
F/YR24/0562/F

Applicant: Mr S Howard

**Agent : Mr Lee Bevens
L Bevens Associates Architects Ltd**

2 Doddington Road, Chatteris, Cambridgeshire, PE16 6UA

Erect 14 dwellings (2-storey, 4 x 2-bed, 10 x 3-bed) with associated garages and parking and formation of a new access involving demolition of existing dwelling and storage building

Officer recommendation: Refuse

Reason for Committee: Town Council and local resident representations contrary to officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 8 October 2024

EOT in Place: Yes

EOT Expiry: 1 November 2024

Application Fee: £8736

Risk Statement:

This application must be determined by 1 November 2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

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| <p>1.1 Outline planning permission, with all matters reserved, was previously granted for 9No. dwellings on the site on 7th January 2022 (planning permission reference: F/YR21/0842/O).</p> <p>1.2 The current planning application seeks full planning permission to erect 14No. two-storey dwellings, with associated garages and parking, formation of a new access, and demolition of an existing dwelling and storage building.</p> <p>1.3 Due to its prominent position and visibility, its substantial massing of a predominantly blank brick wall elevation with no fenestration features or visual interest, the north elevation of the proposed dwelling of Plot 1 results in a poor standard of design and public realm within the development; failing to 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 and reinforce local identity, contrary to policy LP16 of the Fenland Local Plan 2014.</p> <p>1.4 Due to the proposed dwellings of plots 13 and 14 resulting in significant</p> |
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overlooking impacts and loss of privacy to the private outdoor amenity space serving No.4B Doddington Road; the private outdoor amenity spaces of plots 2 and 9 significantly overlooking other dwellings within the proposed development; and the siting of the proposed parking spaces for Plot 3 resulting in a poor standard of outlook and amenity for occupiers of Plot 4, the proposed development would result in significant harm to the residential amenity of one existing neighbouring property and it would provide a poor standard of residential amenity to future occupiers of three of the proposed dwellings, contrary to policies LP2 and LP16 of the Fenland Local Plan 2014.

1.5 The application is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site contains a detached two-storey dwelling (No.2 Doddington Road) and a vehicular access along the south-east side of the dwelling, leading to a parking area, a detached outbuilding, a static caravan and grass land to the rear of the residential curtilage of No.2 Doddington Road. The application site is surrounded by close boarded fencing (circa 1.8-2 metres high) and there are some trees located within the site adjacent to the south-west boundary. The application site measures 0.46 hectares in area.
- 2.2 The site is located approximately 65 metres to the north-west of the roundabout junction of the A141 and A142 to the north of Chatteris.
- 2.3 The site is located on the south-west side of the Doddington Road, with the access into the car park of the Green Welly Café, Motel and Garden Centre situated to the south-east and residential properties located to the north-east, north-west and south-west. There are trees located on neighbouring land adjacent to the south-east boundary of the application site.

3 PROPOSAL

- 3.1 The application seeks full planning permission to erect 14No. two-storey dwellings, with associated garages and parking, formation of a new access, and demolition of an existing dwelling and storage building.
- 3.2 The proposed dwellings would comprise:
 - 4No. 2-bedroom semi-detached dwellings (measuring 11 metres in width, 9.6 metres in depth, 9 metres at the ridge and 5.3 metres at the eaves – excluding garages).
 - 8No. 3-bedroom semi-detached dwellings (measuring 11 metres in width, 9.6 metres in depth, 9 metres at the ridge and 5.3 metres at the eaves – excluding garages).
 - 2No. 3-bedroom detached dwellings (measuring 6.6 metres in width, 8.75 metres in depth, 9 metres at the ridge and 5.4 metres at the eaves – excluding garages).
- 3.3 The external surfaces of the dwellings and garages are proposed to be finished with facing brick walls, and slate and tile roofs, with specific details to be agreed with the Local Planning Authority.
- 3.4 Full plans and associated documents for this application can be found at:

4 SITE PLANNING HISTORY

4.1

Reference	Description	Decision
F/YR21/0842/O	Erect up to 9no. dwellings (outline application with all matters reserved) involving demolition of existing dwelling	Granted 7 th January 2022
F/YR05/0114/O	Residential development (0.42ha) Land south-west of 4 Doddington Road	Refused 21.03.2005 APP/DO515/A/05/1179132 - Appeal allowed 24.04.2006

5 CONSULTATIONS (SUMMARISED)

5.1 Chatteris Town Council

Support. Previous approved application stipulated some trees should be protected and those trees have been removed; request those trees are replaced. Another survey to test soil for contamination should be required. If application is granted request Section 106 contribution of £2,000 per dwelling for facilities in Chatteris.

5.2 CCC Local Highway Authority

Recommendation

Consider the proposed development is acceptable.

Comments

This development site received Outline Planning Permission for 9 dwellings under application number F/YR21/0842/O. Although this was for less dwellings and was an all matters reserved application, do not believe the addition of 5 more dwellings will have a material impact on the safety of the junction with the highway.

It is not clear of the internal road will be offered for adoption at this stage but have the following comments should the applicant wish to do so:

- Plot 9 is too close to the shown maintenance strip and would need to be relocated to make the road acceptable for adoption.
- No private surface water will be permitted to enter the highway.
- Allocated parking is not permitted in the highway. Plot 14 parking would therefore not be adoptable and must be drained independently from the highway's surface water system.
- Trees within 5m of the highway will need to be planted in tree pits.

5.3 Lead Local Flood Authority

At present, object to the grant of planning permission for the following reasons:

1. Discharge Location

The proposals are to discharge surface water into the ground, however, no infiltration testing has been completed. It is noted that the proposals are to discharge into a foul sewer if infiltration were to fail, however this is not a viable point of discharge on the drainage hierarchy. Until infiltration testing in line with BRE365 has been undertaken to demonstrate that infiltration is viable, or a suitable alternative in the event infiltration testing fails, we are unable to support this application.

5.4 **Anglian Water**

ASSETS

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of Chatteris-Nightlayer Fen Water Recycling Centre that will have available capacity for these flows.

