
F/YR23/0156/F

**Applicant: Mr Richard Barnes
RJB (East) Ltd**

**Agent : Mr R Papworth
Morton & Hall Consulting Ltd**

Land South Of 6 - 20, Wype Road, Eastrea, Cambridgeshire

Erect 5 x dwellings (2 x single-storey 3-bed and 3 x single-storey 4-bed), with associated garages, parking and landscaping, involving the demolition of existing shed, and insert roof lights to north roof slope of 40 Wype Road

Officer recommendation: Grant

Reason for Committee: Number of representations and Town Council comments contrary to Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 17 April 2023

EOT in Place: Yes

EOT Expiry: 14 February 2025

Application Fee: £0

Risk Statement:

This application must be determined by 14 February 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

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| <p>1.1 The application site is currently an underutilised area of grassland located within the built up area of the settlement, surrounded by residential development, and could therefore be reasonably defined as an infill site. The scheme is for 5 dwellings which is considered of an acceptable scale for a small village, and makes effective use of this vacant site, as such the principle of development is accepted subject to all other material considerations.</p> <p>1.2 It is considered that the overall appearance of the proposal is acceptable, as it will not be unduly dominant or out of character with the surrounding existing development and will form a congruous appearance against the backdrop of the existing dwellings around the site.</p> <p>1.3 The proposed development is considered to be afforded an appropriate level of residential amenity and the scale and siting of the proposal is such that there are no significant issues in respect of loss of privacy, outlook, light or overshadowing to existing dwellings surrounding the site. The main issue in respect of residential amenity impacts with this site is the impact of the proposed access on both 38 and 40 Wype Road with particular regard to noise and disturbance; a mitigation scheme has been put forward and the number of vehicle movements has almost</p> |
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halved since the previous scheme, hence, on balance, it is not considered that the impacts of the development now proposed, are significant enough to warrant a refusal in this regard.

- 1.4 The application has been accompanied by a speed survey which has been accepted by Highways and on balance they consider the proposals and visibility splays that can be achieved to be acceptable and recommend a number of conditions are imposed. It should also be noted that F/YR17/0191/O, for 9 dwellings was not refused or dismissed on appeal on highway safety grounds.
- 1.5 The application site falls within Flood Zone 1 (low risk). A surface water drainage scheme has been put forward and accepted in principle and there are no issues with regards to waste and minerals, archaeology or ecology subject to conditions.
- 1.6 As such, it is recommended to grant the application.

2 SITE DESCRIPTION

- 2.1 The site currently comprises an area of vacant grassland which sits centrally within an existing area of residential development and incorporates 40 Wype Road a 2-storey chalet type bungalow, the site is accessed via Wype Road, between the existing dwellings of 38 and 40.
- 2.2 There is a dilapidated structure located to the northwest corner of the land, what appears to be an annexe at 8 Wype Road is located on the boundary of the site and a variety of boundary treatments separate it from the adjacent development, including typical domestic 1.8 metre high closeboard fencing, blockwork walling and brick wall. The site is largely devoid of any significant features, although there is a tall hedgerow to the northeast corner of the land and the site is somewhat overgrown. The dwellings adjoining the site are predominately single storey in scale.
- 2.3 The site lies within the settlement of Eastrea and is located within flood zone 1.

3 PROPOSAL

- 3.1 The application seeks full planning permission for five dwellings with associated garages, parking and landscaping, involving the demolition of existing shed, and insert roof lights to north roof slope of 40 Wype Road.
- 3.2 The development is accessed directly off Wype Road via a 5m wide access which then widens to a 6m wide shared surface road running through the centre of the site and terminating at a turning head.
- 3.3 Surface water is proposed to be managed via soakaway, with foul drainage proposed to be connected to the Anglian Water mains sewer system.
- 3.4 Plot 1 is a single-storey 4-bed dwelling measuring 20m x 12.3m and 5.4m height, to be constructed in Wienerberger Heritage Blend bricks with a Marley Mendip Smooth Grey roof. This is served by a double garage measuring 6.6m x 7.7m and 4.6m in height.

- 3.5 Plot 2 is a single-storey 4-bed dwelling measuring 20m x 12.3m and 5.4m height, to be constructed in Wienerberger Hathersage Blend bricks with a Marley Modern Concrete Smooth Grey roof. This is served by a double garage measuring 6.6m x 7.7m and 4.6m in height.
- 3.6 Plot 3 is a single-storey 4-bed dwelling measuring 20m x 13.5m and 5.7m height, to be constructed in Wienerberger Hathersage Blend bricks with a Marley Modern Concrete Smooth Grey roof. This is served by a double garage measuring 6.6m x 7.7m and 4.6m in height.
- 3.7 Plot 4 is a single-storey 3-bed dwelling measuring 14.3m x 16.3m and 5.9m height, to be constructed in Wienerberger Heritage Blend bricks with a Marley Mendip Smooth Grey roof. This is served by a double garage measuring 6.6m x 7.7m and 4.6m in height.
- 3.8 Plot 5 is a single-storey 3-bed dwelling measuring 14.3m x 16.3m and 5.9m height, to be constructed in Wienerberger Hathersage Blend bricks with a Marley Modern Concrete Smooth Grey roof. This is served by a double garage measuring 6.6m x 7.7m and 4.6m in height.

Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

F/YR22/0499/F	Erect 7 x dwellings (1 x 2-storey 3-bed and 6 x 2-storey 4-bed), with associated garages, parking and landscaping, involving the demolition of existing shed, and insert roof light to north roof slope of 40 Wype Road	Withdrawn
F/YR19/0559/O	Erection of up to 10 x dwellings (Outline with matters committed in respect of access only) involving the demolition of 8 Thornham Way	Refused 27/9/19 Appeal withdrawn
F/YR17/0191/O	Erection of up to 9 x dwellings (Outline with matters committed in respect of access only) involving the demolition of existing cow shed	Refused 31/7/17 Appeal Dismissed 21/11/17
F/YR12/0907/F	Erection of 14 x 2-storey dwellings with associated parking comprising of: 7 x 2-bed, 6 x 3-bed and 1 x 4-bed, and additional garden and parking amenity for No's 16 and 18 Wype Road	Refused 11/7/13
F/YR04/0042/F	Variation of Condition 02 of planning permission F/99/0111/O (Erection of dwelling)	Granted 2/3/04

F/99/0111/O	Erection of 1 dwelling	Granted 24/9/99
F/94/0265/O	Erection of 5 detached bungalows	Refused 23/11/94 Appeal Dismissed 3/4/95

5 CONSULTATIONS

5.1 Whittlesey Town Council

The Town Council recommended refusal due to highways issues and the fact that the speed survey needs repeating.

Proposed Cllr Mayor, seconded Cllr Arman with a majority vote in favour, Cllr Wainwright took no part in the discussion or vote.

5.2 Environmental Health (FDC) (20/3/23)

I refer to the above planning application and make the following observations.

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

As the proposal involves demolition of an existing structure, we ask for the following condition to be imposed in the event planning consent is granted;

UNSUSPECTED CONTAMINATION

CONDITION: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

I note a Construction Environmental Management Plan (CEMP) has been submitted with the application and that the proposed working times documented within the plan fall outside of those typically requested by this service for proposed developments in close proximity to existing noise sensitive receptors, as is the case in this scenario. Therefore, I propose an alteration to the CEMP so these fall within working times typically conditioned in similar circumstances and would accept the following;

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

5.3 **Environmental Health (FDC) (20/11/2023)**

The Environmental Health team are happy with the revised CEMP submitted 16/10/2023.

5.4 **Environmental Health (FDC) (15/1/25)**

The proposed 1.8m high acoustic fencing scheme is accepted based on its positioning on Drawing Ref: 7842/02L. This must however be in accordance with details previously submitted within the statement of intent under F/YR17/0191/O which gives mention in Appendix C (Drawing No: JDA/2015/505/AC.001) to the proposed acoustic fencing being of sufficient quality, as supplied by Jackson Fencing. This related specifically to the 'Jakoustic' acoustic barrier.

This service welcomes the proposed permeable tarmac surface for the access road between No38 and No40 Wype Road in place of the previous block paving scheme. This can be expected to assist in reducing noise from vehicles passing over the surface to levels below what would be experienced with a block paving scheme, and also allow for any future surface repair works to be undertaken more efficiently.

5.5 **Environmental Health (FDC) (22/1/25)**

Having checked the updated proposed site plan (Drawing No: H782/02m) it can be confirmed that this service is now satisfied that it contains details of the specific acoustic fence type proposed.

Given the manufacturer details available, it appears suitable and sufficient for purpose in terms of expected noise mitigation for a development of this nature

5.6 **Cambridgeshire County Council Lead Local Flood Authority (30/10/24)**

Objections were received on 13/10/23, 15/11/23, 30/7/24, 3/9/24 and 17/9/24 the most recent comments are provided in full below:

Thank you for your re-consultation which we received on 23rd October 2024.

