AGENDA

PLANNING COMMITTEE

WEDNESDAY, 30 APRIL 2025

1.00 PM

RICHARD YOUNG SUITE, BOATHOUSE BUSINESS CENTRE, WISBECH, PE13 3BH

Committee Officer: Jo Goodrum
Tel: 01354 622424 (committee only)
e-mail: memberservices@fenland.gov.uk

1 To receive apologies for absence.

2 Previous Minutes (Pages 5 - 42)

To confirm and sign the minutes from the previous meeting of 2 April 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/YR21/0852/O
Fridaybridge Agricultural Camp, 173 March Road, Friday Bridge
Erect up to 102 x dwellings, a community building/museum and sports changing facilities involving the demolition of existing buildings (outline application with all matters reserved) (Pages 43 - 84)

To determine the application.

6 F/YR23/1021/F
Land South Of Selwyn Farm 71 South Brink Accessed Via, Ellerby Drive, Wisbech

Erect 12x dwellings (7 x 2-storey 3-bed and 5 x 2-storey 2-bed) and associated garages (Pages 85 - 124)

To determine the application.

7 FYR25/0058/O
Land South Of 2B And 2C, Bridge Lane, Wimblington
Erect up to 9 x dwellings (outline application with all matters reserved (Pages 125 - 152)

To determine the application.

8 F/YR25/0106/PIP
Land South Of 171-183, Front Road, Murrow
Permission in principle to erect up to 4 x dwellings and the formation of a new access (Pages 153 - 168)

To determine the application.

9 F/YR24/0610/F
Land East Of Dragonfly Cottage, Seadyke Bank, Murrow
Change of use of land for the stationing 4 x residential mobile homes on 2 x pitches, formation of hardstanding and access and post and rail boundary fence (1.5 high max) (Pages 169 - 190)

To determine the application.

10 F/YR25/0078/F
17 Priors Road, Whittlesey
Erect 2x dwellings (self-build/custom build) involving demolition of existing dwelling and outbuilding and alterations to existing access (Pages 191 - 208)

To determine the application.

11 F/YR25/0084/F
6 Bridge Lane, Wimblington
Change of use of land to domestic land, erection of a shed and formation of hardstanding involving the demolition of existing garage (retrospective) (Pages 209 - 224)

To determine the application.

12 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 225 - 258)

To determine the application.

13 F/YR24/0828/VOC

32 Wimblington Road, Doddington
Variation of condition 16 (list of approved plans), relating to planning approval F/YR23/0539/O (Erect up to 4 x dwellings (outline application with matters committed in respect of access and layout), involving the demolition of existing dwelling and storage buildings) relating to changes to layout of plots 2, 3 and 4, roadway and trees (Pages 259 - 272)

To determine the application.

14 F/YR25/0145/F
Land To The West Of 167, Gaul Road, March
Erect 2 x self-build/custom build dwellings including formation of a new access (Pages 273 - 288)

To determine the application.

15 F/YR24/0996/F
Land North Of 70, Station Road, Manea
Erect 1 x self-build/custom build dwelling involving the formation of an access (Pages 289 - 300)

To determine the application.

16 Items which the Chairman has under item 3 deemed urgent

To exclude the public (including the press) from a meeting of a committee it is necessary for the following proposition to be moved and adopted: "that the public be excluded from the meeting for Items which involve the likely disclosure of exempt information as defined in the paragraphs XX of Part I of Schedule 12A of the Local Government Act 1972 (as amended) as indicated."

17 CONFIDENTIAL - Previous Minutes (Pages 301 - 302)

To confirm and sign the confidential minutes of 2 April 2025.

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, 2 APRIL 2025 - 1.00 PM

PRESENT: 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,

Officers in attendance: Matthew Leigh (Head of Planning), David Rowen (Development Manager), Jo Goodrum (Member Services & Governance Officer), Andrew Dudley (Planning Enforcement Officer), Tom Donnelly (Senior Development Officer), David Grant (Senior Development Officer) and Stephen Turnbull (Legal Officer)

P108/24 PREVIOUS MINUTES

The minutes of the meeting of 5 March were and confirmed and signed as an accurate record, subject to an amendment to Minute P102/24, where it should state that it was proposed by Councillor Mrs French and seconded by Councillor Imafidon and agreed that the Tree Preservation Order be confirmed.

P109/24 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)

David Rowen presented the report to members and drew attention to the update report that had been circulated.

Members received a presentation, in accordance with the Public Participation Procedure, from David Ward, an objector. Mr Ward stated that the applicant has submitted a proposal on land which is not in his ownership, explaining that there is a strip of land which contains a metre wide dyke running behind all of the bungalows in Green Park and this area was fenced off against the applicant's property and has been the legal factual possession of the residents of Green Park for the last 50 years. He stated that the applicant's company is aware that they do not own the strip of land and illegally removed all of the fencing that runs along their properties.

Mr Ward expressed the view that if the application is granted then the Council may find that developers submit planning applications on land which is not in their ownership. He explained that there was a Judicial Review on the parcel on land which took place in June 2003 where planning permission was refused for a similar sized development and the Inspector for the Secretary of State had at that time stated that the proposals were of a significant harm both to the character of the area and the amenity of the adjoining properties, with planning permission being refused due to the fact that there was no benefit stemming from the development which was sufficient to outweigh the harm.

Mr Ward added that drainage calculations provided by the applicant are incorrect and appear only to rely on the rainfall entering and using recognised greenfield rates and ignore the massive watershed which comes from the three lanes of the bypass which deposits water downhill into the site and at least doubles greenfield rates. He made the point that pooling will also occur due to the

fact of the methods that the applicant is proposing to provide drainage with the roads being sited on top of clay and water does not dissolve in clay.

Mr Ward added that rear gardens are unusable every single year and to cope many residents have had to dig trenches along the side of their bungalows in order to prevent water from entering their properties and in significantly bad weather those steps have often proved to be insufficient. He explained that a dyke which has been constructed on the Lancaster Way development has needed to be initiated in front of the houses since the development commenced due to the fact that the flooding was coming from New Road into the buildings.

Mr Ward expressed the view that the large 5 bedroomed house located behind his property will mean that his rear garden will be in shade for most of the day and he expressed the view that it will also impact his privacy, which he feels is unacceptable. He added that the orientation of the house means that the bungalows along the east side of Green Park will have all of their gardens overlooked removing any privacy that they have.

Mr Ward expressed the opinion that there are many valid reasons for not approving planning permission which are valid planning reasons including overshadowing a neighbour's property which causes loss of light, overlooking other homes causing lack of privacy and the appearance being out of character with the existing properties. He added that there have been no houses or buildings built in the area which have been located behind bungalows as they have always been built before it.

Mr Ward made the point that the plans for the area are, in his view, over developed in accordance with the point made by the Secretary of State as it appears to be so similar to the previous proposal. He added that there is a negative effect on nature as two protected species are located on the site and there is a lack of need for the development as Chatteris has already reached its quota for buildings.

Mr Ward expressed the view the Cromwell Community College Sixth Form is already oversubscribed, meaning that some pupils are having to be transported to St Ives. He expressed the view that there is a detrimental impact to neighbour's amenity by impacting the quality of life of the neighbourhood which has many older residents.

Mr Ward made the point that the size of the development is too large for the size of the area allocated for development and the gardens will be too small especially when considering the 3 metres which belongs to others. He stated that the negative effects of character and appearance of the area and other developments have not seen buildings built behind bungalows as there has always been a normal bungalow or spaces between.

Mr Ward stated that with regards to the property and the access, there is going to be at least an additional 50 vehicles given the proposed size of the development and the proximity to the Primary School and the new Lancaster Way development, means that there is likely to be a major risk of accidents to children or passers-by and there has already been an accident in front of Lancaster Road along New Road along with several accidents caused by exiting onto the bypass. He expressed the view that there is going to be significant noise coming from the development due to the fact that they are located in close proximity to his home due to the small size of the gardens which he feels are too small for the size of the proposed dwellings.

Mr Ward requested the committee does not grant the application for a couple of main reasons and if it can be proven that the application is not similar to the previous one which was refused then the Council could find that they are facing legal action as happened with a site in Whittlesey. He added that if the committee choose to grant planning permission then they will be knowingly allowing an application to be passed on land which is not owned and set a permanent precedent.

Members asked the following questions:

- Councillor Mrs French asked for the date of the Judicial Review, which was confirmed as June 2003.

Members received a presentation, in accordance with the Public Participation Procedure, from Lee Bevens, the agent. Mr Bevens thanked the Planning Officers for their proactive work in bringing the application before the committee and referred the committee to section 4 of the officers' report, explaining that the same site was approved for 20 dwellings in 2004, ref F/YR03/0054/F, which included 18 four-bedroom houses and two five bedroomed houses. He stated that the application before the committee proposes a maximum of 20 dwellings and does not commit the scale or mix of dwellings, making the point that the site is in outline format and only the access has been committed.

Mr Bevens explained that he has worked closely with the County Council Highways Officers from commencement of the application to ensure a safe and coherent road format. He stated that biodiversity and ecology have been the biggest issue on the site, he has submitted detailed biodiversity net gain metrics and biodiversity reports for the site which demonstrate that the biodiversity obligations can be met and subsequent reports will be submitted at the reserved matters application stage when the definitive number of dwellings and mix will be proposed and the appropriate biodiversity measures taken to ensure that great crested newts and reptiles are protected.

Mr Bevens explained that he has addressed all the other relevant issues during the planning process and any subsequent reserved matters application will be brought forwards to the Council to review and make comments as necessary. He made the point that the site accords with the spatial strategy as set out in LP3 of the adopted Local Plan and the site is in a sustainable location.

Mr Bevens explained that there are no outstanding statutory consultee objections and the conditions suggested by the Planning Officer have been agreed. He added that he understands that a Section 106 Agreement will have to be completed which will be done, and he is happy to proceed on that basis.

Mr Bevens stated that given the officers recommendation is one of approval based upon the proposal amounting to sustainable development and that fact that it accords with the development plan, he asked the committee to approve the application.

Members asked Mr Bevens the following questions:

- Councillor Mrs French asked Mr Bevens whether he had any knowledge of the Judicial Review? Mr Bevens responded that he was not aware, however, his client had provided him with a title drawing which demonstrates the extent of the boundary.
- Councillor Mrs French stated that, with regards to land ownership, is Mr Bevens sure that the applicant owns the whole site? Mr Bevens explained that the red line which forms the whole of the location plan is in accordance with the title plan which the applicant has provided to him.
- Councillor Mrs French asked whether the proposed dwellings are going to be bungalows or houses? Mr Bevens explained that his preference would be for the properties to be bungalows, however, the application is only in outline format and when it goes to market then the application would be to go for bungalows on the site.
- Councillor Marks asked whether the number of dwellings is likely to be more that the 20 proposed? Mr Bevens stated that given the conversations with biodiversity and ecology then he feels that there are likely to be less dwellings on the site with a more appropriate number being 15 homes. He added that from conversations he has had it is setting a maximum number in order to provide more green space on the site.
- Councillor Marks stated that when reviewing the site history, it went for review in 2003 and then approval in October 2004 as well as being brought back and then withdrawn in October

2018. He asked for an explanation with regards to the delay. Mr Bevens responded that the applicant has had other sites and other matters to deal with and has just left it. He added that the previous application, which was withdrawn, was for more housing on the site, however, he does not think that this will be the case with the current application. Mr Bevens expressed the view the site will come forward with more bungalows in the reserved matters application.

- Councillor Gerstner asked Mr Bevens confirm that the time obligations for biodiversity can be met? Mr Bevens stated that the time frames can be met, and he is content with all of the conditions suggested by the officer and the Section 106 elements of it.

Members asked officers the following questions:

- Councillor Mrs French asked why the Judicial Review is not mentioned in the officer's report? David Rowen stated that he was not aware of the Judicial Review and the information he holds is that planning permission was granted for a full application with 20 dwellings in 2003. He explained that is 22 years ago, and the report in front of members today gives a full assessment of the application in relation to the current policies of the Local Plan and National Planning Policy Framework and the application complies with those and on that basis the officer has made their recommendation. David Rowen added that whilst there is reference made within the report with regards to the site having had permission in the past, in his opinion, that is only a passing reference and there is no significant weight given to that due to the age of any previous decision on the site and the officers recommendation is on the basis of the assessment of the current planning policies.
- Councillor Mrs French stated that there is a reduction from 25% to 20% for affordable housing and she does not find that acceptable. She added that with regards to the Section 106, which is for £40,000, only £6,168 is for education, and she questioned where the rest of the contributions are that the County Council have requested. David Rowen stated that the application was submitted in 2024 and, therefore, the Local Plan viability review which was undertaken by the Council in 2020/21 is still considered to be relevant and is a material consideration. He added that the affordable housing contribution and the financial contribution set out do accord with that and are consistent with the approach which has been taken with a number of other applications of this scale over the last few years.
- Councillor Connor expressed the view that the detail surrounding viability needs to be reviewed again.
- David Rowen stated that as of November 2024 and the publication of the new validation lists, the submission of an up-to-date site-specific viability assessment is something that is now required. He added due to the fact that this application predates that is why the approach that is being taken with this application.
- Councillor Mrs French stated that she understands the point that David Rowen has made but, in her view, somebody is going to have to pay towards services. She explained that there are contributions towards primary education of £145,496 requested, secondary education £126,265 and she questioned how those figures are going to be met as there is a shortage of school places. David Rowen stated that he agrees with Councillor Mrs French, and added that it is clear that £40,000 does not cover the requested contributions, which he stated is a fairly common situation in Fenland. He made the point that the committee will recall a number of applications where the fully requested contributions have not been met. David Rowen stated that the Council's assessment has indicated what is a viable level of contribution and the application meets that. He added that members will also be aware that it is not necessarily grounds to refuse an application because there is not the delivery of the full range of financial contributions.
- Councillor Mrs French stated that when considering the contribution of £40,000, there is £332 towards a library which, in her view, is a ridiculously small amount along with the contribution for the ambulance service which is £740. She stated that if there is going to be 20 dwellings regardless of whether they are going to be houses or bungalows, somebody has to pay for this, and the current contributions, in her view, are not acceptable.
- Councillor Marks questioned whether the roadway will be a private road and not adopted,

and he also made reference to the refuse collection. David Rowen stated that the southern part of the access road is indicated to be of a shared surface which would not be adopted by the County Council. He added that dependent on the standard of the build and whether the Council's Refuse Team were provided an indemnity to go down there could be the case or a private refuse collection may be used. David Rowen stated that condition 16 refers to a refuse collection strategy which should be submitted to and approved in writing by the Local Planning Authority alongside the reserved matters and, therefore, it is addressed through the condition.

- Councillor Mrs French stated that should a road be adopted it would need to be made up to an adoptable standard and would also be governed by a 20mph speed restriction.
- Councillor Connor stated that he knows the land very well, explaining that it used to be scrap metal yard and due to that fact the land will definitely be subject to contamination as the Environment Agency did not undertake any enforcement until the early 90's. He stated that he would like assurances that there will be a detailed survey undertaken to ascertain the level of contamination in the land and the remedial action required. David Rowen stated that the Council's Environmental Health Team have been consulted as part of the application, and they hold a detailed history of historic scrapyards and, therefore, should be aware of the site. He added that their comments are included in full within the officer's report and they have requested a condition known as unsuspected contamination which is included as condition 23 in the schedule of conditions.
- Councillor Connor referred to the road and questioned whether it is going to be adopted? David Rowen stated that from the submitted details, it appears that the upper half would be built to an adoptable standard including the appropriate width with footways and it is the lower half which is unadopted and, therefore, there is a potential for a split in terms of that arrangement. He added that there is no obligation for a road to be adopted and whilst the upper half maybe to an adoptable standard it is not necessarily the case that it would actually be adopted by the County Council.

- Councillor Connor stated that he has untaken site visits and looked at developments similar to the one being determined and found some of the road surfaces to be in an awful condition. He asked that if the application is approved then could it be conditioned so that until the road is made up to an adoptable standard then the last dwelling remains unoccupied or unsold? David Rowen stated that there is a difference in this application due to the fact that the site is not 100% to be served off of an adoptable road as there are quite a number of the dwellings that appear to be served by a private roadway. He added that he is unsure whether the same wording would be applicable in this case or quite as reasonable. David Rowen added that if the committee are minded to want a condition to that effect then it is something that could be potentially delegated to officers in conjunction with the Chairman for appropriate wording to be formulated. Councillor Connor expressed the view that it would give him great comfort and he would hope that the committee would also be in agreement.
- Councillor Marks stated that, with regards to the roadway, it would appear from the site plan that there is an element of block paving included, and he was of the view that block paving is not acceptable for road surfacing as an adoptable standard. David Rowen stated that part of the road that is indicated as being a shared surface would not be to an adoptable standard, and he referred to the presentation screen and indicated the section in golden colour which does not appear to be a road that would be adopted by the County Council.
- Councillor Marks referred to the presentation screen referred to the first section where there is only one house on the plan before the block paving is reached and then a tarmacked surface and questioned whether there is going to be a mixture of road surface types. David Rowen referred to the presentation screen and explained that there is an area of shared surface or different coloured surface within the grey road section. He added that that it could be an indicated traffic calming measure but the rest of the roadway down to the point of the turning head within the middle of the site does appear to be to an adoptable standard in terms of the road width and predominantly the use of a bounded material including footways.
- David Rowen made the point that whether or not the road is adopted or not is not a material planning consideration and would be dealt with, in the view, of officers appropriately through

the relevant conditions indicated.

- Councillor Gerstner asked whether the refuse collection freighter is going to be able to access the unadopted road? He added that consideration needs to be given to the fact that there is a proposal for up to 20 dwellings there and on the indicative site plan there does not appear to be a great deal of room for pedestrians. David Rowen referred to the presentation screen and stated that there is a roadway which is 5 metres wide and typical for a width in an estate along with a 2-metre-wide pedestrian footway and is more than the required adoptable standard. He expressed the view that there is nothing to indicate that the site cannot be accessed adequately, and the Highway Authority have not raised any concerns in that respect.
- Councillor Connor made comment with regards to Section 38 Agreements dealt with by the County Council and the County Council cannot insist that developers make roads up to adoptable standards, they can only advise them.

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

- Councillor Mrs French expressed the view that she does not think that it is a good application as it appears to have too many details which are not confirmed along with other uncertainties. She added that there appears to be a dispute with land ownership, a Judicial Review which members have no details of, and an unknown factor of whether there are going to be bungalows or houses. Councillor Mrs French made the point that whilst that detail will be known at the reserved matters stage, the application is for up to 20 dwellings, but the agent has stated that it could be 15. She expressed the opinion that she is aware of a roadway in Christchurch which still is not finished even after 22 years which impacts 38 dwellings. Councillor Mrs French stated that she does not like the application, and she is not going to support it.
- Councillor Sennitt Clough stated that she is also aware of an unadopted road with raised ironworks, which remains unadopted after 10 years which has an impact on the residents who live there and their vehicles. She added that as an elected member she represents residents, and she does not feel comfortable with a number of aspects which have been outlined regarding the application.
- Councillor Marks stated that he agrees and also has unadopted roads in Manea. He made the point that the application before the committee has a piece of land which has previously had planning permission granted and whilst there are concerns over the roadway and the number of houses, consideration needs to be given to the fact that technically there is still a piece of land which could have something built on it. Councillor Marks expressed the view that it is poor that there is not more information to accompany the application including number of dwellings and the roadway but if comfort can be provided that the roadway will be brought up to a standard, albeit not adoptable. He stated that the application is for houses which the site has already had, and he does not see how the committee can refuse the proposal when considering the officer's opinion.
- Councillor Connor stated that he agrees with Councillor Marks, and added that in 2004 the site had planning permission for 20 houses and was withdrawn in 2018. He expressed the view that he does not see how the application can be refused in its present form. Councillor Connor added that as far as the road is concerned, which is his biggest worry, if it could be stipulated that the last 2 houses cannot be occupied until such time as the road is either adopted or brought up to an adoptable standard then it would alleviate that concern. He stated that he does not feel content to refuse the application although he does appreciate the points made by Councillor Mrs French.
- Councillor Marks stated that he does understand the points made by Councillor Connor, however, the number of properties is still not known for sure at the current time and he is actually considering whether it would be worth deferring the application so that there is a categoric number of dwellings in order that it can then be agreed how to proceed regarding occupation and the situation concerning the roadway. He referred to the indicative site plan and stated that he also has concerns with regards to the roadway as there appears to be an area of block paving after house number 1. Councillor Marks expressed the view that he is not content to see the application refused as there are some unknown elements but he

would like to see the application deferred.

- Councillor Imafidon stated that the application is in outline and the number of units and type of dwellings is still not known. He stated that the committee need to make a decision based on what is in front of them.
- Matthew Leigh stated that the application is in outline and applicants are allowed to submit applications in outline form with a certain level of unknown, including number of dwellings, lack of clarity on scale, mass in bulk and housing mix. He added that as decision makers the committee needs to be confident that an application can come forward and can be acceptable and, therefore, the two elements need to be balanced against each other. Matthew Leigh added that normally members are worried that there could be more dwellings rather than less which is often the issue and the agent has explained that it is relatively urban in appearance and elements such as biodiversity net gain and public open space needs to be taken into account. He expressed the view that he would not be content with regards to imposing a condition where it stated that it had to be adopted because there is not requirement for that to be but he understands the members concerns with regards to highways, access, vehicular movements within the site which is a completely relevant planning consideration. Matthew Leigh explained that if members have a strong feeling with this point then rather than looking at adopting where that maybe more appropriate for other schemes when taking into account the scale of this scheme and the fact that it is probably unlikely that it would be adoptable and the fact that the number of dwellings is not known is a concern, it would be possible to require a condition to require a hard standing and access details to be provided and for that to be provided prior to occupation of first dwelling. He explained in theory should permission be granted then they could deliver the dwellings at the front by getting approval under the hard standing and then that would mean that rather than having a cap on the number that could be completed and then still not having the roadway they would have to provide the roadway for each dwelling. Matthew Leigh explained that as this is a fairly small site there are no concerns with regards to interactions between different roadways where on a larger scheme it would not normally work. He expressed the view that there is a potential for a condition that could overcome the members concerns which he would suggest is delegated to officers.
- Councillor Connor stated that if the application was passed in outline form could it be brought back to the committee in detailed stage in order to address members concerns. David Rowen stated that it would depend on the scheme of delegation at the time of any reserved matters or full submission. He added that if the minutes stated that the committee requested that they wished to see any future detailed scheme on the site be considered by the committee that could be something that officers could ensure would happen.
- Councillor Connor asked for clarity that officers are confirming that the detailed scheme would come back to the committee. David Rowen stated that if it is noted in the minutes that members have requested that a full or reserved matters application is brought before the committee then it would be something that the officers dealing with such an application would address such a request at that time.
- Matthew Leigh added that it would be down to the authority of the Head of Planning to send any application to the committee, and he would hope that would be done.
- Councillor Mrs French expressed the view that there are still a number of points which have not been addressed which includes the issue of contaminated land. She made the point that if the application were to be approved then the applicant does have three years and by that time the District and County Council will not exist.
- Councillor Marks stated that the applicant has held on since 2004 and another three years will not make much difference, however, it will make a difference to some of the residents. He added that in three years they may come back for 25 or 30 dwellings, and he made the point that the application before the committee is recommended for approval by officers, however, he is not happy for the application to be approved due to the number of unknown factors. Councillor Marks stated that if the application is deferred with a number of questions for the agent to consider and then to come back to officers in a timely manner at that point the committee can then reconsider the application. He stated that, with regards to the

roadway, whatever is put in place is, in his view, a good idea so that the applicant knows that is what they are up against unless they want to bring the roadway up to an adoptable standard. Councillor Marks reiterated that he feels that the application should be deferred.

- Councillor Gerstner stated that the committee need to consider the application before them and access will be dealt with at the reserved matters stage, along with other factors that members appear to be concerned with.

It was proposed by Councillor Gerstner, seconded by Councillor Imafidon to approve the application as per the officer's recommendation, however, this was not supported by a majority vote.

Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the application be DEFERRED in order to receive further information from the Agent.

(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. He further declared that due to the fact that he attended a meeting with the residents in New Road, some years ago, he does not feel that he would be able to remain impartial with the knowledge that was given to him and, therefore, he did not take part in the discussion and voting thereon)

(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)

P110/24 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)

Tom Donnelly presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from David Pritchard, Patrick Humphris and Kate Humphris, objectors. Mr Humphris stated that he is representing a large number of residents from the village of Newton who object to the proposal and has three points that he wishes to highlight to the committee, stating that the application does not constitute infill development and is, therefore, contrary to policy LP3 of the Local Plan. He referred the committee to the advice and detailed policy analysis provided by an independent planning consultant that he has engaged along with the officer's report which has concluded that it is not infill development.

Mr Humphris referred to the presentation screen and made the point that the photo shows sporadic housing on Rectory Road and the surrounding area which is green and beautiful countryside. He stated that his second point refers to the rural character of this part of Rectory Road which, in his view, would be harmed by the proposal and should make it contrary to policies LP12 and LP16 of the Local Plan.

Mr Humphris drew members attention to the aerial photo which clearly demonstrates, in his view, that the site is flat arable land and the surrounding area is mainly open fields, has sporadic dwellings and no linear development. He stated that he objects to the proposal because it will harm the rural character of Rectory Road and is contrary to planning policy.

Mr Humphris explained that the residents of the village overwhelmingly object to the development and strongly oppose the plan and have made their views clear through 42 letters of objection and by their attendance at every Parish Council Committee meeting. He expressed the view that he finds it baffling that some of the Parish Councillors have not listened to the views of residents or

taken their concerns raised with regards to planning policy and material considerations seriously.

Mr Humphris added that, whilst it is recognised that a tension will always exist between how to keep Fenland growing without losing the uniqueness of Fenland, the Local Plan clearly sets out that Fenland has a unique character with its flat open landscape and big skies as well as complex networks of drainage channels and watercourses and he asked the committee to help to protect the balance and to refuse the application.

Mr Pritchard stated that the application site is landlocked and, therefore, a discharge pipe has been added which only just touches the corner of the whole field, diverting all of the water from the site and much of the remaining field into higher flood zone. He explained that the permission to discharge given by the Lead Local Flood Authority is subject to riparian rights and he owns the adjacent field and dyke which has those riparian rights.

Mr Pritchard stated that his land is already saturated and, in his view, he is being put at an increased risk of flooding so he does not give his permission. He explained that the village has no amenities and, therefore, the site is not sustainable, with there having already been over 20 houses for sale in Newton as well as the threshold for houses having already been met with a six and a half year surplus without the additional nine houses which have recently received approval on the same field and with the same owners.

Mr Pritchard expressed the view that the development is not in accordance with current policies or emerging Local Plan. He stated that it will cause demonstrable harm to the rural character and environment of the village, and he asked the committee to support their officer's recommendation of refusal.

Members asked the following questions:

- Councillor Gerstner asked why the Parish Council appeared to be in favour of the proposal when there was clearly so much objection from residents in the village? Mr Humphris responded that he finds it baffling when there was so much objection from the residents. He added that the Parish Council decision was not unanimous and there were some Parish Councillors who were in opposition and some who abstained and the only other point that he can factually note is that the applicant is a Parish Councillor and is the applicant's sister.
- Councillor Connor stated that he would have expected both the applicant and Councillor Clark, the applicant's sister, to have abstained from voting and they would have hopefully made no comment and left the room.
- Councillor Connor asked whether the majority of the Parish Council voted in favour of the application? Mrs Humphris, also a Newton Parish Councillor, stated that the majority, but not all of the Parish Council voted for the proposal. She explained that she objected, and she raised concerns at the meeting with the concerns raised by the local residents attending the meeting not being listened to.
- Councillor Mrs French asked for clarity with regards to the field flooding. Mr Pritchard explained that in the winter months there is always a lot of water which sits on top of the field and his piece of land is adjacent to the field which he finds he cannot walk to the bottom of due to the water level being so high.
- Councillor Mrs French asked whether the applicant or agent has made any contact with him concerning the ownership of half the dyke? Mr Pritchard confirmed that no contact had been made. Councillor Mrs French expressed the view that is the first thing that they should have done.
- Councillor Marks referred to the application for nine dwellings which the committee approved at a recent meeting and flooding was raised as an issue. He asked Mr Pritchard whether his field is actually drained at the present time? Mr Pritchard explained that he is the third generation in his house and the family used to farm the field which falls down to the dyke at the rear of the property and the garden and there is no land drainage as it is a

natural fall into the ditch. Councillor Marks made the point that mitigation measures such as land drainage could be implemented if the field is already wet and asked what the perception is of a Fenland village as, in his view, it is houses built on the roadside and not back garden developments as a standard. Mr Humphris stated that there are different categories of Fenland villages which includes one which are designated as small villages and Newton is classified as a small village B, and the proposal is located at the very end of the village. He added that the Planning Officer explained that the application is not really considered to be in the centre of the village and the aerial photo highlights that the village is off to the left of that photo and that is why there is very sporadic housing at that end of the village location. Councillor Marks stated that there are other properties in the area which are located on the roadside and, therefore, regardless as to whether they are in the centre of the village or on the outskirts most Fenland villages have sporadically built properties as you go in and go out of the village. Mr Humphris agreed, however, in this case, he feels the dwellings are sporadic and there are not 6 houses in a linear development. He referred to the presentation screen and explained that on the entire length of Rectory Road there are 6 houses and the proposal is to add a further 6 houses in a very small plot almost doubling the number of houses on the road in a concentrated area and that is introducing a population and housing density which does not suit that end of the village. Councillor Marks expressed the opinion that is down to interpretation. Mr Humphris stated that it is not interpretation it is a fact with regards to the number of houses and the size of the village and the location at the edge of the village which is all factual information.