Section 3 – Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment and drainage strategy 3325 – FRA & DS– July 2024. The sewerage system at present has available capacity for these flows.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

The Flood Risk Assessment and drainage strategy 3325 – FRA & DS– July 2024 submitted with the planning application indicates that the surface water from the proposed site should be discharge via infiltration systems however it also quotes that in the unlikely event percolation testing reveals insufficient infiltration rates, the only viable discharge option will be the existing foul sewer along Doddington Road.

Anglian Water needs to ensure the surface water hierarchy has been followed and will not agree, even in principle, to a surface water connection into the designated foul network until all other options have been proven unfeasible.

A surface water connection into the Anglian Water designated foul sewer has the potential to have unacceptable risk downstream. Further assessment is required to establish whether network reinforcement is required. This assessment and any necessary reinforcement work will be at the developers cost.

Request a condition be applied if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

- No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

5.5 Cambridgeshire Fire and Rescue

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

5.6 FDC Environmental Health

Whilst no objection to this application, notes that this development will be subject to noise from nearby road traffic on Doddington Road and the A141, and from the nearby commercial operations including a salvage yard. Therefore recommends a noise condition.

Also notes that the application involves demolition work and the construction of 14 houses in close proximity to other residential property. Therefore recommends a Construction Environment Management Plan condition.

Finally, a previous Phase 1 Ground Assessment carried out in support of a previous application for nine houses on this site identified the potential isolated contamination within shallow soils as a result of previous uses of the application site. While the report states the site is generally suitable for the proposed development, it recommends that a further more intrusive investigation be undertaken with regards to the potential for contamination on site that could be to the detriment to future users of the site and advises that sampling will be required that will determine the extent of the contamination. Therefore, recommends a contamination condition.

5.7 NHS Cambridgeshire and Peterborough Integrated Care System

The proposed development is likely to have an impact on the services of the 1 x GP Practices operating within the vicinity of the application: George Clare Surgery. This practice does not have capacity to take on additional patients and this development of number of dwellings would see an increase patient pressure of circa 33 of new residents which would require additional workforce and result in an increase on estate demand.

A developer contribution will be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required to be £12,036.10.

CAPICS requests that this sum be secured through a Section 106 planning obligation – with the proposal that the sum be used to fund a project which increases clinical capacity at one of the GP Practices in the vicinity of the development, or any project at an alternative premises in the vicinity of the Practices/development which increases primary healthcare capacity.

CAPICS has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Assuming the above is considered in conjunction with the current application process, CAPICS would not wish to raise an objection to the proposed development. Otherwise, the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

5.8 FDC Environmental Services (Waste)

To allow access the private road (shared surface street) would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from landowners or future management company against any potential damage to the road surface etc. which may be caused during vehicle operations.

A swept path plan would be required to demonstrate that a refuse vehicle could access the site turn and leave the site in a forward direction.

New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.

Refuse and recycling bins will be required to be provided as an integral part of the development

5.9 NHS East of England Ambulance Service

This development will affect March and St Ives ambulance stations and Ely, Peterborough Hub and ambulance stations which respond to emergency incidents within the local area as well as impact on the regional call centres.

In order to make this development acceptable it is requested a capital contribution from developers is made towards the provision Emergency Ambulance Service Infrastructure which may be the nearest Hub, local ambulance station(s), provision of additional ambulance vehicles to support the population growth from this development.

This development will generate another 29 residents who are likely to need emergency ambulance services at least 7 times per annum on already constrained emergency ambulance services. Expansion at March, Ely and St Ives are not available (March and Ely were built in 1970 and St Ives in 1980s)

The capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £3,900 and are for the impact of this development only.

The capital required would provide financial resources for EEAST to absorb the additional patient demand generated by this development on emergency ambulance health services. New developments place additional demand on our existing infrastructure without any direct associated funding.

This additional capital funding would be allocated, in agreement with the local council, to support:

- Creation of an additional ambulance station/response post in a more suitable location to meet the increased local demand arising from this housing development.

5.10 Housing Strategy & Enabling Officer

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

The Fenland Viability Report (March 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.

Based on the provision of 20% affordable housing 3 affordable dwellings would be required in this instance.

The current tenure split we would expect to see delivered for affordable housing in Fenland is 70% affordable rented tenure and 30% shared ownership. This would equate to the delivery of 2 affordable rented homes and 1 shared ownership based on the provision of 20% affordable housing.

Fenland's current approach is to agree that sites that yield less than 10 (i.e. 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision.

If the applicant chooses to provide a financial contribution rather than seek an Registered Provider to deliver the on-site affordable housing, the affordable housing financial contribution will be calculated in accordance with the mechanism provided in the Local Plan policy.

5.11 Cambs Police - Designing Out Crime Team

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

The site layout plan looks acceptable.

Recommends any active frontages are overlooking the public realm and open spaces to maximise surveillance across the development, which should encourage some level of territoriality amongst residents. The parking layout indicates vehicles to the front of each dwelling and most appear to be overlooked by the resident or neighbouring properties to increase natural surveillance.

Provides recommendations in respect of external lighting, doorsets, windows and openings, boundary treatments, rear footpaths, cycle storage, landscaping, solar panels and EV charging points.

Encourages the applicant to consider submitting a “Secured by Design” (SBD) Homes Guide 2024 application. Believes the development could attain this award with consultation.

5.12 Local Residents/Interested Parties

Objection

Nine representations of objection have been received from local residents. The views expressed within those representations are summarised below:

- Overdevelopment of the site – too many dwellings.
- Trees have been felled within the site, causing habitat loss. The baseline on-site habitat has been incorrectly applied for Biodiversity Net Gain, as it does not account for the trees felled since 30th January 2020.
- The revised Preliminary Ecological Appraisal with BNG report states the baseline on-site habitat value is 3.17 habitat units, however the BNG Metric states it is 0.69 habitat units.
- Loss of light to 19, 25 and 27 Fillenham Way.
- Insufficient parking provision.
- Detrimental highway safety and traffic congestion impacts.
- The proposed road would block safe access to 4 Doddington Road.
- Planning permission F/YR19/0834/O has a condition requiring widening of the Doddington Road footway to 2 metres wide between the Doddington Road access and the A141 roundabout. The design of the proposed access should not hinder this.
- Doctors surgeries do not have capacity to take on additional patients.
- No new doctors or schools will be built to accommodate the additional residents.
- Noise and light pollution to neighbouring properties.
- Surface water drainage impacts.
- The proposed access road and adjacent trees would result in 4 Doddington Road being more vulnerable to crime.