We have reviewed the following documents:

- Technical Note, MTC Engineering, Ref: 3105 – 38, Dated: 9th August 2024*
 - Technical Note, MTC Engineering, Ref: 3105 – 38, Dated: 14th October 2024*
 - Drainage Details, Morton & Hall Consulting Limited, Ref: H7842/MH/sg, Dated: 20th February 2022 (Revised September 2024)*
 - Percolation Test Results, Morton & Hall Consulting Limited, Ref: H7842/MH/rg, Dated: 10th October 2024*
 - Impermeable Area Plan, MTC Engineering, Ref: 3105-05, Dated: 8th August 2024*
 - Exceedance Flow Plan, MTC Engineering, Ref: 3105-04, Rev: A, Dated: 8th August 2024*
 - Drainage Design, MTC Engineering, Ref: 3105-02, Rev: B, Dated: 18th September 2024*
 - Plot 1-5 Hydraulic Calculations, MTC Engineering, Dated: 18th September 2024*
- Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.*

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving and soakaway crates, discharging surface water via infiltration.

The LLFA is supportive of the use of permeable paving as it provides water quality

treatment which is of particular importance when discharging to the ground. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

We request the following conditions are imposed:

Condition

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

The scheme shall be based upon the principles within the agreed Drainage Details prepared by Morton & Hall Consulting Limited (ref: H7842/MH/sg) dated September 2024 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the Q_{BAR} , 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;*
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;*
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);*
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);*
- e) Site Investigation and test results to confirm infiltration rates;*
- f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;*
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;*
- h) Full details of the maintenance/adoption of the surface water drainage system;*
- i) Permissions to connect to a receiving watercourse or sewer;*
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water*

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

Condition

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

measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

- Informatives also proposed.

5.7 Cambridgeshire County Council Lead Local Flood Authority (8/1/25)

The updated proposals include removing the permeable block paving on the access road which is to be replaced with permeable asphalt. It is our understanding that this is simply a change of materials and that the attenuation volumes provided within the subbase remain the same, as confirmed by the applicant. We can therefore confirm that the LLFA has no further comments beyond those set down in our response of Date 30th October 2024. Our position therefore remains supportive of to the development.

5.8 Cambridgeshire County Council Archaeology

We have commented on this site previously. We would make the same recommendation as for prior applications F/YR12/0907/F, F/YR17/0191/O, F/YR19/0559/O and F/YR22/0499/F within the same bounds, that is:

Due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;*
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;*
- c) The timetable for the field investigation as part of the development programme;*
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.*

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or

investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

- Informatives also proposed.

5.9 Cambridgeshire County Council Planning, Minerals and Waste

This proposal is located within a Sand and Gravel Mineral Safeguarding Area. Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan, in broad terms, seeks to protect identified mineral resources, and requires district and borough councils to consult the County Council except in certain circumstances. However, in this instance, the proposal appears to be an infill development and is considered to meet criteria (a) of Policy 5, which exempts development within existing settlements development from the requirements of Policy 5. Consequently, I have no comments on the proposed development.

5.10 Cambridgeshire County Council Highways (14/8/24)

The Local Highways Authority (LHA) originally objected to the application regarding visibility, the need for a speed survey and a repeat survey as the original was not undertaken in accordance with the required methodology. The most recent comments are provided in full below:

On the basis of the information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable.

Comments

I have reviewed the latest note provided by MTC and the accompanying speed survey. While I have reservations, on balance I consider the proposals to be acceptable. Pedestrian visibility splays and the inter-vehicular visibility splay to the south are to best practice standards. The visibility splay to the north can achieve the necessary y-distance but not the x-distance (i.e., the 2.4m setback). In context of the setting, the volume of southbound traffic along Wype Road and the direction of travel (in highway safety terms, inter-vehicular visibility splay to the right are more safety critical than those to the left), I do not consider this shortcoming to be severe in NPPF terms.

Conditions

- *Construction Facilities: Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.*

Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway in accordance with Policy LP15 of the Fenland Local Plan 2014.

- *Highway Drainage: The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity*

Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014

• *Gates/Enclosure/Access Restriction: 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 access hereby approved. Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.*

• *Visibility Splays: Prior to commencement of the use/or first occupation of the development hereby approved, visibility splays shall be provided on both sides of the new vehicular access and shall be maintained free from any obstruction over a height of 600 mm within an area as shown on the drawing H7842/02 Revision J. Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.*

- Informatives also proposed.

5.11 Cambridgeshire County Council Highways (3/1/25)

I can confirm that the revised drawings are acceptable from a highway safety point of view; for the avoidance of doubt I would confirm that the proposed means of access is entirely commensurate in layout with the limited scale and nature of the development proposed.

I would reiterate that the internal carriageway at 6m wide is excessive to serve 5 units. From the tracking drawing the width proposed appears to be based upon two-way trafficking off a refuse freighter through the site, however, the need for simultaneous movements of such vehicles is highly unlikely for a development of this scale – a 4.8m/ 5m carriageway would be perfectly adequate as previously advised.

In relation to the Construction Phase Plan dated 16th October 2023 – this provides a description of measures which may be provided; in respect of ‘Access’ the Plan states:

7.0 ACCESS

Access to the site at present is via Wype Road. All construction vehicles together with the proposed residents will enter and exit the site via Wype Road. Due to the size of the site and the phase construction of the works, there should be no requirement for any parking on Wype Road and all vehicles will be parked within the site and there is sufficient room for parking and turning on site to ensure vehicles exit the site in a forward gear. A temporary sub-base would be set within the site for parking of vehicles. This will be an improvement from existing as at present there is no hardstanding or stone base, when any vehicles enter or exit the site.

The document does not appear to be accompanied by any supporting plan showing where such provision may be made, and it is considered that the description in isolation is not sufficient to ensure that adequate off-site provision for servicing/ parking is provided during the period of construction.

Accordingly, please append conditions as advised in my consultation dated 14th August 2024 to any consent granted, condition 1 of which relates to the submission of details for the temporary construction facilities.

5.12 **Cambridgeshire Fire and Rescue**

With regard to the above application, should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition

5.13 **Anglian Water**

The Planning & Capacity Team provide comments on planning applications for major proposals of 10 dwellings or more, or if an industrial or commercial development, 500sqm or greater. However, if there are specific drainage issues you would like us to respond to, please contact us outlining the details.

The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout. They can do this by accessing our infrastructure maps on Digdat. Please see our website for further information:

<https://www.anglianwater.co.uk/developers/development-services/locating-our-assets/>

Please note that if diverting or crossing over any of our assets permission will be required. Please see our website for further information:

<https://www.anglianwater.co.uk/developers/drainage-services/building-over-or-near-our-assets/>

5.14 **Natural England**

SUMMARY OF NATURAL ENGLAND'S ADVICE

Please refer to Natural England's letter dated 12 July 2019 (copy at bottom of this letter) regarding appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI)

Natural England's generic advice on other natural environment issues is set out in the attached Annex A.

5.15 **Wildlife Officer (FDC)**

Recommendation:

The application scheme is acceptable but only if conditions are imposed.

Recommended condition(s)/Reason(s) for refusal:

Pre-Commencement Conditions(s) –

- Notwithstanding the submitted details, no development shall take place until a scheme for the soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:*

-Planting plans to all public areas, retained hedge and trees, species, numbers, size and density of planting, with the purpose to result in no net loss of biodiversity;

*-Placement, type and number of any recommended biodiversity enhancements;
and*

-Boundary treatments.

Development shall be carried out in accordance with the submitted details and at the following times:

Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

Compliance Condition(s) -

- No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.*
- Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.*

Assessment/Comment:

The proposed application is unlikely to have significant negative impacts on biodiversity or protected species so long as the proposed removed habitats are adequately compensated for within a landscaping document. Several areas of bramble are being removed, bramble scrub is often a refuge for a large number of invertebrates and birds. While in this case, other than nesting birds, it is unlikely to be used by protected species, suitable compensation planting of native species should be used.

5.16 Ecology Officer (FDC)

We note the update of the ecological report, which confirms that the original site assessment is valid. However, these documents do not address the outstanding issue of potential impact on Site of Special Scientific Interest (SSSI).

We recommend refusal due to the potential impact of the scheme on a Site of Special Scientific Interest.

Please find further details below:

Impact to SSSI

The site falls within Natural England's SSSI Impact Risk Zone, which identifies the following potential impact at the application site:

Natural England Impact Risk Zone for Sites of Special Scientific Interest:

Further information required - potential recreational pressure impacts to Sites of Special Scientific Interest (SSSIs) in Cambridgeshire and Peterborough
This development site is within the zone of potential risk for publicly accessible Sites of Special Scientific Interest (SSSIs) sensitive to the effects of recreational pressure. Within this zone, proposals for any net increase in residential units may affect the notified features of the SSSI(s) through increased recreational pressure. Natural England advises that such developments require a proportionate assessment of recreational pressure impacts on the notified features of the SSSI(s) and measures to mitigate adverse impacts eg alternative open space provision. Please refer to Natural England's letter dated 12 July 2019 for further information.

