

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 10 JANUARY 2024

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

- 1 To receive apologies for absence.
- 2 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 3 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.
- 4 F/YR23/0201/F
Land West of 43-69 Wimblington Road, March
Erect 48 x dwellings (2 x single-storey 2-bed, 16 x 2-storey 2-bed, 24 x 2-storey 3-bed and 6 x 2-storey 4-bed) with associated parking, landscaping, and the formation of an attenuation basin and a new access (Pages 5 - 22)

To determine the application.
- 5 F/YR23/0279/F
Progress House, 256 Station Road, Whittlesey
Erect an industrial building (B2/B8 use), raise the eaves height of existing building and the demolish a further building on site. (Pages 23 - 44)

To determine the application.

- 6 F/YR23/0682/O
Land East of Chardor, Needham Bank, Friday Bridge
Erect up to 9.no dwellings (outline application with all matters reserved)

(Pages 45 - 60)

To determine the application.
- 7 F/YR23/0769/PIP
Land South of Illizarov Lodge, Padgetts Road, Christchurch
Residential development of up to 5 x dwellings (application for Permission in Principle) (Pages 61 - 74)

To determine the application.
- 8 F/YR23/0807/O
Land West of 27 Benwick Road, Doddington
Erect up to 4no dwellings (outline application with all matters reserved) (Pages 75 - 88)

To determine the application
- 9 F/YR23/0844/F
Building North of 109 High Street, Chatteris
Demolition of a building within a Conservation Area (Pages 89 - 102)

To determine the application.
- 10 F/YR23/0856/O
Land South of 129 Knights End Road, March
Erect up to 5 x dwellings (outline application with all matters reserved) (Pages 103 - 116)

To determine the application.
- 11 F/YR23/0879/O
Land North West of The Ferns, Padgetts Road, Christchurch
Erect up to 6 x dwellings (outline application with matters committed in respect of access) and the formation of 5 x accesses and footpath (Pages 117 - 132)

To determine the application.
- 12 F/YR23/0920/O
Land East of Shallon, Cats Lane, Tydd St Giles
Erect up to 2 x dwellings (self-build) (outline application with matters committed in respect of access) (Pages 133 - 152)

To determine the application.

13 F/YR22/1084

Land to the Land South West of 92 High Street, Chatteris

The siting of a mobile home for residential use and erection of an ancillary day room
(Pages 153 - 178)

To determine the application.

14 Items which the Chairman has under item 2 deemed urgent

Members: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney,
Councillor Mrs J French, Councillor R Gerstner, Councillor P Hicks and Councillor S Imafidon,

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F/YR23/0201/F

**Applicant: Mr Andy Brand
Abbey Properties Cambridgeshire
Limited**

Agent :

Land West Of 43-69, Wimblington Road, March, Cambridgeshire

Erect 48 x dwellings (2 x single-storey 2-bed, 16 x 2-storey 2-bed, 24 x 2-storey 3-bed and 6 x 2-storey 4-bed) with associated parking, landscaping, and the formation of an attenuation basin and a new access

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission for 48 dwellings, with associated parking, landscaping, and the formation of an attenuation basin and a new access. The site is located on the southern fringe of March and covers an area of 1.88ha of open fields located on the western side of Wimblington Road.
- 1.2 Policy LP3 identifies March as a Market Town and the focus for housing growth. The site lies within the South-west March broad location for growth under Policy LP9 which seeks to promote urban extensions to market towns. Policy LP7 identifies the importance of planning and implementing strategic allocations and broad locations for growth in a coordinated way, through an overarching Broad Concept Plan (BCP) that is linked to the timely delivery of key infrastructure.
- 1.3 The site is located in a sustainable location and demonstrates clear social benefits in terms of its contributions to affordable housing stock. Furthermore, development comes forward with no technical issues.
- 1.4 The application however comes forward without an approved BCP and does not demonstrate that its delivery, without conforming to an approved BCP would be inconsequential. The proposal would prevent a coordinated approach being enabled particularly with regards to connection and access to the wider BCP and March and therefore conflicts with Policies LP7 and LP9 of the Fenland Local Plan, and Policy H1 of the March Neighbourhood Plan.
- 1.5 On balance, the identified benefits of the scheme are considered to be outweighed by significant harm and resultant policy conflict. The recommendation is therefore to refuse the application.

2 SITE DESCRIPTION

- 2.1 This application site relates to an open agricultural field covering some 1.88ha located to the west of Wimblington Road about 1km to the south of March Town Centre. The site connects onto Wimblington Road via a gap of 30m between two bungalows, Nos 47 and 67 Wimblington Road. The greater part of the site lies behind a line of 6 dwellings fronting onto Wimblington Road
- 2.2 The site frontage with Wimblington Road is open and marked by a post and rail fence with prominent mature trees on either side which form part of an attractive line of similar trees on both sides of the road forming a feature of high landscape value. Mature hedging demarks the remaining boundaries.

3 PROPOSAL

- 3.1 The application seeks full planning permission for the residential development of the site for 48 dwellings, comprising a range of 2 to 4 bed dwellings with open space and children's play area. The site will be accessed from a new junction off Wimblington Road.
- 3.2 A attenuation basin would be located along the southern boundary of the site, an area of open space is provided near its middle with further open areas along the eastern boundary forming an easement over a public sewer. A surface water pumping station is located to the south-west, whilst a foul water pumping station is sited to the rear of No 47 Wimblington Road.
- 3.3 The proposal will deliver 100% affordable housing to a mix (29% affordable rent and 71% shared ownership) devised by Accent Housing. However, it should be noted that the 100% affordable nature of the scheme would be 'on trust' and not secured by a Sec106 agreement. This is because if there was a S106 agreement for 100% affordable housing then the scheme would not be able to access grant funding.
- 3.4 The application is supported by the following supporting reports.
 - Health Impact Assessment
 - Foul Sewage and Utilities Assessment
 - Ecological Assessment
 - Transport Statement and Addendum
 - Affordable Housing Statement
 - Statement of Community Involvement (Updated)
 - Planning, Design and Access Statement (Updated)
 - Landscape Proposals
 - Biodiversity Net Gain (Rev C)
 - Arboricultural Survey and Impact Assessment (Rev A)
 - Flood Risk Assessment and Addendum
 - Pumping Station Noise Assessment Report
 - Minerals assessment

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

[F/YR23/0201/F | Erect 48 x dwellings \(2 x single-storey 2-bed, 16 x 2-storey 2-bed, 24 x 2-storey 3-bed and 6 x 2-storey 4-bed\) with associated parking.](#)

4 SITE PLANNING HISTORY

APPLICATION SITE

Reference	Proposal	Address	Decision
F/0539/82/O	Residential development - 2 building plots	Land Between Nos 47 And 67 Wimblington Road March	Granted
F/1406/88/O	Residential development - 0.65ha	Land Off Wimblington Road March	Refused
F/YR04/0025/F	Erection of stables	Land West And South Of 43 - 47 Wimblington Road March	Granted

LAND TO THE SOUTH

F/YR15/0961/F	Erection of a 2-storey building for use as offices (supported by a preliminary broad concept plan for the South West March broad location for growth)	Land North Of Mill Hill Garage Wimblington Road March	Granted (Committee Decision). BCP submitted as part of the application not approved.
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5 CONSULTATIONS

5.1 Anglian Water (17.10.2023)

Requests a condition requiring a phasing plan and/or on-site drainage strategy together with informatives.

States that the applicant is in discussions with Anglian Water with regards to adoption of SuDs elements.

Refers to a requirement for a 15m easement if the Pumping Station is to be adopted, it is not clear that this can be achieved in the case of Plots 43 to 48 and 6 to 10.

Requests a condition relating to onsite foul drainage works.

5.2 Archaeology (04.10.2023)

Due to the archaeological potential of the site a further programme of

investigation and recording is required which is recommended to be secured by condition.

5.3 Cambridgeshire Constabulary (12.10.2023)

Recommends that security and crime prevention are considered and discussed at the earliest opportunity.

5.4 Cambridgeshire Fire and Rescue (04.10.2023)

Requests that adequate provision is made for fire hydrants.

5.5 Cambridgeshire S106 Requirement (16.05.2023)

The following contributions are sought:

1. Early Years: £124,278.
2. Primary: £289,982.
3. Secondary: £120,070.
4. Libraries: £10,920.
5. Monitoring: £150.

Total: £545,400

5.6 Environmental Health Officer (27.04.2023 & 30.06.2023)

The conclusions of the noise assessment that there would be no adverse noise impact from the operation of the pumping stations are accepted.

Recommends a condition requiring a Construction Environmental Management Plan.

5.7 Highways Authority (10.10.2023)

No objections subject to conditions and informatives.

5.8 Lead Local Flood Authority (17.10.2023)

Objections withdrawn on reviewing:

- Flood Risk Assessment (Addendum B), Amazi Consulting Ltd, Ref: AMA868, Rev: A, Dated 22.09.2023.

Requests conditions and informatives.

5.9 March Town Council (17.10.2023)

Recommends approval, has commented that “sign appears to be positioned in the middle of the cycle path.”

5.10 Minerals & Waste Planning Authority (MWPA) (18.09.2023)

The applicant’s Mineral Assessment addresses the requirements of Policy 5 of

the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the MWPA withdraws its objection. It recommends the inclusion of an informative encouraging the applicant to make best use of any sand and gravel that may be incidentally extracted as part of the development.

5.11 NHS (20 March 2023)

The proposed development is likely to impact on the practices of 3 GP practices, Cornerstone Medical Practice, Mercheford House Surgery and Fenland Group Wimblington Surgery. None of these practices have any capacity to take on additional patients, and this development would see an increase patient pressure of circa 110 new residents (based on 2.3 persons per household).

A developer contribution of £39,547.68 to mitigate the impacts of the proposal is therefore required.

5.12 Tree Officer (09.10.2023)

Recommends refusal on the grounds that the loss of two Grade A (high quality Trees) growing in the highway in a line of similar trees on both sides of the road forming a linear feature of high landscape value. The loss of these trees to enable site access would significantly decrease this landscape feature.

Developments should seek to retain both Category A & B trees in this case considers that the trees should be protected by a TPO to prevent their removal.

5.13 Local Residents/Interested Parties

19 representations have been received from 10 sources: 1 letter of support (reasons unspecified) and 18 letters against, the grounds of objections are summarised below:

- Not in keeping, out of character.
- No further need for housing.
- Loss of wildlife and fauna.
- Light, air and noise pollution.
- Highway Safety.
- Inadequate capacity of foul drains.
- Flood risk.
- Local facilities do not have capacity.
- Land should be adopted as nature reserve.
- Visually detract from an attractive approach into town.
- Contributes to climate change.
- Overdevelopment.
- All properties on Wimblington Road have not been notified of the proposal.
- Visually dominant.
- Overlooking, loss of privacy.
- New trees will reduce light and outlook, should be replaced by hedging.
- Odours, and intrusion by reason of size from the foul water pumping station.
- Increased contamination.
- Loss of trees, two trees in the roadway.
- The LPA needs to be mindful of the proximity of the site and access to the local plan allocation at south-east March where a Broad Concept Plan for

the delivery of up to 650 dwellings on the allocated site and two site accesses of Wimblington Road has been agreed and is subject to an application for 425 dwellings (F/YR23/0696/O). Application F/YR23/0201/O needs to be determined in this context noting that it does not relate to an allocated site.

- Urbanisation of a rural area.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

Fenland Local Plan 2014 (FLP)

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside.

LP4 – Housing.

LP12 – Rural Areas Development Policy

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 (Sep 2023), that the policies of this should carry extremely limited weight in decision making. Of importance to this proposal is that it does not carry forward the notion of Broad Concept Plans nor does the application site form part of the allocated sites for development in the area.

Relevant to this application are policies:

LP1 – Settlement Hierarchy
LP2 – Spatial Strategy for the Location of Residential Development
LP7 – Design
LP8 – Amenity Provision
LP18 – Development in the Countryside
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP24 – Natural Environment
LP32 – Flood and Water Management

Supplementary Planning Documents/ Guidance:

March Neighbourhood Plan – Policy H1 and H3

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

DM4 – Waste and Recycling Facilities

Developer Contributions SPD 2015

Fenland Infrastructure Delivery Plan 2016

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Drainage**
- **Ecology**
- **Trees**
- **Amenity**
- **Highways**
- **Developer Contribution**
- **Design/Layout**
- **Minerals and Waste**
- **Agricultural Land**

- **EIA Screening**
- **Other Considerations**

9 BACKGROUND

- 9.1 This site has been the subject of previous pre-application enquiries for residential development which has been resisted on grounds that any development in the absence of an approved BCP could not be supported as piece-meal development, which would prevent coordinated delivery of the urban extension.
- 9.2 Land to the south of Barkers Lane and east of Wimblington Road is the subject of two pending outline applications: F/YR23/0370/O for up to 130 dwellings on land to the south of Barkers Lane and F/YR23/0696/O for up to 425 dwellings on land to the south of Barkers Lane and east of Wimblington Road. Objectors refer to both these proposals in the context of undue pressures on infrastructure and adverse impact on highway safety through additional traffic.

10 ASSESSMENT

Principle of Development

- 10.1 March is identified within the Settlement Hierarchy as a Primary Market Town. Market Towns are identified within Policy LP3 as the focus of housing growth, Accordingly, there is a presumption in favour of development within this location, subject to compliance with other relevant policies.
- 10.2 More specifically, the site falls within the South-West March Broad Location for Growth (SWMBLG), an urban extension promoted by Policy LP9. Policy LP7 relates to urban extensions and requires them to be planned and implemented in a co-ordinated way, through an agreed overarching broad concept plan (BCP) except for inconsequential very minor development. Policy LP7 recommends refusal where proposals come forward in the absence of an agreed broad concept plan such as in this instance.
- 10.3 Whilst the policies of the emerging local plan carry very limited weight in decision making Policy LP1, Part A identifies March as a market Town: Part B advises that land outside of the settlement boundaries is defined as countryside where development is restricted (as set out in LP18), this site is outside of the defined settlement. LP39 defines residential site allocations in March and this site does not have such an allocation. As such the proposal would also be considered to be contrary to the policies of the emerging local plan.
- 10.4 The issue of whether a development could be considered to be inconsequential was discussed at an appeal against a refusal of 22 dwellings at the former Kingswood Park Residential Home site (Ref F/YR13/0724/F - APP/D0515/A14/2219030) where the Inspector concluded that 22 dwellings could not be considered to be considered “inconsequential minor development”. For this reason it is unlikely that a larger development of 48 dwellings such as that subject of this application would fall to be considered as “inconsequential”.
- 10.5 The main issue that then remains to be considered in determining this application is whether the proposed scheme would prejudice the comprehensive development of the urban extension. In circumstances where there are limited opportunities of providing access to SWMBLG from Knights End Road, and where

there are potential issues of unacceptable levels of displaced traffic onto its junction with Wimblington Road it would be imprudent to accept that access of Wimblington Road as proposed could not better serve a wider area and be preferable to alternative access arrangements for the wider area. Development of this area in a piecemeal fashion also precludes the provision of proper pedestrian and cycling links to March.

- 10.6 The absence of demonstrating proper connectivity to and within the SWMBLG mitigates against the proposal and would also set an unwelcome precedent for releasing smaller sites.
- 10.7 The proposal comprises a 100% affordable housing scheme and would therefore provide a substantial contribution towards the Council's affordable housing needs. As of October 2023, the Fenland housing list had in excess of 1800 applications including over 800 with a preference to be in the March. However, as described above the proposal conflicts with the terms of Policy LP7 and compromises the objectives of Policy LP9 of delivering growth through urban extensions. The demonstrable harm caused by piecemeal development is therefore considered to outweigh any social benefits arising from the scheme and the objectives of the NPPF (Paragraph 60-September 2023) to significantly boost the supply of housing. It must be borne in mind that planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.8 On balance, in this particular case it is considered that the demonstrable harm caused by the proposed development outweighs any arising social benefits and the principle is therefore unacceptable.

Drainage

- 10.9 Policy LP14 of the Fenland Local Plan seeks to minimise flood risk and incorporate Sustainable Drainage Systems (SuDs) into schemes.

Flood Risk

- 10.10 The site is located within Flood Zone 1 and is at low risk of river or tidal flooding. The submitted Flood Risk Assessment acknowledges that part of the site is at high risk of flooding from surface water. However, anticipated flood risks are stated not to be high as most flows will be conveyed downstream of the site to local water courses.
- 10.11 The proposed development will result in the increase in hard surfacing and the generation of additional surface water run-off if mitigation measures are not implemented. The proposed surface water drainage strategy incorporates sustainable drainage systems (SuDs) to control runoff rates and mitigate against the impact of increased run-off volume.
- 10.12 The proposed surface water drainage strategy relies upon an outfall into a watercourse as it not possible to use infiltration drainage as the soil conditions do not allow this, and the groundwater levels are high.
- 10.13 An attenuation basin is proposed in the southwestern corner of the site. As the invert of the basin is below the adjacent watercourse the outfall therefore needs to be pumped into the watercourse, the requisite surface water pumping station is

proposed to be located to the west of the basin.

- 10.14 It is proposed that the main site access roads will be adopted by the County Council, and the main foul and surface water drainage systems by Anglian Water.
- 10.15 Anglian Water, Lead Local Flood Authority and the Highway Authority have been consulted and have no objections. Comments from Middle Level Commissioners have not been received.
- 10.16 The surface water drainage strategy is considered to accord with the requirements of Policy LP14.

Foul Water

- 10.17 It is proposed to connect to the Anglian Water foul water system sewer that passes through the site. As there is limited gradient to enable a fully gravity system, as with the surface water system, a foul water pumping station is proposed to the front of proposed Plots 47/48, and to the rear of No 47 Wimblington Road. The site layout allows for a suitable easement for the existing foul water sewer that passes through the east of the site.

Ecology

- 10.18 Policy LP16 of the Fenland Local Plan seeks to deliver and protect high quality environments, its principles are reiterated by the SPD on Delivering and Protecting High Quality Environments (2014).
- 10.19 The application is accompanied by an ecological appraisal which finds:
- The site comprises poor- semi-improved grassland of low quality and species diversity, with patches of bramble scrub bordering the north and west of the site. There are some individual mature trees on the site boundaries.
 - There are no waterbodies, including Great Crested Newts (GCN) present on the site.
 - No reptiles were found during a survey.
 - The site is not of sufficient size to support a bird assemblage conservation significance, or to support ground nesting birds.
 - Bat surveys indicate that the site is used by a relatively small assemblage of bat species. As the field boundaries will be maintained with buffers of open spaces on the western and southern boundaries the development of the site is not considered to affect the ability of the bats to forage or disperse around the site.
 - The development is not considered to affect badgers, no further surveys are required.
 - A Biodiversity Net Gain (BNG) assessment of the development has been undertaken which indicates a net gain of 46.63% through the provision of public open space, meadow grassland and provision of street trees. Additional enhancements can be provided through the installation of bat and bird boxes.
- 10.20 The proposed scheme intends to mitigate the landscape effects of the proposal

through the retention and augmentation of boundary landscaping, which in turn seeks to enhance the local distinctiveness of the area through additional screening. The existing landscaping of the site is situated mainly along the southern and western boundaries of the site, these areas are where the planting is to be retained, replaced and supplemented. The landscape proposals include habitats that are beneficial for wildlife. The developer states that the proposal will deliver a 46.63% net biological gain.

- 10.21 The Council's Ecologist has been consulted, the proposals are considered to be largely acceptable subject to BNG metric calculations being acceptable and imposition of conditions. No further comment has been received in relation to the submitted BNG metric calculations, which have been assumed to be acceptable and therefore, compliant with LP16.

Trees

- 10.22 The Tree Officer has objected to the application on the grounds that the proposal will lead to the loss of two high quality trees on either side of the proposed access into the site. Residents have raised similar concerns. Both sides of Wimblington Road are lined by similar, mature and prominent trees which form a uniform and linear feature of high landscape value, and the loss of these trees is considered to significantly degrade this landscape feature.
- 10.23 Discussions have taken place with the Highways Authority to explore the retention of the trees. The tree to the north of the proposed access will have to be removed to achieve the necessary visibility splay. The tree to the south is sited in the middle of the proposed cycle infrastructure and therefore has to be removed to facilitate accessibility. There is therefore no scope for replacement trees on the site frontage.
- 10.24 The loss of the two trees will undoubtedly affect the visual amenity of the immediate area. It must be borne in mind that though Wimblington Road is lined by trees on either side, their spacing is uneven and there are areas with significant gaps between trees. In these circumstances, the gap arising from the loss of the two trees is not much different to some other existing large gaps and it is not considered reasonable to justify resisting the scheme on the basis of tree retention.
- 10.25 It is acknowledged that the loss of the trees will have detriment to the visual amenity of the area and local distinctiveness which will be contrary to the objectives of Policy LP16 which is not considered to be outweighed by the benefits of the limited scale of development and the 100% affordable characteristic of the scheme.

Amenity

- 10.26 Policy LP16 of the Fenland Local Plan seeks to make a positive contribution towards local distinctiveness and character of the area and protect visual and residential amenity.

Visual Amenity

- 10.27 As discussed above, the loss of trees will impact on the visual amenity of the area

but not sufficiently so as to warrant refusal. The proposal will result in the loss of the open area between No 67 and 47 Wimblington Road. The area of open space will be replaced by a pair of bungalows adjacent to No 67 and facing the road with the access road into the site running to the north. The street scene will therefore appear as a continuation of a row of bungalows. The depth of the development will only become apparent from the front of the access road where views will be tempered by a backdrop of dwellings at the front of the quadrangle. Impact on visual amenity should not therefore be unacceptable in the context of the site surroundings.

Residential Amenity

10.28 Separation distances to existing dwellings are generous, residential amenity is therefore protected.

Pumping Stations Noise Appraisal

10.29 Due to the proximity of the surface water and foul water pumping stations to residential uses the application is supported by a pumping station noise assessment. The assessment concludes that there would be no adverse noise impact from the operations of the proposed pumping stations. These findings have been accepted by the Council's Environmental Health Officer.

10.30 The proposal is therefore considered to accord with the requirements of Policy LP16.

Highways

10.31 Policy LP2 and LP15 of the Fenland Local Plan and paragraph 110 of the NPPF (Sept 2023) require sites to be served by safe and sustainable accesses.

10.32 The application is accompanied by a Transport Statement which concludes:

- The site is in an accessible location by sustainable modes of transport.
- An assessment of Personal Injury Collisions (PICs) on the local highway network demonstrates low levels of incidents.
- Parking provision accords with local standards.
- Additional vehicular trips in the context of existing traffic flows will not have a severe residual cumulative impact on the local highway network.

10.33 The Highway Authority has been consulted and has no objection and has recommended conditions and informatives. The proposal is therefore considered to accord with the requirements of policies LP2 and LP15 of the local plan and the NPPF.

Developer Contributions

10.34 Policy LP5 of the FLP seeks to secure appropriate housing to meet the needs of the district including affordable housing as well as meeting the particular needs of all sectors of the community. Policy LP13 sets out the Council's approach to securing appropriate infrastructure to mitigate the impact of development and a growing district. LP15 seeks to ensure that all development contributes to the delivery of transport related infrastructure. LP16(g) seeks to ensure that development provides publicly accessible open space and access to nature.

- 10.35 The applicant has proposed to enter into a S106 to deliver a 100% wholly affordable scheme.
- 10.36 The scheme comprises 100% affordable housing with a range of dwelling types and sizes (2-, 3- & 4-bedroom houses). The proposed tenure split consists of 29 % affordable rent and 71 % shared ownership tenure. In this regard the scheme would provide a substantial contribution towards the Council's affordable housing needs. The Council's Housing team has indicated support for the scheme and the delivery of affordable housing could be reasonably secured via a S106 planning obligation.
- 10.37 In respect of other infrastructure contributions, the Council's adopted Developer Contributions Supplementary Planning Document states that planning obligations will not normally be sought from affordable housing schemes (other than the provision of the homes themselves). In this regard therefore, whilst the CCC Education and NHS have requested financial sums, this is not sought in this case due to the nature of the application.
- 10.38 As such, the proposal complies with policy LP5 which requires a S106 agreement to secure the housing.

Design/Layout

- 10.39 Policies LP2 and LP16 of the Fenland Local Plan require well designed layouts and mix of homes to facilitate health and wellbeing and protect and enhance amenity.
- 10.40 The design of existing dwellings along Wimblington Road is diverse with a mixture of single and two storey properties of varying design and materials. In the main Wimblington Road is characterised by large, detached dwellings set in generous plots and facing the carriageway although there is some in-depth development.
- 10.41 The application site is rectangular shaped and lies behind linear development fronting Wimblington Road. The site is accessed through a patch of open land some 30m wide between two detached bungalows, No 47 and 67 Wimblington Road.
- 10.42 The proposed layout has an access road running from Wimblington Road along the northern boundary of the gap between Nos 47 & 67 into the site where the road forms a courtyard with dwellings laid out within and outside it. An attenuation basin and surface water pumping station are set along the southern boundary, with another pumping station (foul water) to the rear of No 47 and near the entrance of the site. An area of open space is provided near the centre of the site.
- 10.43 The contemporary dwelling design is notably stark, utilitarian and uniform. The narrow palette of materials comprises grey concrete roof tiles, with a mix of red and buff brick with splashes of render. The materials however are grouped to relate between plots. Taken as a whole, the design is nondescript but acceptable.
- 10.44 The council does not have an adopted residential design guide setting out the parameters of acceptable design, separation distances, room sizes etc.

The proposed layout is generally compliant with nationally accepted separation distances back-to-back of 22m and 12m gable to back/front. The separation distances between proposed and existing houses are generous.

- 10.45 The Highway Authority had expressed concerns about widening the footway along the site frontage, closure of the existing field access to Wimblington road, layout to be designed to be adoptable standards, provision of visibility splays and vehicle tracking. These concerns have been addressed by the applicant to the satisfaction of the Highway Authority, its objection has been replaced with requests for conditions. It should also be noted that car parking spaces have been increased in size on some plots in the interests of useability.
- 10.46 The proposal is considered to accord with the policies LP2 and LP16.

Minerals and Waste

- 10.47 CCC as the Minerals and Waste Planning Authority (MWPA) had objected to the application (letter dated 13 April 2023). The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded to prevent mineral resources of local and/or national importance being needlessly sterilised. Therefore, the MWPA required policy 5 of the Minerals and Waste Local Plan to be addressed.
- 10.48 The applicant submitted a Minerals Assessment which contended that: there was an overriding need for the development; it was not practical to extract minerals from the site due to the relationship with existing residential uses; and due to the constraints of the site and access extraction would not be viable although there're might be some incidental use of minerals arising from the site.
- 10.49 The MWPA is content that the requirements of its Policy 5 have been addressed, its objection is withdrawn (**18 September 2023**) and an informative is recommended drawing attention to make the best use of any sand and gravel that may be incidentally extracted as part of the development.

Agricultural Land

- 10.50 The Agricultural Land Classification Map for the Eastern Region shows that the land as Grade 2/3 (Very Good/Good to moderate quality). The best and most versatile (BMV) land is defined as Grades 1, 2 and 3a. The agricultural land classification map is at a very large scale and not sufficiently accurate for use in assessment of individual fields or sites. Furthermore, Grade 3 is not subdivided, and a site would have to be individually assessed for detailed grading.
- 10.51 The majority of land in the district falls within the BMV definition and it would not be possible to meet housing targets without developing areas of BMV. Having said this, the site area in this instance is relatively modest and not 'significant' having regard to the NPPF and the extent of BMV land which would remain were the site developed. In this respect there is no conflict with the requirements of paragraphs 174 and 175 of the NPPF (September 2023).

EIA Screening

- 10.52 The proposal does not fall under Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 or under Schedule 2, Column 10 (Infrastructure projects) (b) Urban development projects (ii) for more

than 150 dwellings and (iii) where the site area exceeds 5 hectares (it is for 48 dwellings on a site covering 1.88hectares (4.646 acres)). The proposal does not therefore need to be screened.

Other Considerations

Pumping Stations

10.53 Objections have referred to adverse noise, odour and visual impacts arising from the proximity of the pumping stations to dwellings. The Council's Environmental Health Officer has no concerns regards noise and odour impacts; any future complaints would be dealt with under statutory nuisance. A typical pumping station layout indicates that that the only above ground structure will be a small kiosk designed to Anglian Water requirements but around 1.5m in heights. Visual impact should therefore be minimal.

11 CONCLUSIONS

11.1 The site is sustainably located, the development demonstrates social and economic benefits in terms of the contribution towards the affordable housing stock of the district and there are no technical issues weighing against the proposal.

11.2 The site lies within the South-west March broad location for growth as laid out under Policy LP9 of the Fenland Local Plan. Policy LP7 identifies the importance of planning and implementing urban extensions in a coordinated way, through an overarching BCP that is linked to the timely delivery of key infrastructure. The application comes forward without an approved BCP and fails to demonstrate that its delivery, without conforming to an approved BCP would be inconsequential to the wider allocation. Furthermore, the proposal does not demonstrate how it could connect to the wider BCP. As such, although the proposal in its own right may be acceptable and would derive significant benefits in terms of housing benefits the benefits of the scheme are considered to be outweighed by the resultant harm and policy conflict.

12 RECOMMENDATION

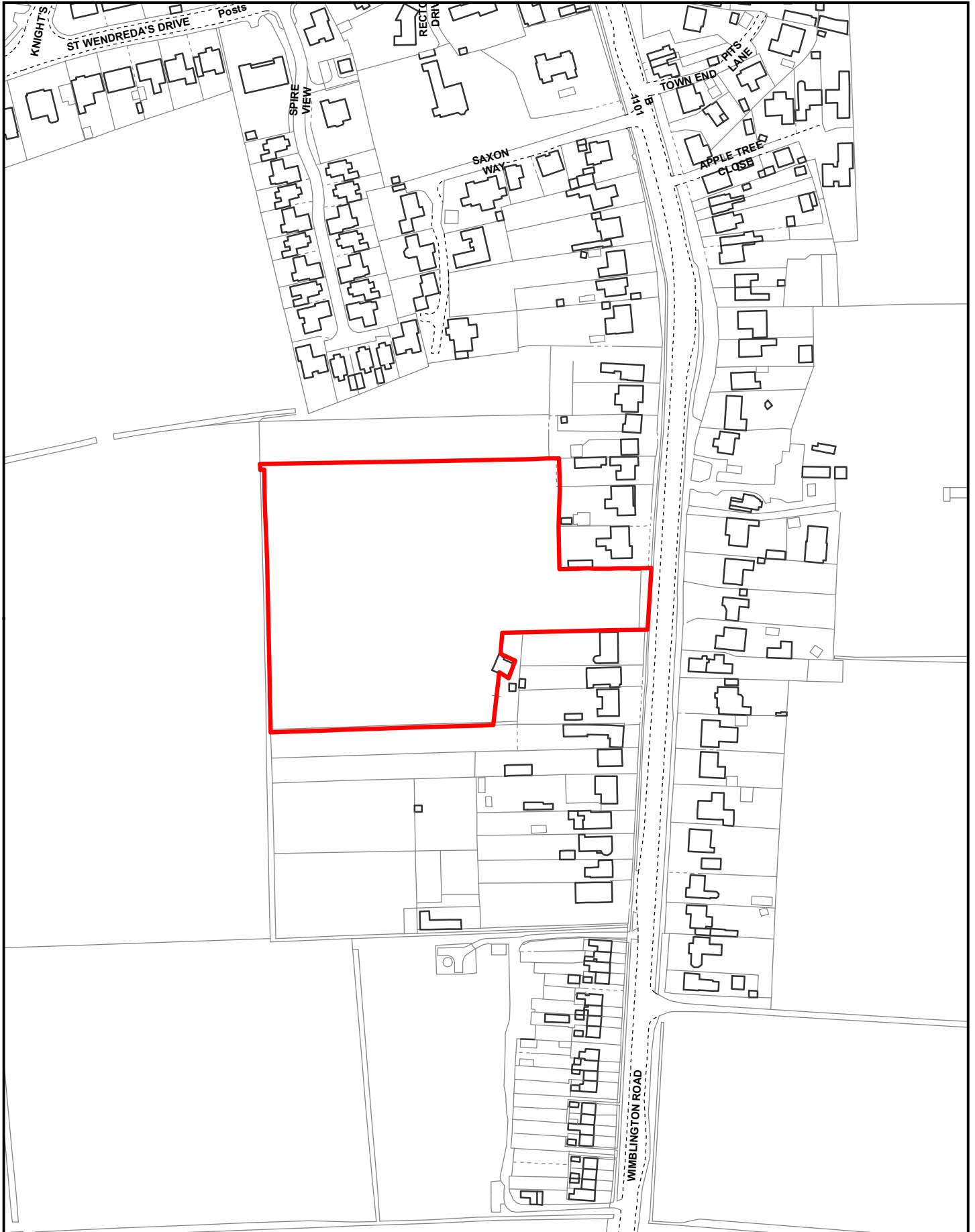
Refuse for the following reason.

1. Policy LP7 of the Fenland Local Plan and Policy H1 of the March Neighbourhood Plan identifies the importance of planning and implementing Fenland's locations for growth in a coordinated way, through an overarching Broad Concept Plan (BCP) that is linked to the timely delivery of key infrastructure and states that with the exception of inconsequential very minor development, proposals for development within the growth locations which come forward prior to an agreed BCP will be refused.

The proposal comes forward without an agreed BCP and is not considered to be very minor or inconsequential to the wider site allocation. Granting of planning permission for development risks compromising the effective planning and design of the wider site and would set an unwelcome precedent for the release of smaller sites. As such the proposal conflicts with Policy LP7 and LP9 of the Fenland Local Plan (2014) and H1 of the March Neighbourhood Plan (2017) in respect of failing to provide an agreed

BCP and failing to demonstrate that the development would not compromise the objectives of the South-west March (road location for growth).

2. The proposal would result in the loss of two trees in the highway verge which significantly contribute to the amenity of Wimblington Road. The loss is not outweighed given the limited scale of development and the benefit brought by the delivery of affordable housing. The proposal is therefore contrary to Policy LP16 (c) of the Fenland Local Plan (2014).



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F/YR23/0201/F

Scale = 1:2,500





abbeygroup

PROPOSAL
Proposed Residential Development at Land to the West Side of Wimblington Road, March, PE15 9QW

DRAWING TITLE
Site Layout Plan

SCALE: 1:250 @ A0

DATE: 17/01/23

REV. DATE REVISION NOTES
 A 23.02.23 Updated 02 & 07 design
 B 18.02.23 Updated layout as per highway and public comments
 C 07.02.23 Updated layout as per council comments
 D 23.08.23 Updated layout as per council comments
 E 03.02.23 Updated layout as per highway comments

DRAWN: CWM
 DATE: 17/01/23
 DATE: 21/01/2013
 REV: E

F/YR23/0279/F

Applicant: Mr C Edwards

**Agent: Ms Kate Wood
Eddisons Barker Storey Matthews**

Progress House, 256 Station Road, Whittlesey, Peterborough, Cambridgeshire, PE7 2HA.

Erect an industrial building (B2/B8 use), raise the eaves height of existing building and the demolish a further building on site.

Officer recommendation: REFUSE.

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

1. EXECUTIVE SUMMARY

- 1.1. The submitted planning application seeks planning permission for the erection of a two-storey industrial building (building 2) (B2/B8 use) along the north boundary, the increase in the height of the existing two-storey building (building 1) in the southwest corner of the site and the removal of the single storey building and adjacent portacabin/prefab units along the west boundary.
- 1.2. The application site is located on the southeast side of the Station Road/Benwick Road/Turningtree Road junction. The site is occupied by CEL Leadworks Ltd. The application site lies adjacent an established Industrial Area of Ashley Industrial Estate which also extends to the north.
- 1.3. The proposed building, by virtue of its position to the east boundary and its proposed B2 & B8 uses, would adversely impact the occupants of no.6 Turningtree Road by way of increased noise. Furthermore, the proposed building by virtue of its height and scale, would result in an adverse loss of light serving the west elevation bedroom windows of no.6 Turningtree Road and would result in an over-bearing relationship with the associated outdoor amenity space of this property.
- 1.4. The application fails to demonstrate that the site access can safely accommodate industrial / commercial traffic and it is considered therefore that the proposed intensification would result in an adverse highway safety impact at the Station Road/Benwick Road. While the layout of this junction is already sub-standard by virtue of restrictive geometry and visibility, the issue would be compounded and therefore made worse by the proposed development and would be further prejudicial to highway safety.
- 1.5. As such, the application would conflict with Paragraph 111 of the National Planning Policy Framework (2023) and Policies LP6, LP15 & LP16 (e) of the Fenland Local Plan (2014).
- 1.6. Therefore, the planning application is recommended for refusal.

2. SITE DESCRIPTION

- 2.1. The application site is located on the southeast side of the Station Road/Benwick Road/Turningtree Road junction adjacent an established Industrial Area of Ashley Industrial Estate which also extends to the north. The site is 1.5km southeast of Whittlesey Town Centre, and backs onto the Briggate River. The site is occupied by CEL Leadworks Ltd which carries out lead work for roofing. The site contains a large two-storey structure in the southwest corner of the site with a further single storey building and adjacent portacabin/prefab units along the west boundary. Along the north and southeast boundaries are shipping containers and informal surface storage areas of materials associated with the lead roofing business. The site is accessed from the north via Turningtree Road however, the site is set lower than the road and benefits from a well-vegetated front boundary edge.
- 2.2. The surrounding areas consists of commercial, industrial, and residential uses therefore the locality is considered a mixed-use area.
- 2.3. The site is located within a mix of flood zones 1,2 and 3 (high risk).

3 PROPOSAL

- 3.1 The submitted planning application seeks full planning permission for the erection of a two-storey industrial building (building 2) (B2/B8 use) along the north boundary, the increase of the height of the existing two-storey building (building 1) in the southwest corner of the site and the removal of the single storey building and adjacent portacabin/prefab units along the west boundary.
- 3.2 The proposed new building (building 2) would have a rectangular footprint, a depth of 10 meters, a length of 58 meters and an overall height of 6.6 meters, finished in vertical metal cladding (grey) and brickwork. This building would be divided into six units, each benefiting from roller shutter doors and fenestration detailing along the south elevation. This building would also be finished with a pitched roof and rooflights.
- 3.3 The existing building (building 1) is proposed to increase its height to 6.2 meters, introduce new vertical metal cladding (grey) and an additional roller shutter door along the north elevation. The proposal also seeks to divide the existing building into two units. No change to the footprint. Additional fenestration detailing is also proposed along the north elevation (doors/windows etc). Existing features such as, a lean-to roof, fans and flues are proposed to be removed.
- 3.4 Provision for 34 parking spaces is provided along the west boundary, in front of building 2 and in the southeast corner of the site. A cover cycle shelter (Apollo) for 12 bikes is proposed in the northwest corner of the site.
- 3.5 Full plans and associated documents for this application can be found at: [F/YR23/0279/F | Erect an industrial building \(B2/B8 use\), raise the eaves height of existing building and the demolish a further building on site | Progress House 256 Station Road Whittlesey Peterborough Cambridgeshire PE7 2HA \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/0121/80/F	Use of premises as a builders yard (retrospective) and erection of a single-storey office	Grant	14.04.1980
F/0498/81/F	Erection of a triple garage	Grant	26.08.1981
F/0289/82/F	Erection of a steel framed warehouse for the storage of roof felts and timber 256 Station Road Whittlesey	Grant	10.06.1982
F/0646/82/F	Office extension	Grant	14.10.1982
F/0077/83/F	Use of premises for the retail sale of roofing materials	Grant	07.04.1983
F/0078/83/F	Construction of an office/counter area	Grant	07.04.1983
F/1005/85/F	Extension to offices 256 Station Road Whittlesey	Grant	10.12.1985
F/0215/86/F	Extension to warehouse by 2 bays and erection of front canopy	Grant	17.04.1986
F/0908/87/F	Change of use from retail sales of roofing materials to retail sales of building materials	Grant	12.11.1987
F/0169/88/F	Erection of staff toilet block	Grant	11.04.1988

5 CONSULTATIONS

5.1 Whittlesey Town Council

The Town Council have no objection and therefore recommend approval.

5.2 FDC Environmental Health

In light of the above application Environmental Health do (not) object to the principle of this application. However, at this time there is insufficient information available to determine the environmental impact of noise, light, odour and dust on the nearby sensitive receptors.

It was noted in the application that the proposed new building would be used by a mix of warehouse and industrial uses, although the actual uses are unknown at this time. I therefore recommend that measures are put in place to control noise, odour, light and dust emanating from the site. I would therefore request an Environmental Impact Assessment and management plan is submitted for consideration.

In light of the application being granted with unknown activities I would request that a condition is attached to control the hours of use, limit site noise levels, use of

external lighting and to ensure that the introduction of any ducts, flue, mechanical ventilations, plant equipment or external noise sources undertake an impact assessment prior to installation, and for the applicant to be required to undertake a validation assessment on the request of the LPA should complaints of noise, odour, light or dust be substantiated.

I would also recommend an unsuspected contamination condition to be written to remediate any contamination that was identified during the demolition and construction process.

5.3 **CCC Lead Local Flood Authority (Received 28th April 2023)**

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

FEH Rainfall Data Required. The applicant has provided hydraulic calculations for the proposed surface water drainage system using FSR rainfall data, however, FSR rainfall data is now outdated, with more accurate rainfall forecasting in FEH rainfall datasets. For storm durations less than 1 hour, Flood Studies Report (FSR) rainfall data should be used. For storm durations greater than 1 hour, Flood Estimation Handbook (FEH) rainfall data should be used. FEH data must be used in these longer duration storms as it uses more up to data rainfall data and is more accurate for the purpose of modelling the future storm events over other data sources such as FSR for the larger duration storms.

Site Discharge Rate. Paragraph 6.3.8 of the SPD states that sites must reduce the existing runoff rate of brownfield land and look to reinstate greenfield runoff rates. Whilst it is acknowledged that the proposed discharge rate of 23l/s is a betterment from the original brownfield value, it is still greater than the greenfield equivalent. In particular, the Hydrobrake flow control at MH-0002-S has a flow rate of 21.5l/s. As some of the system upstream of this hydrobrake is protected by use of permeable paving and attenuation crates it is possible to reduce orifice diameter of the hydrobrake significantly with no risk of blockage. This will in turn reduce total site discharge to close to greenfield levels and reduce the impact on the watercourse.

(Received 04th July 2023)

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

FEH Rainfall Data Required. The applicant has provided hydraulic calculations for the proposed surface water drainage system using FSR rainfall data, however, FSR rainfall data is now outdated, with more accurate rainfall forecasting in FEH rainfall datasets. For storm durations less than 1 hour, Flood Studies Report (FSR) rainfall data should be used. For storm durations greater than 1 hour, Flood Estimation Handbook (FEH) rainfall data should be used. FEH data must be used in these longer duration storms as it uses more up to data rainfall data and is more accurate for the purpose of modelling the future storm events over other data sources.

Hydrobrake flow rates and diameters. The applicant has provided betterment to the flow rates at the site outfall in response to the previous objection by reducing the flow rate at the MH-0002-S hydrobrake to 11l/s. This has not been replicated in the hydraulic calculations which still display the previous flow rates at MH-0002-S, these hydraulic calculations need to be updated with the new flow control values

and additionally display the new flow control diameter for the MH_0002-S hydrobrake.

5.4 FDC Highways

(Received 5TH December 2023)

I maintain an objection on highway safety grounds for the following reasons:

The applicant has failed to demonstrate that the site access can safely accommodate industrial / commercial traffic and I consider it likely that the proposed intensification will result in an adverse highway safety impact at the Station Road / Benwick Road. While the layout of this junction is already sub-standard by virtue of restrictive geometry and visibility, the issue will be compounded by the proposed development.

The applicant has not demonstrated that sufficient parking capacity has been provided within the site. Should there be a greater demand for parking than has been provided, overspill may compromise the area assigned for vehicle turning, meaning there would be an increased risk of large vehicles reversing out of the site access; an arrangement which would be hazardous to other road users.

On this basis, it is my view that the planning application is contrary to NPPF paragraph 111.

(Received 2ND May 2023)

In order to make an informed decision in respect of the submitted application, additional information is required:

The site access onto Turningtree Road is sub-standard. It lacks suitable spacing to Station Road, which itself lacks appropriate inter-vehicular visibility to the north. Vehicles manoeuvring into / out of Turningtree Road, particularly large vehicles which are often associated with B2 and B8 uses, will need to dominate road space where they risk conflict with opposing movements by virtue of the restricted visibilities and restricted geometries. To mitigate these risks, the applicant is showing a widened site access with increased corner radii, but this may compound matters by reducing the practical junction spacing further.

The applicant has provided vehicle tracking for a refuse vehicle to demonstrate the potential operation of the access, but the tracking ignores the road markings with vehicles driving on the wrong side of the road. This must be revised to account for road markings and appropriate lane allocations. In any case, it is unclear if an un-dimensioned refuse vehicle is the appropriate design vehicle for a B2 / B8 site.

The issues associated with the access are existing, but the development risks compounding them further. I would like to invite the applicant to quantify the change in trip generation associated with the proposed intensification of use of the site. I also recommend that the footway on B1093 Station Road (south-west side) be extended to the site to facilitate active and sustainable travel opportunities. 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, possibly of refusal.

(Received 26TH June 2023)

Revised vehicle tracking has been provided which shows a Pantechicon van entering and exiting the site from the west. As the applicant is unable to confirm

the uses of the proposed units (to be let individually), I cannot confirm if this is the largest vehicle which will need access to the site, particularly when considering the proposed land use classes. The constrained nature of the site makes it unlikely that articulated vehicles will need access, but tracking should be provided for a 12m rigid vehicle which I feel is a realistic scenario.

Furthermore, the tracking only shows vehicles arriving and departing from the west, but consideration needs to be given to vehicles travelling to / from the east along Benwick Road and how they interact with the development access, for example, the placement of no. 2 Benwick Road may obstruct visibility of the site access meaning there is a risk of rear end shunt type collisions if there is an obstructed vehicle waiting to enter the site.

The applicant has stated that they anticipate each unit to generate 1-2 staff trips but no evidence has been provided to support the claim. If this were the case, little, if any, parking would be retained for customers and / or other ancillary trips. The applicant will need to quantify the forecast trip generation by benchmarking it against comparable sites (e.g., TRICS – Trip Rate Information Computer System).

As mentioned in my previous response, the existing site access by virtue of the close proximity to the Benwick Road / Turningtree Road junction is sub-standard and would not be permissible for any form of development by today's standards. The proximity and form of the two junctions means it may be unclear to many drivers who has priority, an issue compounded by restricted visibility in many directions and compromised geometry. I do not consider the access in this location to be acceptable for any material intensification of use so on this basis I object to the application.

Should the applicant wish to address the highway safety objection, they will need to demonstrate that no material intensification will occur or re-locate the access to the east along Turningtree Road so that it can function independently from the Benwick Road junction.

5.5 Environment Agency

Thank you for your consultation dated 11 April 2023 for the above application. We have no objection to this planning application, providing that you have taken into account the Flood Risk considerations which are your responsibility. We have provided additional information below.

Flood Risk

We have reviewed the submitted Flood Risk Assessment (FRA) with regard to tidal and designated main river flood risk sources only and providing that the finished floor level is raised to 2.0m AOD as stated in the FRA we have no objection to the development.

