

## AGENDA

### **PLANNING COMMITTEE**

**WEDNESDAY, 2 APRIL 2025**

**1.00 PM**

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

Committee Officer: Jo Goodrum  
Tel: 01354 622424 (committee only)  
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- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 5 - 26)  
  
To confirm and sign the minutes from the previous meeting of 5 March 2025.
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 4 To receive Members declarations of any interests under the Local Code of Conduct or any interest under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 5 F/YR24/0468/O  
Land South Of, 116 - 122 New Road, Chatteris  
Erect up to 20 x dwellings (outline application with matters committed in respect of access) (Pages 27 - 56)  
  
To determine the application.
- 6 F/YR23/0996/O  
Land North Of High Trees, Rectory Road, Newton-in-the-isle  
Erect up to 6 x dwellings (outline application with all matters reserved) (Pages 57 -

70)

To determine the application.

7 F/YR24/0899/O

Land North West Of 100, Westfield Road, Manea

Erect 3 x dwellings and formation of a pond and bioswale involving the removal of containers and in filling existing pond (outline application with matters committed in respect of access and layout) (Pages 71 - 88)

To determine the application.

8 F/YR25/0006/F

Land South Of Horse Creek Farm, Coldham Bank, Coldham

Erect 1 self build dwelling (Pages 89 - 102)

To determine the application.

9 F/YR23/0914/F

Land North Of 3, Wimblington Road, Doddington

Erect 9 x dwellings (6 x single storey 3-bed, 2 x 3 storey 5-bed and 1 x 2 storey 4-bed) involving the formation of a new access and demolition of existing outbuildings, and alterations to 3 Wimblington Road including single storey extensions to South and West elevations, extension to roof to create a first floor and erect a garage (Pages 103 - 126)

To determine the application.

10 F/YR25/0124/PIP

Land North Of 6 Fallow Corner Drove, Manea

Permission in principle to erect up to 3 x dwellings (Pages 127 - 140)

To determine the application.

11 F/YR23/0525/O

Mayflower, 12A Westfield Road, Manea

Erect up to 7 x dwellings (outline application with matters committed in respect of access) involving the demolition of existing sheds, formation of a detention pond and associated drainage works (Pages 141 - 168)

To determine the application.

12 F/YR24/0793/F

Land South East Of Aberfield, Well End, Friday Bridge

Erect 9 x dwellings (3 x 2-storey 4-bed, and 6 x 2-storey 3-bed), and the formation of 3 x accesses and extension of existing footpath (Pages 169 - 186)

To determine the application.

13 F/YR25/0036/PIP

Land South Of Poppyfields, Wimblington Road, Manea  
Permission in principle to erect up to 9 x self-build dwellings (Pages 187 - 206)

To determine the application.

14 F/YR25/0046/F

Land North Of Four Winds, Sandbank, Wisbech St Mary  
Erect 1 x self-build/custom build dwelling including formation of a new access (Pages 207 - 220)

To determine the application.

15 Items which the Chairman has under item 3 deemed urgent (Pages 221 - 226)

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

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## PLANNING COMMITTEE



**WEDNESDAY, 5 MARCH 2025 - 1.00 PM**

**PRESENT:** Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French and Councillor S Imafidon, Councillor M Purser (Substitute)

**APOLOGIES:** Councillor R Gerstner and Councillor E Sennitt Clough,

Officers in attendance: Danielle Brooke (Senior Development Officer), Kimberley Crow (Development Officer), Matthew Leigh (Head of Planning), David Rowen (Development Manager) and Jo Goodrum (Member Services & Governance Officer)

### **P98/24**      **PREVIOUS MINUTES**

The minutes of the meeting of the 5 February 2025 were agreed and signed as an accurate record.

### **P99/24**      **F/YR24/0635/RM** **LAND NORTH OF 96A TO 100 WESTFIELD ROAD, MANEA** **RESERVED MATTERS APPLICATION RELATING TO DETAILED MATTERS OF** **APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO OUTLINE** **PERMISSION F/YR22/1156/O TO ERECT 24 X 2-STOREY DWELLINGS (4 X 2-** **BED, 6 X 3-BED AND 14 X 4-BED)**

Danielle Brooke presented the report to members.

Members received a written representation, in accordance with the Public Participation Procedure, read out by Member Services from Mr Nick Usher, an objector. Mr Usher stated he would like to pass on his thoughts and incredulity in the manner this application has been handled. He referred to the timeline, with 24 January 2022 being commencement of first outline application which included the Environment Agency objection, with planning suggesting refusal and the Planning Committee voting 6-0 refusal; on 11 October 2022 the exactly same outline application was submitted apart from the Environment Agency objection, which had been submitted but just not loaded onto the application, and on 23 February 2024 this application somehow got through by the same Planning Committee on a 4-3 acceptance and he made the point that on these and previous minutes there are no declarations of interest by any member.

Mr Usher referred to the Reserved Matters application, which proposes a completely new amount of much larger houses with 30% more bathrooms and toilets even though the Environment Agency objected to all previous applications but somehow 30% extra waste would be acceptable? He made the point that on 12 February 2025 the Environment Agency stated that they have had not had enough time to put together a clearly formulated case so they must rescind their objections, but, in his view, they have had exactly three years to put together a case.

Mr Usher expressed the view that there is also no bus service now on Westfield Road to service these new homes and questioned how this will that effect future homeowners? He feels there may well be a case here for a judicial review as, in his opinion, this whole application and the manner in which it has been dealt with, is a complete and utter farce, when this tragedy of an application is passed, the future will be full of flooding and foul waste problems.

Mr Usher expressed the opinion that when these water problems do occur, it will cost the entire community of Manea when it is flooded with effluence and surface water, and who do residents come to with all its costs and bills? He questioned whether it will be the Environment Agency for not formulating a plan in three years and not standing with their objections, or the planning service for not putting/withholding all the important information online or the Planning Committee for reversing a 6-0 decision for the same application?

Mr Usher expressed the view that it is all very well people sitting in their ivory towers and passing decisions that are meaningless to themselves but asked when will it become clear that applications like this will affect citizens and voters' lives, when most are struggling with just living their lives.

Members made the following comments:

- Councillor Marks stated that he would like it recorded that the objector is a Manea Parish Councillor who also commented on the application at a Manea Parish Council meeting.
- Councillor Mrs French stated that she finds it surprising that reference is made by the objector to the Environment Agency as it is Anglian Water or the Internal Drainage Boards (IDBs) that the Council engages with.

Members received a presentation, in accordance with the Public Participation Procedure, from Matthew Hall, the agent. Mr Hall stated that the application site already has outline approval for 26 dwellings and that was approved by the committee in 2024. He explained that the detailed proposal is a reduction to 24 dwellings and it includes a mixture of properties, 2, 3 and 4 bedroom dwellings, including semi-detached and detached homes.

Mr Hall added that during the application process, officers raised some queries on the initial proposal and he attended a meeting with officers and as a result the proposal was amended and since that time, a detailed landscaping scheme has been submitted, the layout was revised, a substation has been included, additional garages and the highways queries have all been addressed. He explained that some of the concerns on public access are with regard to concerns with the overhead cables and he has had a meeting with UK Power Networks and a plan has been produced to demonstrate that the cable will be set underground and there will be an easement strip for the substation.

Mr Hall explained that there will also be a strip of land left in order to allow access to the substation and the poles on the adjacent sites. He added that the archaeological dig at the site has already been undertaken.

Mr Hall stated that there are no objections from the Lead Local Flood Authority, Highways, Environmental Health, the Tree Officer and the Council's Housing Team have confirmed that the affordable housing provision complies with the outline approval and the Section 106 previously agreed. He added that all of the development within the site is located in Flood Zone 1, and a Section 106 Agreement has already been confirmed at outline stage with both the District and County Council's Legal Department for this site with contributions of £2,000 per house to the NHS England, education infrastructure, libraries, public open space and on-site affordable housing provision.

Mr Hall referred to the written representation that was presented and he made the point that he does not agree with its content as whilst the first application for outline permission was refused, the second application for outline permission was not exactly the same application and there were three reasons for refusal with one being ecology which was withdrawn with the second resubmission, and one had no Section 106 contributions proposed on one of those applications as he was not involved. He added that a Section 106 was submitted at the time which was agreed with Mr Harding, the previous Head of Planning and that reason was also withdrawn.

Mr Hall explained that there was only one reason on the second application which was the

principle of development and members at that time approved it. He stated that the officers report sets out the proposal very well and the officer has outlined the report very well in her presentation, with the application being recommended for approval.

Members asked Mr Hall the following questions:

- Councillor Connor stated that he not seen any mention of any road sweeping and wheel washing in the conditions as mud left on the road appears to be causing issues again and he does not want to see any debris left on the road from developments. He asked Mr Hall whether he can provide definite assurances that there will be measures put in place to stop that happening? Mr Hall stated that on the outline application conditions there may be a condition asking for construction management plan, but he cannot confirm that. He added that a condition can be added to the application or on the outline to reflect conditions about wheel washing and sweeping the roads, but he cannot give a cast iron guarantee that will happen as he is not the developer, however, he would welcome a condition.

Members asked officer's the following questions:

- David Rowen stated that condition 4 of the outline permission does require measures to minimise mud from being taken onto the highway from the site and for it to be submitted and agreed with officers as part of a construction management plan.
- Councillor Connor questioned whether that categorically states that there will be a wheel washer and a sweeper of some description. David Rowen stated that wording states measures to minimise mud from being taken onto the highway from the site and in practice that is likely to be a wheel wash or a sweeper but there is a control in the condition which addresses that issue.
- Councillor Connor referred to 5.4 of the report which relates to waste disposal, and he explained that he been made aware that there is going to be some improvements made to the drainage system so waste water can flow away which will alleviate any problems which may arise.
- Councillor Connor asked whether it has been confirmed that construction will not commence until a drainage strategy is in place? Danielle Brooke stated that within the outline scheme which has approval, Anglian Water have the obligation to take foul water flows from the site. She added that there is a condition on the outline application, a pre commencement condition requiring a full foul surface scheme to be secured prior to development commencing.
- Councillor Mrs French questioned whether officers are satisfied that Anglian Water do have the capacity for the development? Danielle Brooke stated that they have an obligation and whether they have the capacity at this point in time is not entirely clear, however, Anglian Water are looking to improve Manea Wastewater Treatment Works within their wider business plan and that has been secured.

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

- Councillor Marks explained that this site is located within his ward and with regards to the first buildings on the site itself, he has received numerous phone calls regarding mud on the road from development sites in Manea, however, in the case of this development he has received no calls or been asked to go and visit the site to intervene. He added that he has been asked for advice with regards to vehicles being parked on the road, however, the vehicles in question were not connected to the development site.
- Councillor Marks stated that with regards to foul water it is his understanding that Anglian Water are commencing works at the sewerage works which is ongoing and at times they have been using tankers. He added that with regard to whether there is capacity, in his view, there is just enough capacity depending on how many more houses come forward.
- Councillor Mrs French expressed the view that the scheme is much better than the previous one as a result of the reduction and she welcomes the inclusion of significant Section 106 contributions, and she will support the proposal.
- Councillor Imafidon questioned the adoption of the roadway once the site is complete.

- Councillor Mrs French stated that as a member of the Highways and Transport Committee for the County Council she would assume that the County Council would want to see the road brought up to an adoptable standard but whether they adopt it is a different matter and if adopted then there would be a 20mph speed restriction imposed.

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

*(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind. Councillor Benney further declared that the applicants had historically undertaken work for him )*

*(Councillor Imafidon declared that the agent has undertaken work for him personally, but he is not pre-determined and will consider the application with an open mind)*

*(Councillor Marks declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Manea Parish Council but takes no part in Planning. He further declared that the applicant for this item is known to him in a professional capacity but it would not make any difference to his decision making and voting on the application)*

**P100/24      F/YR24/0525/O  
MAYFLOWER, 12A WESTFIELD ROAD, MANEA  
ERECT UP TO 7 X DWELLINGS (OUTLINE APPLICATION WITH MATTERS  
COMMITTED IN RESPECT OF ACCESS) INVOLVING THE DEMOLITION OF  
EXISTING SHEDS, FORMATION OF A DETENTION POND AND ASSOCIATED  
DRAINAGE WORKS**

Danielle Brooke presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Matthew Hall, the agent. Mr Hall stated that in the officer's report at 2.3 it refers to the site being surrounded by residential development and in his view the site is in the built-up form of Manea and on the side of Westfield Road, which has received various planning approvals for residential developments extending back from the frontage of Westfield Road. He added that the site is all located in Flood Zone 1 and as stated in the officers report it is at very low risk of surface water flooding.

Mr Hall made the point that concerns have been raised by the Parish Council and objectors regarding highways safety, however, the County Council do not object to the application and there is already an access on Westfield Road, with the application proposing to set a new wider access onto Westfield Road which will be set further south of the S bends in Westfield Road. He explained that the visibility splays which have been shown in his drawings in both directions as 2.4 metres by 43 metres for a 30mph road can be achieved in both directions and the existing footpath will also be extended about the new access, and this has all been agreed by highways.

Mr Hall stated that the splays of 2.4 metres by 43 metres at the moment for the existing access could be achieved to the south and, in his opinion, he does not think that the existing access could be achieved to the north and, therefore, the proposed works would be an improvement if the application were to be approved. He stated that some of the objectors' comments have raised concerns with regards to possible overlooking and if members are of the view that it is an issue, a condition could be imposed which states that development could be restricted to single storey to try and address some of the objectors' concerns, with all the properties to the northeast already being 2 storey dwellings anyway and there have been no objections received from the Highway Authority, Environmental Health, Ecology or Archaeology.

Mr Hall added that the officer's report states that there was a withdrawn application at this site which Manea Parish Council supported, and this application had a different Planning Officer at that time, but had been indicated that it was to be recommended for approval. He added that the reason that the application was withdrawn was because a Great Crested Newt survey had to be undertaken on the existing pond which came back negative and then the application was resubmitted.

Mr Hall added that the officer's report sums up the application well and the officer recommendation is to approve.

Members asked Mr Hall the following questions:

- Councillor Marks stated that he knows the area well and knows that a field across the lane from the site was always a very wet field and as a result he would like to know what surface water drainage is planned for the application site and where will the surface water be routed to? He explained that going down to the Darcy Lode, there is a very large pipe which has been overloaded previously and he recalled a previous time when he had to get the drainage board to come out and empty and attempt to dredge the bottom in order to try and get some water flow. Councillor Marks expressed the view that his concern is where is the water going to go. Mr Hall explained that on the site at the moment there is currently a pond and the proposal is to enlarge the pond as it is not large enough in its current form. He added that the Drainage Consultant has included a further pipe from the pond which goes northeast and connects to the large pipe referred to by Councillor Marks which is in third party land and the owner of the land has provided an email confirming that they are content with that arrangement subject to Anglian Water approval. Mr Hall added that within the officer's report it states that Anglian Water have been consulted on the application, but they did not raise any concerns. He stated that the water will be kept on the site and then slowly attenuated to the Anglian Water pipe on third party land.

The email Mr Hall referred to was circulated to members of the committee.

- Councillor Mrs French referred to the officer's report at Section 2 where it states that the development is within the catchment of Manea Town Lots Water Recycling Centre which currently lacks the capacity to accommodate the additional flows and she stated that she would like clarity on how the additional water will be handled? Mr Hall stated that he is aware that the Planning Officer has been in discussions with Anglian Water, and it is his understanding that there are no concerns with regards to the actual surface water flows but the actual foul water flows is where there is some concern.
- Danielle Brooke explained that she has had detailed conversations with Anglian Water about the situation and they are comfortable with submitting and proposing a pre commencement condition to ensure that foul water flows can be accommodated in respect of the timetable of their upgrades to Manea Water Lots being undertaken.
- Councillor Connor stated that it is the same as the previous application and the upgrade needs to take place before development can commence.
- Councillor Marks stated that the biggest concern to the residents in the village appears to be the access for the site and he expressed the view that he is amazed that the Highway Authority are content that the access is safe for seven dwellings. He added that he has significant concerns, and he referred to the presentation screen and indicated where the area narrows and it is where people park vehicles and there will be further vehicles which will feed out into the roadway. Councillor Marks asked Mr Hall whether he has considered incorporating double yellow lines into the scheme? Mr Hall explained that the access shown on the plan is what was submitted at the start and Highways did not ask for any changes and did not ask for a speed survey. He stated that with regards to the existing access he agrees that it is very tight and, in his opinion, there will be more cars if the application is approved. Mr Hall stated that the visibility splays can be achieved in both directions and the

footpath will lead into the site along with a pedestrian crossing, however, the Highway Authority did not ask for any more information and, therefore, nothing further has been incorporated including double yellow lines as they deemed it acceptable.

- Councillor Marks expressed the view that he believes that the Highway Authority will have only carried out a desktop survey when reviewing the application and as a committee, in his view, members need to take that into consideration. He expressed the view that Highways Officers should be undertaking site visits as in this case it is going to cause problems, especially when more vehicles are feeding out from the site.
- Councillor Mrs French stated that she also has concerns with regards to the highway and she believes it probably is a desk top study. She added that there is a public right of way which runs through there which Mr Hall has taken into consideration, and it runs along two sides of the boundaries.
- Councillor Connor asked what will the access road which leads into the site be constructed of and is it the intention to have the road adopted with street lighting or will a management company be set up. Mr Hall stated that there will be the existing property plus the seven new dwellings and the road will be a private driveway made up of either permeable tarmac or permeable block paving. He added that there would have to be a management company set up or residents would own it but this level of detail is still to be considered as the application is only in outline form at the current time. Mr Hall added that the road is 6 metres wide and has a turning head incorporated to ensure that the waste collection vehicles are not hindered.
- Councillor Connor stated that he is fearful that the application has not been considered properly by the Highway Authority and, in his view, the access is very close to the bends and whilst he would like to think they visited the site as, in his view, a desk top study in this instance is not acceptable.

Members asked officers the following questions:

- Councillor Marks asked whether officers are aware whether the highways officers undertook a site visit or is their assessment a desk top survey? Danielle Brooke stated that from their comments it was not clear either way, however, they have suggested that the access and visibility splays are of appropriate dimensions for the area. She added that presumably they have looked at the appropriate data to ensure that the access is acceptable, and they raised no objection.
- Councillor Marks stated with regards to the drainage, there appears to be a lot of tarmac on the site which will stop the water on the site, and he asked whether the Internal drainage Boards have been consulted at all on the application with regards to taking on the additional water.
- Councillor Mrs French stated that the answer to Councillor Marks question will be no because they are not statutory consultees, and they do not have to reply.
- David Rowen stated that Middle Level Commissioners were consulted on the proposal, however, there has been no feedback on the application received. He added that as it is not a major application there are no comments either from the Lead Local Flood Authority as it does not fall within their remit. David Rowen referred to the presentations screen and explained that whilst it is an indicative layout, there is quite a bit of surface shown, however, there is also a large amount of landscaped area too. He made the point that he would suggest that the proposal is not significantly different to a number of other schemes of this kind of scale which the Council grants on a regular basis.
- Councillor Marks stated that he knows how Manea suffers from flooding, and he has concerns with regards adding more development onto the site and where all the water is going to go.
- Councillor Connor added that he has noted the construction management plan and if the application is passed as it is located so near to the bends there does need to be a strong condition added to include a wheel wash or a sweeper to keep the road up to a satisfactory standard during development. David Rowen stated that the wording of condition 6 requires the construction environmental management plan to be created in accordance with a

template available on the Council's website and that template has been devised by Planning Officers and Environment Health, which does refer to matters such as mud on the highway.

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

- Councillor Purser stated that he visited the site, and he noted that there were numerous vehicles parked up and down the road, which made the visibility around the already dangerous bends even worse and, in his view, it is an accident waiting to happen.
- Councillor Marks stated that he also has concerns as when coming round the corner from the High Street, you are greeted with parked cars meaning you must get onto the other side of the road and you are either going to be meeting vehicles coming in and out of the development even with the gateway. He stated that he has concerns with regards to the whole S bends and not just the site along with his worries concerning the water off the site, with the fields behind the application site being waterlogged most of the time and he recalled the issue on the other site where the pipe was overwhelmed going down to the Darcy Lode. Councillor Marks expressed the view that the application is just too much at the present time and he will not support the application.
- Councillor Benney stated that he reviewed the application and researched to see what the visibility splays in a 30mph area needed to be and he was able to ascertain that you go 2.4 metres back into the boundary and then 70 metres either way for a splay in a 30mph zone. He added that he is content that it could be achieved if you were turning right coming out of the site but does have concerns that it is another desk top survey, and the splay cannot be achieved unless the Highways Officers could advise otherwise.
- David Rowen added that it is his understanding that the recommended visibility splays for a 30mph zone are 2.4 metres by 43 metres.
- Councillor Connor asked what the splays are in the case of this application? David Rowen confirmed that they are 2.4 metres by 43 metres, however, he is aware that historically the measurements have been 2.4 metres by 70 metres but that has been reduced in revised guidance.
- Councillor Mrs French made the point that she believes that this is a desk top survey undertaken by the Highway Authority and, in her view, further information is needed and she would be quite content to see the application deferred in order for further detail to be provided by the Highways team. She added that the application is on a nasty bend and if it is approved then, in her opinion, the applicant should be paying for the introduction of double yellow lines.
- Councillor Connor stated that if the application is to be deferred, he would support that view. He added that Councillor Marks is the local Ward Councillor and is looking at the flooding issues at the Darcy Lode as he does have concerns with regards to how the water is going to be disposed of along with the highway concerns.
- Councillor Marks requested that the IDB be asked for their input as well.
- Councillor Mrs French asked which IDB is it? Councillor Marks stated that it is the Doddington and Wimblington Board. Councillor Mrs French advised that it is the March Third or March Fifth Board and she will contact them.
- Councillor Connor stated that if the application is deferred then the IDB can be asked for some comments and the Highway Authority can be asked to provide some further detail.
- Matthew Leigh stated that, in relation to the surface water, as David Rowen advised the site is relatively green and is of low density. He explained that condition 5 associated with the application relates to a drainage scheme being submitted and he explained that it would not be normal practice to require these details as part of a full, outline or reserved matters application and it would normally be something that would be definitively dealt with through the subsequent scheme and taking into account the final materials that are going to be used for the hard standing including the permeability and run off impacts. Matthew Leigh added that he will contact the IDB and ask them to respond to the consultation, however, there will still be the opportunity to double check and ensure that there will not be any additional harm just through the condition.
- Councillor Marks stated that he appreciates the comments from officers, however, the

committee need to have peace of mind before they move to the next steps. He expressed the view that as the local Ward Councillor and having seen first hand the flooding which has occurred along with attending village meetings concerning the flooding, he would not be doing the right thing if he did not try and safeguard the area along with having the input from the local drainage boards.

- David Rowen advised members that the drainage board have already been consulted on this application, and he explained that at the moment the drainage strategy proposed does not involve an IDB watercourse and he would, therefore, be surprised if they would actually comment. He added that the current proposal is for a new pipe which is to be put across third party land to connect to the Anglian Water combined sewer in Coxs Way which the agent Mr Hall confirmed is correct.
- Councillor Marks asked for clarity that there is no surface water going from the site into an IDB drain and it is all going into the Anglian Water system which is almost overloaded already as if that is the case then he is even more hesitant to approve the application. David Rowen stated that in the officer's report at 10.15 it confirms what the outline of the drainage strategy is proposed to be and also outlines that whilst Anglian Water have noted that the proposal does not necessarily follow the SuDs hierarchy, they have not objected to the proposal.
- Councillor Marks made the point that as the local Ward Councillor he feels it is his responsibility to outline what flooding has occurred in the past and by adding further water into the system, he is even more concerned and whether the water goes into the IDB system or the Anglian Water system, he would be very keen to hear their views as well.
- Councillor Mrs French stated that from attending monthly meetings she knows that Anglian Water have stated that they do not wish to take any more surface water. She added that she recalls the flooding episode in Manea in 2020 and she stated that it cannot be ignored that there is a major flooding issue. Councillor Mrs French added that when she visited the site, the whole place is flooded and she would have expected there to be a drain there, however, it maybe that there was one and it has been filled in. She expressed the opinion that the surface water cannot be going into the pipes belonging to Anglian Water and there needs to be more questions asked and further information for members.
- Councillor Imafidon asked whether the Highways Officer can come to the committee when the application is brought forward again. Councillor Connor explained that they will not attend the committee for such a small application.

**Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the application be DEFERRED to receive further information from the Highway Authority, Anglian Water and the IDB.**

*(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind.)*

*(Councillor Imafidon declared that the agent has undertaken work for him personally, but he is not pre-determined and will consider the application with an open mind)*

*(Councillor Marks declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Manea Parish Council but takes no part in Planning.)*

**P101/24      F/YR23/0811/F  
LAND EAST AND SOUTH OF 47 DODDINGTON ROAD, WIMBLINGTON  
ERECT 14 X DWELLINGS (2 X SINGLE-STOREY 1-BED, 2 X SINGLE-STOREY 2-  
BED, 8 X 2-STOREY 2-BED AND 2 X 2-STOREY 3-BED) AND ASSOCIATED  
WORKS, INCLUDING FORMATION OF VEHICULAR ACCESS, FOOTPATH  
ALONG DODDINGTON ROAD AND RETENTION OF PUBLIC RIGHT OF WAY  
THROUGH SITE**



David Rowen presented the report the members.

Members received a presentation, in accordance with the Public Participation Procedure, from Steven Flowers, the agent. Mr Flowers stated that the proposal is going to include a local connection criterion and will be 100% for local people within the parish. He explained that he has responded to various concerns over the lifetime of the application with regards to redesigns, such as moving the bungalows to the front of the site in order to help with the streetscene and overlooking.

Mr Flowers stated that he has received some recent data from Fenland District Council with regards to housing need and the figures show that there are 64 households in housing need within Wimblington, with 491 showing Wimblington as a preference, and within the wider district there is almost 1800 in need of housing. He explained that there are opportunities for the 100% affordable scheme with a local connection in place, these do not arise very often in this area and he would be looking to secure the Section 106 agreement to reflect the local connection and the affordable housing supply on the site.

Members asked Mr Flowers the following questions:

- Councillor Mrs French stated that she welcomes the 100% affordable housing provision, however, she is unsure whether a Section 106 Agreement is necessary when there is 100% of affordable housing being delivered but if something else is being offered then she is more than happy.
- Councillor Connor congratulated Mr Flowers and expressed the view that the application is one of the best applications that he has seen for a long time. He added his congratulations for the work that he undertaken in conjunction with the Parish Council and he asked whether Mr Flowers has any indication as to when works would commence if the application is approved by the committee? Mr Flowers explained that members will have noted that there are a couple of complications which have arisen with regards to ecology and the fact that there is a population of lizards on the site that means a process of trapping and relocating to a receptor site which is likely to take place in April. He added that there is also an archaeology condition to satisfy which will follow the ecology issue and the likelihood of development commencing is by the late Summer by which time the conditions will be satisfied.
- Councillor Connor stated that he is delighted that all of the affordable homes are going to be in Wimblington Parish, and he thanked Mr Flowers for bringing the application forward.
- Councillor Marks stated that the Isle of Ely Way is in the vicinity along with a public footpath and he asked Mr Flowers whether there are any plans to introduce a stile or a gate as he has concerns with regards to young children being able to access the A141. Mr Flowers stated that he welcomes the question but he is unsure what the detail is with regards to that point. He added that the footpath is to be retained and left as it currently is, but he would need to look into the detail further with regards to the boundary treatment but would be happy to accept a condition.

Members asked officers the following questions:

- Councillor Marks asked whether the site is being classed as a brownfield or greenfield site? David Rowen explained that the parked cars which can be seen on the presentation screen are not located within the application site and the site actually commences where the block paving ends. He expressed the opinion the site is a greenfield site and as the photos in the officer's report demonstrate that the site is overgrown with no development and is an undeveloped green space.

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

- Councillor Benney stated that the application in his view is a good application and is much needed.

- Councillor Purser stated that affordable housing is very much needed, and the proposal will clean up that parcel of land very nicely. He added that the visibility when leaving the site is also very good and he will support the application.
- David Rowen stated that there was not a condition included with the proposal with regards to a stile, however, he referred to the presentation screen and highlighted a photograph which shows a standard public rights of way gate which is heavy, and spring loaded. He added that he does not know whether that gives Councillor Marks some assurance that the gate is there which may prevent children running out onto the A141.
- Councillor Mrs French stated that it is a public right of way which the Country Council control and she made the point that they could be asked to ensure that it is gated, or a stile is included.
- Councillor Connor stated that he will leave that aspect for officers to investigate.

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

**P102/24      TPO05/2024  
VICARAGE CLOSE, CHATTERIS  
TREE PRESERVATION ORDER (TPO)**

Kimberley Crow presented the report to members and drew their attention to the update report which had been circulated.

Members received a written representation, in accordance with the Public Participation Procedure, read out by Member Services from Ingrid Holliday, in support of the Tree Preservation Order. Ms Holliday stated that she understands that following the Council's decision to apply a Tree Protection Order on the Sycamore tree, granted late last year, whose roots are in her garden (13 St Martin's Road), the future of this tree is now in jeopardy, as an objection has been raised by an interested party and referred to this meeting for its further consideration. She wished to reiterate that primarily and what should be of significant importance for this committee's consideration and deliberation right at its onset is the fact that, as I am sure members will already know but the objector may not, is that nationally, significant numbers of Sycamore trees are suffering and dying from various pathogen causing diseases, including leaf spot (*crustularia depraedans*), tar spot (*rhytisma acerinum*) and the potentially more damaging, sooty bark disease, *cryptostroma corticale*, which is a fungal disease and can cause wilting of the tree crown and eventual death of the tree and can also lead to maple bark disease which is transferable to humans.

Ms Holliday expressed the view that the Sycamore is a tree that is now in danger and, therefore, worthy of protection, conservation and care and should not be allowed to be destroyed or damaged wantonly even though its leaves and charming helicopter seed pods have a tendency to become a nuisance and fall onto cars and driveways. In her understanding, the objector had, late last year, collected some fallen branches that fell into Vicarage Close after a few particularly windy days but, in her view, these were not of any significant size to cause any material or structural damage and indeed, these were put over her fence into her garden where they remain, should anyone need to inspect them.

Ms Holliday expressed the opinion that the Sycamore tree contributes to the countryside's rich tree biodiversity, adding sanctuary to bats, bees and local birdlife and the aesthetic value of the landscape and help to "bed in" and provide interesting views, colour and texture for local houses to enjoy. She questioned what could be of greater value than to teach young children to watch the tree renew itself each spring and to see local birdlife making nests in a beautiful tree at the bottom of the garden and in what better way can such values be imparted to children and grandchildren to respect, conserve and value nature if trees are chopped down just to prevent people from needing to wash their cars and tidy their lawns and driveways of leaves.

Members asked officers the following questions:

- Councillor Mrs French stated that when she visited the site, she thought she was seeing things and she has listened very carefully to the points made by the owner of the tree, however, in her opinion, the tree should have been maintained to a higher standard by the owner over the years. She made the point that the tree is covered in ivy and if a Tree Preservation Order (TPO) is added to the tree she has no objection but, in her opinion, in a few years' time, the tree will be totally dead and will have to be removed. Councillor Mrs French added that when that time comes the owner of the tree is going to have to submit a planning application to have the TPO removed.
- Councillor Connor referred to the presentation screen to review the photographs of the tree. He expressed the view that trees are not known to be healthy if they have ivy on them and, in his opinion, the tree does not appear to have had any removal of the ivy whatsoever.
- David Rowen stated that the Council's Arboricultural Officer has carried out an assessment in terms of its impact and amenity and has recommended the making of the TPO with the knowledge that there is ivy on the tree. He explained that if the officer had any concerns with regards to the long or short-term health of the tree then the recommendation to confirm the TPO would not have been made.
- Councillor Marks asked who actually owns the tree as the lady who submitted the written representation stated that the roots go under her garden into her property, but it did not actually sound as though she owns the tree. He added that the written representation also makes reference to the suggestion of a management plan for the tree, and he questioned how a management plan can be in place if you are not the actual owner of the tree.
- Councillor Connor stated that the representation also intimated that she may own it because the objectors have thrown all of the branches back into her garden.
- Councillor Marks asked for part of the written representation to be read out again. Member Services stated that it reads 'I understand that following the council's decision to apply a tree protection order on the sycamore tree, granted late last year, whose roots are in my garden, 13 St Martins Road, the future of this tree is now in jeopardy'.
- Councillor Connor stated that it still is not clear.
- Councillor Mrs French added that it is only the roots of the tree are in the lady's garden and questioned why somebody else who lives in the road would trim the tree and then throw the branches back into the lady's garden if it does not belong to her.
- David Rowen explained that the documentation on the case file, albeit not 100% categorical proof, appears to indicate that Mrs Holliday, the lady who submitted the written representation is the owner.
- Councillor Mrs French asked whether the lady requested that the TPO was added to the tree last year. David Rowen stated that it is the officers understanding that it is the same lady who requested the TPO.
- Councillor Marks stated that he finds it most confusing that the lady also wants to introduce a management committee to look after the tree and it is either her tree or it is not.
- David Rowen stated that the Council's Tree Officer has assessed the tree and believes it to be of merit to deserve a Tree Preservation Order and the committee needs to make a decision as to whether it agrees with that recommendation or not. He added that with regards to whose tree it is or the long-term management plan of the tree are secondary issues and the main aspect for the committee to consider is whether the tree is worthy of a TPO or not in accordance with the Arboricultural Officer's recommendation.
- Councillor Mrs French stated that the Tree Officer is the expert, and she expressed the view that if the tree is not dead then it is likely to be dead soon. She added that if the owner of the roots wants to preserve it and wants to have a management committee then that is her choice. Councillor Mrs French added that she would hope that in a few years' time the owner is not going to have to submit a planning application to either cut it down or chop it up.

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

- Councillor Benney stated that he visited the site with Councillor Mrs French, and he expressed the view that the tree is not one of stature and it does not bring any benefit to St Martins Road. He stated that the objector who lives at number 3, in his view, does have make a fair point but he has listened to the written representation and the lady could be a little more proactive with regards to the maintenance of the tree by removing the ivy to make the tree last longer. Councillor Benney stated that there is an objector, a supporter and an Arboricultural Officer who has confirmed that the tree is worth keeping but he does not have strong views with regards to the tree either way but the lady who lives at the property wants to keep the tree on her boundary and he has concluded that the tree probably does need to have a TPO.
- Councillor Purser expressed the view that by looking at the tree in its current condition it is likely to come down soon anyway and adding a TPO is a waste of time.
- Matthew Leigh made the point to members that as part of the process the Arboriculturist undertakes a significant number of considerations to determine whether or not a tree is worthy of protection. He added that one of those considerations is the life expectancy which is broken down into 5 categories, with when considering the tree in this case and taking into account the presence of the ivy, the Tree Officer has indicated that the tree will have a life expectancy of between 20–40 years. Matthew Leigh added that the ivy will potentially cause harm and difficulties to the tree, however, the ivy could be removed tomorrow and that then becomes a moot point. He stated that if the tree does begin to become unwell, then there maybe works which can be undertaken to mitigate that. Matthew Leigh made the point that should the tree die then an emergency application can be submitted and there is a timescale of 5 days for that to be considered.
- Councillor Purser asked whether there is any information as to whether the tree has been tested to see if it does have any health issues. David Rowen explained that detail is not known, however, the Tree Officer has assessed the tree in its current condition.

**Proposed by Councillor French and seconded by Councillor Mrs French and agreed that the Tree Preservation Order be CONFIRMED.**

*(Councillor Benney declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a Member of Chatteris Town Council but takes no part in Planning)*

*(Councillor Marks declared in accordance with Paragraph 14 of the Code of Conduct of Planning Matters that he attends Chatteris Town Council meetings although he is not a member of the Town Council, but he leaves the room when planning matters are discussed)*

**P103/24      F/YR24/0557/F**  
**LAND SOUTH OF SWAN COTTAGE, BENWICK ROAD ACCESSED FROM**  
**DYKEMOOR DROVE, DODDINGTON**  
**ERECT A HAY STORE, 1.5M HIGH WELD MESH AND 1.8M HIGH CLOSE BOARD**  
**BOUNDARY FENCING (RETROSPECTIVE)**

Kimberley Crow presented the report to members and drew their attention to the update report that had been circulated.

Members received a presentation, in accordance with the Public Participation Procedure, from Liam Lunn-Towler, the agent. Mr Lunn-Towler stated that when this application came before the committee previously with the main issue which was of concern to the committee being with regards to highway matters, which led the application to be deferred and at that time he had agreed that any necessary amendments required by highways would be made. He added that the highways comments were received on 7 February, which he reviewed on Monday 10 February and he referred to the third line of their comments stating that they requested additional information from the applicant regarding the access in the site and the comments then go onto explain that a speed survey is required, with his colleague notifying the applicant of the requirement for a speed

survey by Highways and commenced obtaining quotes.

Mr Lunn-Towler explained that he was advised on the 25 February that the application was being brought before the committee today and whilst he has tried to expedite the speed surveys there has only been a two-week time frame from receiving the Highways comments to having received the notification of the date of committee. He stated that a colleague requested whether the application could be deferred, however, that request was refused, and he is of the opinion that the item has been brought back to the committee too quickly.

Mr Lunn-Towler advised the committee that the speed specialist is ready to commence the survey, however, the timeframe for this is 3 to 4 weeks to obtain the survey report and then in turn seek advice from highways before making appropriate amendments to the scheme. He suggested that the committee scheduled to take place in May would allow for a survey and consultation period and he would agree to an extension of time to facilitate that in order that it is ready for members to consider.

Mr Lunn-Towler explained that he is still committed to amend the scheme in order that it satisfies the Highways Authority, and he asked the committee to consider a deferral to allow additional time for the survey to be undertaken. He made the point that the outside of the building has already been painted green.

Members asked Mr Lunn-Towler the following questions:

- Councillor Mrs French asked Mr Lunn-Towler whether he had spoken to officers with regards to the application coming back to the committee too quickly? Mr Lunn-Towler stated that when the committee notification was received, his colleague spoke to officers on the same day and advised that there was not enough time to make the necessary arrangements. He expressed the view that due to the very quick turn around of the notification being released within 12 working days, he believes that officers were of the opinion that it was to come before the committee again anyway. Mr Lunn-Towler added that he did ask whether it could be moved to the April committee to allow more time to at least get the survey completed but that was declined.

Members asked officers the following questions:

- Councillor Benney stated that he notes that the application is to be determined by 14 March, which means it would not come back to the April committee, and he asked officers whether an extension of time would have made any difference to the outcome of the officer's recommendation.
- David Rowen explained that the view of officers is that the lack of visibility is so great and, therefore, any speed survey conducted would not really serve a purpose, with the road having a 60mph speed limit on it and the visibility splays needed being 215 metres. He added that Highways Officers have stated that they have observed less than 30 metres visibility and even if a speed survey is undertaken and concludes that the average speeds along the road are 40mph, the visibility splays required would still be significantly more than 30 metres and, therefore, the view of officers is that it would mean that the applicant would be having undue expense and trouble to prove that there is not adequate visibility anyway. David Rowen stated that the officers view is the expeditious way to take the application forward is to bring it back before the committee at the earliest opportunity for a decision to be made on the basis on the Highway Authority's comments.
- Councillor Benney stated that when he visited the site before he had noticed that there are 6 new mobile homes which have appeared on the site, and he questioned whether they have planning permission? David Rowen stated that he was not aware of any permission being granted for the mobile homes although that was not a definitive answer, and he made the point that it was not a material consideration for the committee to take into account in the determination of the application before them.
- Matthew Leigh stated that the reason for refusal is in relation to highway safety and, in his

opinion, any extension of time with a very unlikely positive outcome is putting peoples lives at risk when considering highway safety.

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

- Councillor Benney stated that the application was initially deferred to see what the impact was on highway safety and now there is an additional reason for refusal which is on the grounds of highway safety. He expressed the view that the officer's recommendation is correct.
- Councillor Connor stated that sometimes the committee decry highways, however, in his view he believes that Highways Officers have been to the site and undertaken a survey, and all of the information has been provided. He added that it is a 60mph road and he knows for a fact that cars do drive at that speed down there as there is nothing to stop them from doing so. Councillor Connor made that point that if there is such a difference in that the visibility splays cannot be achieved for the distance the committee cannot go against the Highways Officer's opinion. He stated that the applicant can bring a further scheme forward should they want to but reiterated that the current scheme cannot be approved, and the officers have made the correct recommendation.

**Proposed by Councillor Benney, seconded by Councillor Marks and agreed that the application be REFUSED as per the officer's recommendation.**

**P104/24      F/YR24/0970/FDC  
LAND TO THE SOUTH OF 8 CROWN AVENUE, CHRISTCHURCH  
ERECT 1X DWELLING**

Kimberley Crow presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Rebecca White, the agent. Mrs White stated that the proposed development is situated on a brownfield site which was previously occupied by a sewerage treatment plant which was decommissioned in 2010. She added that it is common for abandoned brownfield sites to become overgrown, and she disagrees with the Planning Officer's comment where they state that this leads to the site blending into the surrounding landscape.

Mrs White explained that the site is unkempt and is an eyesore at the end of Crown Avenue and she does not believe that the dense vegetation changes the classification of the site. She explained that the ground asset and boundaries are still present on the site albeit obscured by the overgrowth and if the site was cleared to clearly show its brownfield elements it would then become a magnet for anti-social behaviour due to its accessible but hidden location as well as a financial burden on the Council to keep it maintained.

Mrs White stated that location of the site behind 8 Crown Avenue classifies it as back land development rather than the residential infilling under policy LP3 and the existing access is located beside 8 Crown Avenue and although the new dwelling is situated towards the rear, it remains visible from the street due to the sites constraints and the necessity of keeping it within Flood Zone 1. She stated that the application proposes the development of a brownfield site within the village settlement to provide a new home and thereby positively supporting community growth which is supported by the Parish Council and also responds to a national pressure to provide new housing.

Mrs White explained that whilst Crown Avenue predominantly features two storey semi-detached homes by proposing similar properties on the site would be inappropriate due to the harm and impact of overlooking and reduction of privacy for neighbours, with the proposal being for a single detached two storey house with reduced eaves to mitigate the concerns. She added that unlike the first two reasons that the officer is recommending the application for refusal, the third reason was not addressed or brought to her attention during the application, and it did not form part of the

previous application either.

Mrs White explained that contrary to the statement indicating that the site is in a high-risk flood area, a Flood Risk Assessment was submitted in support of the application, and it concluded that due to the benefits of the defences the provide protection the site is not at risk. She explained that it is her understanding that the planning flood maps do not account for the existing flood defences which effectively protect this area.

Mrs White made the point that the strategic Flood Risk Assessment maps for Kings Lynn and West Norfolk Borough Council demonstrate that the site is not at risk during the 0.5% annual probability tide event with climate change or the 1% annual probability fluvial event with climate change and furthermore the site will remain safe during a breach of the defences. She stated that it is important to acknowledge that the new proposed dwelling is all located in Flood Zone 1, and it is only part of the access route that passes through Flood Zone 2 as does the end of Crown Avenue.

Mrs White stated that it is recognized that there are settlements within the district with potential development sites in Flood Zone 1 and it should also be noted that these areas in Flood Zone 1 often represent dry islands which are often surrounded by Flood Zones 2 and 3. She made the point that when considering access routes on a broader scale it can be argued that most sites have access routes within flood zones due to the low lying land which surrounds the settlements and when considering the Fenland landscape, in her view, it would be unreasonable for a development to fail the sequential test solely due to having part of an access route in Flood Zone 2.

Mrs White expressed the view that as a result the application site is considered to pass the sequential test and she added that from her understanding of the Local Plan, a separate sequential test was not submitted but could be if needed. She added that the application will not only rejuvenate an used overgrown brownfield site but will also enhance the areas safety and aesthetics, as well as reducing maintenance costs for the Council and provide much needed housing which will make a positive contribution to the area and she asked the committee to consider the broader benefits and support the application.

Members asked Mrs White the following questions:

- Councillor Mrs French stated that reference was made to the fact that the Council obtained the land in 2020, and she queried why the land was still in the Council's ownership when they sold their housing stock in 2009. Mrs White stated that she did not know the answer to that.
- Councillor Mrs French stated that with regards to flooding issues and the absence of a sequential test she notes the points made by Mrs White, but she will ask questions of officers.
- Councillor Marks questioned whether the site was previously or has ever been connected as a garden to the property in front of it? Mrs White confirmed that is the case.

Members asked officers the following questions:

- Councillor French asked whether the application is an invalid application due to the absence of the sequential test. David Rowen stated that it is the view of officers that there is no adequate sequential test submitted with the application, hence the third recommended reason for refusal. He added that whether that classes the application as being incomplete is down for the committee to decide, however, in the view of officers it is sufficient for a reason for refusal.
- Councillor Marks stated that the applicant has stated that they are happy to come forward with a sequential test and he asked whether it would be beneficial for the application to be deferred in order to allow that sequential test to be provided.
- Councillor Connor stated that he visited the site, and it is a brownfield site and the NPPF states that brownfield sites should be used in the first instance and, in his opinion, it is a brownfield site, and he will be supporting the application. He added that it makes a positive

contribution to the village.

- Councillor Marks stated that he asked officers during the Chairmans briefing for clarification as to when a greenfield site becomes a brownfield site and then goes back to being a greenfield site.
- David Rowen referred members to the glossary in the NPPF which contains advice and guidance and it states that the definition of previously developed land excludes land which was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape. He made the point that as far as he is aware in this case, there are no buildings left on the site and any structures or remains of the previous operation are very much at ground level. David Rowen referred to the presentation screen and highlighted a photograph where it can be seen that the site has blended. He added that in terms of the wider issues about the acceptance or otherwise of it being brownfield land and he explained that the Council refused an application previously for development of the land and the condition of the land has not changed significantly since then. David Rowen added that with regards to the wording of the NPPF and giving weight towards developing brownfield sites, that has not changed either and if members were minded to grant the application, there would need to be an explanation with regards to what has changed from the previous refusal and, in his opinion, there does not appear to be any change.
- Matthew Leigh stated that with regards to the issue of abandonment it is not a simple choice to make with regards to whether when first looking at the site is it brownfield previously developed land or is its greenfield land. He added that it is acknowledged that there has been historic development on the site, and it has been determined by the planning courts what is abandonment and whether the benefit of being previously developed land has fallen away. Matthew Leigh explained that the courts have determined that there were four tests to use when considering whether a site benefits from abandonment or whether it benefits from a lawful use, and he added that there will always be a planning judgement requirement. He explained that the four tests are made up of condition of the building including whether the physical structure of the buildings have been removed which would suggest that abandonment had taken place. Matthew Leigh added that the second test would be for the period of non-use, and he added that 15 years is not an extensive period, but abandonment has been proved when there has been a far shorter period. He explained that another consideration is whether there have been any other uses and to his knowledge in this case there has been no other uses on the site and the fourth consideration is to consider the owners intentions and, therefore, steps need to be taken to look back to the original owners use of the site and in this case the original owners used the site as a storage area and treatment works which was moved to the site next door. Matthew Leigh added that the owners have not used the site since that period of 15 years ago and there appears to be no intent to carry on using it lawfully. He explained that the current owners irrespective of who they have never intended to use it for the lawful use and, therefore, in his opinion, it does lean to abandonment. Matthew Leigh stated that if members are looking to defer the application for the purposes of the sequential test then it may be worth a summary being provided to members with regards to abandonment in order that an informed judgment can be made.
- Councillor Marks questioned that if the present owner were to tidy up the site and started to use it would they need planning permission to use it as a yard or does the current planning permission that it had cover it even 15 years later? Councillor Marks added that he knows farmers who leave fields for 15 years so that could be classed as abandonment. Matthew Leigh stated that agriculture is not development and, therefore, it would not matter as planning permission is not required for anything that is agricultural.
- Matthew Leigh stated that this is where the four tests come into consideration, and he would suggest that if the application is going to be deferred then the detail surrounding abandonment can be incorporated within the officer's report for members to gain a better understanding.
- Councillor Mrs French expressed the opinion that it would only be right for the application to



be deferred.

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

- Councillor Marks expressed the view that something does need to happen to the site and the question is what would be the best use for the site as it is currently redundant, and he does not see how it can be backland development as the site has its own roadway down there. He stated that if the bushes were removed, he is confident that there would be concrete underneath which, in his opinion, would mean that it was a brownfield site still although it has not been used for 15 years.
- Councillor Connor stated that he called the application back under the scheme of delegation and he discovered it is a brownfield site. He expressed the opinion that just because the site has not been used for 15 years does not mean that it has been abandoned and he is convinced that it is a brownfield site, and, in his view, it will make a positive contribution to Christchurch and to Crown Avenue. Councillor Connor expressed the view that although he will accept a deferment, he would rather have his comments taken into consideration and for the application to be approved.
- Councillor Imafidon asked whether the deferment of the application is going to be based on the absence of a sequential test? Councillor Connor stated that is the case.
- Councillor Connor made the point that if the application were deferred it would not be an issue, however, in his personal preference it would be approved as it meets all the criteria, and the agent has agreed to undertake a sequential test.
- The Legal Officer explained that, with regards to the sequential test, the committee needs to be really clear that the outcome of the sequential test needs to be a predetermination issue, it is not something that can be addressed through conditions and it is not lawfully open to the committee to grant consent subject to the applicant carrying out a sequential test at a later date. She stated that the committee either need to be satisfied that a sequential test is not required and, in her view, given that the access to the site is within Flood Zone 2 that is a difficult conclusion to reach on the facts of the site or the committee need to defer in order to allow the applicant to carry out a sequential test and then come to the committee with that evidence to then decide whether they are satisfied either that the sequential test can be passed or that the sequential test fails but consent can be granted nevertheless by applying the exemption in the NPPF. The Legal Officer stated that her strong advice to the committee would be that if they have questions with regards to the validity of the need for a sequential test and the committee are minded to require the applicant to provide one to satisfy them then, in her view, the committee cannot grant but require a sequential test and they would have to defer in order for the applicant to bring the application back again.
- Matthew Leigh stated that if the committee seek to defer the application then the applicant is going to be asked to undertake a sequential test. He added that if members agree then officers can also seek to ascertain from the applicant whether they have any evidence to clarify the point concerning previously developed land. Matthew Leigh made the point that the applicant may have further information to assist both officers and members which goes above and beyond the information held and he would recommend that course of action to the committee.
- Councillor Connor stated that he has listened to the advice provided by the Legal Officer and would be happy for the application to be passed and deferred only on the grounds of the sequential test.
- Councillor Marks stated that the committee are of the opinion that the application passes everything apart from the sequential test. He added that regardless of whether the site is a greenfield or brownfield site, the only thing that the committee have concerns with is the sequential test and that is the only element that the applicant needs to come back with.
- Matthew Leigh stated that this course of action will make the decision-making process quite awkward when the application comes back before the committee as membership of the committee maybe different and members thought processes may alter.
- The Legal Officer stated that it is quite difficult to establish the principle of development on all other grounds apart from the sequential test, however, the sequential test goes itself to

the principle of whether this development is acceptable on this site or not. She added that she does not believe that members are straying into the area of illegality, but it is a very difficult decision to rationalise, and, in her view, it is a slightly unnecessary decision to rationalise. The Legal Officer added that if the committee consider that the sequential test is required then lawfully the committee cannot grant planning consent now as they have formed the view that the test is required and she fails to see why the committee would risk fettering its discretion at the next committee or to seek to determine some elements of the scheme. She added that it is difficult due to the fact that the application needs to be considered against the development plan as a whole and members of the committee need to be satisfied that the whole application on the site is compatible with the development plan and it is difficult to start to pick and choose elements of a scheme which are acceptable and for those which are not. The Legal Officer stated that she would strongly advise the committee to take no decision on any of the merits of the application until the evidence required on the sequential test. She stated that if the committee want to be satisfied as to the brownfield or not question with regards to the land then that information can also be obtained and then the committee can reconvene at a future meeting and have regard to all of the material considerations and they can all be considered in the relevant balance and be considered against the development plan as a whole and reach a determination at that point.

- Councillor Mrs French stated that she has listened to the advice of the Legal Officer and agrees that it would not be sensible to split the elements of the application. She added that the long-standing councillors on the committee know that it is a brownfield site, and she explained that she has been elected since 1999 and knows that the housing stock was sold in 2009 and questioned how the Council acquired it in 2010. Councillor Mrs French expressed the view that full information is required including when they acquitted the site and then the application can be determined in its entirety, rather than in small elements as it does not look professional for the committee or for officers.
- Councillor Marks made the point that he believes applications have been determined in a similar way previously, however, he will agree that a deferment is the correct way to proceed. He made the point that whilst he will support a deferment, in his view, it will just mean that the applicant will be able to provide further information which will mean there is further information for the committee to consider rather than just the one element. Councillor Marks added that the committee are of the opinion that the site is a brownfield site, and he questioned why time is being wasted ascertaining whether it is or is not and the only outstanding matter is the sequential test.
- Councillor Connor concurred with the point made by Councillor Marks and he added that in his view the application will make a positive contribution to the village and the street scene.
- The Legal Officer stated that because the committee do not have the evidence to know whether the sequential test is going to be satisfied or not. She added that members may find that once the evidence has been gathered and is brought back to the committee then it may be apparent that there is the need to turn to the exemption test because if the development cannot pass a sequential test because there were lower risk alternative sites, the committee may find that they need to make an evaluation of the flood risk of the site and whether it is safe against flooding for its lifetime. The Legal Officer stated that then it will be necessary to weigh that with the benefits of the scheme and by having some really clear compelling evidence and a clear steer on whether the site is previously developed land, whether that be brownfield or not, might be relevant to how the committee carry out the balancing exercise under the exemption test. She added that whilst the committee might be satisfied with their own knowledge that it is a brownfield site, when it comes to considering how the flood risk will be dealt with at the committee next time, the committee may choose to determine whether they may be able to still grant consent notwithstanding the site failing the sequential test that evidence might also be quite helpful to weighing how the committee feel about the balance required under the exemption test. The Legal Officer explained that is why she provided members with caution that it is all connected even when it does not necessarily seem to be at first.

- Matthew Leigh stated that he agrees with the points made by the Legal Officer and the need to balance the application and, in his view, it would be far better for the application to come back in its entirety.

**Proposed by Councillor Mrs French, seconded by Councillor Marks and agreed that the application be DEFERRED in order to receive further information from the applicant and for a sequential test to be undertaken.**

*(Councillor Mrs French declared in accordance with Paragraph 14 of the Code of Conduct on Planning Matters that she is a member of Cabinet but has not been involved with this application)*

*(Councillor Benney declared he is the Portfolio Holder for Assets and took no part in the discussion and voting thereon)*

**P105/24      F/YR24/0662/F**  
**SITE OF FORMER GAS DISTRIBUTION CENTRE, GAS ROAD, MARCH**  
**ERECT 9 X SINGLE-STOREY DWELLINGS (3 X 1-BED AND 6 X 2-BED)**

David Rowen presented the report the members.

Members asked officers the following questions:

- Councillor Marks stated that the previous application, which was also an abandoned site and allegedly a brownfield site, had not been used for 15 years and the application before the committee now, in his view, is the same as the site has not been used for at least 20 years. He added that the site has been cleaned and has overgrowth, and questioned whether the site is classed as a greenfield site.
- Councillor Connor stated that he knows the site and, in his view, it has been in that state for at least 25 years.
- David Rowen explained that the site being considered is of a slightly different nature, including the scale, considering whether it has actually returned and blended into the natural form of the area, which, in his view, it has not. He expressed the view that the most important aspect to consider is that the site is in the core of the settlement as opposed to a site on the edge of the settlement and the principle of the development of a site whether its brownfield or greenfield within the built form of a settlement is deemed acceptable under the policies of the Local Plan.
- Councillor Imafidon questioned whether the architects worked with the officers when considering the design and layout of the site? David Rowen stated that to the best of his knowledge there has not been any pre-application enquiry submitted on the site in relation to the development.
- Councillor Connor asked whether there is enough amenity space associated with the proposed dwellings on the site and will there be enough space to allow for vegetable patches on the site or will the area be covered by tarmac or concrete? David Rowen stated that it is evident from the site plan that all the units have the necessary amenity space as set out in Policy LP6 of the Local Plan. He added that with regards to the remediation of the site, there are comments within the officer's report made by Environmental Health with regards to the need to add cleaner soil on the site and, therefore, he is assuming that the long term intention for any redevelopment of the site would be that ultimately that the soil would be clean enough to be a conventional garden.
- Matthew Leigh stated that the application form for the proposal does not indicate that there has been any pre-application.
- Councillor Mrs French stated that she knows the site very well as it forms part of her District and Town Council ward, and she believes the site has not been used for maybe 30 years. She expressed the opinion that as far as she is concerned the proposal is over development of the site, especially when taking into consideration Kirk Ogden Close and the various other elderly persons bungalows in the town. Councillor Mrs French stated that to suggest

that the car parking for the proposed site is located away from the actual dwellings is, in her view, a nonsense. She added that the 1 metre width footpath is not wide enough to accommodate a disability wheelchair, and she believes it is highly unsuitable. Councillor Mrs French added that the application for site is overdeveloped and whilst the site is right to be developed there does need to be the correct development on it.

- Councillor Connor expressed the view that the application must be one of the worst applications he has ever come across. He added that he knows the site very well as his father used to operate a scrap yard from the site almost 44 years ago and he added that he can categorically advise the committee that the site is very contaminated, and he has serious concerns that the arsenic at the site along with the other contamination will last thousands of years. Councillor Connor added that he is also concerned that even by adding 2ft of soil to the surface it will still not remediate the situation. He stated that the 19 dwellings which received planning permission some years ago, never came forward as it was unviable and now the current proposal is not only unviable, it also a bad case of putting the application before the committee. Councillor Connor added that the officer's have made the correct recommendation and stated that he agrees with Councillor Mrs French that there could be some sort of development on the site, however, this is not the right application for the site. Councillor Connor referred to the email which had been circulated to the Planning Committee members and he stated that, in his opinion, members should take no notice of the content of the email and the application should be refused and the applicant should be asked to submit a more comprehensive and better application to come before the committee and he recommended to the committee to refuse the proposal.
- Councillor Purser stated that he also knows the site well and agrees that the application is not viable and should be refused.

**Proposed by Councillor Imafidon, seconded by Councillor Purser and agreed that the application be REFUSED as per the officer's recommendation.**

*(Councillors Connor, Imafidon and Marks declared, in accordance with Paragraph 2 of the Code of conduct on Planning Matters, that they had been lobbied on the application but will remain open minded)*

*(Councillor Mrs French declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council but takes no part in Planning)*

*(Councillor Purser declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a Member of March Town Council and is a Member of their Planning Committee but there is nothing on the agenda that affects his decision making)*

**P106/24      F/YR24/0707/O  
94 WESTFIELD ROAD, MANEA  
ERECT UP TO 4 X DWELLINGS (OUTLINE APPLICATION WITH MATTERS  
COMMITTED IN RESPECT OF ACCESS AND SCALE)**

David Rowen presented the report the members.

Members received a presentation, in accordance with the Public Participation Procedure, from Matthew Hall, the agent. Mr Hall stated that the principle of residential development of the site is acceptable and forms part of the officer's report at 10.4, with the proposal being a small scale development for four bungalows and is located in Flood Zone 1. He made the point that Natural England as well as the Ecologists at the District and County Council have no objection to the proposal.

