

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 5 APRIL 2023

1.00 PM

**COUNCIL CHAMBER, FENLAND HALL,
COUNTY ROAD, MARCH, PE15 8NQ**

Committee Officer: Jo Goodrum
Tel: 01354 622285
e-mail: memberservices@fenland.gov.uk

Whilst this meeting is being held in person, we would encourage you to view the meeting via You Tube:

<https://youtube.com/live/hbOlt14NrCl?feature=share>

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 5 - 40)

To confirm and sign the minutes from the previous meeting of March 8, 2023.
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 4 To receive Members declarations of any interests under the Local Code of Conduct or any interest under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 5 F/YR23/0072/O
Land East Of Station Farm, Fodder Fen Road, Manea
Erect up to 5 dwellings (outline application with matters committed in respect of access) including formation of a footpath on the western side of Fodder Fen Road (Pages 41 - 66)

To determine the application.

6 F/YR22/1053/F

Land To The West Of 167, Gaul Road, March

Erect 1 dwelling (2-storey 4-bed) with detached garage (Pages 67 - 84)

To determine the application.

7 F/YR22/1338/VOC

Land South Of, Eastwood End, Wimblington

Variation of condition 22 (list of approved drawings) relating to planning permission F/YR20/0641/F (Erect 9 x 2-storey 4-bed dwellings with garages including open space/play area with pond and formation of 2.5m high bunding, 2m high bunding with 1m high close boarded fence on top, 3m high close boarded fence, 3m wide foot/cycle path parallel to A141 and 1.8m wide footpath along Eastwood End to meet existing footpath) to enable alterations to plot 1 (increase in height from 8.77m to 9m, addition of chimney and windows to storage space in roof), plot 2 (siting and windows to snug) and boundary arrangement to plots 1, 2 and 3 (Pages 85 - 100)

To determine the application.

8 F/YR22/1410/F

Land South East Of 186, Wype Road, Eastrea

Erect 2x dwellings (single-storey, 4-bed) with detached garages, and formation of a footpath (Pages 101 - 116)

To determine the application.

9 F/YR22/1415/F

March Airfield, Cross Road, March

Erect 1 x dwelling (2-storey 2-bed) in association with existing air sports activity centre, with integral office and associated facilities, and the temporary (retrospective) siting of a mobile home during construction (Pages 117 - 132)

To determine the application.

10 F/YR22/1217/PIP

Land South West Of Woodbury, Manea Road, Wimblington

Permission in Principle for up to 5 x dwellings, involving the demolition of existing buildings (Pages 133 - 142)

To determine the application.

11 F/YR22/1243/PIP

Land North Of 8-10 Askham Row Accessed From, Hospital Road, Doddington

Residential development of up to 3 x dwellings (application for Permission in Principle) (Pages 143 - 160)

To determine the application.

12 F/YR22/1351/F

21 The Stitch, Friday Bridge

Erect a 2-storey side extension to existing dwelling (Pages 161 - 168)

To determine the application.

13 F/YR22/1389/F

Land South West Of 27A, Wimblington Road, Doddington

Erect a dwelling (2-storey, 3-bed) (Pages 169 - 180)

To determine the application.

14 Items which the Chairman has under item 3 deemed urgent

Members: Councillor D Connor (Chairman), Councillor I Benney, Councillor M Cornwell, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor C Marks, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding and Councillor W Sutton,

This page is intentionally left blank

PLANNING COMMITTEE

WEDNESDAY, 8 MARCH 2023 - 1.00 PM



PRESENT: Councillor D Connor (Chairman), Councillor I Benney, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding and Councillor W Sutton.

APOLOGIES: Councillor M Cornwell and Councillor C Marks.

Officers in attendance: Nick Harding (Head of Planning), David Rowen (Development Manager), Graham Smith (Senior Development Officer), Danielle Brooke (Senior Development Officer), Nikki Carter (Senior Development Officer), Stephen Turnbull (Legal Officer) and Elaine Cooper (Member Services)

P113/22 PREVIOUS MINUTES

The minutes of the previous meeting of 8 February 2023 were agreed and signed as an accurate record.

P114/22 F/YR21/1360/O LAND NORTH EAST OF 3-31 HEMMERLEY DRIVE, WHITTLESEY ERECT UP TO 58 NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

David Rowen presented the report to members.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Councillor Mrs Laws, on behalf of Whittlesey Town Council. Councillor Mrs Laws stated that Whittlesey Town Council is against this development, not against development in Whittlesey, but of any further development in the north of the town which as can be seen from the photos on the presentation screen shows flooding not once in 100 years or once in 50 years but this area is now experiencing once in 5 years where the roads surrounding this development are closed up to 69 days, which is a substantial amount of traffic that has to be diverted to the A605. She made the point that presently there are 1,078 dwellings being built out, not approved but actually being built out, with in the villages there being 82 mixed dwellings so the Town Council is not against development but what it is looking for is suitable and appropriate development and it does not consider the north of the town complies.

Councillor Mrs Laws drew members attention to 5.1 and 5.2 of the officer's report, Whittlesey Town Council consultation response and the County Council's response and also referred to a Flood Warning pack that is issued to 220 dwellings adjacent to this site that are at risk of flooding. She stated that she is the Delph warden and also works with the Environment Agency and she believes their consultation in the report is in conflict with their department working with flood wardens.

Councillor Mrs Laws expressed the view that over 1,000 properties now are at the risk of flooding in the north of Whittlesey and even with this new estate residents are struggling to find insurance to cover their contents and the building, if they can get insurance they cannot afford it. She referred to 7.7 of the officer's report which is in relation to the new Whittlesey Neighbourhood Plan and she

has it on good authority from the Chief Executive that from the moment the declaration was made on 23 February this became a living live document, which is more current than the 2014 Local Plan, which has been through independent examination, found to meet the basic conditions required for legislation subject to the incorporation of examiners recommendations for modification and the plan was successful at referendum on 23 February 2023 and, therefore, carries full weight.

Councillor Mrs Laws stated that the Neighbourhood Plan states that no further development to the north of Whittlesey and adjacent to the built area of Whittlesey, forms part of the Whittlesey Washes Flood Storage Reservoir which protects Peterborough, Whittlesey and other settlements and Fenland areas from flooding but supports the provision of housing to the South and to the East of the town and importantly industrial and commercial to the West of the town. She made the point that the Neighbourhood Plan is resident led and the Town Council brings it together, with there being 8-9 days of consultation and two workshops and in all that time everyone was adamant no further development in the north.

Councillor Mrs Laws asked members to take note of the policy considerations, comments at 5.14 on education and 5.19 by NHS England.

Members asked questions of Councillor Mrs Laws as follows:

- Councillor Connor stated that he has read the document and is knowledgeable with the 2014 Local Plan and emerging Local Plan that can only be given a certain amount of weight to and the new Neighbourhood Plan which indicates that residents and the Town Council do not want any more development to the north and asked if he was correct on this? Councillor Mrs Laws confirmed this to be the case, this site did not appear as a designated site in the 2014 Local Plan and the reason that the development came forward on the Showfield site was due to it being windfall and the land supply was less than 4 years at the time. She stated in the new emerging Local Plan this site has been recognised and Whittlesey Town Council were against this site being designated and the Neighbourhood Plan is adamant that people do not want and are worried about flooding with the mapping changing year on year.
- Councillor Connor expressed the view that when the Showfield site was brought forward for development the Council did not have the 5 year land supply and asked what is the land supply position now for Fenland? Councillor Mrs Laws responded that at the time of the Showfield development the land supply was less than 4 which is why the site principally went forward and as of September 2022 it is 6.5 years well over the 5 years so this would denote that this proposal could not be a windfall site.
- Councillor Sutton expressed the opinion that Councillor Mrs Laws had made a misleading and untrue statement because the outline was granted in 2016 and he knows the land supply was not lost until 2017. Councillor Mrs Laws asked Councillor Sutton what application he was talking about? Councillor Sutton referred to the application that was approved for 220 dwellings. Councillor Mrs Laws responded that Councillor Sutton is looking at 220 and he needs to go back further as prior to this an application for 249 was submitted which was the windfall and as he would be aware there were several planning applications submitted, several meetings and a public appeal that the Town Council and residents won and the land supply was less for the 249 application. Councillor Sutton expressed the view that this was irrelevant. Councillor Mrs Laws stated this is history and the land supply when the original application was submitted was less than it was with the 220 application.
- Councillor Mrs Davis asked about the amount of feeling there is in Whittlesey about all the development that is taking place and could Councillor Mrs Laws confirm that when the Neighbourhood Plan went to referendum that there was a 77% turnout, which is really high. Councillor Mrs Laws responded that the turnout was 14.95%, with a Neighbourhood Plan not being something that people get excited about to go to a polling station.
- Councillor Skoulding expressed the view that he thought there was going to be bollards or barriers to stop the traffic in Teal Road due to the school and he feared it would become a

'rat run' and is disappointed that this has not happened. Councillor Mrs Laws confirmed the barriers have not been installed, there are two entrances and exits, one from East Delph which floods and goes into higher ground where the Persimmon Homes site is and the one at Teal Road, when Persimmons Homes site was approved there was a firm understanding there would be bollards in this location which would permit only x number of vehicles to use from x number of properties but also as an emergency exit but that emergency exit is in a flood zone and the road does flood. She made the point that it is a very narrow road which leads towards a primary school in a very dense residential area.

Members received a presentation, in accordance with the public participation procedure, from Mr Clarke, the agent. Mr Clarke thanked officers for their engagement and dialogue during the application process and the well-reasoned and, in his view, justified committee report and expressed his full support for the officer's recommendation. He stated that as members will have seen in the officer's report the applicant has positively engaged with and responded to comments received and amended the proposal when appropriate throughout the pre-application discussions and application process.

Mr Clarke made the point that the application seeks permission for the principle of up to 58 dwellings with an indicative net maximum density of 32 dwellings per hectare and the officer's report confirms under 10.5.1 that the number of dwellings to be delivered along with the layout, design, separation distances and residential amenity are all considerations that can be appropriately addressed at the Reserved Matters stage. He stated that the application site is bordered by existing residential development on 3 sides and, therefore, sympathetically integrates into the development area of Whittlesey, with the principle of residential development supported by the Council at pre-application stage.

Mr Clarke referred to 3.1 of the officer's report which confirms the site is supported under policies LP3 and LP4 which seek to direct sustainable growth to main market towns in the district. He expressed the view in relation to the proposed surface water drainage strategy, that 5.5, 5.6 and 10.19 confirm that the Lead Local Flood Authority (LLFA) and Environment Agency have no objections or comments of concern regarding the proposal drainage strategy, with the site naturally out falling to the adjacent riparian ditch, therefore, the drainage proposal replicate the existing drainage outfall.

Mr Clarke expressed the view that it should also be noted that surface water from the south-western part of the adjacent site directly outfalls to the same ditch so the principle of its use has already been established and accepted. He expressed the opinion that the ditch that the proposal is to outfall to is not part of the North Level Internal Drainage Board network and as such the LLFA is the relevant authority for issuing consent and as confirmed the LLFA has no objection to the proposed drainage strategy, therefore, comments from the Internal Drainage Board are not pertinent to this application.

Mr Clarke expressed the view that the applicant has demonstrated that the site will be served by a safe and effective access provided by the adjacent Persimmon development, this access is supported by the Local Highway Authority. He feels the site is well connected to the local services and facilities and will offer pedestrian and cycle links to aid movement from the site and beyond.

Mr Clarke stated that Whittlesey is served by bus services and benefits from a railway station providing sustainable access to Peterborough, Stanstead Airport, Ipswich, Colchester, Birmingham and beyond. He stated in respect of the sites natural features it is proposed to retain and enhance the existing boundary hedgerows and trees, which he feels will help the development blend naturally into the wider landscape.

Mr Clarke stated the proposal offers 9.72 hectares of nearby land, which is over 5 times the size of the development site, to create new rich habitats and a significant biodiversity net gain to the

benefit of all. He concluded that the application represents the efficient use of land in a sustainable location and will deliver much needed housing including 25% affordable housing, high quality and usable open space, new rich habitats and a significant biodiversity net gain, much needed financial contributions to the education sector, NHS and East of England Ambulance Service, all of which will be further complemented by the economic benefits of construction and support to local businesses.

Mr Clarke outlined for clarity that members are only being asked to assess the principle of residential development in this location with a means of access committed at this stage, with appearance, landscaping and scale, the detail, to be considered at the Reserved Matters stage although it should be reiterated that the Case Officer and statutory consultees are satisfied that the indicative layout and design will meet and where possible exceed the requirements of national and local planning policy and guidance in creating high quality and sustainable development. He reiterated his full support for the officer's recommendation of approval and whilst he respects the Town Council's presentation none of the photographs shown are of this site and the site has never formed part of the Persimmon Homes site, it is a totally separate site.

Members asked questions of Mr Clarke, Mr Hatfield, another representative of the agent, and Mr McGrane, the applicant's highway consultant, as follows:

- Councillor Sutton referred to Mr Clarke stating in his presentation that 25% affordable housing was going to be provided and asked if there was any chance this would be amended as it is often promised at outline but on a full application a viability study is produced to show it is not feasible. Mr Hatfield responded that there is no intention of undertaking a viability study as it would have been undertaken now and the intention is to develop the site as soon as possible. Mr Clarke added that the 25% affordable housing that will be delivered as part of this site actually exceeds what will be required as part of the emerging Local Plan.
- Councillor Mrs Mayor expressed her concern about Anglian Water and the recycling centre which currently does not have capacity to take these properties and as one of the ward councillors Teal Road has a problem when there is a heavy downpour of rain and she has spent a whole day there watching Anglian Water pump out sewage from people's gardens, with this development only going to exacerbate this problem. She asked if there was any way the applicant can build into anything with Anglian Water who is saying they will try to take the necessary steps to ensure sufficient treatment capacity but this is if, buts and maybes. Mr McGrane responded that there is a pre-commencement condition relating to a detailed drainage strategy that will need to be submitted for approval to the LLFA and that condition relates to a document that was submitted as part of the outline application, which is the Flood Risk Assessment Drainage Strategy. He acknowledges the point made about capacity issues but made the point that if this is relevant when they come to discharge that condition if the statutory authority, the LLFA and Anglian Water, request that this is looked at then this will need to be looked at. Councillor Mrs Mayor stated that the residents of Kingfisher Road and Teal Road would be delighted to get something sorted out as this is happening more regularly. Mr Hatfield added that on the previous application there were obligations on Anglian Water at that point to reinforce the water treatment centre and the pre-development report from Anglian Water does say the existing sewers around the site have capacity and it is the waste water treatment plant downstream that is the problem and it is their statutory duty to provide foul water improvements.
- Councillor Skoulding asked if the barriers or bollards would be erected on the road to stop the traffic going through Teal Road as he is worried about the school and can see an accident happening as it will be used as a short cut. Mr Hatfield responded that as part of the Persimmon Homes approval there was a phasing plan and traffic calming required rather than placing barriers at the entrance to Teal Road as it was always intended as a secondary access not an emergency access as mentioned earlier as it is known that the East Delph access has flooded from time to time and that matter is dealt with already by the existing Persimmon Homes permission and this scheme is adding 58 further houses onto

the Persimmon scheme, highways have been consulted all the way through and are happy that there is no further harm or detriment in terms of capacity and safety as long as Persimmon do whatever is within their planning permission. He expressed the view that there are about 40 cars in the peak hours leaving and coming to the site and with post pandemic shifts in home working traffic levels are lower than they have been. Councillor Skoulding expressed the view that this is a long-winded way of saying no.

- Councillor Mrs Mayor expressed the opinion that since some of the documents were written and presented the bus services in Whittlesey have been considerably reduced, the train services have been reduced and yet it is still being said that there are facilities for people to get from A to B but they are not as often as they were and people are complaining about this. Mr McGrane responded that this is a nationwide problem, bus subsidies are being cut and people are not using buses because of the impact of Covid and the use of public transport in this country is tantamount to disastrous, which is an unfortunate reality in society currently.
- Councillor Mrs French referred to 5.9, Leisure Services comments regarding limited open space and asked if play equipment could be placed onto the site? Mr Clarke responded in the affirmative but made the point that the layout is only indicative and at Reserved Matters stage the proposal has to have a policy compliant level of public open space and play equipment.
- Councillor Connor referred to debris on the road and sees there is wheel wash facility but would like to add a road sweeper on site at all times in association with the wheel wash facility from the first day development commences. Mr Clarke responded that a planning condition has been agreed for a Construction Traffic Management Plan and an Environment Management Plan to be submitted. Mr Hatfield added that if officers wanted to amend the condition to stipulate full time road cleaning then they would have to accept this. Councillor Connor stated that if the application is approved he would like officers to do this.

Members asked questions of officers as follows:

- Councillor Sutton referred to the difference of opinion between Councillor Mrs Laws and himself regarding land supply and that when the 220 houses were determined the Council did have the necessary 5-year land supply and asked officers to confirm the position. Nick Harding responded that in terms of the original application that went to appeal and was dismissed the authority was satisfied that it had a 5 year land supply, the appellant put forward to the inspector that the Council did not have a 5 year land supply and the inspector duly considered this issue and dismissed it as there was a brand new Local Plan and it would clearly not have gone through examination and adoption had the Council been short on the 5 year land supply. He stated that in relation to the application that did receive consent from the Council there is nothing in the case report that indicates that at that time there was a shortfall in the 5 year land supply and an email was issued in January 2018 to notify the Developer Forum that at that point in time there was not a 5 year land supply but this was after the determination of the consented scheme. Councillor Sutton stated that he was confident that he was right.
- Nick Harding referred to the Whittlesey Neighbourhood Plan and in particular Policy 1, Spatial Strategy and under B it says “significant new housing development should be located predominantly east of the town, adjacent to the built area and strategic allocation North and South of Eastrea Road. Development at this location will support the delivery of new and enhanced infrastructure, including a new Country Park” so clearly the policy says east of the town, adjacent the built area and in the strategic allocation north and south so as per the Case Officer’s report this indicates that this site is adjacent to the built area.
- Councillor Sutton asked in terms of the Neighbourhood Plan he knows it has been to Referendum and has community support but surely it cannot be firm and final until it has been examined by the relevant inspector. Nick Harding responded that it went to referendum after the examination.
- Councillor Skoulding asked to see the presentation slides again. Nick Harding responded that he was happy for the slides to be shown again but that it was important to note that the

land level of the development site is different to what is being shown on the slides so it is not a fair comparison and in relation to the Showfield site a significant portion of that site is at flood risk and has not been included for physical built development and this proposal mirrors that situation. Councillor Skoulding stated that he drives this road quite often and comes up to the barrier with the water being so high and he thinks it is foolish to build here as the water is so close.

- Councillor Mrs Mayor asked for clarification that the initial application in 2013 was for 249 properties, which is the Persimmon application, and was the one that went to appeal and was dismissed and in 2015 an application was submitted for 220 which was approved, but if these 58 dwellings are added on to 220 that is 278 which is well above the 249 which was rejected and she is concerned that a lot more properties are trying to be shoehorned in than was originally refused in the first place. David Rowen responded that the 249 properties that were refused and dismissed at appeal had a number of the dwellings in the flood risk area, subsequently the application for 220 was submitted with the houses solely within the acceptable area for development from a flood risk perspective. He made the point that this proposal is for an area of land that was never part of the Persimmon Homes application and which is also largely within Flood Zone 1 so the calculation is not relevant or comparable. Councillor Mrs Mayor expressed the view that the residents would disagree.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs French expressed her surprise at comments of the LLFA, there was an objection but they have now withdrawn it. She made the point that North Level are also not happy with the proposal due to the riparian ditch and she can see this will be an issue in the future so she is unable to support it.
- Councillor Purser stated that he is not happy with this application, especially with the flooding issues and whilst it has been stated that it is nothing to do with Persimmons development it is the piece of land that matters and councillors from Whittlesey who have spoken know the area well and he is aware of the flooding issues in the area. He is also concerned about the education shortfall and the speeding traffic with a development such as this bringing more children into the area.
- Councillor Mrs Davis expressed concern about the Ambulance Service and emergency services saying that this development is likely to increase demand upon the existing constrained ambulance service and blue light response times and that the proposed development is likely to have an impact on the services of the GP practice operating within the vicinity of the application site, which upon reviewing the existing estate footprint and registered patients the practice does not have existing capacity to support this development so it does not matter if contributions are provided in a Section 106 if doctors and staff cannot be obtained then these people will move into these properties and they will not have easy medical provision. She agrees with Councillor Skoulding that people are going to use Teal Road access and at certain times it is totally blocked with traffic, with school children running around and it is an accident waiting to happen.
- Councillor Mrs Mayor stated that she was going to mention the ambulance and doctors services too but referred to education as only this week she has been contacted by a parent who is having to go through an appeal system as Sir Harry Smith School has said they cannot take any more children so how many more houses should be built when there are not school places for the children. She knows Sir Harry Smith is having an extension built but children have got to be educated and you cannot expect a mother with 4 children having to make a journey to Stamford and back every day, which is not acceptable.
- Councillor Purser expressed the view that the site is overdevelopment and too squashed in. He referred to the sequential test and queried whether this development could not be built in another safer location.
- Councillor Sutton stated that he takes on board what the other members have said regarding services such as education and medical services, and to a certain extent agrees with them but those problems can and are replicated right across Fenland and elsewhere so if it is being said that this proposal cannot be approved because of those issues the

Planning Department might as well be closed down and the Council says no more development in Fenland because all the services cannot cope. He does not feel there is anything policy wise where the committee could turn this proposal down, it fits with the unallocated land policy, it has nothing to do with the 249 dwellings Persimmon development it is a completely separate piece of land so needs looking at in its own right, he understands the issues with Teal Road especially around school times but this is the same across every town and village so he does not see where a policy reason for refusal is going to stand up.

- Councillor Mrs Davis made the point that the committee recently refused an application for 47 houses at Bevills Close in Doddington for some of the very same reasons that have been mentioned on this application so she does not think it is a foregone conclusion at all.
- Councillor Sutton countered that the committee sat at the last meeting and agreed 63 dwellings and there were all these issues with that development.
- Councillor Mrs French stated that she partly agrees with Councillor Sutton, doctors, dentists and education are not really material planning considerations to refuse an application but there are material considerations within the report. In relation to education, she stated that as a member of the County Council they are not putting replacements in, there are shortages right across the whole of the county and the Rainbow Alliance will not address it at this time and it is the same with highway issues.
- Councillor Skoulding stated he is against this proposal as safety of children is paramount and cars will make Teal Road a 'rat run' and if a child get knocked over residents will be asking why the development was allowed to happen.
- Councillor Connor queried if members do not agree with the Whittlesey Neighbourhood Plan and what Whittlesey residents want what message does that send out to other areas that are undertaking Neighbourhood Plans and what is the point of undertaking Neighbourhood Plans if they are overridden.
- Councillor Sutton referred to the section of the Whittlesey Neighbourhood Plan read out by Nick Harding earlier and made the point that this did not specifically say that there should be no development in the north.
- Councillor Connor expressed the view that it does not comply with the Local Plan or emerging Local Plan either and the committee, with the Council encouraging areas to undertake Neighbourhood Plans, would be going against exactly what the people of Whittlesey do not want.
- David Rowen read out the wording again of the relevant policy of the Whittlesey Neighbourhood Plan, Policy 1 Spatial Strategy, Criteria B and, in his view, there are two key words in this which are 'significant' and what constitutes significant or not and 'predominantly' so this does not rule out per se development elsewhere. He feels the other important point to note is that a Neighbourhood Plan should not supersede the adopted Local Plan, it should complement it and there should be nothing within a Neighbourhood Plan which introduces further restrictive policies.
- Councillor Mrs French expressed the view that the significant word is complement and she does not think this application does.
- Nick Harding made the point that there is no objection from the County Council as Highways Authority so references made to the safety of children as pedestrians, who will be using predominantly existing network plus the network that is provided on the Persimmon Homes development, how can this Council say that this is unsafe given that roads on this proposed development will be of equal standard and a reason for refusal could not be sustained at appeal on the grounds that the design of the highway network is inherently unsafe for pedestrian uses. He stated that there is no objection from the LLFA and this Council has no policy in place that says developments can only drain into an IDB network and the use of riparian drains is not outlawed for drainage purposes, appreciating members' frustrations when the owners of those riparian ditches do not undertake the necessary maintenance to the detriment of themselves and others but this is not something that can be solved through the planning process and members have recently approved other applications which will be using riparian ditches. Nick Harding stated that in regard to Section 106 and development viability, there have been a number of calls from health organisations and the County

Council for contributions to meet the demands that are going to be generated by this development but as part of the production of the Local Plan a Strategic Viability Assessment was undertaken and that indicated that putting affordable housing to one side for the purposes of developer contributions for infrastructure that no contributions can be sought for developments North of the A47 and only £2,000 per property can be sought South of the A47 so when a developer comes along there is always going to be a deficit and if this is not accepted then the Council will not be granting any planning permission for future developments and not meeting its requirements which means it will not have a 5 year land supply, it will not be meeting its delivery test and the tilted balance will come into play thereby possibly placing development where the Council does not perhaps want it to be located.

- Councillor Mrs Mayor referred to Policy LP11 which says “Policy proposals especially to the north of the town should have particular regard to all forms of flood risk which exist at Whittlesey” not just north of Whittlesey but Whittlesey per se and it then goes on to say “any development will need to take into account the proximity of the internationally protected Nene Washes and the SSSI”, with the Nene Washes being a SSSI and this development is adjacent to this and nobody so far has mentioned this fact.
- David Rowen responded that biodiversity is mentioned in Paragraphs 10.3-10.38 of the officer’s report so the issues of the SSSI and the Nene Washes has been considered in several paragraphs of the report with the conclusion being there is no unacceptable impact upon the Nene Washes. He referred to flood risk and Policy LP11, making the point that the developable area is within Flood Zone 1 and the Environment Agency have raised no objections and the LLFA are satisfied with the application.

Proposed by Councillor Sutton to support officer’s recommendation to approve planning permission, which did not obtain a seconder.

Proposed by Councillor Skoulding, seconded by Councillor Mrs Mayor to refuse planning permission as they feel it is contrary to the health and wellbeing of residents under Policy LP2, is contrary to the safety of children coming and going to school and playing around the area under Policy LP17 and does not comply with Whittlesey Neighbourhood Plan. Officers made the point that there is no objection from Highways and the Whittlesey Neighbourhood Plan does not outlaw this location specifically for development, with the site being surrounded on all sides by existing development. The Legal Officer reminded members that there needs to be clear reasons based upon evidence why the application should be refused and he feels it would be a struggle to come up with reasons, therefore, there would be a material risk of costs against the Council if it was refused and went to appeal. The proposal for refusal did not receive the support of the majority of members.

Proposed by Councillor Benney, seconded by Councillor Sutton and agreed that the application be APPROVED as per the officer’s recommendation.

(Councillor Mrs Mayor registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of Whittlesey Town Council and was on the Town Council’s Planning Committee when this application was discussed at the Town Council but took no part in the discussion and voting thereon at the Town Council meeting)

**P115/22 F/YR22/0967/FDL
LAND EAST OF THE ELMS, CHATTERIS
ERECT UP TO 80 X DWELLINGS (OUTLINE APPLICATION WITH MATTERS
COMMITTED IN RESPECT OF ACCESS)**

Graham Smith presented the report to members and drew their attention to the following updates:

- the total contributions in Section 10.13 should have included the possible maximum total which is a request for £1,366,040, which will be subject to the total houses as it is an outline

application but made the point that Section 10.14 highlights the accepted viability in Fenland.

- a further letter has been received from the Fire Service confirming their request for fire hydrants and planning condition 10 deals with this issue.
- a late letter was received from John Maxey who drew attention to the question of whether the applicant should have provided a viability assessment, the applicant has agreed to provide 20% affordable housing and infrastructure contributions as detailed in the report of £2,000 per dwelling. Mr Maxey sought confirmation that this proposal would be consistently applied together with a position of 10% first homes and 0% infrastructure contributions on sites to the north of the A47, officers have since given Mr Maxey that confirmation and he has confirmed that his objection has been satisfied and his request to speak was withdrawn.

The committee had regard to its inspection of site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Councillor Benney, a District Councillor. Councillor Benney stated that the site lies within his ward so he is looking at it from a ward perspective and this also falls under his Portfolio Holder responsibilities. He expressed the view that all his life he has been critical of politicians local and national who make popular rather than practical and informed decisions just to get re-elected, with this in mind it would have been easier for him to jump on the band wagon and go for the minority option as ward councillor to refuse this application but he believes this application has been well worked, is policy compliant and is the best compromise for all Chatteris residents and it also delivers housing Chatteris desperately needs.

Councillor Benney expressed the opinion that there has been no major house building in Chatteris, with the exception of Womb Farm, since the early 1980s, with the Chatteris East Strategic Allocation BCP having been in place for 15 years and has stood as the cornerstone of housing allocations for Chatteris in that time but not one brick has been laid, whilst on paper the policy looks good the lack of willingness to agree by landowners, agents and developers has failed to put a deal together to deliver and this is why the BCPs are being dismantled in the emerging Local Plan and individual applications within a BCP are being accepted. He stated as Portfolio Holder for the Council's assets he has seen other proposed schemes for this site, another proposal was for the whole BCP area showing 450 homes with the land at the bottom of The Elms having all the social housing element for the whole BCP in the form of flats on this land, whilst this would not use The Elms for vehicular access foot traffic from the flats would and visitors to the flats could park in The Elms causing traffic issues, referring to Treeway to show what could happen in a quiet cul-de-sac.

Councillor Benney stated that he also sits on the Investment Board and said he could only support this scheme if it is a high-quality development, he wants nice well-designed, well-built family homes with plenty of off-road parking that would bring as little disruption to the residents of The Elms as any scheme would. He feels the mix should be 2, 3, 4 and 5-bedroom, high-quality, low-density housing with policy compliant 20% affordable, which delivers enough affordable housing for the local need and no more, consisting of 15 rentals and 5 shared ownership, and retains the good character of The Elms.

Councillor Benney referred to the Council's website where there have been 10 letters of objection but made the point that only 6 of these are from residents, the remaining 4 are from local agents and most of the objections, flooding, access, drainage, wildlife, etc, are addressed within the officer's report. He stated that Fenland Future undertook a community engagement exercise pre Summer holidays last year and over 150 homes in close proximity to the site were consulted, 16 replies were received, 6 were objections and the rest were either neutral or showed support, with the requests from those responses asking for a mix of housing, a mix of open space and energy efficiency for the properties and he will work to deliver all of these requests from his place on the

Investment Board if elected at the next election.

Councillor Benney expressed the view that this is in contrast to the Wenny Road development, which also lies within the BCP area, and is within 300 metres of this site and has over 550 residents' comments nearly all against that development, which shows the contrast of objections between the two sites. He stated as ward councillor he was made aware four years ago that there are significant drainage issues within The Elms, since the Farriers Gate development was built there is surface water that runs into The Elms causing severe flooding, a resident sent him a photo of the highway, garden and car park with significant standing water, which he took to David Rowen and asked what could be done to solve this problem, build was David's answer and the drainage scheme on this proposal would resolve the flooding.

Councillor Benney expressed the opinion that approving this proposal is the best way to solve the flooding issue affecting the residents of The Elms, it is only a matter of time without this application being approved that someone's house in The Elms will flood. He referred to talk of an alternative access into the site, Fenland Future looked at bringing the access off the A142 but the conclusion was that the access from the A142 was considered feasible but extensive works would be required at significant cost which is likely to make the development unviable and also the land to deliver this is not in the ownership of the Council and it would also mean that anyone living on the proposed site would have to drive around the bypass back into the town just to buy a pint of milk, so the lack of connectivity to the wider town and service would not be good for the residents living there.

Councillor Benney concluded that the proposal is policy compliant, it delivers much needed housing for Chatteris social and market value, has been fully consulted on and a solution with highways has been agreed for the access and it comes with an officer recommendation to approve.

Members asked questions of Councillor Benney as follows:

- Councillor Mrs French asked if it was possible that another access point can be brought through the BCP? Councillor Benney responded that the land that surrounds the Fenland owned land at the bottom of The Elms is privately owned and attempts have been made to liaise with the owners without success.
- Councillor Skoulding asked if all of the Chatteris Town Councillors agree to this proposal? Councillor Benney responded that Chatteris Town Council is against the development as it is over-development, but, in his view, it is not it is low density compared to what it could be and feels that the Town Council has been affected by the Wenny Meadows campaign.
- Councillor Connor stated that he is happy to see 20% affordable and 5 shared ownership but asked for a guarantee that there would be a sweeper on site at all times as mud and debris should not be left deposited on the highway. Councillor Benney responded that as far as he is concerned he could as Fenland Future Ltd wants to be a gold star deliverer of homes and believes if the same question is asked of the applicant after he speaks that the same answer will be given.
- Councillor Sutton made the point that Chatteris Town Council do not object to the site per se but strongly object to the entrance being on The Elms. He stated that when members visited the site, it is not ideal and asked Councillor Benney for his comments. Councillor Benney agreed that it is not ideal but Fenland Future Ltd did have a consultancy firm undertake an access survey, there were 3 areas looked at one was the access through The Elms, another was through Green Park but there were ownership issues with access to the land so this was dismissed and the only other access is from the bypass which is on a long sweeping curve and to introduce slip roads would be too costly and make the development prohibitive and also it would make it not part of the town as you would not be able to drive into it. He expressed the view that when The Elms was built that part of the road was left open to accept delivery and this proposal will be the last piece of development that comes in here. Councillor Benney made the point that no development is agreeable to everyone and there are the flooding issues, which at the bottom of The Elms are very serious, which can be

solved by a drainage strategy for this site.

- Councillor Mrs French referred to provision of a Welcome Pack for the first occupants of each dwelling, which will include 4 weeks free bus travel, cycle discount vouchers, etc, and asked who is paying for this? Councillor Benney responded that he has no idea.
- Councillor Purser referred to the sequential test and asked if there are any other sites that could be used in Chatteris? Councillor Benney made the point that it is this application that is being looked at.
- Councillor Mrs Davis asked for assurances that the access from the A142 was seriously looked at and costed because it has been said that it would make the development unviable. Councillor Benney responded that he has a copy of the report in front of him that was prepared for Fenland Future Ltd and all options were looked at and it states clearly that “access from the A142 is considered feasible, however, extensive works will be required at significant cost which is likely to make the development unviable”.

Members received a presentation, in accordance with the public participation procedure, from Mr Melton, an objector. Mr Melton stated that he is not against the development of this land, he remembers promoting it as a wholesale development right up to the bypass and it was always stated at the time and in successive plans that there would be no access to that land from St Martins Road, The Elms, Green Park or anywhere else, it would be coming off the bypass with a roundabout near the cricket club. He acknowledges that it has been an issue to bring all the developers together but he feels it is their problem and does not see why the Council should pick up the problem and make it worse.

Mr Melton expressed the opinion that when members visited the site they probably went at a convenient time when there were not many cars parked up along this road but if The Elms and Birch Avenue had been visited at school time, first thing in the morning and in the afternoon it would be a completely different scenario. He expressed the view that Councillor Benney is right that it is his ward but before it was Councillor Benney's ward it was his ward several years ago, he lives on this ward and walks the ward every day, crossing the fields looking at the dykes and ditches and the way the water is supposed to go away and it does not and also the cars that are parked and the access, which he feels it is not acceptable.

Mr Melton expressed the view that if he had more time to address the committee he would play the scenario that members went through when they were discussing the development at Doddington and this is very similar due to access, the winding roads, the bends, the delivery and he could quote some of things some of the councillors said about that access. It was also said by one councillor that the village does not want it, the community does not want it and those nearby do not want it so, therefore, to be consistent members should consider this proposal in the same way.

Mr Melton recognises that it is difficult for the committee, given the nature of the application and who the applicant is. He is not against selling Council assets but he always wishes to see that the local community benefits from the sale of those assets and in this case, in his view, this proposal does not as all it is going to do is aggravate a problem which is now on St Martins Road, Birch Avenue and The Elms.

Mr Melton refers to the report mentioning East Park Street, which is the main egress and access into St Martins Road and, in his view, is a terrible junction, with most people who leave St Martins Road from The Elms or Birch Avenue utilising Church Lane and that is a narrow road with hardly any footpath. He referred to the consultation mentioned by Councillor Benney and, in his view, the consultation did not go far enough, the consultation was in Green Park and adjoining areas and he feels it should have been with everybody in St Martins Road, Birch Avenue and The Elms to obtain their opinions.

Mr Melton believes this application is premature, it should still be considered as a whole item of land along the bypass and if the developers cannot come together and put a whole scheme

together with a proper spine road and accesses, proper environmental and drainage contributions then the whole site should be taken out of the emerging Local Plan as if not committee will be considering piecemeal development from now and for the next 20 years and all of it will be coming along St Martins Road.

Members asked questions of Mr Melton as follows:

- Councillor Sutton asked Mr Melton what his take was on the flooding issues in this area, with Councillor Benney alluding to this development helping the current situation? Mr Melton responded that this morning he walked the site and the problem is all the volume of water which comes from development at Green Park, The Elms and Farriers Gate, which all goes into one point and into one drainage ditch. He stated that there is a culvert under the bypass and there is another culvert but none of them have the capacity to take any further volume of water. Mr Melton stated he does have photos of it and the other side of the culvert it just comes to a stop and where the water goes before the culvert it pools and steps over. He expressed the view that when Farriers Gate was built the site was raised by a metre and there is an engineering brick wall on the entrance to The Elms which holds that development back and there is a set of steps and a slope to climb up to it from The Elms into that development so when water falls it always goes downhill and if this site is built upon it will have to be raised because this and the adjoining playing field are always wet. Mr Melton expressed the opinion that when this site is built up along with Farriers Gate the people who live in The Elms are in a bowl and unless there is extensive engineering and pumping work to deal with the issue, referring to an incident he had when he was ward councillor and houses in The Elms were flooded, the same situation will happen again which is what residents are in fear of.
- Councillor Purser referred to the junction at East Park Street, which Mr Melton said was dangerous and asked if the outline should include a roundabout or traffic lights. Mr Melton responded that there is a number of roads that would be impacted and it would cost a fortune to implement making the development unviable, whilst it is a solution it is impractical.
- Councillor Purser understands what Mr Melton is saying, but feels it is also a matter of how much a life costs. Mr Melton agreed and this is why he is making a case against it now as this is a major route for access to the Glebelands School and there is a constant stream of children in St Martins Road coming past his house to and from school from these estates. He referred again to the debate on the Doddington development where someone asked how anyone would get building materials to the site, a great big lorry with trusses on the back, portacabins, etc, it will be an absolute nightmare and it will not be a sweeper to keep it clean but a major piece of machinery.

Members received a presentation, in accordance with the public participation procedure, from Adam Broadway, on behalf of the applicant. Mr Broadway clarified that Fenland Future Ltd is the wholly owned subsidiary of the Council and has been set up specifically to create revenue for the Council. He made the point that Fenland Future is the applicant for the site and stated that he does want to add anything to what is already in the report, which has a clear recommendation and a clear set of statutory consultees that are not objecting to the scheme.

Mr Broadway stated that they have worked very closely with the officer and statutory consultees to ensure that this outline application meets planning policy and can be delivered. He made the point that affordable housing is being provided in line with policy and a Section 106 Agreement will be entered into to meet some of the requirement for facilities in the town.

Mr Broadway referred to the question that was asked about the travel plan being offered to the residents of the development and this will be costed in the development by Fenland Future Ltd when the site is developed.

Members asked questions of Mr Broadway as follows:

- Councillor Mrs French expressed her disappointment with the lack of comments from Highways. She stated that she is intrigued about the Transport Assessment Team regarding the Welcome Travel Pack and asked what this is about as she has never heard of it bearing in mind the District does not have many buses and is this just another directive coming from County Council to get people out of their cars? Mr Broadway recognised that there is a problem with transport, but there is also a climate change issue so consideration needs to be given to how people move about and how it can be addressed, with one of the new ideas being floated is to offer all new residents on developments travel options which are different to the car, an incentive for people to use transport modes in a different way which is used on a number of development across the country and it is new but it will be funded by the developer and hopefully will try and reduce some of the car traffic use and encourage residents to make the switch to other sustainable transport modes. Councillor Mrs French understands what is being said and attended a meeting at County yesterday where they are trying to get people out of cars but people living in this area need a car, the people of Chatteris will not be waiting for a bus to get to where they need to go as there are not any.
- Councillor Mrs Davis asked what the proposals will be for construction traffic as all the roads around the site are very narrow and there are cars legitimately parked on the road and there could potentially be the situation of construction traffic meeting head on emergency vehicles. Mr Broadway responded that there is a condition and it will be an obligation on the Reserved Matters application to deal with this. He recognises the point and they are not fixed on a particular route, it will be dealt with in the detail if this point is reached. Councillor Mrs Davis acknowledged this but was just wondered if Mr Broadway had any view now that would assist councillors in making their decision. Mr Broadway stated that he has a view but that needs to be technically supported, there is a view that you could come off the bypass but that is extremely difficult due to the access point as it is and the fact that it is a very busy road and along a major curve.
- Councillor Connor stated that he has asked Councillor Benney and does see in the conditions there is a wheel wash but he would prefer a road sweeper as well if the application is approved to stop the debris on the road and he would like this from the first day of development and asked for a guarantee that this happens. Mr Broadway responded that Fenland Future Ltd will be developing the site with appropriate contractors and will have the ability to put conditions on the contractors in the best health and safety conscious way as this is technically a Council development and it needs to ensure that everything is undertaken correctly.
- Councillor Purser asked how long the actual development would take? Mr Broadway responded that construction period would be about 2½ to 3 years which is from the first start on site to actual handover and completion of the very last property. He stated it will be a housing for sale scheme predominantly so the market has to be followed and there has to be a sales plan that reflects what the market will take.
- Councillor Sutton referred to the comments from Councillor Benney and Mr Melton regarding the flooding issues currently and he has always been told that a new development should not bear the costs of something that has gone wrong in the past but given this is a Council run scheme he would expect the Council to go that extra measure to incorporate something within the new site which alleviates those problems that are existing and asked for assurances that this would fit in with Fenland Future Ltd plans? Mr Broadway responded that in the report it can be seen that there has been extensive consultation with the relevant authorities on how the site is drained and at one point the original proposal was not accepted and that has been amended and conforms to what the authorities require in terms of drainage and holding surface water. He stated that surface water seems to be the big issue, there is a drain that goes through the site and it is proposed that very large sustainable urban drainage ponds will be put in, which will be dry most of the time but when there is a flooding issue then they will hold the water, which is a technical detail that needs to be finalised when a detailed application is submitted but the confidence that this can be addressed has been provided.

- Councillor Sutton referred to Mr Melton mentioning that there is an issue with the culvert going under the A142 and he knows from experience and being on the Hundred of Wisbech IDB there are 3 culverts going under the A47, 2 of which go uphill and as Mr Melton rightly pointed out water only goes one way and asked if there has been any survey undertaken or is coming up as to whether that culvert running under the A142 is fit for purpose. Mr Broadway responded that they consulted with the relevant agencies, they have given their advice and they have amended the plans to accommodate their further input. He stated that as part of a detailed application there will be further conditions that need to be addressed including a lot more technical reports and those reports are fundamental to the next stage of the process and it is not in their interests to create problems but try to resolve some of those problems for the existing neighbourhood but also the residents.

Members asked questions of officers as follows:

- Councillor Mrs French asked if any comments have been received from the Drainage Boards as she cannot see any within the report? Graham Smith advised that before committee he checked whether any comments had been submitted but confirmed that nothing has been received.
- David Rowen referred to the comments of Councillor Benney and he does recall him showing him a photograph of a site on The Elms, which he believes was a car parking area that was underwater and he did comment on this, however, he does not believe he has commented on the actual application site itself.

Members made comments, asked questions and received responses as follows:

- Councillor Sutton stated that he is not overly comfortable having to make a decision on something that is in-house but that is what the committee has to do. He mentioned the comments about the BCP and in other places this kind of piecemeal development has been refused, Wisbech East being one of them, so members need to be careful that they do not appear to be favouring the Council's land because that is contrary to what has been done before. Councillor Sutton stated that he does struggle to compare with other developments and being consistent with those, but he does not feel there is much wrong with the proposal as long as it is going to improve those flood issues and the levels are not going to be raised like Mr Melton fears, there is not any policy reason, other than a change in attitude to the BCPs, to refuse the application, although he has serious concerns about the access but acknowledges that there is not the technical backup from Highways.
- Councillor Mrs Mayor agreed with the comments of Councillor Sutton, the access is dreadful and she is sure that her voice was one of the voices that Mr Melton was referring to on the Doddington application as she thought that was awful but again there is no backup from Highways. She referred to the costs to come of the A142 as being prohibitive but made the point that no numbers have been provided, what one person thinks is prohibitive might be different for another person but reiterated that access from The Elms into this site is dreadful.
- Councillor Connor made the point that Highways have raised no objections so practically there are no reasons to refuse as Councillor Sutton rightly says on highway grounds.
- Councillor Mrs French agrees with the comments of Councillor Sutton and she did ask the question of Councillor Benney about the disappointment about the lack of information from Highways. She referred to Councillor Sutton's comments about feeling uncomfortable about making a decision on land that belongs to the Council and made the point that the committee has done this many times before, possibly not on this scale and need to take into consideration that there has never been until recently Fenland Future and this is what it is all about Fenland's future. Councillor Mrs French expressed the opinion that the application has been submitted properly and if the access could be bettered possibly with a roundabout it should be looked at.
- Councillor Sutton expressed the view that the application cannot be refused on The Elms and the only way that members can refuse it is to say that they do not agree the development should go ahead outside of the BCP, which he feels is legitimate. Councillor

Connor expressed the opinion that he could not direct the committee to go down this route. Councillor Sutton disagreed as this has been undertaken before.

- Nick Harding stated that there have been situations where permission has been refused where an incremental proposal on a BCP site has come forward but in other instances there have been approvals and the key to this is whether or not the proposed incremental development risks significantly stymieing the delivery of the bigger picture and that needs to be determined when dealing with this application. He acknowledges that the means of access is different but what is the harm of that access being different, there has been two and a bit pages of response from the Highway Authority so they have been thorough, a transport assessment has been undertaken and the Development Management Highways Officer has looked at the scheme so he is satisfied that it has been looked at appropriately. Nick Harding expressed the view that the only thing missing from the delivery of the wider BCP and the consideration of individual applications is the sway of the public open space on the south eastern quadrant of the site but the committee has to be pragmatic about it as despite valiant efforts by many it has not been possible to achieve a deal between all the various landowners and so these individual cases are being looked at as to whether they provide the appropriate levels of open space. He stated that the development is accessed via The Elms but that does not prejudice access being provided off Wenny Road for the remainder of the development.
- Councillor Mrs Davis expressed the opinion that this is a difficult decision, looking at the faces of the committee and the public she feels you can tell that people's hearts do not want it to go ahead and there is every sympathy with the residents but officers spend hours writing these reports and have gone into every detail and she cannot see any real material reason for refusing this application.
- David Rowen expressed the view that one of the important things to remember regarding a roundabout of the A142, and issues of is it feasible, would the cost really be prohibitive, but ultimately the committee needs to make a decision on the basis of the application in front of them. He asked whether it would give members some or greater comfort to add potentially an additional condition regarding details of land levels to be submitted at Reserved Matters stage, which may pick up some of the issues Mr Melton raised and some members have reflected on in the debate.

Proposed by Councillor Mrs Davis, seconded by Councillor Skoulding and agreed that the application be APPROVED as per officer's recommendation, with an additional condition regarding land levels.

(Councillor Benney declared that he sits on Cabinet and the Investment Board so is pre-determined and after speaking on the application took no part in the discussion and voting thereon)

(Councillor Mrs French declared that she is a Cabinet member but is not pre-determined and would approach the application with an open mind)

(Councillor Murphy declared that he is a member of Cabinet and attended a meeting discussing the site and the agreed way forward so he is pre-determined, and took no part in the discussion and voting thereon)

(Councillors Benney and Murphy further registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they are members of Chatteris Town Council but take no part in planning matters)

P116/22 **F/YR22/1153/F**
LAND WEST OF 241 HIGH ROAD, NEWTON-IN-THE-ISLE
ERECT 1 X DWELLING (2-STOREY 4-BED) AND A DETACHED GARAGE WITH
HOBBY ROOM ABOVE, INCLUDING FORMATION OF A NEW ACCESS

Danielle Brooke presented the report to members.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Martin Williams, the agent. Mr Williams expressed the view that the proposed site is almost surrounded by building and from a plan on the presentation screen members can see the proposed dwelling sits comfortably on the plot whilst still leaving a large garden for number 241. He made the point that there have been no objections from any of the consultees to this application or the previous one, with no letters of objection but 8 letters of support and Newton-in-the-Isle Parish Council support it reading out their comments as detailed in the officer's report.

Members asked questions of officers as follows:

- Councillor Purser referred to the fact that this proposal had previously been refused and asked what had changed on this application? It was indicated that nothing had changed.
- Councillor Mrs Davis referred to the hobby room, which has its own separate entrance and whilst it is a small space she asked whether it should be conditioned that it has to remain as such and cannot be used for living accommodation? David Rowen responded that this may be premature as the proposal is for refusal but clearly if members were minded to grant planning permission and had a particular concern about this then it is something that could be conditioned.
- Councillor Sutton asked for confirmation that the development is within the curtilage of the existing dwelling? Danielle Brooke responded that it is associated garden land that is currently within the curtilage of that dwelling.

Members made comments, asked questions and received answers as follows:

- Councillor Benney said he visited the site and village separately to the site inspections and he can see why LP12 is one of the reasons for refusal but he fails to see how LP3 is as there is a brand-new build just the other side of the junction. He stated that he rode around the block and there has been little bits of building and odd infills and houses from old farm cottages, some built in the 1970s, 1980s, 1990s as you can look at the bricks and style of buildings and there also seems to be quite a lot of new development that has taken place. Councillor Benney expressed the view that this proposal is within the village under LP3 and under LP12 it is on the end, with it not specifying about it not being garden land and the other side of the T-junction has been built on and the whole village has sporadic development of different one-off houses. He feels that LP16(d), which is another reason for refusal, is a subjective planning policy and that this proposal would be a positive development for the village and he can see nothing wrong with it.
- Councillor Sutton stated that if you want an example of a Local Plan that is a real benefit to its village and its growth and sustainability you need to look at Doddington in the 1993 plan, Doddington was on its knees dying and did not have hardly any groups and now it is a thriving village as the 1993 plan allowed development. He feels if you look at the other end of the scale and what the Local Plan can do the other way then a fine example is Newton-in-the-Isle, no development in the 1993 plan, very little development over the last few years and all that keeps being said is it is not sustainable, with the new Local Plan unfortunately seemingly going in the same direction. Councillor Sutton expressed the opinion that the Council should not be looking at somewhere and saying it is not sustainable but should be saying how through the Local Plan can it be made sustainable and as Newton-in-the-Isle Parish Council rightly say it is very worried about only having 6 dwellings in the emerging

Local Plan going forward. He feels the small villages need all the help they can be given, he does not regard this proposal as being demonstrably harmful in its setting, it is not really an elsewhere location, he cannot see anything wrong with it and could approve it, although he respects the officer's conclusion.

- Councillor Mrs French stated that she remembers the same thing happened in Christchurch to keep the local shop open. She referred to the comments of Councillor Benney and under LP16(e) she feels it does not adversely impact on the amenity of neighbours using light and noise pollution, it provides sufficient private amenity and she cannot see any problems with this proposal whatsoever.
- Councillor Murphy agreed with the comments of Councillor Sutton as he cannot see any issues with this proposal, it is one building next to another one at the end of a road and is only for one dwelling.

Proposed by Councillor Benney, seconded by Councillor Meekins and agreed that the application be APPROVED against officer's recommendation, with delegation given to officers to formulate conditions.

Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal does comply with LP3 and LP12 as it is not building within the open countryside so it does not cause harm to the character of the countryside, there is a new development in close vicinity to the site, there is sporadic development throughout Newton-in-the-Isle, villages need support and housing and they feel LP16 is subjective and the proposal is not detrimental to the street scene but beneficial.

(Councillor Meekins declared that he knows the agent as he has undertaken work for him but he is not pre-determined and will approach the application with an open mind)

**P117/22 F/YR22/1302/O
LAND WEST OF 27 BENWICK ROAD, DODDINGTON
ERECT UP TO 4NO DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS
RESERVED)**

Danielle Brooke presented the report to members and drew their attention to the update report that had been circulated.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Ian Gowler, the agent. Mr Gowler referred to the three reasons for refusal, with the initial response that they received for the referral to committee only listing the open countryside as the original reason for refusal and he was not made aware of the highway and noise reasons until he read the report last week. He made the point that the application is in outline with all matters reserved including the access and the first slide on the presentation screen shows that by moving the access slightly along the road they are able to achieve the visibility splay requested by Highways in their comments, the details of the access would be in the Reserved Matters application.

Mr Gowler stated that the second reason for refusal is based on noise generated from the motocross track and shooting ground and he showed on another slide two developments that have been approved in the last few years where no concerns were raised by Environmental Health, with the owners of the motocross track and shooting ground having provided a large acoustic barrier to their great expense to the edge of the site to reduce the noise to acceptable levels for all residents in this area, otherwise the use would not be allowed to continue anyway. He stated that the applicant would be happy as part of a condition or reserved matters or both to provide an acoustic report, acoustic fencing and details of acoustic glazing to the dwellings if it is required like you

would find on a busy highway or railway line development where the noise is more consistent than this sporadic noise generated at the track.

Mr Gowler referred to his last slide relating to the site being in a remote location and in the open countryside, with his slide showing other developments that have been allowed recently on Primrose Hill, with these developments being a similar distance from the centre of the village to this proposed development. He stated that the proposed site already has a footpath to the frontage, with street lights along Benwick Road, both similar to the developments approved along Primrose Hill.

Mr Gowler referred to Policy LP12(a) which states development will be supported where the site is adjacent to the existing developed footprint of the village and he feels this site is part of the original developed footprint of Doddington. He expressed the view that with the exception of a small livery along Askham there is no break in development along this side of road, therefore, this site is adjacent to the existing developed footprint and is not an extension like other recently approved sites which are extension upon extensions.

Mr Gowler stated that he hoped members would support the approval of this application with relevant conditions to include access and noise if required.

Members asked questions to officers as follows:

- Councillor Mrs French stated that the Planning Officer read out a very lengthy update from Environmental Health and asked if there is still a lot of complaints being received about Washbrook Farm and its activities? Danielle Brooke responded that the Environmental Health Team have said since the 2018 application they have not received any specific complaints, however, they have had lots of queries about the conditions through which Washbrook Farm operates and whether they are operating within those conditions. Councillor Mrs French made the point that this is Washbrook Farm and not this application. Danielle Brooke responded that this is correct and Environmental Health did not specify where those residents are located in relation to the farm and it is assumed and insinuated that it is the residents nearest to Washbrook Farm, with this application being to the west of it.

Members made comments, asked questions and received responses as follows:

- Councillor Meekins questioned whether he would want to be disturbed on a Sunday morning by people either shooting clay pigeons or riding motorbikes around a track and would he buy a house that was relatively close to one of those activities. He feels to say there has not been any proper complaints about Washbrook Farm for several years but it was uppermost in the minds of the residents it cannot, in his view, have been particularly bad if they are not actually complaining about it. Councillor Meekins expressed the view that it is like moving next to a church and complaining about the bells on a Sunday, he cannot see this as any reason to refuse the application as someone might complain about the noise.
- Councillor Sutton stated it is a fair point but it is a real concern and is only one part of the reasons for refusal. He feels that officers have got the recommendation right, it is getting too far out of the village and a couple of meetings ago four where refused a little further down the road so for consistency he will support officer's recommendation. Councillor Sutton made the point that the Parish Council are very much against this proposal.
- Nick Harding stated that this is not quite a situation of buyer beware, it is buyer beware if planning permission is granted but officers have been advised that there is a significant noise source nearby which may well have a detrimental impact on the occupiers of these proposed dwellings.

Proposed by Councillor Sutton, seconded by Councillor Mrs Mayor and agreed that the application be REFUSED as per the officer's recommendation.

(Councillors Connor and Mrs Davis registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are Fenland District Councillors for Doddington and attend Doddington Parish Council meetings but take no part)

**P118/22 F/YR22/1317/F
LAND SOUTH OF THE GRANGE, LONDON ROAD ACCESSED FROM STOCKING
DROVE, CHATTERIS
ERECT 1 DWELLING (SINGLE-STOREY, 2-BED) INCLUDING FORMATION OF AN
ACCESS**

Danielle Brooke presented the report to members.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall stated that all consultees support this application and there has been no objections. He made the point that the applicant's have lived at this site for 36 years and are attached to this area of Chatteris, with Mr Dixon being a school teacher in various areas of Cambridgeshire for over 25 years and has now retired, Mrs Dixon previously worked at Doddington School for 15 years and is currently a volunteer for Chatteris Community Car Scheme and has been for 6 years.

Mr Hall showed on the presentation screen a map of the area and since 2013 there have been 8 dwellings approved in this area and a refurbished garden centre and of those dwellings approved, since 2019 five dwellings were approved by Planning Committee. He referred to the officer's report which considers this site to be an elsewhere location and not part of Chatteris but given the planning history, the map on the screen and 5 dwellings approved since 2019 under this Local Plan, the committee have consistently taken the view that this area is part of Chatteris.

Mr Hall expressed the view that all the landscaping can be agreed with officers if the application is approved as part of a condition including garden areas and the site is within the curtilage of the existing building, being single-storey and small scale. He made the point that Chatteris Town Council support the proposal and there is no objection from Cambridgeshire County Council Highways, the site lies within Flood Zone 1, there is no neighbouring objections and it is in area where there have been previous other approvals.

Members asked questions of Mr Hall as follows:

- Councillor Benney referred to reason 4 of the refusal reasons in that it has not provided private amenity space and asked how far short is it and is there anything that can be undertaken to amend this? Mr Hall responded that on the site plan shown by officers the private amenity space is shown to the rear but there is also space to the front that can be used as private amenity space, with 30% private amenity space having been shown and the requirement is 33%.

Members made comments, asked questions and received responses as follows:

- Councillor Murphy referred to it being in an unsustainable position and made the point that looking at the map there are so many properties in this area and if they are all unsustainable why are they there and flourishing. He does not consider this proposal as back land development as it is no farther down Sutton Gault than the road where the car place is and it does not protrude into the countryside, with the opposite side of the road being developed all the while and, in his view, there is no reason why this side of the road should not be developed as well as it is in a prime position, it is not an unsustainable site, people live there and enjoy living there.

- Councillor Benney agreed with the comments of Councillor Murphy, so much development has been approved in this area and the committee needs to be consistent in what it does. He stated that the big building is the garden centre and it has brought people to this area, there is a footpath that runs all the way along London Road right to this house and one has just been approved in Newton-in-the-Isle under LP3, LP12 and LP16 so committee needs to be consistent for the same reasons.
- Councillor Sutton expressed the view that he is not sure whether he can support it or not at this time because the officers are consistent in their recommendation, with all those dwellings pointed out by Mr Hall being recommended for refusal and were overturned by committee but the one difference between those and this proposal is that all those other dwellings were sitting on London Road and this one is not and is, in his view, back land development.
- Councillor Meekins expressed the opinion that this proposal seems very similar to the one committee just approved in Newton-in-the-Isle, there was a map with all the development around this site and as Councillor Sutton said those developments were recommended for refusal initially but came to committee who approved them and he thinks this should happen in this instance.
- Councillor Skoulding expressed the view that it is on a corner and down Stocking Drove so it is not back land as you can enter it through a different access.
- David Rowen stated that he is not sure it is quite as similar to the one in Newton-in-the-Isle that the committee granted earlier just in terms of its character, its nature and the size of the application site, which is one of the reasons for refusal. He made the point that whilst there have been permissions granted by the committee in this area they have been fronting London Road and the danger here is that a precedent is being set for development going down Stocking Drove and you end up in a position where you are going to risk having this kind of 'development poker' taking place, which has happened in Wype Road, Eastrea. David Rowen stated that the officer's recommendation is absolutely sound, with the previous permissions on London Road not necessarily setting a precedent for this case and neither does the permission that members granted in Newton-in-the-Isle earlier.

Proposed by Councillor Sutton to support officer's recommendation to refuse the application, but no seconder was forthcoming.

Proposed by Councillor Benney, seconded by Councillor Murphy and agreed that the application be APPROVED against officer's recommendation, with delegation given to officers to formulate conditions.

Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal complies with LP3 as the site does lie within Chatteris, they feel LP12 and LP16 are both subjective and do not feel that the proposal would cause harm to character of the countryside and whilst they acknowledge the shortfall of private amenity space they feel this is negligible and would not be detrimental.

(Councillors Benney and Murphy registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Committee, that they were members of Chatteris Town Council but take no part in planning matters)

(Councillor Benney declared that he knows the agent for this application and he has undertaken work for him but he is not pre-determined and will approach the application with an open mind)

(Councillor Murphy declared that he knows the agent for this application but he was not pre-determined and would approach the application with an open mind)

P119/22 **F/YR22/0994/O**
LAND NORTH OF 125A WEST END, MARCH
ERECT 1 X DWELLING (OUTLINE APPLICATION WITH MATTERS COMMITTED
IN RESPECT OF ACCESS)

Nikki Carter presented the report to members and drew their attention to the update report that had been circulated.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Shanna Jackson, the agent. Mrs Jackson stated that the scheme is for a single dwelling and submitted in outline with only matters of access committed, with the application site lying within the built-up area of March, a primary market town. She made the point that the Local Plan states that such locations are the focus for new development and she expressed the view that this is one of the most sustainable places in the whole of the District and there should be a presumption in favour of developing this site.

Mrs Jackson referred to the two recommended reasons for refusal, which include character and biodiversity issues and with regard to character she acknowledges that the immediate surrounding area includes semi-detached and terraced housing and this proposal is for a detached dwelling, however, in her view, just because it is detached does not mean that it is harmful and she feels it is more harmful to leave a vacant site unkempt within an existing residential area where there are strong sustainability arguments which support housing on this site. She expressed the opinion that there are examples of detached properties to the north and south of this site, which can be seen on the Fenland location plan as per page 183 of the agenda pack.

Mrs Jackson expressed the view that there is scope within the site to build a high-quality dwelling which provides sufficient garden land and parking in accordance with adopted standards and the proposal would enhance the site which currently has a negative appearance within the street scene. She referred to biodiversity and is aware that the ecology report provided as part of the application is a preliminary report only and that a full report is recommended, the preliminary report was intended to scope out the site's potential and to ascertain whether it is physically capable of accommodating the proposed development and they have always been aware that a full report will be necessary before the development takes place but it would have been unreasonable to put the applicant to the great expense of commissioning a full report when they did not yet have the comfort that the Council would support the scheme in principle.

Mrs Jackson stated that the preliminary report does not preclude development on this site instead it recommends that further bat surveys are carried out and it is important to note that the Wildlife Officer has not categorially dismissed the principle of development for ecological reasons. She expressed the opinion that there are no features on the site which would accommodate bats, it is the trees on the neighbouring land that would have the potential to accommodate the bats.

Mrs Jackson stated that if members are minded to support the application they would happily instruct for the full report to be carried out and she feels it is only reasonable that they have the comfort that the application will be granted before commissioning a further report which will costs thousands of pounds. She is aware that officers have placed conditions to secure bat surveys on other applications and see no reason why this would be any different.

Mrs Jackson expressed the view that the benefit of this being an outline application means there is still the opportunity to include detailing within the scheme to accommodate bats if required by the ecological report. She feels there are strong reasons to support this application which include it

providing housing within a wholly sustainable location which is supported by Policy LP3, the form and character issues are subjective given that there are other detached dwellings within the area and she would argue that there would be no harm caused to the character and visual amenities of the street scene and as such no conflict with Policy LP16.

Mrs Jackson stated that having been given the comfort that the application will be supported the additional information will gladly be supplied to build upon what has already been provided and to enable the biodiversity objection to be overcome. She hoped members would see the merits of this case and grant planning permission.

Members asked questions of Mrs Jackson as follows:

- Councillor Sutton referred to Mrs Jackson mentioning on Page 183 there are clear examples of other dwellings like this but he is struggling to find anything remotely like this proposal, with very few detached and much bigger detached. Mrs Jackson responded that it is the principle of having something detached and in that area there are detached dwellings, it is not strictly semi-detached and terraced housing, but she does acknowledge that the other detached dwellings are not as small as this site.

Nick Harding highlighted that planning permission cannot be granted subject to a further ecological assessment being provided in relation to the bats because having granted planning permission and then something significant is found it cannot stymie the fact that planning permission has been given for the development. He stated that if as suggested by the Wildlife Officer a bat survey needs to be undertaken that informs whether or not to grant planning permission in the first place as if you leave it too late it does not matter what is found you cannot prevent the implementation of the development.

Members made comments, asked questions and received responses as follows:

- Councillor Skoulding expressed the opinion that officers have got the recommendation correct as he feels the site is too tight.
- Councillor Purser agreed that the officers have got the recommendation correct, it is too tight but he is also concerned that West End itself and the narrow road going down to it at the back would be too tight for getting construction traffic in.
- Councillor Sutton stated that postage stamp springs to mind and on the site visit members did have some discussion about the width of the site and even David Rowen was uncertain as to exactly where it was being sited but did scale it off at 6 metres. He stated that he returned to the site this morning with his tape measure and it is 6 metres and if the owners entered into a deal with the land next door and brought something back more in keeping with the area, like a semi-detached, he would not have any problem with it and feels that officers would not either. Councillor Sutton made the point that there are some places that it is just not right to develop and he feels this is one of them.
- David Rowen stated that in terms of the site and the site visit in 20 years of Planning he has never come across a proposed building plot as narrow as this hence his uncertainty regarding the site layout.
- Councillor Connor stated that he got the site wrong when he looked at it.
- Councillor Sutton stated that this shows how important site visits are as had he not been there he may have come away with a different view of what this site was about.

Proposed by Councillor Skoulding, seconded by Councillor Mrs Mayor and agreed that the application be REFUSED as per the officer's recommendation.

(Councillor Mrs French declared, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that she had been lobbied on this application and would not take part in the discussion and voting thereon)

(Councillor Connor, Purser and Skoulding declared, in accordance with Paragraph 14 of the Code

of Conduct on Planning Matters, that they are members of March Town Council but take no part in planning matters)

**P120/22 F/YR22/0890/F
LAND SOUTH OF FIELD VIEW, MILL HILL LANE, MARCH
ERECT 4 SELF/CUSTOM BUILD DWELLINGS WITH GARAGES (2-STOREY 4-BED)**

Nikki Carter presented the report to members and drew their attention to the update report that had been circulated.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Craig Brand, the agent. Mr Brand stated that members will recall that this application site came before committee 20 months ago and concerns were raised last time regarding the state of the pot holed public byway and the first plot not abutting Mill Hill Lane, which could have possibly led to a further application for building plots and this application still seeks approval for four executive self-build dwellings on a slightly larger site that now abuts Mill Hill Lane and includes within the application red line the repairing of the byway to address the committee's previous concerns. He expressed the opinion that the site represents a very small fraction of the broad location for March's future growth south of Knights End Road between Wimblington Road and the A141 and approval of the application will not affect a broad concept plan for the area as approved minor application F/YR15/0961/F mentioned in Section 10.2 did not.

Mr Brand expressed the opinion that the existing countryside view of the applicant's field from the private road will be lost as it will be by the future development of the broad location for growth. He expressed the view that the Grade II Listed barn which is shown on the presentation screen as the whole building shaded in red is inaccurate as it is only the front section as there is a post-war agricultural extension and it is also screened by the owners overgrown hedge with the applicant also having willow trees within their site screening the Listed Barn, with development of the application site having less impact on the Listed barn setting that the new houses on Mulberry Close and Birch Lodge which were judged not to affect the barn setting.

Mr Brand expressed the view that the countryside public footpath which is next to the plots provides safe access for pedestrians and cyclists to Knights End Road, with the manual for streets requiring a minimum width of 4.1 metres for two cars to pass each other and the application proposes to make the repaired byway 4.6 metres in width to allow cars to easily pass each other or a home delivery van to pass a car. He made the point that Highways in Section 5.5 of the report has no objection to 4 additional dwellings and the Definitive Map Team also raise no objections to the proposal, with all residents welcoming the repair of the byway.

Mr Brand stated that his client is happy for a pre-commencement condition as recommended by officers at the end of Section 10.23 to cover the byway repair works. He stated that Mr Pocklington the owner of the private road and the currently vacant plot is with him today and he can confirm a maintenance agreement already exists between the 3 current users of the private access road which will become 6 if the application is approved and the applicant is also happy for a construction management plan condition as recommended in Section 10.28 along with the conditions recommended by the Tree Officer and Wildlife Officer.

Mr Brand expressed the opinion that approval of the application will complete an executive cul-de-sac of bespoke self-build houses and provide a stop line to future incremental development in Mill Hill Lane without affecting the broad location for growth.

Members asked questions of officers as follows:

- Councillor Sutton stated that given this site is in the broad concept plan (BCP) area then anything coming forward in this BCP area is going to have the same potential issues with the Listed Building as these 4 dwellings, so is it being said that the BCP area will only go so far as it affects the Listed barn. He made the point that Mr Brand is right that the Listed barn is not all listed as it has got an agricultural extension on it. Councillor Sutton stated that he is confused as to what will happen when the whole area comes forward for development as it surely has to apply to the BCP area as well as this proposal. David Rowen responded that Policy LP9 of the Local Plan where it talks about the South-West March broad location for growth makes specific reference to the setting and character of Barn Owl Lodge, which should be retained as well as views of St Wendreda's Church so if part of the BCP was to come forward there would have to be some recognition within that of a buffer area or a separation area being included to protect the setting of the Listed Building. He stated that it is a common misconception that part of a building can be Listed but essentially the building is Listed in its entirety, whether it is only the front element that is of significance or not the entire building is Listed. Councillor Sutton made the point that on the back of the Listed Building is a lean-to Dutch barn so he is not sure why this would want to be Listed.
- Councillor Mrs French stated that when the building was converted into a dwelling it was Grade II Listed and it did include the part at the back, even though it seems that this part should not be.
- Councillor Benney stated that he remembers when this came to committee previously and it was refused due to the road and he does not remember the Listed barn being a reason. He referred to the indication that the barn was a reason but the road was the main issue. David Rowen responded that the previous reasons for refusal are set out at 9.2 of the officer's report, with the first refusal reason relating to the setting and character of Owl Barn Lodge, the second reason talks about local distinctiveness and character of the area and the third reason for refusal relates to Mill Hill Lane.