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.

5.6 CCC Ecology

Thank you for your consultation letter received on 11 April 2023 regarding the above planning application. The proposal is acceptable, providing that the following information to conserve biodiversity is secured through suitably worded condition:

- 1. Construction Ecological Management Plan*
- 2. Ecological Enhancement Plan (Bat / bird boxes)*
- 3. Landscape and Ecological Management Plan*
- 4. Sensitive external lighting scheme (if external lighting is proposed)*

Construction Ecological Management Plan (condition). *The Preliminary Ecological Appraisal (Archer Ecology Ltd 2023) recommends mitigation measures to protect the following biodiversity features / species during construction: - Hedgerows - Amphibians / reptiles - Nesting birds - Roosting bats - Foraging bats – Badger. If planning permission is granted, we recommend biodiversity is protected during the construction phase is secured through a planning condition requiring the production and implementation of a Conservation Ecological Management Plan (CEMP: Biodiversity), which is based on the recommendations of the Preliminary Ecological Appraisal.*

SUGGESTED DRAFT CONDITION: Construction Ecological Management Plan. *No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.*

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.*
- b) Identification of “biodiversity protection zones”.*
- 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),*
- d) The location and timings of sensitive works to avoid harm to biodiversity features.*
- e) The times during which construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs if applicable.*

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: Fenland Local Plan policy LF19 (to protect biodiversity).

Ecological Enhancement Plan. *The Preliminary Ecological Appraisal recommends inclusion of bird / bat boxes to provide enhancement for these species. We recommend these features be incorporated into the proposed development to deliver against Fenland Local Plan policy LP19, which states that:*

“Through the processes of development delivery (including the use of planning obligations), grant aid (where available), management agreements and positive initiatives, the Council will... Ensure opportunities are taken to incorporate beneficial features for biodiversity in new developments...”

We therefore suggest a planning condition be used to secure biodiversity enhancements as part of the scheme, as identified in the Preliminary Ecological Appraisal.

Landscape and Ecological Management Plan. *If planning permission is granted, we recommend that management of the proposed landscape scheme and ecological enhancements (as discussed above) be secured until the habitats are well establishment. We suggest for hedgerows with trees, this will be at least 10 years (as identified in Technical Appendix 2 that accompanies Biodiversity Metric 4.0).*

External Lighting scheme (condition). *External lighting has the potential to adversely impact wildlife, such as bats, as identified in the Preliminary Ecological Appraisal (PEA).*

If external lighting is proposed for the current scheme, we recommend that details of the external lighting be secured through a suitably worded condition. The external lighting scheme should demonstrate how it's been sensitively design for wildlife and meet recommendations of the PEA.

SUGGESTED DRAFT CONDITION: Detailed lighting strategy for biodiversity. *Prior to occupation, a lighting design strategy for biodiversity shall be submitted to and approved in writing by the local planning authority. The strategy shall:*

- a. identify those areas /features on site that are particularly sensitive for bats and 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 provisions 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.*

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.

Reason: Fenland Local Plan policy LF19 (to protect biodiversity).

5.7 Middle Level Commissioners

No comments received.

5.8 Local Residents/Interested Parties

One letter of objection has been received and is summarised below:

- Loss of light serving bedrooms.
- Noise pollution.
- Reduce value of neighbouring home.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
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

LP11 – Whittlesey

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
LP7: Design
LP8: Amenity Provision
LP19: Strategic Infrastructure
LP22: Parking Provision
LP28: Landscape
LP32: Flood and Water Management

FDC Delivering and Protecting High quality Environments in Fenland SPD (2014)
Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Flood Risk**
- **Impact on Visual**
- **Impact on Residential Amenity**
- **Impact on Parking & Access**
- **Other Matters**

9 BACKGROUND

- 9.1 The agent was informed in May and July 2023 by email that more highway details were required (per the Highway consultee comments). However, no comments, details or plans have been forthcoming. The application is therefore assessed as originally submitted.
- 9.2 The agent outlined in July 2023 they would submit a Noise Impact Assessment (NIA) report, but this was never submitted.
- 9.3 The agent was contacted for an update on the required information in November 2023 but again no update/information was forthcoming.

10 ASSESSMENT

Principle of Development

- 10.1 The Fenland Local Plan 2014 directs the majority of new employment growth to Market Towns of which Whittlesey is an 'Other' Market Town, as set out in Policy LP3.
- 10.2 Policy LP6 sets out that the land required to deliver the necessary employment growth will be provided for intensification and extensions to established areas of employment and through a master planning approach in the urban extensions to the four market towns. The approximate target for Whittlesey for the period 2011 to 3031 is 5 hectares. Policy LP6 goes on to state that the Council will seek to retain for high quality employment use land or premises currently or last in employment use for B1/B2/B8 employment purposes, unless it can be demonstrated through a marketing exercise that there is no reasonable prospect of the site being used for these purposes.

- 10.3 In this case, the current premises (CEL Leadworks Ltd) is in use as an employment use Class B2 & B8 defined by The Town and Country Planning (Use Classes) Order 1987 (amended 2020) as a use for B2 - 'General Industrial' and B8 – 'Storage or Distribution'. The proposed industrial building seeks to expand the floorspace of the current premises, potentially offering further job opportunities and economic growth for the area. Therefore, the employment B2 & B8 use of the site would be retained and consequently, the proposal would be an acceptable form of intensification within the urban extension of Whittlesey. As such, the proposal would be appropriate for the existing employment area and in accordance with Policy LP6 of the Fenland Local Plan 2014.
- 10.4 The proposal is acceptable in principle. It should be noted that this point of general principle is subject to broader planning policy and other material considerations which are discussed in more detail in the following sections.

Flood Risk

- 10.5 The southern side of the application site is within flood zone 3 (high risk) and the applicant has submitted a site-specific Flood Risk Assessment (FRA). The northern side of the application site is within flood zone 1 (low risk).
- 10.6 The proposed building is located along the northeast boundary and within a flood zone 1 area therefore, no sequential testing is required.
- 10.7 The proposed development is covered by the description of general industry and storage or distribution and is classified as 'Less Vulnerable' therefore, no exception testing is required. The FRA does outline a mitigation measure (finish floor level of 2.0m AOD) and this could be conditioned. The Environment Agency has been consulted and has no objection to the proposal therefore, the site is deemed acceptable in terms of flood risk. Further, the applicant has submitted a drainage strategy including surface and foul water details which could be conditioned.
- 10.8 As such, the proposal would be in accordance with Policy LP14 of the Fenland Local Plan 2014.

Impact on Visual Amenity

- 10.9 Policy LP16 of the Local Plan (d) requires developments to make a positive contribution to the local distinctiveness and character of the area, enhancing the local setting and responding to the local distinctiveness and character of the area. Policy LP6 is also considered relevant.
- 10.10 In terms of siting, the proposed building (building 2) would be situated along the northeast boundary. However, the northeast boundary of the site benefits from dense landscaping which is proposed to be retained and would substantially screen the development from public views along Station Road and Turningtree Road. Notwithstanding this, the proposed building by way of its traditional design, two-storey scale and conventional appearance would complement the adjacent buildings.
- 10.11 The proposed redevelopment of the existing building (building 1) such as, the increase in height of the eaves/roof and the construction of the modest cycle shelter would have a negligible impact. The elevation improvements of the building

(building 1) would be an improvement in terms of overall appearance and in the interest of placemaking.

10.12 Both buildings (1 & 2) would benefit from sympathetic detailing such as roller shutters, personnel doors, windows and brickwork detailing. Further, the proposed vertical cladding throughout would adequately integrate and can be conditioned.

10.13 Considering the built-up context of the site and the surrounding area, the proposed scale and design of the development would respond positively to the visual amenity of the built environment. As such, the proposal would not result in an adverse impact on the visual amenity of the local character.

10.14 The proposal would be in accordance with Policies LP6 & LP16 of the Fenland Local Plan 2014.

Impact on Residential Amenity

10.15 Policy LP16 (e) states, proposals must demonstrate they do not adversely impact on the amenity of neighbouring users such as, loss of privacy, light or increased noise.

10.16 The most impacted neighbouring property would be no.6 Turningtree Road to the immediate east of the application site which is an occupied residential dwelling.

10.17 The proposed building would be used for warehouse and industrial uses and would be situated 3-5 meters from the boundary of no.6 Turningtree Road. The Environmental Health officer raised concerns in relation to the proposal given there is insufficient information in this respect and requested a Noise Impact Assessment (NIA). This was requested from the applicant but was not forthcoming.

10.18 The noise sources associated with the proposed warehouse (B8) and industrial (B2) use of the proposed building via flues, mechanical ventilations, plant equipment, deliveries, and general warehouse and industrial activity etc would result in significant noise. Considering the close relationship of the proposed building with no.6 Turningtree Road, it is likely the proposed building, considering its proposed uses, would adversely impact the occupants of no.6 Turningtree Road by way of increased noise.

10.19 Furthermore, the west elevation of no.6 Turningtree Road benefits from two-bedroom windows (habitable) which have an outlook towards the application site. Given the proposed building would be located within 3-5 meters of the neighbouring boundary and considering the proposed height of 6.6m, the proposed building would result in an adverse loss of light serving the west elevation bedroom windows of no.6 Turningtree Road (*when applying the indicative 45-degree rule to these windows*). It is also acknowledged no.6 Turningtree Road currently has a very restricted outdoor amenity space. Therefore, considering the scale and bulk of the proposed building, coupled with the modest separation distance, this would significantly enclose the amenity space and result in an increase sense of overbearing on no.6 Turningtree Road.

10.20 Whilst the application site is situated at a lower ground level of c2 meters compared to no.6 Turningtree Road, the proposed building would still extend upwards of c4 meters over the boundary fencing and result in adverse amenity impacts.

- 10.21 The proposed redevelopment of the existing building (building 1) and the construction of the cycle shelter would have a negligible impact on the amenity of no.6 Turningtree Road given their form of low-impact and conventional development.
- 10.22 The proposed building, by virtue of its position to the east boundary and its B2 & B8 uses, would adversely impact the occupants of no.6 Turningtree Road by way of increase noise. Furthermore, the proposed building by virtue of its height and scale, would result in an adverse loss of light serving the west elevation bedroom windows of no.6 Turningtree Road and the associated outdoor amenity space of this property.
- 10.23 As such, the proposal would conflict with Policy LP16 (e) of the Fenland Local Plan 2014.

Impact on Parking & Access

- 10.24 Policy LP15 of the Fenland Local Plan 2014 requires development schemes to provide well designed, safe and convenient access and provide well designed parking appropriate to the amount of development proposed, ensuring that all new development meets the Council's defined parking standards as set out in Appendix A. Policy LP6 is also considered relevant.
- 10.25 Regarding parking, the proposed building (and the existing building) both fall under the use class B2/B8 and would provide provision for 34 spaces. Appendix A states for B2 uses, 2 spaces per unit plus 1 space per 50sqm over 50sqm of floor space is provided. Appendix A also states for B8 uses, 3 spaces per unit plus 1 space per 300sqm of floor space is provided.
- 10.26 The buildings have a combined floor space of 1000sqm-1100sqm and consist of 8 units. Provision for 31-37 spaces (approx.) is required, per appendix A if considered a B2 use. Provision for 18-28 spaces (approx.) is required, per appendix A if considered a B8 use.
- 10.27 The proposed requirements of the buildings would be a blend of these parking standards, but the provision of 34 spaces generally meets parking requirements. It is acknowledged the space within the workshops would be dictated to by the type of plant and materials, as such there could be in this instance a relaxation of parking requirements. Although the Highway Authority has objected to the proposal on grounds of parking, Officers are satisfied the proposed parking capacity has been demonstrated and would be sufficient. Therefore, in consideration of this it can be concluded taking a pragmatic approach, that the quantum of 34 parking spaces should not be seen as a refusal here.
- 10.28 Regarding access, the applicant was informed more information was required (per the highway consultee comments on the 26TH May and the 11TH July). However, no additional information was forthcoming. The highway consultee maintains their objection in this regard (on the 5TH Dec).
- 10.29 Although vehicle tracking has been provided, it only shows vehicles arriving and departing from the west, but consideration needs to be given to vehicles travelling to/from the east along Benwick Road and how they interact with the development access. For example, the placement of no. 2 Benwick Road may obstruct visibility of the site access meaning there is a risk of rear end shunt type collisions if there is an obstructed vehicle waiting to enter the site.

10.30 The existing site access by virtue of the close proximity to the Benwick Road / Turningtree Road junction is sub-standard and would not be permissible for any form of development by today's standards. The proximity and form of the two junctions means it may be unclear to many drivers who has priority, an issue compounded by restricted visibility in many directions and compromised geometry. It is not considered the access in this location to be acceptable for any material intensification of use. This is a reason for refusal.

10.31 As such, the application would conflict with Paragraph 111 of the National Planning Policy Framework (2023) and Policies LP6 & LP15 of the Fenland Local Plan (2014).

Other Matters

10.32 The applicant has submitted a drainage strategy plan and stormwater calculations. However, the development would be acceptable in view of flood risk and a suitable drainage condition could be recommended. Further, Building Regulations would require drainage details outside the scope of planning.

10.33 The biodiversity checklist outlines Water Voles may potentially be impacted by the development. The site is however within a green zone for Great Crested Newts (GCN) which is low risk. The applicant has submitted a Biodiversity Assessment (BA) and a Preliminary Ecological Appraisal (PEA). These could be conditioned. The Ecology consultee has no objection to the proposal and provided recommended conditions.

10.34 The applicant has also submitted an Arboricultural Impact Assessment (AIA), a Tree Report and a landscaping plan which would be conditioned.

10.35 With regards to the objecting comment received which outlines the proposal would reduce the value of a neighbouring property. This is not a material planning consideration is the assessment of the application.

10.36 The elevations on drawing 016 (Building 2 Proposed Elevations) are incorrectly labelled and do not correspond with the Building & Reference Plan.

11 CONCLUSIONS

11.1 The proposal would result in an increase in warehouse and industrial noise which would be adversely impact neighbouring amenity. In addition, the proposal would also result in an adverse loss of light and overbearing impacts on neighbouring amenity. The proposal is therefore contrary to Policy LP16 (e) of the Fenland Local Plan (2014).

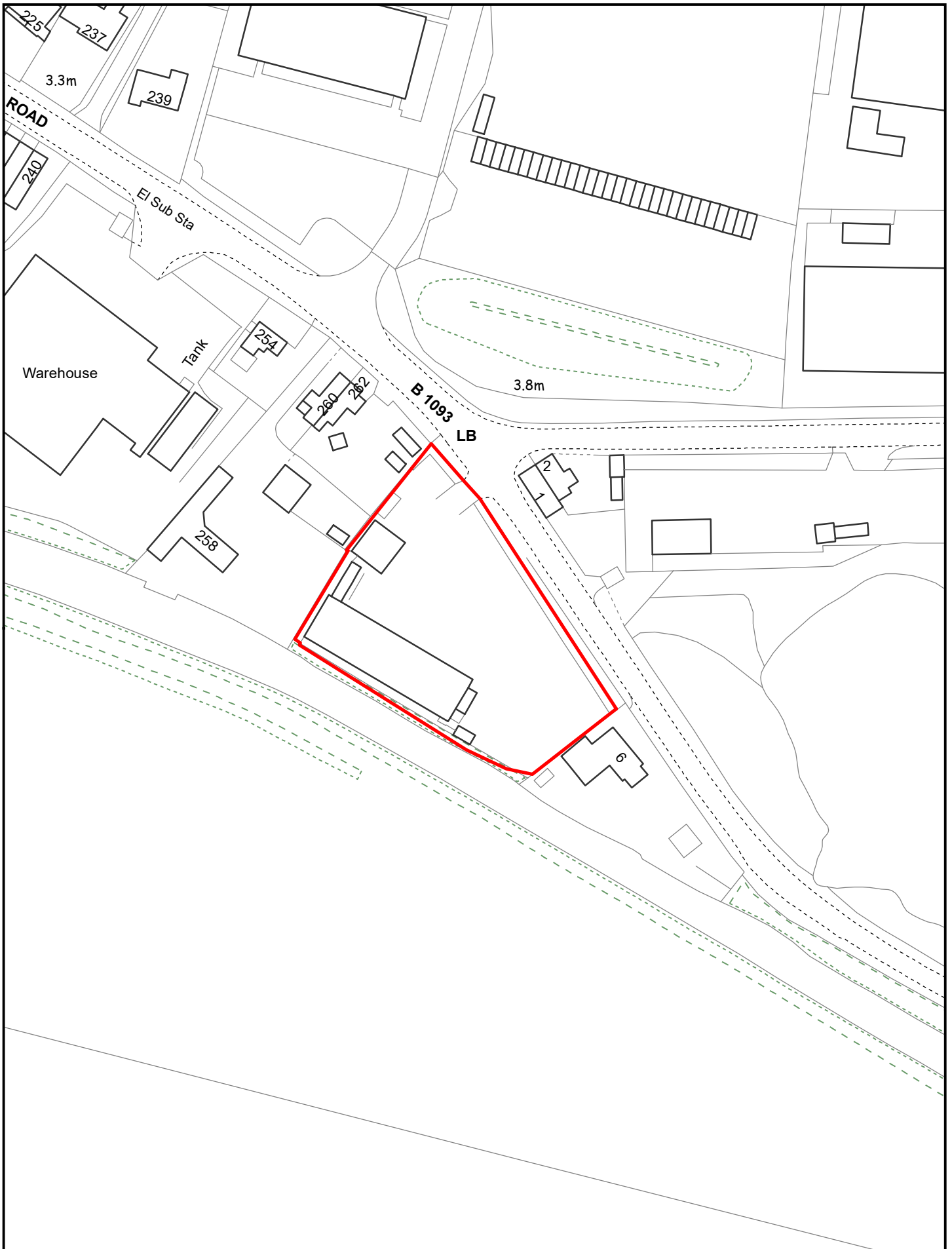
11.2 The proposed intensification of the existing access would adversely impact highway safety. The proposal is therefore contrary to Paragraph 111 of the NPPF (2023) and Policies LP6 & LP15 of the Fenland Local Plan (2014).

12 RECOMMENDATION

Refuse; for the following reasons

1	Policy LP16 (e) states that development should not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss
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	<p>of privacy and loss of light.</p> <p>The proposed building, by virtue of its position to the east boundary and its proposed B2 & B8 uses, would adversely impact the occupants of no.6 Turningtree Road by way of an increase in noise. Furthermore, the proposed building by virtue of its height and scale, would result in an adverse loss of light serving the west elevation bedroom windows of no.6 Turningtree Road and result in an over-bearing relationship with the associated outdoor amenity space of this property. As such, the proposal would conflict with Policy LP16 (e) of the Fenland Local Plan 2014.</p>
2	<p>Policy LP15 of the Fenland Local Plan 2014 requires development schemes to provide well designed, safe and convenient access.</p> <p>The application fails to demonstrate the site access can safely accommodate industrial / commercial traffic and it is considered that the proposed intensification would result in an adverse highway safety impact at the Station Road / Benwick Road. Whilst it is accepted that the layout of this junction is already sub-standard by virtue of restrictive geometry and visibility, this issue would be compounded by the proposed development and would be further prejudicial to highway safety. As such, the application would conflict with Paragraph 111 of the National Planning Policy Framework (2023) and Policies LP6 & LP15 of the Fenland Local Plan (2014).</p>



Created on: 11/04/2023

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F/YR23/0279/F

Scale = 1:1,250



KEY:

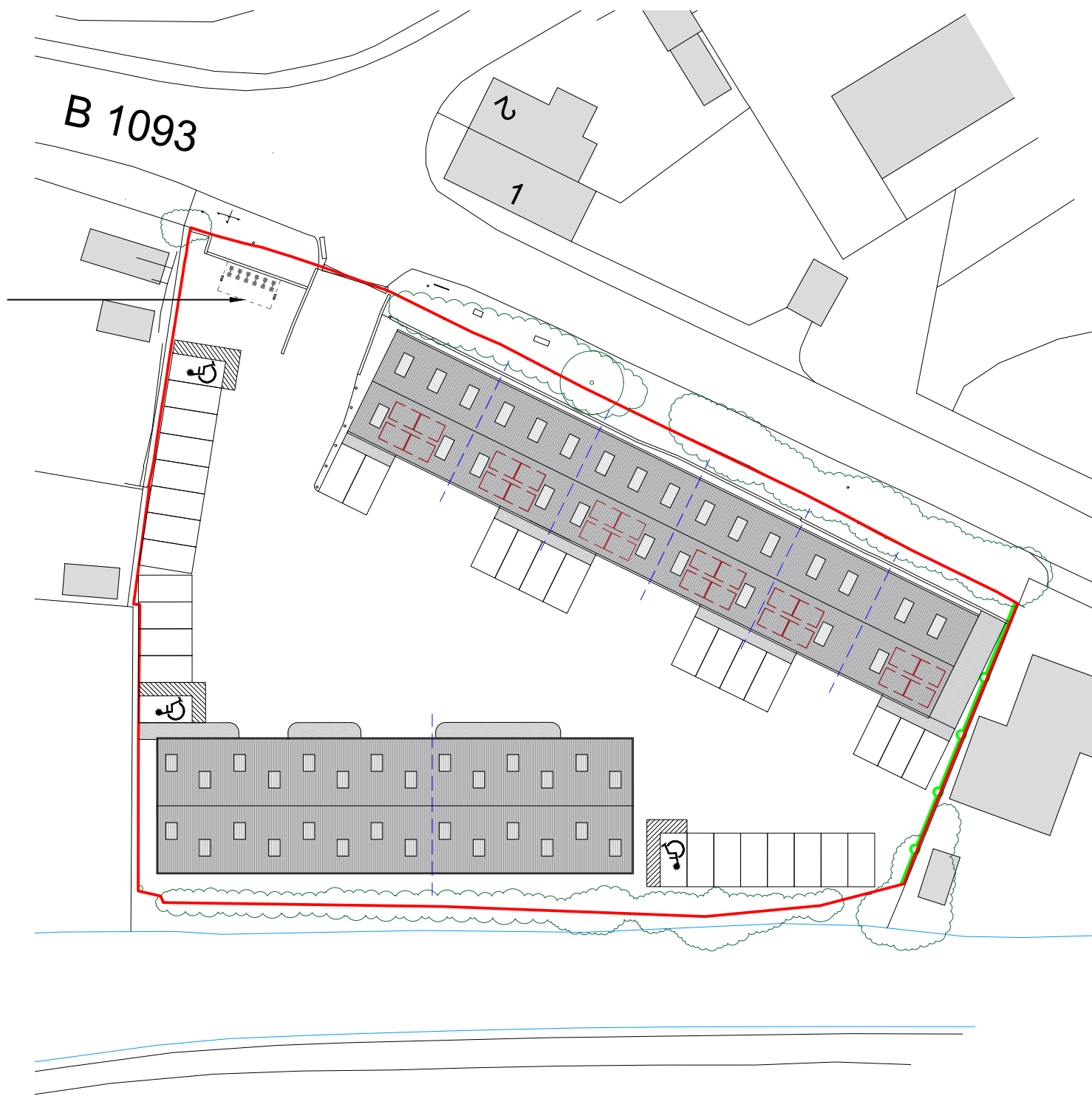
- Unit split
- Acoustic Fence to SE boundry
- PV Panel (Indicative only)



NOTES:
Drawings for planning application purposes only.



Covered cycle storage for 12 bicycles.



C	17/01/23	Revision to paper size	
B	16/01/23	Revision to cycle storage	
A	11/01/23	Additional RSD & window to Building 1	
Rev:		Description:	App:



Building & Project Consultancy
The Lawns, 33 Thorpe Road,
Peterborough, PE3 6AB
Tel: 01733 897722
Email: buildingconsultancy@eddisons.com

PROJECT TITLE:
**256 Station Road
Whittlesey**

CLIENT:
Carl Edwards

DRAWING TITLE:
Proposed Site Plan

DRAWN:	CHECKED:	APPROVED:
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DATE: 01/11/22 SCALE: 1:500@A3

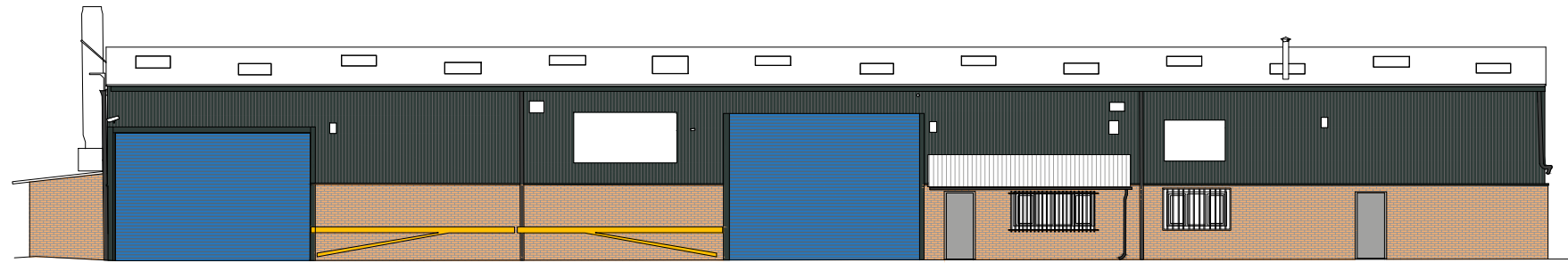
DRAWING STATUS: **Planning**

DRAWING No: 012	REVISION: C
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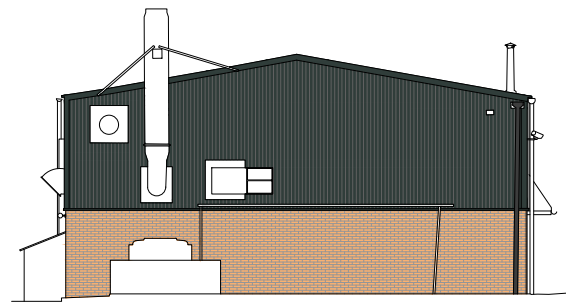
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DO NOT SCALE FROM DRAWING EXCEPT FOR THE PURPOSE OF PLANNING AND ALL DIMENSIONS TO BE CHECKED ON SITE.

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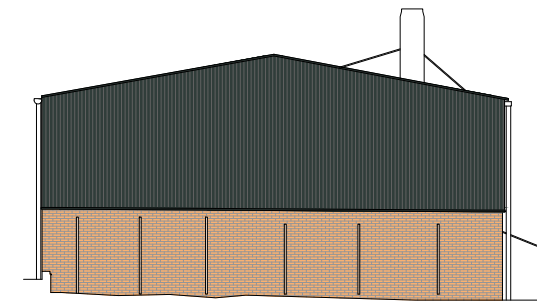
NOTES:
Drawings for planning application purposes only.



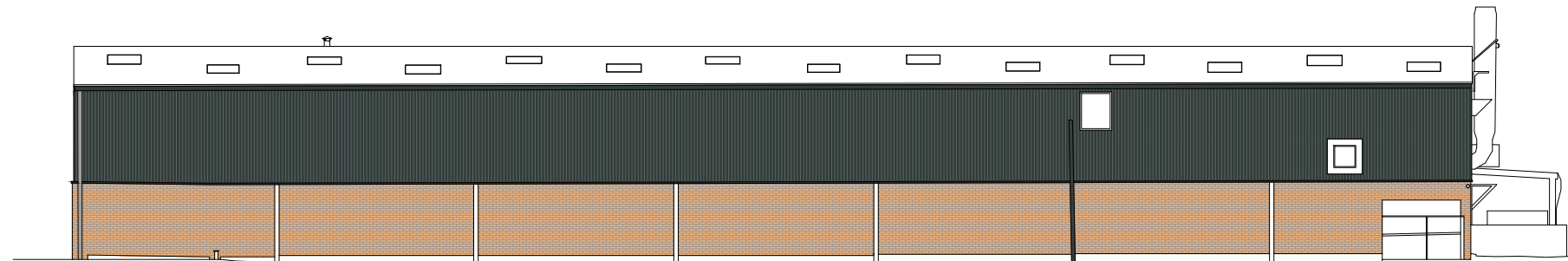
Building 1 - Elevation 1



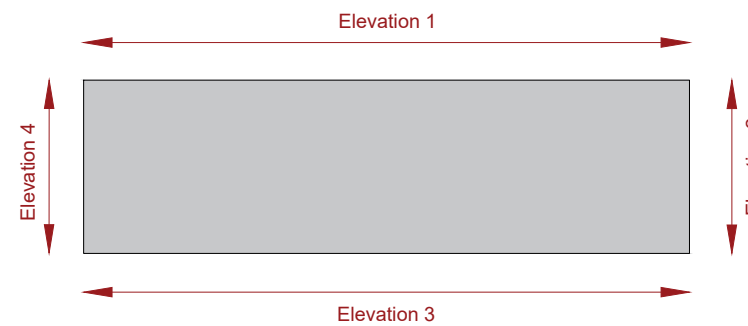
Building 1 - Elevation 2



Building 1 - Elevation 4



Building 1 - Elevation 3



Elevation Reference Plan
Not to Scale



A	17/01/23	Revision to paper size	
Rev:		Description:	App:

Eddisons
Incorporating Barker Storey Matthews

Building & Project Consultancy
The Lawns, 33 Thorpe Road,
Peterborough, PE3 6AB
Tel: 01733 897722

Email: buildingconsultancy@eddisons.com

PROJECT TITLE:
**256 Station Road
Whittlesey**

CLIENT:
Carl Edwards

DRAWING TITLE:
**Building 1
Existing Elevations**

DRAWN:	CHECKED:	APPROVED:
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DATE: 28/10/22 SCALE: 1:200@A3

DRAWING STATUS: Planning

DRAWING No: 006	REVISION: A
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KEY:

NOTES:
Drawings for planning application purposes only.



B	17/01/23	Revision to paper size	
A	11/01/23	Additional RSD & window to Building 1	
Rev:		Description:	App:



Building & Project Consultancy
The Lawns, 33 Thorpe Road,
Peterborough, PE3 6AB
Tel: 01733 897722

Email: buildingconsultancy@eddisons.com

PROJECT TITLE:
**256 Station Road
Whittlesey**

CLIENT:
Carl Edwards

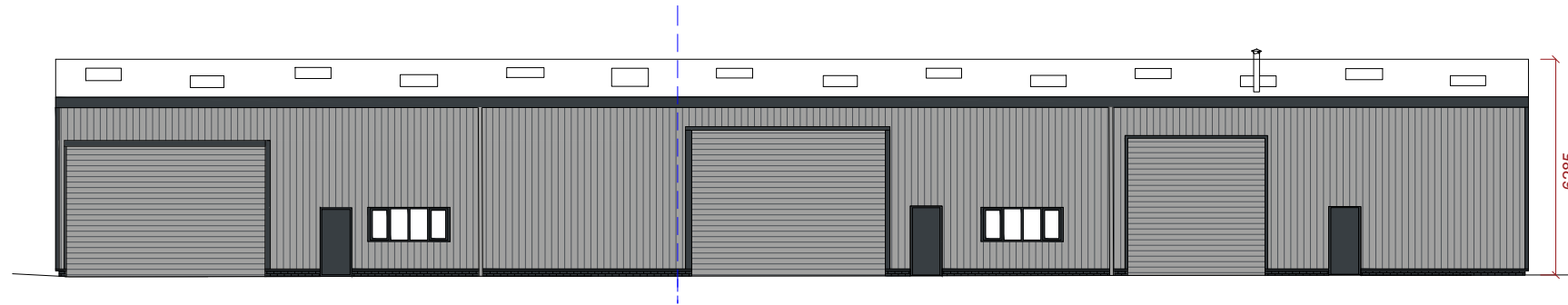
DRAWING TITLE:
**Building 1
Proposed Elevations**

DRAWN:	CHECKED:	APPROVED:
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DATE: 01/11/22 SCALE: 1:200@A3

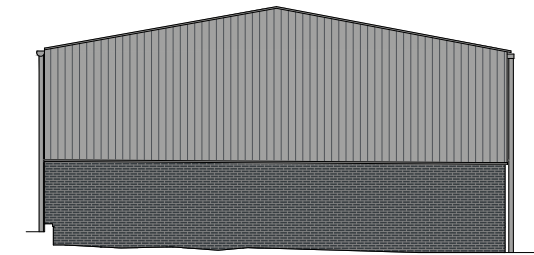
DRAWING STATUS: **Planning**

DRAWING No: **010** REVISION: **B**



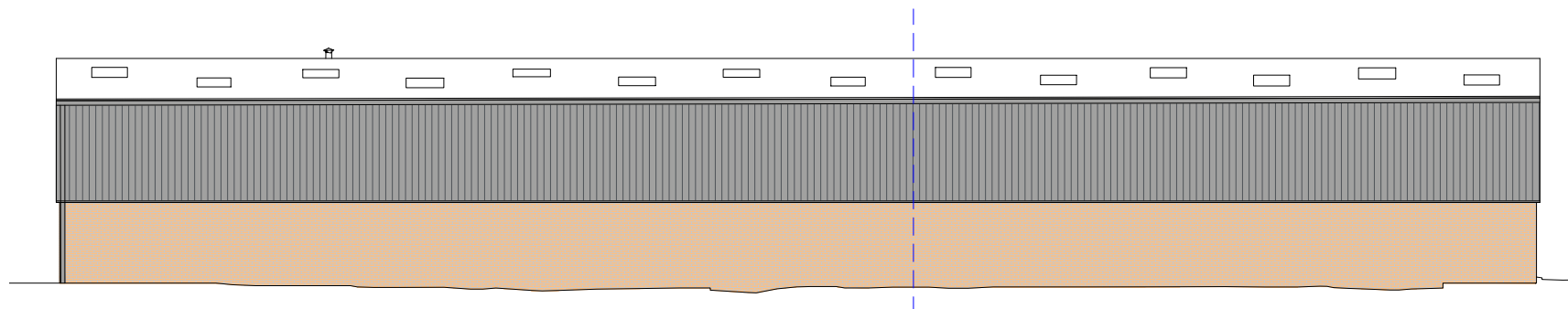
Building 1 - Elevation 1

- New vertical metal cladding - Light grey
- Painted brickwork - Dark grey
- Fascias & trims - Dark grey
- Painted roller shutter doors - Light grey
- Personnel/escape doors and windows - Dark grey
- Rainwater goods - Light grey



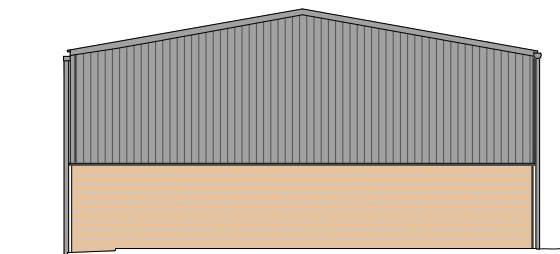
Building 1 - Elevation 2

- Existing cladding painted - Light grey
- Painted brickwork - Dark grey
- Fascias & trims - Light grey



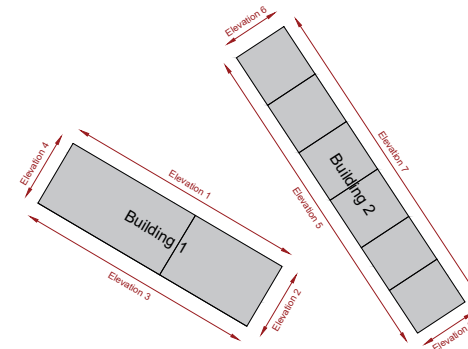
Building 1 - Elevation 3

- Existing cladding painted - Light grey
- Painted brickwork - Dark grey
- Fascias & trims - Light grey



Building 1 - Elevation 4

- Existing cladding painted - Light grey
- Painted brickwork - Dark grey
- Fascias & trims - Light grey



Building & Elevation Reference Plan
(Not to Scale)



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F/YR23/0682/O

Applicant: Ms D Bullard

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

Land East Of Chardor, Needham Bank, Friday Bridge, Cambridgeshire

Erect up to 9.no dwellings (outline application with all matters reserved)

Officer recommendation: Refuse

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

1. EXECUTIVE SUMMARY

- 1.1. The submitted outline application seeks planning permission for the erection of up to nine dwellings, with all matters reserved.
- 1.2. The site is located on the north side of Well End and is currently an agricultural field outside the nearest settlement of Friday Bridge which is identified within the settlement hierarchy as a 'Limited Growth Village' (Policy LP3).
- 1.3. In 'Limited Growth Village' settlements, development and new service provision will be encouraged and permitted in order to support their continued sustainability, but less than would be appropriate in a Growth Village. Such development may be appropriate as a small village extension.
- 1.4. Policy LP12, Part A (a) 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, (c) states that proposals should not have an adverse impact on the character and appearance of the surrounding countryside and farmland, (d) states the proposal is in a location that is in keeping to the core shape and form of the settlement, (e) states proposals would not extend existing linear features of the settlement.
- 1.5. The site is rural in character with open fields to the south, east and north and fulfils an important part in the character of the area by providing open countryside between the southern and eastern parts of Friday Bridge. The proposed residential development would result in linear development, extending approximately 180 meters into the countryside, would not relate to the core shape and form of Friday Bridge and would represent urban sprawl. It is considered the proposal would prejudice the existing distinctiveness of the open countryside and the character of the local area. The site was previously refused Permission in Principle in December 2022.
- 1.6. This site lies within an amber zone for Great Crested Newts (GCN) and the proposal could potentially impact Water Voles as outlined in the Biodiversity Checklist. It is further acknowledged there is a pond directly opposite the site within 35 meters. However, the application is not accompanied by a preliminary ecological survey or any subsequent species surveys as may be

necessary. Therefore, the local planning authority is unable to assess the impact of the proposals upon protected species and habitats as is its public duty.

1.7. In conclusion, the proposal would conflict with Paragraph 180 of the National Planning Policy Framework (2023), Section 40 of the Natural Environment and Rural Communities Act (2006) and Policies LP3, LP12, LP16 & LP19 of the Fenland Local Plan (2014).

1.8. Therefore, the planning application is recommended for refusal.

2. SITE DESCRIPTION

- 2.1. The site comprises of flat agricultural land and forms part of a larger field located on the northern side of Well End.
- 2.2. To the east of the site is a single storey detached dwelling known as, `Little Haven`. To the immediate west of the site is a grouping of approximately 15 dwellings which themselves are separated from the continuous built form of the settlement of Friday Bridge by a gap of approximately 120 metres of agricultural land further west. Directly opposite the southwest corner of the site is a parade of buildings consisting of single storey sheds and outbuildings associated with Beaufort Barn.
- 2.3. The site is located within flood zone 1 (low risk).

3 PROPOSAL

- 3.1 The submitted outline application seeks planning permission for the erection of up to nine dwellings, with all matters reserved.
- 3.2 The indicative plan illustrates the proposed nine dwellings would all benefit from a frontage towards Needham Back and would of a detached linear arrangement from the southwest corner of the site to the northwest corner of the site. A single access has been outlined along the east boundary and in the centre of the site onto Needham Bank. Additionally, there is proposed a 1.8 metre footpath linking to the existing footpath, which runs along the southern boundary of the site terminating where the single access point is located.
- 3.3 No illustrations have been provided outlining the scale of the proposed dwellings. However, the Design & Access Statement mentions they are to be two-storey.
- 3.4 Full plans and associated documents for this application can be found at: [F/YR23/0682/O | Erect up to 9no dwellings \(outline application with all matters reserved\) | Land East Of Chardor Needham Bank Friday Bridge Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0682/O)

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR22/1123/PIP	Residential development of up to 9 x dwellings involving the formation of 9 x new accesses (application for Permission in Principle)	Refused	15.12.2023

5 CONSULTATIONS

5.1 Elm Parish Town Council

Elm Parish Council objects to proposals submitted under application re. F/YR23/0682/O on the following grounds:

- 1. The proposed development lies outside the residential settlement boundary for Friday Bridge.*
- 2. The 60mph speed limit along Needham Bank creates hazard for vehicles using the site access.*
- 3. There are no pavements or streetlighting at the location creating hazard for pedestrians and cyclists.*
- 4. Lack of public transport services would impede access to amenities/employment and therefore encourage the use of motor vehicles.*

5.2 FDC Housing

As this application is for 9 dwellings, it is just below the threshold of 10 dwellings for affordable housing requirements. Therefore, unless any changes are made, I have no comment to make.

5.3 CCC Highways

Based on the information submitted, I have no objections in principle to the above application, however, the following points require attention to make the development acceptable in highway terms.

As this is an outline application with all matters reserved my comments relate mainly on the principle of the development. This application seeks to use an existing agricultural land for the erection 9 residential dwellings, associated parking and gardens with central pedestrian and vehicular access. In accordance with the Environment Agency's flood zone maps, the application document states that the development site is within flood zone 1. While the access is not for approval, we need to be content that an acceptable access could be achieved. Given the 40mph speed limit, a 2.4m x 120m splay is required which based on the length of frontage, should be achievable. For nine dwellings, the access should be formed as a Bellmouth rather than a crossover and should be provided as part of the future RM application. The footway is a requirement but based on the available highway verge and level constraints, this might be difficult to implement. I would recommend that the applicant produce a design which is informed by the verified highway boundary, procured from our Searches team, which can be done by following the instructions at the link below.

<https://www.cambridgeshire.gov.uk/business/highway-searches>

The applicant should also consider how they would drain the carriageway once a footway has been installed which would prohibit any over-edge drainage from taking place.

Regarding parking, the applicant should ensure that the proposed parking bays comply with the minimum dimensions of 2.5mx5m and can accommodate the associated parking manoeuvres and vehicles needed to access the site and exit the development in forward gear.

The Applicant is recommended to consult CCC's General Principles for Development when preparing a reserved matters applications in relation to the access and footpath proposals.

<https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highways-development> In the evident that the LPA are mindful to approve the application, please append the following conditions:

Access Road Details: *Prior to the occupation of the first building(s)/dwelling(s) a scheme shall be submitted to and approved in writing by the Local Planning Authority which details the construction and surfaces of the roads and footways. The building(s)/dwellings hereby approved shall not be occupied until the roads and footpaths associated with the building(s)/dwelling(s) have been constructed and surfaced in accordance with the approved scheme.*

Reason: In the interest of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.

Parking/Turning Area: *Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area levelled surfaced shall thereafter be retained as such in perpetuity.*

Reason: In the interest of highway safety.

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

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

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

Reason: In the interest of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.

Wheel Wash Facilities: *Development shall not commence until fully operational wheel cleaning equipment has been installed within the site. All vehicles leaving the site shall pass through the wheel cleaning equipment which shall be sited to ensure that vehicles are able to leave the site and enter the public highway in a clean condition and free of debris which could fall onto the public highway. The*

wheel cleaning equipment shall be retained on site in full working order for the duration of the development.

Reason: In the interest of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.

5.4 FDC Environmental Services

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

Should planning permission be granted, in the interests of protecting the amenity of existing nearby residencies, it is recommended that a number of issues are addressed from an environmental health standpoint by way of imposing conditions.

Given the nature and scale of the proposed development, the issues of primary concern to this service during the construction phase would be the potential for noise, dust and possible vibration to adversely impact on the amenity of the occupiers at the nearest residential properties. Therefore, this service would welcome the submission of a robust Construction Environmental Management Plan (CEMP) that shall include working time restrictions in line with the template for developers, now available on Fenland District Council's website at: Construction Environmental Management Plan: A template for development sites (fenland.gov.uk).

Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites may also be relevant, as would details of any piling construction methods / options, as appropriate.

Whilst contamination isn't expected to be an issue given that the land is currently put to arable agricultural use, it would however be prudent to impose the following condition for unsuspected contamination should planning permission is granted:

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 (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.

5.5 CCC Archaeologist

Our records indicate that the site lies in an area of archaeological interest, to the east of the historic core of Friday Bridge and 500m to the south-west of the grade II listed building, Church of St Mark (Cambridgeshire Historic Environment Record reference. 1125939). Cropmarks to the west of the proposed development area show the presence of an enclosure system likely medieval in date (CHER ref. 09708). Further extensive cropmarks lie to the south of the proposed development area, which include a series of Roman enclosures defined by double ditches and a possible bank (CHER ref. 09707), finds of medieval and roman pottery have been within the area between the cropmarks and proposed development area (CHER ref. 04249). The proposed development area sits on the crest of a roddon, which

have been shown to be a focus of settlement in the Roman periods onwards due to forming an area of higher ground.

Due to the archaeological potential of the site a programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. We recommend that this program of works also include an earthwork survey of the surviving medieval earthworks within the development area. Usage of the following condition is recommended:

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

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

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

5.6 Cllr Summers

1) The letters of support provided by the agent are in some cases carbon copies of each other. Whilst this in itself is not grounds for refusal, I recommend they are given little weight in the decision-making process unless their authenticity is individually verified.

2) A development of this size for market will generate a lot of revenue and will create strain on existing infrastructure. Therefore, I recommend a significant S106 contribution to highway and school improvement. There are a number of incomplete footpaths in the parish which are desperately needed. I can provide recommendations on a map if it helps.

3) I would request that Upwell Health Centre are made an additional consultee as these properties would fall in their catchment area.

5.7 Cllr Roy

1) *Please consider the impact on already stretched services at GP Practices in the area which already being strained.*

2) *I would expect a significant contribution through 106 funds to improve walkways and speed reduction measures if these are to be family homes to ensure the safety of children should this development take place. The current speed limit of 60mph along a road already without adequate street lighting and footpaths is a potential hazard.*

3) *There is currently a lack of employment opportunities, and amenities in the area. The additional traffic would be a major concern on already poor roads.*

4) *I also note that the letters of support seem to be copies - maybe verify these to determine how valid they are.*

5) *The land also lies in Flood Zone 3 which as a high probability of flooding. Given the rising numbers of homes being flooded after heavy rain and the fact that there are two main drains nearby potentially this area would be prone to regular flooding. Based on my observations I would object to this application.*

5.8 Local Residents/Interested Parties

Ten letters (Nine provided by the applicant's agent) have been received in support of the application which are summarised below.

- Blends into surroundings.
- Close to village.
- Helps economy.

One letter of objection has been received which is summarised below.

- No infrastructure to cope with the development (footpath, cycle way etc).
- Dangerous road.
- Devalue neighbouring property.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)
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
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
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
LP7: Design
LP8: Amenity Provision
LP19: Strategic Infrastructure
LP22: Parking Provision
LP28: Landscape
LP32: Flood and Water Management

Supplementary Planning Documents/ Guidance:

Delivering & Protecting High Quality Environments in Fenland SPD (2014)

8 KEY ISSUES

- **Principle of Development**
- **Means of Access (Impact on Highways)**
- **Visual & Residential Amenity**
- **Ecology & Biodiversity**
- **Other Matters**

9 BACKGROUND

- 9.1 The application site has a previous refusal by Planning Committee in December 2022 for Permission in Principle for a similar scale of development (ref: F/YR22/1123/PIP) for nine dwellings. The reason for refusal is set out below:

Policy LP12 of the Fenland Local Plan (2014) states that proposals should not have an adverse impact on the character and appearance of the surrounding countryside and farmland (part c), that proposals are in a location that is in keeping to the core shape and form of the settlement (part d) and that proposals would not extend existing linear features of the settlement (part e). Policy LP16 (part d) requires proposals to make a positive contribution to the local distinctiveness and character of the area and not to have an adverse impact on the settlement pattern or the landscape character of the surrounding area.

