
F/YR24/0626/O

**Applicant: Mr Robert Parsons
Parko Developments Ltd**

**Agent : Mr Lee Randall
Ranwood Designs Ltd**

Land And Garages At Hawthorne Drive, Whittlesey, Cambridgeshire

Erect up to 2 x dwellings (outline application with matters committed in respect of access and scale)

Officer recommendation: Approval

Reason for Committee: Number of representations contrary to officer recommendation.

Government Planning Guarantee

Statutory Target Date For Determination: 13 September 2024

EOT in Place: No

EOT Expiry: 23 October 2024

Application Fee: £578

Risk Statement:

This application must be determined by the 16th of January 2025 otherwise the Council is required to refund the fee of £578.

1 EXECUTIVE SUMMARY

- 1.1 This application seeks outline planning permission with matters committed in respect of access and scale for the erection of up to 2 dwellings.
- 1.2 The location of the site is within the built-up area of Whittlesey, on brownfield land in a residential area. The proposal therefore accords with Policy LP3 regarding the principle of development.
- 1.3 The application is considered to be acceptable in terms of access and scale. This is because the proposed dwellings are served off individual accesses and are single storey in scale.
- 1.4 This application is recommended for approval.

2 SITE DESCRIPTION

- 2.1 The proposal site is within the built-up area of Whittlesey and is a predominately hard surfaced area on which residential garages were previously sited. This area has access points off Hawthorn Drive at the south-western corner, and Sycamore

Road to the north. These access points are secured by metal gates. The site is bordered by timber fencing, beyond which are residential dwellings in all directions. The entirety of the site and surrounding area is located in Environment Agency Flood Zone 1.

3 PROPOSAL

- 3.1 This application seeks outline planning permission with matters committed in respect of access and scale at Hawthorne Drive, Whittlesey, Cambridgeshire. The initial outline proposal was for four dwellings but this has been amended to two.
- 3.2 The indicative plans show Plot 1 to the north of the site, accessed from Sycamore Road and Plot 2 to the south of the site, accessed from Hawthorne Drive. These proposed access locations and route are a committed matter on this outline application.
- 3.3 Scale is also a committed matter, and both proposed plots are single-storey bungalows. The indicative site layout shows that Plot 1 would have a detached double garage. The proposed bungalow would contain three bedrooms, an en-suite, family bathroom, and a combined kitchen / living area.
- 3.4 The indicative site layout shows that Plot 2 would also have a detached double garage. The proposed bungalow would contain four bedrooms, an en-suite, family bathroom, utility room, and a combined kitchen / living area.
- 3.5 The application is exempt from Biodiversity Net Gain requirements as the vast majority of this brownfield site is hard surfaced.
- 3.6 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

- 4.1 None.

5 CONSULTATIONS

- 5.1 The initial scheme on this site was for four dwellings, which was then amended to two dwellings. All statutory and neighbour consultees were reconsulted on September the 10th 2024. Duplicate and similar comments have been collated within this report.
- 5.2 **Natural England – 7th August 2024 and 23rd September 2024.**

The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin.

Natural England has previously commented on this proposal and made comments to the authority in our response dated 07 August 2024, our reference number 484031 (attached).

The information we requested is still needed by Natural England to determine the significance of impacts on designated sites. Without this information Natural England may need to object to the proposal.

Please note we are not seeking further information on other aspects of the natural environment, although we may make comments on other issues in our final response.

Please re-consult Natural England once this information has been obtained. On receipt of the information requested, we will aim to provide a full response within 21 days of receipt.

5.3 Environmental Health – 8th August 2024 and 13th September 2024

The Environmental Health Team note and accept the information submitted in respect of the above re-consultation and have 'No Objections' to the latest content.

Previous comments provided on 08.08.24 are therefore still relevant.

These comments are detailed below:

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality.

Due to the former use and potential for contaminants to exist, a Phase 1 contaminated land risk assessment shall be required before any development is undertaken. This is to determine to what extent contaminants may exist, and if confirmed, what remedial action will then be necessary to ensure the protection for end users both inside the structure and for any proposed external amenity areas such as those put to garden use which could include growing of fruit and/or vegetables for human consumption.

I would therefore recommend the full contaminated land condition as shown below for ease of reference is imposed to ensure the application site is suitable for the intended development and in the interests of human health and the environment:

No development approved by this permission shall be commenced prior to an investigative contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process, and the results of each stage will help decide if the following stage is necessary.

(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.

(b) 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 ensure that the development complies with approved details in the interests of the protection of human health and the environment.

To protect the amenity of existing nearby residents, it is also recommended that a working times restriction condition is imposed in the event that planning permission is granted, with the below considered suitable:

No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 08:00 hours and 18:00 hours on Monday to Friday, 08:00 hours and 13:00 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.

REASON: To protect the amenity of the nearby occupiers.

5.4 CCC Minerals and Waste – 19th August 2024

The proposed development site lies within the consultation area (CA) for the Whittlesey Water Recycling Area (WRA) as identified under Policy 16 (Consultation Areas) of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021). Policy 16 seeks to safeguard water recycling areas (also known as sewage treatment works). It states:

“Development within a CA will only be permitted where it is demonstrated that the development will:

(c) not prejudice the existing or future use of the area (i.e. the MAA, MDA, WMA, TIA or WRA) for which the CA has been designated; and

(d) not result in unacceptable amenity issues or adverse impacts to human health for the occupiers or users of such new development, due to the ongoing or future use of the area for which the CA has been designated.*

Within a CA which surrounds a WRA, and unless convincing evidence to the contrary is provided via an odour assessment report, there is a presumption against allowing development which would:

(e) be buildings regularly occupied by people; or

(f) be land which is set aside for regular community use (such as open space facilities designed to attract recreational users, but excluding, for example, habitat creation which is not designed to attract recreational users).

**Where development is proposed within a CA which is associated with a WRA, the application must be accompanied by a satisfactory odour assessment report. The assessment must consider existing odour emissions of the WRC at different times of the year and in a range of different weather conditions.”*

The purpose of Policy 16 is to safeguard designated mineral and waste sites from development which would prejudice the operation of the designated site and to protect development that would be adversely affected by the mineral or waste operations, for example residential development subsequently suffering amenity issues.