This issue was also raised within Natural England's previous consultation responses.

In light of the above, we are concerned that the scheme will adversely impact a Site of Special Scientific Interest and therefore, the scheme does not accord with Fenland Local Plan 2014 policies LP16 & LP19 which seek to conserve, enhance and promote the biodiversity interest.

We therefore recommend refusal, unless the following information is provided prior to determination:

- *assessment of recreational pressure of the proposed development on SSSI(s) and propose adequate mitigation.*

We recommend the applicant discuss this issue further with Natural England, how may provide pre-application advice on the nature of the potential impacts and how these might be avoided or mitigated. Developers Get Environmental AdviceUK (www.gov.uk) provides information on Natural England's pre-application discretionary advice service (DAS).

5.17 Refuse Team (FDC)

Initial comments indicated that if there was suitable access for a refuse vehicle the bon store area would not be required, that tracking would be required along with an indemnity as the road is private.

Further information was submitted and final comments are as follows:

I can confirm the vehicle dimensions used for the tracking and the indemnity mean no issues with accessing for waste collection.

5.18 Local Residents/Interested Parties

Objectors

14 objections have been received (from Thornham Way, Mayfield Road, Wype Road and Bryony Close, Eastrea and South Green, Coates), in relation to the following:

- Impact of the access on 38 and 40 Wype Road/restricted access
- Impact of additional traffic on Wype Road/highway safety
- Visibility to access/dangerous access/access not wide enough
- Concerns regarding waste collection if refuse vehicles cannot access the site
- Disruption and inconvenience (noise, dust) during construction

- Loss of privacy
- No footpath within the development
- Local infrastructure cannot cope
- Impact on wildlife
- Settlement limit already been exceeded/area overdeveloped
- Application already refused for this site
- Archaeology
- Speed survey invalid

Supporters

11 supporting comments have been received (from Eastrea Road, Thorham Way, Coates Road and Wype Road, Eastrea; Duncombes Road and March Road, Coates and Drybread Road and High Causeway, Whittlesey), in relation to the following:

- Excellent use of unused/underutilised land
- Site is currently overgrown with a derelict shed
- Provides new homes without impacting on arable land
- Good sized plots
- Supports bungalows rather than houses
- Access needs to be addressed
- Access wider than other schemes for more dwellings
- Infill development
- Demand for bungalows

Representations

Two representations have been received from Thornham Way, Eastrea in relation to the following:

- Adverse to the original fencing remaining as it is in poor condition
- Acoustic fence should be to the entire perimeter of the site
- Impact during construction
- Suitability of access/applications previously rejected on this basis
- Concerns regarding potential to extend the bungalows upwards
- High quality bungalows may improve the area

6 STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) 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) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 15 – Conserving and enhancing the natural environment
Chapter 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

Homes and Buildings

7.4 Fenland Local Plan 2014 (FLP)

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

LP12 – Rural Areas Development Policy

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 Whittlesey Neighbourhood Plan 2021-2040

Policy 1 – Spatial Planning

Policy 2 – Local Housing Need

Policy 7 – Design Quality

Policy 10 – Delivering Sustainable Transport

Policy 11 – Adapting to and Mitigating Climate Change

7.6 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

Policy 5 - Mineral Safeguarding Areas

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

Policy 16: -Consultation Areas (CAS)

7.7 Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

DM4 – Waste and Recycling Facilities

DM6 – Mitigating Against Harmful Effects

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 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Parking and Highways**
- **Flood Risk and Drainage**
- **Waste and Minerals**
- **Archaeology**
- **Ecology**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

- 9.1 This site has been subject to a number of applications for dwellings, however only the most recent, considered under the current Development Plan are referred to here:
- 9.2 Application F/YR22/0499/F for 7 x 2-storey dwellings was withdrawn following Officer concerns regarding the detrimental effect on the living conditions of 38 and 40 Wype Road, with particular regard to noise and disturbance, due to the location of the access; the impact of replacing a ground floor window with a roof light at 40 Wype Road; insufficient width of the access road; the detrimental impact of the scale of the dwellings on the character of the area and loss of privacy and outlook to surrounding dwellings.
- 9.3 Application F/YR19/0559/O for up to 10 dwellings, involving the demolition of 8 Thornham Way (to create access via Thornham Way) was refused on 27/9/2019 for the following reasons:
- 1 *Policy LP16 (e) of the Fenland Local Plan (2014) requires development not to adversely impact on the amenity of neighbouring users. Policy LP2 requires new development to provide high levels of residential amenity to existing and future occupiers. It is considered that the proposed access road to serve 10*

new dwellings by way of its proximity to the primary outlook of 10 Thornham Way would have a detrimental impact on the occupiers of that property. The impact would be significant and contrary to policies LP2 and LP16 of the Fenland Local Plan 2014.

- 2 *Policy LP19 of the Fenland Local Plan (2014) requires development to conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland. The application site encompasses potential habitat for protected species, however no ecological survey data has been provided in respect of these features within the site, nor any mitigation for impacts on these features identified, and the proposal is therefore contrary to the provision of policy LP19, as well as the Habitats and Biodiversity section of the National Planning Policy Framework (2019).*
- 3 *Policy LP15 of the Fenland Local Plan (2014) requires that the application demonstrates that the proposal provides a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. The submitted plans show an access arrangement that is at odds with the survey drawings also submitted as part of the application, and would result in a contrived access into the site of inadequate width resulting in the loss of a section of footpath (not shown on the proposed plans) that would have a detrimental effect on the provision for pedestrians and other footpath users in the area. The proposal would therefore be contrary to policy LP15 of the Fenland Local Plan (2014).*

9.4 Application F/YR17/0191/O for up to 9 dwellings was refused on 31/7/2017 for the following reason:

1. *Policy LP16 (e) requires development not to adversely impact on the amenity of neighbouring users. Policy LP2 requires new development to provide high levels of residential amenity to existing and future occupiers. It is considered that the proposed access road to serve 9 new dwellings by way of its proximity to No 38 and No 40 Wype Road would have a detrimental impact on the occupiers of these properties. This impact would be significant and contrary to Policies LP2 and LP16 of the Fenland Local Plan 2014.*

9.5 This application was also dismissed on appeal, with the Inspector concluding that the proposed development would have a detrimental effect on the living conditions of neighbouring occupiers of Nos 38 and 40, with particular regard to noise and disturbance (due to the location/proximity of the access).

9.6 The current scheme has been amended during the course of the application in order to seek to overcome concerns raised.

10 ASSESSMENT

Principle of Development

10.1 Policy 1 (Spatial Strategy) of the Whittlesey Neighbourhood Plan states that the villages of Coates and Eastrea are markedly smaller in scale and offer fewer facilities than Whittlesey but are likely to provide some limited opportunities for new development.

- 10.2 Policy LP3 defines Eastrea as a small village where development will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling.
- 10.3 Policy LP12 advises that for villages new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide, open character of the countryside.
- 10.4 This policy also advises that if a proposal within or on the edge of a village, in conjunction with other development built since 2011 and committed to be built (i.e. with planning permission) increases the number of dwellings in a growth village by 15% or more then the proposal should have demonstrable evidence of clear local community support for the scheme. Wimblington has already exceeded its 15% threshold. However, an appeal decision received in respect of an application that was refused purely on this basis (F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in an otherwise acceptable scheme being refused and against this backdrop the absence of community support does not render the scheme unacceptable in planning terms.
- 10.5 Paragraph 124 of the NPPF 2024 seeks to promote an effective use of land in meeting the need for homes.
- 10.6 The application site is currently an underutilised area of grassland located within the built-up area of the settlement, surrounded by residential development, and could therefore be reasonably defined as an infill site. The scheme is for 5 dwellings which is considered of an acceptable scale for a small village, and makes effective use of this vacant site, as such the principle of development is accepted subject to all other material considerations.