Mr Hall explained that there were three reasons for refusal initially and he was surprised to see two of the reasons cited for refusal as he was not aware of them and his Ecologist wrote to David

Rowen who acted immediately and consulted with ecology, and he is pleased to say that those two reasons for refusal have now been removed. He explained that he has worked with the Highways Authority and has purchased a boundary map with regards to the enlarged access which proved that the enlarged access can be carried out along with the visibility splays in each direction and the Highways Authority do not object to the application.

Mr Hall made the point that a turning head has been shown in the plans for the application which, in his view, allows a refuse freighter to enter and exit the site and all the properties have garages and adequate parking which can easily be achieved on the site. He added that section of Westfield Road is straight and there are no objections from Highways, originally Manea Parish Council objected to the proposal on highways grounds, but he has worked with Highways who are content with the proposal along with the Parish Council who no longer have any objection with the enlarged access.

Mr Hall made the point that the proposal is for four bungalows and is a small-scale development and there will be no overlooking, with bungalows being committed as part of this application and, in his opinion, they will have adequate garden area and will have a plot area which is greater than a third and adequate parking. He referred to the presentation screen and the map displayed, and highlighted the site which was approved earlier consisting of 23 dwellings and runs all the way along the western side of the site which is shown in orange, with those dwellings still be built, however, he is aware that the developer is keen to commence construction, and those dwellings will be between 20 and 24 metres away from the bungalows in this application.

Mr Hall stated that the existing property to the southeast is located about 40 metres away from the proposed nearest bungalow and there are a number of trees to the western side of the site which are all to be retained. He added that there have been no objections from any of the consultees on the the proposal, including the Parish Council, Highways, Tree Officer, Environmental Health, Archaeology, Ecology and Anglian Water.

Mr Hall explained that members will be aware of the adjacent site which has been approved and other larger developments on this site which, in his opinion, sets the character of the area. He reiterated that the proposal is for a small scale four dwelling development for bungalows.

Members asked Mr Hall the following questions:

- Councillor Marks asked whether the surface water is going to go straight into the Darcy Lode? Mr Hall explained that an attenuation pond has been included which will hold the surface water and then at a controlled rate of 2 litres per second it will go into the Darcy Lode which is all in the ownership of the site. Councillor Marks asked whether the water would go into the Anglian Water system at all, and Mr Hall confirmed that it will not go into their water system.
- Councillor Marks whether the applicant is the owner of the site at the present time? Mr Hall confirmed that is the case.

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

- Councillor Marks stated that this site is located within his ward and, in his opinion, the site next door was a far better application, which included more space between the properties. He made the point that he does believe that there will be overlooking into the bungalows and on the application it does only state dwellings and does not confirm them to be bungalows. Councillor Marks expressed the view that he does think that the application is for too many dwellings in a very narrow corridor, and he does not like the application and has concerns over the access to the site. He added that he will not be supporting the proposal.
- Councillor Mrs French and Councillor Purser both agreed with the points made by Councillor Marks.

**Proposed by Councillor Marks, seconded by Councillor Purser and agreed that the application be REFUSED as per the officer's recommendation.**

*(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind.)*

*(Councillor Imafidon declared that the agent has undertaken work for him personally, but he is not pre-determined and will consider the application with an open mind)*

*(Councillor Marks declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Manea Parish Council but takes no part in Planning.)*

**P107/24      F/YR24/0879/O  
GARDEN LAND AT HONEYBANK, SECOND DROVE, SWINGBROW, CHATTERIS  
ERECT UP TO 1NO SELF BUILD DWELLING (OUTLINE APPLICATION WITH ALL  
MATTERS RESERVED)**

This item was withdrawn.

3.54 pm

Chairman

F/YR24/0468/O

**Applicant:** Mr D Dalrymple  
Beauville Properties Ltd

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

**Land South Of, 116 - 122 New Road, Chatteris, Cambridgeshire**

**Erect up to 20 x dwellings (outline application with matters committed in respect of access)**

**Officer recommendation: Grant**

**Reason for Committee: Six or more written opinions received which differ from the Officer recommendation**

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### **Government Planning Guarantee**

**Statutory Target Date for Determination:** 3 September 2024

**EOT in Place:** Yes

**EOT Expiry:** 4 April 2025

**Application Fee:** £6,240

**Risk Statement:** This application must be determined by 4 April 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

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## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks outline planning permission for the erection of up to 20 x dwellings (outline application with matters committed in respect of access)
- 1.2 The planning history shows that permission was previously granted for 20 houses on the site. This permission has lapsed.
- 1.3 The principle of housing development on the proposed site on the edge of Chatteris Market Town would accord with the Spatial Strategy as set out policy LP3 of the adopted Local Plan. Whilst the housing proposed would further exceed the approximate housing figure for Chatteris given in Part A of Local Plan policy LP4, this would not in itself be contrary to that part of the policy and would further increase supply and as detailed below would contribute to off-site affordable dwellings. The number of homes applied for in this location is considered acceptable and is therefore in conformity with Part B of policy LP4 of the adopted Local Plan.
- 1.4 The application is in outline form with matters committed in terms of Access. The proposed access from the south side of New Road utilises the existing access to the site and would be upgraded as shown on the access plan submitted with the application. The Highway Authority have no outstanding objection subject to a condition requiring junction improvements.

1.5 There are no outstanding statutory consultee objections.

1.6 The application is therefore recommended for approval.

## **2 SITE DESCRIPTION**

- 2.1 The application site comprises an area of approximately 0.94 hectares in size and is located off the eastern end of New Road (B1098) in the town of Chatteris, just west of the A142 by-pass around the eastern side of Chatteris.
- 2.2 The application site includes an existing point of access on the south side of New Road that leads southwards between two houses (118 and 122 New Road). The site then opens up beyond the rear of 122 New Road and then further beyond the southern boundary of 4 The Pasture's where the site continues to its southern boundary in line with rear of the properties forming the southern end of Green Park to the west.
- 2.3 Bordering the application site is a grazing paddock, tree belt and the A142 by-pass to the east. To the south of the site is a small paddock and grazing land. The neighbouring land use to the west comprise the existing residential development at Green Park and The Pastures which are comprised of bungalows.
- 2.4 The application site is currently unmanaged scrubland with some limited trees around the periphery, mainly Lawson Cypress and hedge trees.
- 2.5 The land is generally level but has a cross fall of approximately 400mm from the northern to the southern boundary and 250mm fall from the eastern boundary to the western boundary.
- 2.6 There are no environmental or historical designations either on or within close proximity to the site and the site is not crossed by any public rights of way. The site is completely in Flood Zone 1, the lowest risk.

## **3 PROPOSAL**

- 3.1 The planning application is made in outline with all matters reserved other than those concerning access. Thus, details of the proposal relating to the final layout of the development, its scale, external appearance of buildings and landscaping are the subject of a future reserved matters application, or applications, should outline consent be granted.
- 3.2 The submitted application seeks consent for up to 20 open market dwellings with a singular vehicular and pedestrian access point being proposed from New Road. An Illustrative Site Plan has been submitted with the application, along with a detailed access plan. This shows a 5-metre-wide minor estate road and footpath located to the rear of the four properties forming 'The Pasture's' with dwellings proposed to the east. To the south of 4 The Pasture's the Illustrative Plan shows a turning area beyond which down the middle of the site is a 6-metre-wide shared surface road with turning head. Either side of this shared surface are dwellings, some detached and some semi-detached, with driveways and garages set in their own plots with private gardens. With the exception of the southernmost plot, all the dwellings shown to the rear of Green Park are shown as being bungalows, although scale is not committed.



- 3.3 Plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

## 4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR18/0577/F	Erection of 20 dwellings comprising of: 2 x 2-storey 3-bed, 6 x 3-storey 3-bed, 7 x 2-storey 4-bed, 2 x single-storey 4-bed, 3 x 2-storey 5-bed, with associated garages, parking and landscaping  Land South Of 116 - 122 New Road Chatteris	Withdrawn	18.10.2018
F/YR03/0054/F	Erection of 20 dwellings comprising 2 x 4-bed semi-detached houses with double integral garages, 4 x 4-bed detached houses with single integral garages, 5 x 2 and a half-storey 4-bed semi-detached houses with integral garages, 1 x 4-bed detached house with detached garage, 2 x 5-bed detached houses with detached double garages with storage over, 2 x 4-bed detached bungalows with detached garages, 4 x 4-bed detached chalet bungalows with detached garages  Land South Of 122 New Road Chatteris	Granted	12.10.2004
F/YR01/0939/F	Erection of 20 dwellings comprising 4 x 4-bed semi-detached houses, 3 x 4-bed terraced houses, 6 x 4-bed detached houses, 3 x 5-bed detached houses, 2 x 3-bed semi-detached chalet bungalows, 2 x 3-bed detached chalet  Land South Of 122 New Road Chatteris	Refused	28.10.2002

## 5 CONSULTATIONS (SUMMARISED OR VERBATIM)

### 5.1 Chatteris Town Council

*Councillors are not opposed to development of the land in principle but believe the development should be all single storey dwellings as two-storey dwellings would be out of character in the area. Drainage issues and possible contamination of the site must be carefully managed.*

### 5.2 CCC - Local Lead Flood Authority (28/08/24)

[Following submission of further details in response to initial objections]

*We have reviewed the following documents:*

- *Sustainable Drainage Strategy, prepared by MTC Engineering, ref: 3272 – FRA & DS. Rev: B, dated July 2024.*
- *Letter title: Drainage Strategy for the Proposed Development at Land South of 122 New Road Chatteris, prepared MTC Engineering, ref: AY/3272, dated 15th August 2024.*

*Based on these, as Lead Local Flood Authority (LLFA) we can remove our objection to the proposed development.*

*The applicant proposes to discharge to a public surface water sewer at a rate of 1.2 l/s for all events up to a 1% Annual Exceedance Probability (AEP) storm event, with an appropriate allowance for climate change. Geocellular crates and permeable paving are proposed. The LLFA is supportive of the use of permeable paving as an addition to controlling the rate of surface water leaving the site as it also provides water quality treatment. Pumping of surface water is proposed as part of the proposals. In addition, water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.*

Responses then suggest conditions are imposed requiring both a detailed design of the surface water drainage of the site and details of measures indicating how additional surface water run-off from the site will be avoided during the construction works. Informatives also requested to be attached to any permission granted.

### 5.3 **CCC - Highways Development Management (23/08/24)**

[Following submission of further details in response to initial objections]

#### *Recommendation*

*After a review of the re-submitted plan shown the access arrangement, I have no further objections subject.*

#### *Recommended Conditions*

*Junction Works: Prior to first occupation the junction works with the highway will be completed to Drawing Number: 3272-8 (Indicative Access Design).*

### 5.4 **Anglian Water**

Response notes that the foul drainage from this development is in the catchment of Chatteris-Nightlayer Fen Water Recycling Centre that will have available capacity for the flows from the proposed growth. In respect of surface water disposal they state that Anglian Water needs to ensure the surface water hierarchy has been followed and we will not agree, even in principle, to a surface water connection into the combined network until all other options have been proven unfeasible. Go on to recommend a condition requiring a surface water management strategy to be submitted to and approved in writing by the Local Planning Authority prior to development commencing as well as Informatives.

### 5.5 **FDC Housing Officer**

*Policy LP5 of the Fenland Local Plan (adopted May 2014) seeks 25% affordable housing on developments where 10 or more homes will be provided on. Tenure Mix - 70% affordable housing for rent (affordable rent tenure) and 30% other affordable routes to home ownership tenure (shared ownership housing).*

*To inform the preparation of Fenland's emerging Local Plan, a Viability Assessment was undertaken which looked at the cost of building new homes and the costs associated with the policies in this Local Plan. This report concluded that viability in Fenland is marginal and varies between localities in the district. The assessment indicates that 20% affordable housing is likely to be the maximum level of provision that can be achieved through planning obligations. In response to the report, the Council has confirmed that finding of the viability assessment will be taken into account when determining planning applications from May 2020 onwards.*

*Consequently, while the Council aims to deliver policy compliant 25% affordable Housing provision on qualifying schemes where possible, it is acknowledged that a reduced percentage of affordable housing via planning obligations to a maximum of 20%, will be achievable in most instances.*

*Since this planning application proposes the provision of 20 number of dwellings, our policy seeks to secure a contribution of 25% affordable housing which equates to 5 affordable dwellings in this instance. Based on the provision of 20% affordable housing 4 affordable dwellings would be required in this instance.*

*The current tenure split we would expect to see delivered for affordable*

*housing in Fenland is 70% affordable rented tenure and 30% shared ownership. This would equate to the delivery of 4 affordable rented homes and 1 shared ownership based on the provision of 25% affordable housing or 3 affordable rented homes and 1 shared ownership based on the provision of 20% affordable housing.*

*Where affordable housing is due, the policy indicates that the affordable housing will be provided on site unless there are exceptional circumstances which necessitate provision on another site or the payment of a financial contribution. Since 2016 Fenland has had arrangements in place to mitigate the difficulty of implementing an on-site policy for sites with a planning obligation to deliver less than 10 affordable homes. These arrangements are regularly reviewed to ensure that they continue to accurately reflect the challenges of securing small scale on site affordable housing delivery through planning obligations. This arrangement has been reviewed in response to the findings of the Viability Assessment and the potential for variations in the percentage of affordable housing delivery that is likely to be achievable through planning obligations, depending on the location of the site within the local authority district area.*

*Accordingly, Fenland's current approach is to agree that sites that yield less than 10 (i.e. 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision. The application of this arrangement is not dependent on the total number of dwellings seeking consent for delivery, instead, it is triggered by the number of affordable homes that are deliverable.*

*If the applicant chooses to provide a financial contribution rather than seek an RP partner to deliver the on-site affordable housing, the affordable housing financial contribution will be calculated in accordance with the mechanism provided in the Local Plan policy and as follows:*

- \* The applicant should submit the necessary open market values of homes which would otherwise have been affordable housing to FDC.*
- \* FDC will assume that RPs would usually pay 55% of OMV for a rented dwelling and 65% of OMV for a shared ownership dwelling.*
- \* FDC will assume that 70% of all affordable homes will be rented tenure and 30% will be shared ownership tenure.*

## **5.6 Tree Officer consultant**

*I have no objection to this outline planning application.*

*The arboricultural information provided is only a tree constraints plan and survey, which identifies the trees as lower quality apart from a couple of trees off site which are better quality.*

*This information will need to be used to provide a detailed layout design, to determine what impact the proposed layout will have on the trees and how the trees could impact on the new layout to avoid conflicts where possible. New landscaping will need to consider the space available and ensure any new tree planting has sufficient space to develop to be sustainable to prevent future residents wanting to remove them due to over dominance / shading amenity spaces or other conflicts such as berry drop or root disturbances over paths / drives etc.*

*With a detailed layout an arboricultural report in accordance with BS5837:2012*

*will be required to identify impacts and protection measures to work around tree constraints, as well as areas where new planting will be proposed to ensure the ground is suitable for this.*

#### **5.7 FDC Environmental Health Officer**

*The Environmental Health Team note and accept the submitted information and have 'No Objections' in principle to the proposal.*

*Construction Noise, Dust and Vibration: There are certain aspects that need to be considered given the nature and scale of the proposed development, with the issues of primary concern to this service during the construction phase being 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 a condition requiring 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*

*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.*

*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.*

*Noise Impact: The content of the Acoustic Assessment report provided by Cass Allen (Report Ref: RP02-18225-R0) issue date 01.03.2024 is noted and accepted. The methodology and recommended noise mitigation measures appear sufficient to ensure compliance with nationally recognised acoustic standards, notably BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' for both internal and external amenity areas.*

*Whilst the report is accepted, confirmation will be required to ensure that in the event planning permission is granted, the recommended noise mitigation measures are then incorporated into the design to ensure adequate protection for future residents, as the report identifies areas of the proposed development where noise levels will otherwise exceed accepted parameters of BS8233:2014. This will be most appropriately achieved by securing a condition so that a noise mitigation scheme in accordance with the recommendations of Report Ref: RP02-18225-R0 is submitted in writing and agreed by the Local Planning Authority prior to the commencement of habitation. This shall include external amenity protection measures such as the inclusion of the close-boarded timber fencing, with a minimum surface mass of 10kg/m<sup>2</sup> around the eastern and southern edge of the site as shown in Appendix 4, and those for internal amenity protection, namely ensuring glazing and ventilation is provided to specifications at least to those standards stated in section 5.21 (Table 3).*

#### **5.8 CCC Archaeological Officer**

Response notes that the proposed development is located in an area of archaeological potential to the east of Chatteris, but still on the 'Fen Island'. State that whilst they do not object to development from proceeding in this location, they 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. Such a condition requiring the implementation 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 that has been submitted to and approved by the Local Planning Authority in writing

#### **5.9 Cambridgeshire Fire and Rescue**

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

#### **5.10 Designing Out Crime Officer**

*Having read the documents whilst this is at an early stage of development and it appears security has been considered, there doesn't appear to be mention of security or crime prevention within the documents. It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, and the environment provide a safe place for residents and visitors this should be considered as an integral part of any initial design for proposed development's, it should incorporate the principles of "Secured by Design", to design out crime and reduce the opportunities for crime.*

Whilst the officer withholds formal comment until reserved matters application they outline a number of points for the developer to consider.

#### **5.11 East of England Ambulance Service**

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

*Travel times from March and St Ives Ambulance Stations in rush hour traffic to the development location are circa 20 minutes and 30 minutes from Ely Ambulance, Peterborough Hub and ambulance stations (Reference ShapeAtlas) (NB this is a standard reference point and does not mean ambulances come from these locations in order to respond to calls).*

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

In this instance, the response states that the capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £6,540 and are for the impact of this development only.

#### **5.12 NHS - Cambridgeshire & Peterborough Integrated Care System**

*The proposed development is likely to have an impact on the services of the 1 x GP Practices operating within the vicinity of the application: George Clare Surgery. This practice does not have capacity to take on additional patients and this development of number of dwellings would see an increase patient pressure of circa 48 new residents which would require additional Whole Time Equivalent GP/ Nurse / (Admin support) workforce to support increase in appointments as follows: GP = 0.02 / Nurse = 0.02 and Admin = 0.05 with a resulting increase on estate demand of 3.29 sqm net internal area.*

*The ICB has sought advice from its NHS partner, NHS Property Services Ltd, on recent costs benchmarks for healthcare developments for a single storey extension to an existing premises and refurbishment. This equates to £5,224 per m<sup>2</sup> (once adjusted for professional fees, fit out and contingency). Having rebased this cost to Fenland using BCIS Tender Price Index, the cost remains the same at £5,224 per m<sup>2</sup>.*

*A developer contribution will therefore be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £17,194.42 (3.29 sqm at £5224 per sqm).*

#### **5.13 CCC – Development and Policy Team**

*Response statement has been prepared to provide a justification for the education and library mitigation measures necessary to be included within a planning obligation that Cambridgeshire County Council requires in its' role as Local Children's Services Authority, and Library Authority. The following contributions are requested:*

*Early Years - £54,435*

*Primary Education - £145,496*

*Secondary Education - £126,265*

*Libraries - £2,950*

#### **5.14 Wildlife Trust**

*Further protected species survey work is required for reptiles and possibly Great Crested Newts before this application is determined. The Great Crested Newt surveys may not be required if the applicant signs up to the Natural England District Level Licencing Scheme for this species and provides a certificate to Fenland DC demonstrating they have done so. The presence of these protected species may bring into question the suitability of this site for development.*

*The Wildlife Trust is also concerned about the Biodiversity Net Gain assessment. We request to see a copy of the original Defra Biodiversity Metric spreadsheet behind the Samsara Ecology analysis. At this stage we would point out that predicting good condition scrub and grassland habitats on-site post development is completely unrealistic and assumptions regarding provision of biodiverse green roof may also be optimistic and therefore the biodiversity offsetting requirement is likely to be significantly higher than currently stated. This will need to be factored into the design of the development and the developers' business case.*

#### **5.15 CCC – Ecology (30/01/25)**

*[Following submission of further details in response to initial objections]*

*We welcome email correspondence from the applicant / their agent regarding the concerns raised within our previous consultation response.*

*Great Crested Newt Given this is an outline application, we agree with the approach to delay submission of the Great Crested Newt mitigation strategy, with details of their application to the district level licensing scheme (including submission of the Impact Assessment and Conservation Payment Certificate from Natural England). This information must be secured prior to or as part of first reserved matters application.*

#### *Reptiles*

*The outline scheme does not provide sufficient mitigation for reptiles and translocation of reptiles to an off-site receptor will be required. Details of the reptile mitigation strategy will need to be secured prior to or as part of first reserved matters application. However, it will be important that prior to approval of this planning application, that the location of the off-site reptile receptor is provided to the LPA and incorporated into the Section 106 agreement. This information will need to demonstrate how the proposed location is suitable as a receptor site.*

#### *Mandatory Biodiversity Net Gain*

*We welcome additional information provided regarding Biodiversity Net Gain The scheme will result in a net loss of biodiversity value and as such, does not accord with local policy LP16 / LP19 which seek to conserve biodiversity. If permission is granted, then the applicant has confirmed the BNG shortfall and 10% BNG will be addressed through the purchasing of BNG units or statutory credits. This information will need to be submitted, along with the detailed on-site BNG metric calculations, as part of the mandatory Biodiversity Gains conditions.*

#### *Planning conditions*

*If permission is granted, biodiversity compensation / mitigation measures and enhancements recommended within the ecological report(s) should be secured through a suitable worded condition(s) to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:*

- 1. Construction Environment Management Plan (CEMP: biodiversity)*
- 2. Landscape and Biodiversity Enhancement Plan detailing how the biodiversity features will be incorporated into the scheme design*
- 3. Great Crested Newt and Reptile Mitigation Strategy*
- 4. Natural England Great Crested Newt licence*
- 5. Time limit until update ecological surveys required Planning obligations will also be required to secure any off-site compensation for reptiles.*

## **5.16 Local Residents/Interested Parties**

### **Objectors**

Thirteen responses have been received from residents of Chatteris (ten from Green Park, one from New Road, one from Lode Way and one from The Pastures) with the main concerns summarised are as follows:

- No more houses needed in Chatteris
- Increase risk on highways safety issues – point of access onto New Road and also at the junction of New Road and the A142. Concern that site is served by single point with no emergency access.
- Flooding issues – site and surrounding areas prone to surface water flooding, development would make situation worse. Sewers cannot cope with increased flows.

- Environmental impact – Loss of greenspace and biodiversity resulting in habitat loss and harm to protected species such of great crested newts and reptiles. Loss of trees.
- Insufficient infrastructure in Chatteris to accommodate extra residents, roads, doctors and dentists.
- Land may be contaminated as result of previous land uses
- Amenity concerns – noise from extra traffic and residents. Light – increase in light and loss of light from higher buildings. Impact on privacy due to proximity of proposed property and potential height. Want all properties to be bungalows.
- Development is too dense and would have a negative impact on the character of the area.

### **Supporters**

Three responses have been received from residents of Chatteris (two from London Road and one from Railway Lane) with the main points summarised are as follows:

- Unused site that can be put to good use.
- Development would make positive contribution to regeneration of Chatteris.
- Need for more housing in Chatteris and could lead to improved facilities in the town.
- Scheme is attractive and limited in size with mix of house types.

## **6 STATUTORY DUTY**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK – please delete as appropriate**

### **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

### **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses



Homes and Buildings  
Resources  
Lifespan

#### **Fenland Local Plan 2014**

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP4 – Housing
- LP5 – Meeting Housing Need
- LP10 – Chatteris
- LP13 – Supporting and Managing the Impact of a Growing District
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP17 – Community Safety
- LP19 – The Natural Environment

#### **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

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

#### **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

- DM2 – Natural Features and Landscaping Schemes
- DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
- DM4 – Waste and Recycling Facilities
- DM6 – Mitigating Against Harmful Effects

#### **Developer Contributions SPD 2015**

#### **Cambridgeshire Flood and Water SPD 2016**

#### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP4: Securing Fenland's Future
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment

LP25: Biodiversity Net Gain  
LP27: Trees and Planting  
LP28: Landscape  
LP32: Flood and Water Management  
LP33: Development on Land Affected by Contamination  
LP34: Air Quality  
LP46: Residential site allocations in Chatteris

## 8 KEY ISSUES

- **Principle of Development in this location**
- **Suitability of proposed access**
- **Consideration of matters relating to layout, appearance, scale and landscaping**
- **Amenity considerations**
- **Drainage considerations**
- **Biodiversity**
- **Affordable housing, community infrastructure and planning obligations**

## 9 BACKGROUND

- 9.1 No pre application was submitted. During the course of the application amendments have been received to overcome LLFA, Highways and Ecology concerns.

## 10 ASSESSMENT

### **Principle of Development in this location**

- 10.1 The development proposes up to 20 dwellings on an unallocated site on the edge of the market town of Chatteris, accordingly it must initially be assessed against policies LP3 and LP4 of the adopted Local Plan. Policy LP3 sets out a Spatial Strategy, as well as a Settlement Hierarchy and what development is acceptable in the Countryside within Fenland District. In this respect Chatteris is designated as an 'Other Market Town' under the 'Market Towns' classification of the Spatial Strategy hierarchy that the policy identifies as being settlements where *'The majority of the district's new housing, employment growth, retail growth and wider service provision should take place'*.
- 10.2 Part A Policy LP4 of the adopted Local Plan identifies housing targets to be built in the district between 2011 and 2031. With respect to Chatteris, the approximate target for this period is 1,600 dwellings. The Council's Planning Policy Team has provided figures that 466 dwellings have been built in Chatteris since 2011, with a further 1,315 having planning consent. Therefore, the approximate target for Chatteris has already been exceeded in respect of completions and planning permissions combined and would be further increased by the dwellings proposed in this application. Also, from a wider District perspective, the Council can demonstrate a 5-year housing land supply.
- 10.3 In relation to this matter, the findings of a Planning Inspector who decided an appeal for 110 dwellings at Upwell Road in March earlier in the year made the following comments:

*'I accept that, the Council being able to demonstrate a 5-year housing land supply, means that there have been homes provided on the ground for local people over and above the identified need. Nevertheless, the PPG states that the standard method for calculating local housing need provides a minimum*

*number. This is echoed in the Framework (paragraphs 61, 76 and 77), and there is no reason that it should be considered a ceiling.'*

10.4 Thus, it is considered that further sustainable housing beyond the approximate housing figure given in Part A of policy LP4 would not in itself be contrary to that part of the policy; particularly where this could secure the delivery of much needed affordable housing, as supported by the Council's Housing Strategy & Enabling Officer in their response to the application (paragraph 5.2 above).

10.5 Part B, Policy LP4 of the adopted Local Plan then sets out criteria for assessing housing development proposals. In January 2015 the District Council produced a 'Guidance and Clarification Note' in relation to Part B of Policy LP4. This Note sets out the following with respect to new development on non-allocated sites in Market Towns other than Strategic Allocations and Broad Locations for Growth:

*'For proposals for fewer than 250 dwellings (small scale sites) which are either in or adjacent to a market town and not within a Strategic Allocation or Broad Location, the reader is referred in the first instance to the criteria in Policy LP16 - Delivering and Protecting High Quality Environments across the District. Under Policy LP4 Part B any site for between 1 to 249 dwellings may be considered as having potential for development.'*

10.6 As this proposal is adjacent to a market town and under 250 dwellings it is considered to have the potential for development, subject to assessment against the criteria in policy LP16. Policy LP16 of the adopted Plan seeks to ensure high quality environments will be delivered and protected throughout the district and this be achieved by assessing proposed development against 15 criteria where relevant to the proposals under consideration. Consideration of the relevant criteria applicable for this planning application are described under the headings of the remaining 'Key Issues' highlighted below.

10.7 In conclusion, subject to the consideration of matters as described below, the principle of a housing development would accord with the Spatial Strategy as set out policy LP3 of the adopted Local Plan. Whilst the housing proposed would further exceed the approximate housing figure for Chatteris given in Part A of Local Plan policy LP4, this would not in itself be contrary to that part of the policy and would further increase supply and as detailed below would contribute to off-site affordable dwellings. The number of homes applied for in this location is acceptable and is therefore in conformity with Part B of policy LP4 of the adopted Local Plan.

#### **Suitability of proposed access**

10.8 Although the application is in outline, access is a committed matter and therefore needs to be considered in full. Policy LP15 part C in relation to Designing Development Schemes requires (inter alia) that development schemes should provide well designed, safe and convenient access for all. The proposed access from the south side of New Road utilises the existing access to the site and would be upgraded as shown on the access plan submitted with the application.

10.9 Following the submission of further details to the access plan the Local Highways Authority have no objections subject to the implementation of the junction works shown on the updated access plan, prior to first occupation. On this basis it is accepted that the proposed access is acceptable and accords with policy LP15.

### **Consideration of matters relating to layout, appearance, scale and landscaping**

- 10.10 The planning application is made in outline with all matters reserved other than those concerning access. Thus, details of the proposal relating to the final layout of the development, its scale, external appearance of buildings and landscaping are at this stage the subject of a future reserved matters application, or applications, should outline consent be granted.
- 10.11 An Illustrative Site Layout does show how the site could be developed. Whether this is acceptable will be considered against relevant policies and criteria in the adopted Local Plan when reserved matters are submitted. However, with respect to the maximum quantum of development at 20 dwellings, this would be at a density of 21.2 dwellings per hectare which would not be a high-density scheme having regard to the character of the area.

### **Amenity considerations**

- 10.12 When the outstanding reserved matters are submitted detailed consideration will be given to assess whether there will be any adverse impact on the amenity of adjoining residential properties. In particular the proximity between proposed and existing dwellings where sufficient distances will be needed to ensure suitable privacy between dwellings is in place. To control the effects of construction, a condition requiring the submission of a robust Construction Environmental Management Plan (CEMP) can be imposed that shall include working time restrictions.
- 10.13 With regards to the amenity of residents of the proposed dwellings there will be a need for the reserved matters to demonstrate that the required level of private amenity space would be provided in accordance with Local Plan policy LP2 and LP16 (e), (h) and (l).
- 10.14 Also, given the proximity of the site to the A142, the impact on future residents regards noise from this source requires consideration. An Acoustic Assessment report submitted with the application has been assessed by the Council's Environmental Health Officer ('EHO'). Their response notes that they consider that the methodology and recommended noise mitigation measures appear sufficient to ensure compliance with nationally recognised acoustic standards, notably BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' for both internal and external amenity areas. Whilst the EHO states that the report is accepted, confirmation will be required to ensure that in the event planning permission is granted, the recommended noise mitigation measures are then incorporated into the design to ensure adequate protection for future residents, as the report identifies areas of the proposed development where noise levels would otherwise exceed accepted parameters of BS8233:2014. They advise that this would be most appropriately achieved by securing a condition so that a noise mitigation scheme in accordance with the recommendations of the Acoustic Assessment being submitted in writing and agreed by the Local Planning Authority prior to the commencement of habitation.
- 10.15 In light of the above it is considered that the amenity of existing and future residents can be secured during the consideration of the reserved matters to be submitted or via relevant planning conditions and the proposals are therefore in accordance with Local Plan policies LP2 and LP16.

### **Drainage considerations**

- 10.16 Concerns have been raised by neighbouring properties regarding surface water flooding of their land and also the application site. The Environment Agency's surface water flooding maps suggest only some minor localised surface water flooding in this area.
- 10.17 Initial responses from the Lead Local Flood Authority raised concerns regarding pumping, drainage layout and proposed outfall. In their latest response they confirm that having received further details they remove their objection to the proposed development subject to conditions. Anglian Water has confirmed that with respect to foul water the local water recycling centre can accommodate the flows from the proposed dwellings.
- 10.18 Given the above, it is considered the with regards to drainage matters the proposals are acceptable in the context of Local Plan policy LP14 Part (B).

### **Biodiversity**

- 10.19 A Preliminary Ecological Survey Appraisal and also a Reptile Survey report have been submitted with the application, in order for consideration of the impacts of the development to be undertaken. Following initial concerns raised by the Wildlife Trust and the Council's Ecologist, the Council's Ecologist has responded to the submission of additional information.
- 10.20 The CCC Ecologist response says they are in agreement with the approach to delay submission of the Great Crested Newt mitigation strategy, with details of their application to the district level licensing scheme (including submission of the Impact Assessment and Conservation Payment Certificate from Natural England). This information must be secured prior to or at the time of the first reserved matters application.
- 10.21 With regard to reptiles; the response states the outline scheme does not provide sufficient mitigation for reptiles and translocation of reptiles to an off-site receptor and therefore this detail will be required. Details of the reptile mitigation strategy will need to be secured prior to or alongside the first reserved matters application and this is achievable as the applicant has indicated that an on-site mitigation area for reptiles can be provided for.
- 10.22 The County Ecologist response states that if planning permission is granted, biodiversity compensation / mitigation measures and enhancements recommended within the ecological report(s) should be secured through a suitably worded condition(s) to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:
1. Construction Environment Management Plan (CEMP: biodiversity)
  2. Landscape and Biodiversity Enhancement Plan detailing how the biodiversity features will be incorporated into the scheme design
  3. Great Crested Newt and Reptile Mitigation Strategy
  4. Natural England Great Crested Newt licence
  5. Time limit until update ecological surveys required
- 10.23 Conditions securing these matters are considered necessary and reasonable to make the development acceptable.
- 10.24 In relation to trees on the periphery of the site, the Council's Tree consultant has no objections subject to a condition requiring an Arboricultural report in accordance with BS5837:2012, that would be required to identify impacts and protection

measures to work around tree constraints, as well as areas where new planting would be proposed to ensure the ground is suitable for this.

#### *Biodiversity Net Gain*

- 10.25 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.26 The Council's Ecologist welcomes additional information provided regarding Biodiversity Net Gain. They note that the scheme would result in a net loss of biodiversity value and as such, does not accord with local policy LP16 / LP19 which see to conserve biodiversity. If permission is granted, then the applicant has confirmed the BNG shortfall and 10% BNG will be addressed through the purchasing of BNG units or statutory credits. This information will need to be submitted, along with the detailed on-site BNG metric calculations, as part of the mandatory Biodiversity Gains conditions.

#### **Affordable housing, community infrastructure and planning obligations**

- 10.27 Local Plan policy LP5 states development on sites of 10 or more dwellings, 25% of the dwellings as affordable houses and a development of this size this would be expected to be delivered on-site. Policy LP13 of the Local Plan sets out that planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development. Conditions or a planning obligation are likely to be required for many proposals to ensure that new development meets this principle. Developers will either make direct provision or will contribute towards the provision of local and strategic infrastructure required by the development either alone or cumulatively with other developments. Where a planning obligation is required, in order to meet the above principles of infrastructure provision, this will be negotiated on a site-by-site basis.
- 10.28 The Council's own Local Plan & CIL Viability Assessment (HDH, December 2019) sets out expectations of viability for sites across the district. For sites south of the A47 highway, the conclusions advise that schemes should be able to achieve 20% affordable housing and £2,000 per dwelling in financial contributions. Whilst this is lower than set out in Local Plan policy LP5 (affordable housing) it is a material consideration which the Council has previously given significant weight to, and which has been used to set the viability expectations for many other developments in the district. The applicant has confirmed their agreement to this provision in a submitted Heads of Terms schedule.
- 10.29 In light of the above, and as confirmed by the Council's Housing Strategy and Enabling Officer, based on the upper quantum proposed, an on-site affordable housing scheme for 4 dwellings would be expected to be secured and would provide 70% (3 no.) affordable rented units and 30% (1 no.) shared ownership units which would align with the Council's current housing tenure demands. The Housing Officer's response notes that since 2016 Fenland has had arrangements in place to mitigate the difficulty of implementing an on-site policy for sites with a planning obligation to deliver less than 10 affordable homes. Accordingly, Fenland's current approach is to agree that sites that yield less than 10 (i.e. 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision. The applicant has confirmed

their agreement to this approach in a submitted Heads of Terms schedule. Subject to this, the proposals would accord with the current viability position in place regarding Local Plan policy LP5.

10.30 In relation to community infrastructure, statutory tests as set out in the Community Infrastructure Regulations 2010 (Regulation 122) requires that S106 planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind to the development. S106 obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.

10.31 Having regard to the scale and nature of the proposal and further to consultation with statutory bodies to establish infrastructure requirement, in summary the following is sought through this development;

- Healthcare
- Education
- Libraries

*Healthcare*

10.32 Requests for financial contributions have been received from both NHS and East of England Ambulance service, to provide upgraded surgery facilities (total £17,194.42) and in respect of capital contribution towards the provision Emergency Ambulance Service Infrastructure (£6,540) respectively.

*Education*

10.33 Cambridgeshire County Council as the education authority seek contributions towards;

- Early Years - £54,435
- Primary Education - £145,496
- Secondary Education - £126,265

*Libraries*

10.34 Cambridgeshire County Council as the relevant providers seek contributions towards Library services of £2,950.

10.35 It is proposed to share the circa £40,000 across the education and healthcare requirements on a proportionate, pro-rata basis, which would work out as follows, based on a quantum of 20 dwellings;

<b>Provider</b>	<b>% of Total contributions</b>	<b>Amount proposed based on 20 dwellings (£40,000)</b>
NHS Estates	4.87%	£1,948
EEAST (Ambulance)	1.85%	£740
Early Years	15.42%	£6,168
Primary school	41.23%	£16,492
Secondary school	35.73%	£14,292
Libraries	0.83%	£332
		<b>£40,000</b>

10.36 It is acknowledged that this will not meet the whole needs of these services, as identified by public sector providers in response to this application. However,

viability is a material consideration in decision making with the current viability position in Fenland being described above.

- 10.37 In summary, the off-site contribution of up to 4 affordable dwellings through the proposals would assist in meeting the high demand for such homes for households both with a local connection to Chatteris and the wider district and is materially significant when considering further housing provision in the Town in the context of Part A of Local Plan policy LP4. With regards to community infrastructure, the proposed scheme does look to provide some level of financial contribution, and this is at a level that has been found to be acceptable by the Council previously. It is concluded that the above contributions and physical highways infrastructure requirements are necessary to make the development acceptable and would meet the tests of CIL regulations in that they are, i) necessary to make the development acceptable in planning terms; ii) directly related to the development; and, iii) fairly and reasonably related in scale and kind to the development and would facilitate a development that would be deliverable in the current position regarding viability in the district. Accordingly, it is considered that the proposals conform with Local Plan policies, LP5 and LP13.

## **11 SUMMARY and CONCLUSIONS**

- 11.1 The policies in the NPPF when taken as a whole constitute the Government's view of what sustainable development means. To be sustainable, development must strike a satisfactory balance between the applicable economic, environmental and the social considerations.
- 11.2 Due to known viability constraints within the district, the full amount of infrastructure contributions cannot be secured. Furthermore, development of the site will result in localised changes to its character and appearance, and likely with notable changes to the outlook of some residents (subject to detailed design). These elements carry some negative weight.
- 11.3 However, in considering the positive aspects of the scheme, subject to the satisfactory completion of a S106 agreement, to ensure necessary infrastructure is secured to support this development and appropriate planning conditions, it is considered that:
- the development would contribute toward the district's housing stock where future occupiers would likely contribute toward the local economy.
  - the site is located within a sustainable location with good connectivity to the town centre and transport options.
  - there are no technical issues raised that cannot otherwise be resolved through compliance with conditions.
  - the scheme would not result in any significant environmental impacts.
- 11.4 In weighing the identified harm of the scheme against the identified benefits, it is considered that, on balance, the proposal outweighs any disbenefits of this development.
- 11.5 In conclusion therefore, and having regard to national and local planning policies, and all comments received, and subject to the resolution of the S106 agreement, it is considered that the proposal would amount to sustainable development and would accord with the development plan taken as a whole. There are no material considerations worthy of sufficient weight that indicate that a decision should be made other than in accordance with the development plan.



11.6 Accordingly, the development should be approved.

## 12 RECOMMENDATION

12.1 Members are recommended to APPROVE the application in accordance with the following terms;

1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement and planning conditions to the Head of Planning; and,
2. Following the completion of the S.106, application F/YR24/0468/O be granted subject to planning conditions set out in draft at Appendix 1; or,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the S106 legal agreement, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

### Appendix 1: Proposed draft planning conditions

1	<p><i>Reserved Matters</i></p> <p>Approval of the details of:</p> <ul style="list-style-type: none"><li>(i) the layout of the site</li><li>(ii) the scale of the building(s);</li><li>(iii) the external appearance of the building(s);</li><li>(iv) the landscaping</li></ul> <p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason: To enable the Local Planning to control the details of the development hereby permitted and to ensure the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.</p>
2	<p><i>Reserved Matters expiry</i></p> <p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
3	<p><i>Commencement</i></p> <p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p><i>Archaeology</i></p> <p>No demolition/development shall commence until the applicant, or their agents or</p>

	<p>successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ol style="list-style-type: none"> <li>a. the statement of significance and research objectives;</li> <li>b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;</li> <li>c. The timetable for the field investigation as part of the development programme;</li> <li>d. The programme and timetable for the analysis, publication &amp; dissemination, and deposition of resulting material and digital archives.</li> </ol> <p>Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (DLUHC 2023) and Policy LP18 of the Fenland Local Plan, 2014.</p>
5	<p><i>Surface Water Drainage</i></p> <p>No development shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.</p> <p>The scheme shall be based upon the principles within the agreed Sustainable Drainage Strategy prepared by MTC Engineering (ref: 3272 FRA &amp; DS) dated July 2024 and shall also include:</p> <ol style="list-style-type: none"> <li>a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;</li> <li>b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;</li> <li>c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);</li> <li>d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</li> <li>e) Site Investigation and test results to confirm infiltration rates;</li> <li>f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</li> <li>g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;</li> <li>h) Full details of the maintenance/adoption of the surface water drainage system;</li> <li>i) Permissions to connect to a receiving watercourse or sewer;</li> <li>j) Measures taken to prevent pollution of the receiving groundwater and/or surface</li> </ol>

	<p>water.</p> <p>Reason: To prevent the increased risk of flooding, to improve and protect water quality, to improve habitat amenity and to ensure the future maintenance of these in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p>
6	<p><i>Construction Drainage</i></p> <p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014; recognising that initial works to prepare the site could bring about unacceptable impacts.</p>
7	<p><i>Foul Drainage</i></p> <p>No development shall commence until a scheme for the provision and implementation of foul water drainage has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policies LP2, LP14 and LP16 of the Fenland Local Plan 2014.</p>
8	<p><i>CMP</i></p> <p>No development shall commence in each phase until a Construction Management Plan (CMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the consideration of the following aspects of construction:</p> <ul style="list-style-type: none"> <li>a) Construction programme;</li> <li>b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures;</li> <li>c) Details of a temporary facilities area clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction;</li> <li>d) Details of restricted Construction hours;</li> <li>e) Details of restricted Delivery times and collections;</li> <li>f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites;</li> <li>h) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-</li> </ul>

	<p>2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites, including details of any piling construction methods / options, as appropriate;</p> <ul style="list-style-type: none"> <li>i) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways;</li> <li>j) Use of concrete crushers;</li> <li>k) Prohibition of the burning of waste on site during demolition/construction;</li> <li>l) Site artificial lighting including hours of operation, position and impact on neighbouring properties;</li> <li>m) Drainage control measures including the use of settling tanks, oil interceptors and bunds.</li> <li>n) Screening and hoarding details;</li> <li>o) Access and protection arrangements around the site for pedestrians, cyclists and other road users;</li> </ul> <p>The approved CMP shall be adhered to throughout the construction period and must demonstrate the adoption of best practice.</p> <p>Reason: In the interests of protecting highway safety and residential amenity in accordance with policies LP2, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
9	<p><i>CEMP: Biodiversity</i></p> <p>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.</p> <p>The CEMP (Biodiversity) shall incorporate recommendations of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech 2023) and Bat Survey Report (Allied Ecology 2023) and must include the following;</p> <ul style="list-style-type: none"> <li>a) Risk assessment of potentially damaging construction activities.</li> <li>b) Identification of "biodiversity protection zones".</li> <li>c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction this may be provided as a set of method statements</li> <li>d) The location and timings of sensitive works to avoid harm to biodiversity features</li> <li>e) The times during which construction when specialist ecologists need to be present on site to oversee works</li> <li>f) Responsible persons and lines of communication</li> <li>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person</li> <li>h) Use of protective fences, exclusion barriers and warning signs if applicable</li> </ul> <p>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</p> <p>Reason: To protect biodiversity in accordance with policies LP16 &amp; LP19 of the Fenland Local Plan 2014.</p>
10	<p><b>Trees</b></p> <p>No works shall commence until an arboricultural protection and method statement</p>

	<p>has been submitted to and approved in writing by the local planning authority. The scheme shall include but shall not be limited to the following information;</p> <ul style="list-style-type: none"> <li>i) An arboricultural and impact assessment for existing trees and hedgerow within the access works area including details of any removal and pruning</li> <li>ii) Details of tree protection measures</li> <li>iii) Details of any intrusive groundworks in and around any root protection areas including methods of any ground-breaking</li> <li>iv) Details of any replacement planting to mitigate the loss of any vegetation with the access works area.</li> <li>v) Details of long-term management and maintenance of any retained, replaced or new planting with the access works area.</li> </ul> <p>Reason: In the interests of visual amenity and biodiversity protection in accordance with policies LP16 of the Fenland Local Plan, 2014.</p>
11	<p><i>Landscaping: Ecology</i></p> <p>The landscaping details submitted in accordance with Condition 01 of this permission shall include:</p> <ul style="list-style-type: none"> <li>(a) a plan showing <ul style="list-style-type: none"> <li>(i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 m above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree; and</li> <li>(ii) the location of hedges to be retained and details of species in each hedge.</li> </ul> </li> <li>(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;</li> <li>(c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;</li> <li>(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;</li> <li>(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development;</li> <li>(f) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.</li> </ul> <p>Please note: In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the plans referred to in paragraph (a) above.</p> <p>Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
12	<p><i>Ecology Enhancements</i></p> <p>Prior to or alongside the submission of reserved matters, a scheme detailing the provision of at least 1no. bat and 2no. bird boxes per dwelling in accordance with best practice guidelines shall be submitted to and approved in writing by the Local Planning Authority. The details shall include design, location and number of bat &amp; bird boxes to be installed.</p>

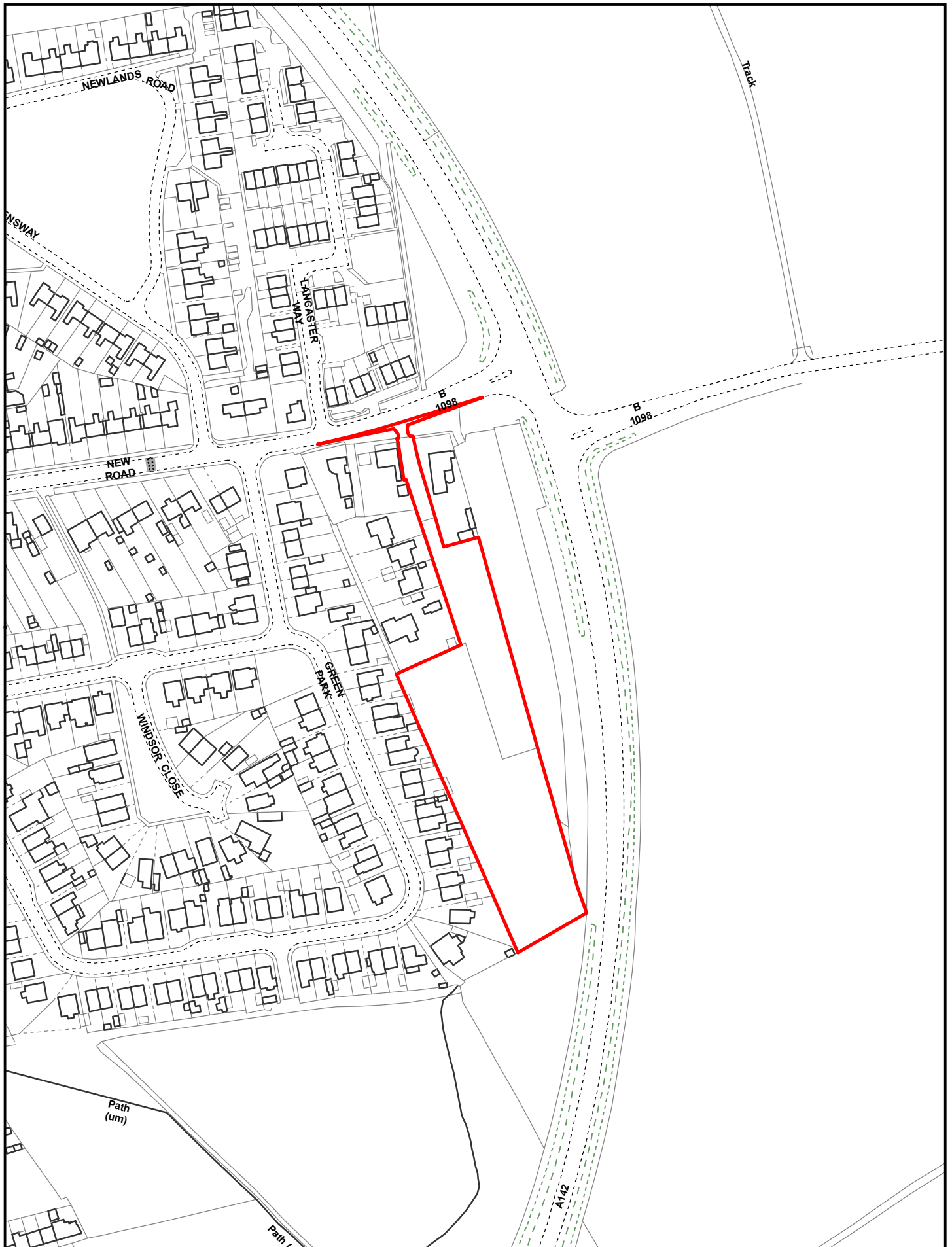
	<p>The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity.</p> <p>Reason: To secure the long-term protection of the birds and bats at the site in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
13	<p><b><i>GCN &amp; Reptile Strategy</i></b></p> <p>Prior to or alongside the submission of reserved matters a Great Crested Newt ('GCN') and Reptile Mitigation Strategy or demonstration that the developer has <i>signed up to a Natural England District Level Licencing Scheme</i> for GCN shall be submitted to and approved in writing to the LPA works shall be carried out strictly in accordance with approved strategy.</p> <p>Reason: To protect biodiversity in accordance with policies LP16 &amp; LP19 of the Fenland Local Plan 2014.</p>
14	<p><b><i>Housing Mix</i></b></p> <p>Prior to or alongside the submission of Reserved Matters, a housing mix scheme shall be submitted to and approved in writing by the Local Planning Authority. The reserved matters shall accord with the approved housing mix scheme.</p> <p>The scheme shall include:</p> <ul style="list-style-type: none"> <li>- A plan showing the location and distribution of market and affordable units (including tenure type). The plan shall also identify the proximity of the site with adjacent land parcels and the tenure types within both, in respect of any development parcel where Reserved Matters have already been approved.</li> <li>- A schedule of dwelling sizes (by number of bedrooms).</li> <li>- A statement which demonstrates how the proposals contribute to current and future housing needs as identified in the most recently available evidence relating to the locality.</li> </ul> <p>Development shall not commence until the housing mix scheme has been approved in writing by the Local Planning Authority.</p> <p>Reason: In order to ensure that an appropriate housing mix is provided for the proposed development taking into account the objective of creating a sustainable, mixed community in accordance with Policy LP3 of the Fenland Local Plan 2014 and guidance contained within the National Planning Policy Framework.</p>
15	<p><b><i>Noise</i></b></p> <p>Prior to or alongside the submission of reserved matters an Acoustic assessment and noise mitigation strategy shall be submitted and approved in writing by the Local Planning Authority. This shall include external amenity protection measures such as the inclusion of the close-boarded timber fencing, with a minimum surface mass of 10kg/m2 around the eastern and southern edge of the site as detailed in Appendix 4 of the Acoustic Assessment report (Cass Allen ref: RP02-18225-R0; issue date 01.03.2024), and those for internal amenity protection, namely ensuring glazing and ventilation is provided to specifications at least to those standards stated in section 5.2 of said report.</p> <p>Reason: To safeguard residential, in accordance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
16	<p><b><i>Waste Collection Strategy</i></b></p>

	<p>Prior to or alongside submission of reserved matters a refuse collection strategy shall be submitted to and approved in writing by the local planning authority. The strategy shall include details of the location and design of the refuse bin and recycling materials storage areas and collection points. This should include provision for the storage of three standard sized wheeled bins for each new property and details of a refuse collection point adjacent to the public highway.</p> <p>Where the refuse collection vehicle is required to go onto any road that road shall be constructed to take a load of 26 tonnes and where unadopted, an indemnity agreement with the Local Authority will be required. The refuse storage and collection facilities and vehicular access shall be provided prior to the first occupation of the units to which they relate and shall be retained thereafter.</p> <p>Reason: To meet the District Council requirements for recycling, to prevent the unsightly storage of refuse containers and in the interests of amenity and sustainability as required by Policy LP16 of the Fenland Local Plan, adopted May 2014 and policy 14 of the Cambridgeshire and Peterborough Waste and Minerals Local Plan, 2021.</p>
17	<p><i>Lighting</i></p> <p>No works shall proceed above slab level until details of a lighting scheme for all streets, paths and open space has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be accompanied by a technical report prepared by a qualified competent person setting out;</p> <ul style="list-style-type: none"> <li>i) the specification of lights and lighting structures,</li> <li>ii) locations and heights of all lighting,</li> <li>iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area.</li> </ul> <p>The approved scheme shall be implemented on site prior to first occupation of the development or in agreed phases and retained as such thereafter.</p> <p>Reason: To safeguard the residential amenity of occupiers, the visual impact of the development and protection of nocturnal biodiversity in accordance with policies LP2, LP16, LP17 and LP19 of the Fenland Local Plan 2014</p>
18	<p><i>Fire Hydrants</i></p> <p>Prior to works proceeding above slab level, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and the Local Planning Authority notified in writing of their completion prior to the first occupation of the development.</p> <p>Reason: In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with policies LP2 and LP16 of the Fenland Local Plan, 2014.</p>
19	<p><i>Access</i></p> <p>Prior to the first occupation the access road shall be constructed fully in accordance with the details set out on the approved Site Access Plan 3272-08 rev A and Illustrative Site Layout CH23/LBA/649/OP-1-102 Rev D, save for any minor variation that may be required under S278 of the Highway Act.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of</p>

	the Fenland Local Plan 2014.
20	<p><i>Binder Course</i></p> <p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining adopted highway.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
21	<p><i>Street Management &amp; Maintenance</i></p> <p>Prior to the occupation of the first dwelling, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development phase shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.</p> <p>Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
22	<p><i>Highway drainage</i></p> <p>The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
23	<p><i>Unsuspected Contamination</i></p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 196 and 197, and Policy LP16 of the Fenland Local Plan 2014.</p>
24	<p><i>Biodiversity Net Gain</i></p> <p>Development may not be begun unless:</p> <p>(a) a biodiversity gain plan has been submitted to the planning authority, and</p> <p>(b) the planning authority has approved the plan.</p> <p>Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).</p>
25	Approved Plans



	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents insofar as they relate to matters of access.</p> <ul style="list-style-type: none"><li>- CH23/LBA/649/OP-1-101 Location Plan</li><li>- 3272-08 rev A Site Access</li><li>- CH23/LBA/649/OP-1-102 Rev D Illustrative Site Layout</li></ul>
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Created on: 06/06/2024

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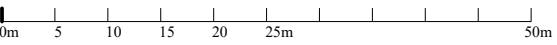
**F/YR24/0468/O**

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Scale: 1:500



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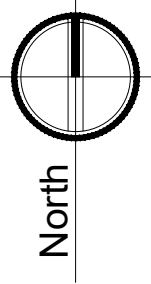
ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

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

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

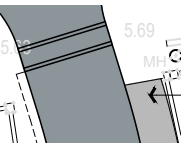


**NOTE**  
Drawing to be read in conjunction with MTC Engineering Drawing Number 3272-08 showing Indicative Access Design

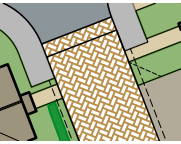


## KEY TO SYMBOLS

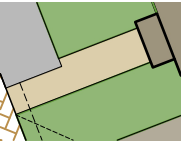
### SURFACING



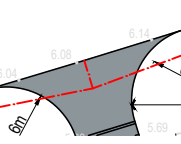
New 5m wide Minor Estate Road with drainage to avoid discharge onto public highway (5m road + 2m footpath + 0.5m buffer)



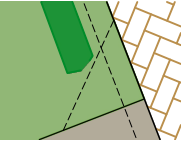
Shared Surface Street (6m + 0.5m paved maintenance strips)



Indicative paths and patios

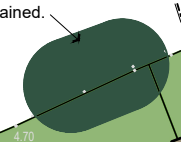


Entrance visibility splay to be 2.4m x 43m vehicle to vehicle splay. All planting that falls within visibility splay to be a maximum of 600mm high

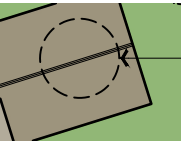


2m x 2m pedestrian to vehicle visibility splays.

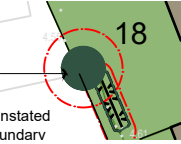
### INDICATIVE SOFT LANDSCAPING



Existing trees to be retained/ off-site trees.



Existing trees to be carefully removed shown dotted.

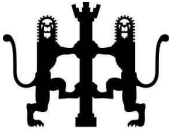


Root Protection Zones. (Refer to Hayden's Arboricultural Consultants Tree Report and AIA)



Proposed new tree planting

- Rev D Feb. 25 On-site reptile receptor noted.
- Rev C Aug. 24 Amendments to access from New Road.
- Rev B Feb. 24 Amendments to trees and boundaries.
- Rev A Jan. 24 Amendments to layout.



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Mob: 07739 562818  
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Web: www.lbevns-associatesltd.co.uk

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

CLIENT

Beauville Properties Ltd

PROJECT  
Land South of 122 New Road,  
Chatteris, Cambridgeshire.