Support

55 representations of support / no objection have been received from local residents. The views expressed within those representations are summarised below:

- New homes are needed in Chatteris.
- There is a national housing shortage and the Government wants houses to be built.
- It mirrors the adjacent Abbot Walk (Persimmon) development.
- The proposed dwellings would be more suitable and provide more benefit than the 9 larger dwellings previously approved on the site.
- Provides smaller affordable homes for the younger generation (potentially rental).

- Perfect location with access to shops.
- Would provide substantial landscaping and tree planting, which would ensure privacy and provide nice living spaces for future occupiers, a would create habitat for wildlife.
- Would be an asset to the town and good for the community.
- There is vast space down Doddington Road and the area is not overcrowded.
- Great design.
- Do not anticipate the proposal would return traffic levels, or noise, to that which existed when the Green Welly Café operated as an overnight truck stop.

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

7.1 National Planning Policy Framework (NPPF)

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 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed and beautiful places

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

Chapter 15 – Conserving and enhancing the natural environment

Chapter 17 – Facilitating the sustainable use of minerals

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

7.4 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
- LP10 – Chatteris
- 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
- LP19 – The Natural Environment

7.5 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021
Policy 5 - Mineral Safeguarding Areas

- 7.6 Delivering and Protecting High Quality Environments in Fenland SPD 2014**
- DM2 – Natural Features and Landscaping Schemes
 - DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
 - DM4 – Waste and Recycling Facilities
 - DM6 – Mitigating Against Harmful Effects

7.7 Developer Contributions SPD 2015

7.8 Cambridgeshire Flood and Water SPD 2016

7.9 Emerging Local Plan

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

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP31: Open Space and Recreational Facilities
- LP32: Flood and Water Management

8 KEY ISSUES

- Principle of development
- Housing mix
- Flood risk and drainage
- Visual amenity
- Residential amenity
- Highway safety and parking provision
- Minerals safeguarding
- Community Infrastructure and Planning Obligations
- Biodiversity Net Gain (BNG)

9 BACKGROUND

- 9.1 Outline planning permission, with all matters reserved, was granted for 9No. dwellings on the site on 7th January 2022 (planning permission reference: F/YR21/0842/O). No reserved matters application has currently been submitted.

10 ASSESSMENT

Principle of development

- 10.1 Policy LP3 of the Local Plan states that the focus for the majority of growth is in and around the four market towns.
- 10.2 Policy LP4 of the Local Plan supports the principle of housing development of up to 249 dwellings on the edge of market towns.
- 10.3 The proposed development is for 14 dwellings adjoining the edge of Chatteris, which is one of Fenland's four market towns. The location of the proposed development therefore complies with policies LP3 and LP4 of the Local Plan.
- 10.4 The planning history of the site is also a material planning consideration relevant to the determination of the current planning application. Therefore, it is relevant to note that the principle of residential development on the site has already been established (albeit for a smaller quantum of development) by extant planning permission F/YR21/0842/O.

Housing mix

- 10.5 Policy LP3 of the Local Plan states that development should provide the 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.
- 10.6 The latest SHMA 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%

10.7 The application proposes the following housing mix:

- 4No. 2-bedroom dwellings (combined mix of market and affordable dwellings - 29%)
- 10No. 3-bedroom dwellings (combined mix of market and affordable dwellings - 71%)

10.8 Although the proposal does not include any 1 bedroom or 4+ bedroom dwellings, due to the small-scale of the proposed development, viability considerations and the proposed mix meeting an identified need, on balance, the proposed housing mix is considered to be acceptable.

Flood risk and drainage

10.9 The application site is located within Flood Zone 1 (low probability of flooding from rivers and sea) and within an area at low and very low risk of flooding from all other sources.

10.10 Policy LP14 of the Local Plan requires all applications for relevant developments to include a drainage strategy to demonstrate that suitable consideration has been given to surface water drainage.

10.10 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.

10.11 Paragraph 175 of the National Planning Policy Framework states that major developments should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate, and that the systems used should take account of advice from the Lead Local Flood Authority.

10.12 The Cambridgeshire Flood and Water Supplementary Planning Document states that British Geological Society mapping only serves as a high-level indication of broad geological areas and is not to be used as a substitute for a comprehensive site investigation and soakage testing (paragraph 6.2.5). In addition, the Cambridgeshire Flood and Water SPD states that a comprehensive investigation should be carried out at the earliest stage of the planning process to establish ground conditions (paragraph 6.2.4); that the potential for infiltration measures on a site should be considered at the outset (paragraph 6.3.18); and that *infiltration should be assessed on-site using infiltration tests that follow the detailed SuDS design principles covered in BRE365/CIRIA 156 procedure* (paragraph 6.3.20).

10.13 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. 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.

10.14 British Geological Survey mapping indicates that the site is underlain by a bedrock geology of the West Walton formation and Ampthill Clay Formation, Mudstone, which is a low permeability geology. However, there are superficial deposits of sand and gravel (March Gravels Member) also present in the vicinity of the application site, which is a more permeable geology. The original Flood Risk Assessment & Sustainable Drainage Strategy stated that infiltration into the March Gravels Member layer could be feasible, depending on percolation testing which would occur before the detailed design phase.

10.15 The original Flood Risk Assessment & Sustainable Drainage Strategy proposed to discharge surface water via ground infiltration, which is the first preference for surface water disposal specified within the surface water drainage hierarchy. However, at the time of the Lead Local Flood Authority's consultation comments being received, no infiltration (percolation) testing had been completed within the application site to demonstrate whether ground infiltration was feasible. The Lead Local Flood Authority therefore objected to the application and stated that they are unable to support it until infiltration testing, in line with BRE365, has been undertaken to demonstrate that infiltration is viable; or that, in an event of infiltration testing failing, a suitable alternative method of surface water disposal is proposed.

