts of the development can be satisfactorily mitigated, Officers make the following recommendation;

1. That the Committee delegates authority to finalise the planning conditions and terms of the S.106 agreement to the Head of Development, and
2. Following completion of the S106 obligation to secure the necessary education and health contributions, policy compliant levels of affordable housing and open space as detailed in this report, application F/YR16/1170/O be approved subject to conditions listed below.

OR

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

unwilling to complete the obligation necessary to make the development acceptable.

<p>1.</p>	<p>Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.</p>
<p>2.</p>	<p>Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.</p> <p>Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.</p>
<p>3.</p>	<p>The development hereby permitted shall be begun no later than the expiration of two years from the approval of the last reserved matters.</p> <p>Reason: To ensure compliance with section 51 of the Planning and Compulsory Purchase Act 2004.</p>
<p>4.</p>	<p>The development hereby permitted shall be carried out in accordance with the approved plans listed in the table below insofar as they relate to site access.</p> <p>Reason: For the avoidance of doubt to ensure that the development is carried out in accordance with the approved plans.</p>
<p>5.</p>	<p>The residential elements of the development shall not exceed 16 dwellings (Use Class C3).</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
<p>6.</p>	<p>No development excluding enabling or site-wide infrastructure works shall begin until details of the finished floor level of all buildings and associated external ground levels have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Development shall be implemented in accordance with the approved details.</p> <p>Reason: In the interests of visual and residential amenity in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
<p>7.</p>	<p>Prior to or concurrently with the submission of the reserved matters layout and landscape applications a site wide surface water drainage scheme, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and approved in</p>

	<p>writing by the Local Planning Authority. The drainage strategy shall demonstrate that infiltration drainage is used where site-specific BRE365/CIRIA156 infiltration tests show it to be appropriate and if infiltration is not appropriate the scheme should demonstrate the surface water run-off generated up to and including the 1% Annual Exceedance Probability (AEP) rainfall event (including an appropriate allowance for climate change and urban creep) will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development in accordance with LP14 of the Fenland Local Plan 2014.</p>
8.	<p>Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.</p> <p>Reason: To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.</p>
9.	<p>The road carriageway shall be a minimum of 5m in width. The access shall provide vehicle to vehicle visibility splays of 2.4m by 120m with no obstruction over 0.6m at the intersection of Upwell Road prior to first occupation of the development and thereafter maintained in perpetuity.</p> <p>Reason: in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
10	<p>With the exception of any demolition necessary to accommodate the proposal, no development shall proceed prior to the submission of a contaminated land assessment and associated remedial strategy which has been approved in writing by the Local Planning Authority. This applies to sections a), b) and c). This is an iterative process and the results of each stage will help decide if further stages as detailed below are necessary;</p> <p>a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.</p> <p>(b) The site investigation, including relevant soil, soil gas, surface and groundwater</p>

	<p>sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.</p> <p>(c) 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.</p> <p>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 d), e) and f).</p> <p>(d) 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.</p> <p>(e) 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. This also includes where any fuel tanks may be found.</p> <p>(f) 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.</p> <p>Reason - To control pollution of land or water in the interests of the environment and public safety in accordance with LP14 and LP16 of the Fenland Local Plan, 2014</p>
<p>11.</p>	<p>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 refuse collection strategy shall be implemented and thereafter retained in perpetuity prior to the first occupation.</p> <p>Reason: To ensure a satisfactory refuse collection facility in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
<p>12.</p>	<p>Prior to the first occupation of the development hereby approved, a scheme for the</p>

	<p>provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling.</p> <p>Reason: In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
13.	<p>Prior to the first occupation of the development hereby approved details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be 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.</p> <p>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.</p>
14.	<p>All roads and footways linking the dwellings to the adopted highway shall be constructed to at least binder course level prior to the first occupation of any dwelling unless an alternative timetable and scheme has been approved in writing by the local planning authority.</p> <p>Reason: In the interests of highway safety and to ensure that the development is provided with roads to a suitable and safe standard in accordance with policy LP13, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
15.	<p>The development shall be carried out in accordance with the approved plans.</p>