Design considerations and visual amenity of area

- 10.7 Policy LP16 of the FLP and DM3 Delivering and Protecting High Quality Environments in Fenland SPD seek to ensure that development makes a positive contribution to the local distinctiveness and character of the area.
- 10.8 Policy LP12 of the FLP highlights that new development will be supported where it contributes to the sustainability of the settlement and does not harm the wide-open character of the countryside. To ensure this there are a number of criteria expressed in this policy namely (a) - (k). These criteria, in summary, seek to achieve compliance with the settlement hierarchy in terms of amount of whilst also ensuring that development responds to the existing built form and settlement character, retains and respects existing features of the site and the locality, respects biodiversity and ecology and provides appropriate servicing etc.
- 10.9 Policy 7 of the Whittlesey Neighbourhood Plan seeks to ensure that the design of new development respects the character, identity and setting and be in proportion to the scale, nature and specific context of its location.
- 10.10 The application site is an infill site surrounded by predominately single storey dwellings, glimpses of the proposed development would be afforded from the access road, in gaps between and as a backdrop to existing dwellings. The proposed single storey dwellings, with detached double garages are considered

to provide an acceptable visual appearance behind the single-storey dwellings, these are modest in scale and whilst it can be seen from the street scene submitted that these are slightly higher than some of the existing dwellings surrounding, this is not considered to result in a significant adverse impact on the character of the area. Existing site levels, proposed spot levels and FFL's have been submitted and these are not considered to result in any significant visual impact.

- 10.11 The proposed dwellings form a cul-de-sac surrounding the proposed private road, with plot 3 forming a focal point at the terminus of this, the dwellings are larger than the majority of those surrounding, however their location is such that they will not appear unduly prominent, and their design is considered acceptable in this area where there is no specific vernacular and a range of architectural styles. The materials proposed are Wienerberger Heritage Blend bricks (red multi) with a Marley Mendip Smooth Grey roof (grey pantile) (plots 1 and 4) and Wienerberger Hatthersage Blend (buff multi) with Marley Modern Concrete, smooth grey (grey plain tile) roof (plots 2, 3 and 5), there are a wide variety of materials in the area and as such those proposed are considered acceptable.
- 10.12 It is considered that the overall appearance of the proposal is acceptable, as it will not be unduly dominant or out of character with the surrounding existing development and will form a congruous appearance against the backdrop of the existing dwellings around the site in accordance with the aforementioned policies.

Residential Amenity/Health and wellbeing

- 10.13 Policies LP2 and LP16 of the FLP and Policy 7 of the Whittlesey Neighbourhood Plan seek to secure high quality environments, with high levels of residential amenity and avoid adverse impacts.
- 10.14 Relationships between the proposed dwellings are considered acceptable and these are afforded approximately a third of the plot for private amenity space in accordance with Policy LP16(h). The site is predominately surrounded by single storey dwellings, where there are 2-storey properties these are a sufficient distance to not result in a significant adverse impact upon the proposed development. There are some new boundary treatments proposed to secure adequate privacy between existing and proposed dwellings which can be secured by condition. There is a brick built structure (F/YR07/0589/F) serving 8 Wype Road which forms the boundary of the site which features high level windows which face towards plot 3, however due to their nature this is not considered to result in any issues to the proposal. To the west of the site is a commercial use (Edan Recovery), however this is already surrounded by residential properties and Environmental Health have raised no issues in this regard.
- 10.15 Policy LP16 (f) of the FLP and DM4 of the Delivering and Protecting High Quality Environments SPD seek to ensure that adequate, well-designed facilities for the storage, sorting and collection of waste are provided. The submission has detailed refuse vehicle tracking within the site along with providing an indemnity for use of the private road, it is on this basis that the Refuse Team are content that there are no issues with accessing and collecting bins from within the site.

- 10.16 The single storey nature of the proposals, along with suitable boundary treatments and confirmation that proposed ground levels are comparable to existing with FFL at 0.3m above ensures that there are no issues in relation to overlooking or loss of privacy to existing dwellings. As referred to in paragraph 9.14 above, it is noted that there are high level windows serving a garage/store/annexe at 8 Wype Road (F/YR07/0589/F), however these are secondary windows according to the plans submitted and as such the proposal is not considered to result in significant detrimental impacts. The scale and siting of the proposal is such that there are no significant issues in respect of loss of outlook, light or overshadowing. Due to the constrained nature of the site and potential for loss of privacy, it is considered necessary to impose a condition to restrict permitted development rights to avoid overdevelopment of the site and the introduction of windows at first floor level.
- 10.17 Concerns have been raised by local residents regarding the impacts of the construction phase of the development should permission be obtained. The application has been accompanied by a Construction Phase Plan which has been reviewed and accepted by Environmental Health and the Local Highway Authority. Compliance with the document submitted, in addition to the further details required in respect of a temporary construction facilities area, can be secured by condition.
- 10.18 The development is served by a private drive, and no lighting scheme has been submitted, this can however be secured via condition to ensure the development is adequately lit.
- 10.19 The main issue in respect of residential amenity impacts with this site is the impact of the proposed access on both 38 and 40 Wype Road with particular regard to noise and disturbance. This resulted in the previous refusal and appeal dismissal of F/YR17/0191/O for 9 dwellings; in this case it was considered and accepted by the Inspector, *'that the average dwelling would generate approximately 6-8 vehicle movements per day and the site as a whole would generate 63 movements per day. These movements would be spread over a circa 17 hour period in an average day, with a mean generation of some 3.7 movements per hour'*. With the Inspector concluding that although the vehicular movements would not be particularly high, *'the noise and disturbance generated throughout the day and night would be noticeable, particularly to the habitable room at No 40 which faces the access'*.
- 10.20 The appellant also submitted details of proposed acoustic fencing of 2.5m in height to run along the majority of the side boundaries of Nos 38 and 40, however there was insufficient evidence in terms of noise reduction achieved and the mitigation measures themselves were considered to create harm in terms of visual and residential amenity.
- 10.21 The scheme now put forward proposes to replace the window in the side elevation of No.40 (serving a ground floor bedroom) with 2 rooflights, to mitigate the impact of the use of the access on this room. This would limit the outlook from this room, which is not ideal, however it is highly likely that a similar arrangement could be achieved under permitted development rights and as such it is accepted.
- 10.22 Discussions have been undertaken with Highways, who have advised that applying the approach accepted at appeal in respect of vehicle movements, that

a development of 5 dwellings would suggest 35 two-way daily movements, and around 2 movements per hour, or one vehicle every half an hour, however in the busiest hour are likely to be slightly higher, possibly around 2.5 - 3 two-way vehicles, still circa only one vehicle every 20 mins. Following on from this the scheme was amended to narrow the section of the access between Nos 38 and 40 to provide some separation with potential to slow vehicles down (ensuring the first 10m remains 5m wide), proposing permeable tarmac in place of block paving, which may lower the noise of vehicles passing, proposing a 1m high wall to the front of No 40 and 1.8m high acoustic fence to the south and west boundaries of No.38.

- 10.23 It is acknowledged that the access, if unmitigated would likely have some adverse impact on Nos 38 and 40 in term of noise and disturbance (including vibration) but also in terms of head light sweep, in particular to No 40 when vehicles are approaching from the north (which is likely to be the predominant direction, from the A605) due to the angle of the access. A mitigation scheme as detailed above has been put forward and the number of vehicle movements has almost halved since the previous scheme, hence, on balance, it is not considered that the impacts of the development now proposed, are significant enough to warrant a refusal in this regard. However, should any scheme be forthcoming for an increased number of dwellings, or the quality of the mitigation measures are reduced, this is likely to tip the balance into once again being unacceptable.

Parking and Highways

- 10.24 Policy LP15 of the FLP and Policy 7 of the Whittlesey Neighbourhood Plan seek to ensure that developments provide well-designed, safe and convenient access for all, with sufficient parking.
- 10.25 The application has been accompanied by a speed survey which has been accepted by Highways and whilst they do have reservations, on balance they consider the proposals and visibility splays that can be achieved to be acceptable and recommend a number of conditions are imposed. It should also be noted that F/YR17/0191/O, for 9 dwellings was not refused or dismissed on appeal on highway safety grounds.
- 10.26 The proposed internal access road has been amended during the course of the application in conjunction with advice from Highways, this is predominantly a 6m wide shared surface which is considered acceptable. Management and maintenance of this can be secured via condition.
- 10.27 The double garages proposed are of sufficient dimensions to be considered appropriate parking spaces and there are a further 2 spaces per dwelling in front of the respective garages, as such in excess of a policy compliant level of parking is achieved.

Flood Risk and Drainage

- 10.28 The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures in this respect. A small section of the site appears to fall within medium are of surface water flood risk. This area is not proposed to be developed and is on the fringe of the site and does not appear to connected to any existing surface water flow

paths. As such, the application of the sequential test for flood risk is not deemed to be necessary in this instance.

- 10.29 Notwithstanding, the application is accompanied by a drainage scheme, which the LLFA consider demonstrates that surface water from the proposed development can be managed through the use of permeable paving and soakaway crates, discharging surface water via infiltration and it is on this basis they have no objection in principle to the proposed development and recommend a number of conditions. It has also been confirmed that the change from permeable block paving to permeable tarmac does not alter their assessment of the scheme.