10.16 More recently, a revised Flood Risk Assessment & Sustainable Drainage Strategy (Rev A) has been received which states that infiltration testing on site failed, meaning that the site drainage rates of the tests (to CIRIA standards) were not plausible to discharge via on-site infiltration. Following demonstration that infiltration is not possible, the revised Flood Risk Assessment & Sustainable Drainage Strategy proposes to discharge surface water into an existing watercourse located to the north-east of the site, adjacent to the Slade End roundabout. Whilst there has been insufficient time in advance of publishing this report to obtain Lead Local Flood Authority advice on the latest Flood Risk Assessment & Sustainable Drainage Strategy, the revised drainage strategy follows the surface water drainage hierarchy, thereby addressing the initial concerns of the Lead Local Flood Authority. Should this method of surface water disposal prove to be unfeasible at a later stage, the development would be required to explore other drainage options following the surface water drainage hierarchy. On the basis of the information submitted, it is considered that a suitable, detailed surface water drainage strategy could be reasonably secured by a planning condition in any event of planning permission being granted. This detail would be required prior to the commencement of any development.

10.17 It is therefore considered that the application broadly demonstrates that the layout and drainage of the proposed development takes account of the ground conditions and, subject to a planning condition, would have acceptable surface

water impacts, in accordance with policies LP14 and LP16 of the Local Plan and guidance contained within the Cambridgeshire Flood and Water SPD.

Visual amenity

- 10.18 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.
- 10.19 The proposed development would project to the rear of the existing frontage development located along Doddington Road, in a similar manner to other residential developments to the north-west of the application site. The layout and density of the proposed development is in keeping with the character with the area, most notably the adjacent Abbot Walk development which bounds the north-west and south-west boundaries of the application site; it is therefore considered that the proposal does not result in an overdevelopment of the site. In addition, the proposed dwellings are of a height, scale and design which is generally in keeping with the adjacent Abbot Walk development.
- 10.20 The north elevation of the proposed dwelling for Plot 1 would be a very prominent elevation within the proposed development, due to its siting which would face the new road serving the development. This elevation comprises a predominantly blank brick wall, with the exception of one small en-suite window which is the only fenestration feature within it. Due to its prominent position and visibility, its substantial massing of a predominantly blank brick wall elevation with no fenestration features or visual interest, the north elevation of the proposed dwelling of Plot 1 results in a poor standard of design and public realm within the development; failing to 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 and reinforce local identity, contrary to policy LP16 of the Fenland Local Plan 2014.

Residential amenity

- 10.21 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.
- 10.22 The proposed dwellings of plots 1-2 would be located a substantial distance from any existing residential properties. With consideration given to the substantial separation distances of the proposed dwellings of plots 1-2, from neighbouring dwellings, it is considered that the physical relationship between these dwellings would not result in any significant overlooking, overbearing or overshadowing impacts.
- 10.23 The proposed dwellings of plots 3-8 would have back-to-back distances of approximately 20 metres, or in excess of 20 metres, with the neighbouring dwellings to the south-west of the site (Wheatfields). In addition, the proposed dwellings of plots 3-8 would be located approximately 9.5 metres, and in excess of 9.5 metres, from the rear boundaries of those neighbouring properties. In

addition, there are similar relationships between the proposed dwellings of plots 9-12 and the neighbouring properties to the north-west (Fillenham Way). The northern side elevation of the proposed dwelling of plot 8 would be located 12 metres from the rear elevations of No's.25 and 27 Fillenham Way, which is an acceptable distance for a rear elevation to side elevation relationship given that plot 8 would only have an en-suite window at first-floor level. With consideration given to the separation distances of the proposed dwellings of plots 3-12, from the neighbouring properties to the north-west (Fillenham Way) and south-west (Wheatfields), it is considered that the physical relationship between these dwellings would not result in any significant overlooking, overbearing or overshadowing impacts.

- 10.24 The proposed dwellings of plots 13 and 14 would be located only 8 metres from the private rear amenity space of No.4B Doddington Road. The rear elevations of these proposed dwellings would contain first-floor bedroom windows facing towards this neighbouring private amenity space. Although there is sufficient distance between the proposed dwellings of plots 13 and 14, from neighbouring properties to prevent any significant overbearing or overshadowing impacts, it is considered that the creation of first-floor windows at a distance of only 8 metres from the private amenity space of No.4B Doddington Road would result in significant overlooking impacts and loss of privacy to this neighbouring property, contrary to policies LP2 and LP16 of the Local Plan.
- 10.25 In addition to the residential amenity impacts of the proposed dwellings on existing neighbouring properties, it is also necessary for the proposed dwellings to be designed in a way which ensure future occupiers of them are provided with a high standard of residential amenity. It is considered that plots 1, 3, 5-8 and 10-14 would all have a high standard of residential amenity; however, plots 2, 4 and 9 would have a poor standard of residential amenity for the reasons set out below.
- 10.26 The south-west elevation of plot 1 would be located only 8.5 metres from the side boundary of the private outdoor amenity space of plot 2 and would contain first-floor bedroom windows resulting in significant overlooking impacts to that amenity space. In addition, the north-east elevation of plot 8 would be located only 9 metres from the side boundary of the private outdoor amenity space of plot 9 and would contain first-floor bedroom windows resulting in significant overlooking impacts to that amenity space.
- 10.27 The proposed parking spaces for Plot 3 are sited only 0.4 metres from the front elevation of Plot 4, which contains a kitchen window at ground-floor level. This would provide a poor standard of outlook and amenity for occupiers of Plot 4, due to the close proximity of parking for neighbouring vehicles.
- 10.28 The proposed road serving the proposed development would be located adjacent to the south-east boundary of No.4 Doddington Road. It is proposed that there would be a 2.5 metre wide landscape strip between the proposed road and the south-east boundary of No.4 Doddington Road. In addition, there is an existing close boarded fence (circa 1.8 metres high) along this boundary, between the application site and No.4 Doddington Road. The area of residential curtilage to the south-east of the dwelling of No.4 Doddington Road, and adjacent to the proposed road, is used as a driveway to No.4 Doddington Road and therefore is of low sensitivity to residential amenity harm arising from noise and light impacts resulting from the proposed road. With consideration given to the separation between the proposed road and No.4 Doddington Road, the presence of a solid

boundary treatment between them, and the low sensitivity of the driveway use adjacent to this boundary, it is considered that the proposed road would not result in any significant noise or light impacts that would cause any significant harm to the residential amenity of No.4 Doddington Road. The proposed residential use of the remainder of the site is also not a use which would result in any significant noise or light impacts to neighbouring dwellings.