DRAWING TITLE

Illustrative Site Layout

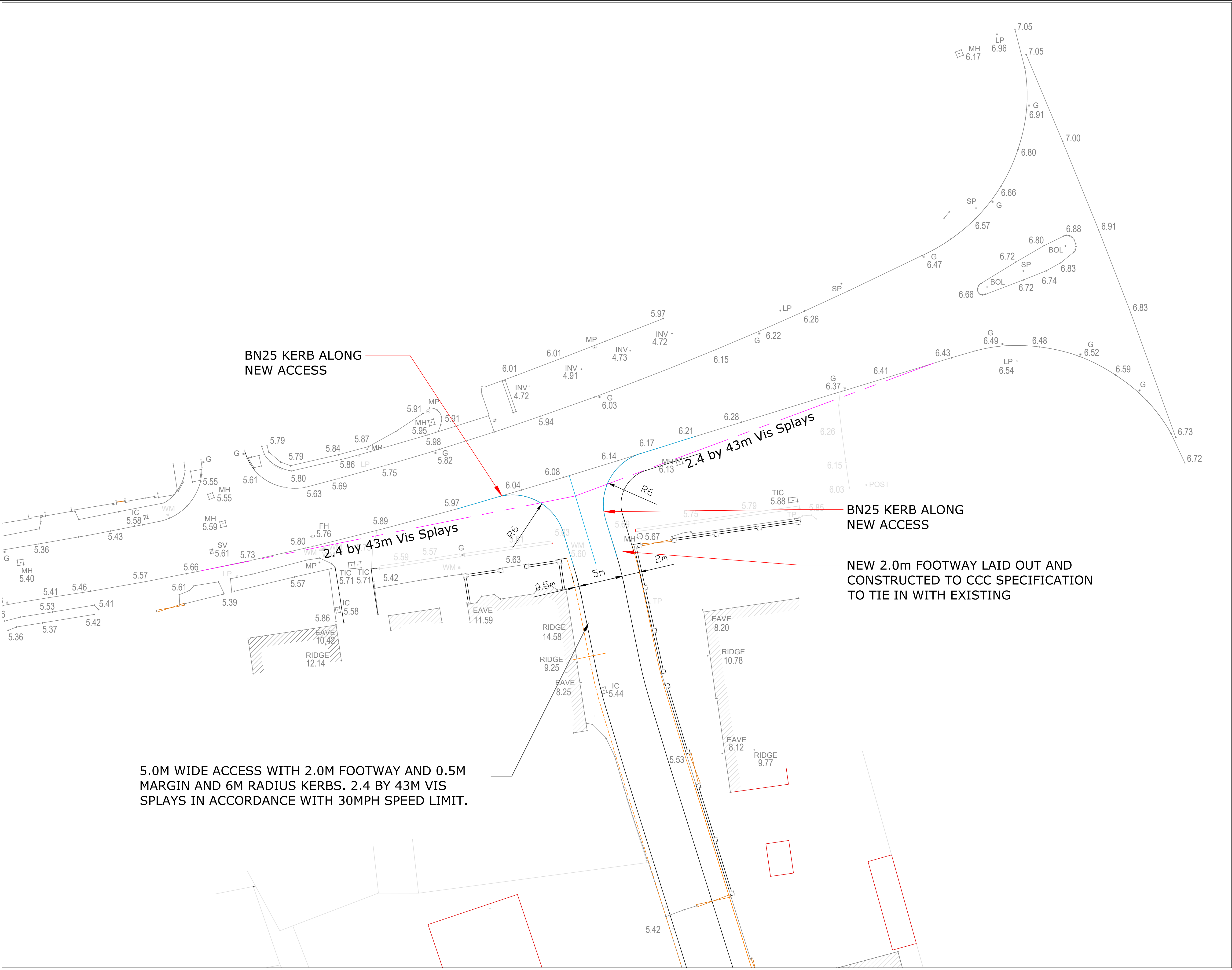
(ACCESS COMMITTED)

SCALE	DATE	DRAWN	CHECKED
1:500 @ A2	Jan. 2024	LB	

DRAWING NUMBER  
CH23/LBA/649/OP-1-102

REVISION  
D





North Arrow

NOTES
 

- This drawing is to be read in conjunction with 3272-03 and 3272-04.
- The contractor shall check all tie-ins for line and level with existing before commencing any works. The Engineer shall be notified immediately, in writing, should any errors be found.
- Any discrepancies, of whatever nature, must be reported to the Engineer prior to the commencement or continuance of any further works.
- All private drainage works to be in accordance with the requirements of Building Regulations 2010, Part H, "Drainage and waste disposal", (01st October 2015).
- All pipes to be bedded and backfilled in accordance with Part H, Diagram 10. Shallow pipes shall be protected in accordance with Part H, Diagram 11.
- Unless otherwise stated, all private drainage to be 100mm diameter. Gradients have been shown where there are pipe capacity issues and these should be regarded as minimums. Unless there are constraints dictating otherwise, gradients shall generally be 1 in 60. 150mm diameter pipes shall not be laid flatter than 1 in 80. 150mm diameter pipes shall not be laid flatter than 1 in 150.
- All pipes, chambers and fittings to be installed strictly in accordance with the manufacturers instructions.
- Pipes which run adjacent to buildings shall be installed in strict accordance with Part H, Clauses 2.23 to 2.25 and Diagram 6.
- All private manholes, inspection chambers and drainage channels to comply with BS EN124. Cover strengths to be:
  - Class D400 in heavy trafficked areas (access roads, service yards etc.)
  - Class C250 in lightly trafficked areas (car parks, driveways etc)
  - Class B125 in Non trafficked areas
  - Class A15 in landscaping areas
- All drains in the vicinity of existing or proposed trees to be constructed in accordance with the requirements of NHBC Practice Note 3.
- Private drainage frames must be tied to manhole risers by use of manufacturers ties (e.g. Polypipe ref. FR4500 fixing kit and FR4501 black ties.) The ground works contractor will be held fully responsible for any accidents due to incorrect fitting or failure to use the correct manufacturers fixing equipment.
- All existing land drains encountered on site during construction to be re-connected.
- All dimensions in metres unless otherwise stated.
- All existing services, sewers and drains indicated on this drawing and any other related drawings are shown only indicatively, and shall have their positions and level confirmed on site by the Contractor.
- The invert levels of all existing sewers, drains, ditches, tanks or other features and apparatus where a new connection is to be made shall have their precise position and level confirmed on site by the Contractor prior to commencement of any construction work. The results of the investigations shall be confirmed to MTC Engineering (Cambridge) Ltd so that the design can be verified.

FOR APPROVAL

A	24.03.25	REVISED DRAWING STATUS TO FOR APPROVAL	A.Y
REV	DATE	DESCRIPTION/REASON FOR ISSUE	APPR

M

T

C

ENGINEERING

MTC Engineering (Cambridge) Ltd.  
 Ground Floor, 24 High Street  
 Whittlesford, Cambridgeshire, CB22 4LT  
 Tel (01223) 837270, fax (01223) 835648  
 E-mail [office@mtcengineering.co.uk](mailto:office@mtcengineering.co.uk)

PROJECT  
 Land South of 122 New Road,  
 Chatteris

TITLE  
 Site Access

ORIG	JTC	DATE	07.08.24
CHKD		SCALE	1:200 @A1
APPR		DRAWING NO	3272-08
		REV	A

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**F/YR23/0996/O**

**Applicant: Mr Andrew Clark**

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

**Land North Of High Trees, Rectory Road, Newton-in-the-isle, Cambridgeshire**

**Erect up to 6 x dwellings (outline application with all matters reserved)**

**Officer recommendation: Refuse**

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

---

## **Government Planning Guarantee**

**Statutory Target Date For Determination: 8 January 2024**

**EOT in Place: Yes**

**EOT Expiry: 14 March 2025**

**Application Fee: £2310**

### **Risk Statement:**

**This application must be determined by 14.03.2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- 1.1. The application seeks outline planning permission for the erection of up to 6no. dwellings on Rectory Road, Newton-in-the-isle.
- 1.2. It is acknowledged that the application is acceptable in terms of residential amenity, flood risk and drainage, highway safety, and biodiversity impact.
- 1.3. Notwithstanding this, it is considered that the proposal is unacceptable in principle and in terms of its character impact by virtue of the site not constituting infill development, contrary to Policy LP3.
- 1.4 Further to this, the site is rural in character predominantly open fields and greenfield sites in the surrounding area, with only sporadic residential development present. It is therefore considered that real and actual character harm would arise through the further development of this open part of Rectory Road, contrary to policies LP12 and LP16 of the Fenland Local Plan (2014).
- 1.5 Subsequently, it is considered that the proposal is unacceptable in planning terms and is accordingly recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1. The application site is located on land North of High Trees, Rectory Road, Newton-in-the-Isle.
- 2.2. The site currently comprises an area of agricultural land with residential properties immediately to the North and South of the site.
- 2.3. There are some natural boundary screening features along the southern part of the boundary onto Rectory Road, but other than this the frontage of the site is largely open.
- 2.4. The site is located within Flood Zone 1.

## **3 PROPOSAL**

- 3.1. The application seeks outline planning permission with all matters reserved for the erection of up to 6no dwellings. The application form identifies the plots as being market housing.
- 3.2. An indicative site layout plan has been submitted with the application, which identifies a linear form of development fronting onto Rectory Road, with individual access points serving the dwellings. A footpath is shown along the frontage of the site, although it does not appear that this footpath would provide any wider links.
- 3.3. Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

## **4 SITE PLANNING HISTORY**

- 3.1. There is no planning history relevant to the determination of this application.

## **5 CONSULTATIONS**

### **5.1. Newton-in-the-Isle Parish Council**

**21.03.2023**

*The Parish Council's Planning Committee considered this application at their recent meeting. Fourteen members of the public attended the meeting, the majority of whom did not support the application.*

*The site is one of a number of locations identified by the Parish Council during the recent Emerging Local Plan process as suitable for frontage residential development in keeping with the existing character of the village. The whole site lies in Flood Zone 1 and is situated less than 150m from Newton Village Hall, the hub of our community. It sits on the village bus route and its close proximity to the A1101 will minimise the traffic impact to the wider village. The introduction of a 3-storey 6-bedroom dwelling adjacent to the site has established a precedent for modern executive-style housing in Rectory Road, and modest infilling of this nature is considered acceptable.*

*In the wider context, this proposal aligns with the Parish Council's aims to allow an appropriate level of growth to ensure the long-term sustainability of our village, as*

*outlined in paragraph 6.7 of the Draft Local Plan. This site is ideally suited to facilitate the level of necessary growth highlighted in the Draft Plan.*

*Members expressed strong support for the proposed development.*

#### **20.09.2024**

*The Parish Council's Planning Committee reconsidered this application at a recent meeting. They welcomed the addition of a footway as part of the proposed development and noted the clarification of the drainage plan for the site. A number of residents attending the meeting voiced their concerns regarding the potential for flooding.*

*The Committee resolved to support the revised application.*

#### **08.10.2024**

*On 2 January 2024, a culvert collapsed in a field to the north of the village. By the following morning, water had backed up into Church Lane, the Village Hall car park and the gardens of several properties. The Parish Council was informed and arranged for the collapsed culvert to be removed to allow the water to escape.*

*There are no other recorded flood events in this part of the village.*

### **5.2. Lead Local Flood Authority (CCC) – 31.01.2025**

*We have reviewed the following documents:*

- *Flood Risk Assessment, Ellingham Consulting, Ref: ECL1325b, Dated: December 2024*

*Based on these, as Lead Local Flood Authority (LLFA) we can remove our objections in principle to the proposed development.*

*The above documents demonstrate that surface water from the proposed development can be managed through the use of an attenuation basin before discharging via flow control at a rate of 2l/s into the existing IDB drain. More detailed drainage maintenance particularly of the package treatment plants will be provided at a later stage and will be conditioned.*

*We request the conditions are imposed.*

### **5.3. CCC Highways – 23.09.2024**

*On the basis of the information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable at this outline stage.*

*It is unclear why a footway is now proposed along the frontage of the six proposed plots. For clarity, this footway is proposed outside of the public highway and would not form part of the public highway if delivered.*

*As a private path, there is no guarantee that the path would be available for other highway users travelling along Rectory Road. As the path does not connect to any adjoining off-carriageway provision within the public highway, the path is not considered to contribute to demonstrating the sustainability of the site by non-car*

*travel modes. The management and maintenance of the new footway should be provided so that future obligations for path management and maintenance are well understood by relevant parties. This can be secured via condition.*

*A new kerb line will be required to accommodate the six proposed vehicular crossovers. This kerb line will consist of the dropped kerb for the crossover and associated taper and transition kerbs on either side. The overall length of kerb required to accommodate six individual crossovers will considerably reduce the ability for surface water to run-off and infiltrate into the adjacent verge. As such, as the reserved matters stage, the applicant will need to consider how Rectory Road will continue to drain sufficiently, which may require the installation of a positive drainage system.*

*It is unclear whether there is a ditch to the front of the site and whether this will be culverted to accommodate the private footway. If so, the consent of the Lead Local Flood Authority will be required. An informative is included below regarding watercourse management.*

*It is also noted that to enable the installation of the crossovers, utility covers and associated services may require lowering as part of the highway works package. The applicant will need to liaise with the relevant utility provider as to the feasibility of such works and the associated costs, which would need to be met by the applicant. Costs associated with the alteration of utilities can be significant and so the applicant is encouraged to ascertain the utility provider's requirements at the earliest opportunity*

#### **5.4. North Level Drainage Board – 11.09.2024**

*Please note that North Level District Internal Drainage Board have no objection in principle to the above planning application.*

*It should be noted that Consent to Discharge will be required by North Level District Internal Drainage Board as stated on the plans.*

#### **5.5. CCC Archaeology – 10.09.2024**

*Thank you for the re-consultation with regards to the amended plans. We have reviewed these and confirm that they do not alter our previously issued advice that whilst we do not object to development proceeding in this location, we consider that a programme of archaeological investigation should be secured by condition. The additional drainage elements will need to be investigated as part of the archaeological evaluation of the site as they have a subsurface impact.*

#### **5.6. Environmental Health – 06.12.2023**

*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.*

#### **5.7. Local Residents/Interested Parties**

##### **Objectors**

A total of 42 letters of objection were received on the application, primarily from residents of Rectory Road, Chapel Lane and High Road in Newton-in-the-Isle. The objections raised the following points:



- Lack of services and facilities in Newton
- Loss of important spaces in character of the area
- Increase in domestic traffic
- Road network already used by a number of large vehicles
- Adopted and Emerging Local Plan rejected the site
- Site does not constitute infill development
- Overlooking on existing properties adjacent the site
- Development out of character with the area
- High density of development
- Public footpath does not provide any public benefit as it is be a private footpath within the site boundary
- Flood Risk
- Immediate area is always waterlogged and floods
- Lack of clarity on how the detention basin will be maintained
- Unsustainable Location
- A smaller development would be more appropriate
- Ecological impact

### **Supporters**

A total of 7 letters of support were received from residents of Rectory Road, High Road, Mill Lane and Goodens Lane in Newton-in-the-isle. These raised the following points:

- The development will bring new families into the village and help it to grow
- Site in Flood Zone 1
- Linear development is in keeping with the rest of the village

## **6 STATUTORY DUTY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK**

### **National Planning Policy Framework (NPPF) 2025**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

### **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity  
Built Form  
Nature  
Homes and Buildings

#### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development  
LP2 – Facilitating Health and Wellbeing of Fenland Residents  
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside  
LP4 – Housing  
LP5 – Meeting Housing Need  
LP12 – Rural Areas Development Policy  
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

#### **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

#### **Cambridgeshire Flood and Water SPD 2016**

#### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy  
LP2: Spatial Strategy for the Location of Residential Development  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP12: Meeting Housing Needs  
LP13: Custom and Self Build  
LP18: Development in the Countryside  
LP20: Accessibility and Transport  
LP22: Parking Provision  
LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP28: Landscape

## **8 KEY ISSUES**

- **Principle of Development**
- **Character and appearance**
- **Residential amenity**
- **Flood Risk and Drainage**
- **Parking Provision and Highway Safety**
- **Biodiversity Impact**

- **Biodiversity Net Gain (BNG)**

## **9 BACKGROUND**

- 9.1. A representation was received on the 29<sup>th</sup> November 2023 from Councillor Sam Clark, declaring an interest in the above application on the basis that the application site is Councillor Clark's brother and is also adjacent to Councillor Clark's property.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1. Policy LP3 clearly identifies that Newton is a small village which is capable of residential infilling. The Fenland Local Plan 2014 under its glossary defines residential infilling as "Development of a site between existing buildings". The Planning Portal Glossary defines this as "The development of a relatively small gap between existing buildings."
- 10.2. It is clear the proposed development, of up to 6 dwellings, at the site in question is not deemed as residential infill as the site presents a large undeveloped gap of approx. 105m between the existing dwellings 'High Trees' & 'Phydler's Den'. As such, it is not considered that the proposal would represent development of a limited nature. Further, it is not considered that the development along Rectory Road forms part of the main built form of the village of Newton. Rectory Road is characterised by sporadic development and parcels of undeveloped land, which transitions into greater built form along Church Lane to the North and High Road to the South. The footnote to Policy LP12 Part A of the Local Plan defines the developed footprint of the village as "the continuous built form of the settlement" excluding "groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement". It is considered that the extremity of built form along Church Lane and High Road constitutes the main built form of the settlement of Newton and as such the application site clearly lies outside of this.
- 10.3. Therefore, it is not considered that the proposal constitutes infill development within the built form of the settlement. As such, the proposal is considered to be Contrary to Policy LP3 of the Fenland Local Plan (2014) and is therefore unacceptable in principle.

### **Character and appearance**

- 10.4. Part A of Policy LP12 states that proposals should not have an adverse impact on the character and appearance of the surrounding countryside and farmland (part c) and that proposals would not extend 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 or the landscape character of the surrounding area. The site is rural in character predominantly open fields and greenfield sites in the surrounding area, with only sporadic residential development present. It is therefore considered that real and actual character harm would arise through the further development of this open part of Rectory Road.
- 10.5. The development that is seen along Rectory Road is generally more sporadic and results in a gentle transition from the open countryside into the more built up area of Newton. The proposed introduction of 6no. dwellings, likely in a formal and linear

fashion, would result in undue prominence, be visually stark, abrupt and out of character.

- 10.6. Owing to the above, the proposal is considered to be contrary to Policies LP12 and LP16 of the Fenland Local Plan (2014) given the incongruous form and scale of the development which would fail to respect and positively respond to the character of this part of Newton.

### **Residential Amenity**

- 10.7. Policy LP2 seeks to ensure a positive living environment for Fenland residents and Policy LP16 (e) seeks to ensure that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light.
- 10.8. The indicative site layout plan submitted alongside the application identifies a linear form of development with each plot benefitting from private amenity space approximately 22m in depth.
- 10.9. Based on the indicative site layout, it is considered that a suitably designed Reserved Matters scheme could be provided within which the plot sizes would avoid a cramped form of development and would provide ample private amenity space provision for the dwellings, whilst also avoiding any unacceptable levels of overlooking, overshadowing or overbearing to existing properties.
- 10.10. It is therefore considered that the site is capable of accommodating the development whilst adequately providing for residential amenity, in accordance with Policies LP2 and LP16 of the Fenland Local Plan (2014).

### **Flood Risk and Drainage**

- 10.11. The application site is located within Flood Zone 1 and is at very low risk of surface water flooding.
- 10.12. Whilst the LLFA initially objected to the proposal on the basis of an inadequate surface water drainage strategy, this objection has been resolved through the submission of a revised Flood Risk Assessment which demonstrates that surface water from the development can be managed through the use of an attenuation basin before discharging into the existing IDB drain.
- 10.13. The LLFA are satisfied that the site can manage its own surface water and have subsequently removed their objection, subject to the imposition of conditions requiring the submission of a detailed surface water drainage scheme prior to the commencement of the development. A condition has also been requested requiring the submission of a scheme to manage surface water during the construction phase.
- 10.14. Subsequently, it is considered that the proposal suitably demonstrates the capability of the site to manage flood risk, and it is therefore considered that the proposal satisfies the requirements of Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF.

### **Parking Provision and Highway Safety**

- 10.15. The indicative site layout plan identifies that each plot will be served by an individual access with an area for parking and turning to the front.

- 10.16. The Highway Authority has considered the proposal and raised no objections to the scheme in principle. It is, however, requested that a number of conditions are imposed requiring the inclusion of suitable details at Reserved Matters stage in respect of access road details, parking/turning area, visibility splays, construction facilities, highways drainage and management of the estate footway.
- 10.17. It is noted that the proposed footpath along the site frontage falls outside of the public highway and as such offers no guarantees that it will be available for use of other highway users. Further, it does not connect to any adjoining off-carriageway provision within the public highway. As such, it is not considered that the footpath provision contributes to demonstrating the sustainability of the site by non-car travel modes, nor does it offer any wider community benefits in the planning balance. While the Highway Authority do not object from a safety perspective these comments do perhaps reinforce the conclusions elsewhere within this report concerning the location of the site relative to the main built form of the settlement and the principle of developing the site being unacceptable.
- 10.18. Notwithstanding this issue, it is however considered that the proposed development of the site for residential purposes is acceptable in principle from a road safety perspective, and that a suitable detailed scheme can be provided at Reserved Matters stage to achieve this. It is therefore considered that the proposal satisfies the requirements of Policy LP15 of the Fenland Local Plan in terms of parking provision and highway safety.

### **Biodiversity Impact**

- 10.19. The application site is supported by a Preliminary Ecological Appraisal prepared by Arbtech. The report concludes that the development can be carried out without any significant detrimental impacts on the biodiversity of the site.
- 10.20. Various recommendations are made as within the report as to methods of construction and mitigation/enhancements that can be incorporated to offset any impacts arising from the development.
- 10.21. Overall, on the basis of the submitted ecology report, it is considered that the development of the site will offer opportunities for ecological enhancements to be provided, and these can be secured via a suitably worded condition.
- 10.22. The proposal is therefore considered to have appropriate regard to Policy LP19 of the Fenland Local Plan (2014) in this regard.

### **Biodiversity Net Gain (BNG)**

- 10.23. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.24. There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

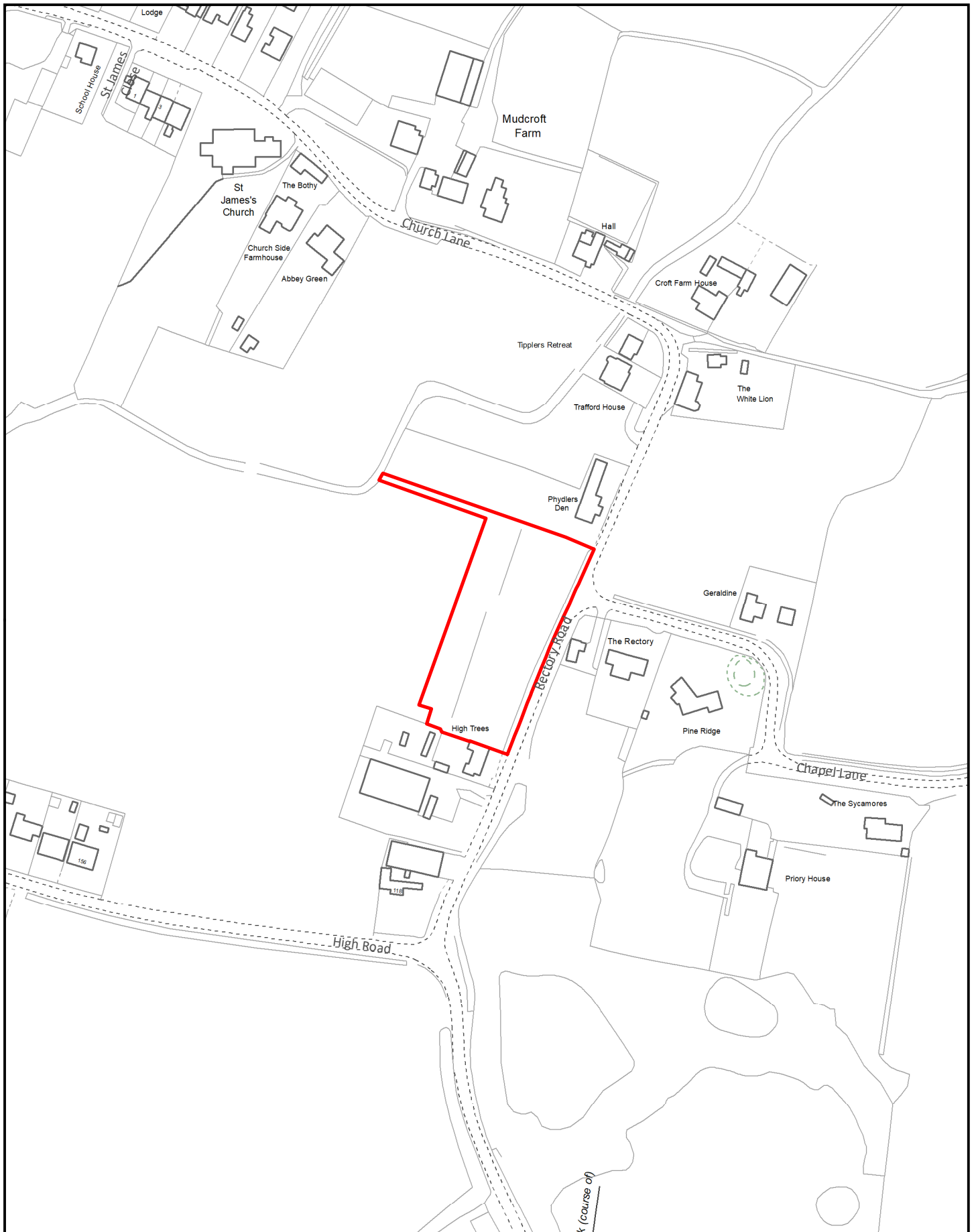
## 11 CONCLUSIONS

- 11.1 The application seeks outline planning permission for the erection of up to 6no. dwellings on Rectory Road, Newton-in-the-Isle.
- 11.2 It is acknowledged that the application is acceptable in terms of residential amenity, flood risk and drainage, highway safety, and biodiversity impact.
- 11.3 Notwithstanding this, it is considered that the proposal is unacceptable in principle and in terms of its character impact by virtue of the site neither being within the main built form of the settlement nor constituting limited infill development, contrary to Policies LP3 and LP12.
- 11.4 Further to this, the site is rural in character predominantly open fields and greenfield sites in the surrounding area, with only sporadic residential development present. It is therefore considered that real and actual character harm would arise through the further development of this open part of Rectory Road, contrary to policies LP12 and LP16 of the Fenland Local Plan (2014).
- 11.5 It is not considered that the development would deliver any wider sustainability benefits to the community given the issues raised by the Highway Authority in respect of the footway along the site frontage and any benefits arising from the delivery of six additional dwellings are not considered to outweigh the clear conflict with the spatial policies of the Local Plan and the harm identified.
- 11.6 Subsequently, it is considered that the proposal is unacceptable in planning terms and is accordingly recommended for refusal.

## 12 RECOMMENDATION

**Refuse;** for the following reasons:

1.	The application site is outside the developed footprint of the village as defined in Policy LP12 Part A of the Fenland Local Plan (2014), nor is the development of six dwellings on a site with a frontage width of 105m considered to constitute infill of a limited nature. As such the development is considered to be unjustified development in the countryside, contrary in principle to the spatial strategy set out in Policies LP3 and LP12 of the Local Plan.
2.	<p>Policy LP16 (d) of the Fenland Local Plan (2014) requires development to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area, enhancing their setting and 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.</p> <p>The proposal is for the construction of six linear dwellings on a greenfield site in an area characterised by open fields with only sporadic residential development present. It is therefore considered that real and actual character harm would arise through the further development of this open part of Rectory Road, contrary to Policies LP12 and LP16 of the Fenland Local Plan (2014).</p>



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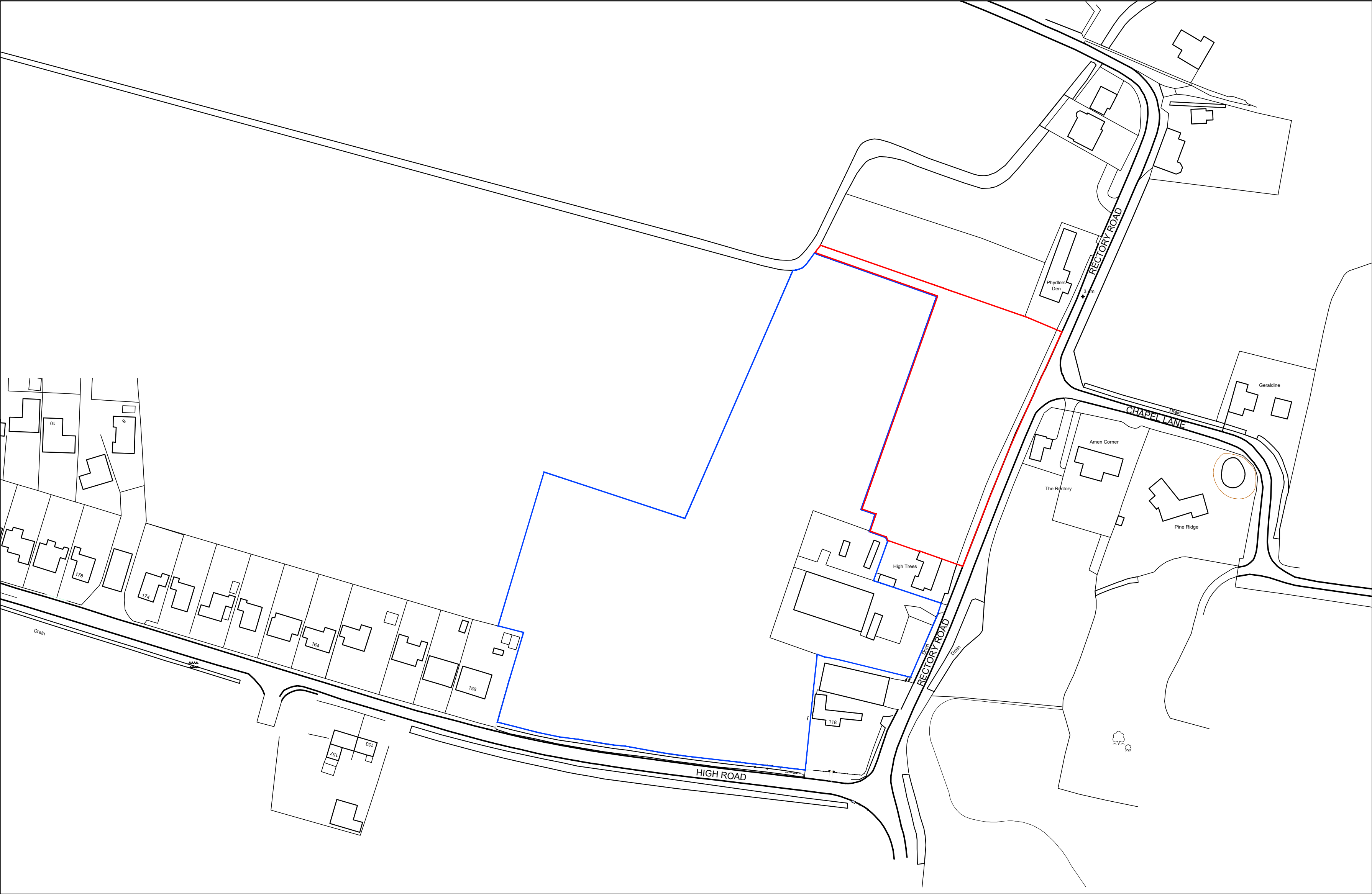
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LOCATION PLAN 1:1250

A -  
REVISIONS



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**CLIENT**  
**ANDREW CLARK**

**PROJECT**  
**PROPOSED RESIDENTIAL DEVELOPMENT**

**SITE**  
**LAND NORTH OF 'HIGH TREES'**  
**RECTORY ROAD**  
**NEWTON**  
**CAMBS**  
**PE13 5EU**

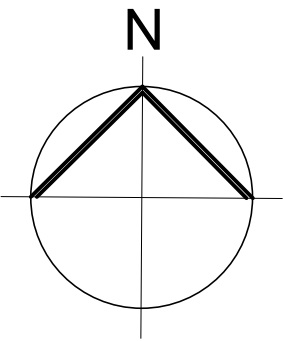
**DRAWING**  
**PLANNING DRAWING 3**

JOB NO.	PAPER SIZE	DATE
6860/03B	A2	OCT 2023

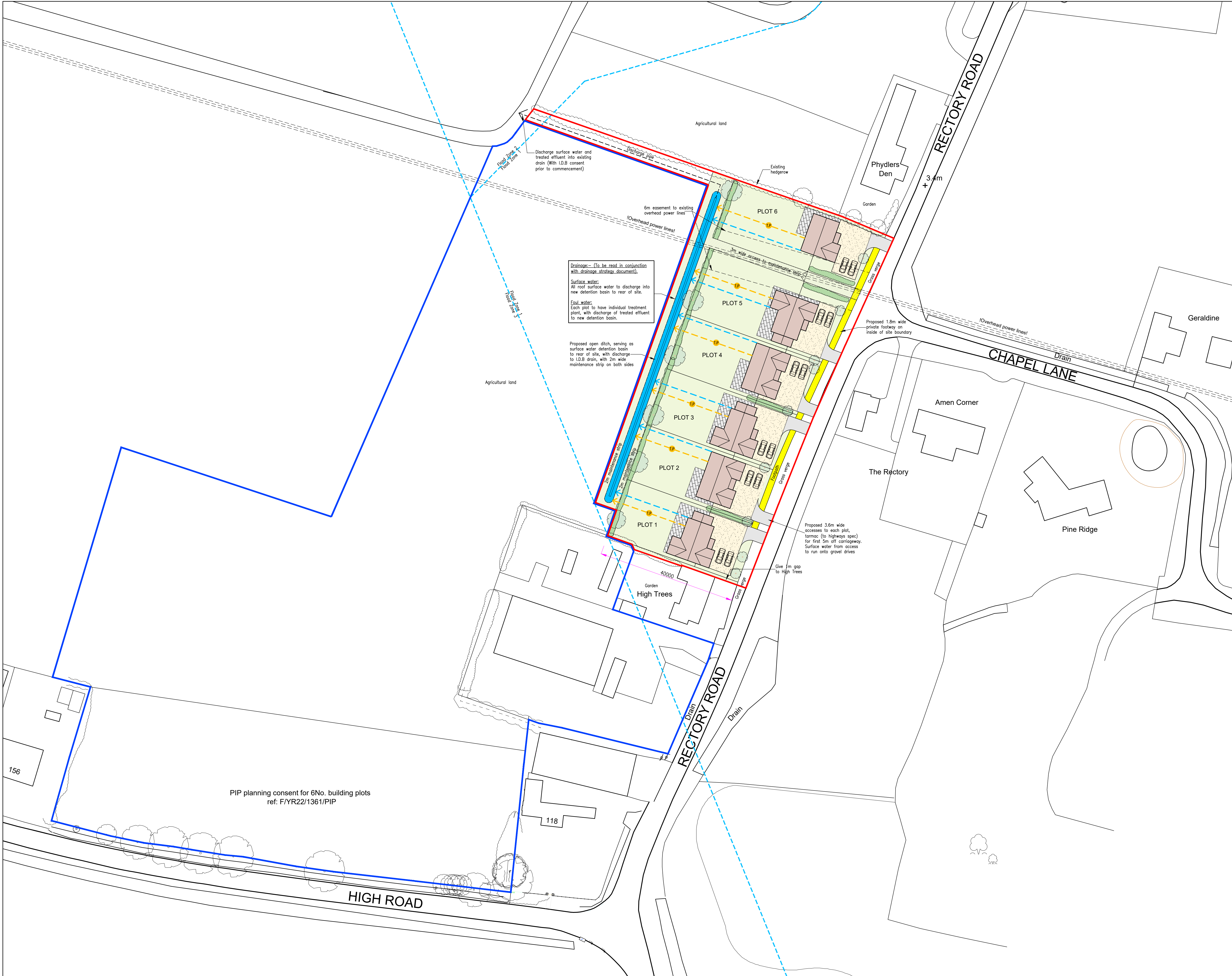
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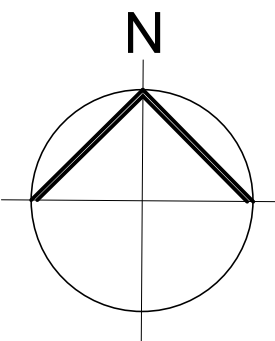
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Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the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







PROPOSED SITE PLAN 1:500 (INDICATIVE LAYOUT SHOWN)



A-

REVISIONS

**PHA**

**PETER HUMPHREY ASSOCIATES**

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CLIENT

ANDREW CLARK

PROJECT

PROPOSED RESIDENTIAL DEVELOPMENT

SITE

LAND NORTH OF 'HIGH TREES'

RECTORY ROAD

NEWTON

CAMBS

PE13 5EU

DRAWING

PLANNING DRAWING 2

JOB NO.	PAPER SIZE	DATE
6860/02J	A1	OCT 2023

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**F/YR24/0899/O**

**Applicant: Mr D Morris**

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

**Land North West Of 100, Westfield Road, Manea, Cambridgeshire**

**Erect 3 x dwellings and formation of a pond and bioswale involving the removal of containers and in filling existing pond (outline application with matters committed in respect of access and layout)**

**Officer recommendation: Refuse**

**Reason for Committee: Parish Council comments contrary to Officer Recommendation**

---

**Government Planning Guarantee**

**Statutory Target Date For Determination: 1 January 2025**

**EOT in Place: Yes**

**EOT Expiry: 11 April 2025**

**Application Fee: £2312**

**Risk Statement:**

**This application must be determined by 11 April 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- |   |
|---|
| <ul style="list-style-type: none"><li>1.1. The proposal seeks outline planning permission with access and layout committed for the erection of up to 3no. residential dwellings.</li><li>1.2. It is overall considered that the proposal represents a form of development which would fail to respect the built form and characteristics of this part of the village and would be discordant and inappropriate in this location. The proposal would therefore fail to accord with the provisions of the National Planning Policy Framework, and Policies LP12 and LP16 of the adopted Fenland Local Plan.</li><li>1.3. The long nature of the access and external lighting likely required to light this, along with the indicative two-storey nature of the proposed dwelling, gives rise to detrimental impacts on the amenities of the adjoining properties, 98, 100 &amp; 104 Westfield Road in terms of disturbance, and cumulative overlooking impact on the adjacent private</li></ul> |
|---|

amenity space from the proposed dwellings, contrary to Policy LP16.

- 1.4. Part of the site falls within Flood Zones 2 & 3, with parts of plots 2 & 3 likely to be impacted, therefore the sequential test is required. In this case the sequential test has not been met. Accordingly, the proposal would fail to accord with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan.
- 1.5. Whilst the on-site biodiversity impacts of the scheme are considered to be acceptable in terms of protected species and habitats, insufficient information has been provided to ensure that mandatory 10% BNG is achievable. As such, the proposal fails to accord with Schedule 7A of the Town and Country Planning Act in this regard.
- 1.6. Notwithstanding this, the proposal is considered to be acceptable in relation to the principle of development, parking provision and highway safety.
- 1.7. It is overall considered that the proposal is unacceptable in planning terms on the basis of the above assessment, and it is accordingly recommended that planning permission is refused in this instance.

## **2 SITE DESCRIPTION**

- 2.1. The application site comprises 0.39 hectares of paddock land to the rear of a detached two storey frontage dwelling on the north-western side of Westfield Road.
- 2.2. The site is accessed by a strip of land situated between 100 Westfield Road and 104 Westfield Road.
- 2.3. Development in the vicinity of the site is predominantly residential in nature, generally of linear frontage development, characteristic of this part of Manea.
- 2.4. Part of the site falls within Flood Zones 2 & 3, with the remainder situated in Flood Zone 1.
- 2.5. The land to the North-East of the application site has been granted outline planning permission for 26 dwellings under reference number F/YR21/1156/O, with the Reserved Matters scheme has been approved under reference number F/YR24/0635/RM.

## **3 PROPOSAL**

- 3.1. The proposal seeks outline planning permission with access and layout committed for the erection of up to 3no. residential dwellings.
- 3.2. The site plan submitted in support of the application illustrates the extension of an existing access point between 100 Westfield Road & 104 Westfield Road to

a private drive which will extend to the rear of the site with the three dwellings shown in a linear fashion, extending north to the rear of the site. A bio-swale and pond are shown within a grassed area in the north-western section of the site.

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

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

#### 4 SITE PLANNING HISTORY

F/YR17/1155/O	Erection of up to 2no. dwellings (outline application with all matters reserved)	Refused 30.01.2018
F/YR21/1280/O	Erect up to 3no. dwellings (outline application with all matters reserved)	Refused 12.07.2022

#### 5 CONSULTATIONS

##### 5.1. CCC Archaeology – 19.11.24

*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*

##### 5.2. Manea Parish Council – 19.11.24

*No objection*

##### 5.3 Environmental Health – 20.11.24

*The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to have a detrimental effect on the local amenity from the standpoint of air quality and light pollution or be affected by ground contamination.*

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

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

##### 5.4 CCC Highways – 22.11.24

*The proposed development is not forecast to result in a detrimental impact on the local highway network. It is noted that on the submitted Proposed Site Plan, drawing ref. CH24/LBA/662/OP-1-100, 2m by 2m pedestrian visibility splays*



*have been presented that extend over third-party land, however, it is accepted that in this location visibility splays of 1.5m by 1.5m are likely to be achievable and are requested to be conditioned accordingly.*

*In the event that the LPA are mindful to approve the application, please append Conditions and Informatives.*

#### **5.4 Definitive Maps Team – 25.11.24**

*There is no legally defined and recorded width for Public Footpath Footpath No.3, Manea/ Public Footpath No. 6, Wimblington. Where there is no legally defined width for a public right of way, we are not able to advise what the width would be. As the dimensions are not known, we cannot guarantee that the applicant would not be encroaching upon the highway. The applicant therefore would proceed with any development that might affect the highway at their own risk.*

#### **5.5 Anglian Water – 13.12.24**

No Comments

#### **5.6 Environment Agency – 20.12.24**

*No objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) are adhered to.*

*F/*

##### **Sequential and Exception Tests**

*In accordance with the National Planning Policy Framework (NPPF) paragraph 168, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It is for you to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.*

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

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

##### **Flood Warning and Evacuation**

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

*We strongly recommend that you consult your Emergency Planner on the above issues.*

### **Wastewater Disposal**

*We have not yet been able to consider wastewater disposal for this application. Capacity at the local water recycling centre could have implications for the development and consequently we may need to object or recommend a condition. We note the received re-consultation dated 13 December 2024 with a response deadline of 03 January 2025. We also note in the received Planning Committee Notification dated 23 December 2024 that you are minded to refuse the proposed development at the Planning Committee on 08 January 2025. We will therefore look to provide our advice to you on this matter in a follow up letter prior to the date of the Planning Committee.*

## **5.7 FDC Ecology – 20.02.25**

### **BNG**

*By virtue of a lack of and updated information, an assessment of how 10% biodiversity net gain will be achieved is not possible and as such, if granted planning permission, there is no guarantee if 10% biodiversity net gain will be achieved, hence would be contrary to Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It is recommended that the applicant review on-site design or seek off-site compensation to make up the shortfall of biodiversity on-site before this application is granted.*

### **On-site Habitats and Protected Species**

*The Preliminary Ecological Appraisal with BNG is reasonable and acceptable. Badgers and hedgehogs Daily pre-works check is recommended prior to the commencement of works on-site. Mitigation measures Mitigation measures are laid out in the Preliminary Ecological Appraisal for GCN, reptiles, bat, badgers, birds, hedgehogs, and invertebrates. GCN The site is in a DLL Amber risk zone and there are two ponds on / adjacent to the site. eDNA surveys and consultation with DLL is recommended to review if an EPS mitigation licence is required.*

### **Suggested condition**

*A condition for a CEMP: Biodiversity (Construction Environment Management Plan) is advised*

## **5.8 Local Residents/Interested Parties**

### **Supporters**

A total of 6 letters of support were received from residents of Manea, raising the following points:

- The properties will be accessed via a private drive and will therefore not impact surrounding properties.
- The proposal will make good use of currently unused land.
- The development is sites directly beside a recently granted development.
- The proposal has no negative impact on the street scene.
- The proposal will provide new homes for a growing village.

## **6 STATUTORY DUTY**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK**

### **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

### **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Uses

Homes and Buildings

### **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
- 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

### **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

### **Cambridgeshire Flood and Water SPD 2016**

#### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP3: Spatial Strategy for Employment Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP12: Meeting Housing Needs
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP28: Landscape
- LP32: Flood and Water Management

## **8 KEY ISSUES**

- **Principle of Development**
- **Character and Appearance**
- **Residential Amenity**
- **Biodiversity Impact**
- **Flood Risk and Drainage**
- **Parking Provision and Highway Safety**
- **Biodiversity Net Gain (BNG)**

## **9 BACKGROUND**

- 9.1. The application site has previously been subject to two previous planning applications under reference numbers F/YR17/1155/O (Erect up to 2no dwellings) and F/YR21/1280/O (Erect up to 3no dwellings).
- 9.2. The most recent application was refused for the following reasons:
- The proposal would result in a form of tandem/backland development that would undermine the prevailing form of linear frontage development.
  - The development would result in a detrimental impact to the residential amenities enjoyed by existing occupiers as a result of loss of privacy, overlooking and noise disturbance.
  - The site is located in Flood Zone 2 & 3 and failed the sequential test.
  - The proposal would result in domestic bins being carried in excess of 75m for collection.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1. Under Policy LP3 of the Local Plan, Manea is identified as a Growth Village in which new development and service provision within the existing urban area, or as small village extensions will be considered appropriate, albeit of a considerably more limited scale than that appropriate in the Market Towns. This policy is in line and accords with National Policy guidance in the form of the NPPF, guiding new development to more appropriate locations based on the key principles of sustainability.
- 10.2. The site is located in the southwestern part of Manea, away from the centre of the village and the local services and facilities. However, it is immediately to the north of the existing development along the road frontage of Westfield Road and is therefore considered to be well related to the settlement in this regard.
- 10.3. It is considered that the provision of three additional dwellings offers a scale of development that is appropriate to the scale of the settlement and is therefore considered to be acceptable.
- 10.4. On the basis that the application site is considered to be well-related to the settlement of Manea and is immediately adjacent to the existing built form found in the surrounding area, it is considered that the principle of development in this location accords with Policy LP3 of the Fenland Local Plan, subject to an acceptable detailed assessment of the other key issues associated with the proposal.

### **Character and Appearance**

- 10.5. The application is submitted in outline form but provides access and layout as matters committed. The layout plan submitted in support of the application, along with the size and shape of the site, confirm that a tandem development

extending from South to North is essential to accommodate the three dwellings on site.

- 10.6. It is considered that this form of development would be contrary to the prevailing pattern of development in this part of the village, which is generally linear, frontage development in nature.
- 10.7. It is noted that outline planning permission was granted on the land immediately to the North-East of the application site for the erection of up to 26 dwellings. The site in question also comprised of land to the rear of the linear frontage development along Westfield Road and was approved by the Planning Committee following an Officer recommendation of refusal.
- 10.8. The Reserved Matters application has recently been approved, but development is yet to commence on site. As such, it is considered that this application is premature and is in isolation an inappropriate encroachment into the open countryside incongruous with the character and pattern of existing development. It is not considered appropriate or reasonable to impose a condition to withhold development on this site until such time as the adjoining development is implemented. The proposed development is therefore currently considered contrary to Policy LP12, Part A (c) and (d).
- 10.9. Further, the proposed access to the site is shown to comprise a 78m long driveway between existing residential properties that would remain unadopted by the Highway Authority. Whilst the access track measures 5m in width and therefore would allow traffic to pass freely in both directions, it is considered that the tandem/backland development created along such a long track would be a substandard form of development. This is particularly pertinent when considering the likely need to accommodate external lighting along the driveway and the potential disturbance this would cause on adjoining neighbours.
- 10.10. It is overall considered that the proposal represents a form of development which would fail to respect the built form and characteristics of this part of the village and would be discordant and inappropriate in this location. The proposal would therefore fail to accord with the provisions of the National Planning Policy Framework, and Policies LP13, LP12 and LP16 of the adopted Fenland Local Plan.

### **Residential Amenity**

- 10.11. The proposed access to the site utilises an existing agricultural access point that is located between the existing residential properties fronting onto Westfield Road.
- 10.12. The Officer report for application F/YR21/1280/O stated in respect of residential amenity impact that “the proposed vehicular access, whilst a gated tarmac access serving the modest agricultural building, ancillary to, and associated with the host dwelling (and likely to be used on an occasional basis) close to, and between existing residential properties would generate additional and regular vehicular movements associated with the proposed new residential

development, to the detriment of the peaceful enjoyment of adjoining occupiers' residential properties." It is considered that this assessment would remain relevant to the current scheme.

- 10.13. Additionally, as identified in Paragraph 10.9 any external lighting required along the access track could give rise to unacceptable disturbance on the amenities of the adjacent properties, 100 & 104 Westfield Road.
- 10.14. The submitted drawings include an indicative site section, identifying the dwellings as being two-storey in nature. As such, it is likely that there will be first floor windows overlooking the private amenity space to Number 98 Westfield Road, to the east. Whilst the rear gardens are shown indicatively at approximately 15m in depth and therefore provides some separation, it is considered that the cumulative effect of overlooking from 3no. properties would be unacceptably detrimental to the amenities enjoyed by this property. Given that scale is not committed as part of this application, it may be possible to accommodate single storey dwellings on site. However, it is considered that a development of 3no. single storey dwellings would likely appear cramped on site and that as such the application has not demonstrated that the quantum of development proposed can be accommodated with no detrimental impacts.
- 10.15. The plot sizes as shown on the submitted layout plan are considered to offer sufficient private amenity space provision to the occupiers of the proposed dwellings.
- 10.16. One of the reasons for refusal on application F/YR21/1280/O related to the distance that residents would need to carry bins for collection by the Public Waste Service. Whilst the distance for bins to be carried is unaltered by this revised development, it is now proposed that waste will be collected by a private refuse service. It is considered that this revised arrangement is sufficient to overcome this previous reason for refusal, if secured via a suitably worded condition or included in Reserved Matters submission.
- 10.17. It is therefore considered, on balance that the proposal is in conflict with Policy LP16 in terms of residential amenity impact due to the cumulative overlooking that would occur on the private amenity space of number 98 Westfield Road, and disturbance arising from external lighting required along the access track between Number 100 & 104 Westfield Road.

### **Biodiversity Impact**

- 10.18. Based on the information submitted alongside the application, there is no indication that any protected species would be impacted or at risk as a result of the development.
- 10.19. The Council's Ecologist has considered the proposal and raised no objection to the proposal in terms of its impact on on-site habitats and protected species. It is requested that a pre-commencement conditions requiring the submission of a Construction Environmental Management Plan in relation to biodiversity protection.

- 10.20. However, the comments did highlight that insufficient information has been submitted to demonstrate that 10% biodiversity net gain will be achieved. It is suggested that reviews are made to the on-site design, or off-site compensation is sought to make up any shortfall, prior to the determination of the application. In the absence of this information, it cannot be demonstrated that the proposal complies with Schedule 7A of the Town and Country Planning Act 1990.
- 10.21. Whilst it is considered that the biodiversity impacts of the proposal are acceptable in terms of on-site habitats and protected species, subject to a suitable CEMP condition, there is insufficient information to fully determine that mandatory 10% BNG can be achieved by the development. As such, it is not considered that the proposal fully satisfies Policy LP19 of the Fenland Local Plan (2014) and Schedule 7A of the Town and Country Planning Act (1990).

### **Flood Risk and Drainage**

- 10.22. Part of the site falls within Flood Zone 3, an area at increased risk of flooding and therefore representing a risk to property and life. Residential development is classified as a 'more vulnerable' use.
- 10.23. Whilst no overlays have been provided of the flood zone and site layout, it would appear that the developed parts of plots 2 & 3 fall at least partially within flood zone 2 & 3.
- 10.24. The submitted Flood Risk Assessment states that the development passes the sequential test on the basis that "the footprint of the dwelling on plot 3 is on the boundary of Flood Zone 2" with Plots 1 and 2 in Flood Zone 1. As set out above, this does not appear to be correct and in the absence of any assessment of reasonably available alternative sites within the Flood Risk Assessment it is considered that the proposal fails to pass the sequential test.
- 10.25. With respect to foul drainage, the Environment Agency have flagged the issue of capacity at the local water recycling centre. Whilst Anglian Water have not commented on this application in detail there are known foul water issues in the area which have been identified on other applications relating to capacity at the Manea-Town Lots water recycling centre (WRC). However, this is now included within the Anglian Water Business Plan as a named growth scheme with investment delivery planned between 2025-2030. Consequently, it is considered that the imposition of a condition to ensure written confirmation of the upgrades to Manea WRC is obtained, and thus capacity available, prior to commencement of the development, if permitted. This is the approach the Council has recently taken elsewhere to development within Manea.
- 10.26. Notwithstanding this, in this case the sequential test has not been met. Accordingly, the proposal would fail to accord with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan and the Cambridgeshire Flood and Water SPD (2016)

### **Parking Provision and Highway Safety**

- 10.27. The proposal seeks the use of an existing field access that will be altered to make it suitable for use as a residential access. The alterations include the provision of visibility splays measuring 2.4m x 43m, tarmacking in accordance with CCC specifications and provision of pedestrian visibility splays measuring 2m x 2m.
- 10.28. The Highway Authority have considered the proposals and have raised no objections to the proposal subject to the imposition of conditions requiring the access to be constructed in accordance with the submitted details to ensure that it is safe and suitable to serve the site.
- 10.29. Based on the layout plan submitted alongside the application, there is sufficient space on site to accommodate adequate parking provision for the dwellings proposed.
- 10.30. It is considered that the access point benefits from adequate visibility splays in either direction to provide safe access & egress to the site, subject to the imposition of the aforementioned conditions requested by the Highway Authority.
- 10.31. It is considered that the proposal has appropriate regard to the requirements of Policy LP15 of the Fenland Local Plan in terms of parking provision and highway safety.

#### **Biodiversity Net Gain (BNG)**

- 10.32. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.33. In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

### **11 CONCLUSIONS**

- 11.1 The proposal seeks outline planning permission with access and layout committed for the erection of up to 3no. residential dwellings.
- 11.2 It is overall considered that the proposal represents a form of development which would fail to respect the built form and characteristics of this part of the village and would be discordant and inappropriate in this location. The proposal would therefore fail to accord with the provisions of the National Planning Policy Framework, and Policies LP12 and LP16 of the adopted Fenland Local Plan.
- 11.3 The long nature of the access and external lighting likely required to light this, along with the indicative two-storey nature of the proposed dwelling, gives rise

to detrimental impacts on the amenities of the adjoining properties, 98, 100 & 104 Westfield Road in terms of disturbance, and cumulative overlooking impact on the adjacent private amenity space from the proposed dwellings, contrary to Policy LP16.

- 11.4 Part of the site falls within Flood Zones 2 and 3, with Plots 2 and 3 seeming to be located within these, therefore the sequential test is required to be passed. In this case the sequential test has not been met. Accordingly, the proposal would fail to accord with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan.
- 11.5 Whilst the on-site biodiversity impacts of the scheme are considered to be acceptable in terms of protected species and habitats, an inadequate level of information has been provided to ensure that mandatory 10% BNG is achievable. It is, however, considered that a suitable scheme for BNG can be secured via a condition.
- 11.6 Notwithstanding this, the proposal is considered to be acceptable in relation to the principle of development, parking provision and highway safety.
- 11.7 It is overall considered that the proposal is unacceptable in planning terms on the basis of the above assessment, with any benefits arising from the provision of three additional dwellings not outweighing the conflict with policy and the harm arising from the development and it is accordingly recommended that planning permission is refused in this instance.

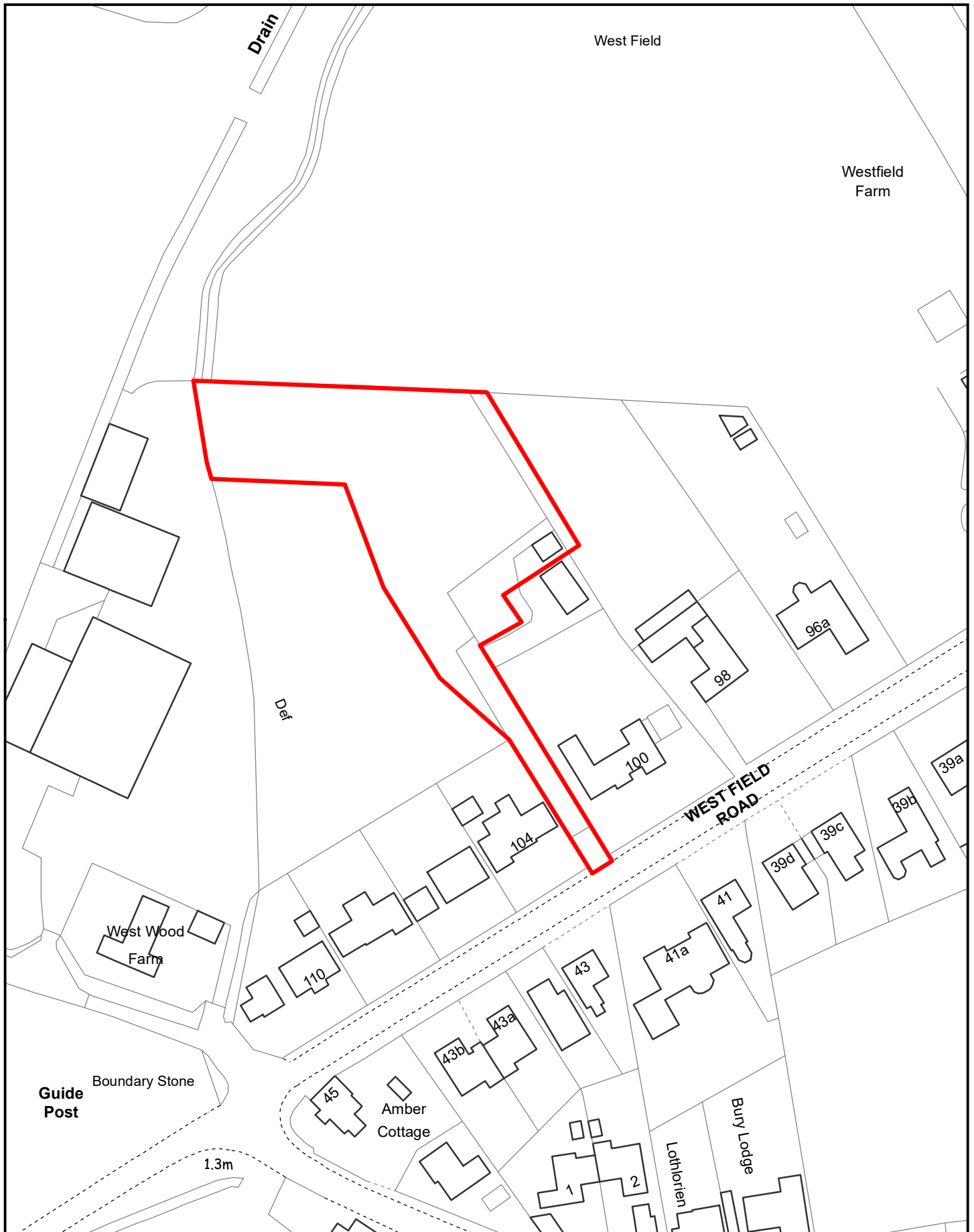
## 12 RECOMMENDATION

**Refuse;** for the following reasons:

1.	The proposed development, indicating three dwellings constructed to the rear of existing frontage development and accessed by a long vehicular access between existing dwellings, would represent a tandem or backland form of development which would result in a substandard form of development and would conflict with and undermine the prevailing form of linear frontage development in Westfield Road. Accordingly, the proposal would fail to accord with the provisions of the National Planning Policy Framework, specifically paragraphs 130 and 134, and Policies LP1, LP2, LP12 and LP16 of the adopted Fenland Local Plan 2014.
2.	The proposed development as indicated on the submitted plans would detract from the private enjoyment of existing occupiers' properties by virtue of potential loss of privacy and overlooking, noise, disturbance and general activity generated by the development of this piece of land and its associated proposed residential use. The development would erode the rural character and outlook of adjoining occupiers to the detriment of the amenities presently enjoyed by existing residents. Accordingly, the proposal would be contrary to the provisions of the NPPF 2021 and Policies LP1, LP2, LP3 and Policy LP16 of the adopted Fenland Local Plan 2014.