Members made comments, asked questions and received responses as follows:

- Councillor Mrs French stated that she was glad that David had reminded members of the previous reasons for refusal and when Mill Hill Lane previously had applications approved it was fine but now the dwellings seem to be going further and further down Mill Hill Lane, which will never be adopted and the road is shocking. She does not have a problem with the vicinity of the barn as she feels it is farther enough away but in 2017 when she became a county councillor she had the opportunity of helping people, with Mill Hill Lane being one of them and Linwood Lane, but none took up the opportunity to get the planings and she cannot see anything has changed since the last application was refused.
- Councillor Sutton stated that the change is that the applicant is prepared to repair the road and he does not see this application as being any different to the one in Chatteris as through the development you are getting improvement in the road and for the one in Chatteris you will get improvements to the flooding.
- Councillor Mrs French stated that if this is correct and there is a cast iron guarantee that the road will be improved as committee have had promises in the past and the houses in this road are lovely well-built houses, it is just the road that is a disgrace.
- Councillor Connor made the point that the applicant has said he will improve the road and make good the byway so if it is approved that will have to be a cast iron condition. Councillor Mrs French stated that it is a public right of way not public byway and it must not be blocked at any time.
- Councillor Mrs Mayor stated that nobody had mentioned the word byway until the previous speakers had and that is what it is, it is not a road as such and there are differences. Councillor Sutton stated that it does say the County Council will maintain the byway. Councillor Mrs Mayor responded that they do not as there is one near where she lives.
- Councillor Purser agreed with Councillor Mrs French that the road is shocking but having said that he has friends that live down several roads in March that are equally shocking but

it is their choice and decision to live there. He expressed the opinion that if the applicant wants to build the houses and live in this area, with the shocking roads, it is up to him to do so.

- Councillor Mrs French stated that there is a policy at County Council which is moving rapidly forward about upgrading public rights of way so this is already on the cards but if the applicant is really serious and it is a cast iron guarantee to improve the road she would not have a problem supporting the application.
- Nick Harding made the point that the previous reason for refusal was not just about the condition of the roadway but about its width and lack of footway etc. and applications have been refused previously down equally narrow public highway.
- Councillor Benney made the point that three dwellings were approved more or less opposite this site with an equally narrow access to it. He feels the main reason for refusing this previously and all the debate around it was due to the highway and if the agent is prepared to give a cast iron guarantee that could be conditioned, whether they lay the base and then put the topping on when they finished, he could support the application.
- Councillor Purser agreed with the comments of Councillor Benney, the agent has said they are going to better the road which takes away that reason for refusal.
- Councillor Meekins asked as it is a public byway who actually owns it and are they not responsible for maintaining it so how can an individual say they are going to repair a road if it is owned by the County?
- Councillor Purser in response to Councillor Meekins queried whether it was said that it was an unadopted road at the moment?
- Councillor Mrs Mayor made the point that the byway is only single-track, which needs to be given consideration as houses keep being built down here you need a proper highway and is there room to make it a proper highway. She has knowledge of this in her locality and she would not want to build 3 or 4 executive houses down this road or byway.
- Councillor Connor made the point that there are another 2 dwellings further down that have been there for many years on the left hand side.
- Councillor Mrs French stated that the report states that this is a byway and it will only be maintained to a standard that is used for walkers, equestrian and cyclists and the authority will only maintain it to that level.
- Councillor Benney referred to Mr Brand stating that the road will be made up and questioned whether this is something that can be undertaken by the applicant, can the road be made up in conjunction with Cambridgeshire County Council as the County Council are bad at sorting roads out as can be seen driving through the Fens and if they have an offer from someone who is going to fix it for free they should grab it with both hands and say thank you very much. He expressed the view that if Mr Brand on behalf of the applicant is prepared to make it up this is betterment to Mill Hill Lane.
- Councillor Connor made the point that there is the maintenance of the road as well.
- David Rowen stated that in terms of the highway there are some issues that need to be clarified, the first being that the application is not proposing the upgrade of the entirety of Mill Hill Lane it is only proposing to upgrade approximately 65 metres from the boundary of number 5 to the access serving plot. The second issue relates to works to the public byway and any works would have to be approved by the County Council and as Councillor Mrs French has rightly pointed out the County Council has advised that going forwards it will only maintain that stretch of roadway to the standard that is required for a byway. He made the point that the essence of the issue is firstly there is no guarantee that those minimal improvements to Mill Hill Lane would be delivered because the County Council's agreement is required and then there is no guarantee that any improvements are to be maintained going forward.
- Nick Harding added that committee needs to look at the reasons for refusal given last time which have been rolled over into this scheme and if members are going to approve this application an explanation is required of what has changed that enabled members to come to a different decision.

- Councillor Mrs Davis stated that David pre-empted what she was going to say in that it was only a short piece of the byway that was being talked about being upgraded and it will depend upon the quality of the road given the fact that it is not likely to be maintained by anyone after this so to say that a road is being gained is wrong and she does not feel the application stands up.
- Councillor Mrs French referred to the comments of the County Council who say that should committee be minded to grant planning permission they want various things included on the permission and going on at length about materials not being allowed to be stored on the byway and it being a criminal offence. She made the point that the County Council should have maintained the byway when the building first started and discussions should have been held before it got to this stage and if there is a possibility that things could be resolved she would not object to this application being deferred until the applicant or agent speaks to the County Council.
- Councillor Sutton expressed the opinion that this is another example of previous discussions, he knows that he did not previously have a problem with the relationship between this development and the Listed Building, with him feeling that the lean-to on the back of the Listed Building going in the developers favour, and he might have proposed that committee went against officer's recommendation. He expressed the view that this is a typical example of where committee went along with officer's recommendation although many members did not agree with all the reasons that were recommended for refusal, which can be covered easily now if members decide to grant planning permission but thinks this is where the problem comes if the committee is not clear on what refusal reasons it does not support. Councillor Sutton made the point that in terms of the road if committee decide to go against officer's recommendation that can easily be conditioned that no development takes place until that road is finished and if the applicant is not happy with this the development does not take place.
- Councillor Benney made the point that debate has been focused on turning down the proposal on three grounds when committee really only wanted to refuse it on one and officers have come back and said how does it meet criteria of LP3 building in the open countryside but the development has not been moved so you are stuck on this, however, it is a different committee and different committees look at applications in different ways, which is why the decision changes. He referred to building the road before development takes place, but made the point that roads are built in different layers and to get somebody to put finished tarmac on the top would not be fair when building materials are going to be brought in and out so the base and foundation could be put down and the topping laid at the end which would be a compromise. He expressed the view that it sits happily with him the fact that it is near to a Listed Building and he feels the sticking point was the road and the committee gave the agent a bit of guidance as to where that committee would steer things and it is not fair that the agent does what is asked of him and the committee still says no and this is how he remembers this application when it was determined previously.
- Councillor Connor referred to the road and it is possible to lay the base and leave the top surfacing until the development is finished citing Juniper Close in Doddington as an example.
- Councillor Murphy expressed the view that members are skirting around the issue and what members should be saying is that you could probably have your development there but the road has to be in place first as he does not trust the road will be put in after the development has taken place.
- Councillor Mrs Mayor questioned, to go with what Councillor Murphy has just said, that members go with officer's recommendation to refuse the application but the applicant has then got to go to County Council to get the road sorted. Councillor Mrs French stated that if the application is refused it is refused which is why she suggested a deferment unless there is a cast iron agreement from the applicant and the agent that they will undertake the road first. Councillor Sutton made the point that all is needed is a condition that the applicant would need to adhere to.

- Councillor Mrs French expressed the view that if this application is approved it should be the last one down Mill Hill Lane as the development is going to end up to the bypass. Councillor Mrs Davis queried if is this not all the more reason to refuse this application because if this one is approved another one will come along and another and development will be up to the bypass.
- Councillor Sutton made the point that the land around this area is going to be built upon eventually. Councillor Connor acknowledged this but made the point that members need to make a decision on what is in front of them now.
- David Rowen referred to Councillor Sutton's assertion that all this will be built on is a very sweeping statement to make as ultimately if the BCP did come forward there is no guarantee that this area would be set aside for development. He feels that if you look at the BCP scale of development you are accepting that the entire character of this end of March changes as opposed to allowing a piecemeal encroachment into what is currently countryside which at the moment, as there is no BCP in place, may well remain countryside for the next 10, 15 or 20 years, which ties into one of the proposed reasons for refusal which relates to the fact that there is a fairly defined edge to the settlement and encroachment beyond that has a detrimental character impact but that in itself relates to the point that Councillor Mrs Davis made and Councillor Mrs French to a degree in as much as almost where does the committee/Council want to draw the line in terms of where development stops on Mill Hill Lane. David Rowen stated that comments made from the County Council from a highway point of view of the suitability of Mill Hill Lane to serve further incremental development, notwithstanding the 65 metres that is getting upgraded, the remainder of the road is not being touched so those issues remain. He made the point that whether the committee intended to refuse the application on all 3 grounds or whether it was just on 1 ground the decision of the Council is it was refused on those 3 grounds only 18 months ago so members are going to have to articulate what has changed in the meantime to justify a different decision.

Proposed by Councillor Mrs Mayor, seconded by Councillor Mrs Davis to refuse the application as per officer's recommendation, which did not receive support from the majority of members.

Proposed by Councillor Sutton, seconded by Councillor Mrs French and agreed that the application be APPROVED against officer's recommendation, with delegation given to officers to formulate conditions to include that the road has to be undertaken first before any development takes place and for the conditions to be agreed with the Chairman and Councillor Sutton.

Members did not support officer's recommendation of refusal of planning permission as they feel that the road was the main issue for refusing the application previously, it would not harm the setting of the Listed Building and the proposal would not be detrimental to the character of the area.

(Councillor Skoulding declared that his mother lives in close vicinity to this site and took no part in the discussion and voting thereon)

(Councillors Connor, Mrs French and Purser registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they were members of March Town Council but took no part in planning)

**P121/22 F/YR22/1242/F
LAND WEST OF 29 MARCH ROAD, WIMBLINGTON
ERECT A DWELLING (2-STOREY, 5-BED) AND ENTRANCE GATES (2.3M MAX)
INCLUDING FORMATION OF A NEW ACCESS**

Nikki Carter presented the report to members.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Pamela Knowles, the applicant and Peter Humphrey, the agent. Mrs Knowles stated that she currently lives in Eastwood Hall and has done so for the past 25 years, previous to this her father and mother-in-law lived there buying the property in 1974. She expressed the view that this proposed dwelling is very much in association with Knowles Transport of which she is a major shareholder and her son Alex, who now runs Knowles Transport as Managing Director, is third generation and he currently lives in Cambridge and would now like to move back to Wimblington into Eastwood Hall with his wife and family and she would like to continue to live in the village, hopefully adjacent to Eastwood Hall.

Mrs Knowles stated that Knowles Farms as part of Knowles Transport has approximately 200 acres of Grade 3 agricultural land around Eastwood Hall and she would like to use 5 acres to build a house complementary to the Hall but on a much smaller scale. She expressed the view that from the plan members can see that she would like to incorporate paddocks, hedging, trees and a meadow all to encourage wildlife and birds.

Mrs Knowles expressed the opinion that the proposed property, should she be given permission, will always stay within the Knowles family for future generations and will not be an open market dwelling. She expressed the view that the proposal will leave open countryside which includes a public walkway for everyone in the village to continue to enjoy.

Mr Humphrey expressed the view that this is an opportunity to embrace a one-off house to enhance the entrance to Wimblington provided by the largest employer in the village and possibly in the area by the Knowles family. He queried whether Eastwood Hall would have ever got built if it came before the Planning Committee and made the point that there are no objections from any individuals or statutory consultees but 11 letters of support and the Parish Council fully support the application.

Mr Humphrey stated that the committee has recently approved four houses away from the village to the other side of Eastwood Hall where it was believed there would be no harm and also officers have approved and recommended for approval 88 houses opposite, with officers clearly feeling there was no harm to Eastwood Hall but this proposed plot for one house has raised concern. He made the point that Wimblington is a growth village, in Flood Zone One, the land to be built on is Grade 3 agricultural land, the Conservation Officer comments appear to be a cut and paste from the 4 houses the other side of Eastwood Hall and not site specific and Eastwood Hall is not Listed although is designated as a heritage asset but does not require to be of public benefit.

Mr Humphrey expressed the view that the report on conservation is also silent in that it lists no issues on the harm of the proposal on the lack of a full heritage impact assessment hence given the recent approvals for development in the immediate vicinity coupled with the local family ties and need for this family home he encouraged members to support the application.

Members asked questions of officers as follows:

- Councillor Mrs French queried the officer's comments that the proposal would restrict the views as in her opinion she has never seen such a fantastic plan and does not feel it restricts it but enhances it. Nikki Carter responded that at present there are open views to the South and this proposal is sited directly alongside Eastwood Hall and the development of the site would change the context and the open views and because of the nature of the area there are views from the South from March Road, a public footpath which is parallel to the site and also Blue Lane and those views would be restricted by the proposal. Councillor Mrs French expressed the view that she does not think many applications have been

refused due to restriction on views.

- Councillor Skoulding asked to see the plan on the screen of the location of where the proposal is going to be built and asked where the house is as, in his opinion, it is not blocking any view as there is not a view of the house and he feels it will make the view better as you come out of Wimblington.

Members made comments, asked questions and received responses as follows:

- Councillor Murphy expressed the view that the houses will enhance each other and he feels that the proposal is one of the best schemes he has ever seen and he cannot see any reason why this should not be built.
- Councillor Mrs Davis made the point that Mr Humphrey said that the Parish Council has no objections to this application whereas there were objections to the 4 houses further along as that did block a view across but this one does not impact on the view at all and side by side they are going to be complementary to one another.
- Councillor Mrs French agreed with the comments of Councillor Murphy and she feels the scheme is outstanding, it is being kept within the family, with Knowles being the biggest investor within the District, and it is great that they want to continue down generations to come. She feels the committee would be crazy to refuse this proposal as the whole scheme looks stunning.
- Councillor Meekins stated that the artist's impression is fabulous and there have been at previous committee's big houses proposed on relatively small sites and this proposal is for a big house but on a lovely big plot and it will be so complementary to Eastwood Hall.
- Councillor Purser expressed the opinion that it is a superb looking house and when officers say it is blocking the view you have to actually look for it to actually see it so how could it be blocking the view, the only thing it could be blocking is the view of a hedge which is causing no problems whatsoever and he feels it enhances the area.
- Councillor Mrs French stated that many years ago the Council used to have design awards and she feels they should be reintroduced as there are some good designed buildings and if this gets built it would certainly be at the top.
- Nick Harding stated having heard what the applicant has said about the intentions with regard to the property he has noticed that the application form ticks the box that says it is market housing whereas what committee has been told is it is a self and custom build property so if members are minded to approve he would feel it is appropriate for a condition for a Section 106 Agreement to be put in place in respect of ensuring it is a custom self-build property.
- Councillor Sutton referred to the reasons for the refusal which he feels, in the defence of officers, are valid but he does think the scheme should be looked at, perhaps not the dwelling itself, as an exceptional design because the whole area is exceptional and something that members will not see in a long time so in justifying the reason for the proposal the committee could use that exceptional overall design as a reason for approval, which fits with the NPPF and the Local Plan. He made the point that it does say in one of the reasons for refusal that high quality environments should be created and he feels that this is high quality.

Proposed by Councillor Mrs Mayor, seconded by Councillor Murphy and agreed that the application be APPROVED against officer's recommendation, with authority delegated to officers to formulate conditions.

Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal would not create an adverse impact on the character and visual amenity of the area but would enhance it and it would not have a detrimental impact on the setting and significance of Eastwood Hall but be complementary to it due to its exceptional design.

(Councillor Connor registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that he is a Fenland District Councillor for Wimblington and attends Wimblington Parish Council

meetings but takes no part)

(Councillor Mrs Davis registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that she is Chairman of Wimblington Parish Council, but takes no part in planning)

**P122/22 F/YR22/1309/F
ELM FARM, HOSPITAL ROAD, DODDINGTON
ERECT 1 X DWELLING (2 STOREY 4-BED) AND DETACHED GARAGE
INVOLVING THE REMOVAL OF EXISTING RESIDENTIAL CARAVAN, AND THE
RETROSPECTIVE SITING OF A CONTAINER**

David Rowen presented the report to members.

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall made the point that all consultees support this application, with the site having a previous approval for residential use under the Local Plan for an existing barn that was on the site, which was given approval for a change of use to residential but this has expired. He stated that the caravan has been on site for over 10 years and the applicant has lived here for 9 years and before this the caravan was being lived in by a separate person and during this time Council Tax and Middle Level charges have been paid and continue to be paid.

Mr Hall expressed the view that the proposal to remove the caravan with a dwelling in Flood Zone 3 would be an improvement in relation to flood risk mitigation measures which have been approved by the Environment Agency. He stated that the applicant has advised him that he has had 4 break-ins with tools and equipment being stolen and during the night-time there is regular stopping of vehicles, turning round and leaving, referring to previous meetings of the committee where it has been stated that it is better to live on site for security reasons in relation to an established business use on the site.

Mr Hall stated that the proposal has been revised as officer's have said to include the existing shed where the existing business is being carried out and this is not for a separate residential dwelling. He made the point on the Design and Access Statement submitted and on the application form it states that the proposal is a dwelling in conjunction with the existing business, it is not a separate residential dwelling and the applicant is fully aware if planning permission is granted that he would need to enter into a legal agreement to ensure the dwelling is occupied in relation to the business use or a planning condition could be applied to ensure this is the case.

Mr Hall expressed the opinion that the committee has supported applications similar to this, referring to one in July 2021, F/YR21/0552/F at Sandbank Barns, Sandbank, Wisbech St Mary was approved for an existing business and the applicant wished to live on site for various reasons, with this application being in Flood Zone 3 and is just like this proposal. He expressed the view that the proposal has the support of nearly all the properties down Hospital Road and Doddington Parish Council support the application and there have been no further objections from consultees or neighbours.

Members asked questions of Mr Hall as follows:

- Councillor Sutton referred to the 4 break-ins that have occurred with the applicant already living on site and asked how is moving from one dwelling to another going to prevent this? Mr Hall responded that it is his understanding that when the applicant has had to go out to repair agricultural machinery and has not been on the site the break-ins have occurred, which would still be the case with this proposal.

- Councillor Mrs Mayor asked for clarification on how long the mobile unit had been on site? Mr Hall responded that the applicant has lived in it for 9 years but before he brought the site another person lived there. Councillor Mrs Mayor asked for confirmation that the applicant is definitely living in the caravan? Mr Hall responded in the affirmative and he has been paying Council Tax.
- Councillor Mrs Davis stated that on the site visits it is obvious that children are living on the site and asked if the children are schooled locally? Mr Hall responded that he does not know.

Members asked officers questions as follows:

- Councillor Mrs French asked, if the caravan has been there 10 years, is there a Certificate of Lawful Use? David Rowen responded that the caravan has been there more than 10 years and planning permission has been granted previously for it, however, they were temporary permissions as at that time the site was operated as a pheasant hatchery, an agricultural operation, and the temporary permissions were granted in connection with this, with these permissions ceasing in 2014 so for the last 9 years the site has been occupied without planning permission so the caravan has been and remains unlawful.

Members made comments, asked questions and received responses as follows:

- Councillor Benney stated that this is the second time this application has been submitted and he supported it last time and, in his view, irrespective of whether it is there legally or not the caravan has been allowed to be there for 10 years and the applicant has lived there for 9 years and he assumes that no enforcement has been undertaken during this time as this would have been dealt with. He referred to the same situation in Guyhirn where there was a caravan in Flood Zone 3 and permission has been granted where there has been caravans before because it is safer in a brick building. Councillor Benney made the point that the applicant is running a business, has been doing so for 9 years and the applicant is trying to put something right with this application and as Mr Hall said there are no consultees against the proposal with Doddington Parish Council supporting it. He feels the application will just keep coming back until it is approved, it will remove a blot from the landscape and give the applicant some stability and allow him to put roots down properly.
- Councillor Sutton disagreed with Councillor Benney's view and expressed the opinion that nothing has changed since it was previously submitted and the applicant chooses to live there without planning permission. He feels the committee should go with officer's recommendation as it is way out in the countryside, does not tick any boxes, it is in Flood Zone 3 and the difference between others that have been agreed to go from a caravan to a dwelling is that they had permission this one does not.
- Councillor Mrs Davis expressed the opinion that the family are living there as it is probably far more expensive for them to move somewhere else, the applicant owns the land so does not have to buy the land and just has to build a house. She made the point that Doddington Parish Council support the application and the applicant has been paying Council Tax and queried why people are allowed to pay Council Tax and then be told that they cannot live there as, in her view, the Council should not take the money in the first place. Councillor Mrs Davis stated that when she initially looked at the application she thought no but sometimes you have to take into account mitigating circumstances.
- Councillor Murphy agreed with the comments of Councillor Sutton and stated that when it was explained to members what the application was about his first thought was they are "pulling the wool over our eyes" as if the applicant was going to do anything about the site, in his view, he would have done so years ago.
- Councillor Purser referred to other applications where it has been mentioned that the best form of security is living on site and whilst the applicant has had a couple of break-ins when he has not been there to allow him to live on site is the best sort of security for this.
- Councillor Mrs Mayor referred to the site inspection visit and asked if across the roadway from this property is this the other entrance to the motocross site? Other members indicated that it was not.

- Nick Harding made the point that David in his presentation highlighted that the business use on the site is unlawful so there is no planning application for it and a house is being considered in association with a business but there is not a lawful planning consent to tie that planning consent for a dwelling to.
- Councillor Mrs French stated that the applicant has not got permission for a caravan or permission for a business, she sympathises with the applicant but feels this proposal should be refused and he could come back with a proper planning application for both.
- Nick Harding made the point that the site lies close to the motocross track and members might be thinking why is there not an objection from Environmental Health, however, there was not an objection from Environmental Health on the previous refusal and if it is added now and the proposal goes to appeal, even if successful, it would be likely that the Council would get costs awarded against it.

Proposed by Councillor Sutton, seconded by Councillor Mrs French and agreed that the application be REFUSED as per the officer's recommendation.

(Councillors Connor and Mrs Davis registered, under Paragraph 14 of the Code of Conduct on Planning Matters, that they are Fenland District Councillors for Doddington and attend Doddington Parish Council meetings but take no part)

(Councillor Benney declared that he knows the agent for this application and he has undertaken work for him but he is not pre-determined and will approach the application with an open mind)

(Councillor Murphy declared that he knows the agent for this application but he was not pre-determined and would approach the application with an open mind)

**P123/22 TPO001/2023
EAUDYKE BANK, TYDD ST GILES
TREE PRESERVATION ORDER (TPO)**

David Rowen presented the report to members in respect of confirmation of a Tree Preservation Order (TPO).

The committee has regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Councillor Mrs French expressed the opinion that the trees need to be protected.

Proposed by Councillor Mrs French, seconded by Councillor Mrs Mayor and agreed to CONFIRM the TPO 01/2023 in respect of T01-T18 (1 x Pride of India, 3 x Hornbeam, 3 x Ash, 3 x Poplar, 3 x Plane, 1 x Horse Chestnut, 2 x Silver Maple, 2 x Sycamore).

(Councillor Meekins left the room during this item and took no part in the discussion and voting thereon)

**P124/22 F/YR21/0356/F
LAND EAST OF CEDAR ROSE STABLES, HORSEMOOR ROAD, WIMBLINGTON
CHANGE OF USE OF LAND FOR THE USE AS 5NO TRAVELLER'S PLOTS
INCLUDING SITING OF 5 NO MOBILE HOMES AND 5 NO TOURING CARAVANS
AND FORMATION OF A NEW VEHICULAR ACCESS (RETROSPECTIVE)**

David Rowen presented the report to members.

The committee has regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

Members received a presentation, in accordance with the public participation procedure, from Angela Johnson, an objector to the proposal. Mrs Johnson stated that her comments were in relation to this application and the two similar applications on the same site that would be following this item. She stated that the comments and objections raised in no way reflect the character, friendliness and politeness of the travellers and their families and there is also no prejudice towards travellers and their families as evidenced by the fact that there are already 11 sites for statics and for other touring caravans within the same proximity as these applications.

Mrs Johnson expressed the view that there are a number of realistic concerns raised by residents, who she is representing, and there is also a letter of objection from the Parish Council, with some of the objections and concerns raised being with regard to issues like water, waste and sewage and although the officer commented that there are conditions on the applications there are no conditions on the site and there is no report from the officers on the application site to reflect any of these questions she is putting forward. She made the point that the applications total 7 mobile static caravans and an application for 8 statics in The Spinney raise repetitive objections from the Lead Local Flood Authority (LLFA) in regards of surface water, domestic effluence, sewerage and drainage yet there has been no recorded consultation with the LLFA referencing these applications, the total being one less than what is in The Spinney already.

Mrs Johnson stated that the number of sited tourers at any one time is going to be up to 9 and questioned whether these going to be occupied or are these parked unoccupied because this will also impact upon water, waste, sewage etc. She queried why the Design and Access Statement has not included anything like sewage or drainage drawings in the plans, there is no evidence of a treatment plant or a septic tank and so what impact is this going to have on the environment and ecological area surrounding these sites.

Mrs Johnson expressed the view that another concern is overcrowding and congestion, with each plot having a static caravan, one or possibly two tourers and up to two cars and will also have possibly storage sheds, outhouses, garden play areas, with overcrowding making traffic movement difficult especially with moving tourers as access in and out of the site with a tourer is going to be extremely tight and if this is happening when another vehicle approaches it will be even more hazardous due to the tight bends. She stated that the major concern of most residents is with road safety along The Hook and Horsemoor, if Highways and the planning officer have visited the site then they will be fully aware of the danger for other road users along these narrow single-track roads.

Mrs Johnson referred to the Design and Access Statement which states that there is a 60 mile not 40 mile narrow single track road which runs south and east of the site, which has been compromised, in her view, along the public grass verges by the unwarranted inappropriate positioning of large sections of tree trunk, there are overhanging overgrown trees, which has nothing to do with the applicants, and there is boundary encroachment onto the public verges by hard landscaping and fencing. She feels it is impossible for vehicles to safely pass each other, with Horsemoor having a deep ditch on one side and fields on the other side with no valid passing areas and both roads have large potholes, deteriorating tarmac verges and subsidence.

Mrs Johnson stated that the Design and Access Statement refers to the hard and soft landscaping to integrate the site into the rural surroundings but at present high wooden fences enclose the site impeding visibility when approaching the tight bend onto Horsemoor. She expressed the view that access points are dangerously close to the tight bend, one is almost opposite Fairview's access and then there is also an access road that leads to farms and other residences that is on the bend or leading off the bend and provided a scenario where a vehicle and tourer is leaving the site turning right heading towards Wimblington, a tractor and trailer comes in around the tight right-hand bend from Wimblington to The Hook unable to see the vehicle and caravan leaving the site, with any horse rider, dog walker or cyclist being already half way down the road with there being

no safe haven for them, there is nowhere for the heavy vehicles to safely pass each other even the access points mentioned in the Design and Access Statement of other residents accesses are not big enough to take a car and a caravan or a tractor or a trailer to pull over, reversing back along the road is also going to be a hazard.

Mrs Johnson reiterated that residents' main concerns are the road, waste and sewage and there are other concerns that people have and asked has sequential testing been carried out with regards to other vacant sites rather than here and was a site visit made by the committee to see how narrow the roads are. She asked that the committee refuses the incomplete applications or at least rejects the number of sited tourers.

Members asked questions of officers as follows:

- Councillor Mrs French asked why there are no comments from the LLFA? Nick Harding responded that the site is smaller than a hectare, therefore, consultation with the LLFA is not triggered.
- Councillor Mrs French referred to the comments of Mrs Johnson and asked how the sewage is being disposed of? David Rowen responded that the report sets out that this is to be dealt with through a personal treatment plant and recommended condition 9 requires within 2 months of the date of the decision if permission is granted full details of the foul drainage treatment including future maintenance should be submitted and installed in accordance with the approved details.
- Councillor Mrs French referred to the confidential report that has been received, which has changed the recommendation and asked if this is correct? David Rowen responded that the two reports are to be read together so the officer recommendation set out in the public agenda pack is to grant and the confidential information is supplementary to explain the rationale in the main report.

Proposed by Councillor Mrs French, seconded by Councillor Skoulding and agreed that the application be APPROVED as per officer's recommendation.

(Councillors Connor and Mrs Davis declared that they were pre-determined on this application and left the room for the duration of the discussion and voting thereon. Councillor Mrs Mayor chaired this application after being nominated by other members)

(Councillor Murphy registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)

**P125/22 F/YR21/0768/F
PITCH A, LAND EAST OF CEDAR ROSE STABLES, HORSEMOOR ROAD,
WIMBLINGTON
CHANGE OF USE OF LAND FOR THE USE OF TRAVELLERS INCLUDING SITING
OF 1NO MOBILE HOME AND 2NO TOURING CARAVANS**

David Rowen presented the report to members.

The committee has regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

The comments of Angela Johnson, an objector to the proposal, under the public participation procedure, are set out in the minute for planning application F/YR21/0768/F.

Members asked questions of officers as follows:

- Councillor Skoulding stated that on the previous plan it had a treatment tank on every plot but on F it does not show a treatment tank and asked if this was an oversight? David Rowen responded that he is unable to comment on whether this is an oversight or not, however, if

members are minded to grant the application there is a similarly worded condition requiring the details of the foul drainage treatments and its ongoing maintenance to be submitted within 2 months of the date of the decision.

- Councillor Sutton made the point that the reasons that these applications are being recommended for approval is because the Council does not currently have a five-year land supply of traveller site as the needs assessment has not been undertaken and should this have been undertaken and there was the supply the outcomes for these applications may have been different from both an officer perspective and a members' perspective. He stated that although members have heard what the objectors have said the committee does not really have a strong reason to be able to do anything other than grant permission. Councillor Sutton stated that on this particular application on this corner when members visited the site there is a high fence all the way round and a condition ought to be considered where that fence on the bend is reduced in height as it does restrict visibility for vehicles going around the corner. David Rowen responded that there is a proposed condition 6 which states within 2 months of the date of this decision the following information shall be submitted to the Local Planning Authority for approval details of a scheme to plant a mixed native hedgerow with post and rail fence to all external site boundaries, this shall include a plan, fence details, planting specification, visibility splays and timetable for planting etc.
- Councillor Mrs Mayor asked if this is all the fence or just the corners? David Rowen responded that the condition states all external site boundaries including the site frontage.
- Councillor Mrs French referred to Councillor Sutton's point about the land supply for travellers' sites and asked if this is getting closer to being completed? Nick Harding responded that a contractor was appointed and due to the inability to complete the work due to Covid and some difficulties with that contractor that fell through and the Council looked to appoint a new contractor, working with a business who had links to the gypsy and traveller community, but there were some fundamental disagreements between the contractor and the other organisation so the Council is back to square one. He advised that the Planning Policy Team are having meetings with the other partner authorities so a decision is going to be made on whether or not each district goes it alone or decides to combine forces again and go out for tender for that piece of work. Nick Harding expressed the opinion that even if the Council had been successful with the original contract it would have all come undone to a significant degree because there was a recent court case which brought clarity to a key element of national planning advice in relation to gypsy and travellers. Councillor Mrs French stated that this is disappointing, obviously Covid was three years ago and it was only a few months ago since this question was asked on another application so it would be good if the Council can get on with it.

Proposed by Councillor Skoulding, seconded by Councillor Meekins and agreed that the application be APPROVED as per officer's recommendation.

(Councillors Connor and Mrs Davis declared that they were pre-determined on this application and left the room for the duration of the discussion and voting thereon. Councillor Mrs Mayor chaired this application after being nominated by other members)

P126/22

F/YR22/1135/F

**LAND NORTH EAST OF THE PADDOCKS, HORSEMOOR ROAD, WIMBLINGTON
CHANGE OF USE OF LAND TO SITE 1 X RESIDENTIAL MOBILE HOME AND 1 X
TOURING CARAVAN, AND THE FORMATION OF HARDSTANDING AND A NEW
ACCESS (PART RETROSPECTIVE)**

David Rowen presented the report to members.

The committee has regard to its inspection of the site (as agreed in accordance with the Site Inspection: Policy and Procedure (minute P19/04 refers)) during its deliberations.

The comments of Angela Johnson, an objector to the proposal, under the public participation procedure, are set out in the minute for planning application F/YR21/0768/F.

Councillor Sutton made the point that he may or may not have made a different decision should a needs assessment on a five-year supply of land for travellers' had existed.

Proposed by Councillor Benney, seconded by Councillor Meekins and agreed that the application be APPROVED as per the officer's recommendation.

(Councillors Connor and Mrs Davis declared that they were pre-determined on this application and left the room for the duration of the discussion and voting thereon. Councillor Mrs Mayor chaired this application after being nominated by other members)

6.53 pm

Chairman

F/YR23/0072/O

**Applicant: Mr Robert Sears
Sear's Brothers Ltd(1978)Retirement
Benefit Scheme**

**Agent : Mr Nigel Lowe
Peter Humphrey Associates Ltd**

Land East Of Station Farm, Fodder Fen Road, Manea,

Erect up to 5 dwellings (outline application with matters committed in respect of access) including formation of a footpath on the western side of Fodder Fen Road

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission for up to 5 dwellings with matters committed in relation to access only. A single access point is proposed off Fodder Fen Road, with the agricultural access retained. Illustrative drawings show a row of 5 detached dwellings, with garages, set back from the road behind a shared access. It is also proposed to provide a footpath on the western side of Fodder Fen Road from opposite the access to link to the footpath constructed for the station car park.
- 1.2 The principle of development in this location is considered unacceptable as it is beyond the established settlement of Manea.
- 1.3 The development would erode the openness of this countryside location and result in an urbanisation which would have a significant detrimental impact on the character of the area.
- 1.4 The LHA have raised queries regarding the viability and acceptability of the works required to Fodder Fen Road, which remain unresolved.
- 1.5 The site lies in Flood Zone 3, the highest risk of flooding and has failed to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding and the development does not provide any wider sustainability benefits, as such both the sequential and exception tests fail.
- 1.6 Insufficient information has been submitted to enable the Local Planning Authority to undertake the Habitat Regulations Assessment 'likely significant effect' screening in relation to the Ouse Washes Functionally Linked Land
- 1.7 Overall, the proposed development is considered to be unacceptable and the recommendation is one of refusal, consistent with the previous decision of the Council regarding development of this site.

2 SITE DESCRIPTION

The application site is located to the north of the main settlement of Manea, on the eastern side of Fodder Fen Road (B Class road with a 40-60mph speed limit) and is within an agricultural field with open countryside beyond. To the south are two historically established dwellings and to the west Station Farm and associated bungalow, there is a newly constructed car park to serve the station to the south of this. The site appears to slope down from the road, is served by an informal access and is currently being actively farmed, the western and southern boundaries are formed by drains. The site is located in Flood Zone 3, the highest risk of flooding.

3 PROPOSAL

3.1 The application seeks outline planning permission for up to 5 dwellings with matters committed in relation to access only.

3.2 A single access point is proposed off Fodder Fen Road, with the agricultural access retained. Illustrative drawings show a row of 5 detached dwellings, with garages, set back from the road behind a shared access. It is also proposed to provide a footpath on the western side of Fodder Fen Road from opposite the access to link to the footpath constructed for the station car park.

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

[F/YR23/0072/O | Erect up to 5 dwellings \(outline application with matters committed in respect of access\) including formation of a footpath on the western side of Fodder Fen Road | Land East Of Station Farm Fodder Fen Road Manea \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

Application site:

F/YR22/0709/O	Erect up to 5 dwellings (outline application with matters committed in respect of access) including formation of a footpath on the western side of Fodder Fen Road	Withdrawn
F/YR21/0555/O	Erect up to 5 dwellings (outline application with matters committed in respect of access)	Refused 23/9/2021

Of relevance in the vicinity in relation to whether the area is considered as part of the settlement is the following:

F/YR14/0113/F	Erection of 3no dwellings comprising of 1 x 2-storey 4-bed with detached double garage/workshop/store, 1 x 2-storey 4-bed with attached garage with store above and 1 x 4-bed with attached double garage	Refused 1/7/2014
	At Land South Of Bungalow Station Farm Fodder Fen Road Manea Cambridgeshire	Dismissed on appeal 9/1/2015 (current local plan had been adopted and was considered)

5 CONSULTATIONS

5.1 Parish Council

Object.

Outside of the village curtilage

Green field site

Would set a precedent.

5.2 Environmental Health (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to be affected by ground contamination.

Having previously studied the content of the Environmental Noise Survey, Noise Break-in Assessment & Sound Insulation Scheme report provided by Nova Acoustics (Project Number: 7694RS) dated 09.05.2022, this service is satisfied with the methodology and subsequent findings having regard to the appropriate acoustic standards in this scenario. This is however based on the assumption that glazing standards will be installed in accordance with those in Table 6.0 (Glazing Specification – All Façades – Living Rooms and Bedrooms) to ensure that internal noise levels fall within the accepted parameters as stated within the aforementioned report.

In the interests of protecting the amenity of existing nearby residents during the construction phase, this service would welcome the submission of a robust Construction Environmental Management Plan (CEMP). This should be in accordance with the template now available on the Fenland District Council website via the following link: <https://www.fenland.gov.uk/planningforms>

5.3 Natural England

We advised that further information should be provided, including desk-records from suitable sources including RSPB, BTO and the Wildfowl and Wetlands Trust, to confirm that the development site and surrounding area is not regularly used by SPA birds and can therefore be excluded as Ouse Washes functionally linked land. We note that the current planning application includes an email from the Applicant to Fenland District Council (22 September 2022) incorporating a rebuttal of Natural England's request for this additional information on the basis of the findings of the Applicant's Ecology Report and advice from the Council's Wildlife Officer.

Natural England's advice is that the Applicant should be requested to provide the additional information originally requested in our previous response. This is required to confirm that the proposed development site and surrounding area is not regularly used by SPA birds can therefore be excluded as Ouse Washes 'functionally linked land'.

The Council, as Competent Authority under the requirements of the Conservation of Habitats and Species Regulations 2017, amended will require this information to inform its Habitats Regulations Assessment (HRA) screening with regard to the likely significant effects of the proposed development on the Ouse Washes SPA and Ramsar site. Alternatively you may wish to consult the RSPB on this planning application as their views may help to inform your HRA screening.

5.4 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, in line with the mitigation recommendations within the Preliminary Ecological Appraisal;

-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.

Assessment/Comment:

The proposed application is unlikely to have significant negative impacts on biodiversity or protected species so long as the proposed mitigation within the PEA is carried out. The landscaping document conditioned above should include these mitigations, specifically related to the species suggested for the landscaping belt.

5.5 Environment Agency

We have no objection to the proposed development but wish to make the following comments.

National Planning Policy Framework Flood Risk Sequential Test In accordance with the National Planning Policy Framework (NPPF) paragraph 162, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test.

Review of Flood Risk Assessment (FRA) We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (ECL0442a) are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set no lower than 0.4m.*
- Flood resistance measures will be incorporated up to 0.6m above finished floor levels.*
- There will be no ground floor sleeping accommodation.*

Advice for the LPA

With regard to the second part of the Exception Test, your Authority must be satisfied with regards to the safety of people (including those with restricted mobility), the ability of people to reach places of safety, including safe refuges within buildings, and the ability of the emergency services to access buildings to rescue and evacuate people.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

We have reviewed the submitted FRA with regard to tidal and main river flood risk sources only. The Internal Drainage Board should be consulted with regard to flood risk associated with their watercourses and surface water drainage proposals.

Advice for the Applicant

Any proposed flood resilient measures should follow current Government Guidance. For more information on flood resilient techniques, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings – Flood Resilient Construction", which can be downloaded from the following website: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

The Environment Agency operates a flood warning system for existing properties currently at risk of flooding to enable householders to protect life or take action to manage the effect of flooding on property. Flood Warnings Service (F.W.S.) is a national system run by the Environment Agency for broadcasting flood warnings. Receiving the flood warnings is free; you can choose to receive your flood warning as a telephone message, email, fax or text message. To register your contact details, please call Floodline on 0345 988 1188 or visit <https://www.gov.uk/sign-up-for-flood-warnings>

Registration to receive flood warnings is not sufficient on its own to act as an evacuation plan. We are unable to comment on evacuation and rescue for developments. Advice should be sought from the Emergency Services and the Local Planning Authority's Emergency Planners when producing a flood evacuation plan.

5.6 Middle Level Commissioners

No comments received.

5.7 Cambridgeshire County Council Highways

On the basis of the information submitted, I have no objections in principle, however, the following points require attention to make the development acceptable in highway terms:

To provide safe pedestrian access to the site, a proposed footway on the west side of Fodder Fen Road between the development and Manea station car park is proposed. While welcome in principle, an uncontrolled pedestrian crossing between the footway and the development site is needed. The crossing needs to be separate from the vehicular access (with a short length of intervening full height footway) and will therefore require a localised length of footway on the east side of the road. The footway should be 2m were possible and only reduce to 1.8m if dictated by physical constraints.

Fodder Fen Road currently drains over-edge into verge. Once a footway is introduced, this means of drainage will no longer be possible and a positive system will be required. While this is an engineering detail which can be addressed post-planning, an acceptable solution may impact upon scheme viability and should therefore be considered now by the applicant.

The proposed vehicular access clashes with existing terminal speed signs and level crossing warning signs, both of which will require re-location. Re-locating the speed limit signs (and road markings), even by a short distance, will require a Traffic Regulation Order. The determination of TROs sits outside of the planning system so I cannot provide any certainty regarding their acceptability. Should the LPA consider it unreasonable to condition these works which are outside of the applicant's control, then the TRO would need to be approved prior to determination of the planning application.

The applicant should be made aware that removal of existing road markings by hyrdoblasting (or similar) will not be permitted and it will be necessary to plane and re-surface a length of carriageway.

If the applicant is unwilling or unable to amend the application or provide additional information as outlined above, please advise me so I may consider making further recommendations.

5.8 Arboricultural Officer (FDC)

Received on previous application (F/YR22/0709/O), however still considered relevant:

The Council's Arboricultural Officer considers that it is likely any roots present in the highway verge would have been lost as a result of previous works and that as much of the large vegetation is in or on the other side of the ditch there is unlikely to be an issue.

5.9 Cambridgeshire County Council Archaeology

I am writing to you regards the archaeological implications of the above referenced planning application. The proposed development is located to the north of Manea. Manea is situated on a fen island within the fen with the island of Stonea to the north. These high places in the fen are known to have been focuses of activity particularly in the prehistoric period. Lidar and aerial imagery indicate the development red line is located of a small 'sandy' island to the northeast of the main settlement. A findspot located in the fenland survey shows a large number of Mesolithic flints potentially covering part of the development area (Cambridgeshire Historic Environment Record ref 05990). Stretching eastwards across the fen are further flint finds of a neolithic polished axe and two Mesolithic axes towards another shallow hill (CHER MCB15986, MCB15984, 05976). There is a further Mesolithic flint scatter to the southeast (CHER 05977).

The land changes in the area combined with a large number of archaeological finds indicate a high potential for Mesolithic activity within the development area, therefore whilst we do not object to development from proceeding in this location, we consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

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 2019).

Informatives:

Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development.

Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.

5.10 Local Residents/Interested Parties

7 supporting comments have been received (1 from Pingle Wood Row, 3 from Days Lode Road, 2 from Westfield Road and 1 from Willow Drive, all Manea), in relation to the following:

- Many cases where building has taken place on agricultural land
- Similar to other developments in the village
- Close to railway station, proposal can make use of improved services, ideal for commuters
- Further away from station than Charlemont Drive so less noise impact
- Front the highway/not filling fields behind other houses
- Houses nearby but not densely populated so shouldn't have issues with access
- Would benefit the local economy and community
- Manea has good infrastructure/facilities
- Addresses the need for local and affordable homes
- Not sufficient executive housing in the area

Comments, where they relate to planning considerations will be addressed in the sections below. It should however be noted that the proposal is for market housing, not affordable and the scale/design is indicative at this stage as it is not being committed.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Context – C1

Identity – I1
Movement – M1
Nature – N3

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
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

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:

Policy LP1 – Settlement Hierarchy
Policy LP2 – Spatial Strategy for the Location of Residential Development
Policy LP5 – Health and Wellbeing
Policy LP7 – Design
Policy LP8 – Amenity Provision
Policy LP11 – Community Safety
Policy LP12 – Meeting Housing Needs
Policy LP18 – Development in the Countryside
Policy LP20 – Accessibility and Transport
Policy LP22 – Parking Provision (Appendix 6)
Policy LP24 – Natural Environment
Policy LP25 – Biodiversity Net Gain
Policy LP26 – Carbon Sinks and Carbon Sequestration
Policy LP27 – Trees and Planting
Policy LP28 – Landscape
Policy LP32 – Flood and Water Management
Policy LP49 – Residential site allocations in Manea

Delivering and Protecting High Quality Environments in Fenland SPD

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
DM6 – Mitigating Against Harmful Effects

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- Principle of Development and visual amenity of area
- Loss of Agricultural land
- Residential Amenity/Health and wellbeing
- Highways
- Flood Risk
- Ecology
- Archaeology

9 BACKGROUND

- 9.1 This site has been subject to a pre-application enquiry (20/0110/PREAPP), which advised that the site is not considered to adjoin the developed footprint of the village, would create character harm to the openness of the area and result in an urbanising impact, is not considered to be sustainably linked to the settlement and as such would likely result in a reliance on private motor vehicles and was unlikely to pass the sequential test as there is a high likelihood that there are other sites at a lower risk of flooding which could accommodate the proposal.
- 9.2 It was advised that the scheme was unlikely to receive officer support for the above reasons; however, should an application be submitted (contrary to recommendation) then it should be accompanied by a phase 1 habitat survey due to the potential for the site to provide habitat for protected species and a noise assessment at the request of the Council's Environmental Health team due to the proximity of the site to the railway line.
- 9.3 Subsequently an outline planning application was submitted (F/YR21/0555/O) which was refused by Planning Committee for the following reasons:

1. *Policy LP12 Part A (a) and associated footnote make it clear that the developed footprint is defined as the as the continuous built form of the village and that development which is not within in or adjacent to this would be contrary to this policy and the spatial strategy set out in Policy LP3. Policy LP12 Part A (c), (d) and (e) seek to ensure development would not have an adverse impact on the character and appearance of the surrounding countryside and would not result in linear development.*

Furthermore, Policy LP16 (d) of the Fenland Local Plan, Policy DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, para 130 of the NPPF and chapters C1 and I1 of the NDG seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area, and do not adversely impact on the landscape character.

This site is considered to be located beyond the established settlement of Manea and as such would result in linear development encroaching into the open countryside. The proposed development would erode the openness of this verdant countryside location and result in an urbanisation which would have a significant detrimental impact on the character of the area. It would also set a dangerous precedent for further incremental development and therefore cumulative harm, contrary to the aforementioned policies.

- 2 *Policy LP2 and LP16 (l) of the Fenland Local Plan, DM6 of the Delivering and Protecting High Quality Environments in Fenland SPD and para 130 of the NPPF seek to promote health and well-being and high levels of residential amenity whilst identifying, managing and*

mitigating against sources of noise and avoid adverse impacts.

The site is in the relatively close proximity to the railway line and it is recognised that noise can lead to reduced living conditions and impacts on health and well-being and quality of life. Insufficient assessment has been undertaken and inadequate information submitted to enable the Local Planning Authority to ascertain whether the proposal would result in adverse impact in this regard and as such it is considered contrary to the aforementioned policies.

- 3 *Policy LP2 and LP15 of the Fenland Local Plan seek to provide sustainable, adequate and safe access to essential services, paras 110 and 112 of the NPPF and chapter M1 of the NDG 2019 seek to prioritise pedestrians and cyclists by ensuring that routes are safe, direct, convenient and accessible for people of all abilities and that people should not need to rely on the car for everyday journeys.*

Fodder Fen Road has a 60mph speed limit alongside the site, it does not feature any footpaths and is unlit, with the potential for pedestrian/cycle and vehicle conflict. Hence it is likely there would be reliance upon the use of private motor vehicles, and as such the site is not considered to be sustainably linked to the settlement. The development is therefore considered contrary to the aforementioned policies.

- 4 *The site lies in Flood Zone 3, the highest risk of flooding. Policy LP12 Part A (j) seeks to ensure that developments would not put people or property in dangers from identified risks, such as flooding. Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seek to steer developments to the areas with the least probability of flooding and development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. If it is evidenced by an adequate sequential test that it is not possible for development to be located in areas with a lower risk of flooding the exception test will then apply*

Insufficient assessment has been undertaken and inadequate information submitted to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding and the development does not provide any wider sustainability benefits, as such both the sequential and exception tests fail and the development is contrary to the aforementioned policies.

- 5 *Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 174 of the NPPF 2019 seek to conserve, enhance and promote biodiversity. Paragraph 182 advises that the presumption in favour of sustainable development does not apply where a project is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that it will not adversely affect the integrity of the habitats site.*

Due to the location and features surrounding and within the site there is potential for protected species to be affected by the proposed development, particularly as it would be necessary to undertake works to the drain to the west for accesses. Insufficient assessment has been

undertaken and inadequate information submitted to enable the Local Planning Authority to ascertain whether the proposal would impact protected species and as such it is considered contrary to the aforementioned policies.

- 9.4 Whilst it is acknowledged in the Minutes of Planning Committee on 22/9/2021 regarding the previous application that one Member did not agree with Officers' assessment of scheme, the Committee ultimately agreed with the Officer recommendation of refusal and the reasons for refusal put forward, there has been no material change in circumstance since this time which would overcome these reasons.
- 9.5 A further application was submitted (F/YR22/0709/O), accompanied by a noise assessment, ecology appraisal and proposing a footpath link, this was due to be determined by Planning Committee in December 2022 with a recommendation of refusal for the following reasons:

1. *Policy LP12 Part A (a) and associated footnote make it clear that the developed footprint is defined as the as the continuous built form of the village and that development which is not within in or adjacent to this would be contrary to this policy and the spatial strategy set out in Policy LP3. Policy LP12 Part A (c), (d) and (e) seek to ensure development would not have an adverse impact on the character and appearance of the surrounding countryside and would not result in linear development.*

Furthermore, Policy LP16 (d) of the Fenland Local Plan, Policy DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, para 130 of the NPPF and chapters C1 and I1 of the NDG seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area, and do not adversely impact on the landscape character.

This site is considered to be located beyond the established settlement of Manea and as such would result in linear development encroaching into the open countryside. The proposed development would erode the openness of this verdant countryside location and result in an urbanisation which would have a significant detrimental impact on the character of the area. It would also set a dangerous precedent for further incremental development and therefore cumulative harm, contrary to the aforementioned policies.

2. *Policies LP3 and LP12 Part D of the Fenland Local Plan 2014 seek to restrict development in elsewhere locations, such as the application site, to that which is demonstrably essential to be so located, and to ensure that any such applications are accompanied by robust evidence of the need and suitability of the development.*

No evidence has been forthcoming to establish need in relation to the requirements of LP12 Part D. Furthermore, the proposal is for up to 5 dwellings, even if the need for 1 dwelling was established this would not render the remaining dwellings applied for acceptable. As such, the proposal is contrary to the aforementioned policies.

- 3 *The site lies in Flood Zone 3, the highest risk of flooding. Policy LP12 Part A (j) seeks to ensure that developments would not put people or property in dangers from identified risks, such as flooding. Policy LP14 of the Fenland*

Local Plan and Chapter 14 of the NPPF seek to steer developments to the areas with the least probability of flooding and development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. If it is evidenced by an adequate sequential test that it is not possible for development to be located in areas with a lower risk of flooding the exception test will then apply

Insufficient assessment has been undertaken and inadequate information submitted to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding and the development does not provide any wider sustainability benefits, as such both the sequential and exception tests fail and the development is contrary to the aforementioned policies.

- 4 *Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 174 of the NPPF 2021 seek to conserve, enhance and promote biodiversity. Paragraph 182 advises that the presumption in favour of sustainable development does not apply where a project is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that it will not adversely affect the integrity of the habitats site.*

Insufficient information has been submitted to enable the Local Planning Authority to undertake the Habitat Regulations Assessment 'likely significant effect' screening in relation to the Ouse Washes Functionally Linked Land, and as such the development is considered contrary to the aforementioned policies.

- 9.6 This application was withdrawn the day before the Committee meeting, no reason was provided within the written request, however it is understood that the applicant had requested to speak but was unable to attend the meeting.
- 9.7 This application contended that a dwelling was required in relation to the running of Sears Bros Ltd (reason for refusal 2 above), however this claim has since fallen away under the current application.
- 9.8 All other reasons for refusal remain. It is acknowledged that the applicant's agent now disputes the site being described as 'verdant' as referred to above in reason for refusal 1, this word does not undermine the rationale for this reason and for the avoidance of doubt Officers are content for this to be omitted, the reason will however be updated in relation to para 174 of the NPPF in relation to recognising character and beauty of the countryside.

10 ASSESSMENT

Principle of Development and visual amenity of area

- 10.1 Policy LP3 of the Fenland Local Plan identifies Manea as a 'growth village' where development within the existing urban area or as small village extensions of a limited scale will be appropriate as part of the strategy for sustainable growth. This policy also states that development elsewhere will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Policy LP3 must be read in conjunction with other policies in the Local Plan which steer development to the most appropriate sites:

10.2 Policy LP12 Part A states that for villages, new development will be supported where it contributes to the sustainability of that settlement (para 79 of the NPPF concurs), does not harm the wide-open character of the countryside (para 174 of the NPPF recognises the intrinsic value of the countryside) and complies with criteria (a) – (k). Policy LP12 makes it clear that the developed footprint is defined as the as the continuous built form of the village and excludes the following:

- Individual buildings and groups of dispersed or intermittent buildings that are clearly detached from the continuous built-up area,
- gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the settlement,
- agricultural buildings and associated land on the edge of the settlement,
- outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.

10.3 This site is considered to be located beyond the established settlement of Manea; development north of the railway line is limited and reasonably dispersed, with the form of land and buildings relating more to the surrounding countryside than the built-up area of development. This is a position that is supported by the previous recent refusal for development on this site (F/YR21/0555/O) and also the refusal of application F/YR14/0113/F and subsequent appeal APP/D0515/A/14/2227264 which was dismissed, in relation to an application for dwellings on a site on the opposite side of Fodder Fen Road, closer to the railway. Para 13 of the appeal decision stating:

‘.....due to its largely open character and the modest structures within it, in my judgement the rail corridor including the station forms a visual break and material buffer between the continuous settlement to the southwest and the more sporadic development and open countryside to the northeast. Therefore, the appeal site is neither within or adjacent to the existing development footprint of Manea in the terms of Policy LP12 of the Local Plan. Consequently, in this regard, the proposed development conflicts with this Policy and the associated spatial strategy for the District.’

10.4 LP12 Part A (a) which requires the site to be in or adjacent to the existing developed footprint of the village cannot be satisfied as demonstrated above.

10.5 LP12 Part A (c) and (d) which require that developments do not have an adverse impact on the character and appearance of the surrounding countryside and are in keeping with the core shape and form of the settlement cannot be satisfied as the development would result in an encroachment into the open countryside resulting in an urbanising impact.

10.6 LP12 Part A (e) which requires that development does not extend linear features or result in ribbon development cannot be satisfied as the development would result in ribbon development extending onto the countryside.

10.7 LP12 Part A (j) which requires that development would not put people or property in danger from identified risks has not been fully addressed with respect to flood risk (please refer to Flood Risk section below).

- 10.8 It is acknowledged that planning permission has been granted (F/YR20/0427/F) for a car park in association with the railway station on land adjoining the railway line on the western side of Fodder Fen Road. In determining this application, it was acknowledged that the land does not adjoin the developed footprint of the village and would therefore be classed as an 'elsewhere location'; however, Policy LP3 supports such development, and it is necessary to be located in close proximity to the railway. As the site was considered to relate more to the countryside than the built settlement it was considered important that this character was retained as much as possible to limit the impact. The site is bounded by trees and vegetation which it is proposed to retain and enhance, a buffer also surrounds the car park which mitigates the impact of the development on the character of this rural location; any impact was considered to be outweighed by the public benefit of the scheme. This development is not considered comparable to the current application for dwellings, which has no such policy support and creates a significant detrimental impact on the character of the area.
- 10.9 The applicant's agent has made reference to village and speed limit signs in their justification, Officers contend that the spatial assessment of sites by the location of highway signs is not considered to be an appropriate or logical approach and sites should instead be assessed in accordance with the criteria set out in Policy LP12 as above.
- 10.10 Policy LP16 (d) of the Fenland Local Plan, Policy DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, paras 130 and 174 of the NPPF and chapters C1 and I1 of the NDG seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area, recognise the beauty and character of the countryside and do not adversely impact on the landscape character. The proposed development would erode the openness of this countryside location and result in an urbanisation which would have a significant detrimental impact on the character of the area. It would also set a dangerous precedent for further incremental development and therefore cumulative harm.
- 10.11 Whilst the policies of the emerging local plan carry extremely limited weight in decision making the following are relevant to this application:
- Policy LP1, Part A identifies Manea as a large village; Part B advises that land outside settlement boundaries is defined as countryside where development is restricted (as set out in LP18), this site is outside of the defined settlement and Part C would not be applicable as the development is not considered to adjoin the settlement, would be located in an area of flood risk and would exceed the 3 dwelling threshold for this policy. LP49 defines residential site allocations in Manea and this site does not have such an allocation. As such the proposal is also considered contrary to the aforementioned policies of the emerging local plan.

Loss of Agricultural land

- 10.12 The site comprises of approximately 0.46ha of Grade 2 Agricultural land as defined by DEFRA ([Defra Spatial Data Download](#)) and classified as very good.
- 10.13 Para 174 of the NPPF 2021 recognises the intrinsic character and beauty of the countryside, including the economic and other benefits of the best and most versatile (BMV) agricultural land (defined as Grades 1, 2 and 3a) and para 175

(footnote 58) advises that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

10.14 Having regard to the wider DEFRA mapping site, it is acknowledged that a significant majority of the Fenland District falls within the BMV land with only the urban areas of the main Market Towns, the Kings Delph and Morton's Leam areas and the north of March including the prison area falling within the lower grades. As such, it is recognised that there are very few areas of poorer quality agricultural land, and it would not be possible therefore for Fenland to meet its housing demands without developing areas of BMV land.

10.15 This does not however confer that all agricultural land should be developed, especially where it relates more to open countryside than to the settlement and Officers consider that this is the intention of LP12, Part A (c), supported by the preamble at paragraph 4.7.1 of the Fenland Local Plan. An assessment however should be made as to the relationship of the land to the open countryside, in comparison to the built envelope of the settlement. As stated in the section above, the application site is considered to relate more to the open countryside than the built form though it is acknowledged that 0.46ha is not significant in the context of BMV land within Fenland.

Residential Amenity/Health and wellbeing

10.16 The site is separated from Victoria House to the south by the agricultural access, a drain, a vegetation belt on the boundary and a number of outbuildings serving Victoria House. To the west on the opposite side of the road is the Bungalow at Station Farm and the site of the railway car park. The separation distances, scale of the existing sites surrounding and the application site are such that significant detrimental impacts are not expected, and it is considered a policy compliant scheme could be achieved in relation to the relationships between existing and proposed sites.

10.17 The site is located in relatively close proximity to the railway line and the application is accompanied by a noise assessment due to concerns raised and reason for refusal 2 of the previously determined application in relation to this. The report concluded that providing the recommendations specified were implemented the internal and external noise levels are expected to be within the relevant British Standard criteria. The Council's Environmental Health team are satisfied with the methodology and subsequent findings having regard to the appropriate acoustic standards in this scenario. This is however based on the assumption that glazing standards will be installed in accordance with those in Table 6.0 (Glazing Specification – All Façades – Living Rooms and Bedrooms) to ensure that internal noise levels fall within the accepted parameters as stated within the aforementioned report. Hence subject to relevant conditions the previous reason for refusal in this regard is considered to be overcome.

10.18 Environmental Health also recommend the submission of a Construction Environmental Management Plan (CEMP), which can be secured through a pre-commencement condition should the application be successful.

Highways

10.19 Aside from the principle of development, access is the only matter being committed as part of this application. A 6m wide shared access point is proposed off Fodder Fen Road, requiring the drain to be culverted, full details of which can be secured by way of a condition. Visibility splays as required by the LHA are

indicated and the agent has confirmed that this is achievable within Highways land. The shared access leads to a private road within the site and individual parking and turning areas; the detailed layout would be a Reserved Matter should this application be successful.

- 10.20 Fodder Fen Road is some distance from the majority of facilities and services, and in order to provide a sustainable link to existing infrastructure, the railway station and village beyond, a 1.8m wide footpath is proposed on the western side of Fodder Fen Road to adjoin the recently constructed footpath serving the station car park. More detailed comments have been provided by the LHA for the current application, these advise that an uncontrolled crossing between the footway and the development is needed, that this needs to be separate from the vehicular access and will therefore require a length of footway on the eastern side of Fodder Fen Road, the footway should be 2m wide and only reduced to 1.8m if necessitated by physical constraints. The issue of drainage has also been raised as Fodder Fen Road currently drains over-edge into the verge and the introduction of the footpath would result in this no longer being possible, whilst full details could be secured by condition this may impact the viability of the scheme.
- 10.21 The LHA have also advised that the proposed access clashes with speed and level crossing warning signs, both of which will require re-location, this would require a Traffic Regulation Order, this process sits outside of the planning system and as such there is no certainty that this could be achieved.
- 10.22 The proposed footpath would be in close proximity to a drain and a number of trees, whilst the area has already been disturbed by the construction of the car park, it would be necessary to establish and consider the potential impact of the footpath on these trees and ecology.
- 10.23 These matters remain outstanding, however in the interests of expediting the application, and on the basis there are a number of other reasons for refusal, it was not considered reasonable to seek further details in this regard.

Flood Risk

- 10.24 The site lies in Flood Zone 3, the highest risk of flooding; Policy LP12 Part A (j) seeks to ensure that developments would not put people or property in dangers from identified risks, such as flooding. Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seek to steer developments to the areas with the least probability of flooding and development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. If it is evidenced by an adequate sequential test that it is not possible for development to be located in areas with a lower risk of flooding the exception test will then apply.
- 10.25 Section 4.4 of the adopted Cambridgeshire Flood and Water SPD sets out that the initial approach to carrying out a sequential test should be to agree the scope of the test with the LPA i.e. agree the geographical area for the search which should be justified in the sequential test report. Given that the site is considered outside the settlement, the scope for the sequential test would need to be the whole of the rural area (villages and open countryside), as set out in the Flood Risk Sequential Test Methodology 2018.
- 10.26 The application has been accompanied by a Flood Risk Assessment which states that if the Middle Level Barrier Bank is considered the site has a low probability of flooding and the development is considered to pass the Sequential Test; this is

insufficient. Section 4.4 of the adopted Cambridgeshire Flood and Water SPD clearly sets out the stages that are required; the developer should identify and list reasonably available sites irrespective of land ownership within the search area which could accommodate the proposal, obtain flood risk information for all sites and apply the sequential test by comparing the flood risk from all sources on the sites identified; this has not been done.

- 10.27 The application is accompanied by a Sequential and Exception Test which advises that the area of search is Manea rather than the whole rural area, Officers disagree with this as the site is considered to be outside the settlement and as such the Sequential Test is considered to fail.
- 10.28 Notwithstanding this, even if the site was considered part of the settlement and the search area was the village of Manea, the Sequential Test is considered to be inadequate as it discounts smaller/larger sites, specifies a type of dwelling (where all matters are reserved in this case so this is unknown) and does not consider whether there are sites in Flood Zone 3 at lesser risk of flooding. Reference should be made to application F/YR21/1439/O for up to 4 dwellings at Land West Of 78-88 Station Road Manea, which was refused by Planning Committee in November this year for failure to adequately apply or meet the Sequential Test.
- 10.29 Planning Practice Guidance (Paragraph: 028 Reference ID: 7-028-20220825) states that: *'Reasonably available sites' are those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development. These could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development. Such lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available'.*
- 10.30 Even if the Sequential Test could be passed the Exception Test would also need to be passed. For the Exception Test to be passed it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and a site specific flood risk assessment must demonstrate that the development will be safe from all sources of flooding and will not increase flood risk elsewhere.
- 10.31 Para 4.5.9 of the adopted Cambridgeshire Flood and Water SPD advises that provision of housing by itself would not be considered a wider sustainability benefit. The Exception Test indicates that the proposal would utilise renewable energy solutions, however the application is in outline only and as such this is not detailed (though it would be possible to condition a scheme). It also relates to biodiversity mitigation/enhancement measures and landscaping which would be required irrespective of flood risk and as such this is not a benefit. The development does propose a footpath link however this is only required to mitigate the unsustainable location of the site and as such is not of wider benefit.
- 10.32 Environment Agency (EA) data indicates that in the event of a breach of flood defences the site could flood to a depth of up to 1m. The EA do not object to the application in relation to site specific risk, but recommend that the development is carried out in accordance with the submitted flood risk assessment and the following mitigation measures it details:
- Finished floor levels shall be set no lower than 0.4 metres above existing ground levels
 - A further 0.6 metres of flood resistant construction shall be provided

- There will be no ground floor sleeping accommodation.

The submitted FRA also recommends that occupants register with Floodline Direct Warnings Service to receive any future flood warnings.

Ecology

- 10.33 Public Authorities have a duty under Section 40 of the Natural Environment and Rural Communities Act 2006 to have regard to conserving biodiversity in policy and decision making.
- 10.34 The application is accompanied by an Ecological Appraisal which considers that the minor increase in population would have no discernible recreational impacts to designated sites and the site provides limited opportunities for breeding birds, mitigation and enhancement measures are recommended.
- 10.35 The Council's Wildlife Officer considers that the proposed application is unlikely to have significant negative impacts on biodiversity or protected species so long as the proposed mitigation measures are carried out and subject to recommended conditions.
- 10.36 Natural England, a statutory consultee, previously advised that the development site falls within the Ouse Washes 'swan functional land' Impact Risk Zone (IRZ), and as such requested further information to enable the potential impact to be assessed. Natural England maintain that further information should be provided, including desk-records from suitable sources to confirm that the development site and surrounding area is not regularly used by SPA birds and can therefore be excluded as Ouse Washes functionally linked land. It is their view that in the absence of desk records, it is not possible to determine with sufficient certainty that the site and surrounding area is not regularly used by Special Protection Area birds and can therefore be excluded as Ouse Washes Functionally Linked Land. As such insufficient information has been submitted to inform the Habitat Regulations Assessment 'likely significant effect' screening and the proposal is considered contrary to Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 174 of the NPPF 2021.
- 10.37 It is acknowledged that within the submitted Planning Design and Access Statement that the applicant has asked that the ecological enhancement made on his wider agricultural holding be taken into account in relation to this application. It is advised that this is being undertaken in relation to the Government's countryside stewardship mid-tier scheme and as such would be undertaken irrespective of this application and would not be relevant to the development.

Archaeology

- 10.38 Cambridgeshire County Council Archaeology consider that there is high potential for Mesolithic activity within the development area and consider that the site should be subject to a programme of archaeological investigation, which can be secured by way of a pre-commencement condition should the application be successful.

11 CONCLUSIONS

- 11.1 The principle of development in this location is considered unacceptable as it is beyond the established settlement of Manea.