The application is for an infill development which would be approximately 350 metres from the WRA. In the area there are several properties located at a similar or closer distance to the WRA.

*It is considered unlikely that the proposed development would be more adversely affected by the operation of the WRA than the existing properties. **Subject to no objection being received from Anglian Water, the MWPA has no objection to this proposal.***

For reference, a full copy of Policy 16 can be found at the end of this letter. For reference, the Cambridgeshire and Peterborough Minerals and Waste Local Plan can be found on our website at:

https://www.cambridgeshire.gov.uk/business/planning-and_development/planning-policy/adopted-minerals-and-waste-plan.

5.5 **Whittlesey Town Council – 29th August 2024 and 1st October 2024**

The Town Council have no objection and therefore recommend approval.

5.6 **Lead Local Flood Authority – 13th September 2024 (Previously objected prior to the amendment of the scheme from four to two dwellings) These comments were again submitted on 1st October 2024.**

*At present we **continue to highlight the following point for your consideration:***

1. No Surface Water Drainage Strategy

Smaller developments can still have a significant effect on local flood risk, particularly when the risks are not properly considered. For example, an extension to an existing property may look to build over existing surface water drainage infrastructure, which must be avoided wherever possible. The following section outlines considerations for drainage and flood risk associated with minor developments:

- i. Existing and proposed impermeable area*
- ii. A description of ground conditions*
- iii. Existing site drainage arrangements*
- iv. Proposed method of surface water disposal*
- v. Existing and proposed runoff rates (if discharging off-site)*
- vi. Required volume of attenuation (m³ per m² of impermeable area)*
- vii. Preliminary SuDS proposals*
- viii. Infiltration test results in accordance with BRE365 (or second viable option for surface water disposal if testing has not yet been undertaken)*

In order to assist developers with the preparation of surface water strategies Cambridgeshire County Council has prepared a guidance document which is available to view [here](#).

As a flood risk assessment/surface water strategy containing the above information has not been submitted there is insufficient information in order for us to determine the impacts of the proposal.

Informatives

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Construction Surface Water Maintenance

Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all

pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

5.7 Highways – 23rd September 2024

Recommendation

On behalf of the Local Highway Authority, I raise no objections to the proposed development.

Comments: The development now proposes a single dwelling accessed from both Hawthorne Drive and Sycamore Road respectively. The site accesses are both existing and formed of a bound material. The number of motor vehicle movements generated by a single dwelling are low enough that they are very unlikely to have a significant impact on highway safety, this is supported by studies encapsulated with Manual for Streets. The proposal may impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Local Planning Authority may wish to consider when assessing this application.

5.8 Local Residents/Interested Parties

Objectors

Communications of objection from 9 different addresses have been received in total. On the initial plans for four dwellings on site 5 objections were received from Debdale Court, Whittlesey, and 2 from Hawthorne Drive, Whittlesey. On the amended plans for two bungalows on site, four objections from Debdale Court were received.

The objectors make comment on the following grounds:

- Access to back of properties removed as access gates have been erected.
- Access removed without notification 1 or 2 years ago.
- No provision of walkway for rear access.
- Fire safety implications from lack of rear access.
- Overlooking
- Overshadowing
- Noise and disturbance during construction
- Noise and disturbance post construction
- Additional vehicles
- Accesses not wide enough for delivery of construction materials.
- The land should be a public urban garden.
- Impact on children with asthma.
- Impact on mental health.
- Impact on child with sensory needs.
- Impact on dogs from noise.

- Who would be responsible for the upkeep of boundary fences?
- Not all immediate neighbours consulted.
- No site notice erected at any time.

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), the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the Whittlesey Neighbourhood Plan (2023)

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Chapter 5 – Delivering a sufficient supply of homes

Chapter 12 – Achieving well-designed and beautiful places

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

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Built Form

Homes and Buildings

7.4 Fenland Local Plan 2014

LP4 – Housing

LP5 – Meeting Housing Need

LP11 – Whittlesey

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

7.5 Whittlesey Neighbourhood Plan 2021-2040

Policy 2 – Local Housing Need

Policy 7 – Design Quality

Policy 11 – Adapting to and Mitigating Climate Change

7.6 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

Policy 10 - Waste Management Areas (WMAs)

Policy 14 - Waste management needs arising from residential and commercial Development

Policy 16 - Consultation Areas (CAS)

7.7 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
- LP7: Design
- LP8: Amenity Provision
- LP12: Meeting Housing Needs
- LP22: Parking Provision
- LP25: Biodiversity Net Gain
- LP28: Landscape
- LP32: Flood and Water Management
- LP42: Whittlesey - A Market Town fit for the Future
- LP43: Residential site allocations in Whittlesey

8 KEY ISSUES

- **Principle of Development**
- **Layout and Design**
- **Impact on Residential Amenity**
- **Highway Safety and Parking**
- **Flooding Considerations / Drainage**
- **Outstanding matters from representation**

9 BACKGROUND

- 9.1 The initial submitted design proposed 4 dwellings. One single storey detached dwelling, two semi-detached dwellings, and one dwelling above a shared garage block. Whilst elevations and floor plans are to be determined at the reserved matters stage, it was considered that the design constituted overdevelopment of the site, with two storey dwellings of a scale that generated character and amenity concerns. The amended design now proposes two single-storey dwellings, each with a dedicated vehicular access.

10 ASSESSMENT

Principle of Development and Sustainability

- 10.1 The Fenland Local Plan sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.
- 10.2 The site is previously developed and located within the settlement of Whittlesey. Whittlesey is identified within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as being an Other Market Town. For these settlements the Policy states that *“The majority of the district’s new housing, employment growth, retail growth and wider service provision should take place in these settlements.”*

- 10.3 The principle of development is therefore considered acceptable, subject to the policy considerations set out below.

