
F/YR18/0759/O

Applicant: George Scarborough Ltd

**Agent : Mrs Gabrielle Rowan
Pegasus Group**

Land North West of 12, Knights End Road, March, Cambridgeshire

Erection of up to 9no dwellings (outline application with matters committed in respect of access) involving demolition of existing buildings

Reason for Committee: Officer recommendation is contrary to comments of Town Council.

1. EXECUTIVE SUMMARY

The proposal is an outline application for the construction of 9 dwellings on the land, with only the proposed access committed for approval at this stage.

The site is located within March, on land designated as being at the lowest risk of flooding, and involves the demolition of several agricultural buildings located within this broadly residential area.

The proposal is recommended for approval subject to conditions.

2. SITE DESCRIPTION

- 2.1. The application site is an existing agricultural yard, comprising a 4-span brick built general purpose agricultural building to the rear of the site, and several older timber constructed sheds located in the centre of the site. There are further buildings and structures located elsewhere within the farmyard however these lie outside the application site.
- 2.2. The site is surrounded by residential development, comprising 21 modern dwellings off Steeple View to the north of the site, 4 dwellings to the east and 3 to the south off Knights End Road. Open agricultural land lies to the west, although this is located within the west March strategic allocation, identified as being allocated for predominantly residential development.
- 2.3. The site boundary is formed from a 1.8m closeboard fence to the north, with another similar height fence separating the site across its centre from west to east. The current boundary with Knights End Road is formed from an evergreen hedge, with further hedges to the southern boundary with the properties located on Knights End Road itself.

3. PROPOSAL

- 3.1. The proposal is an outline application with access only committed for approval, for the construction of up to 9 dwellings on the site with access provided from Knights End Road between numbers 22 and 12 Knights End Road. The scheme would necessitate the demolition of the existing agricultural buildings on the site.

- 3.2. Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4. SITE PLANNING HISTORY

- 4.1. There is no on-site planning history. Two applications, in 2010 and 2014, have been submitted and withdrawn for development on the adjacent land to the west that now forms part of the west March strategic allocation, both of which included access from the currently proposed point, however no detail is retained on the file as to why the applications were withdrawn.

5. CONSULTATIONS

5.1. FDC Scientific Officer (Land Contamination)

Whilst it is noted that investigation works are currently underway, we recommend that phase II contamination condition with the remaining suite of contamination conditions be imposed to include a remediation design / verification and validation statement is submitted for approval where a phase report II report confirms the assumptions stated in the phase I report.

Additionally, the applicant should submit a Construction/Environmental Management Plan (CEMP) to be approved prior to commencement of the development. The CEMP should address all measures to control the effects of dusts noise, odour including hours of work, site deliveries which may arise during construction phase to safeguard the amenity of residents in close proximity.

5.2. Parish/Town Council

Recommend refusal due to poor access and that the area needs masterplanning.

5.3. Cambridgeshire County Council Highways Authority

Detailed access plans required. FDC need to consider if this scale of development is acceptable from a private drive as the layout will need to change if it is to be offered for adoption.

Further comments upon examination of additional information: No objection subject to conditions.

5.4. Cambridgeshire Fire and Rescue Service

Request that should the Local Planning Authority be minded to grant approval, adequate provision is made for fire hydrants on the site.

5.5. Local Residents/Interested Parties

Objectors

Three letters of objection have been received in relation to the scheme, noting matters of site drainage/flooding, the potential overlooking of adjacent dwellings, how asbestos in the existing buildings will be dealt with, loss of light and suggesting relocation of the access to the east through a more currently open area.

6. STATUTORY DUTY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

7. POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 55: Conditions tests. Avoiding pre-commencement unless clear justification

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

Para 155: Development should be directed away from areas at highest risk of flooding.

National Planning Practice Guidance (NPPG)

Determining a planning application

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP9 – March

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

LP16 – Delivering and Protecting High Quality Environments across the District

March Neighbourhood Plan 2017

H2 – Windfall development

8. KEY ISSUES

- **Principle of development**
- **Highway safety and access**
- **Residential amenity**
- **Flood risk and drainage**
- **Other matters**

9. BACKGROUND

- 9.1. There is no record of any pre-application contact on the site. As noted above, there have been previous applications for residential development on the adjacent site however no record is available indicating why those applications were withdrawn.

10. ASSESSMENT

Principle of Development

- 10.1. The application site is located within March, adjacent to existing residential development and accessed from Knight's End Road. March is identified within the Fenland Local Plan (2014) as one of the two Primary Market Towns within the district (policy LP3) and is therefore a location where the majority of the district's

new housing is to be located. The application site is located entirely within flood zone 1, identified as being at the lowest risk of flooding. There are no heritage or ecological designations on the site that would impact on the acceptability of the principle of its development for residential use.