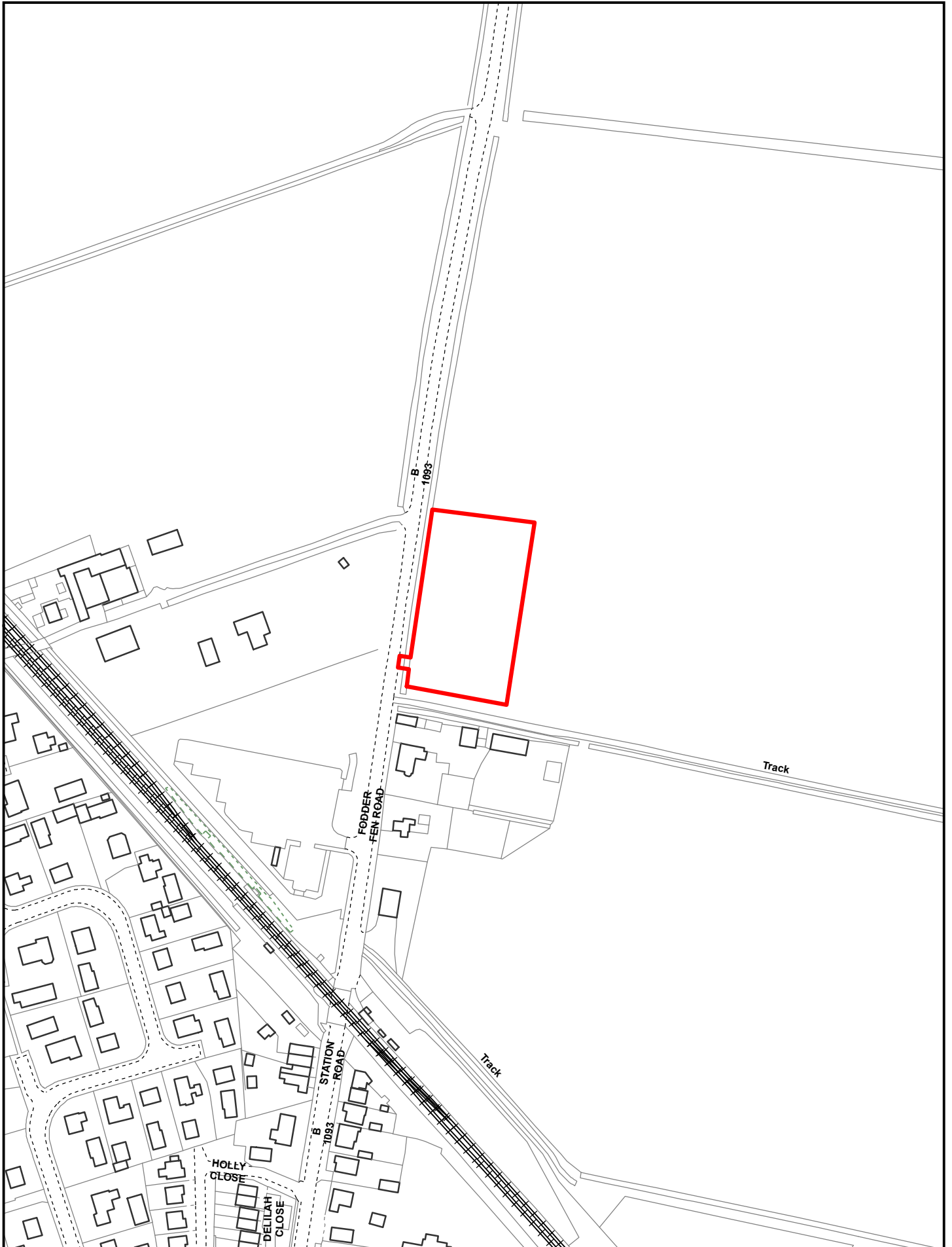
- 11.2 The development would erode the openness of this countryside location and result in an urbanisation which would have a significant detrimental impact on the character of the area.
- 11.3 The LHA have raised queries regarding the viability and acceptability of the works required to Fodder Fen Road, which remain unresolved.
- 11.4 The site lies in Flood Zone 3, the highest risk of flooding and has failed to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding and the development does not provide any wider sustainability benefits, as such both the sequential and exception tests fail.
- 11.5 Insufficient information has been submitted to enable the Local Planning Authority to undertake the Habitat Regulations Assessment 'likely significant effect' screening in relation to the Ouse Washes Functionally Linked Land.
- 11.6 Overall, the proposed development is considered to be unacceptable, and the recommendation is one of refusal, consistent with the previous decision of the Council regarding development of this site.

12 RECOMMENDATION

Refuse for the following reasons:

1.	<p>Policy LP12 Part A (a) and associated footnote make it clear that the developed footprint is defined as the as the continuous built form of the village and that development which is not within in or adjacent to this would be contrary to this policy and the spatial strategy set out in Policy LP3. Policy LP12 Part A (c), (d) and (e) seek to ensure development would not have an adverse impact on the character and appearance of the surrounding countryside and would not result in linear development.</p> <p>Furthermore, Policy LP16 (d) of the Fenland Local Plan, Policy DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, paras 130 and 174 of the NPPF and chapters C1 and I1 of the NDG seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area, recognise the beauty and character of the countryside and do not adversely impact on the landscape character.</p> <p>This site is considered to be located beyond the established settlement of Manea and as such would result in linear development encroaching into the open countryside. The proposed development would erode the openness of this countryside location and result in an urbanisation which would have a significant detrimental impact on the character of the area. It would also set a dangerous precedent for further incremental development and therefore cumulative harm, contrary to the aforementioned policies.</p>
2	<p>The site lies in Flood Zone 3, the highest risk of flooding. Policy LP12 Part A (j) seeks to ensure that developments would not put people or property in dangers from identified risks, such as flooding. Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seek to steer developments to the areas with the least probability of flooding and development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. If it is evidenced by an</p>

	<p>adequate sequential test that it is not possible for development to be located in areas with a lower risk of flooding the exception test will then apply</p> <p>Insufficient assessment has been undertaken and inadequate information submitted to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding and the development does not provide any wider sustainability benefits, as such both the sequential and exception tests fail and the development is contrary to the aforementioned policies.</p>
3	<p>Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 174 of the NPPF 2021 seek to conserve, enhance and promote biodiversity. Paragraph 182 advises that the presumption in favour of sustainable development does not apply where a project is likely to have a significant effect on a habitats site unless an appropriate assessment has concluded that it will not adversely affect the integrity of the habitats site.</p> <p>Insufficient information has been submitted to enable the Local Planning Authority to undertake the Habitat Regulations Assessment 'likely significant effect' screening in relation to the Ouse Washes Functionally Linked Land, and as such the development is considered contrary to the aforementioned policies.</p>



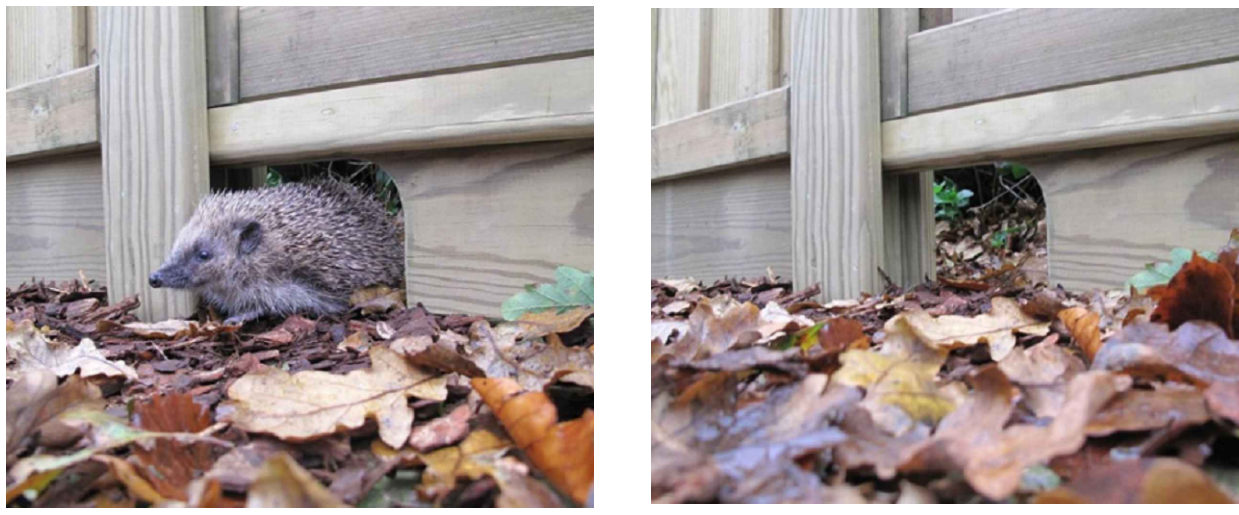
Created on: 27/01/2023

© Crown Copyright and database
rights 2023 Ordnance Survey 10023778

F/YR23/0072/O

Scale = 1:2,500





Boundary fence to have 1 hedgehog gravel board to each boundary



Schwegler triple cavity swift box
1 to each East elevation plots 2,3,4 and 5



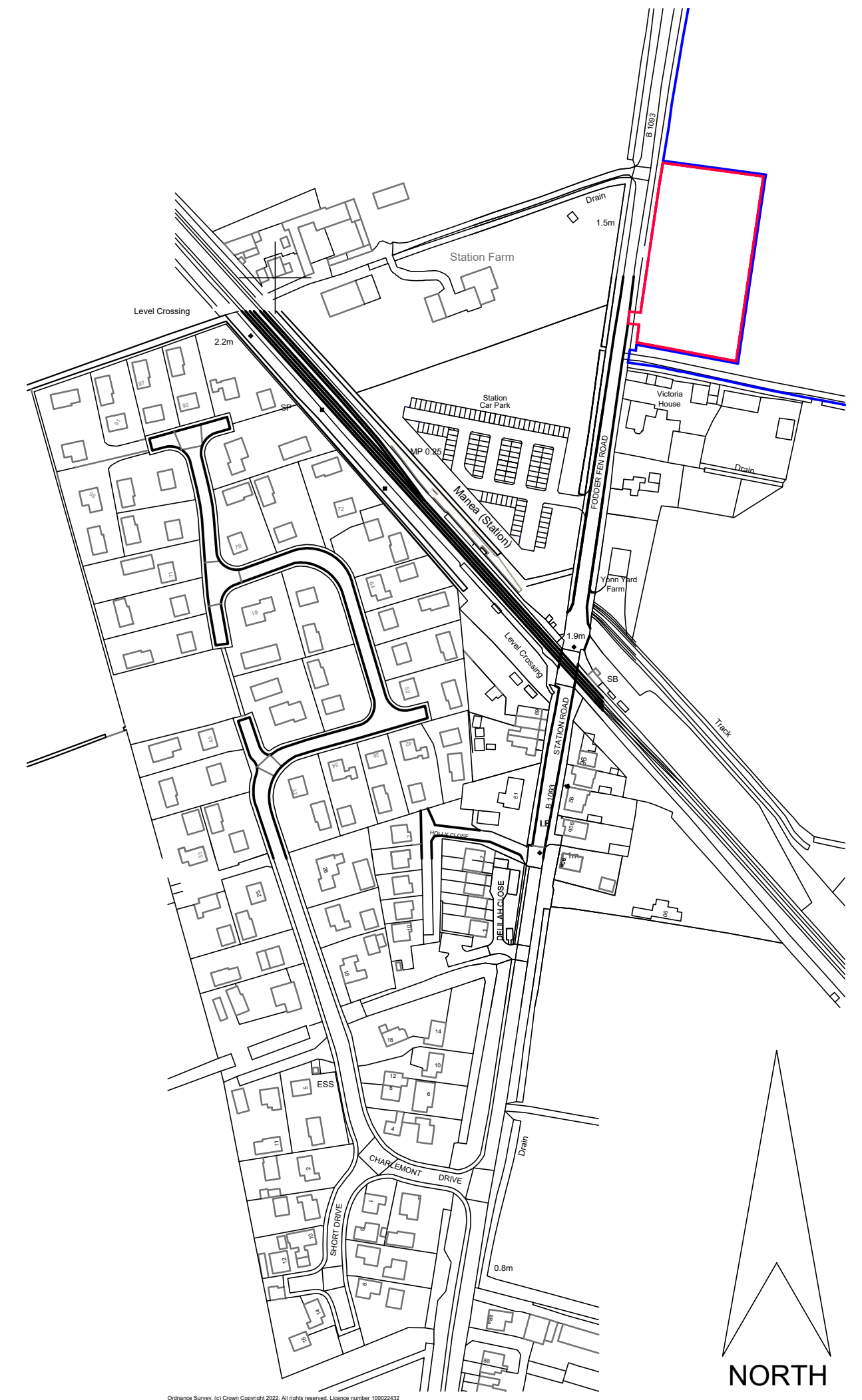
Eco House Martin nest
1 to each East elevation plots 1 & 5 (2 No. on 5, 1.00m gap between)



NHBS Habitat bat box
One on each South Elevation plots 1 & 4



Application site on the left within the village of Manea



Location Plan 1:2500

All finished floor levels to be 400mm above ground level

REVISIONS



PETER HUMPHREY ASSOC

ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.

TELEPHONE: 01945 466960
E-MAIL: info@peterhumphrey.co.uk
WEB: www.peterhumphrey.co.uk

CLIENT
Mr Robert Sears
Sear'sBrothers Ltd(1978)Retirement Benefit Scheme
PROJECT

SITE
LAND EAST OF STATION FARM
FODDER FEN
MANEA
PE150HQ

DRAWING
6567-PL01B

JOB NO.	PAPER SIZE	DATE
6567	A1	April 2022

Notes:
This drawing is the permission of Peter Humphrey Associates Ltd. and may not be reissued, loaned or copied in whole or part without written consent.

All dimensions shown on the drawing are in millimeters unless stated otherwise. If the drawing is received electronically (PDF) it is the recipient's responsibility to ensure it is printed to the correct paper size. All dimensions to be checked on site prior to commencing work and any discrepancies to be highlighted immediately.

The Construction (Design and Management) Regulations 2015:
Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already been apparent to a competent contractor.

Site Plan including indicative layout 1:500

This page is intentionally left blank

APPLICATION NO: F/YR23/0072/O

SITE LOCATION: Land East Of Station Farm, Fodder Fen Road, Manea

UPDATE

Correspondence from agent

An email has been received from the agent regarding recommended reason for refusal 2 in relation to flood risk.

The agent has cited a case within Parson Drove, F/YR22/1187/FDC which was approved for the erection of 1 x dwelling involving demolition of existing garage block (outline application with matters committed in respect of access). This application site was also situated within Flood Zone 3.

The agent has also referred to the specifications of the proposed dwellings, including the use of triple glazing, heat source air pumps and PV cells, and asserts that this is not referred to in the report to Committee.

Officer response

The Sequential Test submitted for F/YR22/1187/FDC was thoroughly reviewed by the case officer and the identified sites discounted for various reasons (F/YR22/0702/F for example is a replacement dwelling).

This application is accompanied by a Sequential and Exception Test which advises that the area of search is Manea rather than the whole rural area, Officers disagree with this as the site is considered to be outside the settlement and as such the Sequential Test is considered to fail.

Notwithstanding this, even if the site was considered part of the settlement and the search area was the village of Manea, the Sequential Test is considered to be inadequate as it discounts smaller/larger sites, specifies a type of dwelling (where all matters are reserved in this case so this is unknown) and does not consider whether there are sites in Flood Zone 3 at lesser risk of flooding. The two applications are therefore not comparable.

With regards to the Exception Test; reference has been made to renewable energy solutions at 10.31 of the report. The provision of renewable energy solutions is not considered to provide a wider sustainability benefit to the community which outweighs flood risk, in the context of a proposal for 5 dwellings (whereas it may be acceptable for a single dwelling), the proposed footpath link is only required to mitigate the unsustainable location of the site and as such is not of wider benefit, and whilst it is noted that reference is made to ecological enhancement on the wider agricultural holding, it is advised that this is being undertaken in relation to the Government's countryside stewardship mid-tier scheme and as such would be undertaken irrespective of this application and would not be relevant to the development.

Report Correction

Paragraph 10.28 of the report refers to application F/YR21/1439/O which was refused by Planning Committee for failure to adequately apply or meet the sequential test; for clarity this was refused in November 2022.

Resolution: No change to the recommendation which is to refuse this application as per Section 12 of Agenda item 5.

F/YR22/1053/F

Applicant: Mrs L Fountain

**Agent : Mr Nigel Lowe
Peter Humphrey Associates Ltd**

Land To The West Of 167, Gaul Road, March, Cambridgeshire

Erect 1 dwelling (2-storey 4-bed) with detached garage

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The site is well related to the primary market town of March to which new development should be directed as set out in the settlement hierarchy of policy LP3 of the Fenland Local Plan. It also provides an access which would be suitable subject to conditions had the recommendation been for approval.
- 1.2 The site lies within flood zone 3 which is land as the greatest risk of flooding. The sequential test submitted has been misapplied and has incorrectly ruled out a number of reasonably available sites. Reasonably available sites will include a site or a combination of sites capable of accommodating the proposed development. These may be larger, similarly sized or a combination of smaller sites that fall within the agreed area of search as defined within the Cambridgeshire Flood and Water SPD There is a large strategic allocation immediately to the south of the site which is an area at lower risk of flooding. As such the proposal fails the sequential test and is in conflict with policy LP14, Part B of the Fenland Local Plan, policy H2(c) of the March Neighbourhood Plan, paragraph 167 of the NPPF and guidance on the Sequential approach to flood risk set out in the NPPG, which seek to direct development first to areas at lowest risk of flooding.
- 1.2 The development has a poor visual relationship to the local area due to its separation and isolation from the built edge of March and appears randomly placed. The proposed dwelling will be finished with mono-pitch and flat roofs and finished in Cedar cladding and Cream render which is considered to highlight and exacerbate the visual separation of the development given the prevailing character of 2-storey dwellings with dual-pitched roofs finished in brick and render along Gaul Road. This results in an incongruous form of development contrary to policy LP16(d) of the Local Plan and paragraph 130 of the NPPF.
- 1.3 Therefore, this application is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The site is part of a larger area of open scrub land and is situated approximately 40 metres to the west of the nearest dwellinghouse, 167 Gaul Road. The site

measures approximately 25.5 metres wide x 22.5 metres deep and has an area of approximately 0.06 hectares.

- 2.2 The site fronts onto Gaul Road and is served by an existing footpath cycleway which is separated from the road by a small grass verge. The residential development to the west (of which No.167 is part) was originally approved in 2009 with amendments since. This development stops abruptly where it adjoins the wider land in which this current application site is located.
- 2.3 To the west of the site is a run of overhead electricity power cables mounted on pylons. The site lies wholly within Flood Zone 3 which is the greatest risk of flooding.

3 PROPOSAL

- 3.1 This application seeks full planning permission to erect a 2-storey, 4-bed dwelling with detached garage.
- 3.2 The dwelling will be finished with sloping and flat roofs. The sloping roof will have a greatest eaves height of 7.2 metres and a ridge height of 7.8 metres approx. The 2-storey flat-roof element will have a ridge height of 5 metres. The single-storey flat-roofed elements will have a ridge height of 2.9 metres, with the rear single-storey element featuring a balcony above.
- 3.3 The dwelling will contain a sitting/dining/kitchen area, utility, study, lounge and WC at ground floor with 4 bedrooms, bathroom and balcony at first-floor.
- 3.4 Fenestration is proposed to all elevations at both ground and first-floor.
- 3.5 The garage will be finished with a mono-pitched roof with a lower eaves height of 4.7 metres and a maximum height of 5.2 metres approx. The garage footprint will measure 7.6 x 6.3 metres.
- 3.6 The site will be bounded by a conservation hedge, with private amenity space situated to the rear of the dwelling.
- 3.7 The proposed access is situated within the south-eastern corner of the site.
- 3.8 The materials proposed include a Cedar Cladding and White Render.
- 3.9 Full plans and associated documents for this application can be found at:

[F/YR22/1053/F | Erect 1 dwelling \(2-storey 4-bed\) with detached garage | Land To The West Of 167 Gaul Road March Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/planning/development/2022/FYR22/1053/F)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR22/0565/O	Erect up to 2 dwellings (outline with matters committed in respect of access)	Refused 29/07/2022
F/YR15/0991/O	Erection of 90 dwellings (max) including open space and an attenuation area (Outline application with matters committed in respect of access) (Land East And West Of Isle Of Ely Way South Of River Nene, Gaul Road, March)	Refused 28/06/2016
F/YR13/0283/F	Erection of a 3-storey 4-bed dwelling with attached double garage	Refused 31/07/2013

Historic maps show that there were buildings in the location of this application site, at least up to the 1980s. However, the buildings are no longer present and have been demolished. That there were buildings on site historically does not carry weight in considering the application.

5 CONSULTATIONS

5.1 March Town Council

Recommendation; Approval

5.2 CCC Highways

Following a careful review of the documents provided to the Highway Authority as part of the above planning application, no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

Please note, the access should be sealed and to be drained away from the highway in a bound material for a minimum of 5m back from the existing footway. The vehicular access shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification. Surface water from private roads/ driveways areas must not discharge onto the public highway, and appropriate intervention must be provided. Please demonstrate a method at the boundary of the private and public highway of the access.

Works in the Public Highway

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the

applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

5.3 Environment Agency

We have reviewed the documents as submitted and we have no objections to the proposed development however request that the Foul Drainage condition below is appended to any permission granted. We have also provided additional comments on flooding below for your consideration ahead of determining the application.

Foul Drainage

The applicant has stated that the house will connect to the mains sewer. The property is a considerable distance from the mains sewer, and it is unlikely that this method of sewage disposal will be viable. As a result, we request that the following condition is added to any permission:

Condition

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved. If the applicant proposes to continue with connection to the mains the applicant must obtain confirmation from the sewage undertaker that this is an appropriate method of sewage disposal.

Reason

The applicant has stated that sewage from the development will be disposed of via mains foul sewer, the proposed development is for a single house and it situated several meters from the nearest sewer, it is unclear if disposing of sewage in this method will be practical, or if there will be issues with sewage turning septic before it meets the main sewer.

Flood risk

In accordance with the National Planning Policy Framework (paragraph 162), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

We have reviewed the submitted Flood Risk Assessment (FRA) with regard to tidal and designated main river flood risk sources only.

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds. However, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to

formally consider the emergency planning and rescue implications of new development in making their decisions.

5.4 Local Residents/Interested Parties

6 letters of support were received with regard to the above application (1 from Damson Drive, March and 5 from Gaul Road, March). The reasons for support are as follows:

- Close to a new development on Gaul Road and the town centre
- Beautiful finish to Gaul Road, wonderful family home
- Family homes needed
- Less need to run vehicles – should be considering the environment
- House previously on site
- Will enhance 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).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Paragraph 12 – Presumption of favour of sustainable development does not alter statutory status of development plan as starting point for determination of applications

Paragraph 162 – Sequential test and aim to direct development first to areas at lower risk of flooding

Paragraph 163 – Exceptions test – where it is not possible to locate development at areas of lower risk of flooding

7.2 National Planning Practice Guidance (NPPG)

Flood Risk and Coastal Challenge sequential approach

7.3 National Design Guide 2021

Context

Identity

Built Form

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP9 – March

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

7.5 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
LP5 – Health and Wellbeing
LP7 – Design
LP8 – Amenity Provisions
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP32 – Flood and Water Management

7.6 March Neighbourhood Plan 2017

H2 – Windfall Development

7.7 Cambridgeshire Flood and Water SPD

8 KEY ISSUES

- Principle of Development
- Design Considerations and Visual Amenity of the Area
- Residential Amenity
- Access and Highway Safety
- Flood Risk
- Other Issues

9 BACKGROUND

- 9.1 A previous application on this site was heard at planning committee on 27th July 2022. The application was an outline permission for the erection of 2 dwellings with matters committed in respect of access.
- 9.2 The 2 reasons for refusal were due to the failure of the application to comply with the sequential test, thus contrary to Policy LP14 and the visually separated nature of the site which was considered contrary to Policy LP16.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 of Fenland Local Plan (the local plan) contains the spatial strategy and settlement hierarchy for the district. March is a primary market town (along with Wisbech) and other market towns are Chatteris and Whittlesey. The majority of the district's new housing and other growth should take place in these settlements.
- 10.2 Whilst this site lies beyond the built edge of March in regard to development to the east and to the north of Gaul Road, it is noted that the site is opposite the

strategic allocation for West March whereby the land is allocated for up to 2000 new dwellings in Policy LP9 of the Local Plan. The site is separated from 167 Gaul Road by a gap of approximately 40 metres. It is likely that had the site been allocated in the local plan, a more comprehensive development proposal would have come forward which would join the existing development. However, it is not reasonable to suggest the site is not well related to March and it is considered that in terms of its relationship to the town centre and distance to services and schools, the site is considered to be a sustainable location (except for flood risk which is considered separately below).

- 10.3 Historical maps shown that the site was previously occupied by buildings. Supporters of the application consider that as there was previously a dwelling at the site, then new dwellings should be acceptable. However, the previous building has been demolished and the site has blended into the landscape. It is considered that the site does not constitute previously developed land for this reason (and as set out in the glossary to the NPPF). Policy LP12 of the local plan refers to replacement dwellings on land outside the developed footprint of a settlement and for a development to be considered a replacement dwelling, the residential use of the original dwelling must not be abandoned. In this case, the residential use has long since been abandoned and it is considered that no weight can be attached to the fact that a dwelling or building once stood on the site.
- 10.4 The site is well related to March and in terms of position/location in relation to the town centre and services would be acceptable and accord with the settlement hierarchy set out in Policy LP3.

Design Considerations and Visual Amenity of the Area

- 10.5 Paragraph 130 of the NPPF requires, amongst other things, that development will add to the overall quality of the area and be visually attractive as a result of good architecture and layout. It should be sympathetic to local character, including the surrounding built environment and landscape setting.
- 10.6 Policy LP16 of the Local Plan requires, amongst other things, that development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment and does not adversely impact in design or scale terms on the street scene, settlement pattern and landscape character of the surrounding area (criteria d).
- 10.7 The proposal would result in a single dwelling which is situated within an open street frontage and separated from the built edge of March, which lies approximately 40 metres to the east of the application site. The dwelling will appear as if it has been randomly positioned in this isolated position and will appear incongruous within the street scene. There appears to be no logical reason in terms of layout and positioning of the proposed dwelling as to why it would be placed at this location, other than the matter of land ownership.
- 10.8 In addition to the above, the design of the dwelling is also considered somewhat contrasting with the existing residential development to the east. Gaul Road is generally characterised by conventional 2-storey dwellings with dual-pitched roofs finished in brick and render. The proposed dwelling will be finished with mono-pitch and flat roofs and finished in Cedar cladding and Cream render. This

divergence in design from the generally prevalent form in the vicinity is considered to highlight and exacerbate the visual separation of the development.

- 10.9 As such, the proposal will result in development that appears incongruous in this location and the street scene, contrary to Policy LP16 (d) of the Local Plan and the advice contained in paragraph 130 of the NPPF.

Residential Amenity

- 10.10 There are no immediate neighbours surrounding the application site and therefore the scheme will not introduce any adverse overlooking, overshadowing or overbearing impacts upon neighbouring properties.

Access and Highway Safety

- 10.11 The proposed access is situated to the south-west of the application site. Upon consultation with the Highways Authority, no objections were raised as the proposed access will not result in any significant adverse effects upon the public highway.
- 10.12 The proposed dwelling will include 4 bedrooms. Appendix A of the Fenland Local Plan states that dwellings with 4 or more bedrooms should provide 3 parking spaces. Appendix A also states that for garages to contribute to the parking allocation on site, they must internally measure 7 x 3 metres. The internal measurements of the proposed garage are 7 x 6 metres and the garage can therefore accommodate 2 parking spaces. There is sufficient space to the front of the garage to accommodate parking of an additional vehicle. The proposal is therefore considered to comply with Policy LP15.

Flood Risk

- 10.13 Policy LP14 Part B of the Fenland Local Plan 2014 states that the granting or refusing of planning permission will be informed by local and regional flood risk studies and guidance which are set out in the policy and any national advice in force at the time. All development proposals should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a sequential test where necessary and an exceptions test if necessary; through suitable demonstration of meeting an identified need and through the submission of a site-specific flood risk assessment.
- 10.14 Policy H2 (c) of the March Neighbourhood Plan states that windfall development will only be acceptable where the site is at a low risk of flooding i.e. not within Flood Zones 2 or 3.
- 10.15 Paragraph 167 of the NPPF states that development should only be allowed in areas at higher risk of flooding where if necessary, the sequential test and exceptions test have been met and then only where the proposal meets specific criteria/standards.
- 10.16 The National Planning Practice Guidance sets out when the sequential test should be applied and by who. It states 'it is for local planning authorities, taking advice from the Environment Agency as appropriate, to consider the extent to which the Sequential Test considerations have been satisfied, taking into account

the particular circumstances in any given case. The developer should justify with evidence to the local planning authority what area of search has been used when making the application. Ultimately, the local planning authority needs to be satisfied in all cases that the proposed development would be safe and not lead to increased flood risk elsewhere.”

- 10.17 The site lies within Flood Zone 3 which is an area at greatest risk of flooding. The proposal is not minor development in terms of applying the sequential test, therefore it must be applied to assess if the development could be directed to areas at lower risk of flooding. The agent has submitted a sequential test concluding that there are no reasonably available sites at a lower risk of flooding to accommodate the proposed dwelling and therefore considered that the sequential test had been passed. The submitted sequential test also highlighted a number of applications that were still pending.
- 10.18 Reasonably available sites will include a site or a combination of sites capable of accommodating the proposed development. These may be larger, similarly sized or a combination of smaller sites that fall within the agreed area of search as defined within the Cambridgeshire Flood and Water SPD (page 32). Paragraph 28 of the Flood risk and coastal change NPPG highlights that lower risk sites do not need to be owned by the applicant to be considered ‘reasonably available.’
- 10.19 The sequential test undertaken as part of this application has therefore been mis-applied and has incorrectly ruled out a number of acceptable sites. There is a large strategic allocation immediately to the south of the site which is an area at lower risk of flooding. As such, the sequential test is not passed.
- 10.20 The Environment Agency has not objected, but they point out the responsibility for determining if a site meets the sequential test, rests with the local planning authority.
- 10.21 The development is therefore contrary to Policy LP14, Part B of the Fenland Local Plan, the Cambridgeshire Flood and Water SPD, policy H2(c) of the March Neighbourhood Plan, paragraph 167 of the NPPF and the guidance on the Sequential approach to flood risk set out in the NPPG.

Other Issues

- 10.22 The applicant has submitted a biodiversity checklist which shows the site does not contain protected species. Given the location of the site and its coverage, it is most likely that this is the case.
- 10.23 The site and wider land is covered by scrub. It is not accepted that development should take place on the land simply to tidy it up. This does not override the fact that the site lies within Flood Zone 3 and would mean that wherever there is any untidy land, through deliberate neglect or otherwise, that is suitable for development, which is clearly not the case.
- 10.24 All proposals must be considered on their merits but nevertheless, appeal Inspectors look for consistency in planning authority decision making. Should this application be approved, it would make refusal of further piecemeal development of this land west of 167 Gaul Road, more difficult to justify on appeal. Whilst this is not reason to refuse this planning application, the position of this authority at future appeals in terms of consistency and upholding the development plan is an

issue to be mindful of. It should also be noted that the site has been refused permission for development three times previously for flood risk reasons. The most recent decisions F/YR22/0565/O and F/YR15/0991/O being taken against the current adopted development plan.

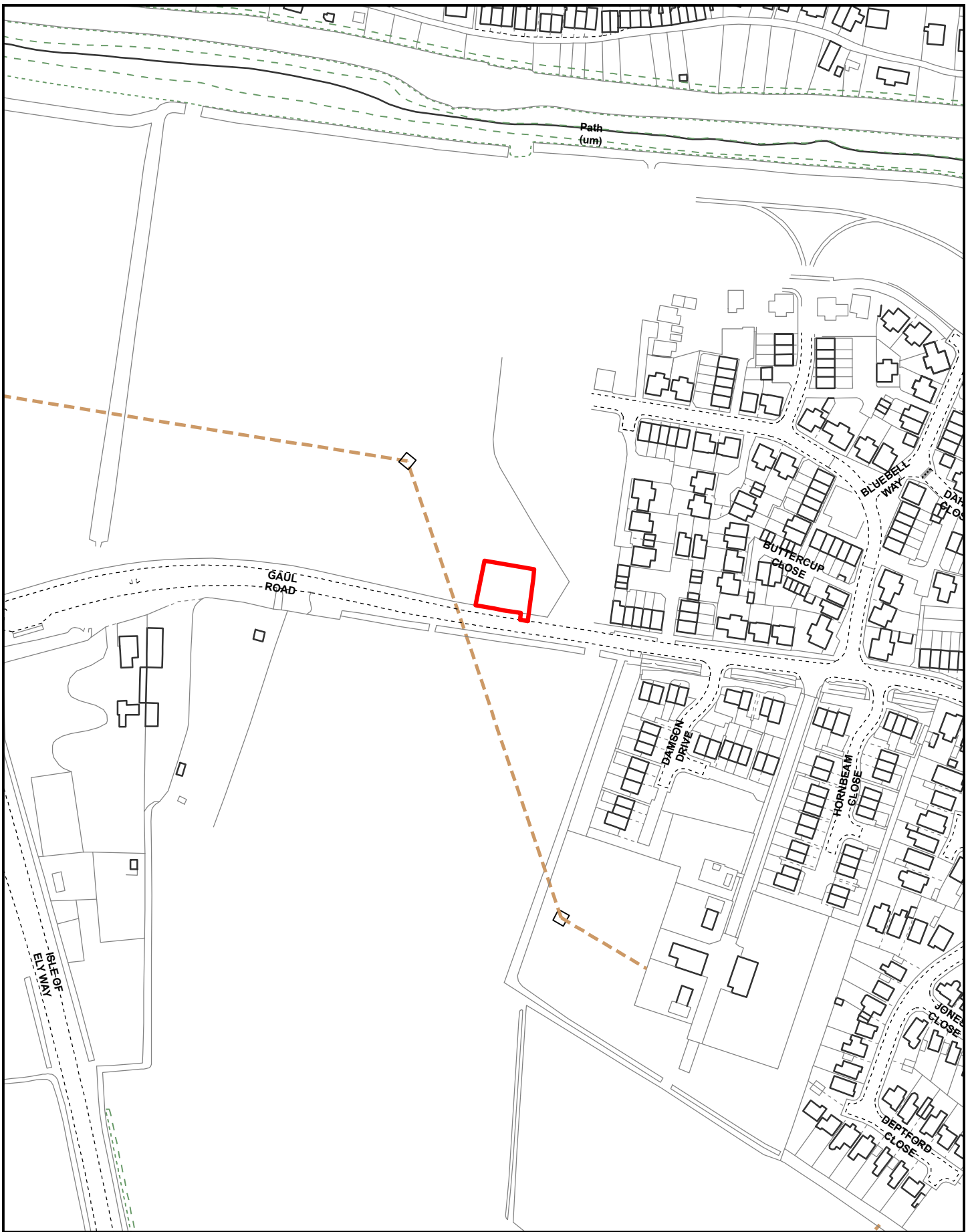
11 CONCLUSIONS

- 11.1 The site lies within flood zone 3 which is land at the greatest risk of flooding. The sequential test submitted concludes that there are no sequentially preferable sites, however there is a large strategic allocation immediately to the south of the site which is an area at lower risk of flooding. As such the proposal fails the sequential test and is in conflict with policy LP14, Part B of the Fenland Local Plan, the Cambridgeshire Flood and Water SPD, policy H2(c) of the March Neighbourhood Plan, paragraph 167 of the NPPF and guidance on the Sequential approach to flood risk set out in the NPPG, which seek to direct development first to areas at lowest risk of flooding.
- 11.2 The development has a poor visual relationship to the local area due to its separation and isolation from the built edge of March and appears randomly placed, exacerbated by the design and appearance of the proposed dwelling and its contrast to the prevailing nature of development on Gaul Road. As such, the development is considered to result in an incongruous form of development contrary to Policy LP16(d) of the Local Plan and Paragraph 130 of the NPPF.

12 RECOMMENDATION

1	<p>Policy LP14 Part B of the Fenland Local Plan 2014 states that the granting or refusing of planning permission will be informed by local and regional flood risk studies and guidance which are set out in the policy and any national advice in force at the time. All development proposals should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a sequential test where necessary and an exceptions test if necessary; through suitable demonstration of meeting an identified need and through the submission of a site-specific flood risk assessment.</p> <p>The site lies within Flood Zone 3 which is land as the greatest risk of flooding. The sequential test submitted has been misapplied and has incorrectly ruled out a number of reasonably available sites. Reasonably available sites will include a site or a combination of sites capable of accommodating the proposed development. These may be larger, similarly sized or a combination of smaller sites that fall within the agreed area of search as defined within the Cambridgeshire Flood and Water SPD.</p> <p>As such the proposal fails the sequential test and is in conflict with policy LP14, Part B of the Fenland Local Plan, the Cambridgeshire Flood and Water SPD, policy H2(c) of the March Neighbourhood Plan, paragraph 167 of the NPPF and guidance on the Sequential approach to flood risk set out in the NPPG, which seek to direct development first to areas at lowest risk of flooding.</p>
---	---

2	<p>Policy LP16(d) of the Local Plan requires that development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment and does not adversely impact in design or scale terms on the street scene, settlement pattern and landscape character of the surrounding area.</p> <p>The proposal would result in a single dwelling which is situated within an open street frontage and separated from the built edge of March. The dwelling will appear as if it has been randomly positioned in this isolated position and will appear incongruous within the street scene. The proposed dwelling will be finished with mono-pitch and flat roofs and finished in Cedar cladding and Cream render which is considered to highlight and exacerbate the visual separation of the development given the prevailing character of 2-storey dwellings with dual-pitched roofs finished in brick and render along Gaul Road.</p> <p>As such, the scheme fails to respond positively to the local setting and character of the area and is therefore contrary to Policy LP16(d) of the Fenland Local Plan 2014 and Paragraph 130 of the NPPF.</p>
---	--



Created on: 21/09/2022

© Crown Copyright and database rights 2022 Ordnance Survey 10023778

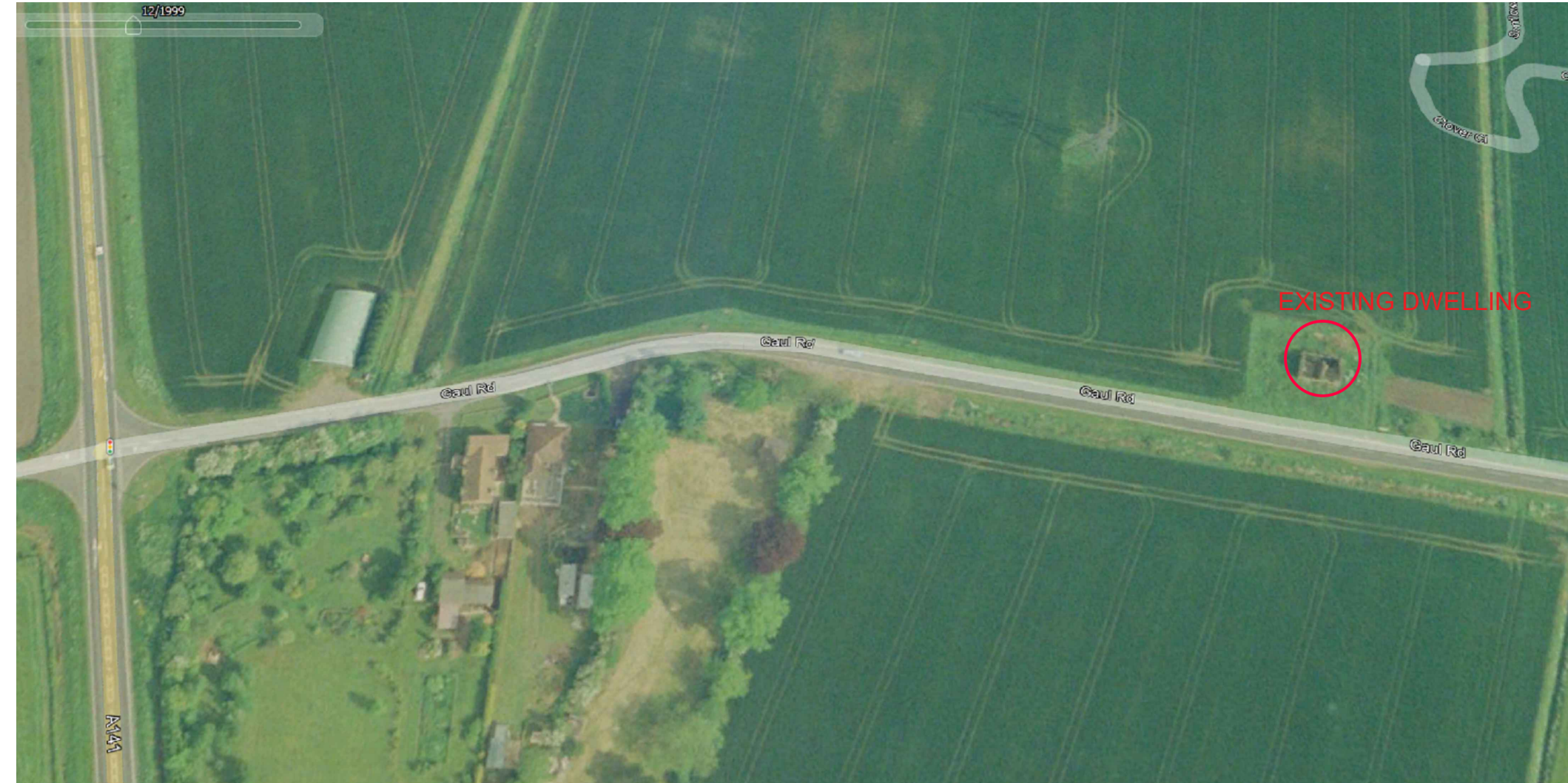
F/YR22/1053/F

Scale = 1:2,500





Street Scene 1:200



GOOGLE EARTH PRO IMAGE 1999

A -
REVISIONS



PETER HUMPHREY ASSOCIATES

ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.

TELEPHONE: 01945 466966
E-MAIL: info@peterhumphrey.co.uk
WEB: www.peterhumphrey.co.uk

CLIENT

MR K FOUNTAIN

PROJECT

PROPOSED DWELLING

SITE

ADJ. 167 GAUL ROAD
MARCH

DRAWING

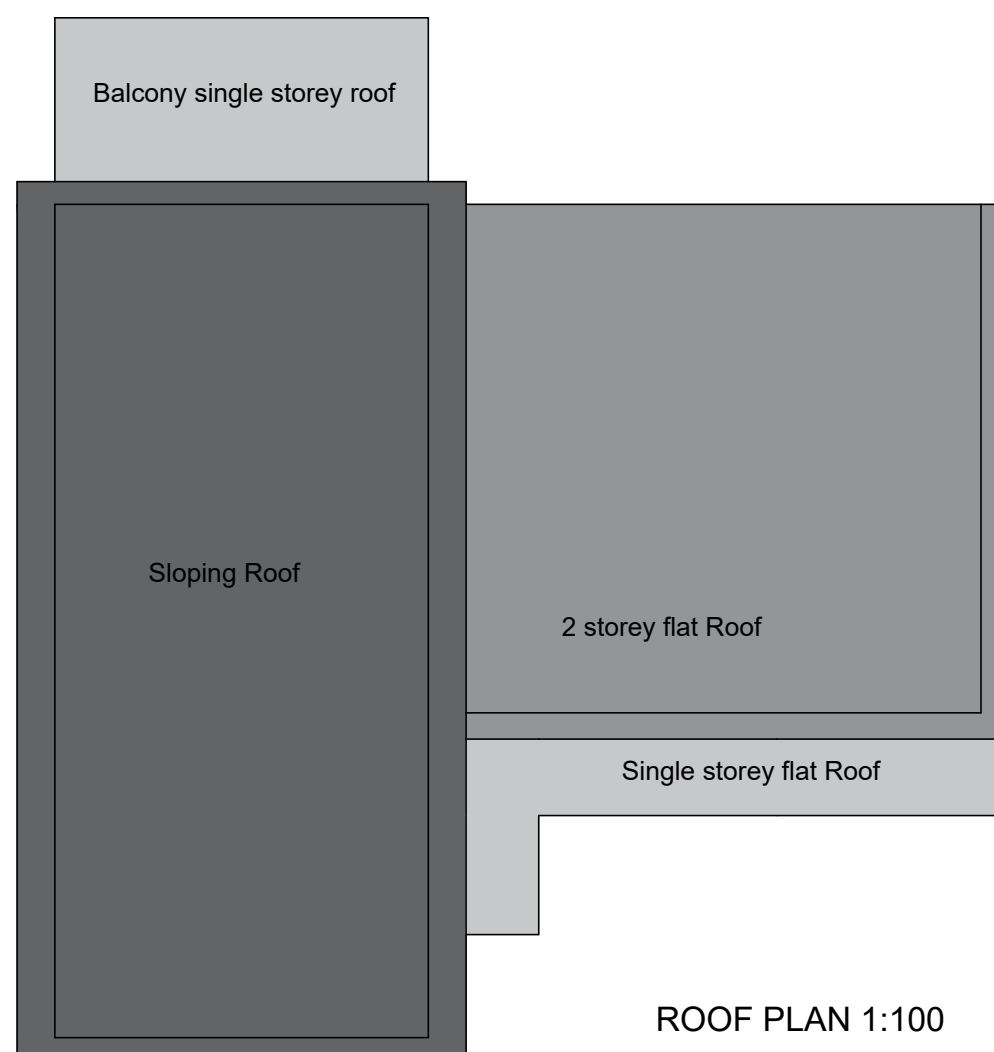
Planning Drawing

JOB NO.	PAPER SIZE	DATE
6544 PL03A	A2	AUG 2022

Notes:
This drawing is the permission of Peter Humphrey Associates Ltd. and may not be reissued, loaned or copied in whole or part without written consent.

All dimensions shown on the drawing are in millimeters unless stated otherwise. If the drawing is received electronically (PDF) it is the recipient's responsibility to ensure it is printed to the correct paper size. All dimensions to be checked on site prior to commencing work and any discrepancies to be highlighted immediately.

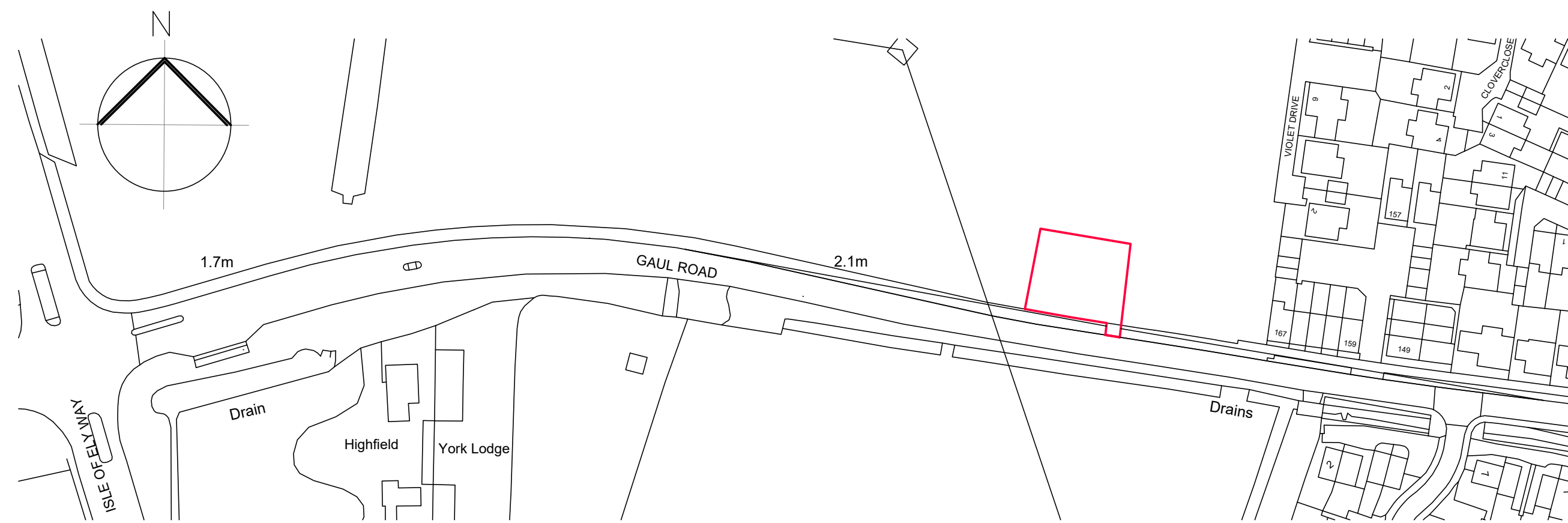
The Construction (Design and Management) Regulations 2015:
Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already been apparent to a competent contractor.



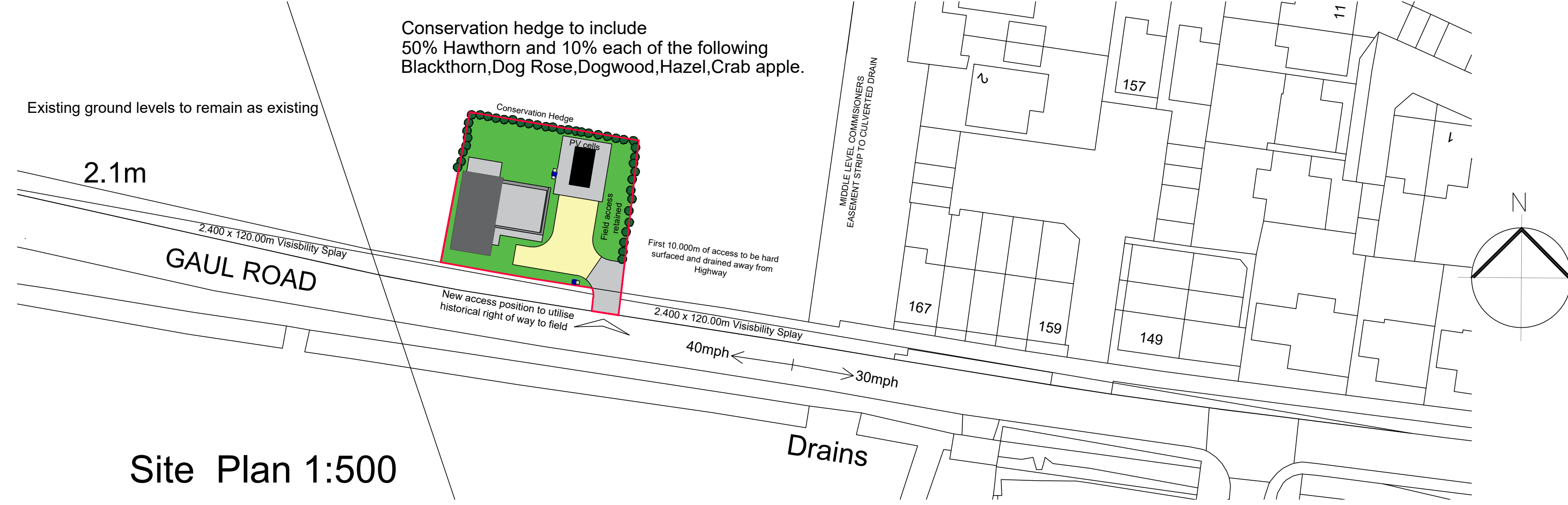
ROOF PLAN 1:100



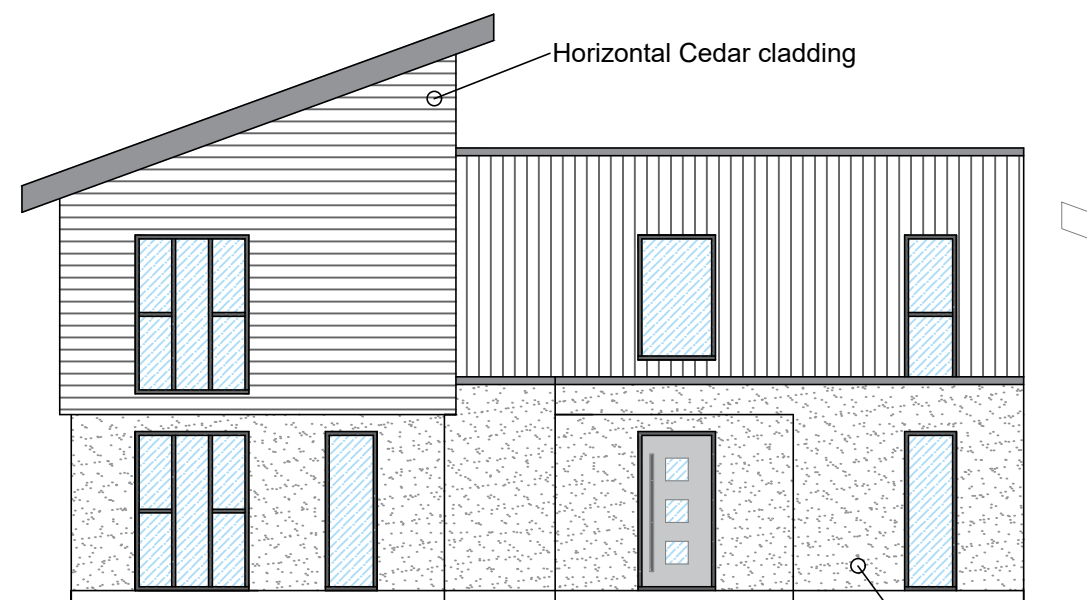
OS MAP G.B.1937-1961



Location Plan 1:1250



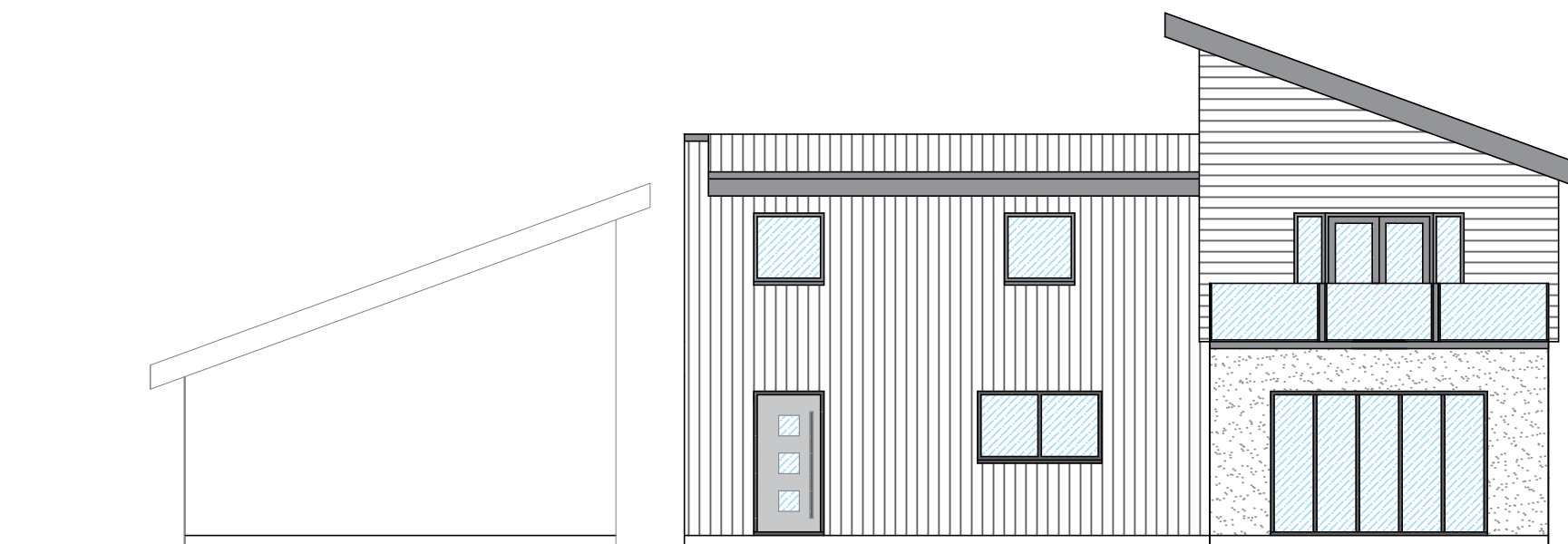
Site Plan 1:500



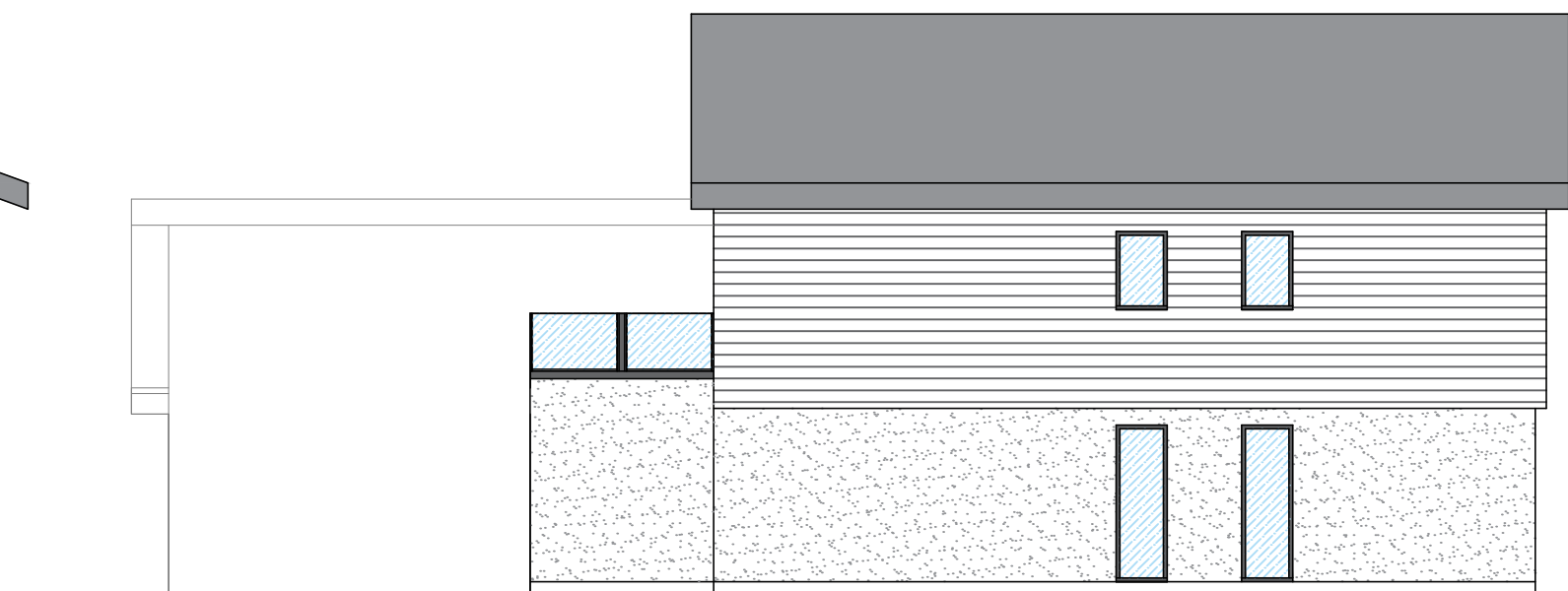
Front Elevation 1:100



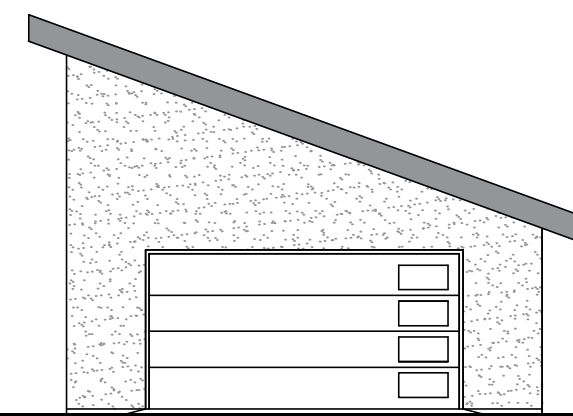
Side Elevation 1:100



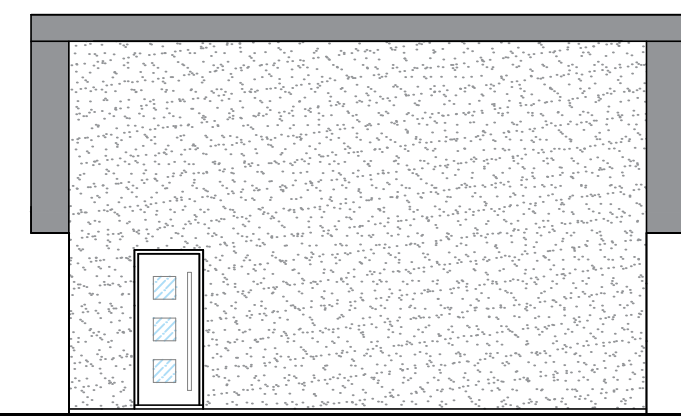
Rear Elevation 1:100



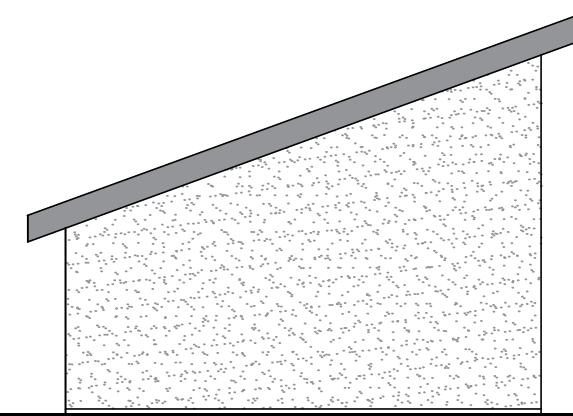
Side Elevation 1:100



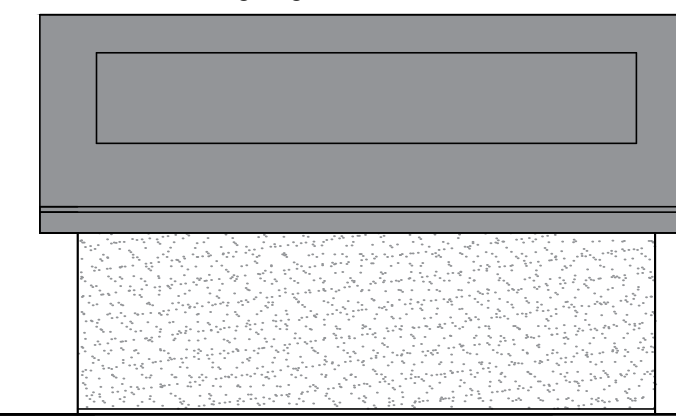
Front Elevation 1:100



Side Elevation 1:100



Rear Elevation 1:100



Side Elevation 1:100



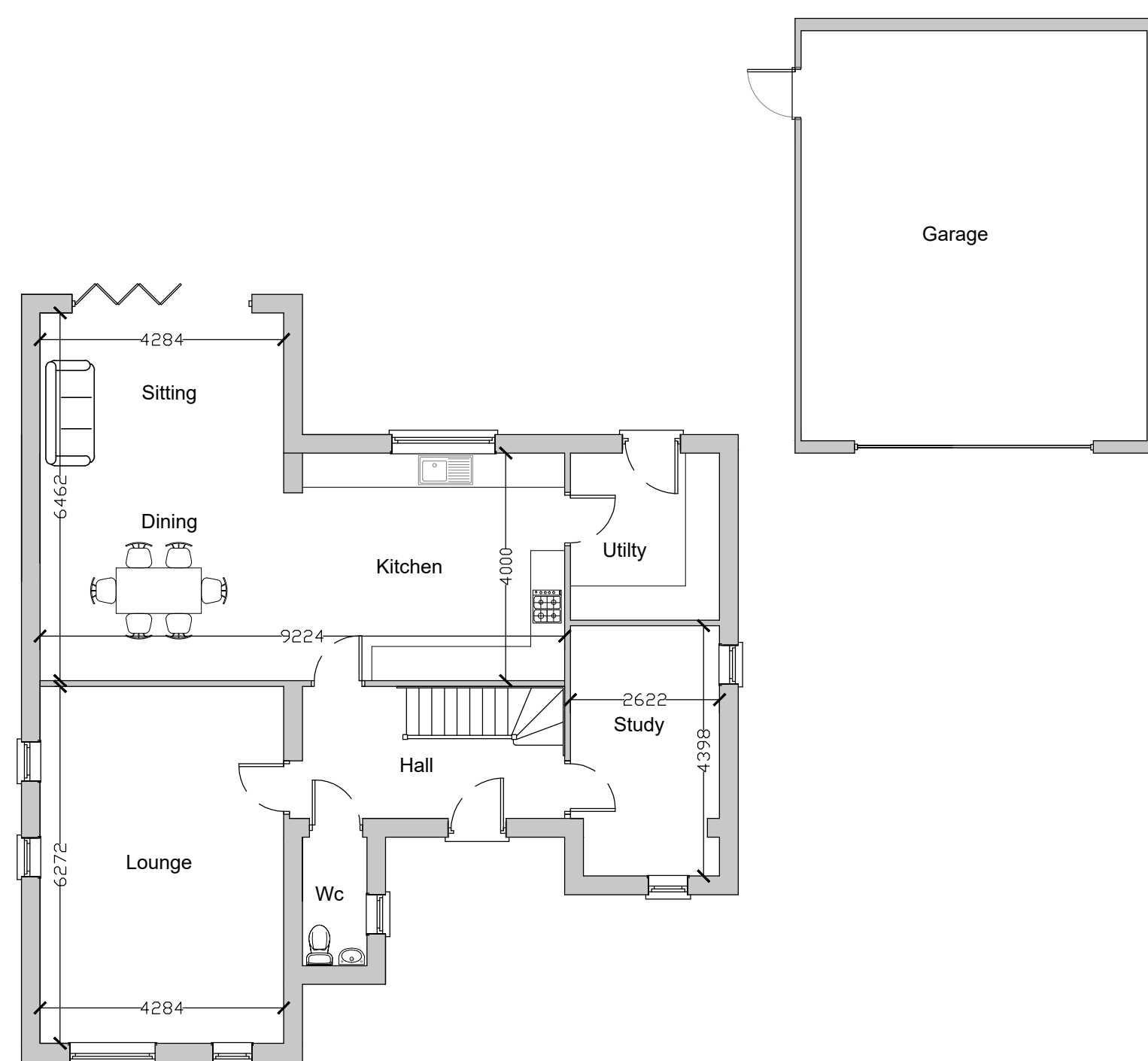
Vincent Pro bat box
One on South East wall



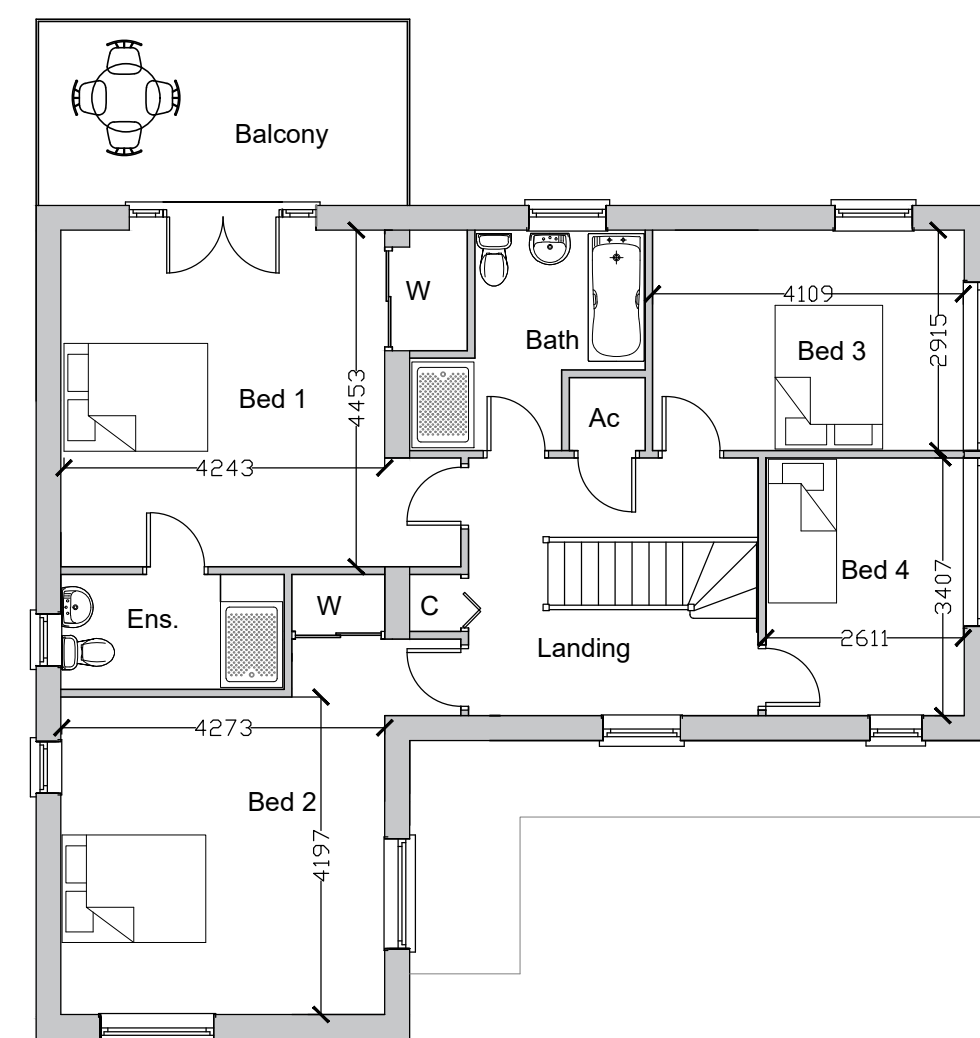
Eco House Martin nest
1 to North East elevation



Schwegler triple cavity swift box
1 to North West eaves



Ground Floor Plan 1:100



First Floor Plan 1:100



Computer generated image



Site Frontage

A -
REVISIONS



PETER HUMPHREY ASSOCIATES
ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.
TELEPHONE: 01945 466966
E-MAIL: info@peterhumphrey.co.uk
WEB: www.peterhumphrey.co.uk

CLIENT
MR K FOUNTAIN

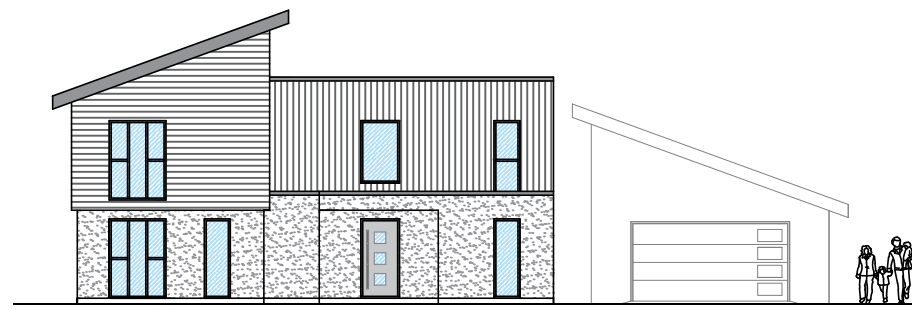
PROJECT
PROPOSED DWELLING

SITE
**ADJ. 167 GAUL ROAD
MARCH**

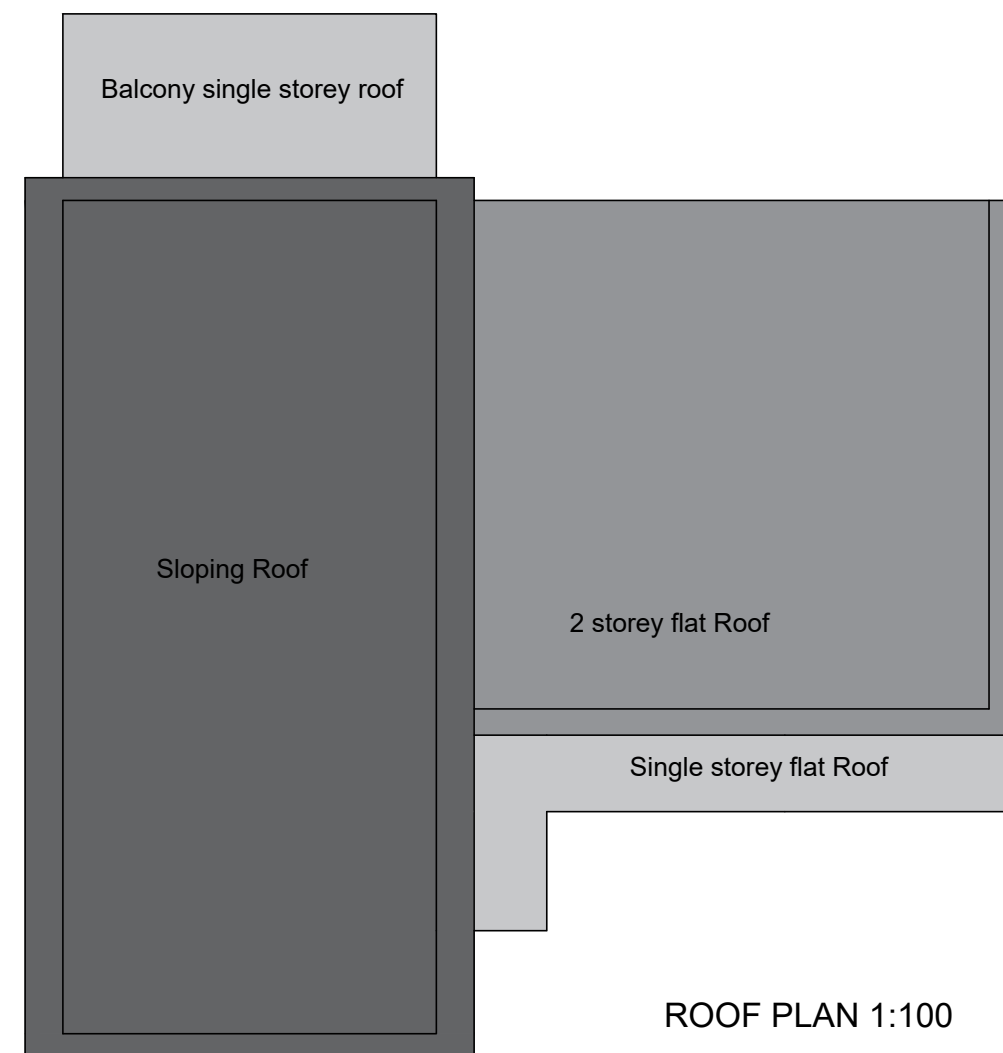
DRAWING
Planning Drawing

JOB NO.	PAPER SIZE	DATE
6544 PL02	A1	AUG 2022

Notes:
This drawing is the permission of Peter Humphrey Associates Ltd. and may not be reissued, loaned or copied in whole or part without written consent.
All dimensions shown on the drawing are in millimeters unless stated otherwise. If the drawing is received electronically (PDF) it is the recipient's responsibility to ensure it is printed to the correct paper size. All dimensions to be checked on site prior to commencing work and any discrepancies to be highlighted immediately.
The Construction (Design and Management) Regulations 2015:
Peter Humphrey Associates form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already be apparent to a competent contractor.