The site is rural in character with open fields to the front and rear of the site and fulfils an important part in the character of the area by providing open countryside between the southern and eastern parts of Friday Bridge. The proposal would result in linear development, extending approximately 180m outwards into the countryside and would not relate to the core shape and form of Friday Bridge. As such, any residential development on this site would be contrary to the above policy considerations and thus, in terms of location and use, the Permission in Principle application fails.

- 9.2 Since this refusal (ref: F/YR22/1123/PIP) was issued, the allocated site to the west (the 120-meter-wide gap site) between the grouping of 15 dwellings north of Well End and the built-up area of Fridays Bridge has been subject to an approved planning application for six dwellings (ref: F/YR23/0106/O).

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 identifies Friday Bridge as being a 'Limited Growth Village' settlement. For these settlements a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability, but less than would be appropriate in a Growth Village. Such development may be appropriate as a small village extension.
- 10.2 Policy LP12, Part A (a) 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, (c) states that proposals should not have an adverse impact on the character and appearance of the surrounding countryside and farmland, (d) states the proposal is in a location that is in keeping to the core shape and form of the settlement, (e) states proposals would not extend existing linear features of the settlement.
- 10.3 Policy LP16 (d) requires proposals to make a positive contribution to the local distinctiveness and character of the area and not to have an adverse impact on the settlement pattern or the landscape character of the surrounding area.
- 10.4 Having regard to section (d) of Policy LP16 it is considered that the application site is rural in character with open fields to the front and rear and fulfils an important function in the character of the area by providing open countryside between the southern and eastern parts and along the edge of the settlement of Friday Bridge. The proposal would result in a linear development, extending approximately 180 meters northeast into the countryside and would not relate well to the core shape and form of Friday Bridge. It is also acknowledged there are only limited developments directly opposite the site in the form of outbuildings serving Beaufort Barn. As such, the proposed residential development on this site would have an adverse impact on the surrounding countryside and would be contrary to local planning policy.
- 10.5 Notwithstanding the approval to the west, (ref: F/YR23/0106/O) the proposal would still fail to relate to the shape and built form of Friday Bridge and would still result in linear development that cannot be supported, as per the refusal of .
- 10.6 Whilst the emerging Local Plan which carries limited weight at this time (per paragraph 48 of the NPPF) outlines the application site is outside of the defined

settlement boundary of Friday Bridge, and is therefore classed as open countryside, where development will only be permitted in the circumstances set out within the NPPF. Policy LP1 of the emerging Plan does contain an element relating to Frontage Infill Development, applicable at the edge of settlements. It is considered that this conflicts with the NPPF and therefore can carry no weight. Notwithstanding this, if Policy LP1 were to be applied the proposed development would not accord given the circumstances of the site.

- 10.7 As such, the proposal would conflict with Policies LP3 & LP12 of the Fenland Local Plan 2014 as well as being in conflict with the emerging plan.

Means of Access (Impact on Highways)

- 10.8 Policy LP15 of the Fenland Local Plan 2014 requires development schemes to provide well designed, safe and convenient access.
- 10.9 The Means of Access will be assessed under a reserved matters application (Means of Access). However, the indicative site plan illustrates a single access along the east boundary and in the centre of the site onto Needham Bank. There is a proposed a 1.8 metre footpath linking to the existing footpath, which runs along the southern boundary of the site terminating where the single access point is located. The Highways consultee has reviewed the application in terms of the access and the footpath and whilst having no objection in principle have commented that the footway is a requirement but based on the available highway verge and level constraints, this might be difficult to implement. They go on to say that the applicant should produce a design which is informed by the verified highway boundary and this can be addressed by way of a condition. Given that the principle of the development is not acceptable it is not considered reasonable to require the applicant to provide further information regarding this.
- 10.10 The parking arrangement details (Layout) will be assessed under a reserved matters application. Notwithstanding this, there appears to be sufficient space within the site to accommodate the parking provision required under Appendix A of the Fenland Local Plan 2014.

Visual and Residential Amenity

- 10.11 Policy LP16 (e) and (h) require new developments to not adversely impact on the amenity of neighbouring users, through noise, light pollution, loss of privacy and loss or light, and provide sufficient private amenity space.
- 10.12 The scale, appearance, layout and landscaping are reserved matters and are not for consideration at this stage.
- 10.13 No indicative details regarding appearance have been provided. However, the built environment consists of dwellings of varied appearances with modest uniformity in terms of character and appearance. Regarding scale, an indicative scale of two-storey dwellings has been outlined and this is accepted given the local area is characterised by a mixture of dwelling forms. Regarding layout, the scheme is for the construction of up to nine dwellings and the indicative site plan demonstrates the site can accommodate nine dwellings with sufficient space for parking and private amenity space. Regarding landscaping, the indicative site plan demonstrates landscaping along the frontage of the site, along the rear boundary

separating the site from the agricultural field with further landscaping within the site which would screen the development and improve integration.

- 10.14 Whilst it is accepted the quantum of development proposed could be accommodated within the site, the proposal by way of its position, would prejudice the visual distinctiveness of the open countryside and the character of the area as it would not relate to the core shape and form of Friday Bridge.
- 10.15 A reserved matters application will fully assess the impact of matters such as overlooking, overshadowing and loss of privacy, both in relation to the proposed dwellings and neighbouring properties. The scale of the proposed dwellings has been outlined as two-storey which is unlikely to result in an adverse impact on neighbouring amenity. Any forthcoming design/layout would have to be sensitive to the adjacent neighbouring amenities of `Chardor `and `Little Haven`.
- 10.16 It is accepted that the quantum of development proposed could be accommodated within the site without adverse harm to the neighbouring residential amenity.

Ecology & Biodiversity

- 10.17 Policy LP19 of the Fenland Local Plan states that planning permission should be refused for development that would cause a demonstrable harm to a protected species or habitat unless the need for and public benefits of the development clearly outweigh the harm and mitigation, or compensation measures can be secured to offset the harm.
- 10.18 Ecological surveys and if necessary, species surveys, are required to be carried out pre-determination. Section 40 of the Natural Environment and Rural Communities Act (NERC) 2006 places a public sector duty upon local planning authorities to conserve biodiversity. Paragraph 180 of the NPPF states that when determining planning applications local planning authorities should refuse planning permission if significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less impact), adequately mitigated or as a last resort, compensated for. Such consideration requires sufficient ecological investigation to assess if there are any particular protected species present so that they can be taken into account in the consideration of the proposals.
- 10.19 This site lies within an amber zone for Great Crested Newts (GCN) and the proposal could potentially impact Water Voles as outlined in the Biodiversity Checklist. It is further acknowledged there is a pond directly opposite the site within 35 meters.
- 10.20 No ecological surveys have been submitted with the application. There is a very basic vole statement that has been submitted, but it is considered that this is not adequate. No comments have been received from CCC Ecology. It is therefore not possible for the local planning authority to undertake its duty to conserve biodiversity due to a lack of information. This is a reason for refusal.
- 10.21 It was not considered prudent to request ecological surveys and subject the applicant to the additional financial cost of ecology survey work given the concerns with the principle of development outlined elsewhere within this report.

Other Matters

10.22 Regarding developments within or on the edge of a village, Policy LP12 Part A (i) requires development that increases the number of dwellings in the village by 10% or more to provide demonstrable evidence of clear local community support for the scheme, generated through a proportionate pre-application community consultation exercise. The latest figures (Village Thresholds Position Statement) dated November 17TH 2023, show that the established threshold for Friday Bridge is 58 dwellings and the number of new dwellings committed or built since 2011 (as of 2nd Nov 2023) is 43 dwellings. Therefore, Friday Bridge has not reached its 10% growth however, this is not a material factor which would outweigh any of the issues identified previously in the assessment of the application.

10.23 It is acknowledged the land to the west of the parade of dwellings along Well End which occupies a gap of 120meters has been allocated for housing (allocation LP54.03) within the proposed Draft Local Plan. However, this carries limited weight in regard to the determination of this application.

10.24 No foul water details have been provided. Additionally, no surface water details have been provided other than a sustainable drainage system (outlined on the application form), but these could be controlled via a condition. Building Regulations would also require details on this matter outside the scope of planning.

10.25 Regarding the objecting comments received, the devaluation of neighbouring properties is not a material planning matter. Additional matters such as pedestrian footpath and access details would in any event be detailed within a reserved matters application.

10.26 Regarding the comments received from Cllr Summers & Cllr Roy:

- There is no requirement for the applicant to improve local services within the area by way of s106 contributions given the level of development proposed.
- The nine supporting letters received in favour of the proposal come from multiple addresses and insofar as practical within the scope of the LPA, their authenticity is not of concern.
- Regarding traffic, the highway, and highway safety, the highway consultee has no objection to the proposal and no speed reductions measures by way of a Traffic Regulation Order (TRO) were recommended. Further, this would fall outside of the developer's gift to implement.
- The site is within a flood zone 1 (not flood zone 3) which is low risk and is therefore a sequentially preferable location for residential development. No additional measures are recommended in this regard.

11 CONCLUSIONS

11.1 The application is made in Outline, with matters reserved for later approval therefore any details submitted alongside the proposal are indicative only.

11.2 Although the Local Planning Authority must satisfy itself that a development of the number of dwellings proposed can be satisfactorily accommodated within the site, the detailed design of such a scheme is reserved for later consideration.

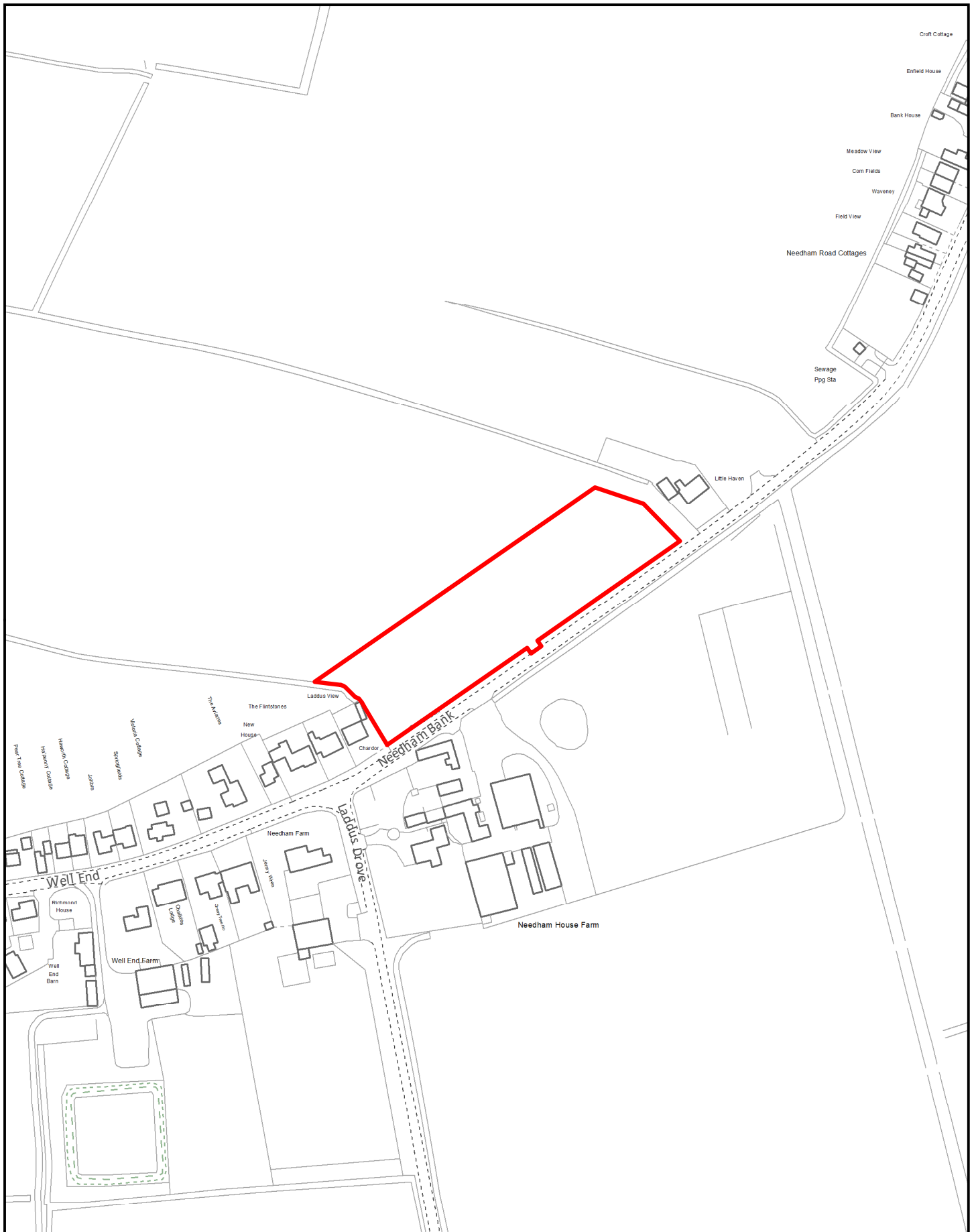
- 11.3 The proposed development of up to nine dwellings has not overcome the previous reason for refusal and there have been no modifications to local planning policy since the previous refusal which would now permit such a development. Therefore, the development is still considered unacceptable as it would result in urban encroachment into the open countryside.
- 11.4 There is insufficient information to enable the local planning authority to assess the potential impacts of the development upon protected species and habitats, by way of a preliminary ecological survey and/or any subsequent species surveys. The application would be in contravention of the NERC Act 2006 & Paragraph 180 of the NPPF 2023.
- 11.5 The application would be in contravention of Policies LP3, LP12, LP16 & LP19 of the Fenland Local Plan 2014 and is recommended for refusal.

12 RECOMMENDATION

Refuse, for the following reasons.

1	<p>Policy LP12 of the Fenland Local Plan (2014) (a) 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, (c) states that proposals should not have an adverse impact on the character and appearance of the surrounding countryside and farmland, (d) that proposals are in a location that is in keeping to the core shape and form of the settlement, (e) and that proposals would not extend existing linear features of the settlement. Policy LP16 (d) requires proposals to make a positive contribution to the local distinctiveness and character of the area and not to have an adverse impact on the settlement pattern or the landscape character of the surrounding area.</p> <p>The site is rural in character with open fields to the south, east and north and fulfils an important part in the character of the area by providing open countryside between the southern and eastern parts of Friday Bridge. The proposed residential development would result in linear development, extending approximately 180 meters into the countryside, would not relate to the core shape and form of Friday Bridge and would represent urban sprawl. It is considered the proposal would prejudice the existing distinctiveness of the open countryside and the character of the local area. As such, the proposal would conflict with Policies, LP3, LP12 & LP16 of the Fenland Local Plan (2014).</p>
2	<p>Policy LP19 of the Fenland Local Plan states that planning permission should be refused for development that would cause a demonstrable harm to a protected species or habitat.</p> <p>The site lies in an amber zone for Great Crested Newts (GCN), in close proximity to a pond and is not accompanied by a preliminary ecological survey or any subsequent species surveys as may be necessary. Therefore, the local planning authority is unable to assess the impact of the proposal upon protected species and habitats as is its public duty. As such, the application is contrary to the provisions of Section 40 of the Natural Environment and Rural Communities Act (2006), Paragraph 180 of the</p>

	National Planning Policy Framework (2023) & Policy LP19 of the Fenland Local Plan (2014).
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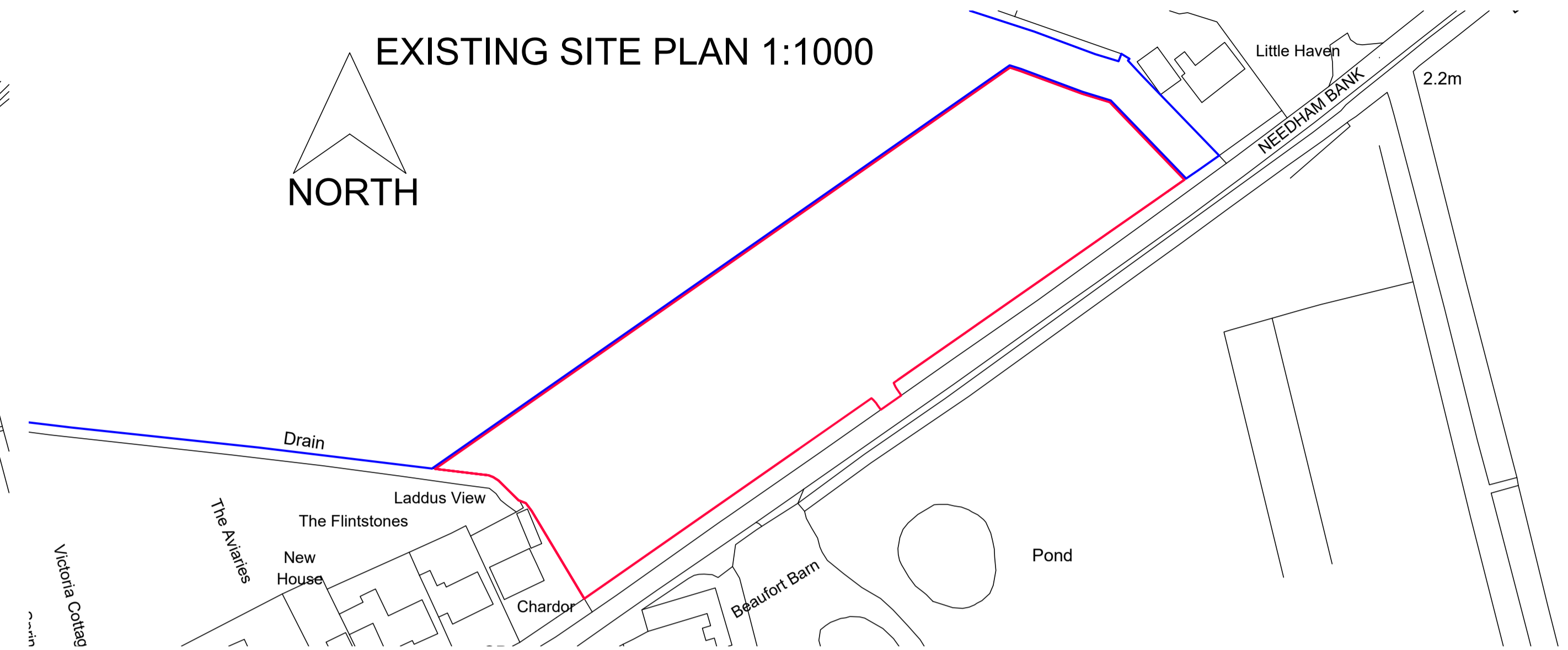
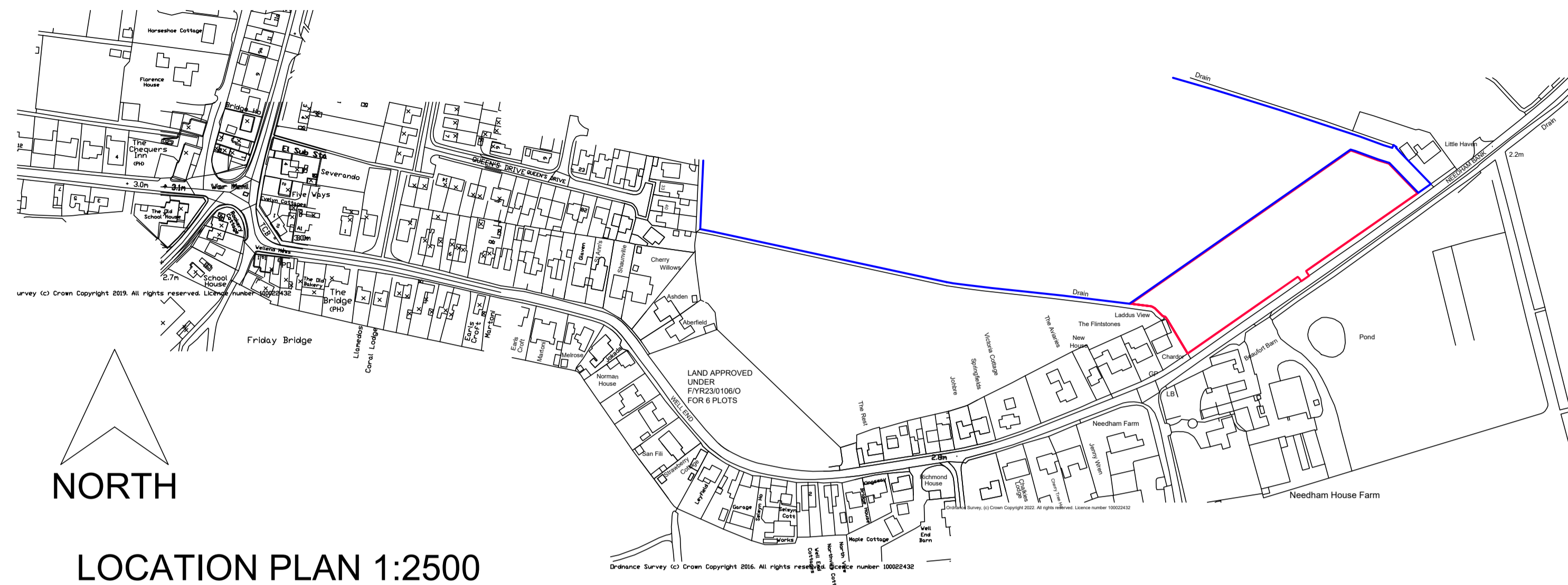
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F/YR23/0682/O

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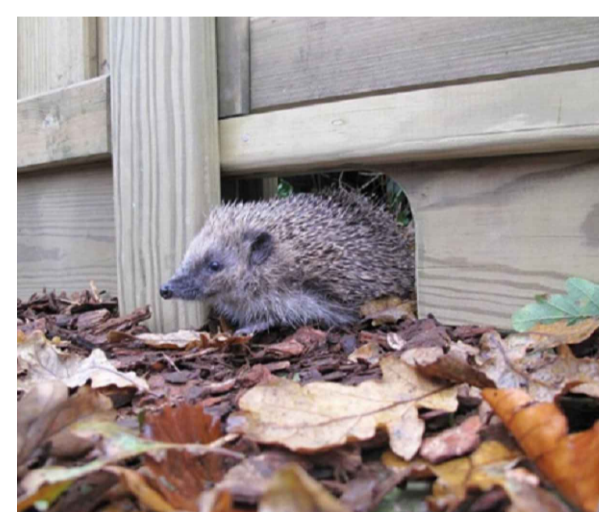
Schwegler triple cavity swift box
1 to East elevations



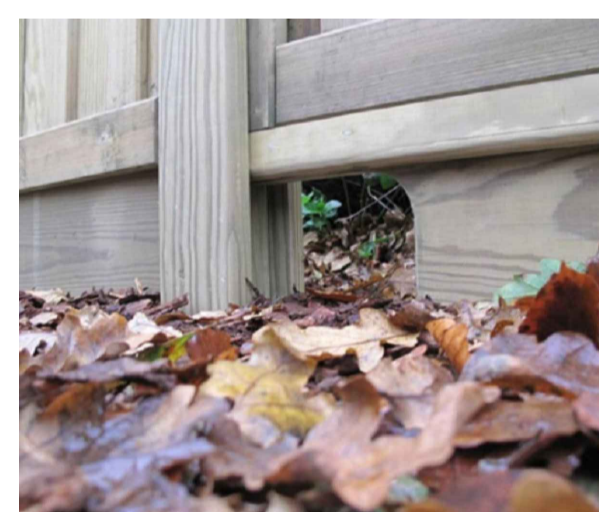
Woodstone Sparrow nest box
North elevation of garages



NHBS Habitat bat box
One on East elevation of dwellings



Boundary fence to have 1 hedgehog gravel board to each boundary



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
 MS D BULLARD

PROJECT
 RESIDENTIAL DEVELOPMENT

SITE
 LAND ADJ. CHARDOR
 NEEDHAM BANK
 FRIDAYBRIDGE

DRAWING

JOB NO.	PAPER SIZE	DATE
6550 PL05	A1	JUNE 2023

Notes:
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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.

F/YR23/0769/PIP

Applicant: Mr & Mrs WL & LJ Sutton

**Agent: Mr Adam Sutton
A.L.S. Design Services**

Land South Of Illizarov Lodge, Padgetts Road, Christchurch,

Residential development of up to 5 x dwellings (application for Permission in Principle)

Officer recommendation: Refuse

Reason for Committee: Parish Council recommendation contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks Permission in Principle for the residential development of the site for up to 5 dwellings - as to whether the location, land use and amount of development proposed is acceptable.
- 1.2 The Permission in Principle route has 2 stages: the first stage (or Permission in Principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.
- 1.3 Christchurch is defined as a small village with the criteria explicitly stating that only infill sites will normally be considered. The site is considered to fall outside of the built envelope of Christchurch on land set to the south of Illizarov Lodge and is not infill development by definition, therefore failing to comply with policy LP3 and LP12 of the Local Plan.
- 1.4 Furthermore, the site lies in an area at high risk of flooding and insufficient justification has been provided to demonstrate that development of the site is necessary in this instance having regard to national policy which seeks to steer development to the lowest area of flood risk in the first instance. As such, the proposal conflicts with FLP Policy LP14 and Chapter 14 of the NPPF.
- 1.5 Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, Officers consider there are no overriding material considerations to indicate a departure from the development plan is warranted in this instance.
- 1.6 Accordingly, the recommendation is to refuse permission in principle for residential development of this site.

2 SITE DESCRIPTION

- 2.1. The application site is Grade 1 agricultural land positioned to the south of Illizarov Lodge along Padgett's Road, which runs in a northwest to southeast direction forming the westernmost boundary of the built form of Christchurch. The main built form of the settlement of Christchurch runs in a northeasterly direction from the junction of Padgett's Road and Church Road. To the east and south of the application site along Padgett's Road is sporadic residential development and agricultural land.
- 2.2. The site itself is open agricultural land with a drainage channel running along the highway forming its western boundary.
- 2.3. The site is entirely positioned within Flood Zone 2, with the majority of the site also in Flood Zone 3.

3 PROPOSAL

- 3.1. Planning in Principle (PIP) applications are an alternative way of obtaining planning permission for housing led development and separates the consideration of matters of principle for proposed development from the technical detail.
- 3.2. As set down in the Town & Country Planning (Permission in Principle) Order 2017 and Town & Country Planning (Brownfield Land Register) Regulations 2017, the scope of PIPs (stage 1 of the process) is restricted to consideration of location, development size and land use. All other matters are 'reserved' for consideration by the stage 2 Technical Details application which may be made should PIP be granted.
- 3.3. This application seeks planning permission in principle for up to five dwellings on the site. In line with the above regulations the design, layout and access into the site have not been provided.
- 3.4. The current proposal is the first part of the Permission in Principle application; this 'first stage' (or Permission in Principle stage) establishes whether a site is suitable in principle and assesses the 'principle' issues namely:
 - a) Location,
 - b) Use, and
 - c) Amount of development proposed
- 3.5. Should this application be successful, the applicant would have to submit a Technical Details application (stage 2 of the process) covering all other detailed material planning considerations. The approval of Permission in Principle alone does not constitute the grant of planning permission. Technical details consent regarding the proposed properties would need to be applied for should this application be granted.
- 3.6. Full plans and associated documents for this application can be found at: [F/YR23/0769/PIP | Residential development of up to 5 x dwellings \(application for Permission in Principle\) | Land South Of Illizarov Lodge Padgetts Road Christchurch \(fenland.gov.uk\)](https://www.fenland.gov.uk/development/planning/permissions/permissions-in-principle/2023/07/23/0769/PIP-Residential-development-of-up-to-5-x-dwellings-application-for-Permission-in-Principle-Land-South-Of-Illizarov-Lodge-Padgetts-Road-Christchurch)

4 SITE PLANNING HISTORY
No pertinent planning history

5 CONSULTATIONS

5.1. Christchurch Parish Council

It is the Council's view that modest development benefits the village in supporting the village school, the public house and community centre, with the possibility of reinstating the bus service in the future. For several years the Council has highlighted the concerns of residents regarding the speed of traffic along Padgetts Road and, in particular, the dangers this poses at the junction with Church Road and Scotts Road, where minor accidents and near misses are a regular occurrence. A residents' petition was submitted several years ago asking the Council to take appropriate action. The Council seeks to reduce the speed limit on this section of Padgetts Road, but previous applications have failed as the number of properties falls below the threshold for a lower speed. The approval of this application would enable the Council to meet the necessary criteria for a reduction in the speed limit. Members expressed concern about pedestrian safety in this location and asked that consideration be given to the inclusion of a pavement when a detailed application is submitted to connect the existing dwellings either side of the development site and the new dwellings to the pavement in Church Road. Such a pavement would provide safe pedestrian access from this location to the entire village.

Members resolved to support the application.

5.2. Environment & Health Services (FDC)

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.

In the event that Permission in Principle (PIP) is granted and a further application for the site is submitted in due course, this service will likely then recommend a condition on working time restrictions due to the close proximity to existing noise sensitive receptors.

5.3. Cambridgeshire County Council Highways Authority
Recommendation

I am unable to provide substantive comments on the above application in principle, without the submission of the additional information and clarifications on the proposed development (from the highways perspective) beyond those detailed below.

Comments

As a core requirement for the above proposed development, I would need to be satisfied the proposed access is feasible. Reference to our indicative records shows the proposed application access may be difficult to achieve given the strip of land (possibly third party) between highway boundary / registered title limit.

The submitted application redline boundary extends to the carriageway edge, encompassing highway verge and should be amended to omit this area. A verified copy of the highway boundary record can be procured from CCC's Searches team by following the instructions in the link below. If there is any third-party ownership between the applicant's landownership and the highway, the LPA should be satisfied that appropriate notice is served.

<https://www.cambridgeshire.gov.uk/business/highway-searches>

Also, while this is an application for permission in principle, the applicant has not demonstrated that access is feasible. Padgett's Road is de-restricted, meaning vehicles are permitted to travel up to 60mph. As such, an access must be capable of achieving a 2.4m x 215m inter-vehicular visibility splay in either direction which is fully contained within the application boundary and / or the public highway. This has not been demonstrated by the applicant. A reduction in visibility requirements will be accepted but this must be based upon the observed 85th percentile speed limit.'

I should be able to provide further comments on the above application on receipt of additional information and clarifications requested in support of the application if it advances to the next stage of the application process in future.

5.4. Environment Agency

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (Ref: ECL1109/ALS DESIGN SERVICES by ELLINGHAM CONSULTING LTD, dated September 2023) are adhered to. In particular, the FRA recommends that finished floor levels are set 0.3m above the existing ground level and flood resilient measures are incorporated into the dwellings up to 0.3m above finished floor levels.

5.5. Senior Archaeologist (CCC)

Thank you for the consultation with regards to the archaeological implications of the above referenced planning application. The proposed development is in an area of archaeological potential, located to the South of the main settlement of Christchurch. Christchurch itself is located to the south of the Old Croft River and covers an area of Roddenised silt, silted ancient channels that form raised firm ground within the wider fen landscape. These areas are often extensively exploited in the prehistoric and Roman periods, and extensive roman style cropmarks are known from north of Christchurch indicating Roman field systems, (Cambridgeshire Historic Environment Record 06848, 10629, MCB29363, MCB29367). Closer to the proposed development area cropmarks indicate boundaries of unknown date (CHER 10636).

Whilst this site lies in an area of archaeological interest we cannot make specific recommendations without sight of a proposed site layout plan and an understanding of the scale and impacts of the proposed development. We are however content that no works are required prior to determination of an application and consequently we wish to raise no objections for this application to secure Planning In Principle, however we would request to be consulted on any future planning application for development within the

redline area indicated, with the expectation that a condition on development, if required, could be secured at Technical Details stage.

5.6. Local Residents/Interested Parties

Five letters of objection have been received from address points along Padgetts Road and Church Road immediately local to the site.

The reasons for objection can be summarised as:

- Loss of prime agricultural land;
- Increase in impermeable area may increase surface water flooding; drain to east side of Padgett's road (forming western boundary of site) is often full of water;
- Access along a de-restricted road would result in highway safety concerns;
- Overall flood risk;
- Other properties within Christchurch have been unable to sell – why build new;
- Visual impact and character harm to the open countryside;
- Residential amenity issues;
- Unacceptable infrastructure and amenities within Christchurch;
- Loss of field access;
- Potential for precedent.

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)

7.2. National Planning Practice Guidance (NPPG)

7.3. National Design Guide 2019

Context

Identity

Built Form

Homes and Buildings

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

LP12 – Rural Areas Development Policy

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments

LP19 – The Natural Environment

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

LP2 – Spatial Strategy for the Location of Residential Development

LP7 – Design

LP8 – Amenity Provision

LP18 – Development in the Countryside

LP20 – Accessibility and Transport

LP22 – Parking Provision

LP24 – Natural Environment

LP28 – Landscape

LP32 – Flood and Water Management

7.6. **Supplementary Planning Documents/ Guidance**

Delivering & Protecting High Quality Environments in Fenland SPD (2014)

Cambridgeshire Flood & Water SPD (2016)

8 **KEY ISSUES**

- **Location**
- **Use**
- **Amount of Development Proposed**
- **Other Matters**

9 **ASSESSMENT**

- 9.1. 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

- 9.2. Policy LP3 of the Fenland Local Plan sets out the settlement hierarchy for development within the district, grouping settlements into categories based on the level of services available, their sustainability and their capacity to accept further development.
- 9.3. The application site is located on the southern edge of the settlement of Christchurch which is identified as a ‘small village’ within policy LP3. This policy restricts development to limited residential infilling or a small business opportunity. The glossary within the Local Plan defines residential infilling as ‘Development of a site between existing buildings’. The Planning Portal defines this as ‘The development of a relatively small gap between existing buildings.’

- 9.4. The site forms a 115m gap between a residential dwelling known as Illizarov Lodge to the north, and Windy Ridge to the south. Such a gap cannot be considered as a 'relatively small gap' as defined within the Development Plan. In addition, development to the south is of a much more sporadic nature, and is more characterised as open countryside as opposed to frontage linear residential development. As such, the proposed application site cannot be considered as residential infill given the circumstances of the surrounding development. Thus, the proposal is considered contrary to Policy LP3.
- 9.5. Furthermore, Policy LP12 requires development to meet certain criteria in order to be supported. Policy LP12 Part A supports development in villages where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Criteria (a) of this policy allows for development where 'the site is in or adjacent to the existing developed footprint* of the village (except for those villages listed in the settlement hierarchy in Policy LP3 as being 'Small' or 'Other' villages, where only infill sites will normally be considered favourably).
- 9.6. A footnote, and caveat, to criteria (a) defines the developed footprint as the *'continuous built form of the settlement and excludes: (a) individual buildings or groups of dispersed, or intermittent buildings, that are clearly detached from the built-up area of the settlement'. In addition, Policy LP12 Part A also requires sites to satisfy additional criteria, including: (e) It would not extend linear features of the settlement, or result in ribbon development; (i) It would not result in the loss of high grade agricultural land (without sufficient justification).
- 9.7. The location of Windy Ridge, some 115m from the built form of Christchurch is clearly detached from the built up area of the settlement, with the application site itself embodying this detachment. The development of this site would therefore extend the existing linear feature of the developed footprint of the settlement, by adding up to a further five dwellings to a line of ribbon development along Padgett's Road, into an area of grade 1 agricultural land (classified as Excellent).
- 9.8. With regard to the consultation draft of the emerging Local Plan, which carries limited weight at this time as per paragraph 48 of the NPPF, the site is outside of the defined settlement boundary of Christchurch, and is therefore classed as open countryside, where development will only be permitted in the circumstances set out within the NPPF.
- 9.9. Policy LP1 of the emerging Plan does contain an element relating to Frontage Infill Development, applicable at the edge of settlements. It is considered that this conflicts with the NPPF and therefore can carry no weight. However, for the sake of completeness, if this policy were to be applied the development would not accord given the circumstances of the site.
- 9.10. Whilst the site would not be considered as 'isolated' having regard to paragraph 80 of the NPPF, nonetheless it does not follow the rural areas development strategy as set out under LP12. With regards to paragraph 80 of the NPPF; whilst the future occupiers of the development would likely support the existing facilities and services of Christchurch, although there is no

evidence submitted to justify an exception to the policy in this case, notwithstanding, this benefit would be very modest through the introduction of 'up to' 5no. dwellings; a matter which has been supported through numerous appeal decisions to the same.

- 9.11. Given the aforementioned reasons, the application site constitutes an area of land located outside the developed footprint of the settlement. The development proposal would result in an incursion into the rural countryside rather than small scale residential infilling causing unwarranted harm to the rural character of the area. The proposal is therefore considered to be in clear conflict with the Policies LP3 and LP12 of the adopted Local Plan, the NPPF and also would not comply with the emerging Plan.

Use

- 9.12. 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.
- 9.13. 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. The application site is Grade 1 agricultural land. It should be noted that at the time of site inspection it was clear that this land is in viable agricultural use. No justification was provided in respect of the loss of such land.
- 9.14. A large proportion of agricultural land in Fenland District is best and most versatile land. There is insufficient information upon which to assess what the loss the land might mean for the District as a whole. However, the Council has rarely refused applications by virtue of the loss of agricultural land, given the quantity of such land within the District. It is therefore considered unreasonable to justify a reason for refusal on this basis.
- 9.15. 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 residents by reason or noise or disturbance or vice versa.

Amount of Development Proposed

- 9.16. The application seeks Permission in Principle for up to 5no dwellings on a site of approximately 0.47ha which would equate to a density of approximately 10 dwellings per hectare. No site plan has been submitted. However, the likely density is low and could comfortably be accommodated on-site without being considered as overdevelopment. However, the detailed layout and design would be for consideration at the Technical Details stage. In terms of consideration of amount, the proposal is acceptable.

Other Matters

Flooding and flood risk

- 9.17. Policy LP14 of the Fenland Local Plan and section 14 of the National Planning Policy Framework deal with the matter of flooding and flood risk, and the siting

of dwellings on land at the risk of flooding. The site falls in both Flood Zones 2 & 3, with the bulk of development proposed within zone 3.

- 9.18. Policy LP14 requires development proposals to adopt a sequential approach to flood risk from all forms of flooding, and states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management.
- 9.19. The application is accompanied by a Flood Risk Assessment that includes consideration of the Sequential and Exception Tests. As stated above, the application site constitutes an area of land located outside the developed footprint of Christchurch, and as such the submitted sequential test is deficient as it concentrates the area of search to developments within Christchurch only.
- 9.20. Noting the adopted and indeed consistent stance of Officers when applying the sequential test on sites which fall outside the developmental built form it is asserted that the scheme has no potential to satisfy the sequential test, as this would require the application of the Sequential test on a district wide scale. It is further identified in the updated NPPG (August 2022) that even where a flood risk assessment shows that development can be made safe for its lifetime the sequential test still needs to be satisfied, i.e. the proposed flood risk safety measures do not overcome locational issues.
- 9.21. As such, the proposal fails to accord with the necessary requirements of Policy LP14, the SPD and the NPPF, and as such, should be refused on the basis of a lack of demonstrable evidence that the scheme would be acceptable in respect of flood risk.

Highway Safety

- 9.22. The matters raised by the Highways Authority relating to the lack of submitted information with respect to safe access and inter-vehicular visibility splays would be addressed at the technical details stage.

Parish Council Support

- 9.23. It is acknowledged in paragraph 9.9 above that future occupiers of the development would likely support the existing facilities and services of Christchurch, these facilities do not appear to be under threat to justify an exception to policy, notwithstanding, any benefit would be very modest through the introduction of 'up to' 5no. dwellings.
- 9.24. It is noted that Parish Council Members expressed concern over pedestrian safety. The application site does not have pedestrian access, and such matters would be addressed at the technical details stage. However, Members should be reminded that no conditions can be attached to a grant of Permission in Principle in accordance with the NPPG advice (Paragraph: 020 Reference ID: 58-020- 20180615).
- 9.25. The crux of the Parish Council support for the scheme considers the potential for the development (if approved) to enable the Parish Council to apply for a speed restriction along Padgett's Road. This is not a material planning consideration when determining Permission in Principle. Notwithstanding, this

possible eventuality would not outweigh the clear policy contraventions in respect of the location of the proposed development site as discussed above, which is a material planning consideration in respect of this type of application. Furthermore, to counter the Parish's argument, consideration must be paid to the possibility that approval of this application may not (as they assert) "*enable the Council to meet the necessary criteria for a reduction in the speed limit*" – as no evidence has been provided to demonstrate such a claim; the scheme may instead result in the development of up to an additional 5 dwellings requiring access onto a de-restricted road, which may give rise to unacceptable highway safety concerns (a matter highlighted in the Highway Authority response above). Accordingly consideration of this application must solely be based on the status quo situation, and the approval of development cannot be considered on the basis of supposition.

10 CONCLUSIONS

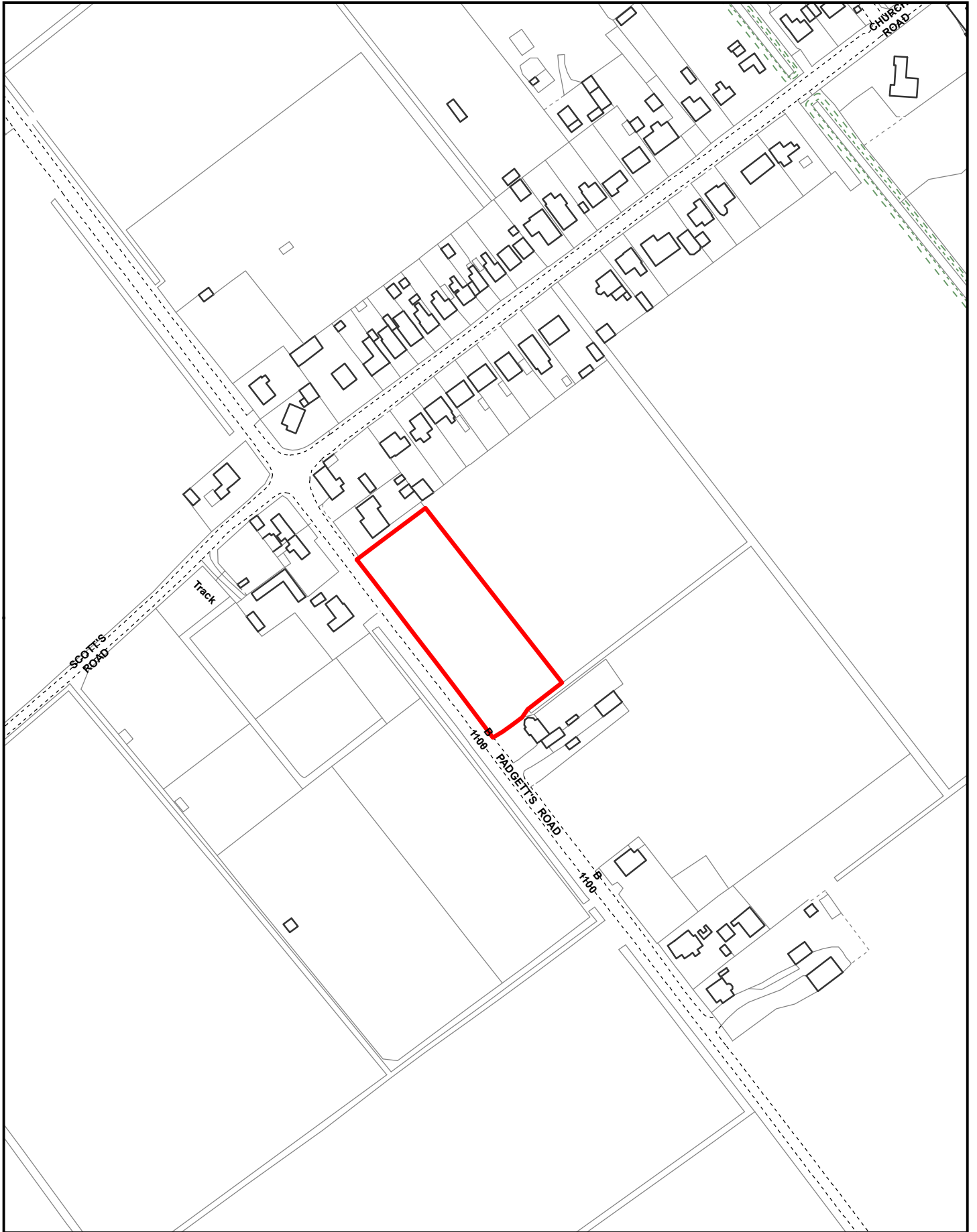
- 10.1. The application seeks permission in principle for the residential development of the site with matters of location, land use and amount of development proposed.
- 10.2. The site falls outside the built envelope of Christchurch and development of the site would not constitute residential infilling, instead resulting in an erosion of the open rural character of the area. As such, the proposal would conflict with the settlement strategies of the Fenland Local Plan - Policies LP3 and LP12.
- 10.3. Furthermore, the site lies in an area at high risk of flooding and insufficient justification has been provided to demonstrate that development of the site is necessary in this instance having regard to national policy which seeks to steer development to the lowest area of flood risk in the first instance. As such, the proposal conflicts with Policy LP14 and Chapter 14 of the NPPF.
- 10.4. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, Officers consider there are no overriding material considerations to indicate a departure from the development plan is warranted in this instance.
- 10.5. Accordingly, the recommendation is to refuse permission in principle for residential development of this site.