- Councillor Imafidon asked whether there is any historic evidence with regards to the site flooding in the field which Mr Pritchard made reference to? Mr Pritchard explained that when he walks down the field to the rear garden where he keeps geese and animals the ground is very soft under foot as you get close to the dyke due to the natural fall. He added that beside it in the field the photograph on the presentation screen shows the amount of water that just sits on top of the field and he explained that when he built his own house, the development had to stop due to the height of the water table which was high so the footings could not be dug. Mr Pritchard added that the level does rise very high in the winter and falls naturally into the dyke and disperses and currently the dyke is still half full and maintains water through a fair part of the year. Councillor Imafidon asked whether the water remains stagnant in the dyke and does not flow anywhere. Mr Pritchard explained that the water builds up.
- Councillor Sennitt Clough asked whether there are adequate properties for the young people who live in the village and she made reference to the number of houses for sale in the village questioning whether people stay in the village and are properties too expensive for people to stay in the village. Mr Humphris explained that he is also a father of two children and there are children in the village, with there being a nice playing field in the middle of the village. He added that there is a lack of school spaces so other people that his family knows who have children have had to send their children to school in Littleport as there are not enough spaces in Thomas Clarkson Secondary School which he believes is an issue. Mr Humphris added that Newton is a nice village and is a nice green and open place for children to grow up despite the fact that there are no amenities.
- Councillor Sennitt Clough asked whether the children as they grow choose to stay in the village. Mr Pritchard explained that he is the third generation in his parent house which was falling down and he rebuilt it. He added that because there is not really anything in the village for children to do he would have to transport them out of the village to various places to take part in activities. Mr Pritchard explained that there are no sports teams in the village and only a small playing field and he found life to be quite boring as he grew up. Mrs Humphris explained that with regards to families' prospects in the village, Mr Pritchard is third generation as is the applicant but she is relatively new to the village and there is a really good mix of people who live there with new people moving in. She added that when considering whether people with families stay in the village consideration has to be given to employment and where people can find jobs which will determine whether they will be able to stay in the village.

- Councillor Connor stated that if villages in Fenland do not expand then they could die and the way to get more services, in his opinion, is for development of houses and more footfall.
- Mr Humphris stated that there used to be a school in the village, a post office and shop which all closed. He added that it is like a chicken and egg situation, if the village expanded significantly then maybe some of the amenities would open again, but, in his view, you cannot build to the scale and then expect those amenities to come. Mr Humphris added that when there is a designation of small village, the people who live in the village do not choose to do so because it is a suburb of Wisbech, they live in Newton because it is a rural green village and people who chose to live in Newton did that knowingly. He explained that there is already significant building in the village and Newton has exceeded its targets by 133% and there is already a great deal of building which is taking place on brownfield sites across the village and Newton is in a very healthy position having exceeded all the building targets. Mr Pritchard added that there are 18 properties currently for sale in the village and, therefore, there are properties available should people want to move in.
- Councillor Gerstner asked for clarity on the number of dwellings available for sale. Mr Pritchard said the additional 9 dwellings are where planning has been approved recently on the High Road in Newton on the same field which are still to be built.
- Councillor Gerstner stated that he finds this application difficult as the Parish Council has identified the site as part of the emerging plan for the area and it forms part of their future. He added that there were letters of support for the proposal as well as those in objection, however, the Parish Council appear to put quite significant weight into supporting the proposal.
- Councillor Mrs French stated that she does have concerns with regards to the flooding and she also has concerns that the applicant has not contacted Mr Pritchard with regards to discharging into the shared dyke.

Members received a presentation, in accordance with the public participation procedure, from Andrew Clark, the applicant and Chris Walford and Peter Humphrey, the agents. Mr Humphrey stated that the application is in outline form for 6 dwellings, with the application being submitted in November 2023. He stated that the site is located within Flood Zone 1 and as a result of a drainage issue which was highlighted recently, Mr Sharman from the North Level IDB walked the dykes at the rear of the site to investigate what the issue was and it was noted that there was a blockage due to a load of potatoes having been dumped into the dyke and Mr Sharman stated that he would deal with the matter.

Mr Humphrey stated that the application site drains the other way to Mr Pritchard's and a drainage strategy has confirmed that the site can be drained satisfactorily with no detriment to any adjoining landowners. He explained that the Parish Council support the application and although it is controversial, the Parish Councillors are the elected members and they have supported the application at both of their meetings on 21/3/23 and 20/09/24 particularly with the addition of a footpath to the frontage of Rectory Road so that people can almost walk the square without walking on the road.

Mr Humphrey added that the application predates BNG and, therefore, that does not need to be taken into consideration and the Highway, North Level IDB and LLFA find the application acceptable, with the archaeology team requesting an investigation. He expressed the view that he is disappointed to see the officer's recommendation for refusal, particularly with regards to LP3 small villages, where the policy states that development will be considered on its merits.

Mr Humphrey expressed the view that the merits of the proposal are enough to warrant support. He circulated an email to members of the committee which he had received in August 24 from a previous Planning Officer who had advised that the application was being written up with a recommendation for approval and the officer had asked him to agree pre-commencement conditions which he did and he never heard anything further until the committee report was published last week with a recommendation of refusal which he found most surprising and he

asked the committee to consider the application under its original recommendation from officers, according to the email which he received which was for one of approval.

Members asked Mr Humphrey the following questions:

- Councillor Imafidon asked why he has not chosen to circulate the email he received previously rather than wait to Planning Committee itself? Mr Humphrey stated that he did not see the need to do so.
- Councillor Marks asked Mr Clarke to confirm how long he has actually owned the field? Mr Clarke confirmed that the field has been in the family's ownership for 80 years or more, with the family having grown cut flowers. Councillor Marks asked Mr Clarke whether he has ever known there to be any flooding issues? Mr Clarke stated that the field is fairly well drained as he grows cut flowers on it.
- Councillor Marks referred to the presentation screen and the issue of infill development making the point that the approved application for 9 dwellings on the High Road, in his opinion, was infill development. He explained that officers have advised him that the 6 dwellings on Rectory Road take up 100 metres and questioned how many metres the application on the High Road took up as infill development. Councillor Marks added that consideration needs to be given to the fact that on Rectory Road there is one property on either end. Mr Walford explained that to the best of his knowledge the other development on the High Road was 130 metres wide with the one on Rectory Road being closer to 100 metres. Councillor Marks made the point that the distance is shorter but in the opinion of officers it is not infill even though there is a property at either end which is the same scenario as the High Road. Mr Walford explained that both applications have a property at either end and, in his opinion, if one is infill the other is the same due to the fact that there is a house either end.
- Councillor Mrs French asked whether anybody has contacted the other owner who shares the riparian dyke? Mr Clarke explained that he has not contacted them, but he added that he did contact the Drainage Board because he owns 30 feet of the dyke and he believed he only had to contact the Drainage Board. Councillor Mrs French made the point that with a riparian dyke it does belong to both parties and if one is going to undertake works then there should be an element of courtesy to advise the other owner. Mr Walford referred to the presentation screen and indicated that any water will flow away from Mr Pritchard's land and towards the IDB network. Mr Clarke explained that it actually flows both ways.

Members asked officers the following questions:

- Councillor Mrs French referred to the email that Mr Humphrey had circulated with regards to agents and applicants being misinformed with regards to their applications and she added that this has happened on a previous occasion and must not happen again.

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

- Councillor Marks stated that the application for the 9 dwellings on the High Road came before the committee on a couple of occasions and officers have added that in their view the new application is not infill development even through there is a property at either end which is the same as the approved application on the High Road which is longer. He stated that he cannot see how this application cannot be classed as infill, and it is not back land development. Councillor Marks stated that he can see nothing different and added that members are told that they need to be consistent in decision making. He stated that the majority of the Parish Council voted for the application to be approved, and he added that he will be looking to support the application.
- Councillor Benney state that he agrees with Councillor Marks and added that members need to be consistent in their decision making. He added that villages die if they do not grow, and he explained that he visited the site and drove around the village where, in his view, there has been other building along Rectory Road as it is evident from the type and style of architecture. Councillor Benney made the point that Doddington is a prime example of what housing development can bring to a village as it was going to lose its shop but now

has two. He added that development keeps schools alive and brings prosperity and services to an area and he can see nothing at all which is wrong with the application, and it is infill.

- Councillor Sennitt Clough expressed the view that Newton is a lovely peaceful village and she appreciates the concern in retaining that beauty and peacefulness but feels it is better to see a local man who wants to build a small number of houses rather than a larger developer who has no local knowledge. She added that she does understand the need to retain the sense of tranquillity in the village, but she does support the views of both Councillor Benney and Marks.
- Councillor Benney stated that if somewhere has the right kind of development and the right kind of people then it brings an enhancement to an area. He added that he agrees with Councillor Sennitt Clough that you do not want to see the wrong kind of development on this site and, in his view, this is the right kind of development.
- Councillor Marks stated that in Manea, the village is full of large applications and the application in Newton is a small application and members need to be consistent. He added as the committee have only recently approved development on the High Road, it would not be right to then refuse this application and say it is not infill.
- Councillor Connor stated that the majority of the Newton Parish Councillors voted in favour of the application and whilst it is not a material consideration their views do need to be considered.
- Councillor Gerstner stated that the application is in Flood Zone 1 and, in his view, villages do need to stay alive, and it is not impossible. He referred to the village of Coates where a small supermarket is being introduced because of development in the area and Planning Committee have seen small shops being passed by the committee previously and there is hope for the villages if they are let to go and breathe then they may get amenities which come along. Councillor Gerstner stated that he fully supports the views of the other members.
- Councillor Connor stated that Turves is another prime example and has not grown in the last 20 years since the Red Barn Estate and is slowing dying as it has no shop or public house, meaning that people do need to travel. He added that villages do need to grow but with sympathetic development. Councillor Connor expressed the view that he does think that it is infill development with a house each side and he will look to approve the application.

Proposed by Councillor Benney, seconded by Councillor Marks and agreed that the application be GRANTED against the officer's recommendation with delegated authority given to officers to apply reasonable conditions.

Members did not support the officer's recommendation of refusal as they do not consider that it falls under LP3 and feel that it is in the sign postage of Newton and it is not detrimental as it will add character and bring sustainability to the village

(All members declared that the applicant is the brother of Councillor Sam Clark, but they only know her as a fellow councillor and not socially, and would remain open minded)

P111/24 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)

Tom Donnelly presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Lee Bevens, the agent. Mr Bevens stated that the application seeks approval for the erection of three

dwellings on the application site and subsequent biodiversity BNG metric would be produced as part of any future reserved matters application, which would address the mandatory 10% BNG requirement. He stated that the planning officer's report at 1.2 makes reference to the fact that the proposal represents a form of development which fails to respect the built form of this part of the village, but he drew members attention to application F/YR24/0635/RM, which the committee approved for 24 two-storey dwellings, immediately to the north of the site, which goes further back behind Westfield Road than the current application before the committee.

Mr Bevens drew members attention to F/YR23/0337/F, which was for the erection of four dwellings, 2, two-storey three-bedroomed dwellings and two single-storey houses at land south of 37A Westfield Road, opposite the site, which was approved by the committee in August 2024. He added that both these applications offer development behind the main frontage of Westfield Road and made the point that if the application is approved then a full foul and surface water strategy will support a reserved matters application.

Mr Bevens referred to 1.3 of the officer's report regarding the long nature of the access and he explained that details of external lighting would form part of the reserved matters application and there is no reason to assume that the lighting or the height of the dwellings will give rise to a detrimental impact on nearby dwellings. He explained that plot 1 is over 45 metres away from 104 Westfield Road and 40 metres away from 98 Westfield Road, with the properties orientated at 90 degrees to the houses fronting onto Westfield Road to avoid any loss of privacy or overlooking and, in his view, he cannot foresee how any long term disturbance will be caused other than the limited time to construct the development any more than the adjacent approved scheme for 24 dwellings.

Mr Bevens circulated a hand out to members of the committee and stated that officers have referred to the application site as to being in Flood Zones 2 and 3 and he explained that it is only part of plot three that enters Flood Zone 2. He stated that plots 1 and 2 are not located inside Flood Zones 2 or 3 and made the point that the Council has recently approved a number of schemes in the immediate proximity of the site and these are indicated on the circulated handout.

Mr Bevens added that these sites are located on a lower point than the proposed scheme which includes the four-bedroomed dwelling at Westwood Farm which was approved a few years ago, 2 four-bedroomed houses along Fallow Corner Drove and four-bedroomed dwellings at 106 and 110 Westfield Road. He explained that as part of the reserved matters application a subsequent drainage strategy as well as full details of flood mitigation measures will be detailed to ensure that properties do not flood, and he asked members to reconsider the recommendation for the application and grant the application.

Members asked Mr Bevens the following questions:

- Councillor Marks questioned Mr Bevens as it is his understanding that he was involved with F/YR20/0186/F which was an application for one single dwelling located by the barn, and he indicated it on the presentation screen. He asked how far out of the ground that needed to be built due to flood mitigation measures which had to be incorporated? Mr Bevens stated that he was advised by the drainage consultant to build approximately two metres out of the ground. Councillor Marks asked how much further out of the ground will that stand compared to the proposed three dwellings? Mr Bevens stated that the three proposed are not as low as the four-bedroomed dwelling at Westwood Farm. He added that the flood risk consultant suggested that 300mm of flood resilient construction but, in his view, he does not see them being anywhere near that far out of the ground. Councillor Marks asked whether Mr Bevens would agree that the dwellings would not be seen as you drive down Westfield Road? Mr Bevens stated that is correct.
- Councillor Benney asked for clarity with regards to the location of what flood zones the dwellings will be located in. Mr Bevens stated that plots 1 and 2 are not in Flood Zones 2 and 3, part of plot three is located in Flood Zone 2. Councillor Benney asked whether the actual

building is located in Flood Zone 2? Mr Bevens confirmed that it is only part of it. Councillor Benney expressed the view that the maps are so far out of date, and he asked whether the attenuation ponds will be located in Flood Zone 3? Mr Bevens confirmed that is correct.

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

- Councillor Marks stated that he knows the area well and he rents a shed in the next-door adjoining buildings, with there having been various developments which have appeared over a period and there have been developments which the committee have refused due to land use and access concerns. He stated that he is very much in favour of this application as are the Parish Council and he has considered what the agent has said with regards to flood zones and added that the property which is raised out of the ground, in his view, looks very much out of place because of the height of the building. Councillor Marks made reference to the handout provided to the committee by Mr Bevens which indicates the other developments, and he stated that he will support the application against the officer's recommendation.
- Councillor Imafidon stated that the word consistency is used on many occasions when the committee determine applications, and he recalls visiting Manea and reviewing all of the developments that the committee had approved in the area. He stated that to remain consistent he does not see any difference with the application before the committee and he will support it.
- Councillor Benney stated that he agrees with Councillor Marks that it is a good solid development, and he recalled passing another property in Fallow Corner Drove which needed to be built 6 foot out of the ground, however, now it looks very good and does not look out of place. He added with regards to the point being made that the site is located in the open countryside when you consider Glebe Close which is in very short walking distance from the site that actually goes out much further into the open countryside than the application site does. Councillor Benney expressed the view that there comes a time where you have to build where you can build, and he questioned whether Manea should be filled with lots of little houses or whether it would be better to see some nice dwellings. He added that the site further along was approved a few weeks ago and he believes that there needs to be some consistency, and he added that this site and application is worthy of passing.
- Councillor Marks added that as far as he is aware he has never known the application site to flood and the Darcy Lode runs to the bottom of that and he has never seen that part of the Darcy Lode flood either and, therefore, he has no concerns with regards to flooding at the site.
- Councillor Connor stated that the Parish Council have raised no objection to the application and that should be taken into consideration.
- The Legal Officer stated that the Code of Conduct and Constitution states that if there has been a recent refusal and should any member wish to propose the application for approval, then that proposing member needs to explain the change in planning circumstances since the last refusal.
- Councillor Connor confirmed that the last refusal was in 2021.
- Councillor Marks stated that he will propose that the application be approved against the officer's recommendation as the field above the red line as shown on the presentation screen has now got development along with the area across the road from the application site and a number of properties have been granted planning permission within the local area. He added that the house that is raised out of the ground has also been granted permission and, therefore, within the last 3 years there has been a significant amount of development in the area.
- Councillor Marks referred to LP12 and LP16 stating that those parts of the Local Plan are very subjective, and he does not feel it can be seen as inappropriate when there are another 20 dwellings to be developed in the vicinity. He stated that the Parish Council are in favour of the proposal, and he cannot see it as making any difference to the streetscene as the properties will not be able to be seen.
- The Legal Officer stated that with regards to Flood Zones 2 and 3, there needs to be clarification with regards to why that is not a reason for refusal. Councillor Marks referred to the presentation screen and highlighted the bottom property on the left-hand side which is built in Flood Zone 3 and mitigation measures were included so that it was built out of the ground and, therefore, in order to remain consistent there has already been approval given for a dwelling in

Flood Zone 3 less than three years ago.

- David Rowen highlighted the difference between the current application and the application that Councillor Marks had made reference to, namely Westwood Farm. He added that he recalls that the dwelling was granted because there was actually a need that the committee accepted in relation to a dwelling being required on the site and a tie through condition of the occupancy of that dwelling to the adjacent commercial operation. David Rowen added that consequently there would be no need for a sequential test in that instance as opposed to the current proposal which does not have those sort of site specific circumstances and, therefore, there is a fairly distinct difference between the two sites in terms of consideration of flood risk.
- Councillor Marks stated that he is not aware on what grounds the previous application was refused on and the agent has explained that only a small proportion of one of the dwellings is located within Flood Zone 3 and, therefore, he is considering the application on face value today, with only one property out of the three being in Flood Zone 3 and members have heard previously that maps alter fairly regularly. He stated that officers have advised that they cannot do an overlay map and advised that is down to the responsibility of the agent which he understands, however, there is one property in Flood Zone 3, others in Flood Zone 2 and he feels that the committee needs to be consistent.
- Councillor Connor stated that the agent has confirmed that only half of one of the properties is located in Flood Zone 3 and it conflicts with officers' opinion. He added that two of the dwellings are probably in Flood Zone 2 and 3 and at Chairman's briefing it was discussed that it was down to the agent to undertake the proper work and, in his opinion, the agent has undertaken the proper work. Councillor Connor added that there are mitigation measures which can be looked at and he is happy to support the application.
- Councillor Benney stated that in Elm, several years ago, there was an application where the dwelling was in Flood Zone 1 and next door was in Flood Zone 2 and it was noted that the dwelling in Flood Zone 2 was actually higher out of the ground than that in Flood Zone 1. He expressed the view that the maps are very vague as are the maps that the Environment Agency publish. Councillor Benney stated that most of Fenland goes from Flood Zone 3 to Flood Zone 1 and he made the point that there should be Flood Zone 2 between the other two zones but for 90% of the area there is not.

Proposed by Councillor Marks, seconded by Councillor Benney and agreed that the application be GRANTED against the officer's recommendation with conditions delegated to officers in conjunction with the proposer and seconder.

Members did not support the officer's recommendation of refusal as they feel that there is other development which has been granted permission in the vicinity and, therefore, a precedent has already been set.

(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)

P112/24 F/YR25/0006/F
LAND SOUTH OF HORSE CREEK FARM, COLDHAM BANK, COLDHAM
ERECT 1 SELF BUILD DWELLING

Tom Donnelly presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Mr Deptford, the applicant, and Shanna Jackson, the agent. Mrs Jackson explained that the proposal is for an occupational dwelling for the applicant and his family to reside in to enable the applicant to be on site 24 hours a day, 7 days a week in order for him to be able to maintain the local drainage system within the area. She explained that the second reason for refusal relates to visual impact and the perceived harm to the countryside and, in her view, this is subjective given the fact that the dwelling is proposed to be located next to the existing buildings and set against the backdrop of

these buildings and located within a small cluster of development, in her view, the dwelling would not cause visual harm to the character and appearance of the countryside.

Mrs Jackson referred to the third reason for refusal which relates to flood risk and she made the point that given that there is an essential need for the dwelling to be in this specific location and that it will facilitate the maintenance of a local drainage system and that an acceptable Flood Risk Assessment has been provided the proposal passes both the sequential and exception tests.

Mr Deptford stated that he would like to refer to the first reason for refusal and explained that the dwelling is required to support his business, adding that he is a fourth generational farming business and his son has just returned to the family business to ensure that it continues. He explained that he has recently expanded the farming operations to approximately 890 hectares of owned, rented and contract farmland, and none of the land has any available housing.

Mr Deptford explained that he has farmed the land where the proposed dwelling is located since 1942 and originally there were three farms which his grandfather combined, and it had several dwellings on the farm and up until the 1970s there were five houses on the farm. He added that during the 1970s these houses were all demolished as they were badly built and suffered from significant subsidence, making the point that there is a history of housing on the farm.

Mr Deptford explained that he has a sustainable ongoing business and due to expansion, the demands to be on the farm in person have increased significantly over the last four or five years. He made the point that he has over 150 lorry movements a year, loading and unloading of produce as well as numerous stores which require constant checking along with the issues of theft, trespass and hare coursing.

Mr Deptford added that one of the reasons he needs to be located on the farm is due to the private drainage board which is one out of only six in the whole of the Middle Level and his is the largest which incorporates 340 hectares which drains his land and small parcels of land next door. He added that the farm is drained by a single pump and like many in the area is 70 years old and is becoming increasingly demanding to maintain and this is particularly relevant due to its age and changing weather patterns.

Mr Deptford stated that due to increasing demands in winter months and in particular requires daily weed cleaning for up to an hour a day and vigilance in case of breakdown as water levels can rise extremely quickly. He expressed the view that a breakdown of the pump would be extremely concerning which was the case during the winter when the pump broke and resulted in the installation of three temporary diesel pumps to control the water until the pump was fixed which took four weeks.

Mr Deptford explained that during this time it meant that he had to visit the farm four times a day to check the water levels were not rising and this means he was on site at 5am and 11pm throughout the Christmas period which was not pleasant. He stated that this is a job which requires expertise and knowledge which not many other people have, and he explained that the implications of a major breakdown are obvious and would include flooding of his land, some of his neighbours and that would result in a loss of income for both of them.

Mr Deptford made the point that he can commit to farming in the March area, and operates a viable multigenerational farming business which is a new generation involved for the future and an ongoing need to be present on the farm both for business, land and drainage management.

Members asked the following questions:

- Councillor Marks asked how much water is pumped off of the land within a season? Mr Deptford explained that he would not know an actual figure, but explained that it is a lot. Councillor Marks stated that most pumping stations that were 70 years old would have had

a house connected to it because they had a full-time pump man on site, and he can see the necessity to be on site. Mr Deptford stated many years ago there used to be a diesel pump there and a member of staff would be there all night running the pump and now the pump is electric.

- Councillor Mrs French asked Mr Deptford to confirm what he farms on his land? Mr Deptford stated that he farms oilseed rape, wheat, sugar beet, beans, peas and mustard.
- Councillor Connor asked Mr Deptford to confirm where he lives now in relation to the pumping station? Mr Deptford explained that he lives in the middle of Wimblington. Councillor Connor made the point that it is quite a distance. Mr Deptford stated that he spends an hour and a half to two hours a day driving backwards and forwards and does 30,000 miles a year managing the farm by driving backwards and forwards.
- Councillor Marks asked Mr Deptford how much farmland he farms around the area? Mr Deptford confirmed that there is 670 acres there and a further block further down the road of 200 acres.

Members asked officers the following questions:

- Councillor Sennitt Clough asked for clarification from officers as to why the application was recommended for refusal and asked whether there could not have been an agricultural tie to the building rather than a refusal. David Rowen stated that yes there could have been, but due to the policies at both local and national level, there is a requirement for there to be a demonstrated essential need for an agricultural worker dwelling on any site and unfortunately what has just been presented to the committee was not included within the application submission. He added that unfortunately that due to that lack of information and the lack of demonstration of an essential need is the reason why the application is before the committee with a recommendation of refusal.
- Councillor Connor stated that it is disappointing and due to the fact that Mr Deptford and Mrs Jackson have provided to the committee some relevant information, there may well have been a different officer's recommendation to consider.
- Matthew Leigh stated that members need to be very aware that what has been presented to them verbally must be given significantly less weight than to what has been provided formally as part of an application to them by officers.
- Councillor Mrs French stated that she has known the farming family of the Deptford's for many years and with the information that members have she would think that a favourable approval would be successful.

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

- Councillor Mrs French stated that after listening to the information which has been provided by Mr Deptford and Mrs Jackson, in her view, the application should be supported. She added that she is a member of 11 drainage boards, and she is well aware of the problems that the drainage boards do have with their pumps and it is not uncommon for the Chairman of the drainage boards to be up in the middle of the night as well. Councillor Mrs French added that she is aware that many of the drainage board pumps are old and need significant investment and the Council do pay Middle Level a precept to keep Fenland safe from flooding and last year that figure was £2.4 million. She added that if there is another private drainage board that are maintaining their pumps independently then she fully understands why they need to be closer.
- Councillor Benney stated that he knows the size of the farm that Mr Deptford operates as well as the drainage board and it is disappointing that the information that was provided to them in the verbal presentation did not form part of the written application. He added that part of the committee's responsibility is to take into consideration local circumstances and local knowledge and in view of that fact he feels that the application should have a recommendation to approve, although he does take into consideration the point made by the Head of Planning with regards to giving minimal weight to the verbal presentations. Councillor Benney expressed the view that in this case, members should be including their own personal knowledge into the decision-making process, and he feels that the application

should be supported.

- Councillor Sennitt Clough stated that she recalls a similar application determined by the committee last year where there was also a lack of information provided for an agricultural dwelling in Christchurch which the committee approved. She added that the committee received more information in the meeting and, therefore, in her opinion, in order to remain consistent, members need to recall previous applications and decisions made. Councillor Sennitt Clough added that as the applicant is a well-known local farmer then the agent may have thought that the committee had more local knowledge than they actually did about the family. She added that as an application was passed previously for an agricultural dwelling then there does need to be consistency, and she will support the application.
- Councillor Marks stated that he also agrees, and added that he presumes that the applicant has livestock as well and security for the site also needs to be a consideration and residing on the site gives an element of added security. Councillor Marks stated that officers are not mind readers and agents need to be putting more emphasis as to why applicants need to reside in this type of environment and provide that detail in their application submissions.
- Councillor Connor stated that Mr Deptford provided a very informative presentation to the committee and he is aware that the family are a very well respected multi-generational farming business, and he will support the application.
- Councillor Marks stated that had the information been provided in the application submission it may not have been necessary for the application to have been brought to the committee for consideration which would have saved significant time for officers, and he hopes that agents consider this going forwards.

Proposed by Councillor Benney, seconded by Councillor Mrs French and agreed that the application be GRANTED against the officer's recommendation with condition delegated to officers.

Members do not support the officer's recommendation of refusal as they feel that the need for the dwelling to be on site overrides policy, they feel that LP12 and LP16 are very subjective as flood zones or the drainage board cannot be moved and the dwelling is required on the site.

P113/24 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

David Grant presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Alex Bateman, the agent. Mr Bateman explained that there was outline planning permission on the site and for the neighbouring site for 13 dwellings and a reserved matters application was submitted which was close to determination and approval but had to be withdrawn due to the option expiring. He stated that three storey dwellings were proposed on his part of the site in the top left-hand corner and, therefore, where this development is now down to single storey, three storey units were proposed in the original scheme.

Mr Bateman stated that he attended meetings with officers in the summer of 2024 prior to determination but that was postponed due to the need for ecology surveys which were required. He explained that the application was then passed to a new case officer who was less supportive of the proposal but following a meeting with officers a positive route forward was achieved, however, he is surprised to have received the recommendation for refusal.

Mr Bateman referred to the presentation screen and provided images of his client's other developments in Doddington and the images show two schemes which have now been sold. He made the point that he is pleased to see that the officer's report supports the proposal in principle, and he referred to the report concerning the two three-storey units of plot 7 and 8 which are to be considered to be at significant odds with the scale.

Mr Bateman added that he finds this disappointing as it was not the conclusion reached at his meeting with officers in December as he was led to believe that there were no issues. He explained that unit 9 should be a two-storey dwelling stepping down to a three storey for unit 8 and that was embraced in the revised scheme and whilst the applicant has made the changes it would appear that unit 7 now has issues which he was not made aware of and the stepping up proposal is no longer acceptable which he feels is unjust and disappointing.

Mr Bateman made reference to the location of the dwellings at the termination of the development at the northern end and added that within the reserved matters application there are three 3-storey units in the same location, however, the two single-storey dwellings are not in that location. He explained that it is disappointing that these points were not picked up in his meeting with officers in December and it was embraced that the position chosen for the higher units meant that the development stepped up as you went through the scheme.

Mr Bateman explained that there is quite a substantial amount of vegetation at the front site which hides the single-storey units, and you go through the development to the bigger dwellings behind and there was no mention of bland and featureless elevations. He added that with regards to the bungalow there were concerns raised with regards to the extension to the existing bungalow and he made the point that there was no mention with regards to the extension itself being the issue and the concern appeared to be more about how it read with the rest of the development.

Mr Bateman explained that since the plan is to extend an existing dwelling there are limitations as to what changes can be made in order to make it blend through. He added that he has looked at the render colour in order to make the dark grey through with the rest of the development and he made the point that the existing bungalow already has a first floor and therefore there is already a dorma window so the proposal is only to include one additional dorma window to the development.

Mr Bateman expressed the view that it is better to see an existing dwelling and extend it rather than to demolish and replace it for no good reason. He referred to the cohesive design and referred to the presentation screen in which he had produced a 3d image which is taken outside of unit 10 and he explained that it demonstrates how the development progresses through from the single-storey to two and then to three-storey at the back.

Mr Bateman expressed the view that he embraces the position of the taller units because there was no impact on the overlooking of neighbours, and they were not overbearing on the front of the site and opened to the countryside behind. He referred to the potential overlooking from 20 Beech Avenue and explained that the presentation screen shows a slide which is taken from the rear garden of 20 Beech Avenue and on the other side of the trees there will be a single-storey bungalow, adding that the further slide shows an image from the garden looking at the other dwellings in Beech Avenue overlooking the rear garden of 20 Beech Avenue and they are two-storeys whereas the proposal is for a bungalow.