Highway safety and access

- 10.2. The application commits only the proposed access for consideration at this time, with details showing a 5.5m wide access road with 2m footpaths to either side tied in to the existing footpaths alongside Knight's End Road.
- 10.3. Policy LP15 of the Fenland Local Plan requires that development schemes *"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."*
- 10.4. The application is accompanied by a detailed Transport Technical note including an access arrangement drawing showing visibility splays calculated following traffic speed investigation works. The assessments undertaken indicate that the proposed development would be likely to generate an additional 7 journeys in the morning peak hour, and 6 in the afternoon peak hour, representing 7.5% and 4.6% respectively of the current traffic levels recorded by the survey, which ran for a period of seven consecutive days in Spring 2018.
- 10.5. This information has been supplied to the Cambridgeshire County Council Highways Authority for review in relation to the proposal and they have advised that they have no objection to the development on the ground of highway safety as a result, although conditions are requested to be attached to any permission granted to ensure delivery of key highways features prior to the occupation of any part of the development.

Residential amenity

- 10.6. An indicative layout plan has been submitted showing the arrangement of nine separate plots on the land, ranging from 380m² to 660m². These are arranged showing the two largest plots on the southern boundary, adjacent to numbers 22-26 Knights End Road. The remaining 7 plots are distributed with three along the western boundary and four along the northern boundary with the dwellings located off Steeple View.
- 10.7. Although any layout and property detail submitted within the application at this time remains an indication of the potential development only, the design and access statement accompanying the application does indicate potential dwellings on the plots, and notes that two dwellings on the largest plots to the south of the site are being considered as single-storey dwellings to ensure an appropriate response in residential amenity and character terms. All of the dwellings are indicated as being back-to-back with the adjacent properties to ensure maximum separation between built forms.
- 10.8. In general, the existing dwellings adjacent to the north boundary of the site are 2-storey dwellings and benefit from rear gardens approximately 13m in depth from the rear elevation of the main dwellings (excluding projecting elements such as conservatories etc). The plots indicated along the northern boundary vary from 22m to 25m in depth and therefore would be capable of accommodating

development whilst maintaining adequate separation between rear elevations, subject to the detailed design proposed.

- 10.9. This does not apply to the north western corner of the site, where 19 Steeple View is located, and orientated perpendicular to the indicated development. This does mean that the dwelling in that location will be closer to the proposed new dwellings, and there are existing openings on its southern gable facing the site, which will necessitate a careful design approach to plots 6 and 7 in particular. This does not preclude an acceptable design relationship from being possible however and would not support refusal of the application.
- 10.10. The remaining impact on residential amenity relates to the proposed vehicular access into the site and its proximity to the adjacent dwellings, particularly 22 Knights End Road to the west. The indicative layout plan shows a landscaping strip provided adjacent to the garden of this property between the proposed access road and the boundary. As with the remainder of the layout, detailed design and landscape specification would be undertaken at the reserved matters stage, however given the proposed separation and landscaping indicated as being possible and the limited scale of the development in relation to the number of units proposed it is considered that the impact on the residential amenity of this dwelling would not be sufficient to justify refusal of the scheme.

Flood risk and drainage

- 10.11. The application site is located within flood zone 1, the lowest identified level of flood risk being equivalent to a 1 in 1000 year event. The scheme has undertaken a surface water assessment, which concludes that surface water runoff from the site will be managed to ensure that flows will be below that of the current site.
- 10.12. The submitted application details do not include any identification of the proposed method of foul drainage disposal, however there are no known capacity issues in this location and therefore there is no objection in principle to the proposal on these grounds.

Other matters

- 10.13. The responses received in relation to the proposal also raise concern regarding the disposal of any asbestos from the site, and loss of light to the dwellings to the north.
- 10.14. Disposal of asbestos is controlled by the Hazardous Waste Regulations 2005 and Schedule 2 of The Control of Asbestos Regulations 2012 and as such it is not appropriate to replicate such control in relation to the determination of the planning application.
- 10.15. Loss of light is capable of being material to the decision however it is a matter appropriately considered at the detailed design stage and is therefore not relevant in relation to the current application.
- 10.16. The site does not fall within the strategic allocation for west March and as such there is no requirement for it to be subject to a masterplan for the wider area.
- 10.17. The comments from Statutory Consultees are noted, however regarding the requested Construction/Environmental Management Plan, the matters

addressed within such a document are controlled by other legislation and therefore are not material to the proposal.

11. CONCLUSIONS

- 11.1. The principle of the development of the site is considered to be acceptable due to the status of March within the settlement hierarchy, whilst the access proposals are considered to be acceptable by the Local Highways Authority.
- 11.2. The information submitted in respect of the surface water drainage will ensure that there is no greater impact on its environment and surroundings than the current use of the site, whilst the specific residential amenity impacts are acceptable or subject to more detailed design proposals.