Waste and Minerals

- 10.30 The site is located within a Sand and Gravel Mineral Safeguarding Area (MSA) which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised.
- 10.31 However, Policy 5 sets out a number of exemptions (criteria (a) – (h)), for when this policy is not applicable; the proposal is an infill development and is considered to meet criteria (a) of Policy 5, which exempts development within existing settlements development from the requirements of Policy 5, as in this case.

Archaeology

- 10.32 Cambridgeshire County Council Archaeology have advised that the site lies in an area of archaeological potential and should be the subject of an archaeological evaluation in advance of development commencing. They raise no objection to the application, subject to a programme of archaeological investigation secured by way of a condition.

Ecology

- 10.33 The application is accompanied by a Preliminary Ecological Appraisal dated May 2022, which concluded that the site is of low ecological value, no further species specific surveys were required and the site would benefit from ecological enhancements. A number of recommendations have been made in this regard, specifically bird and bat boxes and hedgehog homes being incorporated within the development. The application details 5 hedgehog homes, 3 bird boxes and a bat box, with appropriate orientation, which can be secured by condition.
- 10.34 However, the aforementioned report is indicated as only being valid for 24 months (May 2024) and given the length of time the application has been ongoing the period of validity has since expired. As such, an update report was requested, which confirmed that site conditions remained the same, the above enhancements were again recommended, along with mitigation measures, which can again be secured by condition.
- 10.35 The site is located with a SSSI impact zone (Nene Washes) and Natural England have advised that there should be appropriate consideration of recreational pressure impacts.
- 10.36 The process of Appropriate Assessment involves an initial screening which considers whether or not a project is likely to have a significant effect on a European protected site either alone or in combination with other projects. If the

project is not likely to have any significant effects on a European protected site, the Appropriate Assessment process is complete and there will be no further constraint to granting permission under the UK Habitats Regulations.

10.37 The objection from the Ecology Officer is noted, however in this case and in light of the advice from Natural England, their request for the applicant to provide an assessment of recreational pressure and mitigation is considered disproportionate.

10.38 The application is minor development for only 5 dwellings, advice from Natural England, is that taking a proportionate approach, most proposals below 50 dwellings should be screened out for likely significant effect and given the small scale of development proposed this is considered to be the case. As the proposal is not likely to have any significant effects on a European protected site the Appropriate Assessment process is complete and there is no constraint to granting permission under the UK Habitats Regulations.

Biodiversity Net Gain (BNG)

10.39 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.

10.40 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 application was submitted prior to the requirement for statutory net gain coming into force

11 CONCLUSIONS

11.1 The application site is currently an underutilised area of grassland located within the built-up area of the settlement, surrounded by residential development, and could therefore be reasonably defined as an infill site. The scheme is for 5 dwellings which is considered of an acceptable scale for a small village, and makes effective use of this vacant site, as such the principle of development is accepted subject to all other material considerations.

11.2 It is considered that the overall appearance of the proposal is acceptable, as it will not be unduly dominant or out of character with the surrounding existing development and will form a congruous appearance against the backdrop of the existing dwellings around the site.

11.3 The proposed development is considered to be afforded an appropriate level of residential amenity and the scale and siting of the proposal is such that there are no significant issues in respect of loss of privacy, outlook, light or overshadowing to existing dwellings surrounding the site. The main issue in respect of residential amenity impacts with this site is the impact of the proposed access on both 38 and 40 Wype Road with particular regard to noise and disturbance; a mitigation scheme has been put forward and the number of vehicle movements has almost

halved since the previous scheme, hence, on balance, it is not considered that the impacts of the development now proposed, are significant enough to warrant a refusal in this regard.

- 11.4 The application has been accompanied by a speed survey which has been accepted by Highways and on balance they consider the proposals and visibility splays that can be achieved to be acceptable and recommend a number of conditions are imposed. It should also be noted that F/YR17/0191/O, for 9 dwellings was not refused or dismissed on appeal on highway safety grounds.
- 11.5 The application site falls within Flood Zone 1 (low risk), a surface water drainage scheme has been put forward and accepted in principle and there are no issues with regards to waste and minerals, archaeology or ecology subject to conditions. As such, it is recommended to grant the application.

12 RECOMMENDATION

- 12.1 **Grant** subject to the following conditions.

Section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018). The applicant has been consulted on the proposed conditions and has confirmed their agreement to these in writing. It is therefore considered that the requirements of section 100ZA(5) have been met.

The proposed conditions are as follows;

1.	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.</p> <p>The scheme shall be based upon the principles within the agreed Drainage Details prepared by Morton & Hall Consulting Limited (ref: H7842/MH/sg) dated September 2024 and shall also include:</p> <p>a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;</p> <p>b) Full results of the proposed drainage system modelling in the above-referenced</p>

	<p>storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;</p> <p>c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);</p> <p>d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</p> <p>e) Site Investigation and test results to confirm infiltration rates;</p> <p>f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</p> <p>g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;</p> <p>h) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>i) Permissions to connect to a receiving watercourse or sewer;</p> <p>j) Measures taken to prevent pollution of the receiving groundwater and/or surface water</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts in accordance with Policy LP14 of the Fenland Local Plan 2014.</p>
3	<p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with Policy LP14 of the Fenland Local Plan 2014.</p>
4.	<p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of</p>

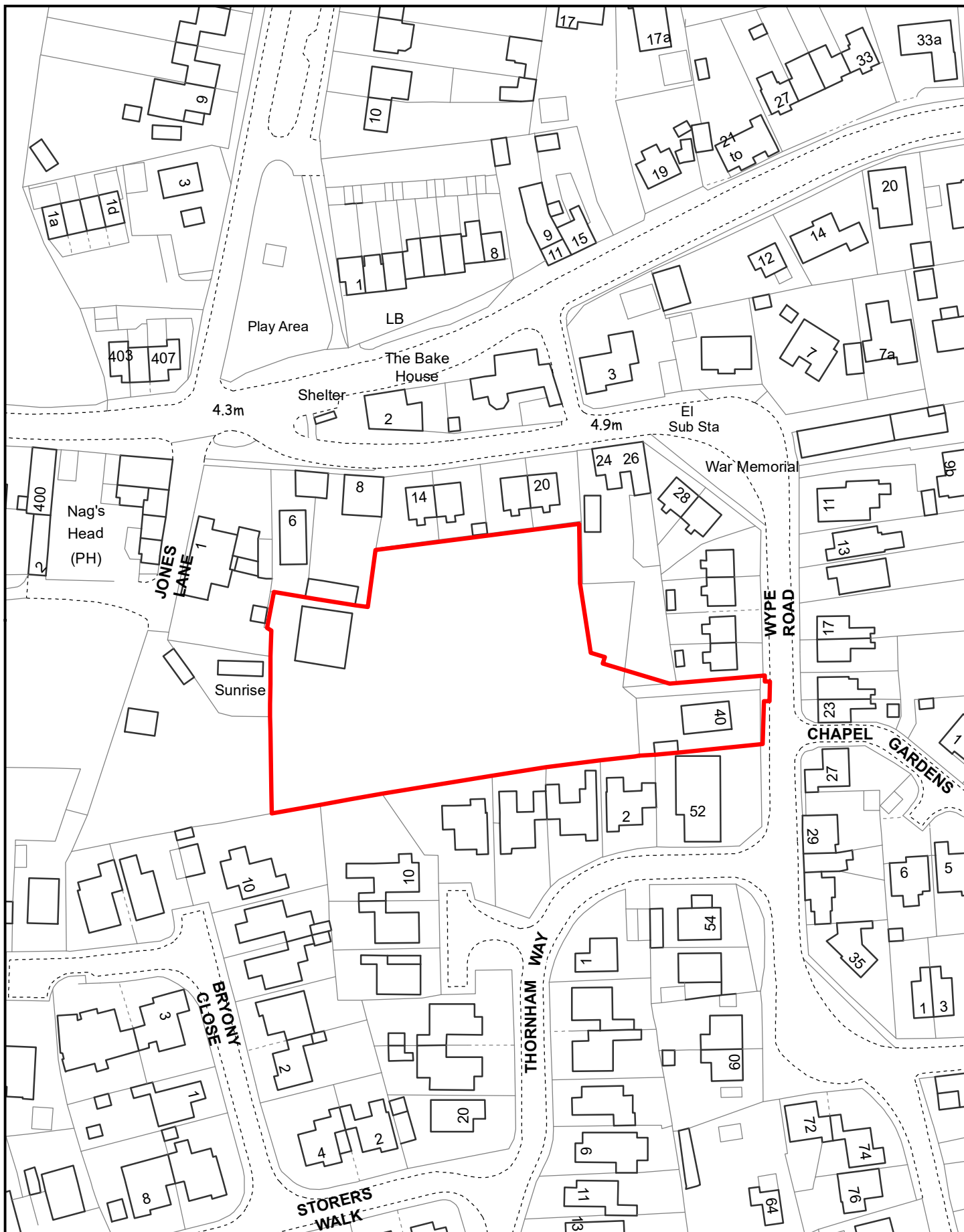
	<p>archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ul style="list-style-type: none"> a) The statement of significance and research objectives; b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c) The timetable for the field investigation as part of the development programme; d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives. <p>Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).</p>
5	<p>Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.</p> <p>Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
6.	<p>The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity</p> <p>Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan 2014</p>
7.	<p>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 access hereby approved.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan 2014.</p>