Mr Bateman explained that the display depicts the floor plan and there are no side facing windows and the nearest windows to his boundary are two obscure windows, the bathroom and the en suite. He stated that the further images show the vegetation that is existing between unit six and he added that the variety of rooms on the eastern elevation are essentially secondary kitchen, utility and garage doors.

Mr Bateman expressed the view that he did have lengthy positive discussions with officers and the officer's recommendation was at complete odds to that of the meeting he attended with officers.

Members asked Mr Bateman the following questions:

- Councillor Sennitt Clough referred to the presentations screen and asked whether the points relating to Unit 7 where it shows that there are 'no issues' and Unit 9 where it states, 'should be a 2 storey, stepping up to three storeys for Unit 8' are quotes taken from written communications that he has received. Mr Bateman stated that he attended a meeting with a Planning Officer, and they were his concluding points that were sent to the officer to confirm that this reflected the key points from the meeting.
- Councillor Sennitt Clough questioned whether the notes are Mr Bateman's notes and not notes from the officers. Mr Bateman confirmed that they are his notes.

Members asked officers the following questions:

- Councillor Gerstner stated that it would appear that the agent has been given some sort of indication that their application is positive. David Rowen stated that as the agent has confirmed the quotes that were given were in fact his notes of the meeting and not from the officer. He added that recollections may vary and the notes that the officer took from that meeting are slightly different in respect of the three-storey properties. David Rowen added that notwithstanding what may or may not have been said in terms of giving advice on the application, the information, judgements and conclusions within the officer's report are the material issues which members need to consider and what and was not said during the application process is irrelevant to the committee's consideration of the application.
- Councillor Gerstner expressed the view that applicants who attend meetings with officers should, in his opinion, not be given any indication whatsoever during the pre-planning process of whether or not the application maybe approved. David Rowen stated that officers have discussions with agents and applicants as part of a pre-application and application process and any views given within that are an officer's view only and this is a commonly accepted practice and will not prejudice any future decision of the Council or any future recommendation that is made. He explained that sometimes instances do happen where advice is given and for whatever reason, the recommendation changes but ultimately it is not material to the determination by the Planning Committee of the application. David Rowen stated that the officer recommendation in the report is what matters to the committee and what may or may not have happened in the process of getting to that point is not something for the committee to be concerned with.
- Councillor Mrs French expressed the view that the application should be deferred in order that the two points can be redesigned.

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

- Councillor Mrs French stated that she has listened to the points that David Rowen has made, and, in her view, he is totally correct as it is nothing to do with the committee with regards to what happens when officers are working on applications and are making their professional opinions. She added that it does look quite a good application with a couple of small adjustments made and could be approved following a deferral.
- Councillor Marks stated that the application does have a couple of anomalies that need answering and he questioned whether it is worth refusing the application or should members look to defer and bring it back with the further information.
- Councillor Benney stated that the application needs to be determined by April 9 and, therefore, it cannot be deferred. Councillor Connor stated that a deferral could be an option if the agent would be happy to agree an extension of time. Mr Bateman confirmed that he would be content to agree an extension of time.
- Matthew Leigh explained that his assumption is that members are looking for further information in relation to a redesign of the scheme to challenge the two reasons for refusal. He advised the committee that they are quite significant changes to the scheme and from looking at the application form, it does not appear that the applicant entered into pre-

application discussions and, therefore, it would be a dangerous precedent to set to decide that the scheme was unacceptable and allow significant changes to be made. Matthew Leigh added that an applicant has the right to come and find out all the information that they need prior to applying and once an application is submitted there is no reason for officers to engage in any conversation at all. He stated that members appear to be relatively supportive of the application, however, where a small number of issues are identified then there should not be the opportunity to keep allowing further iterations of the scheme as that does have a cost implication to the Council which is in turn is shouldered and a burden on its residents and, therefore, his advice to the committee would be to determine it in its current form.

- Councillor Mrs French stated that she takes on board the points made by Matthew Leigh and questioned that if the committee refuse the application can the application be resubmitted on a free go because the application would be significantly changed. Matthew Leigh explained that the opportunity for a free go submission was deleted in December 2023 by Central Government.
- Councillor Marks stated that there is a granted application albeit out of time application for 13 dwellings which has now been reduced to nine. He added that if the committee refuse the application and the applicant then appeals that refusal, the Inspector is likely to question on what merits it has been refused and then the Council may incur costs.
- Councillor Connor stated that it is not a material consideration, but it is a moral consideration.
- Councillor Marks added that if the committee take the other route, officers have advised that there is officers time to be considered which has a cost implication to residents and, therefore, is a no-win situation.
- David Rowen stated that application site that Councillor Marks had referred to was larger as it encompassed part of this application site and the property next door and, therefore, it was a different site and development. He added that the precedent that would be set with regards to unreasonable behaviour to be subject to costs would not happen. David Rowen added that ultimately officers would not be recommending a refusal to the committee if they felt that it could not be sustained at appeal and certainly there would be costs liable because of that.
- Councillor Marks requested clarification that in the site planning history if it was double the size why would officers still tell members it was the same site. He added that when he first read the report it stated 13 dwellings and the application has come down to nine dwellings, but it would now appear that the site has been reduced in size as well, but the report does not say that.
- David Rowen explained that it is included within the site history due to the fact that there have been dwellings permitted on part of the site is a consideration and the background section of the report does explain that permission and does explain how that permission was arranged over a slightly different site.
- Councillor Connor stated that members have heard what the agent has said and if the committee choose to defer, would officers be happy to re-engage with the agent. David Rowen stated that if the committee choose to defer the application then officers will work with the agent who has indicated that he will be prepared to engage and come up with a mutually accepted scheme.
- Councillor Connor stated that he would like to see the application deferred and the agent has indicated that he is happy to work with officers, which means there will be no appeal, and it will not be detrimental to any figures.
- Councillor Benney expressed the view that the application appears to be sound and, in his view, could be determined today. He added that with regards to the overlooking issue, in his view, when he visited the site, he does not see that there is a great deal of overlooking if indeed there is any at all. Councillor Benney added that the fact that it works its way from a single-storey to two-storeys to three-storey is based on the fact that it is a different type of application and who can state whether that is right or wrong.
- Councillor Connor stated that he knows the site well as he is the Local Councillor, and from

the design and mix of the scheme, in his view, there is no reason why the application is unacceptable. He added that there are a variety of heights in the scheme as well as similarities in the property and designs. Councillor Connor expressed the view that it is a harmonious development, a good design and a distance of over 10 metres would generally mitigate the overlooking and the non-habitable second widows can be obscure glazed to mitigate any harm.

- Councillor Benney stated that he agrees with the points made by Councillor Connor and referred to the presentation screen, making the point that this application is not the normal type of application that the committee determines. He added that this application has had a great deal of thought applied to it and it is a good solid application. Councillor Benney expressed the view that slightly more interaction with the agent and officers would put it right, but if it is a significant change, there is a good solid application in front of the committee. He referred to the presentation screen and expressed the view that the point made with regards to overlooking, the overlooking depicted is no worse than a lot of other applications that the committee have dealt with. Councillor Benney added that the overlooking in this case is going to be to a bungalow and, in his opinion, the distance looks further than 10 metres. He stated that it is a good solid application and there could have been slightly more work undertaken to conclude the application in a more favourable manner but, in his view, to refuse it would be harsh.
- Councillor Connor stated that he agrees that it would be harsh, and he added that the comments he has made are relevant and he feels that it is a good solid application.
- Councillor Marks stated that there have been 8 letters of objection to the proposal and if any of those objectors had been concerned about overlooking to them they would be here at the committee today to state their case. He added that there are letters of support as well.
- David Rowen stated that if the application is granted by the committee, officers do not have any powers to require any further amendments to be made and it would be down to the applicant to do any amendments voluntarily.
- Councillor Marks stated if the application was deferred to give the applicant the opportunity to come back in order to make a minor change then, in his view, a deferment to make a minor change would be better. He added that if officers are advising that conditions cannot be added if the application is granted and if members want to have guarantees that those minor amendments are made then a deferral, in his opinion, would be better. David Rowen stated that it is dependent on the scale of the changes and part of the debate had been with regards to resolving the reasons for refusal which would involve the redesign of the properties so they were not three-storeys, possibly two-storey and then considering some of the overlooking issues. He added that now because of the proposal made by Councillor Benney, essentially 95% of the development is acceptable but with some slight tweaks to some windows. David Rowen added that the scope of discussions with the agent and the applicant now appears to have altered from earlier on in the debate.

Proposed by Councillor Benney, seconded by Councillor Imafidon and agreed that the application be GRANTED against the officer's recommendation with appropriate conditions delegated to officers in consultation with the Chairman.

Members do not support the officer's recommendation of refusal as they do not feel that the issue of overlooking is significant enough to warrant refusal.

P114/24 F/YR25/0124/PIP
LAND NORTH OF 6 FALLOW CORNER DROVE, MANEA
PERMISSION IN PRINCIPLE TO ERECT UP TO 3 X DWELLINGS

David Grant presented the report to members and drew attention to the update report that had been circulated.

Members received a presentation, in accordance with the public participation procedure, from

Matthew Hall, the agent. Mr Hall stated that the application is for planning in principle development to try and establish a principle of residential development at this site within the growth village of Manea. He added that the application complies with Policy LP3 and is for a small development.

Mr Hall explained that he has listened to the debate this afternoon concerning flood risk and none of the properties are located in Flood Zones 2 and 3 as they are all located in Flood Zone 1 as is the parking for the dwellings, along with the swale and turning area. He explained that the existing entrance to the site is in the flood zone and is not changing and the existing property which was on the site would still be left with a 40 metres long garden which is over half of the plot area which would be left to garden.

Mr Hall stated that the access to the site is going to be improved and will be 6 metres wide for the four properties, with there being no objections from Highways, and it is the front section of the access which is located in a flood zone as are nearly all the properties located in Fallow Corner Drove. He stated that there is mature vegetation along the northern boundary of the site which abuts where an application for 100 dwellings may be coming forward and the mature vegetation is within the ownership of the applicant and, therefore, the development would not be visible from the north or, in his view, from the street scene.

Mr Hall referred to 10.1 of the officers' report where it states that the principle of development is acceptable under policy LP3, and he referred to the presentation screen where the map displayed identifies the adjacent approvals and, in his view, the application site is not in isolation. He made reference to an earlier application where the long driveway to that particular site is located and indicated to members where it is be located.

Mr Hall referred to the presentation screen and made reference to some previous approvals, including a development in Westfield Road, where the five dwellings extend well back from the frontage development which was approved under delegated powers as was the site depicted in blue which was for three chalet bungalows and a bungalow which are almost completed. He explained that the site-coloured orange was a brownfield site which is a site for over 20 dwellings which has been approved, making the point that next to the entrance of that site an application came to the committee in February which was deferred and was in a flood zone and the properties also extended back and was also recommended for refusal by officers and was not frontage development and that the development extended back in a flood zone and the application was deferred.

Mr Hall expressed the view that he does not think that the application site is in isolation and none of the properties are in a flood zone. He stated that when you look at other properties in Manea some of the developments are located in Flood Zones 2 and 3 and they have a long driveway which is similar to the application and the refuse freighter will be able to access the site as he has already checked that point.

Mr Hall made the point that it cannot be seen from the street scene and is set well behind an established line of dwellings and, therefore, in his view, the site is not in isolation.

Members asked Mr Hall the following questions:

- Councillor Marks referred to Fallow Corner Drove and stated that as far as he is aware apart from the area shaded in brown on the presentation screen, which was a new estate, there is no other back garden development until you get way past FJS Services which is at least half a mile. Mr Hall expressed the view it is about a third of a mile further on, but he added that he agreed that there is no development between the estate and the application site. Councillor Marks asked Mr Hall to clarify that he believes that there is back garden development towards Westfield Road. Mr Hall explained that there are areas off Westfield Road and the large estate off Fallow Corner Drive, where development has been allowed in the back, but he agrees that there is nothing going towards Purls Bridge.

- Councillor Marks stated that in the officer's report at 1.6 it states that insufficient justification has been provided to demonstrate that development of the site is necessary in this instance having regard to national policy, making the point that it is his understanding that the site was purchased recently by the occupants who are now looking to undertake the development. He expressed the view that he is aware that there has been quite a bit of social media publicity including from the applicant who has requested that the village support the application as the applicant has stated that they do not like the area and are looking to dispose of the property. Mr Hall stated that the applicants have only owned the property for less than a year and added that in the officers report at 1.6 of the officer's report it relates to flooding, and none of the proposed properties are in a flood zone.
- Councillor Marks stated that the point he raised was with regards to the reasoning for the property and now the justification for the extra properties on the site.

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

- Councillor Marks stated that he attended the Local Parish Council meeting when this application was discussed, and he heard what had been said and has seen what has been written on social media since. He expressed the view that he agrees with what the Parish Council have stated which is that they feel that the application is for back garden development and there is nothing else along the road that is close to the application site. Councillor Marks added that having read the report it would appear that the applicant is trying to benefit by knocking down a garage, building three houses and then leaving the village with three dwellings that do not fit into Manea. He expressed the opinion that he wholeheartedly agrees with the officer's recommendation of refusal.
- Councillor Connor expressed the view that it is back land development and there is nothing there, which the aerial photograph clearly demonstrates, and he agrees with the offciers recommendation which he will support.
- Councillor Benney stated that if the Parish Council and the Local Councillor are not supportive of the proposal then, in his view, those are good enough reasons to refuse the application.

Proposed by Councillor Mrs French, seconded by Councillor Marks and agreed that the applicated 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)

P115/24 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

David Rowen presented the report to members and drew attention to the update report.

Members received a presentation, in accordance with the public participation procedure, from Mr Savage, an objector. Mr Savage circulated a handout to members of the committee and explained that his property backs onto the land associated with the application, and he has been in business

for over 40 years and lived behind the property for 30 years. He explained that his main work is groundwork and drainage, and, in his view, he believes that the application should not be passed.

Mr Savage stated that as a joint landowner with the Fox family, the applicant has not sought his permission for any drainage or surface water to cross his land to connect into the pipe in the middle of the field which is shown on the handout provided to the committee. He explained that the applicant has not obtained any permission from the dyke owner of the Darcy Lode which the pipe from the field discharges into and which he maintains, but agrees that the applicant may have permission from the local drainage board but to get the surface water to the drainage board system, they have to pass over three landowners' properties and the IDB drain only starts two large fields away which is half a mile from the applicant's site.

Mr Savage explained that apart from himself and Mr Fox, the only other right of way is for the use of the public footpath and there is no mention of any third-party owner, making the point that permission needs to be sought from himself and up to the present time, no contact from the applicant has ever been made. He expressed the view that his concern is that without any robust drainage strategy this could result in flooding issues not only in the local area but also elsewhere in Manea causing flooding not only to his property but to neighbouring ones too, including Cox Way which borders the site and was developed five years ago.

Mr Savage explained that ,when the site was developed, a dyke which runs adjacent to the applicant's site was filled in and not piped which resulted in surface water being retained not only on the site but also filling the local network to the dyke on the road beside his property causing flooding. He added that his further concern is that further to the recent application on his own land, he was asked to introduce a holding pond by officers to alleviate any flooding and by allowing the seven properties in the application before the committee it could have an impact on his site by causing flooding to his own properties, with the agent for that application, Mr Hall, also being the Agent for his application two years ago.

Mr Savage state that at that time particular attention was given with regards to issues concerning potential flooding to both his and surrounding sites. He added that he would strongly request that the committee do not grant planning permission and take into consideration that he has not given any permission as a landowner.

Mr Savage expressed the opinion that the application fails to demonstrate a robust drainage strategy and if permission is granted to the application there is the likelihood of further flooding issues, not only to his property but also to the surrounding area. He added that Manea Parish Council are also not content with the application with the main reason for their concern being flooding.

Members asked Mr Savage the following questions:

- Councillor Mrs French asked whether the owner has made any contact with him at all asking if they can access his dyke as the officer's report states that Mr Fox has contacted him? Mr Savage explained that Mr Fox has been contacted but he has not. Councillor Mrs French asked whether it is a legal agreement at this stage? Mr Savage stated that it is not.
- Councillor Benney stated that from what Mr Savage has advised the committee today, the discharge from the site has got to cross his land. Mr Savage explained that it has to cross part of his land as well as Mr Fox's and a farmer's land down the bottom. Councillor Benney added that if that cannot be achieved is it likely to cause flooding to his property. Mr Savage confirmed this to be the case.
- Councillor Benney stated that he understands that Mr Hall was the Agent for an application which Mr Savage submitted, and he asked Mr Savage whether the extensive drainage works he had to undertake as part of his application would be overridden if the present application were to be approved? Mr Savage advised that it could cause an issue if the works are not undertaken by proper people who can ensure that the water can discharge

off of the site as the pipes that they wish to go into are not even shown on a map. He added that there are many unknown factors to consider including the size of the pipe and whether it can cope with the water.

- Councillor Marks stated that flooding in Manea is a serious issue, and he recalled a flooding event one Christmas where he spent a night baling out various areas including an area very close to the application site. He referred to the filled in dyke at the back of Cox Way and he asked whether it was piped? Mr Savage stated that the dyke was not piped. Councillor Marks stated that the water from there is running off Cox Way into the field as well. Mr Savage explained that there is a big flooding issue at the current time on the actual property.
- Councillor Marks stated there is a pipe which runs from Cox Way to the Darcy Lode, and he recalls going to the Darcy Lode when there have been flooding episodes and it is owned by a farmer, not the IDB or the Middle Level. He added that the pipe takes the water to the bottom and from there is goes to a culvert which backed up and flooded previously and he asked Mr Savage whether he concurs with that. Mr Savage stated that following a flash flooding event, he had been lending pumps out for residents to pump their gardens, and he then cleaned the whole back of the dyke out to get rid of the water from the High Street.
- Councillor Marks referred to the 32 houses that are now being built behind the pub, and he recalls Mr Savage attending a meeting which he had arranged regarding flooding concerns in Manea, with there being an issue of the water which is going to enter the Darcy Lode before the pipe work for the site. Mr Savage stated that the pipe has not been connected in the road as of yet, but the planning permission has been approved for the connection to be made, and all of the 36 properties will be coming into the same dyke. He made the point that there is nothing on paper to determine whether the dyke can cope with all the extra water and, in his view, it is about time that people make a stand and say that the dyke cannot take any more water until it is surveyed properly.

Members received a presentation, in accordance with the public participation procedure, from Tim Cliss, the applicant, and Matthew Hall, the agent. Mr Cliss stated that he would like to focus on the history of flooding and the history of the site, within the officer's report it makes reference to the fact that there appears to be a history of poor drainage and localised flooding in the area, and he made the point that most of that information is unsubstantiated or has not been formally reported and he would even go further and add that there is no evidence for it whatsoever in his opinion. He explained that he was born in 12a Westfield Road, 62 years ago, and he played in the garden when he was a child as his father had made the whole garden into a football pitch and he played there throughout his childhood, and he can guarantee that rain never stopped him from paying even though the Winter.

Mr Cliss added that the site of 12a Westfield Road does not flood and does not even suffer from surface water, and he still has a football pitch in the garden for his children which is still used in the winter. He stated that when he heard the points made by Councillor Marks, with regards to his intimate knowledge of the site, he was horrified because as he is the owner of the site and lives there, he knows the site inside and out, with his mother having passed away three years ago, and he lives there which is the reason why he is selling the property.

Mr Cliss explained that all is trying to do is to maximise the estate as infill, with the property being surrounded as there were no other dwellings anywhere, on either side or behind and he is a little bemused that the application has been highly recommended and then deferred due to the so-called flooding issue in the area on the site, making the point that he does have an intimate knowledge of a lifetime of being on the site and there has never been an issue. He added that with regards to the Highways report, previously the opinion of the Highways Officer was positive and this time the positivity is even greater, and the only objection appears to be on the matter of drainage.

Mr Cliss explained that the pond was always located on the site as a natural feature in the 1960s

and in the 70s his father dug it out and it was made three times deeper than it was originally and it has always adequately drained the site. He made the point that there will be increased run off with the development but on the site plan, the swale, the drainage base of the pond will be extended to twice its size to form a short term collection point so that if there was very heavy rainfall it would adequately collect all the water, with the attenuation of that subsequently draining very slowly over a long period of time down to the Darcy Lode.

Mr Cliss stated that he would hope that the committee will agree with the officer's recommendation of approval for the application from the outset and he apologised to Mr Savage as he did not realise that the associated works for the application would involve encroaching onto his land which is why he has not approached him. He added that he was under the impression that it would go along the public byway and across Mr Fox's land, which he has received permission for.

Members asked Mr Hall and Mr Cliss the following questions:

- Councillor Marks stated that he will stand by what he has stated previously where three Christmas's ago he had to request the assistance of the Fire Service at 11pm to a property adjacent to this site because of flooding and the water could not be disposed of. He added that following that a public meeting was held with Anglian Water and a number of residents including some from Cox Way who also stated that they had flooding issues backing onto Mr Cliss property. Councillor Marks added that there has been water in the ditch or runoff onto that side of the road and when discussions have taken place concerning planning applications in Dairy Road that ditch has been a topic of conversation by councillors who visited the site.
- Councillor Marks stated that his concern is that there is dyke which has been filled in and there is nowhere for the water to go and there is definitely water there. He added that when he has reviewed the points made by the Parish Council who were not in favour of the application due to flooding concerns and until there is a solution which is brought forward, he will not be supporting the application. Councillor Marks asked for confirmation that when the pipe was filled in was it on the land in the ownership of Mr Cliss or was that on Coxs Way land? Mr Cliss confirmed that it was Coxs Way land.
- Mr Cliss addressed Councillor Marks and stated that the only thing which he has raised has been with regards to flooding and nothing to do with the application site. Councillor Marks stated that where the water comes from is to do with the site. Mr Cliss asked Councillor Marks how can he be sure that the flooding issue from Coxs Way comes from his site and how he can ascertain that fact? Councillor Marks explained that when Anglian Water and Cambridgeshire County Council attended an onsite meeting along with the Environment Agency and all along Westfield Road, there were several places identified which were highlighted as issues as to why the water was not getting away along with the drainage towards the Darcy Lode. He explained that there were a number of residents from Coxs Way and Westfield Road following the flooding meeting providing information with regards as to what was taking place and one of the highlighted places was the area where the application is located.
- Mr Cliss stated that that nothing specific has been mentioned with regards to the application site at all and reference is only being made to adjacent areas and not the site itself. Councillor Marks explained that he has never walked onto the site, however, in his view, it is blatantly obvious that the ditches around the site have water in them and that has not come from anywhere and has not come from across the road. He added that he is aware that when Mr Savage submitted his own application there were concerns with regards to flooding. Councillor Marks expressed the view that by adding houses on the site is only going to make matters worse.
- Mr Hall stated that on most applications he obtains a land registry plan, from which he ascertains where the boundaries are as well as reviewing historic maps, having the site surveyed and gaining an understanding of where Mr Fox's boundaries were. He added that he also found out where the byway and public footpaths are and he was unable to find anything that shows between the land in the ownership of Mr Fox and the application site

that shows Mr Savage owns or has any rights. Mr Hall explained that should Mr Savage have any documentation then he will be more than happy to have a look and engage with him.

- Councillor Marks provided Mr Hall with the handout which was circulated by Mr Savage. Mr Hall explained that when he submitted the application, he served a Certificate C, which is where an advertisement is placed in the local paper, which is not dissimilar to other sites which he has worked on in the vicinity because the actual surface of byway is maintained by the County Council but the ownership of the byway is not known and it is not shown on the land registry documentation. He referred to the pipes that the application will connect into and which goes across the land belonging to Mr Fox, is actually an Anglian Water sewer and, therefore, he does know what he is connecting into. Mr Hall added that he agrees that the ditch has been filled in, however, he is demonstrating a pipe to connect onto the main sewer in third party land for which he has approval in principle. He explained that with regards to the pond on the site it is going to be enlarged to hold all the water on the site and then it will be attenuated at greenfield run off rate into the Darcy Lode because that is what the Middle Level has asked them to do. Mr Hall stated that he cannot see any reason why Middle Level are objecting to the proposal, and he would be more than happy to engage with Mr Savage, but the Land Registry did not demonstrate that Mr Savage has any ownership in the relevant parcels of land.
- Councillor Mrs French referred to the ownership of the Public Right of Way and the fact that Mr Hall is stating he does not know who the owner is. She explained that the County Council are responsible for them and the officer is Mark Peck, making the point that a Public Right of Way cannot be built on. Mr Hall stated that when he has undertaken other applications in the Old Dairy the County Council are not always sure who the owner is. He added that the County Council have raised no objections to the proposal.
- Councillor Mrs French stated that she concurs with the points made by Councillor Marks with regards to flooding and according to Mr Savage the water cannot be moved to the Darcy Lode without crossing his land, asking Mr Hall to clarify. Mr Hall stated that is what Mr Savage has advised but the work that he has undertaken with Land Registry does not demonstrate that Mr Savage owns the land when following the route that needs to be taken for the application.
- Councillor Connor stated that prior to 1981 it was not a requirement to register your land.
- Councillor Benney asked Mr Hall whether he has a robust drainage strategy which proves that the water can get away from the site including the size of piping to ensure that the whole scheme will work because if that is not the case then the application is incomplete. Mr Hall explained that as part of the application submission a drainage strategy was included but as it is an outline application it was indicative, and the type of dwellings could change. He stated that there was not a detailed drainage strategy submitted showing the pipe size, falls and manholes as it is an outline application in Flood Zone 1 with no history of surface water drainage on the EA flood map and he explained that officers have not raised anything. Mr Hall stated that he has some calculations based on the sizes of the houses that he had done, permeable block paving, size of the swale, what it would take to get to the manhole in the third-party land and should the application be approved the house sizes could be changed and then all of that detail would need to be redone.
- Councillor Marks stated that there still appears to be area of no mans land which has to be addressed. Mr Hall stated that following the deferral at committee he spoke to officers and asked whether there were any other changes or any steps that need to be undertaken. He added that the officer stated that she had spoken to David Rowen and he was advised that officers would be contacting other consultees but from his perspective there was nothing further that he needed to do.
- Councillor Imafidon stated that, apart from the drainage surveys and reports for the actual site and apart from the remarks from Mr Savage, has there been any surveys undertaken of the actual discharge channels with regards to whether they will cope? Mr Hall explained that where the pipe crosses the third-party land it discharges into the Darcy Lode, he has the fall of that at the diameter and position. He added that he does not have the detailed pipe

layouts for the actual site although he does know where the pipe goes down to and where it discharges to which would have to be at greenfield run off rate otherwise the Middle Level would refuse it. Councillor Imafidon stated that there is still the unknown point of whether it would cope. Mr Hall explained that this is not undertaken as it is an indicative layout.

- Councillor Connor stated that it appears to be inconclusive because Mr Savage has stated that he owns the land where the pipe has to go through and he is a third party owner as is Mr Fox and that it is something that needs to be addressed, although it is not a material planning consideration.

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

- Councillor Mrs French stated that this application was deferred last month and the questions that members requested answers to, in her view, have not been addressed. She added that she did not know about Mr Savage's land as she does not know Manea very well, however, she did visit the site and the last time she visited the site, the ground was wet regardless of what Mr Cliss has stated. Councillor Mrs French added that the committee have always been told that applications cannot be approved if it is going to cause flooding further down the road and there are still unanswered questions. She stated that it also appears the surface water is also going into the sewerage, and she is not happy with the application, the questions which arose have not been addressed and she will not be supporting the application.
- Councillor Marks stated that he has listened to the points made by Mr Cliss, and it appears that they are both in disagreement. He added that he has seen the Fire Service in attendance previously pumping out water and there is a flooding issue in that area. Councillor Marks added that by adding extra properties on the site without a robust drainage plan he feels that there are going to be more problems for the village of Manea, and he cannot support the application without a proper robust drainage plan.
- David Rowen stated with regards to the issue of land ownership, it is not a material planning issue, and someone does not have to own land in order to make a planning application on it. He added that if the application were to be granted then that is a matter which would need to be resolved privately.
- David Rowen explained that with regards to drainage the application is in outline form and as Mr Hall has stated a fully worked up detailed drainage scheme would not be expected. He made the point that there would be certain basic principles to be agreed which largely appear to have been accepted by Anglian Water as they are stating that their surface water sewer has capacity to take the flow. David Rowen added that it also appears as though the Internal Drainage Board are satisfied that the flows can potentially be delivered into their water course and, therefore, as it stands he cannot see any substantive reasons why the application could not be granted with the recommended condition which would then secure a further detailed drainage scheme when the reserved matters application is submitted. He added that if members are looking to refuse the application then he would strongly caution against that with regards of the likely success of defending that at appeal as given the comments and evidence that is held he is not convinced that an appeal would not be subject to an award of costs against the Council.
- The Legal Officer stated that he agrees with the point made by David Rowen and having listened to the debate he cannot see what evidence that there is to put before an Inspector to support an appeal and should an appeal be lodged then, in his view, there is a strong likelihood of costs as the expert consultees, Anglian Water and the Drainage Board, are not objecting and, therefore, there would be no expert evidence for the Council to say that there will be flooding issues and there is a serious risk of costs.
- Councillor Mrs French stated that the application was deferred last month in order to sort out the flooding issue and to ascertain who owns what and that has not been done. She added that she is aware that it is not a material consideration with regards to land ownership. Councillor Mrs French made the point that if the application is approved then there does need to be a very strong condition that should the application reach the reserved matters stage then they do not receive planning permission.