11 RECOMMENDATION

Refuse, for the following reasons;

1	Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district, and defines Christchurch as a 'small village' where development may be permitted on its merits but normally limited to small scale residential infilling. Policy LP12 seeks to support development that does not encroach into or harm the character of the countryside. The application site constitutes an area of land located outside the developed footprint of the settlement of
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	<p>Christchurch. The development proposal would result in an incursion into the rural countryside rather than small scale residential infilling causing unwarranted harm to the rural character and sporadic form of development of the area. The proposal is therefore considered to be contrary to Policies LP3 and LP12 of the adopted Fenland Local Plan (2014).</p>
2	<p>Policy LP14 of the Fenland Local Plan, Section 14 of the National Planning Policy Framework (2019) and Cambridgeshire Flood and Water Supplementary Planning Document (2016) require development proposals to adopt a sequential approach to flood risk from all forms of flooding, and Policy LP14 states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management. The application does not include sufficient evidence in respect of the sequential or exception tests and therefore fails to provide demonstrable evidence that the scheme would be acceptable in respect of flood risk. The proposal is therefore contrary to policy LP14 of the Fenland Local Plan (2014), Section 14 of the National Planning Policy Framework (2019) and Cambridgeshire Flood and Water Supplementary Planning Document (2016).</p>



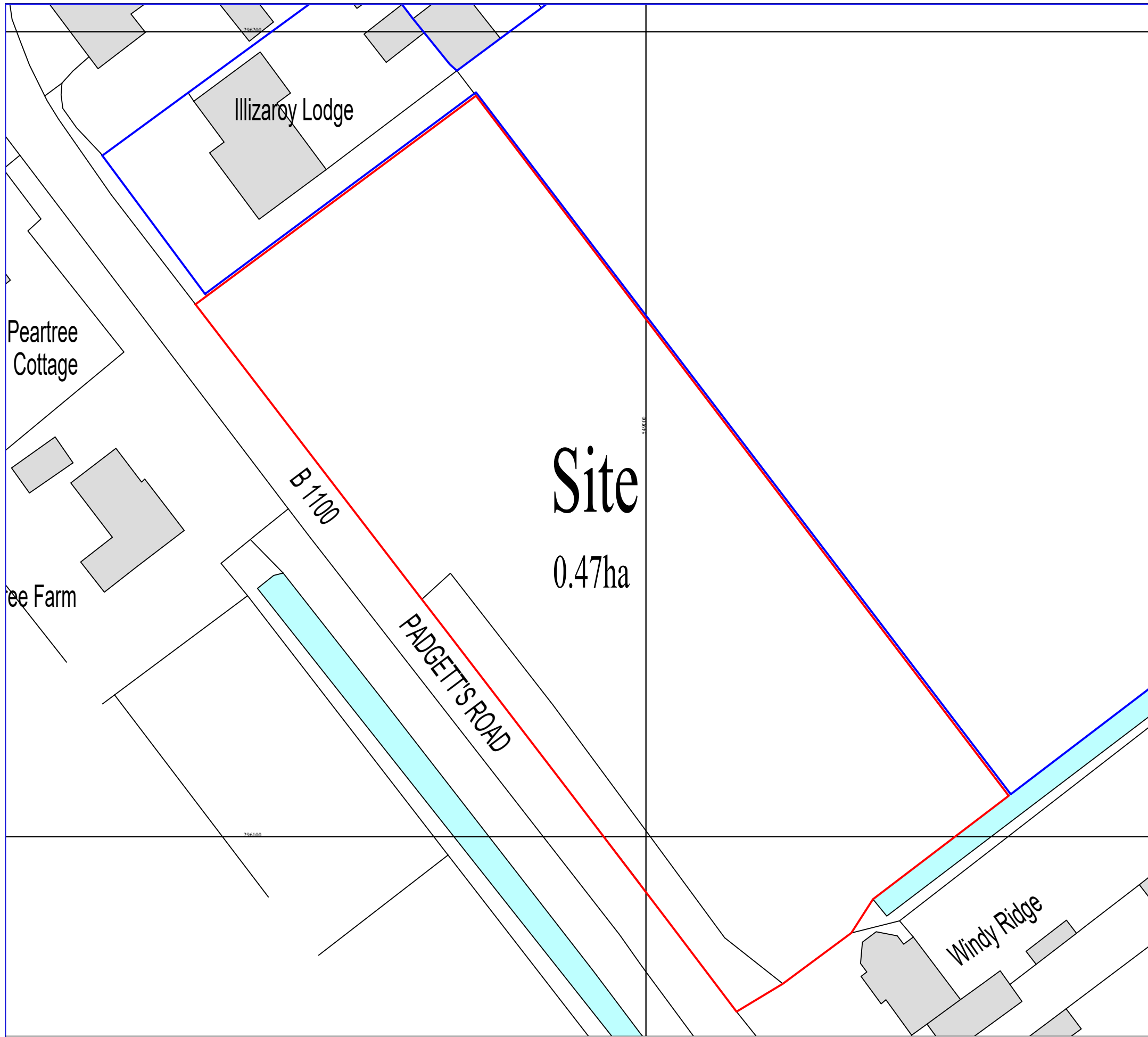
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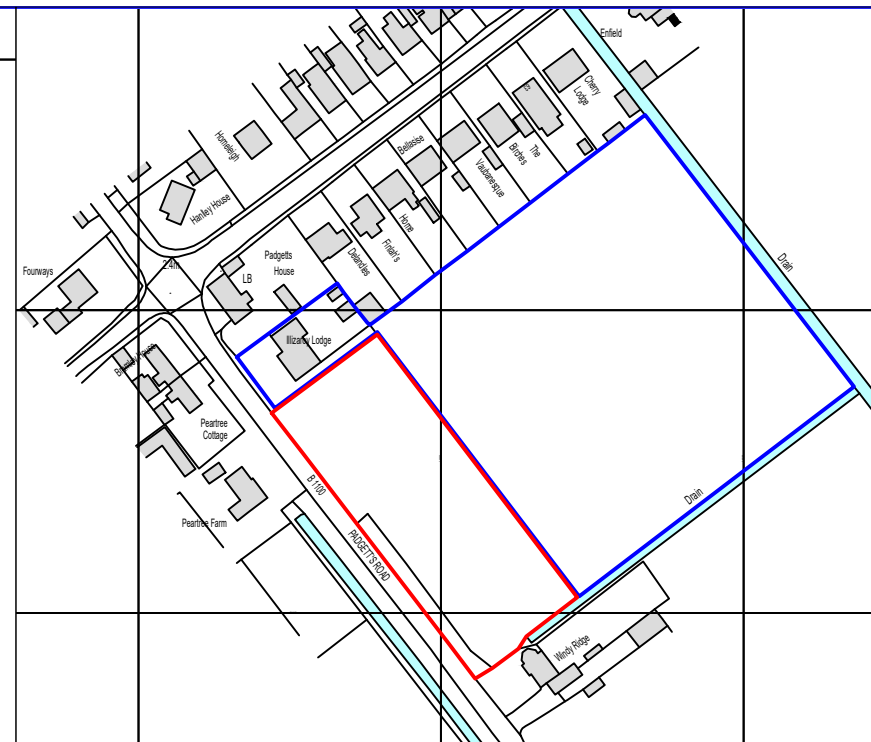
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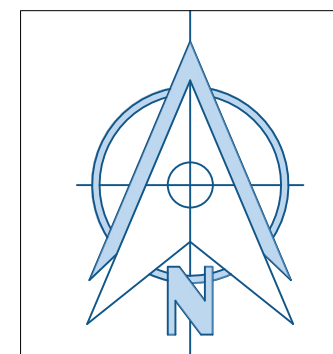




Proposed Site Plan
Scale 1:500



Location Plan
Scale 1:2500



Revision	Description	Date	Revised By

A.L.S Design Services

E-Mail : alsdesignservices@outlook.com Phone : 07707921632

Project PIP Application for Residential Development		
Drawing Title Proposed Site and Location Plan		
Address Land Adjacent Illizaroy Lodge, Padgett's Road, Christchurch		
Drawn By A. L. Sutton	Paper Size A3	Date August 2023
Project Name 046	Drawing Number 001	Revision -

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F/YR23/0807/O

Applicant: Penny Lee

**Agent: Mr Ian Gowler
Gowler Architectural**

Land West Of 27, Benwick Road, Doddington, Cambridgeshire

Erect up to 4no dwellings (outline application with all matters reserved)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. The application site comprises undeveloped grazing paddock, on the northern side of Benwick Road, approximately 0.7km to the west of the settlement of Doddington west of a group of 9 dwellings. The nearest dwelling is No.27. Washbrook Farm Motocross Track is situated approximately 320m north of the site. Opposite the site to the south, and further north and west is arable farmland.
- 1.2. The proposal is an outline planning application for the construction of up to four dwellings on the land, with all matters reserved. As this application is Outline only, the main issue for consideration is whether the *principle* of development in this location is appropriate.
- 1.3. This application is a resubmission of a previously refused scheme (F/YR22/1302/O), which was refused by Planning Committee in March 2023. Please see section 9.1 of this report for the reasons for refusal. The previous refusal of this application included several reasons for refusal. Details submitted with the current application have reconciled concerns regarding unacceptable residential amenity and highway safety. Accordingly, these earlier reasons for refusal can be removed.
- 1.4. However, given the location of the site and the unacceptable principle of development in such a location has not changed since the earlier refusal. It still remains that the proposal does not accord with the requirements of Policy LP3 and LP12 in respect of the Settlement Hierarchy in that it is located outside the built framework of Doddington. Furthermore, development of this site would encroach into the countryside to the detriment of the rural character of the area which does not accord with Policy LP12 and Policy LP16(d). As such, these reasons for refusal must remain, resulting in a recommendation to maintain refusal of the application.

2 SITE DESCRIPTION

- 2.1. The application site comprises agricultural land, currently used a grazing paddock, on the northern side of Benwick Road, approximately 0.7km to the west of the settlement of Doddington.
- 2.2. The site is bounded to the west by an access track leading to Washbrook Farm Motocross Track, approximately 320m north of the site. Immediately east of the site are 9 single-storey dwellings, the nearest being No.27 Benwick Road. Opposite the site to the south, and further north and west is arable farmland, with Delfland's Nursery situated approximately 250m southwest.

3 PROPOSAL

- 3.1. The proposal is an outline planning application for the construction of up to four dwellings on the land, with all matters reserved. The indicative site plan suggests four handed L-shaped properties with attached single garages. Each pair is shown to be accessed via a shared access off Doddington Road leading to separate frontage parking/turning areas, with amenity spaces to the rear. Between the pairs, a third new field access is proposed to allow retained access to the remaining field to the north.
- 3.2. Full plans and associated documents for this application can be found at: [F/YR23/0807/O | Erect up to 4no dwellings \(outline application with all matters reserved\) | Land West Of 27 Benwick Road Doddington Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0807/O | Erect up to 4no dwellings (outline application with all matters reserved) | Land West Of 27 Benwick Road Doddington Cambridgeshire (fenland.gov.uk))

4 SITE PLANNING HISTORY

F/YR22/1302/O	Erect up to 4no dwellings (outline application with all matters reserved)	Refused 13.03.2023
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5 CONSULTATIONS

5.1. Doddington Parish Council

Doddington Parish Council, at a recent meeting, voted to oppose the above planning application which is a resubmission to a previously rejected planning application.

The Parish Council's objections are:

- 1. The proposed development lies outside of the footprint of the village and encroaches into the countryside to the detriment of the rural character of the area. It therefore contravenes clauses in policies LP12 and LP16.*
- 2. The site is a non-designated heritage area as it contains evidence of ridge and furrow use. There is also evidence of two ancient wells on the site.*
- 3. It is understood that there is a current land supply holding in the district to satisfy the national policy for a five-year housing land supply without having to develop this site.*

5.2. Environment & Health Services (FDC)

Thank you for the opportunity to view and comment on this outline planning application. I have reviewed the application and associated reports and

relevant records held by the Environmental Health Team and do not object to the principle of this application but do have the following comments for your consideration;

Contaminated Land

The site has no historic land uses or reported pollution incidents that would impact on the proposed development.

Air Quality

This site does not fall into an area with concern regarding air quality. There is an Environmental Permitted installation within 250 meters of the site which presents no concerns to this development.

Noise

I have reviewed the noise impact assessment (HA/AF199/V1.1. dated 6th September 2023) and would like to make the following observations;

The existing noise environment includes sport and entertainment with associated noise, from Motocross and Shooting at Washbrook Farm to the north of the proposed development. The report has identified that there is a potential for a Low Observed Adverse Effect Level (LOAEL) to be experienced from these activities at the proposed development location. To mitigate against this identified impact the report continues to specify measures to protect the amenity of the properties through the minimum design levels required.

I found the report has undertaken suitable monitoring in line with relevant standards and agree with the conclusion of the report.

Should the outline application progress to full application, I would recommend that the measures identified in this report are conditioned to ensure a good development design, provide protection of future residents and to not impact on the current sport and entertainment activities taking place locally.

These measures include:

- Glazing should be specified prior to installation to ensure it can meet the minimum acoustic properties required. A minimum of 36dB Rw noise reduction is required for all glazed elements to be installed and Standard Trickle Ventilator (35 D,n,e,w). Glazing performance calculations should be provided and should be based on the measured LAeq noise levels as recommended by BS 8233:2014.
- Should habitable space be built into the roof and/or Velux or dormers are constructed as part of the design, acoustic calculations should be re-run at detailed design stage to ensure the internal noise levels are met.
- The external amenity of the property should be protected by a close boarded fence with a minimum sound reduction of 10dB(A). Full plans should provide design details of fence material, structure, dimensions and location for consideration.

5.3. **Definitive Map Team**

Public Footpath No. 13, Doddington, runs along the west of the site. To view the location of the Public Footpath please view our interactive map online which can be found at

<http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has no objection to this proposal, the Public Footpath must remain open and unobstructed at all times.

Informatives

Should you be minded to grant planning permission we would be grateful that the following informatives are included:

- Public Footpath No. 13, Doddington, must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it (it is an offence under s 137 of the Highways Act 1980 to obstruct a public Highway).*
- The Public Footpath must not be used to access the development site unless the applicant is sure they have lawful authority to do so (it is an offence under S34 of the Road Traffic Act 1988 to drive on a Public Footpath without lawful authority)*
- No alteration to the Footpath's surface is permitted without our consent (it is an offence to damage the surface of a public footpath under s 1 of the Criminal Damage Act 1971).*
- Landowners are reminded that it is their responsibility to maintain boundaries, including trees, hedges and fences adjacent to Public Rights of way, and that any transfer of land should account for any such boundaries (s154 Highways Act 1980).*
- The granting of planning permission does not entitle a developer to obstruct a Public Right of Way (Circular 1/09 para 7.1).*
- The Highways Authority has a duty to maintain Public Rights of Way in such a state as to be suitable for its intended use. (S41 Highways Act 1980 and S66 Wildlife & Countryside Act 1981). If the surface of the Public Footpath is damaged as a result of increased motorised vehicle usage, the Highways Authority is only liable to maintain it to a Footpath standard. Those with private vehicular rights will therefore be liable for making good the surface of the Public Right of Way.*

Furthermore, the applicant may be required to temporarily close public rights of way whilst construction work is ongoing. Temporary Traffic Regulation Orders (TTROs) are processed by the County Council's Street Works Team and further information regarding this can be found on the County Council's website.

5.4. **Cambridgeshire County Council Highways Authority**

This application seeks to build four residential bungalows fronting onto Benwick Road. The site is currently privately owned open land. Agricultural fields and paddocks predominantly surround the site.

Recommendation

Based on the information submitted, I have no objections in principle, to the development in highway terms, however the following points require attention to make the development acceptable in highways terms.

Comment

As this is an outline application my comments relate mainly on the principle of the development, as a core requirement for the above proposed development, I would need to be satisfied the proposed accesses would be feasible.

The Applicant should also ensure accesses to be provided for the proposed dwellings has a width of 5m.

The applicant has not demonstrated how the visibility splays (2m x 2m pedestrian over a height of 600 mm) measured from the back of the footway would be achieved; given the existing frontage hedges and shrubbery at application sites.

The B1093 Benwick Road has a speed limit of 40mph so the submitted indicative visibility splay plan showing a visibility splay of 2.4 x120m which is acceptable.

In the evident that the LPA are mindful to approve the application, please append the following conditions:

Condition

Parking/Turning Area: *Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out, surfaced in a bound material, drained within the site, and submitted to LPA for approval. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity.*

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

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

Visibility Splays: *Prior to commencement of the use/or first occupation of the development hereby approved, visibility splays shall be provided on both sides of the new vehicular access and shall be maintained free from any obstruction over a height of 600 mm within an area of 2 metres x 2 metres measured along the back of the footway.*

Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.

Construction Facilities: *Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local*

Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.

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

Wheel Wash Facilities: *Development shall not commence until fully operational wheel cleaning equipment has been installed within the site. All vehicles leaving the site shall pass through the wheel cleaning equipment which shall be sited to ensure that vehicles are able to leave the site and enter the public highway in a clean condition and free of debris which could fall onto the public highway. The wheel cleaning equipment shall be retained on site in full working order for the duration of the development.*

Reason: In the interest of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.

I should be able to provide further comments on the above application on receipt of additional information and clarifications requested in support of the application if it advances to the next stage of the application process.

5.5. Local Residents/Interested Parties

Seven letters of support have been received from residents of Doddington (4 from Primrose Hill, 1 from Ingles Lane, 1 from Newgate Street, and 1 from Wimblington Road).

The reasons for support can be summarised as:

- No objection, it would improve the area;
- Smaller development is more in keeping with village environment;
- Bungalow type houses would reflect development in area;
- More bungalows are needed;
- No undue strain on existing resources;
- There is a housing shortage;

One letter received included no reasons for support.

One letter of objection has been received from a resident of High Street, stating that there are too many houses being built in Doddington and infrastructure and amenities can't cope.

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) July 2021

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 12: Conflict with an up-to-date plan should not usually be granted

Para 79: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 80: Planning policies and decisions should avoid the development of isolated homes in the countryside unless specific circumstances apply.

7.2. National Planning Practice Guidance (NPPG)

Determining planning applications

7.3. National Design Guide 2019

Context

Identity

Built Form

Homes and Buildings

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

LP12 – Rural Areas Development Policy

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments

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

LP2 – Spatial Strategy for the Location of Residential Development

LP7 – Design

LP8 – Amenity Provision

LP18 – Development in the Countryside

LP20 – Accessibility and Transport

LP22 – Parking Provision

LP24 – Natural Environment

LP32 – Flood and Water Management

8 KEY ISSUES

- **Principle of Development**

- **Other matters**
 - Character and Appearance
 - Residential Amenity
 - Access and Parking
 - Flood Risk

9 BACKGROUND

9.1. This application is a resubmission of a previously refused scheme (F/YR22/1302/O), which was refused by Planning Committee in March 2023 for the following reasons:

1. Development does not comply with the settlement hierarchy, and would result in encroachment into the countryside on land specifically excluded by policy, contrary to Policies LP3 and LP12 of the Fenland Local Plan 2014;
2. Development on this land would be to the detriment of the character and appearance of the rural area as it would directly contradict the current settlement pattern and would arguably create a precedent for further development into the countryside, contrary to the requirements of policy LP12 and Policy LP16(d);
3. Development on this site would result in unreasonable constraints to the viability and operation of the existing motocross and clay pigeon shooting activities at Washbrook Farm to the north, by virtue of the introduction of additional "sensitive" residential dwellings. In addition, future occupier amenity will likely be adversely affected by noise nuisance associated with the activities undertaken at Washbrook Farm, contrary to Policy LP16 (e) and (o) of the Fenland Local Plan (2014).
4. In the absence of evidence to the contrary, it was considered that the necessary visibility to achieve a safe access to the site did not appear to be achievable within the highway boundary and / or application boundary, contrary to Policy LP15.

9.2. The current application proposes the same quantum of development on the same site as the previously refused scheme, however it includes proposed amendments to access and is supported by a Noise Impact Assessment to attempt to reconcile reasons for refusal of the earlier scheme.

10 ASSESSMENT

Principle of Development

- 10.1. Whilst the site is located within the Parish of Doddington, and alongside a small group of dwellings, the site is located approximately 0.7km from the main built-up area of the settlement and would not conform to the policy requirements of representing a small-scale infill within a continuously developed area within the built form of the settlement, and nor would it represent a small extension to the built form of village given its remote nature and surroundings.
- 10.2. No justification for new development within this 'Elsewhere' location (as set out under Policy LP3 has been advanced to evidence the development as

being demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services.

- 10.3. Accordingly, the proposal for new residential development in this location would fail to accord with Policy LP3 of the development plan.
- 10.4. Under Policy LP12 there is set out the criteria required following the application of LP3 in which new development will be considered. Under the development of a site within or adjacent to the existing 'developed footprint' of specified villages, the policy clearly defines that this excludes the following:
 - (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; and
 - (c) agricultural buildings and associated land on the edge of the settlement.
- 10.5. Regarding the consultation draft of the emerging Local Plan, which carries limited weight as this time, given that consultation has only recently commenced, the site is outside of the defined settlement boundary and is therefore classed as open countryside where development will only be permitted in the circumstances set out within the NPPF.
- 10.6. Policy LP1 of the emerging Plan does contain an element relating to Frontage Infill Development, applicable at the edge of settlements. It is considered that this conflicts with the NPPF and therefore can carry no weight. However, for the sake of completeness, if this policy were to be applied the proposed development would not accord given the scale of development and by virtue that it would introduce development beyond the existing physical and visual limit of the settlement boundary into the open countryside.
- 10.7. The unjustified proposal in this location would remain in conflict with Policies LP3 and LP12 of the adopted Fenland Local Plan, nor would it comply with the policies of the emerging Plan. As such the earlier reason for refusal (1) in respect of the settlement hierarchy and encroachment into the countryside has not been reconciled.

Other Matters

Character and Appearance

- 10.8. Details of appearance, layout and scale are to be submitted at Reserved Matters stage, however the submitted indicative site plan suggests that the dwellings will be similar in scale to the bungalows to the east.
- 10.9. Policy LP16 (d) considers the impact of development on local distinctiveness and character. Moreover, in rural areas, a development proposal needs also to satisfy the criteria set out in Policy LP12.
- 10.10. It is clear that the site, an area of agricultural paddock land, remains a transition point between the interspersed development along Benwick Road to

the east and the open countryside to the north, west and south. The development proposed would see up to four detached dwellings positioned on undeveloped paddock land that currently forms a distinct and natural demarcation between the development to the east and the countryside beyond. Development on this land would be to the detriment of the character and appearance of the rural area as it would directly contradict the current settlement pattern and would arguably create a precedent for further development into the countryside, eroding the existing rural character along this part of Benwick Road, contrary to the requirements of policy LP12 and Policy LP16(d). As such, the earlier reason for refusal (2) in respect to the detrimental impact on character of the area has not been reconciled.

Residential Amenity

- 10.11. It would appear from the indicative plans submitted that there would be limited impacts to neighbouring residential amenity in terms of overlooking or overshadowing. However, it is also necessary to ensure the development provides good quality amenity for future occupiers. As such, matters in respect of noise disturbance on future occupiers from the nearby Washbrook Farm should be considered. Washbrook Farm, is approximately 320m north of the site and hosts a motocross track and clay pigeon shooting which are both regularly operational and already subject to operational conditions to limit noise nuisance to existing residential development nearby.
- 10.12. The current application has been supported by a Noise Impact Assessment, which has been reviewed by the Environmental Health (EH) Team. The EH Team consider that appropriate assessment to residential amenity in respect of noise has been undertaken and accept the conclusions and recommendations outlined within the submitted report. Accordingly, they are able to remove their previous objection to the scheme in respect of noise and suggest reasonable conditions to the same. As such, it is considered that the earlier reason for refusal (3) in respect of unacceptable residential amenity has been reconciled. Any subsequent approval would be required to be subject to conditions to ensure appropriate mitigation is provided within the Reserved Matters submission.

Access and Parking

- 10.13. The indicative site plan suggests that there would be sufficient parking/turning room available to the front of the dwellings.
- 10.14. The application proposes two shared accesses off Benwick Road each serving a pair of dwellings, with the westernmost access also providing shared field access to the land to the north. Details of visibility splays have been provided along with notations stating that the new crossovers will be constructed to CCC standards.
- 10.15. Comments from the Highway Authority suggest that the submitted details are acceptable in principle, subject to conditions. Accordingly, it is considered that sufficient evidence in respect of highway safety has been submitted to reconcile reason for refusal (4) of the earlier application. Any subsequent approval would be required to be subject to conditions to ensure appropriate and safe access is provided within the Reserved Matters submission.

Flood Risk

- 10.16. The application site lies within flood zone 1 and issues of surface water will be considered under Building Regulations.
- 10.17. The site lies within the Middle Level Commissioners Drainage Board area, who were subsequently consulted, however, no comment was received in regard to this application. As such, it is considered reasonable to determine that the proposal is acceptable in terms of flood risk and there are no issues to address in respect of Policy LP14.

11 CONCLUSIONS

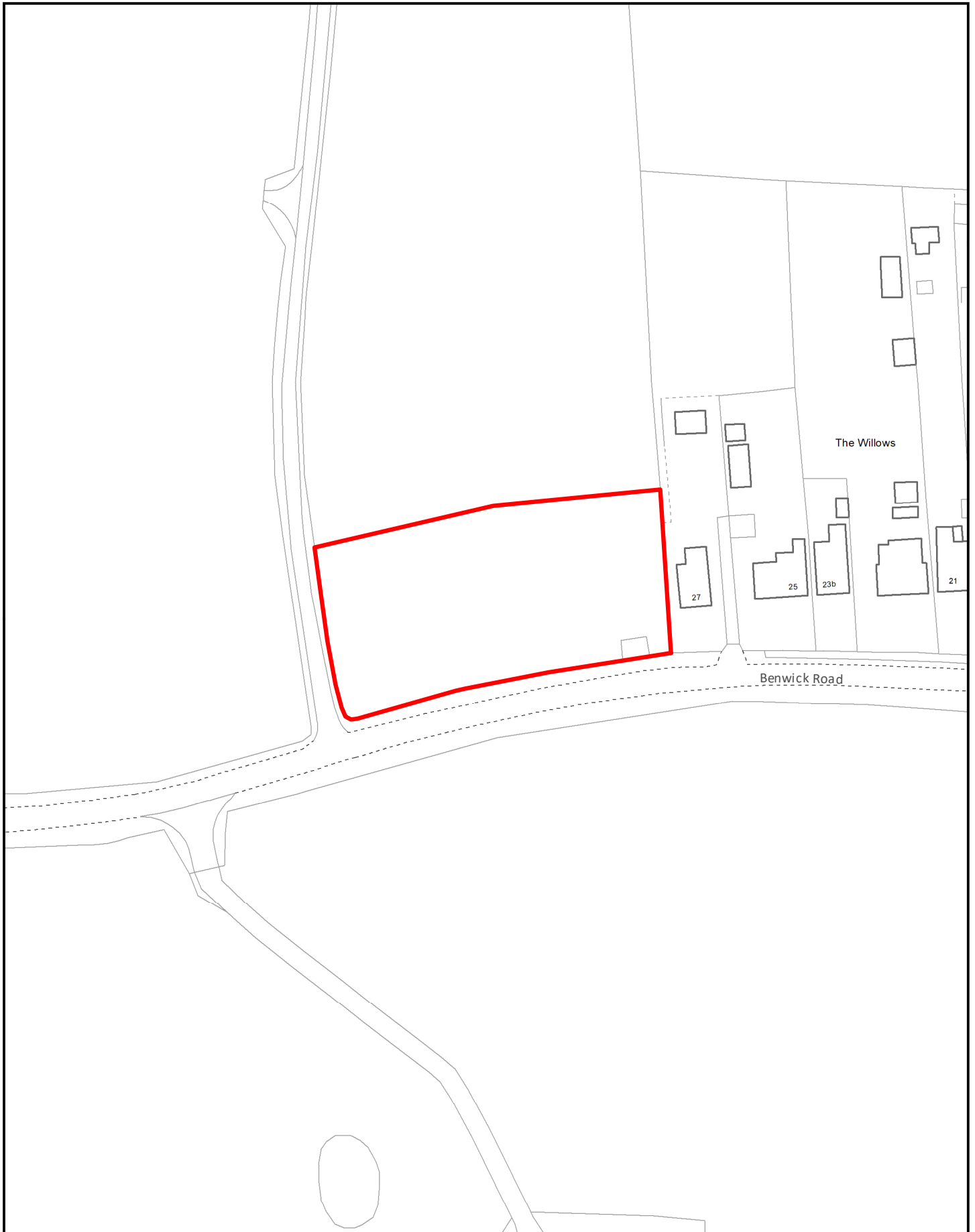
- 11.1. The previous refusal of this application included a number of reasons. Details submitted with the current application have reconciled concerns regarding unacceptable residential amenity issues from noise and a lack of demonstrable evidence in respect of highway safety; the details have been agreed by the relevant statutory consultees. Accordingly, these reasons for refusal can be removed.
- 11.2. However, the locational circumstances of the site and the unacceptable principle of development in such a location has not changed since the earlier refusal. It remains that the proposal does not accord with the requirements of Policy LP3 and LP12 in respect of the Settlement Hierarchy in that it is located outside the built framework of Doddington. Furthermore, development at this site will encroach into the countryside at detriment to the rural character of the area in contravention of Policy LP12 and Policy LP16(d). As such, these reasons for refusal must remain, resulting in a forthcoming recommendation to maintain refusal of the application.

12 RECOMMENDATION

Refuse, for the following reasons:

1	<p>Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district, and Policy LP12 details a range of criteria against which development within the District will be assessed.</p> <p>Policy LP12 defines the developed footprint of a village as the continuous built form of the settlement and excludes:</p> <ul style="list-style-type: none">(a) individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement; and(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. <p>The site's position is away from the main built form of Doddington, adjacent to a small number of dwellings on this side of Benwick Road. These dwellings are clearly detached from the continuous built-up area of the settlement and do not form part of the continuous built form of</p>
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	<p>Doddington. In addition, the site is currently paddock land that clearly relates more to the surrounding countryside. Thus, development of this parcel of land would be excluded by (a) and (b) above. Thus, the proposal in principle therefore fails to comply with Policies LP3 and LP12 of the Fenland Local Plan 2014.</p>
2	<p>Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 (d) of the Fenland Local Plan (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area. The proposal is for the construction of up to four new dwellings on currently undeveloped paddock land with a close relationship to the wider open countryside. Development on this land would be to the detriment of the character and appearance of the rural area as it would directly contradict the current settlement pattern and would arguably create a precedent for further development into the countryside, eroding the existing rural character along this part of Benwick Road, contrary to the requirements of policy LP12 and Policy LP16(d).</p>



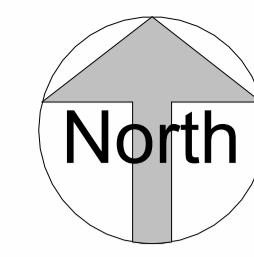
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Notes
 Any discrepancies to be brought to attention of Author as soon as possible.
 All dimensions shown in "mm" unless otherwise shown.
 Unless stated otherwise, this drawing has been assessed for risks and nothing is deemed to be outside of normal good safe working practice that would be covered by a contractors Construction Phase Health and Safety Plan.

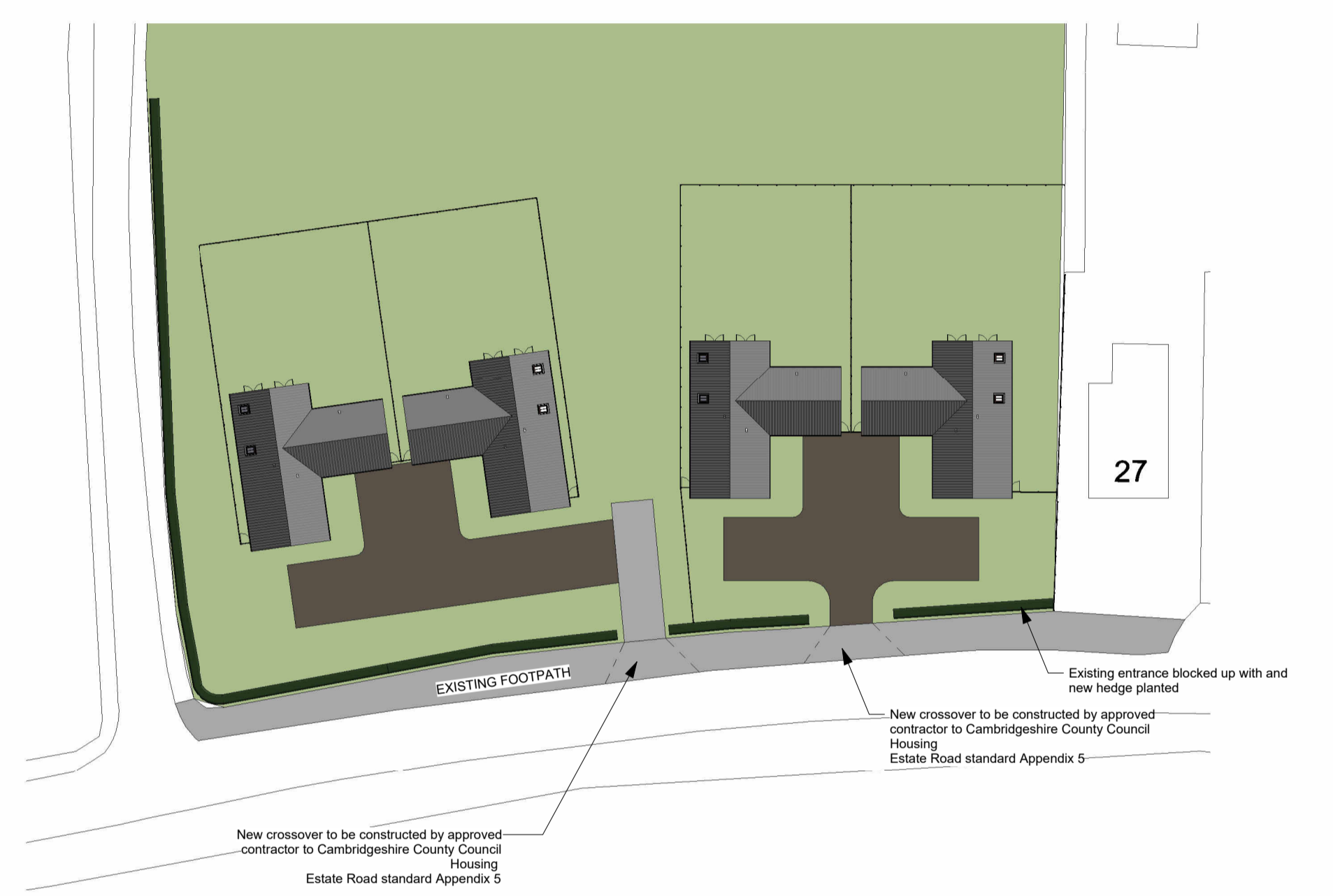


Location Plan
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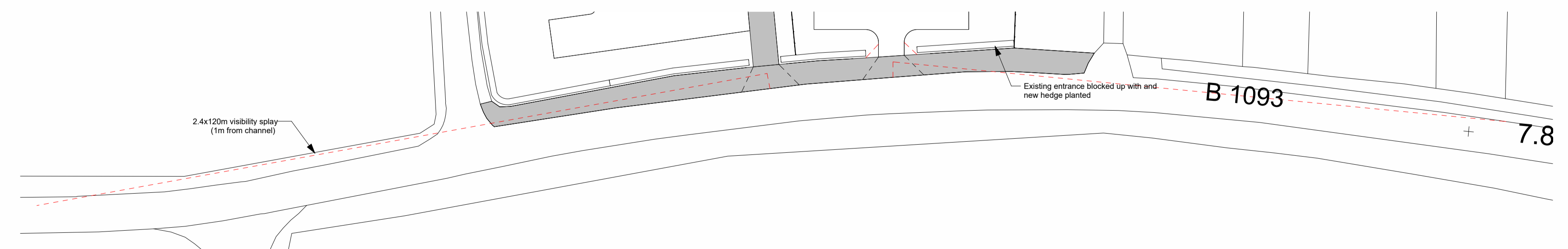
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Indicative Block Plan
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Indicative Site Plan
 1 : 500



Indicative Visibility Splay
 1 : 500

A Access and Visibility amended 02-03-23

Ian Gowler Consulting Ltd
 Architectural and Domestic Energy Consultant
 Grove House, 22 Primrose Hill, Duddington, Cambs, PE15 0SU
 tel. 01354 667005 email. ian@gowler-architectural.co.uk

Proposed Development West of 27 Benwick Road, Duddington for Penelope Lee

Planning

date created	scale	drawing no.	rev
03/11/22	As indicated @ A1	548 - P01	A

F/YR23/0844/F

**Applicant: Mr Peter Tucker
Nene Construction Management
Services Ltd**

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

Building North Of 109, High Street, Chatteris, Cambridgeshire

Demolition of a building within a conservation area

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1 This application seeks to demolish an existing building with Chatteris Conservation Area.
- 1.2 The building subject to this application is considered to be a non-designated heritage asset and one that has a strong relationship with the adjacent row of terraces. The building is the last historic ancillary building within the site and ownership of 113 High Street.
- 1.3 The wash house is considered to be entirely capable of repair and re-use in some form or another, with the removed materials being retained on site. Its demolition would have a detrimental impact on the character and historic interest of the Chatteris Conservation Area, with the impact magnified within the rare historic form of Dobbs yard.
- 1.4 Given the clear conflict with the relevant policies, it is considered that to grant the applications would be indicative of a failure by the Council to fulfil its duties under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 1.5 Consequently, the recommendation is to refuse this application.

2 SITE DESCRIPTION

- 2.1 The application site is situated to the north of 109 High Street and is accessed to the north of 115 High Street. The site is within the Chatteris Conservation Area and the building on site are not listed buildings. There are two Grade II Listed buildings, No 130 High Street opposite the site and No 133 at the corner with Black Horse Lane.
- 2.2 The proposed development relates to the wash house which sits opposite the Dobbs Yard development. The building is considered to be a non-designated heritage asset.
- 2.3 The site is within Flood Zone 1, an area at the lowest risk of flooding.

3 PROPOSAL

3.1 This application seeks to demolish an existing building with a Conservation Area. The roof structure has already been removed.

3.2 Full plans and associated documents for this application can be found at: [F/YR23/0844/F | Demolition of a building within a conservation area | Building North Of 109 High Street Chatteris Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0844/F)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR19/3057/COND	Details reserved by conditions 6 (access details), 7 (temporary facilities), 9 (detailed drawings), 10 (Samples), 13 (External Vents) & 14 (landscaping) relating to planning permission F/YR16/0247/F (Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection 2-storey 2-bed dwelling and single storey side extension to 8 Dobbs Yard including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing extension to 8 Dobbs Yard and outbuildings)	Approved 06/05/2020

F/YR19/3003/COND	<p>Details reserved by conditions 11 and 12 of planning permission F/YR16/0247/F (Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection 2-storey 2-bed dwelling and single storey side extension to 8 Dobbs Yard including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing extension to 8 Dobbs Yard and outbuildings)</p>	Approved 02/05/2019
F/YR17/1193/VOC	<p>Removal of condition 11, relating to planning permission F/YR16/0247/F (Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection 2-storey 2-bed dwelling and single storey side extension to 8 Dobbs Yard including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing extension to 8 Dobbs Yard and outbuildings)</p>	Refuse 30/01/2018
F/YR16/0247/F	<p>Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection 2-storey 2-bed dwelling and single storey side extension to 8 Dobbs Yard including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing</p>	Granted 25/05/2017

	extension to 8 Dobbs Yard and outbuildings.	
F/YR15/1096/F	Conversion of existing outhouse to a part single-storey part 2-storey 3-bed dwelling and erection of 2 x 2-storey 2-bed and 3-bed dwellings including the formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street, existing extension to 8 Dobbs Yard and outbuildings	Withdrawn 08/02/2016
F/YR14/0608/F	Formation of vehicular access and provision of parking and turning areas, involving demolition of 113-115 High Street and outbuildings	Withdrawn 03/09/2014

5 CONSULTATIONS

5.1 Chatteris Town Council

Support.

5.2 Cllr James Carney

I have no comment nor objection to make on this application as it is.

5.3 CCC Archaeology

Thank you for your consultation with regard to the archaeological implications of the above referenced planning application.

Our records indicate that the building proposed for demolition is a former wash-house associated with the properties at Dobbs Yard, Chatteris. The site sits within the Chatteris Conservation Area. The wash house appears to first be recorded to the rear of no.113 High Street on historic Ordnance Survey mapping dated to the early 20th century where it is illustrated immediately south of and within the same boundary as the extended linear range of outbuildings and workshops to the rear of no.115 High Street, enclosing the space labelled 'Dobbs Yard'. The wash house is considered to be a non-designated heritage asset for its degree of surviving historic fabric and for its spatial and functional relationship to the residential dwellings, as a rare surviving feature of the linear backland developments here extending from the post-medieval properties fronting Chatteris High Street.

A programme of archaeological historic building recording was undertaken in 2018 against the archaeological condition attached to prior permission ref

F/YR16/0247/F for development of the wider site, and although this focused primarily on the historic cottages it did include some recording detailing the condition of the washhouse (Cambridgeshire Historic Environment Record reference ECB5436 / Allen Archaeology report 2018/135, M Stockdale). The condition was subsequently discharged against the report submitted under F/YR19/3003/COND.

Photos contained within the previous archaeological reporting show the building to be in quite different condition to how it now appears, fully roofed and with historic fixtures and fittings remaining in situ. Further, the previous application provided for conversion of the wash-house to residential, appearing to demonstrate that it was then in a condition to be capable of such conversion. It is therefore unclear how it has deteriorated to the extent as described in the 'Design and Access' and 'Heritage Statement' documents submitted under the present application.

It is considered that the loss of this non-designated heritage asset - clearly identified as such and capable of residential conversion under a scheme relatively recently granted – merely in order to 'allow additional parking to the adjacent properties in Dobbs Yard', is not sufficiently justified within the present application and we therefore object to the proposal in its current form.

With regard to the NPPF, paragraphs 196, 197 and paragraph 203 apply.

5.4 FDC Environmental Health

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

Due to the demolition of an existing structure and close proximity of noise sensitive receptors, it is recommended that the following condition is imposed in the event that planning permission is granted:

WORKING TIMES

No demolition 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.

5.5 FDC Conservation

The proposal is to demolish an historic wash house to the rear of 113 High Street, within Dobbs Yard. The building is considered to be a non-designated heritage asset and one that has a strong relationship with the adjacent row of terraces.

1. Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990

The wash house is thereabouts contemporary with the terraced dwellings that run in a linear form within Dobbs Yard and adds to the setting, interest and

understanding of this very unusual linear urban form of later C19 residential development. It also forms as an interesting feature in longer views into Dobbs Yard from High Street.

The presence of the wash house also acts to separate the positive historic character of Dobbs Yard, from the new dwelling adjacent, that is considered to be of incongruous design and siting and has detrimental impact on the understanding of the historic urban form of Chatteris conservation area.

The Conservation Officer comments from 2016 relate to an earlier application F/YR16/0247/F to demolish the long-neglected frontage dwellings and the conversion of this wash house building, states that the wash house appeared to be in good structural condition at the time. Most interestingly, the heritage statement submitted by the architects for the 2016 application, also paints to building to be in good condition at this point in time as is shown in the extract below:

Brick Out-house (ref pictures 4 and 1)

There is one brick outhouse remaining towards the rear of the site. This began life as a series of toilets and wash-houses and has been used for storage since the addition of internal bathrooms to the cottages. It is built with solid gault brick walls with a clay tiled roof and contains 2 brick chimney stacks.

This brick outhouse is apparently in a sound condition and shows no signs of failure or subsidence, although the standard of the fabric and construction is consistent with a building 100 years old and therefore in need of significant upgrading. Consultation with the Conservation Department has revealed that this is considered to be a significant building on this site and as such must be retained. As the retention of this building is a Conservation requirement, a comprehensive Structural Survey has not been undertaken at this stage as there is no need to justify its reuse. Any structural repairs required are not relevant to planning consent and will have to be funded within the cost of the development.

Whilst the building has had its roof removed and some of the walls partially taken down, it was apparent from my recent visit that the building is capable of being restored. All materials appeared to be on site at the point of my visit, with the roof tiles inside the building and the salvaged bricks in stacks adjacent.

Much destruction has occurred to the character and historic form of the historic burgage plots and yards of Chatteris in recent years through neglect and subsequent sweeping away of historic ancillary buildings. Their speculative replacement has generally been carried out with poorly designed modern dwellings with no consideration of historic context or sympathy to the conservation area.

This is the last historic ancillary building within the site and ownership of 113 High Street. The frontage cottages have been lost to long term neglect as have a very interesting run of timber and clay pantile outbuildings. This structure was until recently considered to be of good structural condition and is now suddenly half demolished, which raises to questions as to the overall intention for the piece of land that the wash houses occupy. There has clearly been no intention of maintaining this building and there are questions as to how it deteriorated so dramatically in such a short space of time.

With all matters considered, it is deemed that the wash house is entirely capable of repair and re-use in some form or another. Its demolition would have a detrimental impact on the character and historic interest of the Chatteris Conservation Area, with the impact magnified within the rare historic form of Dobbs yard and its loss would be considered another step in the process of sterilising Dobbs Yard of its interest and contribution to the Chatteris Conservation Area. The duty in law under S72 Planning (Listed Buildings and Conservation

Areas) Act 1990 requires LPA's to pay special attention to the desirability of preserving or enhancing the character or appearance of designated conservation areas. The demolition of this building would not preserve or enhance.

Recommendation: Objection – In accordance with S72 Planning (Listed Buildings and Conservation Areas) Act 1990, The LPA should seek its retention and repair.

5.6 Local Residents/Interested Parties

No comments received.

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).
- 6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 8 – Achieving sustainable development

Para 47 – Planning law requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise

Para 194 – Applicants are required to describe the significance of any heritage assets affected

Para 195 – LPAs should identify and assess significance of any heritage asset that may be affected

Para 196 – Deteriorated state of heritage assets should not be taken into account if due to deliberate neglect or damage.

Para 197 - LPAs should take account of desirability of sustaining the significance and positive contribution of heritage assets.

Para 200 - Harm to or loss of significance of a heritage asset should require clear and convincing justification.

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic Environment

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:

LP7 – Design

LP23 – Historic Environment

8 KEY ISSUES

- **Principle of Development**
- **Character, Appearance and Impact on Heritage**

9 ASSESSMENT

Principle of Development

- 9.1 The application site is located within the Town of Chatteris, which is designated as a Primary Market Town within the settlement hierarchy set out in Policy LP3 of the Fenland Local Plan where the majority of the development within the District is expected to take place over the plan period.
- 9.2 Policy LP16 supports the principle of development subject to the significance of, and the likely impact on, the amenity of neighbouring properties and users. Policy LP18 of the Fenland Local Plan 2014 seeks to protect and enhance heritage assets. The principle of development is supported subject to the significance of and the likely impacts on the heritage assets.

Character, Appearance and Impact on Heritage

- 9.3 Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate 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.
- 9.4 Policy LP18 addresses matters concerning the historic environment within Fenland, noting that development proposals will be required to describe and assess the significance of any heritage asset, identify the impact of proposed works on its character and provide justification for those works, especially if they would harm the setting of the asset.
- 9.5 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a legal duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 9.6 Paragraph 196 of the NPPF states that where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.

- 9.7 Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of:
- (a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent within their conservation;
 - (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - (c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 9.8 The application seeks to demolish the historic wash house to the rear of 113 High Street, within Dobbs Yard. The building is considered to be a non-designated heritage asset and one that has a strong relationship with the adjacent row of terraces to the north.
- 9.9 The wash house is contemporary with the terraced dwellings that run in a linear form within the Dobbs Yard development. The wash house is considered to contribute to the setting, interest and understanding of the unusual linear urban form of later C19 residential development and serves as an interesting feature in longer views into Dobbs Yard from the High Street.
- 9.10 The presence of the wash house also separates the positive historic character of Dobbs Yard, from the new dwelling adjacent which is an incongruous feature within the historic form of Chatteris Conservation Area.
- 9.11 The submitted design and access statement notes that the building is in a very poor condition and that the roof tiles, roof structure and chimney have been lost. The statement also notes that CNC Building Control had visited the site and allowed the partial demolition of the structure due to concerns raised regarding the stability of the building.
- 9.12 The FDC Conservation Officer highlighted within their consultation response that the building has previously been acknowledged as being in good condition within both the Conservation consultation comments on the 2016 application (F/YR16/0247/F) as well as the heritage statement submitted by the architects for the 2016 application.
- 9.13 The FDC Conservation Officer also acknowledges that the character and historic form of the historic burgage plots and yards of Chatteris has been destructed in recent years through neglect and subsequent loss of historic ancillary buildings, with replacements generally being carried out with poorly designed modern dwellings, which do not have high regard to the context of the conservation area.
- 9.14 The wash house is the last historic ancillary building within the site and ownership of 113 High Street. The frontage cottages have been lost due to long term neglect as have a run of timber and clay pantile outbuildings. The wash house structure was until recently considered to be of good structural condition and now sits half demolished. There has clearly been no intention of maintaining this building and there are questions as to how it deteriorated so dramatically in such a short space of time.
- 9.15 Consultation comments received from the CCC Archaeology Officer have also queried the deterioration of the wash house. They acknowledge within their

response a previous archaeological building recording which was undertaken in 2018 against an archaeological condition attached to prior permission F/YR16/0247/F for development of the wider site, conditions reference F/YR19/3003/COND. This recording focused primarily on the historic cottages, however did include some recording detailing the condition of the wash house. Photos included within this previous reporting show the building to be in a different condition to than what is currently on site. The photos show the building to be fully roofed and with historic fixtures and fittings in situ.