Street Scene 1:200



A -
REVISIONS



PETER HUMPHREY ASSOCIATES

ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.

TELEPHONE: 01945 466966
E-MAIL: info@peterhumphrey.co.uk
WEB: www.peterhumphrey.co.uk

CLIENT

MR K FOUNTAIN

PROJECT

PROPOSED DWELLING

SITE

ADJ. 167 GAUL ROAD
MARCH

DRAWING

Planning Drawing

JOB NO.	PAPER SIZE	DATE
6544 PL03	A2	AUG 2022

Notes:
This drawing is the permission of Peter Humphrey Associates Ltd. and may not be reissued, loaned or copied in whole or part without written consent.

All dimensions shown on the drawing are in millimeters unless stated otherwise. If the drawing is received electronically (PDF) it is the recipient's responsibility to ensure it is printed to the correct paper size. All dimensions to be checked on site prior to commencing work and any discrepancies to be highlighted immediately.

The Construction (Design and Management) Regulations 2015:
Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already been apparent to a competent contractor.

This page is intentionally left blank

APPLICATION NO: F/YR22/1053/F

SITE LOCATION: Land To The West of 167, Gaul Road, March

UPDATE

An email has been received from the agent regarding recommended reason for refusal 1 in relation to flood risk.

The agent has cited a case within Parson Drove, F/YR22/1187/FDC which was approved for the erection of 1 x dwelling involving demolition of existing garage block (outline application with matters committed in respect of access). This application site was also situated within Flood Zone 3.

The agent has also highlighted that the committee report fails to highlight the environmental role of the proposed dwelling. The dwelling is to include triple glazing, heat source air pumps and PV cells.

Officer response

The Sequential Test submitted for F/YR22/1187/FDC was thoroughly reviewed by the case officer and the identified sites discounted for various reasons (F/YR22/0702/F for example is a replacement dwelling).

In terms of this application and as detailed within the officer report, the Sequential Test undertaken has been misapplied as it incorrectly ruled out a number of acceptable sites. There is, for example, a large strategic allocation immediately to the south of the site which is an area at lower risk of flooding and as such, the Sequential Test is not passed. The two applications are therefore not comparable.

With regard to the environment role of the dwelling, Paragraph 32 of the Flood risk and coastal change NPPG states that the Exception Test should only be applied if the Sequential Test has shown that there are no reasonably available, lower-risk sites, suitable for the proposed development, to which the development could be steered. As aforementioned, given that the Sequential Test has been applied incorrectly, the Exception Test does not apply given that there are a number of acceptable sites which have incorrectly been ruled out.

Nevertheless, given the limited scope to provide wider sustainability benefits on a single dwelling development, the renewable energy solutions proposed may be considered acceptable in this regard and could be secured by way of condition. However this would not overcome the issue of the failure to meet the sequential test.

Resolution: No change to the recommendation which is to refuse this application as per Section 12 of Agenda item 6.

This page is intentionally left blank

F/YR22/1338/VOC

Applicant: FPP

Agent : Swann Edwards
Architecture Limited

Land South Of, Eastwood End, Wimblington, Cambridgeshire

Variation of condition 22 (list of approved drawings) relating to planning permission F/YR20/0641/F (Erect 9 x 2-storey 4-bed dwellings with garages including open space/play area with pond and formation of 2.5m high bunding, 2m high bunding with 1m high close boarded fence on top, 3m high close boarded fence, 3m wide foot/cycle path parallel to A141 and 1.8m wide footpath along Eastwood End to meet existing footpath) to enable alterations to plot 1 (increase in height from 8.77m to 9m, addition of chimney and windows to storage space in roof), plot 2 (siting and windows to snug) and boundary arrangement to plots 1, 2 and 3.

Officer recommendation: Grant

Reason for Committee: Parish Council comments contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks to vary condition 22 (list of approved drawings) to enable amendments to plots 1 and 2 and rear boundary arrangements to plots 1, 2 and 3.
- 1.2 Paragraph 017 of the NPPG (Paragraph: 017 Reference ID: 17a-017-20140306) states that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.
- 1.3 The proposed amendments are considered to be 'minor material' in the context of the overall scheme and as such are acceptable. It is therefore recommended to grant the application with the imposition of conditions as per the original permission, references to plans are updated accordingly.

2 SITE DESCRIPTION

The application site comprises of a field/paddock land at the junction of Eastwood End and the A141, there are trees/hedges along the northern side of the site and along the A141 with open views to the south and there is a group of substantial trees in the centre of the site. To the north of the site is the Eastwood Industrial Estate, to the east a belt of trees before the linear form of dwellings along Eastwood End is reached, open land to the south and to the west the A141 with further open land extending west before the settlement of Wimblington is reached.

3 PROPOSAL

- 3.1 The application seeks to vary condition 22 (list of approved drawings) to enable the following amendments:

Plot 1

Increase in roof height from 8.77m to 9.0m
Addition of windows to storage space in roof
Addition of chimney structure

Plot 2

Siting of dwelling altered (moved approximately 0.5m further north and east)
Windows/doors in snug altered

Other

Rear garden/boundary locations to plots 1, 2 and 3 altered.

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

[F/YR22/1338/VOC | Variation of condition 22 \(list of approved drawings\) relating to planning permission F/YR20/0641/F \(Erect 9 x 2-storey 4-bed dwellings with garages including open space/play area with pond and formation of 2.5m high bunding, 2m high bunding with 1m high close boarded fence on top, 3m high close boarded fence, 3m wide foot/cycle path parallel to A141 and 1.8m wide footpath along Eastwood End to meet existing footpath\) to enable alterations to plot 1 \(increase in height from 8.77m to 9m, addition of chimney and windows to storage space in roof\), plot 2 \(siting and windows to snug\) and boundary arrangement to plots 1, 2 and 3. | Land South Of Eastwood End Wimblington Cambridgeshire \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

F/YR23/3009/COND	Details reserved by condition 4 parts a, b, c (Archaeology) of planning permission F/YR20/0641/F (Erect 9 x 2-storey 4-bed dwellings with garages including open space/play area with pond and formation of 2.5m high bunding, 2m high bunding with 1m high close boarded fence on top, 3m high close boarded fence, 3m wide foot/cycle path parallel to A141 and 1.8m wide footpath along Eastwood End to meet existing footpath)	Refused 23/2/2023
F/YR20/0641/F	Erect 9 x 2-storey 4-bed dwellings with garages including open space/play area with pond and formation of 2.5m high bunding, 2m high bunding with 1m high close boarded fence on top, 3m high close boarded fence, 3m wide foot/cycle path parallel to A141 and 1.8m wide footpath along Eastwood End to meet existing footpath	Granted 3/8/2022

5 CONSULTATIONS

5.1 Parish Council (14/12/2022)

Councillors had no objections

5.2 Parish Council (6/3/2023)

The comments I have received back from Councillors are as follows:

Overall they are opposed to the Variation of Conditions and feel that the developer should stick to the original plan as passed.

The variations are not 'minor'.

Councillors would like to see revised drawings for type C and D houses, yet none have been submitted.

The increase in height of building will impact on the character of the area.

It seems unnecessary to add a chimney unless solid fuel is to be used.

It seems unnecessary to add windows to a loft space.

5.3 Parish Council (16/3/2023)

Object. Overall opposed to the VOC and feel that the developer should stick to the original plan as passed. The variations are not ;minor;. Councillors would like to see revised drawings for type C and D and now E houses, yet none have been submitted. The increase in height of building will Impact on the character of the area. It seems unnecessary to add a chimney unless solid fuel is to be used. It seems unnecessary to add windows to a loft space.

5.4 Local Residents/Interested Parties

5 objections have been received (from residents of Eastwood End) in relation to:

- Would not be in keeping with the surrounding area/out of character
- Original plans should be adhered to
- Impact on wildlife
- Junction with A141 dangerous at times (lorries parked on the road)
- Not minor variations
- Revised plans not available
- Need for additional chimney
- Alterations to boundaries unnecessary
- Windows in the loft creates 3-storey
- Increased overlooking

Officer response - comments where they relate to planning matters will be addressed in the sections below, it should be noted that only the impacts of the alterations would be considered, not the wider development as this already has planning permission. The revised plans have been available to view via public access for the course of consultations/re-consultations.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Context – C1

Identity – I1, I2

Built Form – B2

Movement – M3

Nature - N1, N2, N3

Public Spaces – P2

Homes and Buildings – H2, H3

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP12 – Rural Areas Development Policy

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

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM2 – Natural Features and Landscaping Schemes

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

DM4 – Waste and Recycling Facilities

DM6 – Mitigating Against Harmful Effects

DM9 – Constraints on Existing Businesses

Cambridgeshire Flood and Water SPD 2016

Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan.

Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy

LP2 – Spatial Strategy for the Location of Residential Development

LP5 – Health and Wellbeing

LP7 – Design

LP8 – Amenity Provision

LP12 – Meeting Housing Needs
LP18 – Development in the Countryside
LP20 – Accessibility and Transport
LP22 – Parking Provision (Appendix 6)
LP24 – Natural Environment
LP26 – Carbon Sinks and Carbon Sequestration
LP27 – Trees and Planting
LP28 – Landscape
LP32 – Flood and Water Management
LP50 – Residential site allocations in Wimblington

8 BACKGROUND

- 8.1 When the application was originally submitted the description of development and schedule of changes did not incorporate all of the amendments indicated on the plans, and the applicant's agent was advised that a number of these would not be considered 'minor material'. The application was subsequently amended to reduce the number of amendments and incorporate those that it was advised may be 'minor material' in the context of the overall scheme.

9 ASSESSMENT AND CONCLUSIONS

- 9.1 Paragraph 017 of the NPPG (Paragraph: 017 Reference ID: 17a-017-20140306) states that there is no statutory definition of a 'minor material amendment' but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.
- 9.2 The amendments to plot 1 (previously house type C, now house type E) include increasing the height by approximately 23cm, the addition of a chimney and the introduction of windows to the roof space. The increase in height is minimal and is not considered to have a detrimental impact on the character of the area when compared with the approved scheme. The proposed dwellings already feature contemporary chimneys, and the additional chimney is reflective of this. It is proposed to install windows in either gable end to serve the loft space, these are in keeping with the overall design and due to the scale of the plots are considered at a sufficient distance from existing and proposed dwellings to not cause a significant detrimental impact in relation to residential amenity. This element remains consistent with the original description as it does not create habitable rooms.
- 9.3 Plot 2 is proposed to be relocated approximately 0.5m further north and east and the window/door arrangement to the snug is altered. The relocation is minimal and as such is not considered have a detrimental impact on the character of the area when compared with the approved scheme. The alterations to the window/door arrangement results in a better relationship with this room and the private amenity space, the design is reflective of the approved scheme and being at ground floor level will not have any additional impacts in relation to residential amenity.
- 9.4 The rear garden boundary locations to plots 1, 2 and 3 are proposed to be altered, this still provides in excess of a third of each plot for private amenity space and would not result in high boundary treatments appearing any more prominent in the street scene than the approved scheme.
- 9.5 The proposed amendments are considered to be 'minor material' in the context of the overall scheme and as such are acceptable. It is therefore recommended to

grant the application with the imposition of conditions as per the original permission, references to plans are updated accordingly.

10 RECOMMENDATION

Grant; subject to the following conditions:

1.	<p>The development permitted shall be begun on or before 3 August 2025.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The proposal shall not in any circumstances commence unless the local planning authority has been provided with either:</p> <p>a) a licence issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2010 authorizing the specified activity/development to go ahead; or</p> <p>b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.</p> <p>Reason - In order to ensure that all legal regulations surrounding the potential destruction of great Crested Newt Habitat is being complied with and in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
3.	<p>No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <p>a) Summary of potentially damaging activities.</p> <p>b) Identification of "biodiversity protection zones".</p> <p>c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site.</p> <p>d) The location and timing of sensitive works to avoid harm to biodiversity features.</p> <p>e) The times during construction when specialist ecologists need to be present on site to oversee works.</p> <p>f) Responsible persons and lines of communication.</p> <p>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</p> <p>h) Use of protective fences, exclusion barriers and warning signs.</p> <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.</p> <p>Reason - To ensure that the proposal remains in line with Policy LP19 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 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> <p>Informatives: Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.</p>
5.	<p>Notwithstanding the submitted details, no development shall take place above slab level until a scheme for the hard and 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:</p> <ul style="list-style-type: none"> -Planting plans to all public areas, retained hedge and trees, species, numbers, size and density of planting; -Placement, type and number of any recommended biodiversity enhancements including at least 3 bird boxes and 3 bat boxes which have been suitably designed into the scheme in accordance with best practice methodology as set out by the Royal Society for the Protection for Birds and Bat Conservation Trust; - hard surfacing, other hard landscape features and materials;

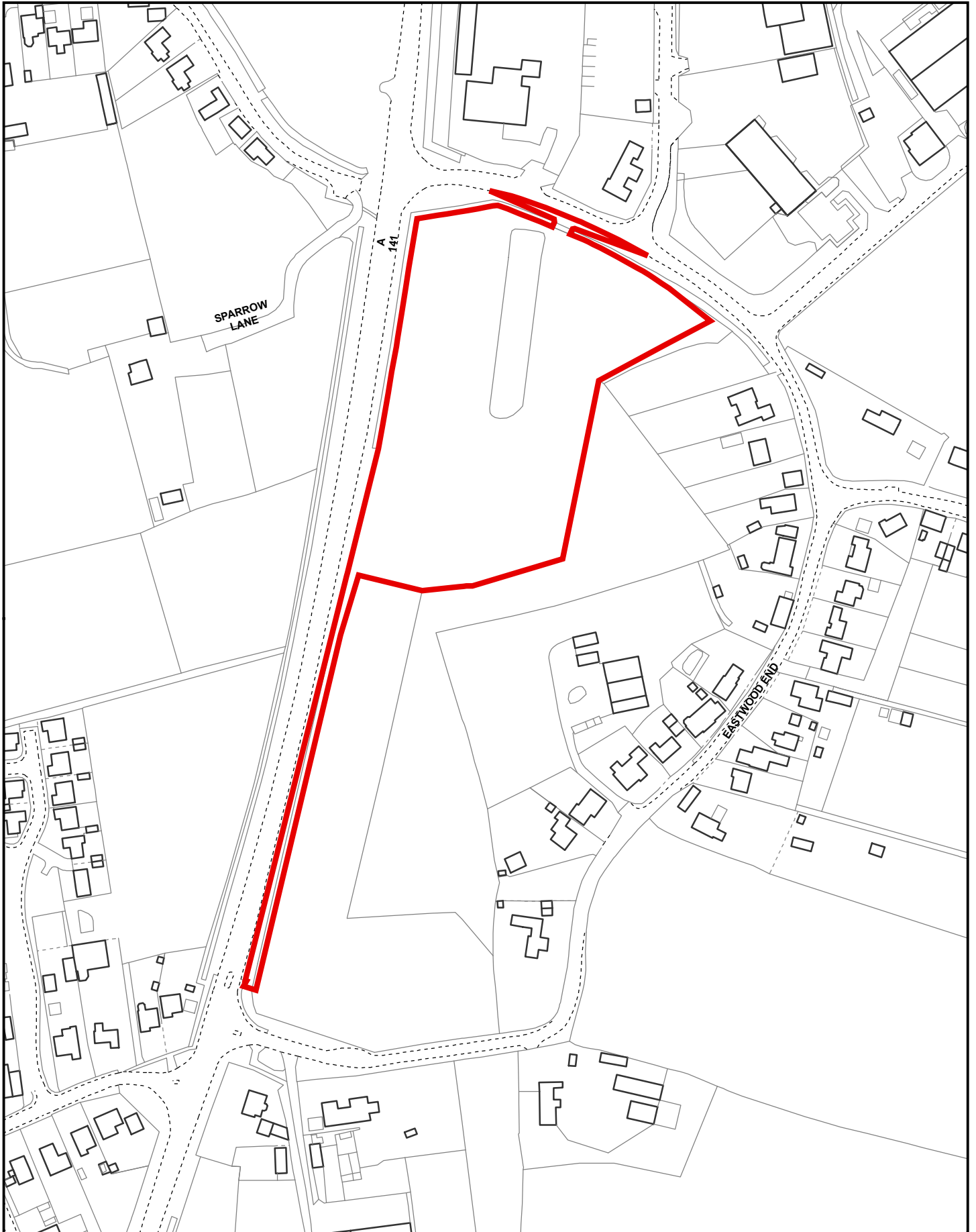
	<ul style="list-style-type: none"> - existing trees, hedges or other soft features to be retained; and - timetable for implementation <p>Development shall be carried out in accordance with the submitted details and the compensation and mitigation from the Great Crested Newt survey report (Philip Parker Associates Ltd, 2022):</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 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 protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 and LP19 of the Fenland Local Plan 2014.</p>
6.	<p>Prior to the first occupation of the development hereby permitted, a scheme for external lighting, incorporating a "lighting design strategy for biodiversity" for all lighting across the site shall be submitted to and approved in writing by the local planning authority. The strategy shall:</p> <ul style="list-style-type: none"> a) identify those areas/features on site that are particularly sensitive for bats that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. c) timetable for implementation <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.</p> <p>Reason - In order to ensure that the site meets the crime prevention guidelines and does not have a detrimental impact on protected species, in accordance with Policy LP17 and LP19 of the Fenland Local Plan 2014.</p>
7.	<p>Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing</p>

	<p>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.</p>
8.	<p>No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment & Sustainable Drainage Strategy prepared by MTC Engineering (Cambridge) Ltd (ref: 2739- FRA&DS-RevA) dated January 2022 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling.</p> <p>Reason - To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity, in accordance with Policy LP14 of the Fenland Local Plan.</p>
9.	<p>Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.</p> <p>Reason - To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework 2021 and Policy LP14 of the Fenland Local Plan.</p>
10.	<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>
11.	<p>No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved</p>

	<p>in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
12.	<p>Prior to occupation of any dwelling hereby permitted a 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>
13.	<p>Prior to the first occupation of any dwelling hereby permitted details of the proposed arrangements for future management and maintenance of the proposed roads and footpaths within the development shall be submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).</p> <p>Reason - To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard. In the interests of highway safety in accordance with Policy LP15 and LP16 of the Local Plan.</p>
14.	<p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with drawing PP1020 Rev J.</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>
15.	<p>Prior to the first occupation of the development, a footway shall be provided along the east side of the A141 Isle of Ely Way, as shown on drawing 2739-05 Revision A.</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>
16.	<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</p>

	<p>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>
17.	<p>Prior to the first occupation of the development, a footway shall be provided from the vehicular access to the site link linking to the existing footpath to the east along Eastwood End, in accordance with a scheme to be submitted to and agreed by the Local planning Authority.</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>
18.	<p>A noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with details set out within the Spectrum Acoustic Consultant Planning Noise Assessment (DP710/20370/Rev.0) and shall have regard to the internal and external noise levels as stipulated in British standard 8223:2014 Guidance on sound insulation and noise reduction for buildings and the World Health Organisation (WHO) Guidelines for Community Noise.</p> <p>The noise mitigation scheme shall confirm final details of:</p> <p>a) the acoustic insulation performance specification of the external building envelope of the residential properties having regard to the building fabric, glazing and ventilation.</p> <p>b) mitigation measures to reduce the level of noise experienced internally, as well as confirmed external mitigation details such as bunding and acoustic fencing.</p> <p>The scheme shall be carried out in accordance with the approved details prior to the first occupation of the associated dwelling and retained as such in perpetuity.</p> <p>Reason - To safeguard the residential amenity of occupiers, in accordance with policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
19.	<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 183 and 184, and Policy LP16 of the Fenland Local Plan 2014.</p>
20.	<p>The development hereby permitted shall be carried out in full</p>

	<p>accordance with the Arboricultural Impact Assessment & Method Statement Ref: OAS 20-269-AR01.</p> <p>Reason - To ensure that that retained trees are adequately protected in the interests of visual amenity and ecology, in accordance with Policy LP16 and LP19 of the Fenland Local Plan.</p>
21.	<p>Pedestrian and cycle access from the foot/cycle path link along the A141 through the site and to the footpath link to Eastwood End to the east of the site shall be maintained in perpetuity.</p> <p>Reason - to ensure accessibility is maintained and to promote sustainable and active modes of transport, in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
22.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p>



Created on: 02/12/2022

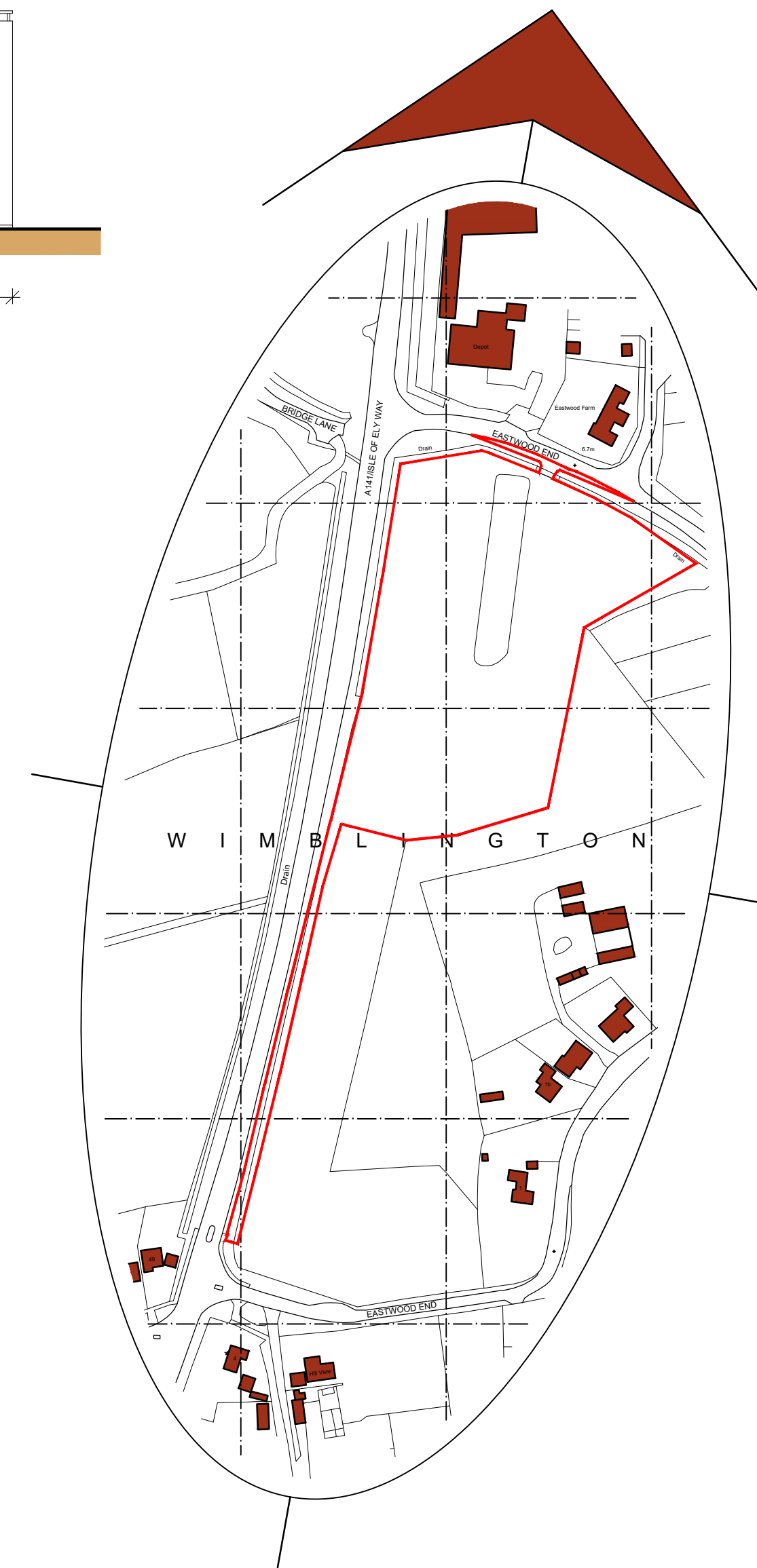
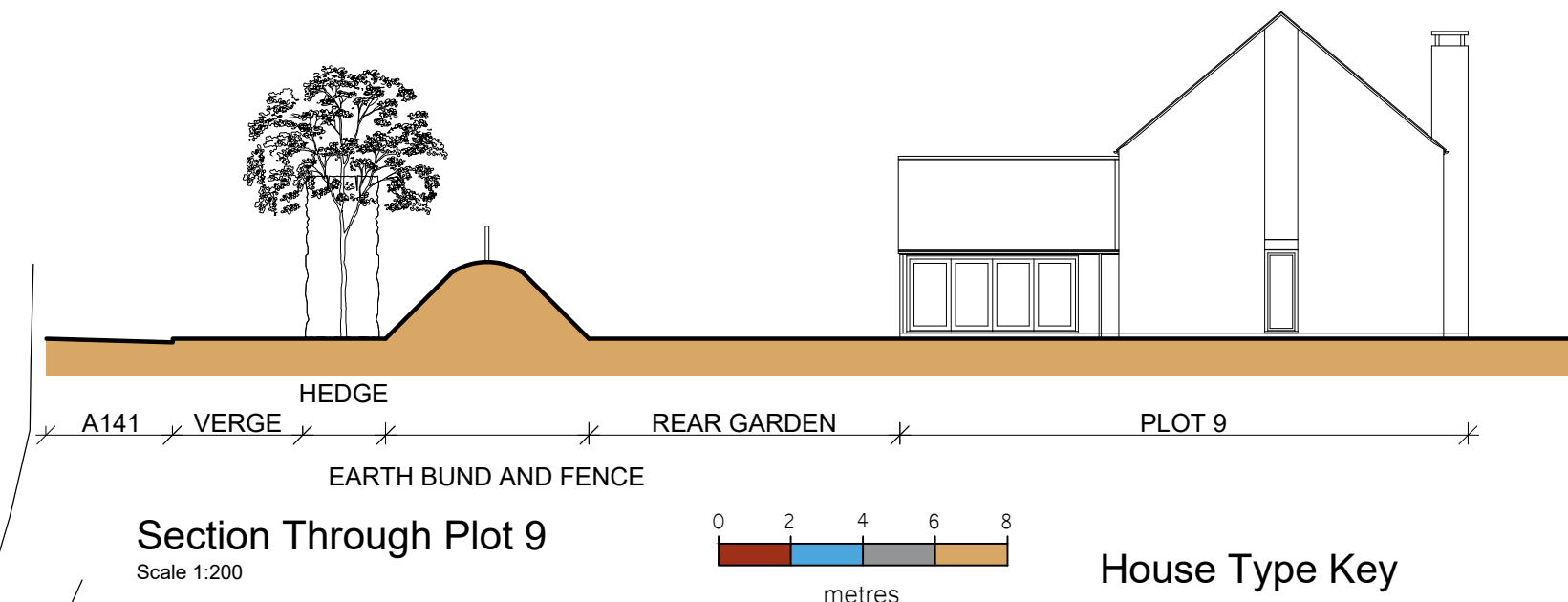
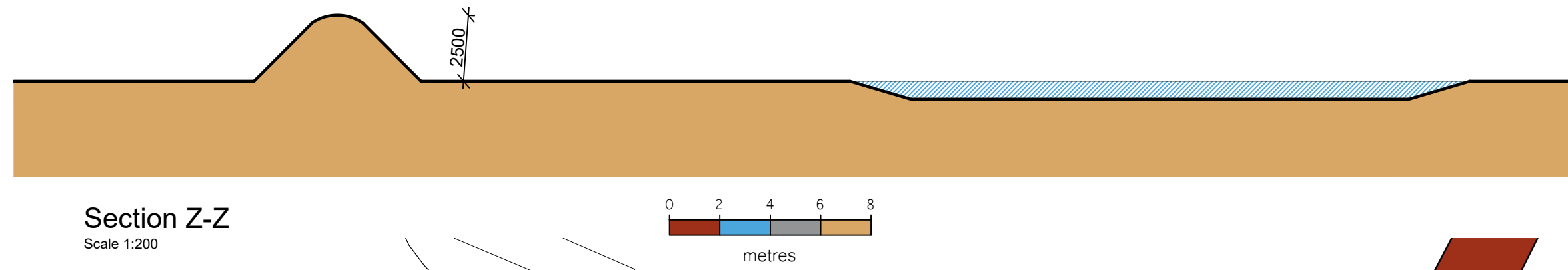
© Crown Copyright and database
rights 2022 Ordnance Survey 10023778

F/YR22/1338/VOC

Scale = 1:2,500



- General Notes
1. All dimensions are shown in 'mm' unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers attention.



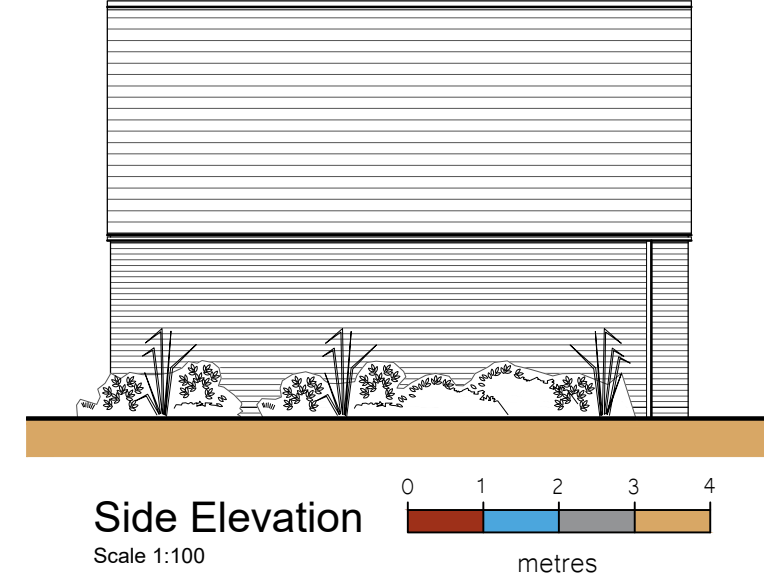
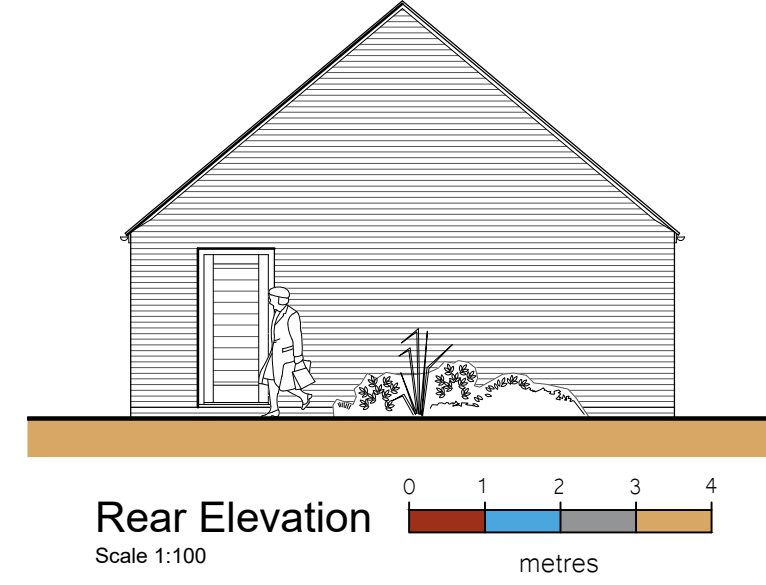
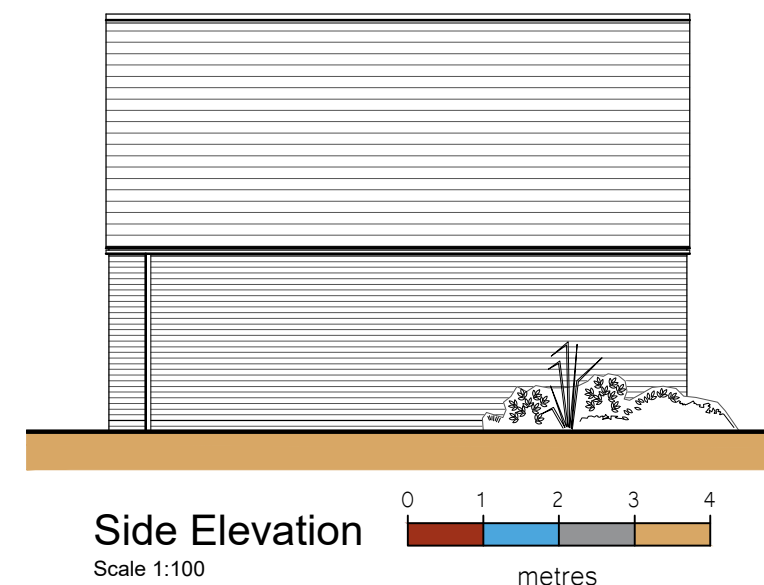
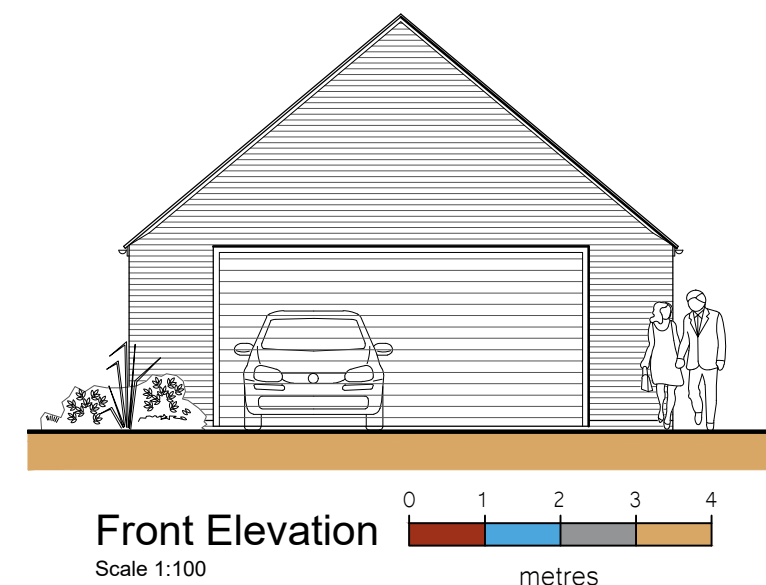
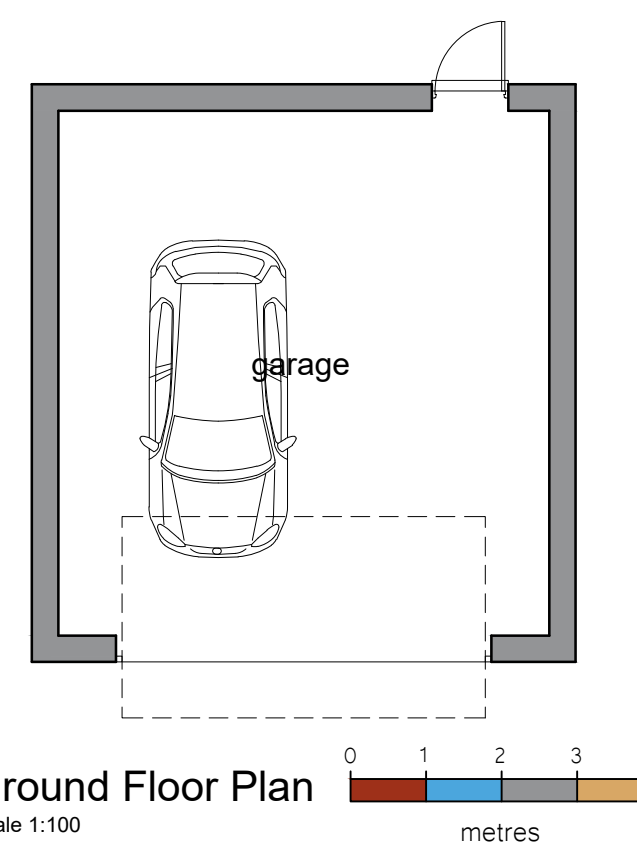
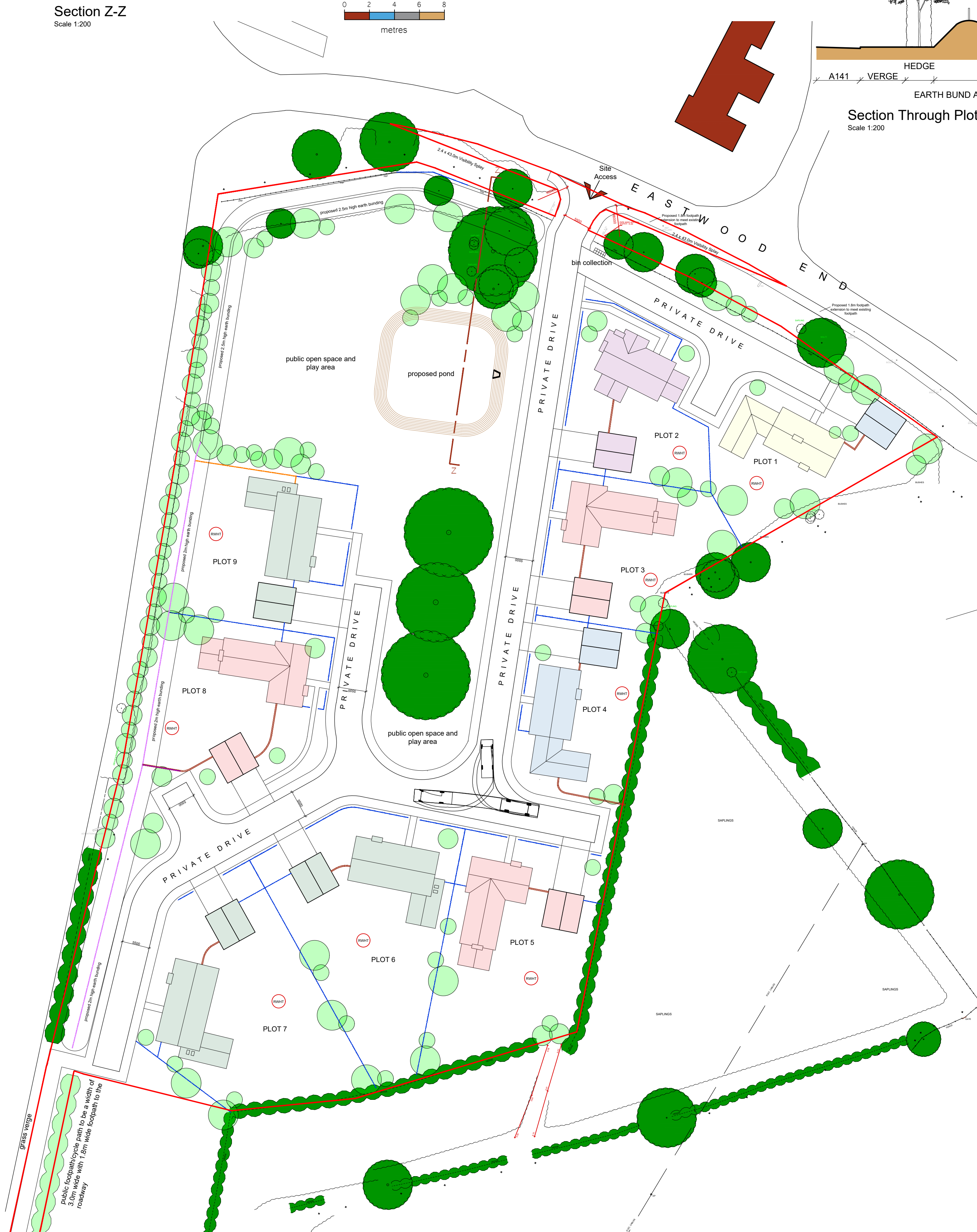
SITE PLAN KEY

- Private Drive and footway to be suitable for a 26 Tonne refuse vehicle with permeable surface
- Rainwater Harvesting Tank
- Existing trees
- Proposed trees
- Refuse vehicle turning head
- 1.2m high post and rail fence
- 1.8m high close boarded fence
- 1.8m high brickwork wall
- 1.8m high brickwork wall with 1.2m high close boarded fence on top to give 3m high acoustic barrier
- 1.0m high close boarded fence on top of bunding to give 3m high acoustic barrier
- 3m high close boarded fence to give 3m high acoustic barrier
- Existing post and rail fencing

All gaps between fences / walls / bunds to be suitably sealed to create acoustic barrier as noted

House Type Key

- Type A - 4 Bed
- Type B - 4 Bed
- Type C - 4 Bed
- Type D - 4 Bed
- Type E - 4 Bed



Status: **FOR APPROVAL**

SWANN EDWARDS ARCHITECTURE

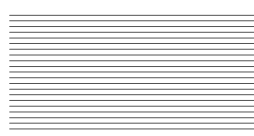
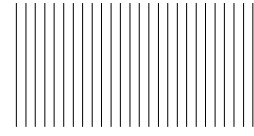
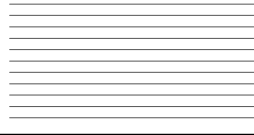
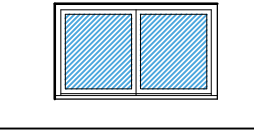
Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA. t: 01945 450694 e: info@swannedwards.co.uk w: www.swannedwards.co.uk

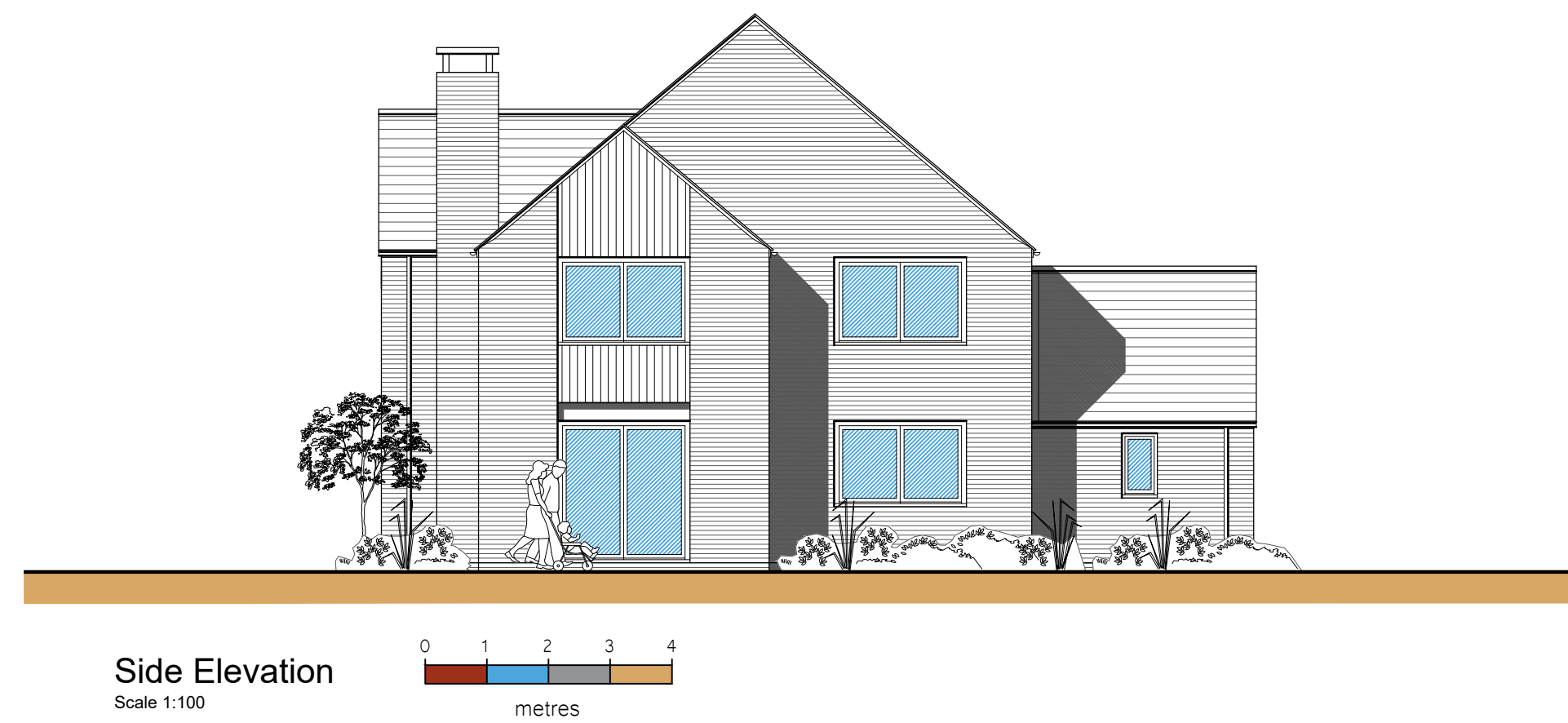
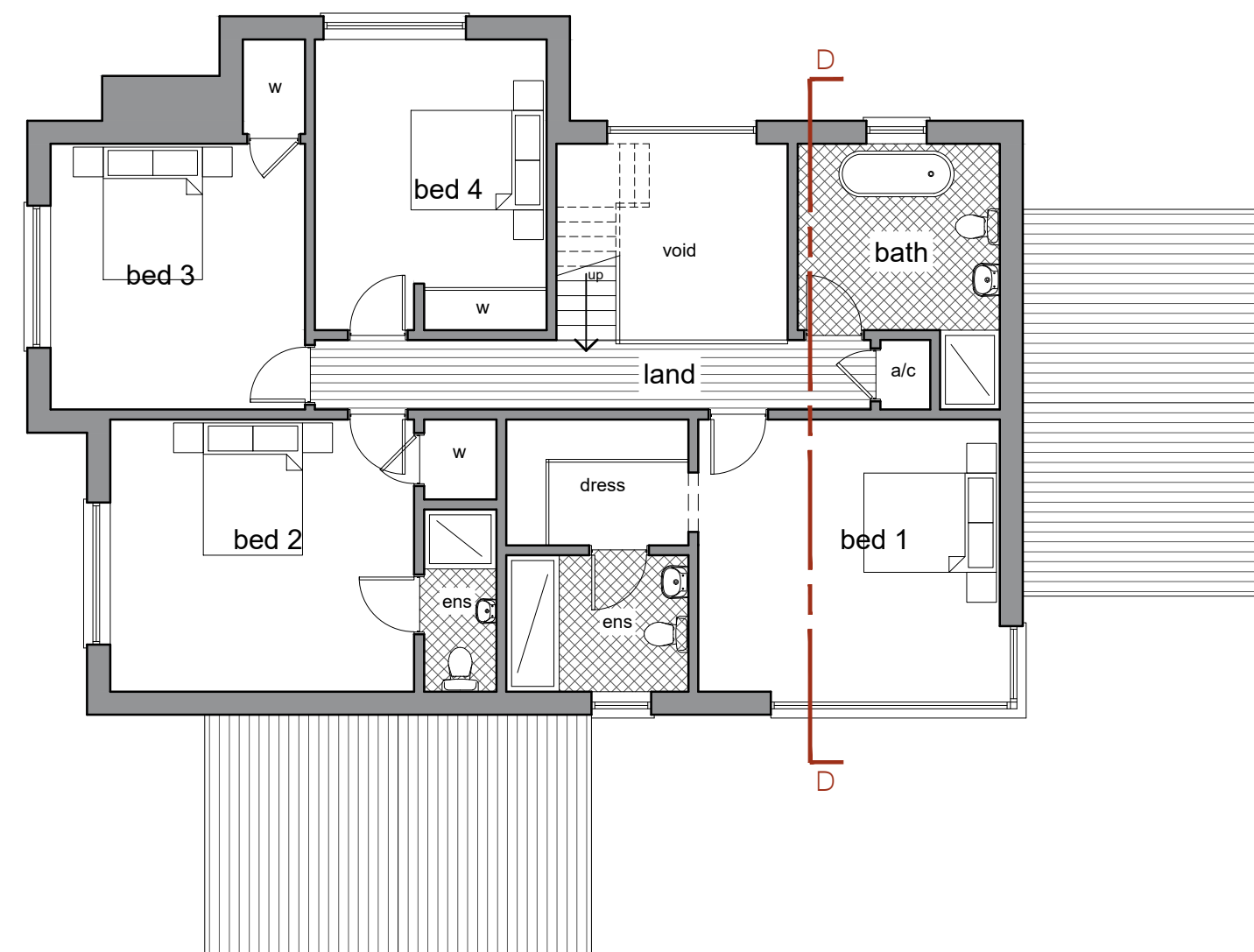
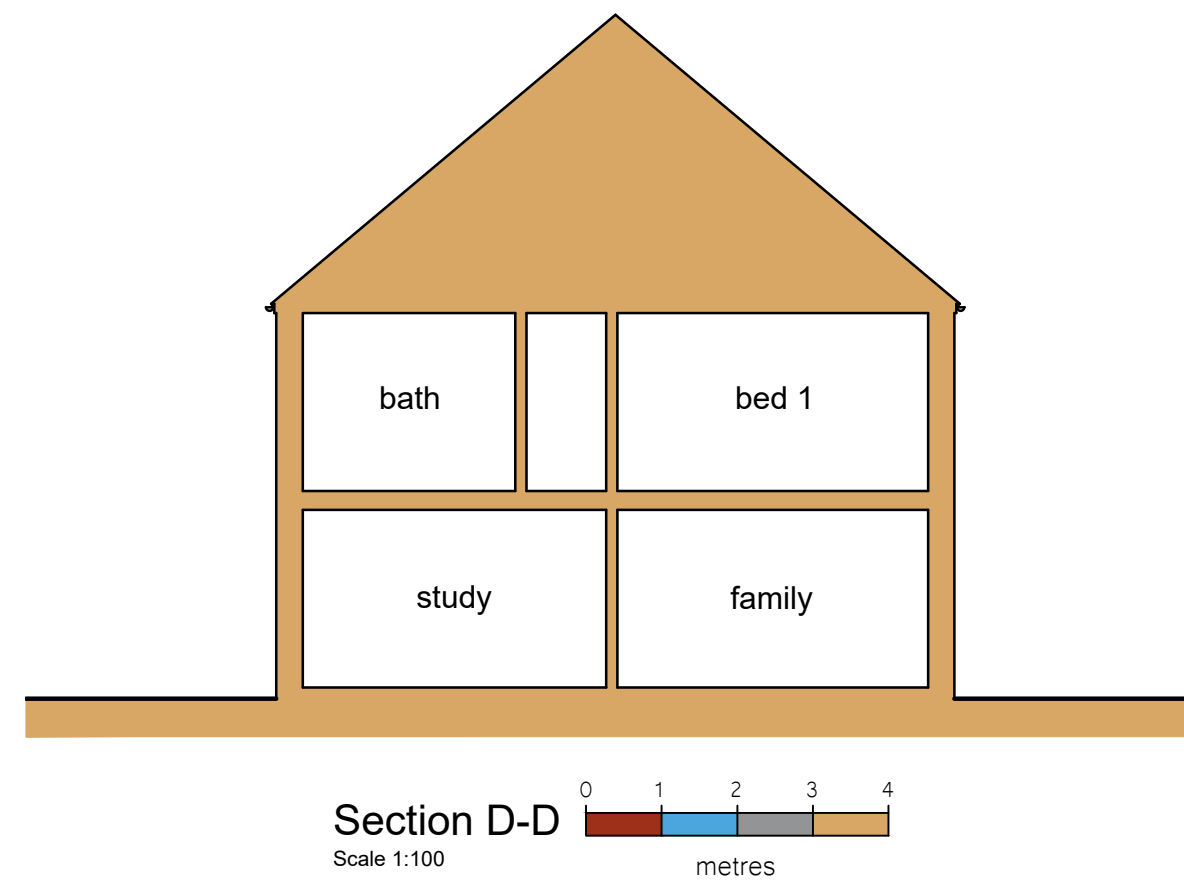
Job Title Proposed Residential Development Eastwood End, Wimblington PE15 0QH for: FPP Facades	Date August 2022	Drawn by RS Checked by GE
Drawing Title Planning Drawing Site and Location Plan Garage Plans and Elevations	Job No. SE1148 Dwg No. PP1020	Sheet Size A1 Revision Q

- General Notes
1. All dimensions are shown in 'mm' unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers attention.

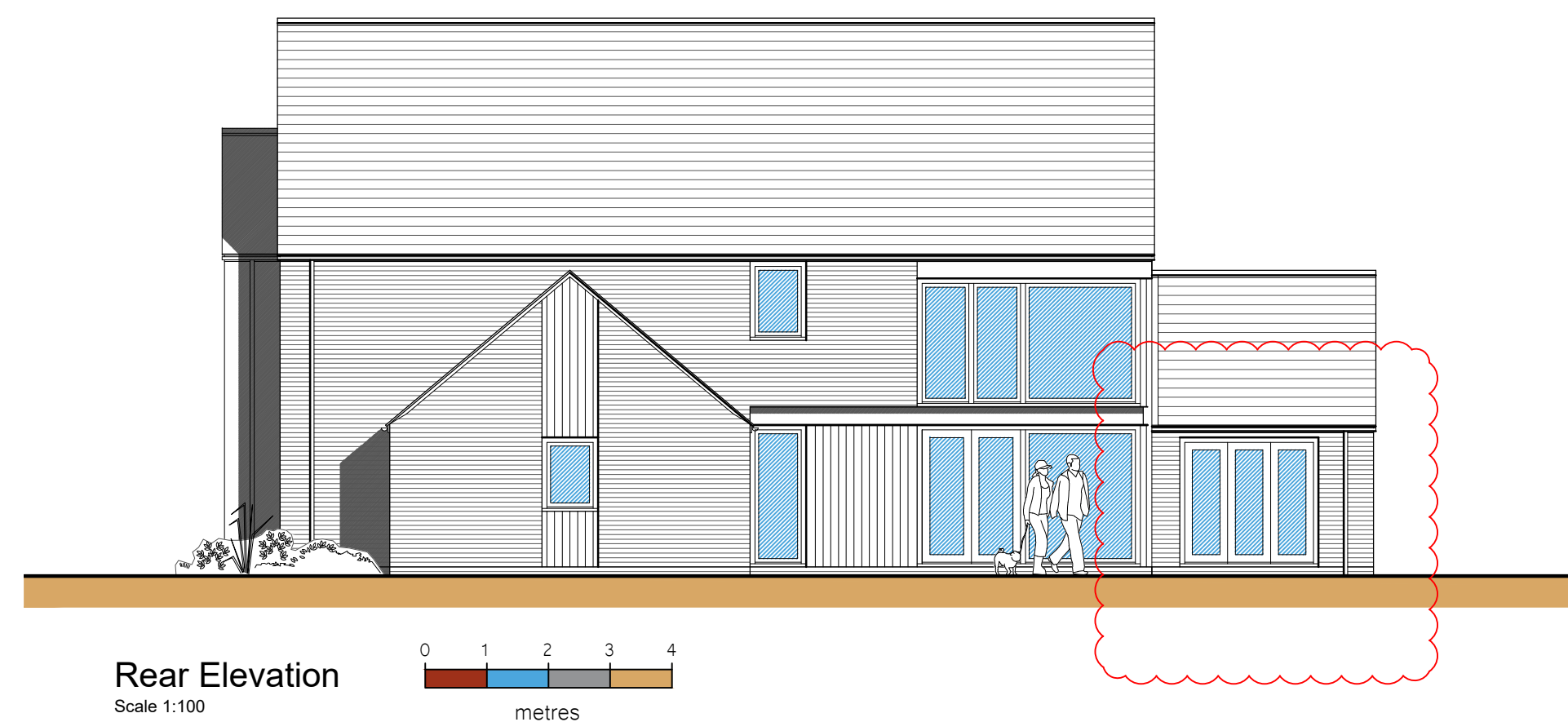
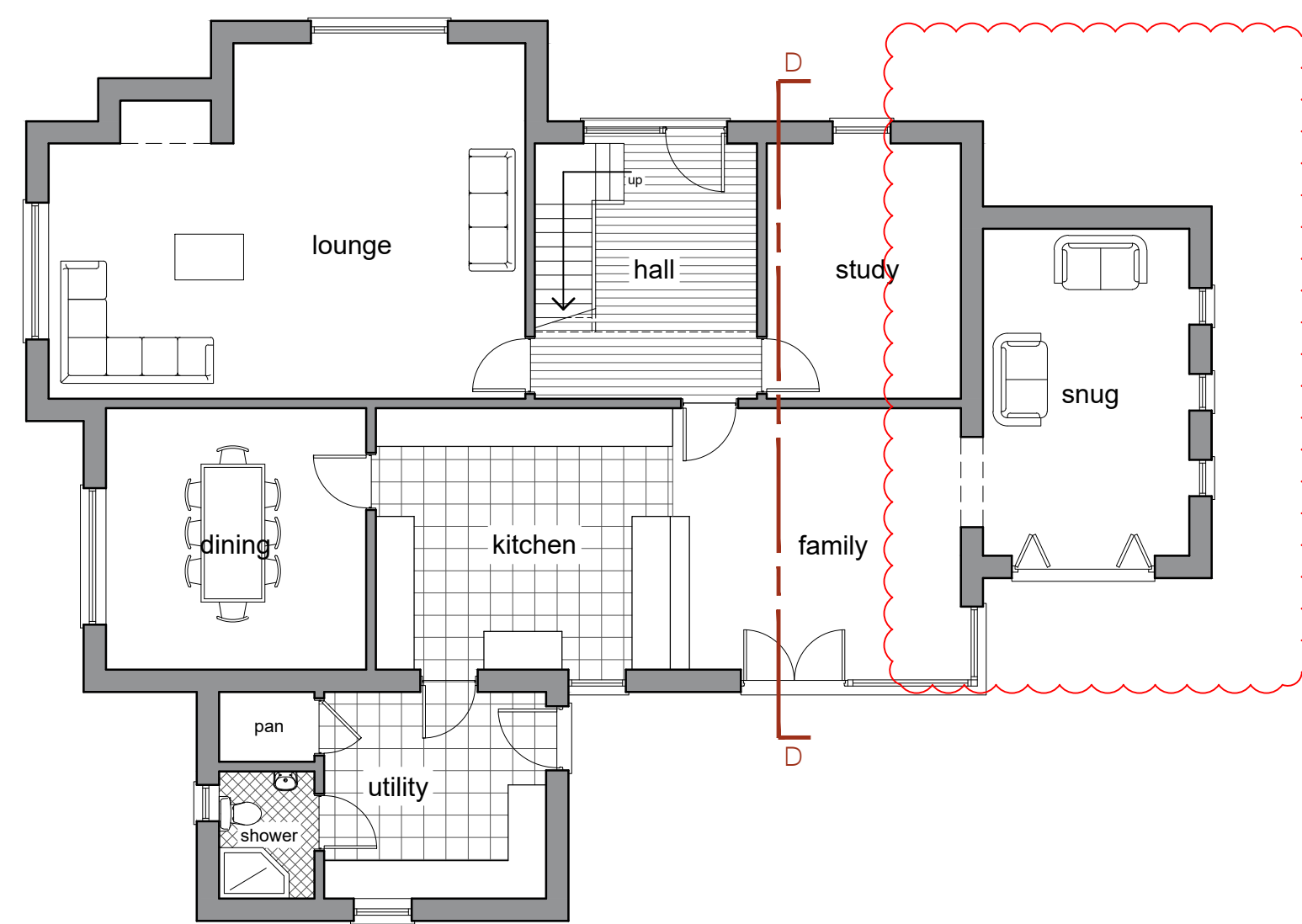
House Type D Schedule of Sizes	
Internal Floor Areas	
Ground Floor	158.8m ²
First Floor	121.7m ²
Total	280.5m²

MATERIALS KEY

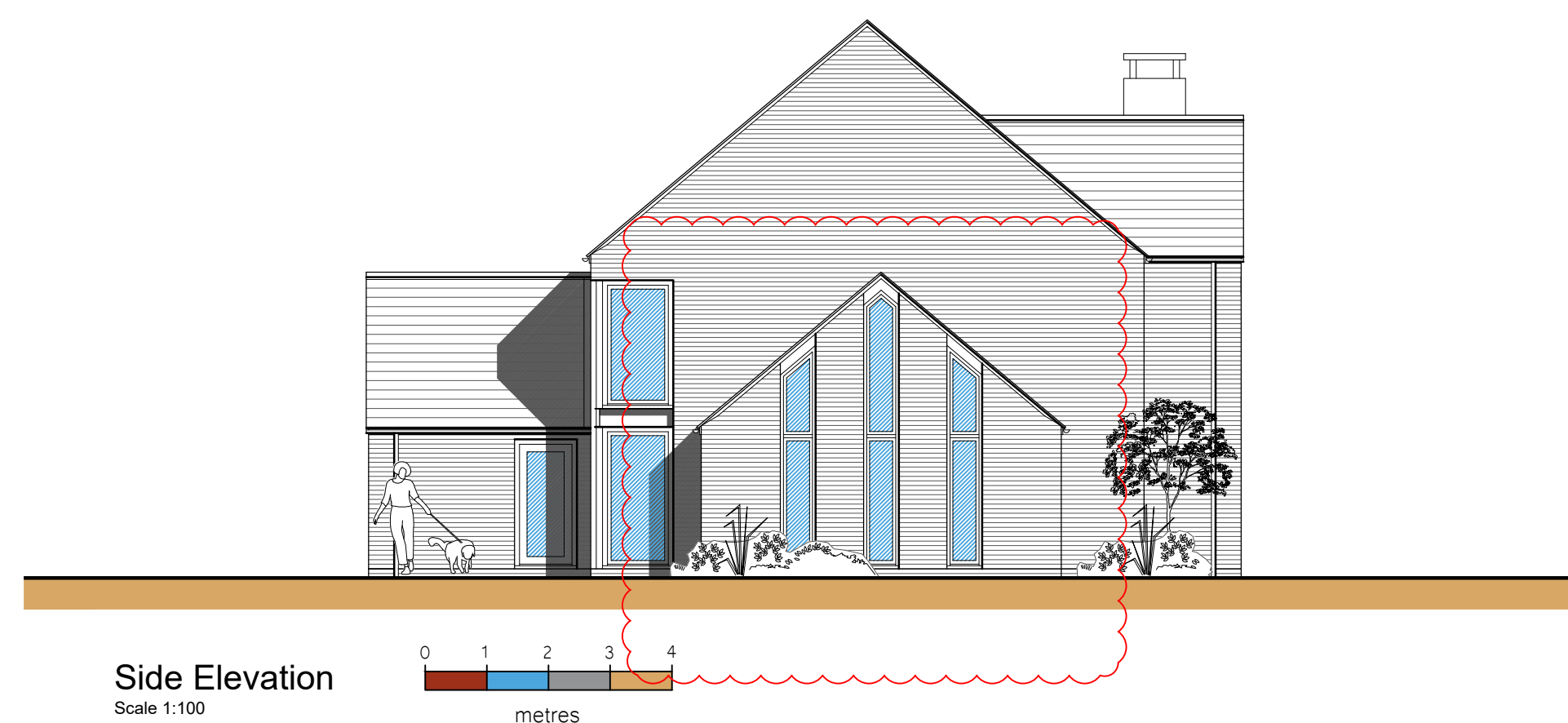
-  Hatch indicates brickwork to be agreed
 -  Hatch indicates vertical timber cladding to be agreed
 -  Hatch indicates roof tiles to be agreed
 -  Indicates casement windows and doors to be triple glazed
- Rainwater goods - black half round gutters and black round downpipes
 Vents - all vents to be acoustic vents