- Councillor Marks made reference to a meeting that took place in Manea with Anglian Water and at that meeting he asked them why they keep saying yes to all of the developments and they responded that they advised that they are told by OFWAT that they have to. He questioned whether members are now airing on the side of caution due to the advice provided by officers concerning an appeal and possible costs and he questioned whether the committee are going to do the right thing for the residents in Manea who will otherwise get flooded. Councillor Marks added that the Parish Council have also made very strong representation with regards to the concern over flooding and he expressed the view that members did ask for more information to be provided and that has not happened. He stated that the Middle Level have agreed to take the water and the local IDB have as well, but the water needs to be able to get to their systems in the first place. Councillor Marks questioned as to what will happen if the water cannot reach the appropriate systems and development starts, and he expressed the view that the application needs to come back when there is an appropriately designed water strategy in place and at the moment there is not one.
- Councillor Connor stated that costs do need to be taken into consideration as it is Council taxpayers money, however, in his view, members have a moral judgement to look after the residents as well. He added that members need to take that into consideration when they make their decision.
- Councillor Connor stated that the application does not need to go to appeal just for 7 dwellings and it can easily be resolved by the submission of a proper drainage strategy.
- Councillor Marks stated that he wholeheartedly agrees that the appeal route is a very expensive course of action for all parties and also takes time. He added that he is the local councillor, and he would be happy with both parties and then not take any further part in any determination of the application going forward.
- Councillor Connor appealed to the applicant and agent not to take the application forward to an appeal as it would not expedite the application process by doing so.
- Councillor Mrs French questioned that if the application is refused then the applicant can decide to take the application forward to appeal and she asked Councillor Connor that as Chairman is he suggesting that the committee defer the application again.
- Councillor Connor stated that if the committee decide to refuse the application, it will be refused, however, it is his strong feeling that it would be in the applicant's interest not to take the application to appeal because if they submit a drainage strategy it could come back to the committee in a far timelier manner and hopefully reach a satisfactory resolution.

Proposed by Councillor Marks, seconded by Councillor Mrs French and decided that the application be REFUSED against the officer's recommendation.

Members do not support the officer's recommendation to approve the application as they feel that there is a flooding issue which has not been addressed.

(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, and that he knows Mr Savage from when they were at school together and subsequently when he carried out some work for him as a sub-contractor, but he is not pre-determined and will consider the application with an open mind)

(Councillor Connor declared that he knew Mr Savage many years ago, 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 and further declared that the applicant is known to him in his capacity as the village postman)

(Councillors Gerstner and Sennitt Clough took no part in the application in its entirety as they were not present at the meeting on 5 March when the application was discussed and subsequently deferred)

P116/24 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

David Rowen 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 the proposal at the site has been developed following various discussions with his client and various other schemes prior to making the application. He explained that there is a mixture of properties including semi-detached three-bedrooms, detached four-bedroomed dwellings and he added that they are not all the same and are not all boxes in a line, with along the frontage of the site there will be a footpath which will be adopted and then where it goes into the access to the field at the back which is in separate ownership.

Mr Hall made the point that the site already has outline approval which was supported by members in June 2023 and the current proposal is a detailed layout which follows on from that. He explained that there are no technical objections, and the archaeological excavation has already been carried out over the site and the County Council have visited the site.

Mr Hall stated that on site percolation testing has been undertaken and that proves that soakaways work at the site which is all located in Flood Zone 1. He explained that during the course of the application there have been various discussions with the Highway Authority, and he has undertaken a review of some of the objections to the proposal.

Mr Hall stated that he has purchased land registry documents, a highways boundary plan and he has had the site professionally measured and has received a good service from the Highway Authority, where he has demonstrated the extent of the footpath that can be provided. He made the point that the proposal allows for extra dwellings in Friday Bridge to help support local amenities and the Parish Council have been consulted twice on the application and have supported it on both occasions.

Members asked Mr Hall the following questions:

- Councillor Connor asked whether there will be any provision of street lighting? Mr Hall stated that during the discussions with the Highway Authority concerning the footpath, radius kerbs and accesses he does not recall any mention of street lighting.

Members asked officers the following questions:

- Councillor Connor asked officers to clarify the situation with regards to street lighting. David Rowen stated that if the footpath is to be adopted then it will need to be the standard that the County Council request and if that includes the need for street lighting then that will form part of the adoption.

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

- Councillor Mrs French stated that it is a good application, and she will fully support it.

Proposed by Councillor Mrs French, seconded by Councillor Marks and agreed that the application be APPROVED 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)

P117/24 F/YR25/0036/PIP
LAND SOUTH OF POPPYFIELDS, WIMBLINGTON ROAD, MANEA
PERMISSION IN PRINCIPLE TO ERECT UP TO 9 X SELF-BUILD DWELLINGS

David Rowen presented the report to members and drew attention to the update report that had been circulated.

Members received a presentation, in accordance with the public participation procedure, from Daniel Samuel, the applicant. Mr Samuel stated that the proposal is for up to nine self-build dwellings, which addresses strong demand and a lack of supply offering opportunities to build dream homes. He added that the plots may attract higher earners and executives boosting investment, creating jobs, supporting Manea train station, local builders and tradesmen along with local building material suppliers.

Mr Samuel made the point that the committee has previously supported self-build developments and he would hope that the committee will support his application. He stated that the officer's recommendation of refusal lists five reasons, firstly that it is claimed that the development is situated outside the settlement of Manea and within open countryside, however, in his opinion, that assertion is incorrect as from the junction of Station Road located on the southern side of Wimblington Road there is an agricultural building with permission granted for conversion to housing, a skip hire yard, a commercial fishing lake with caravan, motor home and caravan facilities, a dwelling at the proposed site, an agricultural warehouse, a motorsports engineering workshop, a dog kennel operation and a further dwelling.

Mr Samuel stated that across from the site entrance there are three dwellings and a sizeable commercial establishment and, therefore, in his view, the application site is not isolated or undeveloped countryside, and he referred to Braintree District Council and the Secretary of State for Communities and Local Government. He referred to the second recommended reason for refusal where it states that the location is not ideal for walking and cycling due to the road speed limit and the absence of pavements and street lighting but made the point that these same conditions apply to the developments previously mentioned and, in his opinion, his application should be evaluated on the same basis.

Mr Samuel referred to the third recommended reason for refusal where it states that the property lies in Flood Zone 3 and made the point that a site-specific Flood Risk Assessment including surface water drainage strategy that he has just received indicates that only 50% of the site is at medium flood risk. He added that in the event of a flood from a combined breach of defences, the water depth would reach just 25cm without fast flowing currents which will pose a low hazard and the likelihood of such a breach is minimal and most of the dwellings can avoid flood risk zones and those within such areas can be safely elevated to mitigate loss.

Mr Samuel expressed the view that members highly value the IDB's management of flood defences and water systems leading to the committee's approval of developments in flood risk areas particularly large and self-build homes. He added that a recent example was the approval of a self-build home at Honeybank, Second Drove, Chatteris which was contrary to the officer's recommendation, and he made the point that his proposal should be addressed on the same basis.

Mr Samuel referred to the fourth reason for recommendation for refusal which is for loss of habitat

for overwintering birds and stated that the site lies approximately 2.3km from the Ouse Washes protected area which encompasses over 1,600 hectares, equivalent to 2,286 football pitches within that radius from just one point. He expressed the opinion that given the vast area surrounding the Ouse Washes it is highly unlikely that given the small size of the site that it would significantly impact bird habitat.

Mr Samuel made reference to the fifth recommended reason for refusal with regards to loss and degradation of peat soils and explained that site excavation would be limited to foundations, drainage and utility infrastructure with soil redistributed on site causing no loss or degradation. He explained that the proposal could offer improvements as agricultural use would leave peat more exposed and vulnerable to wind erosion which is documented in the Cambridgeshire Fens.

Mr Samuel concluded by stating that the proposed development will bring much needed self-build plots to the village of Manea, and these will help to sustain the village facilities, builders and local trades people. He made the point that the site is not in isolated countryside and the site is no less accessible than the other approved developments along Wimblington Road.

Mr Samuel stated that a substantial part of the site is free from flood risk and the rest allows for safe development with the loss of habitat being minimal in relation to the area that will remain available for the bird population. He expressed the view that there will be negligible loss or degradation of peat soils, and he asked the committee to support his proposal.

Members asked Mr Samuel the following questions:

- Councillor Marks stated that from Wimblington Road T junction and all the way along the straight, he is aware of one new development approximately 2 miles out of the village along that stretch of road and there has been no other development for at least 18 years. He referred to the point made by Mr Samuel who stated that the proposal would fit in nicely, and he asked him to confirm why he feels it is a sustainable place to develop when it is outside the village? Mr Samuel stated that he disagrees with the point made by Councillor Marks, referring to a planning application for Rutland Manor in 2021, which was to convert an extension along with the application for development at Rutland Farm for commercial use, along with the other developments which have taken place within a certain period. He added that there have been developments in that area for some time.
- Councillor Marks expressed the view that he disagrees and added that apart from Gant Farm where they have converted a barn, and at the end of Wimblington Road there is an application for two dwellings, however, along that stretch of road there is no other development being built along there to the best of his knowledge for the last 18 years.
- Councillor Marks referred to the applicant's presentation slides where it states that there is a footpath, however, the footpath which goes down the side is only able to be used for three months of the year due to the mud but there is nothing from the applicant's development site into the village. Councillor Marks stated that the applicant makes reference to a footpath but there is not one and there is a dyke which has been filled in past the skip company but that is not a footpath, and the road has a 60mph speed limit. Mr Samuel stated that the footpath adjacent to the property is a footpath for cyclists and people walking to the village centre and it is the same footpath that exists along Wimblington Road. Mr Samuel referred to the presentation screen and indicated to the committee where the footpath is located. Councillor Marks stated that the area which Mr Samuel had referred to was actually not a footpath and he added that it is actually a grass verge owned by the County Council which was only introduced four or 5 years ago. He added that the road has a speed limit of 60mph which has been subject to a number of accidents.
- Councillor Connor made the point that the road is not of a good standard of repair. Mr Samuel stated that he disagrees and added that the road is in a good state of repair and has seen no accidents in the last decade. He added that the response received from the Department of Transport has demonstrated that there has not been a single accident in the last decade. Mr Samuel explained that the Highway Authority responded to one of the

neighbouring properties and have confirmed that their records show that there has not been a single accident on that stretch of road in the last 5 years.

- Councillor Marks stated that he is aware that a Poat Office van went through the fence into that property about four years ago. He added that a skip lorry went into the dyke along with another lorry which went into the other side on the left as well as another resident in the village who went into the dyke and spent 2 months in hospital following an accident. Councillor Marks made the point that whilst it is not an accident blackspot there have been numerous accidents along that stretch of road where Mr Samuel's property is located. He added that there is no footpath for pedestrians and the application is for up to nine dwellings on the site. Councillor Marks added that the letters of support appear to be from families, and he asked Mr Samuel whether he has taken into consideration the risk to families living there with no proper footpath or street lighting? Mr Samuel stated that he disagrees with the points made by Councillor Marks due to the fact that the Highway Authority have looked at the development and have no objection to the proposal. He added that if the neighbouring properties objected to the proposal, then they would have been present at the committee to make their objections. Mr Samuel stated that the neighbours have all reiterated the comments made by Councillor Marks but none of them have turned up today.
- Councillor Marks expressed the view that the neighbours are aware just how vocal he is as their local Councillor, who knows the area and knows the property and who has sat in the Parish Council meeting. He added that with regards to the Parish Council meeting, the Parish Councillors are elected officials and have lived in the village for a number of years whereas Mr Samuel has only lived in the village for less than a year.
- Councillor Marks asked Mr Samuel how he can consider that the application he has submitted is a good application for nine self-build dwellings which have these issues. Mr Samuel stated that he totally disagrees, and he would not have contemplated submitting an application or considered building properties if it was not safe. He added that safety of people is a priority for him and there are developments all along this area which are clearly not in the open countryside and there are properties to the left and the right.
- Councillor Marks stated that the application site is in Flood Zone 3, and he is a member of the Manea and Welney IDB where the site would feed into. He explained that at the T junction at Wimblington Road there is a culvert and that backs up according to the IDB Engineer who has said that they are unhappy to take the water. Councillor Marks asked Mr Samuel to explain what steps he is going to take in order to deal with the water which will come from the application site should the application be approved? Mr Samuel explained that he commissioned a Flood Risk Assessment report with a surface water drainage strategy and that has listed the development as being totally safe and there is nothing wrong with the application and nothing wrong with the flooding in that location. He stated that half of the plots on the site have no associated risks whatsoever and the other half which have a flood risk element will be elevated.
- Councillor Mrs French stated that she is a County Councillor, and she sits on the Highways and Transport Committee and with regards to accident reporting, the County Council only record accidents which result in fatalities. She explained that there have been various accidents along that stretch of road which has meant that the road has had to be closed but the County Council will only provide statistics concerning fatalities.
- Councillor Mrs French expressed the view that the application appears to be backland development and is in the open countryside. She stated that at the top of the road there is a Public Right of Way, and she asked whether Mr Samuel has introduced a gate in order to stop the public from being able to access it? Mr Samuel stated that there is no public right of way.
- Councillor Marks stated that there is a metre width down the side of the fence to the dyke in order to allow access. He added that it should be a metre but it is a little less but that was down to the previous owners who erected the fence and there was a dispute, with the measurement taken from either the centre of the dyke to the fence or the metre left so there is a walkway to the left and he does not believe it is gated as it is a maintained Public Right of Way.

- Councillor Mrs French asked what is being farmed on the site at the current time? Mr Samuel stated that it is not used for farming, and it is only used for residential purposes. Councillor Mrs French stated that she would question that as it is certainly open countryside, and it used to be farmed and, in her opinion, it looks as though it has something growing on there unless it is just grass, and Mr Samuel is cutting it.
- Councillor Marks stated that he has noticed some garages on the site which have been built, and he asked whether any planning permission has been granted for them. Mr Samuel stated that the garages were there before he purchased the property. Councillor Marks expressed the opinion that the garages that are on the site with the brown fronts were added after Mr Samuel moved in. Mr Samuel stated that he does not agree with the point made by Councillor Marks.
- Councillor Connor asked officers to look into that matter at a later time.

Members asked officers the following questions:

- Councillor Benney questioned whether there is anything special with this application which means it is exempt from nearly every planning policy as it appears to contradict many elements. David Rowen stated that the officer consideration of the application is set out within the report.
- Councillor Sennitt Clough stated that she realises that the application is a planning in principle application (PIP), and questioned that when considering a self-build application there appears to be a lack of control, asking whether her understanding is correct and if the application was approved eventually what the controls would be. David Rowen stated that if a PIP application were to be granted, it cannot be subject to any planning condition or planning obligation and, therefore, it would not be possible to secure the delivery of self-build through the PIP. He stated that if the PIP was approved then potentially there is the mechanism to give weight to that in the determination of the application then there would potentially be an expectation that the further technical details consent might come forward as a self-build and that could be tied. David Rowen explained that ultimately it is a case of determining whether it is an acceptable location for housing.

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

- Councillor Benney stated that the application should be refused as it does not comply with policy as the application is in the open countryside and the officer's recommendation is correct, and the application should be refused.
- Councillor Mrs French stated that it is time that there was a policy introduced for self-build applications as they are very complicated applications to deal with and cause many issues.
- Councillor Marks stated that he agrees that the application is very poor, and the Parish Council were also of the same opinion. He made the point that the letters in support of the application are from a great distance away and not very many from the local area. Councillor Marks added that there are a number of objections from the village of Manea, and he congratulated officers for a very comprehensive report and feels their recommendation is 100% correct. He stated that if the application is resubmitted then he would hope a great deal of thought and consideration is given to it before it is resubmitted.

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

(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)

P118/24 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

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Peter Humphrey, the agent. Mr Humphrey stated that the application is for a single dwelling which abuts the developed footprint as per the policy LP12(a) of the Local Plan, where it states that any extensions to a village should abut the built form. He explained that Wisbech St Mary is a growth village and has all the facilities that would be expected in such a village.

Mr Humphrey added that over the years there has been three approvals for 36 caravans beyond the application site out of the village which demonstrates that it is acceptable in the area for development. He made the point that whilst the site is located in Flood Zone 3, it is identical to the adjacent recently approved dwelling currently under construction and the sequential test shows that there are no plots available.

Mr Humphrey added that three plots were identified, and he has spoken to all three owners and none of them are available. He explained that his client, Mr Curtis Woods, is currently living in a caravan in the village whilst waiting to find himself a self-build plot and he lives with his partner and daughter who is registered at the local school.

Mr Humphrey added that the applicant works for his family's engineering business TAM Engineering who are based on Leverington Common, and they have their site located approximately one mile from the application site. He stated that TAM Engineering are often on call 24 hours a day sometimes to the Council, North Level Internal Drainage Board, Barhale and McCain and, therefore, the closer the applicant can live to his place of work will enhance his quality of live, with there being no house or room to build one on his work site.

Mr Humphrey stated that he would like to remind members of the committee that housing has been approved on four different roads into the village, Station Road, High Road adjacent to the Vicarage, Bevis Lane and Sandbank have all seen growth along the existing built form and, in his view, Sandbank would be no different. He stated that Mr Woods is desperate to do a self-build home for himself and his family and the application site would deliver a self-build custom-built plot, and it should be supported as per policy LP5(C).

Mr Humphrey made the point that there have been 12 letters of support and none against with no objections from the North Level IDB, Highways, Environmental Health, Environment Agency and the Parish Council fully support the application. He asked the committee to support the applicant in his venture to build a self-build house for his family so that he can move closer to his business.

Members asked Mr Humphrey the following questions:

- Councillor Imafidon asked whether the applicant owns TAM Engineering? Mr Humphrey stated that the application is for Mr Curtis Woods, who is Mr Woods son, and they run the business together. He added that it would be conducive for a family home to be on the site. Councillor Imafidon stated that he knows that the business is well used, and he just wanted clarification whether the applicant was the business owner.

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

- Councillor Sennitt Clough stated that she knows the area quite well and she made the point that if the self-build is designed to the specification then it will improve the street scene.
- David Rowen stated that there was an appeal decision on the site in the last few years which concluded that whilst the site is adjoining the built form of the built settlement as per LP12, there are other parts of LP12 that also still require the development to not detrimentally impact the character of the area. He added that the Council has taken the view that the development of this site would do that previously and that has been verified by a Planning Inspector. David Rowen added that if members were minded to grant the application then there would be the need to provide an explanation as to what has changed

since the Inspector reached their conclusions.

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

P119/24 WILLOW VIEW, THE CHASE, MARCH

Andre Dudley presented the report to members.

Members asked questions, made comments and received responses.

Members agreed the recommendations in the report.

(Members resolved to exclude the public for this item of business on the grounds that it involves the disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12a of the Local Government Act 1972)

6.42 pm Chairman

F/YR21/0852/O

Applicant: Mr C McGill
WMS

Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited

Fridaybridge Agricultural Camp, 173 March Road, Friday Bridge, Wisbech Cambridgeshire PE14 0LR

Erect up to 102 x dwellings, a community building/museum and sports changing facilities involving the demolition of existing buildings (outline application with all matters reserved)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 19 October 2021

EOT in Place: Yes/No

EOT Expiry: 5 May 2025

Application Fee: £14192

Risk Statement: This application must be determined by 5th May 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, with all matters reserved, for the erection of up to 102No. dwellings, a community building/museum and sports changing facilities, involving the demolition of existing buildings.

1.2 The application site comprises a former Prisoner of War Camp, currently used as temporary accommodation for agricultural workers. The application is located within the countryside, approximately 0.8 metres from the edge of the continuous built settlement, and approximately 1.5 kilometres from the village centre, of Friday Bridge.

1.3 The proposed development is contrary to relevant policies within the Fenland Local Plan 2014 in respect of the principle of development and its impacts on highway safety, the character and appearance of the area, heritage assets, residential amenity, biodiversity, affordable housing provision and infrastructure capacity.

1.4 There are unresolved consultee objections from Cambridgeshire County Council's Transport Assessment Team, Fenland District Council's Conservation Officer, and the Wisbech Society.

1.5 Financial contributions have been requested by the NHS Cambridgeshire & Peterborough Integrated Care System and the East of England Ambulance Service NHS Trust. However, the application is not accompanied by a Heads of Terms or any other form of agreement to provide the requested contributions.

1.6 Affordable housing provision has been requested by the Council's Housing Strategy team. However, the application is for 100% market housing and therefore does not propose any affordable housing provision.

1.7 The application is recommended for refusal.

2 SITE DESCRIPTION

2.1 The application site is a former purpose-built Prisoner of War (POW) Camp, which was used for Italian and German prisoners of war during, and immediately after, World War Two. The site contains a water tower, headquarters, accommodation blocks, ablution block, Nissen Hut and guard hut at the entrance, amongst other buildings. The Local Planning Authority consider the site to be a non-designated heritage asset.

2.2 The application site is currently used as temporary accommodation for agricultural workers, utilising the former POW buildings and more modern buildings.

2.3 The application site is located within the countryside; approximately 0.8 metres from the edge of the continuous built settlement, and approximately 1.5 kilometres from the village centre, of Friday Bridge. The application site is accessed off the east side of the B1101 (March Road). The application site is bordered by a substantial number of trees which are located along the boundaries of the site.

2.4 The application site is predominantly surrounded by agricultural fields, located to the north, east and south. There is a residential dwelling, a children's residential home, and a co-education day school located on the opposite side of the B1101 to the west of the application site; this includes a Grade II listed building, known as Waldersea House. There is a public footway opposite the application site, on the west side of the B1101. There are also bus stops located on the B1101, immediately to the west of the application site.

3 PROPOSAL

3.1 The application seeks outline planning permission, with all matters reserved, for the erection of up to 102No. dwellings, a community building/museum and sports changing facilities involving the demolition of existing buildings.

3.2 The application includes details of the following:

- An indicative site layout, elevations and floor plans; indicatively showing 58No. dwellings, 44No. flats (comprised within three blocks), some existing buildings to be retained as a museum and community buildings, roads and footways, public open space and existing trees to be retained.

- Indicative alterations to the site access showing a 6 metre wide access for the first 10 metres from the B1101 carriageway, with a 10 metre radii.

- A new dropped kerb crossing with tactile paving is proposed immediately to the west of the application site, to provide a crossing point to the existing public footway on the west side of the B1101.

- A new bus shelter, flag and posts with Real Time Passenger Information display, and raised kerbs is proposed immediately to the west of the application site, on the east side of the B1101.

3.3 The application is accompanied by the following key documents and plans:

- Location Plan
- Indicative Site Plan
- Indicative Floor Plans and Elevation Plans
- Design & Access Statement
- Flood Risk Assessment & Sustainable Drainage Strategy
- Arboricultural Impact Assessment
- Heritage Impact Statement
- Preliminary Ecological Appraisal
- Biodiversity Net Gain Report
- Biodiversity Net Gain Metric
- Phase 2 Bat Survey
- Transport Assessment and supplementary highways Information
- Topographical Surveys
- Air Impact Assessment
- Health Impact Assessment
- Phase I Geo-Environmental Desk Study

3.4 The proposed development (and subsequently the description of the proposed development) has been amended during the course of the application.

3.5 Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

F/YR02/1258/F - Continued use of land for the stationing of 6 no. mobile homes for staff accommodation - Granted 06.01.2003

F/YR01/0932/F - Use of land for the stationing of 6 no. mobile homes for staff accommodation - Granted 02.11.2001

F/YR00/0707/F - Variation of Condition 02 of planning permission F/99/0457/F (Erection of 2-storey building for the temporary accommodation of agricultural workers and 2 x 1-bed flats) to allow occupation of building all year round - Granted 25.10.2000

F/YR00/0706/F - Variation of Condition 02 of planning permission F/92/0796/F (Erection of a 2-storey building to form dormitory accommodation) to allow occupation of buildings all year round - Granted 25.10.2000

F/YR00/0705/F - Use of land for the stationing of 4 no. temporary buildings for student accommodation - Granted 25.10.2000

F/YR00/0704/F - Use of 4 no. buildings and stationing of 9 no. temporary buildings as a residential language school - Granted 25.10.2000

F/YR00/0703/F - Siting of 3 no. gas tanks - Granted 25.10.2000

F/YR00/0702/F - Use of land for the stationing of 6 no. mobile homes for staff accommodation - Granted 25.10.2000

F/YR00/0161/F - Removal of Condition 02 of planning permission F/92/0796/F (Erection of a 2-storey building to form dormitory accommodation) to allow occupation of the building all year round - Refused 13.04.2000

F/YR00/0137/F - Erection of a 2-storey building for the all year round accommodation of agricultural workers incorporating 2 x 1-bed flats - Refused 13.04.2000

F/99/0457/F - Erection of a 2-storey building for the temporary accommodation of agricultural workers and 2 x 1-bed flats - Granted 20.10.1999

F/93/0568/F - Erection of a shower/toilet block - Granted 25.11.1993

F/1266/88/O - Formation of an 18 hole golf course, erection of a club house, leisure facilities and 198 detached houses with associated roads and parking facilities (214 acres) - Refused 12.10.1989

F/0699/79/F - Siting of 50 touring caravans - Granted 16.11.1979

5 CONSULTATIONS

All consultation responses are summarised below:

5.1 Elm Parish Council – Most recent comments received 13.02.2025, which are further to previous comments

Strong objections.

Concerns and objections in connection to; location, infrastructure, highways issues, drainage/surface water management etc.

Information contained in earlier responses still stands.

Comments raised within previous responses

Strong objection.

- Would result in the creation of a remote, isolated community rather than an extension to the village of Friday Bridge.

- Access to the proposed site would be via the B1101; a rural road with a 60mph speed limit, regularly used by agricultural vehicles. A farm entrance lies opposite.

- The access is located on a straight stretch of the B1101 between the Jew House Drove and Coldham Hall Chase junctions, vehicles regularly travel at excess speed along this section of the highway and conditions are particularly hazardous when the A47 is closed resulting in a higher volume of traffic.

- There is no street lighting or reduced speed limit.

- Design proposals for the bellmouth access would make the junction virtually invisible to motorists approaching from either direction.

- Presently, people are transported via minibus to and from the site, the construction of 102 dwellings; with residents using their private vehicles; would hugely increase traffic movement at the site junction.

- Pedestrians (including unaccompanied children) would have to cross the [60mph] highway to access both the bus stop and pavement; which is extremely narrow to the point that it would not accommodate a parent and child walking side by side.

- Anglian Water has stated that there would be a chance of flooding downstream caused by the proposals and furthermore, there would be an impact on existing public sewers. Presently, during periods of heavy rainfall many watercourses are filled to capacity and surface ground water is unable to drain away. The Lead Local Flood Authority and Internal Drainage Boards need to be consulted concerning the drainage strategy to ensure that existing properties would not be at increased risk of flooding as a result of the proposals.

- The drainage system in Elm is full to capacity and cannot cope with additional volumes of water; this development would increase the risk of flooding downstream and impact the existing public sewer system.

- The proposals would impact on the provision of emergency medical treatment in the area as there is already a deficit of emergency ambulance services. Doctor, dentist and hospital services would also be impacted.

- The site is remote, public transport is extremely limited which would make it virtually impossible to access employment opportunities without the use of a private motor vehicle.

- The creation of 102 households would include a significant rise in the number of children requiring an education, thereby placing additional strain on existing schools and nurseries.

- Insufficient information has been submitted in order to ensure that all biodiversity material concerns have been addressed.

- There is evidence of protected species at the site which is a material planning consideration. Further surveys need to be completed in order to assess the ecological constraints present within the site's buildings and habitats.

- The location is totally unsuitable for such large-scale residential development. It is remote from Friday Bridge village and would result in the creation of a separate isolated community. Public transport is extremely limited and would not support accessibility for employment. The adjacent unlit rural road is also totally unsuitable for pedestrian safety and the number of vehicle movements which would result from such a development.

- Stress the historical importance of the site and request that organisations such as English Heritage are consulted concerning the proposals.

- Infrastructure services (doctors, dentists, police, schools, nurseries) are facing even more pressure than they were in 2021; there is no more capacity in the system to cope with the proposed development.

- The location is totally unsuitable for such large-scale residential development. It is remote from Friday Bridge village and would result in the creation of a separate isolated community.

- Public transport is extremely limited and would not support accessibility for employment.

- The adjacent unlit rural road is also totally unsuitable for pedestrian safety and the number of vehicle movements which would result from such a development.

5.2 East of England Ambulance Service NHS Trust (EEAST) - Comments received 17.04.2025

Requests a greater financial contribution than requested within their previous comments. The contribution required to create additional ambulance services to support the population arising from proposed development is now £33,354, to support provision of an additional ambulance to meet the expanded demand arising from the proposed development.

<u>Comments raised within previous consultation response</u>

The Health Impact Assessment accompanying the application is exceedingly limited.

Notes that the Health Impact Assessment accompanying the application states a detailed health impact assessment is not required.

Requests a detailed Health Impact Assessment is undertaken, as EEAST has significant concerns due to the following:

1. It is on a major road (B1101) with a national speed limit of 60 miles per hour vicinity of the site access, dropping to 40mph approximately 600m northwest of the site access before the sharp right-hand bend at the start of the approach into the main body of Friday Bridge. There are no plans to reduce the speed limit despite the expectation primary school children using the footpath to access the local primary school (expected walking time 22 minutes). Children (who could be unaccompanied) will also need to cross the road to access the site.

2. The existing footpath is of limited width (currently only single file) is prone to being overgrown. The Transport Assessment identifies a plan to extend to - 2m wide footway along the northern side of the access with a 2m wide dropped kerb with tactile paving crossing to the existing footway on the opposite side of March Road.

3. No street lighting is present and there are no plans to increase street lighting despite the expectation school children will use the footpath to access the local primary school (expected walking time 22 minutes).

4. There is a potential that school children may be driven to school due to the nature of the road and footpath which will increase the volume of traffic above that identified in the Transport Assessment.

5. Pedestrians will need to cross the road with no street lighting or reduced speed limit in order to access the bus stop and footpath.

6. No accident data for the last 3-5 years has been provided for the local area. Accident data should be obtained and reviewed.

Requests that the concerns raised above are carefully considered and addressed.

EEAST requires additional resources in order to maintain the Category response times, as the nature of this development is likely to increase the current demand for ambulance calls. The capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £8,867.

EEAST therefore requests that the sum of £8,867 be secured through a planning obligation linked to any grant of planning permission. This will contribute towards the development of capacity in emergency ambulance services for the benefit of patients in the vicinity of the application site.