10.29 There is no evidence to suggest that the proposed road would result in any significant increase in the susceptibility of No.4 Doddington Road to being impacted by crime. The planting of trees adjacent to the boundary of No.4 Doddington Road is not development and does not require planning permission.

10.30 The Council's Environmental Health department recommend that acceptable noise mitigation from surrounding uses can be achieved via a planning condition. With consideration to the recommendation of the Environmental Health department and the extant planning permission on the site demonstrating that noise impacts would be acceptable, it is considered that acceptable noise levels can be reasonably achieved for the proposed development.

10.31 In summary, it is considered that:

- Plot 1 would cause significant overlooking of Plot 2 (8.5 metres distance between first-floor windows and garden / patio).
- Plot 8 would cause significant overlooking of Plot 9 (9 metres distance between first-floor windows and garden / patio).
- Plots 13 and 14 would cause significant overlooking of No.4B Doddington Road (8 metres distance from rear garden).
- Parking for Plot 3, directly in front of Plot 4, would provide a poor standard of outlook and amenity for Plot 4.

10.32 It is therefore considered that the proposed development would cause significant harm to the residential amenity of one existing neighbouring property and would provide a poor standard of residential amenity to future occupiers of three of the proposed dwellings, contrary to policies LP2 and LP16 of the Local Plan and paragraph 135 of the National Planning Policy Framework.

Highway safety and parking provision

10.33 The site is currently served by an access and driveway serving a single residential property. The proposed development would result in a new access replacing the existing one, and a 6-metre wide shared surface road being created, running from north-east to south-west from Doddington Road.

10.34 The width of the proposed road is sufficient to enable two vehicles to pass each other safely and the application has demonstrated that there is adequate turning space within the site for refuse vehicles. Although the proposed access is located near to other accesses to residential properties and streets, commercial uses and the A141 roundabout, the Local Highway Authority has not raised any highway safety or congestion concerns regarding the proposed development.

10.35 The Local Highway Authority considers the proposed development to be acceptable and state that they do not believe the proposed development will have a material impact on the safety of the junction with the highway.

- 10.36 The Local Highway Authority has raised some issues which would prevent adoption of the proposed road. However, it is not a planning requirement that a road has to be adopted by the Local Highway Authority and a condition could be appended to the planning permission requiring details of management and maintenance of the proposed road to be agreed with the Local Planning Authority.
- 10.37 The proposal includes external and garage parking spaces. The proposed garages would provide sufficient space internally to be counted as parking spaces, in accordance with the Local Plan requirements. The proposed development would therefore provide two car parking spaces per dwelling, in accordance with the Council's parking standards specified within Appendix A of the Local Plan.
- 10.38 Planning permission F/YR19/0834/O includes a condition requiring widening of the Doddington Road footway to 2 metres wide between the Doddington Road access and the A141 roundabout. This condition does not preclude any other development taking place which may affect that footway, subject to relevant permissions being obtained from the relevant authorities.
- 10.39 It is therefore considered that the proposed development would have acceptable highway safety impacts and would provide adequate parking provision, in accordance with policy LP15 and Appendix A of the Local Plan.

Minerals safeguarding

- 10.40 The application site is located within a Sand and Gravel Minerals Safeguarding Area, as designated within the Cambridgeshire and Peterborough Minerals and Waste Local Plan.
- 10.41 Policy 5 of the Minerals and Waste Local Plan specifies that the Mineral Planning Authority do not need to be consulted on development proposals that fall within a settlement boundary. Notwithstanding this, the Minerals and Waste Planning Authority have been consulted on this planning application and have not provided a consultation response.
- 10.42 The Minerals and Waste Local Plan does not preclude development within a minerals safeguarding area where the location of the development is within a settlement boundary.
- 10.43 As the proposed development is surrounded on all sides by other development and is considered to be within the existing built form of the settlement, the proposed development is unlikely to prejudice any future mineral extraction as it is high unlikely to take place within the application site.
- 10.44 It is therefore considered that the proposal has acceptable minerals safeguarding impacts, in accordance with policy 5 the Minerals and Waste Local Plan.

Community Infrastructure and Planning Obligations

- 10.45 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.

10.46 Statutory tests set out in the Community Infrastructure Regulations 2010 (Regulation 122) requires that S106 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. S106 obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.

10.47 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
- Healthcare

Affordable housing

10.48 Policy LP5 of the Local Plan states that, on sites of 10 or more dwellings, the Council will seek the provision of 25% of the dwellings to be affordable houses (rounded to the nearest whole dwelling). 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. For sites south of the A47 highway, the conclusions advise that schemes should be able to achieve 20% affordable housing. Whilst this is lower than set out in policy LP5 of the Local Plan, it 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.

10.49 In addition, policy LP5 of the Local Plan states that affordable housing shall be provided on-site, unless the developer can demonstrate exceptional circumstances which necessitate provision on another site, or the payment of a financial contribution (of broadly equivalent value) to the Council to enable some housing need to be met elsewhere. However, Fenland's current approach is to agree that sites that yield less than 10 (i.e. 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision. A financial contribution would need to be provided for 3 affordable houses in this case.

10.50 The application is accompanied by a Heads of Terms agreeing to a financial contribution in lieu of 3No. affordable houses (equating to 20% of the development, rounded to the nearest whole dwelling).

10.51 In any event of planning permission being granted, it is recommended that the grant of planning permission is subject to a legal agreement to secure financial contributions in lieu of 3No. affordable houses, in order to ensure compliance with the Council's current affordable housing requirements.