- 9.16 The FDC Conservation Officer has acknowledged within their consultation comments that all materials appeared to be retained on site, with the roof tiles inside the building and the salvaged bricks in stacks adjacent.
- 9.17 It is therefore considered that the wash house is entirely capable of repair and re-use in some form. The demolition of the building would have a detrimental impact on the character and historic interest of the Chatteris Conservation Area, with such impacts magnified within the historic form of Dobbs Yard. The loss of the wash house is considered to impact upon the character and interest of Dobbs Yard and subsequently upon its contribution to the Chatteris Conservation Area.
- 9.18 The demolition of the wash house would not preserve or enhance the character of the conservation area and would result in the loss of a non-designated heritage asset and thus does not accord with S72 of Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.19 The FDC Conservation Officer acknowledges that there has clearly been no intention of maintaining this building and there are questions as to how it deteriorated so dramatically in such a short space of time. Paragraph 196 of the NPPF is therefore relevant and the deteriorated state of the building cannot be taken into account in the decision of this application. The materials removed appear to be retained on site and therefore in compliance with Paragraph 197 of the NPPF, the LPA should seek to the buildings retention and repair.
- 9.20 It is therefore considered that the current proposal would result in a detrimental impact on the character and historic interest of the Chatteris Conservation Area and as such the scheme is considered to be contrary to both the NPPF and Policies LP16 and LP18 of the Fenland Local Plan 2014.

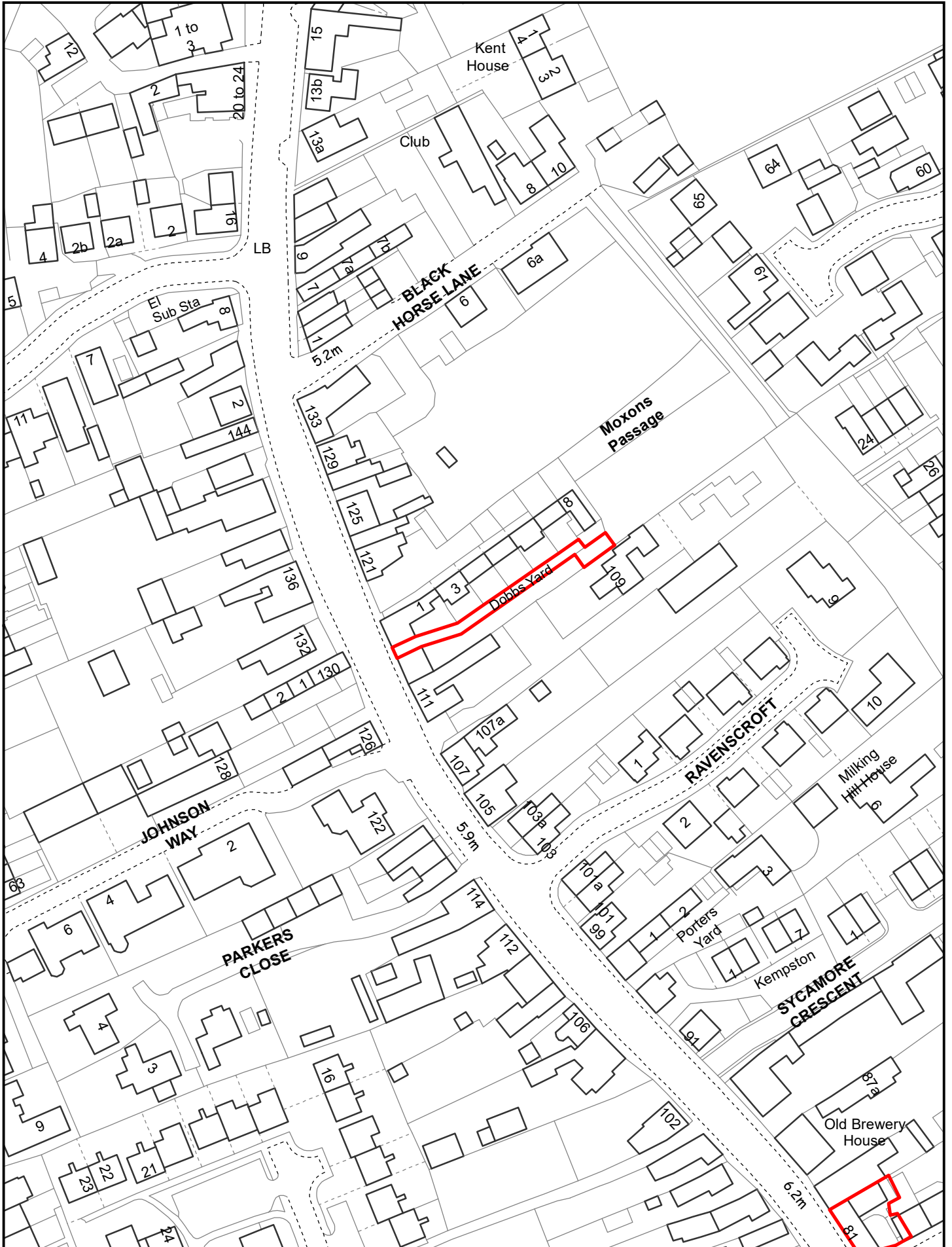
10 CONCLUSIONS

- 10.1 The proposed demolition of the wash house would result in a detrimental impact on the character and historic interest of the Chatteris Conservation Area. The building has until only recently been considered to be in good structural condition and given that removed materials have been retained on site, the LPA should seek the retention and repair of the building.
- 10.2 Given this clear conflict with the relevant policies, it is considered that to grant the applications would be indicative of a failure by the Council to fulfil its duties under Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Area) Act 1990.

11 RECOMMENDATION

11.1 Refuse; for the following reason:

1	<p>Policies LP16 and LP18 of the Fenland Local Plan, paragraphs 196 and 197 of the NPPF 2023 seek to protect and enhance heritage assets, avoid or minimise conflict between conservation and development, sustain and enhance the significance of heritage assets whilst putting them to viable use consistent with their conservation, ensuring any harm to or loss of significance to a designated heritage asset is clearly and convincingly justified and that where that harm is substantial, it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefit that outweighs that harm or loss.</p> <p>The proposed demolition of the building is considered to result in a detrimental impact upon the character and historic interest of the Chatteris Conservation Area, with the impact magnified within the rare historic form of Dobbs Yard. The building is considered to be entirely capable of repair and re-use in some form and therefore should be retained and repaired in accordance with S72 Planning (Listed Buildings and Conservation Areas) Act 1990.</p>
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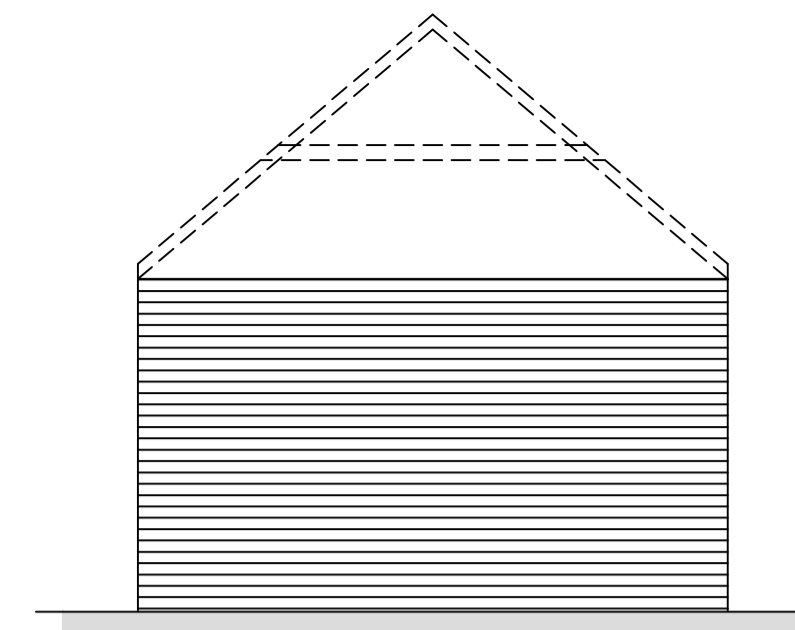
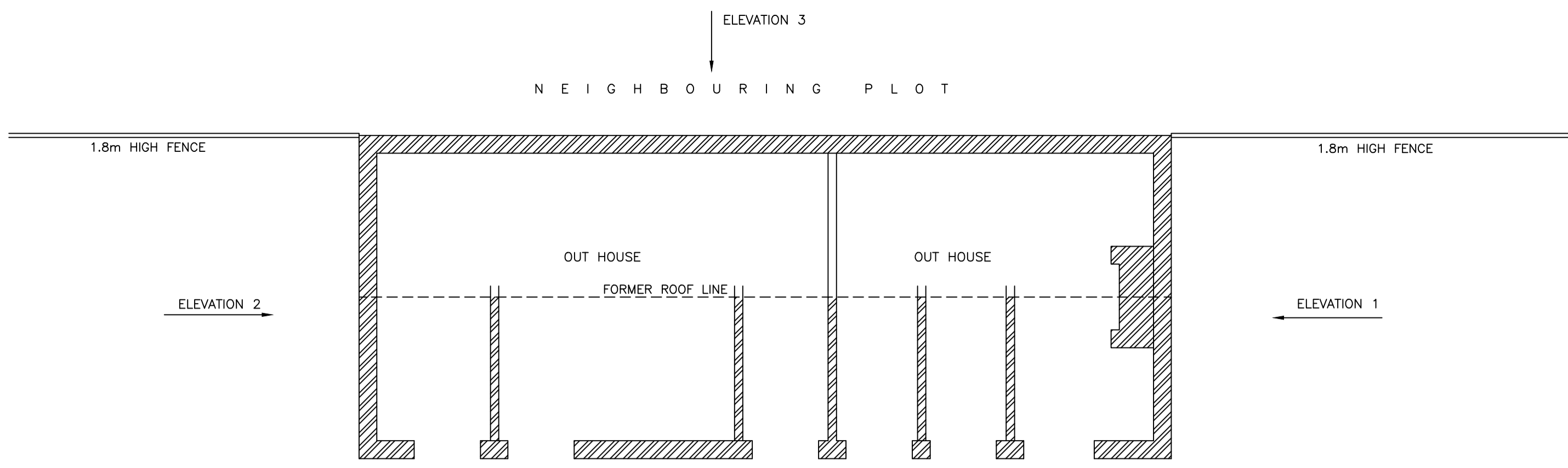
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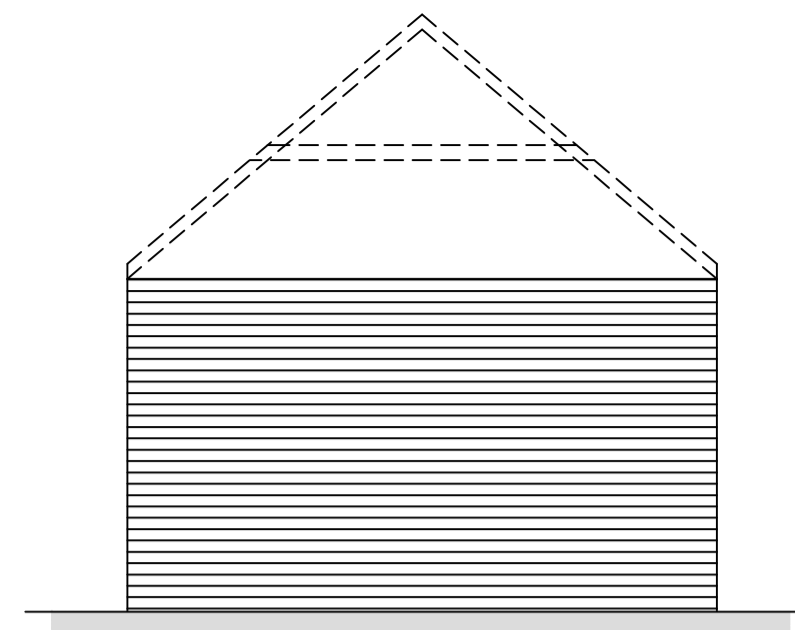
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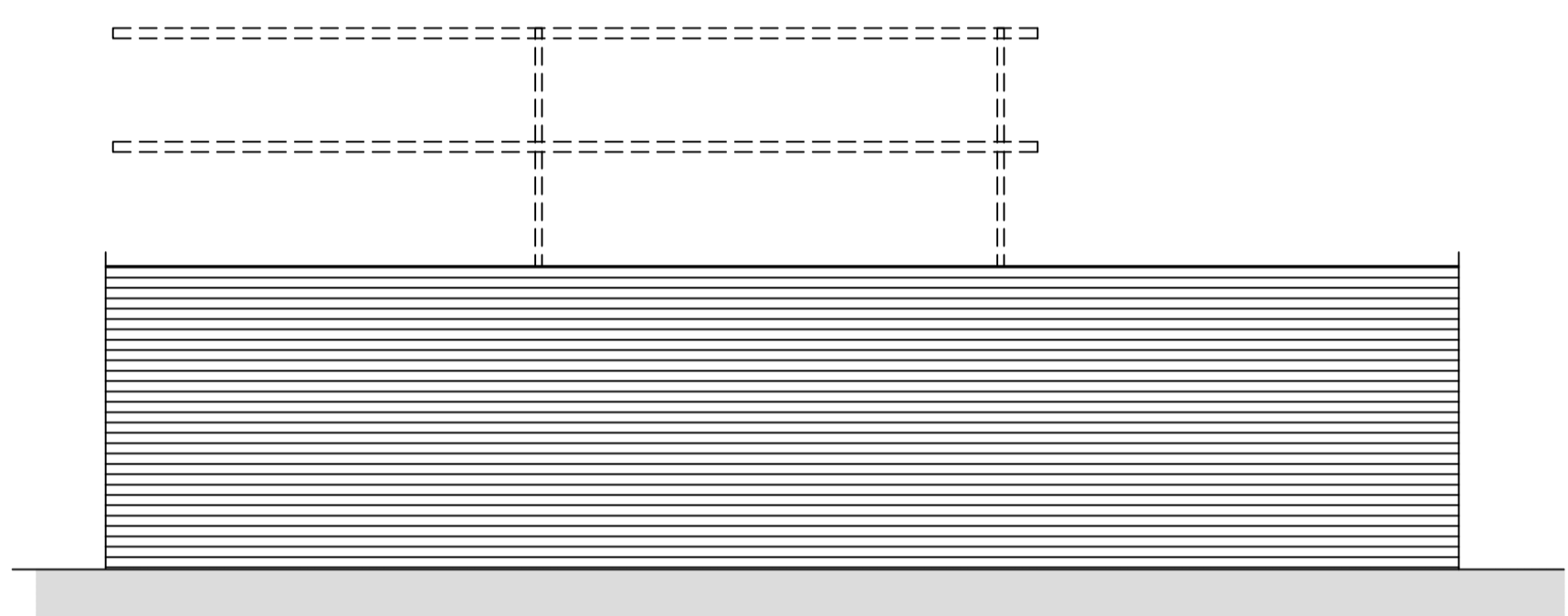


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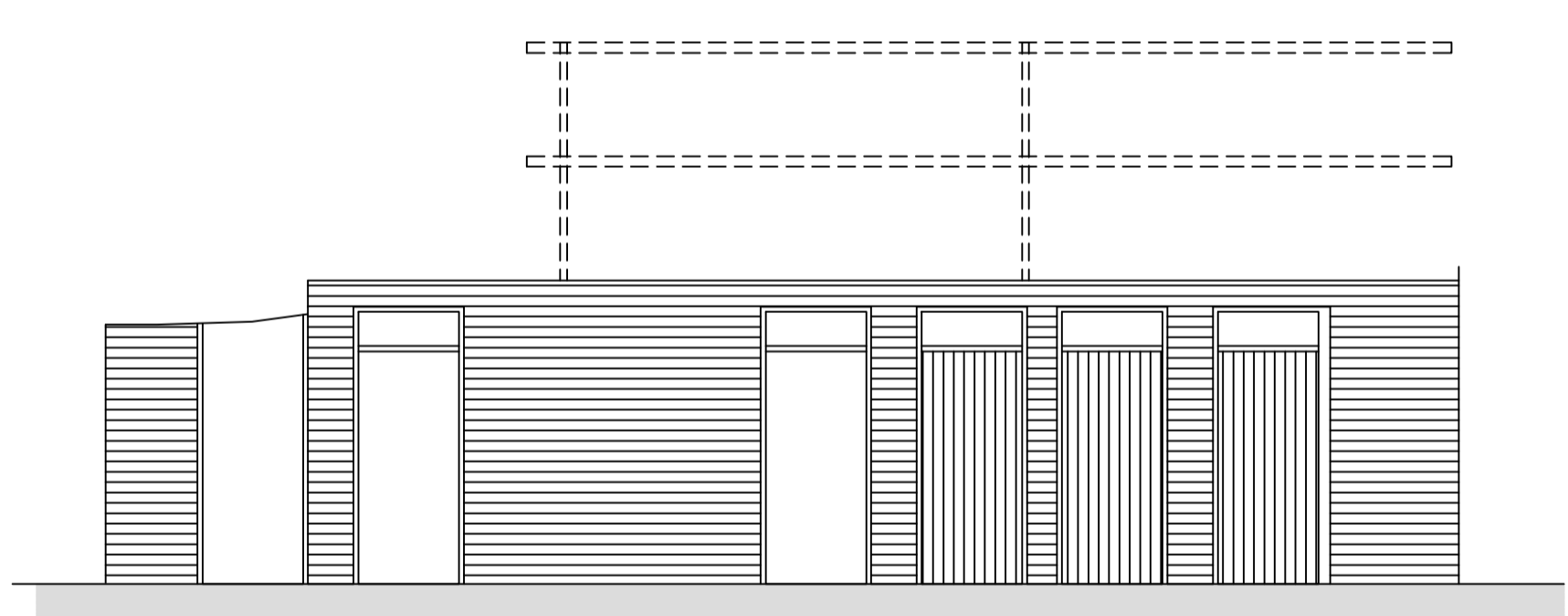


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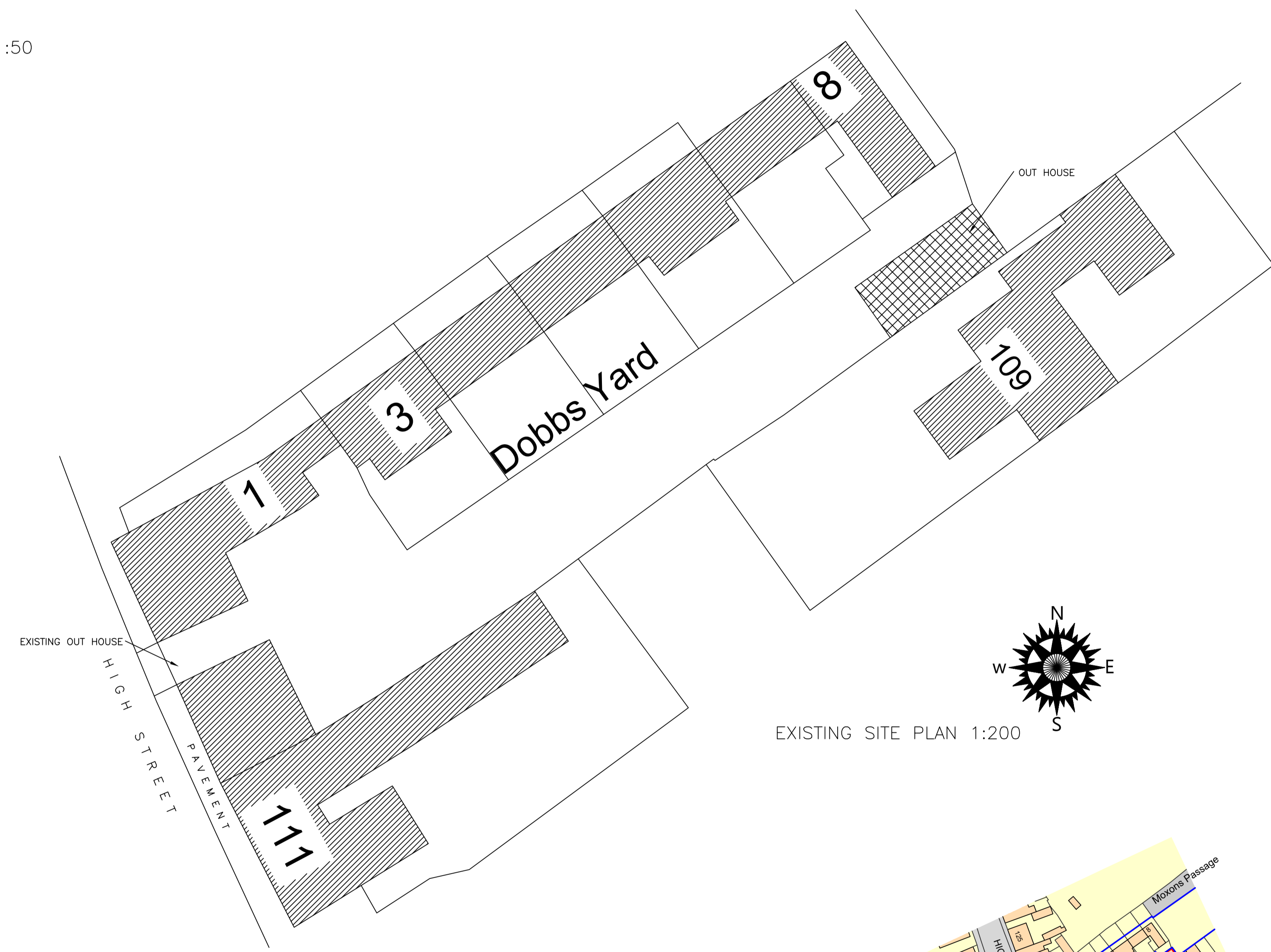
EXISTING GROUND FLOOR PLAN OF OUT HOUSE 1:50



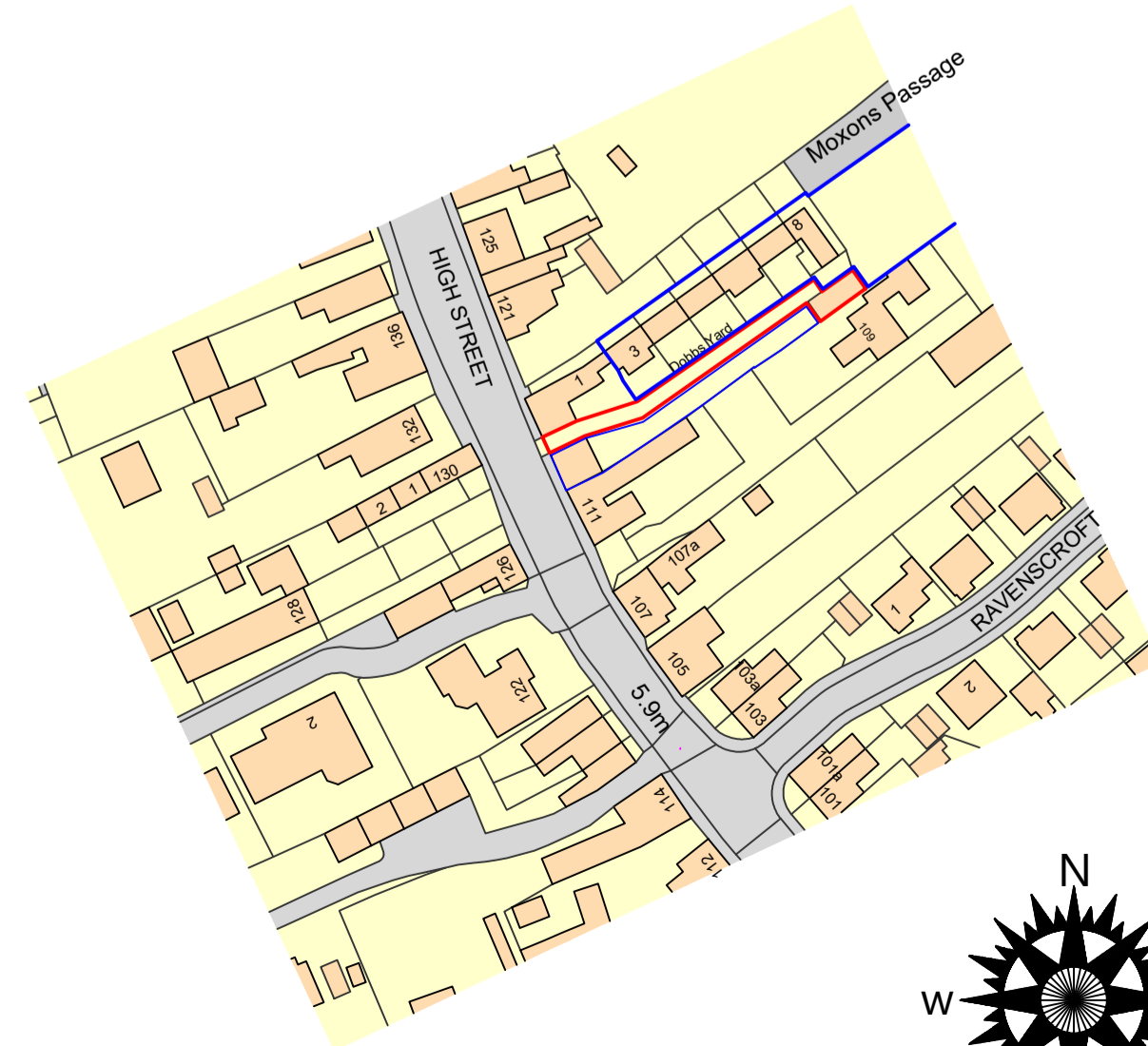
EXISTING ELEVATION 3 1:50



EXISTING ELEVATION 4 1:50



EXISTING SITE PLAN 1:200



LOCATION PLAN 1:1250
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FRONT/SIDE ELEVATION



FRONT ELEVATION 1



SIDE ELEVATION 4

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 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

REVISIONS	DATE

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 CONSULTING STRUCTURAL ENGINEERS

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

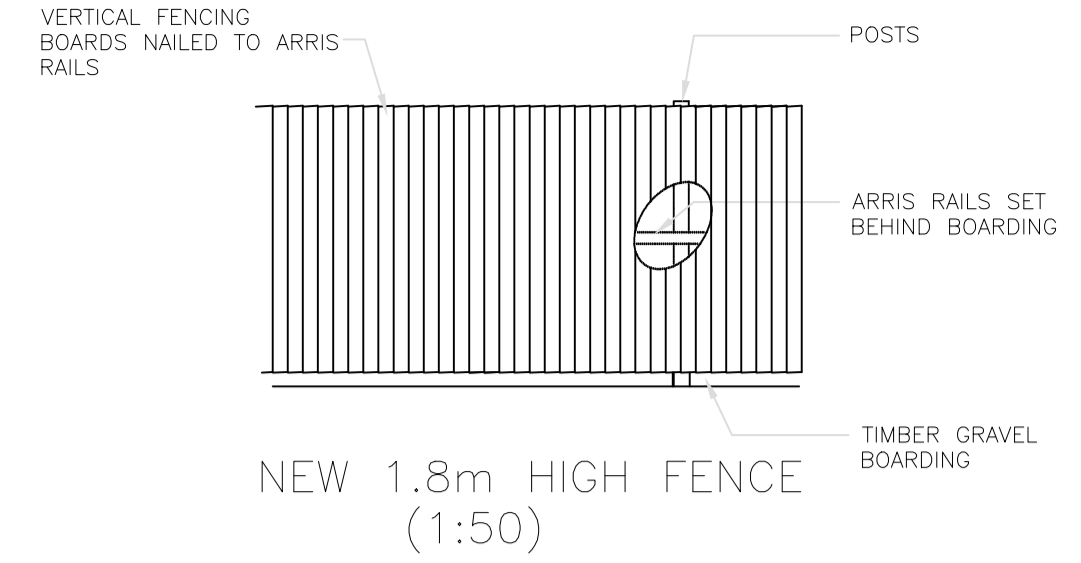
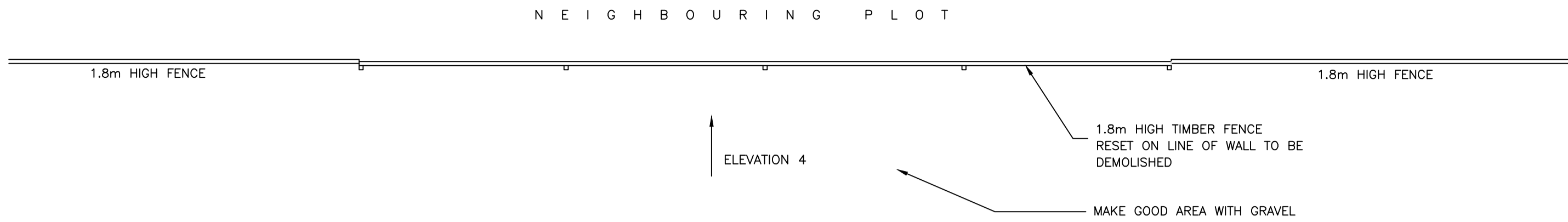
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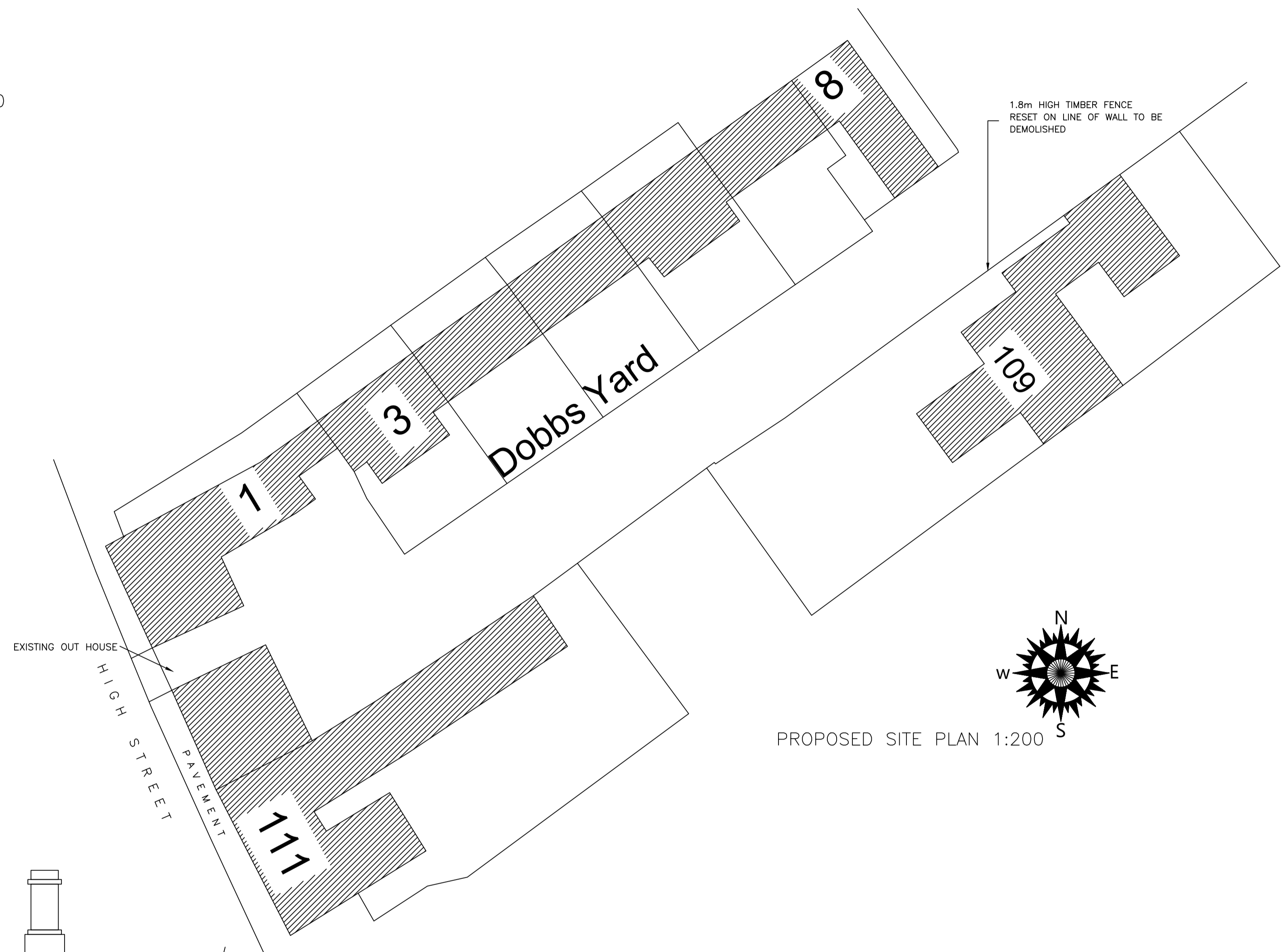
PROJECT
 113-115 High Street
 Chatteris
 Cambridgeshire
 PE16 6NP

TITLE
 Rear Outhouse Arrangement

DRAWN MH	DATE OF ISSUE
CHECKED	
DATE September 2023	DRAWING NUMBER H8319/100
SCALE As Shown	



PROPOSED PLAN FOR BOUNDARY TREATMENTS 1:50



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 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

REVISIONS	DATE

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 CONSULTING STRUCTURAL ENGINEERS

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

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PROJECT
 113-115 High Street Chatteris Cambridgeshire PE16 6NP

TITLE
 Proposed Arrangement

DRAWN MH	DATE OF ISSUE
CHECKED	
DATE September 2023	DRAWING NUMBER H8319/101
SCALE As Shown	

F/YR23/0856/O

Applicant: Mr M Taylor

**Agent: Mrs Angela Watson
Swann Edwards Architecture Ltd**

Land South Of 129, Knights End Road, March, Cambridgeshire

Erect up to 5 x dwellings (outline application with all matters reserved)

Officer recommendation: Refuse

Reason for Committee: Town Council recommendation and number of representations contrary to officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. This application seeks outline planning permission for the erection of up to 5 dwellings on an area of undeveloped garden land situated to the south of No.129 Knights End Road and spanning east behind Nos.125 and 123 Knights End Road. The application is made with all matters reserved for later approval.
- 1.2. On the basis of the consideration of the issues of this application, conflict arises through the principle of the development of the site rather than as a result of matters that could be addressed at the design stage, and as such it is concluded that the application is contrary to the relevant planning policies of the development plan, with respect to the potential to prejudice the delivery of a BCP for the south-west March broad location for growth (LP7 & LP9).
- 1.3. Furthermore, development at this site would be an unacceptable encroachment into the countryside at detriment to the rural character of the area by virtue of backland development in contravention of Policy LP12 and Policy LP16(d). In addition, owing to the lack of evidence to the contrary, it is considered that the principle of providing safe and convenient access may be unachievable at the site, thus the proposal does not comply with Policy LP15. Given the lack of demonstrable evidence that the development will not detrimentally impact biodiversity at the site, the scheme is also considered contrary to Policy LP19. Moreover, by virtue of a lack of demonstrable evidence in respect of the potential impact of the nearby A141 on future occupier amenity with respect to noise, the scheme is considered contrary to Policies LP2 and LP16.
- 1.4. Therefore, following in the below assessment, the application is recommended for refusal.

2 SITE DESCRIPTION

- 2.1. Located in Flood Zone 1, the application site is land associated with the host dwelling No.129 Knights End Road. The main part of the site comprises an area of maintained grassland with some mature trees, situated to the south of the host dwelling and spanning east behind Nos. 125 and 123 Knights End Road.
- 2.2. The land is used as garden space for the host dwelling and is bounded to the east, west and south by mature vegetation. To the north is the host dwelling and detached garage, with 1.8m fencing bounding the site from Nos. 125 and 123 Knights End Road.

3 PROPOSAL

- 3.1. This application seeks outline planning approval with all matters reserved for the erection of up to 5 dwellings. The indicative site plan submitted shows an access road leading from the existing dwelling access crossing west across the front of the site and turning south (forming the western boundary of the development) leading to a proposed development of 5 detached dwellings with garages with associated access, amenity spaces, parking and turning head.
- 3.2. Full plans and associated documents for this application can be found at: [F/YR23/0856/O | Erect up to 5 x dwellings \(outline application with all matters reserved\) | Land South Of 129 Knights End Road March Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0856/O)

4 SITE PLANNING HISTORY

23/0028/PREAPP	Erect 5x dwellings	Not Favourable 22.05.2023
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5 CONSULTATIONS

5.1. March Town Council

Recommendation; Approval subject to comments/recommendations from Highways and Anglian Water that existing infrastructure is sufficient.

5.2. Cambridgeshire County Council Highways Authority

Upon reviewing the plans and information submitted for this application, I have no objection in principle, however the following should be considered if this application gains benefit of planning permission.

Whilst I do not object to this application, I note there is currently no safe way of accessing this development for pedestrians. As part of these proposals, I would recommend a footway is provided which connects to the existing infrastructure to the east.

It is unclear whether the access can achieve the necessary visibility of 2.4m x 43m. Please include said visibility splays on plan reference: PP1000

The access will need to be a minimum of 5m wide, whilst this is clearly achievable, this may result in the removal of a tree.

The red line boundary shown within the location plan on plan reference: PP1000 will need to be amended to encompass any visibility splays or required widening.

I note the design and access statement suggests the collection of bins from the frontage of the properties. Should the currently layout be taken forward, the radii and width arrangements may need to be enhanced to allow for refuse vehicle access.

5.3. FDC Environmental Health

The environmental health team does not object to the principle of the application and would like to make the following observations.

Air Quality

Fenland District Council monitors air quality using No2 diffusion tubes in close proximity to this application site. The national air quality objective level for No2 has been met in this location.

Contaminated Land

The environmental health team have no records that this site has had a previous land use that suggests the site may have been left in a contaminated state.

Noise

Due to the close proximity of the A141 Isle of Ely Way, a robust noise impact assessment needs to be submitted for our consideration to determine the extent of how road traffic noise is expected to impact on the internal and external amenity areas of the proposed dwellings in line with relevant nationally recognised standards. The associated report will also be required to include suitable noise mitigation measures.

5.4. FDC Arboricultural Officer

Viewing the indicative layout would suggest a significant loss of boundary vegetation along the east, west and south boundaries. This is likely overgrown hedging and may have ecological value as well as the obvious screening,

We require an arboricultural impact assessment to fully see the actual impact. The proposed loss of trees does not initially appear too significant particularly given the volume of proposed new planting.

The applicant will need to supply more information on proposed removals and methodology for the construction of the access roads as they appear to be close to retained trees.

5.5. Local Residents/Interested Parties

Objectors

The Council received 16 letters of objection to the scheme, from 9 address points: 7 on Knights End Road itself, one from Cavalry Park and one from Grange Road (both within an adjacent ward).

The reasons for objection can be summarised as:

- *Highway safety concerns with access so close to bypass;*

- Concerns over increased traffic;
- No pavements proposed with development;
- Over development;
- Noise from A141 will cause amenity issues;
- Development will change the character of the area;
- Backland development;
- Insufficient infrastructure;
- Residential amenity impacts;
- Wildlife/Environmental concerns;
- Drainage concerns; and
- Concerns over damage to nearby buildings; property devaluation.

Supporters

The Council received 11 letters of support for the scheme, from 9 address points: one from Gaul Road (within the same ward), with the rest from adjacent wards including addresses within other areas of March (Creek Road, Eastwood Ave, Wherry Close, Elwyn Rd, Plover Drive, Peterhouse Crescent) and Wimblington (New Woods Drive).

The reasons for supporting the scheme can be summarised as:

- Bespoke development (not a 'volume developer');
- Development will allow local employment;
- Dwellings will contribute to housing shortage;
- No loss of agricultural land;
- Will contribute to the future of March;
- Consistent with March Neighbourhood Plan;
- No significant traffic impact;
- In keeping with surroundings;
- Small scale development;
- In flood zone 1;
- No ecological impacts;
- No residential amenity impacts; and
- Safe access is provided.

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) Sept 2023

Para. 2 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 11 - Presumption in favour of sustainable development.

Para. 12 - The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.

Para. 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para. 130 - Planning policies and decisions should ensure high quality development.

Para. 174 - Planning policies and decisions should contribute to and enhance the natural and local environment.

7.2. **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

7.3. **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

Resources

Lifespan

7.4. **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP7 – Urban Extensions

LP9 – March

LP15 – Facilitating the Creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

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

LP2 – Spatial Strategy for the Location of Residential Development

LP5 – Health and Wellbeing

LP7 – Design

LP8 – Amenity Provision

LP20 – Accessibility and Transport
LP22 – Parking Provision
LP24 – Natural Environment
LP27 – Trees and Planting
LP28 – Landscape

7.6. **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

7.7. **March Neighbourhood Plan 2017**

H1 – Large Development Sites
H2 – Windfall Development

8 KEY ISSUES

- **Principle of Development**
- **Other Matters**
 - Character and appearance
 - Highway Safety/Access/Parking
 - Ecology and biodiversity
 - Residential Amenity
 - Flooding and flood risk
 - Additional considerations

9 BACKGROUND

9.1. The application was preceded by a pre-application enquiry for the erection of 5 dwellings at the site in May 2023. The enquiry included a similar proposed layout to the current application, albeit the dwellings proposed within the pre-application enquiry appeared larger in scale to those proposed now.

9.2. The enquiry was considered to be not favourable given that development of the site would constitute backland development, which was incongruous with the existing settlement pattern and would result in the detriment of the character and appearance of the area, the potential for highway safety issues and issues relating to the servicing of the site (such as with regard to waste disposal).

10 ASSESSMENT

Principle of Development

10.1. March is identified as a Market Town in the settlement hierarchy outlined in Policy LP3 where the majority of development should be directed.

10.2. Policy LP7 sets out the LPA's aims in achieving a majority of the growth in the main market towns through strategic allocations and broad areas for growth. Policy LP9 identifies south-west March (in which the application site lies) as being a broad location for growth, expecting to accommodate around 500 dwellings, along with some business development. Policy LP7 identifies the importance of planning and implementing these locations for growth in a

coordinated way, through an overarching Broad Concept Plan (BCP) that is linked to the timely delivery of key infrastructure. The policy goes on to state that, with the exception of “*inconsequential very minor development*”, proposals for development within the growth locations which come forward prior to an agreed BCP will be refused.

- 10.3. A BCP for the area has not yet been advanced and as such piecemeal development of the site has the potential to prevent proper planning and coordination of development of the broad location for growth on a wholesale basis in the spirit of Policy LP7 and should therefore be refused.
- 10.4. Policy LP9 sets out the clear development intentions for the south-west March broad location for growth stipulating that noise and landscape mitigation measures should be provided along the A141 as appropriate. The indicative site arrangement includes the access road to the western edge, and to the southern part of the site, at its nearest point, the access road is indicated to be positioned approximately 5.8m from the A141 to the west. As such, this is unlikely to offer sufficient space to provide the necessary noise and landscaping mitigation as required by Policy LP9.
- 10.5. Furthermore, Policies LP7 & LP9 are supported by a corresponding policy within the March Neighbourhood Plan, Policy H1, which states “*Development within the above allocated sites must accord with the policies in the Fenland Local Plan (especially LP7 and LP9)*”.
- 10.6. Given the above, whilst there is no objection in principle to housing within the settlement of March as considered under LP3, the proposal, as situated within a broad location for growth, is likely to prejudice the delivery of a BCP for the area contrary to LP7. In addition, the layout of the scheme is unlikely to enable sufficient amenity mitigation given its proximity to the A141, as required by Policy LP9. As such, the principle of development cannot be supported.

Other Matters

Character and appearance

- 10.7. Surrounded by mature trees, the site forms part of the countryside character of a wider triangle of undeveloped (and possible agricultural or paddock) land behind Knights End Road to the north, Linwood Lane to the east and the A141 to the west.
- 10.8. Residential development in the area is limited to frontage development only along Knights End Road to the north. There is no in-depth development to the south within this overall triangle of land behind this existing built form, with the only other development in this land a cluster of agricultural buildings along Linwood Lane approximately 230m east of the site.
- 10.9. Policy LP16 (d) requires development to make a positive contribution to the character of the area, and not adversely impact on the settlement pattern or landscape character of the surrounding area.
- 10.10. The proposal seeks to erect five dwellings on currently undeveloped land rear of Nos. 123-129 Knights End Road. By virtue of the backland nature of the

site, the proposed development would be discordant with the existing core shape and built form of the development along this part of Knights End Road, which is predominately characterised by frontage residential development, save for sporadic outbuildings.

10.11. It is clear that the site, an area of undeveloped garden land, contributes to countryside character behind the frontage development of Knights End Road. The development proposed would see up to five dwellings and associated infrastructure positioned on undeveloped garden land that currently contributes to the distinct and natural character beyond the built form to the south of Knights End Road. Development on this land would bring a distinctly urbanising effect to the detriment of the character and appearance of the area, directly contradicting the current settlement pattern and would arguably create a precedent for further backland development, contrary to the requirements of Policy LP16(d).

10.12. Notwithstanding an acceptable design and layout solution being proffered at Reserved Matters stage, this would not outweigh the policy considerations which would result in any development in this location being viewed as unacceptable backland development contrary to the aforementioned policy.

Highway Safety/Access/Parking

10.13. With respect to parking, the indicative site plans submitted suggest that there would likely be appropriate car parking and turning availability for each of the proposed dwellings.

10.14. The access is proposed to be spurred off the existing dwelling's driveway that connects to Knights End Road. The driveway is positioned approximately 50m to the east of the junction between Knights End Road and the A141.

10.15. Comments from the LHA raise no objection to the proposed access in principle, although concern regarding the sustainability of the site was raised given the lack of footpaths and streetlighting to serve users of the development, which is a material consideration in respect of the suitability of the site in general sustainability and pedestrian safety terms.

10.16. Notwithstanding matters of sustainable development, the Highways Authority noted that it was unclear from the submitted drawings that appropriate visibility splays could be achieved. It was also noted that the access would likely require widening to ensure two-way vehicle movement and appropriate access for refuse collection vehicles or emergency services. No evidence is provided to support that the access could achieve the required visibility splays or required radii on the indicative site plan.

10.17. In addition, the intensification of the use of this access to serve a total of 6 dwellings at a distance of 50m from the junction with the A141 should be considered.