The development would have an impact on healthcare provision in the area where there is already a deficit of emergency ambulance services. If unmitigated, the development would be unsustainable. Planning obligations could be used to secure contributions to mitigate these impacts and make an otherwise unacceptable development acceptable in relation to healthcare provision.

5.3 Cambridgeshire & Peterborough Clinical Commissioning Group – Most recent comments received 23rd August 2021, which are further to previous comments

The proposed development is likely to have an impact on the 3 x GP Practices operating within the vicinity of the application; North Brink Practice, Trinity Surgery and Clarkson Surgery. There is zero capacity in the Wisbech area to take on additional patients and this development of 102 dwellings would see an increase in patient pressure of circa 244 new residents, which would require additional workforce to support an increase in appointments and a resulting increase in estate demand.

Has received advice regarding the cost of a single-storey extension to an existing premises and refurbishment.

A developer contribution will therefore be required to mitigate the impacts of this proposal. The level of contributions required in this instance is calculated to be £87,691.56.

Payment should be made before development commences. Requests the sum is secured through a Section 106 Agreement, with the proposal that the sum be used to fund a project which increases clinical capacity at one of the GP Practices within the vicinity of the development, or any project at an alternative premises in the vicinity of the Practices/development which increases primary healthcare capacity.

The development will give rise to a need for additional primary healthcare provision arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development.

Assuming the above is considered in conjunction with the current application process, would not wish to raise an objection to the proposed development. Otherwise, the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

Comments raised within previous consultation response

This development is fairly equidistant between the towns of March and Wisbech and therefore may affect Primary Care services in both towns. However, advises that there is currently capacity to mitigate this growth at both Trinity Surgery in Wisbech and also at the Riverside Surgery in March. Therefore, do not request a Section 106 developer contribution.

5.4 Cambridgeshire County Council Highways Development Management Team – Most recent comments received 16th April 2025, which are further to previous comments

Recommend refusal.

As per their previous response, the applicant has not demonstrated that safe and suitable pedestrian access can be provided to Friday Bridge; or that the bus stop mitigation works are feasible / deliverable within the extent of public highway. As such, it has not been demonstrated that the proposed development would not be prejudicial to the satisfactory functioning of the highway and highway safety.

Notes that Cambridgeshire County Council Transport Assessment Team are also recommending refusal on the basis that the proposed development is not sustainable and would lead to a car lead development.

Relevant comments raised within previous response

- The applicant states the site is 1.8km from Friday Bridge Primary school which is generally considered to be an acceptable walking distance. However, in this case, the walking route is via a narrow footway along a high-speed and unlit road (which will need to be crossed at least twice). This root provides poor pedestrian safeguarding and such a route is likely to be unattractive for walking by most users, particularly with young children or pushchairs.

  Recommends that the applicant demonstrates that a continuous footway (including a safe crossing of Jew House Drove) of 2m can be accommodated between the development and the urban settlement / 30mph limit, as per DfT inclusivity guidance. A 1.5m reduction may be considered at localised constraints. Such a package of mitigation is required to make the development acceptable in highway safety terms.

- The applicant is proposing new bus shelters on March Road. While acceptable in principle, the applicant must first procure a copy of the verified highway boundary and overlay on the submission to ensure the works are feasible. They must also engage the Parish Council regarding ongoing maintenance responsibilities, as this will not sit with the Highway Authority. https://www.cambridgeshire.gov.uk/business/highway-searches

- The applicant must demonstrate 215m forward visibility to the proposed uncontrolled pedestrian crossing of March Road.

5.5 Cambridgeshire County Council Transport Assessment Team - Comments received 6th September 2021

Recommends refusal.

- The site is currently a residential site for 300 workers, with workers using 45 mini buses.

- The site therefore generates 45 one way trips in the peak hours.

- The site is accessed directly off of the B1101.

- The speed limited in the vicinity of the site access is 60mph.

- There is an existing footway along side the B1101, no details have been provided on the footway width or condition.

- There is no cycle infrastructure present.

- There is an existing single bus stop at the site access, no assessment has been made of what infrastructure is provided at the bus stop. The stop is served by the No.56 with an hourly frequency.

- The proposal is for 58 dwellings, 44 flats, a convenience shop and a grass football pitch.

- TRICS has been used to calculate the trip rate for the site, the use of TRICS is acceptable. The TRICS assessment includes sites which are located in Ireland, this is not acceptable. The proposed trip rate is not acceptable, given the rural location of the site the trip rate is very low.

- Given the rural location of the site, 16% of trips being made to work by sustainable modes is not agreed.

- It is unlikely the football pitch would generate any vehicles during peak times.

- It is noted a 2m wide footway of unknown length will be provided on the northern side of the access, with a dropped kerb facility. This is to aid new resident crossing onto the footway on the opposite side of the road.

- Given the nature of the B1101, a 60mph unlit rural road. It is unlikely anyone from the site would cycle.

Conclusion:

The site is in a rural location, on a 60mph unlit road. No assessment has been made of the footway from the site heading north, no details of width or condition has been provided. No walk/cycle catchment plans have been provided to demonstrate the site is within suitable walking distance of local amenities.

The existing footway is on the opposite side of the B1101 to the site and no safe crossing facilities are being proposed for new residents. It appears from google that the existing footway is of limited width and there is no separation between the footway and the carriageway. This means residents would be within 1 metres of a vehicle travelling at 60mph, this is not desirable or acceptable. There is a missing section of footway at the junction of the B1101 with March Road, therefore pedestrians would have to walk in the carriageway of a 40mph speed limit unlit road.

No assessment has been made of the existing bus stop, it appears from google to be nothing more than a flag on the side of the road. The applicant is not proposing to upgrade this stop.

Given the nature of the B1101, an unlit 60mph country road, it would deter cyclists from using it.

As submitted the proposed development is not sustainable and would lead to a car lead development, contrary to the aims and objectives of the NPPF, LTN1/20, FDC local plan and Cambridgeshire County Council policies. The proposed development does not provide safe and suitable access for all users and would be highly dependent on car usage.

For the above reasons, recommends the application be refused.

5.6 Cambridgeshire Constabulary Designing Out Crime Officer - Comments received 23rd August 2021

Has viewed the documents in relation to crime, disorder and the fear of crime and has checked the constabulary crime and incident systems covering Friday Bridge for the last 3 years. Considers it to be an area of low vulnerability to the risk of crime at present.

The layout is acceptable in relation to crime prevention and the fear of crime, providing reasonable levels of natural surveillance from neighbours' properties with many of the homes facing each other and some overlooking the open space and football pitch. Pedestrian and vehicle routes are aligned together and overlooked suggesting that pedestrian safety has been considered, which should encourage some level of territoriality amongst residents. Most of the vehicle parking is in-curtilage between and to the sides of properties and garages. Parking for the flats is, however, on street, and while there appears to be surveillance from active rooms, these will need to be well lit. Many of the homes have back-to-back protected rear gardens which reduces the risk and vulnerability to crime, and have been provided with the potential for some defensible space to their front.

Paragraph 8.7 in the design and access statement is headed Security and mentions some crime prevention measures and Secured by Design. It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for residents and visitors.

While some security measures have been considered, has the following comments:

- What measures will be proposed for building security, cycle and bin store security, access control and mail delivery for the apartment blocks?;

- What door entry/access control will be proposed allowing access to residents only? Communal entrance doors should have no trade or timed release buttons;

- It would be good to see the proposed boundary treatments;

- Would like to see an External lighting plan (adoptable and private) including calculations and lux levels when available. For the safety of people and their property our recommendation is that all adopted and un-adopted roads, private and shared drives and parking areas should be lit by columns to BS5489:1 2020. Bollard lighting is only appropriate for wayfinding and should not be used as a primary lighting source for any roads or parking areas, where they are also prone to damage. Care should be taken in relation to the location of lighting columns with the entry method for the majority of dwelling burglary being via rear gardens. Lighting columns located next to rear/side garden walls with little surveillance from other properties can be used as a climbing aid to gain entry to the rear gardens.

- Measures should be considered to stop vehicles accessing the open space by fitting a knee rail or similar.

Would be happy to discuss Secured by Design, and measures to reduce the vulnerability to crime, with the applicant.

5.7 Anglian Water Services Ltd – Most recent comments received 19.08.2021, which are further to previous comments

No further comments to add to their previous response.

Comments raised within previous response

No objection, subject to a condition requiring a scheme for on-site foul water drainage works to be completed in accordance with a scheme to be agreed by the Local Planning Authority.

Assets Affected:

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

Wastewater Treatment:

Foul drainage is in the catchment of West Walton Recycling that will have available capacity for these flows.

Used Water Network:

Development may lead to an unacceptable risk of flooding downstream. Anglian Water will need to plan effectively for the proposed development, if permission is granted, and will need to work with the applicant to ensure any infrastructure improvements are delivered in line with the development. To make an accurate network capacity assessment, require a foul strategy showing the discharge point, conveyance method and pumped discharge rate if applicable. Therefore, request a condition requiring an on-site drainage strategy.

Surface Water Disposal:

The proposed method of surface water management does not relate to Anglian Water operated assets. As such, are unable to provide comments on the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse.

5.8 Fenland District Council Housing Strategy – Comments received 3rd September 2021

On developments where 10 or more homes will be provided, the provisions of Policy LP5 of the Fenland Local Plan seeking 25% affordable housing apply.

Since this planning application proposes the provision of 102 number of dwellings, would expect a contribution of 26 affordable dwellings in this instance.

The current tenure split expected for affordable housing in Fenland is 70% affordable rented tenure and 30% shared ownership. This would equate to the delivery of 20 affordable rented homes and 6 shared ownership in this instance. Details of the housing and tenure mix can be discussed at a later date, as and when required.

5.9 Cambridgeshire County Council Flood Risk Team (Lead Local Flood Authority) – Most recent comments received 19th December 2024, which are further to previous comments

No objection in principle.

Notes that a half drain time above 24 hours is present at the site with the current proposed drainage infrastructure; however, as additional green open space has been identified for potential extra storage, if the half drain time can't be reduced, this can be offset with the provision of additional attenuation features. The above documents therefore demonstrate that there is sufficient space within the proposed development to accommodate necessary drainage infrastructure to manage surface water runoff from the site.

Requests that a condition is imposed requiring a detailed design of the surface water drainage of the site (based upon the principles within the agreed Flood Risk Assessment and Sustainable Drainage Strategy) to be submitted to, and approved by, the Local Planning Authority; and requiring that any elements of the surface water drainage system not adopted by a statutory undertaker be maintained and managed in accordance with a management and maintenance plan to be approved by the Local Planning Authority.

Comments raised within previous response

No objection in principle.

5.10 Fenland District Council Environmental Health - Comments received 6th September 2021

No objections.

Unlikely to object to the principle of any development where a high quality and sustainable living environment is to be created. From an environmental health perspective this will be subject to the satisfactory attention being given towards mitigating against the potential for noise and odour pollution during the development process, where the proposal involves the use of a brownfield site or where the demolition of existing structures is to take place, satisfactory conclusions have been reached that show the site is free from contamination or that the necessary remediation has been undertaken to ensure the site is suitable for the intended use and, that such a scheme positively contributes towards improving the health and wellbeing of people in support of sustainable and better ways to live and travel.

The application site has primarily been used to provide housing for workers employed in the area in recent times and contains a large number of buildings of mixed construction. The main proposal seeks to erect over 100 dwellings, a retail unit and sports changing facilities involving the demolition of existing buildings.

The Geo-environmental Desk Study, accompanying the application identifies a number of potential risks to future site users and the environment. As such, further environmental investigation work is necessary to confirm the nature of underlying ground conditions that may affect future site users and the environment, future infrastructure including local surface water drainage systems, and may also inform appropriate foundation design.

Welcomes this safe approach to addressing known and unknown site conditions given the nature of the proposal and scale of the application site and looks forward to receiving the results of the further (Phase 2) Environmental Investigation prior to any development taking place.

Notes that Anglian Water suggests the proposed development will lead to an unacceptable risk of flooding. Agrees it will be necessary to engage with the water authority to develop a drainage strategy to show how waste water will be conveyed and discharged, but also in terms of protecting the interests of human health and the environment.

This proposal seeks to include a local convenience store, this may also involve hot food provision at some point in the future although the latter is not implied in this application. While there are no details regarding the nature of mechanical refrigeration or other similar units or, hours of operation and delivery times, advise that the use refrigeration or other similar units including opening hours and deliveries can have some bearing on local residents in terms of unwanted noise disturbance. As the precise details of the store are yet to be determined, welcomes information demonstrating how the noise or air climate will be protected, being submitted to the Local Planning Authority at a later stage.

This application also seeks to provide sports facilities, comprising a playing field and changing rooms. Advise on the potential for unwanted noise and other disturbance from such venues unless appropriate mitigation measures have been incorporated into the overall design and fabrication of the facility. Notes the absence of a detailed lighting scheme for the proposed recreational facility. Suitable low-level lighting will need to be considered that creates a visible and safe environment without impacting upon the surrounding environment. Advise that any lighting on the development should meet current standards and should not cause light nuisance to neighbouring properties. The application does not state how the new open space will be managed or maintained. As the precise details of the recreational facility are yet to be determined, welcomes information demonstrating how light, noise or air climate will not be adversely affected, being submitted to the Local Planning Authority at a later stage.

The Air Quality Impact Assessment, accompanying the application, recognises that construction activities anticipated as part of the proposed development are often the most significant potential sources of fugitive dust emissions. The assessment states that appropriate dust control measures, as an example, can be highly effective for controlling emissions from potentially dust generating activities resulting in adverse effects being greatly reduced or eliminated. Welcomes this consideration and agrees that such measures to address environmental impacts can include the use of water suppression techniques, noise reducing barriers, sheeted or covered lorries, road sweeping etc. A Construction Environmental Management Plan will therefore be appropriate in these circumstances and looks forward to this being submitted during the planning process.

Supports a scheme where it is designed to maximise accessibility by increasing the use of non-vehicle modes as this positively contributes towards improving the health and wellbeing of people which this service supports as being a more sustainable and better way to live and travel. Therefore, welcome the submitted Health Impact Assessment that states provision can be made for electric car charging points, cycle storage and the take up of public transport. It has now been recognised that the use of electric vehicles reduces harmful pollutants being admitted into the atmosphere. Along with further information being provided that

renewable energy will also be incorporated into the proposed development, accepts the submission of this information with the final details being submitted to the LPA during subsequent planning stages.

Consequently, having addressed environmental impacts associated with noise, air climate, contamination health and wellbeing, has no objections to the proposed scheme and looks forward to receiving the requested information highlighted above if this proposal is taken forward.

5.11 Fenland District Council Conservation Officer – Most recent comments received 20th November 2024, which are further to previous comments

Friday Bridge Agricultural Camp is a former purpose-built Prisoner of War camp for prisoners of war during and immediately after WWII. It is therefore considered a heritage asset under the terms of the National Planning Policy Framework. It includes designated heritage assets and assets identified by the local planning authority (including local listing). This application has enabled the identification of this site as a non-designated heritage asset, in the absence of a formal adopted list. However, a formal list is in the process of being developed.

The Heritage Statement is detailed and sufficient.

Friday Bridge Agricultural Camp was constructed as a purpose-built Prisoner of War camp during World War Two. The purpose-built or 'Standard' camps were largely constructed during late 1942 and early 1943 and were in use until repatriation of prisoners in 1948. They were well known locally and in effect were settlements forming part of the wider civilian landscape. PoW labour made a significant contribution to the agricultural economy and over 25,000 Germans elected to stay after 1948, joining the British civilian population.

It was initially an Italian, then German Prisoner of War Working Camp where the inmates provided labour. In this area, that labour was agricultural.

According to Historic England only around 100 World War II PoW camps were purpose built in Britain and of these only around 10% are thought to survive. Those sites that retain a significant proportion of their original layout, with surviving features or buildings that are indicative of their use by PoWs will be regarded as of national importance.

Friday Bridge Camp is one such Prisoner of War Camp – purpose built and of the 'Standard' type. Historic England (then English Heritage) carried out a baseline recording project in 2003 and a classification system was designed to guide designation and planning decision making. Those with Partial Remains retain less than 50% of components (ranging from structures to paths/roads).

Out of the 372 PoW camps identified only 60 survive to any level of completeness. Of those 372 camps, 71 were identified as the 'Standard' type and of these only 22 survive to any level of completeness.

It is one of only 10 'Standard' camps nationally which survive with Partial Remains. It is one of only 6 identified Prisoner of War camps (of any type) in Cambridgeshire, and only two 'Standard' types have been identified in the county. It is the only site in the county with any level of above ground survival. The site comprises a water tower, headquarters, accommodation blocks, ablution block, Nissen Hut and guard hut at the entrance, amongst others.

Given the overall level of survival nationally and regionally of ‘Standard’ type PoW camps, the completeness of and significance attributed to Friday Bridge Camp needs to be fully assessed and the policies of the NPPF applied.

Friday Bridge Camp naturally fell into use as hostel accommodation for farm workers, following the end of World War II, often with the same men who had been held as prisoners but who had elected to stay. Friday Bridge Camp is believed to the be the only site that continues to function in this role today. Its use therefore as agricultural hostel accommodation outstrips its use as a PoW camp by decades and new modern accommodation blocks have been constructed to continue this use. However, this does not diminish its historic and social significance in any way. Indeed, its current threat of redundancy as a direct result of the Brexit vote and the resulting current economic climate (delayed by the Covid 19 Pandemic) and the impact this has had on the European workers which underpin so much of our agricultural labour in this region, could be seen to add another level of significance to this site at a national level.

It should be noted that Fenland District Council, is working in partnership with Cambridgeshire County Council to identify and adopt a formal list of local heritage assets, and whilst this site has now been identified as such as a result of the planning process, it will be added to a formal list as part of the project funded by the DCMS. It is also identified on the Cambridgeshire Historic Environment Record (ref MCB 17104) and may warrant formal designation.

Under the terms of the NPPF, a balanced judgement is required to have regard to the scale of any harm or loss and the significance of the heritage asset. Friday Bridge is a former Prisoner of War camp, with considerable partial Remains. It is a unique survival within Fenland and the wider county and is of national historic significance. The current proposal seeks almost total demolition.

Waldersea House is an early 19th century house with associated outbuildings, including dovecot, farmyard complex and countryside setting (historic map evidence), some of which survives, and which is listed at grade II. The presence of the camp opposite for nearly 70 years and its own use as a healthcare establishment has long since altered the setting of the listed building and no sense of a rural farmhouse with associated surrounding countryside and associated outbuildings, survives. It is therefore not felt that the principle of the proposed development will alter that setting significantly, providing that the mature and dense screening, remains and is maintained.

Conclusions:

The application to Historic England for listing the site was unsuccessful, due to its lack of completeness of the camp as a result of its later uses as an agricultural camp and loss of parts of the original buildings and plan form.

It is, however, the only remaining POW camp in the county with a good level of survival and potential for below ground remains and as such is undoubtedly of local interest. It is therefore clearly a non-designated heritage asset, as per the National Planning Policy Framework.

Within the camp, specific huts retain their original plan form and appearance and are therefore worthy of consideration individually as buildings of local interest. It also has added local and regional interest as an agricultural camp and possibly the

largest in Europe. Even in its reduced state, the camp has medium to high communal and emotional value.

The Heritage Statement states that 'whilst there is undoubtedly scope for demolition and capacity within the site for new development, the degree of harm will be directly proportional to the extent of the demolition. Therefore, the best option for any detailed proposals and reserved matters may be selective removal of World War Two buildings-based on intactness, current condition, group value and the potential scope for adaption and reuse'.

The current proposal, to demolish almost all buildings associated with the Prisoner of War Camp from the site bar a couple of buildings and the nissen hut which is to be substantially remodelled, would result in a substantial level of harm to the heritage asset and are divergent with the advice provided within the Heritage Statement.

The references to a 'Heritage Park' are not provided with any information of how this will be run, funded, staffed or accessed, which is considered to be of importance.

Efforts have not yet been made to incorporate as many remaining structurally sound buildings into the scheme and design the developable areas in a manner that respects the retained buildings and the history of the site, for which the current proposals fail to do. It is a relatively non-descript residential development in a location of questionable sustainability that retains little historic significance of the site.

The proposals fail to accord with the National Planning Police Framework and policy LP18 of the Fenland Local Plan and should be refused unless there are strong public benefits that outweigh the harm.

Conditions:

Should a decision be made to grant the application a Building Recording Condition should be applied, and a record should be made in accordance with Historic England's guidance 'Understanding Historic Buildings. A guide to Good Recording Practice', to Level 4, the details of which should be agreed with the County Archaeology Unit, or the Local Authority Conservation Officer.

Recommendation: Refuse

<u>Comments raised within previous responses</u>

The original Heritage Impact Statement was inadequate [since resolved following receipt of an acceptable Heritage Impact Statement].

Originally recommended that the application be refused until the significance of the site had been addressed and accommodated in a revised application. However, recommended that, should a decision be made to grant the application, a Building Recording Condition should be applied, and a record should be made in accordance with Historic England's guidance 'Understanding Historic Buildings. A guide to Good Recording Practice', to Level 4, the details of which should be agreed with the County Archaeology Unit, or the Local Authority Conservation Officer.

5.12 The Wisbech Society – Most recent comments received 4th August 2022, which are further to previous comments

Object to the demolition and redevelopment of a unique Fenland heritage asset and its replacement with a, nebulous at best, application to build houses in an area that is environmentally/biodiversity unsuited with inadequate highways and services provision.

Comments raised within previous response

Objects to the application, for the following reasons:

- The Heritage Statement supplied by the Developer does not attest to the historic significance of this WW2, purpose built POW Camp, even though it is one of the few remaining camps that still exist in the country and is unique to Fenland. This is contrary to National Planning Policy Framework (NPPF), July 2021 - paragraph 194; and Fenland Local Plan (2014) - LP18. The Heritage Statement only deals with the impact on the setting of the Grade 2 listed Waldersea House and ignores the history of the camp entirely.
- The POW Camp is a local heritage asset and as such deserves to be preserved within its current usage.
- There are, we understand, artworks within the camp painted by POW's that are of historic interest.
- Although modernised, up to 50% of the original camp buildings still survive and are still in use as accommodation by European agricultural workers, in a remarkable continuation of its use since the 1940's.
- The opposite Grade 2 listed Waldersea House will have its setting affected by this large development and increased traffic and noise made by private vehicles (most of the current occupants of the camp use WMS Recruitment buses to leave/access the camp).
- The camp is currently serviced by a B road and any increased road traffic could prove a hazard.
- The proposed development is remote from the village and is an over development without proposed road and lighting amenity improvements.

5.13 Fenland District Council Principal Ecologist – Comments received 13th March 2025, which are further to previous comments from the Local Planning Authority's former ecology advisory services

Accepts that the level of bat survey effort, taken together with the proposals for mitigation measures which would be available for any disturbance to bats, are sufficient to give a level of confidence to the Council that if permission were to be granted to the development the conservation status of bats would be able to be conserved.

Of particular note is that –

- The apparent level of bat use of the site recorded during the surveys which have been carried out involved low numbers of bats of relatively common species. Although bat roosting sites were recorded, these appeared to be low-status roosts.
- Mitigation for bats, including replacement roosting provision, would be available, including a dedicated structure for use by roosting bats, to be incorporated into the new development design. This structure should be included as part of any detailed Reserved Matters application.

Concludes that no further level of bat survey is required before deciding the application, but that further bat surveys should be required by condition to provide a detailed and up-to-date picture of bat use of the site to inform detailed mitigation and detailed design.

Since known bat roosts will be affected by the development, a protected species License will need to be obtained from Natural England before any work can commence which could affect bats. Obtaining this License is a separate process from obtaining a grant of planning permission, and the License application will require up-to-date survey information.

Notes that in order to achieve a 'no net loss' in biodiversity the development may need to purchase off-site Biodiversity Credits from a Habitat Bank, since sufficient habitat compensation may not be able to be achieved on-site. Would prefer it if the details of the off-site habitat provision were to be provided prior to deciding the application, however accepts that this detail could be required by condition.

Previous comments received within responses from the Local Planning Authority's former ecology advisory services:

- The Phase 2 Bat Survey report addresses previous concerns raised.
- A final version of the Preliminary Ecological Appraisal was requested.
- A Biodiversity Net Gain assessment was requested.
- Requested planning conditions requiring additional ecology information.
- Due to the traditional survey method resulting in an extremely heavy survey load, accepted a survey approach to inform the outline planning only, requiring further surveys works to be undertaken at the detailed planning stage.
- A summer roost and hibernation roost has already been confirmed and these roosts are due to be removed by the proposal. As there are known roosts on site, there will be a requirement for a Natural England Protected Species Disturbance License which has been counter signed by Natural England.

5.14 District Councillor Matthew Summers - Comments received 05.12.2024

Objects to the application, citing the same reasons as Elm Parish Council and the Local Highway Authority. In addition, the application does not accord with the following local policies:

- LP1 - Sustainable development
- LP3 - Settlement hierarchy - Friday Bridge is a restricted growth village
- LP12 a - Not in or adjacent to existing footprint
- LP12 d - Not in keeping with existing built form
- LP12 j - Highways risks for cyclists and pedestrians have been identified

5.15 Local Residents/Interested Parties

Representations from 9 properties supporting the application are summarised below. The locations of these properties are as follows:- 2x Fridaybridge, 1x Elm, 1x Walsoken, 4x Wisbech and 1x Upwell.

- Would provide re-use and regeneration of the site. The site is becoming no longer fit for purpose and needs to move forward.
- Would prevent the site falling into disrepair or abandonment and harming the landscape.
- Ideal location for housing.
- Would provide additional much-needed and affordable housing.
- Would provide new opportunities and prosperity to the area.
- Would retain reference to the sites history. The history of the site should not prevent progress.
- There is precedence for construction due to previous development.
- The proposal would generate no more traffic than already exists.
- Challenges around roads and infrastructure etc cannot get in the way of moving on.
- There is nothing there of significance that warrants keeping as Historic England have shown they are not interested in the site.

Representations received from 7 properties objecting to the application (in addition to representations from 3 properties neither supporting or objecting to the application) are summarised below. The locations of these properties are as follows:- 8x Fridaybridge, 1x Coldham and 1x Market Deeping.

- Does not align with Local Plan policies.
- Would result in an isolated settlement, detached from local services and communities.
- Future occupiers would struggle to integrate into the community.
- It is not clear that there is a genuine need / demand for the proposal.
- Would impact the rural character of the countryside.
- High density development is inappropriate.
- The proposal would have harmful highway / pedestrian safety impacts.
- Lack of infrastructure and services to serve the development.
- A previous planning application on the site was refused.
- Various planning applications to develop housing at No.41 March Road have been refused.
- Would cause residential amenity harm to existing and proposed dwellings.
- Would increase flood risk.
- Would harm ecology.
- Would result in the loss of heritage assets.
- Would degrade property values.

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) and the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

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
Chapter 16 - Conserving and enhancing the historic environment

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Fenland Local Plan 2014
LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
LP5 – Meeting Housing Need
LP6 – Employment, Tourism, Community Facilities and Retail
LP12 – Rural Areas Development Policy
LP13 – Supporting and Managing the Impact of a Growing District
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP18 – The Historic Environment
LP19 – The Natural Environment

Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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
LP17: Culture, Leisure, Tourism and Community Facilities
LP18: Development in the Countryside
LP19: Strategic Infrastructure
LP20: Accessibility and Transport
LP22: Parking Provision
LP23: Historic Environment
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP29: Green Infrastructure
LP31: Open Space and Recreational Facilities
LP32: Flood and Water Management
LP33: Development on Land Affected by Contamination
LP34: Air Quality

8 KEY ISSUES

- Principle of development
- Sustainable travel and highway safety
- Character and appearance
- Heritage assets
- Residential amenity
- Affordable housing provision
- Infrastructure capacity
- Housing mix
- Flood risk and drainage
- Trees
- Biodiversity
- Biodiversity Net Gain (BNG)

9 ASSESSMENT

Principle of development

9.1 Policy LP2 of the Fenland Local Plan 2014 states that development proposals should positively contribute to creating a healthy, safe and equitable living environment by creating an environment (built and social) in which communities can flourish; creating sufficient and the right mix of homes to meet people's needs, and in the right location.

9.2 Policy LP3 of the Fenland Local Plan 2014 states that the focus for the majority of housing growth is in and around the four market towns; and that development should create strong, sustainable, cohesive and inclusive communities, making the most effective use of previously developed land (except where that land is of high environmental value), and enabling a larger number of people to access jobs,

services and facilities locally. Furthermore, policy LP3 states that decisions on the location and scale of new development will be taken on the basis of the Fenland Settlement Hierarchy which is specified within the policy. The Fenland Settlement Hierarchy designates Friday Bridge as a 'Limited Growth Village', where a small amount of development and new service provision will be encouraged and permitted in order to support the continued sustainability of the village, which may be appropriate as a small village extension.

9.3 Paragraph 3.3.10 of the Local Plan states that policy LP3, together with other policies, steers most new development to those larger places that offer the best access to services and facilities (both now and for the foreseeable future); and that this can help reduce the need to travel, as well as making best use of existing infrastructure and previously developed land in built-up areas.

9.4 Due to the proposed quantum of development, and its significant separation distance from the built settlement of the village, it is considered that the proposed development is not a 'small village extension' for the purposes of assessment against criteria LP3 of the Local Plan and its location is also in conflict with policy LP12 of the Local Plan. Due to its significant separation distance from the built settlement of the village, it is considered to fall within the category of an 'Elsewhere' location as specified within policy LP3 of the Local Plan, where development is restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services; and to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents (LDDs). As the proposed development does not fall within one of the above exceptions, the proposed development is contrary to policy LP3 of the Local Plan.

9.5 As the site is not in or adjacent to the existing developed footprint of the village, the location of the proposed development is also in conflict with policy LP12 of the Local Plan.