Healthcare and infrastructure contributions

10.52 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.

- 10.53 Requests for financial contributions totalling £15,936.10 have been received from NHS Cambridgeshire and Peterborough Integrated Care System (£12,036.10) and East of England Ambulance Service (£3,900). These contributions would be covered by the £2,000 per plot infrastructure payment which is specified within the Heads of Terms accompanying this planning application and accords with the Council's Local Plan & CIL Viability Assessment (2019) and Viability Note (2022). No education contributions have been requested from Cambridgeshire County Council. The proposed development would therefore appropriate mitigate the infrastructure impacts arising from the proposed development.
- 10.54 In summary, it is concluded that the above infrastructure requirements are 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.

Biodiversity Net Gain (BNG)

- 10.55 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.
- 10.56 Representations have been received from local residents during the course of the application stating that trees have been felled within the site prior to the submission of this planning application and that the BNG baseline on-site habitat value originally specified within the application was incorrect, as it did not account for the trees felled since 30th January 2020. However, the Local Planning Authority raised this issue with the applicants' agent during the course of the application and revised BNG information has since been received which includes a higher baseline on-site habitat value taking account of all relevant trees which have been felled on the site since 30th January 2020.
- 10.57 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

11 CONCLUSIONS

- 11.1 The proposed development would provide the benefits of 14No. dwellings, including an acceptable housing mix and a financial contribution in lieu of 3No. affordable houses, located within a sustainable location within a market town. The proposed development would boost the supply and mix of housing within the district and provide benefits to the local economy. This carries positive weight.
- 11.2 The proposed development would also be required to achieve Biodiversity Net Gain. In addition, the application is accompanied by a Heads of Terms agreeing to pay a £2,000 per plot infrastructure contribution, which would cover the financial contributions requested by the NHS Cambridgeshire and Peterborough Integrated Care System and the NHS East of England Ambulance Service to mitigate the healthcare impacts of the proposed development. It is considered

that these are required to make the development acceptable in planning terms and therefore carry neutral weight in the overall planning balance.

11.3 However, for the reasons set out within this report, the proposed development:

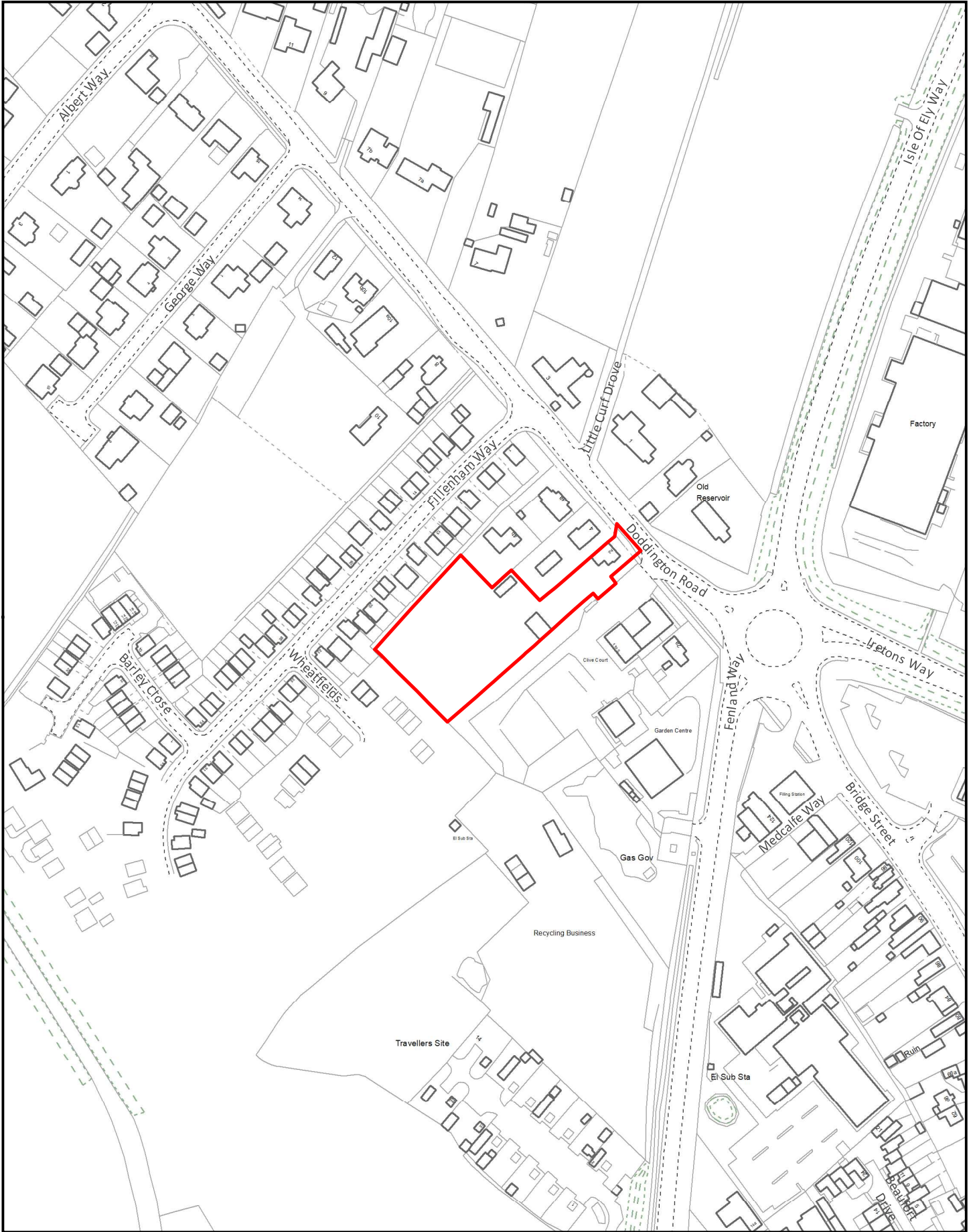
- fails to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment and reinforce local identity, contrary to policy LP16 of the Fenland Local Plan 2014.
- results in significant harm to the residential amenity of one existing neighbouring property and it would provide a poor standard of residential amenity to future occupiers of three of the proposed dwellings, contrary to policies LP2 and LP16 of the Fenland Local Plan 2014.