3.	<p>Part of the application site is categorised as being within Flood Zones 2 and 3 with a high risk of flooding. Where development is necessary in areas at risk of flooding, Paragraph 175 of the NPPF requires development to pass the Sequential Test, which aims to steer new development to areas at the lowest risk of flooding from any source. No sequential appraisal has been submitted and consequently the application is considered to be contrary to Paragraph 175 of the NPPF and Policy LP14 of the adopted Fenland Local Plan 2014 as well as the Cambridgeshire Flood and Water SPD (2016).</p>





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Scale = 1:1,250







Illustrative Site Section 1:200

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

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

IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

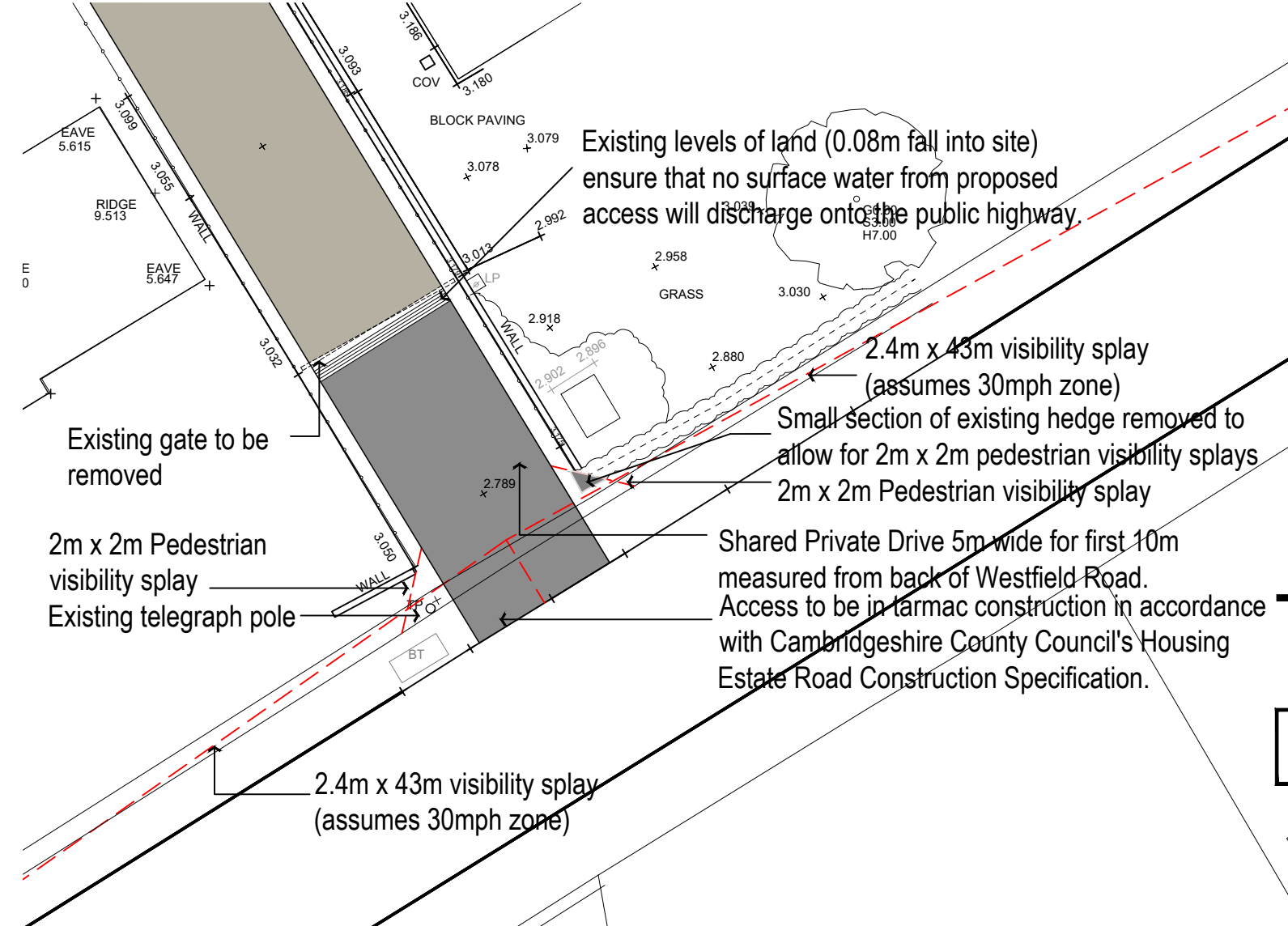
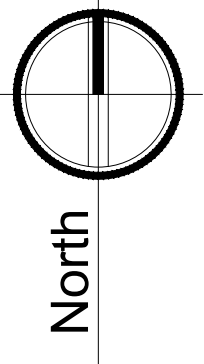
Scheme approved for 26 dwellings under Ref. F/YR22/1156/O



Proposed Site Plan 1:500



Location Plan 1:1250



Junction Plan 1:200

Rev A Jul. 24 Minor amendments

**arb**  
Architects  
Registration  
Board  
BB2 NO: 0454802

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Mob: 07739 562818  
Email: enquiries@lbevens-associatesltd.co.uk  
Web: www.lbevens-associatesltd.co.uk

DRAWING STATUS	PRELIMINARY	PLANNING	CONSTRUCTION
CLIENT	Mr D Morris		
PROJECT	Land North West of 100 Westfield Road, Manea, Cambridgeshire		
DRAWING TITLE	(Proposed Site Plan (Access & Layout only committed) Illustrative Site Section Location Plan		
SCALE	DATE	DRAWN	CHECKED
1:500 & 1:1250 @ A2	July 2024	LB	
DRAWING NUMBER	CH24/LBA/662/OP-1-100	REVISION	A

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**F/YR25/0006/F**

**Applicant: Mr and Mrs Deptford**

**Agent : Swann Edwards  
Architecture Limited**

**Land South Of Horse Creek Farm, Coldham Bank, Coldham, Cambridgeshire**

**Erect 1 self build dwelling**

**Officer recommendation: Refuse**

**Reason for Committee: Letters of representation Contrary to Officer  
Recommendation**

---

## **Government Planning Guarantee**

**Statutory Target Date For Determination: 3 March 2025**

**EOT in Place: Yes/No**

**EOT Expiry: 11 April 2025**

**Application Fee: £578**

**Risk Statement:**

**This application must be determined by 11.04.25 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- 1.1. The application seeks full planning permission to erect 1 no. self-build dwelling. The supporting Design & Access statement states that this is to be occupied by a rural worker.
- 1.2. It is considered that insufficient evidence and information has been submitted to demonstrate that the proposal is essential for agriculture, as required in an 'Elsewhere' location such as this. Therefore, the proposal is therefore considered to be unacceptable in principle and is contrary to Policies LP3 & LP12 of the Fenland Local Plan (2024) and Paragraph 84(e) of the NPPF (2024).
- 1.3. Further, the development of this site would result in an adverse landscape character impact by virtue of the development of a greenfield site in a currently rural and largely undeveloped area, and by virtue of the excessive size and scale of the dwelling proposed, contrary to Policy LP12 and LP16.
- 1.4. The application site is located entirely within Flood Zone 3 and fails to meet the sequential test by virtue of alternative sites being available elsewhere in the district to accommodate the development that are at lower risk of flooding. The

proposal is therefore considered to be contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF.

1.5. The application is therefore recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1. The application site is located on land to the South of Horse Creek Farm, Coldham Bank, Coldham.
- 2.2. The site is currently used for grazing horses in association with the riding school on the adjacent site. The surrounding area is characterised largely by open and undeveloped land used for agricultural purposes. There is a complex of buildings of an agricultural vernacular to the north of the application site that are used in conjunction with the riding school business on site.
- 2.3. The site is located within Flood Zone 3 and is at low risk of surface water flooding.

## **3 PROPOSAL**

- 3.1. The application seeks full planning permission to erect 1 no. self-build dwelling. The supporting Design & Access statement states that this is to be occupied by a rural worker.
- 3.2. The proposed dwelling is 2-storey, 4-bed in nature with a palette of materials of timber cladding, facing brickwork and zinc cladding. The dwelling incorporates an integral garage with first floor office/storage area.
- 3.3. The proposal incorporates the creation of a new access point onto Coldham Bank.
- 3.4. Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

## **4 SITE PLANNING HISTORY**

- 4.1. There is no site history relevant to the determination of the application.

## **5 CONSULTATIONS**

- 5.1. **Parish/Town Council**  
Supports the proposal
- 5.2. **Environment & Health Services (FDC)**  
Raises no objections
- 5.3. **Environment Agency**  
Raises no objections.

Advises 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, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

Advises that, in accordance with the National Planning Policy Framework (paragraph 162), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Concludes is for the Local Planning Authority to determine if the sequential test needs to be applied and whether there are other sites available at lower flood risk.

#### **5.4. Middle level Commissioners (IDB)**

No comments received

#### **5.5. Residents/Interested Parties**

##### **Supporters**

A total of 8 letters of support were received on the application, raising the following points:

- The house will fit in with the surrounding environment.
- The house is proportionate to the size of the farm.
- The business has expanded over recent years and requires an on-site presence.
- The family are long terms farmers who have 3 generations involved in the business.
- A number of instances of fly tipping and hare coursing.

### **6 STATUTORY DUTY**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

### **7 POLICY FRAMEWORK**

#### **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

#### **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

## **National Design Guide 2021**

Context  
Identity  
Built Form  
Movement  
Homes and Buildings  
Resources  
Lifespan

## **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development  
LP2 – Facilitating Health and Wellbeing of Fenland Residents  
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside  
LP4 – Housing  
LP5 – Meeting Housing Need  
LP12 – Rural Areas Development Policy  
LP13 – Supporting and Managing the Impact of a Growing District  
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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

## **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

## **Cambridgeshire Flood and Water SPD 2016**

### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy  
LP2: Spatial Strategy for the Location of Residential Development  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP12: Meeting Housing Needs  
LP13: Custom and Self Build  
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LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP28: Landscape  
LP32: Flood and Water Management



## **8 KEY ISSUES**

- **Principle of Development**
- **Character and Appearance**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Parking Provision and Highway Safety**
- **Biodiversity Impact**
- **Biodiversity Net Gain (BNG)**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1. The proposal seeks full planning permission for the erection of 1no. self-build dwelling, which the Design & Access statement advises is to be occupied by a rural worker.
- 9.2. The site is located in the parish of Coldham but is located in a rural location, divorced from any services and facilities. Approximately 2km north east of the edge of March and 2.9km south of the settlement of Coldham. As such, it is considered that the application site is located in an 'Elsewhere' location as identified by Policy LP3 of the Fenland Local Plan.
- 9.3. Development in these locations is restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport and utility services.
- 9.4. The design and access statement submitted in support of the application states that the application is submitted under paragraph 84(a) of the NPPF, which states that planning decisions should avoid the development of isolated homes in the countryside unless there is an essential need for a rural worker.
- 9.5. In relation to the definition of "isolated homes", the Court of Appeal decision on 'City & Country Bramshill Ltd v Secretary of State for Housing, Communities and Local Government [2021]' concluded the proximity of a site to other dwellings does not constitute a site being isolated. Rather, it is the functional relationship of a site to settlements due to a lack of connectivity that would be the determining factor.
- 9.6. The statement goes on to state that the dwelling is proposed to be occupied by the applicant, Mr Deptford, in association with the business known as D.H. Deptford (Farms ) Limited, which farms approximately 700 acres of land.
- 9.7. Due to the size of the holding, the business has been required to form its own independent Internal Drainage Board (IDB). It is stated that the occupation of the dwelling is required for the monitoring and maintenance of the IDB to allow immediate responses in the event of a blockage and avoid losses to the business. It is not considered that provides sufficient justification for a 24-hour presence on site, or a functional need to reside on site at all times.
- 9.8. Whilst the Design & Access statement considers that no alternative properties are available, a search of Rightmove identifies that there are currently a large number

of properties available in the nearby market town of March, a maximum 10-minute drive from the site. Further, no details have been provided as to the current location that the applicant lives to demonstrate the current commute that they have to their place of work. As already highlighted, even if the applicant lives a great distance from the site that requires a longer commute, there are alternatively available properties within a reasonable distance of the site that could provide for this need.

- 9.9. On the aforementioned basis, it cannot be confirmed that there is an “essential need” for a rural worker to live on site, as specified by paragraph 84 (a) of the NPPF, and therefore it is not considered that this exception applies to the development to justify the erection of a dwelling in this isolated location.
- 9.10. It is therefore considered that the proposal conflicts with Local and National Planning Policy and is accordingly considered unacceptable in principle.

### **Character and appearance**

- 9.11. The location of the proposed dwelling is situated on a parcel of undeveloped agricultural land that is greenfield in nature. On the basis that it is not considered to constitute a rural workers development, as per the ‘Principle’ section above, the proposal should be assessed against Policy LP3, LP12 and LP16.
- 9.12. The site is in an elsewhere location where development will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation etc. and therefore the proposal is considered contrary to Policy LP3 of the Fenland Local Plan 2014.
- 9.13. Whilst the location of the proposed dwelling is in relatively close proximity to the existing agricultural buildings on the adjacent parcel of land, it is considered that the creation of a dwelling on a greenfield site would result in an encroachment on the landscape character of the area. The location of the site in such a rural location result in a site that is not related to a settlement or pattern of development. As such, the proposal is considered to be contrary to Policy LP12 Part (a), (c) & (d) in this regard.
- 9.14. Further to this, the size and scale of dwelling proposed is excessive and will result in an incongruous incursion on the open countryside. The dwelling measures approximately 9.7m in height to the ridge, 22m in width at its widest point, and 37m in depth at its longest point (23m in depth when removing the rear garage projection). This size and scale is considered to be inappropriate in such a rural and open location, and insufficient justification is provided for it contrary to Policy LP12 and LP16 of the Fenland Local Plan.
- 9.15. As such, it is considered that the proposal is unacceptable in terms of its character and appearance impact.

### **Residential Amenity**

- 9.16. The dwelling is located on a spacious parcel of land that affords a generous level of private amenity space provision, more than sufficient for the size and scale of dwelling proposed.
- 9.17. There is an existing equestrian business located on the land to the north of the site, however the site location plan indicates that this is within the ownership of

the applicant. As such, it is not considered that the operations to the north would result in any detrimental impacts on the proposed residential dwelling.

- 9.18. The rural nature of the site means that there is a great level separation from the nearest residential property – approximately 200m. As such, the proposal will not give rise to any detrimental impacts on the amenities of adjoining properties.
- 9.19. The proposal is therefore considered to comply with Policy LP16 of the Fenland Local Plan (2014) in this regard.

### **Flood Risk and Drainage**

- 9.20. According to the Environment Agency's flood mapping, the application site is located within Flood Zone 3 (rivers and seas flooding) and at low risk of surface water flooding.
- 9.21. Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seeks to direct development away from areas at high risk of flooding in the first instance, unless the sequential test and, if necessary the exceptions test can be met.
- 9.22. The application is supported by a Flood Risk Assessment which has been considered by the Environment Agency, with no objections raised by this body.
- 9.23. The Flood Risk Assessment states that the sequential test is met by virtue of the development proposal being for a rural worker dwelling, meaning that no other parcels of land at lower risk of flooding are available to accommodate the proposal.
- 9.24. As set out in the 'Principle of Development' section above, the site is considered to be located in an 'Elsewhere' location, as defined by Policy LP3. As per the conclusions of this section of the report, it is not considered that Policy LP3 of the Fenland Local Plan, or Paragraph 84(a) of the NPPF is met on the basis that there is insufficient evidence to demonstrate that the proposal is essential for agricultural purposes. On this basis, the exclusion of other reasonably available sites capable of accommodating the development is unjustified.
- 9.25. The Council's adopted approach to the Sequential Test states that the area of search will be 'determined by considering the proposal's objectives, linked to the spatial policies of the Local Plan. For proposals that demonstrate a clear objective to sustain particular settlements or the countryside, the area of search will be:
  - A) Developments in the countryside – The whole of the rural area
  - B) Developments in towns and villages – The town/villages that the proposal would sustain."
- 9.26. As the application site is located in an 'Elsewhere' location with insufficient justification, it is considered that the search area for the sequential test must cover the whole of the rural area. Accordingly, the sequential test is deemed to be failed.
- 9.27. As the sequential test has been failed, it is not necessary to consider the exception test. Notwithstanding this, the site does not offer any wider public sustainability benefits, and it is therefore considered that the first part of the exception test would be failed in any event.

- 9.28. Overall, on the basis of the site's location in Flood Zone 3 and considering that the sequential test is not met, it is not considered that the development is in a suitable location in flood risk terms, and therefore the application is considered contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).

### **Biodiversity Impact**

- 9.29. The application is supported by the Council's Biodiversity Checklist and identifies that the site is within the Green Great Crested New Protection Zone (low habitat probability) and there are no discerning features to indicate that further assessment of this is required.
- 9.30. Notwithstanding this, the site currently comprises a paddock area used for keeping horses. The land in question is covered in short grass with no notable trees or potential habitats.
- 9.31. As such, the scheme offers no obvious conflict with regard to Policies LP16 and LP19 of the Fenland Local Plan (2014).

### **Biodiversity Net Gain (BNG)**

- 9.32. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.33. There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the nature of the development being self / custom build is exempt from statutory net gain.

## **10 CONCLUSIONS**

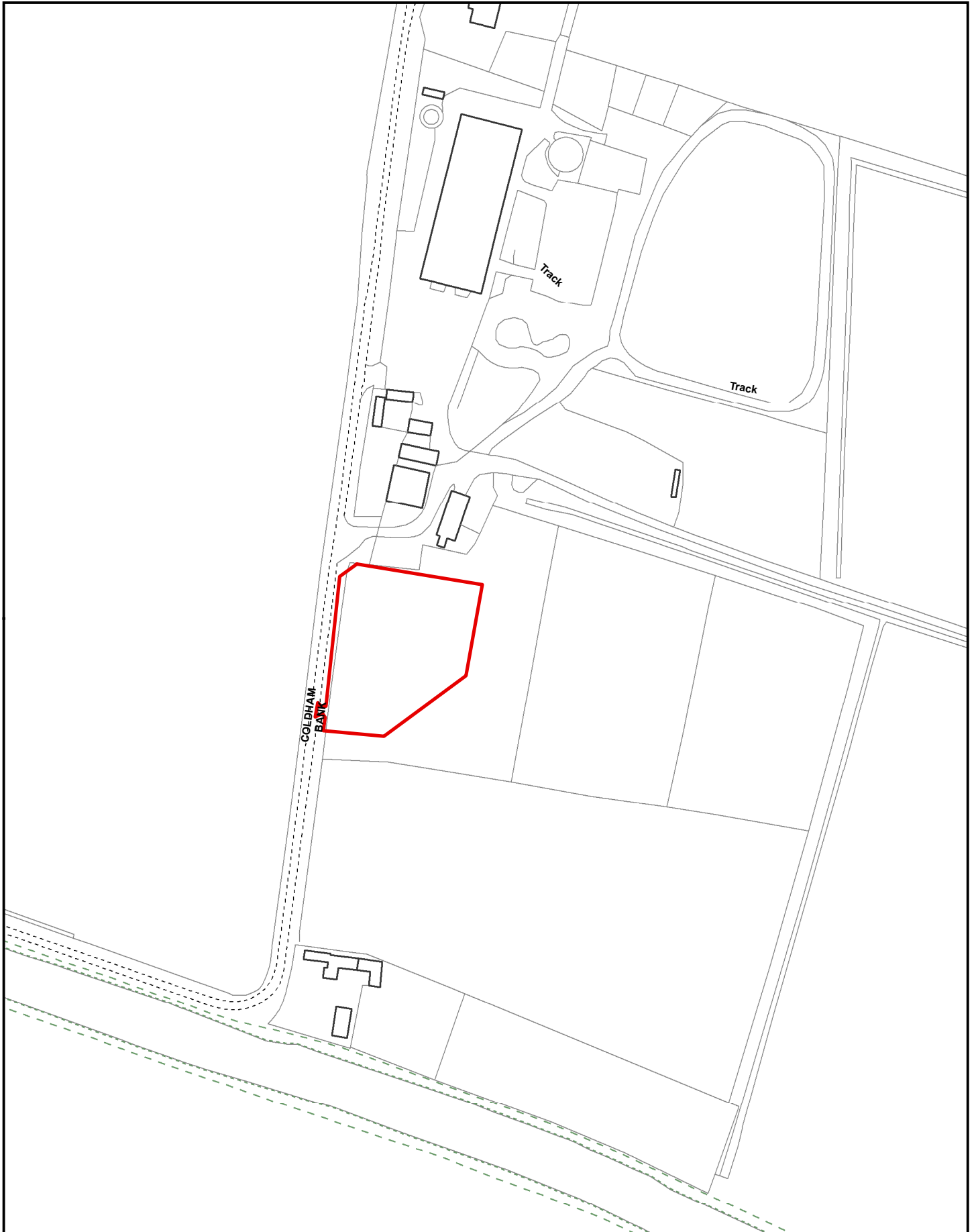
- 10.1. The application seeks full planning permission to erect 1 no. self-build dwelling. The supporting Design & Access statement states that this is to be occupied by a rural worker.
- 10.2. It is considered that insufficient evidence and information has been submitted to demonstrate that the proposal is essential for agriculture or similar rural enterprise, as required in an 'Elsewhere' location such as this. Therefore, the proposal is therefore considered to be unacceptable in principle and is contrary to Policies LP3 & LP12 of the Fenland Local Plan (2024) and Paragraph 84(e) of the NPPF (2024).
- 10.3. Further, the development of this site would result in an adverse landscape character impact by virtue of the development of a greenfield site in a currently rural and largely undeveloped area, and by virtue of the excessive size and scale of the dwelling proposed, contrary to Policies LP12 and LP16.

- 10.4. The application site is located entirely within Flood Zone 3 and fails to meet the sequential test by virtue of alternative sites being available elsewhere in the district to accommodate the development that are at lower risk of flooding. The proposal is therefore considered to be contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF.

## 11 RECOMMENDATION

**Refuse;** for the following reasons:

1.	<p>The application site is located in an 'Elsewhere' location as identified in Policy LP3, where development is restricted to that which is essential for agriculture, or other uses requiring a rural location.</p> <p>The proposal is supported by insufficient justification to demonstrate that there is an essential agricultural need for the development as required by Policy LP12 of the Fenland Local Plan (2014) and Paragraph 84(a) of the NPPF 2024. The proposal would therefore result in unwarranted development in an unsustainable rural location contrary to the aforementioned policies.</p>
2.	<p>The proposal, by virtue of the development of a greenfield site in a rural location, along with the excessive size and scale of the dwelling proposed, would be harmful to the character of the open countryside, contrary to Policies LP12 and LP16 of the Fenland Local Plan.</p>
3.	<p>The application site is located within Flood Zone 3 and fails to meet the sequential or exception test. It is considered that the proposal is at an unacceptable risk of flooding without sufficient justification. The proposal is therefore considered to be contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).</p>



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**F/YR25/0006/F**

Scale = 1:2,500







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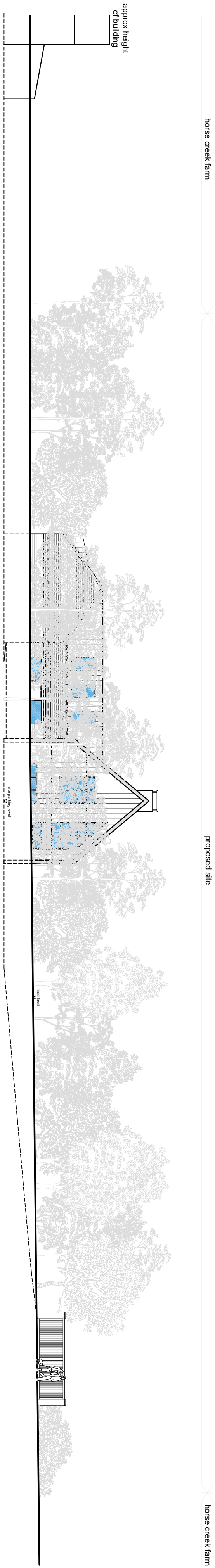
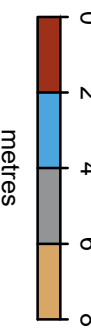
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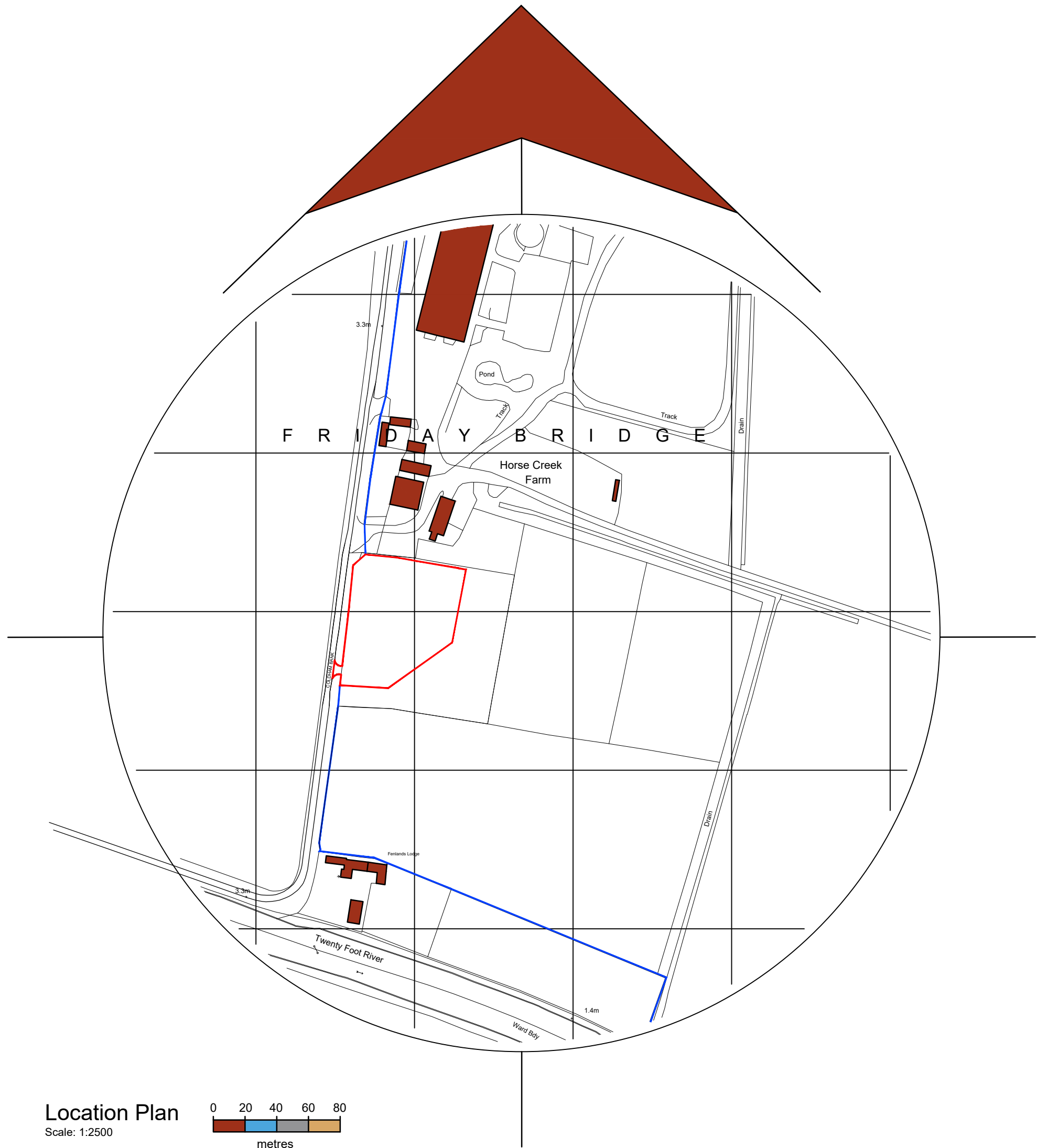
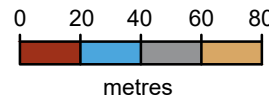




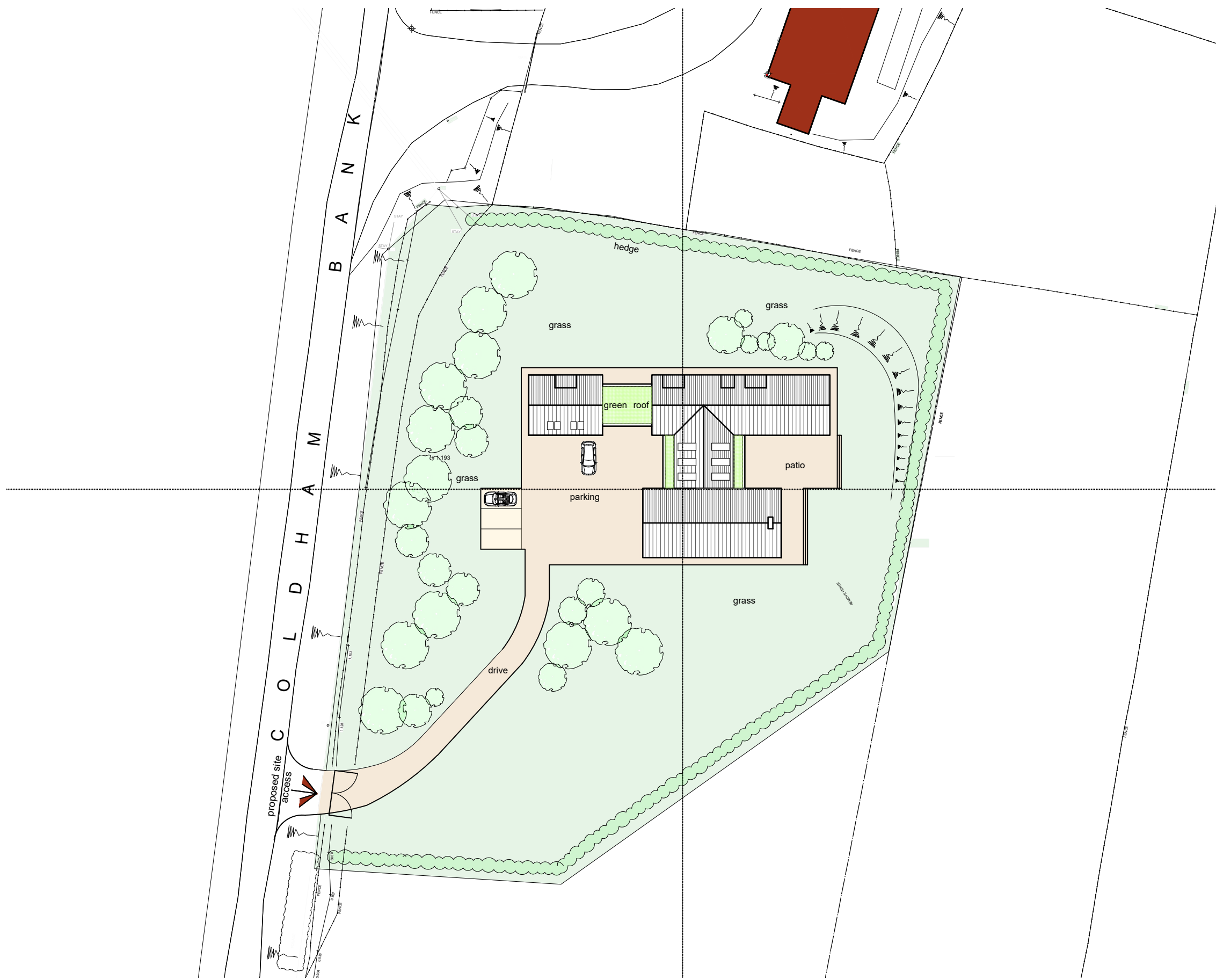
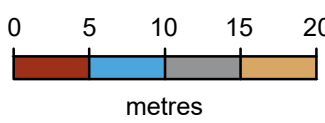
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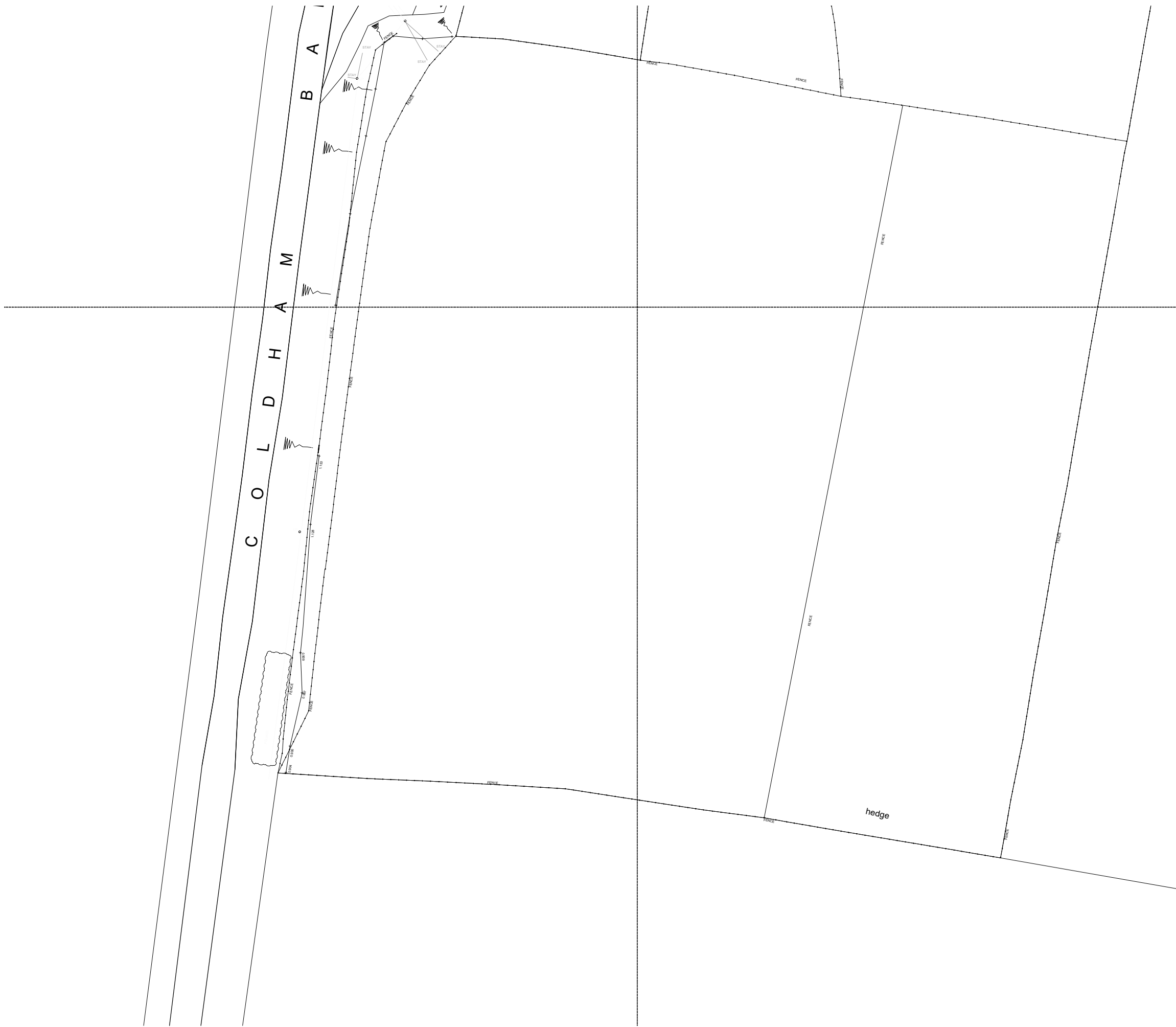
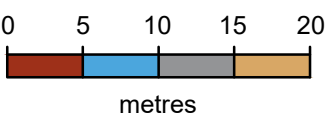
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Scale: 1:2500



Proposed Site Plan  
Scale: 1:500

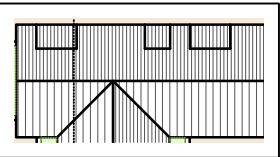


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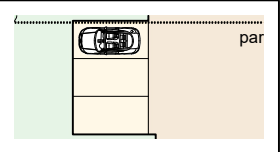


- General Notes
1. All dimensions are shown in 'mm' unless otherwise stated.
  2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
  3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors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

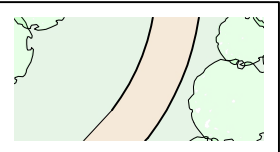
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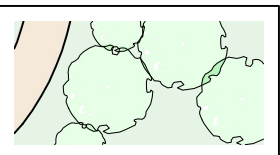
Indicates proposed dwellings



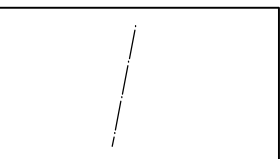
Indicates parking spaces



Indicates new road



Indicates proposed trees



Indicates fence to be removed

## Revisions

A	Oct 2024	Boundary amended
B	Dec 2024	Existing Site Plan and Street scene added
C	Dec 2024	General amendments
D	Jan 2025	General amendments
E	Jan 2025	Existing Site Plan added

Status

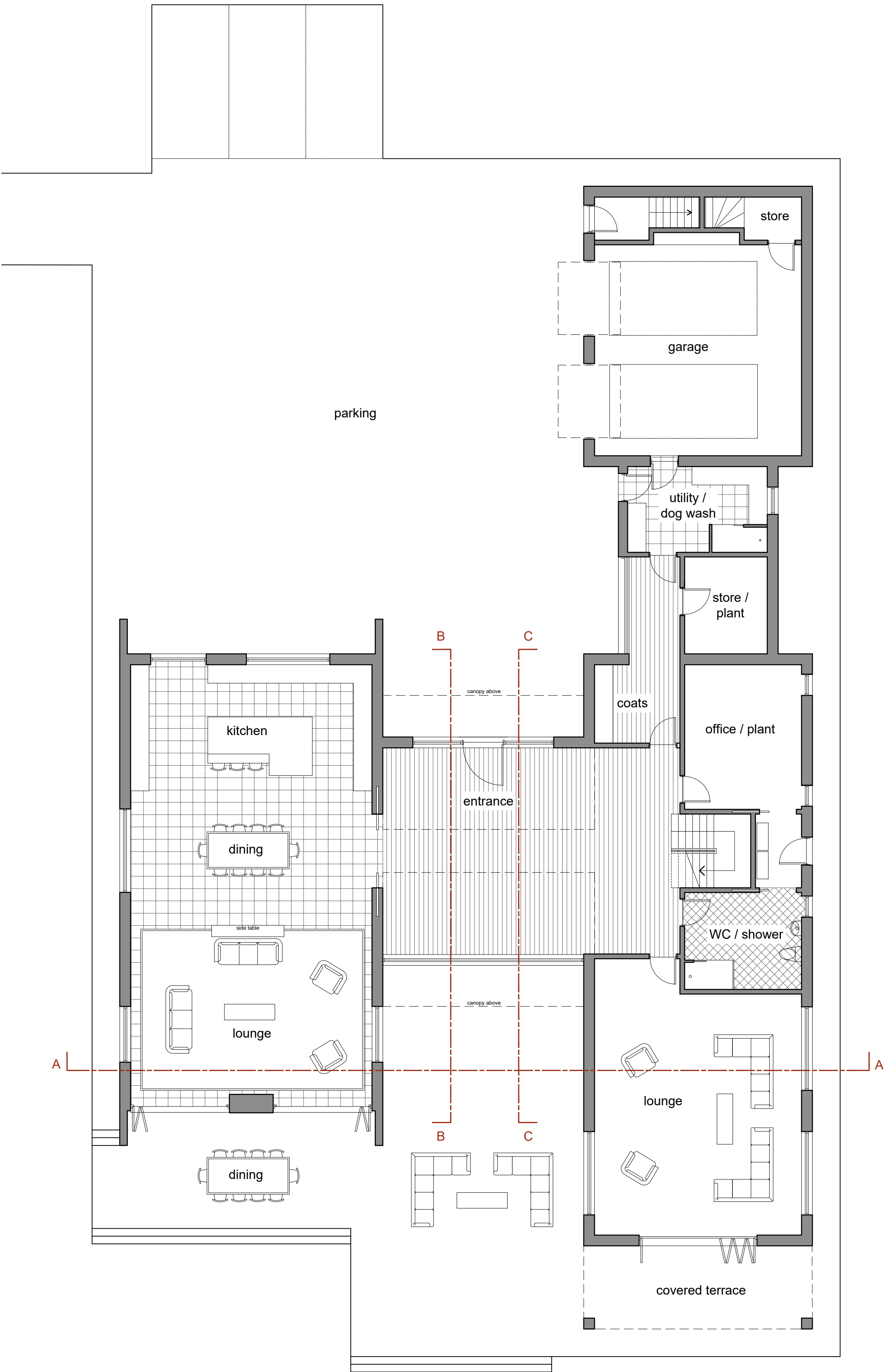
FOR APPROVAL

**SWANN EDWARDS**  
ARCHITECTURE

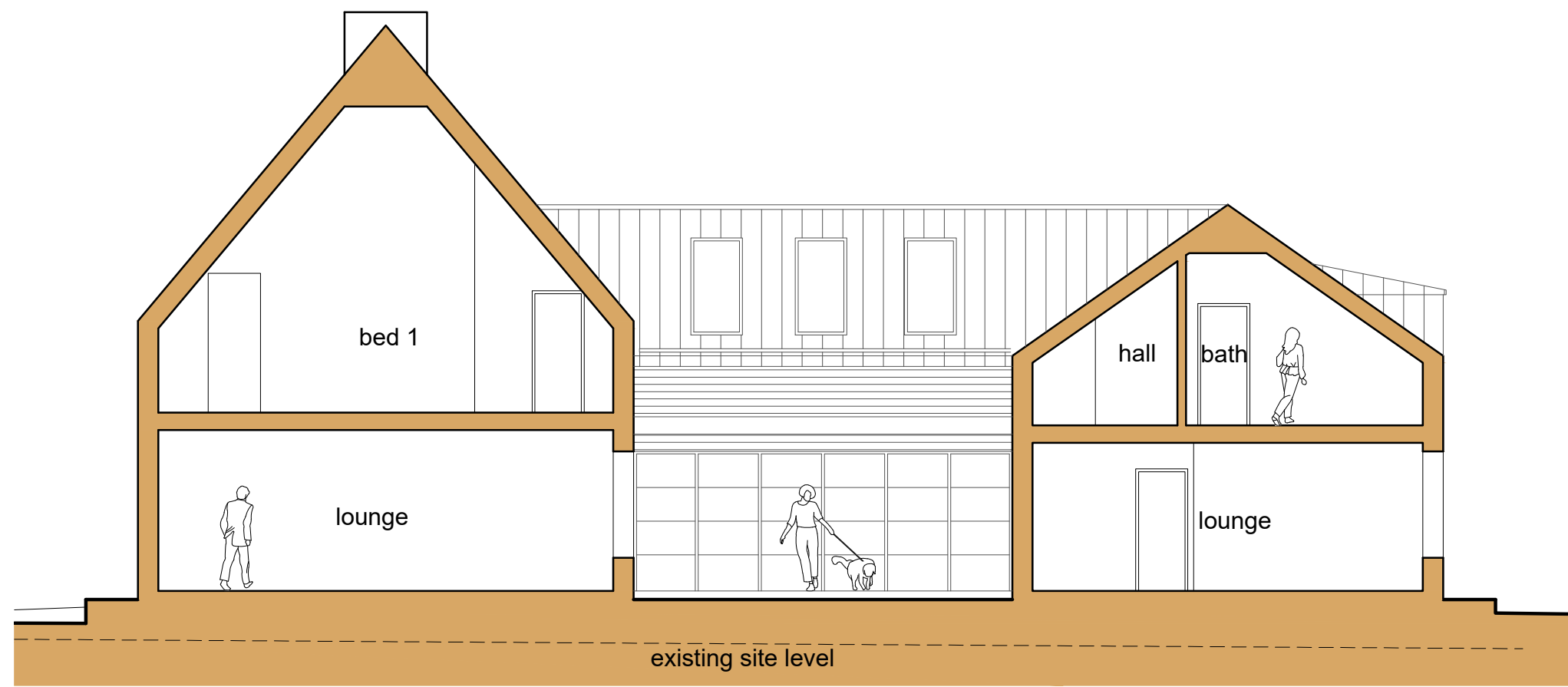
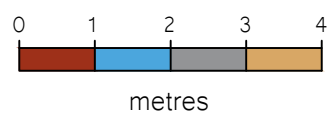
Swann Edwards Architecture Limited, Swann Edwards Architecture,  
Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA  
t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title Proposed Dwelling Coldham Bank, Friday Bridge	Date January 2021	Drawn by AK Checked by JB
Drawing Title Planning Drawing Location, Proposed Site and Existing Site Plan	Job No. SE-1930 Dwg No. PP1000	Sheet Size A1 Revision E

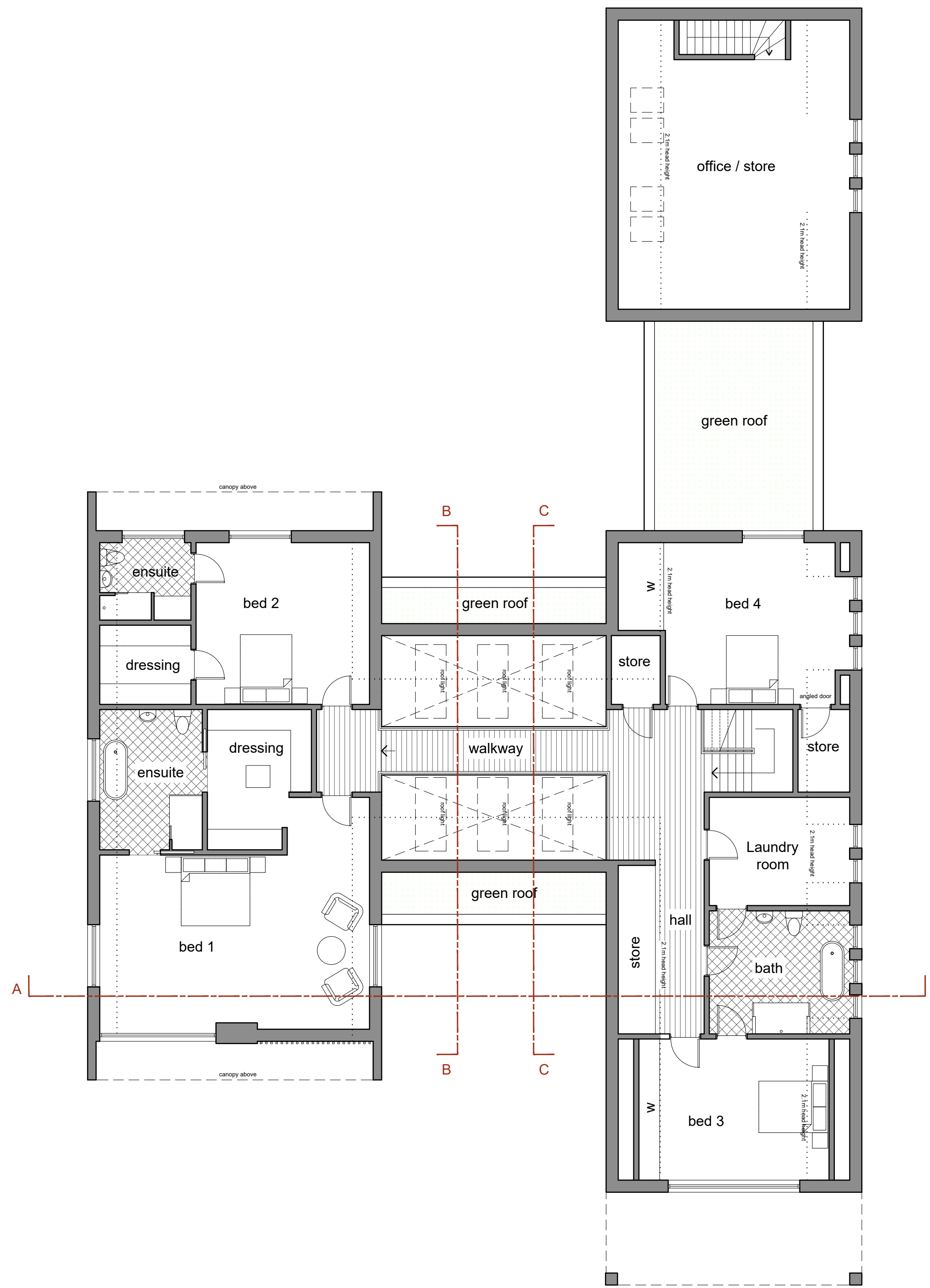
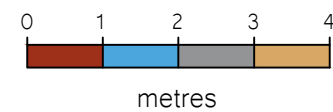




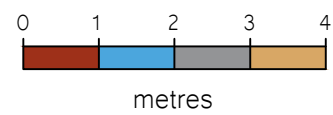
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Scale: 1:100



Section A-A  
Scale: 1:100



First Floor Plan  
Scale: 1:100



- General Notes
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  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.

Revisions		
A	Dec 2024	windows amended
B	Dec 2024	General amendments
C	Jan 2024	2025

Status

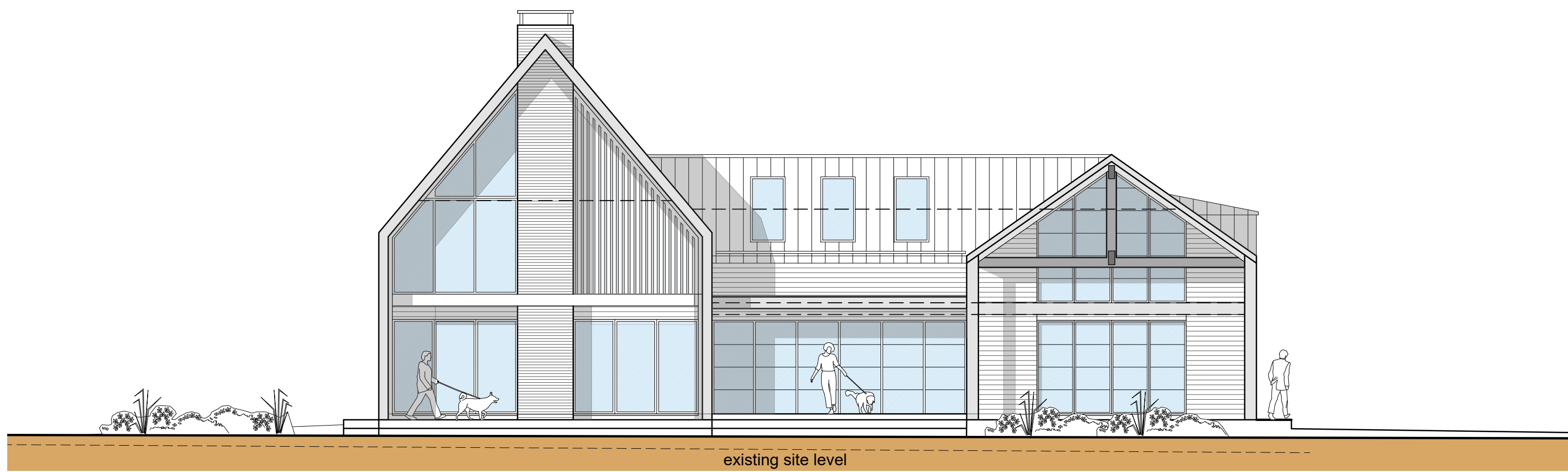
FOR APPROVAL

**SWANN EDWARDS**  
ARCHITECTURE

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

Job Title		Date	Drawn by
Proposed Dwelling		January 2021	AK
Drawing Title		Job No.	Sheet Size
Ground and first Floor Plan and Section A-A		SE-1930	A1
		Dwg No.	Revision
		PP1100	C

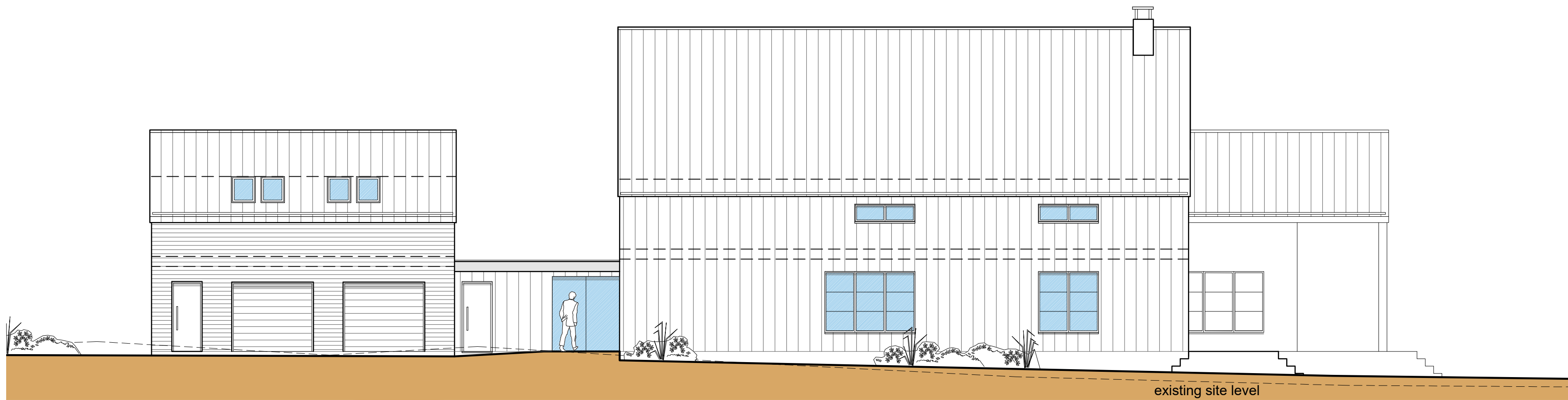




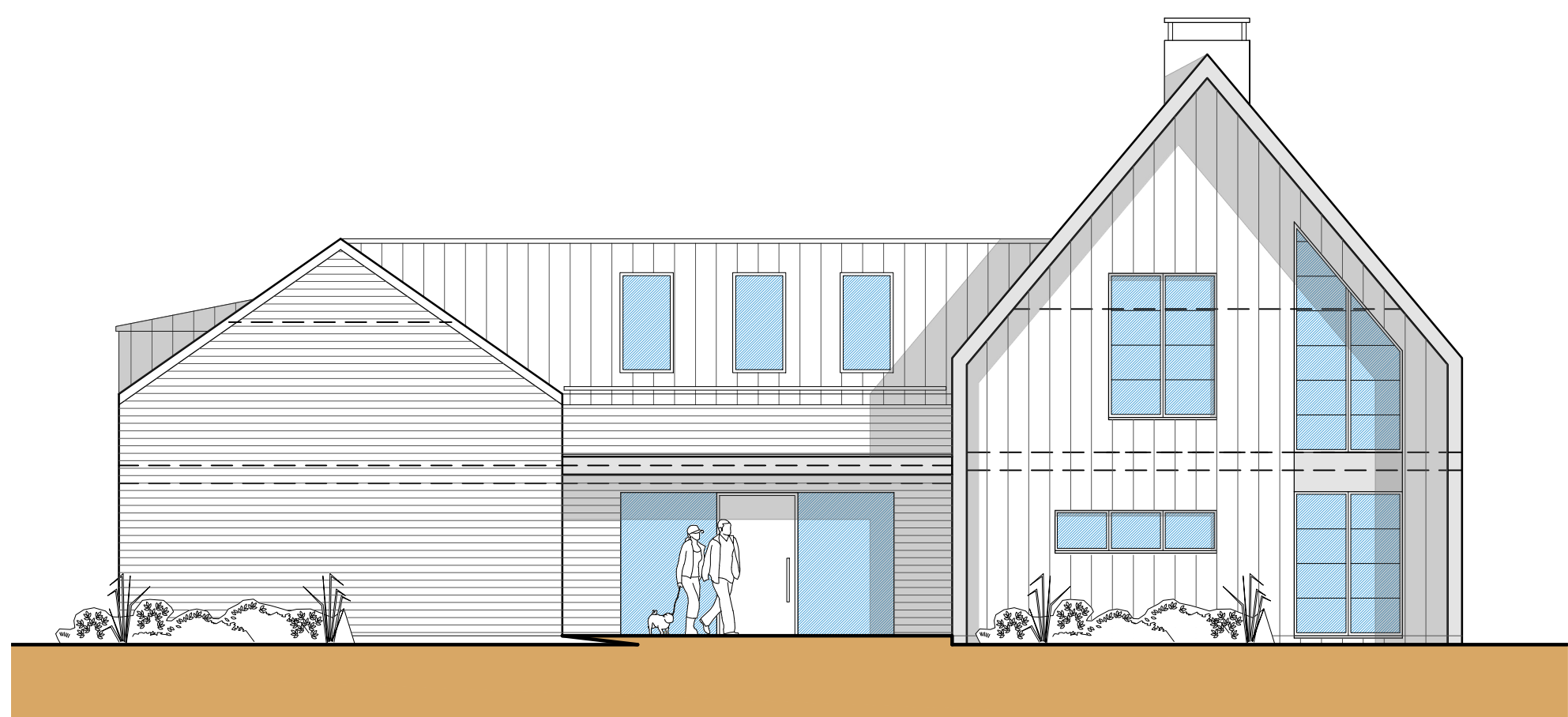
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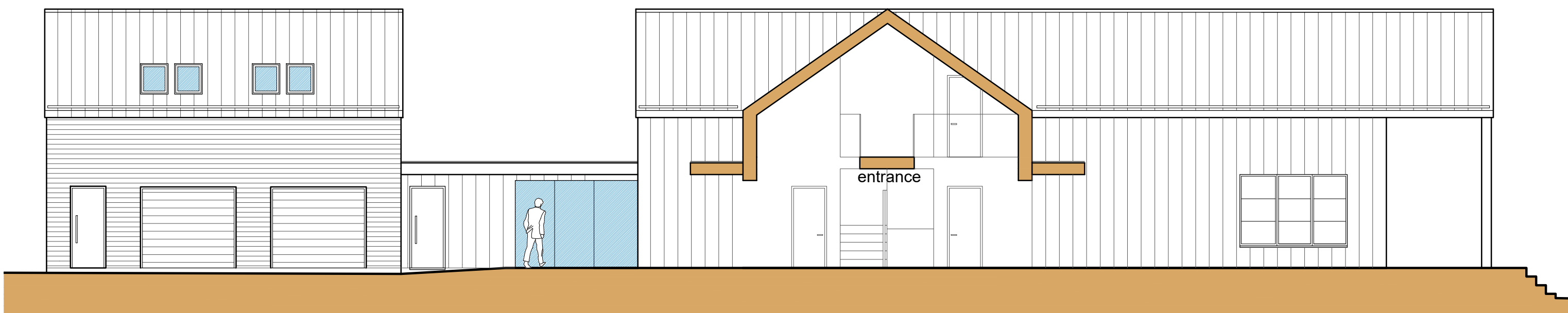
North Elevation (Side)  
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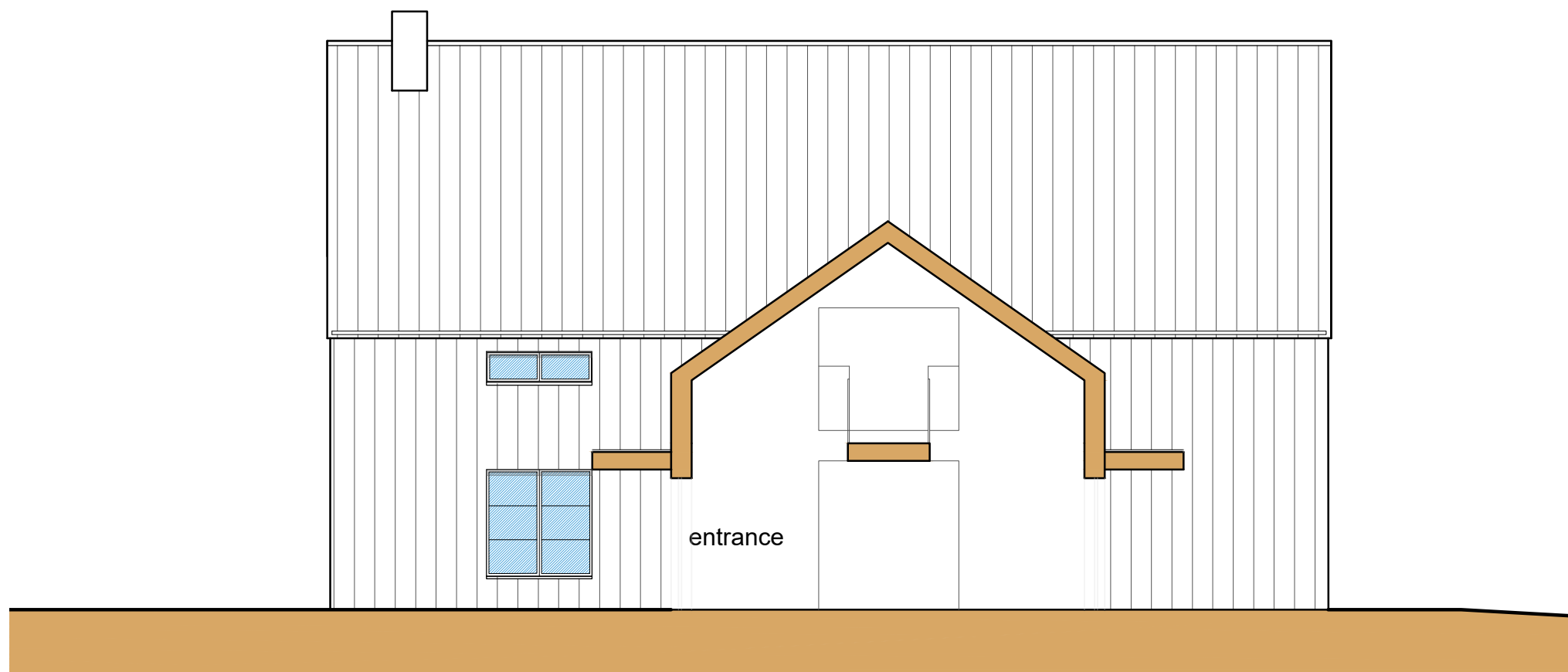
South Elevation (Side)  
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West Elevation (Front)  
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metres



Section BB  
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metres



Section CC  
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metres

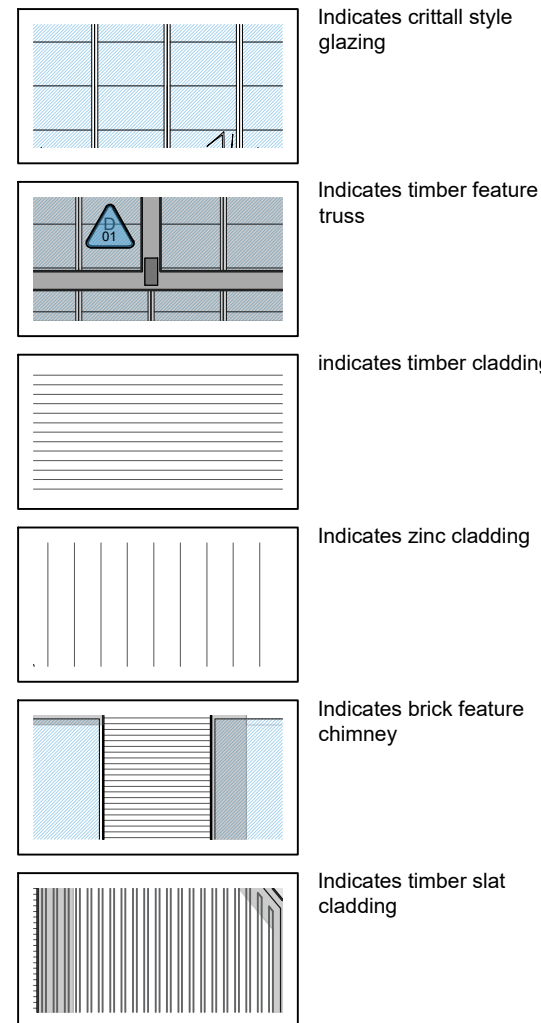


Precedent Images  
Showing examples of similar buildings / materials and details



- General Notes
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  4. Any discrepancies are to be brought to the designers attention.