First Floor Plan
Scale 1:100
metres



Ground Floor Plan
Scale 1:100
metres

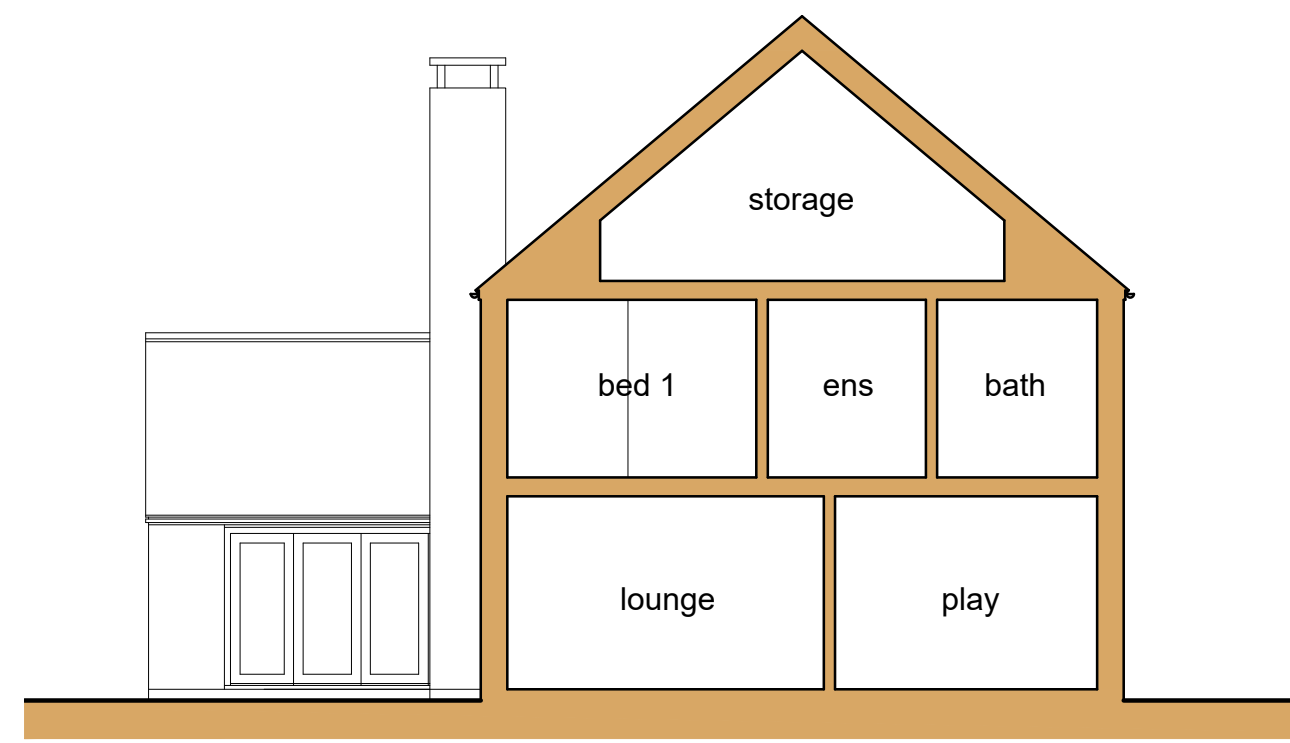


Status
FOR APPROVAL

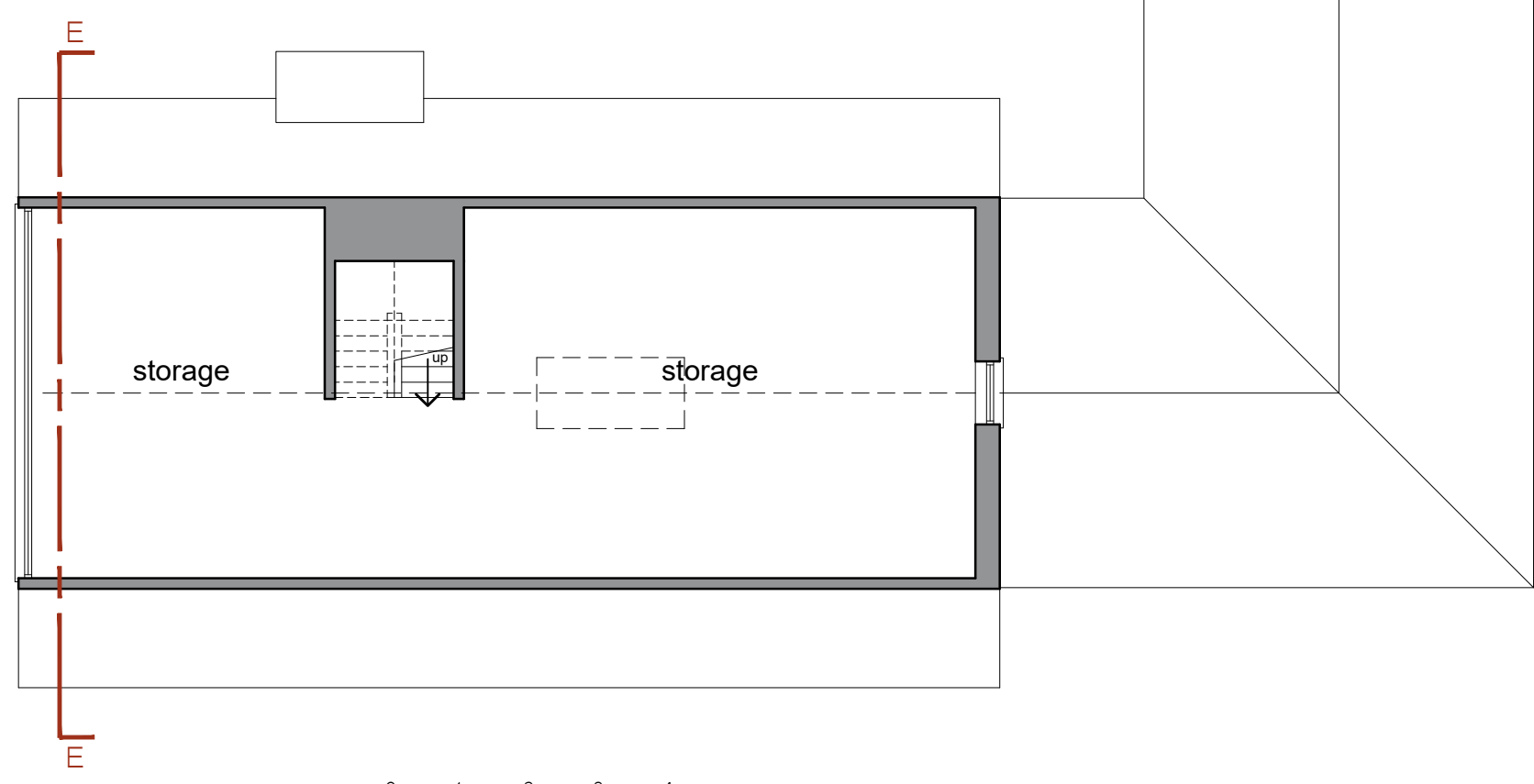
SWANN EDWARDS
ARCHITECTURE

Swann Edwards Architecture Limited, Swann Edwards Architecture,
 Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
 t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

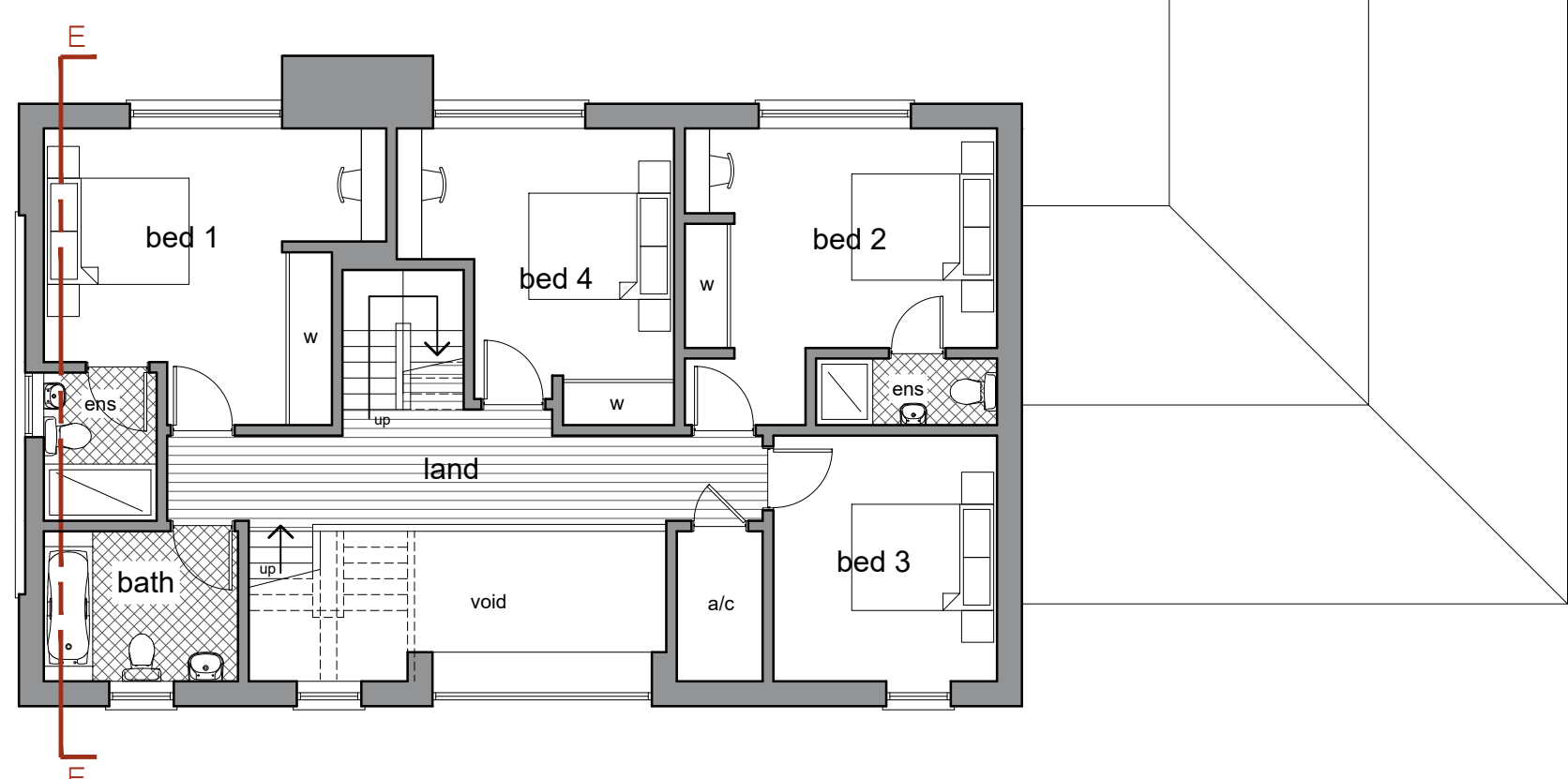
Job Title Proposed Residential Development Eastwood End, Wimblington PE15 0QH for: FPP Facades	Date May 2020	Drawn by RS Checked by GE
Drawing Title Planning Drawing House Type D Plans and Elevations	Job No. SE1148 Dwg No. PP1123	Sheet Size A1 Revision B



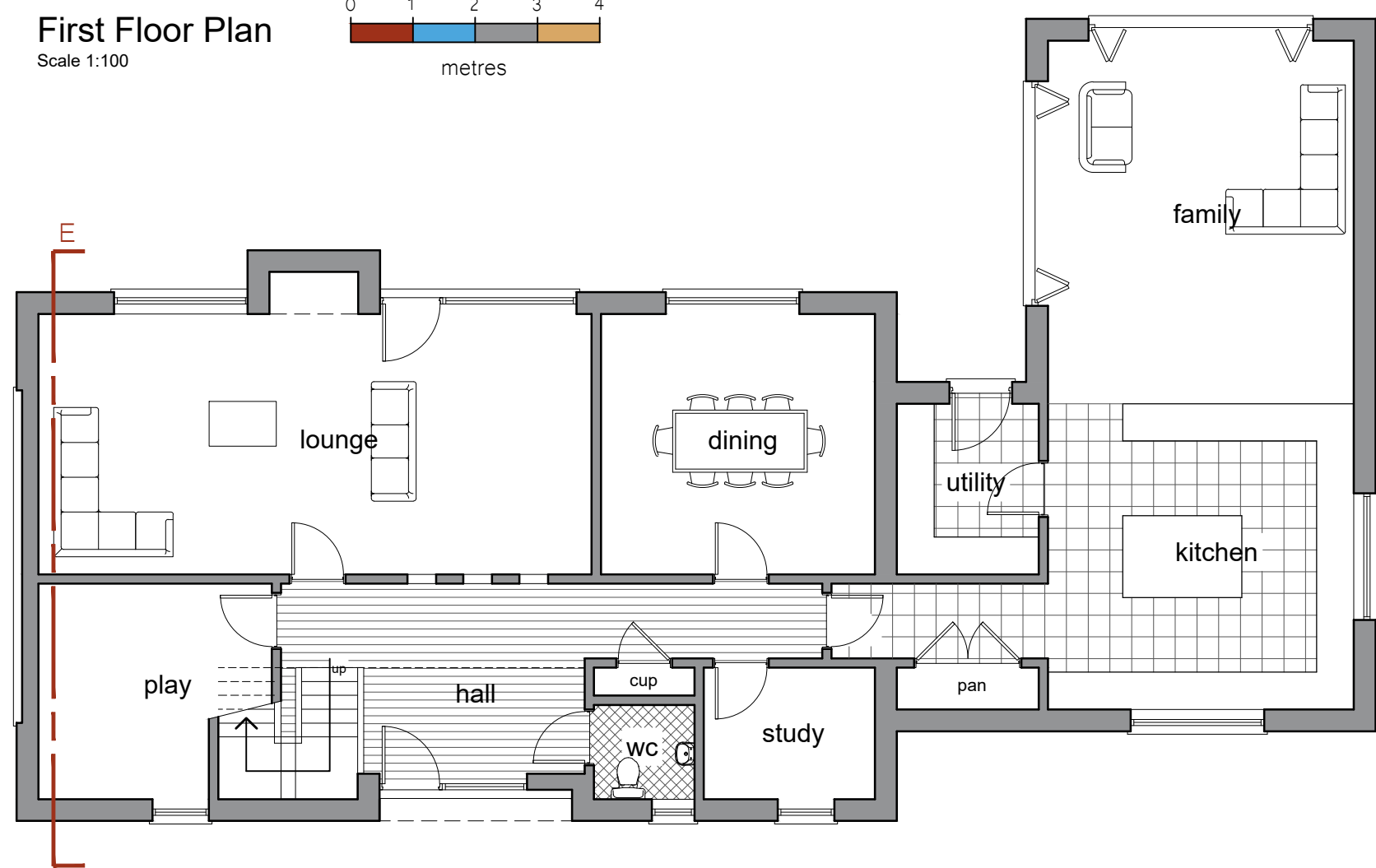
Section E-E
Scale 1:100
metres



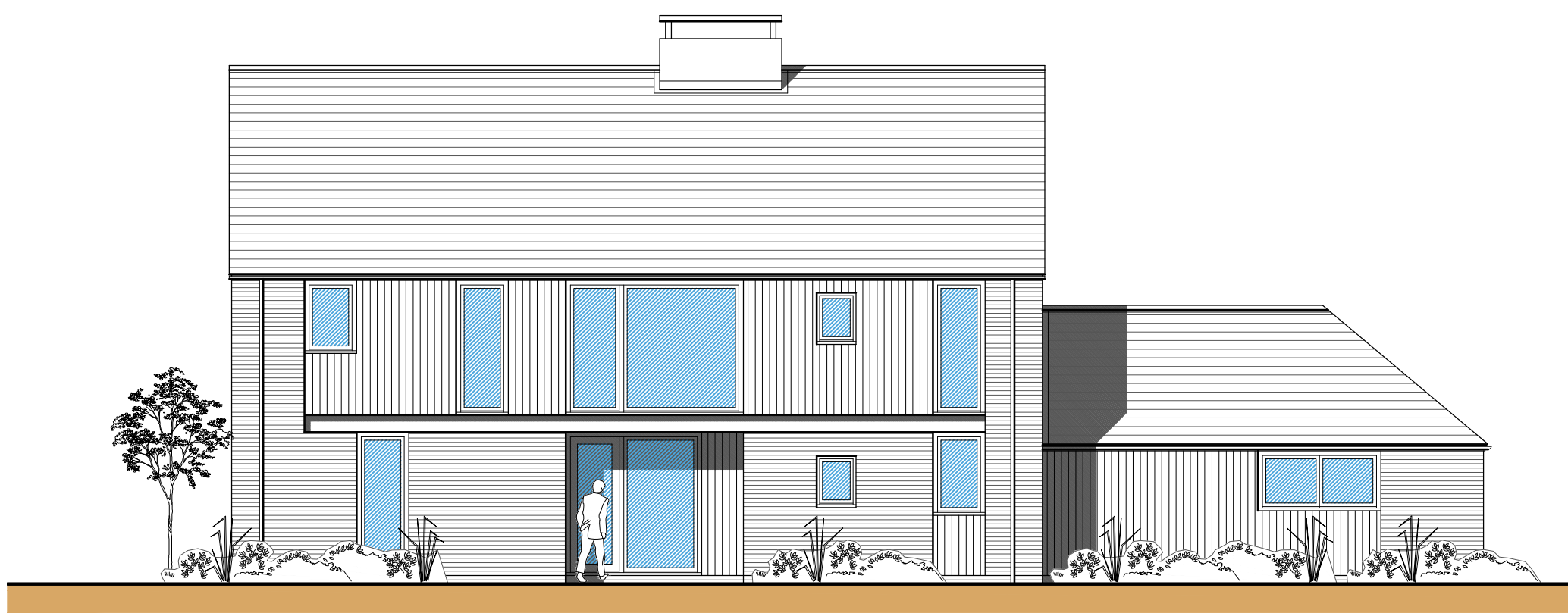
Second Floor Plan
Scale 1:100
metres



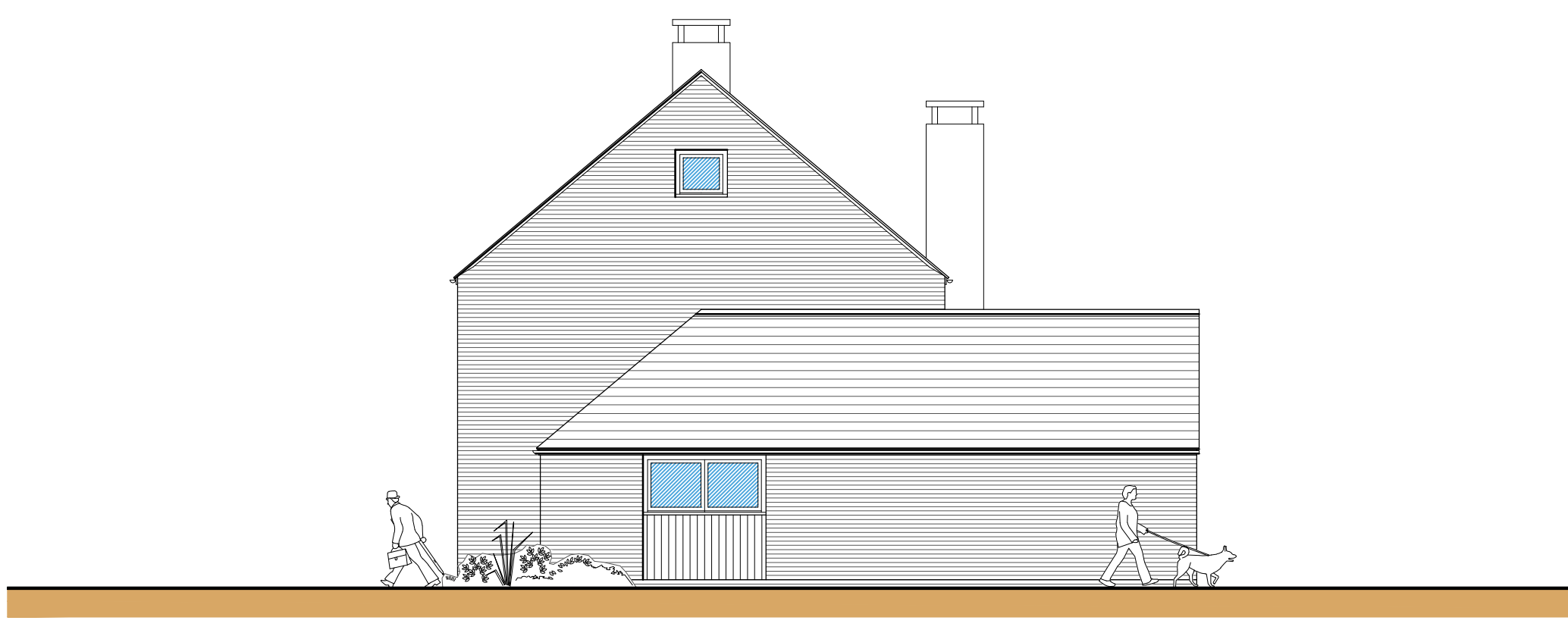
First Floor Plan
Scale 1:100
metres



Ground Floor Plan
Scale 1:100
metres



Front Elevation
Scale 1:100
metres



Side Elevation
Scale 1:100
metres



Rear Elevation
Scale 1:100
metres



Side Elevation
Scale 1:100
metres

- General Notes
1. All dimensions are shown in 'mm' unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers attention.

House Type E Schedule of Sizes	
Internal Floor Areas	
Ground Floor	164.5m ²
First Floor	104.8m ²
Total	269.3m²

MATERIALS KEY

- Hatch indicates brickwork to be agreed
 - Hatch indicates vertical timber cladding to be agreed
 - Hatch indicates roof tiles to be agreed
 - Indicates casement windows and doors to be triple glazed
- Rainwater goods - black half round gutters and black round downpipes
Vents - all vents to be acoustic vents

Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

Swann Edwards Architecture Limited, Swann Edwards Architecture,
Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Proposed Residential Development Eastwood End, Wimblington PE15 0QH for: FPP Facades	Job Title Date August 2022	Drawn by RS Checked by GE
Drawing Title Planning Drawing House Type E Plans and Elevations	Job No. SE1148 Dwg No. PP1127	Sheet Size A1 Revision D

F/YR22/1410/F

Applicant: Mr David Taylor

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

Land South East Of 186, Wype Road, Eastrea, Cambridgeshire

Erect 2x dwellings (single-storey, 4-bed) with detached garages, and formation of a footpath

Officer recommendation: Grant

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission for the erection of 2x dwellings (single-storey, 4-bed) with detached garages, and formation of a footpath.
- 1.2 The principle of development on this site was established by the granting of outline permission F/YR22/0169/O by Planning Committee in April 2022 to erect two single storey dwellings.
- 1.3 The design of the 2 bungalows with detached garages is considered in keeping with that recently built at No 184 & 186 Wype Road adjacent. There is no significant harm to neighbouring amenity anticipated.
- 1.4 The Local Highways Authority (LHA) have no objections to the application. Therefore, the scheme is considered acceptable in highway safety terms and there are no issues to address regarding flood risk as the site is located within Flood Zone 1 (Low risk).
- 1.5 As such, the recommendation is to grant planning permission.

2 SITE DESCRIPTION

- 2.1 The application site is located on the south-western side of Wype Road, Eastrea and adjoins a recent development of 2 bungalows. It is existing agricultural land, there is a partial hedge alongside Wype Road beyond the wide grass verge. Open countryside extends adjacent south and east of the site and the location is considered to be rural in character.
- 2.2 The site is located in Flood Zone 1 (Low Risk).

3 PROPOSAL

- 3.1 The application seeks full planning permission to erect 2x dwellings (single-storey, 4-bed) with detached garages, and formation of a footpath. The dwellings would be a matching pair, albeit handed, with two projecting front gables and a single

bay window. There would be a single point of access from Wype Road to a shared gravel parking and turning area, and the two detached garages would be sited between the dwellings but set to the rear of these. The footpath would be to the front of the site, with a line of new hedging between the footpath and the road.

3.2 The dwellings would measure approximately:

- 18.5m Width
- 12.4m depth
- 6m max ridge height

3.3 The garages would measure approximately:

- 4.5m width
- 7.4m depth
- 4.5m ridge height

3.4 The materials proposed are:

- Buff Brick
- Cream UPVC windows
- Grey roof tiles
- Internal footpath surface to be bound material.
- Access tarmac
- Turning/parking area Gravel

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

[F/YR22/1410/F | Erect 2x dwellings \(single-storey, 4-bed\) with detached garages, and formation of a footpath | Land South East Of 186 Wype Road Eastrea Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/1410/F)

4 SITE PLANNING HISTORY

Pertinent planning history listed below:

Application	Description	Decision	Date
F/YR22/0169/O	Erect up to 2 x dwellings (single-storey) and the formation of an access and a 1.2m wide footway to frontage (outline application with matters committed in respect of access, layout and scale) (Land South East Of 127 Wype Road)	Granted	13 Apr 2022
F/YR19/0719/RM	Reserved Matters application relating to detailed matters of appearance and landscaping, pursuant to outline permission (F/YR19/0357/O) Erection of 2 x 4-bed single storey dwellings (outline application with matters committed in respect of access, layout & scale) (Land South East Of 182 Wype Road) (Now known as No184 & 186 Wype Road, adjacent to the host site)	Approved	14 Oct 2019
F/YR19/0357/O	Erection of 2 x 4-bed single storey dwellings (outline application with matters committed in respect of access, layout & scale) (Land South East Of 182 Wype Road) (Now known as No184 & 186 Wype Road, adjacent to the host site)	Granted	26 Jun 2019

5 CONSULTATIONS

5.1 Whittlesey Town Council

The Town Council recommend refusal until a suitable pedestrian footpath is installed outside of the curtilage of the property.

5.2 Environment & Health Services (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development. With the existing land use being arable farmland and given close proximity to noise sensitive dwellings, the following conditions should be imposed in the event that planning permission 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.

NOISE CONSTRUCTION HOURS

CONDITION: No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 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 amenities of the nearby residential properties.

5.3 FDC Highways

Following a careful review of the documents provided to the Highway Authority as part of the above planning application, no significant adverse effect upon the Public Highway should result from this proposal, should it gain benefit of Planning Permission.

Local Residents/Interested Parties

5.4 Objectors

6 letters of objection received from residents within Eastrea (Thornham Way, Mayfield Road, Storers Walk, Bryony Close) regarding:

- Access
- Design/Appearance
- Agricultural Land
- Density/Over development
- Out of character
- Wildlife concerns
- Loss of view/Outlook
- Visual impact
- Does not comply with policy
- Environmental Concerns
- Traffic and Highways
- Would set a precedent
- Public footpath/position/private
- Outside village boundary/developed footprint
- Drainage
- Light Pollution

5.5 Supporters

13 letters of support received from residents within Eastrea (Coates Road, Wype Road, Mayfield Road, Roman Gardens and Thornham Way) regarding:

- Proposed footpath set behind hedging is a safe place to walk
- Enhance the entrance to the village, design, appearance
- Area in need of more bungalows
- Well-designed properties
- Makes village look desirable.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Paragraph 2 Application to be determined in accordance with the development plan unless material considerations indicate otherwise

Paragraph 11 Sustainable development

Paragraph 130 Achieving well-designed places

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

C1 – Context – How well does the proposal relate to the site and its wider context

I1, 2 & 3 – Identity – Well-designed, high-quality places that fit with local character

H1 & H2 Homes and Buildings – healthy, comfortable and safe places well related to external amenity space

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP12 – Rural Areas Development Policy

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

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:

Policy LP5 – Health and Wellbeing

Policy LP7 – Design

Policy LP8 – Amenity Provision

Whittlesey Neighbourhood Plan 2021-2040

Policy 1 – Spatial Planning

Policy 2 – Local Housing Need

Policy 4 – Open Space

Policy 5 – Local Green Space

Policy 7 – Design Quality

Policy 9 – Coalescence of Villages

Policy 10 – Delivering Sustainable Transport

Policy 11 – Adapting to and Mitigating Climate Change

8 KEY ISSUES

- **Principle of Development**
- **Design**
- **Residential Amenity**
- **Highway Safety and Parking**

- **Other considerations**

9 BACKGROUND

- 9.1 Whilst not material to the determination of the application, for the purposes of transparency the applicant at outline stage was a relative of Cllr Mrs Laws. The same individual is named as the owner of the site on the current application submission.

10 ASSESSMENT

Principle of Development

- 10.1 Notwithstanding conflicts previously identified in terms of complying with policies LP3 and LP12 of the Local Plan Members decided to go against officer recommendation and grant outline planning permission. The principle of development for two bungalows on the site is therefore established.

Design

- 10.2 Policy LP16 (d) of the Fenland Local Plan also requires development to respond to and improve the character of the built environment. The scale of the proposed dwellings/garages are comparable with those surrounding. The building line is slightly forward of 184 and 186 Wype Road to the northwest which is not considered detrimental. The design of the proposed bungalows and the proposed materials do not match the design and materials of No184 and No186 however the design, character and materials along Wype Road is varied therefore this is not considered significantly detrimental. As the materials indicated in the submitted drawings are described as 'to be agreed' the final detail will be required by condition.

- 10.3 Therefore, in terms of the design character of the proposed dwellings and the design character of nearby dwellings no significant demonstrable harm is anticipated, and the proposal is considered acceptable under this part of Policy LP16 (d) of the Fenland Local Plan 2014.

Residential Amenity

- 10.4 Policy LP16 (e) seeks to ensure that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light. Policy LP16 (h) states that sufficient private amenity space should be provided appropriate to the amount of development, with a minimum of a third of the plot curtilage set aside as private amenity space.

- 10.5 The dwelling proposed at plot 1 would be positioned approximately 9.2m away from the existing dwelling to the northwest No186 Wype Road. Between the two dwellings is existing post and rail fencing and some hedging and trees planted as part of the landscaping scheme within the adjacent development. The proposed dwelling would be single storey with 1 window servicing the open plan snug/dining/kitchen room to the rear of the property within the northern elevation. On balance owing to the distance between the dwellings and the existing landscaping planted as part of the adjacent development no significant overlooking or overshadowing is anticipated.

- 10.6 The interrelationship between the two proposed dwellings is considered to be acceptable given the separation distances, the scale of the dwellings and lack of fenestration, other than serving en-suites, to the respective side elevations.

10.7 The plots are approximately 1200m² in size with the dwellings occupying approximately 250m², this indicates that there would be more than 1/3 private amenity space available on site.

10.8 Therefore owing to the above the proposed development is considered acceptable in terms of residential amenity and policy LP16 (e & h) of the Fenland Local Plan 2014.

Highway Safety and Parking

10.9 A shared access is proposed off Wype Road, this is 5m wide and proposed to be of tarmac construction in accordance with Cambridgeshire County Council's specification for 10m back from the highway; pedestrian and vehicular visibility splays are detailed and the Local Highways Authority content that the scheme is acceptable.

10.10 The shared access leads to garages and the parking/turning areas. Policy LP15 of the Fenland Local Plan 2014 states that development schemes should provide well designed car parking appropriate to the amount of development proposed, ensuring that all new development meets the councils defined parking standards as set out in Appendix A. The Fenland Local Plan 2014 Parking Standards require dwellings with 4 bedrooms or more to have 3 appropriately sized parking spaces available. The dwellings are proposed to have 4-bedrooms and as such 3 parking spaces for each dwelling would be required. The properties each have 1 garage of suitable size to provide 1 parking space for 1 car to park. The driveways to the front of the garage and dwellings are sufficient in size for a further 2 cars to park at each plot. The parking on site is considered sufficient for the size of dwellings proposed.

10.11 A 1.2m wide internal footpath is proposed to link to the footpath serving 184 and 186 Wype Road to the north which is consistent with the details illustrated on the outline application. A footpath serving No 184 & 186 was originally proposed to be located adjoining the highway, however an application was submitted to vary the condition (F/YR20/0583/VOC) where it was considered that revised scheme would provide the same level of access to future occupiers and therefore meets the same aims as that approved in respect of highway safety and sustainable access. The same is true in this case and as such the footpath link is considered acceptable.

10.12 Therefore, the proposal is considered to be compliant with policy LP15 and Appendix A of the Fenland Local Plan 2014.

Other considerations

10.13 FDC Environmental Health recommended a condition restricting hours of work. This is considered unreasonable for a development of 2 properties. There was no such restriction put on the development of the properties to the north No184 and 186.

11 CONCLUSIONS

11.1 The proposed development is considered acceptable. The principle of the development was considered acceptable with the granting of outline application F/YR22/0169/O. The proposed highways access and parking, residential amenity and design are considered acceptable. As such, the proposed development

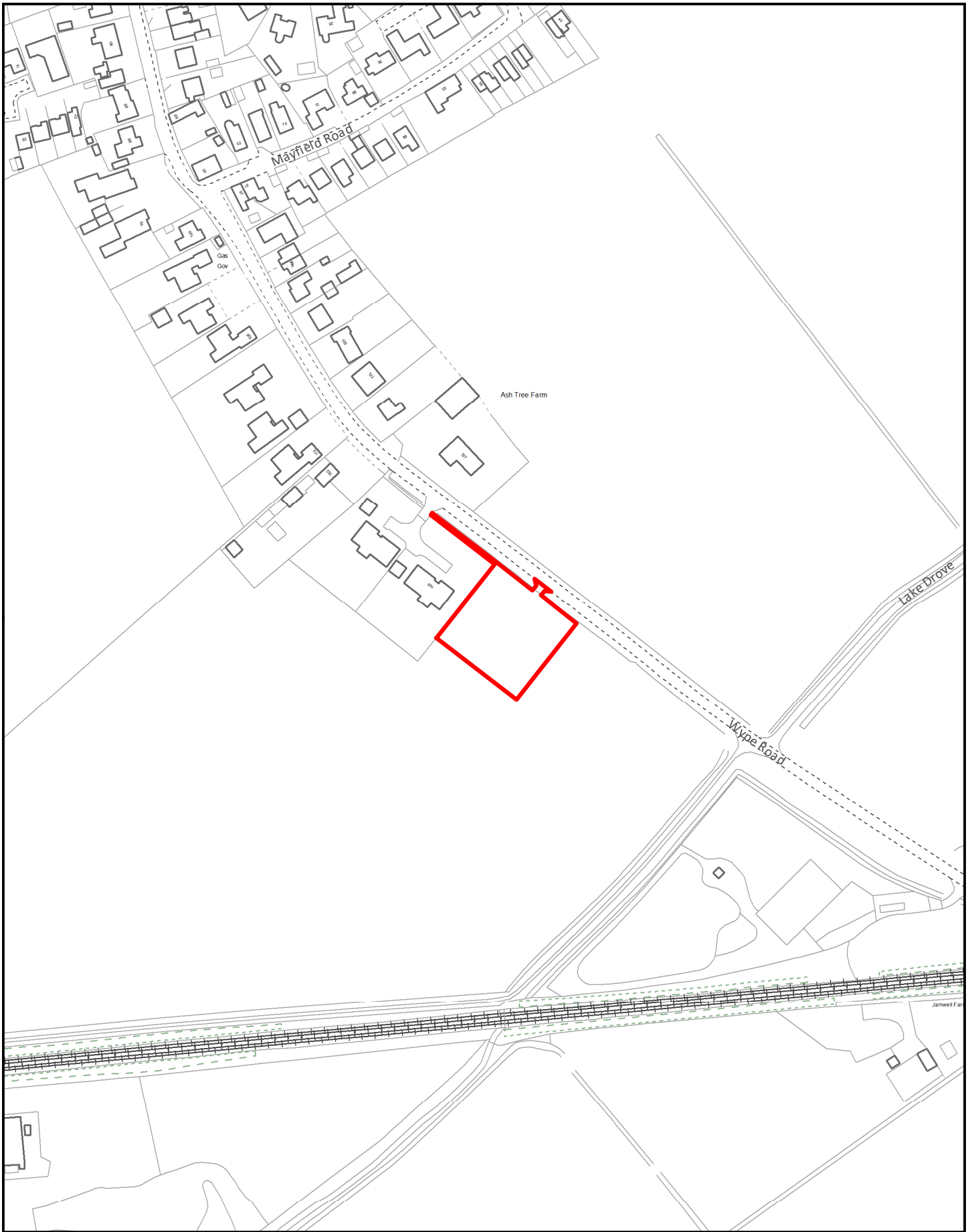
complies with policies LP1, LP2, LP3, LP12, LP15 and LP16 of the Fenland Local Plan 2014.

12 RECOMMENDATION

Grant; subject to the following conditions:

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 development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
3	<p>The internal 1.2m wide footway as detailed on the plan reference: CH22/LBA/623/FP-1-100 shall be provided fully in accordance with that plan prior to the first occupation of any dwelling.</p> <p>Reason: In order to ensure that the development is sustainable in transport terms in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
4	<p>Prior to the first occupation of the development the proposed on-site parking /servicing / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use.</p> <p>Reason: To ensure the permanent availability of the parking /manoeuvring area, in the interests of highway safety.</p>
5	<p>Before either dwelling hereby permitted is first occupied, the proposed ensuite windows in the side elevations of both dwellings shall be glazed with obscure glass and fixed shut to a height of no less than 1.7 metres above the floor level of the room within which it is installed and so maintained in perpetuity thereafter.</p> <p>Reason: To safeguard the amenities of future occupiers in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
6	<p>All hard and soft landscape works shall be carried out in accordance with the approved details shown on plan CH22/LBA/623/FP-1-100. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a</p>

	<p>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 proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
7	<p>The boundary treatments hereby approved shall be constructed in accordance with the details specified on CH22/LBA/623/FP-1-100. The boundary treatments shall be completed prior to the first occupation of the development and retained thereafter.</p> <p>Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
8	<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 for, and amendment to the remediation strategy 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 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.</p>
9	<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 with or without modification), other than the details approved under condition 1, planning permission shall be required for the erection of any walls, fences or other means of enclosure beyond the north-eastern elevations of the dwellings to where the site meets the public highway (as detailed in Schedule 2, Part 2, Class A).</p> <p>Reason: To safeguard the visual amenities of the area and to avoid potential highways conflict through the erection of gates across the access in the interests of LP15 and LP16 of the Fenland Local Plan, 2014.</p>
10	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents.</p>



Created on: 03/01/2023

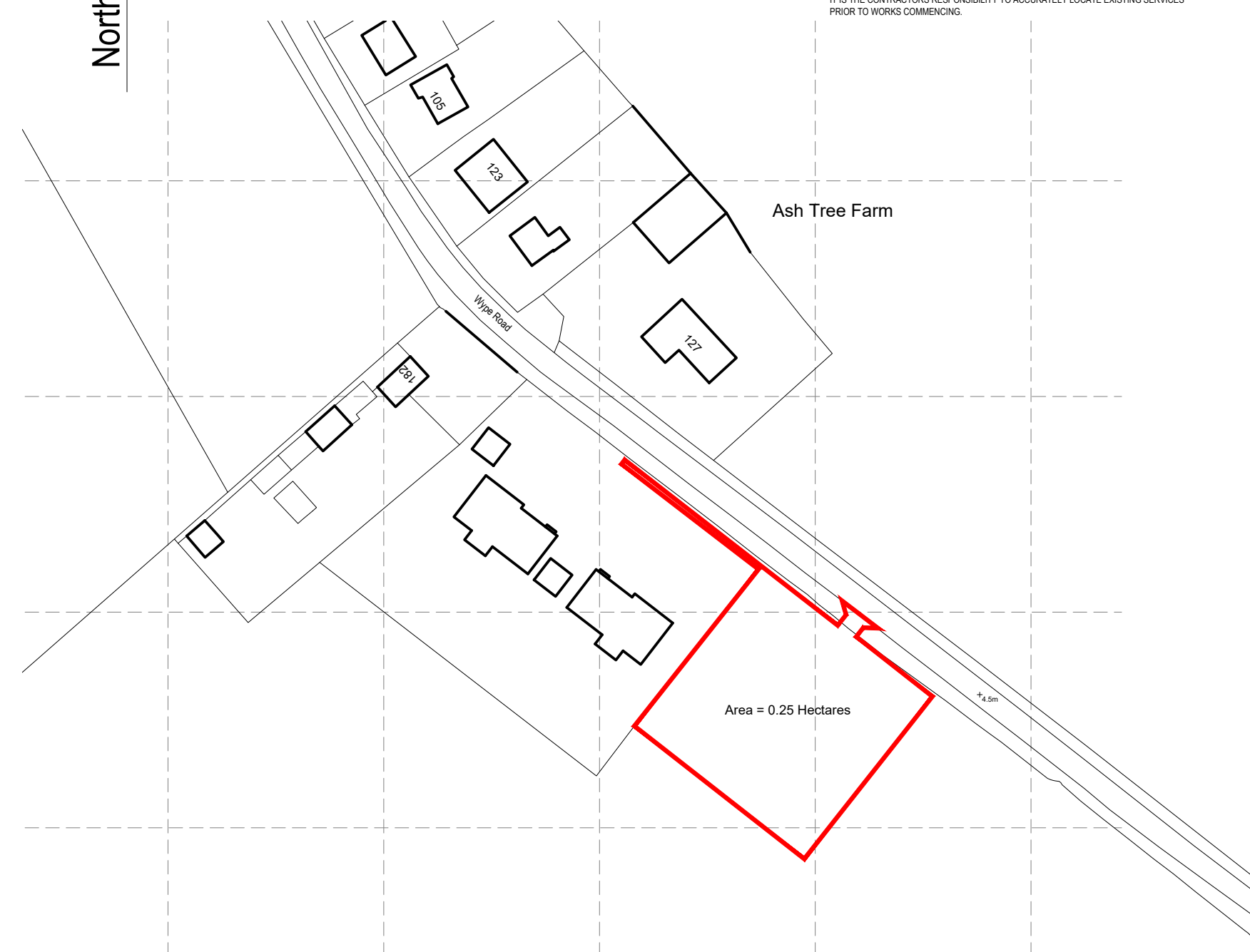
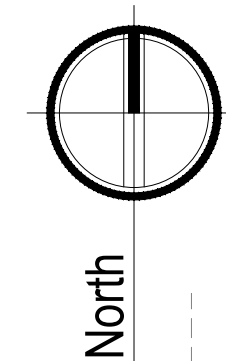
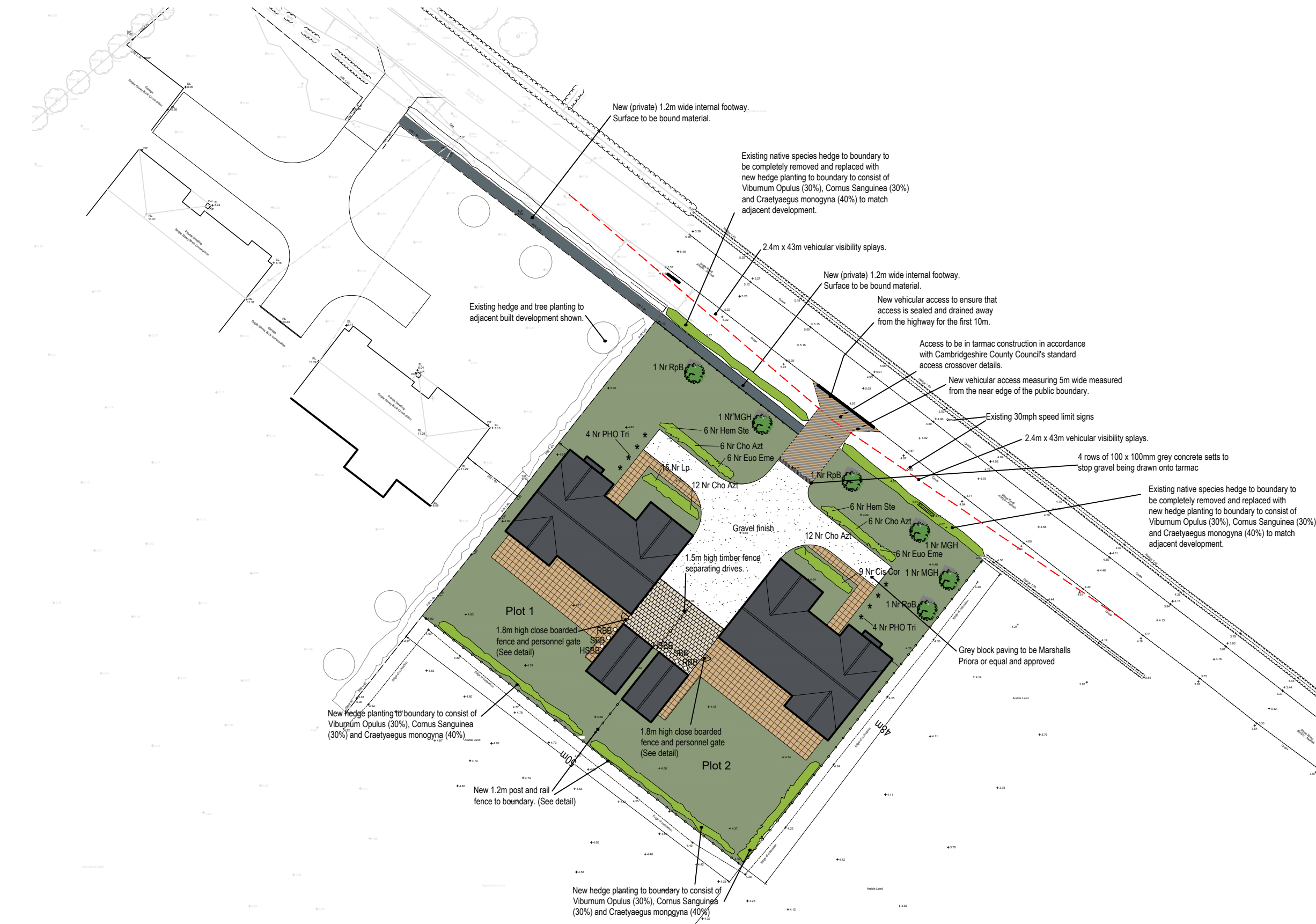
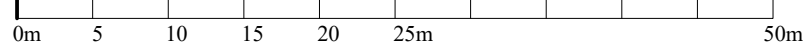
© Crown Copyright and database
rights 2023 Ordnance Survey 10023778

F/YR22/1410/F

Scale = 1:2,500



Scale: 1:500



THIS DRAWING AND THE BUILDING WORKS DEPICTED ARE THE COPYRIGHT OF L BEVENS ASSOCIATES ARCHITECTS LTD AND MAY NOT BE REPRODUCED OR AMENDED EXCEPT BY WRITTEN PERMISSION. NO LIABILITY WILL BE ACCEPTED FOR AMENDMENTS MADE BY OTHER PERSONS. COPYRIGHT 2022 ©

ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

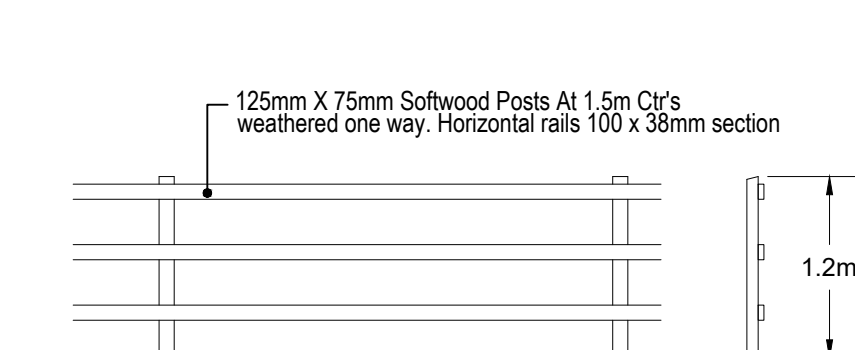
ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES ARCHITECTS LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED.

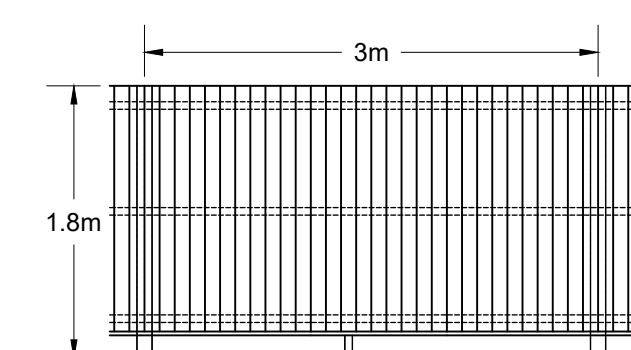
IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

Location Plan 1:1250

Proposed Site Plan 1:500



1200mm High Post and Rail Fence 1:50



1.8m High Timber Close Boarded Fence 1:50



HOUSE SPARROW STARLING ROBIN

NOTE: FOR SPECIFIC LOCATION OF BIRD BOXES PLEASE REFER TO GARAGE ELEVATIONS

PLANT SCHEDULE

Nr	Abbreviated Text	Class	Plant Name	Height/Spread/Grade	Girth	Container	Root	Density	Density Type
12	Hem Ste	Herbaceous	Hermerocallis Stella D'Or			1.5-2L	C	4.00	m2
12									
Nr	Abbreviated Text	Class	Plant Name	Height/Spread/Grade	Girth	Container	Root	Density	Density Type
36	Cho Azt	Shrub	Choysya Aztec Pearl	30-40		3L	C	2.50	m2
8	Cis ogr	Shrub	Cistus x corbanensis	30-40		3L	C	2.00	m2
12	Euo Eme	Shrub	Euonymus fortunei Emerald Gaiety	20-30		3L	C	3.00	m2
15	Lp	Shrub	Lonicera pileata	30-40		3L	C	3.00	m2
8	PHO TRI	Shrub	Phormium tenax Tricolor (specimen)			10-12L	C		
78									
Nr	Abbreviated Text	Class	Plant Name	Height/Spread/Grade	Girth	Container	Root	Density	Density Type
3	MGH	Tree	Malus Golden Hornet	300-350		10-12	25L	C	
3	Rub	Tree	Rubus pseudoacacia 'Bosonsart'			110-12	45L	C	
4									

OUTLINE SPECIFICATION NOTES.

Implementation
 Soft landscaping to be limetabled and implemented during the first planting season (Mid-November to Mid-March) after the substantial completion of the hardworks.

Topsoil preparation
 Shrub beds and hedgerows shall be topsoiled to a depth of 300mm. Grass areas shall be topsoiled to a depth of 150mm. Tree pits within soft landscape areas shall be excavated to a minimum size of 600 x 600 deep and backfilled with approved topsoil and 100mm depth of peat free compost. All tree pits to be thoroughly decontaminated across base and sides prior to back-filling. All planting beds and hedgerows shall be covered with 50mm depth of peat free compost across all beds prior to final cultivation.

Proposed Trees
 Trees shall be supplied to the sizes and stock shown on the plant schedule and planted in the locations shown. Each specimen tree shall have a single leader with a well developed, balanced crown and clear, straight stem.
 Trees 10-12 cm girth and above shall have a double stake located to each side of the rootball within the pit.

Proposed native shrub, ornamental shrub and hedgerow areas
 The topsoil in areas planted with shrubs and hedgerow plants shall be 300mm deep. All beds shall be cultivated to a depth of 250mm. Hedgerow plants shall be planted in the centre of the prepared trench a minimum of 750mm wide and 300mm deep in a single row at 3m located at the centre of the trench.

Turf Areas
 Rear gardens shall be cultivated only and left to the occupier to either seed or turf unless otherwise instructed by the developer.
 A circle of 1m diameter shall be cut around the base of all trees located within grass areas to allow for bark mulch.

Maintenance
 To comply with planning conditions the site shall be maintained for a period of 5 years by the contractor, resident or client as applicable.

BIO-DIVERSITY ENHANCEMENTS.

- Bird boxes**
 Bird boxes to be provided on gable ends of garages as appropriate. These should be installed at least 3m above the ground level and should avoid direct sunlight (not directly south facing), prevailing wind, and be out of reach of cats and other predators.
 • A smaller, open fronted box, made to BTD dimensions (for song thrush, robin and spotted flycatcher)
 • Three hole-box type bird boxes with 32mm holes for house sparrows and starlings - which should be located in a group for this colonial nesting species. 1



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

DRAWING STATUS	PRELIMINARY	CONSTRUCTION
PLANNING	FILE COPY	

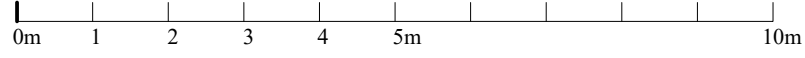
CLIENT
 Mr D Taylor

PROJECT
 Land South-East of 186 Wype Road, Eastrea, Cambridgeshire.

DRAWING TITLE
 Proposed Site Plan
 Location Plan
 Fence Details

SCALE	DATE	DRAWN	CHECKED
1:500 @ 1:1250 @ A2	Nov. 2022	LB	
DRAWING NUMBER	REVISION		
CH22/LBA/623/FP-1-100			

Scale: 1:100



THIS DRAWING AND THE BUILDING WORKS DEPICTED ARE THE COPYRIGHT OF L BEVENS ASSOCIATES ARCHITECTS LTD AND MAY NOT BE REPRODUCED OR AMENDED EXCEPT BY WRITTEN PERMISSION. NO LIABILITY WILL BE ACCEPTED FOR AMENDMENTS MADE BY OTHER PERSONS. COPYRIGHT 2022 ©

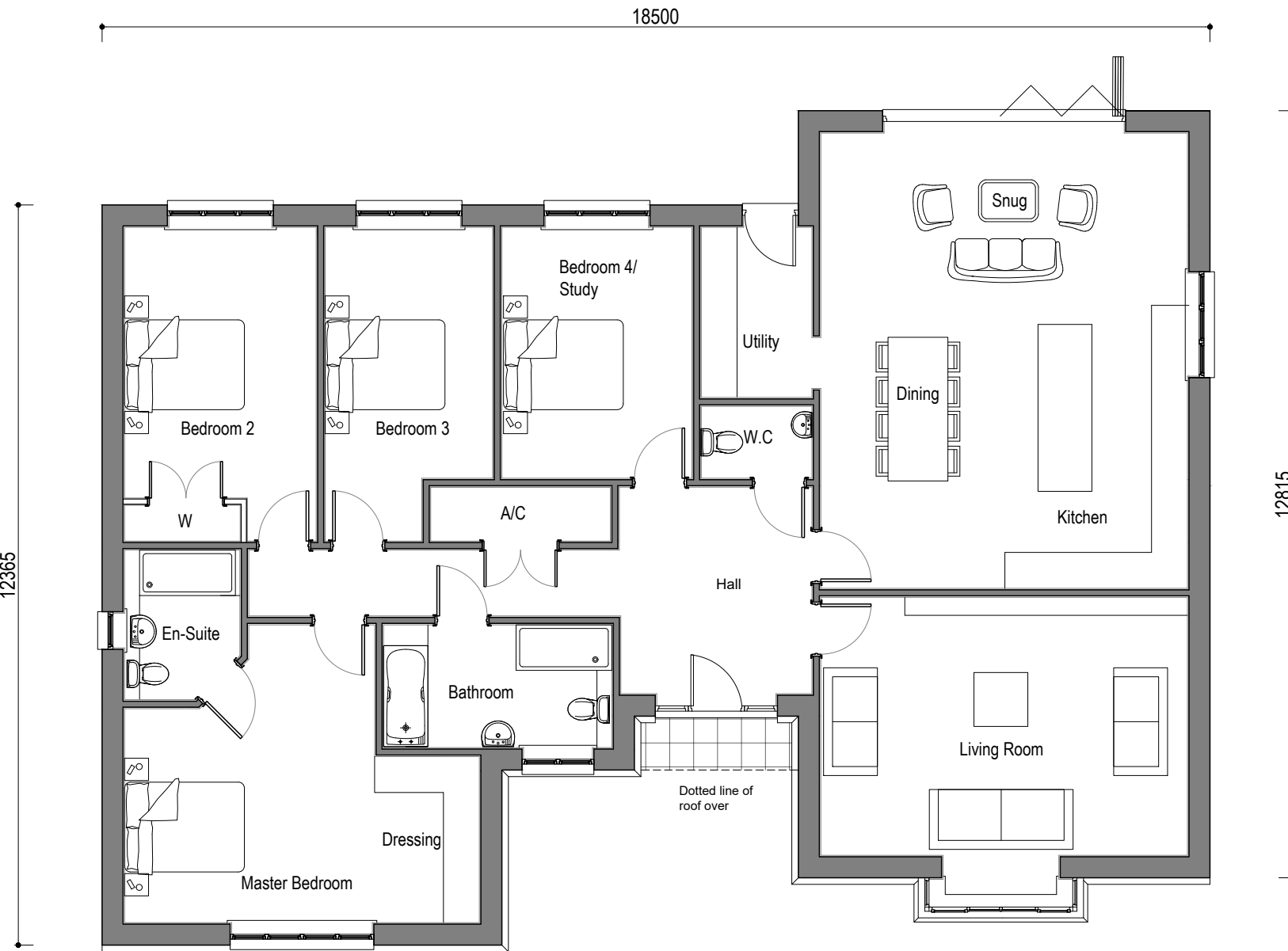
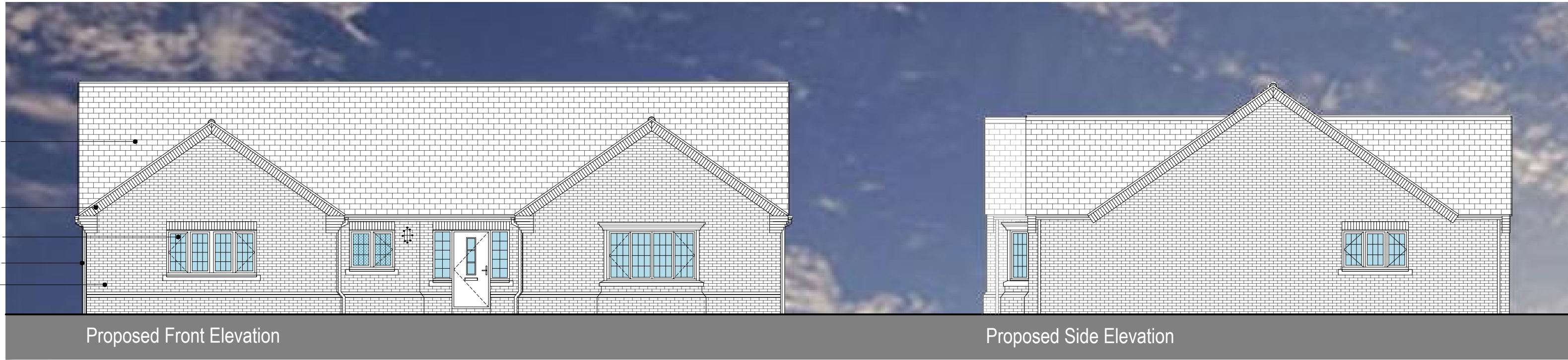
ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

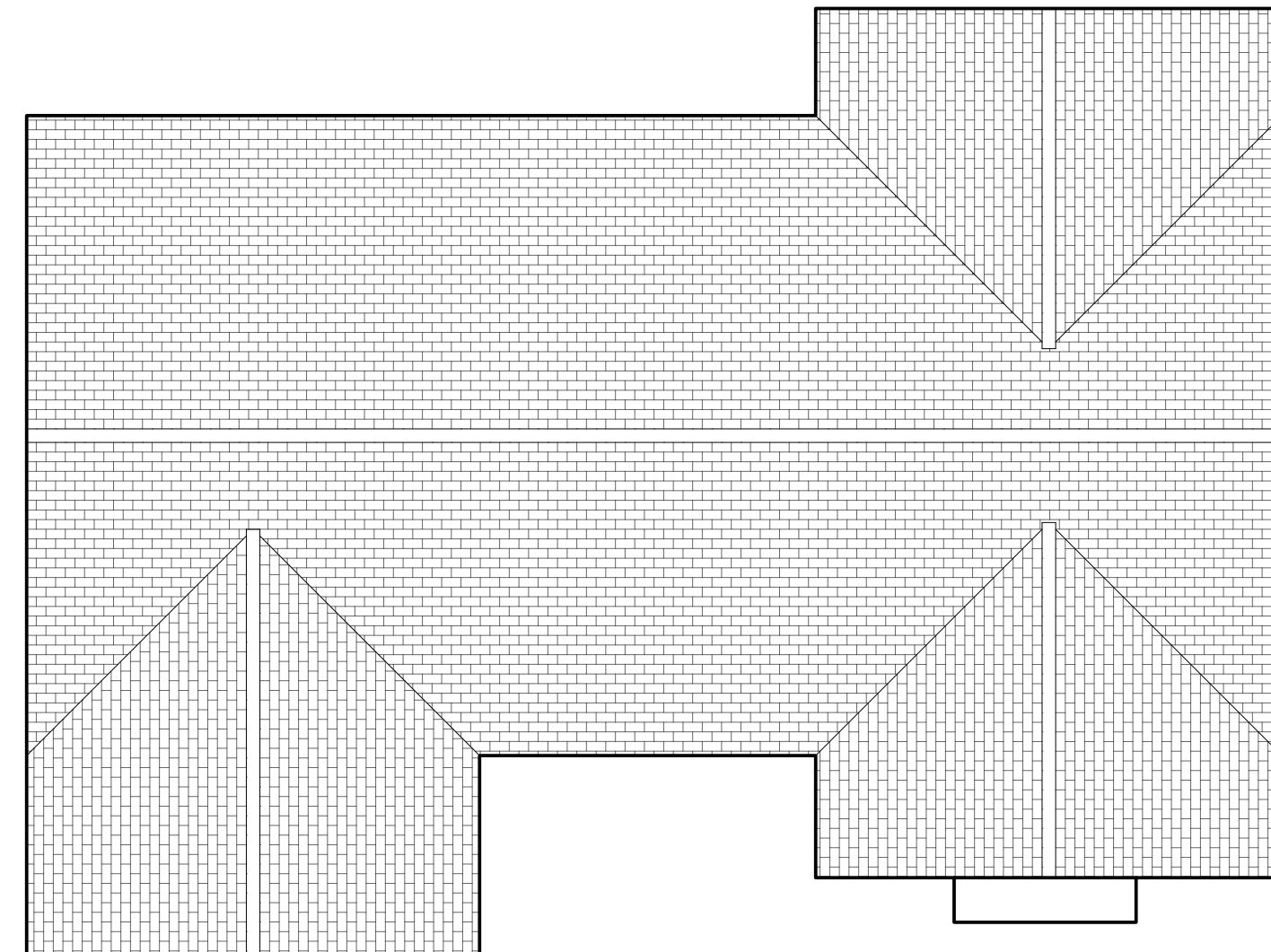
NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES ARCHITECTS LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

- Grey tiles to be agreed with Local Authority
- Brick detailing to match main facing brickwork
- PVC-U cream coloured windows
- PVC-U black rainwater goods
- Buff brickwork to be agreed with Local Authority

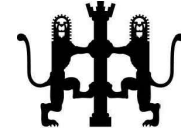


Proposed Ground Floor Plan



Proposed Roof Plan

Rev B	Dec. 22	Amended to suit client comments.	LB
Rev A	Nov. 22	Amended to suit client comments.	LB



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

DRAWING STATUS	PRELIMINARY	CONSTRUCTION
	PLANNING	FILE COPY

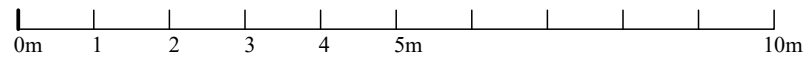
CLIENT
 Mr D Taylor

PROJECT
 Land South-East of 186 Wype Road,
 Eastrea, Cambridgeshire

DRAWING TITLE
 Proposed Ground Floor Plan and Roof Plan
 Proposed Elevations
 PLOT 1
 194 sq.m

SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	Nov. 2022	LB	
DRAWING NUMBER	REVISION		
CH22/LBA/623/FP-1-101	B		

Scale: 1:100



THIS DRAWING AND THE BUILDING WORKS DEPICTED ARE THE COPYRIGHT OF L BEVENS ASSOCIATES LTD AND MAY NOT BE REPRODUCED OR AMENDED EXCEPT BY WRITTEN PERMISSION. NO LIABILITY WILL BE ACCEPTED FOR AMENDMENTS MADE BY OTHER PERSONS. COPYRIGHT 2015.

ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED. IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

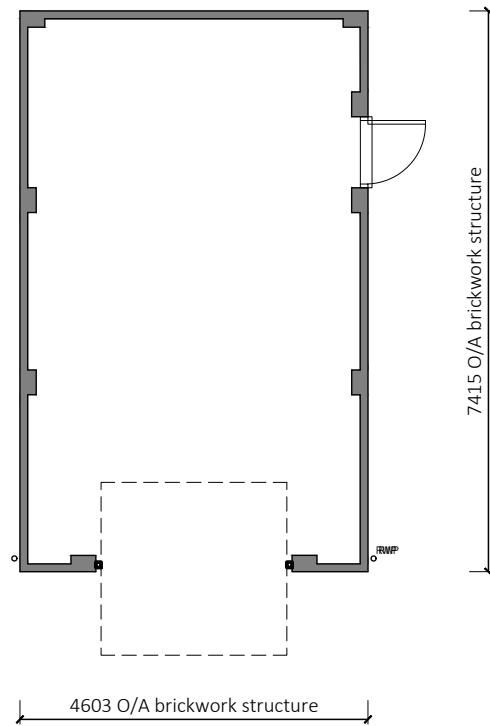


FRONT ELEVATION

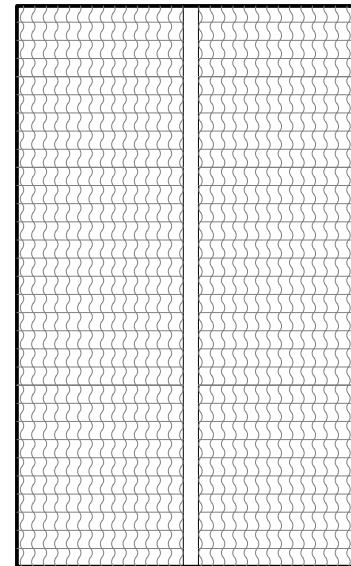
SIDE ELEVATION

REAR ELEVATION

SIDE ELEVATION



GROUND FLOOR PLAN



ROOF PLAN



L. BEVENS ASSOCIATES LTD
Architects
10 Cricketers Way
Chatteris
Cambridgeshire
PE16 6UR
Tel: 01354 693969
Fax: 01354 692426
Email: enquires@lbevens-associatesltd.co.uk
Web: www.lbevens-associatesltd.co.uk

DRAWING STATUS	PRELIMINARY PLANNING	<input type="checkbox"/>	CONSTRUCTION	<input type="checkbox"/>
		<input checked="" type="checkbox"/>	FILE COPY	<input type="checkbox"/>

CLIENT: Mr D Taylor

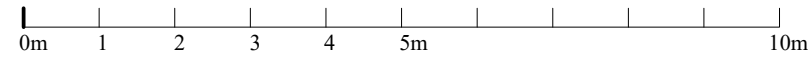
PROJECT: Land South-East of 186 Wype Road, Eastrea, Cambridgeshire.

DRAWING TITLE: Proposed Detached Garage Plot 1

SCALE	DATE	DRAWN	CHECKED
1:100 @ A3	Nov. 2022	LB	

DRAWING NUMBER: CH22/LBA/623/FP-1-103

Scale: 1:100



THIS DRAWING AND THE BUILDING WORKS DEPICTED ARE THE COPYRIGHT OF L BEVENS ASSOCIATES ARCHITECTS LTD AND MAY NOT BE REPRODUCED OR AMENDED EXCEPT BY WRITTEN PERMISSION. NO LIABILITY WILL BE ACCEPTED FOR AMENDMENTS MADE BY OTHER PERSONS. COPYRIGHT 2022 ©

ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES ARCHITECTS LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED.

IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

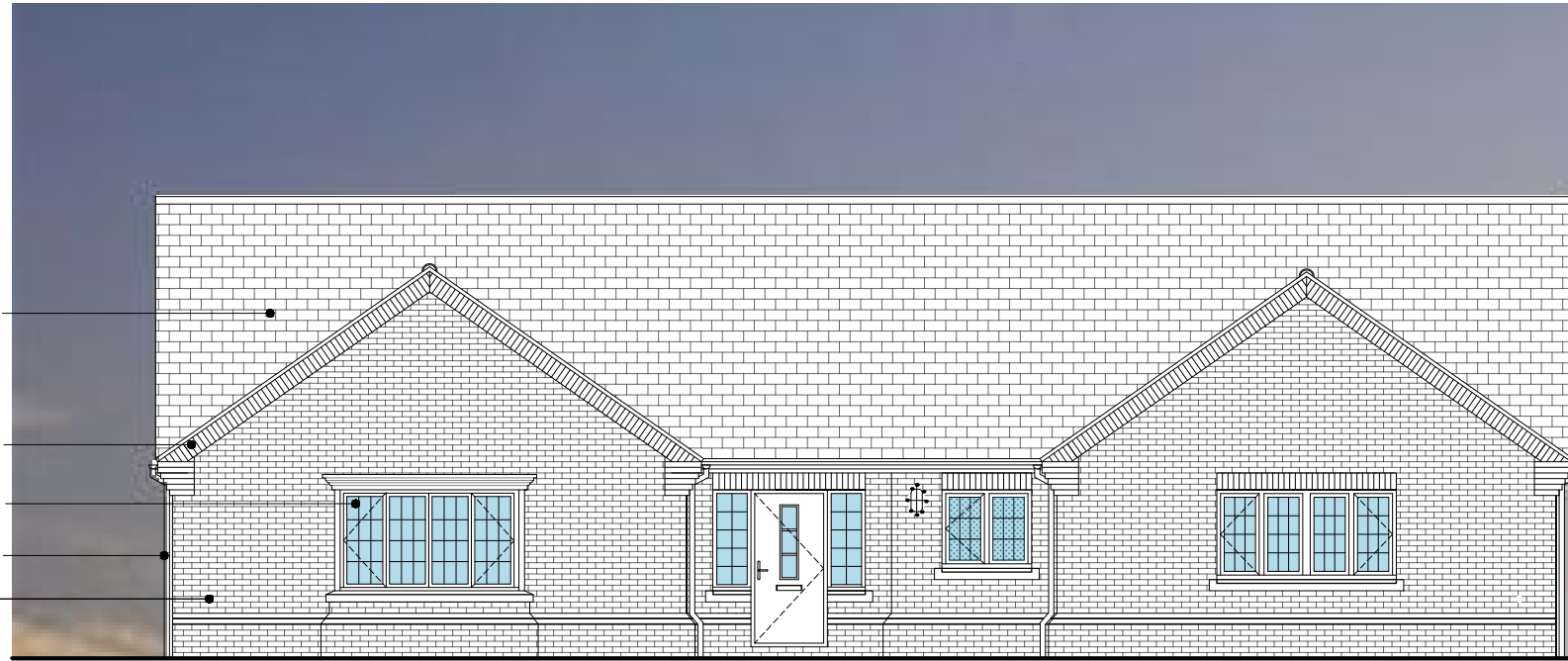
Grey tiles to be agreed with Local Authority

Brick detailing to match main facing brickwork

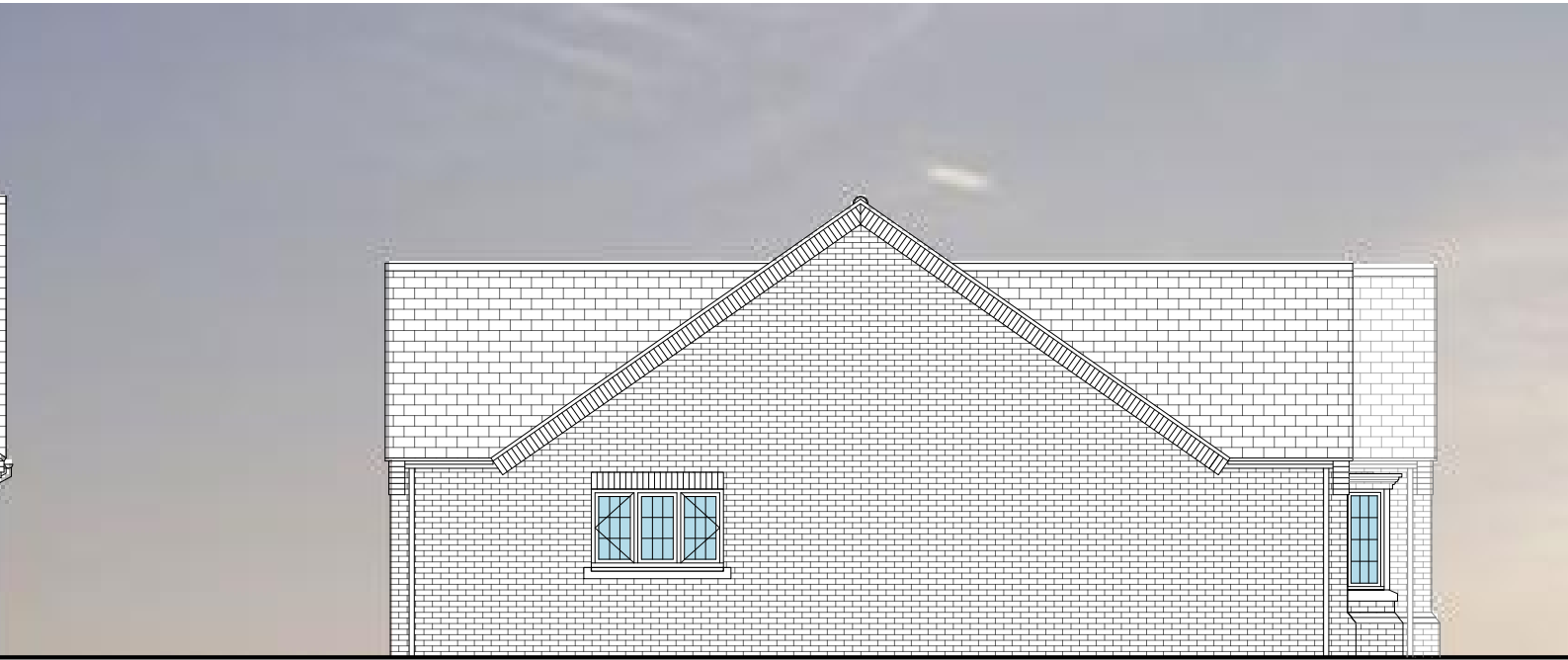
PVC-U cream coloured windows

PVC-U black rainwater goods

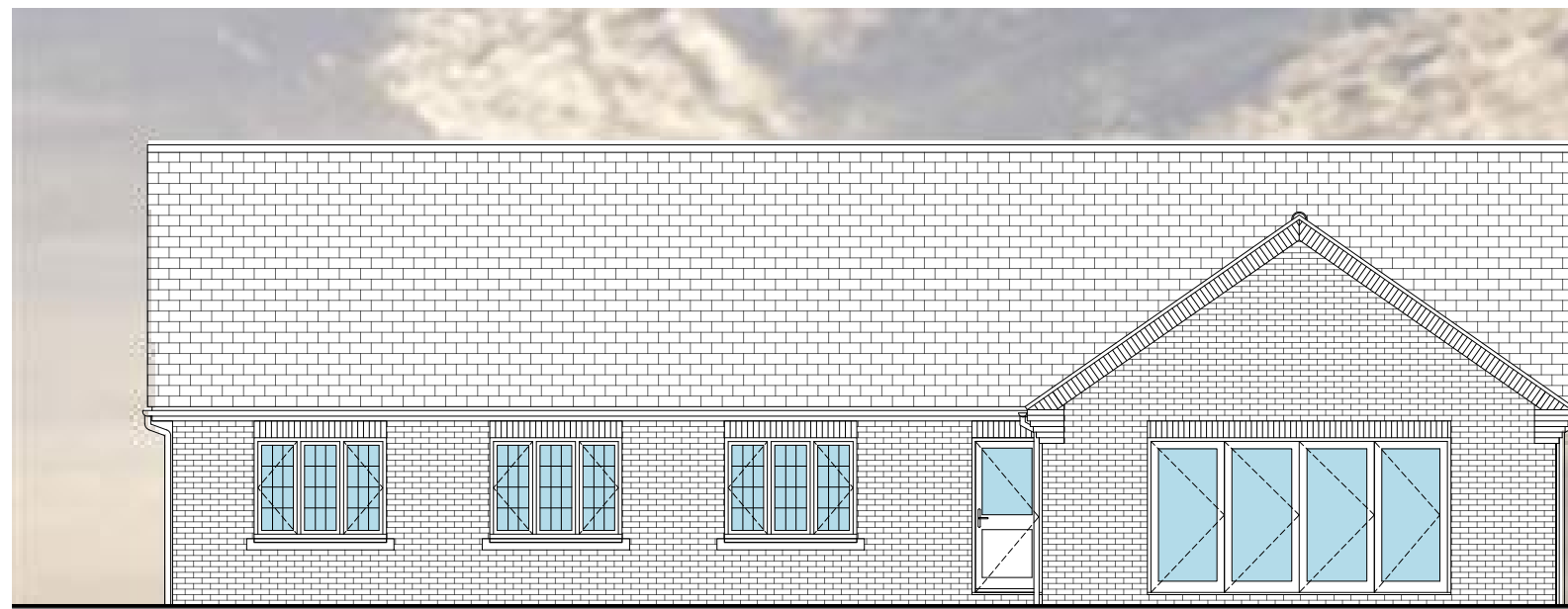
Buff brickwork to be agreed with Local Authority



Proposed Front Elevation



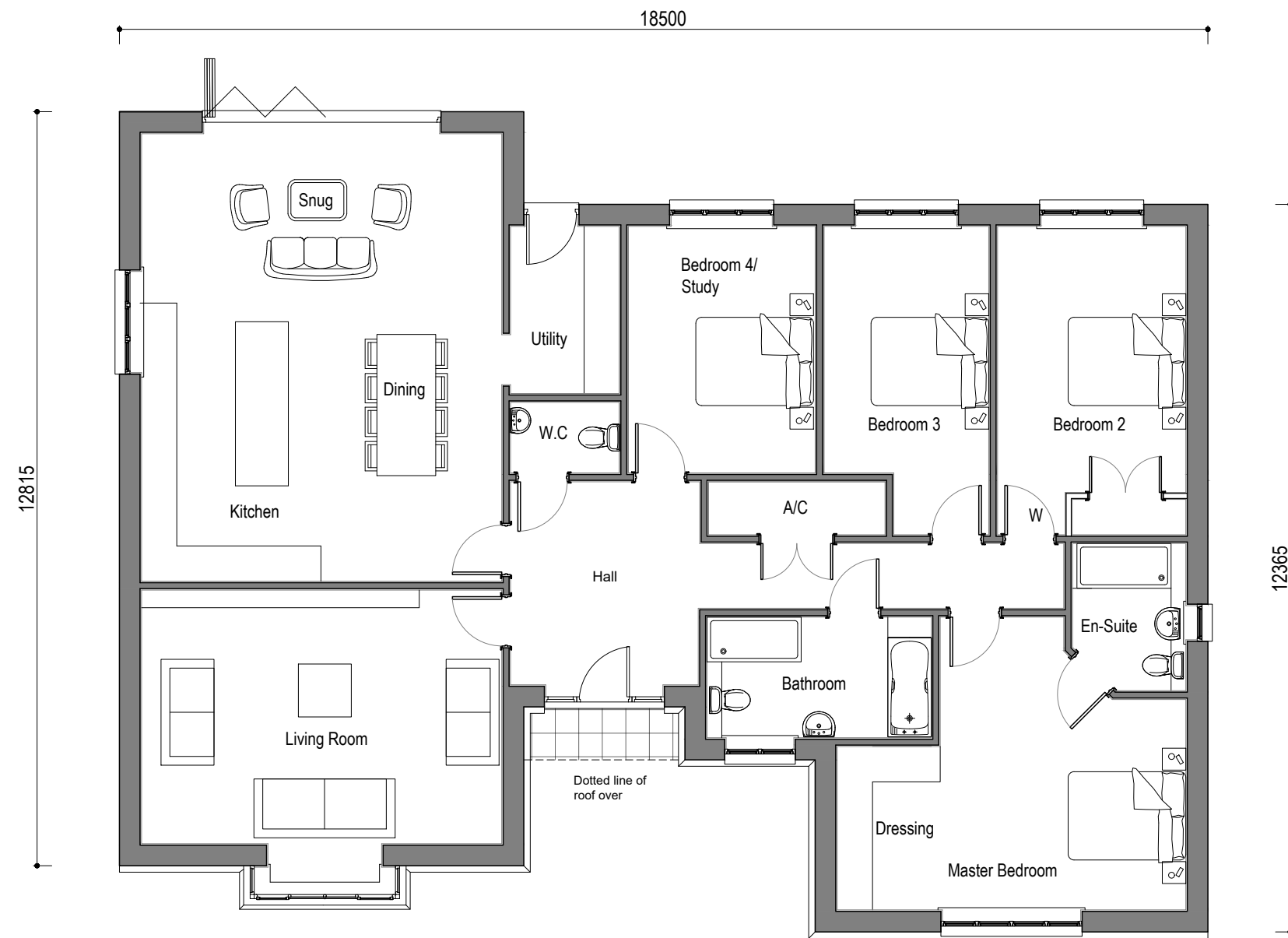
Proposed Side Elevation



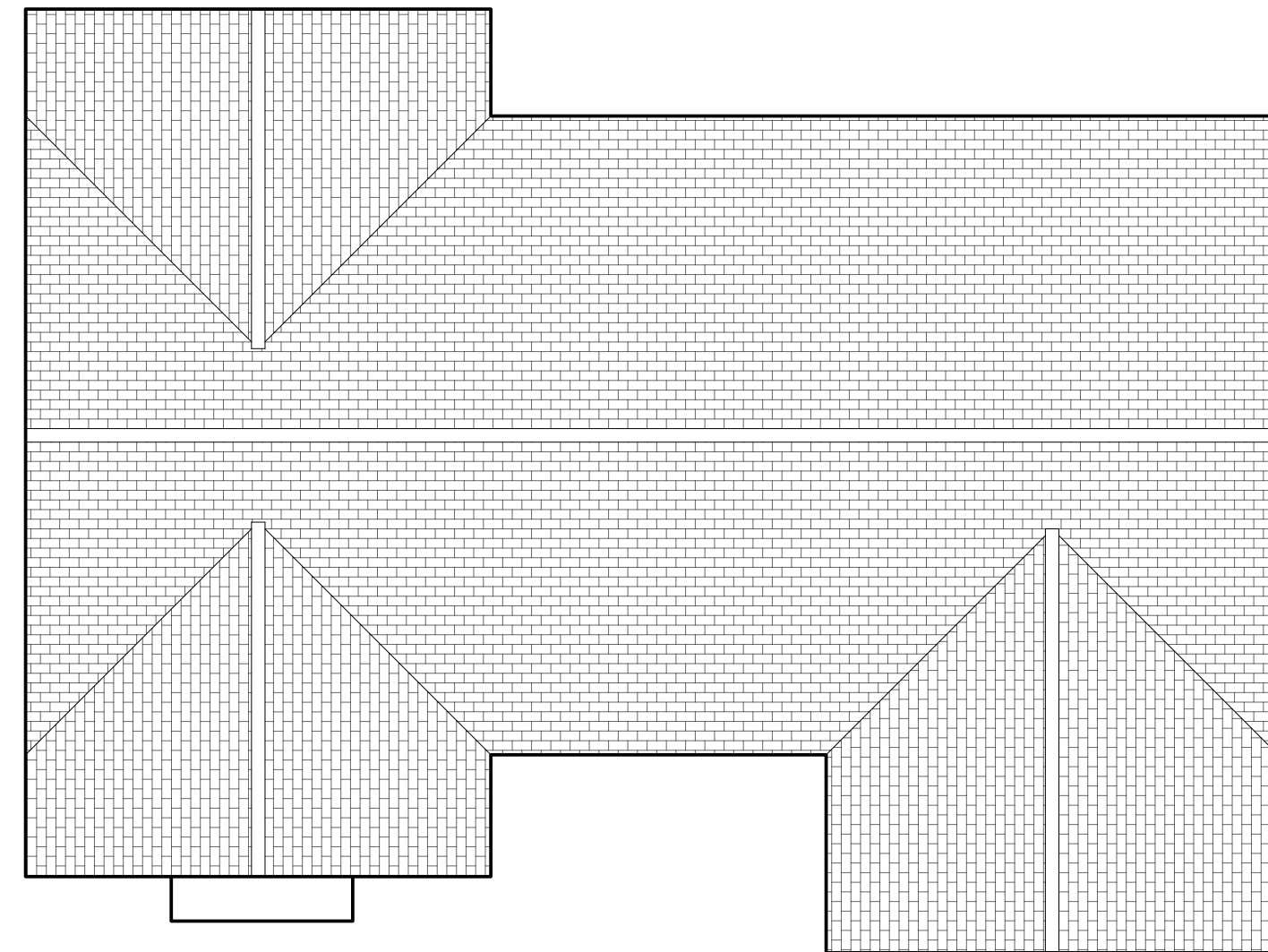
Proposed Rear Elevation



Proposed Side Elevation

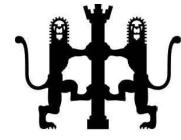


Proposed Ground Floor Plan



Proposed Roof Plan

Rev B Dec. 22 Amended to suit client comments. LB
 Rev A Nov. 22 Amended to suit client comments. LB



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

DRAWING STATUS	PRELIMINARY <input type="checkbox"/>	CONSTRUCTION <input type="checkbox"/>
	PLANNING <input checked="" type="checkbox"/>	FILE COPY <input type="checkbox"/>

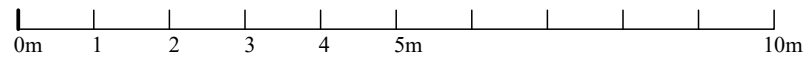
CLIENT
 Mr D Taylor

PROJECT
 Land South-East of 186 Wype Road,
 Eastrea, Cambridgeshire

DRAWING TITLE
 Proposed Ground Floor Plan
 Proposed Elevations
 PLOT 2
 194 sq.m

SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	Nov. 2022	LB	
DRAWING NUMBER	REVISION		
CH22/LBA/623/FP-1-102	B		

Scale: 1:100

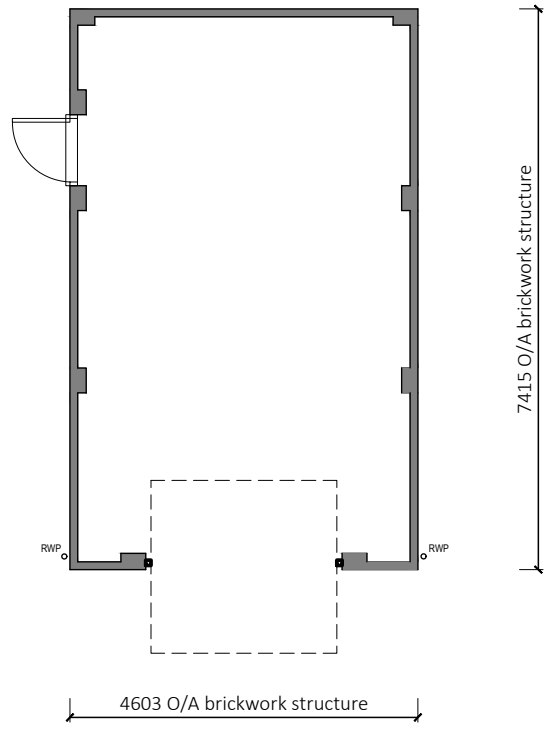
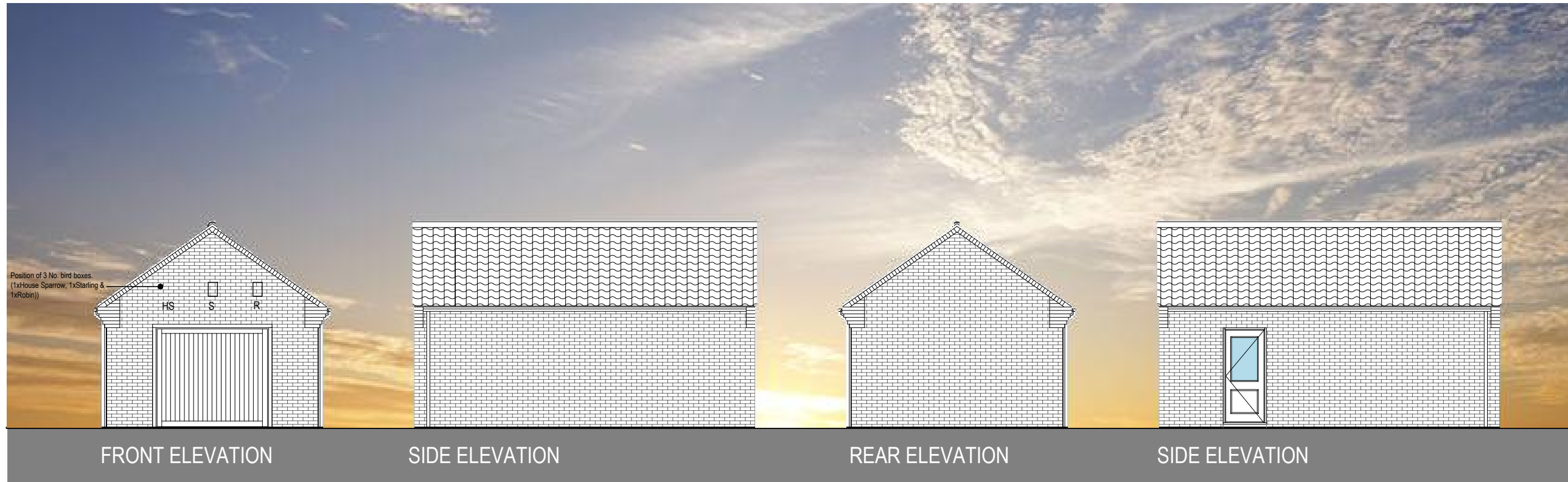


THIS DRAWING AND THE BUILDING WORKS DEPICTED ARE THE COPYRIGHT OF L BEVENS ASSOCIATES LTD AND MAY NOT BE REPRODUCED OR AMENDED EXCEPT BY WRITTEN PERMISSION. NO LIABILITY WILL BE ACCEPTED FOR AMENDMENTS MADE BY OTHER PERSONS. COPYRIGHT 2015.

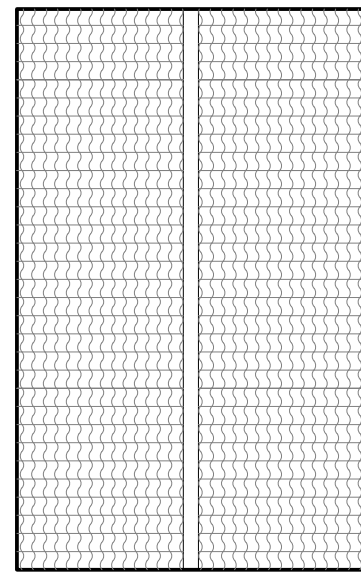
ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED. IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.



GROUND FLOOR PLAN



ROOF PLAN



L BEVENS
ASSOCIATES LTD
Architects

L Bevens Associates Ltd
Architects
10 Cricketers Way
Chatteris
Cambridgeshire
PE16 6UR
Tel: 01354 693969
Fax: 01354 692426
Email: enquires@lbevens-associatesltd.co.uk
Web: www.lbevens-associatesltd.co.uk

DRAWING STATUS	PRELIMINARY	CONSTRUCTION
PLANNING	FILE COPY	

CLIENT
Mr D Taylor

PROJECT
Land South-East of 186 Wype Road,
Eastrea, Cambridgeshire.

DRAWING TITLE
**Proposed Detached Garage
Plot 2**

SCALE	DATE	DRAWN	CHECKED
1:100 @ A3	Nov. 2022	LB	
DRAWING NUMBER	REVISION		
CH22/LBA/623/FP-1-104			

This page is intentionally left blank

F/YR22/1415/F

**Applicant: Mr Nigel Davies
Fenland Wind & Air Sports Centre**

**Agent : Mr Craig Brand
Craig Brand Architectural Design
Services**

March Airfield, Cross Road, March, Cambridgeshire PE15 0YS

Erect 1 x dwelling (2-storey 2-bed) in association with existing air sports activity centre, with integral office and associated facilities, and the temporary (retrospective) siting of a mobile home during construction

Officer recommendation: Refuse

Reason for Committee: Referred by Head of Planning on advice of Committee Chairman

1 EXECUTIVE SUMMARY

- 1.1 The application is for the erection of a 2-storey, 2-bed dwelling in association with the existing air sports activity centre, with integral office and associated facilities and the temporary (retrospective) siting of a mobile home during construction.
- 1.2 The application states that the dwelling is required on the site to provide additional security to the Air Sports Activity Centre and convenience for the applicants. The applicant's current permanent address is 1.6 miles (6-minute drive) from the site.
- 1.3 Security is a matter to be considered in relation to the acceptability or otherwise of a planning application, however it would not be uncommon or unreasonable for business premises of this type to operate under a scheme of security cameras and alarms.
- 1.4 Accordingly, the submission largely fails to address the requirements of Policy LP12 – Part D in terms of a functional need for a dwelling on site as it is not considered that the increased security from the applicant residing adjacent to the site is a material factor sufficient to overcome the policy requirement to direct development away from such sites.
- 1.5 A further permanent dwelling in this predominantly rural location is considered unjustified in this case and would significantly detract from, and undermine, the rural character of this part of the District.
- 1.6 The application is also not accompanied by a sequential test exploring the availability of alternative sites in location of lower flood risk.
- 1.7 The recommendation is therefore to refuse planning permission.

2 SITE DESCRIPTION

- 2.1 The site comprises a grassed field, served from Cross Road which is a narrow-metalled road. The site entrance is situated approximately 650 metres from the junction with Knights End Road.
- 2.2 There is an existing storage and machinery store on site, toilets and storage buildings, training room building and a static mobile home. A grassed parking area is situated to the front of the site.
- 2.3 The site lies in open countryside with fields surrounding.
- 2.4 The application site is situated within Flood Zone 3.

3 PROPOSAL

- 3.1 This application seeks to erect a 2-storey, 2-bed dwelling in association with existing air sports activity centre, with integral office and associated facilities, and the temporary (retrospective) siting of a mobile home during construction.
- 3.2 The proposed dwelling will be situated to the south of the existing storage building. The dwelling will be 2-storey, with accommodation in the dormer space. The roof will be dual-pitched with a ridge height of 7 metres approx. A single-storey flat-roof with balcony above is proposed to the rear of the dwelling.
- 3.3 The ground floor of the dwelling will serve a lobby, kitchen, lounge, utility room, reception/office and associated facilities which include a disabled toilet and shower. 2 bedrooms and a bathroom are proposed at first-floor.
- 3.4 Ground floor fenestration is proposed upon all elevations of the dwelling, with first-floor fenestration proposed only to the front and rear elevation of the dwelling through the use of dormer windows (front elevation) and dormer patio doors (rear elevation).
- 3.5 The materials proposed include a Traditional Brick and Stone Company Birkdale Blend Brick with SSQ Group 'Domiz First' Spanish Slates. The dormer walls will be finished in Light Grey Fibre Cement Cladding.
- 3.6 The dwelling will be enclosed by a 1.2 metre high square metal wire stock fence on wooden posts.
- 3.7 2 disabled parking bays are proposed to the front of the dwelling
- 3.8 The existing mobile home on site is to be retained during construction only.
- 3.9 Full plans and associated documents for this application can be found at:

[F/YR22/1415/F | Erect 1 x dwelling \(2-storey 2-bed\) in association with existing air sports activity centre, with integral office and associated facilities, and the temporary \(retrospective\) siting of a mobile home during construction | March Airfield Cross Road March Cambridgeshire PE15 0YS \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR15/0100/F	Continued use of land for an air sports activity centre (D2) involving the siting of a training room, 2 storage containers, 2 toilet blocks, erection of enclosure fencing and alterations to field access	Granted 27/04/2015
F/YR12/0024/F	Change of use of land for use as an air sports activity centre (D2) involving the siting of a training room, 2 storage containers, 2 toilet blocks, erection of enclosure fencing and alterations to field access	Granted 01/06/2012

5 CONSULTATIONS

5.1 March Town Council

Councillors Elkin and White declared personal interests in this application leaving the committee inquorate for this application.

5.2 Environment & Health Services (FDC)

I refer to the above application for consideration and make the following observations.

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 the local air quality and noise climate, or be affected by ground contamination.

5.3 Economic Growth (FDC)

The Economic Growth Team support the planning application.

The development will provide additional local jobs and retain those currently based at the facility.

The proposed development would provide security for the equipment on site and allow for further growth for a business in the tourism sector. The business provides activities for both local residents and for customers that travel from across the UK and then stay in the area, which benefits other local businesses, including those in hospitality, retail and tourism. The business secured a CRF Start and Grow grant in 2022 to enable the current growth.'

5.4 Environment Agency

Thank you for your consultation dated 05 January 2023 for the above application. We have no objection to this planning application, providing that you have taken into account the Groundwater and Contaminated Land and flood risk considerations which are your responsibility. We have highlighted these in the sections below.

Groundwater and Contaminated Land

Site-Specific Information

The current use of the proposed development site as a Wind and Airsports Centre is potentially contaminative. However, the site is located upon unproductive strata, and is therefore unlikely to pose a pollution risk to groundwater due to the low permeability of these strata and the protection which they provide to any sensitive aquifers that may be present beneath.

As a result, we have no objections to the application as submitted. We would like to draw attention to the informative comments in Appendix 1.

Flood Risk

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) by Ellingham Consulting Ltd, dated October 2022 are adhered to. In particular, the FRA recommends that:

- Finished floor levels will be set no lower than 0.3m.*
- There will be no ground floor sleeping accommodation.*

In accordance with the National Planning Policy Framework (paragraph 162), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

We have reviewed the submitted FRA with regard to tidal and designated main river flood risk sources only.

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds. However, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

5.5 Local Residents/Interested Parties

2 letters of support were received with regard to this application (1 from Cross Road and 1 from Burrowmoor Road). The reasons for support are as follows:

- Appreciate applicants' desire to be closer to their business for convenience and security
- Wise decision to live alongside their business

1 letter of objection was received with regard to this application (from Burrowmoor Road). The reasons for objection are as follows:

- Anti-social behaviour
- Noise
- Increase possibility of local residences being flown over at low levels
- Open and ongoing complaint regarding breaches of previous planning permission

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 2 – NPPF is a material consideration in planning decisions

Para 7 - Purpose of the planning system is to contribute to the achievement of sustainable development

Para 11 – A presumption in favour of sustainable development

Para 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise

Para 80 – Avoid development of isolated homes in the countryside

Para 130 – Achieving well-designed places

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2021

Context

Identity

Built Form

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP6 – Employment, Tourism, Community Facilities and Retail

LP12 – Rural Areas Development Policy

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

7.5 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
LP5 – Health and Wellbeing
LP7 – Design
LP8 – Amenity Provision
LP15 – Employment
LP17 – Culture, Leisure, Tourism and Community Facilities
LP18 – Development in the Countryside
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP32 – Flood and Water Management

7.6 March Neighbourhood Plan 2017

H2 – Windfall Development

8 KEY ISSUES

- Principle of Development
- Justification of Need
- Residential Amenity
- Access and Parking
- Flood Risk

9 ASSESSMENT

Principle of Development

- 9.1 The application site is situated on the western side of Cross Road, which is situated to the south-west of the built-up settlement of March. This is an 'elsewhere' location when applying the criteria outlined in Policy LP12; given that it is clearly outside the built-up settlement of March. Whilst the existence of other dwellings along Cross Road result in the site not being 'physically' isolated, the lack of nearby services and facilities would render the location 'functionally' isolated.
- 9.2 As identified under Policy LP3, development in such areas should be restricted to that which is essential for agriculture, horticulture, forestry, outdoor recreation, transport or utility services and to minerals or waste development. The current use of the site is for outdoor recreation.
- 9.3 In addition to compliance with Policy LP3, Policy LP12 Part D requires the application to demonstrate the following:
- (a) The existing functional need for the dwelling
 - (b) The number of part time and full-time worker(s) to live in the dwelling
 - (c) The length of time the activity has been established
 - (d) The financial viability of the enterprise

- (e) The availability of other suitable accommodation on site or in the area
- (f) How the proposed size of the dwelling relates to the viability of the enterprise

Justification of Need

- 9.4 The justification provided for the functional need for the dwelling as detailed within the justification statement are as follows:
- The applicants have been living on site whilst their home is refurbished in Almond Drive. Whilst residing on site, the applicants have realised how inefficient the business was having to travel back and forth as well as the increased convenience for accepting deliveries on site.
 - The design and access statement also notes the increase in enquiries made by local people passing by when travelling along Cross Road.
 - The proposal will provide an on-site security presence for the equipment on site. The approval of the application will allow the expansion of the business due to the on-site security presence to protect business equipment.
- 9.5 A further letter was received from the agent dated 20th February which reiterated the need for the dwelling on site for the following reasons:
- Security due to the value of specialist equipment stored on-site.
 - Living off site means an early start and late finish for the applicants to get equipment out of storage, assembly, safety tests and test runs prior to customers arriving on site.
 - Since the application was submitted, the applicants have secured a grant to double their Blokart fleet to 20 with attachable side cars – allowing disabled groups & young children
 - Following the increased Blokart fleet, the applicants propose to build a suitable storage unit so these Blokarts can be stored fully assembled.
 - Applicants reported an unsuccessful break-in attempt in 2014 into the storage and training facilities
 - Dwelling includes an office/reception to help efficiently run the business bookings and any enquiries made from drop ins.
 - Security is the main reason for justifying the proposal as it will allow the Blokarts to be stored fully assembled
 - Living on site removes the need to visit site when there are no advance bookings and allows for casual visitors
 - Prior to submitting the 2012 application, the applicants agent sought confirmation from the Environment Agency that the proposed change of use and buildings did not require a flood risk assessment. No EA objections were raised on F/YR15/0100/F.
 - Unreasonable to ask for a district wide sequential test as the objective is for an existing business
 - No properties nearby suitable to offer protection of the applicant's investment on site and insurance premiums for the site continue to rise due to rural crime.
- 9.6 An unauthorised mobile home is already situated on site which does not benefit from planning permission. The application proposes to retain this mobile home on site whilst construction works take place should permission be granted.
- 9.7 The application notes that the dwelling on site would be more convenient for the applicants due to time saved setting up and packing away the Blokarts as well as

being available on site for casual visitors. From the application form submitted, and as aforementioned above, the applicant currently resides along Almond Drive, March. The address given is located approximately 1.6 miles from the application site, which is a 6 minute drive, and as a result is not considered that the scheme would result in significant sustainability benefits given that the existing distances involved in travelling from their permanent address to the site would be considered to be reasonable.

- 9.8 The application also states that there will be increased security for the business from living on site. Security is a matter to be considered in relation to the acceptability or otherwise of a planning application, however it would not be uncommon or unreasonable for business premises of this type to operate under a scheme of security cameras and alarms.
- 9.9 The agent has noted that following the increased Blokart fleet, the applicants propose to build a suitable storage unit so these Blokarts can be stored fully assembled. No such storage buildings have been proposed under this application.
- 9.10 Accordingly, the submission largely fails to address the requirements of Policy LP12 – Part D in terms of a functional need for a dwelling on site as it is not considered that the increased security or convenience from the applicant residing adjacent to the site is a material factor sufficient to overcome the policy requirement to direct development away from such sites.
- 9.11 In addition to the above, Paragraph 80(a) of the NPPF states that the development of isolated homes in the countryside should be avoided unless there is an essential need for a rural worker to live permanently at or near their place of work in the countryside. As aforementioned, whilst the existence of other dwellings along Cross Road results in the site not being ‘physically’ isolated, the lack of nearby services and facilities would render the location ‘functionally’ isolated.
- 9.12 The application submitted has failed to demonstrate that there is an essential need for a rural worker to live permanently on site and thus the application is also considered to be contrary to Paragraph 80 of the NPPF.
- 9.13 Similar developments to the proposed have been dismissed at appeal elsewhere in the country. These decisions give an indication as to how a Planning Inspector would consider any appeal against a decision to refuse this application:

Appeal reference APP/F1610/A/03/1117770 at Kemble Airfield, Cirencester for the continued siting of a temporary portakabin/mobile home in connection with the aviation business on site was dismissed due to insufficient justification being provided for the creation of a retention of a dwelling outside the established settlement in respect of security problems.

Appeal reference APP/C3430/A/04/1164958 at Otherton Airfield, Penkrudge for the erection of a bungalow for airfield security was dismissed due to the limited security benefits to the recreational airfield from the presence of a dwelling on site is not sufficient to overcome the normal presumption against residential development in the Green Belt, and also the usual controls over such development in the open countryside. The inspector noted that the security requirements on site are adequately covered by daytime and weekend staff.

Character and Appearance

- 9.14 The application proposes the construction of a permanent new dwelling to the south of the existing storage building on site.
- 9.15 The character of development along Cross Road can be described as sporadic and loose knit, due to the large and spacious fields forming gaps between the occasional dwellings along Cross Road and the inter-relationship between existing residential properties and the broad agricultural hinterland between and surrounding them.
- 9.16 Policy LP16 of the Fenland Local Plan requires development to 'make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area'.
- 9.17 The proposal by its very nature and location would detract from the relationship between Cross Road and its rural and undeveloped surroundings. The proposed development would undermine this relationship by the consolidation of existing sporadic and loose-knit built form notable in this area and would therefore be contrary to Policy LP16 of the adopted Fenland Local Plan.

Residential Amenity

- 9.18 There are no immediate neighbours surrounding the application site and therefore the scheme will not adversely impact upon residential amenity.
- 9.19 One letter of objection was received with regard to the application, predominantly with regard to an ongoing complaint regarding non-compliance with conditions on a previous application on site. The non-compliance with conditions on the previous application are not material to this application for a dwelling and therefore cannot be considered as part of the assessment for this application.
- 9.20 With regard to concerns of noise, no objections have been raised by FDC Environmental Health. Notwithstanding this, the granting of planning permission would not indemnify against statutory nuisance action being taken in the event that complaints of excessive noise were received and subsequently substantiated.

Access and Parking

- 9.21 There are no matters of highway safety arising from the proposal given that it will utilise an existing/established access and sufficient land is included within the application site to provide parking commensurate with the use. Accordingly, there are no matters to reconcile with regard to Policy LP15.

Flood Risk

- 9.22 The application site is located within Flood Zone 3. Policy LP14 of the Fenland Local Plan requires new development to be the subject of a sequential test, which aims to direct new development to the areas at the lowest risk of flooding.

- 9.23 The application is accompanied by a flood risk assessment, which states that *Large parts of Fenland District Council between the River Nene and River Great Ouse, around the towns of March and Chatteris, lie in Flood Zone 3. As such opportunities to undertake the development at an alternative site with a lower flood risk are limited.*
- 9.24 The matter of need for the dwelling to be located on site is addressed above. It is concluded that there is no site specific need for the dwelling on site and therefore the sequential test needs to be applied.
- 9.25 It is considered that applying the sequential test across the whole of the District, as is the Council's adopted approach for a site outside the settlement, would result in identifying sites at lower risk, capable of accommodating a single dwelling. Therefore, the proposal is deemed to have failed the sequential test.
- 9.26 On matters of flood risk, therefore, the application site would not accord with the planning requirements at set out under the NPPF and Policy LP14.

10 CONCLUSIONS

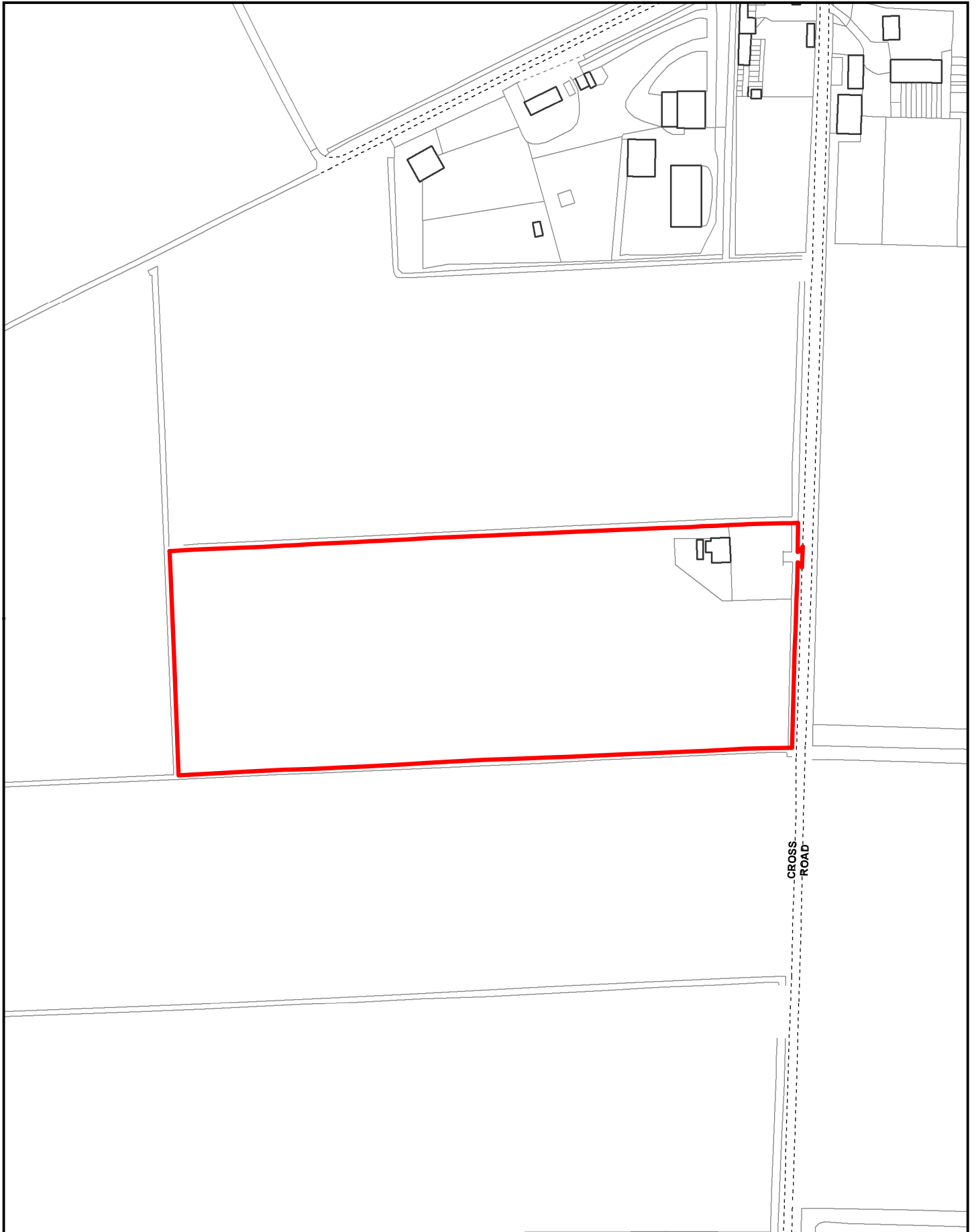
- 10.1 The site lies within an 'elsewhere' location as such, the erection of a dwelling is contrary to the settlement policies outlined in Policy 3 of the Fenland Local Plan 2014. Furthermore, the scheme fails to evidence the 'need' for the property in this location as required by Policy LP12 – Part D and would detrimentally impact on the character of the area. Given that the scheme fails to demonstrate that the development is justified in terms of a functional need, and also fails in terms of its sequential acceptability in relation to flood risk, there can be no other response but to recommend refusal.
- 10.2 As the mobile home remains unauthorised it should be removed from the site following the refusal of planning permission and the file will be passed to the Planning Compliance Team.

11 RECOMMENDATION

Refuse, for the following reasons:

1	Policy LP3 of the Fenland Local Plan 2014 and National Planning Policy Framework (NPPF) steer new development to sustainable areas that offer the best access to services and facilities. This is unless it can be demonstrated that such development is essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services, or that there is a justifiable reason for locating development in otherwise unsustainable locations. The proposed dwelling would be located in the open countryside and whilst it is asserted that it is essential for business reasons, therefore consistent with LP3, the justification given does not meet the requirements of LP12(D) in terms of evidencing a clear functional need or that no other suitable accommodation is available . Whilst the NPPF seeks to support a prosperous rural economy this does not override the need to ensure that development is located in the most accessible and sustainable locations. The proposed development is located outside any settlement limits and the justification given in terms of site security is not sufficient to warrant the development being considered as an exception. The proposal is therefore contrary to Local Plan Policies LP3 and LP12 of the Fenland
---	---

	Local Plan (adopted May 2014).
2	<p>Policy LP14 of the Fenland Local Plan, and paragraphs 155-165 of the National Planning Policy Framework 2021, set out the approach to developing land in relation to flood risk, with both documents seeking to steer new development in the first instance towards available land at a lower risk of flooding. This is achieved by means of requiring development proposals to undertake a sequential test to determine if there is land available for development at a lower risk of flooding than the application site, and only resorting to development in higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding.</p> <p>Fenland District Council's adopted approach to sequential testing is that where a site is located in the countryside, the area of search for application of the sequential test is the whole District. The Sequential Test accompanying the application (contained within the submitted flood risk assessment) does not consider sites across the whole of the District and therefore the Sequential Test is lacking proper application and is accordingly failed. As a result, the proposal would fail to accord with the provisions of the NPPF and Policy LP14 of the Fenland Local Plan 2014.</p>
3	<p>Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals are required to demonstrate that they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The proposal is for the construction of a new dwelling on currently undeveloped land within an area characterised by sporadic development with a close relationship to the wider open countryside.</p> <p>The development would result in the consolidation of existing sporadic built form and an urbanisation of the area, detracting from the open and sporadic character of this rural location. The result would be a development that results in harm to the existing distinctiveness and open character of the area which would be contrary to policy LP16 of the Fenland Local Plan (2014).</p>



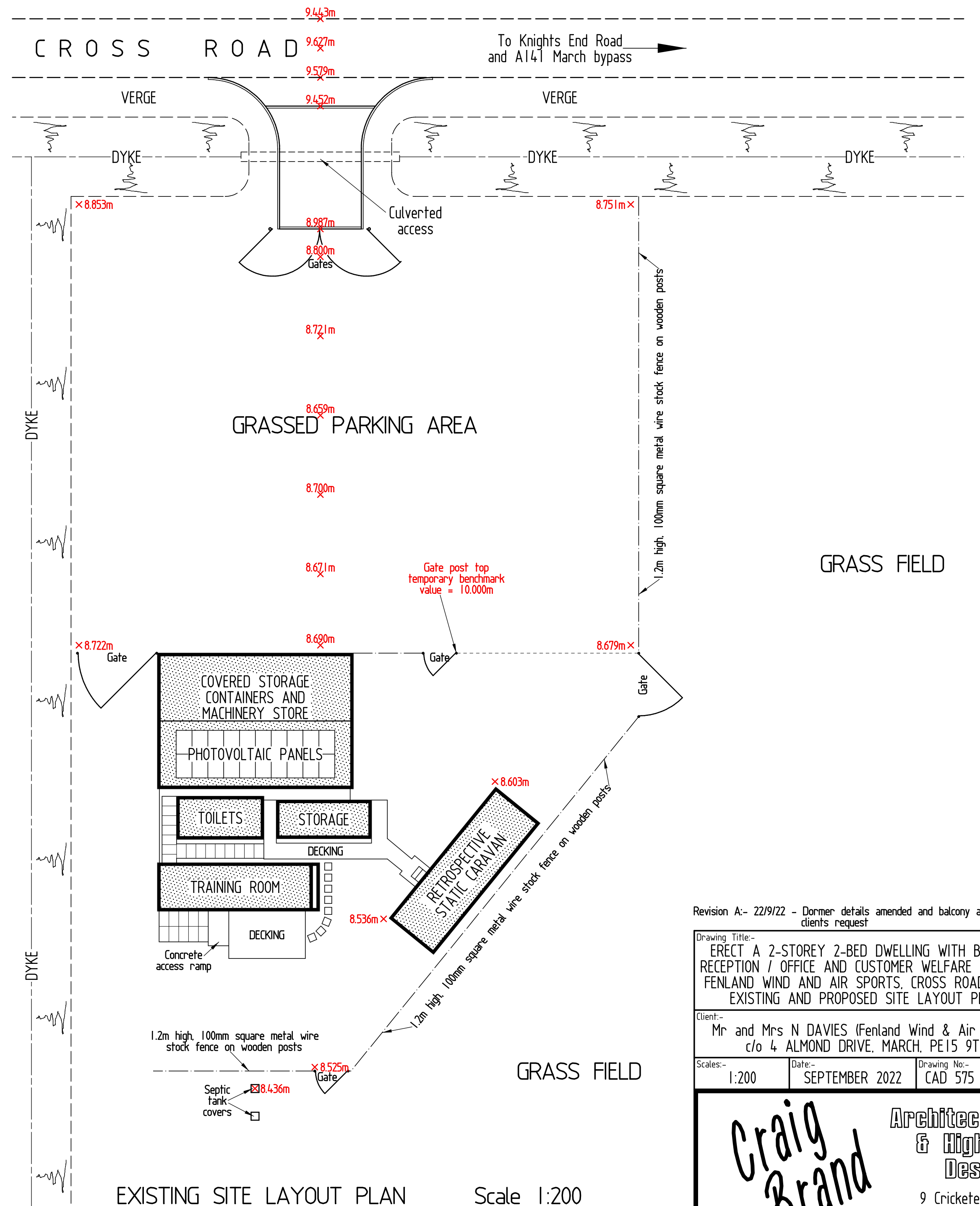
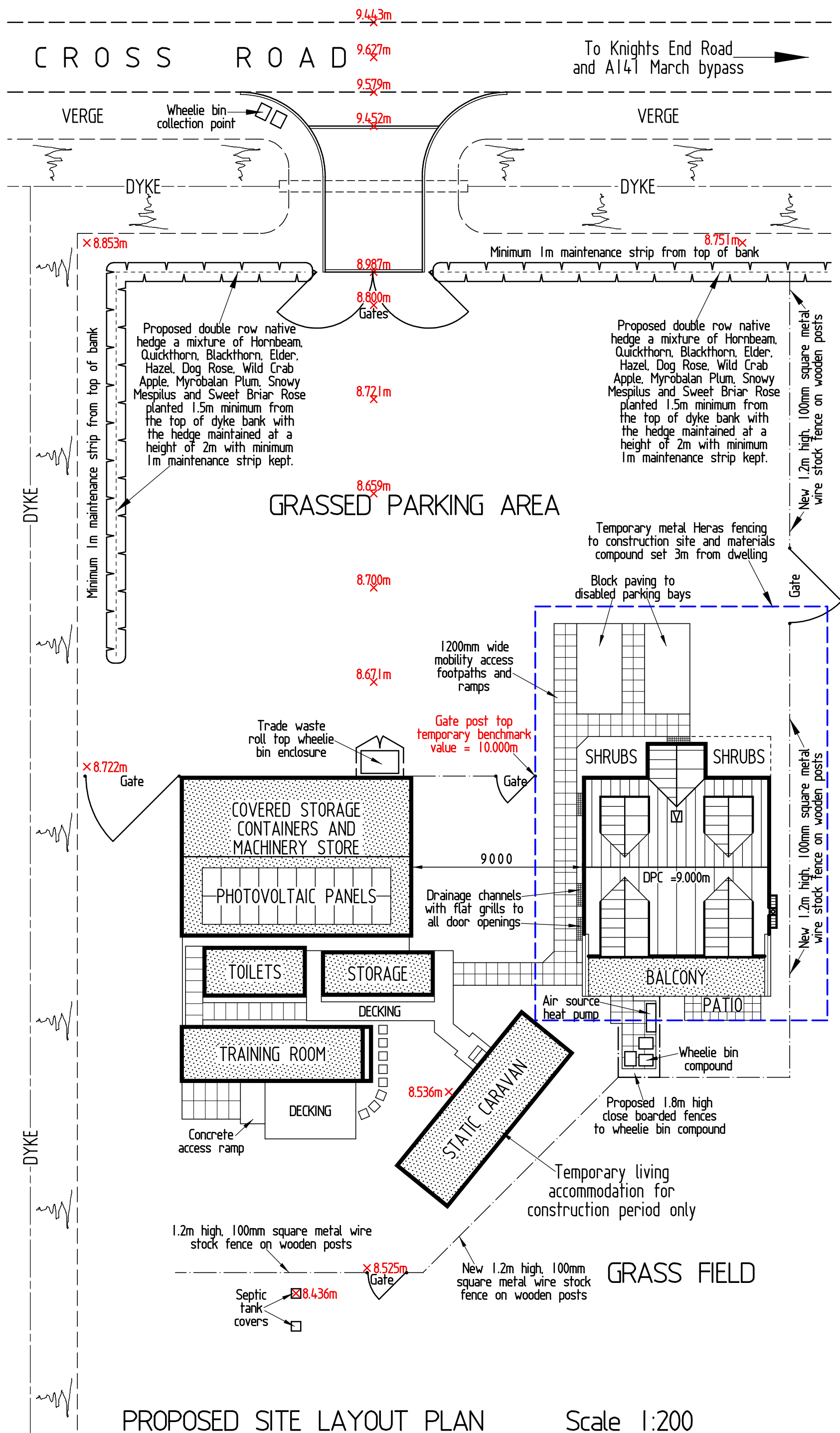
Created on: 05/01/2023

© Crown Copyright and database
rights 2023 Ordnance Survey 10023778

F/YR22/1415/F

Scale = 1:2,500





Revision A:- 22/9/22 - Dormer details amended and balcony added at clients request

Drawing Title:- ERECT A 2-STOREY 2-BED DWELLING WITH BUSINESS RECEPTION / OFFICE AND CUSTOMER WELFARE FACILITIES FENLAND WIND AND AIR SPORTS, CROSS ROAD, MARCH EXISTING AND PROPOSED SITE LAYOUT PLANS			
Client:- Mr and Mrs N DAVIES (Fenland Wind & Air Sports) c/o 4 ALMOND DRIVE, MARCH, PE15 9TQ.			
Scales:- 1:200	Date:- SEPTEMBER 2022	Drawing No:- CAD 575 / 1 / 1	Rev:- B

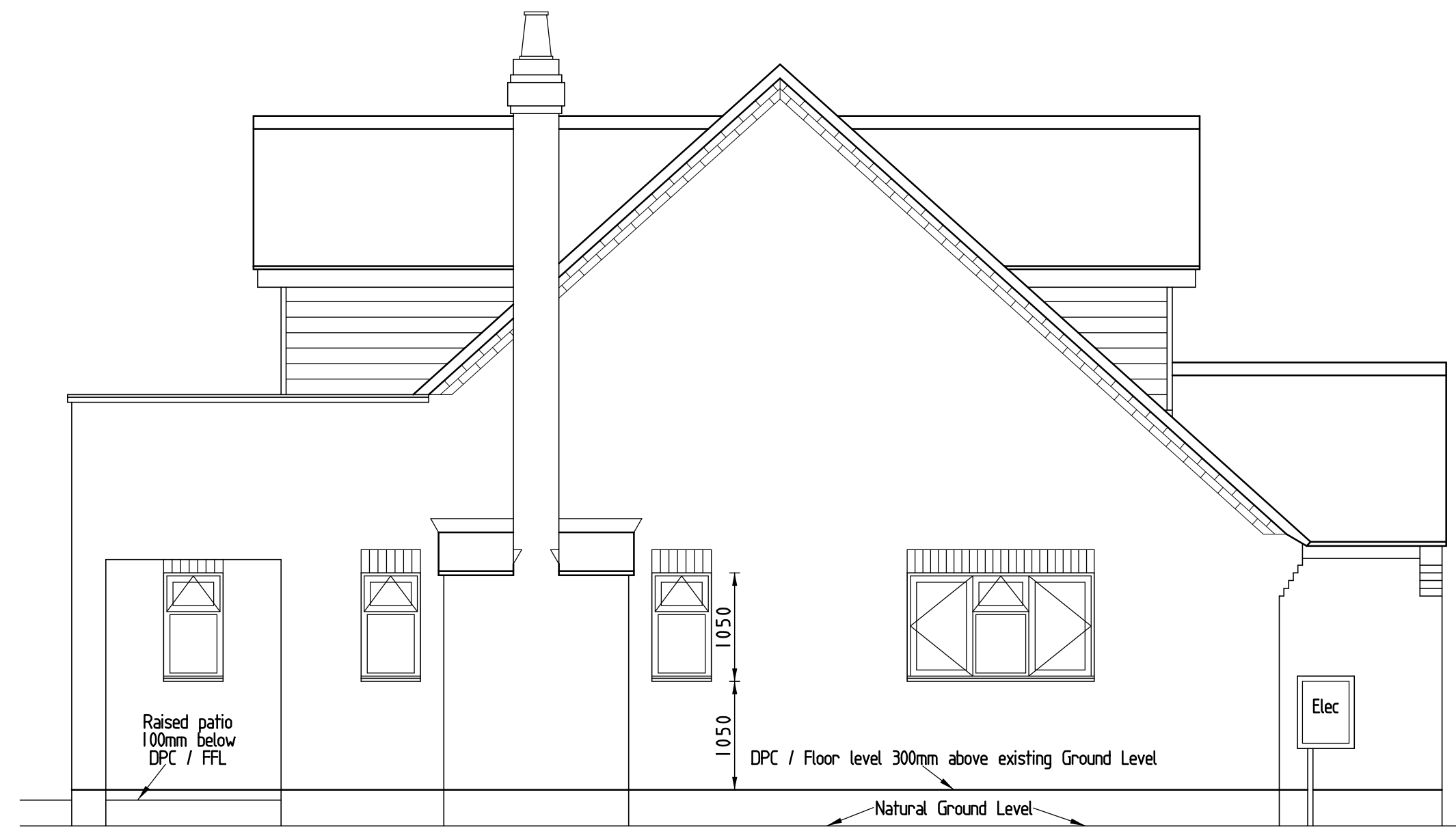
Craig Brand

Architectural & Highway Design.

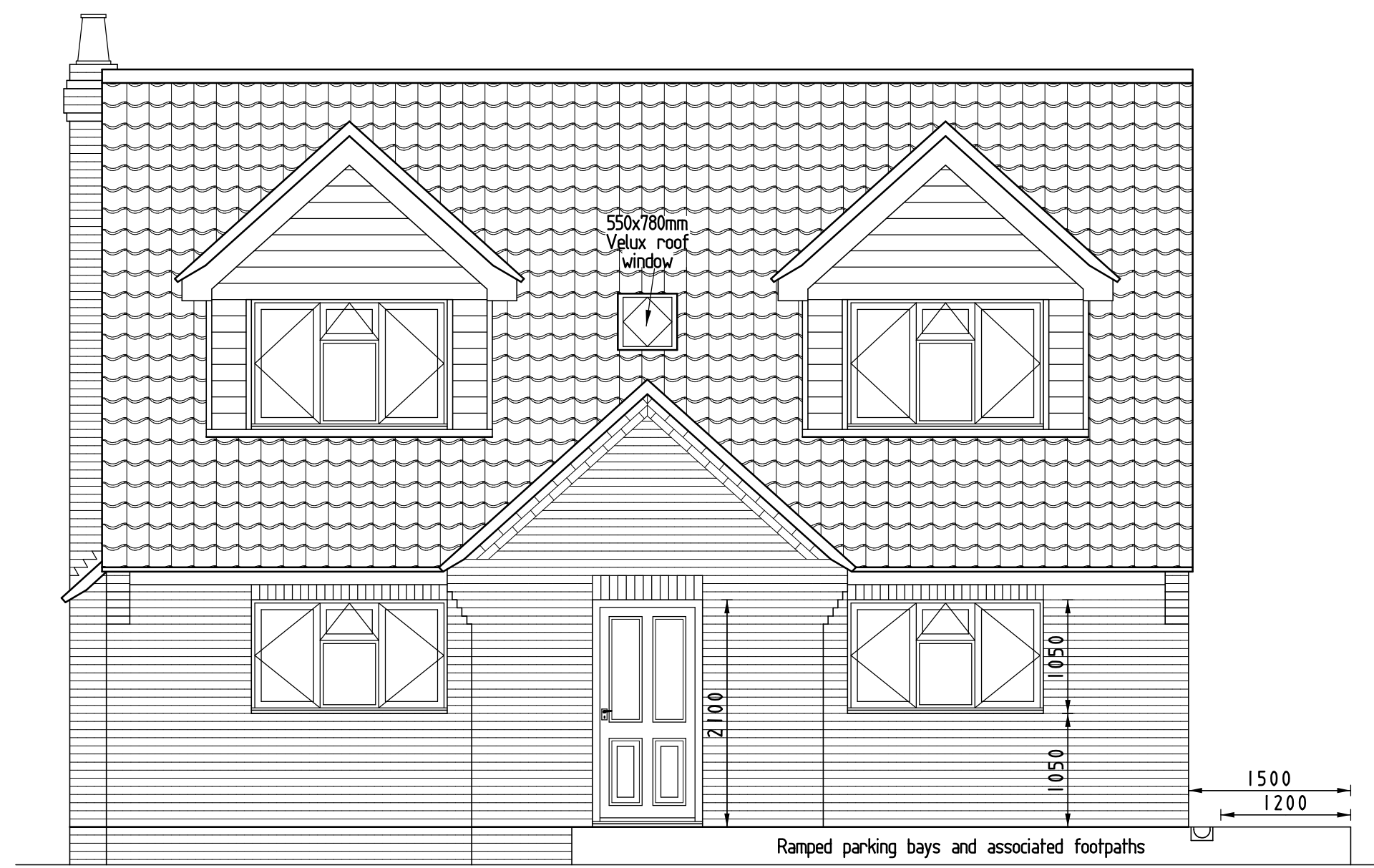
9 Cricketers Close,
MARCH, PE15 9RU.
Tel: (01354) 656977.



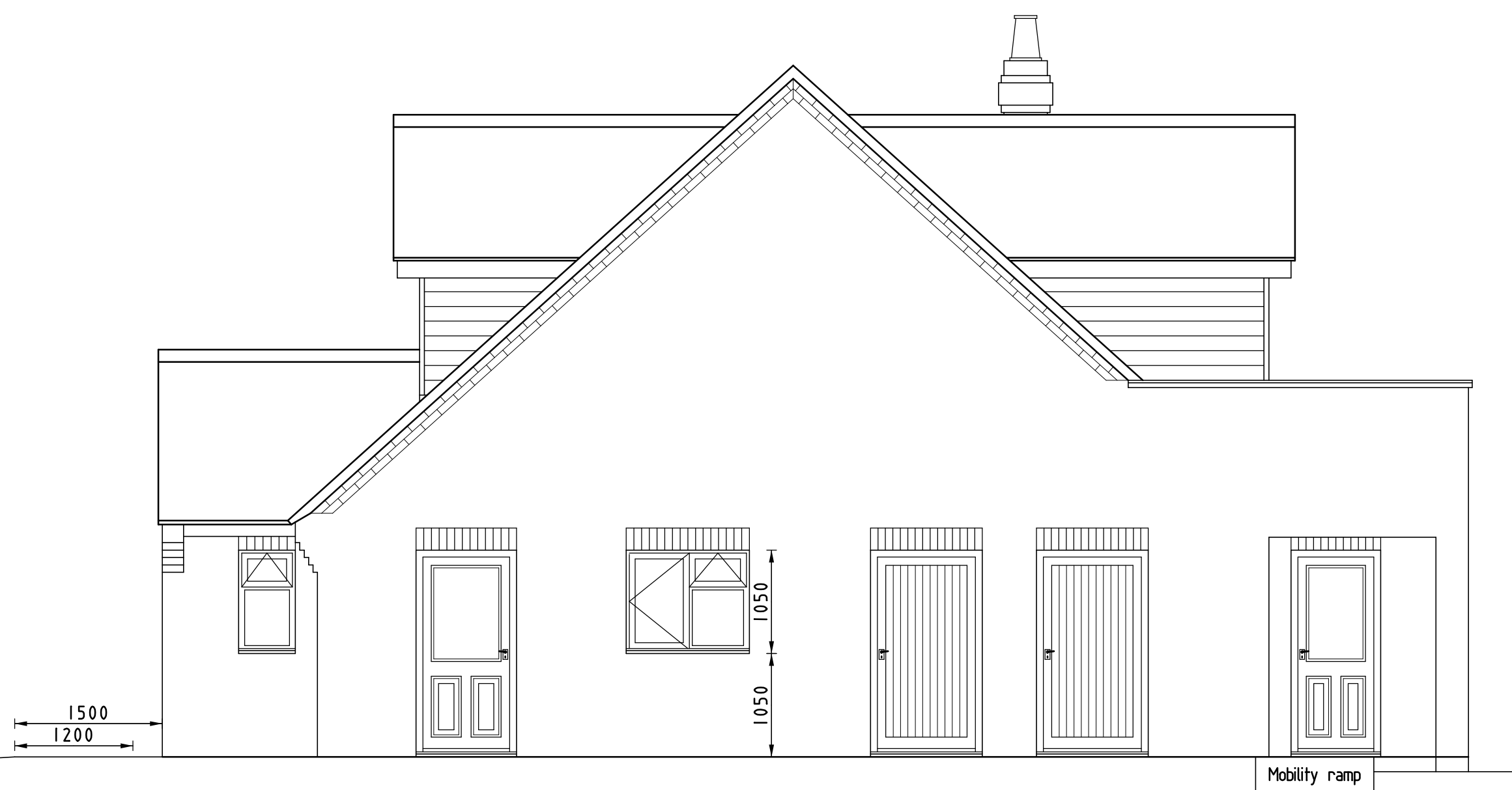
PROPOSED WEST ELEVATION



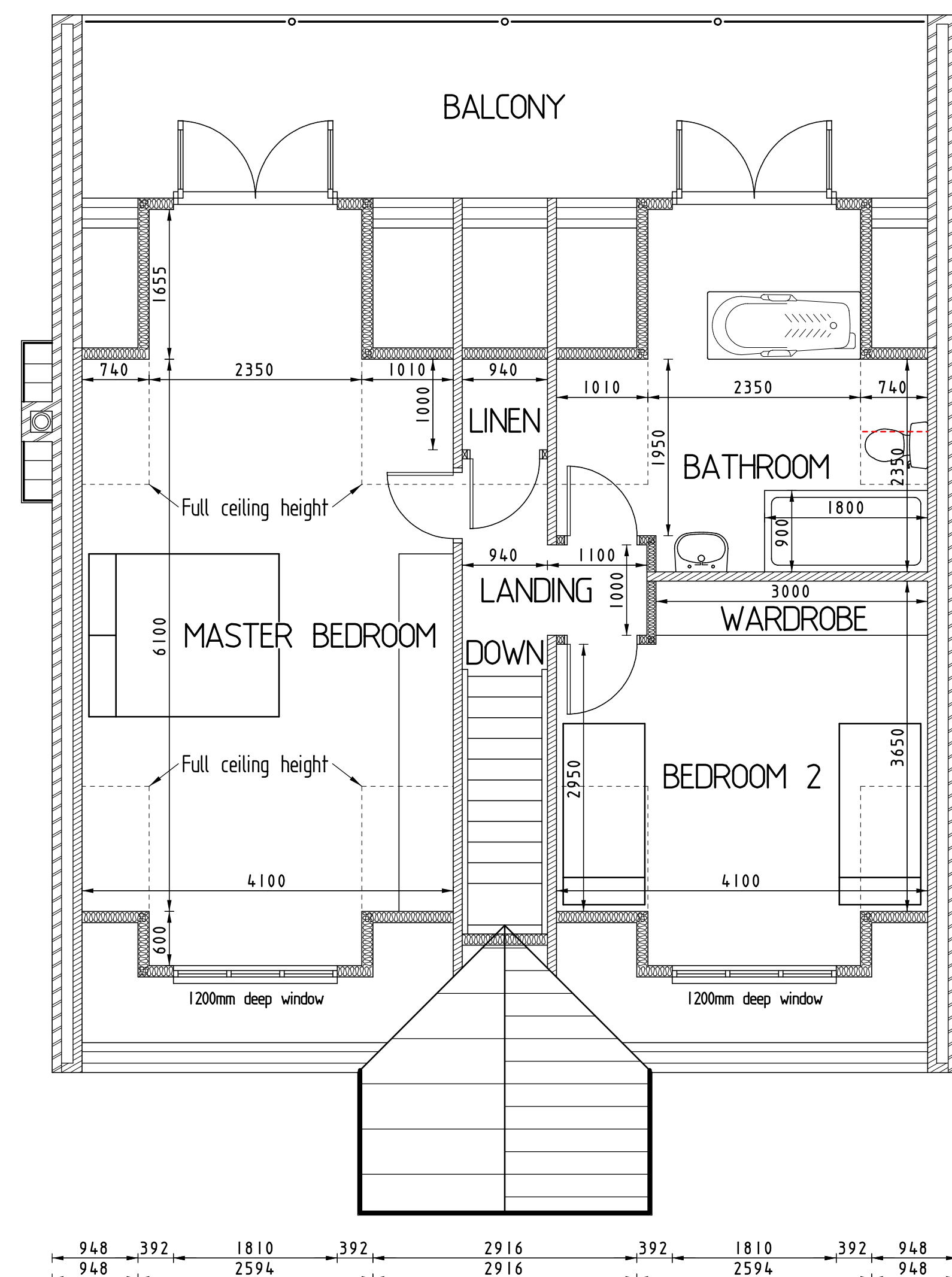
PROPOSED SOUTH ELEVATION



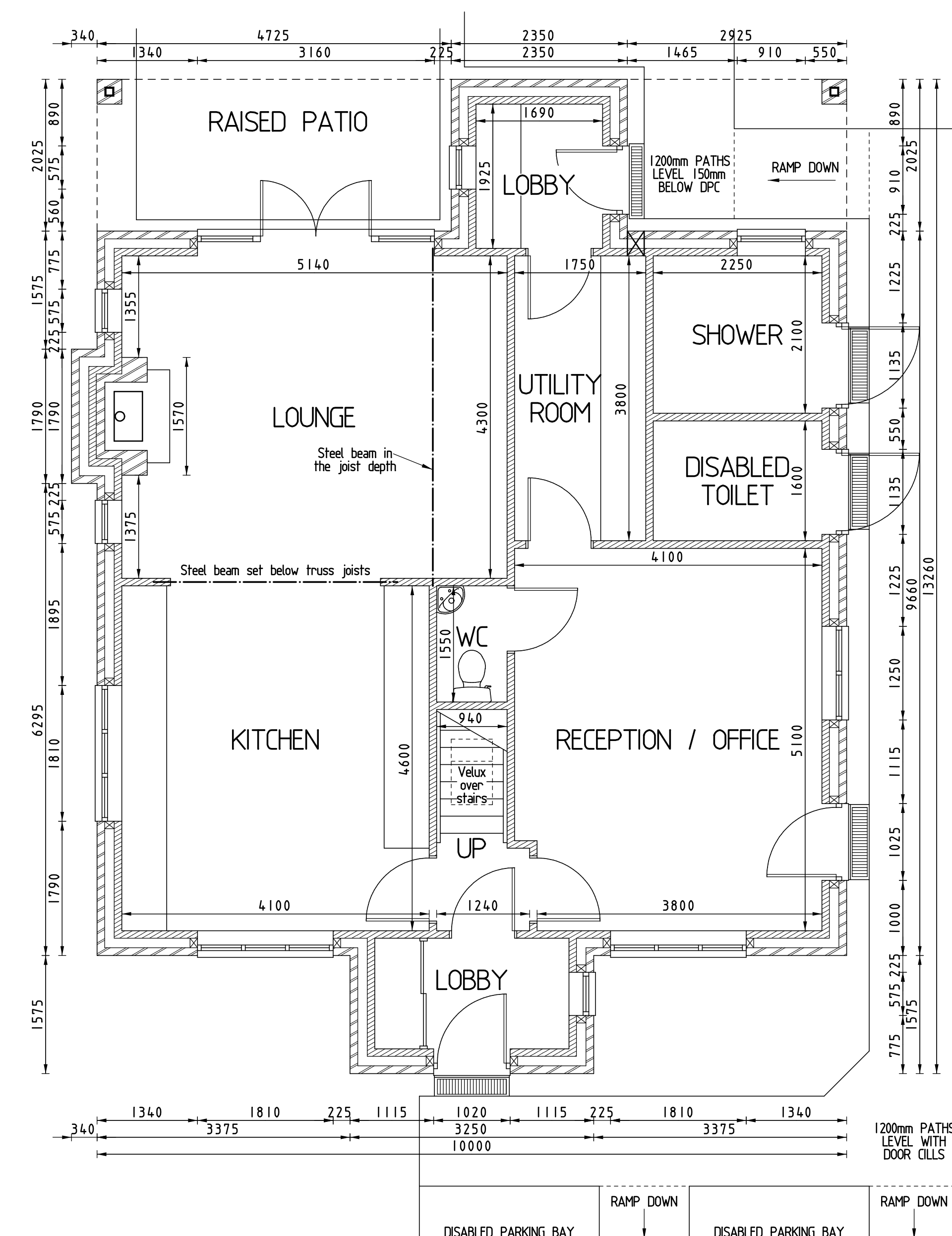
PROPOSED EAST ELEVATION



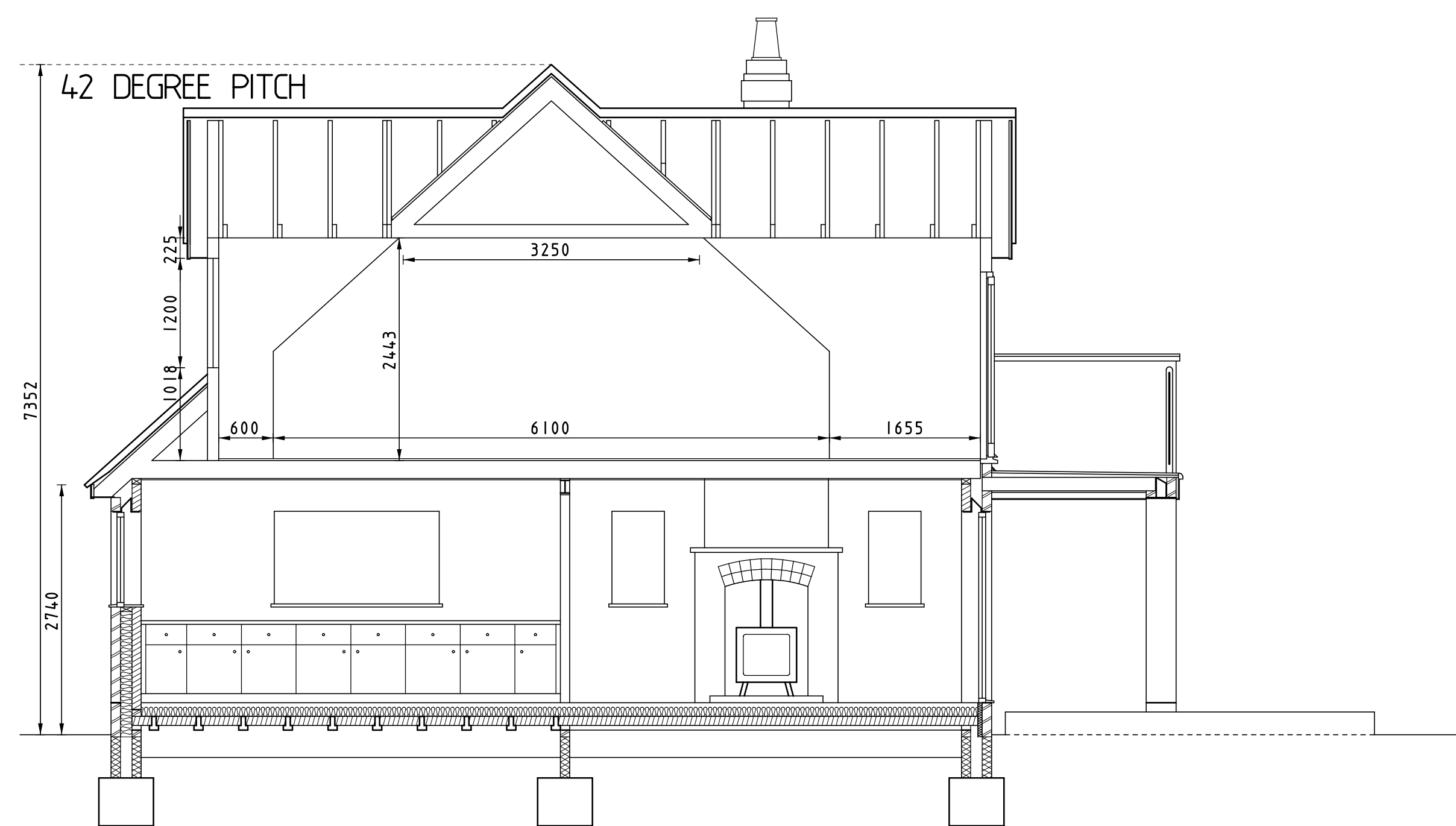
PROPOSED NORTH ELEVATION



PROPOSED FIRST FLOOR LAYOUT PLAN



PROPOSED GROUND FLOOR LAYOUT PLAN



SECTION THROUGH KITCHEN / LOUNGE / MASTER BEDROOM

Revision A- 22/9/2022 - Dormer details amended and balcony added at clients request

Drawing Title-
ERECT A 2-STORY 2-BED DWELLING WITH BUSINESS RECEPTION / OFFICE AND CUSTOMER WELFARE FACILITIES FENLAND WIND AND AIR SPORTS, CROSS ROAD, MARCH PLANNING APPLICATION - PROPOSED DWELLING DESIGN

Client-
Mr and Mrs N DAVIES (Fenland Wind & Air Sports) c/o 4 ALMOND DRIVE, MARCH, PE15 9TQ.