9.6 Although the site comprises previously developed land, paragraph 3.3.10 makes it clear that the policy LP3, and other policies, of the Local Plan steers most new development to those larger places that offer the best access to services and facilities; as well as making best use of previously developed land in 'built-up areas'. In addition, paragraph 125 of the National Planning Policy Framework makes it clear that decisions should give substantial weight to the value of using suitable brownfield land 'within settlements' for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. The proposed development would not re-use suitable brownfield land within a built-up area or within a settlement, and the proposed development would result in substantial harm being caused for the reasons set out within this report. It is therefore considered that the proposed re-use of previously developed (brownfield) land does not outweigh the harm which would result from the proposed development.

9.7 The proposed development is located within an 'Elsewhere' location and is not demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services; nor is it minerals or waste development. The proposed development would result in a major residential development being located within an unsustainable, countryside location with poor connections to local services and facilities. By virtue of its location, quantum and use, the proposed development would fail to contribute to the sustainability of the

settlement and would harm the wider open character of the countryside. The proposed development is therefore contrary to policies LP2 and LP3 of the Fenland Local Plan 2014.

Sustainable travel and highway safety

9.8 Policy LP2 of the Fenland Local Plan 2014 states that development proposals should positively contribute to creating a healthy, safe and equitable living environment by, *inter alia*, providing and maintaining effective, sustainable and safe transport networks to ensure access to all essential services.

9.9 Policy LP15 of the Fenland Local Plan 2014 states, inter alia, that development on a site should be located and designed so that it can maximise accessibility and help to increase the use of non-car modes; and that development schemes should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors including habitat connectivity (linking to existing routes where opportunities exist) that give easy access and permeability to adjacent areas.

9.10 Paragraph 83 of the National Planning Policy Framework states that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities.

9.11 Paragraph 110 of the National Planning Policy Framework states that significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, whilst acknowledging that opportunities to maximise sustainable transport solutions will vary between urban and rural areas.

9.12 Paragraph 115 of the National Planning Policy Framework states that, in assessing applications for development, it should be ensured that, inter alia, sustainable transport modes are prioritised taking account of the site, the type of development and its location; and safe and suitable access to the site can be achieved for all users.

9.13 Paragraph 116 of the National Planning Policy Framework states that development should be refused on highways grounds if there would be an unacceptable impact on highway safety.

9.14 The application site is located approximately 0.8 metres from the edge of the continuous built settlement, and approximately 1.5 kilometres from the village centre, of Friday Bridge. The application site is accessed off the B1101 (March Road), which connects the application site to the centre of Friday Bridge. March Road has a 60mph speed limit for approximately 600 metres to the north of the application site, at which point it changes to 40mph for approximately 500 metres, then 30mph on approach towards the centre of the village. The first 800 metres of the road connecting the application site to Friday Bridge does not have any streetlighting and there is no dedicated cycle route into the village. There is a narrow footway directly adjacent to the carriageway on the west side of March Road, which does not appear to be of a safe and suitable width for all users, particularly those with wheelchairs, pushchairs or children, and which would require future occupiers of the proposed development to cross a 60mph unlit road in order to access it. There is a bus stop opposite the application site, however it is

served by a limited bus service and there would be no other public transport facilities to serve future occupiers of the proposed development.

9.15 The Local Highway Authority Development Management Team has raised concerns about the general sustainability of the site, stating that it is likely to result in almost all movements being made by private motor transport; that the site is remote from the village; that the bus service is limited and potentially unsuitable for accessing employment; and that the pedestrian route is on unlit, rural roads with no dedicated cycling route. Furthermore, they have recommended that provision of a continuous footway (of two metres in width, where possible) between the proposed development and the urban settlement / 30 miles per hour limit, including a safe crossing of Jew House Drove, is required to make the development acceptable in highway safety terms.

9.16 The application proposes a small section of new footway along part of the frontage of the application site and a new dropped kerb crossing to facilitate pedestrian connectivity to the west side of March Road. However, the application does not include the provision of the footway and crossing improvements which the Local Highway Development Management Team consider are necessary to ensure adequate highway safety.

9.17 The Local Highway Authority Development Management Team has objected to the application on the basis that the application fails to demonstrate that safe and suitable pedestrian access can be provided to Friday Bridge, and that the proposed bus stop works are feasible / deliverable within the extent of public highway.

9.18 The Local Highway Authority Transport Assessment Team also recommends that the application is refused and raise concerns including:- that the existing footway is of limited width and has no separation from the carriageway, meaning residents would be within 1 metre of a vehicle travelling at 60mph which is not desirable or acceptable; that there is a missing section of footway at the junction of the B1101 with March Road and therefore pedestrians would have to walk in the carriageway of a 40mph speed limit unlit road; that the nature of the B1101 (an unlit 60mph country road) would deter cyclists from using it; that the proposed development is not sustainable and would lead to a car lead development; and that the proposed development would not provide safe and suitable access for all users who would be highly dependent on car usage.

9.19 East of England Ambulance Service NHS Trust (EEAST) has raised concerns with the proposed development, relating to:- the necessity which would arise for pedestrians (including children) to cross, and walk on footways alongside, roads with speed limits of 40 miles per hour and 60 miles per hour; the limited width of the footway which is prone to being overgrown; the absence of street lighting; the potential for the volume of traffic to be greater than that identified within the Transport Assessment accompanying the application; the absence of local accident data for the last 3-5 years accompanying the application.

9.20 Similar concerns to those raised by the Local Highway Authority, and also EEAST, in relation to highway safety and sustainability, have also been raised within representations received by a District Councillor, Elm Parish Council and local residents.

9.21 Cambridgeshire County Council Highways Development Management Team also raised concerns regarding whether a suitable vehicular access could be achieved

on land within the control of the applicant. Additional highway information and an amended location plan, showing the relevant additional land to be within the control of the application, has been submitted during the course of the application. It is considered that the additional information demonstrates an acceptable vehicular access could be achieved on land within the control of the applicant; however details of the access are reserved at this stage and would require future approval at a subsequent reserved matters stage in any event of planning permission being approved.

9.22 With consideration given to the concerns raised within the representations received, particularly with regards to those received from the Local Highway Authority and EEAST who have raised concerns regarding the safety of pedestrians, the Local Planning Authority consider that the proposed development would promote unsustainable forms of travel and have an unacceptable impact on highway safety.

9.23 By virtue of its location, quantum and use; and the absence of adequate local pedestrian and cycle infrastructure and public transport facilities to provide sustainable, safe and convenient access to nearby services and facilities; the proposed development would promote unsustainable forms of travel and would result in harm to highway safety, contrary to policies LP2 and LP15 of the Fenland Local Plan 2014 and paragraphs 83, 110, 115 and 116 of the National Planning Policy Framework.

Character and appearance

9.24 Policy LP16 of the Local Plan requires development proposals to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment, reinforce local identity and not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.

9.25 Due to its location, and separation from any existing built settlement, the proposed development would not result in coalescence with any neighbouring village, extend existing linear features of the settlement or result in ribbon development. In addition, the indicative site layout plan and Arboricultural Implications Assessment indicate that the proposed development could retain the natural boundaries.

9.26 The application site contains a number of existing buildings; however they are of a lower scale and density, a less formal and more rural character, and have a lower intensity of use, than would be the case for the proposed residential development and necessary associated infrastructure such as formal roads, footways and streetlighting. The proposed development would result in a formally planned, major-scale residential development within the countryside, in a location where it would not relate sympathetically to the predominant rural character and appearance of the area.

9.27 By virtue of its location, quantum and use, the proposed development would result in residential development of a scale and in a location that is not in keeping with the core shape and form of the settlement; would appear significantly at odds with nearby built form; and would significantly urbanise and erode the rural character and appearance of the area including the countryside. As such, it is considered that the proposed development fails to respond to the character of the local built environment, would be detrimental to the local distinctiveness of the area, and

would adversely impact the character and appearance of the area including the countryside, contrary to policy LP16 of the Local Plan.

Heritage assets

Impacts on a non-designated heritage asset – Former Prisoner of War Camp

9.28 Policy LP16 of the Fenland Local Plan 2014 requires that proposals for all new development to protect and enhance any affected heritage assets and their settings to an extent commensurate with policy in the National Planning Policy Framework and in accordance with Policy LP18 of the Fenland Local Plan 2014.

9.29 The National Planning Policy Framework defines a heritage asset as:
"A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing)."

9.30 Paragraph 210 of the National Planning Policy Framework states:
"In determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness."

9.31 Paragraph 216 of the National Planning Policy Framework states:
"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

9.32 Friday Bridge Agricultural Camp is a former purpose-built POW camp for Italian and German prisoners of war during, and immediately after, World Ward Two. The Council's Conservation Officer has provided the following comments regarding its significance:

> *"According to Historic England only around 100 World War II PoW camps were purpose built in Britain and of these only around 10% are thought to survive. Those sites that retain a significant proportion of their original layout, with surviving features or buildings that are indicative of their use by PoWs will be regarded as of national importance. These camps, with a small amount of variation would commonly consist of, living huts, cookhouse, latrine blocks, camp reception station (sick quarters), guards' accommodation, water towers, administration office and detention block, among other facilities.*
>
> *Friday Bridge Camp is one such Prisoner of War Camp – purpose built and of the 'Standard' type. Historic England (then English Heritage) carried out a baseline recording project in 2003 and a classification system was designed to guide designation and planning decision making. Those termed 'Complete'*

retain the majority of their original structures and layout intact. Those that are near complete retain the majority of their features with 50-80% survival. Those with Partial Remains retain less than 50% of components (ranging from structures to paths/roads) and the rest are classified as 'Removed' although the footprint may survive. Some remain 'Unresolved' where evidence is either not visible, or inconclusive.

Out of the 372 PoW camps identified only 60 survive to any level of completeness. Of those 372 camps, 71 were identified as the 'Standard' type and of these only 22 survive to any level of completeness.

It is one of only 10 'Standard' camps nationally which survive with Partial Remains. It is one of only 6 identified Prisoner of War camps (of any type) in Cambridgeshire, and only two 'Standard' types have been identified in the county. It is the only site in the county with any level of above ground survival. The site comprises a water tower, headquarters, accommodation blocks, ablution block, Nissen Hut and guard hut at the entrance, amongst others.

All surviving sites will have a degree of significance, even where only the plan form remains. These sites are significant for historical and social reasons, and in view of their local impact and contribution to a sense of place. Given the overall level of survival nationally and regionally of 'Standard' type PoW camps, the completeness of and significance attributed to Friday Bridge Camp needs to be fully assessed and the policies of the NPPF applied.

Friday Bridge Camp naturally fell into use as hostel accommodation for farm workers, following the end of World War II, often with the same men who had been held as prisoners but who had elected to stay. Friday Bridge Camp is believed to the be the only site that continues to function in this role today. Its use therefore as agricultural hostel accommodation outstrips its use as a PoW camp by decades and new modern accommodation blocks have been constructed to continue this use. However, this does not diminish its historic and social significance in any way. Indeed, its current threat of redundancy as a direct result of the Brexit vote and the resulting current economic climate (delayed by the Covid 19 Pandemic) and the impact this has had on the European workers which underpin so much of our agricultural labour in this region, could be seen to add another level of significance to this site at a national level.

Under the terms of the NPPF, a balanced judgement is required to have regard to the scale of any harm or loss and the significance of the heritage asset. Friday Bridge is a former Prisoner of War camp, with considerable partial Remains. It is a unique survival within Fenland and the wider county and is of national historic significance.

The current proposal seeks almost total demolition, and the application has now been furnished with a detailed heritage statement that addresses the significance of the site."

9.33 The Council's Conservation Officer has stated that the Fenland District Council are currently working towards adoption of a formal list of local heritage assets and Friday Bridge Agricultural Camp will be added to this. In addition, the Conservation Officer states that it is also identified on the Cambridgeshire Historic Environment Record (ref MCB 17104). Due to its heritage interest, the Local Planning Authority consider Friday Bridge Agricultural Camp to be a non-designated heritage asset. In

accordance with paragraphs 210 and 216 of the National Planning Policy Framework, consideration is therefore given to the significance of this non-designated heritage asset, and the scale of harm and loss which would result from the proposed development.

9.34 The Heritage Impact Statement states that 'whilst there is undoubtedly scope for demolition and capacity within the site for new development, the degree of harm will be directly proportional to the extent of the demolition. Therefore, the best option for any detailed proposals and reserved matters may be selective removal of World War Two buildings-based on intactness, current condition, group value and the potential scope for adaption and reuse'. Furthermore, the Heritage Impact Statement assesses the magnitude of the impact for selective demolition of the World War Two buildings within the site as causing 'less than substantial harm', and the magnitude of impact for the complete demolition of the original camp buildings as high adverse (which is defined as 'the alterations severely harm the heritage assets, heritage values of the heritage asset or the ability to appreciate its significance values').

9.35 The proposed development would result in the demolition of almost all of the buildings associated with the POW Camp, apart from a couple of buildings and the Nissen Hut which is to be substantially remodelled. The Conservation Officer considers that the proposed development would result in a substantial level of harm to the heritage asset. The Conservation Officer also notes that the references within the application to a 'Heritage Park' are not provided with any information of how this will be run, funded, staffed or accessed, which is considered to be of importance. Consideration has also been given to representations received from Elm Parish Council, The Wisbech Society and local residents in relation to the loss of former POW buildings. heritage assets impacts on the former POW received

9.36 In accordance with the requirements of paragraph 216 of the National Planning Policy Framework, in weighing the application, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset. With consideration given to the significance of the non-designated heritage asset (taking into account the assessment made within the Heritage Impact Statement and the assessment made by the Conservation Officer), it is considered that the proposed development would cause substantial harm (through substantial loss) to a non-designated heritage asset, which would not be outweighed by the moderate public benefits associated with the proposed development, contrary to policy LP18 of the Fenland Local Plan and paragraph 216 of the National Planning Policy Framework.

Impacts on a designated heritage asset – Waldersea House (Grade II listed)

9.37 In addition, the proposed development is located within the setting of Waldersea House, a Grade II listed building. In accordance with paragraphs 210-215 of the National Planning Policy Framework, consideration is therefore also given to the impact of the proposed development on the setting of this designated heritage asset.

9.38 The Council's Conservation Officer has provided the following assessment of the impacts of the proposed development on the setting of this listed building.

"Waldersea House is an early 19th century house with associated outbuildings, including dovecot, farmyard complex and countryside setting (historic map evidence), some of which survives, and which is listed at grade II. The presence of

the camp opposite for nearly 70 years and its own use as a healthcare establishment has long since altered the setting of the listed building and no sense of a rural farmhouse with associated surrounding countryside and associated outbuildings, survives. It is therefore not felt that the principle of the proposed development will alter that setting significantly, providing that the mature and dense screening, remains and is maintained."

9.39 In agreement with the recommendations of the Council's Conservation Officer and for the reasons specified within their consultation response, the Local Planning Authority do not consider that the principle of development would result in any harm to the setting of Waldersea House. Further consideration of the impacts of the development on this nearby listed building would need to be made at a Reserved Matters stage, in any event of planning permission being granted. It is therefore considered that the proposed development would not cause harm to the nearby Grade II listed building (Waldersea House), in accordance with policy LP18 of the Fenland Local Plan and the provisions of the National Planning Policy Framework.

Residential amenity

9.40 Policy LP2 of the Fenland Local Plan 2014 states that development proposals should positively contribute to creating a healthy, safe and equitable living environment by, inter alia, promoting high levels of residential amenity.

9.41 Policy LP16 of the Fenland Local Plan 2014 requires that proposals for all new development do not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.

9.42 In order to grant planning permission for up to 102No. dwellings, it is considered that the Local Planning Authority must be satisfied that an acceptable scheme for the maximum number of dwellings being proposed could be accommodated within the site, whilst providing and maintaining high levels of residential amenity.

9.43 No detailed matters are committed as part of this outline planning application. However, the application is accompanied by an indicative site layout plan which demonstrates that 102No. dwellings could be accommodated within the application site with sufficient separation distances to prevent any significant adverse impacts to the residential amenity, and the health and wellbeing, of existing neighbouring users.

9.44 Although the indicative site layout plan demonstrates that the proposed development could have acceptable impacts on the residential amenity of neighbouring users outside of the application site, it fails to demonstrate that a high level of residential amenity could be provided for future occupiers of the proposed development due to the close proximity and related overshadowing impacts of retained trees on the proposed dwellings and gardens.

9.45 The application is supported by an Arboricultural Impact Assessment (AIA) which indicates that some areas of the proposed development, particularly near to the southern and western boundaries, would be significantly shaded by existing trees to be retained. The AIA states that a detailed design must aim to avoid proposed dwellings in such areas, to avoid prevent potential conflict that may lead to tree removals by future residents. The AIA concludes that shade and proximity issues are apparent and that design considerations must be accommodated to give greater distances between dwellings and trees. However, the application fails to

demonstrate that the proposed quantum of development could be accommodated within the site without the proposed dwellings and associated gardens being significantly overshadowed by existing trees to be retained within, and along the boundaries of, the application site.

9.46 The application therefore fails to demonstrate that a high level of residential amenity could be provided for future occupiers of the proposed development, contrary to policy LP2 of the Local Plan.

Affordable housing provision

9.47 Policy LP2 of the Fenland Local Plan 2014 states that development proposals should positively contribute to creating a healthy, safe and equitable living environment by, inter alia, creating sufficient and the right mix of homes to meet people's needs, and in the right location.

9.48 Policy LP5 of the Local Plan specifies that, on sites of 10 or more dwellings, the Council will seek the provision of 25% of the dwellings as affordable houses (rounded to the nearest whole dwelling); however, the Council will negotiate with developers if an accurate viability assessment indicates these cannot be met in full. 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 concluded that viability in Fenland is marginal and varies between localities in the district and indicates that 20% affordable housing is likely to be the maximum level of provision that can be achieved through planning obligations. With consideration given to the age of the application and the Viability Assessment, it is noted that provision of 20% affordable housing would be acceptable to the Local Planning Authority in this instance.

9.49 In addition, policy LP5 of the Local Plan states that affordable housing shall be provided on-site, unless the developer can demonstrate exceptional circumstances which necessitate provision on another site, or the payment of a financial contribution (of broadly equivalent value) to the Council to enable some housing need to be met elsewhere. The Council, in undertaking negotiations, will take into account the financial viability of any individual scheme (using a recognised viability model).

9.50 The application form specifies that all of the proposed dwellings would be market housing. The proposed development is therefore for up to 102No. dwellings, comprising 100% market housing.

9.51 The application is also not accompanied by a Heads of Terms agreeing to the provision of any affordable housing provision or contributions. In addition, the application is not accompanied by a viability assessment providing any evidence to confirm that the proposed development would be unviable with the provision of affordable housing or a financial contribution in lieu of affordable housing provision.

9.52 The proposed development would not provide any affordable housing or a contribution in lieu of affordable housing provision, and the application is not accompanied by any evidence to confirm that the proposed development would be unviable with the provision of affordable housing or a financial contribution in lieu of affordable housing provision, contrary to policy LP5 of the Local Plan.

Infrastructure capacity

9.53 Policy LP13 of the Fenland Local Plan 2014 states that all new development should be supported by, and have good access to, infrastructure. Furthermore, policy LP13 states 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. This will be required in addition to the affordable housing requirement as set out in policy LP5 of the Local Plan.

9.54 Statutory tests set out in the Community Infrastructure Regulations 2010 (Regulation 122) requires that Section 106 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. Section 106 obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.

9.55 The East of England Ambulance Service NHS Trust (EEAST) state that they require additional resources in order to maintain the Category response times, as the nature of this development is likely to increase the current demand for ambulance calls. EEAST states that the capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £33,354. EEAST therefore requests that the sum of £33,354 be secured through a planning obligation, which would support the provision of an additional ambulance to meet the expanded demand arising from the proposed development. EEAST states that the development would have an impact on healthcare provision in the area where there is already a deficit of emergency ambulance service; and, if unmitigated, the development would be unsustainable. EEAST states that planning obligations could be used to secure contributions to mitigate these impacts and make an otherwise unacceptable development acceptable in relation to healthcare provision.

9.56 In addition, the NHS Cambridgeshire & Peterborough Integrated Care System (CAPICS) state that the proposed development is likely to have an impact on the 3 x GP Practices operating within the vicinity of the application; that there is zero capacity in the Wisbech area to take on additional patients; and that the development would see an increase in patient pressure of circa 244 new residents, which would require additional workforce to support an increase in appointments and a resulting increase in estate demand. CAPICS state that a developer contribution of £87,691.56 will therefore be required to mitigate the impacts of the proposed development. CAPICS requests that this contribution is secured through a planning obligation, with the proposal that the sum be used to fund a project which increases clinical capacity at one of the GP Practices within the vicinity of the development, or any project at an alternative premises in the vicinity of the Practices/development which increases primary healthcare capacity.

9.57 The application is not accompanied by a Heads of Terms or any other form of agreement to provide the contributions requested by EEAST and CAPICS.

9.58 The above contributions are considered necessary to make the development acceptable and they 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.

9.59 It is therefore considered that the application fails to demonstrate that the proposed development would be supported by, and have good access to, sustainable infrastructure provision to support and meet all the requirements arising from the proposed development, contrary to policy LP13 of the Local Plan.

Housing mix

9.60 Policy LP3 of the Local Plan states that development should provide a scale and mix of housing types that will meet the identified need for Fenland (as informed by an up-to-date Cambridge Sub Region Housing Market Assessment (SHMA)) and a range of new job opportunities in order to secure balanced communities.

9.61 The latest SHMA data, contained within the Cambridgeshire and West Suffolk Housing Needs of Specific Groups 2021, suggests the following housing mix for Fenland for the 2020-2040 period:

Size	Market	Affordable homes to buy	Affordable homes to rent
1 bedroom	0-10%	20-25%	35-45%
2 bedrooms	20-30%	35-45%	35-45%
3 bedrooms	40-50%	25-35%	10-20%
4+ bedrooms	20-30%	5-10%	0-10%

9.62 The application does not provide committed details of a specific housing mix. However, the application is accompanied by an indicative Site and Location Plan which illustratively shows the proposed development including 22No. 1-bed flats, 22No. 2-bed flats and 58No. houses (no indicative mix provided).

9.63 It would be necessary for details of housing mix to be secured by a planning condition, in any event of planning permission being granted, in order to ensure compliance with policy LP3 of the Local Plan.

Flood risk and drainage

9.64 The application site is located within Flood Zone 1 (low probability of flooding from rivers and sea) and does not contain any significant areas of flood risk from other sources.

9.65 Policy LP14 of the Local Plan states that all development proposals should adopt a sequential approach to flood risk from all forms of flooding and development in areas known to be at risk from any form of flooding will only be permitted following:

(a) the successful completion of a sequential test (if necessary), having regard to actual and residual flood risks
(b) an exception test (if necessary),
(c) the suitable demonstration of meeting an identified need, and

(d) through the submission of a site specific flood risk assessment, demonstrating appropriate flood risk management and safety measures and a positive approach to reducing flood risk overall, and without reliance on emergency services.

9.66 Policy LP14 of the Local Plan also states that, in addition to the requirements of the NPPF and associated technical guide, all applications for relevant developments must include a drainage strategy to demonstrate that:
(a) suitable consideration has been given to surface water drainage;
(b) appropriate arrangements for attenuating surface water run-off can be accommodated within the site; and
(c) issues of ownership and maintenance are addressed; and for foul drainage private infrastructure managed by residents groups or management companies should be avoided.

Surface water

9.67 The application is accompanied by a Flood Risk Assessment & Sustainable Drainage Strategy.

9.68 The Flood Risk Assessment & Sustainable Drainage Strategy states that the ground conditions within the application site are unsuitable for infiltration drainage and therefore it is proposed that surface water would be likely to be disposed of into an existing watercourse. This follows the surface water drainage hierarchy specified within the Cambridgeshire Flood and Water SPD and therefore is an acceptable means of surface water drainage disposal in principle.

9.69 The Lead Local Flood Authority notes that a half drain time above 24 hours is present at the site with the current proposed drainage infrastructure; however, as additional green open space has been identified for potential extra storage, if the half drain time can't be reduced, this can be offset with the provision of additional attenuation features. On this basis, the Lead Local Flood Authority considers that the information contained within the Flood Risk Assessment & Sustainable Drainage Strategy, demonstrates that there is sufficient space within the proposed development to accommodate necessary drainage infrastructure to manage surface water runoff from the site and they have no objection in principle to the proposed development.

9.70 The Lead Local Flood Authority requests that a condition is imposed requiring a detailed design of the surface water drainage of the site (based upon the principles within the agreed Flood Risk Assessment & Sustainable Drainage Strategy) to be submitted to, and approved by, the Local Planning Authority; and requiring that any elements of the surface water drainage system not adopted by a statutory undertaker be maintained and managed in accordance with a management and maintenance plan to be approved by the Local Planning Authority.

9.71 With consideration given to the recommendations of the Lead Local Flood Authority, and as details of layout are not being committed at this stage, it would be reasonable and necessary to secure a detailed scheme of surface water drainage via a planning condition, in any event of planning permission being granted.

9.72 The application therefore demonstrates that an acceptable surface water drainage scheme can be achieved, in accordance with policy LP14 of the Local Plan, Chapter 14 of the National Planning Policy Framework and guidance contained within the Cambridgeshire Flood and Water Supplementary Planning Document.

Foul water

9.73 Anglian Water has stated that there is available capacity to accommodate the foul water flows from the proposed development. However, the application does not provide any details relating to the method of foul water disposal for the proposed development.

9.74 It is therefore considered necessary to secure details of foul water drainage via a planning condition, in any event of planning permission being granted.

Trees

9.75 Policy LP16 of the Local Plan requires proposals for new development to demonstrate that they retain and incorporate natural features of the site, such as trees.

9.76 Due to the length of time which has passed since the original Arboricultural Impact Assessment being prepared, a revised Arboricultural Impact Assessment (AIA) was submitted to the Local Planning Authority in March 2025.

9.77 The AIA identifies fifty individual trees and twelve groups of trees of mix species, predominantly comprising Ash, Oak and Poplar, in addition to other smaller species. The boundaries of the application site are predominantly bordered by Poplar.

9.78 The AIA indicates that some of the trees within the site would need to be removed in order to accommodate the indicative layout of the proposed development, to gain outside space to some gardens to alleviate shade and proximity issues, and to facilitate construction/demolition activities. The AIA states that, with detailed design, the tree removals could be limited to lower quality trees that would have to be removed for construction/demolition purposes.

9.79 The AIA concludes that, overall, there is space to allow construction of the proposal, although some considerations within the detailed design will be required to avoid unnecessary loss of trees throughout the site either by need for construction or by adverse pressure to remove trees by future residents. The AIA recommends that, in any event of planning permission being granted, a condition is appended requiring a further formal implications assessment, method statement and tree protection plan, in order to inform the detailed design proposal at the reserved matters stage.

9.80 With consideration given to the conclusions and recommendations of the AIA, the outline nature of the planning application, and the opportunity for a scheme of high quality soft landscaping to be secured by a planning condition in any event of planning permission being granted, it is considered that the proposed development could be accommodated within the application site without having a significant detrimental impact on the arboricultural value of the site.

9.81 Although the proposed development would result in some conflict with policy LP16 of the Local Plan as it does not demonstrate retention and incorporation of all existing trees, it would not be reasonable to refuse the planning application on this basis due to the absence of any identified harm to the arboricultural value of the site.

Biodiversity

9.82 Policy LP16 of the Local Plan requires development proposals to protect and enhance biodiversity on and surrounding the proposal site, taking into account locally designated sites and the special protection given to internationally and nationally designated sites, in accordance with policy LP19 of the Local Plan.

9.83 Policy LP19 of the Local Plan states that the Council will conserve, enhance and promote the biodiversity interest of the natural environment throughout Fenland and, through the processes of development delivery (including the use of planning obligations), will ensure opportunities are taken to incorporate beneficial features for biodiversity in new developments.

9.84 The application was originally accompanied by a Preliminary Ecological Appraisal (PEA) which confirms that bat roosts are present within the site.

9.85 The application was originally recommended for refusal by Peterborough City Council's Wildlife Officer, in their role as an ecology advisory service to the Local Planning Authority, on grounds that there was insufficient information to make a recommendation. In order to address this, they originally recommended that the site be surveyed using the recommendations provided within the PEA, and a report submitted, in advance of determination of the application. However, following a site visit with the applicant's ecologist and due to the traditional survey method resulting in an extremely heavy survey load, they accepted an alternative survey approach to inform the outline planning only, which would require further surveys works to be undertaken at the detailed planning stage in any event of planning permission being granted.

9.86 Subsequently, a Phase 2 Bat Survey report was received during the course of the application. The application was then reviewed by Cambridgeshire County Council Ecology Officer, in their role as an ecology advisory service to the Local Planning Authority, and they stated that the Phase 2 Bat Survey report addressed the original concerns raised by Peterborough City Council's Wildlife Officer. In addition, Fenland District Council Principal Ecologist has also stated that the level of bat survey effort, taken together with the proposals for mitigation measures which would be available for any disturbance to bats, are sufficient to give a level of confidence to the Council that if permission were to be granted to the development the conservation status of bats would be able to be conserved. With consideration given to the recommendations of Cambridgeshire County Council's Ecology Officer and Fenland District Council's Principal Ecologist, it is considered that it would be necessary to secure further bat surveys via a planning condition, in any event of planning permission being granted.

9.87 Peterborough City Council's Wildlife Officer and Cambridgeshire County Council's Ecology Officer both requested a Biodiversity Net Gain assessment to establish a minimum of no net loss of biodiversity as a result of the development. A Biodiversity Net Gain assessment has since been received during the course of the application which states that the proposed development would result in a net loss of biodiversity habitat and, in order to accommodate the proposed quantum of development, there is insufficient space within the application site to compensate the habitat loss and provide a net enhancement.

9.88 The Biodiversity Net Gain assessment has been reviewed by Fenland District Council's Principal Ecologist, who has advised that the development may need to

purchase off-site Biodiversity Credits from a Habitat Bank since sufficient habitat compensation may not be able to be achieved on-site.

9.89 The Local Planning Authority consider that any purchasing of off-site Biodiversity Credits from a Habitat Bank would need to be secured by a legal agreement, in any event of planning permission being granted. However, the application is not accompanied by a Heads of Terms or any other form of agreement to purchase Biodiversity Credits from a Habitat Bank.