11.3 On balance, it is considered that the identified benefits of the scheme do not outweigh the harm and conflicts with the development plan. The application is therefore recommended for refusal.

12 RECOMMENDATION

12.1 **REFUSE**; for the following reasons:

1.	Due to its prominent position and visibility, its substantial massing of a predominantly blank brick wall elevation with no fenestration features or visual interest, the north elevation of the proposed dwelling of Plot 1 results in a poor standard of design and public realm within the development; failing to 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 and reinforce local identity, contrary to policy LP16 of the Fenland Local Plan 2014.
2.	Due to the proposed dwellings of plots 13 and 14 resulting in significant overlooking impacts and loss of privacy to the private outdoor amenity space serving No.4B Doddington Road; the private outdoor amenity spaces of plots 2 and 9 significantly overlooking other dwellings within the proposed development; and the siting of the proposed parking spaces for Plot 3 resulting in a poor standard of outlook and amenity for occupiers of Plot 4, the proposed development would result in significant harm to the residential amenity of one existing neighbouring property and would provide a poor standard of residential amenity to future occupiers of three of the proposed dwellings, contrary to policies LP2 and LP16 of the Fenland Local Plan 2014 and paragraph 135 of the National Planning Policy Framework.



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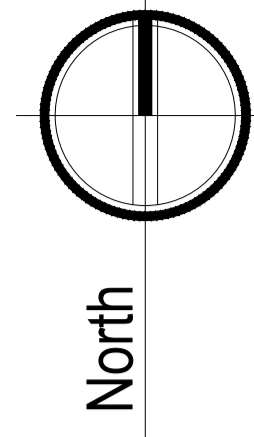


Plot Schedule

- Plot 1 - 3 Bedroom Detached House
- Plot 2 - 3 Bedroom Detached house
- Plot 3 - 3 Bedroom Semi-Detached House
- Plot 4 - 3 Bedroom Semi-Detached House
- Plot 5 - 3 Bedroom Semi-Detached House
- Plot 6 - 3 Bedroom Semi-Detached House
- Plot 7 - 2 Bedroom Semi-Detached House
- Plot 8 - 2 Bedroom Semi-Detached House
- Plot 9 - 3 Bedroom Semi-Detached House
- Plot 10 - 3 Bedroom Semi-Detached House
- Plot 11 - 3 Bedroom Semi-Detached House
- Plot 12 - 3 Bedroom Semi-Detached House
- Plot 13 - 2 Bedroom Semi-Detached House
- Plot 14 - 2 Bedroom Semi-Detached House

Existing development by Persimmon Homes at Fillenham Way

Existing development by Persimmon Homes at Fillenham Way



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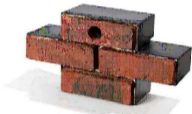


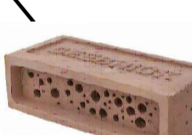
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2.4m x 40m visibility splays to entrance with Doddington Road

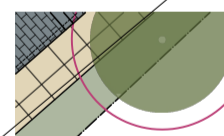

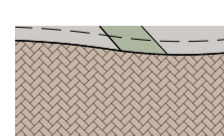



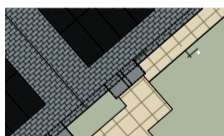

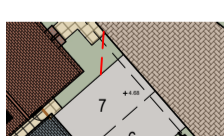

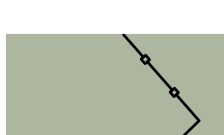


Ecology Enhancements

(To be read in conjunction with Samsara Ecology PEA)

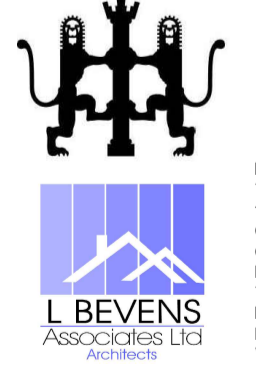
-  Bird box to be situated on west facing elevation on 4 No. houses. (Bird)
-  Bat box to be situated on south or east facing elevation on 4 No. houses. (BAT)
-  Hedgehog Home located in rear gardens on 4 No. houses together with 130mm x 130mm holes in rear fences. (HH)
-  Bee bricks to be integrated into rear wall of proposed garages (Bee)

DESCRIPTION KEY

-  Root Protection Zones
-  Existing trees to be retained
-  Shared Surface to be block paving Charcon 'Europa' or equal and approved. Colour to be Burnt Oker.
-  Existing buildings to be removed shown dotted for clarity
-  1.8m high timber close boarded fence
-  2m x 2m pedestrian visibility splays
-  Concrete paving to footpaths and patio areas
-  1.8m close boarded fencing and personnel gate
-  Tarmac surface to driveways
-  Indicative tree planting
-  1.1m high Estate railing

Rev B May 24 Amendments to road, indicative landscaping and fencing details added.

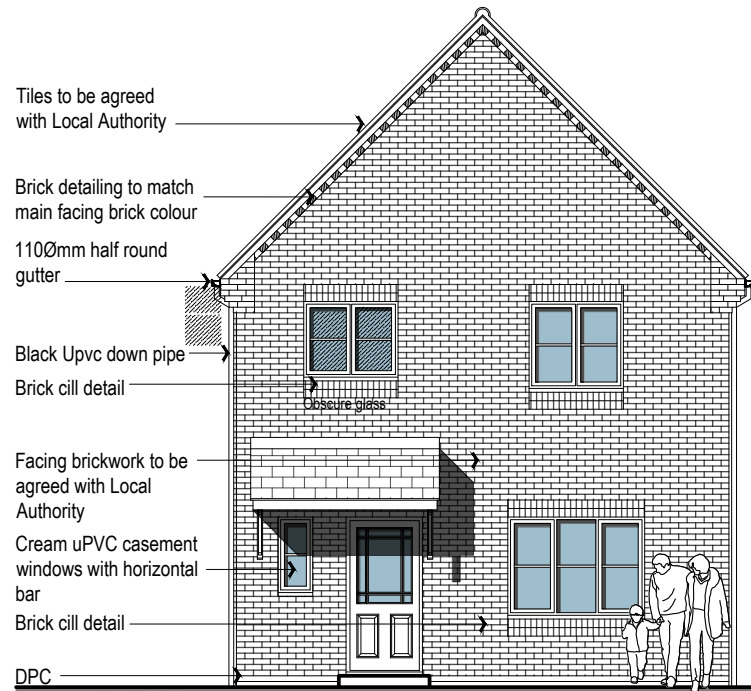
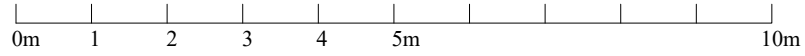
Rev A May 24 Plots 1 & 2 revised to suit root protection areas and plots 3-6 position amended.