8.	<p>Prior to the first occupation of the development hereby approved, visibility splays shall be provided on both sides of the new vehicular access and shall be maintained free from any obstruction over a height of 600 mm within an area as shown on the drawing H7842/02 M.</p> <p>Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
9.	<p>Prior to the first occupation of the development hereby approved the road required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining adopted highway in accordance with the details approved on drawing H7842/02 M.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan 2014.</p>
10.	<p>The Construction Phase Plan, H7842/MH/sg, revised Oct 2023 along with the following ecological mitigation measures shall be adhered to throughout the construction period;</p> <ul style="list-style-type: none"> - Machinery and equipment must be stored on raised pallets or skips. - All waste should be stored in skips prior to removal from site. - All excavations should be covered / back filling each evening to prevent foraging or commuting amphibians from falling in and becoming trapped. If this is not possible then an escape ramp – made from earth or wooden sticks – will need to be placed within each excavation. <p>Reason: In the interests of safe operation of the highway, residential amenity and the protection of ecology, in accordance with Policies LP15, LP16 and LP19 of the Fenland Local Plan, 2014.</p>
11.	<p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 196 and 197, and Policy LP16 of the Fenland Local Plan 2014.</p>
12.	<p>Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling.</p> <p>Reason: In the interests of the safety of the occupiers and to ensure</p>

	<p>there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
13.	<p>The dwellings and associated garages hereby approved shall be constructed in the following materials:</p> <p>Plots 1 and 4 Wienerberger Heritage Blend bricks Marley Mendip Smooth Grey</p> <p>Plots 2, 3 and 5 Wienerberger Hatthersage Blend Marley Modern Concrete Smooth Grey</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
14.	<p>Prior to the undertaking of any groundworks associated with the dwellings hereby approved, the acoustic fence surrounding 38 Wype Road as detailed drawing H7842/02 M, the alterations to 40 Wype Road (namely the blocking up of a window and insertion of rooflights) detailed drawing H7842/20A, the 1m high boundary wall to the front of 40 Wype Road as detailed drawing H7842/02M and the boundary treatments where proposed to the perimeter of the site as detailed drawing H7842/02M shall be undertaken and remain as such in perpetuity.</p> <p>Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
15.	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:</p> <ul style="list-style-type: none"> i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E); ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D); iii) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B); iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C); <p>Reason: To prevent overdevelopment of the site and overlooking of neighbouring properties, in the interest of the protection of residential amenity in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
16.	<p>Prior to the first occupation of any dwelling hereby permitted, a</p>

	<p>management and maintenance plan for the shared/public areas (including landscaping and lighting) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved in accordance with the specified schedule contained therein.</p> <p>Reason: To ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 and that the development is adequately maintained, managed and serviced in accordance with Policy LP16 of the Fenland Plan 2014.</p>
17.	<p>Prior to the first occupation of the development, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of any related dwellings and retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines and would not have a detrimental impact on biodiversity, in accordance with Policy LP17 and LP19 of the Fenland Local Plan 2014.</p>
18.	<p>Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking (including garages), turning area, surfacing and drainage shall thereafter be retained as such in perpetuity for that purpose (notwithstanding the provisions of Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).</p> <p>Reason: To ensure the permanent availability of the parking and manoeuvring area, in the interests of highway safety in accordance with LP15 and LP16 of the Fenland Local Plan 2014.</p>
19.	<p>Notwithstanding the submitted details, prior to development proceeding above slab level, a scheme for the soft landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <p>-Planting plans to all public areas, retained hedge and trees, species, numbers, size and density of planting, with the purpose to result in no net loss of biodiversity;</p> <p>Development shall be carried out in accordance with the submitted details in the first planting season following completion of the final dwelling.</p> <p>Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five</p>

	<p>years of planting shall themselves be replaced with an equivalent size, number and species.</p> <p>Reason: The landscaping of this site is required in order to enhance the visual character of the area and to reduce environmental/ecological impacts of the development hereby permitted in accordance with Policy LP16 and LP19 of the Fenland Local Plan 2014.</p>
20.	<p>The ecological enhancements detailed on drawing H7842/15H shall be installed prior to the first occupation of their respective dwelling and retained in perpetuity.</p> <p>Reason: To ensure that there is no enhancement of on site ecology, in accordance with Policy LP16 and LP19 of the Fenland Local Plan 2014.</p>
21.	<p>The development hereby permitted shall be carried out in accordance with the approved plans and documents</p>



Created on: 02/03/2023

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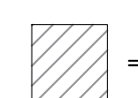
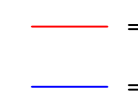

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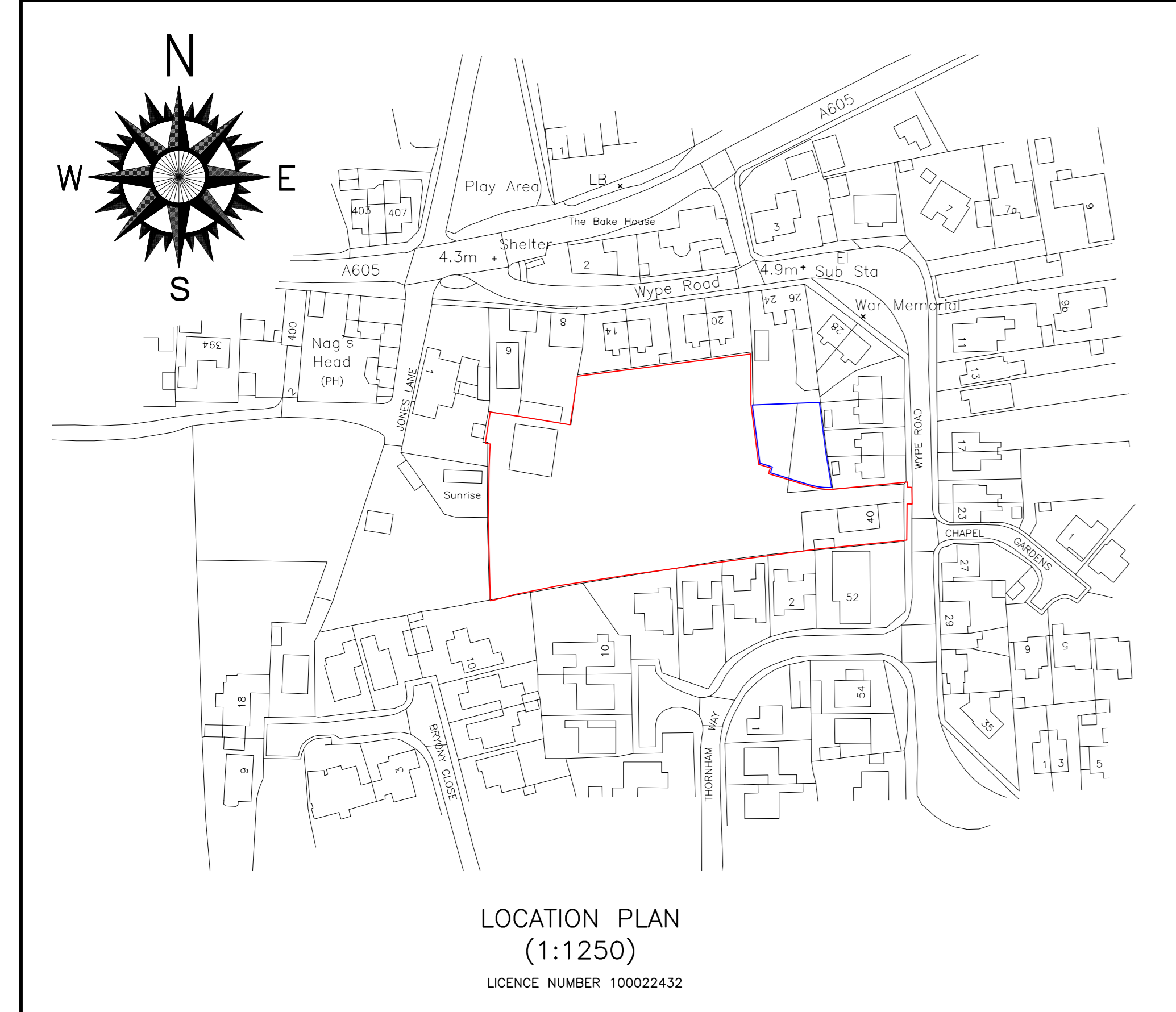
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LEGEND