9.90 The proposed development would therefore result in a net loss of biodiversity habitat and, in order to accommodate the proposed quantum of development, there is insufficient space within the application site to compensate the habitat loss and provide a net enhancement. Furthermore, the application is not accompanied by a Heads of Terms or a legal agreement providing a commitment to secure off-site biodiversity enhancements. The proposed development therefore fails to protect and enhance biodiversity on and surrounding the proposal site, and fails to ensure opportunities are taken to incorporate beneficial features for biodiversity within the development, contrary to policies LP16 and LP19 of the Local Plan.

Biodiversity Net Gain (BNG)

9.91 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.

9.92 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, 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 matters

Crime prevention

9.93 Cambridgeshire Constabulary Designing Out Crime Officer has requested additional information relating to various crime prevention measures. The Local Planning Authority consider that additional information relating to such measures could be requested via planning conditions and informatives, depending on whether they are considered to be necessary to make the development acceptable.

10 PLANNING BALANCE AND CONCLUSIONS

10.1 The proposed development would provide additional market housing stock, built to modern construction standards; additional population in the locality who may contribute towards the economic and social sustainability of some local businesses and organisations; and short-term economic benefits during the construction phase, which may support local tradespeople and material suppliers. This carries moderate positive weight based on the quantum proposed.

10.2 However, on balance, the proposed development would be significantly separated from the built framework of Friday Bridge (contrary to the spatial policies of the Development Plan); would be located in an unsustainable location with inadequate infrastructure to support safe and sustainable travel for future occupiers of the proposed development; would not be supported by, and have good access to, sustainable infrastructure provision to support and meet all the requirements arising from the proposed development; would not provide any affordable housing or a contribution in lieu of affordable housing provision; would cause significant harm to the character and appearance of the area, including the countryside; would cause significant harm (including substantial loss) to a non-designated heritage asset; fails to demonstrate that a high level of residential amenity could be provided to future occupiers of the proposed dwellings; and would fail to protect and enhance biodiversity on and surrounding the site. These issues carry substantial negative weight in the overall planning balance and would clearly not justify the harm to the heritage assets identified elsewhere in this report.

10.3 On balance, it is considered that the proposed development would result in significant and demonstrable harm in respect of various material planning considerations, and is in significant conflict with relevant development plan policies, which outweigh the moderate benefits of the application.

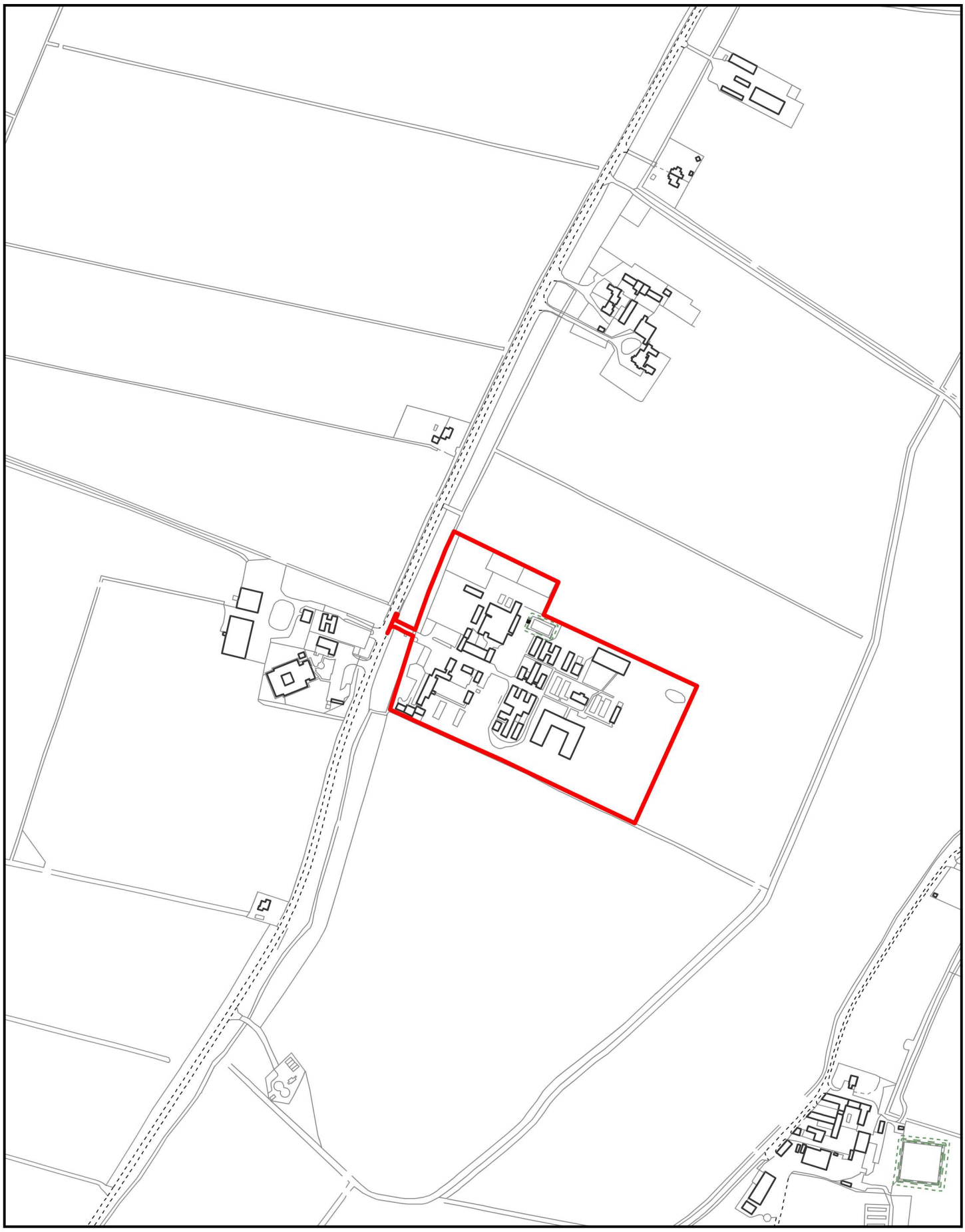
10.4 As such, in accordance with the statutory duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004, the proposal does not warrant a decision otherwise than in accordance with the development plan and the application should be refused.

11 RECOMMENDATION

Refuse; for the following reasons:

1.	The proposed development is located within an 'Elsewhere' location and is not demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services; nor is it minerals or waste development. The proposed development would result in a major residential development being located within an unsustainable, countryside location with poor connections to local services and facilities. By virtue of its location, quantum and use, the proposed development would fail to contribute to the sustainability of the settlement and would harm the wider open character of the countryside. The proposed development is therefore contrary to policies LP2 and LP3 of the Fenland Local Plan 2014.
2.	By virtue of its location, quantum and use; and the absence of adequate local pedestrian and cycle infrastructure and public transport facilities to provide sustainable, safe and convenient access to nearby services and facilities; the proposed development would promote unsustainable forms of travel and would result in harm to highway safety, contrary to policies LP2 and LP15 of the Fenland Local Plan 2014 and paragraphs 83, 110, 115 and 116 of the National Planning Policy Framework.
3.	By virtue of its location, quantum and use, the proposed development would result in residential development of a scale and in a location that is not in keeping with the core shape and form of the settlement; would appear significantly at odds with nearby built form; and would significantly urbanise and erode the rural character and appearance of the area including the

	countryside. As such, it is considered that the proposed development fails to respond to the character of the local built environment, would be detrimental to the local distinctiveness of the area, and would adversely impact the character and appearance of the area including the countryside, contrary to policy LP16 of the Local Plan 2014.
4.	The proposed development would cause substantial harm (through substantial loss) to a non-designated heritage asset, which would not be outweighed by the moderate public benefits associated with the proposed development, contrary to policy LP18 of the Fenland Local Plan 2014 and paragraph 216 of the National Planning Policy Framework.
5.	The application fails to demonstrate that the proposed quantum of development could be accommodated within the site without the proposed dwellings and associated gardens being significantly overshadowed by existing trees to be retained. The application therefore fails to demonstrate that a high level of residential amenity could be provided for future occupiers of the proposed development, contrary to policy LP2 of the Fenland Local Plan 2014.
6.	The proposed development would not provide any affordable housing or a contribution in lieu of affordable housing provision, and the application is not accompanied by any evidence to confirm that the proposed development would be unviable with the provision of affordable housing or a financial contribution in lieu of affordable housing provision, contrary to policy LP5 of the Fenland Local Plan 2014.
7.	The application is not accompanied by a Heads of Terms or any other form of agreement to provide the contributions requested by the East of England Ambulance Service NHS Trust (£33,354) and the NHS Cambridgeshire & Peterborough Integrated Care System (£87,691.56), which are considered necessary to make the development acceptable. The application therefore fails to demonstrate that the proposed development would be supported by, and have good access to, sustainable infrastructure provision to support and meet all the requirements arising from the proposed development, contrary to policy LP13 of the Fenland Local Plan 2014.
8.	The proposed development would result in a net loss of biodiversity habitat and, in order to accommodate the proposed quantum of development, there is insufficient space within the application site to compensate the habitat loss and provide a net enhancement. Furthermore, the application is not accompanied by a Heads of Terms or a legal agreement providing a commitment to secure off-site biodiversity enhancements. The proposed development therefore fails to protect and enhance biodiversity on and surrounding the proposal site, and fails to ensure opportunities are taken to incorporate beneficial features for biodiversity within the development, contrary to policies LP16 and LP19 of the Fenland Local Plan 2014.



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F/YR21/0852/O

Scale = 1:5,000

N

Fenland CAMBRIDGESHIRE
Fenland District Council

NUMBER OF DWELLINGS

Proposed Houses: = **58 Units**

Long Building:
1-bed Flats = 4 Units
2-Bed Flats = 6 Units
Total = **10 Units**

'C' Building:
1-bed Flats = 18 Units
2-bed Flats = 10 Units
Total = **28 Units**

New Block:
1-bed Flats = 0 Units
2-bed Flats = 6 Units
Total = **6 Units**

Proposed Dwellings:
Total Flats = 44 Units
Total Houses = 58 Units
Overall Total = **102 Units**

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.

CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 2015

The following information must be read in conjunction with the project Risk register. This drawing highlights significant design related Health & Safety Risks present during Construction phase, and Residual Risks which remain post completion. Other Health & Safety Risks associated with Construction Activities may be present, and must be identified by the Principal Contractor prior to works commencing. Design Risks relating to specialist design items must be identified by the relevant specialist designers/ consultants ad issued to the Principal Designer.

SITE PLAN KEY

- Indicates site access point
- Indicates existing dyke drain
- Indicates proposed house units
- Indicates flats
- Indicates proposed trees
- Indicates parking spaces
- Dotted lines indicates structures to be removed
- Indicates existing boundary hedging
- Indicates proposed 1.8m high close boarded fencing
- Indicates proposed adoptable road with footpaths and grass verge
- Indicates buildings to remain for community use
- Indicates existing trees to remain
- Indicates proposed native hedging

Status
FOR APPROVAL

SWANN EDWARDS ARCHITECTURE
Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
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Job Title
Proposed Redevelopment
Friday Bridge Camp
173 March Road, Fridaybridge
for: WMS

Date: December 2019
Drawn by: G.E.
Checked by:

Drawing Title
Planning Drawings
Site and Location Plan
Indicative only

Job No.: SE-1037
Sheet Size: A1
Dwg No.: PP1000
Revision: H

Swann Edwards Architecture Limited ©

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F/YR23/1021/F

Applicant: Construct Reason Ltd Agent: Swann Edwards Architecture Ltd

Land South Of Selwyn Farm 71 South Brink Accessed Via, Ellerby Drive, Wisbech, Cambridgeshire

Erect 12x dwellings (7 x 2-storey 3-bed and 5 x 2-storey 2-bed) and associated garages

Officer recommendation: Grant

Reason for Committee: Town Council objection contrary to Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 5 March 2024

EOT in Place: Yes

EOT Expiry: 18 April 2025

Application Fee: £6006

Risk Statement:

This application must be determined by 18 April 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

1.1. This application relates to a triangular area of open land covering some 0.75ha to the northwest of Ellerby Drive/Cox Close which forms part of a residential estate situated between Weasenham Lane and Cromwell Road/Lickings Drove, originally granted permission under F/YR06/0464/O. This application seeks full planning permission to erect 12 detached dwellings on an area of land that was previously allocated as open space for the wider development. In lieu of the loss of this open space the application proposes a replacement area to the north-east of Selwyn Farm (71 & 73 South Bank) where previously flatted development was intended. The replacement area of open space will need to be secured by a S106 or Deed of Variation, but in principle, the proposed take up of the originally allocated area of open space by residential use and replacement is considered to be acceptable in the context of the wider scheme.

1.2. As well as the principle of the development, the application has considered a number of site-specific key issues arising, being informed by relevant consultation responses whereby the proposals are adjudged with regard to relevant Local and National planning policies in respect of highways, flood risk and drainage, residential amenity, and ecology and biodiversity.

1.3. Matters relating to concerns of residential amenity and harm caused to visual amenity can be mitigated through appropriate conditions.

1.4. Thus, having regard to national and local planning policies, and all comments received, and subject to the resolution of the Section 106 legal 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.

1.5. Accordingly, the recommendation is to approve the application subject to the signing of a Section 106 legal agreement and finalising planning conditions.

2 SITE DESCRIPTION

2.1. This application relates to a triangular area of open land covering some 0.75ha to the northwest of Ellerby Drive/Cox Close which forms part of a residential estate situated between Weasenham Lane and Cromwell Road/Lickings Drove, which was originally granted permission under F/YR06/0464/O.

2.2. To its northeast, the application site is bounded by Selwyn Farm (Nos 71 and 73 South Brink). Further northeast, and to the southeast of Ellerby Drive is residential development originally consented under F/YR06/0464/O and subsequent applications. To the northwest, the site is bounded by South Brink beyond which lies the River Nene and its tidal defences.

2.3. There are currently two areas of open land within the wider estate, located on either side of a pair of semi-detached dwellings (71 & 73 South Brink), between South Brink and Ellerby Drive. The application proposes to construct 12 dwellings on the area of open land to the south of 71 and 73 South Brink.

2.4. The site is located in Flood Zones 2 and 3.

3 PROPOSAL

3.1. This application seeks full planning permission to erect 12 detached dwellings comprising 7 no. 3 bedroomed units, and 5 no. 2 bedroomed units with each unit to be provided with non-integral garages. Access is to be taken from an existing turning head off Ellerby Drive. The proposed house types have a similar chalet type design with small pitched roofed dormers on the front elevation which is reflective of the existing estate.

3.2. Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

F/YR15/0177/PLANOB	Modification of Planning Obligation attached to planning permission F/YR06/0464/O (entered into on 22/05/2007) relating to a financial contribution of £260,000.00 in lieu of the provision of a Health Centre Land Between South Brink And Cromwell Road Wisbech	Granted 30.11.2015
F/YR15/3032/COND	Details reserved by conditions 6, 9 and 10 of planning permission F/YR14/0132/F Land Between South Brink And Cromwell Road Wisbech	Approved 27.07.2015
F/YR14/0132/F	Erection of 12 x 2-storey 2-bed dwellings with garages. access road and associated works (re-plan of Plots 69-72, 95-120) Land Between South Brink And Cromwell Road Wisbech	Granted 11.12.2014
F/YR12/0455/F	Erection of 26 x 2-storey dwellings: 3 x 3-bed and 8 x 2-bed with attached garages, 2 x 3-bed and 12 x 2-bed with detached garages and 1 x 2-bed with attached garage and carport Land East Of Abraham Drive Wisbech	Granted 30.01.2013
F/YR11/0150/PLANOB	Modification of Planning Obligations attached to planning permission F/YR06/0464/O Land Between South Brink And Cromwell Road Wisbech	Pending
F/YR10/3103/COND	Details reserved by condition 5 (phase 2, plots 1-20, 67-68 & 121-131 only) relating to planning permission F/YR06/0464/O Land Between South Brink And Cromwell Road Wisbech	Approved 07.01.2011
F/YR10/0074/RM	Erection of 85 dwellings comprising of 19 x 1-bed flats, 19 x 2-bed flats, 31 x 2-bed houses, 16 x 3 -bed houses with associated garages and parking (amendment to plots 1-20, 67-131 inc of planning permission F/YR08/0259/RM) Land Between South Brink And Cromwell Road Wisbech	Approved 06.07.2010
F/YR09/3015/COND	Details reserved by condition 5 and 10 of Planning Permission F/YR06/0464/O Land Between South Brink And Cromwell Road Wisbech	Approved 20.10.2009
F/YR09/3010/COND	Details reserved by conditions 1 and 2 of planning permission F/YR08/0259/RM Land Between South Brink And Cromwell Road Wisbech	Approved 10.03.2009

F/YR08/0259/RM	Erection of Health Centre (2-storey), bin and cycle stores and 131 dwellings (incorporating 46 affordable dwellings) comprising; 41 Flats (12 x 2-bed with integral car port, 20 x 2-bed, 8 x 1-bed and 1 x 2-bed with parking below) and 90 houses (39 x 3-bed 3-storey with integral garages, 12 x 3-bed and 39 x 2-bed) with associated garages, parking and Public Open Space Land Between South Brink And Cromwell Road Wisbech	Approved 12.05.2008
F/YR06/0464/O	Erection of 145 dwellings (maximum) and Health Centre (4.2 ha) Land Between South Brink And Cromwell Road Wisbech	Granted 24.05.2007
F/YR06/0859/O	Mixed use Development including A1 (Retail), A3 (Restaurants & Cafes) B1 (Business), B2 (General Industry), B8 (Storage & Distribution) and D2 (Leisure) and medical centre Land Between South Brink And Cromwell Road Wisbech	Refused 07.08.2006

5 CONSULTATIONS

5.1. **Wisbech Town Council**

That no further development ought to be permitted at this site until such time as works have been undertaken to complete the infrastructure (such as carriageways) of the scheme of residential development implemented previously (around 10 years ago) at this location.

5.2. **LLFA**

We have reviewed the following documents:

- *Proposed Drainage Plan, MTC, Ref: 3162, Rev:- Dated: 21st March 2024*
- *Sustainable Drainage Strategy, MTC, Ref: 3162, Rev: B, Dated: April 2024*
- *Consultant Letter, MTC, Ref: 3162, Dated: 10th July 2024*

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable block paving flowing into an online attenuation basin, this in turn discharges from site via flow control at a rate of 12l/s. As the development will accept existing flows from Ellerby drive the proposed flow control discharge rate of 12l/s is acceptable as reducing the total discharge rate by 0.2l/s.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

We request the following conditions are imposed:

Condition 1
No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Sustainable Drainage Strategy, MTC, Ref: 3162, Rev: B, Dated: April 2024 and shall also include:

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;
b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
f) Full details of the maintenance/adoption of the surface water drainage system;
g) Permissions to connect to a receiving watercourse or sewer;
h) Measures taken to prevent pollution of the receiving groundwater and/or surface water

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

Condition 2
No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be

required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

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

Informatives
[…]

5.3. **Environment Agency**
Thank you for your consultation dated 08 July 2024. We have reviewed the documents as submitted and have no objection to the proposed development. We have provided further details below on flood risk, permits and foul drainage.

Flood Risk Assessment
The development should be carried out in accordance with the submitted flood risk assessment (ref: Flood Risk Assessment and Sustainable Drainage Strategy, dated December 2023, complied by MTC Engineering (Cambridge) Ltd) and the following mitigation measures it details:

- *Finished floor levels to be set no lower than 0.3 m above Ordnance Datum (AOD)*
- *The development to have at least two storeys*

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

Flood Risk Activity Permit
The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- *on or within 8 metres of a main river (16 metres if tidal)*
- *on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)*
- *on or within 16 metres of a sea defence*
- *involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert*
- *in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission.*

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Foul Drainage
We did notify you of intention to object to this proposed development as the applicant had not submitted details ensuring a mains connection for foul drainage. We have decided that we will not object at this current moment as the applicant has provided foul drainage design plans indicating connection to the mains network. We do note however, that these plans have not been uploaded to the public access and request that this is done so as soon as possible for transparency and consistency with our response. Further to this, we note that the applicant may still be seeking approval from Anglian Water on this connection, we wish to advise that if at any point non-mains connection is proposed that we wish to be reconsulted and the applicant must submit both a foul drainage strategy document alongside a completed FDA1 form to justify any alternative foul drainage strategy.

5.4. **Anglian Water**
ASSETS
Section 1 - Assets Affected
There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES
Section 2 - Wastewater Treatment
The foul drainage from this development is in the catchment of West Walton Water Recycling Centre that will have available capacity for these flows.

Section 3 - Used Water Network
This response has been based on the following submitted documents: Flood Risk Assessment and Sustainable Drainage Strategy 3162 – FRA – Sept 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.

INFORMATIVES […]

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 applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Design Strategic Assessment (PDSA). The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals. We promote the use of SuDS as a sustainable and natural way of controlling surface water run-off. We please find below our SuDS website link for further information. https://www.anglianwater.co.uk/developers/drainage-services/sustainable-drainage-systems/

5.5. **Cambridgeshire Fire & Rescue Service**

With reference to the above application for planning. Should you the Planning Authority grant approval, Cambridgeshire Fire & Rescue Service will require a planning condition against this application, for the provision of fire hydrants to be installed, for the purposes of providing water for firefighting.

The condition should read as follows:

No above ground development should take place until a water scheme for the provision of fire hydrants has been submitted to and agreed with the fire authority.

No occupation of the development can occur prior to the installed fire hydrants being inspected and tested for operational use by the fire authority.

Proposed water schemes should be submitted via email in pdf format. All required hydrants will be plotted and the pdf returned.

Discharge can only be given as follows:

a. Partial discharge once a water scheme has been submitted to the fire authority for processing and or a phase of the development is complete.
b. Full discharge will be given once all water scheme fire hydrants have been inspected, tested and are ready for operational use.

All cost for the installations of fire hydrants proposed are to be borne by the developer.

Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

The number and location of fire hydrants will be determined following a risk assessment and with reference to guidance contained within the "National

Guidance Document on the Provision of Water for Fire Fighting" 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

5.6. **Cambridgeshire Constabulary - Designing Out Crime Officers**
I would consider the proposed location to be an area of medium to high risk to the vulnerability to crime.

[…]

I have the following recommendations for your consideration.

***External lighting** – Our recommendation for external lighting is that all adopted and un-adopted roads, private roads, shared drives, footpaths, and parking areas/courts, should be lit with columns to BS5489:1 2020. Care should be taken in relation to the location of lighting columns with the entry method for most of the dwelling burglary being via rear gardens, especially where there is little surveillance from neighbouring properties as they can be used as a climbing aid if positioned too close to the fence/wall. Home security lights to the front and rear of the properties should be dusk to dawn LED bulkhead lights, including car ports for the safety of the resident. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting. A qualified lighting engineer will be able to produce a lighting plan appropriate for the safety and security of residents and their property as well as ecology and wildlife. I would like to see the lighting plan, including lux levels and calculations when available please.*

***Cycle Storage** – If this provision is proposed for the garage, please provide a wall or ground anchor to allow the resident to secure their bike and enough space to manoeuvre them. If sheds are provided in the rear garden, we would recommend a robust structure, the storage unit should be positioned on a (concrete base).* […]

***Boundary Treatments** – All boundary treatments should be either 1.8m close boarded fencing and walls. Consideration should be given to increasing the height with 300mm of trellis for the plots backing onto the river Nene to improve the security to the rear of the dwellings. Please note: All private gates should be fitted with self-closers and lockable from both sides and any shared gates should be fitted with self-closers.*

***Residents parking** – All parking is to the side of each dwelling in front of the garage, and most plots have active windows to the front (living rooms), and some have kitchens, this will provide some natural surveillance across the development and help to reduce the risk of crime and the fear of crime.*

***Landscaping** - It is also important to ensure that there is a management plan in place to maintain and ensure tree crowns are raised above 2m in height and ground planting and hedging is kept to a minimum of 1 – 1.2m in*

height, this will allow for ongoing natural surveillance across the development, open spaces, and footpaths and to reduce possible conflict with lighting.

***Public Open Spaces & footpaths** – Open spaces with footpaths should be well lit with a good landscaping management plan in place, this is very important to ensure that there is good surveillance and visibility across the open areas (See external lighting above for lighting standard). Footpaths linking to the development should also be well-lit, and straight in design to improve surveillance and to help prevent any hiding places for a would-be offender.*

5.7. **Cambridgeshire County Council Highways Authority**

This development site is not accessed directly off the highway, as Ellerby Drive does not form part of the adopted highway. Please note that the redline site boundary therefore does not join the highway but a private road.

However, the junction of Weasenham Lane with the Cromwell Road/B198 is suitable for the proposed intensification of use for a development of this size.

5.8. **NHS England (East)**

Thank you for consulting NHS Cambridgeshire and Peterborough Integrated Care System (CAPICS) on the above referenced, and attached, planning application. I refer to the above planning application and advise that, further to a review of the applicants' submission, the following comments are with regard to the primary healthcare provision on behalf of CAPICS.

The proposed development is likely to have an impact on the services of the 3 x GP Practices operating within the vicinity of the application: North Brink Practice, Trinity Surgery and Clarkson Surgery. There is zero capacity in the Wisbech area to take on additional patients and this development of 13 dwellings would see an increase patient pressure of circa 30 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 = 0.01 and Admin = 0.03 with a resulting increase on estate demand of 2.04sqm 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 m² (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 m².

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 £10,664.12 (2.04sqm at £5,224 per sqm).

Payment should be made before the development commences. CAPICS therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission - in the form of a Section 106 planning obligation – with the proposal that the sum be used to fund a

project which increases clinical capacity at one of the GP Practices, or any of the other health premises/facility, in the vicinity of the development.

In its capacity as the healthcare provider, CAPICS has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Assuming the above is considered in conjunction with the current application process, CAPICS would not wish to raise an objection to the proposed development. Otherwise, the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

The terms set out above are those that CAPICS deem appropriate having regard to the formulated needs arising from the development. CAPICS are satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations set out in the NPPF.

Additional comments dated 04.03.2025
Our revised mitigation, due to a reduction in the number of dwellings from 13 to 12, is £10,316.65.

5.9. **FDC Housing Strategy**
Please find my consultation comments below for F/YR23/1021/F for 13 Dwellings at Land South Of Selwyn Farm 71 South Brink Accessed Via Ellerby Drive Wisbech Cambridgeshire

Fenland Local Plan Policy LP5 Requirements
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 sites of	Level of affordable housing
Minor developments (5-9 dwellings)	Nil affordable housing
Major developments (10 or more dwellings)	25% affordable housing (rounded to the nearest whole dwelling)
Tenure Mix	70% affordable housing for rent (affordable rent tenure) and 30% other affordable routes to home ownership tenure (shared ownership housing)

The Fenland Viability Report (March 2020)
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 13 number of dwellings, our policy seeks to secure a contribution of 25% affordable housing which equates to 3 affordable dwellings in this instance.

Based on the provision of 20% affordable housing, 3 affordable dwellings would be required in this instance too.

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 2 affordable rented homes and 1 shared ownership in both cases.

The provision of on-site affordable housing or a financial contribution

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 onsite 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.*

5.10. **FDC Environmental Health**

Air Quality

Air Quality – I note that the Air Quality Assessment report reference air quality and the monitoring results, unfortunately the information provided is not relevant to this application location. Within close proximity to this development site Fenland District Council undertake N02 monitoring by the use of diffusion tubes. Monitoring results at this location should national objective levels are not being exceeded, nor is the amount of traffic associated with this development likely to indicate concerns of exceedances to be likely.

The report notes dust from site clearance and demolition is possible and therefore has identified construction mitigation measures and operation mitigation measures. The construction mitigation measure should be submitted as part of a construction management plan.

Contaminated Land

This site has been previously investigated and contamination in excess of safe levels for residential receptors have been identified and a remediation plan was submitted and accepted for planning application F/YR10/0074/RM. I note that this application has not submitted an updated assessment or remediation plan. Prior to development the applicant should submit an updated remediation plan, the site should continue to monitor for further contaminates during development and a validation report should be provide on the completion of works.*

**Remediation plan (REC Report 50726/RMS/5.1 Oct 2009) – The report identified asbestos fragments and benzo(a)pyrene were identified in the north west corner of the site within an area of demolished sheds.*

Noise

The application site is in close proximity to residential receptors and therefore noise should be considered as part of a construction management plan, with specific consideration to hours of work and management of noise from piling.

Please find the following recommended conditions for your consideration.

Construction Environmental Management Plan

No development shall take place, including any demolition works, until a Construction Environmental Management Plan (CEMP) has been submitted to and then approved in writing by the Local Planning Authority. The approved CEMP shall be adhered to throughout the demolition and/or construction period and must demonstrate the adoption of best practice to reduce the potentially adverse effects on those living and working nearby the

development site, whilst also acknowledging the health, safety and welfare of those working on site.

The CEMP should be in accordance with the template on the Fenland District Council website via the following link: Planning forms, fees and validation checklists - Fenland District Council

Dust
No development shall commence until a scheme to minimise the spread of airborne dust from the site including subsequent dust monitoring during the period of demolition and construction, has been submitted to and approved in writing by the local planning authority The development shall be implemented in accordance with the approved scheme.

Demolition and Construction
Work shall not begin on the demolition and construction of the development until a method statement for the control of dust and emissions arising from the demolition and construction of the development has been submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme method statement shall be implemented throughout the construction and demolition phase of the development.

Reason: To minimise the impacts to air quality associated with the development and to protect the health and wellbeing of residents in accordance with BCCS Policy ENV8 - Air Quality.

Asbestos
The existing asbestos containing materials, should be removed by a licensed asbestos removal contractor. However, if the amount of asbestos is such that a licensed waste removal facility is prepared to receive a minimal amount of such material without the need for a contractor to remove it, then this requirement can be waived.