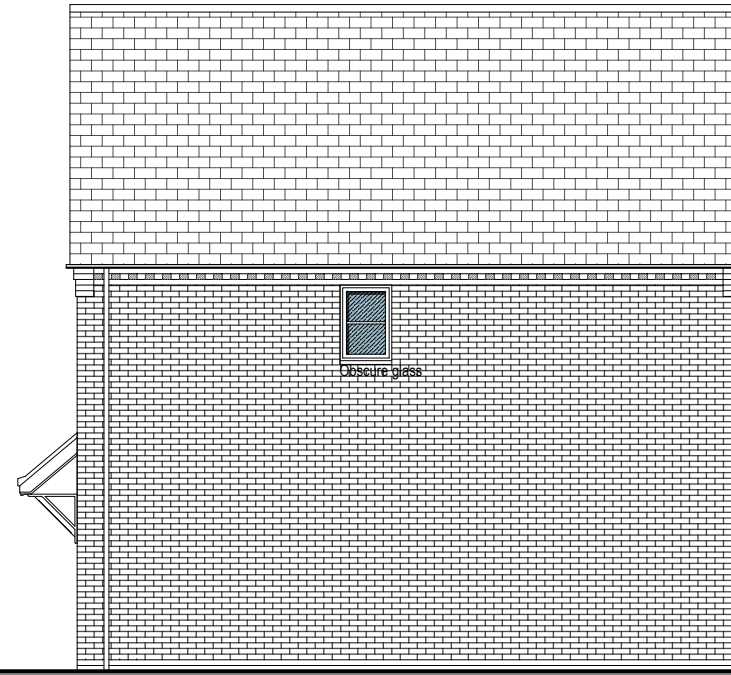
L Bevens Associates Architects Ltd
 The Doghouse
 10 Cricketers Way
 Chatteris
 Cambridgeshire
 PE16 6UR
 Tel: 01354 693969
 Mob: 07739 562818
 Email: enquiries@bevens-associatesltd.co.uk
 Web: www.bevens-associatesltd.co.uk

DRAWING STATUS	PRELIMINARY	PLANNING	CONSTRUCTION	FILE COPY
CLIENT	Howard Renovations Ltd			
PROJECT	Land at 2 Doddington Road, Chatteris, Cambridgeshire.			
DRAWING TITLE	Proposed Planning Layout			
SCALE	DATE	DRAWN	CHECKED	
1:200 @ A1	April 2024	LB		
DRAWING NUMBER	CH23/LBA/651/FP-1-101			REVISION
				B

Scale: 1:100



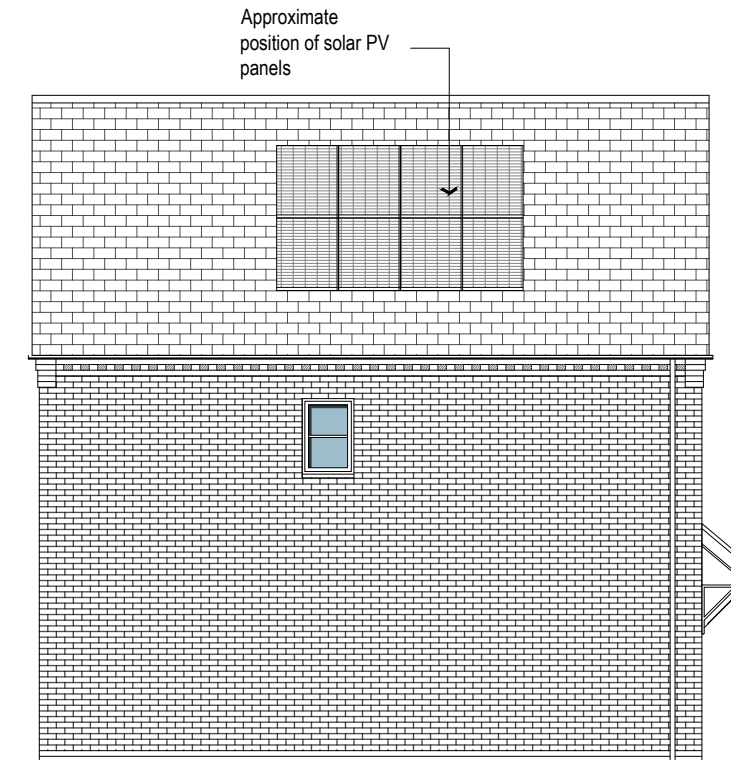
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

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Rev A May 24 En-suite window added to side elevation.



L Bevens Associates Architects Ltd
The Doghouse
10 Cricketers Way
Chatteris
Cambridgeshire
PE16 6UR
Tel: 01354 693969
Mob: 07729 562818
Email: enquiries@lbevns-associatesltd.co.uk
Web: www.lbevns-associatesltd.co.uk

DRAWING STATUS: PRELIMINARY CONSTRUCTION
PLANNING FILE COPY

CLIENT: Howard Renovations Ltd

PROJECT: Land at 2 Doddington Road, Chatteris, Cambridgeshire.

DRAWING TITLE: Proposed Elevations
3 Bedroom Detached
Plot 1

SCALE: 1:100 @ A3 DATE: May 2024 DRAWN: LB CHECKED:

DRAWING NUMBER: CH23/LBA/651/FP-1-103 REVISION: A