Layout and Design

- 10.4 This is an application for outline planning permission with some matters reserved. Matters for which approval is sought at this stage of the application process are access and scale.
- 10.5 The site is surrounded by residential development with the majority of the dwellings being two storeys in scale, save for bungalows at 6, 8, 10 and 12 Sycamore Road to the east of the northern access serving Plot 1. It is therefore considered that the proposed bungalows would not conflict with the prevailing form of development in the area. Additionally, by virtue of the location to the rear of existing two storey dwellings, bungalows in this location would not be considered to adversely impact the wider character of the surrounding area.
- 10.6 The amended design now proposes two single-storey dwellings, each with a dedicated vehicular access. The scale is considered to be appropriate for the site, and being single storey in design, minimises character impact on the site and surrounding area.
- 10.7 The principle of development on this site is sound, however, any design that is brought forward must be broadly in keeping with the built character of the surrounding area.
- 10.8 Any application at the reserved matters stage must bring forward a proposal where the design and nature of the development the proposal would not cause an adverse impact to the character or appearance of the area, and therefore be in accordance with Policies LP1 and LP16 of the Fenland Local Plan and Section 12 of the National Planning Policy Framework (December 2023) and the Whittlesey Neighbourhood Plan.

Impact on Residential Amenity/Land Users

- 10.9 Policy LP16 of the Fenland Local Plan (2014) sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.
- 10.10 This application seeks outline planning permission for up to 2 dwellings. Therefore, any assessment of amenity impact at the outline stage must be made based on two dwellings being provided.
- 10.11 It is considered that whilst the plot shapes are different to regular plots it does afford a plot size that is comparable to other properties in the vicinity of the site. There is an acceptable level of amenity space for both plots shown on the indicative plans. With both plots having other a third of the plot devoted to private garden space. This accordance with the requirements of criterion h of Policy LP16 regarding private amenity space.
- 10.12 Any fenestration within a final design must seek to not introduce a new overlooking impact to adjacent properties. The indicative design shows fenestration sited solely at ground floor level. The site is surrounded by fencing that is a minimum of 1.8 metres in height, and being located in Environment

Agency Flood Zone 1 there is not a requirement to raise finished floor levels to address potential flood risk. There is not considered to be an overlooking impact based on the indicative plans.

- 10.13 Similarly, given the single storey nature of the proposal it is not considered that any undue overshadowing or restriction of light to neighbouring properties would arise.
- 10.14 In terms of the overlooking of the development site from surrounding properties it is considered that the existing properties are located sufficiently far away from the boundaries of the site, or are of a single storey nature, which would be unlikely to result in substandard amenity for any future residents.
- 10.15 Several of the representations received have raised concerns regarding the impacts during the development process. These are short terms issues which would be given limited weight. The scale of the development is not considered to justify any additional controls through the planning process, as may be reasonable on larger scale developments, and any impacts such as noise or dust could be addressed through environmental protection measures.
- 10.16 Concerns have been raised regarding the impacts arising from the future use of the site for residential purposes and the effect of these on neighbouring residents. However, there is no evidence to suggest how residential use of the site within a wider residential environment would cause such harm.
- 10.17 Consequently, it is considered that the principle of developing the site for two dwellings is unlikely to result in any adverse amenity impacts for future or existing residents and that the development accords with Policy LP16 of the Local Plan.

Highway Safety and Parking

- 10.18 Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".
- 10.19 In respect of highway matters, Policy LP15 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy LP15 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.
- 10.20 Furthermore, Policy LP15, to be read in conjunction with Appendix A of the Fenland Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.
- 10.21 The Highways Officer has no objection to the submitted plans and states: *The development now proposes a single dwelling accessed from both Hawthorne Drive and Sycamore Road respectively. The site accesses are both existing and*

formed of a bound material. The number of motor vehicle movements generated by a single dwelling are low enough that they are very unlikely to have a significant impact on highway safety, this is supported by studies encapsulated with Manual for Streets. The proposal may impose additional parking demands upon the on-street parking on the surrounding streets and, whilst this is unlikely to result in any significant adverse impact upon highway safety, there is potentially an impact upon residential amenity which the Local Planning Authority may wish to consider when assessing this application.

- 10.22 Whilst the layout at this stage is indicative, Plot 1 can afford 5 off road parking spaces, and allow vehicles to exit the site in a forward gear. Plot 2 can afford 5 off road parking spaces and allow vehicles to exit the site in a forward gear. This level of provision accords with Appendix A of the Fenland Local Plan and exceeds the majority of off-road parking provision for existing dwellings in the vicinity of the site.
- 10.23 The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies LP2 and LP15, as well as Section 9 of the National Planning Policy Framework (December 2023).

Flooding Considerations / Drainage

- 10.24 The proposal is in an area of low flood risk in a built-up settlement. Therefore, there is not a requirement to undertake a sequential test. Because the site is in Flood Zone 1, there is not a requirement to submit a Flood Risk Assessment or raise finished floor levels. Additionally, because a large amount of hard surfacing is to be removed, this should aid natural drainage on site. The LLFA has requested a surface water drainage strategy. This is considered to be a matter that can be addressed via a condition to be assessed at the reserved matters stage of the development process. This outline is solely for outline planning permission with matters committed in terms of access and scale. Therefore, it is considered that no matters committed at this stage of the application would adversely impact the ability of the applicant to submit a surface water drainage strategy with a reserved matters application.
- 10.25 Overall, when considering the development, it is considered that the proposal accords with Policy LP14 of the Fenland Local Plan and the intentions of the National Planning Policy Framework (December 2023) in this regard.

Biodiversity and Biodiversity Net Gain (BNG)

- 10.26 Given the former garage use of the site and its location within a relatively high urban area, it is unlikely that the development would result in any loss to protected species or habitats.
- 10.27 Comments from Natural England are noted. Their concerns centre around the impact of the development on existing areas of importance e.g., Nene Washes SSSI, SAC, SPA and Ramsar sites, mainly through increased visitor numbers to these areas which may negatively impact on their quality. In this regard, it must first be noted that the development would result in 2 relatively modest properties which would therefore likely yield low occupant numbers that may then close to visit those areas. Furthermore, it is noted that Natural England raised no objections when consulted on two larger-scale development proposals at the

edge of Whittlesey (F/YR23/0245/O and F/YR23/0705/O) which cumulatively totalled up to 424 dwellings, concluding on one scheme of up to 175 dwellings that it would not have significant adverse impacts on designated sites.