10.18. Whilst it is acknowledged that this application is outline with all matters reserved, it is necessary to ensure that the principle of safe access to the proposed development could be achieved, particularly given the substantial intensification to a private access serving only one dwelling at present. As

such, in the absence of suitable evidence to the contrary, the principle of providing safe and convenient access for all may be unachievable at the site, and thus the proposals are not considered to comply Policy LP15 in respect of highway safety.

Ecology and biodiversity

- 10.19. The submitted scheme indicates the removal of some of the trees and a significant proportion of the mature boundary vegetation to the southern, eastern and western boundaries. It is noted that some trees and vegetation are due to be retained, however the proposed dwellings and roadway are indicated to be positioned quite close to some retained trees.
- 10.20. Comments from the Arboricultural Officer raise concern that the scheme may result in undue conflicts between the development and any retained trees on the site either during construction or during occupation of the intended dwellings. In addition, the removal of significant areas of mature field hedgerow or vegetation may result in loss of important habitat for birds or other species.
- 10.21. No supporting documentation, such as an Arboricultural Impact Assessment or Preliminary Ecological Impact Assessment were submitted in support of the application. The lack of this information results in uncertainty with respect to the impacts of the development on matters of ecology or biodiversity on the site, including any potential detrimental impacts to protected habitats, species or mature trees/vegetation, inter alia.
- 10.22. It is considered, therefore, that the application has failed to comply with Policy LP19, as it cannot be established that the site can be developed in principle without resulting in unacceptable ecology or biodiversity impacts at the site.

Residential Amenity

- 10.23. It would appear from the indicative plans submitted that there would be limited impacts to neighbouring residential amenity as a result of the scheme by way of overlooking, overshadowing overbearing, as such it is likely that the scheme could be compliant with Policy LP16 (e), subject to acceptable details of appearance, landscaping, layout, and scale to be submitted at Reserved Matters stage.
- 10.24. It is noted from the Design and Access statement that it is proposed that an indemnity will be provided to enable Local Authority kerbside refuse collections from outside the proposed dwellings, which would be subject to consideration by the Environmental Services team to ensure its robustness and compliance with Policy LP16 (f). This could be secured by condition to be submitted within any Reserved Matters application.
- 10.25. Concerns have been raised in respect of the impact of traffic noise from the nearby A141 on future occupiers. The impact of noise to residential development and any management and mitigation thereof is specifically required by Policy LP16 (l) of the Fenland Local Plan. At its nearest point, this road is located approximately 12m southwest of the proposed Plot 5, and this proximity may result in unacceptable noise nuisance to at least this dwelling.

10.26. The Environmental Health team do not object to the development in principle, but note that sufficient evidence to satisfy that impacts from noise to the development will be within acceptable limits has not been submitted. Such evidence would be necessary prior to determination of the application to ensure that noise was successfully managed and mitigated in accordance with Policy LP16 (l).

10.27. Accordingly, notwithstanding matters that could be resolved at Reserved Matters stage, the lack of demonstrable evidence in respect of noise management and mitigation at the site is such that the LPA are unable to satisfy that the scheme would be acceptable in principle in respect of residential amenity in accordance with Policy LP16.

Flooding and flood risk

10.28. The site falls within Flood Zone 1 (low risk) and issues of surface water disposal will be considered under Building Regulations, as such, there is likely to be no issues to reconcile with regard to Policy LP14.

Additional considerations

10.29. Whilst the points of the local residents affected by and objecting to the proposal are noted, issues such as damage to nearby buildings or property devaluation are not a material planning considerations in the determination applications. Concerns over drainage can be overseen under building regulations and by the Drainage Board.

10.30. Economic benefits of the construction of the development are acknowledged, although these would be limited and short-lived given the scale of the proposed development. In addition, whilst it is acknowledged that small-scale developments such as the proposed do help to contribute to the overall sustainability of settlements, the potential impact on the overall deliverability of a wider BCP for the area, which seeks to ensure a sustainable future for the growth of the market town of March in a planned and coordinated manner, should take precedence. It is not considered that the benefits of approval of such a scheme would justify an exception to policy in this case. Notwithstanding, any benefits would be very modest through the introduction of 'up to' 5no. dwellings

11 CONCLUSIONS

11.1. The application site was subject to an earlier pre-application enquiry for a similar sized scheme, which garnered a likely unfavourable response in respect of the possible contraventions of the current Fenland Local Plan.

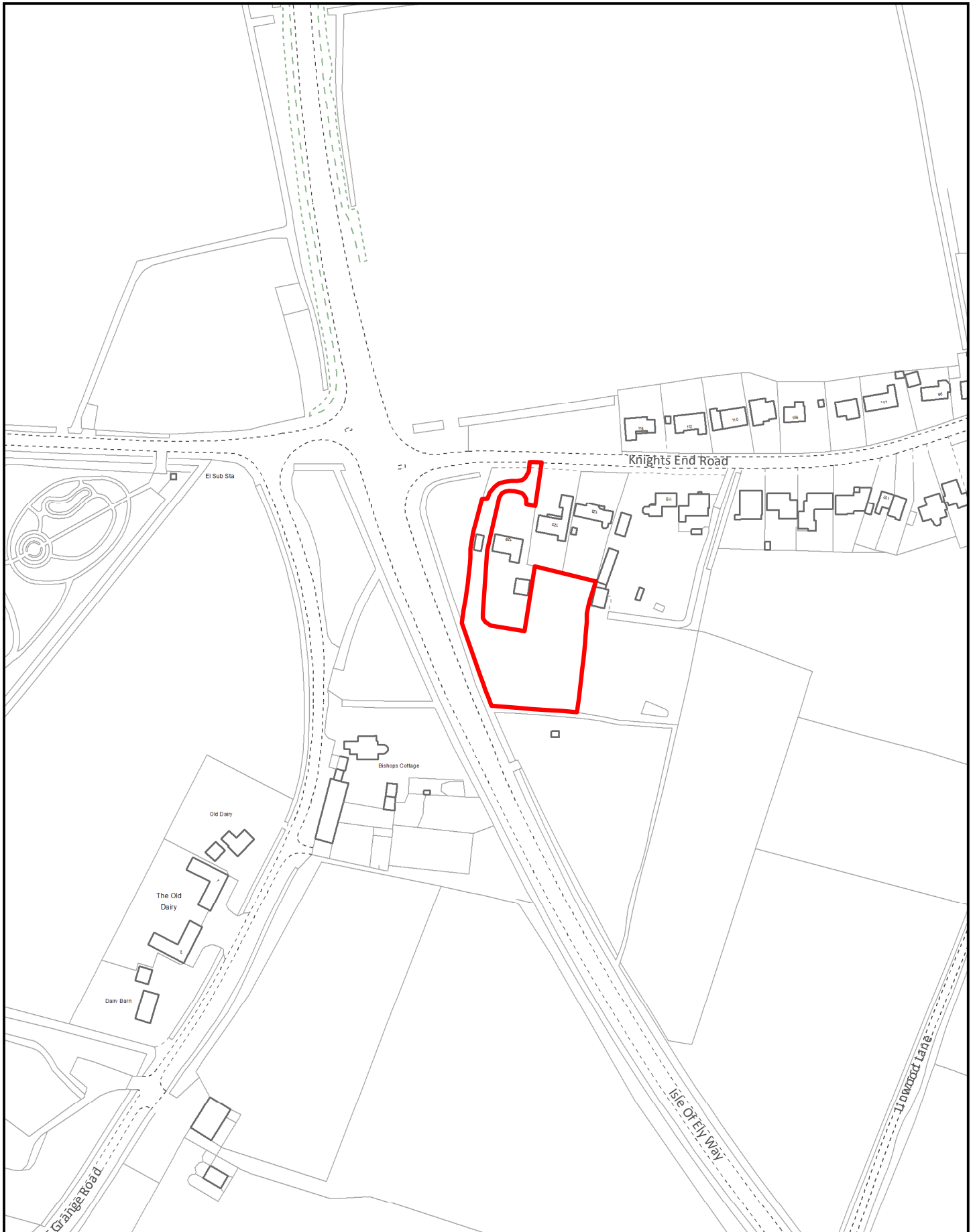
11.2. The above assessment has established that the site is contrary to the policies of the current adopted development plan with respect to the potential to prejudice the delivery of a BCP for the south-west March broad location for growth (LP7 & LP9), impact of the development on the character and appearance of the area by virtue of backland development (LP12 & LP16), concerns over highway safety (LP15), concerns over ecology and biodiversity (LP19) and the potential impact of the nearby A141 on future occupier amenity with respect to noise (LP16). Accordingly, the application must be recommended for refusal.

12 RECOMMENDATION

Refuse, for the following reasons:

1	Policies LP7 and LP9 detail the approach within the Fenland Local Plan (2014) to development of Urban Extensions in general, and within March in particular. The proposal is for the construction of up to five dwellings within the South-west March broad location for growth. The application site is located in a key position adjacent to the A141, within which development must include landscape and noise mitigation for the wider site as appropriate; such detail has not been included within the proposals. There is no evidence to demonstrate that if granted permission the development of up to five dwellings at the site would not prejudice the delivery of a BCP for the designated growth area and therefore the proposal would be contrary to the provisions of policies LP7 and LP9 of the Fenland Local Plan (2014), and by extension policy H1 of the March Neighbourhood Plan (2017).
2	Policy LP16 (d) of the Fenland Local Plan (2014) requires development to deliver and protect high quality environments specifying that development should make a positive contribution to the local distinctiveness and character of the area. The development proposed would see up to five dwellings and associated infrastructure positioned on undeveloped garden land that currently contributes to the distinct and natural character beyond the built form to the south of Knights End Road. Development on this land would bring a distinctly urbanising effect to the detriment of the character and appearance of the area, directly contradicting the current settlement pattern and would arguably create a precedent for further backland development, contrary to the requirements of Policy LP16(d).
3	Policy LP15 seeks to support proposals that provide safe and convenient access for all. In the absence of evidence to the contrary, the LPA cannot confidently ascertain that safe access is achievable in respect of providing the required visibility splays relative to the speed of the road within the highway boundary and / or application boundary. Thus, the scheme is contrary to Policy LP15 as has not been substantiated that suitable and safe access to the development can be provided.
4	Policy LP19 seeks to ensure development proposals will conserve, enhance and promote the biodiversity of the natural environment throughout Fenland. Details of the presence of habitats, protected species or biodiversity in or around the site have not been advanced with the application to satisfy that any removal of mature hedgerow or trees at the site will not result unacceptable impacts to biodiversity. Thus, given the lack of demonstrable evidence, the scheme is considered contrary to Policy LP19.

5	<p>Policy LP16 seeks to support development that ensures a high quality environment that does not result in adverse amenity impacts for both neighbouring and future occupiers. In the absence of evidence to the contrary, the LPA cannot confidently ascertain if noise from the adjacent A141 would be within acceptable limits, or if any potential noise nuisance can be adequately managed or mitigated. Thus, the scheme is contrary to Policy LP16 as has not been substantiated that residential amenity for future occupiers will not be compromised.</p>
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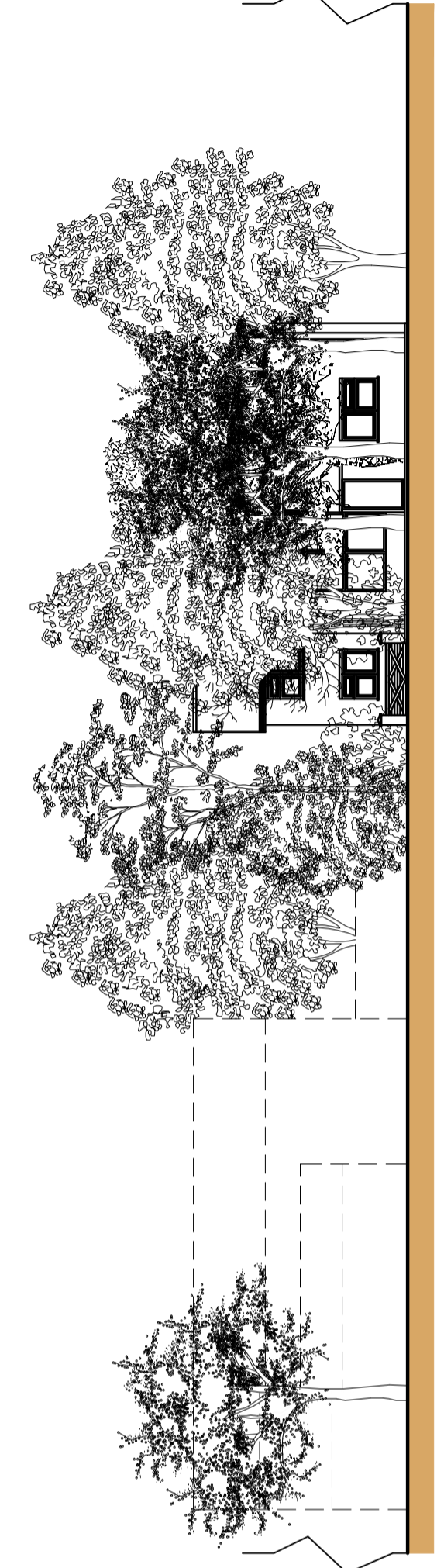


K N I G H T S E N D R O A D

Site Access

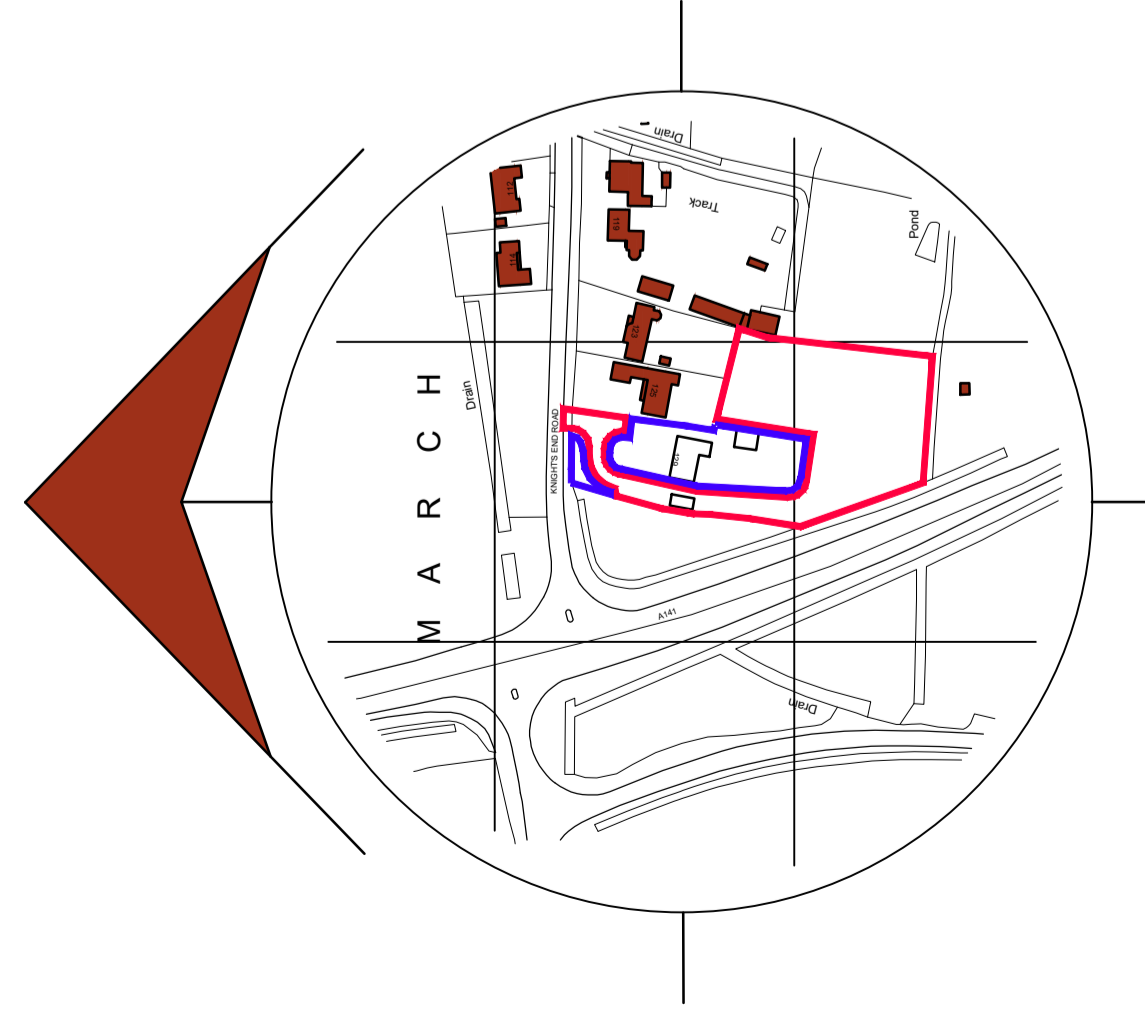


Site Plan
Scale: 1:200



Street Scene (A-A)
Scale: 1:200

INDICATIVE LAYOUTS



Location Plan
Scale: 1:2500

SITE PLAN KEY

	Indicates neighbouring properties taken from OS map
	Indicates existing host property
	Indicates proposed dwellings
	Indicates existing structure to be demolished
	Indicates proposed trees
	Indicates existing hedging and trees
	Indicates proposed permeable road to adoptable standard
	Indicates proposed driveway and parking areas
	Indicates existing site access to be widened and constructed to Cambs CC specification

Status: **FOR APPROVAL**

SWANN EDWARDS ARCHITECTURE
Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
t 01945 450634 e info@swannedwards.co.uk w www.swannedwards.co.uk

Proposed Residential Development Land to the rear of 129 Knights End Road, March For: Mr M Taylor	Job Title Date September 2023	Drawn by GT Checked by G.E.
Outline Planning Drawing Site and Location Plan	Job No. SE-1956 Dwg No. PP1000	Sheet Size A1 Revision A

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.

F/YR23/0879/O

Applicant: Mr P Russell

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

Land North West Of The Ferns, Padgetts Road, Christchurch,

Erect up to 6 x dwellings (outline application with matters committed in respect of access) and the formation of 5 x accesses and footpath

Officer recommendation: Refuse

Reason for Committee: Parish Council recommendation and number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. The application site is an area of paddock land positioned to the northwest of a chalet bungalow known as The Ferns along Padgetts Road, which is the northernmost dwelling that comprises the main built form of the settlement of Christchurch at the Padgetts Road/Church Road junction.
- 1.2. The proposal seeks outline planning permission for the erection of up to six dwellings and the formation of five access points including a footpath. The application commits the details of the access points only for consideration at this stage.
- 1.3. Part of this application site was subject to a previously refused scheme and subsequent dismissed appeal for the development of up to two dwellings as recently as 2017 (F/YR16/0472/O).
- 1.4. It is acknowledged that since the earlier appeal, the site has been allocated within Policy LP59 of the Emerging Local Plan for possible residential development, which forms the crux of the justification by the applicant for this development proposal. However, given the very early stage which the Plan is therefore at, in accordance with Paragraph 48 of the NPPF, it is considered that policies within this plan should carry extremely limited weight in decision making at this time.
- 1.5. The site is contrary to the policies of the current adopted development plan with respect to the settlement hierarchy (LP3), rural areas development (LP12) and the impact of the proposal on the character of the area (LP16). Accordingly, the application is recommended for refusal.

2 SITE DESCRIPTION

- 2.1. The application site is an area of paddock land positioned to the northwest of a chalet bungalow known as The Ferns along Padgetts Road, which is the

northernmost dwelling that comprises the main built form of the settlement of Christchurch at the Padgetts Road/Church Road junction. Padgetts Road runs in a northwest to southeast direction forming the westernmost boundary of the built form of Christchurch. The main built form of the settlement runs in a northeasterly direction from the junction of Padgetts Road and Church Road. To the east and north of the application site is sporadic residential development, agricultural and paddock land.

- 2.2. The site is part of a wider agricultural field and is used as paddock, bounded by post and rail fencing, with tall conifer hedging to the southern side boundary. There is a small field shelter within the site, a storage container sited to the south of the site and associated equestrian paraphernalia throughout.
- 2.3. The site is located in Flood Zone 1.

3 PROPOSAL

- 3.1. The proposal seeks outline planning permission for the erection of up to six dwellings and the formation of five access points and a footpath. The application commits the details of the access points only for consideration at this stage. An indicative plan has been submitted with the application which shows a possible layout of dwellings with associated amenity, parking and turning areas.
- 3.2. Full plans and associated documents for this application can be found at: [F/YR23/0879/O | Erect up to 6 x dwellings \(outline application with matters committed in respect of access\) and the formation of 5 x accesses and footpath | Land North West Of The Ferns Padgetts Road Christchurch \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0879/O)

4 SITE PLANNING HISTORY

APP/D0515/W/16/3165392	Appeal against refusal of F/YR16/0472/O	Dismissed 06.04.2017
F/YR16/0472/O	Erection of 2 x dwellings (max) and the formation of two new access (Outline with matters committed in respect of access only)	Refused 02.08.2016

5 CONSULTATIONS

- 5.1. **Christchurch Parish Council**
The Parish Council considered this application at their recent meeting. Members noted that the site was identified in the Emerging Local Plan process as suitable for residential development. Concern has been expressed about traffic speeds on this part of Padgetts Road and this development would strengthen the Parish Council's case for a reduction in the speed limit. Members welcomed the inclusion of a pavement connecting the site to the existing pavement in Church Road and wondered whether street lighting could be included in the proposal to further aid road safety.

Members resolved to offer no objection to this proposal.

5.2. Environment & Health Services (FDC)

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

It is however recommended that the following conditions are imposed in the event that planning permission is granted:

UNSUSPECTED CONTAMINATION

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 (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.

WORKING TIMES

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. Cambridgeshire County Council Highways Authority

Upon reviewing the plans and information submitted for this application, I have no objections in principle.

I note the proposals within plan reference: H9267/03A include a 1.8m footway on the eastern side of Padgetts Road. This footway will require kerbing for the entire length until it reaches the existing footway along Church Road. This will impact the drainage arrangements currently in place, consideration will need to be given to drainage proposals following the implementation of the footway.

Whilst the current footway proposals are laudable the engineering works are such that they may impact of the scheme's viability due to the cost implications associated with the required drainage works.

Please append the following condition and informative should this application gain benefit of planning permission.

Condition

Off-Site Highway Works: No development shall take place until details of the off-site highway works have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the works have been completed in accordance with the approved details.

5.4. Senior Archaeologist (CCC)

Thank you for the consultation with regards to the archaeological implications of the above referenced planning application. The proposed development lies to the south west of the main settlement of Christchurch which itself has built

along the route of the Old Croft River to the northeast of the proposed development. The Old Croft River itself is the main spin in a network of silted ancient river channels. These ancient river channels form slightly raised firmer ground as the surrounding fen begins to shrink and drop away. These areas have therefore been favoured building and settlement locations throughout the past, from prehistory but also particularly in the Roman period. A relatively high number of cropmark remains have therefore been recorded in the surrounding area, including what appears to be dispersed Roman settlement to the north (Cambridgeshire Historic Environment Record 10629, 06848, 10638, 10697). Closer to the proposed development a number of ring features have been recorded as cropmarks, it is possible that these features represent the sites of late medieval or post medieval hay ricks, but this is untested (CHER MCB29368, MCB29367).

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.

5.5. Natural England NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.6. CCC Ecology

The proposal is acceptable on ecology grounds, providing that the follow information to protect and enhance biodiversity is secured through suitably worded planning condition(s):

- 1. Construction Ecological Management Plan / Compliance with mitigation in Ecological Impact Assessment*
- 2. Landscape and Biodiversity Enhancement Scheme*
- 3. Lighting Design Strategy for Biodiversity*
- 4. Time Limit on Development - Further Biodiversity Surveys Required*
- 5. Informative - Breeding Birds*

1. Construction Ecological Management Plan (condition)

Section 6.2 of the Ecological Impact Assessment recommends mitigation measures to protect the following biodiversity features / species during construction:

- habitats - trees*
- species – amphibians, bats, nesting birds and reptiles*

If planning permission is granted, we recommend these mitigation measures are secure through:

- a. Compliance condition to implement recommendations of PEA/EcIA; or*
- b. Construction Environment Management Plan, which should be secured through a suitably worded planning condition.*

2. Landscape and Biodiversity Enhancement Scheme (condition)

Section 6.2 and 6.3 of Preliminary Ecological Appraisal / Ecological Impact Assessment recommends a series of mitigation measures, as well as enhancement measures for:

- habitats – grassland, new hedgerows*
- species – bat / bird boxes*

Opportunities for other species, such as hedgehogs should also be considered.

Details of the proposed mitigation measures / enhancement, along with their management, should be secured as part of a Landscape and Biodiversity Enhancement Scheme, through a suitably worded condition.

3. Lighting Design Strategy for Biodiversity (condition)

The lighting scheme should demonstrate how it's been sensitively design for wildlife (particularly bats) and meet recommendations of the section 6.2 of the Ecological Impact Assessment. This should be secured through a suitably worded condition.

4. Time Limit on Development - Further Biodiversity Surveys Required (condition)

The ecological survey work was undertaken in October 2023. Wildlife is dynamic and therefore, if there is a delay to the development, the ecological surveys will need to be updated to ensure the proposed ecological mitigation is still appropriate. We suggest this is captured through a suitably worded planning condition.

5. Breeding Birds (informative)

The PEA identified the potential impact of the scheme on breeding birds. The protection of these birds should be dealt with in the Construction Environment Management Plan (recommended to be secured through planning conditions).

Alternatively, it can be dealt with as an informative to a planning permission.

5.7. **Local Residents/Interested Parties**

Objectors

There have been 12 letters of objection received in respect of this application, from 11 address points. It should be noted that all of these letters were received from addresses within Padgetts Road and Church Road local to the application site, with a further letter from an address on Sixteen Foot Bank, all within the electoral ward.

The reasons for objection can be summarised as follows:

- Previous refusal and appeal dismissal of F/YR16/0472/O;
- Character harm;
- Countryside encroachment;
- Approval of development will set a precedent for further development in the countryside;
- Loss of agricultural land;
- Christchurch has inadequate amenities and infrastructure to support new development;
- The proposal does not constitute infill development;
- Access and highway safety concerns on a derestricted road;
- More homes will not reduce speeding traffic;
- Potential residential amenity impacts;
- Impact to watercourses;
- Letters of support received are not local to the site – will not be affected;
- Homes proposed are not ‘starter homes’;
- Already homes in Christchurch that have been built but are unable to sell;
- Emerging plan should be given no weight.

Supporters

There have been 18 letters of support received in respect of this application, from 18 address points. Letters of support were received from addresses including Padgetts Road, Church Road, Crown Drove, Euximoor Drove, Upwell Road, Elm Road, and March Road, all within the electoral ward or an adjacent ward.

The reasons for support can be summarised as follows:

- Good mix of houses proposed;

- Will assist in securing better infrastructure and amenities for the village;
- The development will help sustain the future of the village;
- The dwellings will be aesthetically pleasing;
- No flooding or drainage issues; flood zone 1;
- Within the proposed settlement boundary within emerging local plan;
- Frontage development in keeping with the area;
- New dwellings will reduce speed into the village;
- The dwellings will address the housing shortage; starter homes;

Two letters received included no reasons for support.

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) Sept 2023

Para. 2 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 11 - Presumption in favour of sustainable development.

Para. 12 - The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.

Para. 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 79 - In rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para. 130 - Planning policies and decisions should ensure high quality development.

Para. 174 - Planning policies and decisions should contribute to and enhance the natural and local environment.

7.2. National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3. National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

Resources
Lifespan

7.4. **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP12 – Rural Areas Development Policy

LP15 – Facilitating the Creation of a More Sustainable Transport Network
LP16 – Delivering and Protecting High Quality Environments
LP19 – The Natural Environment

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
LP2 – Spatial Strategy for the Location of Residential Development
LP7 – Design
LP8 – Amenity Provision
LP18 – Development in the Countryside
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP24 – Natural Environment
LP28 – Landscape
LP59 – Residential site allocations in Christchurch

7.6. **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

8 **KEY ISSUES**

- **Principle of Development**
- **Impact on the Character and Appearance of the area**
- **Access and Highway Safety**
- **Sustainability**
- **Biodiversity**
- **Other Considerations**

9 **BACKGROUND**

- 9.1. A previous outline application for the erection of two dwellings and the formation of two accesses was refused under delegated powers in August 2016 (F/YR16/0472/O). The reasons for refusal were on the basis of the

principle of development (in that the scheme was not considered as infill and would result in ribbon development), the impact of the development on the character and appearance of the area, and a lack of sufficient evidence in respect of the biodiversity impact of the scheme.

- 9.2. This refusal was subject of an appeal (APP/D0515/W/16/3165392) in April 2017, in which within the Appeal Decision the Inspector remarked that: *This proposal would not be infill development and there is not the demonstrable evidence of clear local community support for the addition of housing at the edge of the village as proposed. Consequently, this would not be the form and location of development supported under development plan policy* (Para. 13). The Inspector concluded that the development would not contribute to the achievement of sustainable development, stating: *The proposal would provide some limited social benefit in the provision of new housing, the construction and servicing of which offer some modest local economic benefits. However, this would not outweigh the environmental harm found to the character and appearance of the area and from permitting further housing in an area without reasonable access to services and facilities* (Para. 18).
- 9.3. Matters in respect of the impact on biodiversity were reconciled within the appeal. However, the outstanding matters in respect of the principle of development and the harm caused the character of the area remained as is clear from the Inspector's dismissal of the appeal in respect of the above.
- 9.4. The current application, by the same applicant as the earlier appeal on a larger area of land (which includes the appeal site), is an outline application for the erection of up to six dwellings with the formation of five accesses. The submitted Design and Access statement considers that the inclusion of the site within the Emerging Local Plan provides reasonable justification for the development.
- 9.5. It should be noted that there has been no change to the adopted development plan since the earlier appeal.

10 ASSESSMENT

Principle of Development

- 10.1. The site is located on the edge of the village of Christchurch. Policy LP3 of the Local Plan seeks to promote sustainable growth in the District and to restrict development within the open countryside, unless it is justified by special circumstances. Policy LP3 also states that new residential development in Christchurch will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling.
- 10.2. Although the proposed dwellings would be situated adjacent to an existing chalet bungalow to the south (known as The Ferns) they would not constitute infill development as required by Policy LP3 because it is not development in-between existing buildings as there is open land to one side of the site (to the north). Accordingly, the proposal would conflict with Policy LP3 in this regard.

- 10.3. There is no evidence within the submission to justify the need for the new dwellings on the site. There are limited services and community facilities in the village, with no apparent public transport provision, as such future residents of the proposed dwellings would have to rely mainly on the use of the private car. This would also be contrary to the principles of sustainable development.
- 10.4. For villages, Policy LP12 Part A supports development where it contributes to the sustainability of the settlement and does not harm the wide-open character of the countryside. It sets out specific criteria, the first of which states that the site must be in or adjacent to the developed footprint of a village. The footnote to these criteria defines the developed footprint of a village as the continuous built form of the settlement and excludes:
 - (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.
- 10.5. The application site comprises a paddock land to the northwest of The Ferns, a dwelling which represents the end of the linear built form of Christchurch. The application seeks to develop up to six dwellings beyond this, representing an incursion into established paddock land and extension of ribbon development into the open countryside to the northwest of Christchurch. As such, the application proposal would be incongruous to the prevailing local built form, in clear contravention to the aforementioned (b) above. Accordingly, the does not comply with Policy LP12 Part A.
- 10.6. This policy also advises that if a proposal is within or on the edge of a village, in conjunction with other development built since 2011 and committed to be built (i.e. with planning permission) increases the number of dwellings in a village by 10% or more then the proposal should have demonstrable evidence of clear local community support for the scheme. Christchurch has already exceeded its 10% threshold. However, an appeal decision received in respect of an application that was refused purely on this basis (F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in an otherwise acceptable scheme being refused and against this backdrop the absence of community support does not render the scheme unacceptable in planning terms.
- 10.7. As established above, the current application does not comply with Policies LP3 and LP12 in terms of principle, and as such cannot be regarded as an acceptable scheme. However, this appeal decision does justify the removal of any reference to a lack of evidence in respect of community support in any subsequent reason for refusal.
- 10.8. It is acknowledged that support for the proposal can be found within Policy LP59 of the Emerging Local Plan which allocates the application site for residential development. At present, the emerging plan is at draft stage and as such, in accordance with Paragraph 48 of the NPPF, carries limited weight in the assessment. The application must therefore be assessed against the existing policy requirements of the current adopted Fenland Local Plan (2014). Therefore, it is considered that the emerging plan would not outweigh the proposal failing to comply with the adopted local plan policies.

10.9. Given the above and noting the Inspector's decision with regard to the appeal of the previous outline application relating to this site for a lesser scheme, it is considered that the proposal remains contrary to Policies LP3 & LP12 and as such cannot be supported in principle.

Impact on the Character and Appearance of the area

10.10. Details of appearance, layout and scale are to be submitted at Reserved Matters stage, however the submitted indicative site plan suggests a mix of dwellings proposed, including both semi-detached and detached.

10.11. Policy LP12 of the Local Plan provides guidance as to the restriction of rural areas development to ensure that it has an acceptable impact on the settlement and its character.

10.12. Policy LP12 requires development to meet certain criteria in order to be supported. The site must not have an adverse impact on the character and appearance of the surrounding countryside and farmland. Similarly, the proposal must be in keeping with the core shape and form of the settlement, without resulting in the extension of linear features or create ribbon development, and must retain natural boundaries, respect ecological features, important spaces etc. Finally, the proposal must be served by sustainable infrastructure, and must not put people or property in danger from identified risks.

10.13. The development proposed would extend the existing linear feature of the developed footprint of the settlement, by adding a further six dwellings to a line of ribbon development along Padgetts Road, into an area of agricultural grassland. This area of grassland at the site is mirrored by open agricultural land opposite, and forms a distinct and natural demarcation between the developed built form of Christchurch and the countryside beyond; save for sporadic rural development to the northwest, such as Brimstone Lodge, Acorn Farm and High Lots Farm that are not considered to be within the built form of Christchurch.

10.14. Development encroaching into this land would be to the detriment of the character and appearance of the area that would arguably perpetuate a damaging precedent of advancing ribbon development along Padgetts Road, , yet further eroding the rural character, contrary to the requirements of policy LP12.

10.15. Policy LP16 seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area. There are clear views across the site and to the countryside beyond it. This is due to the absence of any significant landscaping. Therefore, impact of the development of up to six dwellings on the character and appearance of the currently open area will be significant.

10.16. The site sits at the transition between the existing built form of Christchurch and the open countryside and is more closely associated with the undeveloped rural landscape. The introduction of up to 6 additional dwellings (illustrated in a linear orientation) with a new vehicular access from Padgetts

Road and likely changes needed to the drainage of the highway in this location would result in a significant urbanisation of the area, detrimentally eroding the countryside character. This would be contrary to Policy LP16 of the Fenland Local Plan 2014 and DM3 of the High Quality Environments SPD.

Access and Highway Safety

- 10.17. Policy LP15 of the Fenland Local Plan 2014 seeks to ensure safe and convenient access for all within the district.
- 10.18. The indicative site plan suggests that there would be sufficient parking/turning room available to service the dwellings.
- 10.19. Several concerns were raised from local residents with respect to the fact that Padgetts Road is derestricted road and the impact that 5 additional accesses may have on highway safety.
- 10.20. The Highways authority have considered the submitted plans, including details of the proposed visibility splays for the accesses and raise no objection in principle.
- 10.21. However they did raise the point that the viability of the scheme may be compromised owing to the engineering works required to accommodate the required drainage and kerbing for the intended footway.
- 10.22. Notwithstanding, this matter can be reconciled through the imposition of a condition requiring details of the off-site highway works to be submitted prior to development, and thus the scheme can be considered acceptable in respect of Policy LP15, subject to conditions.

Sustainability

- 10.23. Whilst the site would not be considered as 'isolated' having regard to paragraph 80 of the NPPF, nonetheless it does not follow the rural areas development strategy as set out under LP12. With regards to paragraph 80 of the NPPF; whilst the future occupiers of the development would likely support the existing facilities and services of Christchurch, no evidence that these facilities are under any kind of threat to justify an exception to the policy in this case has been provided, notwithstanding that, any benefits would be modest through the introduction of 'up to' 6no. dwellings.

Biodiversity

- 10.24. The application was supported by an ecology report which concluded that the proposal would result in no significant adverse effects to the local ecology and included enhancements and mitigation measures to limit any impact. The CCC Ecology team considered the submitted details and mitigation measures were acceptable, subject to conditions.
- 10.25. Matters in respect of landscaping proposals and any management /maintenance of trees on the site will be considered at Reserved Matters stage.

10.26. Accordingly, it is considered that subject to conditions, the proposal is acceptable with regard to its impact on local ecology and biodiversity in accordance with Policy LP19.

Other Considerations

Parish Council Support

10.27. It is acknowledged that the Parish Council resolved to offer no objection to this proposal, noting the provision of an intended footway and potential for the development (if approved) to enable the Parish Council to apply for a speed restriction along Padgetts Road. This is not a material planning consideration when determining planning applications. Notwithstanding, this possible eventuality would not outweigh the clear policy contraventions as discussed above. Accordingly, consideration of this application must solely be based on the merits of the application, and the approval of development cannot be considered on the basis of supposition.

10.28. It is also noted that the Parish would prefer to see the inclusion of street lighting to further aid road safety. This was not raised as a matter for concern by the highways authority and lighting proposals were not included within the indicative proposals. However, if approved, this could be included as a condition to be submitted with reserved matters.

Amenity

10.29. The development would be capable of accommodating the dwellings without unacceptable compromise residential amenity of existing dwellings by virtue of impacts such as overlooking, overshadowing or overbearing impacts.

11 CONCLUSIONS

11.1. Part of this application site was subject to a previously refused scheme, and subsequent dismissed appeal for the development of up to two dwellings as recently as 2017. The current application seeks outline planning permission for the erection of up to six dwellings and the formation of five accesses and footpath, committing the details of access only at this stage.

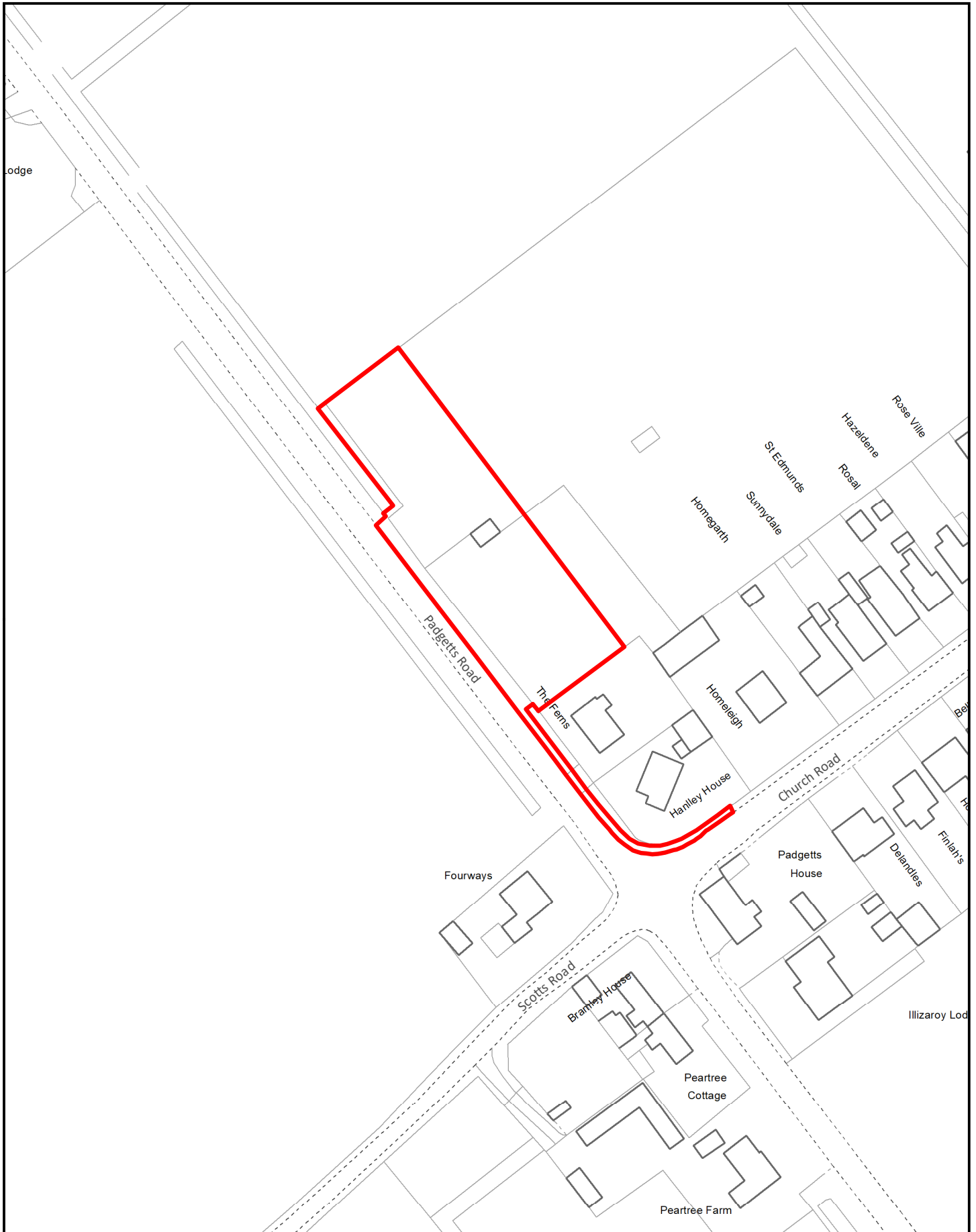
11.2. It is acknowledged that since the earlier appeal, the site has been allocated within Policy LP59 of the Emerging Local Plan for possible residential development, which forms the crux of the justification by the applicant for this development proposal. However, given the very early stage which the Plan is therefore at, in accordance with Paragraph 48 of the NPPF, it is considered that policies within this plan should carry extremely limited weight in decision making at this time.

11.3. The above assessment has established that the site is contrary to the policies of the current adopted development plan with respect to the settlement hierarchy (LP3), rural areas development (LP12) and the impact of the proposal on the character of the area (LP16). Accordingly, the application must be recommended for refusal.

12 RECOMMENDATION

Refuse, for the following reasons:

1	<p>Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district and defines Christchurch as a 'small village' where development may be permitted on its merits but normally limited to small scale residential infilling. Policy LP12 seeks to support development that does not encroach into or harm the character of the countryside. The application site constitutes an area of land located outside the developed footprint of the settlement of Christchurch. The development proposal would result in an incursion into the rural countryside rather than small scale residential infilling causing unwarranted harm to the rural character and sporadic form of development of the area. The proposal is therefore considered to be contrary to Policies LP3 and LP12 of the adopted Fenland Local Plan (2014).</p>
2	<p>Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 (d) of the Fenland Local Plan (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area. The proposal is for the construction of up to six new dwellings and five new access points resulting in the urbanisation of currently undeveloped paddock land which has a close relationship to the wider open countryside. Development on this land would be to the detriment of the character and appearance of the rural area as it would directly contradict the current settlement pattern and would arguably create a precedent for further development into the countryside, eroding the existing rural character along this part of Padgetts Road, contrary to the requirements of policy LP12 and Policy LP16(d).</p>



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F/YR23/0879/O

Scale = 1:1,250



- PLOT LEGEND**
- PLOT 1 = 3 BED SEMI DETACHED DWELLING
 - PLOT 2 = 3 BED SEMI DETACHED DWELLING
 - PLOT 3 = 4 BEDROOM DWELLING
 - PLOT 4 = 4 BEDROOM DWELLING
 - PLOT 5 = 3/4 BEDROOM LINK DWELLING
 - PLOT 6 = 3 BEDROOM LINK DWELLING


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 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

- LEGEND**
-  GRAVEL (PERMEABLE COVERING)
 -  TARMAC
 -  GRASS
 -  PERMEABLE BLOCK PAVING
 -  PATHS/PATIO AREA
 -  APPLICATION SITE
 -  LAND OWNED BY APPLICANT
 -  HOUSEHOLDER BIN LOCATIONS

A	PLANNERS COMMENTS	OCT 23
	REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED
 CONSULTING STRUCTURAL ENGINEERS

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 Building Excellence in Fenland

CLIENT
 Mr P Russell

PROJECT
 Land North West Of The Ferns Padgetts Road Christchurch Cambs PE14 9PL

TITLE
 Proposed Site Plan With Indicative Layout

DRAWN	MH	DATE OF ISSUE
CHECKED		
DATE	September 2023	DRAWING NUMBER
SCALE	AS SHOWN AT A1	H9267/03a



ALL NEW ACCESS TO BE LAID TO FALL AWAY FROM THE HIGHWAY AND BE TARMAC FINISH TO C.C.C HIGHWAYS SPECIFICATION

NEW 1.8m WIDE FOOTWAY TO LINK BACK TO EXISTING FOOTPATH IN CHURCH ROAD TO BE DESIGNED TO C.C.C HIGHWAYS SPECIFICATION

PROPOSED SITE PLAN WITH INDICATIVE LAYOUT 1:200

F/YR23/0920/O

Applicant: Mr & Mrs Grainger

**Agent: Mr Chris Walford
Peter Humphrey Associates Ltd**

Land East Of Shallon, Cats Lane, Tydd St Giles, Cambridgeshire

Erect up to 2 x dwellings (self-build) (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

1. EXECUTIVE SUMMARY

- 1.1. This application seeks outline planning permission for the erection of up to two dwellings on a grassland paddock in Flood Zones 1 - 3, on the south side of Cats Lane, Tydd St Giles. The application commits matters of access, with remaining matters reserved for later approval.
- 1.2. A previous outline application for up to three dwellings on the site was refused at Planning Committee in February 2023. There are no changes in planning circumstances in relation to the current scheme and associated reasons for refusal proposed and the previously refused application.
- 1.3. The site is located outside the built framework of Tydd St Giles and is positioned between a residential dwelling known as Shallon to the west, and open fields to the east with sporadic residential development further east. As such, the application site cannot be considered as residential infill. Therefore, the proposal remains contrary to Policies LP3 and LP12.
- 1.4. Despite a reduction in the number of units, by virtue of the proposed urbanisation of an area of open paddock land that clearly forms a natural demarcation between the built form of Tydd St Giles and the countryside beyond the existing rural character of the area will be eroded, contradicting the current settlement pattern and arguably creating a precedent for further development into the open countryside. As such, the proposal would remain contrary to the requirements of Policies LP12 and LP16(d) and as such reason for refusal 2 is not overcome.
- 1.5. Finally, the submitted application fails to provide the necessary evidence with respect to the Sequential or Exception tests in line with the settlement hierarchy. Accordingly, the scheme remains contrary to Policy LP14 and the adopted Cambridgeshire Flood and Water SPD or Section 14 of the NPPF, retaining earlier reason for refusal 3.