12. RECOMMENDATION

Grant planning permission

The proposed conditions are as follows;

1 Approval of the details of:

- i. the layout of the site
- ii. the scale of the buildings;
- iii. the external appearance of the buildings;
- 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 Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

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

3 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 The residential elements of the development shall not exceed 9 dwellings (Use Class C3).

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

5 Prior to the occupation of the development, a landscape management and maintenance plan, including details of measures to protect and enhance

existing flora, fauna and habitats within the development site shall be submitted to and approved by the Local Planning Authority in writing. The landscape management and maintenance plan shall be carried out as approved in accordance with the specified schedule contained therein.

Reason - To protect the visual amenity value of the landscaping, and the biodiversity value of the habitat within the site in accordance with Policy LP16 of the Fenland Local Plan, 2014.

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

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

- 7 Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the substantial completion of the development for Building Regulations purposes.

Reason - To ensure that retained trees are adequately protected.

- 8 Prior to first occupation, the Knight's End Road junction shall be laid out in accordance with submitted plan 6501-WSP-00-ZZ-DR-TP-001 rev P05, and constructed in accordance with detailed plans to be submitted and approved in writing by the Local planning Authority.

To ensure that the vehicular access is constructed to an appropriate standard in accordance with policy LP15 of the Fenland Local Plan (2014)

- 9 Prior to occupation of the first unit on the site the vehicular access road shall be made up to base course level.

To ensure that the vehicular access is constructed to an appropriate standard in accordance with policy LP15 of the Fenland Local Plan (2014)

- 10 Prior to first occupation of the development hereby approved, visibility splays shall be provided as shown on the submitted plan 6501-WSP-00-ZZ-DR-TP-001 rev P05 and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason - To ensure that a safe and adequate access is provided in association with the development in accordance with policy LP15 of the Fenland Local Plan (2014)

- 11 No development approved by this permission shall be commenced prior to a 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 paragraphs a) and b). This is an iterative process and the results of each stage will help decide if the following stage is necessary.

(a) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(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.

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).

(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.

(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.

(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.

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

- 12 Prior to the commencement of any development, a scheme and timetable for the provision and implementation of foul drainage shall be submitted and approved in writing by the Local 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 ensure a satisfactory method of foul drainage and to prevent the increased risk of flooding.

- 13 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the site has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.

Reason - To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat amenity and to ensure the future maintenance of these.

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

Reason - To ensure a satisfactory form of refuse collection.

- 15 Prior to 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).

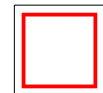
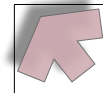
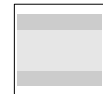

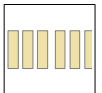

Reason - To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard in accordance with Policy LP15 of the Fenland Local Plan (2014)

- 16 Prior to the demolition of building 1, an emergence survey carried out by a suitably qualified ecologist shall be carried out to establish the presence or absence of roosting bats within the building and the results shall be submitted to the local planning authority. If the presence of bats is established a mitigation scheme shall also be submitted to and approved in writing by the local planning authority. The development shall then be carried out in accordance with the approved scheme.

Reason - To minimise disturbance to bats and ensure compliance with national and international legislation which protects them, in accordance with policy LP19 of the Fenland Local Plan (2014).

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

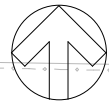
KEY

-  Site Boundary
-  Site Access
Informed by WSP drawing no:
6501-WSP-00-ZZ-DR-TP-001
-  Street
Shown at 9.5m
-  Lane
Shown at 7.5m
-  Shared Private Drive
Shown at 5m
-  Indicative Vegetation

Plot	Area (m2)
1	circa 630
2	circa 660
3	circa 380
4	circa 400
5	circa 410
6	circa 420
7	circa 430
8	circa 400
9	circa 380