- 10.28 With the above in mind therefore, it is considered that it would be disproportionate to require any further evidence of impacts through this latest proposal for 2 dwellings.

Biodiversity Net Gain

- 10.29 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.
- 10.30 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the pre-development biodiversity value is too low to require statutory net gain.

Outstanding matters from representation

- 10.31 Several residents have raised issues regarding the loss of access to the rear of their properties and also the safety implications of this. This is largely a private matter for those residents to pursue separately. In terms of safety, it is not considered that having no rear access to these dwellings would be different to the situation experienced by a large number of dwellings.
- 10.32 Alternative uses for the site have also been put forward, however the application must be determined as submitted and assessed on its merits in planning terms.
- 10.33 Concerns have also been raised regarding the lack of notification of the application. However all statutorily required notifications have been carried out, including the erection of a site notice.

11 CONCLUSIONS

- 11.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 11.2 The application site is brownfield within an established residential area in a Market town. Access and scale are considered to be acceptable, and there are no matters brought forward to suggest that amenity and design cannot be satisfactorily addressed at reserved matters stage.
- 11.3 Any future design would need to ensure that it does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the Fenland Local Plan and

the provisions of the National Planning Policy Framework when viewed as a whole.

- 11.4 Taking into consideration these factors, the proposal is considered to comply with Policies LP1, LP2, LP3, LP4, LP5, LP11, LP14 and LP16 of the Fenland Local Plan (2014); Policies 1, 2 and 7 in the Whittlesey Neighbourhood Plan, in addition to the Sections 5, 12 and 14 contained within the National Planning Policy Framework (NPPF) (December 2023).

12 RECOMMENDATION

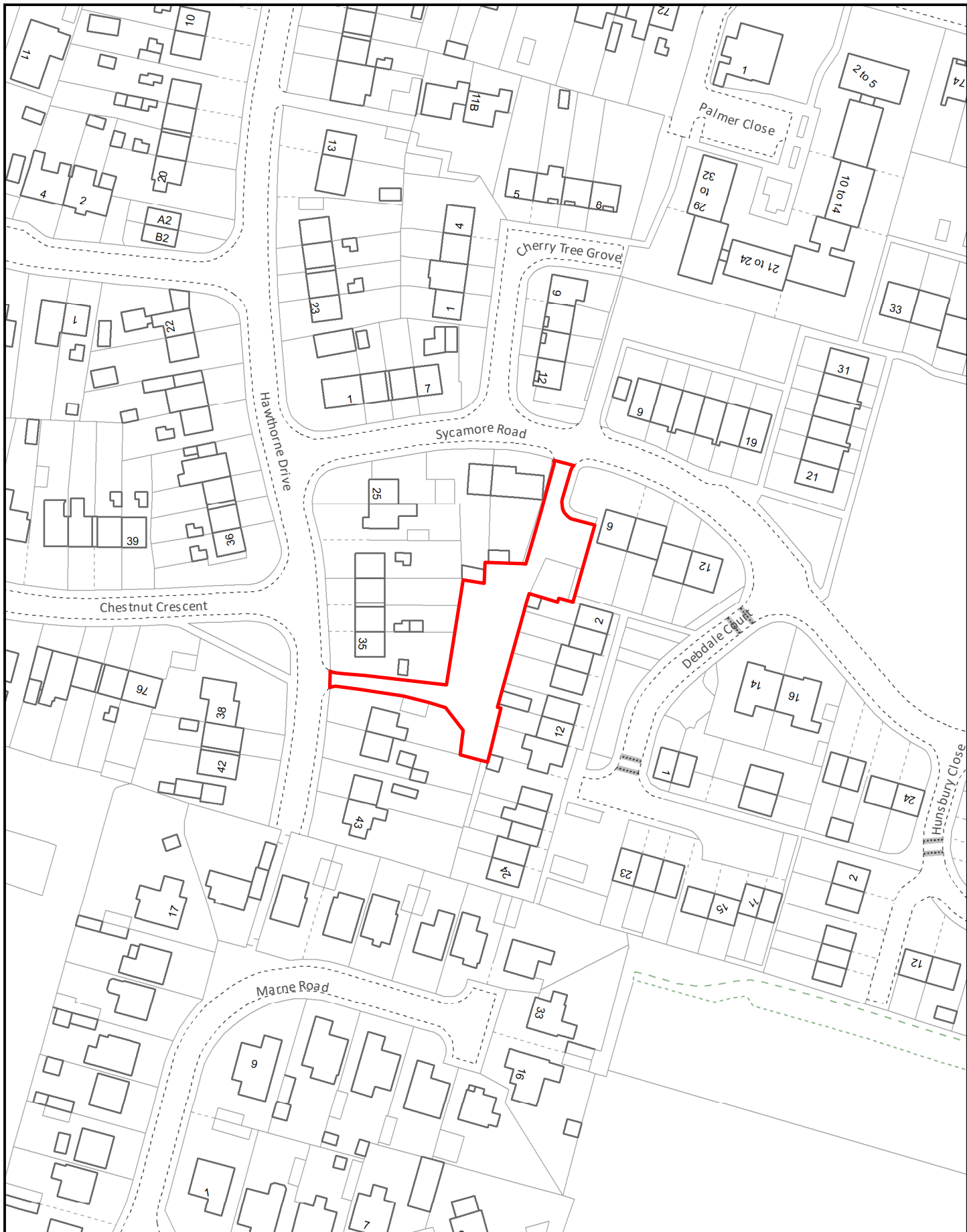
- 12.1 **Grant;** subject to the following conditions:

1	<p><i>Reserved Matters</i></p> <p>(i) the layout of the site (ii) the external appearance of the buildings; (iii) the landscaping</p> <p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason: To enable the Local Planning to control the details of the development hereby permitted and to ensure the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.</p>
2	<p><i>Reserved Matters timing</i></p> <p>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.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p><i>Commencement</i></p> <p>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.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p><i>Quantum</i></p> <p>The residential elements of the development shall not exceed 2no. single-storey dwellings (Use Class C3).</p> <p>Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5	<p><i>Vehicular Access to Proposed Dwellings</i></p> <p>Each dwelling hereby permitted shall only be served by its own vehicular access as shown on the approved plans.</p> <p>Reason: In the interests of highway safety and residential amenity in</p>

	accordance with policy LP15 of the Fenland Local Plan 2014 and Policy 7 of the Whittlesey Neighbourhood Plan 2021-2040.
6	<p><i>Surface Water Drainage</i></p> <p>The details required by condition 1 above, shall include details of the surface water drainage strategy to serve the development. The scheme shall 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.</p> <p>Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with the National Planning Policy Framework, Policy LP14 of the Fenland Local Plan, 2014 and policy 10 of the Whittlesey Neighbourhood Plan 2021-2040.</p>
7	<p><i>Contaminated Land</i></p> <p>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), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is 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 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. 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.</p> <p>(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully</p>

	<p>assessed and an appropriate remediation scheme agreed with the LPA.</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 Policy LP17 of the Fenland Local Plan, 2014.</p>
8	<p><i>Existing and Proposed Site Levels</i></p> <p>The details required by condition 1 above shall include full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed and retained in accordance with the details so approved.</p> <p>Reason: To reduce the risk of flooding of the development and in the interests of visual amenity in accordance with Policies LP14 and LP16 of the Fenland Local Plan, 2014, Policy 7 of the Whittlesey Neighbourhood Plan 2021-2040, and Chapters 12 and 14 of the National Planning Policy Framework.</p>
9	<p><i>Landscaping</i></p> <p>The approved landscaping required under Condition 1 shall be carried out and completed in its entirety during the first planting season following practical completion of the development. 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.</p> <p>Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is, in accordance with Policies LP14 and LP19 of the Fenland Local Plan, 2014 and Policy 7 of the Whittlesey Neighbourhood Plan 2021-2040.</p>
10	<p><i>Refuse Collection</i></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 approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p>

	<p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan, 2014 and Policy 14 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan, 2021.</p>
11	<p><i>Removal of Permitted Development Rights – Access Gates</i> Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking, amending or re-enacting that order), no gates or other means of enclosure shall be erected across the vehicular accesses unless approved in writing by the Highway Authority.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014 and Policy 7 of the Whittlesey Neighbourhood Plan 2021-2040.</p>
12	<p><i>Lighting</i> The details required by condition 1 above shall include, a scheme for the provision of external lighting. Such a scheme shall include the access road and parking areas lit by columns to BS5489:1 2020 and security lights to dwellings dusk to dawn LED bulkhead lights. The approved details shall be implemented prior to the occupation of the dwelling to which they relate and be retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014 and Policy 7 of the Whittlesey Neighbourhood Plan 2021-2040.</p>
13	<p><i>Approved Plans</i> The development hereby permitted shall be carried out in accordance with the following approved plans and documents;</p>



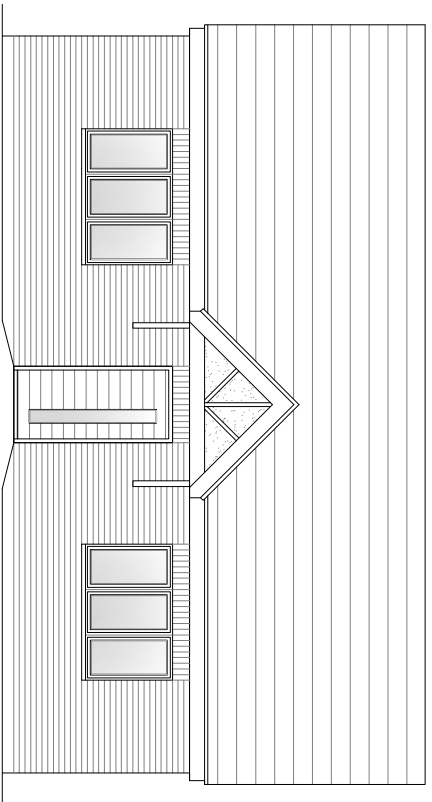
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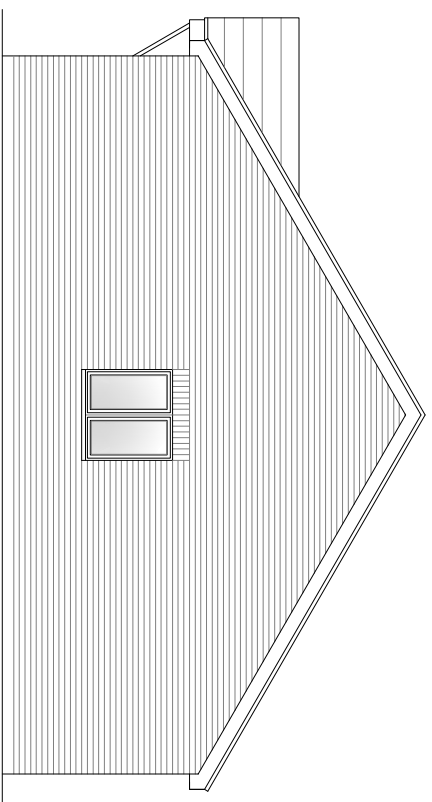
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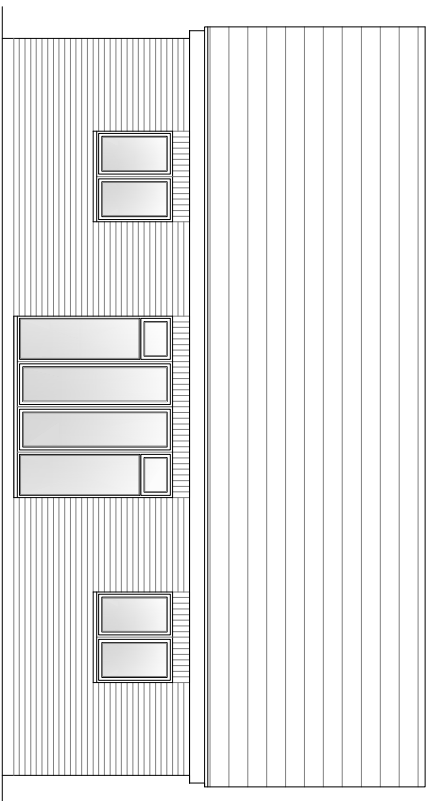