-  = EXISTING BUILDINGS
-  = APPLICATION SITE
-  = ADDITIONAL LAND OWNED BY CLIENT



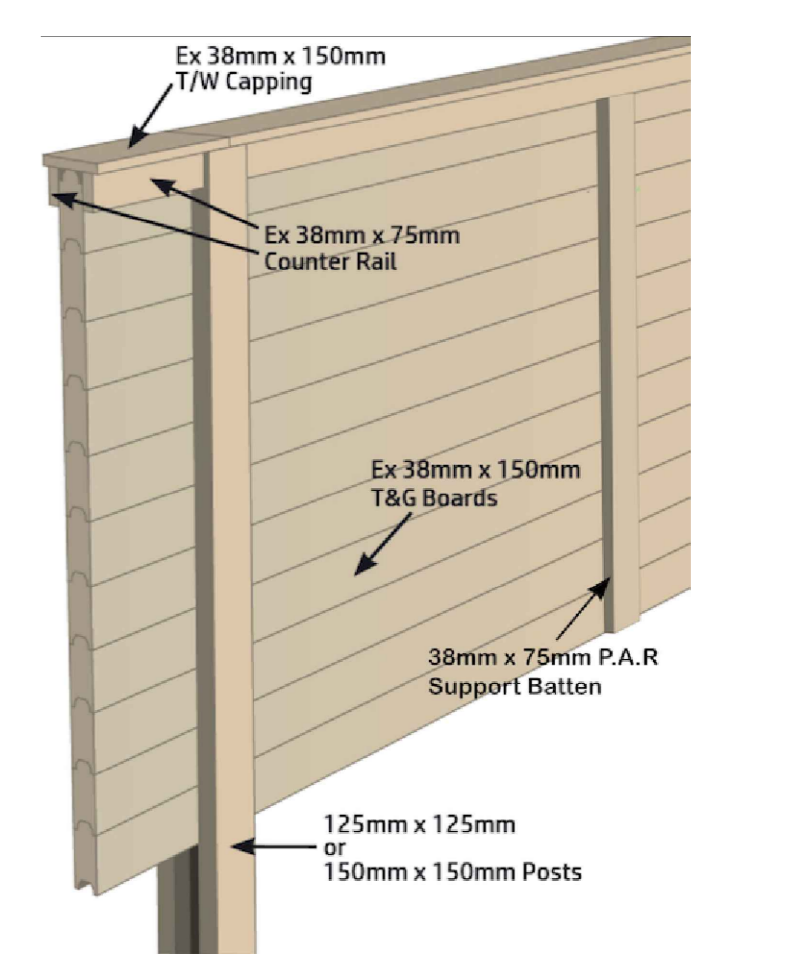
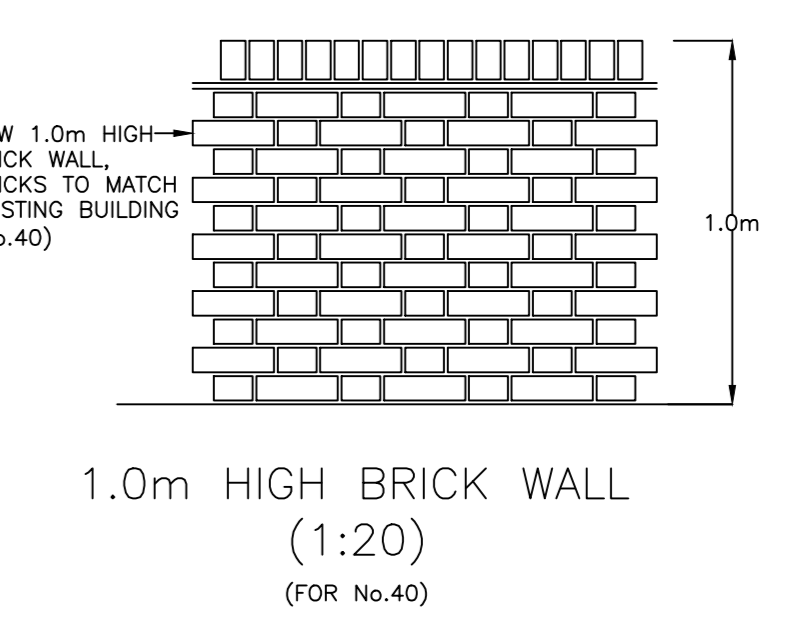
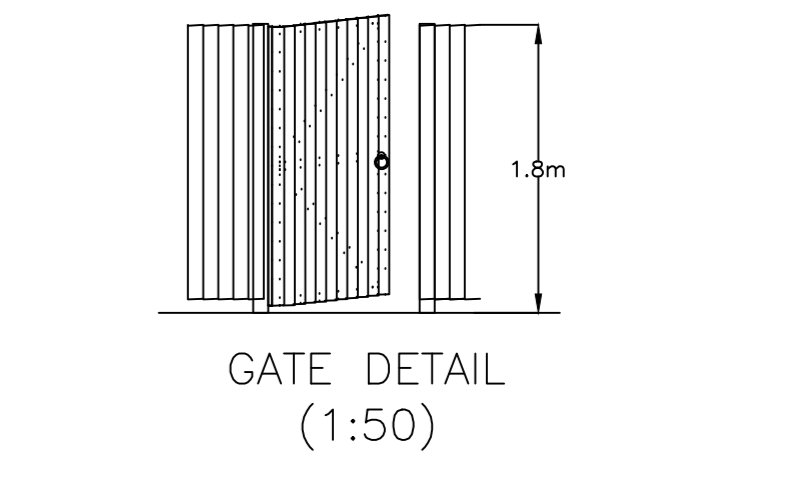
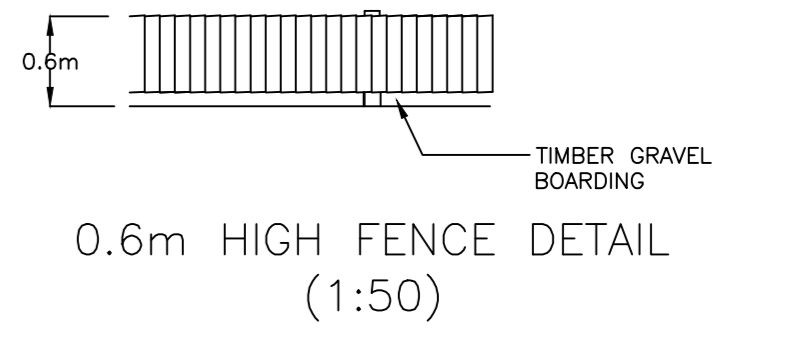
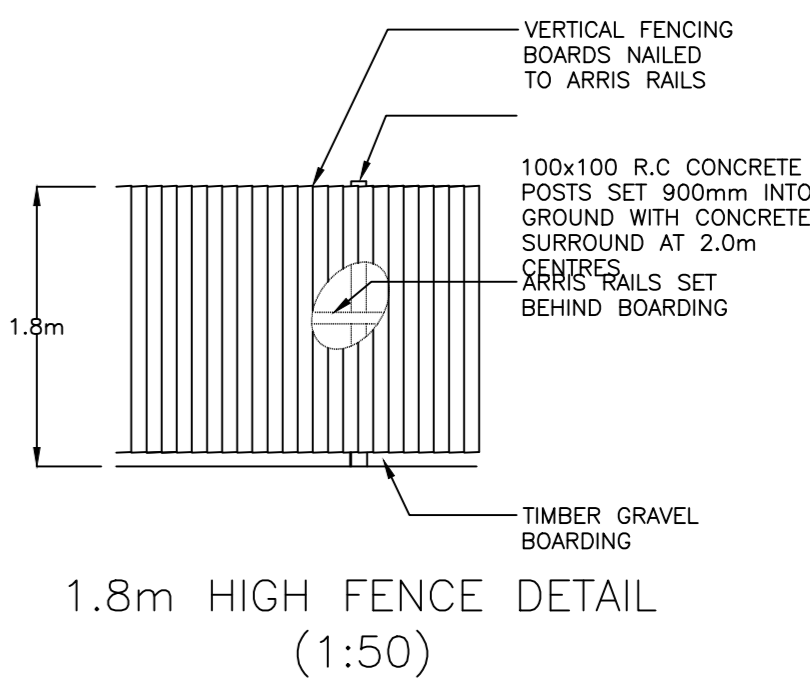
EXISTING SITE PLAN (1:200)