### ELEVATION KEY



Revisions		
A	Dec 2024	Rooflight amended and sections added
B	Dec 2024	General amendments

FOR APPROVAL



Job Title	Date	Drawn by
Proposed Dwelling	January 2021	AK
Coldham Bank, Friday Bridge		Checked by JB
Drawing Title	Job No.	Sheet Size
Planning Drawing	SE-1930	A1
Proposed Elevations	Dwg No. SS2100	Revision B



**F/YR23/0914/F**

**Applicant: Mr Simon Lucas  
Coogee Trading Limited**

**Agent : Mr Alex Bateman  
Mohsin Cooper**

**Land North Of 3, Wimblington Road, Doddington, Cambridgeshire**

**Erect 9 x dwellings (6 x single storey 3-bed, 2 x 3 storey 5-bed and 1 x 2 storey 4-bed) involving the formation of a new access and demolition of existing outbuildings, and alterations to 3 Wimblington Road including single storey extensions to South and West elevations, extension to roof to create a first floor and erect a garage**

**Officer recommendation: Refusal**

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

---

## **Government Planning Guarantee**

**Statutory Target Date For Determination: 2 January 2024**

**EOT in Place: Yes**

**EOT Expiry: 09 April 2025**

**Application Fee: £4158**

**Risk Statement:**

**This application must be determined by the 9<sup>th</sup> of April 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- |     |  |
|-----|--|
| 1.1 | This application seeks planning permission for the erection of nine dwellings, as well as alterations and extensions to the existing dwelling on site at 3 Wimblington Road, Doddington. The proposal is within the built-up area of Doddington and is bordered by two storey dwellings to the west and a single bungalow to the east.   |
| 1.2 | By virtue of the location, scale, mass and appearance of the two proposed three storey units and the inclusion of an extended dormer bungalow, and the visual contrast of these elements to the largely single storey nature and design of the remainder of the development, it is not considered that the overall appearance of the development would be acceptable representing a poor standard of design. |
| 1.3 | The development would result in the material overlooking of the private amenity spaces of Units 3 and 6 from the neighbouring dwelling on Beech Avenue and would have the potential for some overlooking of Units 3, 9 and 10 from other dwellings within the site. Combined with the proximity of the several of the  |

dwellings to the boundary of the site and the constrained outlook arising from this it is considered that the development does not overall create a high-quality living environment for future occupiers

- 1.4 Consequently, the development is considered to conflict with the aims of the Local Plan and the Delivering High Quality Environments in Fenland SPD, as well as the National Planning Policy Framework, to achieve high-quality, well-designed places. As such the officer recommendation is to refuse the application.

## **2 SITE DESCRIPTION**

- 2.1 The front section of the site comprises 3 Doddington Road, which appears as an inter-war type bungalow and the domestic curtilage of this. Separated to the rear of this is an area of overgrown land. Within this land are two sheds which are to be demolished.
- 2.2 The entirety of the site is within the built-up area of Doddington, Two storey dwellings are beyond the western boundary at Beech Avenue, with a recreation ground to the north- west. An arable field is located beyond the north boundary, with a large rear garden and a bungalow at 1 Wimblington Road beyond the eastern boundary. 5 Wimblington Road is located to the south-west beyond the frontage boundary and separated by Beech Avenue, with arable fields on the opposite side of Wimblington Road to the south. The site is bordered by established trees and hedging to the northern, eastern and western boundaries.
- 2.3 The site and surrounding area is located entirely within Environment Agency Flood Zone 1. The southern frontage boundary, western boundary, northern boundary and an area on and near the north-eastern boundary are areas of high surface water flood risk. The western and northern boundaries are bordered by drains.

## **3 PROPOSAL**

- 3.1 This application seeks planning permission for the erection of nine dwellings, as well as alterations and extensions to the existing dwelling on site and the demolition of outbuildings to the rear of this.
- 3.2 The existing bungalow would be extended by virtue of additions to the roof with substantial dormer windows proposed to the north and west elevations, as well as a single storey extension to the south elevation replacing an existing conservatory. A detached double garage would also be erected for this dwelling.
- 3.3 It is proposed to utilise the existing access to the site from Wimblington Road albeit this would need to be widened. A private access road is proposed to run north-south through the centre of the site. This would be 5m wide with 1.5m wide footways either side, although the footway on the eastern side of the road would terminate within the site. A turning head is shown at the northern end of the site between Units 6 and 7. The dwellings would be located either side of this road.
- 3.4 In addition works are proposed within the highway of Wimblington Road with a right turn 'ghost' lane to serve the site shown on the submitted plans.

- 3.5 To facilitate the development several trees within the site would need to be removed.
- 3.6 Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

#### 4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR18/0024/O	Erection of up to 13 dwellings involving the formation of a new access and the demolition of existing shed (Outline application with all matters reserved)	Granted – 26 February 2019
F/YR22/0396/RM	Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale pursuant to outline permission F/YR18/0024/O to erect 13 x dwellings (2 x 2-storey 3-bed, 4 x 3-storey 5-bed & 7 x 3-storey 6-bed)	Withdrawn – 06 June 2023

#### 5 CONSULTATIONS

##### 5.1 Doddington Parish Council – 14<sup>th</sup> December 2023

*Doddington Parish Council considered the above planning application at its meeting last night and voted to lodge an objection to the application on the following grounds:*

*a. Members considered that the proposed layout of the site was very disjointed and overdeveloped. An excessive number of dwellings were being shoehorned into the available space resulting in minuscule gardens for each unit. Developing all available space is resulting in the destruction of many trees some of which are quite significant. The mixture of bungalows and three storey houses does not, in their opinion, lend itself to a pleasant development. A more cohesive development would be to remove the three storey houses and substitute a number of the three bedroomed bungalows with two bedroomed bungalows.*

*b. However members prime concerns relates to highway safety in that the entrance into and out of the site is very close to Beech Avenue. Vehicles travelling along Wimblington Road in either direction and signalling to enter the development may give misleading information to other drivers of their intention on where they wish to go. In addition, members consider that traffic entering or leaving the development and crossing a formal layby could result in a danger to traffic parking or trying to park in the layby.*

##### 5.2 Fenland District Council –Tree Officer – 18 March 2025

*Having assessed the Arboricultural report, it satisfactory identifies the trees and the constraints. The method statement demonstrates how the trees to be retained can be protected. The protection measures will need to be adhered to. I have no objections if they do.*

Comments from the Tree Officer on the 18<sup>th</sup> of November 2024, which have now been addressed, expressed concerns with grouping of trees, shadow cast, protection during works, and the likelihood of residents wishing to remove established trees to increase amenity. No trees on or in the vicinity of the site are subject to

### 5.3 Fenland District Council – Ecology Officer – 07 March 2025

#### *Designated Sites and Habitats*

*The proposals will not affect any sites designated for their nature conservation value.*

*There are some habitats on the site of notable local value, including trees and hedgerows (a priority habitat for conservation), but –*

- \* Some of these notable habitats will be able to be retained and protected,*
- \* The scheme involves new landscaping*

*I would conclude that the scheme will not cause substantive harm to notable habitats.*

#### *Protected and Priority Species*

##### *Bats*

*A bat roost has been confirmed in the bungalow on the site, and the planned works will cause disturbance to bat roosting sites. All UK bats and their resting places carry a high level of legal protection and their presence is a material consideration in the determination of the application. The roosts recorded are of relatively low numbers of relatively common bat species, and mitigation and compensation for disturbance to bats has been proposed in the bat survey report provided with the application. I would conclude that, providing the mitigation and compensation measures described are implemented in full, the conservation status of bats is capable of being maintained.*

*I would advise that a Condition is placed on any permission which may be granted to the application to require the implementation of the Mitigation Strategy for Bats described in section 5.2 of the 'Nocturnal Bat Roost and Aerial Tree Inspection Survey' submitted with the application. Reason – conservation of protected species.*

*The applicant should note that before any work commences which could affect bats, a protected species License will need to be obtained from Natural England. Obtaining this License is a separate process from obtaining a grant of planning permission.*

##### *Amphibians*

*The application site supports suitable terrestrial habitat of use to amphibians, including the highly protected species great crested newt, known to be present in the wider area. The development has the potential to cause some disturbance to amphibians during any site clearance and construction works, although in the long term there is sufficient habitat in the area such that the long-term conservation status of amphibians will not be substantively harmed by the development.*

*However, precautions should be taken during works to ensure that amphibians are not harmed during site clearance works. I would advise that, as a Condition of any permission which may be granted to the scheme, a Reasonable Avoidance Method Statement for amphibians should be required to be prepared and, once agreed, implemented in full.*

*Advice - if the presence of protected amphibians is suspected or confirmed at any time during works, work must cease and advice sought from a suitably qualified person about how best to respond.*

#### **Badgers**

*Badgers are present in the area, although the development will not affect any known badger setts. However, badgers are mobile in their habits. I would advise that, as a Condition of any permission, an updated Badger survey should be required to be undertaken within a month of any ground clearance or construction works commencing. If a badger sett is found, advice should be sought from a suitably qualified person about how best to proceed. Badgers and their setts are fully protected under the terms of the Protection of Badgers Act 1992.*

#### **Nesting Birds**

*As advice to the applicant, no vegetation clearance or tree removals should be undertaken during the optimum time of year for bird nesting (March to August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person. All nesting birds their eggs and young are legally protected under the terms of the Wildlife and Countryside Act 1981 (as amended).*

#### **Landscape Plan**

*The available Landscape Plans for the site lack detail. I would advise that more detailed Landscape Creation and Management Plans are required to be provided by Condition. New Landscaping should incorporate features for wildlife, including the introduction of native trees and shrubs, the installation of bird nesting boxes and permeable boundaries to allow for mammal movement through the site.*

### **5.4 Lead Local Flood Authority – 22<sup>nd</sup> August 2024**

*Thank you for the clarification on the point below. Based on this we would accept the discharge rate of 2.7l/s.*

This email message followed a formal consultation response dated the 22<sup>nd</sup> of July 2024 which requested further details of half drain times. The LLFA also requested informatives regarding IDB Consent, Pollution Control and Construction Surface Water Maintenance which are shown below.

#### **Informatives**

##### **IDB Consent**

*Part or all of your proposed development area falls within the Middle Level Commissioners (MLC) catchment and/or that of Ransom Moor District Drainage Commissioners whose consents are managed by the MLC. All increased discharges proposed to enter watercourses directly or indirectly or any works affecting watercourses or access to or along them for maintenance if the site is within the Board's district will require MLC/IDB consent. It is therefore*

recommended that you contact the IDB/MLC to discuss their requirements. Further information is available at: <https://middlelevel.gov.uk/>

#### *Pollution Control*

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

#### *Construction Surface Water Maintenance*

Prior to final handover of the development, the developer must ensure that appropriate remediation of all surface water drainage infrastructure has taken place, particularly where the permanent drainage infrastructure has been installed early in the construction phase. This may include but is not limited to jetting of all pipes, silt removal and reinstating bed levels. Developers should also ensure that watercourses have been appropriately maintained and remediated, with any obstructions to flows (such as debris, litter and fallen trees) removed, ensuring the condition of the watercourse is better than initially found. This is irrespective of the proposed method of surface water disposal, particularly if an ordinary watercourse is riparian owned.

### **5.5 Cambridgeshire County Council – Highways Officer – 10<sup>th</sup> June 2024**

*After a review of the revised access arrangement with the highway I have no further objections to this proposed development.*

#### *Comments*

*The applicant has amended the proposed layout of the access with the highway to accommodate this new junction which overcomes my previous safety concerns. The tracking drawing submitted demonstrates that a long wheel-based vehicle will be able to use the altered layby and it further demonstrates that the drivers view from the access and/or oncoming vehicles will not be obstructed by a vehicle in the layby. They have also provided the correct right hand turn hand / deceleration lane lengths and also increased the running lane widths of the carriageway to either match and or improve the existing widths. The inclusion of the island and relocation of the junction further north further mitigates the LHA concerns around the close proximity of the new junction to the existing junction, to the south. Therefore, there will also be no need for additional signage as the junction design is now compliant with the nation guidance on junction layouts.*

#### *Recommended Conditions*

*Off-Site Highway Works: The development shall not be occupied/brought into use until all of the works have been completed in accordance with the approved details on Drawing number 179.0015-0004 P06.*

*Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014. This is a pre-commencement condition because the off-site highway works are required to make the development acceptable and in addition to planning approval will require permission from the Highway Authority under the Highways Act.*

### **5.6 Cambridgeshire County Council – Minerals and Waste – 21<sup>st</sup> May 2024**



Thank you for consulting Cambridgeshire County Council, in its role as the Minerals and Waste Planning Authority (MWPA), on the above application. Having reviewed the available documentation, the MWPA wishes to make the following comments:

The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised. Policy 5 sets out a number of exemptions (criteria (a) – (h)), for when Policy 5 is not applicable. Criterion (a) exempts development that falls within a settlement boundary”. As the site appears to be located within the curtilage of an existing residential dwelling within Doddington criterion (a) exempts the proposal from the requirements of Policy 5. Consequently, the MWPA has no objection to the proposed development.

#### **5.7 Cambridgeshire County Council – Archaeology – 20<sup>th</sup> November 2023**

I am writing regarding the archaeological implications of the above referenced planning application. The proposed development is located within an area of archaeological potential to the east the modern village core of Doddington and to the north of Manor Farm, a medieval moated site and former residence of the Bishops of Ely (Cambridgeshire Historic Environment Record reference 01063), which is a designated scheduled ancient monument (NHLE 1019547). Cropmarks to the south-west of the moat are likely to be associated medieval village remains (01063a). An archaeological evaluation carried out to the south-west of the site and bordering Wimblington Road in 2014 revealed evidence of Roman occupation activity truncating earlier Bronze Age deposits (ECB4301) and extensive multi-period settlement activity focused on the area east of Doddington village around Wimblington Road is strongly suggested from the results of archaeological investigations associated with the construction of the March to Chatteris pipeline carried out in 2005-6 (ECB2090). The pipeline follows the course of the March to Chatteris branch of the Great Northern and Great Eastern Joint Railway where it passes to the east of Doddington village, and the excavations revealed a high density of archaeological remains spanning the Neolithic/Bronze Age to post medieval periods (MCB17560, MCB17561, MCB17562). Archaeological Evaluation to the west of the proposed development off wood street in 2018 found a number of ditches both undated and Roman (CHER ECB5320). It is therefore considered likely that important archaeological remains could survive on the site and that these would be severely damaged or destroyed by the proposed development.

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.*

## **5.8 Environmental Health – 17<sup>th</sup> November 2023**

*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](http://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.*

*Due to the demolition of existing structures, it would also be prudent to impose the following condition for 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.*

## **5.9 Fenland District Council – Assets and Projects – 16<sup>th</sup> November 2023**

*No objections.*

## **5.10 Local Residents/Interested Parties**

### **Objectors**

There have been eight objections to the proposed development. They have been received from 3 x Wimblington Road, 3 x Cedar Avenue, 1 x High Street and 1 x Beech Avenue in Doddington. The reasons given for objection are as follows (summarised):

- Overdevelopment of the site
- Out of character with the area
- Visual impact
- Overlooking of neighbouring
- Increase in traffic and highway safety implications
- Loss of trees
- Impact on wildlife
- Impact on infrastructure (including access to GPs)
- Impact on surface water and foul water infrastructure

### **Supporters**

There have been six communications of support for the proposed development. They have been received from 3 x Wimblington Road, 2 x May Meadows and 1 x Juniper Close in Doddington. The reasons given for support are as follows (summarised):

- Benefits for local economy
- Utilises undeveloped land
- Acceptable visual impact
- Good quality buildings with energy efficiency
- Minimal impact on neighbours
- Lack of bungalows in area
- Bungalows for older people with no impact on the school
- Negligible traffic impacts
- No ecological impact

## **6 STATUTORY DUTY**

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

## **7 POLICY FRAMEWORK**

## **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

## **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

## **National Design Guide 2021**

Context

Identity

Built Form

Nature

Uses

Homes and Buildings

## **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP18 – The Historic Environment

LP19 – The Natural Environment

## **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

Policy 5 - Mineral Safeguarding Areas

## **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

DM6 – Mitigating Against Harmful Effects

## **Cambridgeshire Flood and Water SPD 2016**

### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP7: Design  
LP8: Amenity Provision  
LP11: Community Safety  
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  
LP48: Residential site allocations in Doddington

## **8 KEY ISSUES**

- **Principle of Development**
- **Layout and Design**
- **Impact on Residential Amenity / Land Users**
- **Highway Safety and Parking**
- **Flood Risk and Drainage**
- **Trees**
- **Ecology**
- **Biodiversity Net Gain (BNG)**

## **9 BACKGROUND**

- 9.1 Outline planning permission for partial development of the application site was granted under reference F/YR18/0024/O. This application encompassed the northern section of the current site as well as the land to the east associated with 1 Wimblington Road. This outline permission elapsed on the 26<sup>th</sup> of February 2022.
- 9.2 There has been negotiation between the case officer and the applicant regarding this proposal with a number of suggestions made in terms of the design of the dwellings, relationships between these, natural surveillance within the site and other elements of the layout. While not all of these have been enacted, the application has been revised from the original submission to amend the layout of the bungalows at Units 3, 4 and 5, move the footprint of Unit 3, add additional fenestration at Units 4 and 5, reduce Unit 9 from three-storey to two-storey, and add a second floor south facing bedroom window in Unit 8.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The National Planning Policy Framework (NPPF) outlines, within paragraph 61, that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community".

- 10.2 Paragraph 73 of the NPPF also emphasises the importance that the contribution of small to medium sized sites can make in meeting the housing requirements. ("Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built-out relatively quickly"). This policy seeks to ensure that there is a sufficient supply of homes and advises that sites of all sizes make a contribution to the housing requirement of an area.
- 10.3 The Fenland Local Plan sets out the settlement hierarchy in respect of delivering sustainable development that meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local housing need, whilst making more sustainable use of land and to minimise the loss of high-quality agricultural land by developing in sustainable locations and at appropriate densities.
- 10.4 The site is located within the settlement of Doddington, which is identified within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as being a 'Growth Village', for these settlements, development and new service provision either within the existing urban area or as small village extensions will be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns. The rear 40% of the site is within
- 10.5 The proposal is a minor application for 9 dwellings and is within the existing urban area. The principle of development is therefore considered acceptable, subject to the policy considerations set out below.
- 10.6 The northernmost portion of the site is within housing allocation area LP48.09 of the Emerging Fenland Local Plan. Given the very early stage which the Plan is at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making.

### **Layout and Design**

- 10.7 The layout of the site is constrained by the relatively narrow nature of the site and the access road running in the middle of the site and consequently several of the dwellings do not have their main private amenity spaces to the rear but rather have these to the side of the dwelling adjacent to the road. There is landscaping proposed between the screening for these and the road which would soften this potentially 'hard' impact.
- 10.8 Six of the dwellings proposed are single storey and are considered to be of an appropriate appearance and scale in the context of the wider area. The two-storey dwelling located on plot 7 towards the rear of the site is also considered to be visually acceptable. However, the two three storey units proposed on plots 7 and 8 are considered to be of a scale that would appear significantly at odds with the scale of the rest of the development and as such somewhat visually incongruous within the streetscene of the development, effectively towering over the rest of the scheme. This impact would be exacerbated by the location of these dwellings at the termination of the development at its northern end and by the somewhat bland and featureless elevations of these units. These issues were raised with the applicant's agent but not acted upon.

- 10.9 In addition, the extensions to the existing bungalow are also considered to be unacceptable in this context. Particularly regarding the first-floor extensions this unit will be read as an extended dwelling rather than a new build and while on an isolated plot this would be acceptable it is considered that as part of a wider residential development of largely single storey dwellings immediately adjacent this plot will also appear as out of place and unsympathetic to the new build dwellings around it.
- 10.10 As a consequence it is considered that the resulting development would not have a cohesive design ethos achieving visual harmony across the site and ensuring that the finished scheme is of an overall high-quality design. While these impacts may not be overly visible within the wider area there is a requirement for new development to create well designed places.
- 10.11 The application is therefore considered contrary to Policy LP16 (d) of the Fenland Local Plan (2014), and DM3 of Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014) and Chapter 12 of the NPPF.

### **Impact on Residential Amenity / Land Users**

- 10.12 Owing to the largely single storey nature of the development and the separation distances, orientation and boundary treatments it is not considered that the development would have any adverse impacts on neighbouring properties in terms of residential amenity.
- 10.13 There is however the potential for overlooking from 20 Beech Avenue to the rear garden and windows of the bungalow at Unit 6 due to the separation distance of 12 metres and gaps in the trees and hedging along the boundary. There is also potential for overlooking from 6 Beech Avenue to the rear windows and garden of Unit 3 due to the separation distance of 8.9 metres to the boundary, 13.9 metres to the dwelling, and gaps in trees and hedging along the boundary. This is considered to be unacceptable.
- 10.14 Additionally, relationships within the development must be considered. The west facing first floor master bedroom of Unit 1 is 12.87 metres from the private amenity space of Unit 3. Additionally, whilst partially obscured by a single storey detached garage, the north facing hallway (landing) window of Unit 1 is 8.89 metres from the private amenity space of Unit 10 and 22 metres from the south facing terraced bi-fold doors of Unit 10.
- 10.15 The south facing second floor side elevation bedroom window of Unit 8 is 8.7 metres from the private amenity space of Unit 9, albeit this is not the main area of garden. The south facing first floor master bedroom window of Unit 9 is 14.7 metres from the private amenity area, again not the main area of garden, of Unit 10, albeit on an obtuse angle. Whilst none of these issues are perhaps so unacceptable as to warrant a refusal in their own right, they are perhaps indicative of a scheme which does not create an overall high-quality living environment.
- 10.16 This is perhaps reinforced by the proximity of the rear elevations of Units 8, 9 and 10 to the eastern boundary of the site and the established planting along this. As a consequence, the windows within these elevations, which serve a variety of rooms, are afforded limited outlook and light ingress. Again, in its own right this may not be unacceptable, but the cumulative effect of these small amenity issues

is that overall the scheme is not considered to result in the creation of a high quality living environment.

- 10.17 With regards to private amenity space each of the dwellings has the third of a plot specified in LP16 of the Local Plan.
- 10.18 Overall, the development is not considered to create a high-quality living environment for future occupiers with the potential for unacceptable overlooking of the new dwellings from properties on Beech Avenue. Therefore, the proposal is not considered to accord with Policy LP16 of the Fenland Local Plan and Section 12 of the National Planning Policy Framework.

### **Highway Safety and Parking**

- 10.19 There is not considered to be a material highway safety impact from the proposed scheme. Concerns have been expressed in representations with regard to increased traffic, speeding throughout Doddington, distance from a potential bin store and the proximity of the access road to Beech Avenue to the west and a layby to the west. Comments in support of the application have stated that an increase in traffic would be minimal, there is clear visibility from the access road, and that County Highways may wish to introduce a 30mph speed limit on this area. This limit is already in place with the nearest 40mph speed limit area approximately 75 metres to the east of the site.
- 10.20 The Highways Officer has no objections to the application. They have requested a condition to state that the development shall not be occupied/brought into use until all of the works have been completed.
- 10.21 The number of parking spaces proposed for each dwelling accords with Appendix A and all spaces are of acceptable dimensions.
- 10.22 As the road is not to be constructed to an adoptable standard there would be the need for some properties to move their wheelie bins in excess of 150 metres to the front of the site. This is considered to constitute a material amenity impact for future occupants but is potentially a matter that could be addressed by a refused collection strategy condition as the submitted Design and Access Statement indicates that the relevant analysis has been undertaken to show that a refuse lorry could enter and turn around within the site.
- 10.23 In summary, the application is considered to accord with Policy LP15 of the Fenland Local Plan (2014) which seeks to ensure highway safety and appropriate parking provision.

### **Flood Risk and Drainage**

- 10.24 The site and surrounding area is located entirely within Environment Agency Flood Zone 1, the area at the lowest risk of flooding and a such no further consideration needs to be given to this issue.
- 10.25 With regards to surface water flooding The southern frontage boundary, western boundary, northern boundary and an area on and near the north-eastern boundary are areas of high surface water flood risk, seemingly associated with existing drainage as the western and northern boundaries of the site are bordered by drains. None of the dwellings are within these areas of the site. Any other surface water flooding identified within the site appears to be as a result of



topographical or geological issues. Consequently no sequential test needs to be carried out in respect of surface water flooding.

- 10.26 The application proposes to store surface water using a crated system beneath the area of permeable hard surfacing, including the access road, before discharging to the existing drain to the north of the site at greenfield run-off rate. The LLFA have indicated no objections to such an approach.
- 10.27 Foul water is to be disposed of via mains sewerage.
- 10.28 While concerns have been expressed by residents regarding the disposal of both surface and foul water and the implications for these systems in the vicinity there have been no consultee responses received which would potentially substantiate a refusal on such grounds. Flood risk and drainage is considered to have been adequately addressed as part of the application. The proposal is therefore in accordance with Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework (2024) which seek to ensure that sites are sufficiently protected from flood and drainage concerns over the lifetime of the development.

### **Trees**

- 10.29 The existing trees and hedging around the site boundaries will largely be retained as part of the development. This is considered to benefit biodiversity on site. A number of trees within the site will be removed however a scheme of planting as a result of the development is considered to mitigate any loss. Concerns have been expressed by residents as to the loss of the monkey puzzle tree on site. This tree is not subject to a Tree Preservation Officer. Concerns were also expressed about developing within the root protection areas of trees.
- 10.30 The Council's Tree Officer commented on the 18<sup>th</sup> of March 2025 to state: *Having assessed the Arboricultural report, it satisfactory identifies the trees and the constraints. The method statement demonstrates how the trees to be retained can be protected. The protection measures will need to be adhered to. I have no objections if they do.*
- 10.31 There could however be pressure on the trees and hedging to be retained in the future due to the proximity of the trees and hedging to the dwellings may lead residents to seek their removal to the detriment of the character, biodiversity and visual amenity of the site.
- 10.32 The submitted arboricultural information is considered to be in accordance with Policies LP16 and LP19 of the Fenland Local Plan (2014), as well as Chapter 15 of the National Planning Policy Framework (2024).

### **Ecology**

- 10.33 Due to the size and overgrown nature of the proposal site, as well as the removal of two derelict sheds, any impact on existing habitats requires careful consideration.
- 10.34 A residential comment has been received to state that there is considerable wildlife within the grounds of number 3 and until recently, a natural pond with newts. A separate residential comment states that *from an ecological*

*perspective, we live in the fens with plenty of room for our local species to live and thrive NOT a dense built up town or city.*

- 10.35 The proposal seeks to retain the majority of existing mature planting on the site, which will assist in maintaining biodiversity, as will new planting which will attract and support a variety of pollinators. The submitted ecology information proposes the incorporation of bird, bee and bat boxes into the dwellings. These boxes are not shown on the proposed dwelling elevations but could be secured by condition.
- 10.36 The Fenland Ecology Officer has no objections to the submitted details and considers that the proposal will not affect any sites designated for their nature conservation value or cause substantive harm to notable habitats.
- 10.37 The Ecology Officer notes the presence of a bat roost within the bungalow but considers that the provision of bat boxes will address the loss of the roost. They advise that precautions should be taken during to ensure that amphibians are not harmed during site clearance works. A condition has been requested for a Reasonable Avoidance Method Statement for submission prior to the commencement of works. The Officer also requests a condition that an updated Badger survey should be undertaken within a month of the commencement of any ground clearance or construction works. Additionally, the Officer comments that the Landscape Plan lacks detail, and a condition is required to incorporate features for wildlife such as native trees and shrubs, wildlife boxes and permeable boundaries to allow for mammal movements through the site.
- 10.38 An informative is also requested that vegetation clearance or tree removals should be undertaken during the months of March to August unless nesting birds have been shown to be absent by a suitably qualified person.
- 10.39 Subject to the requested conditions from the Ecology Officer being satisfactorily addressed, it is considered that ecology and wildlife can be protected and enhanced throughout the site. The proposed ecology measures would then be in accordance with Policies LP16 and LP19 of the Fenland Local Plan (2014) as well as Chapter 15 of the National Planning Policy Framework (2024).

### **Biodiversity Net Gain (BNG)**

- 10.40 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.41 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

### **Other Issues**

10.42 Concerns have been raised in representations received on the application to the lack of affordable housing and also infrastructure provision within the village. The development only proposes nine new dwellings and as such falls below the threshold for requiring contributions. While it is accepted that there may be issues concerning existing infrastructure it is not considered that the scale of development proposed would significantly worsen these issues.

## 11 CONCLUSIONS

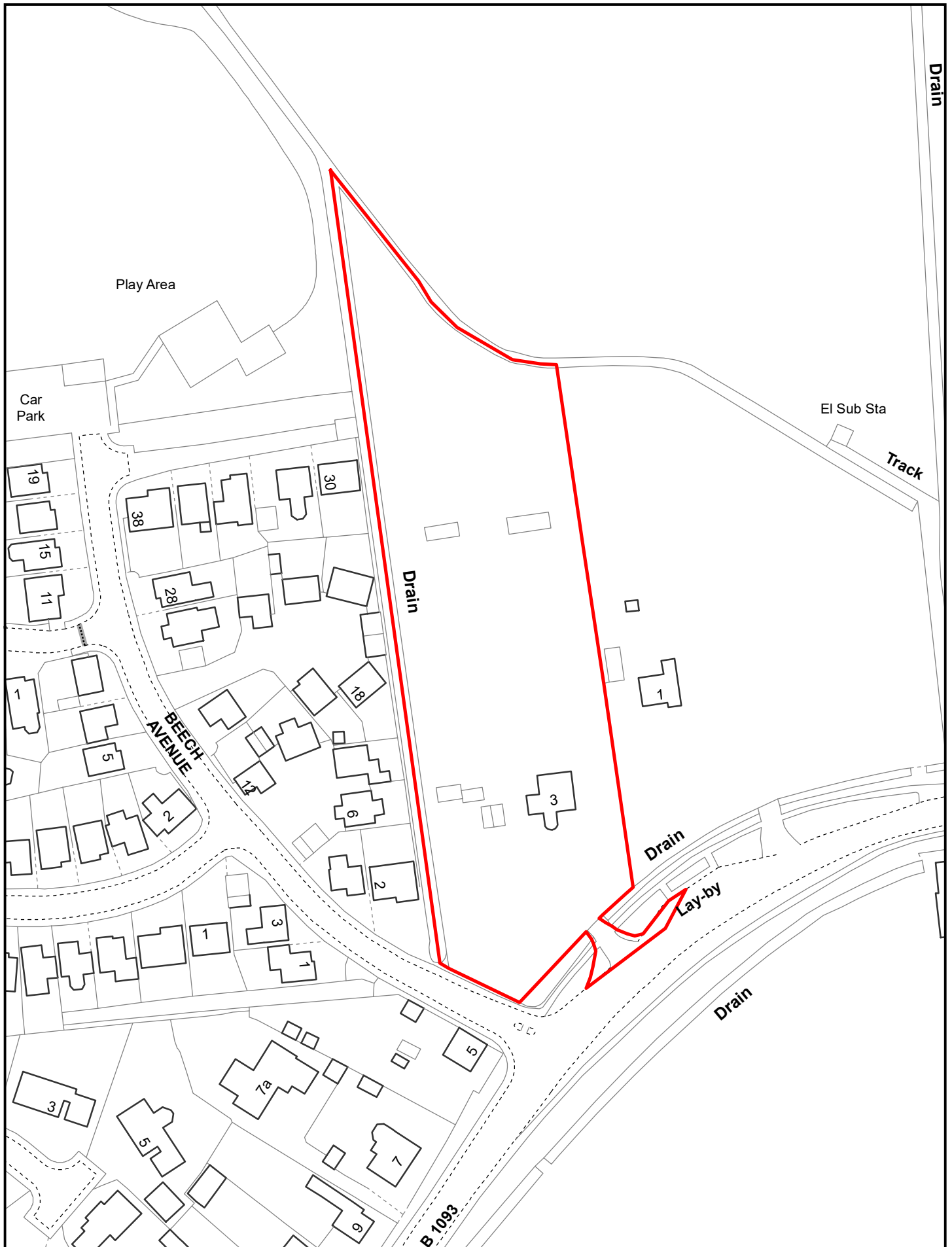
11.1 Whilst the principle of residential development on this site is acceptable and it is entirely located in Flood Zone 1 with no highway safety issues identified, material concerns remain as to the design and appearance of the scheme and amenity issues. It is not considered that the benefits of the development in terms of housing delivery and the associated positive economic and social impacts arising from this this would outweigh the harm identified.

11.4 Due to the material concerns detailed in this report, the application is considered to be contrary to Policies LP2 and LP16 of the Fenland Local Plan (2014), Chapter 12 of the National Planning Policy Framework (2024) and the Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014).

## 12 RECOMMENDATION

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

1	Due to the scale, mass appearance and location of Units 7 and 8 and the appearance of the extended existing dwelling the development would not have a harmonious design ethos which would result in stark visual contrasts with the largely single storey nature and design of the remainder of the scheme. As a consequence if permitted the development would not achieve an acceptable standard of design and be contrary to Policy LP16 (d) of the Fenland Local Plan (2014), and Policy DM3 of Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014).
2	The development by virtue of the unacceptable overlooking of Units 3 and 6 from dwellings on Beech Avenue, as well as interrelationships between units within the scheme in terms off overlooking and the proximity of units to the eastern boundary compromising outlook and light ingress to rooms within these would not create a high quality living environment for future residents and as such would be contrary to Policies LP2 and LP16(e) of the Fenland Local Plan (2014) and Chapter 12 of the NPPF.



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**F/YR23/0914/F**

Scale = 1:1,250





ACCOMMODATION SCHEDULE

UNIT 1 - EXISTING BUNGALOW (EXTENDED)

4B/7P - Gia - 190 sqm  
Amenity area - 346.3 sqm  
2 x Parking spaces

UNIT 2 - PROPOSED BUNGALOW

3B/5P - Gia - 112 sqm  
Amenity area - 400.1 sqm  
2 x Parking spaces

UNIT 3 - PROPOSED BUNGALOW

3B/5P - Gia - 112 sqm  
Amenity area - 218.5 sqm  
2 x Parking spaces

UNIT 4 - PROPOSED BUNGALOW

3B/5P - Gia - 107 sqm  
Amenity area - 186.99 sqm  
2 x Parking spaces

UNIT 5 - PROPOSED BUNGALOW

3B/5P - Gia - 107 sqm  
Amenity area - 192.78 sqm  
2 x Parking spaces

UNIT 6 - PROPOSED BUNGALOW

3B/5P - Gia - 107 sqm  
Amenity area - 205.4 sqm  
2 x Parking spaces

UNIT 7 - PROPOSED HOUSE

5B/10P - Gia - 233 sqm  
Amenity area - 292.2 sqm  
3 x Parking spaces

UNIT 8 - PROPOSED HOUSE

5B/10P - Gia - 233 sqm  
Amenity area - 298.5 sqm  
3 x Parking spaces

UNIT 9 - PROPOSED HOUSE

4B/6P - Gia - 183.4 sqm  
Amenity area - 297.9 sqm  
3 x Parking spaces

UNIT 10 - PROPOSED BUNGALOW

3B/5P - Gia - 107 sqm  
Amenity area - 197.2 sqm  
2 x Parking spaces

TOTAL UNITS - 10No.

SITE AREA - 8,673 sqm / 2.14 Ac / 0.867 He

Mix - 6No. 3 Bed units

2No. 4 Bed units

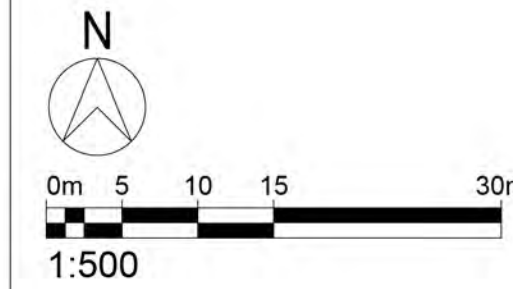
2No. 5 Bed units

Play Area



01 PROPOSED SITE PLAN  
1:500

- THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE MAKING SHOP DRAINAGE OR COMMENCING WORK OF ANY KIND.
1. THE BOUNDARIES SHOWN ARE BASED ON INFORMATION BY OTHERS. ALL BOUNDARIES TO BE VERIFIED ON SITE PRIOR TO COMMENCING CONSTRUCTION.
  2. TOPOGRAPHICAL LEVELS TO BE CONFIRMED.
  3. DESIGN & QUOTED AREAS ARE SUBJECT TO DESIGN DEVELOPMENT & STATUTORY CONSENTS.
  4. ALL SURVEY INFORMATION SHOWN IS SUBJECT TO FURTHER SITE INVESTIGATION DURING DEMOLITION.



All proposed boundary treatments will be at a height of 1.8m

Important Notes  
All designs are subject to statutory consents and design development

G	27.01.25	Design Development	MC
F	16.12.24	Planning updates	MC
E	09.12.24	Planning updates	MC
D	13.05.24	Amended site entrance	MC
C	06.10.23	Amended note	MC
B	12.09.23	Red line amended	MC
A	30.08.23	Design Development	MC
REV	DATE	REVISIONS	CHK

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LAND AT 3 WIMBLINGTON ROAD, DODDINGTON,  
CAMBRIDGESHIRE  
CLIENT :  
COOGEE TRADING LIMITED  
DRAWING TITLE :  
PROPOSED SITE PLAN

SCALE : 1:500 @ A1  
DRAWN : MC  
CHECKED : MC  
DATE : 08.23

NUMBER : 515 - P - 001  
REVISION : G

STATUS : S2  
PLANNING ONLY  
(not for construction)





01 EXISTING STREET SCENE 1  
1:200

EXISTING STREET SCENE



02 PROPOSED STREET SCENE 1  
1:200

PROPOSED STREET SCENE

THE CONTRACTOR MUST VERIFY ALL DIMENSIONS ON SITE BEFORE MAKING SHOP DRAWINGS OR COMMENCING WORK OF ANY KIND.

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4. ALL SURVEY INFORMATION SHOWN IS SUBJECT TO FURTHER SITE INVESTIGATION DURING DEMOLITION.

0m 2 4 6 12m  
1:200



Important Notes  
All designs are subject to statutory consents and design development

D	27.01.25	Design Development	MC
C	18.12.24	Design Development	MC
B	18.05.24	Site Entrance Amended	MC
A	08.10.23	Amended Note	MC
REV	DATE	REVISIONS	CHK

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EXISTING & PROPOSED - STREET SCENE 1

SCALE :	DRAWN :	MC	DATE :	08.23
1:200 @ A1	CHECKED :	MC	DATE :	08.23

NUMBER:	REVISION:
515 - P - 030	D

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S2	





01 EXISTING STREET SCENE 1  
1:200

EXISTING STREET SCENE



02 PROPOSED STREET SCENE 1  
1:200

PROPOSED STREET SCENE



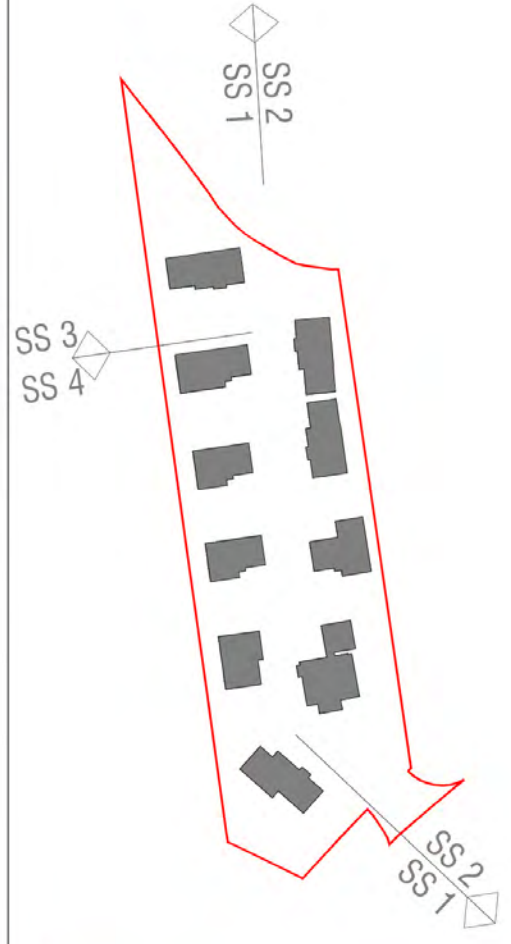
03 EXISTING STREET SCENE 3  
1:200

EXISTING STREET SCENE



04 PROPOSED STREET SCENE 3  
1:200

PROPOSED STREET SCENE



Important Notes  
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F	27.01.25	Design Development	MC
E	18.12.24	Design Development	MC
D	16.05.24	Site Entrance Amended	MC
C	25.10.23	Validation Amended	MC
B	06.10.23	Amended Note	MC
A	30.08.23	Design Development	MC
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EXISTING & PROPOSED - STREET SCENE 2 & 3

SCALE :	DRAWN :	MC	DATE :	08.23
1:200 @ A1	CHECKED :	MC	DATE :	08.23

NUMBER :	REVISION :
515 - P - 031	F

STATUS :	PLANNING ONLY (not for construction)
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EXISTING STREET SCENE



02 | PROPOSED STREET SCENE 4  
1:200

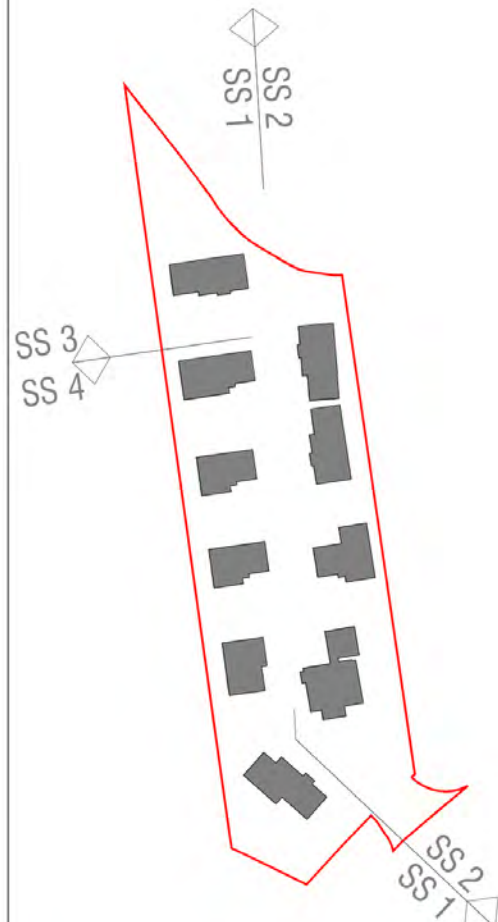
PROPOSED STREET SCENE

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4. ALL SURVEY INFORMATION SHOWN IS SUBJECT TO FURTHER SITE INVESTIGATION DURING DEMOLITION.

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Important Notes

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E	27.01.25	Design Development	MC
D	18.12.24	Design Development	MC
C	16.05.24	Site Entrance Amended	MC
B	06.10.23	Amended Note	MC
A	30.08.23	Design Development	MC
REV	DATE	REVISIONS	CHK

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EXISTING & PROPOSED - STREET SCENE 4

SCALE :	DRAWN :	MC	DATE :	08.23
1:200 @ A1	CHECKED :	MC	DATE :	08.23
NUMBER:	515 - P - 032			REVISION:
STATUS:	S2			E
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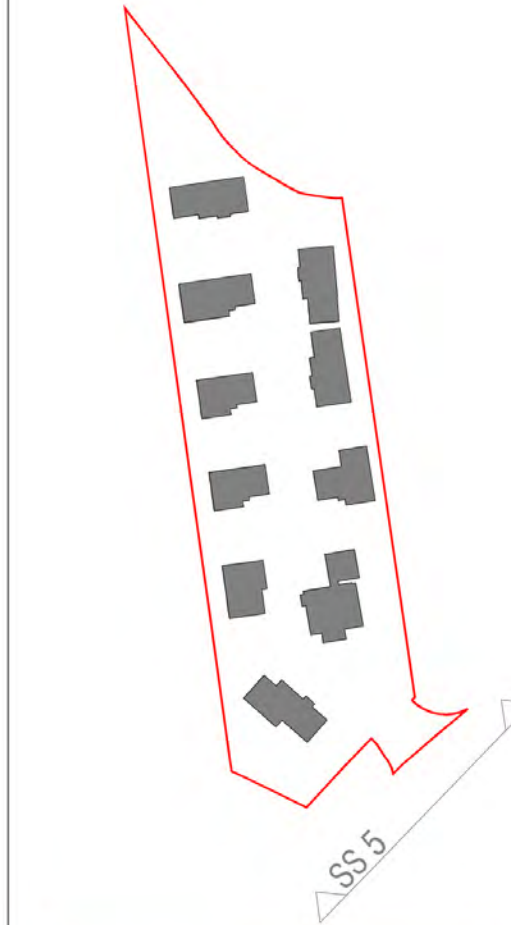
01 | EXISTING STREET SCENE 5  
1:200

EXISTING STREET SCENE



02 | PROPOSED STREET SCENE 5  
1:200

PROPOSED STREET SCENE



Important Notes

All designs are subject to statutory consents and design development

C	27.01.25	Design Development	MC
B	18.12.24	Design Development	MC
A	16.05.24	Site Entrance Amended	MC
REV	DATE	REVISIONS	CHK

**mohsin cooper**

ARCHITECTS

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SCALE :	DRAWN :	MC	DATE :	08.23
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NUMBER:	515 - P - 033	REVISION:	C
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STATUS:	PLANNING ONLY (not for construction)
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**F/YR25/0124/PIP**

**Applicant: Mr Edmund Selimaj**

**Agent :  
Ltd**

**Morton & Hall Consulting**

**Land North Of 6 Fallow Corner Drove, Manea**

**Permission in principle to erect up to 3 x dwellings**

**Officer recommendation: Refusal**

**Reason for Committee: Number of residential comments in support and objecting to the proposal trigger committee attendance**

---

## **Government Planning Guarantee**

**Statutory Target Date For Determination: 25 March 2025**

**EOT in Place: Yes**

**EOT Expiry: 7 May 2025**

**Application Fee: £2515**

**Risk Statement:**

**This application must be determined by the 7<sup>th</sup> of May 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

1.1 The proposal is an application for Permission in Principle to develop the site for up to 3 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle Stage) establishes whether the site is suitable in principle and assesses the principle issues namely:

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

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

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

1.3 The site lies to the north of the existing linear form of residential development that is part of the settlement of Manea, located along the northern side of Fallow Corner Drove. The application site forms part of the existing rear garden of 6

Fallow Corner Drove. The site is bordered by hedging and fencing of varying heights along the western boundary and bounded along the northern and eastern boundaries by mature hedges and trees. Agricultural fields are located beyond the northern boundary with residential gardens to the east and west. Beyond the site frontage on the southern side of Fallow Corner Drove is a dog exercise field business.

- 1.4 Policy LP3 states that Manea is classed as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions will be appropriate. The dwelling and part of the rear garden is within the built-up settlement of Manea, with the remainder of the site immediately adjacent.
- 1.5 The site is semi-rural in character with open fields beyond the rear boundary. It is contended that real and actual character harm would arise through the consolidation of backland development and be contrary to the existing linear features within an area which currently serves to mark the gentle transition between the open countryside and the built form of the village. This development is clearly at odds with Policy LP12 of the Fenland Local Plan (2014) and contrary to the aims of Policy LP16(d) which focuses on the need for development to enhance its setting and responded to the character of the local built environment.
- 1.6 The frontage of the site is located in Environment Agency Flood Zones 2 and 3, with Flood Zone 3 being at the highest risk of flooding. Furthermore, 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 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework (2024)
- 1.7 Overall, the proposed development is considered to be unacceptable, and the recommendation is one of refusal.

## **2 SITE DESCRIPTION**

- 2.1 The site lies to the north of the existing linear form of residential development that is part of the settlement of Manea, located along the northern side of Fallow Corner Drove. The application site forms part of the existing amenity land of 6 Fallow Corner Drove. The site is bordered by hedging and fencing of varying heights along the western boundary and bounded along the northern and eastern boundaries by mature hedges and trees. Agricultural fields are located beyond the northern boundary with residential gardens to the east and west. Beyond the site frontage on the southern side of Fallow Corner Drove is a dog exercise field business.
- 2.2 The site lies to the south of village centre of Manea and is accessed via Fallow Corner Drove, a mainly single track, unclassified road which serves a number of dwellings and farmsteads. There is an existing access off Fallow Corner Drove for the dwellings which would be utilised for the proposed development.

- 2.3 The dwelling and a small area of the rear garden is within the built-up settlement of Manea, with the remainder of the rear garden, considered to relate more to the open countryside than the built-up settlement.
- 2.4 The frontage of the site is located in Environment Agency Flood Zone 3, with Flood Zone 3 being at the highest risk of flooding. The northern boundary is bordered by a drain and this area is shown as being a high risk surface water flooding area.

### **3 PROPOSAL**

- 3.1 The proposal is an application for Permission in Principle to develop the site for up to 3 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle Stage) establishes whether the site is suitable in principle and assesses the principle issues, namely:

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

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

- 3.2 Should this application be successful the applicant would have to submit a Technical Details application covering all the other detailed material planning considerations. The approval of Permission in Principle does not constitute the grant of planning permission.
- 3.3 The applicant is only required to submit minimum information to accompany the application. However, an indicative site plan detailing how the development could be laid out has been submitted showing 3 detached dwellings accessed from the existing vehicular access. This access is to be extended run past the western side elevation of the dwelling and continue along the western side of the rear garden for a further 70 metres access the dwellings.
- 3.4 Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

### **4 SITE PLANNING HISTORY**

- 4.1 None

### **5 CONSULTATIONS**

- 5.1 **Manea Parish Council – 18<sup>th</sup> March 2025**

*Object: Backland development, overdevelopment, sets a precedent.*

- 5.2 **Environmental Health – 24<sup>th</sup> February 2025**

*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, be affected by ground contamination or adversely impact the local amenity due to excessive artificial lighting. This service would however welcome a condition on working times due to the close proximity of existing noise sensitive receptors, with the following considered reasonable: No demolition or 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 Officer – 4<sup>th</sup> March 2025.**

#### *Recommendation*

*This proposal considers the development of 3 dwellings and retention of a single dwelling served from a private road off Fallow Corner Drove, Manea.*

*The site at Fallow Corner Drove already benefits from an existing access. As part of this proposal, the applicant seeks to move this access to a more central position on the site. The visibility splays provided on the proposed plan for this access are acceptable.*

*The internal road at this site would not be suitable for adoption. The Local Highway Authority (LHA) would not seek to adopt estate roads which serve fewer than 6 dwellings and the layout shown on Drawing 02 also does not conform with the LHA's requirements for adoption. These requirements outlined in our General Principles document linked below:*

*<https://www.cambridgeshire.gov.uk/asset-library/highways-development-management-general-principles-for-development-january-2023-amended.pdf>*

*The first 10 metres of internal site road are to be constructed of a bound material for a distance of 5 metres from the carriageway. This is suitable construction for a shared access serving a development of this scale. The applicant has further specified that this area would be constructed to Cambridgeshire County Council specification.*

*Further consideration of the access design, including how the site shall prevent surface water from entering the public highway shall be expected at any future Technical Design Consent Stage. I would further recommend that if this development was to be granted permission in principle, that the LPA should be satisfied that the internal layout of the site meets refuse strategy requirements considering the distance between frontages to dwellings and the proposed bin collection point.*

### **5.4 Local Residents/Interested Parties**

#### **Objectors**

Fifteen residential objections have been received. These communications are from Barkclay Court, Charlemont Drive, East Street, Fallow Corner Drove, Lode Road, Station Road, Teachers Close, Willow Drive and Wimblington Road in

Manea, as well as March Road in Tipps End. They have the following observations:

- The proposal will impact the semi-rural nature of Fallow Corner Drove.
- The proposal will set a precedent for backland development.
- The proposal will be out of keeping with development in the vicinity of the site.
- There are enough houses already under construction in Manea village.
- Lack of infrastructure, services and transport facilities within the village.
- Manea is overpopulated.
- Along with the 28 properties under construction at Lavender Mill this will materially impact Fallow Corner Drove which is a single lane road with no streetlighting.
- Increase in traffic, pedestrian safety concerns
- Further damage to the road surface. Roads are already in poor condition
- Demolition of wildlife habitats.
- Removal of a number of trees and shrubs from the site, including adjacent residential boundaries. Existing trees are deciduous so provide no cover in winter
- Proximity of access road to neighbouring dwelling at Hilltop to west.
- Overlooking, noise
- Higher topography toward rear of site.
- Flooding and drainage concerns
- Profit driven
- The Lavender Mill site is already causing issues
- Loss of view
- Rubbish burning is taking place on site.
- No Section 106 provision.

### **Supporters**

Sixteen residential comments of support have been received from Delilah Close, Fallow Corner Drove, High Street, Kirton Close, Park Road, Teachers Close and West Field, all in Manea. They have the following observations:

- I prefer to see smaller developments
- I want to see more bungalows
- Would help first time buyers get on the housing ladder.
- Would help younger residents to stay within Manea.
- Additional houses and neighbours will benefit the village.

### **Representations**

One representation has been received from a resident at Station Road in Manea, commenting that the owners have good intentions and are conscious of the potential wildlife restrictions.

## **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) 2024**

Chapter 2 - Achieving sustainable development

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

### **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

Uses

Homes and Buildings

### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP19 – The Natural Environment

### **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

DM6 – Mitigating Against Harmful Effects

### **Cambridgeshire Flood and Water SPD 2016**

### **Emerging Local Plan**

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



Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy  
LP2: Spatial Strategy for the Location of Residential Development  
LP4: Securing Fenland's Future  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP11: Community Safety  
LP12: Meeting Housing Needs  
LP18: Development in the Countryside  
LP20: Accessibility and Transport  
LP22: Parking Provision  
LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP27: Trees and Planting  
LP28: Landscape  
LP32: Flood and Water Management  
LP34: Air Quality

## **8 KEY ISSUES**

- 8.1 This application is made pursuant to the Town and Country Planning (Permission in Principle) Order 2017 (as amended) (PIP regulations) that provides opportunity for an applicant to apply as to whether 'Permission in Principle' is acceptable for a site, having regard to specific legislative requirements and, in accordance with the NPPG, as to whether the location, land use and amount of development proposed is acceptable.
- 8.2 The permission in principle (PiP) consent route is an alternative way of obtaining planning permission for housing led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The approval of PiP alone does not constitute the grant of planning permission.
- 8.3 The PiP consent 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.
- 8.4 PiP establishes that a particular scale of housing-led development on a defined site is acceptable. The aim is for a PiP to minimise the upfront and at-risk work of applicants.