2. SITE DESCRIPTION

- 2.1. The site is located predominately in Flood Zones 2 & 3, on the south side of Cats Lane on the northern fringe of Tydd St Giles.
- 2.2. The site comprises land, currently used as grazing paddock, set to the east of a dwelling known as Shallon. The site is bounded to the highway by 1.2m post and rail fence, with a line of pollarded willow trees behind, the remainder of the field is bounded by a mix of fencing and hedging.
- 2.3. To the south of the site the field backs onto residential dwellings situated on Kirkgate, with further residential dwellings and Grade II* St Giles Church beyond within the main built form of Tydd St Giles. Immediately east the site is bounded by a drainage ditch which links to Shire Drain that runs on the north side of Cats Lane from the site and forms the boundary between the Fenland and South Holland Districts. To the north and east is predominately open countryside with mature trees and sporadic residential development to the north and northeast along Eaudyke Bank.

3. PROPOSAL

- 3.1. The proposal is an outline planning application for the construction of up to two dwellings on the land, put forward as being for self and custom build, with matters committed in respect of access.
- 3.2. A single 5m wide tarmac access point is proposed off Cats Lane, shared to serve the dwellings, opening to a wide gravel parking/turning area allowing separate parking/turning areas for each dwelling.
- 3.3. The submitted illustrative drawing shows two substantial detached dwellings with attached garages, parking and turning areas to front with gardens to the rear. Matters relating to appearance, landscaping, layout and scale are reserved for later approval.
- 3.4. Full plans and associated documents for this application can be found at: [F/YR23/0920/O | Erect up to 2 x dwellings \(outline application with matters committed in respect of access\) | Land East Of Shallon Cats Lane Tydd St Giles Cambridgeshire \(fenland.gov.uk\)](#)

4. SITE PLANNING HISTORY

F/YR22/0935/O	Erect up to 3 x dwellings (outline application with matters committed in respect of access)	Refused 10.02.2023
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5. CONSULTATIONS

5.1. Tydd St Giles Parish Council

The Members of the Parish Council's Planning Committee considered this application at their recent meeting. Although the number of dwellings proposed has decreased from 3 to 2, members considered this application to contain no other material change from application F/YR22/0935/O rejected earlier this year. They resolved to raise the same objections, namely that the proposal represents unsustainable development in the open countryside, outside the core built form of the village, contrary to policies LP12 and LP3.

Cats Lane is a tree-lined lane with sporadic development and the introduction of a substantial row of executive houses would be out of keeping with surrounding properties contrary to policy LP16 making neither a positive contribution to the local distinctiveness and character of the area, nor enhancing its local setting or improving the character of the local built environment.

When refusing an appeal for a similar development in Cats Lane, the Planning Inspector described Cats Lane thus: "The presence of mature landscaping and trees, together with the significant gaps between the dwellings creates an attractive sylvan and distinctive semi-rural character to the locality. In my view, this part of Cats Lane marks a transition between the tighter grain development within the village and the open countryside beyond." Members support this view and also questioned the suitability of the proposed vehicular access on a sharp bend with restricted visibility opposite a deep watercourse.

5.2. Cambridgeshire County Council Highways Authority

Upon reviewing the plans and information submitted for this application, I have no objections in principle.

I note a speed survey was undertaken and included within the design and access statement. As the 85th percentile speed is no greater than 34mph; the visibility splays included on plan reference: 6563/02H of 47m and 49m are acceptable in this situation. It is worth noting, all land required for the visibility splay must be included within the application redline boundary. Should this require third-party land, the LPA needs to be satisfied that appropriate notice has been served on all freeholders.

Whilst the above is acceptable in principle, a copy of the speed survey will need to be included as part of this application for transparency.

Should this application gain benefit of planning permission, please append the following condition and informative.

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): Class A – no gates or other means of enclosure shall be erected across the vehicular access hereby approved plan reference: 6563/02H.*

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

5.3. Environment Agency

We have reviewed the documents as submitted and have no objection to the proposed development. We have provided further details below.

Flood Risk Assessment

The development should be carried out in accordance with the submitted flood risk assessment (ref ECL0763-2/PETER HUMPHREY ASSOCIATES, dated October 2023, compiled by Ellingham Consulting Ltd.)

- *Finished floor levels shall be set no lower than 300millimeters above existing ground level.*

These mitigation measures should be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above should be retained and maintained thereafter throughout the lifetime of the development.

5.4. North Level Internal Drainage Board

My Board has no objection in principle to the above application.

The integrity of the surface water pipeline adjacent to Cats Lane must be preserved and it is recommended that surface water from the proposed site is discharged to this pipeline.

A development levy would be payable [...], for dealing with the additional surface water run-off from the site.

5.5. FDC Environmental Health

Environmental Health have no objections to this proposed application.

5.6. Senior Archaeologist (CCC)

Our records indicate that this site lies in an area of archaeological potential. Within the site redline, the Fenland Survey Project recorded Early-/Mid-Saxon remains in the form of a scatter of bone fragments and pottery sherds, some wheel-made but predominantly of hand-made wares including Ipswich Ware (Cambridgeshire Historic Environment Record reference 09014). Another area of similar remains is recorded a short distance to the north-east, immediately west of Eaudyke Bank (CHER ref 09918). Previous archaeological investigations carried out to the east of the proposed development on land north of Kirkgate have identified medieval settlement remains (MCB19892) with further medieval remains present to the west, on land north of Hockland Road (MCB20103).

We were previously consulted on a scheme within a similar redline F/YR22/0935/O, although this scheme has a lower number of plots the impact to the archaeological resource will be similar, therefore we offer the same advice, 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 DLUHC:

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 digital archives.*

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

Informatives

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.

5.7. Natural England

No objection – Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.8. CCC Ecology

The proposal is acceptable on ecology grounds, providing that the follow information to protect and enhance biodiversity is secured through suitably worded planning condition(s):

- 1. Implementation of Precautionary Method of Working set out in Ecology Report (Wild Frontier Ecology, 2023)*
- 2. Landscape and Biodiversity Enhancement Scheme*
- 3. Bird / Bat Boxes*
- 4. Lighting Design Strategy for Biodiversity*
- 5. Time Limit on Development before further biodiversity surveys required*
- 6. Informative – Breeding Birds*

Please find further details below.

1. Precautionary Method of Working - compliance

Section 7.4 of the Ecology Report recommends, to protect the following biodiversity features / species during construction:

- Great Crested Newt*
- Terrestrial species – riparian mammals, grass snake, badger and priority species including hedgehog, brown hare and common toad.*

If planning permission is granted, we recommend these mitigation measures are secure through a compliance condition to implement recommendations of Ecology Report.

2. Landscape and Biodiversity Enhancement Scheme (condition)

The Ecology Report recommends a series of mitigation / compensation measure, as well as enhancement measures including:

- *habitats of wildlife value (grassland, hedgerows and trees)*
- *habitat piles*

Details of the proposed mitigation measures / enhancement, along with their management, should be secured as part of a Landscape and Biodiversity Enhancement Scheme, through a suitably worded condition.

3. Bird / Bat Boxes (condition)

The Ecological Impact Assessment has recommended installation of bird/bat boxes as part of the scheme to compensate for loss of nesting habitat and provide enhancement for these species. We recommend details of the proposed boxes, their installation and maintenance of these boxes be secured through a suitably worded condition.

4. Lighting Design Strategy for Biodiversity (condition)

The lighting scheme should demonstrate how it's been sensitively design for wildlife (particularly bats) and meet recommendations of the Ecology Report. This should be secured through a suitably worded condition.

5. Time Limit on Development - Further Biodiversity Surveys Required (condition)

The ecological survey work was undertaken on 31st May 2022 and updated in October 2023 and is valid for 18 months. Wildlife is dynamic and therefore, if there is a delay to the development, the ecological surveys will need to be updated to ensure the proposed ecological mitigation is still appropriate. We suggest this is captured through a suitably worded planning condition.

6. Breeding Birds (informative)

The Ecology Report identified the potential impact of the scheme on breeding birds. The protection of these birds should be dealt with in the Construction Environment Management Plan (recommended to be secured through planning conditions). Alternatively, it can be dealt with as an informative to a planning permission.

5.9. Local Residents/Interested Parties

Objectors

The LPA received 26 letters of objection in respect of the scheme, from 15 corresponding address points. Of these, 1 letter was received from an address within an adjacent ward, but falling outside the FDC boundary; a further letter was received from an address in Peterborough. Notwithstanding, any pertinent planning matters raised in all letters received have been considered below.

The reasons for objection can be summarised as the following:

- The site is outside the settlement;
- The site cannot be considered infill;
- The scheme is outline with only access committed – support in respect of design, landscaping, scale, etc is not matter for consideration;
- The circumstances of the site have not changed since the previous refusal, just a reduction in number of dwellings – principle still not acceptable;
- Development would set a precedent, and open up more opportunity for ‘infill’ and further erosion of character;
- Resubmission of this application seeks to take advantage of Planning Committee;
- Failure to fully consider the material planning considerations by Planning Committee may open them to Judicial Review;
- Supporting family with new homes is not a material planning consideration;
- The proposal will detrimentally impact the countryside character of the area as outside Tydd St Giles;
- Residential amenity concerns;
- Loss of historical character; archaeological concerns;
- Loss of agricultural land;
- Would result in urban sprawl;
- No social or economic benefit from housing in this area;
- No additional need for oversized, executive homes;
- Issues in respect of flooding and drainage;
- Ecological and wildlife concerns;
- Concerns over future of TPO trees;
- Considerable concerns over traffic and highways safety on Cats Lane;

Supporters

The LPA received 18 letters of support for the scheme, from 13 corresponding address points. Of these, 2 letters were received from addresses within an adjacent ward, but falling outside the FDC boundary. In addition, 4 letters were found to be duplicates from the same address points, accordingly these were only counted once per address. Notwithstanding, any pertinent planning matters raised in all letters received have been considered below.

The reasons for support can be summarised as follows:

- The area is not open countryside;
- The site can be classed as infill;
- Will allow continued development to a natural end by Tretton Bridge;
- The scheme is in keeping with the character of the area;

- Appropriate use of land;
- Will be high quality dwellings;
- The scheme will bring in younger people to the village;
- The development will have a positive impact on local business;
- Good scheme for the family to benefit from;
- Flooding and drainage not thought to be an issue;
- Will provide positive environmental impacts
- No highway safety concerns;

One letter of support cited no reasons.

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) July 2021

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: Presumption in favour of sustainable development;

Para 12: Conflict with an up-to-date plan should not usually be granted

Para 48: Local planning authorities may give weight to relevant policies in emerging plans according to: a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

Para 79: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 80: Development within the countryside;

Para 110 – 112: Promoting sustainable transport;

Para 130: Creation of high quality buildings;

Section 14: Meeting the challenge of climate change, flooding and coastal change

7.2. National Planning Practice Guidance (NPPG)

Determining planning applications

7.3. National Design Guide 2019

Context

Identity

Built Form

Homes and Buildings

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

LP12 – Rural Areas Development Policy

LP14 – Responding to Climate Change and Managing the Risk of Flooding
LP15 – Facilitating the Creation of a More Sustainable Transport Network
LP16 – Delivering and Protecting High Quality Environments
LP19 – The Natural Environment

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
LP2 – Spatial Strategy for the Location of Residential Development
LP7 – Design
LP8 – Amenity Provision
LP18 – Development in the Countryside
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP24 – Natural Environment
LP28 – Landscape
LP32 – Flood and Water Management

7.6. Delivering and Protecting High Quality Environments Supplementary Planning Document

7.7. Cambridgeshire Flood And Water Supplementary Planning Document

8. KEY ISSUES

- **Consideration Justification**
- **Principle of Development**
- **Highway Safety/Access**
- **Character and appearance**
- **Residential Amenity**
- **Flooding and flood risk**
- **Ecology and biodiversity**
- **Other Matters**

9. BACKGROUND

- 9.1. The application is made following a previous refusal of outline permission by Members in February 2023 for development of up to three dwellings on the site (F/YR22/0935/O).
- 9.2. Three reasons for refusal were given, which can be summarised as being that the site could not be considered as infill, the impact in relation to the character and appearance of the area, and the failure to provide demonstrable evidence that the scheme would be acceptable in respect of flood risk.

10. ASSESSMENT

Consideration Justification

10.1. The submitted Design and Access statement offered three key decisions recently made by Members to approve applications contrary to officer recommendation that the applicant considers to be relevant to the current application, including F/YR23/0548/O, F/YR23/0362/O and F/YR22/0724/F. The below outlines a summary of the Officer's recommendation for each.

10.2. F/YR23/0548/O - Land West Of 176 High Road Gorefield - Erect up to 5 x dwellings (outline application with all matters reserved) and the formation of 5 x accesses

This application was recommended for refusal by Officers for the same reasons as the previous refusal of F/YR22/0935/O as the scheme was not considered infill, would result in unacceptable character harm and a lack of evidence in respect of flood risk.

10.3. F/YR23/0362/O - Land West Of 491 March Road Turves - Erect up to 3 x dwellings with associated accesses and infrastructure (outline application with all matters reserved)

This application was recommended for refusal by Officers for similar reasons to the previous refusal on the subject site, including the scheme would not be considered infill, would result in unacceptable character harm, and a lack of evidence in respect of flood risk; along with 2 further site-specific reasons: insufficient evidence in respect of highway safety and the same for ecology.

10.4. F/YR22/0724/F - Land South West Of Sapphire Close Tydd St Giles - Construction of building containing three units for use as a hot food takeaway (unit 1); retail shop with post office (unit 2) and retail convenience store (unit 3) and an ATM with a one bedroom flat above units 1 and 2, with vehicular access, car park to the front and delivery and turning area to the rear with 1.8 metre close boarded boundary screening

This application was recommended for refusal by Officers, again for similar reasons to that of the subject site, including that the scheme could not be considered infill, character harm to the open countryside, and a lack of evidence with respect to flood risk; along with a further site-specific reason in respect of a lack of evidence in respect of the retail impact.

10.5. Regarding the above, it is clear that Officers considered each of the above applications consistently and on their merits, whilst applying the necessary policies of the Fenland Local Plan (2014) as required by the NPPF. Accordingly, each were considered contrary to the current Fenland Local Plan (2014) in respect of the settlement hierarchy (LP3), rural areas development and impact on character (LP12 & LP16), and flood risk (LP14), alongside various other site-specific issues. Notwithstanding decisions reached by Members in these cases, each application should be considered on its own merits and there are no material considerations with respect to the current application that justify a departure from applying the relevant local and national planning policies when assessing the current scheme as set out below.

Principle of Development

- 10.6. Whilst the proposal has been reduced in number, the locational circumstances of the site have not changed since the earlier refusal of the scheme.
- 10.7. Policy LP3 of the Fenland Local Plan sets out the settlement hierarchy for development within the district, grouping settlements into categories based on the level of services available, their sustainability and their capacity to accept further development.
- 10.8. Policy LP3 classifies Tydd St Giles as a 'Small Village' where residential development will be considered on its merits and will normally be limited in scale to residential infilling. Policy LP12 of the Local Plan elaborates on this by stating that for villages development will only be supported if it is adjacent to the built form except for 'small' or 'other' villages which will normally be limited to infill. The site is positioned between a residential dwelling known as Shallon to the west, and open fields to the east with sporadic further residential development further east. As such, the proposed application site cannot be considered as residential infill.
- 10.9. In respect of the consultation draft to of the emerging Local Plan, which carries limited weight as this time, given that consultation has only recently commenced, the site is outside of the defined settlement boundary of Tydd St Giles, and is therefore classed as open countryside where development will only be permitted in the circumstances set out within Paragraph 80 of the NPPF.
- 10.10. Policy LP1 of the emerging Plan does contain an element relating to Frontage Infill Development, applicable at the edge of settlements. It is considered that this conflicts with the NPPF and therefore can carry no weight. However, for the sake of completeness, if this policy were to be applied the development would not accord given the circumstances of the site.
- 10.11. Consequently, the proposed development remains in clear conflict with Policies LP3 and LP12 of the adopted Local Plan, the NPPF and also would not comply with the emerging Plan. As such, the earlier reason for refusal in respect of the settlement hierarchy cannot be reconciled.

Highway Safety/Access

- 10.12. The application includes the creation of a shared access off Cats Lane, illustratively leading to a separate parking/turning areas for each proposed dwelling. The driveways will lead to garages, with additional parking to the front of each dwelling. The shared vehicular access is intended as 5m wide and surfaced with tarmac for the first 5m. There is sufficient turning space provided to allow vehicles to enter and exit in a forward gear, and it is likely that the parking areas will offer sufficient parking in line with the parking provision requirements set out in Appendix A of Policy LP15. Notwithstanding, the exact requirement is unknown as details of layout and scale are reserved for later approval.
- 10.13. Concerns have been raised in received representations in respect of highway safety and access and have been noted. The indicative site plan indicates suitable visibility splays unchanged from the previous scheme, that were

supported at the time by supplementary speed/traffic surveys. These have been resubmitted with the current application for the avoidance of doubt.

- 10.14. The highways authority has returned no objections to the scheme in light of the evidence received, subject to conditions. As such, it is considered that the proposal conforms to Policy LP15 of the Fenland Local Plan.

Character and appearance

- 10.15. Details of appearance, layout and scale are to be submitted at Reserved Matters stage, however the submitted indicative site plan suggests that the dwellings will be two substantial detached dwellings with attached garages, fronted by gravel parking and turning areas and flanked by landscaping to all sides.

- 10.16. With reference to a site to the southwest of the application site, a Planning Inspector on consideration of the character of the area in response to an appeal for Land North Of Hollingworth House Hockland Road Fronting Cats Lane (APP/D0515/W/16/3163076) described the area as follows:

“The presence of mature landscaping and trees, together with the significant gaps between the dwellings creates an attractive sylvan and distinctive semi-rural character to the locality. In my view, this part of Cats Lane marks a transition between the tighter grain development within the village and the open countryside beyond.”

- 10.17. It should be noted that the appeal site related to a site approximately 120m southwest of the current application site could be argued to be more closely located to the existing built form of Tydd St Giles than the current site.

- 10.18. In that regard, given the relative locations of the application site in comparison with the appeal site, it can be reasonably concluded that the application site is more associated with the open countryside to the north and east of Tydd St Giles.

- 10.19. Policy LP16 (d) considers the impact of development on local distinctiveness and character. Moreover, in rural areas, a development proposal needs also to satisfy the criteria set out in Policy LP12. As this application is Outline with matters committed in respect of access only, the main issue for consideration is whether the *principle* of development in this location would accord with the necessary criteria of Policy LP16(d) and LP12.

- 10.20. Policy LP12 requires development to meet certain criteria in order to be supported. The site must be in or adjacent to the existing developed footprint of the village, it must not result in coalescence with any neighbouring village and must not have an adverse impact on the character and appearance of the surrounding countryside. Similarly, the proposal must be in keeping with the core shape and form of the settlement, without resulting in the extension of linear features or create ribbon development, and must retain natural boundaries, respect ecological features, important spaces etc. Finally, the proposal must be served by sustainable infrastructure, and must not put people or property in danger from identified risks.

10.21. The Planning Inspector (in respect of planning appeal APP/D0515/W/16/3163076) highlighted that this area of Cats Lane marks a transition point between Tydd St Giles and the open countryside. Whilst it is noted that this application proposes a reduction in the number of units to the earlier refused scheme, the development proposed would nonetheless see the introduction of two substantial dwellings on currently undeveloped paddock land. This land currently forms a distinct and natural demarcation between the developed built form of Tydd St Giles and the countryside beyond. Development on this land would be to the detriment of the character and appearance of the rural area as it would directly contradict the current settlement pattern and would arguably create a precedent for further development into the countryside, eroding the existing rural character along Cats Lane. Accordingly, the proposal remains contrary to the requirements of policy LP12 and Policy LP16(d) and the reason for refusal to the same should be upheld.

Residential Amenity

10.22. There are no indicative floor plans or elevations offered with the application and as such it cannot be established definitively if issues such as overlooking will need to be reconciled. However, owing to the relative position of the proposed dwellings, shown indicatively, it would appear that there may be negligible issues relating to impacts on residential amenity to reconcile from the scheme.

10.23. The illustrative site plan also indicates that suitable amenity space may be provided for each dwelling to meet the requirements of Policy LP16 of the Local Plan.

Flooding and flood risk

10.24. Policy LP14 of the Fenland Local Plan and section 14 of the National Planning Policy Framework deal with the matter of flooding and flood risk, and the siting of dwellings on land at the risk of flooding. Parts of the site fall in each of Flood Zones 1, 2 & 3, with the bulk of development proposed within Zones 2 & 3.

10.25. Policy LP14 requires development proposals to adopt a sequential approach to flood risk from all forms of flooding, and states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management.

10.26. The application is accompanied by a Flood Risk Assessment that includes consideration of the Sequential and Exception Tests concentrating the area of search to Tydd St Giles only. The village-wide area of search is justified within the submitted Design and Access statement to be “*based on recent precedents set by other applications.*” as discussed in paragraphs 10.1 – 10.5 above.

10.27. Noting the adopted and indeed consistent stance of Officers when applying the sequential test on sites which do not comply with the settlement hierarchy it is asserted that the scheme has no potential to satisfy the sequential test, as this would require the application of the Sequential test on a district wide

scale. It is further identified in the updated NPPG (August 2022) that even where a flood risk assessment shows that development can be made safe for its lifetime the sequential test still needs to be satisfied, i.e. the proposed flood risk safety measures do not overcome locational issues.

10.28. Comments from the Environment Agency are noted. However acceptability of the FRA should not be taken to mean that the EA consider the proposal to have passed the Sequential Test. As a matter of principle therefore refusal is required by the relevant planning policies as, owing to the lack of sufficient evidence to the contrary, the Sequential Test is considered failed.

10.29. As such, the proposal fails to accord with the necessary requirements of Policy LP14, the SPD and the NPPF, and as such, the reason for refusal on the basis of a lack of demonstrable evidence that the scheme would be acceptable in respect of flood risk should remain.

Ecology and biodiversity

10.30. Concerns have been raised from local residents with respect to the impact of the development of local ecology and biodiversity.

10.31. The application was supported by an updated ecology report which concluded that the proposal would result in a minor negative impact to the local ecology, but recommended mitigation measures to limit this impact. The CCC Ecology team considered the submitted details and mitigation measures are acceptable, subject to conditions.

10.32. Matters in respect of landscaping proposals and any management /maintenance of trees on the site will be considered at Reserved Matters stage.

10.33. Accordingly, it is considered that subject to conditions, the proposal remains acceptable in regard to its impact on local ecology and biodiversity in accordance with Policy LP19.

Self-Build and Custom Build

10.34. The current application has been proposed as self/custom build housing (as indicated on the submitted application form).

10.35. Policy LP5, Part C seeks to provide, in appropriate circumstances, housing solutions that meet market expectations including self-build homes, which is supported by para 63 of the NPPF. Under Section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Weight would therefore be given to this, the amount dependant on identified demand.

10.36. Self-build or custom build housebuilding covers a wide spectrum, however LPA's must be satisfied that the initial owner of the home will have primary input into its design. Off plan housing is not considered to meet the definition of self and custom build. This application, given its outline nature, provides

limited details of the proposed plots and as such may be considered to meet this definition. Notwithstanding, the Council can currently demonstrate that the number of permissions given for self/custom builds exceeds identified demand, and as such very limited weight can be afforded to this matter.

- 10.37. Apart from the indication on the submitted application form, there has been no evidence submitted within the supporting documentation with this application with reference to the intention for these dwellings to be self/custom build, such as, for example, proof of the applicant's listing on the self-build register. It should also be noted that the earlier application on this site by the same applicant, F/YR22/0935/O, was indicated as market housing.

Other Matters

- 10.38. Economic benefits of the construction of the development are acknowledged, although these would be limited and short-lived given the scale of the proposed development. In addition, whilst it is acknowledged that small-scale developments such as the proposed do help to contribute to the overall sustainability of settlements, it is not considered that the benefits of approval of such a scheme would justify an exception to policy in this case. Notwithstanding, any benefits would be very limited through the introduction of 'up to' 2no. dwellings.
- 10.39. Matters in relation to the benefit of providing homes for family members is not a material planning consideration and should be attributed no weight in decision making.

11. CONCLUSIONS

- 11.1. Notwithstanding the reduction in the number of units, the locational circumstances of the site have not changed since the earlier refusal of the scheme. Furthermore, there are no material considerations with respect to the current application that justify a departure from applying the relevant local and national planning policies when assessing the current scheme.
- 11.2. Earlier reason for refusal 1, in respect of the settlement hierarchy, has not been overcome. The site is located outside the built framework of Tydd St Giles and is positioned between a residential dwelling known as Shallon to the west, and open fields to the east with sporadic residential development further east. As such, the proposed application site cannot be considered as residential infill. Therefore the proposal remains contrary to Policies LP3 and LP12.
- 11.3. Despite a reduction in the number of units, by virtue of the proposed urbanisation of an area of open paddock land that clearly forms a natural demarcation between the built form of Tydd St Giles and the countryside beyond the existing rural character of the area will be eroded, contradicting the current settlement pattern and arguably creating a precedent for further development into the open countryside. As such, the proposal would be contrary to the requirements of Policies LP3, LP12, LP16(d) and DM3 (2014) and as such reason for refusal 2 is not overcome.

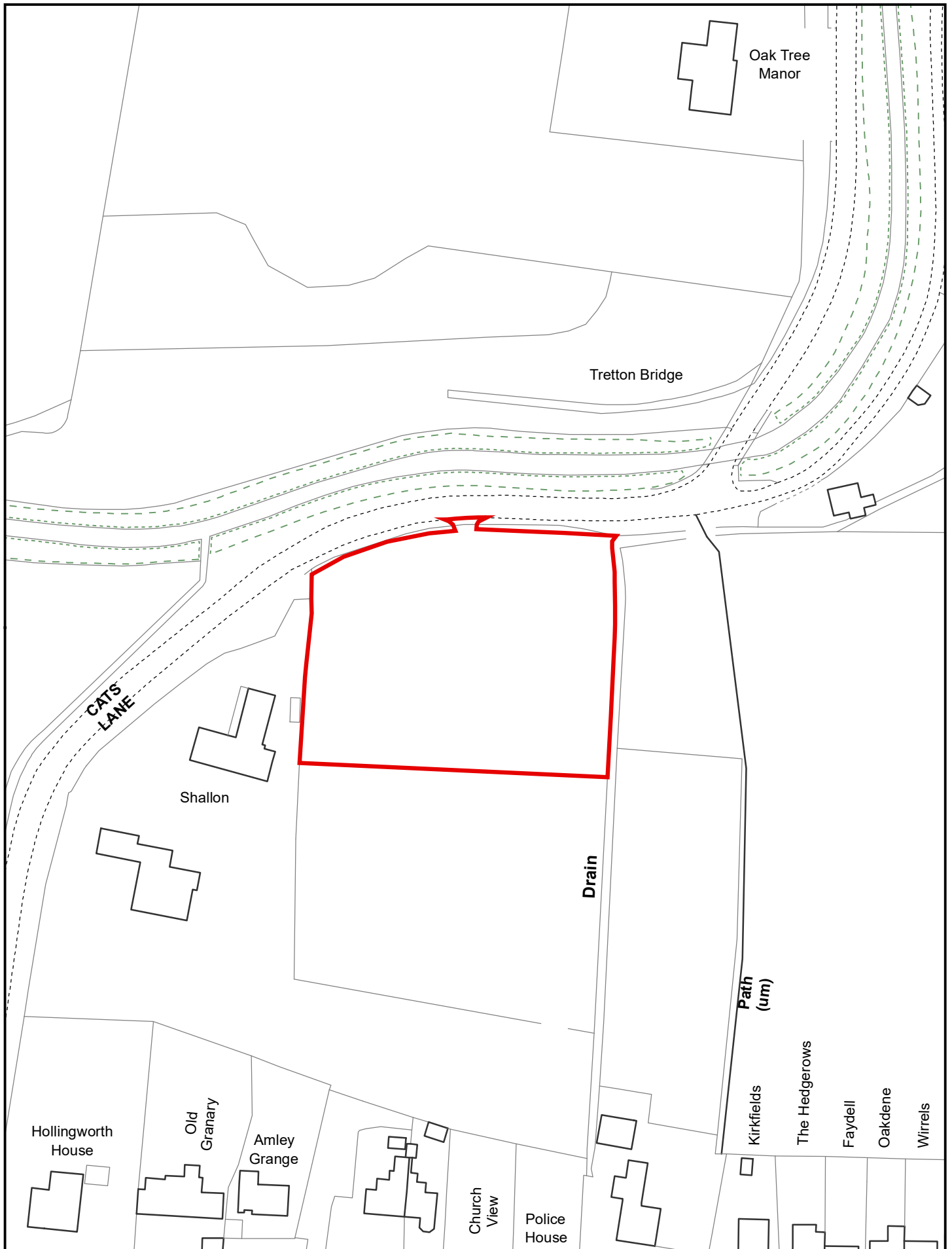
- 11.4. Finally, the submitted application fails to provide the necessary evidence with respect to the Sequential or Exception tests in line with the settlement hierarchy. Accordingly, the scheme remains contrary to Policy LP14 and the adopted Cambridgeshire Flood and Water SPD or Section 14 of the NPPF, retaining earlier reason for refusal 3.
- 11.5. Committee should note the absence of any change in planning circumstances in relation to the current scheme and associated reasons for refusal proposed in addition to the previously refused application. Committee Members are therefore directed towards the Planning Code of Conduct in relation to consistent decision making where there have been no changes in planning circumstance.

12. RECOMMENDATION

Refuse, for the following reasons;

1	Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district and defines Tydd St Giles as a 'small village' where development may be permitted on its merits but normally limited in scale to residential infilling. Policy LP12 of the Local Plan elaborates on this by stating that for villages development will only be supported if it is adjacent to the built form except for 'small' or 'other' villages which will normally be limited to infill. The site is positioned between a residential dwelling known as Shallon to the west, and open fields to the east with sporadic residential development further east. As such, the proposed application site cannot be considered as residential infill. Thus, the proposal is considered contrary to Policy LP3 and LP12.
2	Policy LP12 seeks to support development that in such a location does not encroach into or harm the character of the countryside. Policy LP16 (d) of the Fenland Local Plan (2014) and Policy DM3 of Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area. By virtue of the proposed urbanisation of an area of open paddock land that clearly forms a natural demarcation between the built form of Tydd St Giles and the countryside beyond this existing rural character will be eroded, contradicting the current settlement pattern and arguably creating a precedent for further development into the open countryside. As such, the proposal would be contrary to the requirements of Policies LP3, LP12, LP16(d) and DM3 (2014).
3	Policy LP14 of the Fenland Local Plan, Section 14 of the National Planning Policy Framework (2019) and Cambridgeshire Flood and Water Supplementary Planning Document (2016) require development proposals to adopt a sequential approach to flood risk from all forms of flooding, and Policy LP14 states that

<p>development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management. The application does not include sufficient evidence in respect of the sequential or exception tests and therefore fails to provide demonstrable evidence that the scheme would be acceptable in respect of flood risk. The proposal is therefore contrary to policy LP14 of the Fenland Local Plan (2014), Section 14 of the National Planning Policy Framework (2019) and Cambridgeshire Flood and Water Supplementary Planning Document (2016).</p>
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Created on: 10/11/2023

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F/YR23/0920/O

Scale = 1:1,250



H - New scheme.
 G - Existing public footpath added to plan.
 E - Indicative plot layout amended.
 D - Vision signs agreed with CCC Highways added.

REVISIONS	JOB NO.	PAPER SIZE	DATE
	6563/02H	A1	AUG 2023

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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.

CLIENT
MR & MRS GRAINGER

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
**LAND ADJ SHALLON
 CATS LANE
 TYDD ST GILES
 CAMBS
 PE13 5LZ**

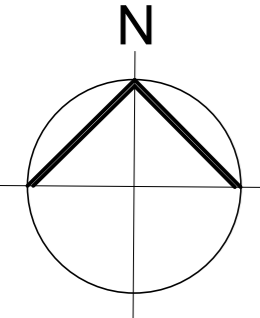
DRAWING
PROPOSED SITE PLAN



**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



Proposed Site Plan 1:500 (Indicative Layout Shown)

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F/YR22/1084/F

Applicant: Mrs Theresa Steer

**Agent : Mr Ethan Giles
Green Planning Studio Ltd**

Land To The Land South West Of 92, High Street, Chatteris, Cambridgeshire

The siting of a mobile home for residential use and erection of an ancillary day room

Officer recommendation: REFUSE

Reason for Committee: Deferred by Committee at its meeting in August 2023 in order to obtain clarification regarding several matters including bin collection; legal opinion; whether there will be an intensification of the access and for an up to date site visit to be conducted.

1 EXECUTIVE SUMMARY

- 1.1 This application has previously been referred to the Planning Committee for determination on 23rd August 2023 where it was agreed to defer the application for members to receive the information on personal circumstances and the Barrister's opinion on gypsy status together with a report from the Council's Traveller and Diversity Manager- whether there is further evidence that substantiates the applicant's claim; to resolve the issue around the bins; whether there will be intensification of the access and how long the applicant has lived on site to assess potential risk and clarification on where the applicant is currently living on site.
- 1.2 Following deferral, the case officer has been in correspondence with the agent and a further site visit has been conducted. Further to this, amended plans were submitted updating the existing arrangement on site. In situ, currently, there is a mobile home; dayroom extension; utility/wash room and storeroom. The originally submitted proposed plan demonstrates that the existing structures on site will be removed and replaced by a single dayroom with the mobile home re-positioned.
- 1.3 With regards to the privileged Legal Opinion, a copy has been presented as a separate confidential paper to Members along with the comments of the Council's Traveller and Diversity Manager.
- 1.4 In respect of bin collection, Waste Management have confirmed that bins from 84a High Street are presented at the top of the driveway with the High Street. 84b appears only to use the green general waste, again it is brought to the top of the driveway. They also state that 'from the application, there would be no additional properties and therefore no change to the current arrangements which appear to operate without issue for the residents and from a collection point of view'.
- 1.5 Further detailed correspondence took place with County Highways where it has been concluded that they are maintaining their objection

1.6 Consequently, the recommendation is to refuse the application, consistent with the previous recommendation.

2 UPDATE

2.1 This application has previously been referred to the Planning Committee for determination on 23rd August 2023 where it was agreed that the determination of the application be deferred for members to receive the information on personal circumstances and the Barrister's opinion on gypsy status together with a report from the Council's Traveller and Diversity Manager - whether there is further evidence that substantiates the applicant's claim; to resolve the issue around the bins; whether there will be intensification of the access and how long the applicant has lived on site to assess potential risk and clarification on where the applicant is currently living on site.

2.2 Contained within Appendix A is the original Officer's committee report.

3 CONSULTATIONS

Waste management

3.1 *Bins from 84a High Street are presented at the top of the driveway as per pic attached from today's collections. 84b appears only to use the green general waste bin which again this is brought up to the top of the driveway when it requires collection.*

From the application there would be no additional properties and therefore no change to the current arrangements which appear to operate without issue for the residents and from a collection point of view.

County Highways (14/11/23)

3.2 *Any new dwelling would typically result in an intensification when measured against a 'greenfield' baseline. A single dwelling (or mobile home in this case) would generally be expected to result in circa 2-3 two-way vehicle trips a day which is a relatively modest intensification but considering the limitations of the access onto High Street, it could still result in an adverse impact on pedestrian safety. For avoidance of doubt, the pertinent risks are:*

- *Exiting vehicles don't have visibility of passing pedestrians until they have already crossed into their path.*
- *By virtue of the limited access width, obstruction of the highway could occur, or vehicles could be required to exit the site in a reverse gear, which exacerbates the above issue relating to pedestrian visibility.*

That being said, while this is detrimental to highway safety, the magnitude of the adverse impact is limited by the scale of development.

Has the applicant provided details as to how the land is currently being used? If they can demonstrate that vehicular trip rates associated with the proposed use are no greater than those associated with the current permitted use of the land, then there would be no grounds for objection.

County Highways (20/11/23)

Up to date site photos were made available for the Highways Officer to review.

In consideration of the photos I think on balance I would maintain my objection as the development would intensify use of the sub-standard access by circa 25% (unless the applicant can demonstrate otherwise) thus introducing additional risk for road users along High Street. For avoidance of doubt, the pertinent risks are:

- Due to the restrictive access width, two vehicles would be unable to pass, meaning that the development could lead to more frequent obstruction of the access which could result in vehicles reversing out of the site onto High Street where visibility is limited.*
- The lack of pedestrian visibility, particularly from the south, means that exiting vehicles have no forewarning of passing pedestrians until they are already crossing their path. While the proposals will result in an increase in domestic traffic, the remote nature of the dwelling from the highway also makes it more likely for delivery vehicles (e.g., parcel / grocery delivery) to utilise the access.*

Agent direct Highways to the applications supplementary Access Review, whereby our stance on vehicle movements is stated.

I've had a read through the document, and it doesn't change my last response. My principal concern relates to the lack of pedestrian visibility, which hasn't been referred to in the document.

4 ASSESSMENT AND CONCLUSIONS

Legal opinion

- 4.1 Due to the sensitivity of the application, Members have been made aware of the privileged Legal Opinion as a separate confidential paper, as requested, along with comments from the Council's Traveller and Diversity Manager.

Land Use/Intended occupiers

- 4.2 An up-to-date site visit was carried out on 21st September 2023 where it was confirmed there are several structures on site. In correspondence from the agent on 6th November, an updated 'Existing Site Plan' was received that confirms the current layout. A copy of this has been provided in the updated presentation. This includes:

- Existing mobile home unit
- Dayroom extension
- Utility/wash room (containing washing machine and tumble dryer)
- Storeroom (shed like structure used for storage)

For clarity, the proposed site plan originally submitted depicts how the single residential pitch will be arranged. All existing structures on site, aside from the mobile home, will be removed and replaced with a single dayroom. The mobile home will simply be re-positioned. Dayroom details are provided in drawing no.

21_1189_005.

- 4.3 The agent has also clarified the occupation and use of the site in correspondence received on 6th November:

The application site was purchased by the applicant, Theresa Steer, on the 08th July 2019. From this date until August 2020 the site was used by the applicants son, Jack Steer, for storage; mainly of a vehicle and horses. In August 2020 (Bank Holiday weekend) a mobile home was brought onto site and positioned as shown on drawing no. 21_1189_002 P02. The intended occupants, Jack and his resident dependents, moved onto site and occupied the mobile home. In December 2020, the dayroom extension was erected.

The term "intended occupants" refers to those who will occupy the site should approval of this application be granted. In this situation, the intended occupants are already living on site and have done so since August 2020. They have lived on this site as a single family unit for the past 3 years and 2 months.

The application form submitted in respect of this application states the existing use being 'residential curtilage and allotted land' as well as answering 'No' to the question, "Has the work or change of use already started". Further to this, it is to be noted that there is no lawful residential use of application site with two previous applications being refused with the existing use of the site in both cases being stated as 'grassland'.

Waste Management

4.4 In correspondence received from Waste Management (2nd November 2023):

Bins from 84a High Street are presented at the top of the driveway as per pic attached from todays collections. 84b appears only to uses the green general waste bin which again this is brought up to the top of the driveway when it requires collection.

From the application there would be no additional properties and therefore no change to the current arrangements which appear to operate without issue for the residents and from a collection point of view.

4.5 As stated above, however, there is no consented residential use of the land. 84A lies to the immediate east of the site with no markings on the submitted 'Site Location Plan' referring to 84b, therefore it could be concluded that 84b relates to the application site. Given this, the Waste Management Team raise no issues in respect of this current arrangement and therefore the information is considered to address any potential reason for refusal in this regard.

Highway Safety

4.6 The deferral of the application at committee in August requested further details in respect of that whether there will be intensification of the access. Correspondence has taken place with both the agent and Highways officer with highways comments detailed within Consultee responses referenced above.

4.7 A mobile home was sited on the land in question in 2020 with no legal planning use of the land having since been obtained. Prior to the siting of the mobile home, application forms submitted for the new dwelling state the use of the land to be 'grassland'.

4.8 Whilst there is a dwelling sited to the rear of the built form, no84a High Street, the use of the site for residential purposes regardless of permanence, sees the Highways officer maintain their objection as the development would intensify use of the sub-standard access by circa 25% therefore introducing additional risk for road users along High Street. For avoidance of doubt, the pertinent risks are:

- Due to the restrictive access width, two vehicles would be unable to pass, meaning that the development could lead to more frequent obstruction of the access which could result in vehicles reversing out of the site onto High Street where visibility is limited.
- The lack of pedestrian visibility, particularly from the south, means that exiting vehicles have no forewarning of passing pedestrians until they are already crossing their path. While the proposals will result in an increase in domestic traffic, the remote nature of the dwelling from the highway also makes it more likely for delivery vehicles (e.g., parcel / grocery delivery) to utilise the access.

4.9 Given the above, the information is not considered to overcome the first reason for refusal.

Heritage Assets

4.10 The original committee report referred to the proposal further eroding the legibility and significance of the mediaeval burgage feature and that consequently it would fail to meet the desirable outcome of preserving or enhancing the character or appearance of the Chatteris Conservation Area. A reason for refusal on heritage grounds was listed. However, it is noted that whilst two previous applications for a dwelling on the site were refused, there was no reason to refuse included on the grounds of impacting upon the character or appearance of the Conservation Area. Given the development in question is of a smaller scale and less permanent in nature than those refused, it is considered that this will not impact on the character or appearance of the Conservation Area and therefore recommends that reason for refusal 2 be removed due to the oversight by the case officer as referenced above.

5. Conclusion

5.1 The additional information submitted in respect of the application is not considered to overcome refusal reason 1 in relation to highway/pedestrian safety issues and as such the conclusions and recommendations in the original report to committee, contained within Appendix A remain unchanged in this regard and the Officer recommendation for refusal on highway/pedestrian safety grounds remains.

5 RECOMMENDATION:

Refuse; for the following reason:

1	Policy LP15 of the Fenland Local Plan 2014 requires development schemes to demonstrate that they have had regard to several criteria, including providing a well-designed, safe and convenient access for all. The NPPF states (at paragraph 111) that developments should ensure that safe and suitable access to the site can be achieved for all users and development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists, and vehicles. The existing shared driveway is considered to be inadequate to
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	<p>serve the proposed development by reason of its restricted width along its length which could result in conflict between pedestrians and vehicles together with the lack of passing places and restricted visibility at its junction with High Street. As a result, safe and suitable access to the site for all people as required in the NPPF would not be achieved. Policy LP15 (c) is consistent with the NPPF in requiring well designed, convenient and safe access for all. The proposal would conflict with Policy LP15 (c) of the Fenland Local Plan 2014, and paragraph 111 of the NPPF.</p>
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F/YR22/1084/F

Applicant: Mrs Theresa Steer

**Agent : Mr Ethan Giles
Green Planning Studio Ltd**

Land South West Of 92, High Street, Chatteris, Cambridgeshire

The siting of a mobile home for residential use and erection of an ancillary day room

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application proposes the siting of a mobile home for residential use and erection of an ancillary day room. It was confirmed by the agent in the early stages of the application through correspondence that the application was made on the basis to provide accommodation for a gypsy/traveller. This argument has been assessed and barrister opinion sought, with the conclusion being that the applicant is not considered to be a Gypsy Traveller for the purposes of the policy definition
- 1.2 The development would impact adversely on the character of the Conservation Area by further eroding the settlement morphology of the area and would be contrary to policy LP18 which seeks to protect, conserve and seek opportunities to enhance the historic environment.
- 1.3 The site is proposed to be served by an existing vehicular access from the High Street. The change of a permanent dwelling to a mobile home makes no difference in terms of highway impacts at the access. The existing access lacks sufficient visibility and whilst the intensification is modest, it will result in an increased risk of collision particularly with passing pedestrians and therefore contrary to policy LP and paragraph 111 of the NPPF
- 1.4 In summary, there is insufficient evidence to satisfy that the intended occupier meets the definition referenced above. Given this, any personal circumstances cannot be used to 'tip the balance' in favour. The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The site lies within the settlement of Chatteris and within the Chatteris Conservation Area. The site is accessed via High Street, through a shared

driveway positioned between 86 High Street and 84 High Street, a Grade II listed dwelling, leading to 84a High Street and beyond to the site itself. The access opens up beyond a 5-bar gate into an area of grassland and compacted gravel hardstanding. At the time of site inspection, there was evidence of a large area of scrap metal stockpiling near the eastern boundary, various rubble and refuse heaps, and vehicles parked in the area.

- 2.2 The site is bounded by a high brick wall to the south side, 1.8m high close boarded timber fencing to the west, panelled fencing to the east (which forms the boundary with the garden area of 84a), and is currently open to the north, adjacent on this side to an established yard area situated behind the dwellings of 86-92 High Street. The site is flat throughout and is within Flood Zone 1, area at lowest risk of flooding.

3 PROPOSAL

- 3.1 The application seeks full planning permission for the use of the land for residential use and ancillary day room. It was confirmed by the agent in the early stages of the application through correspondence that that application was made on the basis to provide accommodation for a gypsy/traveller.
- 3.2 The structures are to be located to the rear of 92 High Street with the mobile home lying parallel with boundary to no84A High Street and the day room offset to the south-west. The latter will house a day room, bathroom and kitchen facility and is to measure 3.4 x 6.5m with a shallow pitched roof. Timber cladding is proposed with a clay tiled roof.
- 3.3 The agents Planning Statement states that 'The proposed caravans will conform to the definition within Section 29(1) of the Caravan Sites and Control of Development Act 1960 and Section 13(1) of the Caravan Sites Act 1968 and therefore plans and elevations of individual units are not required.'
- 3.4 The submitted site plan also indicates provision for two vehicles with a turning area to the south-western corner of the site and the installation a bin store adjacent to the boundary with no84A High Street. An existing close boarded timber fence is in existence to the northern and southern boundaries with proposed root protection areas to the existing trees that are to be retained.
- 3.5 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?keyVal=RILTJKHE06P00&activeTab=summary>

4 SITE PLANNING HISTORY

- 4.1 F/YR20/0119/F | Erect single-storey 3-bed dwelling - Refused
- 4.2 F/YR20/0581/F | Erect single-storey 3-bed dwelling - Refused

5 CONSULTATIONS

- 5.1 **County Archaeology** – *No objections or requirements for the proposed development*
- 5.2 **Chatteris Town Council** – *Recommend refusal. Access is unsuitable. Poor visibility for vehicles leaving the site as opening is too narrow and is on a bend in the road*
- 5.3 **County Highways** - *There are two recently refused planning applications for a dwelling in the same location (ref: F/YR20/0119/F and F/YR20/0581/F). Both applications were refused on highway safety grounds, amongst other considerations.*

The change of a permanent dwelling to a mobile home makes no difference in terms of highways impacts at the access. As such, the previous comments remain valid. The existing access lacks sufficient visibility for use by a single access and if it were proposed today, it would be refused. The intensification, while modest, arising from an additional dwelling will result in increased risk of collision, particularly with passing pedestrians. As such, I object to the application.