LOCATION PLAN (1:1250)
LICENCE NUMBER 100022432

C PLANNERS COMMENTS	DEC 2024
B PLANNERS COMMENTS	APR 2022
A CLIENTS COMMENTS	SEP 2022
REVISIONS	DATE
MORTON & HALL CONSULTING LIMITED CONSULTING STRUCTURAL ENGINEERS	
1 Gordon Avenue, March, Cambridgeshire, PE15 6AU	Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonandhall.co.uk
 Fenland District Council  Building Design Awards Building Excellence in Fenland	
RJB (East) Ltd	
Land West of 40 Wype Road, Eastrea Whittlesey PE7 2AX	
Existing Site Plan & Location Plan	
Drawn: R.Pogworth	Scale: As Shown
Checked: Dec 2021	Issue Number: H7842/01c
Revised: As Shown	



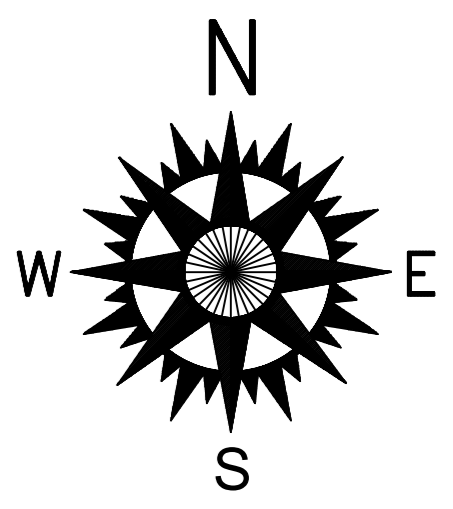
- LEGEND**
- GRASS
 - MARSHALLS BUFF PAVING SLABS, 300x300
 - MARSHALLS PERMEABLE BLOCK PAVING, CHARCOAL
 - MARSHALLS PERMEABLE BLOCK PAVING FOR PARKING AREAS, BRINDLE
 - GRAVEL
 - EXISTING BUILDINGS
 - BINS FOR EACH PLOT
 - BL - BOLLARD LIGHT



JAKOUSTIC REFLECTIVE ACOUSTIC FENCE
 Rating according to BS EN 1793-2:1998
 Category = B3
 Laboratory sound reduction 28 dB
 Superficial mass 25kg/m²

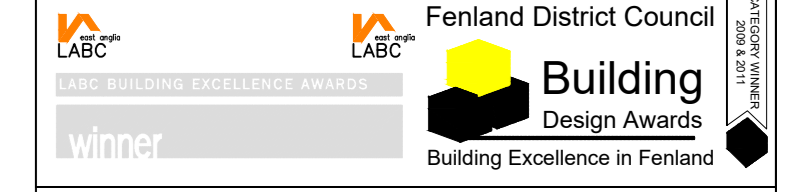
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- PROPERTY KEY**
- PLOT 1 = 4 BED BUNGALOW WITH DOUBLE GARAGE
 - PLOT 2 = 4 BED BUNGALOW WITH DOUBLE GARAGE
 - PLOT 3 = 4 BED BUNGALOW WITH DOUBLE GARAGE
 - PLOT 4 = 3 BED BUNGALOW WITH DOUBLE GARAGE
 - PLOT 5 = 3 BED BUNGALOW WITH DOUBLE GARAGE



REVISIONS	DATE
M ADDITIONAL DETAILS ON FENCE	JAN 2020
L BIN STORE REMOVED	JAN 2020
K PLANNERS COMMENTS	OCT 2024
J PLANNERS COMMENTS	OCT 2023
H PLANNERS COMMENTS	OCT 2023
F DRAWING UPDATED	DEC 2022
G PLANNERS COMMENTS	JUL 2023
F DRAWING UPDATED	DEC 2022
E DRAWING UPDATED	SEP 2022
D PLANNERS COMMENTS	AUG 2022
C CLIENTS COMMENTS	FEB 2022
B DRAWING UPDATED	JAN 2022
A CLIENTS COMMENTS	JAN 2022

MORTON & HALL CONSULTING LIMITED
 1 Gordon Avenue, March, Cambridgeshire, PE15 8AU
 Tel: 01354 655454 Fax: 01354 660467
 Email: info@mortonandhall.co.uk Website: www.mortonandhall.co.uk



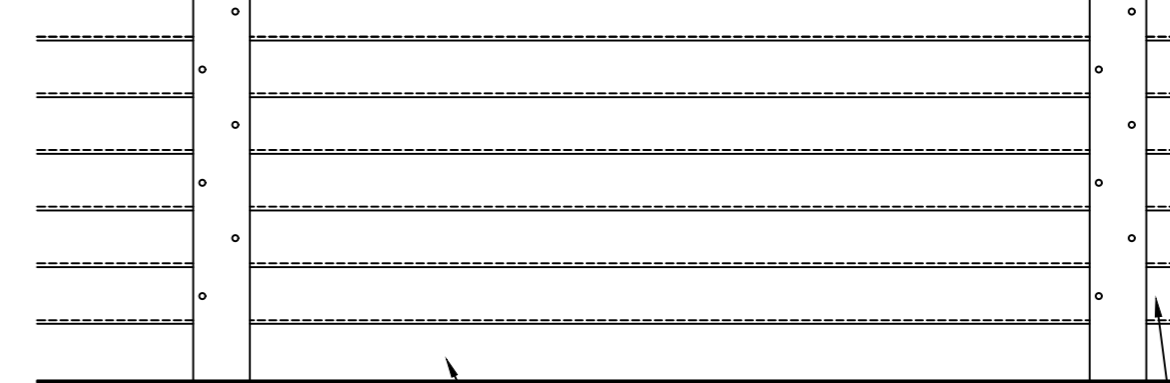
RJB (East) Ltd
 Land West of 40 Wype Road, Eastrea Whittlesey PE7 2AX

Proposed Site Plan

DATE	R.Papworth	DATE OF ISSUE	
ISSUED			
REV	Dec 2021	REVISION NUMBER	
SCALE	As Shown		H7B42/02M

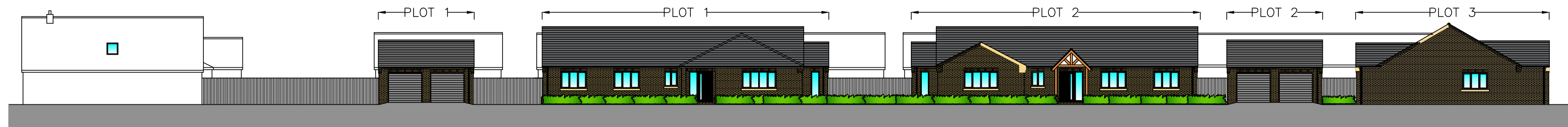
ALL BOARDS SUPPLIED AT 4.8m LONG, END BOARDS CUT TO 2.4m LONG. BOARDS ARE STAGGERED WITH 20mm EXPANSION GAP JOINS ARE CO-INCIDE WITH POST CENTRES.

ENSURE FENCING IS RAKED, NOT STRIPPED TO SUIT GROUND LEVELS
 POSTS INTERMEDIATE CENTRES TO BE 2410mm AND 2340 END BAY CENTRES. POST LENGTH TO BE 2900mm AS PER MANUFACTURERS DETAILS



BOTTOM BOARD - NO GROOVE AS GRAVEL BOARD, FLUSH WITH GROUND
 JAKOUSTIC REFLECTIVE TYPICAL ACOUSTIC FENCE (1:20)
 The Jakoustic reflective barrier reflects the noise away using heavy section planed timber boards with a special profile that has been carefully developed. Boards are constructed in such a way that eliminates gaps that sound can easily travel through. Up to 28 dB in noise reduction.

REFER TO DRAWING H7842/15
FOR STREET SCENE LOCATIONS



PROPOSED STREET SCENE 1
(1:200)



PROPOSED STREET SCENE 2
(1:200)



PROPOSED STREET SCENE 3
(1:200)

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J	BIN STORE REMOVED	JAN 2025
H	PLANNERS COMMENTS	OCT 2023
F	DRAWING UPDATED	JUL 2023
F	PLANNERS COMMENTS	JUL 2023
E	PLANNERS COMMENTS	FEB 2023
D	DRAWING UPDATED	DEC 2022
C	DRAWING UPDATED	AUG 2022
B	PLANNERS COMMENTS	APR 2022
A	CLIENTS COMMENTS	FEB 2022

REVISIONS	DATE
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MORTON & HALL CONSULTING LIMITED

1 Gordon Avenue, March, Cambridgeshire, PE15 8AJ
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E-mail: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk

Fenland District Council
LABC
Building Design Awards
winner
Building Excellence in Fenland

CLIENT
RJB (East) Ltd

PROJECT
Land West of
40 Wype Road Eastrea
Whittlesey
PE7 2AX

TITLE
Proposed Street
Scenes

DRAWN	R.Papworth	DATE OF ISSUE
CHECKED		
DATE	Jan 2022	DRAWING NUMBER
SCALE	AS SHOWN	H7842/17J