## **9 BACKGROUND**

No previous site history.

## **10 ASSESSMENT**

### **Location, Land Use and Amount**

- 10.1 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. In this policy, Manea is classed as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions where appropriate. The dwelling and part of the rear garden is within the built-up settlement of Manea, with the remainder of the site immediately adjacent. The principle of developing this site for additional residential dwellings is in accordance with Policy LP3 of the Fenland Local Plan.
- 10.2 Further to LP3, Policy LP12 (Part A) supports development in villages subject to compliance with 11 criteria (a to k), providing the site is in or adjacent to the existing developed footprint of the village, does not result in coalescence with any neighbouring village, and does 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 in danger from identified risks.
- 10.3 In addition, Policy LP16(d) seeks to ensure that development makes a positive contribution to the distinctiveness and character of the area, enhances its local setting, reinforces local identity and does not adversely impact, either in design or scale terms, on the streetscene, settlement pattern or landscape character of the surrounding area.
- 10.4 The proposal seeks to erect up to 3 dwellings on land set to the rear of the host dwelling, 6 Fallow Corner Drove. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and linear built form of development that is present in this part of Fallow Corner Drove.
- 10.5 Residential concerns have been expressed regarding the location of the dwellings and the issues this generates. There are concerns with overlooking due to the location of the dwellings relative to neighbouring properties and their proximity to the eastern and western boundaries. There are also concerns that the proposal would set a precedent for backland development in the vicinity of the site. The location also generates concerns with regard to the lack of infrastructure in Manea and the proximity to public transport provision. The location of the access road adjacent to Hilltop to the west also generates noise and vibration concerns. Other comments, positive and negative have been raised which are considered to be material, however, they can only be assessed at the Technical Details application stage of the planning process. Concerns such as the loss of a view, burning on site and disturbance due to works to the west at the Lavender Mill Bungalow site do not carry planning weight when assessing this application.
- 10.6 Development encroaching into backland would be to the detriment of the character and appearance of the area and would arguably create a precedent for further backland development at sites with similar geometry. Backland

development such as this would be detrimental to the rural character of Fallow Corner Drove which is bounded by swathes of agricultural land and would be at odds with the existing pattern of linear frontage development.

- 10.7 As such, it is considered the proposed location of the development is contrary to the requirements of Policy LP12 and Policy LP16(d) and therefore cannot be supported.
- 10.8 The quantum of development proposed (max. 3 dwellings) would introduce a tighter knit form of development than is currently found in the locality and would result in harm to the character and settlement pattern of the area.
- 10.9 The Highways Officer has raised no objections to the proposal; however, they have remarked upon the need to provide drainage for the access road and the requirement to walk over a minimum distance of 95 metres to a bin collection point at the front of the site.
- 10.10 It is noted that the application seeks PiP for up to 3 dwellings and consideration pertaining to visual and residential amenity impacts, highway safety and flood risk mitigation of the development would ultimately be considered at the technical details stage. However, a reduction in dwelling numbers or scale may be deemed necessary to address any identified risk pertaining to these issues.
- 10.11 In summary, the location, use and amount of development proposed would not be consistent with the character of the area and is therefore not supported.

#### **Flood Risk & Drainage**

- 10.12 The frontage of the site and the intended access location lies in Flood Zone 3 and is therefore at the highest risk of flooding. National and local planning policies set out strict tests to the approach to flood risk, aiming to locate development in the first instance to areas at lowest risk of flooding (Flood Zone 1). Policy LP14 requires applicants to demonstrate this through the application of the sequential test. In order to justify the development in Flood Zone 3, the sequential test would be expected to demonstrate that there are no reasonably available sites in Flood Zones 1 and then in Zone 2 which could accommodate the development.
- 10.13 A very brief section within the submitted Design & Access Statement seeks to address flood risk. The entirety of the text states: *On reviewing the Environment Agency Flood Risk Extract Map, all of the dwellings, garden area, parking area and swale are located within a Flood Zone 1 area. Where there is an existing access off Fallow Corner Drove, this is located within Flood Zone 2 & 3. The map further advises that there is no flooding at the site from reservoirs. Flooding from rivers and the sea is confined to the front section of the site where there is an existing access, which is to be amended for the proposal.*
- 10.14 Resident consultation respondents have expressed concerns with regarding to flood risk and drainage. They refer to foul water capacity issues in Manea, the site being partially located in Flood Zone 3, and recent flooding in the vicinity of the site to the south of Fallow Corner Drove and beyond the rear boundary to the north.
- 10.15 A separate Flood Risk Assessment document has not been provided, nor has a Sequential Test been undertaken. In accordance with current national guidance,

the presence of flood mitigation measures does not negate the requirement for the Sequential Test to be undertaken.

- 10.16 Due to the lack of a Flood Risk Assessment and a Sequential Test there is considered to be insufficient information about the explicit benefit/ necessity in developing this site out over other sites in lower flood risk areas within Manea. It is considered that having regard to the numerous permissions granted in Manea which has seen the greatest growth of any village in the plan period, that there is likely to be a site or sites reasonably available to accommodate the development which are in lower areas of flood risk.
- 10.17 Consequently, the application fails to demonstrate that there are no alternative reasonably available sites with a lower probability of flooding to accommodate the development. The proposal would therefore place people and property at an increased risk of flooding without justification contrary to Policy LP14 of the Fenland Local Plan (2014), Section 4 of the Cambridgeshire Flood & Water Supplementary Planning Document (2016) and Chapter 14 of the National Planning Policy Framework (2024).

## **11 CONCLUSIONS**

- 11.1 This application seeks to confirm whether 'Permission in Principle' is acceptable for 6 Fallow Corner Drove. The scope of permission in principle is limited to location, land use and amount of development.
- 11.2 The proposed development for up to three dwellings located on land to the rear of frontage residential development along Fallow Corner Drove, Manea. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and to the detriment of the character and appearance of the area and would create a precedent for further backland development at sites with similar geometry.
- 11.3 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 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework (2024).
- 11.4 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.

## **12 RECOMMENDATION**

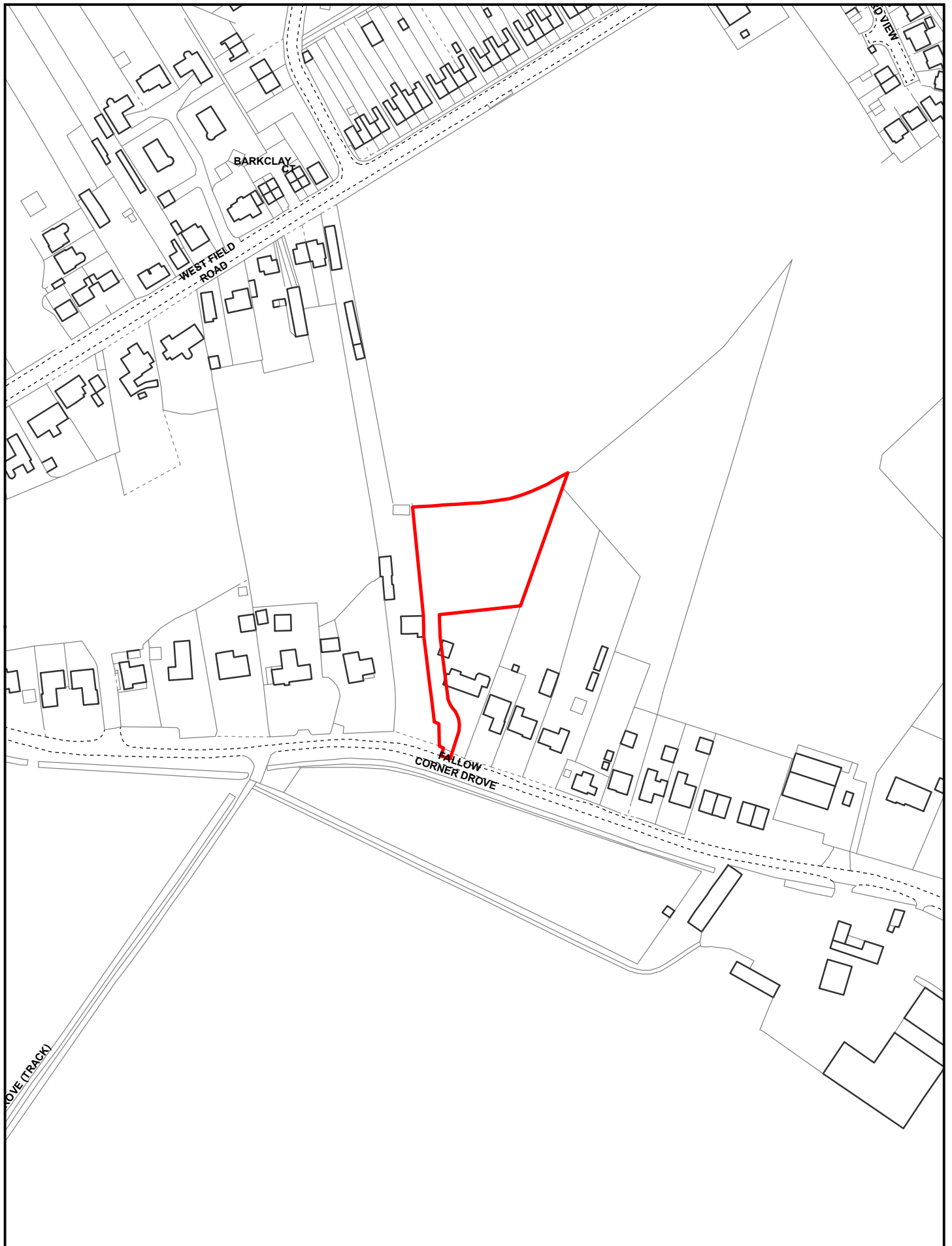
- 12.1 Refusal. For the reasons set out below:

### **Reasons for refusal:**

1	Policy LP12 of the Fenland Local Plan (2014) details a range of criteria against which development within the villages will be assessed and Policy
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	<p>LP16 seeks to ensure that proposed development responds to and improves the character of the local built environment. The application site proposes the construction of up to three dwellings located on land to the rear of frontage residential development along Fallow Corner Drove, Manea. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and built form of the development along Fallow Corner Drove to the detriment of the character and appearance of the area and would create a precedent for further backland development at sites with similar geometry. Thus, the proposal would therefore fail to comply with the requirements of Policy LP12 and Policy LP16 (d) of the Fenland Local Plan (2014).</p>
2	<p>The site is partially located within Flood Zone 3 where there is a high probability of flooding. A Flood Risk Assessment or Sequential Test has not been submitted for assessment to the Local Planning Authority. Consequently, the application fails to demonstrate that there are no alternative sites to accommodate the development which are reasonably available and with a lower probability of flooding. The proposal would therefore place people and property at an increased risk of flooding without justification contrary to Policy LP14 of the Fenland Local Plan (2014), Section 4 of the Cambridgeshire Flood &amp; Water Supplementary Planning Document (2016) and Chapter 14 of the National Planning Policy Framework (2024).</p>



Created on: 21/02/2025

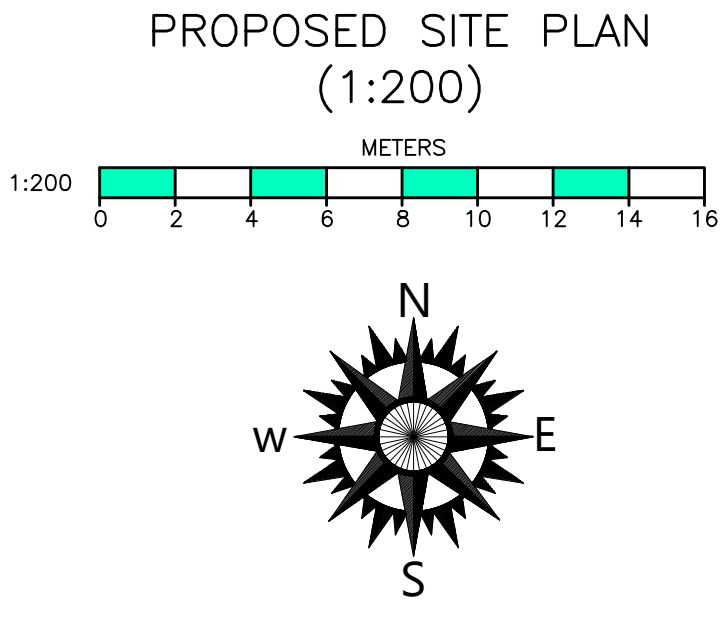
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**F/YR25/0124/PIP**

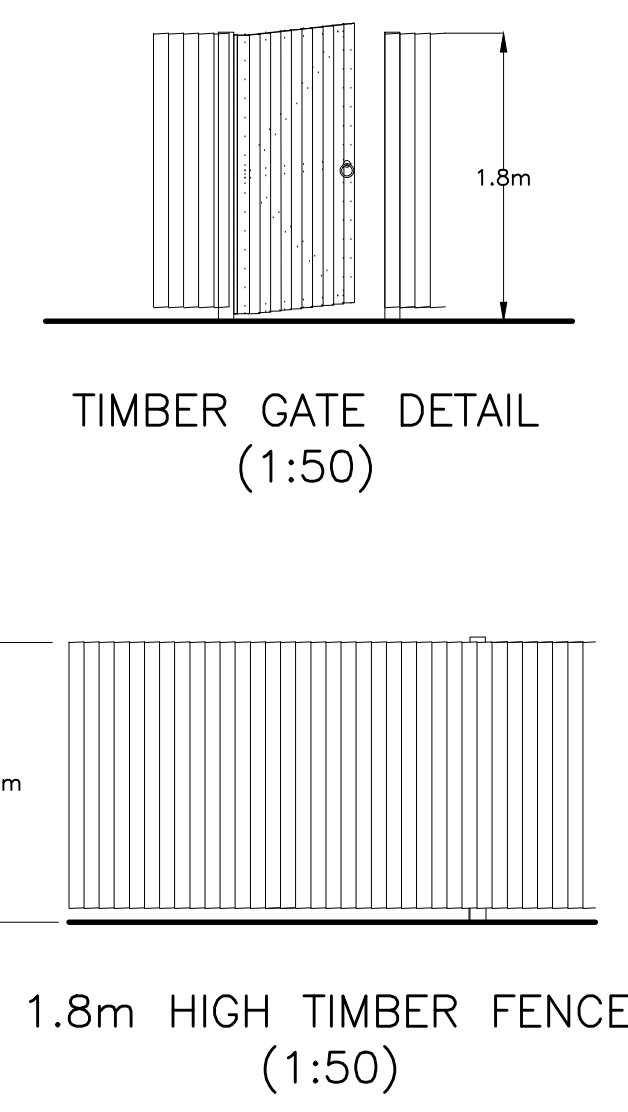
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- LEGEND
- = GRASS
  - = GRAVEL
  - = NON SLIP BUFF PAVING
  - = WHEELIE BINS



FIRST 10m TO BE SPECIFIED  
BY CAMBRIDGESHIRE COUNTY  
COUNCIL HIGHWAYS  
DEPARTMENT. ENSURE THIS IS  
SEALED AND DRAINED AS PER  
CCC HIGHWAYS SPECIFICATION

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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. Do not scale, 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 CEN 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 BCU (or MHC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.

REVISIONS		DATE
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1 Gordon Avenue, March, Cambridgeshire, PE15 8AU		
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Fenland District Council Building Design Awards Building Excellence in Fenland		
Mr E Selimaj		
6 Fallow Corner Drive Manea Cambs PE15 0LT		
Proposed Site Plan		
BY R.Papworth	DATE OF ISSUE	
DATE Jan 2025	PROJECT NUMBER H10090/02	
SCALE As Shown		



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**PLANNING COMMITTEE DATE: 2<sup>nd</sup> April 2025**

**Agenda item: 11**

**APPLICATION NO: F/YR24/0525/O**

**SITE LOCATION: Mayflower, 12A Westfield Road, Manea, March  
Cambridgeshire PE15 0JG**

**PROPOSAL: Erect up to 7 x dwellings (outline application with matters committed in respect of access) involving the demolition of existing sheds, formation of a detention pond and associated drainage works**

## **UPDATE**

### **1. Background**

- 1.1. During the Planning Committee meeting of 5<sup>th</sup> March 2025, Members had concerns regarding the following matters:
  - surface and foul water drainage; and
  - highway safety.
- 1.2. With respect to drainage, Officers were asked to reconsult with both Anglian Water and Middle Level Commissioners to seek additional opinion.
- 1.3. With respect to highway safety, Officers were asked to confirm if a highways representative visited the site before compiling their comments or whether the response was generated via desktop analysis only. In addition, concerns were raised over the intensification of use of the access, and whether the visibility splays are appropriate given the sharp bend on Westfield Road to the east and instances of parked cars on the opposite side of the proposed access causing narrowing. It was also queried whether mitigation measures such as double yellow lines may be appropriate to improve the access visibility and road width.
- 1.4. Members resolved to defer determination of the above application requesting that Officers returned to the relevant consultees for additional comments to offer a wider view on such matters from the experts and to enable Members to make an informed decision on the application.
- 1.5. For reference, the original Committee Report, recommendation and suggested conditions are included as an appendix following this update.

### **2. Additional Consultee Responses**

- 2.1. **Anglian Water (dated 12.03.25)**  
*Funding has now been confirmed for the Manea WRC, and therefore we have revised our requested condition in the Wastewater Treatment section of our comments.*

## **ASSETS**

### **Section 1 - Assets Affected**

*Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site*



boundary.

## **WASTEWATER SERVICES**

### **Section 2 - Wastewater Treatment**

*This site is within the catchment of Manea Water Recycling Centre (WRC), which currently lacks the capacity to accommodate the additional flows generated by the proposed development. However, Manea WRC is included within our Business Plan as a named growth scheme with investment delivery planned between 2025-2030. To ensure there is no pollution or deterioration in the receiving watercourse due to the additional foul flows that would arise from the development, we recommend a planning condition is applied if permission is granted.*

**Condition:** *Prior to occupation written confirmation from Anglian Water must be submitted confirming there is sufficient headroom at the water recycling centre to accommodate the foul flows from the development site.*

**Reason:** *to protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 187 of the National Planning Policy Framework.*

### **Section 3 - Used Water Network**

*This response has been based on the following submitted documents: Sustainable Drainage Report Final Report dated March 2023 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.*

*1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.*

## **2.2. Middle Level Commissioners (dated 19.03.2025)**

*This response is prepared on behalf of Curf & Wimblington Combined Internal Drainage Board to whom the Middle Level Commissioners provide a planning consultancy service.*

*Please be advised that the Board are an RMA, as acknowledged by Defra; the “local expert” in respect of managing drainage and flood risk but also have an Ecological role; and is on this occasion the “approving authority”. It should be noted that the Boards requirements in respect of its interests, which need to be met, may be different to and more demanding than those of other RMA/statutory consultees.*

*As you are aware neither the Commissioners or the Board are statutory consultees in the T&CPA process and, therefore, do not actually have to provide a response to the planning authority and receive no external funding to do so. The main reason for supplying previous responses was to protect our interests and ensure that any consents are sought.*

*However, to further partnership working and having briefly reviewed the submission documents the Boards initial comments include but are not limited to the following:*

### **A. The Fenland Situation**

*Advisory - The Fens is a flat, dry, low-lying region the topography most of which is largely within a few metres of sea level. Flood risk and land drainage infrastructure in the Fens is different to other parts of the country as it is managed through the intervention of man and comprises of an extensive and complex network of assets including pumping stations, sluice gates, coastal and fluvial defences and embankments.*

*This infrastructure is not only crucial in enabling surrounding agricultural land, businesses and communities to prosper, it also plays a crucial role as enabling infrastructure within the wider river catchments.*

*Living and working in the Fens is only possible because of this artificial drainage and flood protection. Without it the Fens would be liable to periods of flooding.*

*The catchment faces some of the most ambitious housing and transport infrastructure growth plans in the country but much of the flood risk infrastructure is nearing the end of its design life and will soon require significant investment.*

### **B. Treated Foul Effluent Water**

*Treated foul effluent water discharges into the neighbouring Manea & Welney District Drainage Commissioners (DDC) system via Manea Town Lots WRC. However, it is noted that in recent months the Environment Agency have objected to developments intending to use the WRC stating that “..the discharge is exceeding the limits set for its environmental permit to discharge treated flows to a surface waterbody which in this case is the drain under the jurisdiction of the Manea and Welney Internal Drainage Board which forms part of the Old Bedford and Middle Level catchment”.*

*As a result, the DDC will **not** recommend the issuing of consents to the discharge of treated foul effluent water into watercourses in its District until these matters are resolved to its requirements.*

### *C. Acute Drainage Area*

*The site is within the “North of Westfield Road” sub-catchment which the Board has designated as an Acute drainage area, where there are multiple or interlinked sources of flood risk, for example, a combination of:*

- 1. Known flooding*
- 2. A high ground water table,*
- 3. An inappropriate or inadequate drainage system,*
- 4. Hydraulic constraints and/or*
- 5. Significant urban development pressures*

*and there is a need for a higher standard of water level management than normal to ensure that any new development will not increase flood risk that affects people, properties, local infrastructure and the environment which may require protection, intervention and/or investment by the applicant/landowner(s) and/or relevant Risk Management Authorities (RMA), including your Council.*

*As a result, apart from in the most exceptional circumstances, all surface and ground water discharges within the application site must be attenuated to current volumes and/or greenfield rates of run off, where practicable.*

### *D. Flooding in the vicinity of the site.*

*There appears to be a history of poor drainage and localised flooding in the area most of which is unsubstantiated or has not been formally reported possibly due to its less vulnerable use and/or value. However, your Council will have noted several of the Public Comments specifically referring to this issue.*

### *E. Current Drainage Arrangements and proposed improvements*

*For several reasons including the flat topography and the extent of the urban area the Boards System can surcharge during low level events and it should not be assumed that a free discharge will be available. The Boards System may take several days to return to “normal” levels and this should be accommodated in any design.*

*The more recent developments to the north east of the application site are served by adopted surface water sewers. In the absence of a positive drainage system within close proximity to the site it is presumed that a small amount of the remaining surface water discharges by infiltration but predominantly overland flows.*

*The main watercourse that serves this sub-catchment is Darcy Lode, which is a small watercourse maintained to varying standards by the adjacent landowners, which discharges into the Boards District Drain*

*system via other watercourses.*

*These watercourses were primarily designed to provide a Standard of Protection (SoP) to serve the needs of agriculture and not meet the requirements of the increased urban development within the sub-catchment.*

*Therefore, it is considered that if development of both this and other sites within the sub-catchment are permitted significant improvements, such as the provision of a new and/or enlargement and realignment of existing watercourses, pipelines and road culverts, will be required to accept the increased flows and provide a suitable SoP, to accommodate the change of the site to a more vulnerable use, and ensure that an adequate freeboard is available to prevent the surcharging of the on-site systems.*

*These improvement works will be at the developer's expense and this may challenge the viability of the site.*

*The failure to undertake these improvements will increase the risk of flooding in the area endangering local residents particularly if they are vulnerable, including adverse impacts on peoples well-being and mental health; damage to property and infrastructure; wasteful expenditure at the publics expense to undertake remedial works and/or cause unacceptable detriment to the environment.*

#### *F. Surface Water Disposal System*

*The contents of the various related submission documents are noted but further information and reassurance on the proposal must be provided to the Board to demonstrate that a suitable surface water drainage scheme can be achieved.*

*Further information should, dependent upon the solution used, include, as a minimum, ground investigation details; groundwater monitoring; infiltration testing results; topographical survey of the site and surrounding area; suitable hydraulic design of the basin including an assessment of inflow/outflow (reuse) flows, half drain times etc. in accordance with current design guidance including an allowance for climate change, correspondence with Anglian Water or other independent networks.*

#### *G. Maintenance and Management*

- 1. There is an expectation that maintenance arrangements for SuDS are secured through the use of planning conditions and may be subject to the SuDS Approval Body (SAB) when they are introduced.*
- 2. The Board require further detail on how both the on and off site water level and flood risk management systems serving the site will be maintained in perpetuity.*
- 3. In view of the importance to these systems it is considered appropriate to recommend that appropriate access is provided and measures undertaken to ensure that unhindered entry is readily available to carry out both routine maintenance and in case of emergency.*
- 4. These requirements may be in addition to those imposed by planning conditions or required by the LLFA and that details of the works to be carried out by the occupier/land owner, adopting authority, the*



*“Management Company” or other responsible person/authority, together with the costs attached, are included in the “Owners/Operators Pack/Manual” and any Deed of Sale or similar land transfer document.*

*This will be required as part of any consenting/approval process.*

#### *H. General Comment*

*Increasing concern is being raised about the piecemeal development being proposed in the local area which is resulting in many small and isolated systems which will be difficult to maintain and will be a future liability for the parties concerned, the failure of which could potentially increase flood risk. Both the Commissioners and the Board encourage more holistic solutions which could enable and facilitate further development in the area.*

*All parties are reminded that:*

- 1. During an event such as those experienced in December 2020, more recent storms such as Babet or following a high rainfall event the downstream systems may take up to 5 – 10 days to return to “normal” during which time discharges of any kind may not be possible with half drain times becoming unachievable.*
- 2. During a major breach or overtopping event, it may take significantly longer for the local drainage systems to return to a serviceable condition.*
- 3. The floodplain shown on the EA’s mapping does not show the “backing up” of flood water within the watercourses that serve the area. In the absence of any evidence, it is difficult to be conclusive but this could extend up to the properties in the site.*

*The Board requires your Council to consider the following during the decision making process:*

- a. Changes to the climate and recent rainfall events and patterns, and the recently issued Tyndall Centre for Climate Change Research report for the Future Fens Integrated Adaptation (FFIA).*
- b. The need to consider and acknowledge the impacts of development on Special Levy and Defra’s Partnership Funding in that property built or converted after January 2012 is not included in FCERM GiA calculations.*
- c. That LPA’s ought to secure funding toward future capital investment in water management infrastructure that enables life within the fenland environment.*

*The Board is prepared to work together with the applicant, its various agents and your Council in order to achieve a high quality sustainable lasting and attractive solution that provides many benefits, satisfies multiple parties and in addition to providing a solution to the matters raised above potentially provides a blue green space. It is hoped that all parties will work together amicably to establish solutions that can be used as an exemplar to guide further development in the area.*

*The Board would be pleased to continue discussions with the applicant and his agents/consultants as part of a Detailed Consultation process. Upon the receipt of a formal application further discussion can commence.*

**2.3. CCC Highways Authority (dated 12.03.25)**

*In response to the below queries. I can confirm that I have completed a site visit and that I cannot find any reason for objection by the highway authority on highways safety grounds.*

*I have reviewed the accident data for the area and there have been no police recorded accidents within the last 5 years. The applicant has provided on the access arrangement plan, the correct vehicle visibility splays and the correct junction layout for a development of this size and in this location. From my site observations vehicles approaching the bend in the road reduce their speeds in order to navigate this turn. This will in effect have a positive impact on the required visibility at this proposed junction reducing the required length of visibility splay further. However the correct visibility can already be achieved which has been demonstrated on the submitted plans.*

*If there are existing parking concerns in the vicinity of the bend in the road, it is not the responsibility of the Developer to correct this. As their proposed junction meets with all of the highways standards and therefore should not have a negative impact on the safety of the highway should it be granted permission.*

**3. Officer Comment**

**Flooding and Drainage**

- 3.1. The comments received from Anglian Water are largely similar to those received during the course of the application assessment. However, crucially, funding has now been confirmed by Anglian Water for the Manea WRC. Accordingly, they recommend a prior to occupation condition to confirm these upgrades have been undertaken to safeguard the WRC can accommodate foul water flows from the site.
- 3.2. However, as set out within Paragraphs 10.18 – 10.20 of the original Committee Report (Appendix 1), Officers consider a pre-occupation condition would not meet the tests as required by Para. 58 of the NPPF (2024). Instead, it is considered more reasonable in this circumstance to append a condition requiring an appropriate foul drainage scheme to be submitted for approval prior to commencement of the development.
- 3.3. With respect to surface water drainage, Anglian Water reviewed the submitted Sustainable Drainage Report Final Report dated March 2023 and confirmed their sewerage system at present has available capacity for these flows, should the applicant seek to discharge to the surface water sewer.
- 3.4. Middle Level Commissioners were also reconsulted, and do not object to the scheme. In particular, they noted that any surface water flooding claims from the area appear to be unsubstantiated or unreported, and

concluded that providing the relevant agencies can be satisfied with a suitable scheme, and appropriate consents obtained, they would be happy to work with the applicant in the event an application to their Board is forthcoming.

- 3.5. Matters regarding surface water drainage can be robustly secured by condition, and any forthcoming surface water drainage scheme would be appropriately consulted with the relevant drainage authorities to ensure capacity in the system, suitability and effectiveness of draining the site.
- 3.6. As such, and as before, it is considered that such matters can be appropriately controlled to ensure the scheme will comply with Policy LP14 and the NPPF with respect to foul and surface water drainage, and a refusal on the basis of such matters would be unreasonable.

### **Highway Safety**

- 3.7. Further to reconsultation, the Highway Authority has confirmed that their recommendation was based upon a physical inspection of the site, concluding that the proposed access meets with all of the highways standards and therefore should not have a negative impact on the safety of the highway should it be granted permission.
- 3.8. Paragraph 116 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios. The application has been duly considered to not cause an unacceptable impact on highway safety, and thus should not be refused on these grounds.

## **4. Conclusion**

- 4.1. On the basis of the above, there are no reasonable reasons to refuse planning permission. All technical matters have been resolved by the applicant, or can be secured by conditions. Accordingly, it is recommended that the application be approved.

**Recommendation: Approval** – The above update does not alter the original recommendation as set out within the agenda.

Appendix 1, containing the original Committee Report, follows this page.

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F/YR24/0525/O

**Applicant:** Mr & Mr Cliss

**Agent:** Mr G Boreham  
Morton & Hall Consulting Ltd

**Mayflower, 12A Westfield Road, Manea, March Cambridgeshire PE15 0JG**

**Erect up to 7 x dwellings (outline application with matters committed in respect of access) involving the demolition of existing sheds, formation of a detention pond and associated drainage works**

**Officer recommendation: Grant**

**Reason for Committee: Parish Council comments contrary to Officer recommendation.**

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**Government Planning Guarantee**

**Statutory Target Date For Determination: 30 December 2024**

**EOT in Place: Yes**

**EOT Expiry: 14 March 2025**

**Application Fee: £4368**

**Risk Statement:**

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

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**1 EXECUTIVE SUMMARY**

- |   |
|---|
| <p>1.1. The application seeks outline permission (with matters of access committed) for the development of up to 7 dwellings involving the demolition of an existing shed, formation of a pond, on garden land attributed to Mayflower, 12A Westfield Road, Manea. The existing dwelling would be incorporated into the development</p> <p>1.2. The below assessment considers the matters relating to principle of development, character and amenity, access, flooding and drainage, and biodiversity net gain, and concludes these are acceptable in accordance with local and national planning policy, subject to the imposition of relevant conditions or further information to be submitted during the reserved matters stage.</p> <p>1.3. The Parish Council concerns with respect to the application appear unfounded when considered against the evidence and the relevant policies of the Fenland Local Plan 2014. Accordingly, refusal of the scheme on the basis of the issues raised within the comments received is unjustified in this case and thus, the application is recommended for approval.</p> |
|---|



## 2 SITE DESCRIPTION

- 2.1. Located in Flood Zone 1, the application site is currently garden land attributed to the host dwelling, 12A Westfield Road (Mayflower). The site is accessed via a private drive off the north side of Westfield Road. The host dwelling is a modest single storey dwelling constructed of red brick with a hipped pantile roof.
- 2.2. The overall site comprises a mix of maintained grassland and areas of mature trees and vegetation and is bounded by a mix of 1.8m fencing and vegetation/trees. The site also includes outbuildings and sheds, and an existing pond.
- 2.3. The site is surrounded on all sides by existing residential development.

## 3 PROPOSAL

- 3.1. This application is outline in nature with matters committed in respect of access only, and proposes residential development of up to seven dwellings including the demolition of existing sheds and the formation of a detention pond.
- 3.2. Indicative plans have been submitted indicating that the proposed dwellings would be detached properties including a mix of attached and detached garages. The development is intended to be served by a central private roadway with turning head, with improved access where it meets Westfield Road. The existing dwelling is to be incorporated into the development and will be accessed via the proposed roadway. The existing pond is intended to be enlarged and utilised as a detention basin for the site.
- 3.3. Drainage is indicated to be taken to the north east of the site where it will link with an existing surface water sewer to the north of Cox Way.
- 3.4. Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

## 4 SITE PLANNING HISTORY

- 4.1 While there have been a number of planning applications in the vicinity of the site the only history pertinent to the site is set out below:

F/YR23/0268/O	Erect up to 7no dwellings (outline application with all matters reserved) and retain existing dwelling Mayflower 12A Westfield Road Manea	Withdrawn 22.09.2023
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## 5 CONSULTATIONS

- 5.1. **Manea Parish Council**  
*OBJECT. The proposed access is close to the bends in Westfield Road, inadequate details of disposal of surface water. No proposal to mitigate possible flooding of adjacent properties.*

## 5.2. **Anglian Water Services Ltd**

### **Section 1 - Assets Affected**

*Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.*

### **Section 2 - Wastewater Treatment**

*This development is within the catchment of Manea-Town Lots water recycling centre (WRC), which currently lacks the capacity to accommodate the additional flows that would be generated by the proposed development. However, Manea-Town Lots WRC is included within our submitted Business Plan as a named growth scheme with investment delivery planned between 2025-2030. Our Business Plan is waiting for approval from Ofwat, December 2024, and until such time we cannot confirm this scheme will be included. Once Final Determination has been received from Ofwat we will update stakeholders, if a scheme has subsequently not been identified for investment we will update our planning responses. To ensure there is no pollution or deterioration in the receiving watercourse due to the development foul flows we recommend a planning condition is applied if permission is granted.*

[...]

### **Section 3 - Used Water Network**

*This response has been based on the following submitted documents: Sustainable Drainage Report Final Report dated March 2023 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.*

[...]

### **Section 4 - Surface Water Disposal**

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

*The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. The Sustainable Drainage Report Final Report dated March 2023 submitted with the planning application relevant to Anglian Water states that the surface water from the proposed development site is to be discharge onto Anglian Water surface water network at a restricted rate of 2l/s via a private surface water sewer. Before a connection can be considered into the Anglian Water surface water network the applicant is required to follow the surface water hierarchy. It is stated that infiltration testing has not been carried out. All the connections into Anglian Water surface water network is subject to satisfactory evidence which shows the surface water management hierarchy as outlined in Building Regulations Part H has been fully explored. This would encompass the results from the site-specific infiltration testing and/or*

confirmation that the flows cannot be discharged to a watercourse. These would be required to be carried out before a connection into our network can be considered. We request a condition be applied to the decision notice if permission is granted. Further assessment is required to establish whether network reinforcement is required, please note that this assessment and any necessary reinforcement work will be at the developers cost. We request a condition be applied to the decision notice if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

### **Section 5 - Suggested Planning Conditions**

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

#### **Wastewater Treatment (Section 2)**

Condition: Prior to occupation written confirmation from Anglian Water must be submitted confirming the upgrades at Manea-Town Lots water recycling centre have been completed, and there is sufficient headroom to accommodate the foul flows from the development site.

Reason: To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework.

#### **Surface Water Disposal (Section 4)**

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

### **5.3. CCC Archaeology**

Our records indicate that the site lies in an area of archaeological potential, located on Manea island, an important and favoured location for settlement in the fens. Archaeological investigations have been undertaken to the south, which revealed six phases of activity dating between the 12th and 18th centuries (Cambridgeshire Historic Environment Record reference. MCB24908). This included a number of pits including substantial quantities of domestic waste and fired clay, indicating the presence of an associated settlement in the vicinity. Further activity is known from archaeological investigations to the adjacent east which found further evidence for medieval pitting (CHER ref. MCB19940). A series of find spots to the north-east (CHER ref. 06048), including samian ware, coins and a pewter hoard (CHER ref. 05867) also indicates the presence of an earlier Roman settlement within the vicinity of the development area.

We recommend that due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of

*surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:*

**Archaeology Condition**

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

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

*REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (DLUHC 2023).*

**5.4. FDC Environmental Health**

*The Environmental Health team note and accept the submitted information and in principle have 'No Objections' to the proposed development. In the interests of protecting the amenity of existing nearby residents during the construction phase, this service would request the submission of a Construction Environmental Management Plan (CEMP). This should be in accordance with the template available on the Fenland District Council website.*

**5.5. CCC Highways Authority**

*The proposed junction layout is acceptable to the LHA as it is suitable for the proposed use and has the correct dimensions and visibility splays shown on the plans. Should the development gain the benefit of planning permission I would recommend the following conditions*

**Conditions**

*Access – Prior to first use the junction with the highway will be installed as per approved plan number H8616/04 Rev C.*

**5.6. CCC Definitive Maps Team**

*Public Footpath, Number 2, Manea, runs alongside two boundaries of the proposed site, to the north-west and south-west.*



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

A number of informatives were included to append to any subsequent decision notice.

**5.7. CCC Ecology**

*We welcome the submission of additional ecological information, which addresses our previous concerns.*

*The proposal is acceptable on ecology grounds, providing that mandatory biodiversity net gain is secured through suitably worded conditions / obligations:*

- 1. Informative regarding national condition for Biodiversity Gain*
- 2. Planning condition / Section 106 agreement to monitor delivery of "significant" on-site BNG, including 30 years management*
- 3. Detailed landscape and biodiversity enhancement scheme*
- 4. Wildlife sensitive lighting scheme*
- 5. Time limit to ecological resurvey*

**5.8. Local Residents/Interested Parties**

Objectors

Three letters of objection received from two local addresses within the Old Dairy Yard. Reasons for objection can be summarised as:

- Concerns over flooding and drainage & proposed drainage discharge route;
- Highway safety concerns;
- Possible overlooking; and
- Letters of support do not appear to be from local residents.

Supporters

This application garnered 20 letters of support for the application, most of which were in a pro-forma format, received from various address points within Manea including School Lane, Parkview Lane, Williams Way, Station Road, Cox Way, Westfield Road, High Street, Poppyfields, and Wisbech Road. The reasons for supporting the scheme can be summarised as:

- An ideal location close to amenities;
- Will aid in achieving housing target;
- Manea is identified growth village;
- No flooding concerns;
- Will not be out of character;
- Ties in with planning policy; and
- No highway safety concerns.

**6 STATUTORY DUTY**

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

adopted Fenland Local Plan (2014) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK**

### **7.1. National Planning Policy Framework (NPPF) 2024**

Chapter 2 – Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

### **7.3. National Design Guide 2021**

### **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

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 across the District

LP19 – The Natural Environment

### **7.5. Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

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

### **7.7. Cambridgeshire Flood and Water SPD 2016**

### **7.8. Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP4: Securing Fenland's Future

LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP12: Meeting Housing Needs  
LP22: Parking Provision  
LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP32: Flood and Water Management

## **8 KEY ISSUES**

- **Principle of Development**
- **Character and Amenity**
- **Access and Parking**
- **Flooding and Drainage**
- **Parish Council Objection**
- **Biodiversity Net Gain**

## **9 BACKGROUND**

- 9.1. This application follows a similar previous application for development on the site, F/YR23/0268/O which was withdrawn owing to an outstanding Preliminary Ecology Assessment that would delay determination. The current application includes the appropriate surveys.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1. The spatial strategy and settlement hierarchy for Fenland is set out in Policy LP3 of the Fenland Local Plan (adopted 2014) ('the local plan'). Manea is designated as a growth village whereby development and new service provision either within the existing urban area or as small village extensions will be appropriate, albeit of a considerably more limited scale than is appropriate to the market towns.
- 10.2. The proposed site is set within the built settlement of Manea and would therefore meet Policy LP3 in principle whereby the site is located within a sustainable position within close proximity to bus stops and local village services. Therefore, in the broad terms as set out in Policy LP3, the principle of development would be acceptable.

### **Character and Amenity**

- 10.3. Policy LP16 of the adopted local plan states that high quality environments will be delivered and protected throughout the district. LP16 (e) specifically states that development shall not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light, whilst LP16 (h) states that development shall provide sufficient private amenity space, suitable to the type and amount of development proposed. Policy LP2 echoes LP16 where it states that development should avoid adverse impacts.

- 10.4. Matters of Scale, Layout, Appearance and Landscaping (Design) are reserved matters which do not fall to be considered for the current outline application. However, the submitted indicative site layout plan shows how up to seven detached dwellings with a combination of garages and hardstanding parking spaces could be accommodated at the site to front the proposed spine access road in conjunction with the existing bungalow at No.12A that is due to remain.
- 10.5. The submitted Design and Access Statement states that a mix of house types, including bungalows, chalets and two-storey dwellings, would be provided and that an active street frontage would be maintained. This is broadly considered to be in keeping with the character of the surrounding area. It is expected that the proposed dwellings would reflect the local vernacular with the use of traditional materials and finishes, although specific matters of Appearance are a reserved matter. Additional landscaping and use of a detention basin would be provided to augment the existing pond and existing boundary vegetation would be retained/trimmed back where possible. It is stated that optimum use would be made of sustainable energy sources in accordance with Building Regulations.
- 10.6. The indicated proposed site layout shows that the site would be large enough to reasonably accommodate up to seven new dwellings with appropriately sized rear gardens, separation distances and general layout. Whilst comments regarding possible overlooking are noted, the submitted plans illustrate a scheme which with appropriate detailed design is considered to have the potential to be acceptable in this regard.
- 10.7. Any residential impacts which were to occur could be lessened were existing established flank vegetation to the site to be retained, which is indicated. Additionally, a Construction Environmental Management Plan (CEMP) condition could be imposed on any planning permission granted for the submitted scheme to lessen the incidence of noise and disturbance arising from the development, such as working times, delivery times, storage of plant and machinery and dust prevention measures.
- 10.8. As such, it is considered that the issue of character and residential amenity could be satisfactorily dealt with through the submission of a subsequent reserved matters application to accord with Policies LP2 and LP16.

#### **Access and Parking**

- 10.9. Policy LP15 of the Fenland Local Plan 2014 seeks to ensure safe and convenient access for all within the district.
- 10.10. The application includes the improvement and widening of the existing access off Westfield Road to include extension of existing footpaths within the bell mouth to facilitate a crossing location, leading to a 6m wide private roadway to serve the development. There are suitable parking/turning areas indicated for each proposed dwelling. There is sufficient turning space shown 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 parking requirement is unknown as matters of Layout and Scale are reserved for later approval.



- 10.11. Comments from the Highway Authority raised no concerns regarding highway safety, and had no objection to the proposed access arrangements subject to the access complying with the submitted plans as these depicted appropriate access geometry given the proposed level of use. Accordingly, it is considered that the scheme complies with Policy LP15.
- 10.12. Tracking details have been included to demonstrate that a refuse collection vehicle could satisfactorily access the site and to be turned around in the indicated turning head at the end of the proposed service road to egress the site in forward gear. Accordingly, subject to appropriate indemnities, Local Authority kerbside collections may be possible. Notwithstanding, given this, and that Layout is a reserved matter for the current outline application, it is considered that this issue can be sufficiently addressed at the detailed stage should planning permission be granted for the current outline application. However, it is considered prudent that any subsequent reserved matters submission be accompanied by a refuse collection strategy to inform the final design of the proposed scheme which can be conditioned on any planning permission granted for the current application.

#### **Flooding and Drainage**

- 10.13. Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework set out the policy approach towards development in areas of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding. They also seek to ensure developments remain safe from all sources of flooding.
- 10.14. The application site is located in Flood Zone 1, the area of lowest risk, and thus the development is acceptable with respect to current policy. This application is minor, and given its location in Flood Zone 1, does not trigger statutory consultation with the Environment Agency on this matter. Notwithstanding, it should be noted that the site is designated at “very low” risk of surface water, fluvial or tidal flooding likelihood as detailed on the Environment Agency’s flood risk summary guidance page.
- 10.15. Matters of surface water flooding and foul drainage were noted as concerns within representations received. The application includes an indicative sustainable drainage strategy that considers matters of surface water drainage for the site. The indicative scheme includes a proposed attenuation basin which would serve the proposed development in which surface water from permeable areas would collect before discharging by a flow control device to the surface water sewer to the north of Cox Way. Anglian Water has considered this proposal for surface water run-off and notes that the submitted drainage strategy does not appear to follow the SUDS hierarchy and that direct discharge into an Anglian Water sewer would be the least favourable/sustainable option. However, they did not object to the drainage strategy but recommended a condition regarding a suitable surface water drainage strategy, based upon the SUDs Hierarchy, be submitted.
- 10.16. The submitted drainage strategy indicates that while no infiltration testing has taken place on site other testing in the vicinity has identified the ground conditions as heavy clay which is not suitable for infiltration. The strategy

also states that there are no existing watercourses adjacent to the site which could take surface water. As such the use of a surface water sewer would be the next tier on the hierarchy. While it would be preferable for the drainage hierarchy to have been more fully explored it is not considered unacceptable for this to be addressed via condition with the backstop position of the use of a surface water sewer being available.

- 10.17. With respect to foul drainage, Anglian Water confirmed that the application site is within the catchment of Manea-Town Lots water recycling centre (WRC), which currently lacks the capacity to accommodate the additional flows that would be generated by the proposed development. However, the Manea WRC is included within their Business Plan as a named growth scheme with investment delivery planned between 2025-2030. Consequently, they did not object to the development on the basis of foul drainage, however they did require imposition of a condition to ensure written confirmation of the upgrades to Manea WRC is obtained, and thus capacity available, prior to occupation of the development.
- 10.18. However, on review of this condition, it was considered it would not meet the tests as required by Para. 58 of the NPPF (2024), as it was considered unreasonable to preclude occupation of the development whilst awaiting the outcome of the Manea WRC improvements, that would ultimately be out of the applicant's control and may risk the development standing empty until such time that the infrastructure improvements were in place – which could in itself bring additional issues notwithstanding the foul drainage.
- 10.19. As such, given the known issue relating to the lack of capacity within Manea WRC, and noting Anglian Water's intention to upgrade its infrastructure within Manea by 2030, should the application be approved, it is considered more reasonable in this circumstance to append a condition requiring an appropriate foul drainage scheme to be submitted for approval prior to commencement of the development.
- 10.20. Notwithstanding, it is considered that such matters can be appropriately controlled by condition to ensure the scheme will comply with Policy LP14 and the NPPF.

#### **Parish Council Objection**

- 10.21. Comments from Manea Parish Council in objection to the current outline application for up to seven dwellings is noted, and include concerns regarding highway safety, surface water drainage and possible flooding.
- 10.22. As can be seen in the above assessment, these matters are not subject to any technical objection, and details can be secured by appropriate condition.
- 10.23. As such, the Parish Council concerns with respect to the current application appear unfounded when considered against the evidence and in accordance with Local and National Planning Policy. Accordingly, refusal of the scheme on the basis of the issues raised within the comments received is unjustified in this case.

#### **Biodiversity Net Gain (BNG)**

- 10.24. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on

avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

- 10.25. In accordance with statutory guidelines, the application was supported by a Preliminary Ecology Report (PEA) and a Biodiversity Net Gain Metric and statement. The PEA concluded that there is low potential for the site to support protected species and will benefit from the opportunity for enhancement. These findings were supported by Ecology Officers, who recommended conditions to ensure the scheme is compliant with Policy LP19 and National Policy.
- 10.26. The Biodiversity Statement Results show that there is the potential for the site to have a 10.25% net gain in habitat units and a 179.69% net gain in hedgerow units. As such, a Biodiversity Gain Condition is required to secure provision of these units, along with requirement for a Habitat Management and Monitoring Plan (HMMP) to be approved to ensure habitats (both on and off site) are appropriately managed to achieve their desired condition in perpetuity and ensure the scheme complies with Policies LP16, LP19 and the Environment Act 2021.

## 11 CONCLUSIONS

- 11.1. The objective of an outline application with all matters reserved is to determine if the principle of residential development is acceptable, subject to the reserved matters to be committed at a later stage. The principle of developing the site for residential use is considered acceptable with regard to Policy LP3 of the Fenland Local Plan. Matters of Access were committed within this application, and the scheme is considered appropriate with respect to Policy LP15 under consultation with the Highway Authority.
- 11.2. In other respects, the development could be made acceptable by imposing conditions if planning permission were granted, and there are no material considerations to justify refusal of the scheme. As such a favourable recommendation is forthcoming.

## 12 RECOMMENDATION

**Grant**, subject to the following conditions;

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> <li>i. the layout of the site</li> <li>ii. the scale of the building(s);</li> <li>iii. the external appearance of the building(s);</li> <li>iv. the landscaping</li> </ul> <p>(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.</p>
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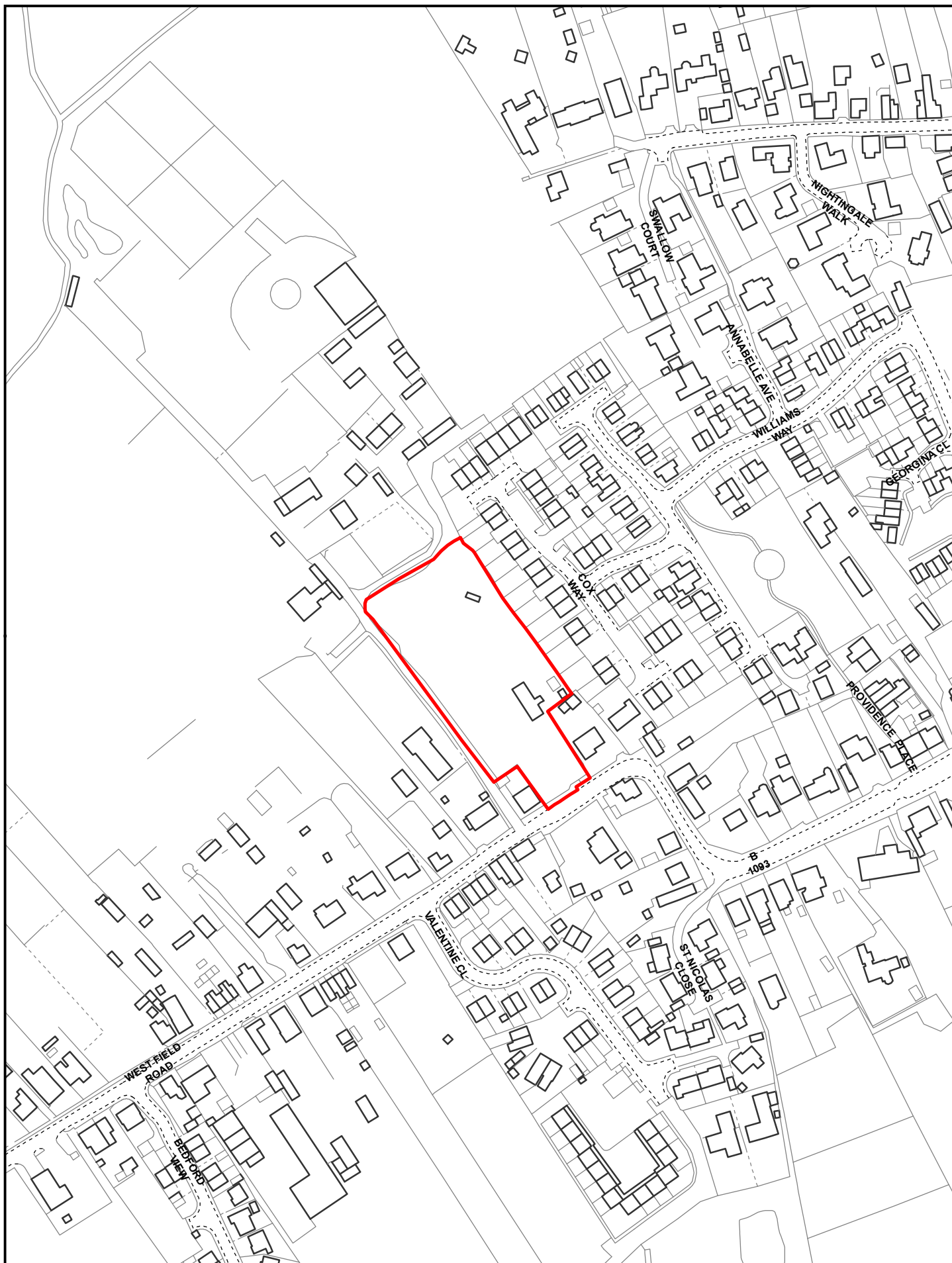
	Reason: To enable the Local Planning Authority to control the details of the development hereby permitted.
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ol style="list-style-type: none"> <li>The statement of significance and research objectives;</li> <li>The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;</li> <li>The timetable for the field investigation as part of the development programme;</li> <li>The programme and timetable for the analysis, publication &amp; dissemination, and deposition of resulting material and digital archives.</li> </ol> <p>Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).</p>
5	<p>Prior to the commencement of any development, a scheme and timetable for the provision, implementation, management, and maintenance of foul and surface water drainage shall be submitted and approved in writing by the Local Authority. The foul water scheme must include written confirmation from Anglian Water that the upgrades at Manea-Town Lots water recycling centre have been completed and there is sufficient headroom to accommodate the foul flows from the development site.</p>



	<p>The works/scheme shall then be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of foul and surface water drainage, to protect water quality, prevent pollution and secure sustainable development and to prevent the increased risk of flooding in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan (Adopted May 2014).</p>
6	<p>No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be created in accordance with the Template available on Fenland District Council Website (<a href="https://www.fenland.gov.uk/planningforms">https://www.fenland.gov.uk/planningforms</a>).</p> <p>Reason: To prevent harm being caused to the amenity of the area in accordance with the provisions of Policies LP2 and LP16 of the Fenland Local Plan (Adopted May 2014).</p>
7	<p>The details submitted in accordance with Condition 01 of this permission shall include a proposed refuse collection strategy for the development hereby approved. Details shall include the location and design of any refuse storage areas and collection points. This should include provision for the storage of three standard sized wheeled bins for each dwelling and details of intended means of refuse collection, including any indemnities where necessary. The refuse collection strategy shall accord with the agreed details and thereafter be retained in perpetuity, unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of waste management and in the interests of amenity and sustainability as required by Policy LP16 of the Fenland Local Plan (Adopted May 2014).</p>
8	<p>Prior to commencement of the use of the development hereby approved, the access shall be fully constructed in accordance with approved plan H8616/04 Rev C, and thereafter retained in perpetuity.</p> <p>Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan (Adopted May 2014).</p>
9	<p>Prior to the occupation of the first of the dwellings hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance</p>

	<p>Company has been established).</p> <p>Reason- To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
10	<p>The details submitted in accordance with Condition 01 of this permission shall include full details of biodiversity enhancements and habitat improvements, including those recommended within the approved Preliminary Ecological Appraisal (Hillier Ecology, Feb 2023). The landscaping and biodiversity enhancement details to be submitted shall include:</p> <ul style="list-style-type: none"> <li>a) planting plans to all areas, retained hedge and trees, species, numbers, size and density of planting; the planting shall be sufficient to result in overall no net loss of biodiversity,</li> <li>b) placement, type, number and details of any recommended biodiversity enhancements and habitat improvements,</li> <li>c) means of enclosure noting that all new garden fencing should be designed to allow hedgehogs to be able to pass through the fencing</li> <li>d) details of bird and bat boxes (including elevation drawings)</li> <li>e) details of siting and timing of all construction activities to avoid harm to all nature conservation features</li> <li>f) a timetable for landscaping and biodiversity enhancement implementation, and</li> <li>g) management and maintenance details.</li> </ul> <p>The approved biodiversity enhancement scheme shall be carried out prior to the occupation of the dwellings and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.</p> <p>Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014 (Adopted May 2014).</p>
11	<p>Within 6-months of the commencement of development hereby approved, a scheme for the provision of external lighting relating to all dwellings and common areas within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to occupation of any dwellings and retained thereafter in perpetuity.</p> <p>The external lighting shall be carefully designed for wildlife, in accordance with recommendation set out in the Preliminary Ecological Appraisal, and baffled downwards away from the retained trees, boundary vegetation and hedgerows/scrub corridors.</p> <p>Reason: To protect the biodiversity value of the habitat within the</p>

	site from ongoing operations in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014.
12	<p>If the development hereby approved does not commence within 2 years from the date of this permission, the approved ecological measures secured through the condition above shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to establish if there have been any changes in the presence and/or abundance of breeding birds or bats; and identify any likely new ecological impacts that might arise from any changes.</p> <p>Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.</p> <p>Reason: To ensure compliance with the Wildlife and Countryside Act and to protect features of nature conservation importance in relation to any on-site changes in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
13	<p>Prior to the commencement of any development, a Biodiversity Gain plan shall be submitted to and approved in writing by the Local Planning Authority;</p> <p>The Biodiversity Gain plan shall deliver a minimum of 10% biodiversity net gain and will include as a minimum, where applicable:</p> <ul style="list-style-type: none"> <li>i) Details regarding how the biodiversity gain hierarchy has been applied;</li> <li>ii) Details regarding proposed significant on-site biodiversity enhancements; and/or;</li> <li>iii) Details regarding proposed significant off-site biodiversity gains;</li> <li>iv) A completed pre and post development biodiversity metric calculation; and</li> <li>v) A Habitat management and monitoring plan for both on and off site improvements.</li> </ul> <p>The approved plan will be implemented within 1 year of the approval and so maintained for at least 30 years after the development is completed.</p> <p>Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).</p>
14	Approved Plans



Created on: 27/06/2024

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**F/YR24/0525/O**

Scale = 1:2,500



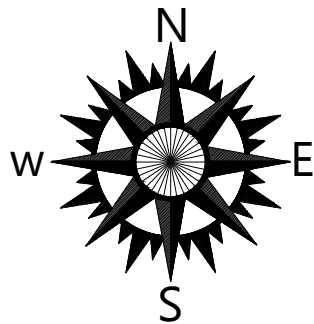




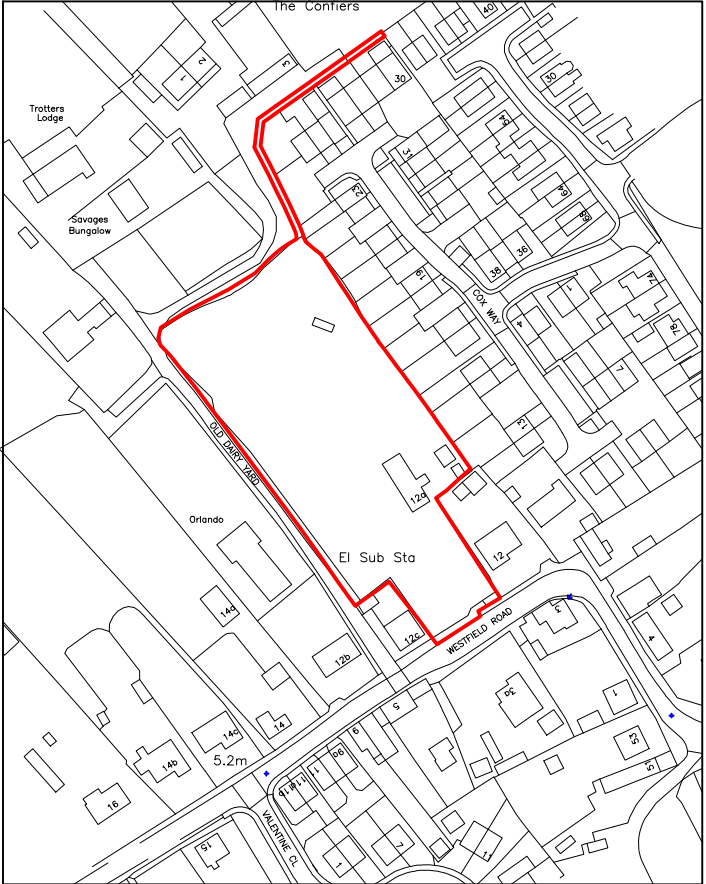
EXISTING SITE PLAN (1:500)

LEGEND :

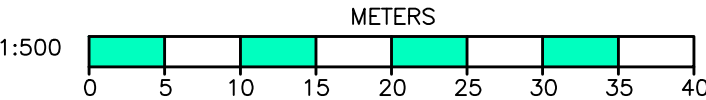
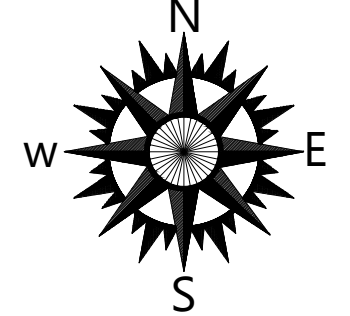
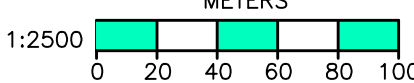
- SLAB PAVING
- PERMEABLE BLOCK PAVING (NON SLIP)
- GRASS
- TARMAC
- GRAVEL
- EXISTING DWELLINGS
- PAVEMENT
- WHEELIE BINS
- HEDGING
- VEGETATION
- EXISTING SURFACE WATER SEWER



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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  
All finishes, insulation and damp-proofing to architect's details



LOCATION PLAN (1:2500)



C	RED LINE AMENDED	SEP 2024
B	RED LINE AMENDED	SEP 2024
A	SURFACE WATER SEWERS ADDED	NOV 2022
REVISIONS		DATE

**MORTON & HALL**  
CONSULTING LIMITED  
CONSULTING STRUCTURAL ENGINEERS

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Fax: 01354 660467  
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Fenland District Council

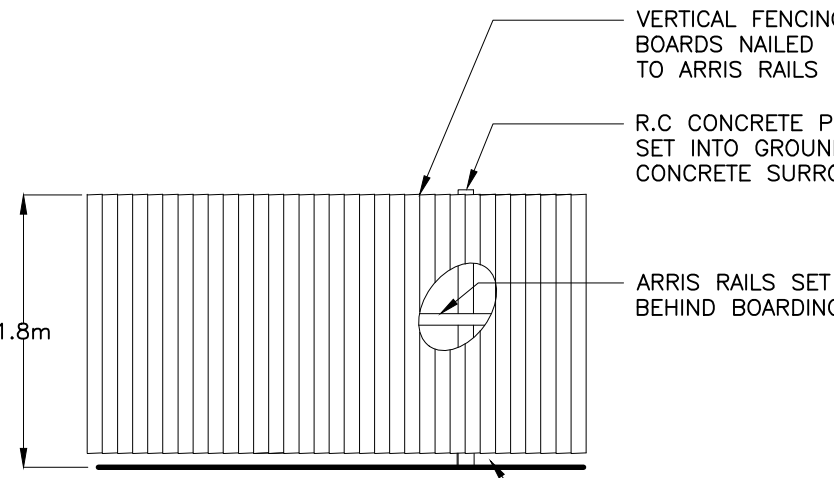
Building Design Awards  
winner  
Building Excellence in Fenland

CLIENT		Mr T. Cliss & Mr T. Cliss	
PROJECT		Site Off 12a Westfield Road, Manea, camb PE15 0JG	
TITLE		Existing Site Plan & Location Plan	
DRAWN	G.Boreham	DATE OF ISSUE	
CHECKED		DRAWING NUMBER	H8616/02 c
DATE	Nov 2022	SCALE	AS SHOWN

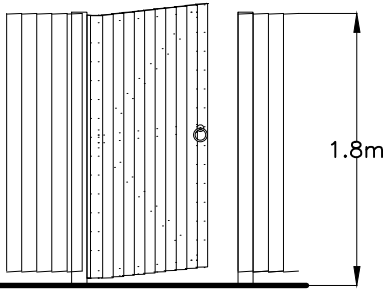




PROPOSED SITE PLAN WITH  
INDICATIVE LAYOUT (1:250)



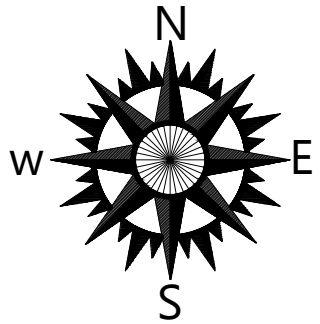
1.8m CLOSE BOARDED FENCE  
DETAIL (1:50)



GATE DETAIL (1:50)

LEGEND :

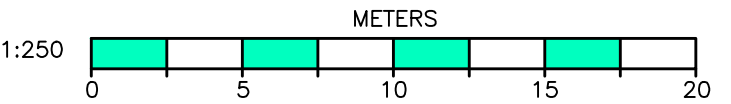
- SLAB PAVING
- PERMEABLE BLOCK PAVING (NON SLIP) (TERRACOTTA)
- PERMEABLE BLOCK PAVING (NON SLIP) (CHARCOAL)
- GRASS
- TARMAC
- GRAVEL
- EXISTING DWELLINGS
- PAVEMENT
- WHEELIE BINS
- HEDGING
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The contractor is to arrange inspections of the works by 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

DWELLINGS :

- PLOT 1: 4 BEDROOM TWO STOREY DWELLING
- PLOT 2: 4 BEDROOM TWO STOREY DWELLING
- PLOT 3: 4 BEDROOM TWO STOREY DWELLING
- PLOT 4: 4 BEDROOM CHALET DWELLING
- PLOT 5: 4 BEDROOM TWO STOREY DWELLING
- PLOT 6: 4 BEDROOM TWO STOREY DWELLING
- PLOT 7: 4 BEDROOM TWO STOREY DWELLING



C A	PLANNERS COMMENTS DIMENSIONS ADDED	JUN 2024 SEP 2023
	REVISIONS	DATE

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Website: www.mortonconsultingengineers.co.uk

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

CLIENT	Mr T. Cliss & Mr T. Cliss
PROJECT	Site Off 12a Westfield Road, Manea, camb PE15 0JG
TITLE	Proposed Site Plan with Indicative Layout
DRAWN	G.Boreham
CHECKED	
DATE	Nov 2022
SCALE	1:250
DATE OF ISSUE	
DRAWING NUMBER	H8616/04



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**F/YR24/0793/F**

**Applicant:** Mr Neil Giddings  
Finesse Paving and Civil  
Engineering Ltd

**Agent:** Mr G Boreham  
Morton & Hall Consulting Ltd

**Land South East Of Aberfield, Well End, Friday Bridge, Cambridgeshire**

**Erect 9 x dwellings (3 x 2-storey 4-bed, and 6 x 2-storey 3-bed), and the formation of 3 x accesses and extension of existing footpath**

**Officer recommendation: Grant**

**Reason for Committee: Number of objections contrary to Officer recommendation.**

---

## **Government Planning Guarantee**

**Statutory Target Date For Determination: 25 November 2024**

**EOT in Place: Yes**

**EOT Expiry: 11 April 2025**

**Application Fee: £5202**

**Risk Statement:**

**This application must be determined by 11 April 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- |   |
|---|
| <p>1.1. The application seeks full planning approval for the erection of 9no. dwellings, the formation of 3no. accesses and the extension of an existing footpath, on land South East Of Aberfield, Well End, Friday Bridge, Cambridgeshire.</p> <p>1.2. The site benefits from extant Outline planning permission for the erection of up to 6 dwellings and the formation of a new access, granted in June 2023.</p> <p>1.3. The below assessment considers the matters relating to principle of development, character and amenity, highway safety, flooding and drainage, and biodiversity net gain, and are considered acceptable in accordance with local and national planning policy, subject to the imposition of relevant conditions.</p> <p>1.4. Accordingly, the recommendation is to grant the application.</p> |
|---|

## **2 SITE DESCRIPTION**

- 2.1. The application site is located on the northern side of Well End, Friday Bridge. The current use of the site is agriculture, with the current access to the field being taken off Well End. The site is approximately 0.48 hectares in size.
- 2.2. The northern-eastern edge of the application site is bordered by open countryside, with the north-western and south-eastern edge bordering onto neighbouring dwellings. To the south-west the site fronts onto Well End.
- 2.3. The site is all located within Flood Zone 1. This equates to a very low risk meaning that this area has a chance of flooding of less than 0.1% each year.