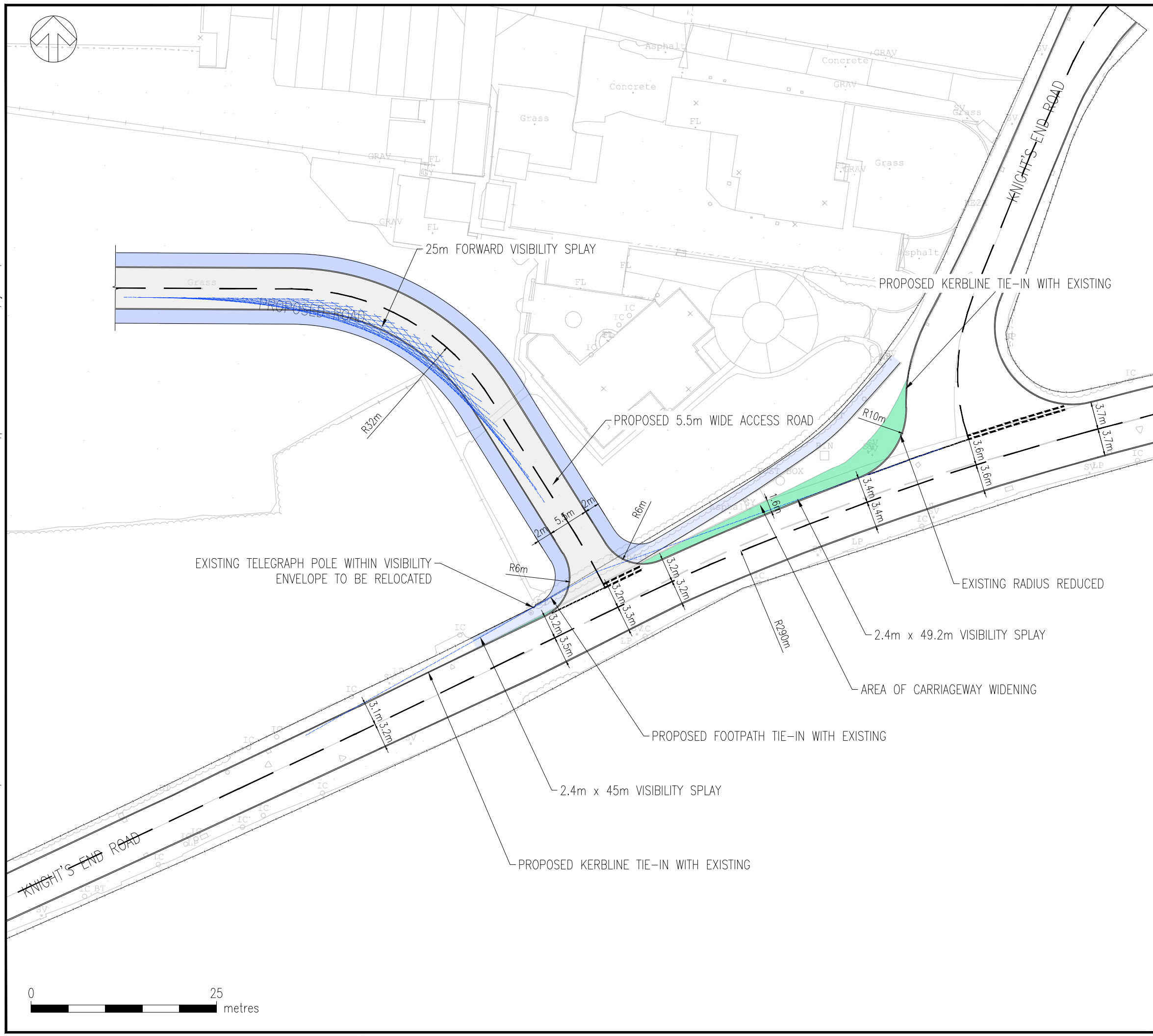


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File name Z:\PROJECTS\70036501-KNIGHTS END ROAD - KNIGHTS END ROAD - MARCH\02 WIP\TP TRANSPORT PLANNING\01 MODEL\6501-WSP-00-ZZ-DR-TP-001 P05.DWG, printed on 18 October 2018 11:52:34, by Malecki, Artur



REV	DATE	BY	DESCRIPTION	CHK	APP
P05	18/10/2018	JEY	REVISED ALIGNMENT	AKM	LK
P04	04/06/2018	SML	REVISED KERB AND ROAD MARKINGS	LK	NE
P03	24/04/2018	SML	REVISED VISIBILITY SPLAY	LK	NE
P02	20/03/2018	SML	REVISED ALIGNMENT	LK	NE
P01	02/03/2018	AKM	FIRST ISSUE	LK	NE

DRAWING STATUS: **S2 - FOR INFORMATION**



62-64 Hills Road, Cambridge, CB2 1LA, UK
T+ 44 (0) 1223 558 050, F+ 44 (0) 1223 558 051
wsp.com

CLIENT: **PEGASUS GROUP**

ARCHITECT:

PROJECT: **LAND OF KNIGHT'S END ROAD, MARCH**

TITLE: **PRELIMINARY ACCESS ARRANGEMENT**

SCALE @ A3: 1:500 CHECKED: LK APPROVED: NE

PROJECT No: 70036501 DESIGNED: AKM DRAWN: HM DATE: October 18

DRAWING No: 6501-WSP-00-ZZ-DR-TP-001 REV: P05



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