Scales- 1:50 Date- SEPTEMBER 2022 Drawing No- CAD 575 / 2 Rev- A

Craig Brand Architectural & Highway Design.
 9 Cricketers Close, MARCH, PE15 9RU.
 Tel: (01354) 656977.

PLANNING COMMITTEE DATE: 5th April 2023

Agenda No: 9

APPLICATION NO: F/YR22/1415/F

SITE LOCATION: March Airfield, Cross Road, March

UPDATE

Correspondence has been received from an adjacent land owner advising that the operators of the airfield have previously objected to their application (F/YR21/1395/F) to erect new structures on the basis of the implications for the operation of the airfield.

The aforementioned application was subsequently withdrawn upon advice it would be refused due to possible air safety concerns.

Resolution: No change to the recommendation which is to refuse this application as per Section 11 of Agenda item 9.

This page is intentionally left blank

F/YR22/1217/PIP

Applicant: Mr M Joyce

**Agent : Mr Jordan Scotcher
Morton & Hall Consulting Ltd**

Land South West Of Woodbury, Manea Road, Wimblington, Cambridgeshire

Permission in Principle for up to 5 x dwellings, involving the demolition of existing buildings

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

1.1 The proposal is an application for Permission in Principle to develop the site for up to 5 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle Stage) establishes whether the site is suitable in principle and assesses the principle issues namely:

- (1) Location
- (2) Use, and
- (3) Amount of development proposed

And the second (Technical Details Consent) stage is when the detailed development proposals are addressed. Technical details consent would need to be applied for should the application be granted.

1.2 Evaluation of a PIP must be restricted to the issues highlighted above; even if technical issues are apparent from the outset these can form no part of the determination of Stage 1 of the process. Accordingly, some matters raised via statutory bodies may not be addressed at this time.

1.3 The application site comprises previously developed land. Wimblington is a 'Growth Village' where development and new service provision either within the existing urban area or as small village extensions will be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns.

1.4 The application site is separated from the main part of the settlement of Wimblington by the A141 Isle of Ely Way. It is considered that the development site is too disjointed from the main part of the settlement of Wimblington, and therefore outside of the built envelope, to be a suitable site for new residential development. In addition, the site is located in close proximity to the A141/Manea Road junction and the intensification of use of the site would have adverse implications for road safety.

1.5 The recommendation is therefore to refuse permission in principle.

2 SITE DESCRIPTION

- 2.1 The application site consists of a parcel of land approximately 0.32ha in extent, located on the eastern side of the A141 Isle of Ely Way. The site features a number of buildings and hardstanding associated with a dog grooming and kennel business. Access to the site is from Manea Road, close to the junction with the A141, which also serves a residential dwelling associated with the operation of the business. The site is screened by surrounding trees and vegetation.
- 2.2 There is a residential dwelling, known as 'Limes' opposite the site entrance. Neighbouring the site to the east and to the northeast on the opposite side of the road are large commercial warehouse buildings.
- 2.3 The site is located within Flood Zone 1 (low risk).

3 PROPOSAL

- 3.1 A location plan, existing site plan and indicative site layout at scales of 1:500 accompany this submission. These indicate the removal of the existing buildings on the site and the provision of five detached dwellings with associated parking and landscaping together with the provision of an access road utilising the existing site access.
- 3.2 The current proposal is the first part of the Permission in Principle application; this 'first stage' establishes whether a site is suitable in principle only, and assesses the 'principle' issues, namely;
 - (1) Location
 - (2) Use, and
 - (3) Amount of development proposed.
- 3.3 Should this application be successful the applicant will have to submit a Technical details application covering all the other detailed material planning considerations. The approval of Permission in Principle does not constitute the grant of planning permission.
- 3.4 The applicant is only required to submit a completed application form, a plan which identifies the land to which the application relates (drawn to scale and with a north point) and the application fee.

The plans and associated documents can be found at:

[F/YR22/1217/PIP | Permission in Principle for up to 5 x dwellings, involving the demolition of existing buildings | Land South West Of Woodbury Manea Road Wimblington Cambridgeshire \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

F/YR18/0087/F Erection of 2 kennel blocks including outdoor runs for a maximum of 20 dogs. Granted 06.04.2018.

F/YR17/1235/CERTP Certificate of Lawful Use (Proposed), Siting of caravan ancillary to the main dwelling. Refused 13.02.2018.

F/YR09/0205/F Change of use of outbuildings from domestic workshops to commercial workshops for racing car manufacture, repair and servicing (retrospective). Refused 29.05.2009.

F/YR08/0891/F change of use of outbuildings from domestic workshops to commercial workshops for racing car manufacture, repair and servicing (retrospective). Refused 18.11.2008.

5 CONSULTATIONS

5.1 Wimblington Parish Council

Object. Close proximity to junction of Manea Road and the A141. Five homes plus the kennel and grooming business using the same entrance will see far too many vehicles exiting almost at the traffic lights. We envisage people purchasing and then complaining about the noise from the kennels. LP2, LP12, LP16.

5.2 Cambridgeshire County Council (Highways)

The application is unacceptable to the Local Highway Authority for the following reasons:

The proposed development benefits from an existing access to the public highway, but this access is sub-standard and would not be permitted based on current standards and best practice. The primary shortcoming is the short spacing to the A141 Isle of Ely Way junction and the associated signal equipment; the risk being blocking of the access / public highway which can queue back onto the A141.

As such, no intensification can be permitted on this site with an access in the existing location. The existing use of the site is a mix of dog grooming / kennels and a single dwelling. The applicant will need to demonstrate that the proposed five dwellings will not result in an uplift of traffic to and from the site.

A residential development is more likely to attract pedestrian traffic, so a safe pedestrian crossing of the B1093 Manea Road to the opposing footway must be provided. While this is a permission in principle application, it is unclear how such a crossing could be achieved in context of the proximity to the A141 junction.

The applicant must clarify how waste will be collected. It is not appropriate / safe for a refuse freighter to stop for long periods of time (as would be required for bin collection for five dwellings) on Manea Road at such proximity to the A141 junction. This will encourage dangerous overtaking on approach to the signals. Similarly, it is unlikely FDC's Waste team will enter the site.

5.3 Local Residents/Interested Parties

Nine letters of support have been received from (four from Doddington Road, one each from Eastwood End, Greenwood Way and The Hook, Wimblington and one from Wimblington Road, March) on the following grounds:

- Ideal location for redevelopment
- Much needed bungalows would add to village
- Small scale infill connected to village
- Cannot be seen from village

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Context Paragraph: 012 (Reference ID: 58-012-20180615). The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission but can advise applicants on the decision notice, where Permission in Principle is granted, what they would expect to see at Technical Details stage.

National Design Guide 2021

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

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

LP19 – The Natural Environment

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

LP4: Securing Fenland's Future

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP12: Meeting Housing Needs

LP18: Development in the Countryside

LP19: Strategic Infrastructure

LP20: Accessibility and Transport

LP22: Parking Provision

8 KEY ISSUES

- **Location**
- **Use**
- **Amount of Development Proposed**
- **Matters Raised During Consultation**

9 ASSESSMENT

Location

- 9.1 Policy LP3 of the Fenland Local Plan (2014) identifies Wimblington as being a 'Growth Village'. For these settlements, development and new service provision either within the existing urban area or as a small village extension will be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns.
- 9.2 Policy LP12 identifies that to receive support, the site must be in or adjacent to the existing developed footprint of the village, defined as the continuous built form of the village and excludes individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement. The Local Plan does not rely on defined settlement boundaries but rather requires a physical assessment to be made to determine whether or not a site is within a village for the purposes of Policy LP12. This results in a situation where a site could be considered in general terms to be part of the village but not be in the village for the purposes of the spatial strategy.
- 9.3 It is apparent, that in the case of the application site, it is clearly detached from the remainder of Wimblington by the major road of the A141 and thus outside the continuous built form of the settlement. Adjacent development consists of only two residential dwellings and commercial development, with areas to the east rural in nature. As such the proposal would constitute development in an 'Elsewhere' location as defined under LP3 which seeks to restrict that to essential rural based development. The proposal is therefore in conflict with Policies LP3 and LP12.

Use

9.4 The site is situated close to the edge of the settlement, however as stated above, it will be contrary to Policy LP12 – Rural Areas Development Policy and Policy LP16 – Delivering and Protecting High Quality Environments across the District. It is therefore considered that the site is not acceptable to use for new dwellings.

9.5 In addition, whilst perhaps being a matter more appropriate for consideration at Technical Consent stage, the location of the site between commercial activity and the A141 does raise potential issues around noise and whether a high quality residential environment would ultimately be created.

Amount of Development Proposed

9.6 The application seeks Permission in Principle for up to 5 dwellings on a site of 0.32ha which will equate to a density of approximately 16 dwellings per hectare. This is low density and could comfortably be accommodated on-site without being considered an overdevelopment of the site. However, the detailed layout and design will be for consideration at the Technical details stage. In terms of consideration of amount, the proposal is acceptable.

Highways

9.7 The Highway Authority sets out a number of concerns regarding developing this site for residential purposes. While several of these, such as whether refuse vehicles may enter the site and consequences for road users if they do not, are perhaps matters for consideration at the Technical stage the nature of the comments regarding the proximity to the A141 and Manea Road junction and the connectivity to the settlement perhaps reinforce issues around use and location.

Matters Raised During Consultation

9.8 Matters other than location, use and amount of development proposed will be for consideration at the Technical Details Stage.

10 CONCLUSIONS

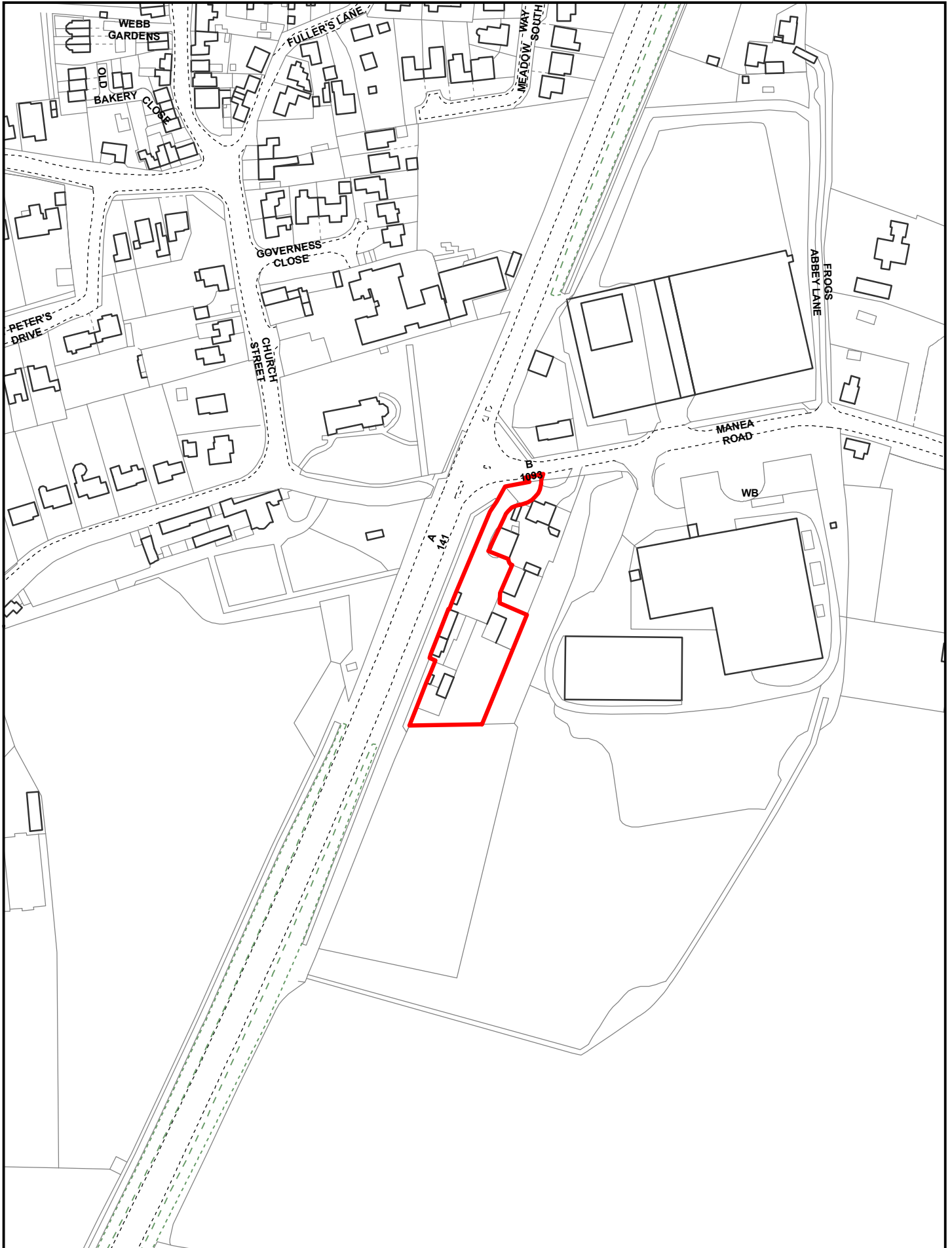
10.1 As indicated above it is only location, use and amount of development that may be considered at the first ‘permission in principle stage’ and it is considered that the location and use of the site for residential development is unacceptable due to the conflict with the settlement hierarchy of the Local Plan and also the proximity of the site to the junction of the A141 and Manea Road, and the consequent impact of intensification of traffic using the site on highway safety.

11 RECOMMENDATION:

Refuse; Permission in Principle for the following reasons:

1.	The application site constitutes an area of land located outside the developed footprint of Wimblington. The development proposal will be in an ‘elsewhere’ location contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014). As such any residential development on this site will be contrary to the above policy considerations and thus, in terms of location and use, the Planning in Principle application fails.
2.	The site is located in proximity to the junction of the A141 and Manea Road. The intensification of use of the site arising from the amount of residential

	development proposed and the additional traffic to be created, would, in principle, have an adverse impact upon highway safety and would be contrary to Policy LP15 of the Fenland Local Plan (2014) .
--	--



Created on: 31/10/2022

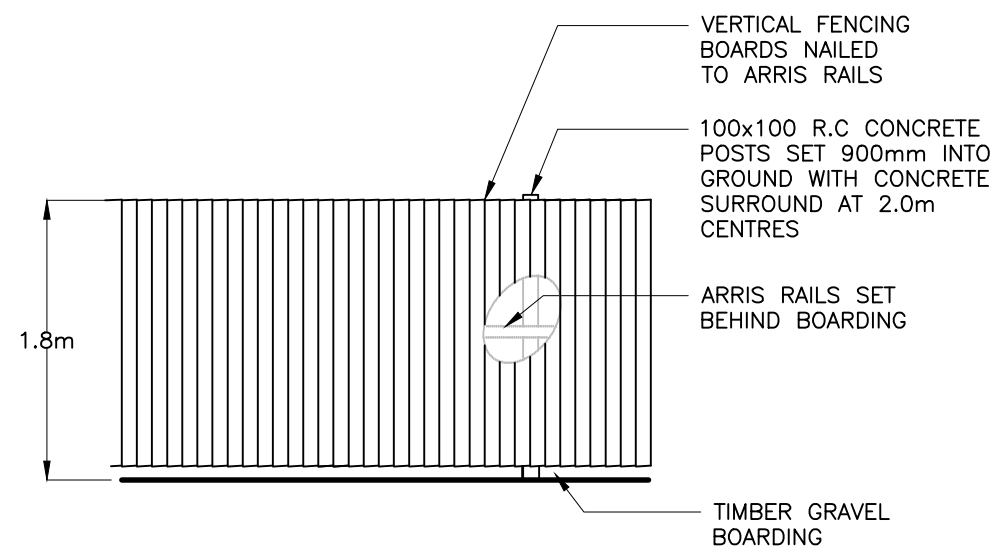
© Crown Copyright and database
rights 2022 Ordnance Survey 10023778

F/YR22/1217/PIP

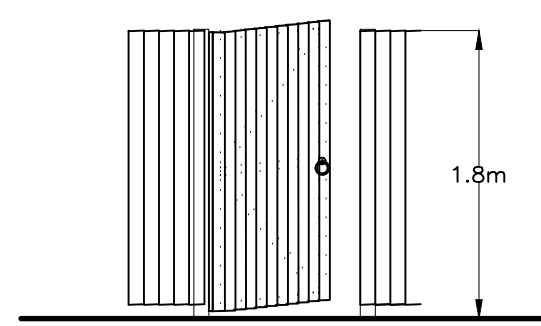
Scale = 1:2,500



Copyright on all drawings prepared by Morton & Hall Consulting Limited is their property. Drawings and designs may not be reproduced in part or in whole without their written permission.
 Please read, if in doubt ask. Change nothing without consulting the Engineers.
 Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details

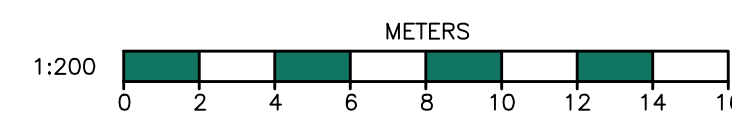


1.8m HIGH FENCE DETAIL (1:50)



GATE DETAIL (1:50)

PROPOSED SITE PLAN (1:500)



- TARMAC
 - GRASS
 - NON SLIP BUFF PAVING
 - WHEELIE BINS
 - SLAB PAVING
 - GRAVEL
 - HEDGING
 - PERMEABLE BLOCK PAVING (NON SLIP)
 - EXISTING DWELLINGS
 - VEGETATION
 - PAVEMENT
- INDICATIVE OF 1.8m HIGH FENCE

A	PLANNERS COMMENTS	OCT 2022
	REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED

1 Gordon Avenue, March, Cambridgeshire, PE15 8AJ
 Tel: 01354 655454 Fax: 01354 660467
 E-mail: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk

Fenland District Council
 Building Design Awards
 winner

CLIENT
 Mr M Joyce

PROJECT
 Woodbury, Manea Road, Wimblington, Cambs, PE15 0PA

TITLE
 Proposed Indicative Plan

DRAWN J.Scotcher	DATE OF ISSUE
CHECKED	
DATE Sep 2022	DRAWING NUMBER H7323_03A
SCALE As Shown	

This page is intentionally left blank

F/YR22/1243/PIP

Applicant: Mr S Munden

Agent : Morton & Hall Consulting Ltd

Land North Of 8-10 Askham Row Accessed From, Hospital Road, Doddington, Cambridgeshire

Residential development of up to 3 x dwellings (application for Permission in Principle)

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This is an application for Permission in Principle (first stage) for up to three dwellings on a parcel of agricultural land in the countryside outside of the existing developed footprint of Doddington. Development (agriculture to garden land) has recently been refused on adjacent land and the proposal is contrary to the policies of the adopted local plan. There are no material considerations which outweigh the determination of this application in accordance with the adopted policies and in line with the NPPF.
- 1.2 Only matters of location, use of land and amount of development can be considered at this stage. All matters of detail would be subject to Technical Details approval if this first stage Permission in Principle (PIP) were approved.
- 1.3 With regard to location, the proposal fails to recognise the intrinsic character and beauty of the countryside, the pattern and character of the natural landscape and built development at this location and would appear incongruous to both the rural character of the immediate area creating an adverse visual impact to occupiers of adjacent land and users of the public footpath network in the area. The development would necessitate removal of some of the continuous hedgerow to the east of the site which would add to the urbanising effect of the proposal.
- 1.4 If the principle of development in this location were acceptable, the development for only up to 3 dwellings does not make efficient use of the land.

2 SITE DESCRIPTION

- 2.1 The site lies in the countryside and is a roughly rectangular parcel of land currently in use as an agricultural field. It measures approximately 95 metres wide by on average approximately 68 metres deep, therefore has an area of approximately 0.646 hectares. The site is set behind the rear of 8 – 10 Askham

Row which is a relatively modern row of detached dwellings fronting Benwick Road. The site can only be accessed via Hospital Road which is a single-track road with no footways running north off Benwick Road.

- 2.2 Benwick Road extends from the High Street/Doddington village centre in a westerly direction. There is development on both sides of Benwick Road up to Hermitage Gardens and beyond this the development becomes more sporadic, especially to the south of Benwick Road at this point and even more so on both sides of Benwick Road as one travels further west. Doddington Hospital and Doddington Court retirement homes and then Askham House, a rehabilitation centre and nursing home are prominent developed sites to the north of Benwick Road. The character as one travels west is one of sporadic development, mainly fronting the road interspersed with fields and most of the land to the rear of the frontage development comprises open fields. Built development lessens as one travels further along Benwick Road which is typical interface between a village core and the countryside beyond. It is noticeable that this character is being eroded by infill development in a ribbon style which is gradually urbanising this road and Askham Row is an example of this. However, there still remains a general semi-rural/rural feel to the road whereby development is interspersed with open land between development and to the rear.
- 2.3 Hospital Road is not much more than a track but it provides an emergency access to the hospital and car park and also the residential development including the dwelling Norbrown to the north of the hospital and to the east of Hospital Road and the four new dwellings that have recently been permitted between Norbrown and the Hospital (see history below). Hospital Road continues for some distance and serves a few sporadic dwellings and farms and also other sporadic business including the Megaplants Garden Centre and, opposite this, a former poultry farm which now seems to be used for storage purposes.
- 2.4 The site subject of this application is flat and devoid of landscape except for a mixed native hedgerow along its eastern boundary where it adjoins Hospital Road. The site lies within flood zone 1 which is the area at lowest risk of flooding.

3 PROPOSAL

- 3.1 The current proposal is the first part of the Permission in Principle application; this “first stage” establishes whether a site is suitable in principle only and assesses the “principle” issues, namely;
- (1) Location
 - (2) Use, and
 - (3) Amount of development proposed
- 3.2 Should this application be successful the applicant would have to submit a Technical Details application covering all the other detailed material planning considerations. The approval of Permission in Principle does not constitute the grant of planning permission.
- 3.3 The applicant is only required to submit minimum information to accompany the application. However, an Indicative Site Plan has been submitted. This shows a

single point of access to the site off Hospital Road leading to a private drive serving three detached dwellings which face Hospital Road.

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

[F/YR22/1243/PIP | Residential development of up to 3 x dwellings \(application for Permission in Principle\) | Land North Of 8-10 Askham Row Accessed From Hospital Road Doddington Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/1243/PIP | Residential development of up to 3 x dwellings (application for Permission in Principle) | Land North Of 8-10 Askham Row Accessed From Hospital Road Doddington Cambridgeshire (fenland.gov.uk))

4 SITE PLANNING HISTORY

4.1 This site itself has no planning history. Decisions in the vicinity of the site will be addressed in the Background section later in the report.

5 CONSULTATIONS

5.1 Doddington Parish Council

Objects for the following reasons;

The proposed development is accessed from the west of Hospital Road on a site which provides an important gap between Hospital Road and the public footpath adjacent the Askham House care facility. The site therefore clearly comprises open countryside for the purposes of applying planning policy and there is no overriding need for development to take place given the District Council's housing land supply position.

The District Council recently refused planning permission F/YR22/0390/f for domestic use which is close to the application site on grounds of encroachment into the open countryside which would result in significant affect on the character and visual amenity of the area. The authorised use of the site and land to the west is an agricultural field.

The application site includes a substantial amount of trees and hedges along Hospital Road. In order to provide vehicular access with associated visibility, the vast majority of trees and hedges would need to be removed which would have a significant adverse impact on the character of the area.

The proposed development would lead to unsafe highway access conditions onto Hospital Road due to its narrow single tracked nature with a lack of any formal passing spaces, street lighting or footpaths. Hospital Road also acts as an emergency access to the Hospital.

The proposal has failed to demonstrate that the location is appropriate having regard to biodiversity considerations. The removal of a substantial amount of trees together with developing the land itself will create significant negative impact on the biodiversity value of the site.

The proposal would result in the loss of grade 3 agricultural land.

The proposed development is contrary to a number of sections within policies LP12 and LP16 and we trust FDC will refuse the granting of planning permission.

5.2 CCC Highways –

Originally submitted no objections subject to conditions
(Officer comment: Conditions are not permitted on permission in principle first stage applications)

Given other comments made by the Highway Authority regarding development in the vicinity clarification was sought on their stance. The following comments were subsequently provided:

- *Hospital Road is a narrow road devoid of opportunity for safe passing between the B1093 Benwick Road and the proposed site access (circa. 120m). Generally, such a road is ill-suited for further development due to increased risk of vehicle or vehicle/pedestrian conflict, but three additional dwellings is unlikely to materially impact the operation of Hospital Road in context of existing uses. So, in planning terms I do not consider the principle objectionable (or at least I think there is a strong probability an objection could be overturned at appeal), although careful consideration should be given to the incremental development precedent a permission would set. The additional impact of three dwellings is minor, but further prospective development could result in a severe cumulative impact over time.*
- *While it would not be reasonable in relation to the proposed scale of development to condition the road be widened to allow two vehicles to pass, nor to install a footway, I do think requiring a passing place at a point roughly mid-way between the access and Benwick Road is necessary and proportional. This will help to minimise the risk of conflict, vehicles traversing the soft verge, or reversing excessive distances. Such a passing place should be designed to allow a large car and refuse freighter to pass (5m – 6m)*
- *While the submission drawings show 2.4m x 90m visibility splays, the road is de-restricted meaning visibility splays should be 2.4m x 215m or otherwise a speed survey procured with visibility based on the 85th percentile speeds. Ideally the speed survey should be provided prior to determination as it's fundamental to achieving a safe access; but if this isn't possible, I am reasonably confident that observed speeds will be low based on-site conditions so could be considered as a condition.*
- *Any access would need to remain ungated.*
- *The LPA should give consideration to the opportunity for active and sustainable travel, given the lack of pedestrian infrastructure along Hospital Road.*

5.3 Local Residents/Interested Parties

Objectors

Letters of objection have been received from 7 households (five at Askham Row and one each from Hospital Road and New Street, all Doddington) and summarised as follows;

- There is no need for the dwellings as the village threshold position statement dated 8th March 2022 sets out there are 192 committed dwellings (at that date) compared to the village threshold of 127. Local Plan policy LP12 Part A

- establishes the position in regard to proposals which breach the threshold and in this case there is no clear village support.
- The site is located in the countryside being away from the built-up area of Doddington as defined by policy LP12.
 - The proposal is located to the west of Hospital Road, a narrow unclassified road with no streetlights or footpaths. It is used by walkers as it provides links to the local public footpath network and also by vehicles accessing other houses and mega plants nursery. It has a speed limit of 60mph. It is therefore frequently used by walkers and vehicles.
 - Regarding the character of the area it is noted that 4 dwellings have recently been granted planning permission further to the north on the east side of Hospital Road. This development is however located on the west side, the character of which is undeveloped except for houses fronting Benwick Road and the site therefore provides an important gap between Hospital Road and the footpath adjacent to Askham House care facility. The proposal will create significant adverse impact on the character of the area by introducing dwellings to a countryside location. The harm will arise from a number of viewpoints including other residential property, the public highway and public footpaths. It will be at odds with the character this side of Hospital Road and create a harmful urbanising effect upon this rural area. Approving this development will set a precedent for further unjustified development in this local area. It will change the character from a pleasant rural road to an urban street.
 - The access would result in the loss of trees and hedgerows. It is not clear as to the extent of the loss and it is not clear whether any arboricultural or ecological survey has been undertaken. The loss of this greenery will result wherever the access is taken.
 - The access to the other side of Hospital Road is an emergency access from the Hospital onto Hospital Road which is one carriageway in width. A new access here could cause conflict with the safe use of the emergency access. The NHS should be asked to consider the impacts on their safe use of the Hospital site. There are no formal passing places.
 - The proposal would result in permanent loss of agricultural land classified as grade 3. Grade 3a is best and most versatile for planning purposes whereas 3b is not and the Natural England maps do not identify this differentiation. The applicant has failed to demonstrate whether the proposal results in loss of best and most versatile land and so is contrary to policy LP12 of the Local Plan and paragraph 174 of the NPPF.
 - The proposal is contrary to policy LP12 Part A in respect of –
 - (a) As the development relates more to the countryside than the built up area;
 - (c) The proposal will have an adverse impact on the character and appearance of the surrounding countryside
 - (d) is of a scale and location not in keeping with the core shape and form of the settlement
 - (e) would result in uncharacteristic ribbon development to the west of Hospital Road
 - (f) Would not retain or respect the natural boundaries including trees
 - (g) Would not respect biodiversity features including trees
 - (h) would result in the loss of an important space within the village which provides views of the countryside between Hospital Road and the public footpath to the east of Askham House care facility
 - (i) Potential loss of high grade agricultural land and no evidence provided to justify the loss
 - (k) The development cannot be served by sustainable infrastructure provision such as the highway

- Given the breach of policy LP12 A, the proposal must satisfy the “elsewhere” criteria in policy LP3 which it fails to do and also conflicts with allowable exceptions under paragraph 80 of the NPPF.
- Policy LP16(b) requires that proposals protect biodiversity. It is like the trees and hedgerows are used by bats which are seen in the area. A bat survey is required in order for the Council to discharge its obligations under Section 40 of the Natural Environment and Rural Communities Act 2006 as amended (the NERC Act)
- With regard to the tree and hedgerow loss the proposal fails to retain and incorporate natural features as required by policy LP16(c) and also DM2 (a) and (c) of the Delivering and Protecting High Quality Environments SPD 2014. The proposal cannot also comply with policy LP16 (d)
- The proposal fails to recognise the intrinsic character and beauty of the countryside as required by paragraph 174 of the NPPF and is also out of character with the countryside contrary to policy DM3 in the SPD
- For all these reasons the location of the development is unacceptable and in addition the site lies outside the settlement boundary of Doddington set out in the emerging local plan which also confirms its location as being in the countryside
- Reference is made to the recently refused use of the adjacent land to the west under application F/YR22/0390/F and that it would be illogical to then approve this application and consider the land as anything other than an agricultural field
- The amount of development amplifies the harm even further not that a single dwelling would be acceptable
 - I walk my dog there and it would not be in keeping with the rural character of the area
 - Hospital road is already increasingly busy road and this will get even more problematic with the development of the garden centre. It is used as the Doddington circular by many walkers in the area.
 - The developers are a resident of Askham Row who intend to move away and who at the time they purchased the land told people it was for horse grazing and to provide protection from future development
 - The access is unsafe with no footpaths, but this does not infer that footpaths should be constructed as this will create an urbanising effect to a pleasant rural route
 - Enough is enough unless you want to make Hospital Road a wider 2-way road with pavements and proper off road parking, yellow lines etc and properly maintained throughout

Supporters

15 letters (four from Hospital Road, three from Wimblington Road and one each from Juniper Close, Primrose Hill, Benwick Road, Newgate Street, Askham Row, Cowslip Close, Cedar Avenue and High Street, all Doddington) of support have been received from 13 households who raise the following points;

- I am in full support as it is in keeping with the recently built properties nearby
- I support the development as it will provide more homes for the village
- I am happy to support the application because I think it will be a good addition to the village and will make good use of unused land
- I live on Hospital Road and fully support the application as more houses are needed and there are already houses built on the same field

- I cannot see any valid reason why this development should not be allowed as the heavy traffic down that road is mainly due to the businesses and 3 additional dwellings won't make any difference
- This application has my full support as more homes so other families can enjoy our lovely village
- We are in full support of this application as it will blend in nicely with the houses on Askham Row
- Recent planning permission granted to 10 Askham Row for access to property from Hospital Road F/YR22/0698/F and planning permission granted for Askham Row (F/YR16/0576/RM) within the same original field.
- It is only a short distance from amenities such as playing field, doctors and school, shops and there seems to be a shortage of houses around this area
- It would give more security to a quiet end of the village where I walk my dogs
- I support the application as I believe the village needs more housing to support the ever-increasing population.
- It will not affect the area visually or environmentally as there is already a hospital and housing within close proximity.
- It is only 0.5 miles from the centre of the village which is spread much further
- The extra passing points that have been completed this summer ensures no issues with traffic/passing vehicles
- I support building more houses in Doddington. It will provide more opportunities for people to move to Doddington and the space is free and not being used.

6 STATUTORY DUTY

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).

Section 40 of the Natural Environment and Rural Communities Act 2006 as amended (The NERC Act) places a duty to conserve biodiversity on public authorities in England. It requires local authorities to have regard to the purposes of conserving biodiversity in a manner that is consistent with the exercise of their normal functions such as policy and decision making.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Paragraph: 012 (Reference ID: 58-012-20180615) The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission but can advise applicants on the decision notice, where Permission in Principle is granted, what they would expect to see at Technical Details stage.

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development
 LP2 – Facilitating Health and Wellbeing of Fenland Residents
 LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
 LP4 – Housing
 LP5 – Meeting Housing Need
 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
 LP19 – The Natural Environment

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
 LP4: Securing Fenland's Future
 LP5: Health and Wellbeing
 LP7: Design
 LP8: Amenity Provision
 LP12: Meeting Housing Needs
 LP18: Development in the Countryside
 LP19: Strategic Infrastructure
 LP20: Accessibility and Transport
 LP22: Parking Provision
 LP24: Natural Environment
 LP25: Biodiversity Net Gain
 LP27: Trees and Planting
 LP28: Landscape
 LP32: Flood and Water Management
 LP33: Development of Land Affected by Contamination

8 KEY ISSUES

- **Location**
- **Use**
- **Amount of development proposed**
- **Matters raised during consultation**

9 BACKGROUND

- 9.1 There are a number of recent decisions relating to development in the vicinity of the site which Members should be aware of when determining this application.
- 9.2 Firstly, a total of four detached dwellings adjacent to Norbrown (a pre-existing dwelling) have been approved by Planning Committee, contrary to officer recommendation, further north and to the east of Hospital Road from the site subject of this application (refs F/YR20/0182/O and F/YR21/1522/O)
- 9.3 Planning permission has also been granted (ref: F/YR22/0032/F) for café/retail buildings at Megaplants, a garden centre served off Hospital Road with conditions requiring passing bays on Hospital Road. One of these passing bays appears to be within the red line of this current PIP application.
- 9.4 Most recently, planning application F/YR22/0390/F was refused by Committee (in line with the officer recommendation) for change of use of land to the north of 5 – 7 Askham Row (including erection of chicken run and pond) on 26th August 2022. This site is to the immediate west of the current application site. The application was refused for the following reason;

Policy LP12 Part A (c) and Policy LP16 (d) of the Fenland Local Plan 2014, DM3 (d) of the Delivering and Protecting High Quality Environments in Fenland SPD 2014 and Paragraph 130 of the NPPF require that developments do not adversely impact upon the character and appearance of the open countryside. The development creates a significantly sized domestic garden which results in an urbanising encroachment into the open countryside to the significant detriment of the character and visual amenity of the area. As such, the development is contrary to the aforementioned policies.

10 ASSESSMENT

- 10.1 Noting the guidance in place regarding Permission in Principle submissions, assessment must be restricted to (a) location, (b) use, and (c) amount and these items are considered in turn below:

Location

- 10.2 Policy LP3 of the Local Plan defines Doddington as a growth village. For these settlements, development and new service provision either within the existing urban area or as small village extensions will be appropriate albeit of a considerably more limited scale than appropriate to market towns. Development not falling into one of the defined village hierarchies will fall into the “elsewhere” category and will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services or to minerals and waste development. The site therefore could be considered as an extension to the village but must also comply with the more detailed policy criteria set out in policy LP12 as well as policy LP3.
- 10.3 Policy LP12 states, at Part A, that “*new development will be supported where it contributes towards the sustainability of that settlement and does not harm the wide-open character of the countryside*” and the following criteria:

- (a) *The site is in or adjacent to the existing developed footprint of the village; and*
 (b) *It would not result in coalescence with any neighbouring village; and*

- (c) *It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland*
- (d) *The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance; and*
- (e) *It would not extend linear features of the settlement or result in ribbon development; and*
- (f) *The site retains and respects natural boundaries such as trees, hedgerows, embankments and drainage ditches; and*
- (g) *The site retains and respects ecological, heritage and biodiversity features; and*
- (h) *It would not result in the loss of important open space within the village; and*
- (i) *It would not result in the loss of high-grade agricultural land, or if so, comprehensive evidence is provided to justify the loss. This should include an assessment of all alternative reasonable opportunities in the locality to develop on lower grades of agricultural land; and*
- (j) *It would not put people or property in danger from identified risks; and*
- (k) *It can be served by sustainable infrastructure provision, such as surface water and wastewater drainage and highways.*

- 10.4 The developed footprint referred to in criteria (a) is further defined in a footnote as *“the continuous built form of the settlement and excludes:*
- (a) individual buildings and groups of dispersed or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement*
 - (b) gardens, paddocks, and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the settlement*
 - (c) agricultural buildings and associated land on the edge of the settlement*
 - (d) outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement”*
- 10.5 The site adjoins open agricultural land to the west and north, and the substantial rear gardens of the properties on Askham Row to the south. The site itself is agricultural land. Given criterion b of the footnote it is considered that the site does not therefore adjoin the continuous built form of the settlement and is not therefore *“in or adjacent to the existing developed footprint of the village”*. Consequently, it does not therefore comply with LP12 Part A(a)
- 10.6 LP12 Part A (c and d) require development to, in summary, be in keeping with the character of its surroundings. The application site lies on one of the radial routes extending out from the built-up part of the village where development is more sporadic, is interspersed with open land and is largely frontage ribbon development. This presently remains the character of the area despite development such as Askham Row and the recent back land development close to Norbrowne being permitted. The site is an agricultural field and has the appearance of being part of the countryside more than being part of the built-up area.
- 10.7 The proposal would result in development to the rear of Askham Row and fronting Hospital Road. Supporters of the proposal point to Askham Row and the new development comprising 4 dwellings adjacent to Norbrowne as being reason to permit further development. The more development that is permitted in this form outside of the built-up area, the more difficult it becomes to resist future development. However, the starting point in law for determining applications is the development plan and as set out above, the site is not in a

location where such development would be permitted except where the proposal may comply with parts c and d of Policy LP12 (Part A) which is not the case in this instance. The recent approved development is a material planning consideration, however, this site relates more closely to the land immediately to the west, where change of use to garden land was refused in August 2022 by reason of the location being in the countryside and the impact upon the character of the area. Given this decision, it would be somewhat perverse to approve a site abutting this land for residential development. This site is therefore not in a location that is in keeping with the core shape of the village and is therefore contrary to Policy LP12 Part A (c and d).

- 10.8 The location and shape of the proposed site and the positioning of three dwellings to the rear of the Askham Row dwellings, will create a development that will appear incongruous and out of character with the surroundings. Askham Row, despite it infilling some of the open area which characterises the street scene in this area (thus affecting that character), at least is frontage and infill development. The four dwellings permitted between the rear of the hospital and Norbrow to the east of Hospital Road, which were approved by Committee contrary to recommendation, at least in part infill the gap between the hospital and Norbrow but they do not relate to and should not set a precedent to develop the current site which is part of a much larger field to the west of Hospital Road. This proposal, if permitted would be an inorganic, almost back land site in nature, which is a contrived rectangular shape and would represent planning in a patchwork quilt style ie one square of countryside at a time. It will visually encroach into an area of land which would likely set a precedent for remainder of this larger field to come forward in other small sites until the area is infilled.
- 10.9 The site will be viewed from anyone travelling along Hospital Road and will likely be glimpsed when passing by the entrance to the road along Benwick Road. It will clearly be seen from the upper rear most windows to the properties in Askham Row and will be viewed from the public footpath which extends along the perimeter of the large field. There is an extensive public footpath network in the area and those people objecting to the proposal have mentioned the walks taken by people out of the village and round this footpath network. At present this network provides countryside walks with views of fields. The site is therefore, highly vulnerable to public view and the nature of change in the character of the area will be significant from a public perception but also as a matter of the character of the countryside and its natural features for its own sake. Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the local environment by recognising the intrinsic character and beauty of the countryside and the wider benefits of natural capital and ecosystem services, including the economic and other benefits of best and most versatile land and of trees and woodland.
- 10.10 In addition to the reasons set out above, the proposal will inevitably result in a vehicular access needing to be put in to the site where presently a substantial hedgerow and number of trees are situated along the eastern boundary. Aside from the loss of the hedgerow in terms of biodiversity, a vehicular access here will further diminish the character of Hospital Road by creation of further incremental urbanising development. As such the proposal is also contrary to policies (c) and (f) of LP12 A.
- 10.11 As the site does not satisfy the policies set out in LP12 Part A, it must be considered an elsewhere location for the purposes of the settlement hierarchy

set out in policy LP3. In such locations, development is restricted to that demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport, utility services or minerals and waste development. Clearly, the proposal is not in compliance with this policy.

- 10.12 Policy LP16 of the Local Plan requires that high quality environments will be delivered and protected throughout the district and proposal for all new development will only be permitted where the relevant criteria set out in the policy are met. This includes criteria (c) which requires retention of natural features such as trees, hedges, field patterns, drains and water bodies to be retained and incorporated into proposals and criteria (d) which requires proposals to make a positive contribution to local distinctiveness and the character of the area, enhancing its local setting and responding to and improving the character of the local built environment. It should reinforce local identity and not adversely impact either in design or scale terms on the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.13 As set out above, this proposal is not respecting the pattern of development in the area and comprises an arbitrary rectangular piece of a larger field. It will further erode from the local identity of sporadic development which characterises the interface between the rural and village setting. It will result in the loss of an existing continuous hedgerow and will create a further urbanising form of development in a countryside location. As such the location of the proposal does not comply with Policy LP16 A , (c), (d) and (f).
- 10.14 Paragraph 130 of the NPPF requires, amongst other things that development is
- (a) will function well and add to the overall quality of the area..
 - (b) are visually attractive as a result of good architecture, layout and appropriate effective landscaping
 - (c) are sympathetic to the local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)
 - (d) establish or maintain a strong sense of place...
- 10.15 The proposal, as already set out, will not achieve these objectives due to its location in the countryside and its piecemeal, almost backland nature.
- 10.16 There is no need for this housing. The Council can currently demonstrate more than a five year supply of deliverable housing sites. The Fenland Local Plan remains up to date and is not at odds with the relevant policies of the NPPF. The tilted balance does not therefore apply. The application is clearly contrary to the development plan in terms of location as it is contrary to policies LP3, LP12 (a), (c), (d) and (f) and LP16 (c) and (d) as well as paragraphs 130 and 174 of the NPPF and should be refused for this reason.
- 10.17 With regard to detailed matters such as design of the access and dwellings, biodiversity net gain and likely archaeological implications, such matters would be dealt with at the Technical Details Stage (which would be the grant of planning permission) via submission of detailed plans and reports if Permission in Principle were being recommended for approval.

Use

- 10.18 Policy LP12 ((i) states that development should not result in the loss of high grade agricultural land or if so comprehensive evidence is provided to justify the loss. Paragraph 174 of the NPPF states that decisions should recognise the intrinsic character and beauty of the countryside....including the economic benefits of the best and most versatile agricultural land. Grades 1, 2 and 3a agricultural land fall within this category. A large proportion of agricultural land in Fenland District is best and most versatile land. While there is insufficient information upon which to assess whether the loss the land might mean loss of best and most versatile agricultural land. However, the Council has rarely refused applications for this reason, given the quantity of such land within the District, and it is not considered that this issue could therefore be used as a reason for refusal in this instance.
- 10.19 Considering the land use in relation to surrounding land uses, the use of the land for residential purposes, in principle, would not give rise to unacceptable impacts on surrounding users by reason or noise or disturbance or vice versa. Account has been taken of the motocross site which is situated to the north-west but this is likely of sufficient distance from the site so as not to significantly adversely impact future occupiers.

Amount

- 10.20 The proposal is for permission in principle for up to three dwellings. The site area is 0.646 hectares approximately. This would equate to an approximate density of 5 dwellings per hectare. This is not efficient use of land. However, policies LP12 (c) and (d) and LP16 (d) requires development respond to the local character as does paragraph 130 of the NPPF.
- 10.21 Densities vary within the local area from the care home facilities, through to the older established dwellings along Benwick Road to the low density of Askham Row. Taking aside that this location is unacceptable for residential development in principle (as set out above), if this land were to be developed it would not amount to efficient use of land.
- 10.22 One of the three overarching objectives that the planning system has is achieving sustainable development. Set out in paragraph 8 of the NPPF is an environmental objective which includes making efficient use of land. This ties with the economic objective of ensuring that sufficient land of the right types is available in the right places at the right time to support growth (it has already been set out in the report above that this is not the right land in the right location and is not needed to support growth). Efficient use of land and proper planning including good layouts ensure that the wider environmental objectives set out in paragraph 8 e.g. improving biodiversity, using natural resources prudently (best agricultural land is a natural resource), minimising waste and adapting to climate change are maximised. Piecemeal development, inefficient use of land and developments not in accordance with the adopted development plan are individually and cumulatively counter to these aims. The NPPF defines sustainable development as development that accords with an up-to-date development plan. It follows that development not in accordance with adopted policies is most likely to be unsustainable development and this is considered the case here.
- 10.23 In this instance, whilst a lower-than-average density would be more in keeping with the countryside setting, a development of up to only 3 houses on a parcel of land of this size resulting in a density of approximately 5 dwellings per hectare

is not making efficient use of land and therefore the amount of development proposed is unacceptable and contrary to paragraph 8 of the NPPF.

Highways

10.24 Comments from the Highway Authority do pose questions as to the suitability of Hospital Road to serve further development. However, there is no formal objection to the application on the basis of location, use or amount. Several of the matters raised, such as requiring the provision of a passing place, cannot be considered at this stage of the Permission in Principle process.

10.25 Matters raised on consultation (not considered in the report above)

1	No clear village support as per policy LP12	This aspect of policy LP12 was not accepted by a planning Inspector in an appeal decision and since then officers have not been using this aspect of policy LP12 as a reason to refuse development
2	Issues of highway safety generally and interference with the hospital emergency access	The local highway authority has not raised objections and detailed design of access and safety issues would be a detailed matter to be considered at technical details stage. It is not possible to add conditions to a first stage of a Permission in Principle (should approval be recommended)
3	Impact on biodiversity and LPA duty under the NERC Act	The LPA duty under the NERC Act (which has been set out above in Section 6 Statutory Duty, has been considered. In other application types such as outline and full applications, an ecological survey and perhaps species surveys would be needed up front to accompany the application. This application if approved, would not be granting planning permission. Ecological information should be submitted at the Technical Details stage (if this first stage were approved) and taken into account then, consulted upon and the decision, including potential refusal or conditions, should be based upon the findings of said ecological information. If this PIP were approved, it would not prevent proper consideration of ecological issues at the next stage and it would not alter duties of landowners/developers to

		comply with other legislation such as the Wildlife and Countryside Act in the meantime.
--	--	---

- 10.26 The issues raised by supporters of the proposal have been addressed in the main body of the report i.e. the reasons why the proposal is not appropriate, contrary to the views of the supporters, has been set out.

11 CONCLUSIONS

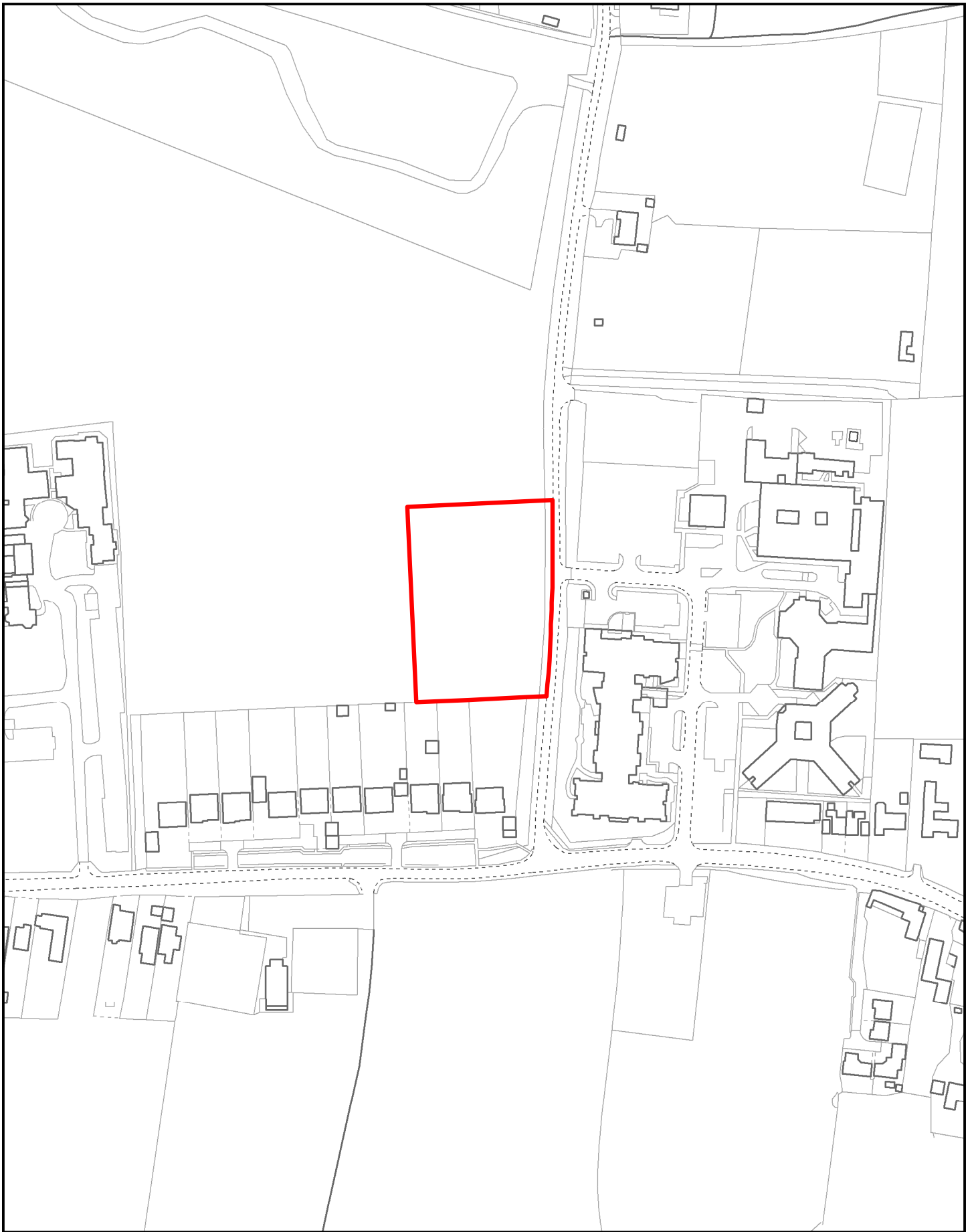
- 11.1 This is an application for Permission in Principle (first stage) for up to three dwellings on a parcel of agricultural land in the countryside outside of the existing developed footprint of Doddington. The proposal is contrary to the policies of the adopted local plan and there are no material considerations which outweigh the determination of this application in accordance with the adopted policies and in line with the NPPF. It should also be noted that it would be entirely inconsistent to have refused application F/YR22/0390/F (adjacent land) for its urbanising impact and detrimental effect on the appearance of the countryside location and then to recommend approval of this application.
- 11.2 Only matters of location, use of land and amount of development can be considered at this stage. All matters of detail would be subject to Technical Details approval if this first stage Permission in Principle (PIP) were approved.
- 11.3 With regard to location, the proposal fails to recognise the intrinsic character and beauty of the countryside, the pattern and character of the natural landscape and built development at this location and would appear incongruous both the rural character of the immediate area creating an adverse visual impact to occupiers of adjacent land and users of the public footpath network in the area. The development would necessitate removal of some of the continuous hedgerow to the east of the site which would add to the urbanising effect of the proposal.
- 11.4 Insufficient information has been provided with regards to whether the grade 3 agricultural land is best and most versatile land, therefore proper assessment of this impact regarding use of land cannot be made. In terms of neighbouring land uses and impact on amenity, the use for residential purposes would be acceptable.
- 11.5 If the principle of development in this location were acceptable, the development for only up to 3 dwellings does not make efficient use of the land.

12 RECOMMENDATION

Refuse; for the following reasons:

1.	<p>The site does not lie adjacent to the continuous built form of the settlement of Doddington and is in a countryside location, defined as “elsewhere” in policy LP3 of the Fenland Local Plan.</p> <p>The development of this site for up to three dwellings fails to recognise the intrinsic character and beauty of the countryside and the pattern and character of the surrounding natural landscape and built character of the immediate area which his sporadic, interspersed with open land and</p>
----	--

	<p>largely frontage development. It would be inconsistent with the core shape of the village and would appear incongruous both in terms of the landscape character of the area and in terms of visual appearance to adjacent occupiers of land/property and users of the nearby public footpath network. It will inevitably result in the severance of a continuous length of hedgerow to the east boundary of the site with Hospital Road which will result in a further urbanising impact and an adverse impact on the verdant rural character.</p> <p>As such the proposal is contrary to policies LP3, LP12 A (a), (c), (d) and (f), LP16 (c) and (d) and paragraphs 130 and 174 of the NPPF.</p>
2.	<p>If the principle of residential development on this site were acceptable in terms of location and use of land, development of up to 3 dwellings would not make efficient use of the land and as such would not constitute sustainable development in accordance with paragraph 8 of the NPPF.</p>



Created on: 08/11/2022

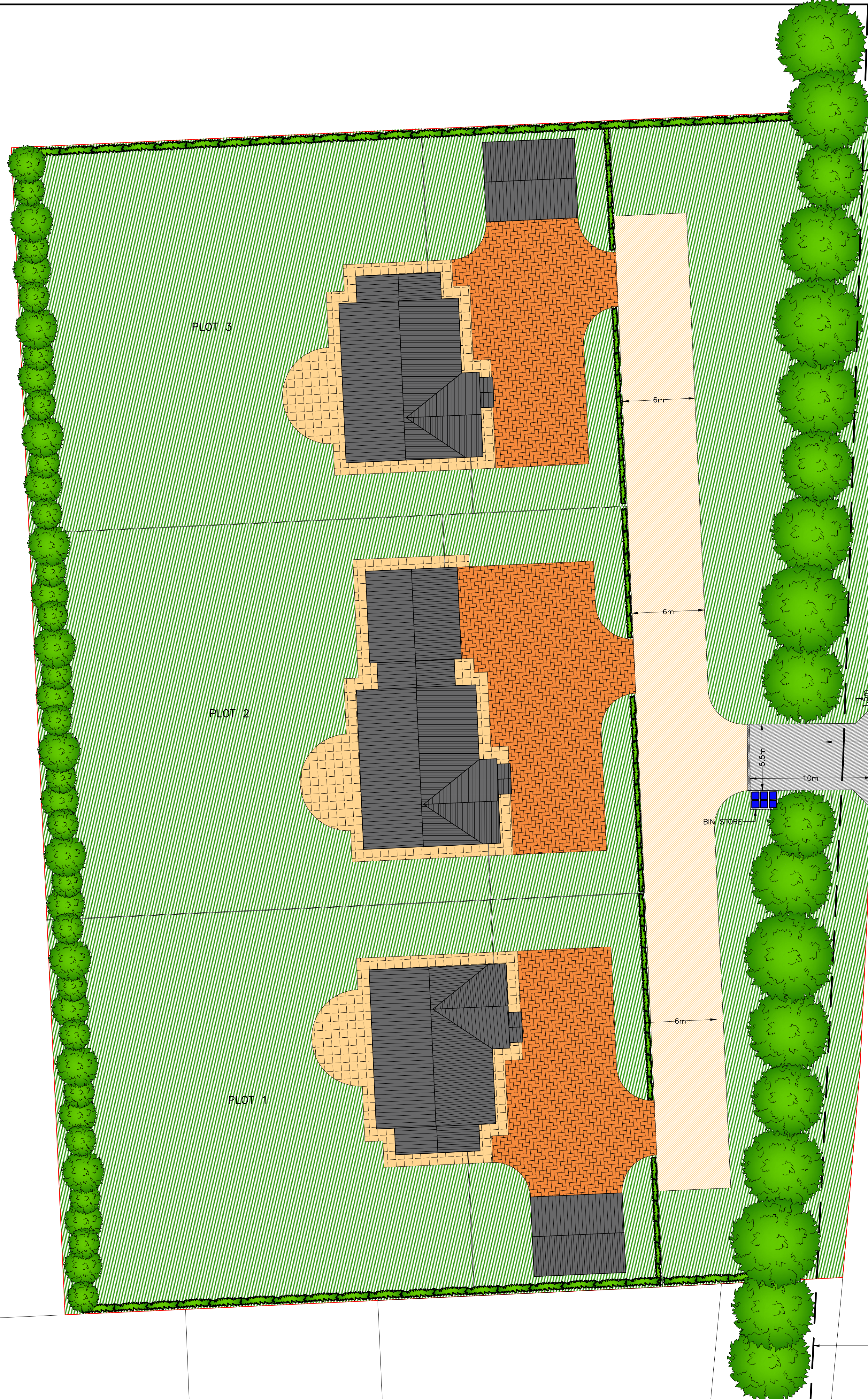
© Crown Copyright and database
rights 2022 Ordnance Survey 10023778

F/YR22/1243/PIP

Scale = 1:2,500



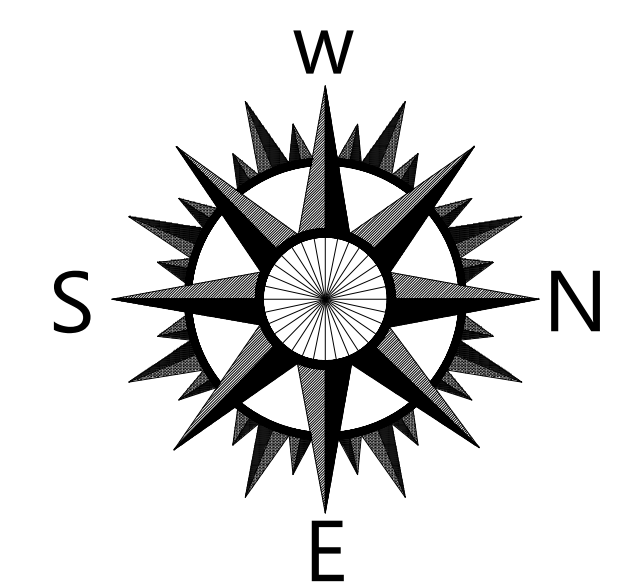
Copyright on all drawings prepared by Morton & Hall Consulting Limited is their property. Drawings and designs may not be reproduced in part or in whole without their written permission.
 Please read, if in doubt ask. Change nothing without consulting the Engineers.
 Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the SICO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer



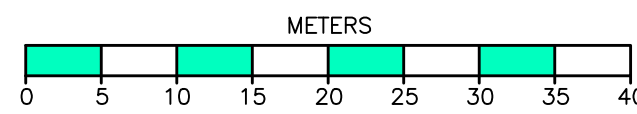
2.4mx90m
VISIBILITY SPLAY
WITHIN VERGE/LAND
UNDER APPLICANT
OWNERSHIP

5.5m x 10m
TARMAC SURFACE
LAID TO FALL AWAY
FROM THE HIGHWAY

2.4mx90m
VISIBILITY SPLAY
WITHIN VERGE/LAND
UNDER APPLICANT
OWNERSHIP



PROPOSED SITE PLAN
(1:200)



ESS

HOSPITAL ROAD

REVISIONS		DATE
<p>MORTON & HALL CONSULTING LIMITED CONSULTING STRUCTURAL ENGINEERS</p> <p>1 Gordon Avenue, March, Cambridgeshire, PE15 8AJ Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk</p>		<p>Fenland District Council LABC LABC winner Building Design Awards Building Excellence in Fenland</p>
CLIENT		
Mr & Mrs Munden		
PROJECT		
Land East of Askham House Benwick Road Doddington		
TITLE		
Proposed Indicative Site Plan		
DRAWN	R.Papworth	DATE OF ISSUE
CHECKED		
DATE	Oct 2022	DRAWING NUMBER
SCALE	As Shown	H8685/02

F/YR22/1351/F

Applicant: Mr & Mrs Santoro

**Agent : Mr Jordan Scotcher
Morton & Hall Consulting Ltd**

21 The Stitch, Friday Bridge, Cambridgeshire, PE14 0HX

Erect a 2-storey side extension to existing dwelling

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission for the erection of a 2-storey side extension to existing dwelling.
- 1.2 The proposed 2-storey extension would be situated forward of the neighbouring dwelling principal elevation (No 19) and in close proximity. No 19 is a single storey detached bungalow. The development would therefore result in a prominent and incongruous feature within the street scene to the detriment of the character and appearance of the area and therefore would be contrary to Policy LP16(d) of the Local Plan.
- 1.3 The close proximity and position forward in the site of the proposed 2-storey extension to the neighbouring property to the west will introduce significant adverse outlook and visual dominance and overbearing issues to the neighbouring dwelling (No19). The creation of such an unappealing living environment for the neighbouring occupiers would be contrary to Policy LP2 and LP16 (e) of the Local Plan.
- 1.4 As such, the recommendation is to refuse the planning permission.

2 SITE DESCRIPTION

- 2.1 The site is located to the north of 'The Stitch' within the settlement of Friday Bridge. The host dwelling is a large, detached, 2-storey dwelling, with off road parking to the front and an enclosed garden to the rear. The rear garden is enclosed to the east and west by approximately 1.8m high fencing, to the west by 2m+ established hedging and to the rear (north) by post and rail fencing. To the west and south of the host dwelling are bungalows and to the east is a two-storey dwelling. 'The Stitch' is mixed in character.
- 2.2 The site is located in Flood Zone 1 (Low Risk).

3 PROPOSAL

- 3.1 The application seeks full planning permission for the erection of a 2-storey side extension to existing dwelling. The two-storey extension would enable a playroom and garage on the ground floor and the extension of the master with walk through wardrobe and En-suite on the first floor.
- 3.2 The extension would measure approximately:
- Max 3.6m width
 - 10.3m length
 - 7.4m height
- 3.3 The materials proposed are:
- Off white render to match existing
 - Orange/brown tile to match existing
 - White UPVC windows to match existing
- 3.4 Full plans and associated documents for this application can be found at:

[F/YR22/1351/F | Erect a 2-storey side extension to existing dwelling | 21 The Stitch Friday Bridge Cambridgeshire PE14 0HX \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/1351/F)

4 SITE PLANNING HISTORY

- 4.1 There is no pertinent planning history for the site.

5 CONSULTATIONS

5.1 Elm Parish Council

Elm Parish Council supports proposals submitted under planning application ref. F/YR22/1351/F.

5.2 Local Residents/Interested Parties

The agent submitted 7 letters of support from residents of The Stitch on pre prepared letter templates. The comments stated:

- “No objection pending boundary fence put up if hedge comes down”
- “No problems at all. Good luck.”
- “No concerns with the extension for the above property. No overlooking concern”
- “I have no objection whatsoever to the extension of a garage and bedroom to the above property.”
- “No objection to the proposed plans”
- “We are quite happy for the above extension to take place. It will not affect us at all”
- “I have no objection to the extension at 21 The Stitch”.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Paragraph 2 Application to be determined in accordance with the development plan unless material considerations indicate otherwise

Paragraph 11 Sustainable development

Paragraph 130 Achieving well-designed places

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context – C1 – How well does the proposal relate to the site and its wider context

Identity – I1, 2 & 3 – Well-designed, high-quality places that fit with local

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

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:

Policy LP5 – Health and Wellbeing

Policy LP7 – Design

Policy LP8 – Amenity Provision

8 KEY ISSUES

- **Principle of Development**
- **Character and Street Scene**
- **Residential Amenity**
- **Flood Risk**
- **Parking**

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP16 supports development subject to a number of criteria. The relevant criterion for the above proposal is Policy LP16 d and e. LP16 (d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area. Policy LP16 (e) seeks to ensure

that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light.

- 9.2 The principle of the development is therefore acceptable subject to these policy considerations being considered below.

Character and Street Scene

- 9.3 The Stitch is characterised by differing scale and designed dwellings. To the west of the host dwelling (No 19) is a single storey detached dwelling, to the east (No23) is a 2-storey detached dwelling and to the south (No's 18, 20 and 22) are single storey detached bungalows. To the North is open agricultural land.
- 9.4 The substantial 2-storey side extension would be highly visible within the street scene, given that the dwelling is set considerably forward of the neighbour to the west. It is proposed for the materials of the extension to match the existing dwelling.
- 9.5 It is considered that the introduction of a 2-storey side extension would add to the mass of the existing dwelling on site, resulting in a dominant feature within the street scene, and in particular presenting almost the entirety of the stark and unattractive side elevation in views along the street. This would be further highlighted by the fact the existing boundary treatment along the west of the site (Mature hedging) being removed with no proposal for any new boundary treatment to be erected.
- 9.6 Therefore, the proposal is considered contrary to policy LP16 (d) of the Fenland Local Plan 2014.

Residential Amenity

- 9.7 Given the location of the 2-storey side extension proposed, it will be highly visible to the neighbouring property to the west. The property to the west (No19) is a single-storey detached dwelling which is situated set back in the site, in line with the rear elevation of the host dwelling. No19 would be approximately 1.8 metres from the proposed 2 storey extension. The appearance of mass and overall bulk at close quarters with No19 would appear visually dominant and overbearing. It would also introduce significant overbearing impacts with a feeling of enclosing to the detriment of the neighbouring amenity space at No 19.
- 9.8 Using the '45 degree rule', the proposed extension would impede views from the southeast principal elevation window of No19. This window would look straight out onto a large expanse of rendered wall within close proximity which would dominate the outlook from the property to the detriment of residential amenity. In addition, the host dwelling sits to the east of number 19 and consequently the neighbouring property may also experience some loss of light and overshadowing as a consequence of this relationship.
- 9.9 There are no windows proposed on the 2-storey extension western elevation. Whilst the lack of windows would ensure that no overlooking impacts are introduced, it would still also result in a highly visible flank wall impacting upon outlook and light at the neighbouring property.
- 9.10 It is therefore considered that the scheme is contrary to Policy LP2 and LP16 (e) of the Fenland Local Plan 2014 in this respect.

Flood Risk

9.11 The proposal is located within Flood Zone 1 and issues of surface water disposal will be considered under Building Regulations.

Parking

9.12 The scheme does not result in the addition of any additional bedrooms on site and therefore there are no issues to address with regard to parking provision on site. The scheme is therefore considered to be compliant with Policy LP15 in this regard.