## **3 PROPOSAL**

- 3.1. The application seeks full planning permission for the erection of 9 dwellings, the formation of 3no. accesses and the extension of an existing footpath. The proposed dwellings comprise 3 x detached dwellings with attached garages, which would sit on the western part of the site and 3 pairs of semi-detached dwellings to the eastern side of the site. The proposed dwellings are slightly differing in architectural design and scale as 3 house types:

- 3.2. House Type 1 – Plot 1 - Detached

On the ground floor of House Type 1 includes a single integral garage, entrance hall, snug/office, living room, open plan kitchen/diner/sitting area, utility room and WC. On the first floor 4 bedrooms are proposed with 2 ensuites and a family bathroom surrounding a landing space.

The dwelling would measure approximately:

14.8m max width

13.8m max depth

8.3m max roof pitch height to main dwelling

5m max roof pitch height to garage

- 3.3. House Type 2 – Plots 2 & 3 (handed) - Detached

On the ground floor of House Type 2 proposes an attached double garage with bedroom over as a forward projection, entrance hall, snug/office, boot room, living room, open plan kitchen/diner/sitting area, pantry, utility room and WC. On the first floor of the main dwelling a further 3 bedrooms are proposed all with ensuite.

The dwellings would measure approximately:

11.9m max width

19.6m max depth

9m max roof pitch height to main dwelling

6.6m max roof pitch height to garage

- 3.4. House Type 3 – Plots 4 - 9 – Semi-Detached

Made up of three pairs, these semi-detached dwellings will include a porch, lounge, office, kitchen/diner, utility room and WC on the ground floor, with three bedrooms, 1 ensuite, and a family bathroom on the first floor.



Each pair would measure approximately:  
 12.3m max width  
 12.7m max depth  
 8.6m max roof pitch height to main dwelling  
 3.8m max roof pitch height to porch

- 3.5. Proposed materials include:  
 Walls – Vandersanden Flemish Antique facing bricks (Plots 2, 4, 5, 8, & 9),  
 Vandersanden Corum facing bricks (Plots 1, 3, 6, & 7)  
 Roof – Grey Slate tiles (All plots)  
 Fenestration – Anthracite Grey UPVC windows and doors (All plots)
- 3.6. The scheme is also intended to include three new accesses, one shared between Plots 1 & 2, another shared between plots 6-9, and a central access for serve plots 3, 4 & 5, which will also include field access to the land behind. Each dwelling will include shared driveways/turning areas with space with designated parking, landscaped areas to front and private gardens to the rear, the front boundaries are shown as new hedgerow, with 1.8m close boarded fencing between rear garden spaces.
- 3.7. A proposed footpath is proposed to link to existing footway to the northeast and southwest of the site.
- 3.8. Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

#### 4 **SITE PLANNING HISTORY**

	Erect up to 6 x dwellings and the formation of a new access (outline application with all matters reserved)	Granted 05.06.2023
F/YR23/0106/O		

#### 5 **CONSULTATIONS**

##### 5.1. **Elm Parish Council**

*Elm Parish Council supports proposals submitted under planning application ref. F/YR24/0793/F.*

*Elm Parish Council has no further comments to submit in respect of application ref. F/YR24/0793/F on condition that;*

- (i) Any land ownership/boundary line issues are fully resolved,*
- (ii) Recommendations advised by Cambs County Highways in respect of highway safety are fully implemented.*

##### 5.2. **Environment & Health Services (FDC)**

*The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal.*

*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 a condition requiring 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.*

**5.3. Cambridgeshire County Council Highways Authority**

**Recommendation**

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

**Comments**

*Following the previous planning consultation, dated 8th October, revised drawings have been submitted in support of the proposed development.*

*The previous consultation response requested a condition that footways with a width of 2m be provided along the site frontage, however, the Proposed Site Plan (drawing ref. H9529/10 Rev P) demonstrates that this footway will be required to be reduced in width at its extent to tie-in with the existing footway due to land ownership constraints.*

*It is acceptable in this location that there may need to be a reduction in this width to tie in with the existing footway, however, this would be reviewed and agreed by the engineer at the time of more detailed submissions, ensuring that the footway would be either within land under the control of the applicant or within highway which will be reviewed as part of a detailed engineering scheme to be submitted to and approved by the LPA.*

*In the event that the LPA are mindful to approve the application, please append the Conditions and Informatives from the previous consultation response, dated 8th October.*

**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 area has been subject to archaeological evaluation which found a low level of archaeology. We would therefore not have any further requirements for this application.*

**5.5. Local Residents/Interested Parties**

*The LPA received 21 letters of objection to the scheme from 11 address points including, Well End & Elm High Road, Fridaybridge; Wickfield Court, Wisbech; and Regent Avenue, March.*

*Reasons for objection can be summarised as:*

- Loss of available verge parking on Well End;
- Overdevelopment;
- Local facilities unable to cope;
- Highway safety concerns;
- Impact on countryside character;
- Loss of farmland;
- Ecological concerns;
- Concerns over land ownership and right of access;
- Concerns over drainage;
- Residential amenity disturbances from additional dwellings;
- Proposed dwellings out of character with existing development;

## **6 STATUTORY DUTY**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK**

### **7.1. National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

### **7.3. National Design Guide 2021**

### **7.4. Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

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

LP18 – The Historic Environment

LP19 – The Natural Environment

7.5. **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

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

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

DM2 – Natural Features and Landscaping Schemes

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

7.7. **Cambridgeshire Flood and Water SPD 2016**

7.8. **Cambridgeshire and West Suffolk Housing Needs of Specific Groups 2021**

7.9. **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP4: Securing Fenland's Future

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP12: Meeting Housing Needs

LP18: Development in the Countryside

LP19: Strategic Infrastructure

LP20: Accessibility and Transport

LP22: Parking Provision

LP24: Natural Environment

LP25: Biodiversity Net Gain

LP27: Trees and Planting

LP28: Landscape

LP32: Flood and Water Management

**8 KEY ISSUES**

- **Principle of Development**
- **Impact on Character**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Highway Safety**
- **Land Ownership**
- **Ecological impacts & Biodiversity Net Gain (BNG)**



## **9 BACKGROUND**

- 9.1. This application site benefits from extant Outline planning permission for the erection of up to 6 dwellings and the formation of a new access, granted in June 2023.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1. Policy LP3 of the Fenland Local Plan denotes Friday Bridge as a limited growth village. 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. It is considered, having regard to the site's location relative to existing built form which straddles it, that proposal would accord with the spatial aims for housing growth in this settlement. Notwithstanding, development of the site for residential use has been accepted by virtue of the granting of outline planning consent under F/YR23/0106/O which remains extant. This carries significant weight in considering this latest application.

### **Impact on Character**

- 10.2. Policy LP16 (d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.3. The application site currently comprises open agricultural land and forms a gap in the existing frontage with a number of dwellings either side of the proposed site and opposite. As such, the site lends itself to appropriate development that conforms to the core shape of the settlement. The proposal seeks a linear frontage development, that would be in keeping with the existing form. Thus, whilst there would be a localised change in character resulting from development of a currently agricultural plot of land, residential development within this gap is appropriate given the predominate character of its surrounds. Concerns over a loss of view of this open land from dwellings opposite are not a material planning consideration.
- 10.4. The nature of the local area is largely residential, with residential dwellings located on both sides of Well End. There is no distinctive character of the local area in terms of design of dwellings, with Well End benefitting from a complete mix of styles and scales, ranging from bungalows, semi-detached dwellings to larger detached properties.
- 10.5. The site adjoins a bungalow, Aberfield, to its northwestern end whilst a 2-storey dwelling, known as The Rest, sits to its western end. Whilst proposed as 2-storey dwellings, plot 1, situated at the northwestern end of the site, includes a single storey garage to its northern flank, which will aid in the transition between the adjoining single-storey Aberfield and the remainder of

the development, allowing a gradual increase in roof heights within the streetscene. In addition, the dwellings are proposed to include gable roof lines, some with front cross gable projections or porches, which are reflective of a number of dwellings in the vicinity.

- 10.6. As such, the proposed scheme, comprising a mix of detached and semi-detached two storey properties will not be incongruous with the local streetscene. Furthermore, it is considered that the mixed design of the dwellings and varying, yet complimentary materials palette would not result in a detrimental impact to the local vernacular.
- 10.7. As such, it is considered that the scheme would comply with the requirements of Policy LP16 (d) with respect to its impact on character.

#### **Residential Amenity**

- 10.8. Policy LP2 seeks to ensure a positive living environment for Fenland residents and Policy LP16 (e) seeks to ensure that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light.
- 10.9. Plot 1, proposed nearest to the bungalow to the northwest of the site (known as Aberfield) is intended as House Type 1, a detached dwelling with attached single garage at approximately 14.8m max width x 13.8m max depth x 8.3m max roof pitch height. The garage, positioned nearest the existing bungalow, would reach approximately 5m to the ridge, which is similar to the eaves height of the adjacent Aberfield.
- 10.10. The main 2-storey element of the dwelling proposed at Plot 1 would be approximately 6m away from the neighbouring bungalow. Whilst this is a relatively close proximity, the inclusion of a 5m high attached garage to the dwelling's northern side will allow some transition between the single storey dwelling at Aberfield and the proposed 2-storey dwelling at Plot 1.
- 10.11. The proposed dwelling at Plot 1, will include only one facing window toward Aberfield, which is indicated as a secondary window within the kitchen/diner. This window will be set approximately 11m from the dwelling at Aberfield. Furthermore, boundaries between the two dwellings are proposed as 1.8m close boarded fencing to the rear and newly planted hedgerow to the front, which should offer sufficient screening between the two properties and will limit any potential overlooking from ground floor windows.
- 10.12. The proposed dwelling, as two storey, positioned approximately 6m southeast of Aberfield (a single storey dwelling), there may be limited impacts from overshadowing owing to the cardinal directions and height differential between the properties. However, desk investigations conclude that shadows will be limited to a short window within the afternoon, and usually only within the winter months, when the sun is lower in the sky. As such, it is considered that any overshadowing impacts would not be severe and as such refusal of the scheme on the basis of overshadowing would be unjustified.

- 10.13. As such, it is considered that no significant harm will occur due to loss of light, overlooking, overshadowing or noise to Aberfield to the northwest.
- 10.14. The house type closest to the dwelling to the east of the site (Plots 8 & 9) would be a semi-detached pair (House Type 3). This pair would be approximately 12.3m max wide x 12.7m max deep x 8.6m max roof pitch height.
- 10.15. The dwelling proposed on Plot 9 would be more than 34m away from the neighbouring dwelling to the east known as The Rest and as such no significant harm due to loss of light, overlooking, overshadowing or noise is anticipated this side.
- 10.16. Whilst concerns regarding overdevelopment and additional residential amenity issues, such as increased noise or disturbance, are noted, it is considered that the development of an additional 9 dwellings within an already built-up frontage would not result in undue levels of noise or disturbance over and above the usual levels found within a residential area.
- 10.17. The development will offer appropriate levels of occupier amenity, with residential gardens in accordance with the minimum requirements of Policy LP16 (h). First floor openings are limited on the side elevations of the detached dwellings, with first floor windows depicted as obscure glazed on the submitted plans that can be secured by condition. There are intended bedroom windows within the side elevations of the semi-detached pairs, however these are appropriately spaced (of between 6.5 and 7.5m approximately), with the dwellings separated by driveways that will limit potential overlooking.
- 10.18. It is noted that existing overhead power lines will be apparent crossing the private amenity space of Plot 9 to the east of the site. The lines will cross to the eastern side of the plot away from the dwelling. UK Power Networks were consulted regarding the position of the proposed dwellings with respect to the existing power lines, however no comments were forthcoming.
- 10.19. In respect of amenity, the presence of the power lines will be notable to occupiers of Plot 9. However, it is considered that any future occupants will be aware of, and accept, any impact of the proposed lines crossing their property. It is understood there are no proposals to relocate these lines, and in the absence of comment by UK Power Networks, it is recommended that the applicant seek advice from UK Power Networks directly regarding any necessary safety considerations with respect to the development and the nearby lines; however such matters do not preclude planning permission to be granted, should the LPA be minded to approve.
- 10.20. Given the above, it is considered that the proposal offers acceptable levels of residential amenity for both existing neighbours and future occupiers in accordance with Policies LP2 & LP16.

#### **Flood Risk and Drainage**

- 10.21. Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework set out the policy approach towards

development in areas of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding. They also seek to ensure developments remain safe from all sources of flooding.

- 10.22. The application site is located in Flood Zone 1, the area of lowest risk, and thus the development is acceptable with respect to current policy. As such it is not necessary to submit a flood risk assessment or sequential/exception test for the proposed development. This application is minor, and given its location in Flood Zone 1, does not trigger statutory consultation with relevant agencies on this matter. Notwithstanding, it should be noted that the site is designated at “very low” risk of surface water, fluvial or tidal flooding likelihood as detailed on the Environment Agency’s flood risk summary guidance page.
- 10.23. Matters of drainage were noted as concerns within representations received. The application includes an indicative sustainable drainage strategy, supported by calculations, that concludes that the site can be drained effectively by means of infiltration via soakaways. The scheme included details of the application for land drainage consent lodged with Middle Level Commissioners. However, Middle Level Commissioners made no comment in regard to consultation for this application.
- 10.24. Given the above, it is considered that the proposal is acceptable in respect of Policy LP14.

#### **Highway Safety**

- 10.25. Policy LP15 of the Fenland Local Plan 2014 seeks to ensure safe and convenient access for all within the district.
- 10.26. Local residents have expressed concerns regarding the access arrangements to the proposed site, as well as the development being located on the bend of Well End. The Parish Council noted that they were supportive of the scheme, providing any recommendations by the Highway Authority were heeded.
- 10.27. The application will see the creation of 3 access points into the development site, with extension of creation of a public footpath linking existing infrastructure at either end of the site. It is noted that the proposed footpath will be required to be reduced in width at its extent to tie-in with the existing footway due to land ownership constraints, which is acceptable providing a detailed engineering scheme is subsequently approved by the LPA in consultation with the Highway Authority.
- 10.28. Matters relating to the loss of parking on the land by other residents is not a material consideration in this application, on the basis that the current arrangement is informal and such arrangements can not preclude appropriate development from taking place. Policy requires development proposals to offer appropriate levels of parking in relation to the quantum of development proposed and the scheme is considered to comply with the requirements of Appendix A of Policy LP15. There are suitable parking/turning areas indicated for each proposed dwelling and there is



sufficient turning space shown to allow vehicles to enter and exit in a forward gear. Accordingly, whilst the loss of informal parking for other residents is regrettable, there is no Policy constraint that requires the development to facilitate additional parking to compensate for this loss and such matters do not justify refusal of the scheme.

- 10.29. Comments from the Highway Authority raised no concerns regarding highway safety in respect of the proposals, and had no objection to the proposed access arrangements subject to conditions. Accordingly, it is considered that the scheme complies with Policy LP15, subject to appropriate conditions.

#### **Land Ownership**

- 10.30. A number of representations were received relating to matters of right of way and/or land ownership.
- 10.31. Right of way across privately owned land is prohibited without prior permission of the land owner(s). Such matters are not material planning considerations and as such does not form part of this assessment. Any issues with regard to right of way or land ownership are civil matters between private parties and are separate from the planning considerations that underpin this assessment.

#### **Ecological impacts & Biodiversity Net Gain (BNG)**

- 10.32. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.33. The application was supported by a Preliminary Ecological Appraisal field survey and eDNA water sample test for breeding great crested newts at a ditch within 250m of the site.
- 10.34. The PEA concluded that the site was found to have limited botanical interest with no evidence of protected species identified upon the site. A drainage ditch within 65m of the site to the northeast was found to have average potential for breeding great crested newts; however the subsequent eDNA water sample test provided a negative test result.
- 10.35. Onsite habitat is considered predominantly poor for commuting and foraging bats although anecdotal and video evidence of bat activity to the north was obtained in association with garden habitats and an onsite cherry tree was categorised as having low potential for roosting bats. There was no further potential for protected species although it was noted that hedgehog could potentially use the site.
- 10.36. No further surveys are required to inform an impact assessment of the proposed development. As such, it is considered that with the implementation of appropriate mitigation and enhancement, potential

negative impacts to protected and notable species can be avoided and will provide permanent nesting and roosting features that are currently unavailable, providing these are secured by condition.

- 10.37. Furthermore, the Biodiversity Net Gain assessment concluded the development will see a 16.38% gain using both onsite and offsite biodiversity units.
- 10.38. As such, a Biodiversity Gain Condition is required to secure provision of these units, along with requirement for a Habitat Management and Monitoring Plan (HMMP) to be approved to ensure habitats (both on and off site) are appropriately managed to achieve their desired condition in perpetuity. Furthermore, conditions regarding the recommended ecological enhancements within the PEA can be imposed to ensure the scheme complies with Policies LP16, LP19 and the Environment Act 2021.

## 11 CONCLUSIONS

- 11.1. The proposal is considered acceptable and accords with the necessary policies of the Fenland Local Plan. It represents minimal issues in terms of visual amenity and is acceptable in design, residential amenity, highway safety, flood risk and ecology terms, subject to necessary conditions. Accordingly, a favourable recommendation is forthcoming.

## 12 RECOMMENDATION

**Grant**, subject to the following conditions;

1	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development shall take place until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be created in accordance with the Template available Fenland District Council Website (<a href="https://www.fenland.gov.uk/planningforms">https://www.fenland.gov.uk/planningforms</a>).</p> <p>Reason: To prevent harm being caused to the amenity of the area in accordance with the provisions of Policies LP2 and LP16 of the Fenland Local Plan (adopted May 2014).</p> <p>This is a pre-commencement condition to ensure that the neighbouring amenity is not compromised during the construction phase of the development and to ensure all contractors are aware of their responsibilities in this regard.</p>

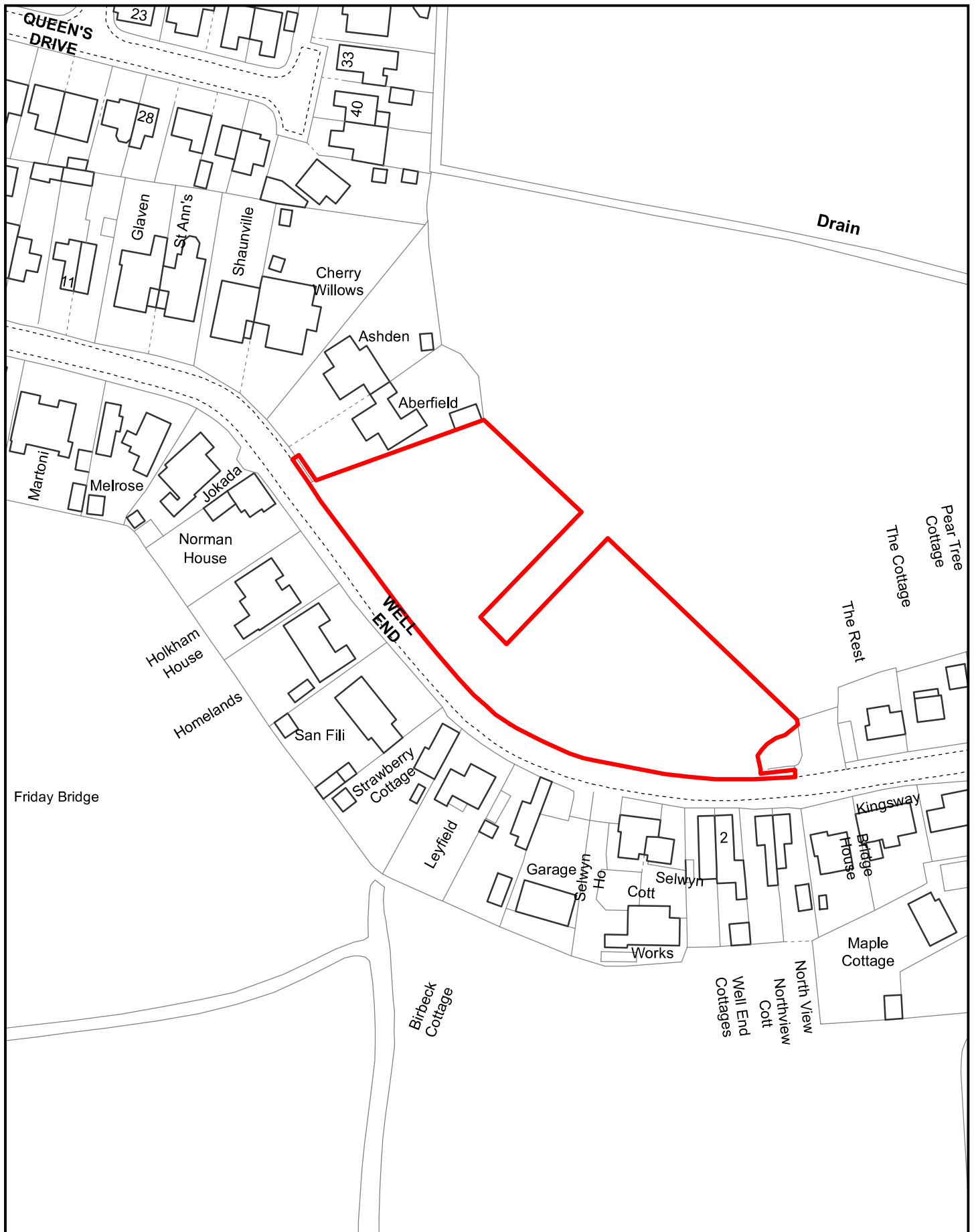
3	<p>The accesses as detailed on the plan reference: H9529/10 Revision P shall be provided fully in accordance with the approved plan prior to the first occupation of any dwelling to which the access relates. The access arrangement shall thereafter be retained as per the approved details in perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (adopted May 2014).</p>
4	<p>Prior to the first occupation of the development hereby permitted a footway of a minimum width of 2 metres (except where approved lesser widths are necessary to tie in with existing provision) shall be provided along the northern side of Well End, as shown on approved drawing number H9529/10 Revision P.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
5	<p>Prior to the first occupation of the development hereby approved, both vehicular and pedestrian visibility splays shall be provided from the proposed accesses, in full accordance with the details indicated on approved drawing number H9529/11 Revision K, and shall be maintained free from any obstruction over a height of 600 mm and maintained as such in perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (adopted May 2014).</p>
6	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, amending or re-enacting that order), no gates or other means of enclosure shall be erected across or within 10metres of the residential vehicular accesses hereby approved.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
7	<p>Temporary facilities and materials storage area shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.</p> <p>Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway in accordance with Policy LP15 of the Fenland Local Plan (adopted May 2014).</p>
8	<p>Notwithstanding the details on the approved plans, prior to the occupation of the proposed development hereby approved the vehicular accesses shall be constructed to include the provision</p>

	<p>of a metalled/sealed surface for a minimum length of 10m from the existing carriageway edge and shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.</p> <p>Reason: To ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
9	<p>Prior to the first occupation of the dwelling(s) to which they relate, the vehicle turning and parking spaces as shown on approved drawing number H9529/10 Revision P shall be provided and shall be retained thereafter in perpetuity.</p> <p>Reason: To ensure the permanent availability of the parking / manoeuvring areas, in the interests of highway safety and to ensure compliance with Policy LP15 of the Fenland Local Plan (adopted May 2014).</p>
10	<p>The development hereby approved shall be finished externally in materials as depicted on the approved plans, namely:</p> <p>Walls: Vandersanden Flemish Antique bricks (Plots 2, 4, 5, 8, &amp; 9); Vandersanden Corum bricks (Plots 1, 3, 6, &amp; 7); Roof: Grey Slate tiles (All plots); and Joinery: Anthracite Grey UPVC (All plots)</p> <p>Reason: To safeguard the visual amenities of the area and ensure compliance with Policy LP16 of the Fenland Local Plan (adopted May 2014).</p>
11	<p>Notwithstanding the details on the approved plans, any proposed first floor windows on the side elevations of Plots 1 – 3 (except where serving bedrooms) shall be obscure glazed and so maintained as such in perpetuity thereafter.</p> <p>Reason: To safeguard the amenities of future occupiers and those currently enjoyed by the occupants of adjacent dwellings in accordance with Policies LP2 and LP16 of the Fenland Local Plan (adopted May 2014).</p>
12	<p>Prior to the first occupation of the dwelling(s) to which they relate, the boundary treatments hereby permitted shall be constructed in accordance with the details specified on approved plan H9529/10 Revision P and shall be retained thereafter in perpetuity.</p> <p>Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with Policy LP16 of the Fenland Local Plan (adopted May 2014).</p>
13	<p>The development hereby permitted shall be carried out in</p>



	<p>accordance with the approved Ecological Impact Assessment (TORC Ecology, Sept 2024) and in particular the mitigation and enhancements set out in Section 6.</p> <p>Reason: To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to protect features of nature conservation importance in accordance with Policy LP19 of the Fenland Local Plan (adopted May 2014).</p>
14	<p>Prior to development above slab level, details of at least 1no. bat and 1no. bird boxes per dwelling shall be submitted to and approved in writing by the Local Planning Authority. The details shall include design, location and number of bat &amp; bird boxes to be installed. The agreed details shall then be implemented prior to first occupation of the development hereby permitted and retained in perpetuity thereafter.</p> <p>Reason - To secure the long-term protection of the birds and bats at the site in accordance with Policy LP19 of the Fenland Local Plan (adopted May 2014).</p>
15	<p>If the development hereby approved does not commence within 12 months from the date of the planning consent, the approved ecological measures secured through other conditions shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:</p> <ul style="list-style-type: none"> <li>i) establish if there have been any changes in the presence and/or abundance of species (e.g. bats, birds and badgers) and</li> <li>ii) identify any likely new ecological impacts that might arise from any changes.</li> </ul> <p>Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.</p> <p>Reason: In order to ensure that compliance with Section 1 of the Wildlife and Countryside Act 1981 (as amended) with respect to specially protected bird species and to provide biodiversity mitigation in line with the aims of the National Planning Policy Framework and Policy LP19 of the Fenland Local Plan (adopted May 2014).</p>
16	<p>All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil</p>

	<p>preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan (adopted May 2014).</p>
17	<p>Prior to the commencement of any development, a Biodiversity Gain plan shall be submitted to and approved in writing by the Local Planning Authority;</p> <p>The Biodiversity Gain plan shall deliver a minimum of 10% biodiversity net gain and will include as a minimum, where applicable:</p> <ul style="list-style-type: none"> <li>i) Details regarding how the biodiversity gain hierarchy has been applied;</li> <li>ii) Details regarding proposed significant on-site biodiversity enhancements; and/or;</li> <li>iii) Details regarding proposed significant off-site biodiversity gains;</li> <li>iv) A completed pre and post development biodiversity metric calculation; and</li> <li>v) A Habitat management and monitoring plan for both on and off site improvements.</li> </ul> <p>The approved plan will be implemented within 1 year of the approval and so maintained for at least 30 years after the development is completed.</p> <p>Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).</p>
18	Approved Plans



Created on: 01/10/2024

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**F/YR24/0793/F**

Scale = 1:1,250



Fenland District Council

# LEGEND:



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Please read, if in doubt ask. Change nothing without consulting the Engineer.

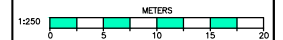
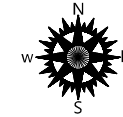
Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and CEN 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 BCP (or WBIC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.

All finishes, insulation and damp-proofing to architect's details.

## PROPOSED SITE PLAN (1:250)



REVISIONS	DATE
P	DEC 2024
O	OCT 2024
N	AUG 2024
M	AUG 2024
K	JUN 2024
J	JUN 2024
F	JUN 2024
H	JUN 2024
G	JUN 2024
E	JUN 2024
D	MAY 2024
C	MAY 2024
B	MAR 2024
A	MAR 2024

**MORTON & HALL CONSULTING LIMITED**  
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E-mail: info@mortonhall.co.uk  
Website: www.mortonhallconsulting.co.uk

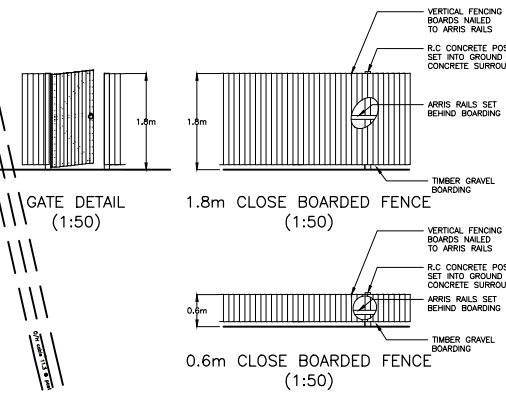
Fenland District Council  
Building Design Awards  
Building Excellence in Fenland

**Finesse Paving and Civil Engineering Ltd**

**Land South East of Aberfield, Well End, Friday Bridge, Cambs PE14 0HQ**

**Proposed Site Plan & Details**

DESIGN	G. Boreham	DATE OF ISSUE	
ISSUED		DATE	
REV	Feb 2024	REVISION NUMBER	
BY	As Shown		H9529/10 <sub>p</sub>





**F/YR25/0036/PIP**

**Applicant: Mr Daniel Samuel**

**Agent :**

**Land South Of Poppyfields, Wimblington Road, Manea, Cambridgeshire**

**Permission in principle to erect up to 9 x self-build dwellings**

**Officer recommendation: Refuse**

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

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## **Government Planning Guarantee**

**Statutory Target Date For Determination: 12 February 2025**

**EOT in Place:** No, this was requested but not agreed

**EOT Expiry:** N/A

**Application Fee:** £5030

**Risk Statement:**

**This application must be determined by 30<sup>th</sup> April 2025 otherwise the Council is required to refund the fee of £5030. The application is already out of time and will therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- |   |
|---|
| <p>1.1 This application seeks 'Permission in Principle' (PiP) for residential development of up to 9 dwellings, where only in principle issues are assessed, namely the location, use and amount of development. All matters of detail would be subject to a Technical Details application should this submission be successful and accordingly, matters raised by consultees may not be addressed at this time.</p> <p>1.2 This site is considered to be located beyond the established settlement of Manea and development of this site would introduce a formal, in-depth, estate type development into the open countryside, which does not respect the rural character, it would result in an unacceptable urbanisation and set a precedent for future development, further eroding the open character of this area.</p> <p>1.3 The site is not considered to be sustainably linked to even the most basic facilities, there is no footpath along Wimblington Road, a 60mph road with no street lighting and there are no bus stops in the vicinity of the site. Hence there is no scope for the use of modes of active travel or public transport to reach essential services, and future residents would have no option but to use private modes of transport.</p> <p>1.4 The site lies wholly within Flood Zone 3 and the application is not accompanied by a sequential test and as such insufficient assessment has been undertaken</p> |
|---|

and inadequate information submitted to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding

- 1.5 The application site is approximately 2.3km from the Ouse Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site and may provide functional land that is important to the maintenance of populations of Whooper and Bewick's swans. The application is not supported by any ecological evidence and as such insufficient information has been submitted to inform the required Habitat Regulations Assessment.
- 1.6 The application site is indicated as being in an area of potential deep peat, and insufficient information has been submitted to verify the actual soil conditions, as such the application has failed to demonstrate that a development on this site would not impact deep peat with the potential for carbon release.
- 1.7 As such, the application is recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1 The site comprises approximately 0.99ha of agricultural (paddock) land located to the south of the dwelling 'Poppyfields' and to the northwest of the settlement of Manea.
- 2.2 The site is predominantly grassland, with some mounded soil areas, access into the site appears to be gravel, leading to a further area of hardstanding (neither of which appear to have the benefit of planning permission). The site is bounded by low post and rail fencing and has overhead cables and associated easement which bisects the site. It is located in Flood Zone 3, the highest risk of flooding and parts of the site are indicated to be high to medium risk of surface water flooding. There is a public footpath that runs along the ditch on the eastern side of the site.

## **3 PROPOSAL**

- 3.1 The 'Permission in Principle' (PiP) application is for residential development of up to 9 self-build dwellings. The current proposal is the first part of the permission in principle application, which only assesses the principle issues namely:
  - (1) location,
  - (2) use; and
  - (3) amount of development proposed,
- 3.2 This seeks to establish whether the site is suitable in principle. Should this application be successful, the applicant would have to submit a Technical Details application covering all other detailed material planning considerations. The approval of PiP alone does not constitute the grant of planning permission.
- 3.3 Full plans and associated documents for this application can be found at:

## 4 SITE PLANNING HISTORY

None of relevance to the site itself however the following relate to Poppyfields:

F/YR10/0510/F	Removal of condition 2 of planning permission F/97/0428/F relating to agricultural occupancy	Granted 318/2010
F/YR01/0060/F	Conversion of existing garage to office, utility room and garden store and erection of detached double garage	Granted 7/3/2001
F/97/0428/F	Erection of a 2-bed detached 2-storey dwelling with attached double garage	Granted 22/10/1997

## 5 CONSULTATIONS

### 5.1 Parish Council

*Object:*

*Poor access*

*On a dangerous bend*

*Rear land development*

*Not conducive to the street scene*

*In Flood zone*

*Sets a precedent*

*No 106 provision*

### 5.2 Cambridgeshire County Council Archaeology

*I am writing with regards to the archaeological implications of the above referenced application. The proposed development is in an area of archaeological potential to the north of the settlement of Manae, but following the 'raised' fen island that stretches away from the main settlement to the north west. These area of raised ground surrounded by deeper fen deposits are known foci for archaeological activity particularly in the prehistoric and Roman Periods. Our records support this, although most archaeological investigations previously undertaken have been further south within the main settlement, our records indicate the presence of a Bronze age Barrow (or burial mound) within the vicinity (Cambridgeshire Historic Environment Record ref.05969), as well as Bronze Age Finds (CHER 05970). Just to the north of the proposed site Mesolithic Flint scatters have been recorded (CHER 05971), and further to the northwest more Bronze Age Barrows have been record (CHER 07806, 05964).*

*We are 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 could be secured at Technical Details stage.*

### 5.3 Cambridgeshire County Council Highways (24/1/25)

*On the basis of the information submitted, from the perspective of the Development Management Team, I consider the proposed development is acceptable.*

#### **Comments**

*This development is accessed off a private drive which has a suitable vehicle junction arrangement for this number of dwellings. The proposal shows a single track road leading to the development past this junction which includes a vehicle waiting area. There is no passing places along this track. However, I do not believe this to be of concern to the highways authority as drivers will be able to see on coming vehicles and wait for them to pass at either end.*

*Although, I would recommend that the CCC Rights of Way Team are consulted as Footpath Number. 15 appears to run along this track.*

#### **5.4 Cambridgeshire County Council Highways (12/2/25)**

The following comments were made to a local resident who raised concerns to the LHA regarding the access:

*The development site access with the highway was investigated before the response was submitted. It was found that the existing vehicle access is sufficient for the proposed development and there has been no police recorded accidents within the last 5 years in this location / near vicinity, the visibility from this access point is also acceptable. As such the highway authority has no grounds to object or recommend the refusal of this proposed development. Should the planning authority wish to object on highways grounds it is their prerogative as the legally responsible authority. However, the highway authority can only respond to any application with the data available to them at the time of submission.*

#### **5.5 Cambridgeshire County Council Definitive Map Team**

*Public footpath No. 3, Manea runs along the access to the development site. To view the location of the footpath please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.*

- *The application proposes to change the surface of the Manea Public Footpath 3 with a sustainable permeable surface. The applicant cannot change the surface of a public right of way without authorisation, our Change of Surface Authorisation Form can be found here: <https://www.cambridgeshire.gov.uk/asset-library/prow-change-of-surface-authorisation-request-v1.0.docx> All proposals that would involve a change to the surface of any part of a public right of way in Cambridgeshire are now required to follow an authorisation process. This Policy was approved on 7 March 2023 and sits within the Highway Operational Standards at Appendix T. Highway policies and capital maintenance programme - Cambridgeshire County Council*
- *In reference to page 2 of the supporting statement, the public right of way is a footpath only, and is not suitable for cyclists.*
- *There is no legally defined and recorded width for Public Footpath No. 3, Manea, which abuts the development. Where there is no legally defined width for a public right of way, we are not able to advise what the width would be. As the dimensions are not known, we cannot guarantee that the applicant would not be encroaching upon the highway. The applicant therefore would proceed with any development that might affect the highway at their own risk.*

*Whilst the Definitive Map Team have no objection to the proposals, the above information remains pertinent and should be considered by the applicant.*



## *Informatives*

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

- Public footpath No. 3, Manea 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 [ROW] 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).*
- It is the responsibility of the Applicant to ensure that any works which may result in a material loss of established vegetation and/or damage to existing ecosystems (including potentially both habitats and protected species) within the existing public right of way or adjoining land, comply with relevant legislation and that any supplementary permits or permissions are secured prior to undertaking their public rights of way works.*
- If temporary closures are required during construction work, this requires a Temporary Traffic Regulation Order (TTRO). Please apply to the Street Works Team, further information regarding this can be found on the County Council's website at <https://www.cambridgeshire.gov.uk/residents/travel-roads-and-parking/roads-and-pathways/highway-licences-and-permits/>.*

### **5.6 Environmental Health (FDC)**

*The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to have a detrimental effect on local air quality, adversely impact the local amenity due to excessive artificial lighting 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 the future, this service may recommend a condition on working time restrictions during the construction phase due to the close proximity to existing noise sensitive receptors.*

### **5.7 Environment Agency**

*Thank you for your consultation dated 20 January 2025. We have reviewed the documents as submitted and in principle we have no objection to this planning application.*

*The proposed development is located within our Hazard Mapping area. We expect a Flood Risk Assessment (FRA) to be submitted with the Technical Details consent that highlights the flood risk associated on site and demonstrates that the development is compatible and in line with local and national planning policies, including the National Planning Policy Framework (NPPF).*

## **5.8 Middle Level Commissioners IDB**

*Further to previous correspondence with your authority and in view of the continuing problems in the area the Board has requested that the Commissioners write to your authority to express concern and advise that it wishes to oppose this planning application until a suitable solution, that meets the Boards requirements, has been reached.*

*Items of concern include, but are not limited to:*

*A. The area has a history of poor drainage and localised flooding some of which is unsubstantiated or has not been formally reported. However, your Council will have noted the concerns received from the members of the public which specifically refer to this issue.*

*B. Treated foul effluent water discharges into the Boards system via Manea Town Lots WRC. However, it is noted that in recent months the Environment Agency have objected to developments intending to use the WRC stating that “.. the discharge is exceeding the limits set for its environmental permit to discharge treated flows to a surface waterbody which in this case is the drain under the jurisdiction of the Manea and Welney Internal Drainage Board which forms part of the Old Bedford and Middle Level catchment”.*

*As a result, the Board will not recommend the issuing of consents to the discharge of either surface or treated foul effluent into watercourses in its District until these matters are resolved to its requirements.*

*A more detailed response is currently being prepared and will endeavour to do this before the weekend.*

## **5.9 Natural England**

### **SUMMARY OF NATURAL ENGLAND’S ADVICE**

#### **FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES**

*As submitted, the application could have potential significant effects on Ouse Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. Further information is required in order to determine the significance of these impacts and the scope for mitigation.*

*The following information is required:*

- LPA’s Habitats Regulations Assessment (HRA) screening decision*
- Ecologically sensitive design requirements*
- ALC soil survey, including peat presence and depth*

*Without this information, Natural England may need to object to the proposal.*

*Please re-consult Natural England once this information has been obtained.*

## **5.10 Local Residents/Interested Parties**

*27 objections have been received (19 of which are from Manea) in relation to the following:*

- Highway safety (dangerous bend, visibility, 60mph road, accidents, extra traffic, traffic assessment required)
- Flood Zone 3
- Surface water flooding
- Not in keeping with rural area/sporadic nature of development
- Footpath into the village not always accessible (over grown/flooded)
- Concerns regarding introduction of sensitive use on existing businesses
- Proposed road is a public footpath
- Creating an estate outside the settlement
- Set a precedent
- No footpath along Wimblington Road/not possible to walk to station
- Infrastructure capacity in village
- Impact on biodiversity
- Detailed flood risk assessment required
- Village needs small, affordable, first-time homes
- Impact of construction

30 supporting comments have been received (6 of which are from Manea, including the applicant's address), in relation to the following:

- Opportunity to relocate to Manea and purchase one of plots to build dream home
- Public footpath linking site to village
- Close to railway station/amenities
- Building plots for larger properties/executive homes which are in demand
- Self builds
- Off street parking
- Environmentally friendly
- Suitable access
- Provide local employment opportunities
- Support the village facilities

Comments where they relate to relevant planning considerations will be assessed in the sections below, however it should be noted that this is a Permission in Principle (PiP) application which seeks to establish only whether the site is suitable in principle, all other details and information submitted are purely indicative at this stage.

## **6 STATUTORY DUTY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021)

## **7 POLICY FRAMEWORK**

### **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport  
Chapter 11 – Making effective use of land  
Chapter 12 – Achieving well-designed places  
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 – Conserving and enhancing the natural environment

### **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP19 – The Natural Environment

### **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

### **Cambridgeshire Flood and Water SPD 2016**

#### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP11: Community Safety

LP12: Meeting Housing Needs

LP13: Custom and Self Build



LP18: Development in the Countryside  
LP20: Accessibility and Transport  
LP21: Public Rights of Way  
LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP32: Flood and Water Management

## **8 KEY ISSUES**

- 8.1 This application is made pursuant to the Town and Country Planning (Permission in Principle) Order 2017 (as amended) (PiP regulations) that provides opportunity for an applicant to apply as to whether 'Permission in Principle' is acceptable for a site, having regard to specific legislative requirements and, in accordance with the NPPG (58-012-20180615) as to whether the location, land use and amount of development proposed is acceptable. The permission in principle (PiP) consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The approval of PiP alone does not constitute the grant of planning permission.
- 8.2 The PiP consent 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.
- 8.3 Evaluation of a PIP must be restricted to the issues highlighted above; even if technical issues are apparent from the outset they can form no part of the determination of Stage 1 of the process. Accordingly, matters raised by consultees may not be addressed at this time.

## **9 ASSESSMENT**

### **Location and Land Use**

- 9.1 Policy LP3 of the Fenland Local Plan defines Manea as a growth village. For these settlements, development and new service provision either within the existing urban area or as small village extensions will be appropriate, albeit of a considerably more limited scale than appropriate to market towns. Development not falling into one of the defined village hierarchies will fall into the "elsewhere" category and will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services or to minerals and waste development.
- 9.2 Policy LP12, Part A states that "*new development will be supported where it contributes towards the sustainability of that settlement and does not harm the wide-open character of the countryside*" and the following criteria:
- (a) *The site is in or adjacent to the existing developed footprint of the village;*  
*and*
  - (b) *It would not result in coalescence with any neighbouring village; and*
  - (c) *It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland*
  - (d) *The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance; and*

- (e) *It would not extend linear features of the settlement or result in ribbon development; and*
- (f) *The site retains and respects natural boundaries such as trees, hedgerows, embankments and drainage ditches; and*
- (g) *The site retains and respects ecological, heritage and biodiversity features; and*
- (h) *It would not result in the loss of important open space within the village; and*
- (i) *It would not result in the loss of high-grade agricultural land, or if so, comprehensive evidence is provided to justify the loss. This should include an assessment of all alternative reasonable opportunities in the locality to develop on lower grades of agricultural land; and*
- (j) *It would not put people or property in danger from identified risks; and*
- (k) *It can be served by sustainable infrastructure provision, such as surface water and wastewater drainage and highways.*

The developed footprint referred to in criteria (a) is further defined in a footnote as “the continuous built form of the settlement and excludes:

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

- 9.3 This site is considered to be clearly located beyond the established settlement of Manea; with the form of land and buildings in the vicinity relating more to the surrounding countryside than the built-up area of development, there is no footpath or street lighting along Wimblington Road, with the nearest bound footpath being at the junction with Station Road, some 590m distant.
- 9.4 Development of this site would introduce what would inherently be a formal, in-depth, estate type development into the open countryside, which does not respect the rural character, it would result in an unacceptable urbanisation and set a precedent for future development, further eroding the open character of this area. As such, the proposal is considered contrary to Policy LP12 Part A (a), (c) and (d) which seek to ensure development is in or adjacent the existing developed footprint of the village, is in keeping with the core shape and form of the settlement and would not have an adverse impact on the character and appearance of the surrounding countryside. Furthermore, Policy LP16 (d) of the Fenland Local Plan, Policy DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, paras 135 and 187 of the NPPF and chapters C1 and I1 of the NDG seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area, recognise the beauty and character of the countryside and do not adversely impact on the landscape character.
- 9.5 The site is not considered to be sustainably linked to even the most basic facilities, there is no footpath along Wimblington Road, a 60mph road with no street lighting and there are no bus stops in the vicinity of the site. As such there is no scope for the use of modes of active travel or public transport to reach essential services and future residents would have no option but to use private modes of transport. It is acknowledged that the applicant refers to the public footpath which runs alongside the site, however this is unmade, unlit and across fields which cannot be

said to provide a suitable sustainable link to services and facilities. As such the proposal is in conflict with the aims of Chapter 9 of the NPPF and Policies LP2, LP12 Part A (k) and LP15 of the Fenland Local Plan 2014. This further reinforces the unsustainable location of the site for unjustified new housing and provides an example for the rationale for the Council's settlement strategies under LP3 – in terms of placing people and property in the most sustainable location to safely access services and facilities and improve accessibility for everyone by all modes of travel.

- 9.6 It is acknowledged that the description of development relates to self-build dwellings. However, even if the Council has a shortfall in the delivery of self-build and custom build plots (which is not considered to be the case), the PPG advises that no conditions nor mechanism can be secured by way of a planning obligation on a Permission in Principle. Therefore, such self-build plots could not be secured as part of the application and hence no weight is afforded to this consideration.
- 9.7 The point of access to the site is the existing access serving Poppyfields off Wimblington Road, with a narrow (approximately 2m where it meets the existing access) access road extending approximately 140m to the main part of the site. The Local Highways Authority are content that the existing junction is suitable for the proposed development. Of some concern to Officers however is the narrowness and extent of the access and the suitability of this, in addition it is questionable whether a suitable access within the site could be achieved at Technical Details stage, not least that as the site is at 09.972ha currently any additional land would exceed the 1ha limit for this type of application. Furthermore, there is a public right of way along the eastern side of the site, the Definitive Map Team have advised that there is no legally defined and recorded width for this. The access to the site is in close proximity and may therefore encroach within this, which again could result in difficulty obtaining a suitable access to the site at Technical Details stage should this application be successful. Nevertheless, given that this would form a consideration at Technical Details stage rather than Permission in Principle, this is not put forward as a reason for refusal.
- 9.8 The site lies wholly within Flood Zone 3; Policy LP12 Part A (j) seeks to ensure that developments would not put people or property in danger from identified risks, such as flooding. Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seek to steer developments to the areas with the least probability of flooding and development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The application is not accompanied by a sequential test and as such insufficient assessment has been undertaken and inadequate information submitted to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding and as such the development is contrary to the aforementioned policies.
- 9.9 The application site is approximately 2.3km from the Ouse Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. The development triggers Natural England's 'Goose & Swan Functional Land' Impact Risk Zone (IRZ) for the Ouse Washes due to the potential for surrounding agricultural land to provide important winter roosting and foraging habitat for Ouse Washes qualifying bird species. Suitable arable / grassland habitat, particularly in such close proximity to the internationally designated sites, may provide functional land that is important to the maintenance of populations of Whooper and Bewick's swans. The application is not supported by any ecological evidence and as such insufficient information has

been submitted to inform the Habitat Regulations Assessment 'likely significant effect' screening and the proposal is considered contrary to Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 187 of the NPPF 2024.

- 9.10 Furthermore, Natural England's high level indicative mapping shows that the application site is located in an area of potential deep peat, and as such they advise that an Agricultural Land Classification (ALC) survey should be undertaken to verify the actual soil conditions and enable consideration of the sustainable use and management of peat soils, to ensure their protection and minimise production of carbon emissions through their loss and degradation. Natural England's advice is that new development should avoid peat soils to leave this important carbon sink intact and prevent release of CO<sub>2</sub> and/or methane into the atmosphere. Chapter 11 of the NPPF seeks to safeguard land for carbon storage and Chapter 14 of the NPPF and the aims of Policy LP14 of the Fenland Local Plan seek to avoid carbon emissions in order to mitigate against climate change. The application has not been accompanied by an ALC survey and as such has failed to demonstrate that a development on this site would not impact deep peat with the potential for carbon release, contrary to the aforementioned policies.
- 9.11 The site comprises of approximately 0.99ha of Grade 2 Agricultural land, classed as very good. 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. Para 187 of the NPPF 2024 recognises the intrinsic character and beauty of the countryside, including the economic and other benefits of the best and most versatile (BMV) agricultural land (defined as Grades 1, 2 and 3a) and para 188 (footnote 65) advises that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.
- 9.12 Having regard to the wider mapping, it is acknowledged that a significant majority of the Fenland District falls within the BMV land with only the urban areas of the main Market Towns, the Kings Delph and Morton's Leam areas and the north of March including the prison area falling within the lower grades. As such, it is recognised that there are very few areas of poorer quality agricultural land, and it would not be possible therefore for Fenland to meet its housing demands without developing areas of BMV land.
- 9.13 This does not however confer that all agricultural land should be developed, especially where it relates more to open countryside than to the settlement and Officers consider that this is the intention of LP12, Part A (c), supported by the preamble at paragraph 4.7.1 of the Fenland Local Plan. An assessment however should be made as to the relationship of the land to the open countryside, in comparison to the built envelope of the settlement. As stated in the section above, the application site is considered to relate more to the open countryside than the built form, though it is acknowledged that 0.99ha is not significant in the context of BMV land within Fenland.
- 9.14 Whilst the policies of the emerging local plan carry extremely limited weight in decision making the following are relevant to this application:

Policy LP1, Part A identifies Manea as a large village; Part B advises that land outside settlement boundaries is defined as countryside where development is restricted (as set out in LP18), this site is outside of the defined settlement and Part C would not be applicable as the proposal is not frontage infill development. LP49 defines residential site allocations in Manea and this site does not have such

an allocation. As such the proposal is also considered contrary to the aforementioned policies of the emerging local plan.

### **Amount of development proposed**

- 9.15 The proposal is for up to 9 dwellings on a site of approximately 0.99ha, equating to approximately 9 dwellings per hectare, it could therefore be argued that this development does not make an effective use of land. Nevertheless, policies LP12 (c) and (d) and LP16 (d) require development to respond to the local character in this regard, and the introduction of 9 dwellings in this location would result in an unacceptable urbanisation and set a precedent for future development, further eroding the open character of this area, contrary to the aforementioned policies.