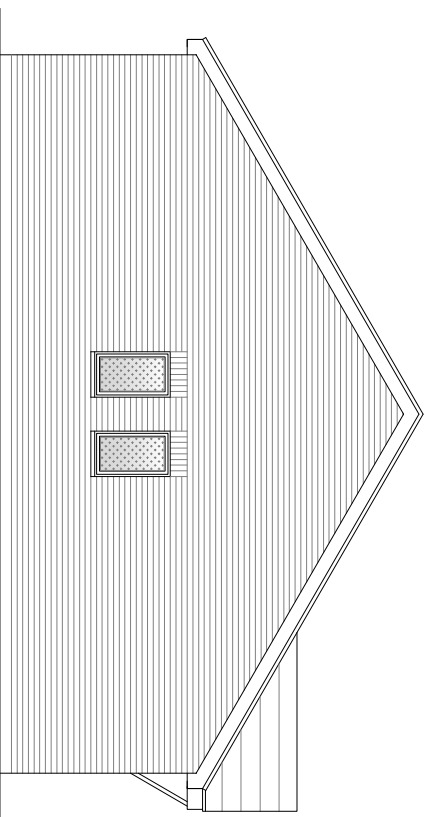
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Plot 1



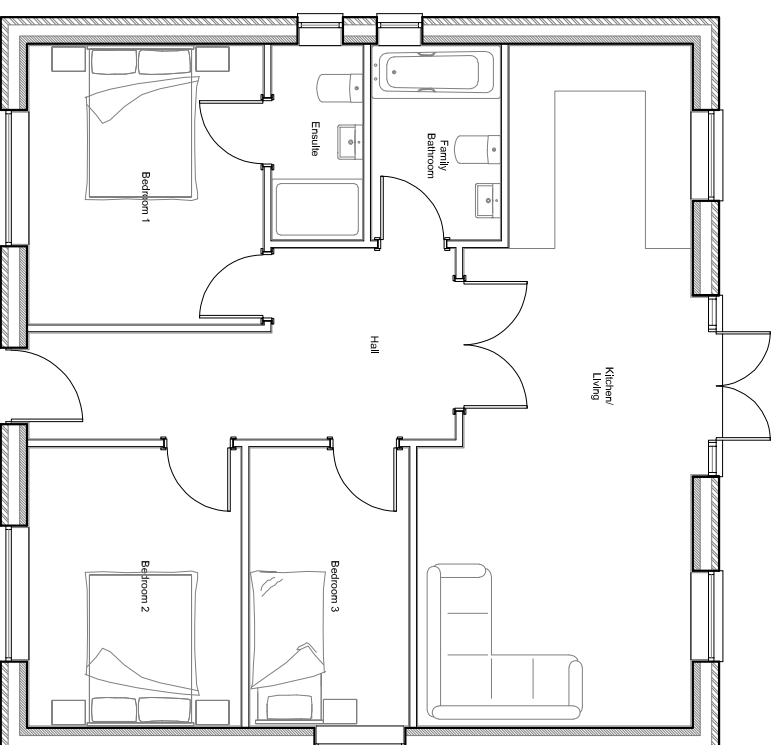
Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation



Proposed Floor Plan
Plot 1

Gross Internal Areas:
Plot 1 79.64sqm

LMR
architectural and development
designs
15 Duncan Close
Moulton Park
Northampton
NN3 6WL
T: 01604 492100
M: 07904 333447
E: info@lmrdesigns.co.uk
W: www.lmrdesigns.co.uk