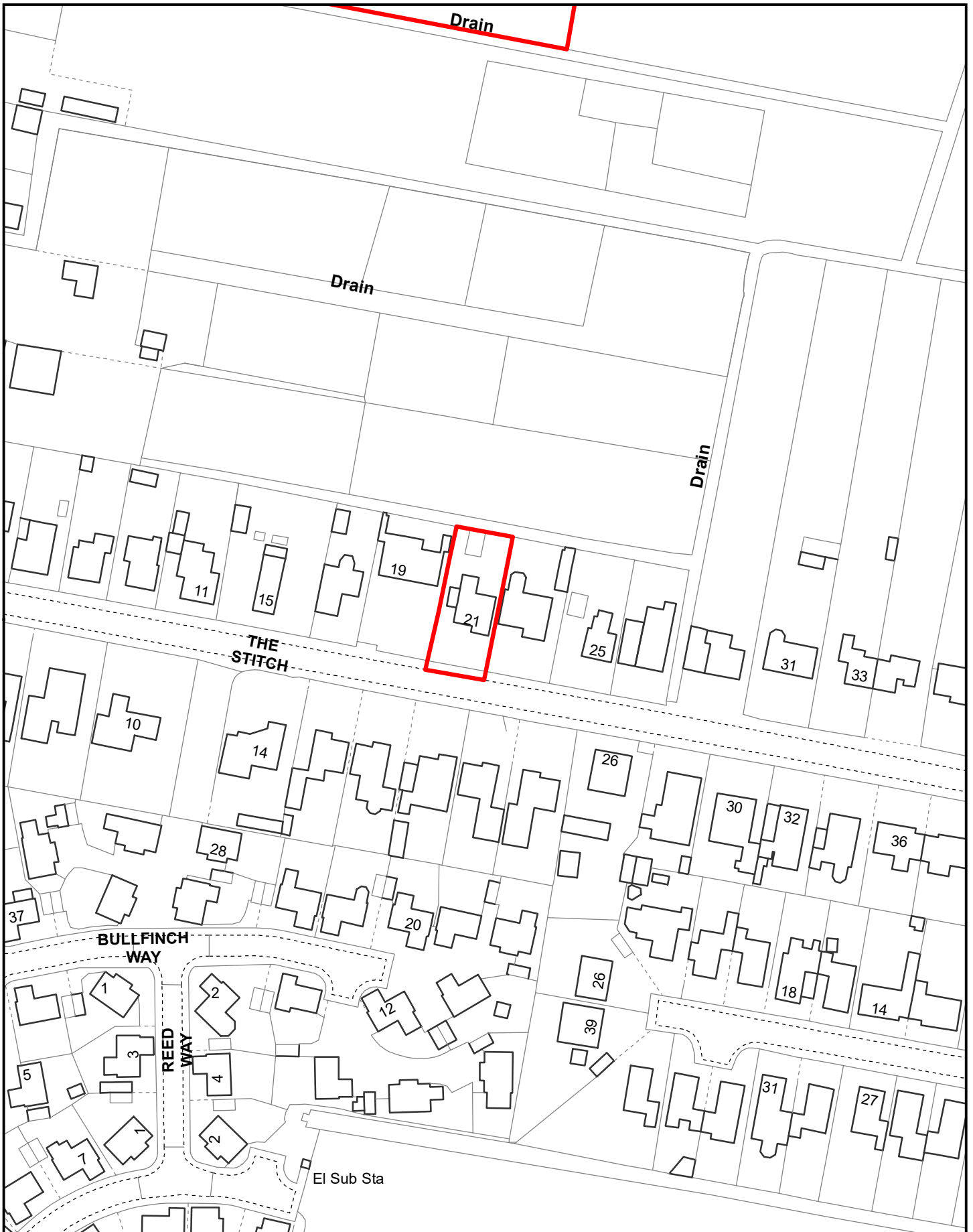
10 CONCLUSIONS

10.1 The 2-storey extension proposed would introduce a dominant and incongruous feature within the street scene and would also appear overbearing and visually dominant to neighbouring occupiers as well as resulting in a potential loss of light and overshadowing. It is therefore considered that the application would be contrary to Policy LP2 and LP16 of the Fenland Local Plan 2014.

11 RECOMMENDATION

REFUSE; for the following reasons:

1	Policies LP2 and LP16 of the Fenland Local Plan seeks to ensure that the development does not adversely affect the amenity of neighbouring users. Due to the proximity and position of the 2-storey extension to the neighbouring property, there is potential for overbearing and visual dominance with the associated loss of outlook to the neighbouring property, alongside the potential for loss of light and overshadowing to this, to the detriment of residential amenity. The creation of such an unappealing and overbearing living environment for the neighbouring occupiers would be contrary to the above policies.
2	Policy LP16 of the Fenland Local Plan requires development to make a positive contribution to the local distinctiveness and character of the area and to respond to and improve the character of the local built environment. The proposed extension by virtue of its size, mass and proximity to the neighbouring property (No19) and projection into the streetscene, will result in the stark and unattractive side elevation appearing as a prominent, visually dominant and incongruous feature within the street scene. If permitted, the development would consequently be to the detriment of the character and appearance of the area and contrary to the above policy of the Local Plan.



Created on: 12/12/2022

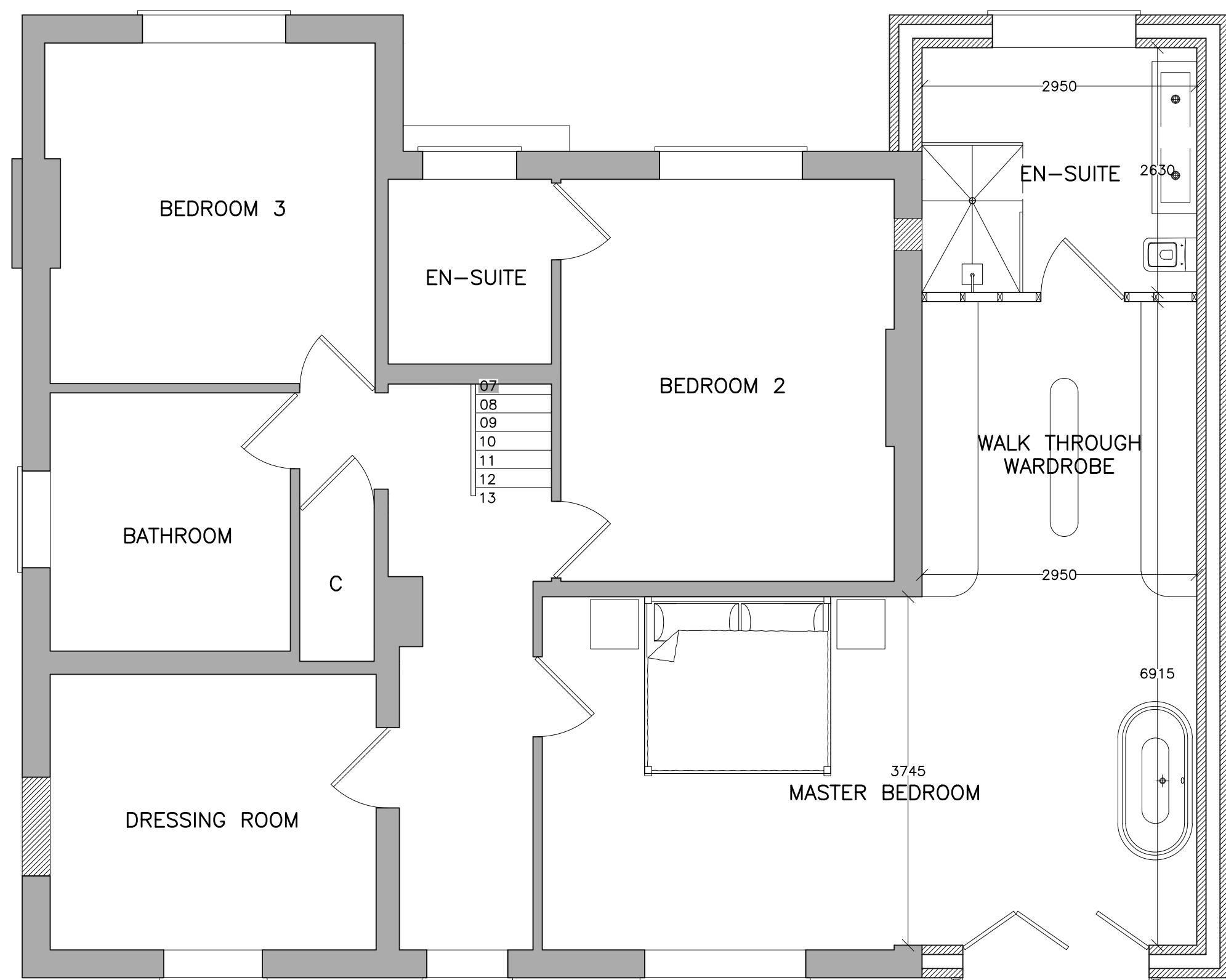
© Crown Copyright and database rights 2022 Ordnance Survey 10023778

F/YR22/1351/F

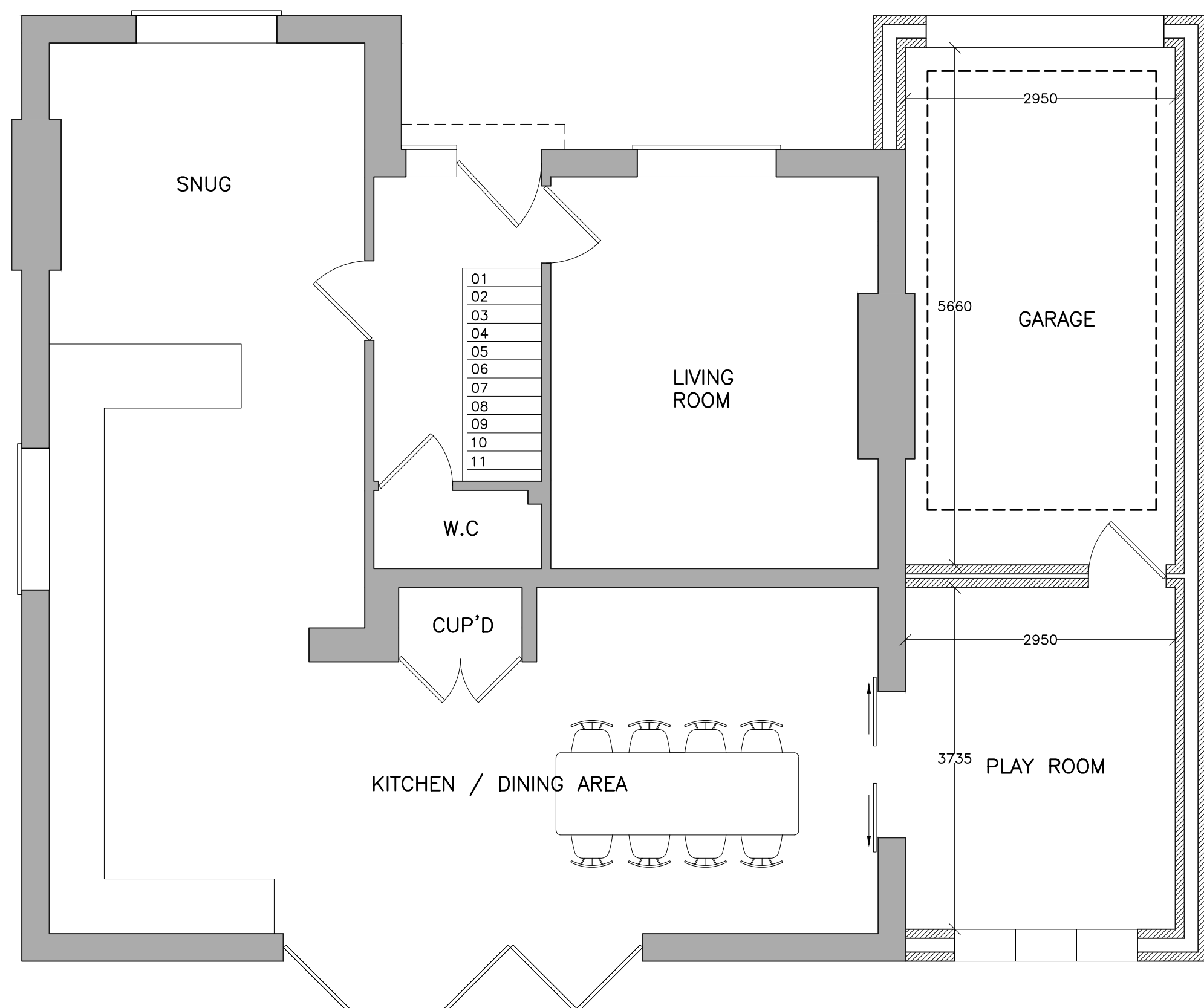
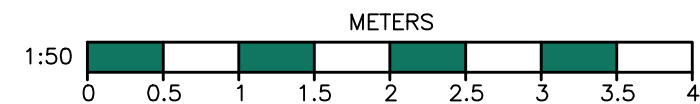
Scale = 1:1,250



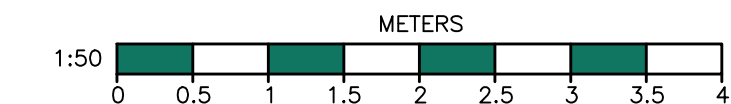
Copyright on all drawings prepared by Morton & Hall Consulting Limited is their property. Drawings and designs may not be reproduced in part or in whole without their written permission.
 Please read, if in doubt ask. Change nothing without consulting the Engineers.
 Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work.
 Materials products and workmanship to comply with all British Standards and CMA standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details



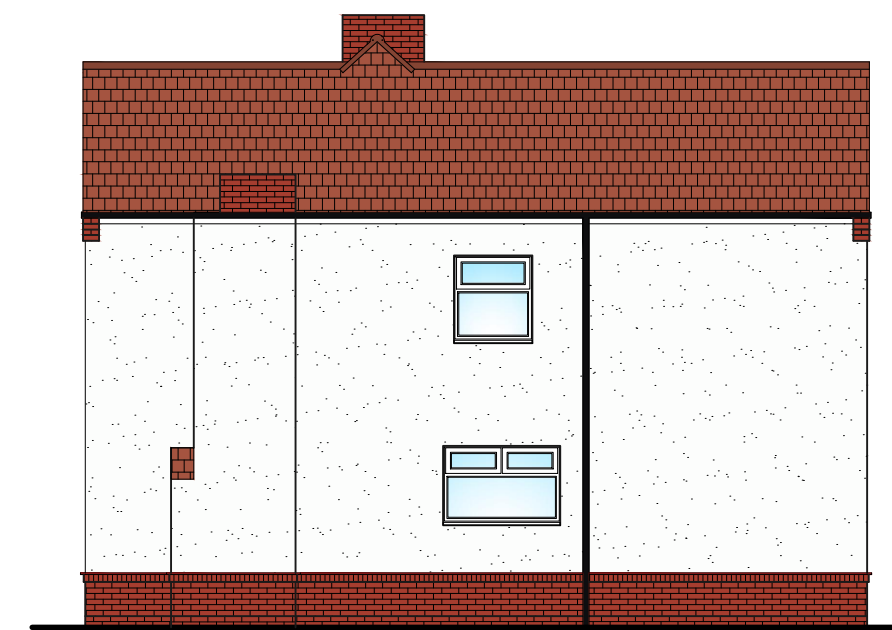
PROPOSED FIRST FLOOR (1:50)



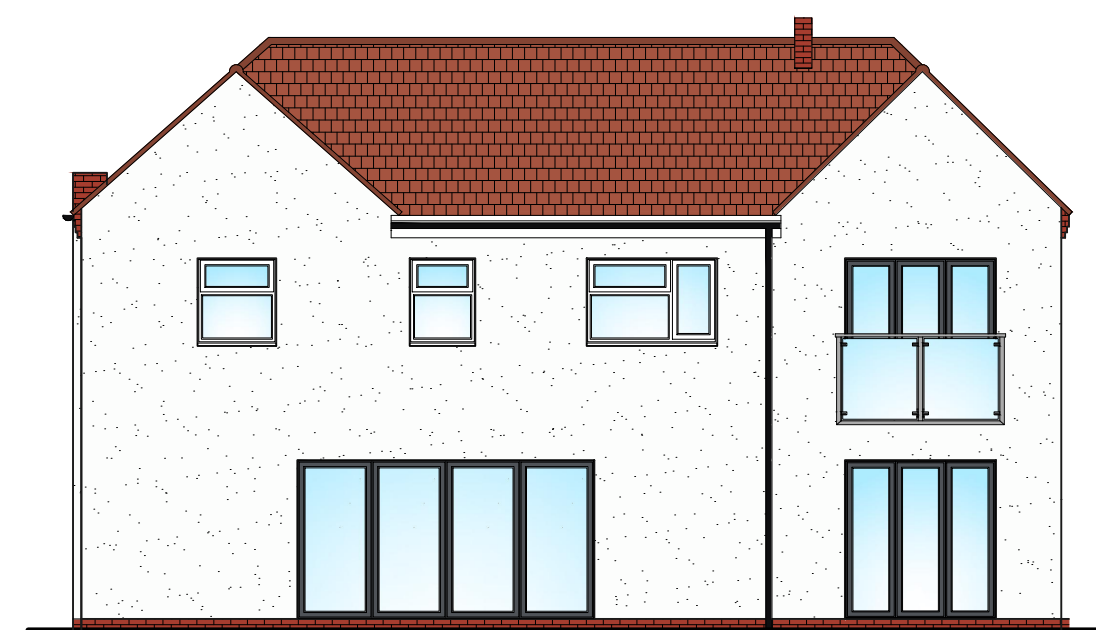
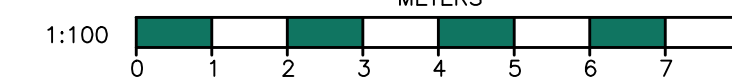
PROPOSED GROUND FLOOR (1:50)



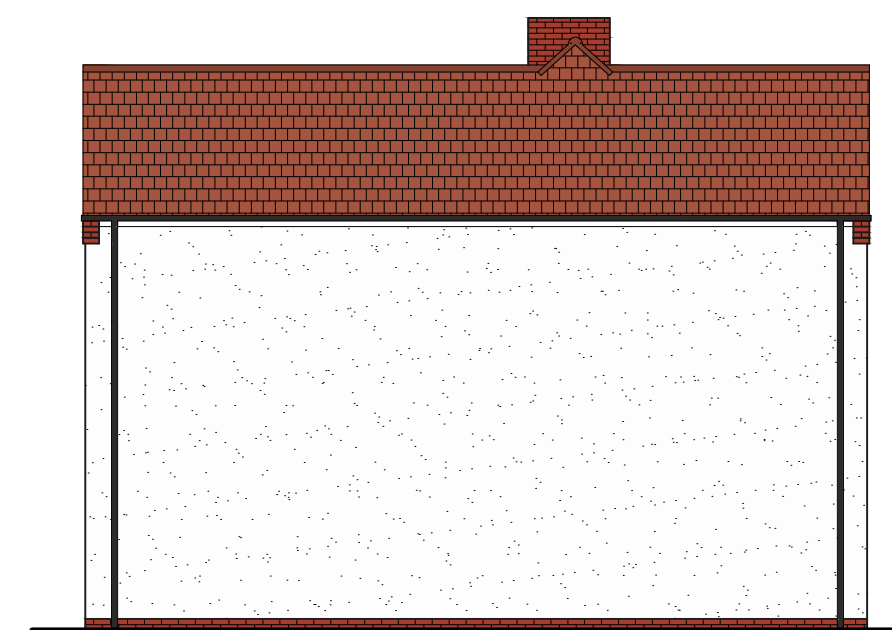
PROPOSED FRONT ELEVATION (1:100)



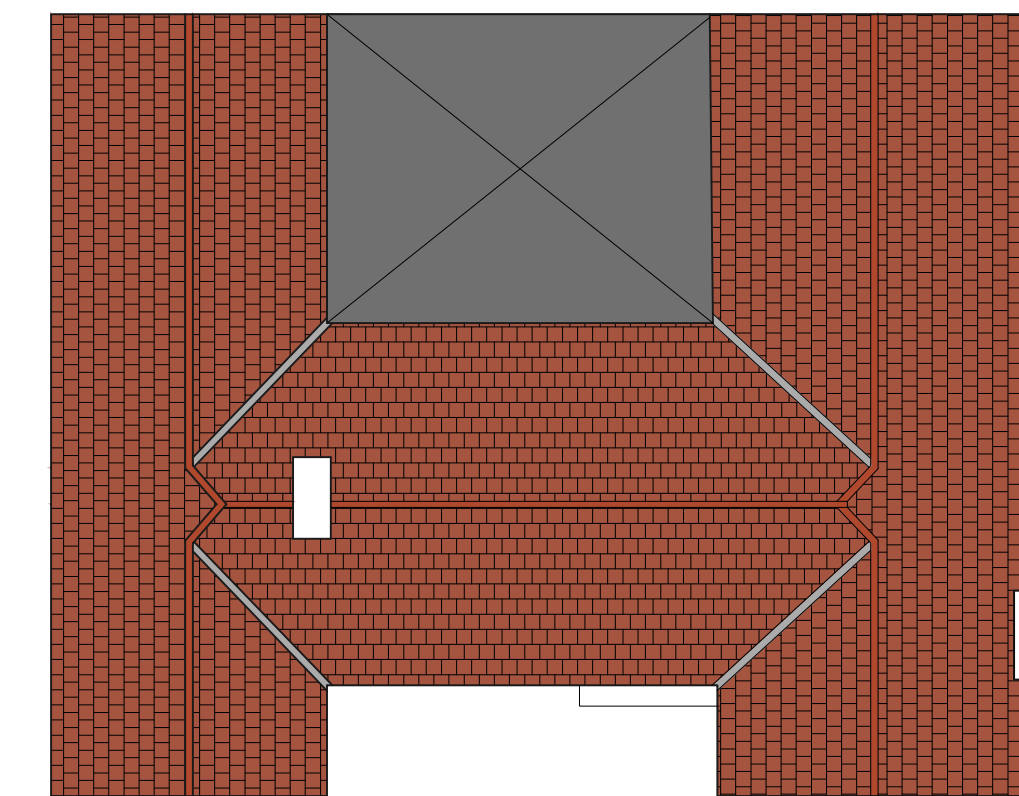
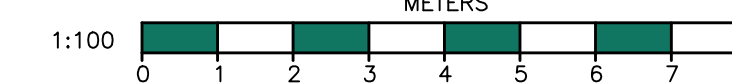
PROPOSED RHS ELEVATION (1:100)



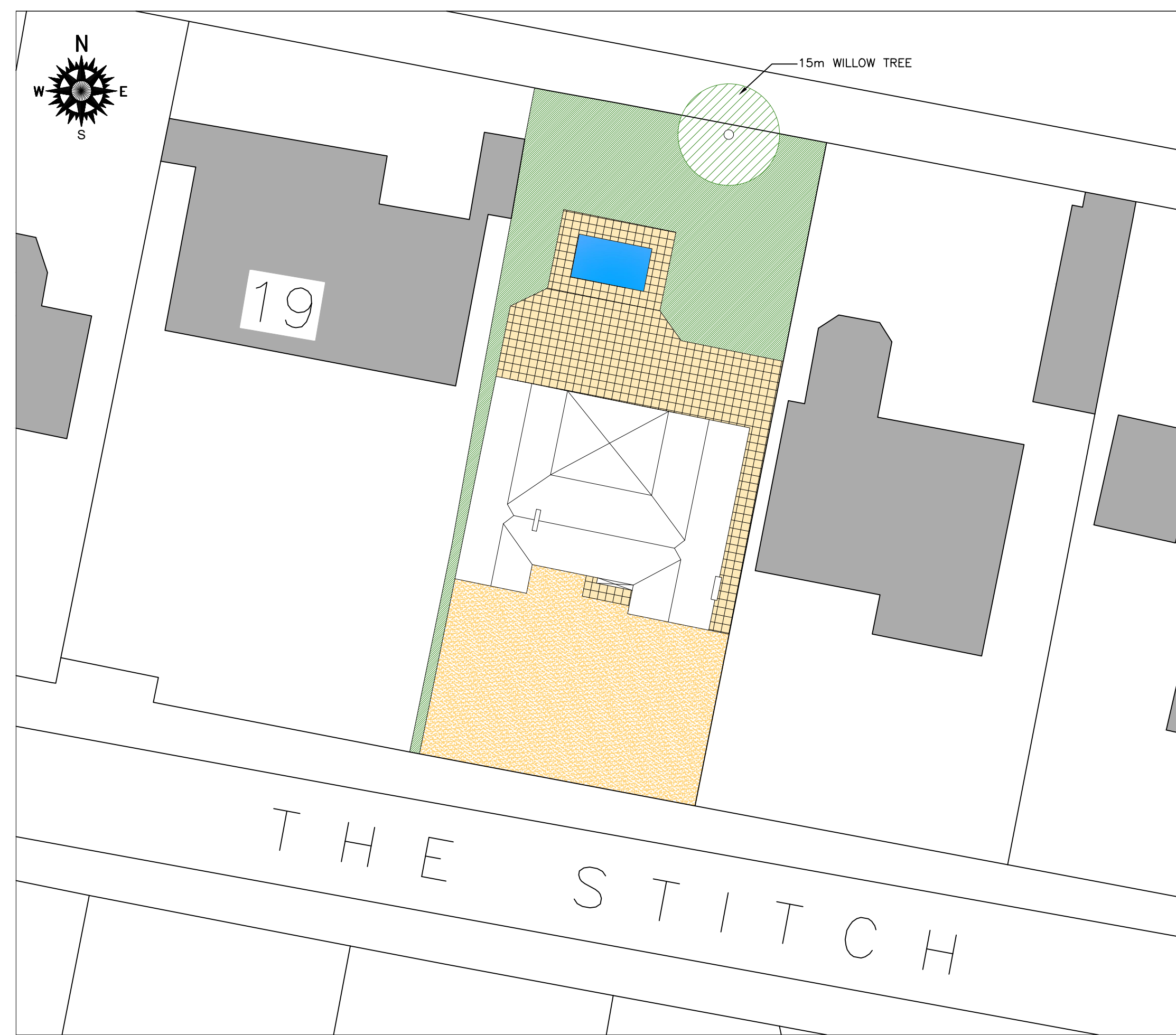
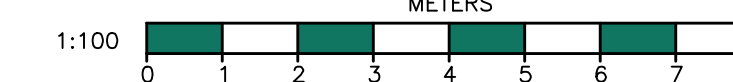
PROPOSED REAR ELEVATION (1:100)



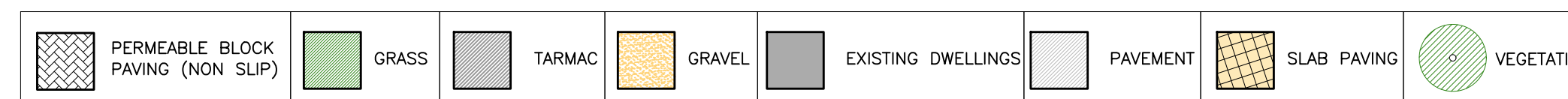
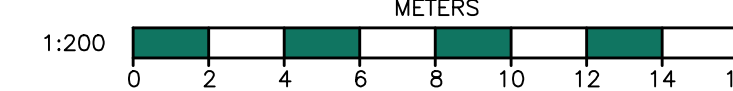
PROPOSED LHS ELEVATION (1:100)



PROPOSED ROOF PLAN (1:100)



PROPOSED SITE PLAN (1:200)



PROPOSED STREET SCENE (1:200)

A CLINET COMMENTS		NOV 2022
REVISIONS		DATE
MORTON & HALL CONSULTING LIMITED		
1 Gordon Avenue, March, Cambridgeshire, PE15 8AJ		Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk
CLIENT		
Mr & Mrs Santoro		
PROJECT		
21 The Stitch, Friday Bridge Wisbech, PE14 0HX		
TITLE		
Proposed Building Plans, Elevations, Site Plan		
DRAWN: J. Scotcher		DATE OF ISSUE
CHECKED:		
DATE: Oct 2022		DRAWING NUMBER
SCALE: AS SHOWN		H6560/02A

This page is intentionally left blank

F/YR22/1389/F

Applicant: Mr & Mrs Clinton

**Agent : Mr Ian Gowler
Gowler Architectural**

Land South West Of 27A, Wimblington Road, Doddington, Cambridgeshire

Erect a dwelling (2-storey, 3-bed)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This application seeks to erect a dwelling (2-storey, 3-bed) to Land South West of 27A Wimblington Road. The site currently forms garden land associated with 27A Wimblington Road.
- 1.2 Due to the constrained nature of the site, the proposal results in a development which is unsympathetic and out of character with the existing street scene. The proposal would consequently create an incongruous and unattractive feature which fails to demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and is therefore considered to be contrary to Policy LP16(d).
- 1.3 The proximity and the 2-storey nature of the proposed dwelling will introduce adverse overbearing and overshadowing impacts to the dwelling to the north-east to the detriment of residential amenity. The creation of such an unappealing living environment for the neighbouring occupiers would be contrary to Policies LP2 and LP16(e).
- 1.4 The constrained nature of the application site results in the scheme failing to provide a third of the curtilage for private amenity space. The scheme is therefore considered to result in an unacceptable level of private amenity space for the proposed dwelling to the detriment of future occupiers and is therefore considered to be contrary to Policy LP2 and LP16(h).
- 1.5 Subsequently, the recommendation is to refuse this application.

2 SITE DESCRIPTION

- 2.1 The application site is situated on the north-western side of Wimblington Road within the settlement of Doddington.
- 2.2 The site is currently used as garden land in association with the dwelling at 27A Wimblington Road. A range of trees are currently situated within the site, with the site being bounded in a 1 metre (approx.) closed boarded fence.

- 2.3 The dwelling to the east of the application site is a 2-storey detached dwelling with a front projecting 2-storey gable constructed in a red brick. The dwelling to the west of the site is a 2-storey detached dwelling finished in a grey render.
- 2.4 The application site is situated within Flood Zone 1 and an Amber Great Crested Newts Protection Zone.

3 PROPOSAL

- 3.3 This application seeks to erect a 2-storey, 3-bed dwelling. The proposed roof will be dual-pitched with an eaves height of 4.9 metres approx and a ridge height of 7.4 metres approx.
- 3.4 The fenestration proposed at ground floor includes 2 windows to the rear of the dwelling facing north and 2 windows and a door to the front elevation of the dwelling.
- 3.5 The fenestration proposed at first-floor includes 2 windows to serve bedroom 3 and the en-suite to the rear elevation and 2 windows to serve bedroom 1 and 2 to the front elevations.
- 3.6 The materials proposed include TBS Aldwick Blend bricks and Grey Pantile roof tiles.
- 3.7 A new access is proposed off Wimblington Road to serve the proposed dwelling which will be approximately 5.6 metres wide. 2 parking spaces will be situated to the front of the dwelling.
- 3.8 Private amenity space will be situated to the rear of the dwelling, with a new 1.8m close boarded fence proposed to enclose the rear of the site.
- 3.9 Full plans and associated documents for this application can be found at: [F/YR22/1389/F | Erect a dwelling \(2-storey, 3-bed\) | Land South West Of 27A Wimblington Road Doddington Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/1389/F)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR22/0828/F	Erect a dwelling (2-storey, 3-bed)	Withdrawn

5 CONSULTATIONS

5.1 Doddington Parish Council

Doddington Parish Council considered the above planning application at its meeting last night and raised objections on the basis that the application represented an inappropriate and overdevelopment of garden land thereby spoiling the street scene.

5.2 FDC Environment & Health Services

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 or be affected by ground contamination.

This service would however welcome a condition on construction working times due to the close proximity to existing noise sensitive receptors, with the following considered reasonable:

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 Local Residents/Interested Parties

10 letters of support were received with regard to the above application (5 from High Street, Doddington; 1 from Wimblington Road, Doddington; 1 from Walden Close, Doddington; 1 from Hospital Road, Doddington and 1 from High Street, March. 1 letter received did not provide an address). The reasons for support are as follows:

- Good location for school & shops
- On bus routes
- Design looks good, a nice family home
- Affordable family home
- Help with supporting the environment and energy efficiencies
- Would fit with local surroundings
- Needed house in the village for local people
- Building will not impact on doctors or schools
- Access to the site is good
- Modest family home that would suit its location
- Single building far better than big developments
- Well designed property in the central location of the village
- Doddington has grown in size but has not substantially increased the offer of affordable homes
- Many new builds include executive homes which are out of reach financially for younger couples & families
- Larger houses have attracted wealthy commuters who don't have family & historical/emotional links to the village
- Younger couples now purchasing bungalows within the village – impacts on older less able residents

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 2 – Applications to be determined in accordance with the development plan unless material considerations indicate otherwise

Para 11 – A presumption in favour of sustainable development

Para 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise

Para 130 – Achieving well-designed places

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2021

Context

Identity

Built Form

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

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

7.5 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

LP5 – Health and Wellbeing

LP7 – Design

LP8 – Amenity Provision

LP20 – Accessibility and Transport

LP22 – Parking Provision

LP32 – Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design and Visual Amenity of the Area**
- **Residential Amenity**
- **Highways and Parking**
- **Flood Risk**
- **Other Matters**

9 BACKGROUND

9.1 As detailed within the planning history section above, a previous application for a 2-storey, 3-bed dwelling was submitted and subsequently withdrawn.

9.2 The previous application was recommended for refusal for the following reasons.

1. *Policies LP2 and LP16(e) of the Fenland Local Plan seek to ensure that the development does not adversely affect the amenity of neighbouring users. Due to the proximity of the proposed dwelling to the neighbouring property to the north-east, there is potential for overbearing and overshadowing to the neighbouring property to the detriment of residential amenity. The creation of such an unappealing living environment for the neighbouring occupiers would be contrary to the above policies.*
2. *Policies LP2 and LP16(h) of the Fenland Local Plan seeks to ensure that the development provides sufficient amenity space for future occupiers. The scale and positioning of the proposed development will result in the proposed dwelling retaining insufficient levels of private amenity space owing to the constraints of the site, which will result in harm to future occupiers is therefore contrary to Policy LP16(h).*

9.3 This application has amended the design of the proposed 2-storey dwelling, with the bulk of the dwelling proposed adjacent to the south-west boundary of the application site. A 2-storey element is still proposed within close proximity to the neighbouring property to the north-east, albeit the clearance between these properties is now approximately 2.6 metres. The depth of the 2-storey element closest to this neighbouring property is approximately 6.3 metres.

10 ASSESSMENT

Principle of Development

10.1 Policy LP3 of the Fenland Local Plan 2014 designates Doddington as a Growth Village within the settlement hierarchy. Development within the existing urban area or as small village extensions will be appropriate in Growth Villages albeit of a considerably more limited scale than that appropriate to Market Towns. The principle of development is therefore acceptable subject to further policy considerations set out below.

Design and Visual Amenity of the Area

10.2 Policy LP16 expects to deliver and protect high quality environments throughout the district, and only allows development which makes a positive contribution to the local distinctiveness and character of the area, and enhances its local setting, responding to and improving the character of the local built environment.

10.3 The dwelling proposed is a 2-storey detached which will be situated within existing garden land associated with 27A Wimblington Road. The dwellings along Wimblington Road are varied in terms of design and character. The dwelling proposed under this scheme will feature a dual-pitched roof and will be finished in a red brick and as such will reflect the character of the neighbouring dwelling at 27A.

10.4 Notwithstanding this however, given the size constraint of the site, the dwelling has been designed in a way that appears contrived, with the 2-storey front projection set at an angle to run parallel with the south-west boundary of the site. The dwelling proposed will therefore create an unsympathetic addition to the street scene and the resulting visual impact of the proposed dwelling is considered to introduce adverse impacts upon the street scene given that it will appear out of character with the surrounding dwellings.

10.5 As such, the scheme is considered to be contrary to Policy LP16 in this regard.

Residential Amenity

10.6 Policy LP2 and Policy LP16 seek to ensure that development does not introduce any adverse impacts upon surrounding residential amenity. Neighbouring properties are situated to the north-east and south-east of the application site. The dwelling proposed will be situated approximately 2.6 metres from the neighbouring property to the north-east and approximately 10 metres from the neighbouring property to the south-west.

10.7 Given the location of the neighbouring property to the south-west approximately 10 metres from the proposed dwelling, it is unlikely that the scheme will introduce any significant overbearing impacts due to the clearance between the 2 dwellings. In addition to this, no first-floor windows are proposed facing south-west and therefore the scheme will not introduce any adverse overlooking impacts upon this neighbouring property.

10.8 As aforementioned, the proposed dwelling will be situated approximately 2.6 metres from the neighbouring property to the north-east. As the dwelling proposed is 2-storey, it will be highly visible from the windows on the south-west elevation of No. 27A. The west facing elevation of the main dwelling (27A) features both ground floor and first floor windows, and the right front gable also features windows at both ground and first floor level. The submitted drawing notes that a window to the neighbouring property is to be bricked in, however the proposed dwelling will still introduce significant overbearing impacts to the remaining forwardmost west facing windows at No. 27A.

10.9 In addition to the above, given the direction of sun travel from east to west, the introduction of a 2-storey dwelling in this location will introduce overshadowing impacts to the west facing windows at 27A which will result in adverse loss of light.

10.10 There is potential for both significant overbearing and overshadowing impacts upon the neighbouring property to the north-east which will have detrimental impacts upon neighbouring amenity. The creation of such an unappealing living environment for the neighbouring occupiers would be contrary to Policy LP2 and LP16.

10.11 Policy LP16(h) states that new developments should provide sufficient private amenity space, suitable to the type and amount of development proposed; for dwellings other than flats, as a guide and depending on the local character of the area, this means a minimum of a third of the plot curtilage should be set aside as private amenity space.

- 10.12 From the site plan submitted, the private amenity space to the rear of the proposed dwelling covers an area of approximately 81.5m². The application form submitted states that the site area measures 300m². The proposed private amenity space therefore falls short of the required 33%. The scheme is therefore considered to result in an unacceptable level and quality of private amenity space for the proposed dwelling and therefore cannot be supported.

Highways and Parking

- 10.13 The existing access to No. 27A is to be retained, with a new access proposed to facilitate the proposed dwelling. 2 parking spaces will be situated to the front of the dwelling.
- 10.14 No consultation comments have been received from CCC Highways at the time of writing this report. Notwithstanding this, CCC Highways raised no objection to the previous application subject to conditions. The access proposed under this application is not significantly different to that previously proposed, albeit moved slightly further east and therefore it is not considered that this access would introduce any additional highway safety issues to the previous consideration. However, should comments be received these will be reported to committee by way of an update.
- 10.15 Appendix A of the Fenland Local Plan 2014 states that 2 on-site parking spaces should be provided for dwellings with up to 3 bedrooms. The site plan submitted details 2 parking spaces forward of the proposed dwelling. It is therefore considered that the scheme is compliant with Policy LP15 in this regard.

Flood Risk

- 10.16 The proposal is located within Flood Zone 1 and issues of surface water disposal will be considered under Building Regulations.

Other Matters

- 10.17 The application site is situated within a Amber Great Crested Newts Protection Zone. Amber zones contain main population centres for Great Crested Newts and comprise important connecting habitat that aids natural dispersal. The site is an existing established garden associated with 27A and therefore it is unlikely that there is a habitat within this location.

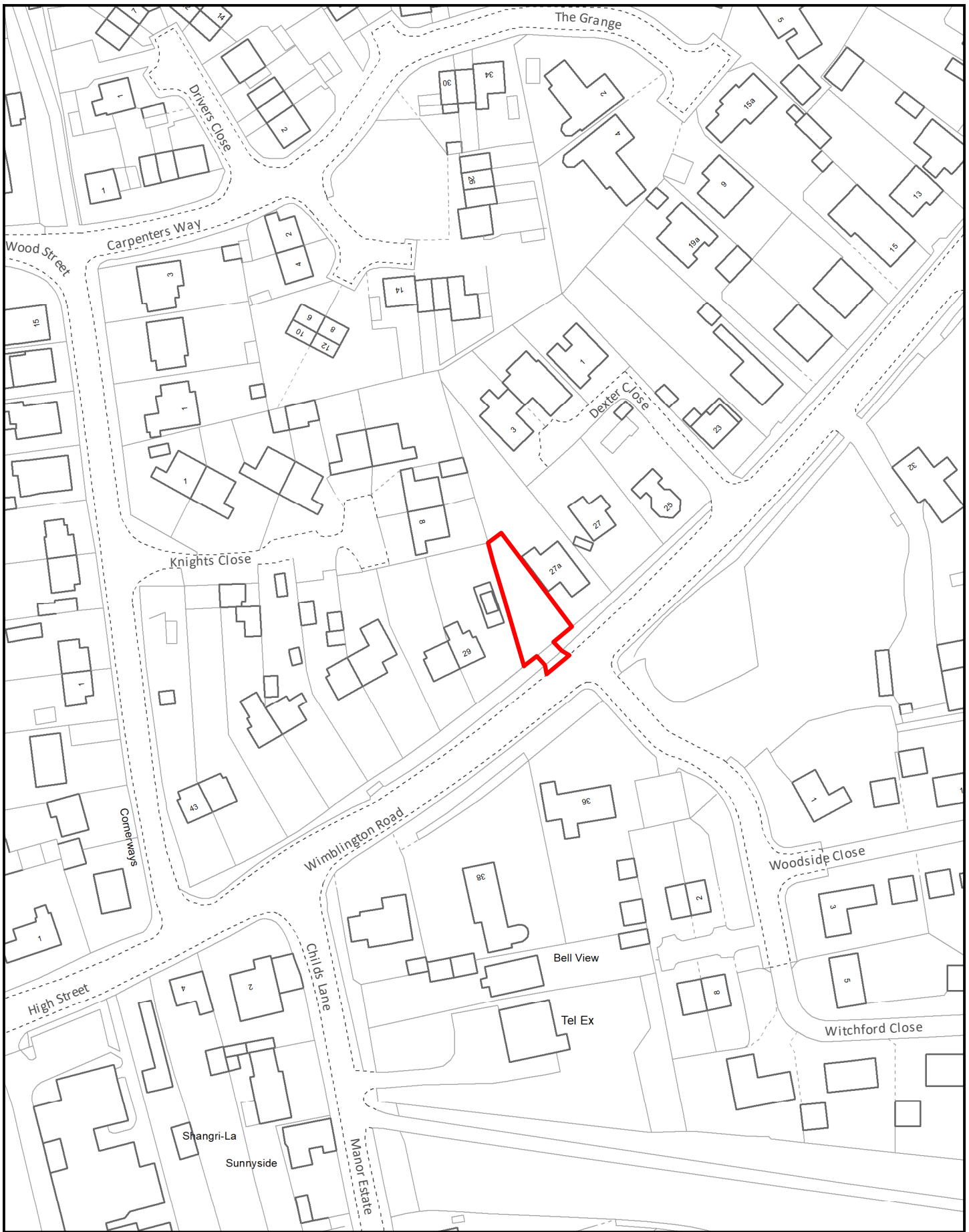
11 CONCLUSIONS

- 11.1 The proposed 2-storey dwelling will introduce an incongruous feature within the street scene and will introduce adverse overbearing and overshadowing impacts to the dwelling to the north-east given the proximity of the proposed dwelling to the neighbouring dwelling. The creation of such an unappealing living environment for the neighbouring occupiers would be contrary to Policies LP2 and LP16 of the Fenland Local Plan 2014.

12 RECOMMENDATION

Refuse; for the following reasons:

1	<p>Policy LP16 (d) of the Fenland Local Plan (2014) requires that development demonstrates that it makes a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment and does not adversely impact on the street scene or landscape character of the surrounding area. The proposal is for the construction of a 2-storey, 3-bed dwelling within existing garden land associated with No. 27A.</p> <p>Due to the constrained nature of the site, the proposal results in a development which is contrived in its design and layout and consequently is unsympathetic and out of character with the existing street scene. The proposal would consequently create an incongruous and unattractive feature which fails to demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and is therefore contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).</p>
2	<p>Policies LP2 and LP16(e) of the Fenland Local Plan seek to ensure that the development does not adversely affect the amenity of neighbouring users. Due to the proximity of the proposed dwelling to the neighbouring property to the north-east, there is potential for overbearing and overshadowing to the neighbouring property to the detriment of residential amenity. The creation of such an unappealing living environment for the neighbouring occupiers would be contrary to the above policies.</p>
3	<p>Policies LP2 and LP16(h) of the Fenland Local Plan seeks to ensure that the development provides sufficient amenity space for future occupiers. The scale and positioning of the proposed development will result in the proposed dwelling retaining insufficient levels of private amenity space owing to the constraints of the site, which will result in harm to future occupiers is therefore contrary to Policy LP16(h).</p>



Created on: 19/12/2022

© Crown Copyright and database rights 2022 Ordnance Survey 10023778

F/YR22/1389/F

Scale = 1:1,250



No 29

Proposed Plot

No 27a



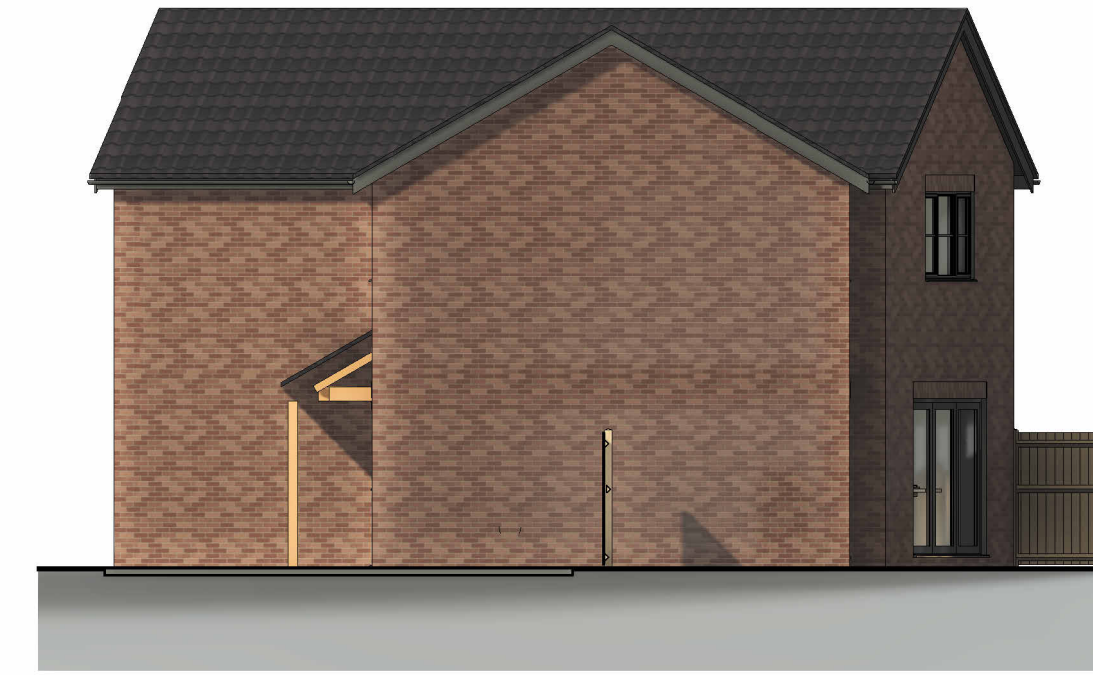
Proposed Front/ Street Scene

Scale 1 : 100



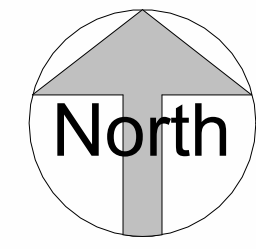
Planning Proposed Rear (north west)

Scale 1 : 100

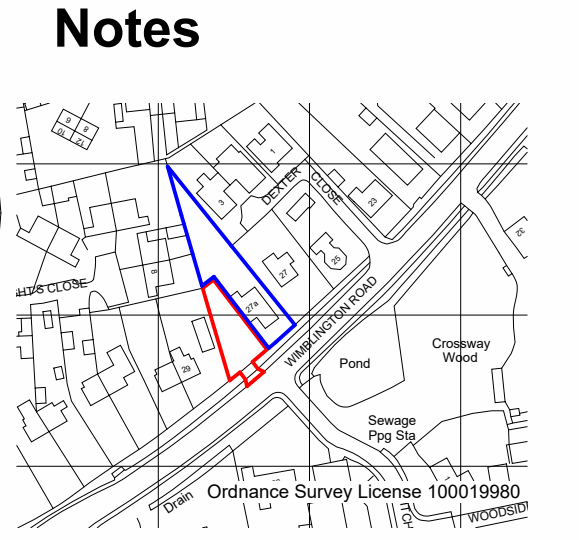


Planning Proposed Side (north east)

Scale 1 : 100



Notes
Any discrepancies to be brought to the attention of the author as soon as possible.
All dimensions shown in 'mm' unless otherwise stated.
Unless otherwise stated otherwise, this drawing has been assessed for risks and nothing is deemed to be outside of normal good Health and Safety practice that would be covered by the contractor in their Construction phase health and safety plan.



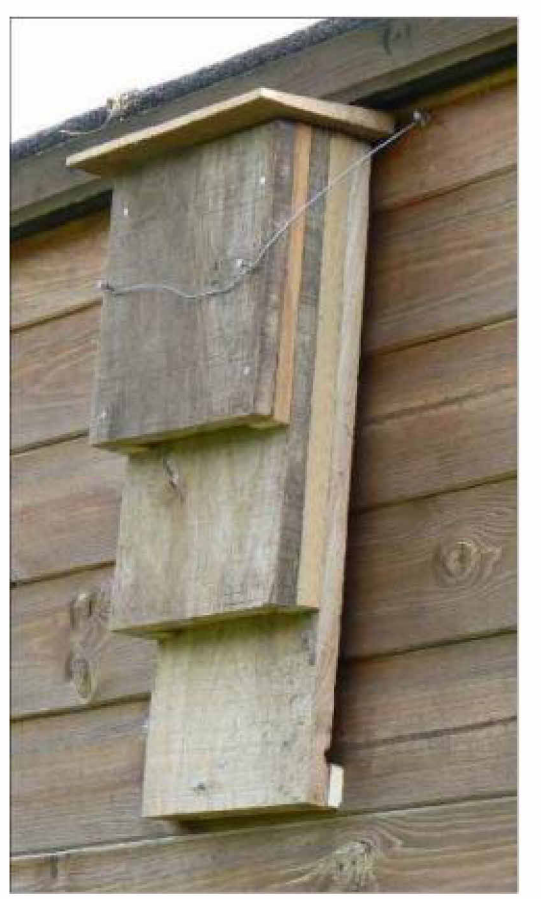
Location Plan

Scale 1 : 2500

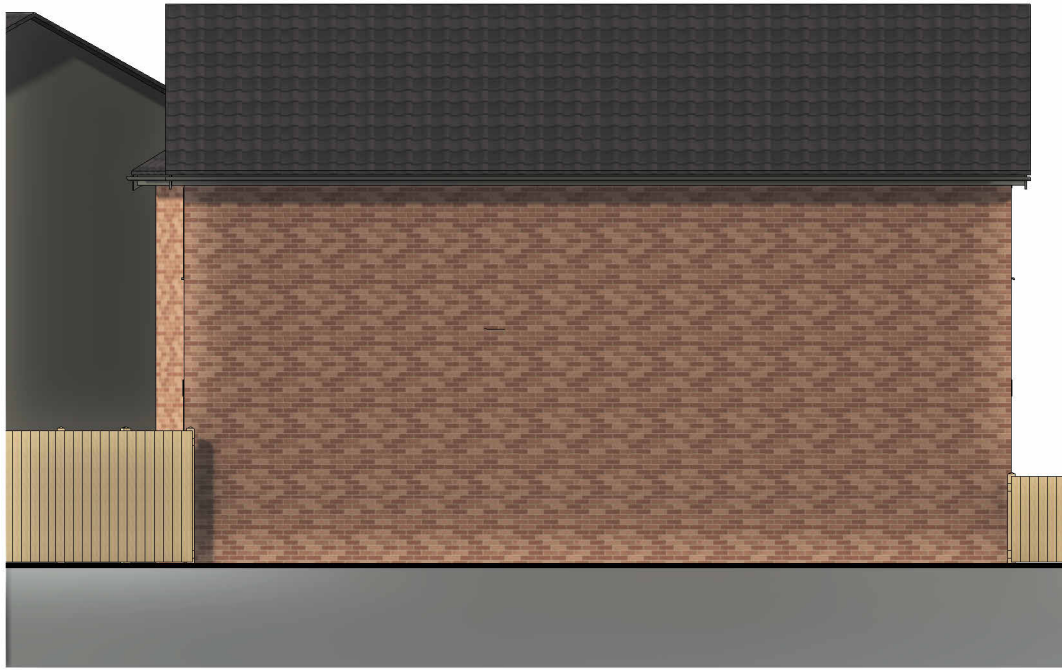
MATERIALS
Bricks - TBS Aldwick Blend
Roof - Grey Pantile
Windows, Doors and Fascia - Grey uPVC



Sparrow Nest Box



Bat Box



Planning Proposed Side (west)

Scale 1 : 100



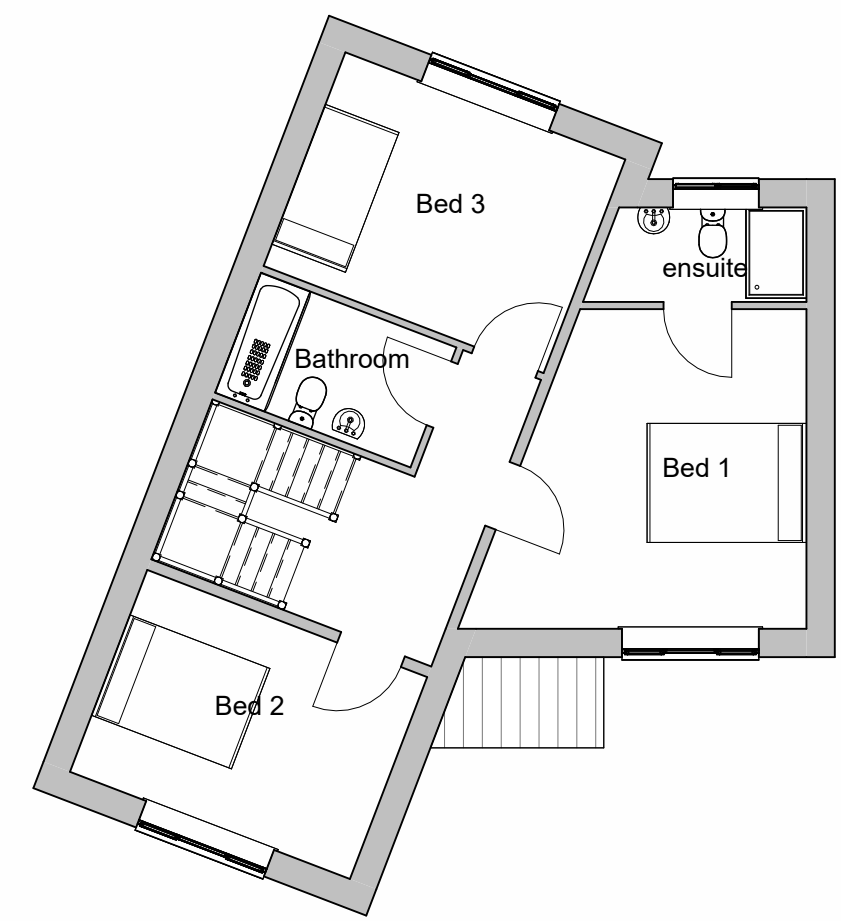
Planning Proposed Front

Scale 1 : 100



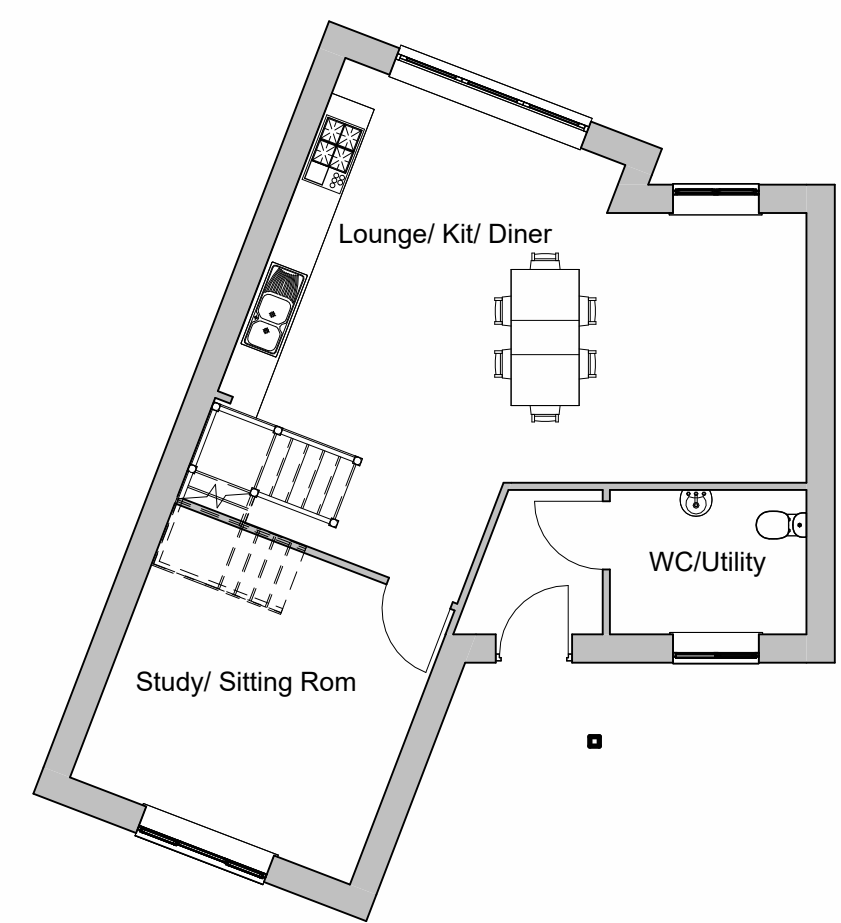
Planning Proposed Rear (north)

Scale 1 : 100



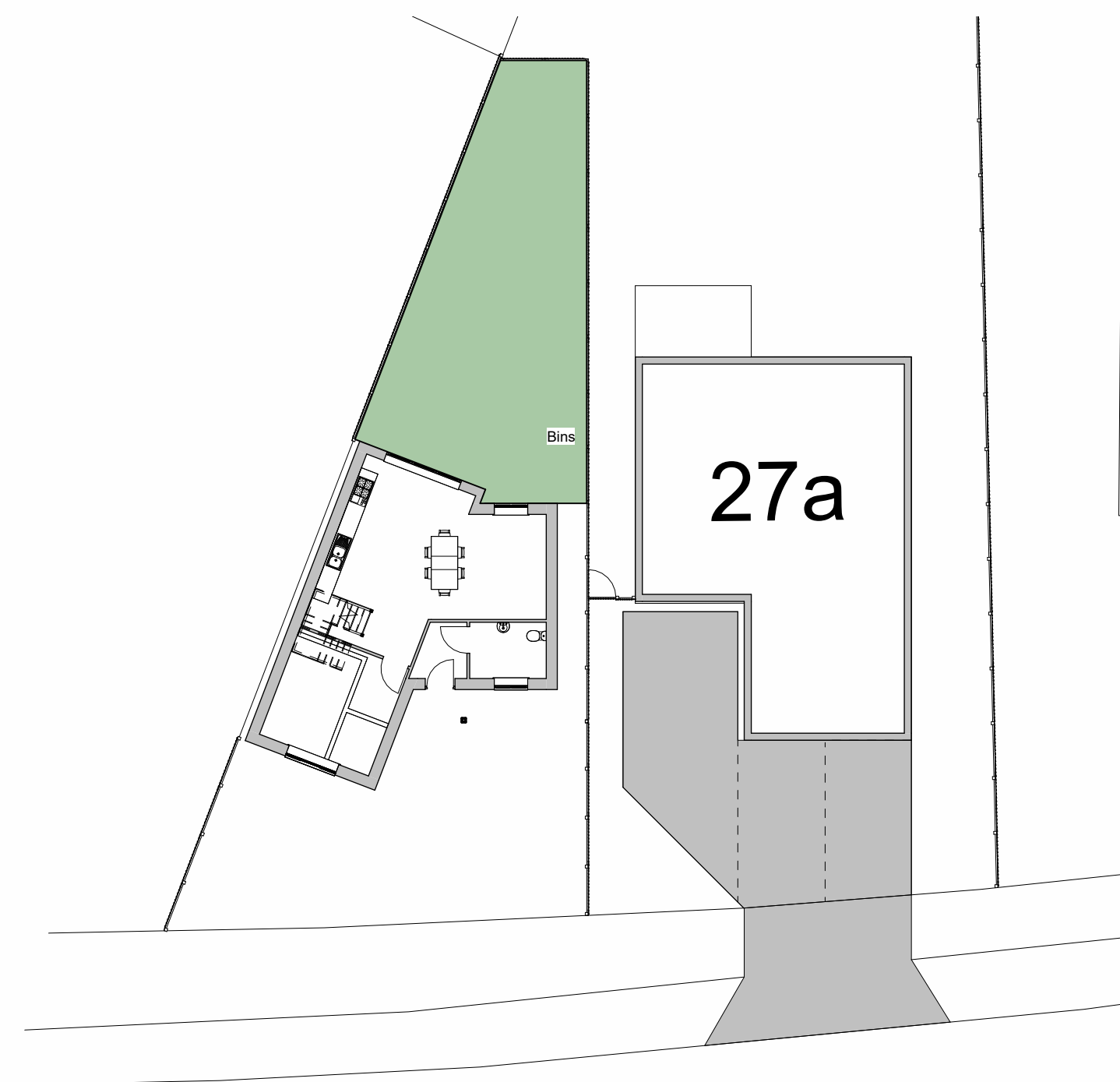
Proposed First Floor

Scale 1 : 100



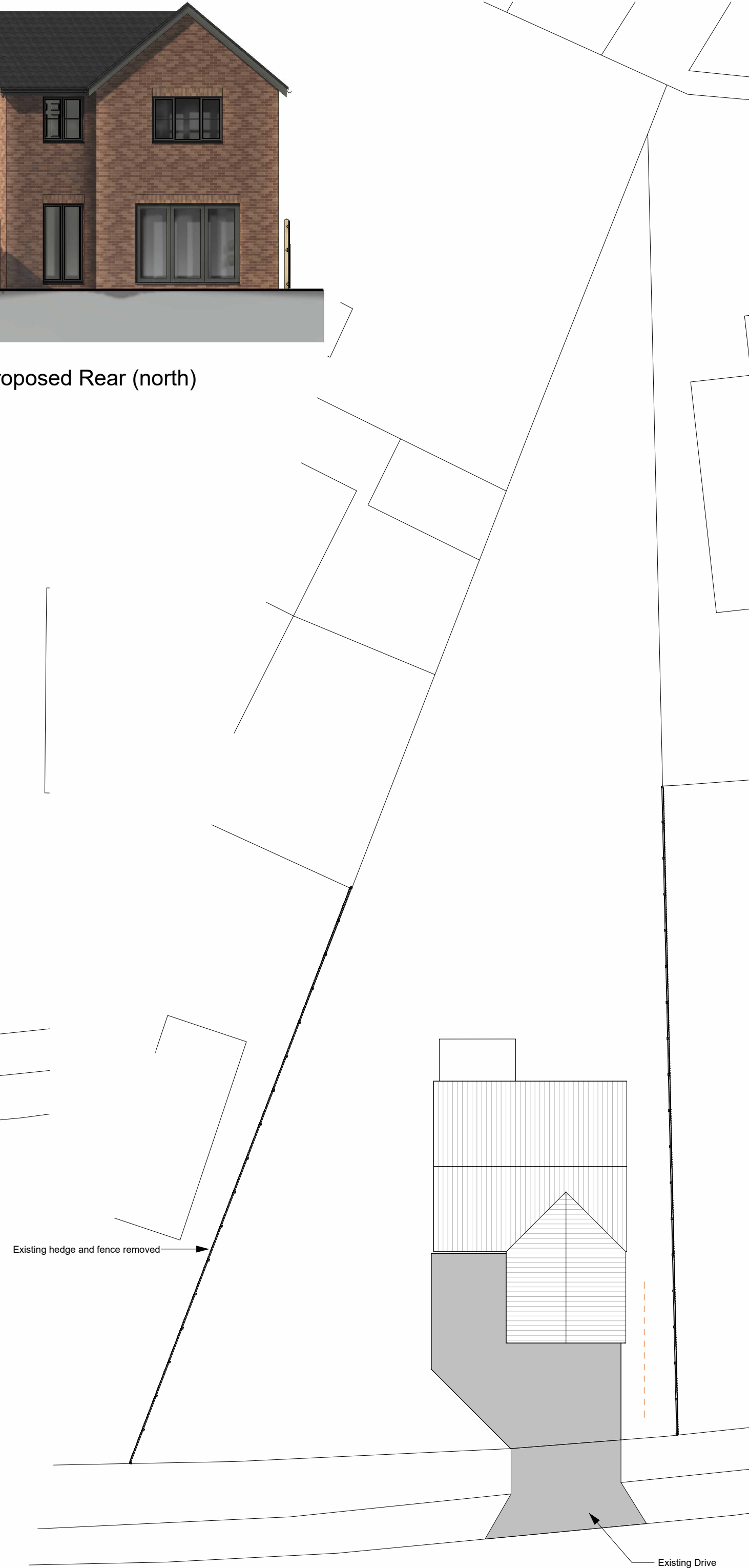
Proposed Ground Floor

Scale 1 : 100



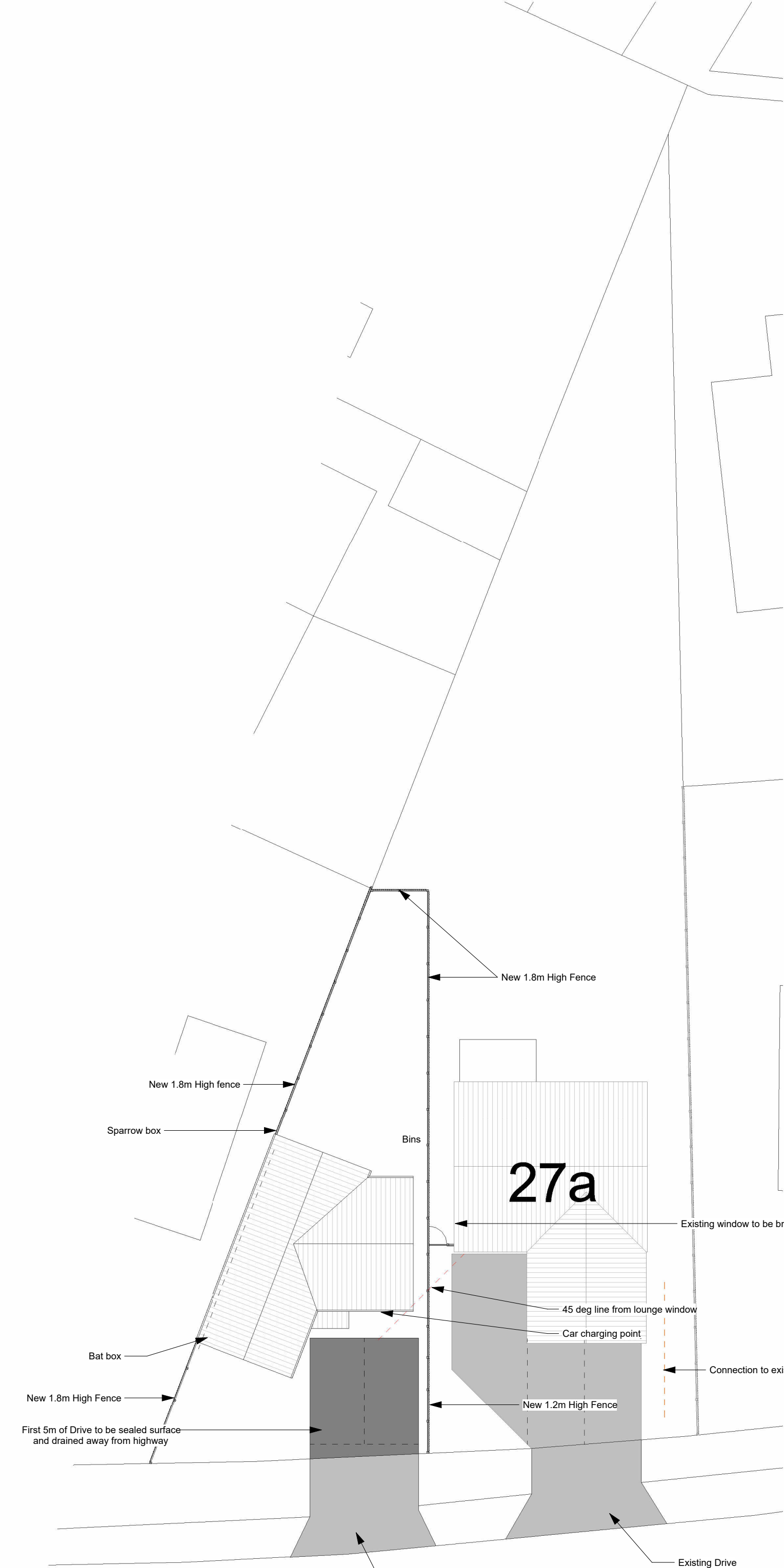
Proposed Block Plan

Scale 1 : 200



Existing Site Plan

Scale 1 : 200



Proposed Site Plan

Scale 1 : 200

Rev	Description	Date
A	Dwelling size and position amended	02-09-22

Primrose Energy and Architectural Services Ltd
Grove House, 22 Primrose Hill, Duddington Cambs PE15 0SU
tel: 07733 266198 email: ian@peastd.co.uk

Job Description
Proposed Dwelling South West of 27a Wimlington Road, Duddington for Mr and Mrs Clinton
Drawing Title
Planning

date	scale	drawing no.	rev
23/05/22	As indicated	PEAS024 - P02	A

APPLICATION NO: F/YR22/1389/F

SITE LOCATION: Land South West Of 27A Wimblington Road, Doddington

UPDATE

Consultee Responses

Cambridgeshire County Council Highways

I have no objection to the proposed development.

The access arrangements broadly mirror those of the surrounding properties and all necessary visibility is achievable within the highway verge.

Please append the following conditions and informatives to any permission granted:

Conditions

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.

Resolution: No change to the recommendation which is to refuse this application as per Section 12 of Agenda item 13 on page 133-134.

This page is intentionally left blank