### **9.16 Other matters raised during consultation:**

Impact on biodiversity/BNG	<p>The LPA duty under Section 40 of the Natural Environment and Rural Communities Act 2006 as amended, has been considered.</p> <p>In other application types such as outline and full applications, an ecological survey and if necessary further species surveys would be needed up front to accompany the application. This application if successful, would not be granting planning permission.</p> <p>Ecological information should be submitted at the Technical Details stage (if this first stage were successful) and taken into account then, consulted upon and the decision, including potential refusal or conditions, should be based upon the findings of said ecological information.</p> <p>If this PiP were successful, it would not prevent proper consideration of ecological issues at the next stage and it would not alter duties of landowners/developers to comply with other legislation such as the Wildlife and Countryside Act in the meantime.</p> <p>The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), but the subsequent technical details consent (as a grant of planning permission) would be subject to the biodiversity gain condition.</p>
Working Time Restrictions	<p>The Council's Environmental Health team have requested a condition regarding working time restrictions be appended to any future Technical Details application due to the proximity of existing noise sensitive receptors.</p>



Archaeology	The site lies in an area of archaeological interest and as such CCC Archaeology have requested to be consulted on any future applications on this site, with the expectation that a condition of development, if required, could be secured at Technical Details stage.
Surface Water Flooding and Site Specific Flood Risk Assessment	Part of the site has a medium to high risk of surface water flooding and lies within Flood Zone 3 in relation to flooding from rivers and the sea. As such, should this application be successful a Site Specific Flood Risk Assessment and Drainage Strategy would be required as part of any Technical Details application.
Manea-Town Lots water recycling centre (WRC)	Anglian Water advised on 28/2/25 that funding has now been confirmed for the Manea WRC and that on this basis they can withdraw any holding objections and recommend a condition in respect of this matter, which could be imposed at Technical Details stage should this application be successful.

## 10 CONCLUSIONS

- 10.1 This application seeks 'Permission in Principle' (PiP) for residential development of up to 9 dwellings, where only in principle issues are assessed, namely the location, use and amount of development. All matters of detail would be subject to a Technical Details application should this submission be successful and accordingly, matters raised by consultees may not be addressed at this time.
- 10.2 This site is considered to be located beyond the established settlement of Manea and development of this site would introduce a formal, in-depth, estate type development into the open countryside, which does not respect the rural character, it would result in an unacceptable urbanisation and set a precedent for future development, further eroding the open character of this area.
- 10.3 The site is not considered to be sustainably linked to even the most basic facilities, there is no footpath along Wimblington Road, a 60mph road with no street lighting and there are no bus stops in the vicinity of the site. Hence there is no scope for the use of modes of active travel or public transport to reach essential services, and future residents would have no option but to use private modes of transport.
- 10.4 The site lies wholly within Flood Zone 3 and the application is not accompanied by a sequential test and as such insufficient assessment has been undertaken and inadequate information submitted to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding
- 10.5 The application site is approximately 2.3km from the Ouse Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of

Conservation (SAC) and Ramsar site and may provide functional land that is important to the maintenance of populations of Whooper and Bewick's swans. The application is not supported by any ecological evidence and as such insufficient information has been submitted to inform the required Habitat Regulations Assessment.

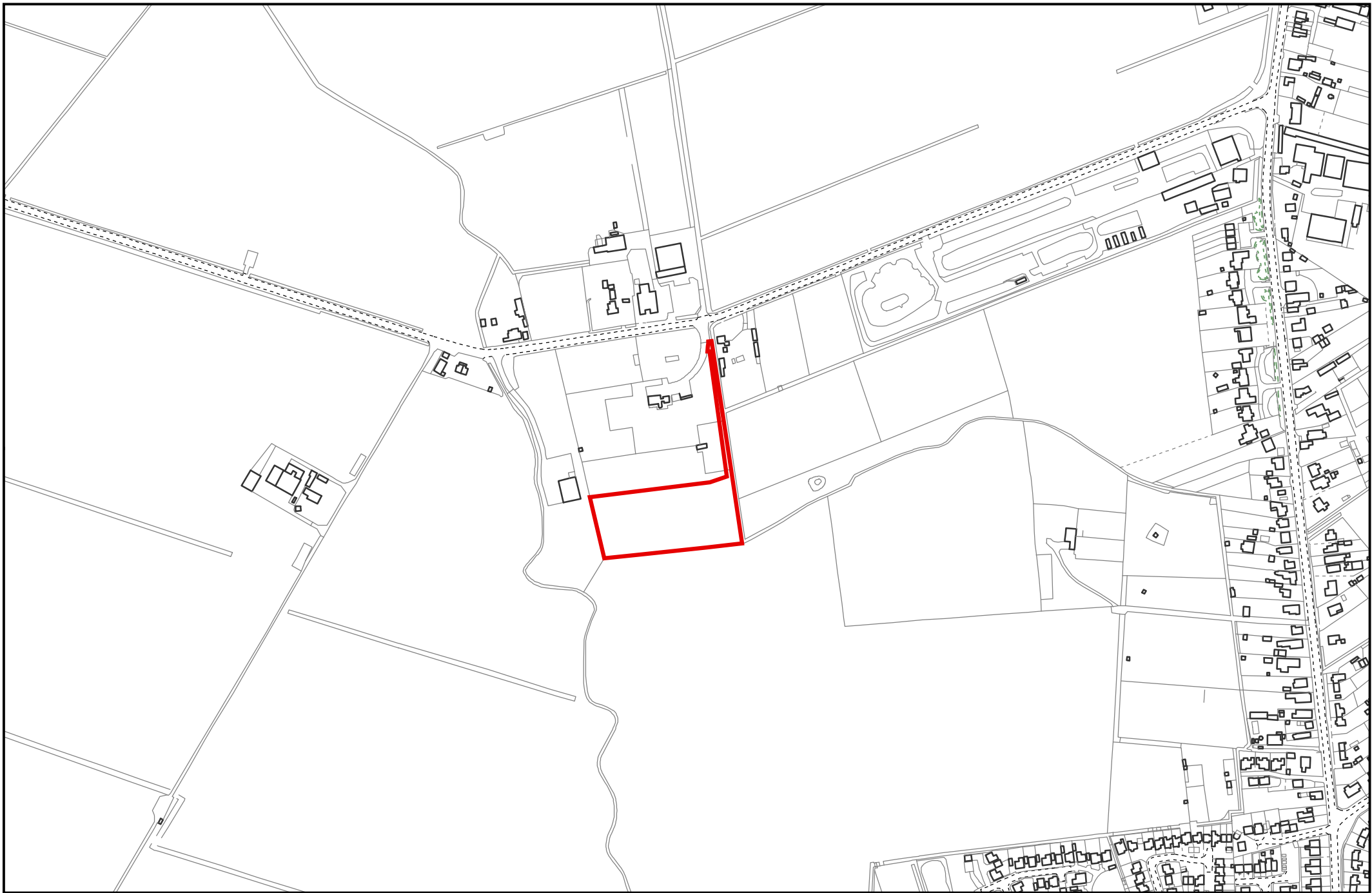
- 10.6 The application site is indicated as being in an area of potential deep peat, and insufficient information has been submitted to verify the actual soil conditions, as such the application has failed to demonstrate that a development on this site would not impact deep peat with the potential for carbon release.

## 11 RECOMMENDATION

**Refuse;** for the following reasons:

1.	<p>This site is considered to be located beyond the established settlement of Manea and development of this site would inherently introduce a formal, in-depth, estate type development into the open countryside, which does not respect the rural character, it would result in an unacceptable urbanisation and set a precedent for future development, further eroding the open character of this area. As such, the proposal is considered contrary to Policy LP12 Part A (a), (c) and (d) which seek to ensure development is in or adjacent the existing developed footprint of the village, is in keeping with the core shape and form of the settlement and would not have an adverse impact on the character and appearance of the surrounding countryside.</p> <p>Furthermore, Policy LP16 (d) of the Fenland Local Plan, Policy DM3 of Delivering and Protecting High Quality Environments in Fenland SPD, paras 135 and 187 of the NPPF and chapters C1 and I1 of the NDG seek to ensure that developments make a positive contribution and are sympathetic to the local distinctiveness and character of the area, recognise the beauty and character of the countryside and do not adversely impact on the landscape character. As such, the proposal is also considered contrary to these policies.</p>
2.	<p>The site is not considered to be sustainably linked to even the most basic facilities, there is no footpath along Wimblington Road, a 60mph road with no street lighting and there are no bus stops in the vicinity of the site. Hence there is no scope for the use of modes of active travel or public transport to reach essential services, and future residents would have no option but to use private modes of transport.</p> <p>As such the proposal is in conflict with the aims of Chapter 9 of the NPPF and Policies LP2, LP12 Part A (k) and LP15 of the Fenland Local Plan 2014 which seek to ensure that proposals are afforded safe access to services and facilities and improved accessibility for everyone by all modes of travel.</p>
3.	<p>The site lies wholly within Flood Zone 3; Policy LP12 Part A (j) seeks to ensure that developments would not put people or property in danger from identified risks, such as flooding. Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seek to steer developments to the areas with the least probability of flooding and development will not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.</p> <p>The application is not accompanied by a sequential test and as such</p>

	<p>insufficient assessment has been undertaken and inadequate information submitted to demonstrate that it is not possible for the development to be located on a site with a lower risk of flooding and as such the development is contrary to the aforementioned policies.</p>
4.	<p>The application site is approximately 2.3km from the Ouse Washes Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar site. The development triggers Natural England's 'Goose &amp; Swan Functional Land' Impact Risk Zone (IRZ) for the Ouse Washes due to the potential for surrounding agricultural land to provide important winter roosting and foraging habitat for Ouse Washes qualifying bird species. Suitable arable / grassland habitat, particularly in such close proximity to the internationally designated sites, may provide functional land that is important to the maintenance of populations of Whooper and Bewick's swans.</p> <p>The application is not supported by any ecological evidence and as such insufficient information has been submitted to inform the Habitat Regulations Assessment 'likely significant effect' screening and the proposal is considered contrary to Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and Paragraph 187 of the NPPF 2024.</p>
5.	<p>Natural England's high level indicative mapping shows that the application site is located in an area of potential deep peat, and as such an Agricultural Land Classification (ALC) survey is required to verify the actual soil conditions and enable consideration of the sustainable use and management of peat soils, to ensure their protection and minimise production of carbon emissions through their loss and degradation.</p> <p>Chapter 11 of the NPPF seeks to safeguard land for carbon storage and Chapter 14 of the NPPF and the aims of Policy LP14 of the Fenland Local Plan seek to avoid carbon emissions in order to mitigate against climate change. The application has not been accompanied by an ALC survey and as such has failed to demonstrate that a development on this site would not impact deep peat with the potential for carbon release, contrary to the aforementioned policies.</p>



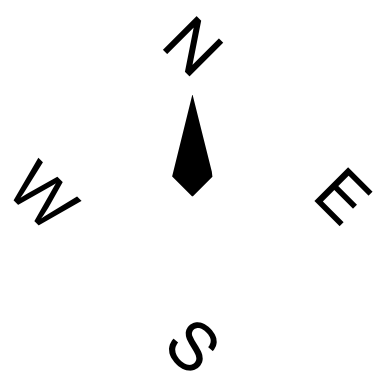
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**F/YR25/0036/PIP**

Scale = 1:5,000






Notes:

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SCALE 1: 50  
m

1 0 1 2 3 4 5  
SCALE 1: 100  
m

5 0 5 10 15 20 25  
SCALE 1: 500  
m

STATUS: For Approval



**CadTech Design**  
Viner Lodge  
Church Road  
Eardisland  
HR6 9BP  
Tel: 01432 806409  
Email: buildingregs@cadtechdesign.com

PROJECT:  
Proposed residential development

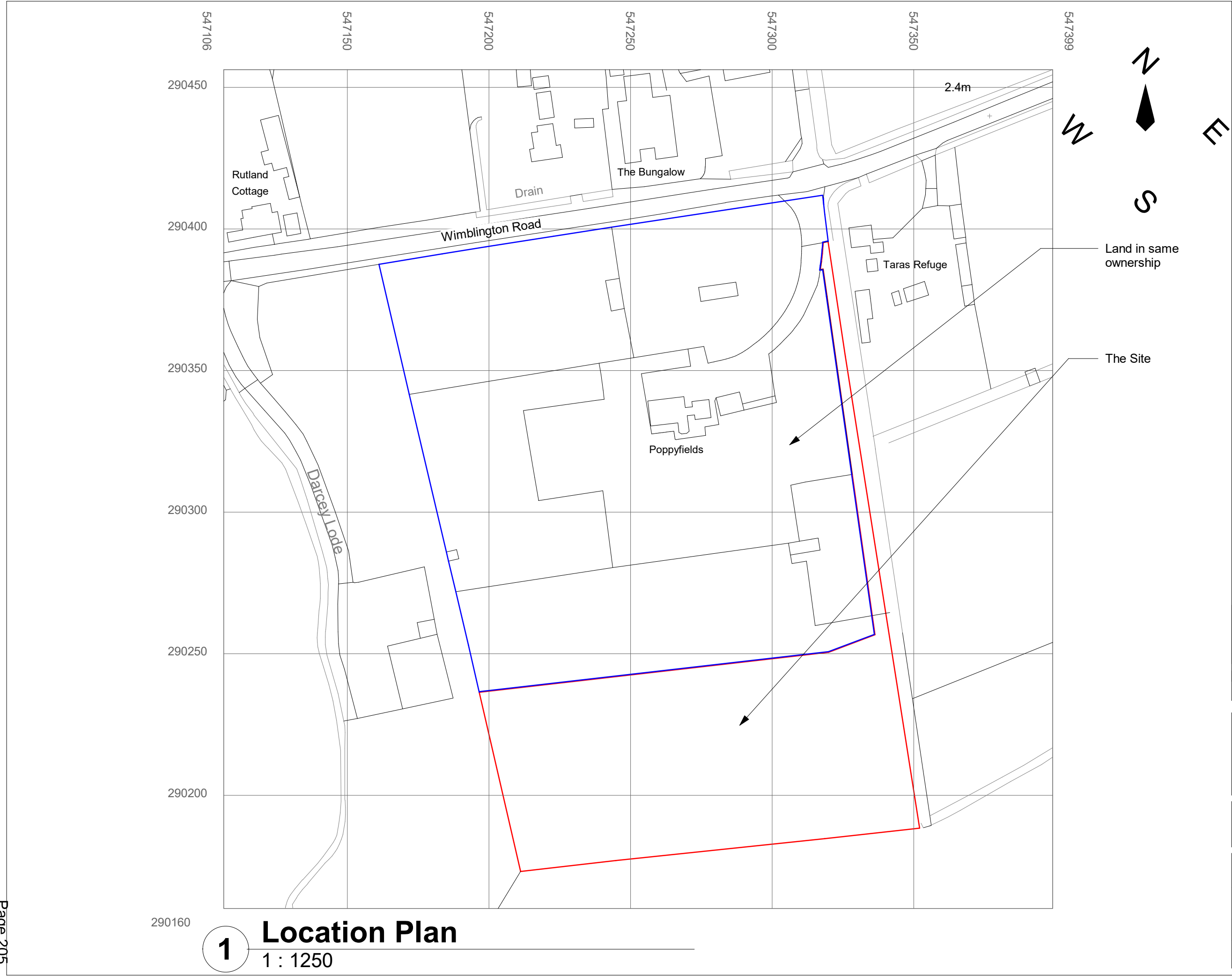
CLIENT:  
Mr Daniel Samuel

SITE:  
Land South of Poppyfields, Wimblington Road, Manea PE15 0JR, Cambs

TITLE:  
Existing Site Plan

SCALE AT A1: 1 : 500	DATE: Jan 2025	DRAWN: DC	CHECKED: AC
PROJECT NO: DS/1	DRAWING NO: PP/002A	REVISION:	





# 1 Location Plan

1 : 1250

Notes:

Notes

10 0 10 20 30 40 50

SCALE 1: 1250 m

Rev A: Site application area confirmed

Application Site Area 9972m2

REV	DESCRIPTION	BY	DATE
1	For Approval		

CadTech Design

Viner Lodge  
Church Road  
Eardisland  
HR6 9BP

Telephone: 01432 806409  
www.houseplansdirect.co.uk

CLIENT:

Mr Daniel Samuel

SITE:

Land South of Poppyfields, Wimblington Road, Manea PE15 0JR, Cambs

TITLE:

Location Plan

SCALE AT A3:	DATE:	DRAWN:	CHECKED:
1 : 1250	Jan 2025	DC	AC

PROJECT NO:	DRAWING NO:	REVISION:
DS/1	PP/001A	

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**F/YR25/0046/F**

**Applicant: Mr Curtis Woods**

**Agent : Mr Rory Canham  
Peter Humphrey Associates Ltd**

**Land North Of Four Winds, Sandbank, Wisbech St Mary, Cambridgeshire**

**Erect 1 x self-build/custom build dwelling including formation of a new access**

**Officer recommendation: REFUSE**

**Reason for committee: Number of representation contrary to officer recommendation**

## **Government Planning Guarantee**

**Statutory Target Date For Determination: 18 March 2025**

**EOT in Place: Yes**

**EOT Expiry: 07/04/25**

**Application Fee: £578**

**Risk Statement:**

**This application must be determined by 07/04/25 otherwise it will be out of time and therefore negatively affect the performance figures.**

## **1 EXECUTIVE SUMMARY**

- |     |  |
|-----|--|
| 1.1 | This application seeks full planning permission for the erection of 1 x self-build/custom build dwelling including the formation of a new access.  |
| 1.2 | The site has previously been put forward for development as part of an outline application for up to 4x dwellings. The application was refused by the Local Planning Authority and the appeal dismissed by the Planning Inspectorate.  |
| 1.3 | Whilst Wisbech St Mary is a Growth Village as identified within Policy LP3, the application site would extend the existing linear feature of the developed footprint of the settlement into an area of agricultural grassland. This area of grassland at the site is mirrored by agricultural land opposite, which forms a natural demarcation between the developed built form of Wisbech St Mary and the surrounding countryside beyond. Development encroaching into this land would harm the character and appearance of the area. As such, the proposal would be contrary to the requirements of Policy LP12. |
| 1.4 | The site is located within Flood Zone 3. Policy LP14 of the Fenland Local Plan 2014 and paragraph 175 of the National Planning Policy Framework state that all development should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a sequential test and exception test as necessary. There are two other sites with planning permission that are considered available (Chapel Ave F/YR23/0512/O 9x dwellings and  |

F/YR24/0209/O up to 3 x dwellings with garages). The site for application F/YR24/0209/O is understood to be in the ownership of the applicant as stated in the submitted sequential test and is located in Flood Zone 1. Therefore, there are sites within Wisbech St Mary that are considered available in sequentially preferable locations. The Sequential Test is not considered passed and the proposal is contrary to policy LP14 of the Fenland Local Plan 2014.

1.5 As such the recommendation is to refuse planning permission.

## **2 SITE DESCRIPTION**

2.1 The site is located to the northeast of Sandbank on existing grassland associated with surrounding agricultural land. The site is located next to a dwelling currently under construction to the southeast. To the south of the site along Sandbank and onto High Road is Wisbech St Mary. The southeastern edge of the site currently marks the extent of the settlement-built form of Wisbech St Mary. Beyond the site to the north would remain an area of agricultural grass land, with sporadic dwellings further north along Sandbank. To the northeast and southwest of the site is agricultural land.

2.2 The site is located within Flood Zone 3 (High Risk).

## **3 PROPOSAL**

3.1 The application seeks full planning permission for the erection of 1 x self-build/custom build dwelling including formation of a new access. The Ground floor is proposed to consist of a large garage with shower and store to the rear, a study, an open plan kitchen with pantry, dining room, family room and a separate lounge. The first floor a large master bedroom with dressing room and Ensuite, bedroom 2 with Ensuite, bedroom 3, a family bathroom and a playroom.

3.2 The dwelling would measure approximately:

- Max depth 14.8m
- Max width 18.4m
- Max roof ridge height 8.8m
- Eaves height 5.1m

3.3 The proposed materials are:

- Roof – slate effect grey tiles
- Walls – Vandersanden Flemish Antique brick
- Window/Doors - UPVC

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

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

#### 4 SITE PLANNING HISTORY

##### 4.1 Pertinent planning history listed below:

Application	Description	Decision
F/YR23/0513/NONMAT	Non-material amendment: Change to roof materials relating to planning permission F/YR22/0632/RM	Approved 21 July 2023
F/YR22/0706/O	Erect up to 4no dwellings (outline application with matters committed in respect of access) (Land East Of Sandbank Farm House)	Refused 15 December 2022  Appeal dismissed APP/D0515/W/23/3318565
F/YR22/0632/RM	Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale pursuant to outline permission F/YR21/0702/O	Approved 8 September 2022
F /YR21/0702/O	Erect 1no dwelling (outline application with all matters reserved) (Land North Of 15 Sandbank)	Granted 27 September 2021

#### 5 CONSULTATIONS

##### 5.1 North Level Internal Drainage Board

No objection

Notes that soakaways are indicated as the preferred method of surface water disposal and the applicant is asked to show that soakaway drainage would be effective.

##### 5.2 Cambridgeshire County Council Highways Authority

No objection subject to conditions and informatives.

##### 5.3 Environment Agency

No objection subject to finished floor levels as proposed in the FRA.

##### 5.4 Environment & Health Services (FDC)

No objections

Due to the close proximity of noise sensitive receptors, it is recommended that a working times condition is attached.

##### Local Residents/Interested Parties

##### 5.5 Supporters

Twelve letters of support have been received. Eleven from residents of Wisbech St Mary and one from a resident of Gorefield. Representations mentioned:

- Another house along Sandbank will calm traffic flow
- Good family home
- Wisbech St Mary is a Growth Village
- Extension to village



- No harm to Character of Sandbank
- Sympathetic design
- Local family with business close by supports economy and community
- Children already attend local school
- New houses key to growth of village

## **6 STATUTORY DUTY**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK**

### **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

### **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

### **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

LP7 – Urban Extensions

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

### **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

## **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

DM2 – Natural Features and Landscaping Schemes

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

## **Cambridgeshire Flood and Water SPD 2016**

### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP12: Meeting Housing Needs
- LP13: Custom and Self Build
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP32: Flood and Water Management

## **8 KEY ISSUES**

- **Principle of Development**
- **Character**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Self-Build**
- **Highways Safety and Parking**
- **Biodiversity Net Gain (BNG)**

## **9 BACKGROUND**

- 9.1 The planning history shows that there was previously a dwelling proposed on the site as part of an up to 4 dwelling proposal (application F/YR22/0706/O). Application F/YR22/0706/O was refused by the Local Planning Authority within the current plan period and the appeal was dismissed by the planning inspectorate at appeal. The reasons given for the dismissal of the appeal (Appeal APP/D0515/W/23/3318565) by the inspectorate were as follows:

*4. The main issue is the effect on the character and appearance of the area.*

### *Reasons*

*5. The appeal site is a grassed agricultural field that provides a notable gap between a line of residential properties and Sand Bank Farm. The site is adjacent*

*to Sand Bank Farmhouse with sporadic development beyond. To the west is land subject to planning permission for a 2 storey residential dwelling which will stand next to a line of detached and semi detached dwellings heading into the settlement of Wisbech St Mary, identified as a Growth Village in Policy LP3 of the Fenland Local Plan (Local Plan). Land opposite the site and to the rear is open fields. The site fronts onto Sand Bank Road and is located within Flood Zone 3.*

*6. The scheme would lead to the development of up to 4 dwellings beyond the built up edge of the settlement, extending ribbon development into the countryside. The impact would be exacerbated by the absence of built development on the opposite side of the road which distinguishes the proposal from the planning permission granted on neighbouring land. The scale of the development with up to 4 dwellings proposed also makes the scheme before me different from that which has been granted planning permission.*

*7. To comply with flood risk mitigation measures the finished floor levels would be required to be plus one metre above existing ground levels increasing the dominance of the development on the street scene. This is a relevant consideration in so far as the requirement is necessary to make the development of the site acceptable in principle. Irrespective of the final design of the scheme, built development as proposed would harm the character and appearance of the area. As such it would conflict with Policy LP12 of the Local Plan which amongst other things supports development in rural villages where it would not harm the character of the surrounding countryside and farmland. It would also conflict with the part of Policy LP16 of the Local Plan that requires new development to make a positive contribution to local distinctiveness and the character of the area and not adversely impact on the street scene or settlement pattern of the surrounding area.*

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 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.
- 10.2 Wisbech St Mary is classed as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions will be appropriate. The broad principle of developing the site for a residential use as a village extension would be consistent with this policy.
- 10.3 However, Policy LP12 of the Local Plan provides guidance as to the restriction of such development to ensure that it has an acceptable impact on the settlement and its character. 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 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 and important spaces. Finally, the proposal must be served by sustainable infrastructure and must not put people or property in danger from identified risks.

- 10.4 The development proposed would extend the existing linear feature of the developed footprint of the settlement, by adding a further dwelling to a line of ribbon development along Sandbank, into an area of agricultural grassland. This area of grassland at the site is mirrored by agricultural land opposite and forms a distinct and natural demarcation between the developed built form of Wisbech St Mary and the countryside beyond; save for sporadic rural development to the northwest, such as Sandbank Farm and rural cottages that are not considered to be within the built form of Wisbech St Mary.
- 10.5 Development encroaching into this land would be to the detriment of the character and appearance of the area; a circumstance that has unfortunately been initiated by the approval of the dwelling to the southeast (F/YR22/0632/RM) within the same parcel of agricultural land. Additional development on this land would arguably perpetuate a damaging precedent of advancing ribbon development along Sandbank, yet further eroding the rural character, contrary to the requirements of policy LP12. This conclusion was reinforced by the refusal and appeal dismissal of up to 4 dwellings on the existing application site and beyond to the northwest under application F/YR22/0706/O. The appeal decision is considered to carry significant weight in the assessment of this latest proposal.
- 10.6 Consequently, the proposed development is in clear conflict with policy LP12 of the adopted Fenland Local Plan 2014.

#### **Character**

- 10.7 Policy LP16 (d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.8 Within the vicinity of the site, Sandbank includes a mixture of semi-detached and detached two-storey properties of mixed ages and characters. As set out above the proposed development would be considered linear ribbon development into the countryside.
- 10.9 Owing to the flood risk mitigation measures (set out within the submitted FRA and SET), namely: the raising of finished floor levels to over 1m above ground level on two-storey dwellings, this will negatively impact on the streetscene as a result of the development's overall height.
- 10.10 Notwithstanding, the adjacent site approved under F/YR22/0632/RM included a similar mitigation strategy, with ground levels raised locally to accommodate the recommended +1m finished floor levels. Thus, in the context of the adjacent site, the proposed dwelling would have a higher ridge height. The requirement to raise the ground levels for this site, in addition to that already required on the adjacent site, will result in a cumulative impact of a cluster of dominant dwellings within the streetscene in terms of their overall scale which would exacerbate the detrimental impact on the landscape character and highlight their inappropriate siting through the need to artificially raise ground levels over a wider area to mitigate flood risk.
- 10.11 Having regard to the minutes of the planning committee meeting dated 24/08/22 for application F/YR22/0632/RM, the adjacent approved development, was regarded as design that would "enhance the area and the entrance to the village" and would have less of an impact as it was "on the end". However, development

proposed on land to the northwest would further enclose the gap at the entrance to the village and therefore result in either: the dilution/ distraction of the 'gateway dwelling' implied by Members in their deliberations to justify the approval, or conversely, result in an assemblage of 2 dwellings of an unusual scale and character within the wider countryside landscape, further highlighting their discordance within this rural setting, in contravention of Policies LP12 and LP16.

### **Residential Amenity**

- 10.12 Policy LP16 (e) seeks to ensure that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light.
- 10.13 The dwelling would be accessed off of Sandbank. To the south, west and north of the site is agricultural land to the south-east is linear development into Wisbech St Mary. Immediately to the south-east is a dwelling currently under construction permitted under application F/YR22/0632/RM. The side elevation of that neighbouring property would be approximately 9m away from the side of the dwelling proposed. The host property proposes 1 window on the southeastern elevation and that would be on the ground elevation. While there may be some increased overlooking from first floor windows on the rear elevation of the proposed dwelling into the rear garden of the dwelling currently under construction this is not considered significant harm and is typical in built up areas.
- 10.14 Therefore on balance no significant harm to residential amenity would be anticipated, in terms of overlooking, loss of light or overshadowing and the proposal would be considered acceptable under policy LP16 (e) of the Fenland Local Plan 2014.

### **Flood Risk and Drainage**

- 10.15 The site is located within Flood Zone 3. Policy LP14 of the Fenland Local Plan 2014 and paragraph 172 of the National Planning Policy Framework state that all development should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a sequential test and exception test as necessary.

### Sequential Test

- 10.16 It is for the applicant to demonstrate through an assessment that the Sequential Test has been met. Previous applications on the application site, within the current plan period, had agreed the settlement of Wisbech St Mary is the area of search for the Sequential Test because it is growth village where extensions to the village may be considered appropriate. For consistency this approach has been used in consideration of this application.
- 10.17 The application is accompanied by a Flood Risk Assessment (FRA) and separate Sequential/Exception Test (SET) report. The FRA and separate SET state that a review of available development sites within Wisbech St Mary has resulted in one available site being identified (Chapel Ave F/YR23/0512/O 9x dwellings) located within Flood Zone 3. However, it also details another application for 3 dwellings which has been permitted F/YR24/0209/O which is under the applicant's ownership:

*"One self-build to be implemented by applicant. Agent has advised that the applicant has no intentions to market the other plots in the short / medium term"*



- 10.18 Planning permission F/YR24/0209/O which is located in flood zone 1 is not built out or implemented and is considered available which is sequentially preferable. Therefore, the sequential test is not considered passed in conflict with both local and national policy.

Exception test

- 10.19 The proposal is for a new dwelling in Flood Zone 3 identified as more vulnerable in the NPPF. As the sequential test has been failed, it is not generally necessary to consider the exception test, as the proposal should simply be refused. Notwithstanding and for completeness, the Exception Test requires consideration of the wider public sustainability benefits of a development and that the development would be safe and residual risks managed. The submitted SET states that the development would provide:

a) Sustainability Benefits

- Economic benefits - During construction post construction due to ongoing maintenance through job creation, in addition though residents using local services.
- Social benefits - Residents using local surgery, local school, local clubs.
- Environmental benefits – Dwelling built to modern specifications, triple glazing, air source heat pump, PV cells, SAP energy rating B, installation of 1x birdbox

b) Safe Development and residual risk management

Flood mitigation measures proposed:

- Finished floor levels 1.0m above surrounding ground level
- Flood resilient measures 0.3m above finished floor levels

- 10.20 In respect of wider benefits; the provision of housing alone would rarely be sufficient to pass the exception test, as set out in the Flood and Water SPD. However, the dwelling is proposed to incorporate a number of clean energy and sustainability features which would likely take it beyond those required under the sustainability criteria of Building Regulations. The SPD acknowledges that such provision can be sufficient to satisfy the first part of the exception test and a condition securing a scheme to include features which exceed current Building Regulations standards as set out under approved part H can be secured by planning condition.

- 10.21 In respect of the flood safety element of the exception test; the measures as proposed in the FRA would satisfy this aspect, ensuring that the occupiers would reduce exposure to flood risk and that the development would not increase flood risk elsewhere.

- 10.22 In summary, The LPA accepts that the detail given with regards to the Exception Test would likely be considered appropriate. However, owing to the above the Sequential test is not considered passed and therefore the proposal is contrary to policy LP14 of the Fenland Local Plan and paragraph 172 of the National Planning Policy Framework.

**Self-Build**

- 10.23 Policy LP5 Part C sets out how Fenland District Council proposes to meet the Wider Housing Need. Working in partnership with developers, housebuilders, registered social landlords and other stakeholders, the Council will seek, and developers are expected to provide in appropriate circumstances, housing

solutions that meet market expectations, including executive homes and self-build homes. To be considered a self-build dwelling the applicant must be involved in building or managing the construction of their home from beginning to end or can commission their home to be built but they must have been involved in making key design and layout decisions and must be intending to live in the property.

10.24 The application is for a single self-build dwelling. Whether the proposal is self-build or not has implications for the consideration of the proposals as self-build proposals do not require Biodiversity Net Gain to be set out. The applicant has supplied a formal statement specifying that the proposal would be self-build in line with policy LP5 part C of the Fenland Local Plan 2014 and the definition of self-build.

10.25 Owing to the above the proposal is considered acceptable under policy LP5 (c) of the Fenland Local Plan 2014 and a self-build condition should be attached to the permission if approved.

### **Highways Safety and Parking**

10.26 Policy LP15 states that development proposals should demonstrate that they provide well designed, safe and convenient access for all and car and cycle parking appropriate to the amount of development proposed, ensuring that all new development meets the Councils defined parking standards as set out in Appendix A. Appendix A of the Fenland Local Plan states that dwellings with 4 bedrooms or more need 3 appropriately sized parking spaces. (The proposal states that dwelling would be a 3-bed property however the playroom proposed on the first floor is the same size as the third bedroom with the same cupboard space.)

10.27 The proposed access would be off of Sandbank. The Highway Authority do not have any objections to the proposed access. There is an existing significant difference between the level of the road and the ground level of the site. The plans show that the dip would be built up so there would be a shallower slope down to the site and then a slope up to the parking area. The plan shows that the tree to the side of the access would not be disturbed by the proposal and that appropriate visibility splays can be achieved. There is sufficient room for turning to the front of the site to enable cars to leave the site in a forward gear.

10.28 The submitted drawing shows an appropriately sized integral garage with two appropriately sized parking spaces to the front.

10.29 Owing to the above the proposal is considered acceptable under policy LP15 and Appendix A of the Fenland Local Plan 2014.

### **Biodiversity Net Gain (BNG)**

10.30 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

10.31 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions /

transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the nature of the development being self / custom build is exempt from statutory net gain.

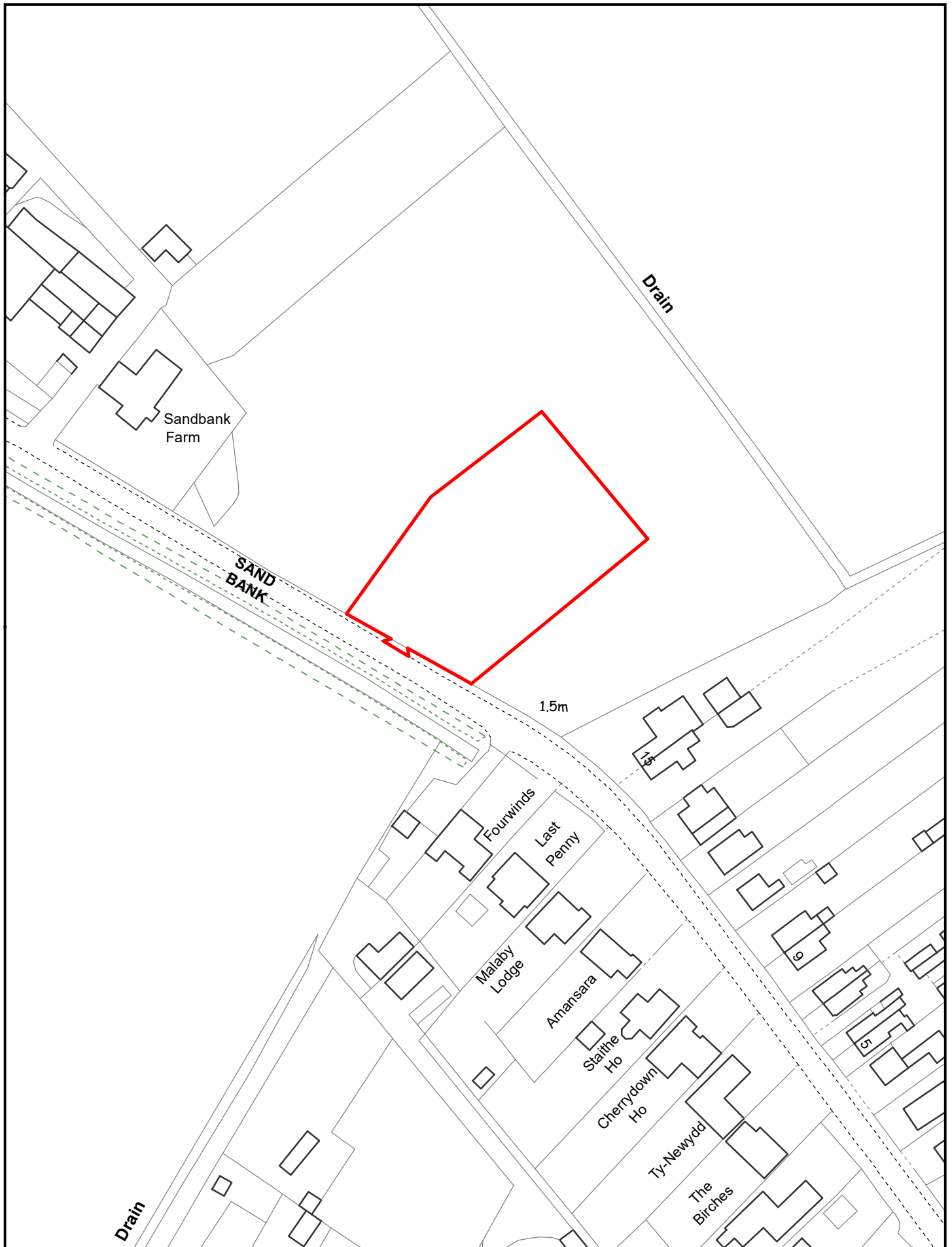
## **11 CONCLUSIONS**

- 11.1 On the basis of the consideration of the issues of this application, conflict arises through the principle of the development, character and appearance of the area and flood risk. The proposal would extend linear ribbon development into the countryside, the dwelling would be of a scale and massing contrary to the majority of built form along Sandbank and the sequential test is not considered passed as there is a permission within Flood Zone 1 unimplemented within Wisbech St Mary.
- 11.2 In applying the planning balance, it is considered that the modest benefits of this proposal and other material considerations do not outweigh the significant policy conflicts and associated disbenefits set out above.
- 11.3 As such, the scheme is considered to be contrary to Policy LP12, LP14 and LP16 of the Fenland Local Plan in this regard.

## **12 RECOMMENDATION**

Refuse for the following reasons:

1	Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district; Policy LP12 details a range of criteria against which development within villages will be assessed. 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 application site proposes the construction of one dwelling, located beyond the existing built-up edge of the settlement, extending the developed frontage into the countryside. Linear development encroaching into this land would erode the open character and appearance of the countryside, exacerbated by the requirement for the finished floor level to be greater than 1m above existing ground level resulting in a cumulative dominance and thus failing to make a positive contribution to local character and the streetscene. The application would therefore fail to comply with the requirements of policies LP12 and LP16 of the Fenland Local Plan 2014.
2	Policy LP14 of the Fenland Local Plan 2014 and paragraph 161 of the National Planning Policy Framework state that all development should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a sequential test and exception test as necessary. The sequential test has not been passed. It has not been demonstrated that there are no alternative sites within Fenland with a lower probability of flooding. As such the proposal would be contrary to the requirements of Policy LP14 of the Fenland Local Plan 2014, Paragraph 175 of the National Planning Policy Framework and the Cambridgeshire Flood and Water Supplementary Planning Document.



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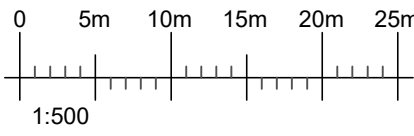
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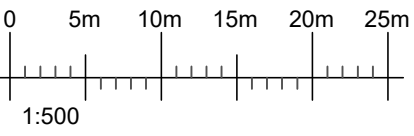




Existing Site Plan 1:500



Proposed Site Plan 1:500



F - Prop Levels added, as requested by LPA, (25.02.2025).  
E - Updated proposed foul Drainage, (12.02.2025).  
D - Updated for LPA validation purposes, (15.01.2025).  
C - Dwelling updated following client comments (02.12.2024).  
B - Dwelling updated following client comments (25.11.2024).  
A - Revised Layout following client meeting (01.11.2024).

**REVISIONS**

JOB NO. 7053/02F	PAPER SIZE A1	DATE OCT 2024
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Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already been apparent to a competent contractor.

CLIENT  
MR C WOODS

PROJECT  
PROPOSED NEW DWELLING

SITE  
SAND BANK  
WISBECH ST MARY  
WISBECH  
CAMBS  
PE13 4SE

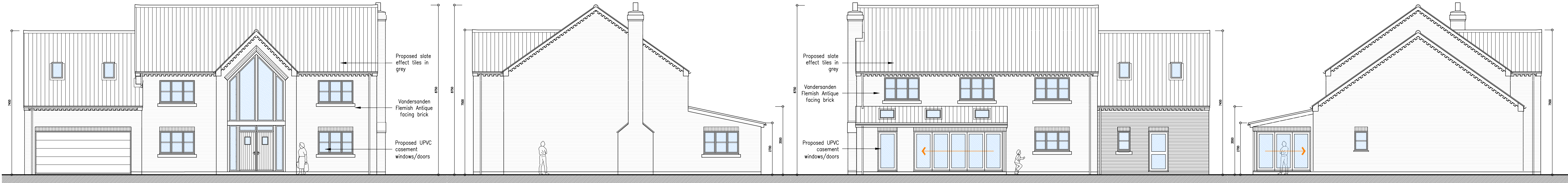
DRAWING  
EXISTING & PROPOSED SITE PLAN(S)

**PHA**

**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



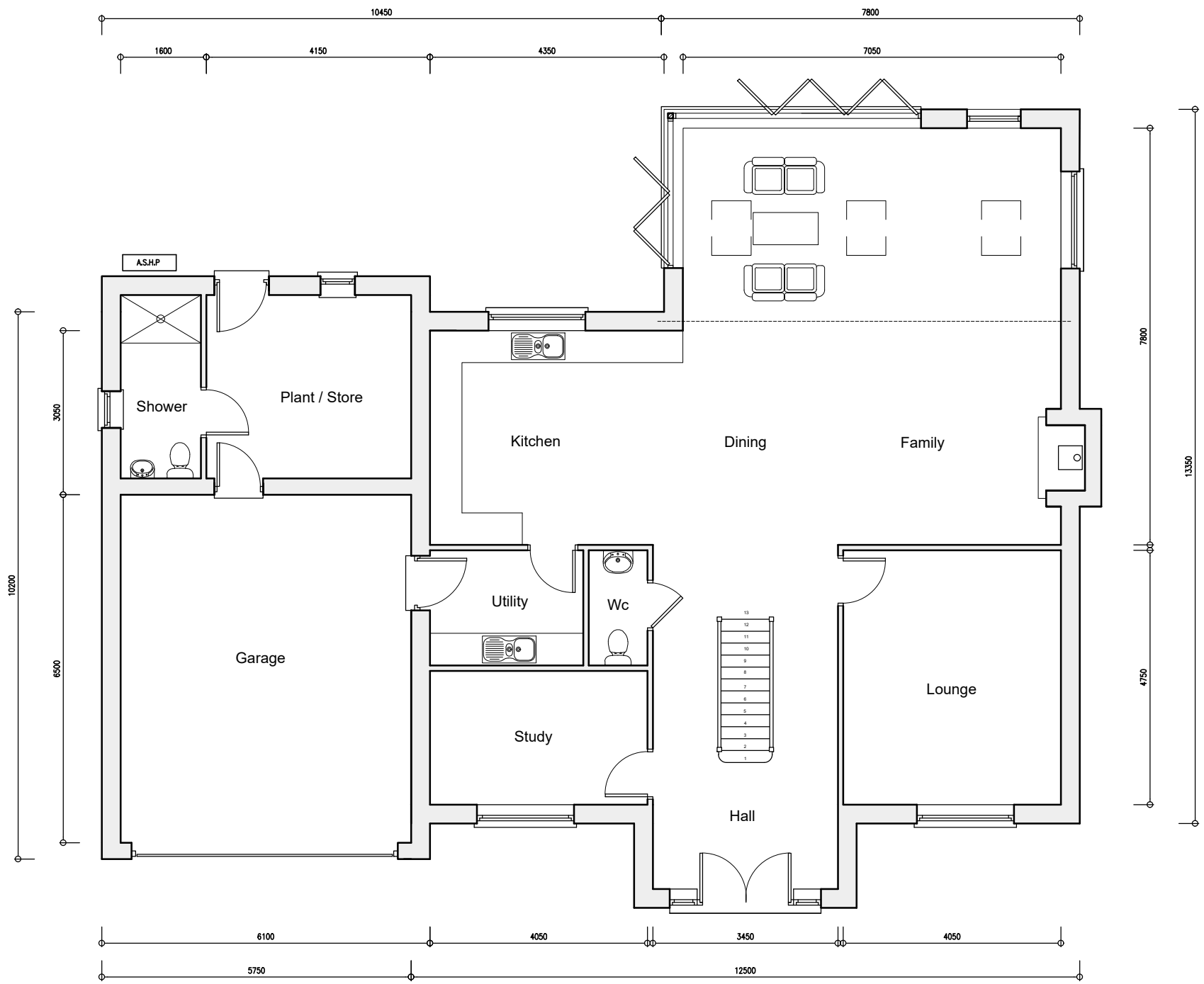


PROPOSED FRONT ELEVATION  
SCALE 1:100

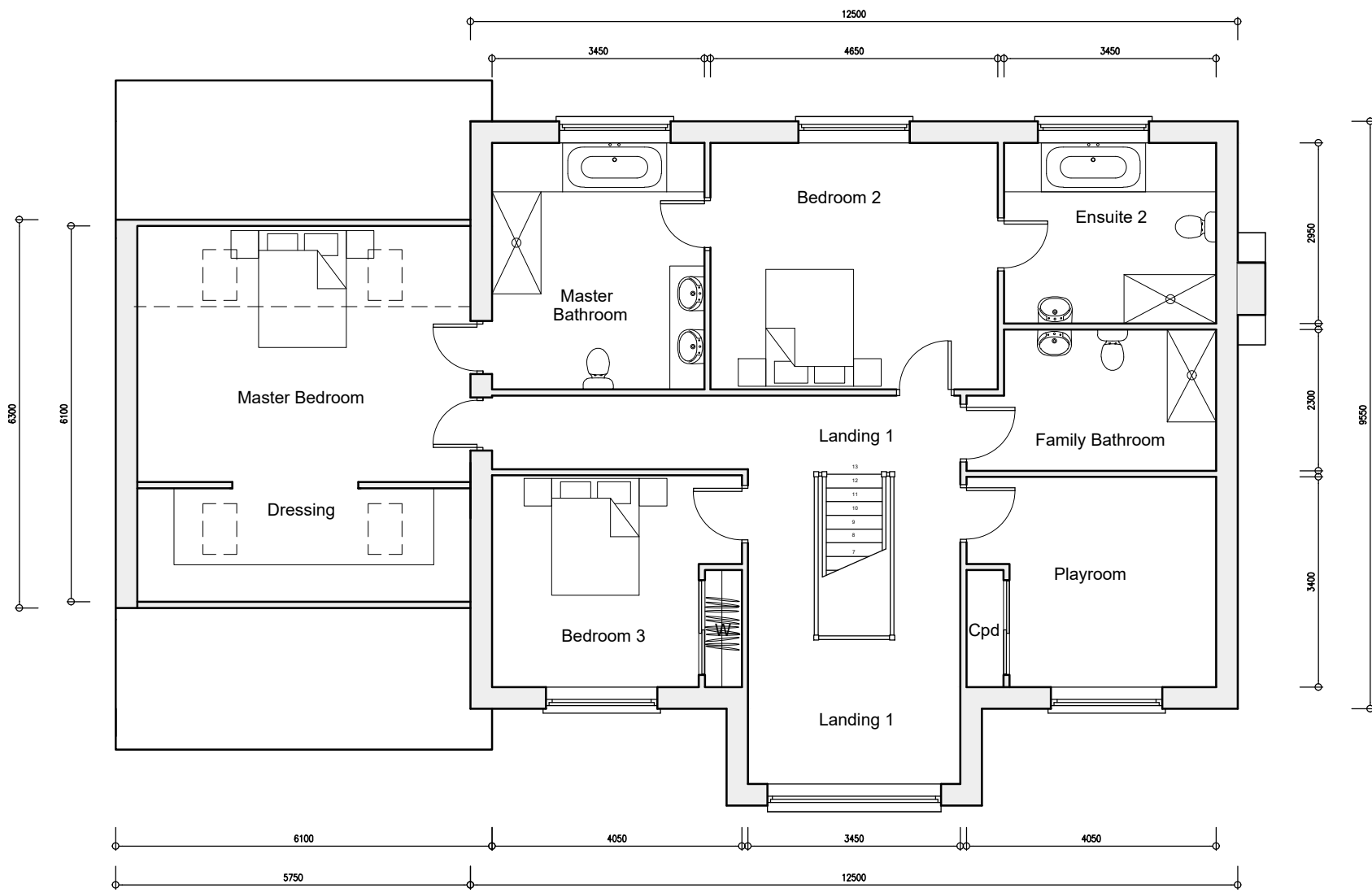
PROPOSED SIDE ELEVATION  
SCALE 1:100

PROPOSED REAR ELEVATION  
SCALE 1:100

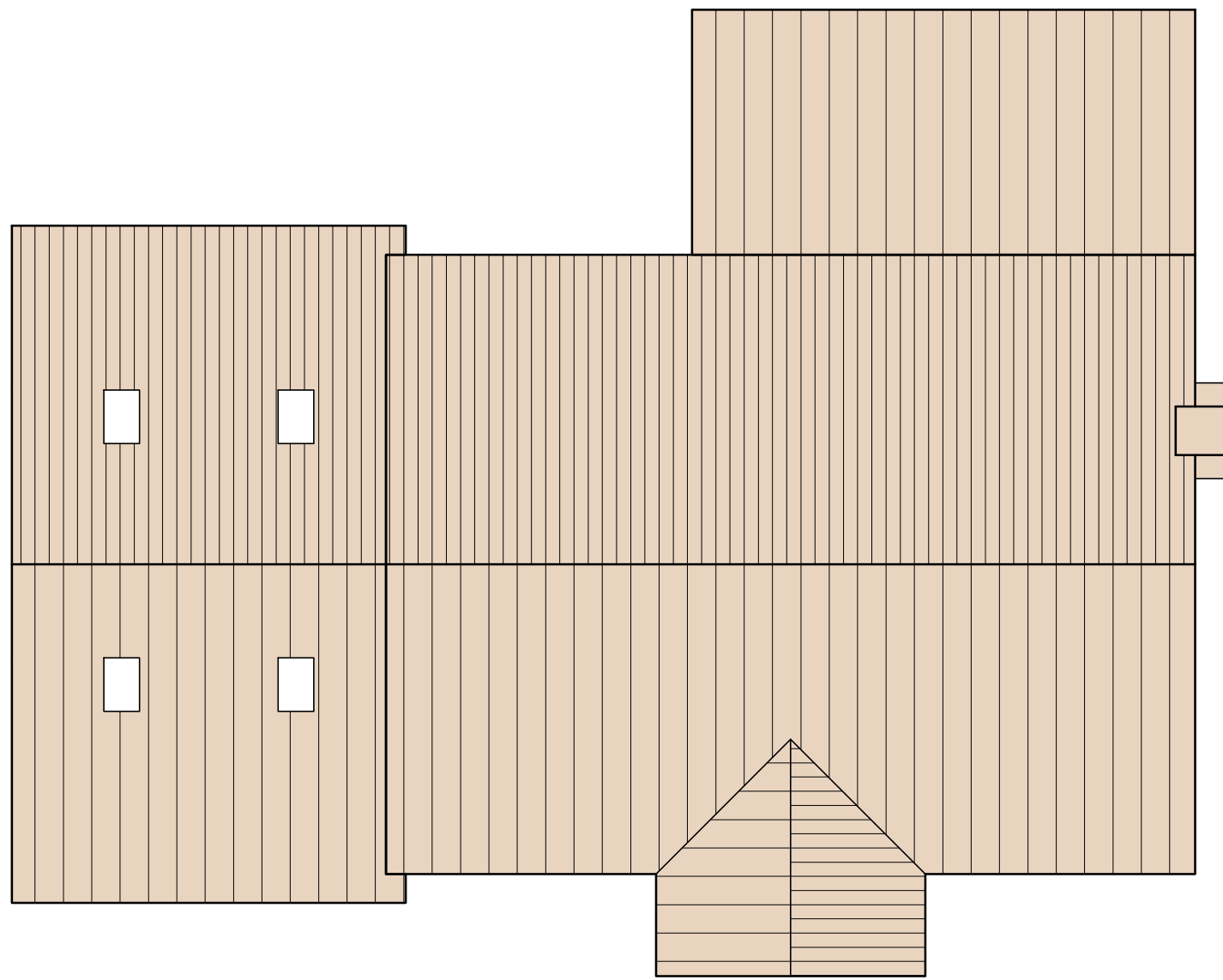
PROPOSED SIDE ELEVATION  
SCALE 1:100



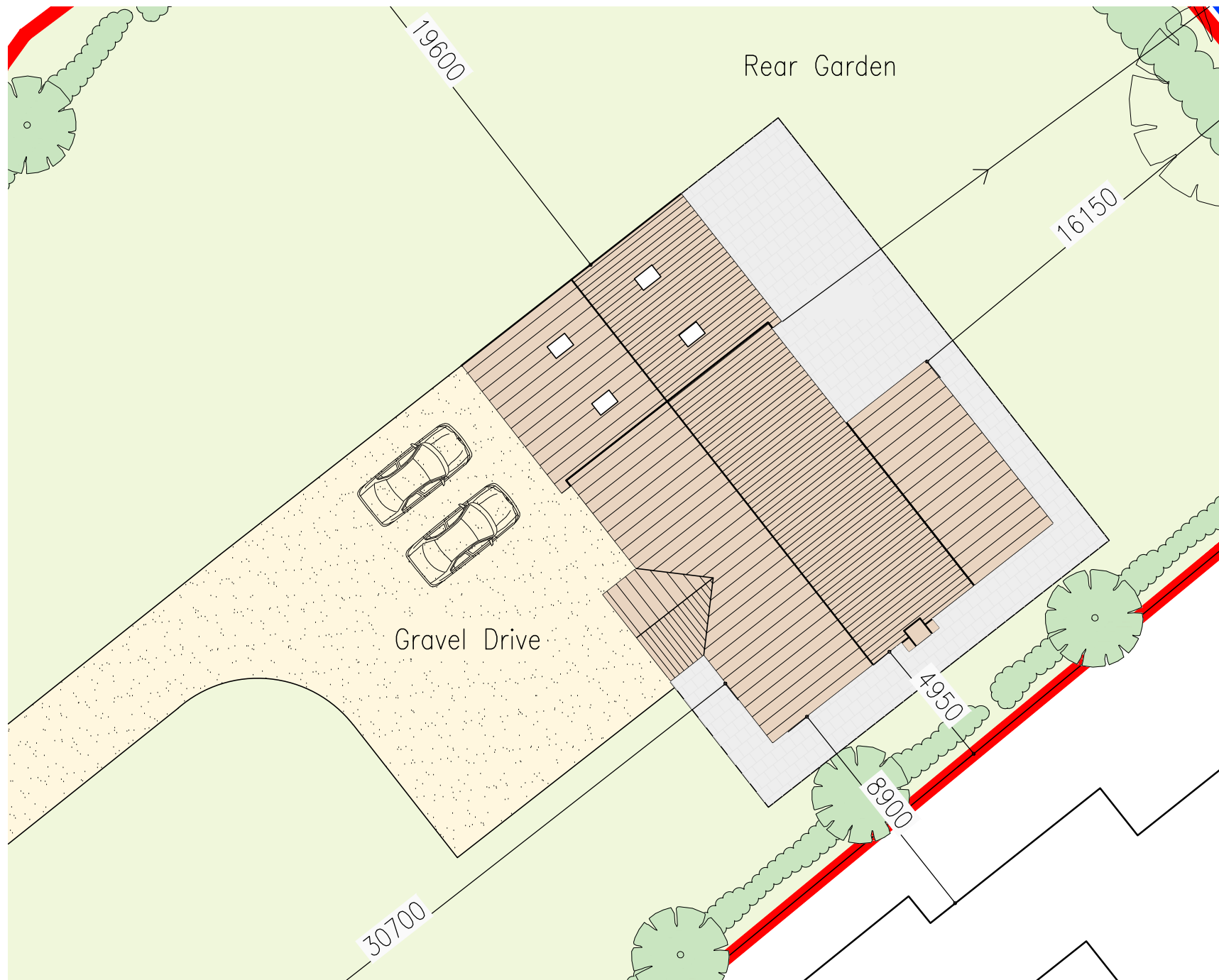
PROPOSED GROUND FLOOR PLAN  
SCALE 1:100



PROPOSED FIRST FLOOR PLAN  
SCALE 1:100



PROPOSED ROOF PLAN  
SCALE 1:100



PROPOSED ROOF PLAN  
SCALE 1:200

**MATERIAL SCHEDULE:-**

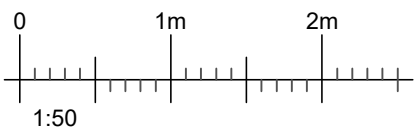
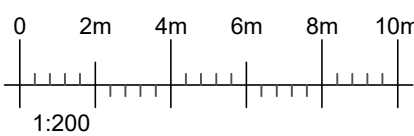
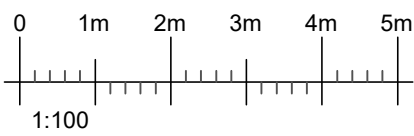
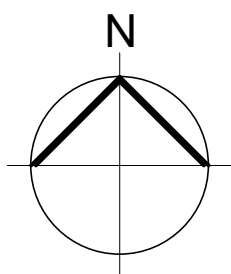
Walls: Vandersanden Flemish Antique facing bricks.  
Roof: Morley Edgemere smooth grey tiles  
Windows: Grey UPVC casements.  
Main door: Grey UPVC.  
Rainwater goods: Black UPVC.

**DRAINAGE:-**

Foul water = Discharge to treatment plant in rear garden.  
Surface water = Discharge to soakaways in rear garden.  
Time scales = Both will be installed and operation before occupation.

**FLOOD RISK PREVENTION:-**

Dwelling to be constructed in accordance with Ellingham Consulting Flood Risk Assessment, which recommends that the finished floor level of the new dwelling is set at 1m above existing ground level.  
The flood resilient measures at the dwelling will include:  
- Water and electricity meters to be located above predicted flood level.  
- Position light switches, plugs, TV sockets etc to be between 450mm and 1200mm above floor level, and consumer units to be mounted between 1350mm and 1450mm above floor level.  
- Provision of underfloor heating in joint less plastic pipes.  
- Provision of fittings that are not affected by flooding and easily cleaned.  
- The occupiers of the building should also register with the government's floodline warning direct system to ensure they receive up to date information regarding possibility of flooding.



F - Updated proposed foul Drainage (12.02.2025).  
E - Updated for LPA validation purposes (15.01.2025).  
D - Porch glazing updated, following client comments (05.12.2024).  
C - Dwelling updated following client comments (02.12.2024).  
B - Dwelling updated following client comments (26.11.2024).  
A - Dwelling updated following client comments (04.11.2024).

**REVISIONS**

JOB NO.	PAPER SIZE	DATE
7053/03F	A1	OCT 2024

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MR C WOODS

PROJECT  
PROPOSED NEW DWELLING

SITE  
SAND BANK  
WISBECH ST MARY  
WISBECH  
CAMBS  
PE13 4SE

DRAWING  
PROPOSED PLANS & ELEVATIONS



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By virtue of paragraph(s) 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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