client
Parko Developments

site
**Land off Sycamore Road
Whittlesey**

drawing title
**Proposed HouseTypes
Plot 1**

drafted by:
LV

checked
LMR

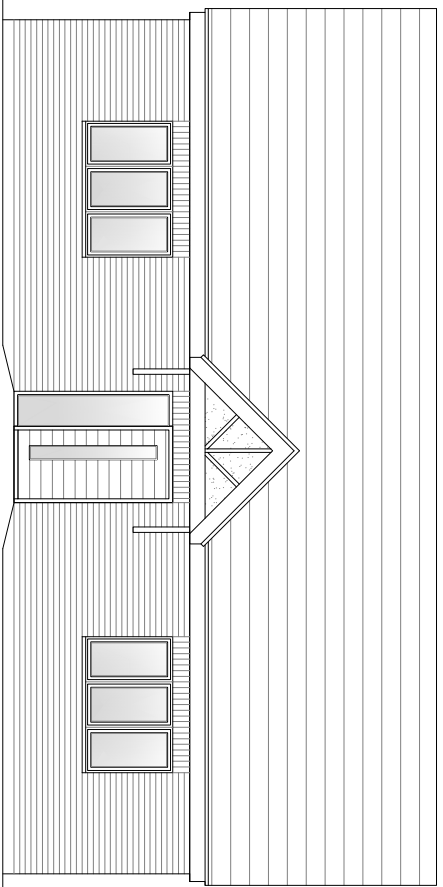
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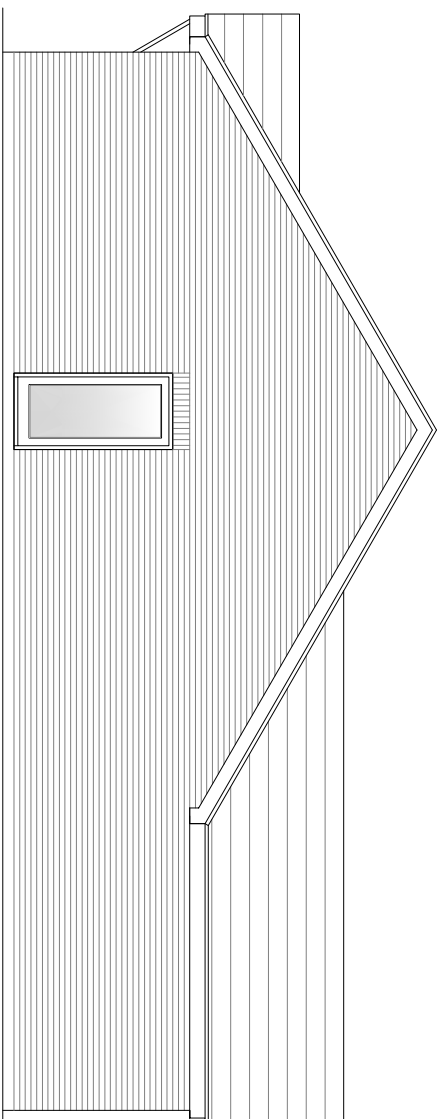
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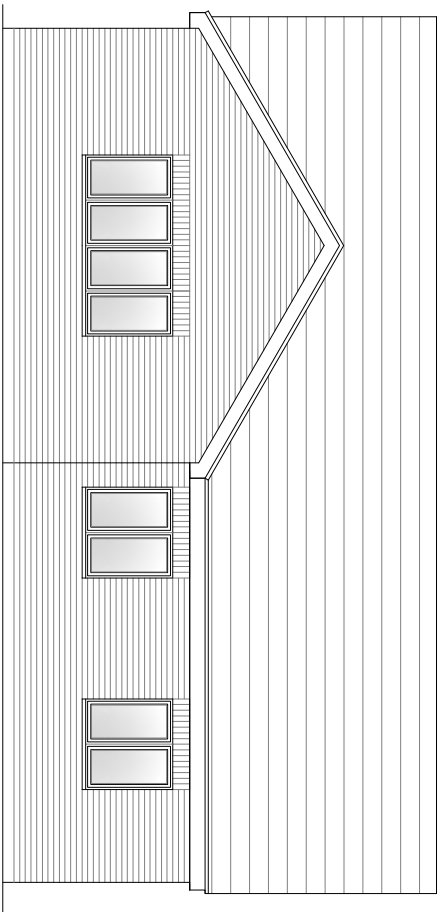
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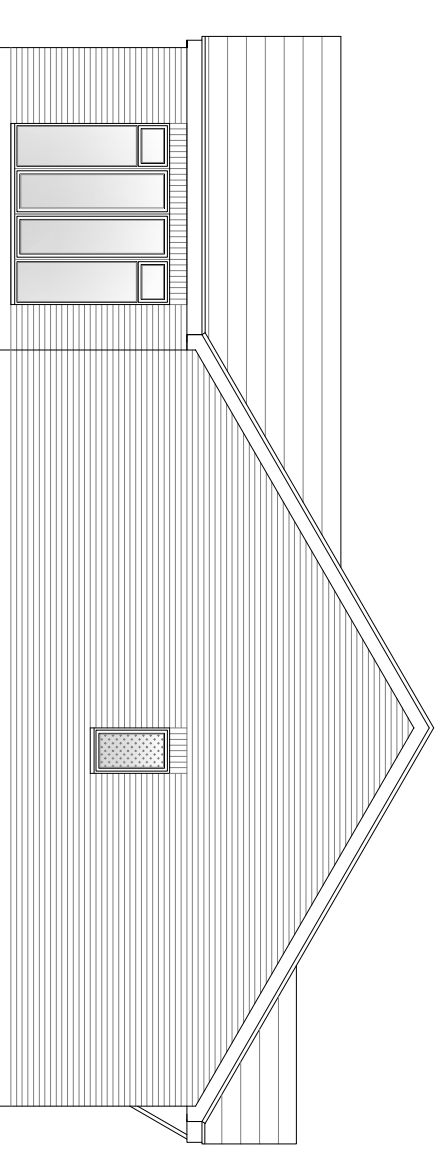
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Plot 2



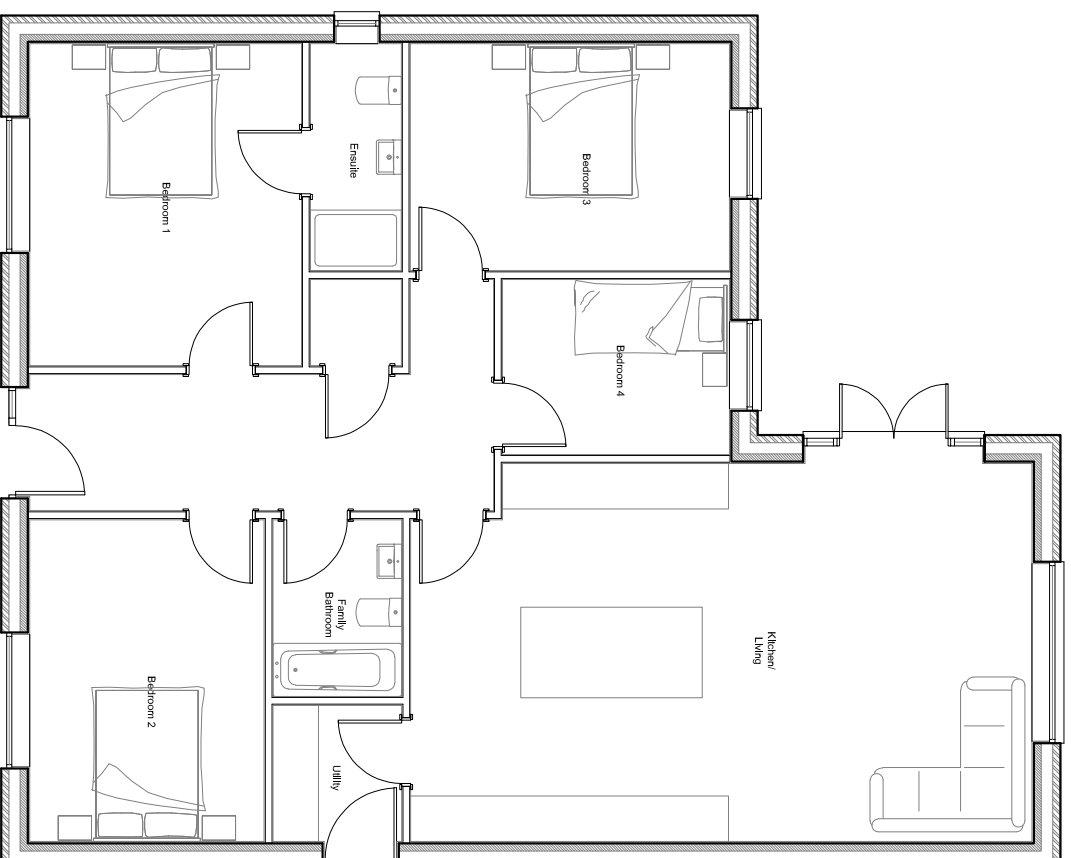
Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation



Gross Internal Area:
Plot 2 | 118.78sqm

LMR
designs

architectural and development

T: 01604 492100
M: 07904 333447
E: info@lmrdesigns.co.uk
W: www.lmrdesigns.co.uk

15 Duncan Close
Moulton Park
Northampton
NN3 6WL

client
Parko Developments

site
**Land off Sycamore Road
Whittlesey**

drawing title
**Proposed HouseTypes
Plot 2**

drafted by:
LV

checked
LMR

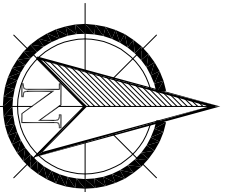
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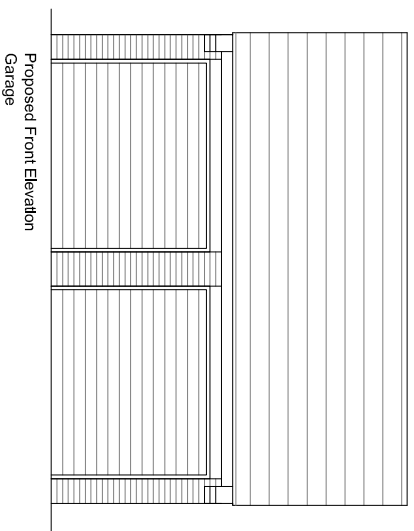
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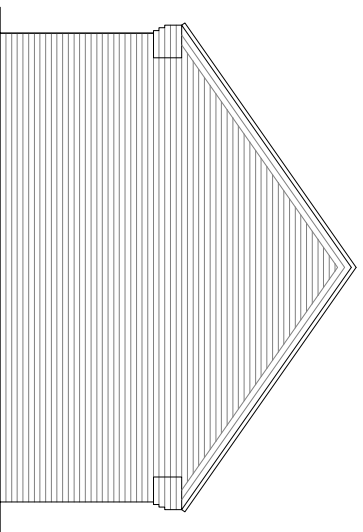
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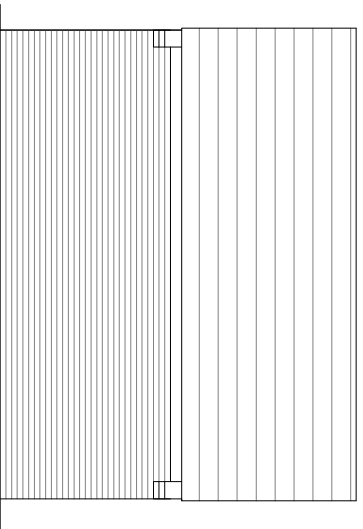
architectural and development	
15 Durcan Close Moulton Park Northampton NN3 6WL	
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site	Land off Sycamore Road Whittlesey
drawing title	Proposed Block Plan
drafted by:	checked
LW	LMR
scale	date
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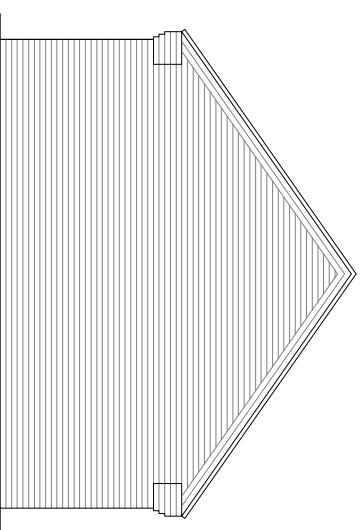
Proposed Front Elevation
Garage



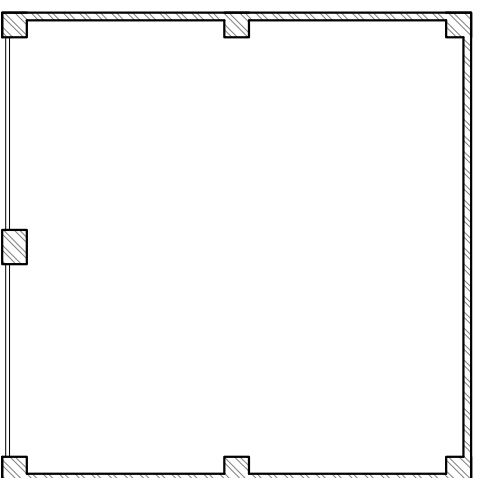
Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation



Proposed Garage Floor Plan

LMR designs
architectural and development

T: 01604 492100
M: 07904 333447
E: info@lmrdesigns.co.uk
W: www.lmrdesigns.co.uk

15 Duncan Close
Moulton Park
Northampton
NN3 6WL

client
Parko Developments

site
**Land off Sycamore Road
Whittlesey**

drawing title
Proposed Garage

drafted by:
LVV

checked
LMR

scale
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date
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drawing number
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revision
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