For context, a shared use access should meet the following criteria: Standard requirement Proposed 5m wide for at least the first 8m to allow two domestic vehicles to pass and mitigate the risk of reversing onto the highway 3.3m at access. Note Building Regulations Part B5 state for fire tender access, a minimum of 3.1m at gates is permitted but 3.7m is the recommended minimum width of roads kerb to kerb (or in this case building to building). 2m x 2m pedestrian visibility splays, measured to the nearside footway edge. The splays must be kept clear from a height of at least 600mm and be contained within the application boundary and / or the highway boundary. There is zero pedestrian visibility, meaning there is a risk that exiting vehicle will collide with passing pedestrians. 2.4m x 4.3m inter-vehicular visibility splays, measured to the nearside carriageway edge. Visibility splays to the centreline (to the left on exit) are only accepted where vehicles cannot overtake. A reduction will be accepted proportional to the 85th percentile observed vehicle speeds. 2.4m x 4.5m / 2.4m x 4.3m. A reduction in the x-distance (2.4m) is not accepted as this is to account for vehicle bonnet length. To reduce this, risk clipping of the bonnet by passing vehicles. Within the site, parking and turning arrangements are acceptable, but I do note that the location of the proposed parking clashes with a tree protection fence. I recommend that you consult with FDC's waste collection team as I note the bin store is remote from the highway, presumably the collection point.

- 5.4 **Conservation Officer** - *This application concerns the siting of a mobile home for residential use and erection of an ancillary day room on land to the southwest of 92 High Street, Chatteris. The site lies within Chatteris Conservation Area and in close proximity to No. 84 High Street, Chatteris which is Grade II listed.*

Consideration is given to the impact of the proposal on the architectural and historic interests of an adjacent listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.

Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.

Relevant planning history associated with the site is under planning ref: F/YR20/0119/F for the erection of a 3 bed dwelling bungalow which was refused on a number of grounds pertaining to access and occupier amenity. Also, an application for 2 bungalows on a site to the rear of No. 94 High Street has been previously refused (F/0834/88/O) on the grounds that piecemeal development on backland would be out of character with this part of the town, to the detriment of adjacent residents and that the access would have a detrimental impact upon the attractiveness and future well-being of the listed building at No. 94 High Street.

The proposal put forward is not acceptable. The following comments are made: Historically this area was dominated and characterised by mediaeval burgage plots. These are still readable in plan form and maps, though many buildings along the frontage have been altered, enlarged or rebuilt.

It lies immediately adjacent to a listed building, which turns its back on the plot and is bounded by a high garden wall. It is felt therefore that this proposal will not affect the setting of the listed building. Though some adjacent development has taken place nearby at Ash Grove and Quaker Way, a large number of plots remain recognisable as burgage plots. It is within this context that this proposal is considered.

Development in this area would impact on the character of the conservation area by further eroding the settlement morphology of the area. The refusal of this application would be consistent with the refusal of the application referenced above and in line with a recent appeal against refusal to grant planning permission at land to the rear of No. 107 High Street, Chatteris. The appeal was dismissed by the Inspector on grounds that “the proposal would further erode the legibility and significance of the mediaeval burgage feature” and that consequently it would fail to meet “desirable outcome of preserving or enhancing the character or appearance of a conservation area”. This accords with the NPPF paragraph 193, which states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset’s conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance (REF: APP/D0515/W/W19/3221692).

These comments apply equally to this case, despite the proposal changing from a bungalow to a mobile home the issues are the same and are in line with the comments made for the refused 3 bed bungalow that preceded this application (planning ref: F/YR20/0119/F). I therefore recommend that this application is refused.

5.5 Local Residents/Interested Parties

Objectors – 6no letters of objection from residents within Chatteris. Points summarised below:

- Access issues

- Antisocial behaviour
- Density/Overdevelopment
- Devalue property
- Not policy compliant
- Drainage issues
- Environmental concerns
- Flooding
- Loss of view/outlook
- Noise
- Parking arrangements
- Proximity to property
- Shadowing/loss of light
- Traffic impact
- Visual impact
- Waste/litter
- Wildlife concerns
- Question their gypsy status

Supporters – 34 letters of support from residents within Chatteris; 9 letters of support from residents outside the settlement of Chatteris (Sutton, March, Huntingdon, Ely)

- Add more to the High Street
- Great to see area being developed
- No detrimental issues
- Provides housing for a small family
- No concerns sharing an access
- Prefer the land to be used for residential than any other use
- Would support a young, hard working family
- Safe environment

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).
- 6.2 The Council has a duty Under the Equality Act 2010, Section 149, to have due regard to the need to:
- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7 POLICY FRAMEWORK

Planning Policy for Traveller Sites August 2015

Policy B – Planning for traveller sites

Policy H – Determine planning application for traveller sites

Policy I – Implementation

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: Presumption in favour of sustainable development

Para 12: Conflict with an up-to-date plan should not usually be granted

Para 119: Promote effective use of land

Para 123: Take a positive approach to alternative land uses

Para 124: Making efficient use of land (density - need & character)

Para 159: Development should be directed away from areas at highest risk of flooding.

Para 161: Need to apply the sequential and exceptions tests.

Para 193: Considering the impact of a proposed development on the significance of a heritage asset

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

LP5 – Meeting Housing Need

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

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

LP4 – Securing Fenland's Future

LP7 – Design

LP14 – Gypsies and Travellers and Travelling Showpeople

LP20 – Accessibility and Transport

LP22 – Parking provision

LP23 – Historic Environment

LP24 – Natural Environment

LP25 – Biodiversity Net Gain

LP27 – Trees and Planting

LP28 – Landscape

LP32 – Flood and Water Management

8 KEY ISSUES

- Principle of Development
- PPTS
- Character and Appearance/Impact upon Heritage Assets
- Highway safety
- Other Issues

9 BACKGROUND

9.1 An initial application for the erection of a 3 bed detached dwelling was refused for the following reasons:

1. 'Policy LP15 of the Fenland Local Plan 2014 requires development schemes to demonstrate that they have had regard to several criteria, including providing a well-designed, safe and convenient access for all. The NPPF states (at paragraphs 108 and 110) that developments should ensure that safe and suitable access to the site can be achieved for all users and development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists, and vehicles. The existing shared driveway is considered to be inadequate to serve the proposed development by reason of its restricted width along its length which could result in conflict between pedestrians and vehicles together with the lack of passing places and restricted visibility at its junction with High Street. As a result, safe and suitable access to the site for all people as required in the NPPF would not be achieved. Policy LP15 (c) is consistent with the NPPF in requiring well designed, convenient and safe access for all. The proposal would conflict with Policy LP15 (c) of the Fenland Local Plan 2014, and paragraphs 108 and 110 of NPPF.

2. The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste and Management Design Guide SPD, Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014 and Policy LP16 of the Fenland Local Plan 2014 seek to ensure that adequate, well designed bin facilities are conveniently located with easy access for users. In view of the site location and relationship with the adopted highway the proposal will result in bins being carried over 45m from the storage area to a required collection point within 10 metres (maximum) of the highway, which is in excess of the recommended distance of 30m, as such the development is considered to be contrary to Policy LP16 (f) of the Fenland Local Plan 2014 and Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014.

3. Policies LP2 and LP16 of the Fenland Local Plan 2014 seeks to achieve high quality environments for existing and future residents in Fenland with high standards of residential amenity. The position of the dwelling will result in a detrimental impact on neighbouring dwellings and their amenities, and due to the close proximity of the dwelling to the north and east boundary fences will also result in a poor form of habitable accommodation with low levels of amenity to the detriment of future occupiers. The proposal is therefore considered contrary to Policies LP2 and LP16 (d) and (e) of the Fenland Local Plan 2014 and C1 of the National Design Guide 2019.'

9.2 Subsequent application F/YR20/0581/F proposed a single storey, 3 bed detached dwelling. This was refused for the same reasons as those referenced above.

10 ASSESSMENT

Principle of Development

- 10.1 The proposal is for the provision of a mobile home and day room for residential use. The application site is located within the Market Town of Chatteris which is one of four settlements within which the majority of the district's new housing, employment growth, retail, growth and wider service provision should take place.
- 10.2 Alongside LP3, Policy LP10 focuses on Chatteris as being an area for some growth, with development contributing to retaining its character. There are some examples of backland development in the vicinity of the site, in particular 82 and 84A High Street to the east. There are no specific policies that oppose the principle of backland development within the local plan.
- 10.2 Policy LP5 (Part D) relates to Gypsy and Travellers and advises on the criteria used to assess suitable new site and associated facilities, inter alia, (b) the site should provide a settled base and be located within reasonable travelling distance of a settlement which offers local services and community facilities, including a primary school.
- 10.3 Para 26 of the PPTS states that when considering applications, local planning authorities should attach weight to certain criteria, inter alia, (a) effective use of previously developed (brownfield), untidy or derelict land.
- 10.3 The site is located within the Market Town of Chatteris, as such, the overall principle of the provision of a Traveller site is supported subject to consideration of all other matters addressed below.

Planning Policy for Traveller Sites- Policies and criteria

- 10.4 Limited information was submitted with the application upfront with regards to intended occupier. In correspondence with the agent, it was subsequently confirmed that the application had been made to provide accommodation for a gypsy/traveller.
- 10.5 Annex 1 of the PPTS sets out the clear definition of "gypsies and travellers":

'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such'.

- 10.6 It further states that:

'In determining whether persons are "gypsies and travellers" for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters: a) whether they previously led a nomadic habit of life b) the reasons for ceasing their nomadic habit of life c) whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances'.

- 10.7 The PPTS definition was successfully challenged in the Court of Appeal in October 2022 in respect of the removal of the phrase "or permanently" from the

above definition in respect of persons who have ceased to travel when the definition was updated with the 2015 version.

- 10.8 The Council need to be satisfied that it is likely that the intended occupier meets the definition as referenced above. Given the complexities of such determination barrister opinion was sought in December 2022.
- 10.9 The status of the intended occupier is highly relevant to the determination of the application, and, in summary, the legal opinion concludes that there is insufficient evidence to satisfy the Council that the intended occupier meets the definition referenced above. Given this, any personal circumstances cannot be used to 'tip the balance' and therefore application of the PPTS and Policy LP5, Part D is not therefore required.

Character and Appearance/Impact upon Heritage Assets

- 10.10 Policy LP16 requires all new development to; (c) retain and incorporate natural and historic features of the site such as trees, hedgerows, field patterns, drains and water bodies (d) Make a positive contribution to local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment, provides resilience to climate change, reinforce local identity and does not adversely impact , either in design or scale terms, on the street scene, settlement pattern or landscape character of the surrounding area whilst Policy LP18 seeks to protect, conserve and seek opportunities to enhance the historic environment throughout the Authority.
- 10.11 The proposed mobile home and utility/day room are single storey in height and would be positioned approximately 61 metres away from the High Street and behind existing built form, therefore, in essence, is backland development. Given that caravans are nearly always white or cream in colour, it is quite difficult to ensure that they do not have an unacceptable impact on the appearance or character of an area.
- 10.12 It is proposed that the timber cladding, slate roof and timber window and door frame would be used in the construction of the utility room/day room. The external materials proposed are considered sympathetic and given that the site is enclosed by built form and would be tucked around the back of such, there will be minimal visual impact from a street scene perspective.
- 10.13 Notwithstanding the above, however, the site lies within the Chatteris Conservation Area and in close proximity to No. 84 High Street, Chatteris which is Grade II listed. Consideration is given to the impact of the proposal on the architectural and historic interests of an adjacent listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.
- 10.14 Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.

- 10.15 Relevant planning history associated with the site is under planning ref: F/YR20/0119/F for the erection of a 3 bed dwelling bungalow which was refused on a number of grounds pertaining to access and occupier amenity. Also, an application for 2 bungalows on a site to the rear of No. 94 High Street has been previously refused (F/0834/88/O) on the grounds that piecemeal development on backland would be out of character with this part of the town, to the detriment of adjacent residents and that the access would have a detrimental impact upon the attractiveness and future well-being of the listed building at No. 94 High Street.
- 10.16 Historically this area was dominated and characterised by mediaeval burgage plots. These are still readable in plan form and maps, though many buildings along the frontage have been altered, enlarged or rebuilt. It lies immediately adjacent to a listed building, which turns its back on the plot and is bounded by a high garden wall. It is felt therefore that this proposal will not affect the setting of the listed building. Though some adjacent development has taken place nearby at Ash Grove and Quaker Way, a large number of plots remain recognisable as burgage plots. It is within this context that this proposal is considered.
- 10.17 Development in this area would impact on the character of the conservation area by further eroding the settlement morphology of the area. The refusal of this application would be consistent with the refusal of the application referenced above and in line with a recent appeal against refusal to grant planning permission at land to the rear of No. 107 High Street, Chatteris. The appeal was dismissed by the Inspector on grounds that “the proposal would further erode the legibility and significance of the mediaeval burgage feature” and that consequently it would fail to meet “desirable outcome of preserving or enhancing the character or appearance of a conservation area”. This accords with the NPPF paragraph 193, which states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset’s conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance (REF: APP/D0515/W/W19/3221692).
- 10.18 The Councils Conservation Officer raises an objection and states that the comments within the appeal decision are given weight and apply equally to this case, despite the proposal changing from a bungalow to a mobile home. The issues are the same and are in line with the comments made for the refused 3 bed bungalow that preceded this applications (planning ref: F/YR20/0119/F and F/YR20/0581/F).

Highway Safety

- 10.19 The site is proposed to be served by the existing vehicular access from the High Street. The Local Highway Authority were consulted and cite the two recently refused planning applications for a permanent dwelling in the same location (ref: F/YR20/0119/F and F/YR20/0581/F). Both applications were refused on highway safety grounds, amongst other considerations.
- 10.20 From a Highways perspective, the change of a permanent dwelling to a mobile home makes no difference in terms of highways impacts at the access. As such, comments made for the previous applications remain valid. The existing access lacks sufficient visibility for use by a single access and, if this was proposed today, it would be refused. The intensification, while modest, arising from an

additional dwelling will result in increased risk of collision, particularly with passing pedestrians.

- 10.21 For context, and as referenced in the Consultees section, Highways have stated the criteria that should be adhered to in respect of the width of the access and visibility splays.
- 10.22 Within the site, parking and turning arrangements are acceptable, but it is noted that the location of the proposed parking clashes with a tree protection fence. Further to this, it is to be noted that the bin store is remote from the highway, which presumably would be the collection point.
- 10.23 Given the comments from Highways, and the planning history to the site in this regard, an objection has been raised with the proposal failing to comply with LP15 of the Fenland Local Plan 2014.

Residential Amenity

- 10.24 As a backland development site, there is the potential for the proposal to adversely impact upon neighbouring residential amenity. The nearest properties to the development site are along Quaker Way to the west and 84A to the east.
- 10.25 The rear elevations on Quaker Way are set approximately 8m from the boundary with the development site. The limitation of the proposed mobile home as single storey does ensure that any significant overlooking is avoided due to the existing 1.8m fencing and brick wall around the site.
- 10.26 84A High Street lies to the east of the site. The site plan shows a distance of 3m will be retained to the common boundary and a distance of approximately 25m to the rear elevation of the dwelling. There is an intervening close boarded fence 1.8m in height.
- 10.27 Site history is such that two previous applications were refused for the erection of a bungalow on the site. Both these refusals included a residential amenity reason referring to the close relationship of the proposed dwelling with the boundaries which would lead to an adverse impact upon the amenity of residents adjacent. Further to this, and given the proximity to the boundaries, the plans failed to demonstrate sufficient private occupant amenity space. This application sees the provision of a mobile home set in 3m from both the north-west and north-eastern boundaries and proposes this to be reoriented from the previous refusals therefore alleviating the concerns raised previously in respect of impact upon the neighbours amenity. There also proposes the provision of a dayroom sited at right angles and to the south-west of the mobile home with occupants private amenity space provided to the rear of the dayroom which equates to approximately 65 sq m and considered sufficient in this regard factoring in the footprint of the mobile home and the requirement to provide sufficient parking and turning space within the site. Given the above, it is considered that these overcome the previous residential amenity concerns.

Bin Collection

- 10.28 The existing dwellings along High Street currently utilise the access road between 84 and 86 High Street to provide access and egress for their refuse collection bins from their rear gardens to kerbside along High Street. Any future

development would be required to present their bins for collection kerbside on High Street, or have a bin collection point sited no further than 10m down a shared driveway with a drag distance of no more than 30m.

- 10.29 It is noted that a bin storage area is located adjacent to the access road on the eastern boundary of the site and that the proposed bin collection point is located along the access driveway. This bin collection point is shown positioned approximately 25m from kerbside on High Street, and approximately 30m from the bin storage area at the development site. However, within the above guidelines, the collection point should be sited no more than 10m from the highway, yet repositioning of this collection point will mean the overall drag distance from the proposed development will be more than 30m, in excess of the recommended drag distance contained within the RECAP guidance. Therefore, the issue of refuse collection is unable to be reconciled as it presents an unacceptable solution outside reasonable guidelines, resulting in poor residential amenity for future occupiers of the proposed dwelling contrary to Policy DM4 of the SPD July 2014.

Personal Circumstances

- 10.30 Under Section 149 of the Equality Act 2010, local authorities must have due regard to their public sector duty to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between persons with protected characteristic and those that do not share them.
- 10.31 Certain groups of ethnic gypsies and travellers have protected characteristics.
- 10.32 The Human Rights Act 1998 sets out various articles which deal with a different right. Of particular relevance are Article 14: Protection from discrimination in respect of the rights and freedoms and Article 8: Respect for your private and family life, home and correspondence and Protocol 1: Article 1 Right to Peaceful enjoyment of your property and Protocol 1: Article 2 Right to an education.
- 10.33 These rights do not necessarily carry more weight than established planning policies and planning for the public interest. Each case needs to be assessed on its merits.
- 10.34 Section 11 of the Children's Act 2004 (which gives effect to Article 3 of the United Nations Convention on the Rights of the Child) requires that the Council, in the discharge of its functions, is required to have regard to the need to safeguard and promote the welfare of children. The Courts have set out a number of principles to be followed when Section 11 (and Article 8) are engaged in planning applications; in summary the decision maker must identify the child's best interests, and such interests must be a primary consideration in determining the planning application.
- 10.35 Information was provided during the course of the application and a legal opinion sought which concludes that there is insufficient evidence to satisfy the Council that the intended occupier meets the definition referenced above. Given this, any personal circumstances cannot be used to 'tip the balance' in favour.

11 CONCLUSIONS

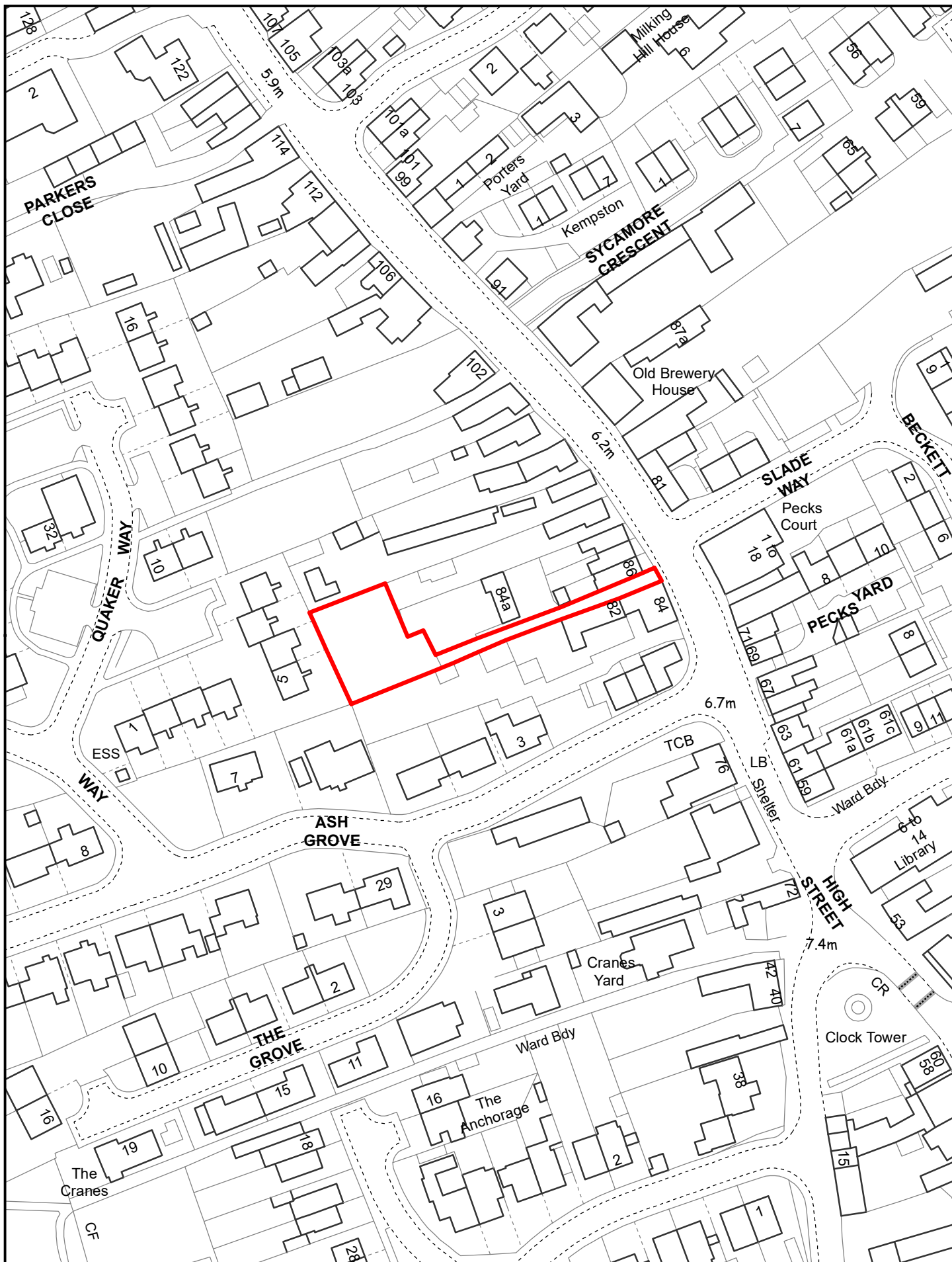
- 11.1 The existing shared driveway is considered to be inadequate to serve the proposed development by reason of its restricted width along its length which could result in conflict between pedestrians and vehicles together with the lack of passing places and restricted visibility at its junction with High Street. As a result, safe and suitable access to the site for all people as required in the NPPF would not be achieved. Policy LP15 (c) is consistent with the NPPF in requiring well designed, convenient and safe access for all. The proposal would conflict with Policy LP15 (c) of the Fenland Local Plan 2014, and paragraph 111 of the NPPF.
- 11.2 The proposal would further erode the legibility and significance of the mediaeval burgrave feature and that consequently it would fail to meet the desirable outcome of preserving or enhancing the character or appearance of the Chatteris Conservation Area. The proposed development would therefore be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Sections 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.
- 11.3 In view of the site location and relationship with the adopted highway the proposal will result in bins being carried over 45m from the storage area to a required collection point within 10 metres (maximum) of the highway, which is in excess of the recommended distance of 30m, as such the development is considered to be contrary to Policy LP16 (f) of the Fenland Local Plan 2014 and Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014.
- 11.4 Personal information and evidence has been submitted with regards to the intended occupiers of the site. The case officer has carefully considered this evidence and sought a legal opinion which concludes there is insufficient evidence to satisfy the Council that the intended occupier meets the definition referenced above. Given this, any personal circumstances cannot be used to 'tip the balance' and therefore application of the PPTS and policy LP5, Part D is not therefore required.

11 RECOMMENDATION:

Refuse; for the following reasons

1	Policy LP15 of the Fenland Local Plan 2014 requires development schemes to demonstrate that they have had regard to several criteria, including providing a well-designed, safe and convenient access for all. The NPPF states (at paragraph 111) that developments should ensure that safe and suitable access to the site can be achieved for all users and development should create places that are safe, secure and attractive which minimise the scope for conflicts between pedestrians, cyclists, and vehicles. The existing shared driveway is considered to be inadequate to serve the proposed development by reason of its restricted width along its length which could result in conflict between pedestrians and vehicles together with the lack of passing places and restricted visibility at its junction with High Street. As a result, safe and suitable access to the site for all people as required in the NPPF would not be achieved. Policy LP15 (c) is consistent with the NPPF in requiring well designed, convenient and
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	safe access for all. The proposal would conflict with Policy LP15 (c) of the Fenland Local Plan 2014, and paragraph 111 of the NPPF.
2	Policy LP18 seeks to protect, conserve and seek opportunities to enhance the historic environment throughout the Authority. The proposal would further erode the legibility and significance of the mediaeval burgage feature and that consequently it would fail to meet the desirable outcome of preserving or enhancing the character or appearance of the Chatteris Conservation Area. The proposed development would therefore be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Sections 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.
3	The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste and Management Design Guide SPD, Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014 and Policy LP16 of the Fenland Local Plan 2014 seek to ensure that adequate, well designed bin facilities are conveniently located with easy access for users. In view of the site location and relationship with the adopted highway the proposal will result in bins being carried over 45m from the storage area to a required collection point within 10 metres (maximum) of the highway, which is in excess of the recommended distance of 30m, as such the development is considered to be contrary to Policy LP16 (f) of the Fenland Local Plan 2014 and Policy DM4 of the Delivering and Protecting High Quality Environments in Fenland - SPD - July 2014.



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F/YR22/1084/F

Scale = 1:1,250





Site Plan Key/Legend	
	Residential gardens
	Grassed area
	Existing buildings/structures
	Existing caravan
	Existing hardstanding
	Existing hedge/grow
	Existing trees
	Existing Watercourse
	Existing post & rail timber fence
	Existing close boarded timber fence
	Existing gate
	Existing overgrown hardstanding

Issue ID	Issue Name	Current Revision	Initials	Date
P03	Initial Transmittal	P03		02/11/2023
P02	Initial Transmittal	P02	EG	22/09/2022
P01	Initial Transmittal	P01	EG	15/09/2022

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Client
Theresa Steer

Project
21_1189 84B Highstreet - Single gypsy/traveler pitch with dayroom.
 84B,
 Highstreet,
 Chatteris,
 Cambridgeshire,
 PE16 6NN

Drawing Title
 Existing Site and Block Plan

Scale @A2 1:500	Date 02/11/2023	Drawn EG
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Case No 21_1189	Status Initial Status
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Drg No 002	Rev P03
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ISO 19650 No:
 21_1189-GPS-ZZ-GF-DR-A-002

Green Planning Studio Ltd
 Unit D Lunesdale, Upton Magna Business Park, SY4 4TT
 t: +44 (0) 1743 709364
 e: applications@gpsltd.co.uk
 www.greenplanningstudio.co.uk

RIBA
 Chartered Practice



Site Plan Key/Legend	
	Residential gardens
	Grassed area
	Existing buildings/structures
	Existing hardstanding
	Existing hedgerow
	Existing trees
	Existing post & rail timber fence
	Existing close boarded timber fence
	Proposed mobile home
	Proposed utility/day room
	Proposed loose bound permeable hardstanding
	Proposed native hedge & tree planting
	Proposed root protection area (RPA)
	Proposed protective barrier
	Proposed hardstanding to be lifted and replaced/top-dressed
	Existing Manhole
	Proposed Foul drainage
	Indicative turning head
	Indicative parking space
	Proposed bin storage

P02	Initial Transmittal	P02	EG	22/09/2022
P01	Initial Transmittal	P01	EG	15/09/2022
Issue ID	Issue Name	Current Revision	Initials	Date

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 84B Highstreet, Chatteris, Cambridgeshire, PE16 6NN

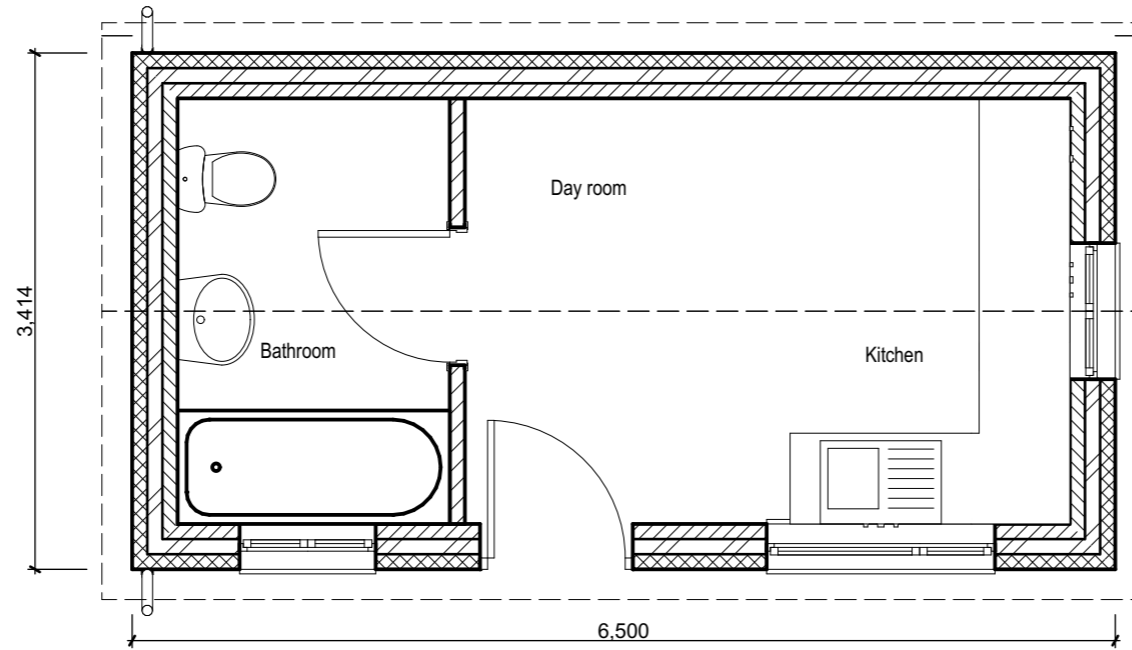
Drawing Title
 Proposed Site Plan

Scale @A3 1:200	Date 22/09/2022	Drawn EG
Case No 21_1189	Status Initial Status	
Dwg No 003	Rev P02	

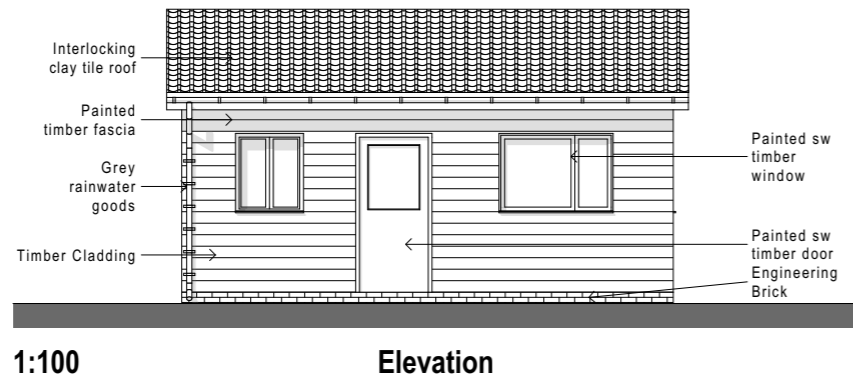
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Green Planning Studio Ltd
 Unit D Lanesdale Upton Magna Business Park, SY4 4TT
 t: +44 (0) 1743 709364
 e: applications@gpsstudio.co.uk
 www.greenplanningstudio.co.uk

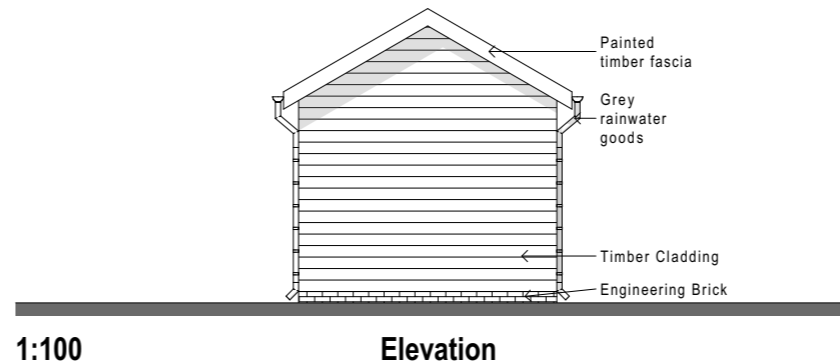
RIBA Chartered Practice



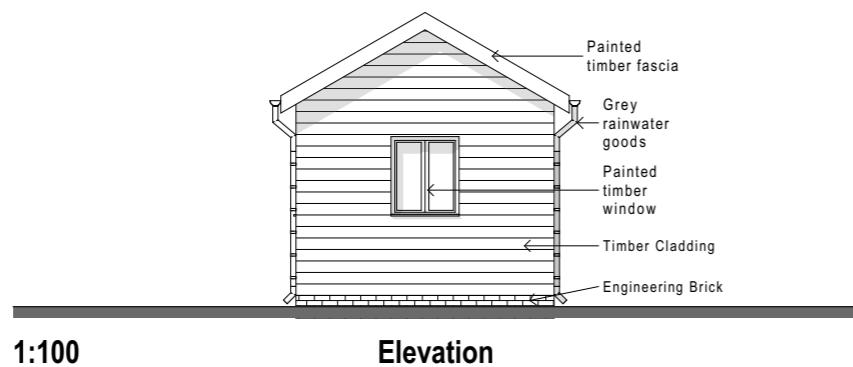
1:50 Utility/Day Room - Indicative layout



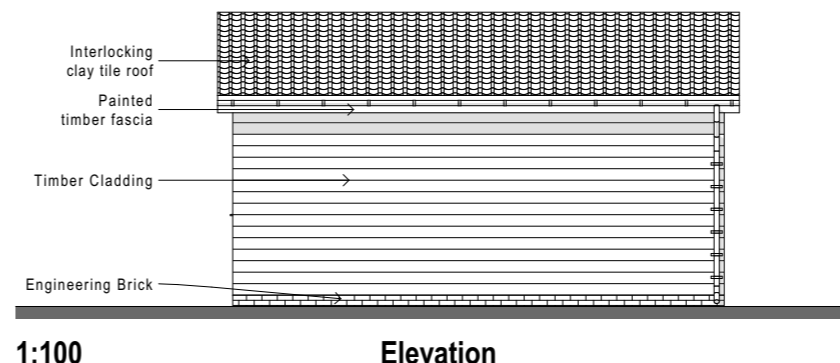
1:100 Elevation



1:100 Elevation



1:100 Elevation



1:100 Elevation

Issue ID	Issue Name	Current Revision	Initials	Date
P02	Initial Transmittal	P02	EG	22/09/2022
P01	Initial Transmittal	P01	EG	15/09/2022

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Client
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Project
21_1189 84B Highstreet - Single gypsy/traveler pitch with dayroom.

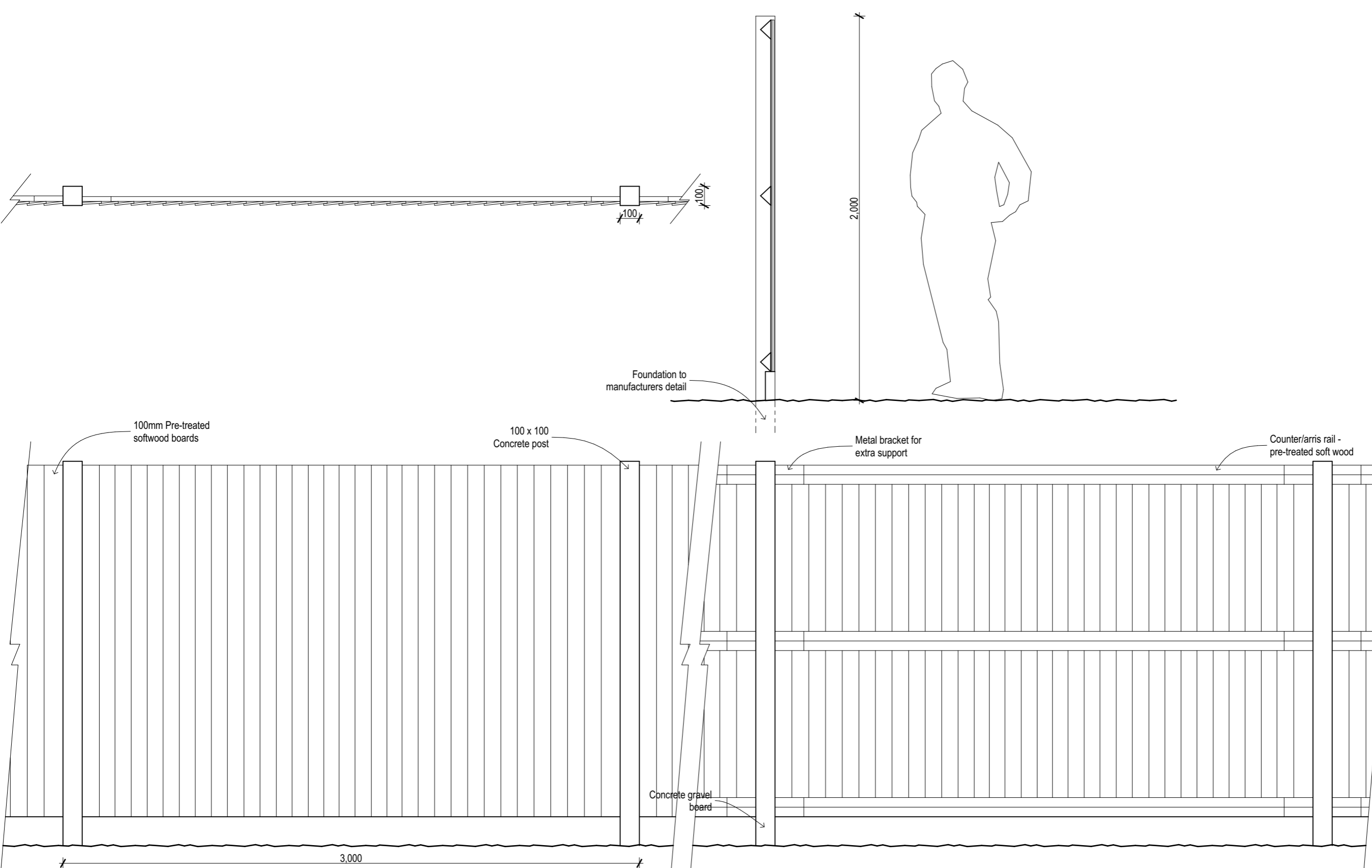
84B Highstreet, Chatteris, Cambridgeshire, PE16 6NN

Proposed Dwelling/Dayroom/Building* - Plans and Elevations		
Scale @A3	Date	Drawn
1:50, 1:100	22/09/2022	EG
Case No	Status	
21_1189	Initial Status	
Dwg No	Rev	
005	P02	

ISO 19650 No:
21_1189-GPS-ZZ-ZZ-DR-A-005

Green Planning Studio Ltd
Unit D Lonsdale Upton Magna Business Park, SY4 4TT
t: +44 (0) 1743 709364
e: applications@gpsstd.co.uk
www.greenplanningstudio.co.uk

RIBA Chartered Practice



Typical close boarded fence panel details

Issue ID	Issue Name	Current Revision	Initials	Date
P02	Initial Transmittal	P01	EG	22/09/2022

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Client
Theresa Steer
 Project
21_1189 84B Highstreet - Single gypsy/traveler pitch with dayroom.
 84B Highstreet, Chatteris, Cambridgeshire, PE16 6NN

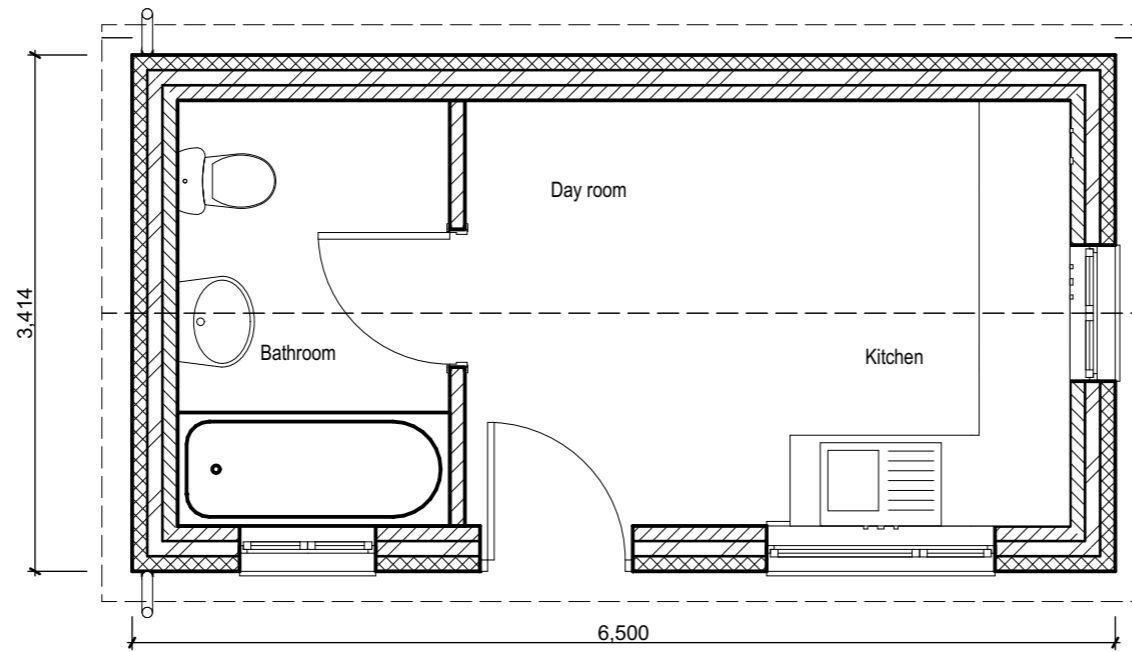
Proposed Fence Details	
Scale @A3 1:20	Date 22/09/2022
Case No 21_1189	Status Initial Status
Dwg No 006	Rev P01

ISO 19650 No:
 21_1189-GPS-ZZ-ZZ-DR-A-006

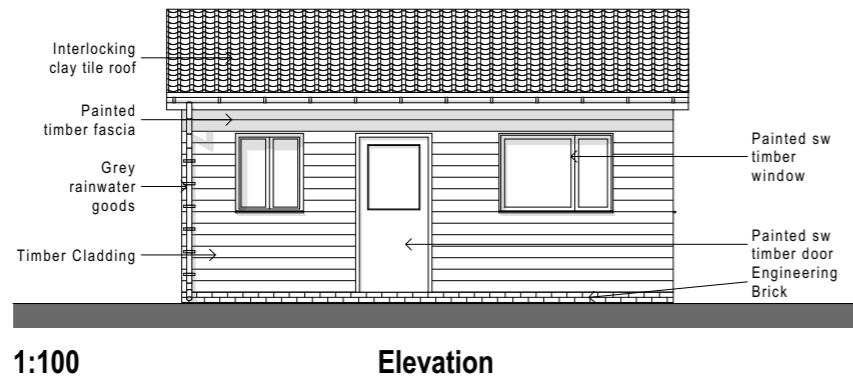
Green Planning Studio Ltd
 Unit D Lanesdale Upton Magna Business Park, SY4 4TT
 t: +44 (0) 1743 709364
 e: applications@gpsstd.co.uk
 www.greenplanningstudio.co.uk



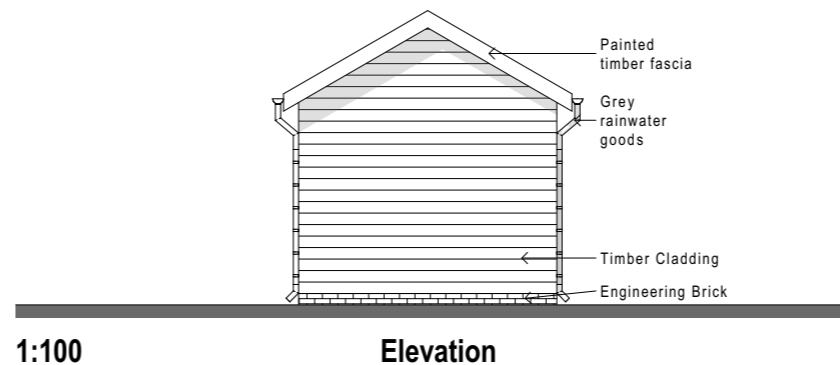
W-01



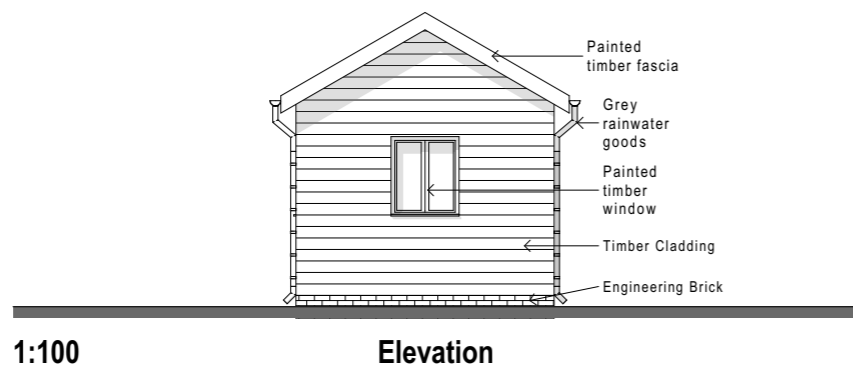
1:50 Utility/Day Room - Indicative layout



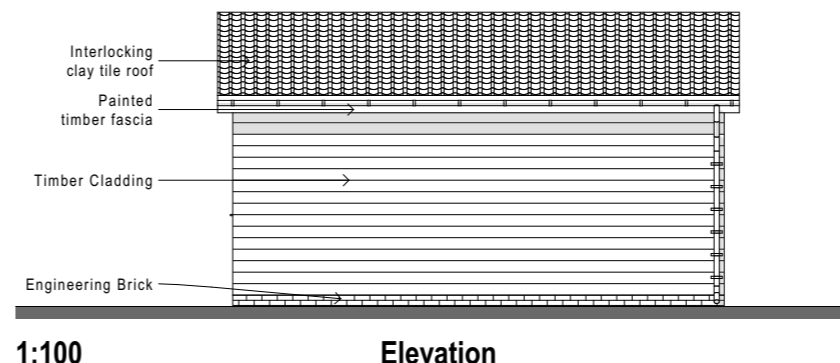
1:100 Elevation



1:100 Elevation



1:100 Elevation



1:100 Elevation

Issue ID	Issue Name	Current Revision	Initials	Date
P02	Initial Transmittal	P02	EG	22/09/2022
P01	Initial Transmittal	P01	EG	15/09/2022

Do not scale from this drawing except for planning application purposes. The contractor is to check all site dimensions, levels and sewer inverts before works commence. This drawing must be checked and read against any structural or specialist consultant drawings. The contractor is to comply in all respects with the current Building Regulations and BS Codes of Practice whether or not specifically stated on these drawings. This drawing is not intended to show details of foundations, ground conditions or ground contaminants and confirmation and/or investigation is to be carried out by suitable experts. This drawing and the building works/designs depicted are the copyright of Green Planning Studio Ltd and are not to be reproduced in any form or by any means without the written consent of Green Planning Studio Ltd.
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Client
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Proposed Dwelling/Dayroom/Building* - Plans and Elevations		
Scale @A3	Date	Drawn
1:50, 1:100	22/09/2022	EG
Case No	Status	
21_1189	Initial Status	
Dwg No	Rev	
005	P02	

ISO 19650 No:
21_1189-GPS-ZZ-ZZ-DR-A-005

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t: +44 (0) 1743 709364
e: applications@gpsstd.co.uk
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