If a Licensed Asbestos Removal Contractor is required to be engaged, then an Asbestos Removal Work Plan should be submitted to and approved by Fenland District Council before any work on the removal of the structure commences. The applicant is to advise Fenland District Council which course of action is to be taken in either event and must ensure that they notify Fenland District Council's environmental health team on completion of works.

Piling
In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall assessed in accordance with the provisions of BS 5228:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. (BS 5228-1:2009+A1:2014 – mainly focuses on noise / BS 5228-2:2009+A1:2014 – concentrates on vibration). Development shall be carried out in accordance with the approved statement.

Reason: To protect the amenity of the adjoining/neighbouring properties.

Working Hours
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.

Reason: To protect the amenity of the nearby occupiers.

Burning
During the period of development that includes any site clearance, demolition of structure(s) and/or construction, no burning of any waste materials including vegetative matter shall take place on site.

Plant, Machinery and Equipment Noise Assessment
No operational plant, machinery or equipment shall be installed until a noise assessment and any noise insulation/mitigation as required has been submitted to and approved in writing by the Local Planning Authority. Any required noise insulation/mitigation shall be carried out as approved and retained as such.

Reason: To protect the amenity of nearby properties

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

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation

report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice

(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.

Reason: To control pollution of land or water in the interests of the environment and public safety.

Land affected by contamination - Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of Condition (SPECIFY) and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of Condition (SPECIFY), which is to be submitted to and be approved in writing by the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition (SPECIFY).

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

5.11. **FDC Ecology**

The protected species surveys have been undertaken to appropriate standards, and I have no reason to disagree with the survey findings – that is, reptiles and harvest mice are likely absent from the site. No further surveys are required prior to deciding the application. My recommended Conditions / Informatives remain relevant. […]

Conditions / Informatives

- *A Construction Ecological Method Statement should be required to be prepared by Condition and, once approved, implemented in full. The offsite habitat enhancement and long-term management may need to be secured by an S106 planning obligation.*

- *A comprehensive Landscape and Habitat Creation Scheme and a Landscape Management Plan should be required to be prepared by Condition. The Landscape Scheme and management should include the proposed off-site habitats and should include features which would benefit notable species, for example bird nesting and bat roosting boxes and permeable boundaries to allow small mammals to pass freely through the site.*

- *As an Informative, I would advise the applicant that no vegetation clearance required to facilitate the proposals 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.*

- *As an Informative, if the presence of any specially protected species is suspected or confirmed at any time during the course of development, work must cease and advice sought from a suitably qualified person about how best to proceed.*

Reasons – in accord with Policies 16 and 19 of the Fenland Local Plan, in the interests of nature conservation.

5.12. **Arboricultural Officer (FDC)**

I have no objections. If you are minded to approve, there is an established Hawthorn on the boundary with South Brink which will need to be retained and protected. This along with suitable landscape details could be conditioned.

5.13. **Local Residents/Interested Parties**

Objectors

The LPA received five letters of objection to the application, from four local address points including, Ellerby Drive, Abraham Drive and South Brink. Reasons for objection can be summarised as:

- Concerns over lack of completion of earlier phases of development, including unadopted roadways, GP surgery, open space etc;
- Concerns over environmental health matters such as dust, noise, vibration from the proposed construction;
- Impact to wildlife and environment;
- Loss of privacy;
- Traffic and parking impacts;
- Loss of light;
- Noise and disturbance from increased dwellings; and
- Impact on visual landscape.

Supporters
The LPA received 1 letter of support from a local resident of Ellerby Drive, stating "*The developer is trying to complete the site and should be given planning permissions to do so. The site being incomplete has caused a lot of stress to residents and The consent to planning would not only create much needed affordable homes, but a resolution to an ongoing issue*."

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 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**
Context - C1
Identity – I1, I2
Built Form – B2
Movement – M3
Nature – N3
Homes and Buildings – H1, H2, H3

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
LP8 – Wisbech
LP13 – Supporting and Managing the Impact of a Growing District
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
LP17 – Community Safety
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**
DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
DM6 – Mitigating Against Harmful Effects

7.7. **Developer Contributions SPD 2015**

7.8. **Cambridgeshire Flood and Water SPD 2016**

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

LP1: Settlement Hierarchy
LP2: Spatial Strategy for the Location of Residential Development
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP11: Community Safety
LP12: Meeting Housing Needs
LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP32: Flood and Water Management
LP33: Development on Land Affected by Contamination
LP34: Air Quality
LP36: Residential Site Allocations for Wisbech (LP36.15 relates to this site)

8 KEY ISSUES

- **Principle of Development**
- **Design, Layout & Residential Amenity**
- **Visual Amenity**
- **Environmental Health**
- **Parking and Highways**

- **Developer Contributions**
- **Flood Risk and Drainage**
- **Affordable Housing**
- **Open Space**
- **Ecology, Landscaping & Biodiversity Net Gain**

9 BACKGROUND

9.1. Outline planning permission for residential development and a health centre was granted in 2006 under F/YR06/0464/O. This application related to land covering some 4.2ha bounded by Cromwell Road, South Brink and Weasenham Lane. Residential development and associated open space covered some 3.6 ha, while a health centre covered the remaining 0.6 ha at the junction of Cromwell Road and Weasenham Lane. The permission was subject to a S106 agreement relating to the provision/maintenance of open space, provision of affordable housing and the health centre, and financial contributions towards highway improvements and education.

9.2. Under F/YR08/0259/RM reserved matters were approved for the health centre, 131 dwellings (incorporating 46 affordable units) and public open space. The requirement to provide the Heath Centre was waived in exchange for £260,000 towards the provision of health and welfare facilities within Wisbech in a Deed of Variation accompanying application F/YR12/0455/F for 26 dwellings in the area previously intended to be occupied by the Health Centre. No affordable housing was sought under this application (F/YR12/0455/F) as it was assessed as not being viable, and the 46 affordable units provided in respect of the wider site considered sufficient for the overall development. No public open space contributions were sought either as the this was also sufficiently provided as part of the original planning application F/YR06/0464/O.

9.3. An amendment to the larger development scheme (approved under F/YR06/0464/O) involved a change in the type of development from 30 flats to 12 houses on part of the northwestern corner of the site along the River Nene/South Brink was approved under F/YR14/0132/F. A viability assessment accompanying F/YR14/0132/F demonstrated that the scheme was not viable to support the payment of £260,000 in lieu of the health centre. Under F/YR15/0177/PLANOB an agreement made at Planning Committee on 10th December 2014 to waive the £260,000 in lieu of the health centre was formalised through a Deed of Variation.

9.4. Under F/YR06/0464/O the application site area of the current application (F/YR23/1021/F) is shown as a public open space. The current blue line area has extant permission for residential development, which would include a residential scheme of 26no. mixed dwellings and flats in this area, as agreed under F/YR10/0074/RM, which also showed the current application site as public open space. The current application seeks to reverse the two areas, providing dwellings within the red lined area and leaving the blue lined area as public open space for the wider development.

10 ASSESSMENT

Principle of Development

10.1. The principle of residential development of the wider area has already been accepted by the previous approvals, and development of previous phases have been largely completed.

10.2. The main issue that needs to be taken into account in the consideration of this application is whether a reduction in the size and shape of open space provision, and a change of location is acceptable.

10.3. Originally approximately 0.75ha of open space was secured through a S106 agreement to be provided in the southwestern corner of the site set against South Brink. The current application seeks to replace this area of open space with housing and provide a replacement open space area measuring some 0.25 ha on the northwestern boundary of the site along South Brink. Where the original was triangular shaped and larger, the open space now proposed is on a narrower (approximately 18m in width and 140m in length). The applicant states that the change is necessitated as flats originally intended for the open space now proposed are no longer viable; the Council previously accepted this argument with the grant of F/YR14/0132/F (as discussed above).

10.4. Due regard should be given to the planning history with respect to the most recent intended provision within the area of open space, which included a children's play area along with landscaped informal areas. The Officer Report, along with supporting drawings, relevant to application F/YR08/0259/RM, that secured details pertaining to the intended open space, stated:

A large area of Public Open Space is to be provided in the south western part of the site and this will include a formal tree planting scheme along South Brink including clusters of trees. It is also proposed to include a circular walk on the open space with footpath links to South Brink. A new equipped play area will also be provided in the northern part of the open space.

Whilst it is acknowledged that the described open space provision within the site has not been forthcoming, and whilst specific details of the intended replacement open space have not been submitted as this area is outside the red line boundary of the current application site, it is considered that the intended replacement provision would be required offer similar facilities as the originally intended scheme, as a designated children's play space.

10.5. Accordingly, it is considered that the 'Children's Play' category in Appendix B of the Fenland Local Plan (2014) (Open Space Standards) is most appropriate to assess the intended replacement provision in this case. Appendix B recommends the local quality standard for play spaces as 0.4ha open space per 10ha development site (pro-rata), with one-third providing designated equipped play space, and two-thirds informal open play space.

10.6. The overall wider development site area is approximately 4.2ha, which would require a minimum of 0.2ha to be provided (*pro-rata*). The original provision (under F/YR06/0464/O), provided approximately 0.75ha of open space. Whereas the proposed application would see a relocated open space of approximately 0.25ha, and thus the current proposed 0.25ha would still exceed the requirements set out in Appendix B. In accordance with Appendix B, the replacement space would require one-third (0.08ha; 800m²) of designated equipped play area to be provided, with the remaining two-thirds (0.17ha, 1700m²) as informal open landscaped space. These ratios will offer an acceptable provision of both equipped and non-equipped space for use by residents of a satisfactory quantum and quality relative to the overall development.

10.7. Notwithstanding the proposed reduction in total open space area owing to the development and on the basis that the original space has not been forthcoming, the provision of an alternative and useable space (that can be secured by an updated legal agreement) will therefore offer an improvement to the overall amenity of the wider development than the current situation. Furthermore, as more than twice the number of dwellings on the estate are sited closer to the proposed area of open space than as originally proposed, there are no objections in locational terms. Accordingly, it is considered that, in this case, the intended space would offer a better quality, and wider community benefit than currently exists.

10.8. In summary, the take up of the originally allocated 0.75ha area of open space by residential use and replacement with an open space area of 0.25ha on an alternative area of the wider site is considered to be acceptable and will offer appropriate provision in the context of the wider scheme. Given that the proposed replacement space is outside the red line boundary of the current application site, the amendment would need to be secured via an updated legal agreement to agree the design and ensure the future provision of the intended space.

Design, Layout & Residential Amenity

10.9. Policy LP16 (d) seeks to ensure development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or landscape character of the surrounding area.

10.10. Policy LP2 seeks to promote high levels of residential amenity and Policy LP16 (e) ensures development causes no undue harm to neighbouring amenity, particularly with respect to noise, light pollution, loss of privacy and loss of light.

10.11. The access road serving the site is laid out in a ‘C’ shape with 10 dwellings set on its outside, and two inside together with an attenuation pond. As this land was not intended to form part of the original layout the proposed road layout does not have the sweeping flow of the existing and therefore does appear somewhat contrived.

10.12. The three house types proposed are similarly designed as chalet bungalows with steeply pitched roofs and front dormer/s, and front and rear rooflight/s, a design which is reflective of the existing dwellings on the estate. With Red and grey pantiles are proposed for roofing and Cambridge buff bricks for walling, the materials match those used on existing dwellings on the estate, and thus in terms of scale and appearance will not form incongruous development.

10.13. Generally, the relationships between dwellings within the intended development are appropriate, with limited instances of direct overlooking or issues of overshadowing. With respect to impacts on existing dwellings surrounding the development, Plots 1, 4 & 11 offer potential relationship concerns.

Plot 1

10.14. The side elevation of Plot 1 is positioned approximately 9m from the rear elevation of No.70 Ellerby Drive, which is a relatively close proximity. Typically, back to side relationships should be in excess of 10m. However, given the close knit character of the wider development, and no adopted design guidance which stipulates relationship distances, it is considered unreasonable to refuse the scheme on this basis.

10.15. Furthermore, there are no intended upper floor windows proposed within the Chilton house type proposed at Plot 1, nor are there any rear facing windows within No.70, and as such there will be no likely overlooking potential here. Finally, given than Plot 1 is positioned to the west of No.70, with an angled roof noting the gable end profile, it is unlikely that any undue overshadowing would occur to No.70, save for perhaps limited instances in the late afternoons only.

Plot 4

10.16. The rear elevation of the existing dwellings at 71/73 South Brink have a separation distance of approximately 18.2m to the gable wall of Plot 4. A Coggeshall Hall house type is proposed for Plot 4 which has bedroom windows on each gable end at the first floor. However, it is considered that due to the angle of relationship, and sufficient separation, no undue overlooking or overshadowing will occur from this plot to neighbouring dwellings.

Plot 11

10.17. Plot 11 is intended as a Coggeshall house type, with a bedroom window situated at first floor level. To the southeast of this plot are the dwellings Nos. 6, 8, 10 & 12 Cox Close, which are two storey properties, at approximate distances of between 15.5m (No.12) and 26.6m (No.6). At these distances, the dwelling that stands to be most affected from any overlooking is No.12, however given the relative positions between No.12 and the proposed dwelling at Plot 11, any view will be at an acute angle, and thus will result in limited direct overlooking opportunity.

10.18. The local plan requirement for a minimum of a third of the plot to be set aside as private amenity space is achieved or exceeded, and as such future occupier amenity in this regard will be secured.

10.19. Given the above, it is considered that the proposal will offer acceptable internal and external relationships and will not result in unacceptable amenity impacts. Any noise relating from the occupancy of the intended dwellings is considered acceptable within the residential context of the wider site. Accordingly, the scheme is considered acceptable with respect to design, layout and residential amenity in accordance with Policies LP2 & LP16, subject to conditions.

Visual Amenity

10.20. It is acknowledged that there will be a loss of visual openness across the site when viewed from Ellerby Drive near the site access and existing dwellings that adjoin the application site. However, the design and layout of the dwellings as discussed above will enable the scheme to assimilate from this side as a backdrop to the existing development.

10.21. The main visual impact will be as viewed from South Brink, where the site is currently seen as an overgrown triangular shaped field with dwellings behind. There is an existing hedge along the boundary of the site, that should be retained as part of the site landscaping to aid in screening from this side. Areas where hedging cannot be retained should be replanted and inappropriate boundary treatments avoided, which can be secured by condition.

10.22. Accordingly, in the context of the wider development and surroundings, it is considered the scheme will not detrimentally impact the visual amenity of the area in accordance with Policy LP16, subject to conditions.

Environmental Health

10.23. Policy LP16 (l) requires development proposals to identify, manage, and mitigate any existing or proposed risks from sources of noise, emissions, pollution, contamination, odour and dust, vibration, landfill gas and protects from water body deterioration. Concerns have been raised from local residents regarding the potential disruption and amenity impacts from construction of the proposed dwellings.

10.24. The Environmental Health team have reviewed the application and note the potential for impacts from noise, vibration, contamination, dust, and other factors that may occur as a result of construction of the scheme. They have raised no objection to the application, noting that such matters can be robustly and safely managed and mitigated using appropriate conditions to ensure compliance with Policy LP16. Notwithstanding, statutory nuisance action can be taken in the event that environmental health complaints are substantiated in respect of the site or its construction under separate Environmental Health legislation.

Parking and Highways

10.25. Fenland Local Plan Policy LP15 states that new development will only be permitted if, among other things, it can be demonstrated that safe and convenient pedestrian and vehicle access to and from the public highway as well as adequate space for vehicle parking, turning and servicing would be achieved. In addition, appropriate levels of parking provision should be

provided in accordance with the Council's defined parking standards as set out in Appendix A of the Local Plan.

10.26. The submitted layout plan shows vehicular access will be via an extension to Ellerby Drive, with footpaths and similar surfacing. The Highways Authority note that Ellerby Drive does not form part of the adopted highway, and as such offer no comment on its suitability. They do consider that the link to the public highway at the junction of Weasenham Lane and Cromwell road is suitable for the proposed intensification of use as a result of the development. On this basis, Officers have not been provided with any technical grounds with which to oppose the scheme with respect to Policy LP15 or Paragraph 116 of the NPPF.

10.27. It is noted that concerns have been raised with respect to the finishing of roads and footpaths within the wider development, however as this application stands alone (in planning terms), there is no mechanism for the Council to impose conditions requiring improvements to the highway serving the remainder of the development. Notwithstanding, conditions can be applied relevant to the application site to ensure the roads and footpaths are completed to an appropriate standard before occupation of the proposed development.

10.28. As such, the scheme is considered acceptable with respect to Policy LP15, subject to conditions.

Developer Contributions

10.29. Local Plan policy LP5 states Local Plan on sites of 10 or more dwellings, 25% of the dwellings as affordable houses and that for 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.

10.30. The Council's own Local Plan & CIL Viability Assessment (HDH, December 2019) sets out expectations of viability for sites across 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.

10.31. In light of the above, the Council's Housing Strategy Team recommends the provision of 3 affordable dwellings to meet a 20% provision of affordable housing.

10.32. Policy LP5 of the Local Plan sets out that:

If a development scheme comes forward which in accordance with Part A of this Policy does not require the provision of affordable housing, but the scheme is followed by an obviously linked subsequent second development scheme at any point where the original permission remains extant, or up to 5 years following completion of the first scheme, then if the combined total of dwellings provided by the first scheme and the second or subsequent scheme provides 5 or more dwellings, then the above thresholds will apply cumulatively.

The policy goes on to state that:

Development viability will be assessed on the entire scheme (i.e. both application sites), not the second in isolation.

10.33. The applicants have sought to link the current scheme to the wider development.

10.34. Policy LP5 makes clear that there should be a full viability assessment of both of the schemes to ensure that the Council is securing the optimum level of contributions. No such assessment has been submitted.

10.35. Notwithstanding, given the intended link between the two schemes, and the requirement for a cumulative consideration of affordable housing provision, the following factors apply;

(i) the wider development includes a total of 117 built out units currently, of which 46 units are affordable (39%);

(ii) the proposed development would see an additional 12 units built, which would equate to a total of 129 units across the site;

(iii) a 25% affordable housing requirement for 129 units would require a minimum provision of 32 affordable housing units.

Given that the existing scheme currently includes 46 affordable units, which already exceeds the 25% requirement, it would not be considered reasonable to seek further affordable housing provision on the basis of the current 12 dwelling scheme, as the affordable housing percentage would equate to 35% cumulatively.

10.36. In respect of other contributions, however, the NHS has requested a sum of £10,316.65 to mitigate impact of the proposal on local GP surgeries. This request must be considered against the planning background, where the intended Health Centre did not proceed, and a contribution of £260,000 in lieu not made. In this context, the request for £10,316.65 is considered reasonable and should be secured through a S106 agreement.

10.37. Accordingly, it is considered that the proposals will conform with Local Plan policies, LP5 and LP13, subject to S106.

Flood Risk and Drainage

10.38. The site falls within Flood Zone 3 (high risk).

10.39. The proposal involves residential development within a wider site that already benefits from extant planning consent (F/YR06/0464/O and F/YR08/0259/RM) and thus the Sequential and Exception Tests are not required in this instance as they have already been passed by virtue of the earlier approvals. The application proposes the relocation of residential development from one area within Flood Zone 3 to another area in the same flood zone. Accordingly, it is considered that the proposal will see no overall change in vulnerability or flood risk from the previously approved schemes.

10.40. The EA and LLFA have reviewed the application and offer no objections, subject to conditions.

10.41. On the basis of the above, matters of flooding and drainage are considered acceptable with regard to Policy LP14, subject to conditions.

Ecology, Landscaping & Biodiversity Net Gain

10.42. 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.

10.43. 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 the statutory Biodiversity Gain Condition is not required to be approved before development is begun because this application was submitted prior to the requirement for statutory net gain coming into force.

10.44. In accordance with statutory guidelines, the application was supported by a Phase Two Ecology Survey Report and a Biodiversity Net Gain Metric and Report. The survey report sought to address concerns regarding the site having potential to support reptiles and harvest mice, and followed up from an earlier Preliminary Ecological Assessment. The survey concluded that there is low-negligible potential to support protected species, but offers recommendations to secure ecological enhancements to support biodiversity on the site that can be secured by condition. The FDC Ecology Team reviewed the submitted report offered no objection to the scheme.

10.45. The Biodiversity Net Gain Report concluded that that the proposed development would generate a net loss of 0.22 habitat units. Notwithstanding the exemption regarding statutory Biodiversity Net Gain applicable to this application, Policy LP19 seeks to conserve, enhance and promote the biodiversity of the natural environment throughout Fenland, to ensure development proposals offer no net loss in biodiversity. Accordingly,

to compensate for the limited loss of habitat units, appropriate conditions should be imposed to ensure biodiversity enhancement is included within the scheme in line with the recommendations within the submitted Ecology Survey Report and Biodiversity Net Gain Report to ensure compliance with Policies LP16, LP19 and the Environment Act 2021.

11 CONCLUSIONS

11.1. Aligning with the NPPF, policy LP1 of the adopted Local Plan provides a presumption in favour of sustainable development. To be sustainable, development must strike a satisfactory balance between the applicable economic, environmental and the social considerations. Policy LP1 goes on to state that planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.

11.2. It is recognised that the development will result in changes to the landscape character through the development of currently undeveloped land. However, by virtue of the adjacent development, the overall character of the scheme will be acceptable in the wider context. The final positioning of the dwellings within the site and the requirement for landscaping could allow for screening. As such, it is considered that there would be no unacceptable adverse effects that should preclude the development in landscape and visual terms. In addition, the site results in a logical conclusion of the wider development on land that was previously included within the development boundary.

11.3. The take up of the originally allocated area of open space by the proposed residential use and replacement is considered to be acceptable in the context of the wider scheme; any proposed replacement area of open space will need to be secured by appropriate legal agreement.

11.4. Having regard to national and local planning policies, and all comments received, and subject to the resolution of the Section 106 legal 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. Accordingly, the conclusion reached is that the development should be approved.

12 RECOMMENDATION

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

1. The Committee delegates authority to finalise the terms and completion of the Section106 legal agreement and planning conditions to the Head of Planning; and

2. Following the completion of the Section106 agreement, application F/YR23/1021/F be granted subject to the planning conditions set out in principle below;

   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 Section 106 legal agreement or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

Proposed Conditions

1	**Start date** The development permitted shall be begun before the expiration of 3 years from the date of this permission. Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2	**Surface Water Drainage** No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan. The scheme shall be based upon the principles within the agreed Sustainable Drainage Strategy, MTC, Ref: 3162, Rev: B, Dated: April 2024 and shall also include: 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; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance; c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it); d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);

	e) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems; f) Full details of the maintenance/adoption of the surface water drainage system; g) Permissions to connect to a receiving watercourse or sewer; h) Measures taken to prevent pollution of the receiving groundwater and/or surface water Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts and to ensure the scheme complies with Policy LP14.
3	**Surface water during construction** No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence. Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.
4	**Flood Risk** The development shall operate in strict accordance with approved Flood Risk Assessment (*Flood Risk Assessment and Sustainable Drainage Strategy, dated December 2023, complied by MTC Engineering (Cambridge) Ltd*) and in particular the following mitigation measures: • *Finished floor levels to be set no lower than 0.3 m above Ordnance Datum (AOD) and* • *The development to have at least two storeys.* These mitigation measures should be fully implemented prior to occupation of the development hereby approved. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

	Reason: To reduce the risk of flooding to the proposed development and future occupants in line with Policy LP14 of the Fenland Local Plan (2014).
5	**Land affected by contamination** No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary. a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site. b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology. c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f). d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA. f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up

	criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site. Reason: To control pollution of land or water in the interests of the environment and public safety, in accordance with Policy LP16 of the Fenland Local Plan 2014.
6	**CMP** Prior to the commencement of development, a Construction Environmental Management Plan (CMP), shall be submitted to and approved in writing by the Local Planning Authority. The CMP should be in accordance with the template on the Fenland District Council website. The CMP shall include the consideration of the following aspects of construction: a) Site wide construction programme; 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, along with location of parking for contractors and construction workers; c) Construction hours and delivery times for construction purposes; d) Maximum noise mitigation levels for construction equipment, plant and vehicles e) Dust suppression management including: (i) method statement for the control of dust and emissions; (ii) identification of person responsible for air quality and dust issues; (iii) the recording of dust and air quality complaints; (iv) to undertake appropriate measures to reduce emissions in a timely manner; (v) an agreement for dust deposition, dust flux, or real-time particulate matter monitoring locations with the Local Authority including baseline monitoring before work commences; (vi) machinery and dust causing activities to be located away from receptors; (vii) the provision of Wheel washing measures to prevent the deposition of debris on the highway and the general environment which shall be operated and retained for the duration of the development, and the use of road sweepers to clean highways that suffer from mud generated by the development; f) Site lighting; g) Location of Contractors compound and method of moving materials, plant and equipment around the site; h) Details and locations of hoardings; The Construction Environmental Management Plan shall be implemented in accordance with the agreed details unless minor

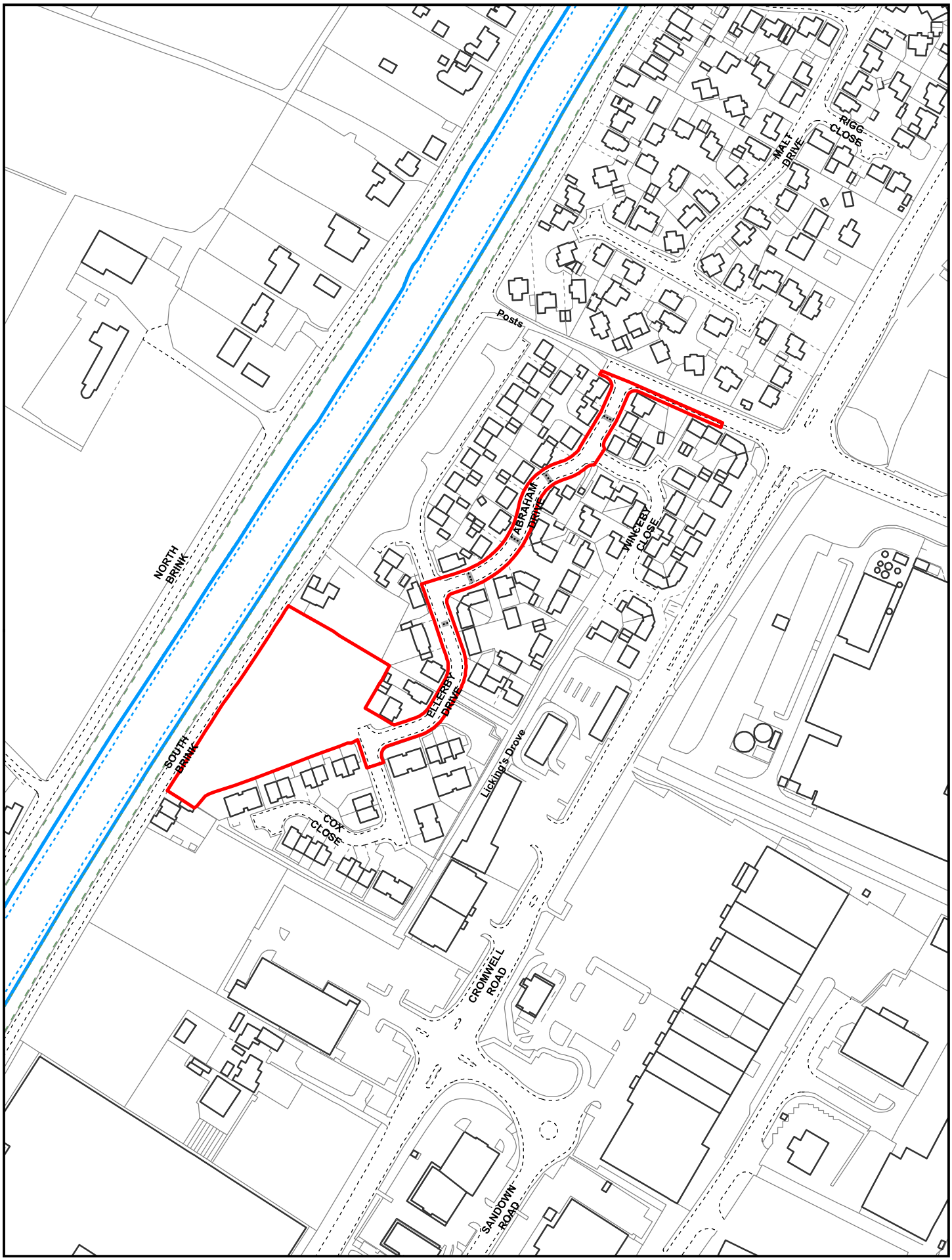
	variations are otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of protection of residential amenity in accordance with Policy LP16 of the Fenland Local Plan, 2014.
7	**Piling** In the event of piling, no development shall commence until a method statement detailing the type of piling, mitigation measures and monitoring to protect local residents from noise and/or vibration has been submitted to and approved in writing by the Local Planning Authority. Potential noise and vibration levels at the nearest noise sensitive locations shall assessed in accordance with the provisions of BS 5228:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. (BS 5228-1:2009+A1:2014 / BS 5228-2:2009+A1:2014). Development shall be carried out in accordance with the approved statement. Reason: In the interests of protection of residential amenity in accordance with Policy LP16 of the Fenland Local Plan, 2014.
8	**Burning** During the period of development that includes any site clearance, demolition of structure(s) and/or construction, strictly no burning of any waste materials including vegetative matter shall take place on site at any time. Reason: In the interests of protection of residential amenity in accordance with Policy LP16 of the Fenland Local Plan, 2014.
9	**Hydrants** Prior to commencement of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling. 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 infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.
10	**Security** Prior to construction above slab level, details of measures for the safety and security of future residents of the development hereby permitted (to address Designing out Crime comments attached on the Councils website attached to this application) shall be

	submitted to and approved by the Local Planning Authority. The development shall be implemented in accordance with the approved plans. Reason: In the interest of designing out crime in accordance with Policy LP16(j) and Policy LP17 of the Fenland Local Plan (2014).
11	**Binder Course** Prior to the occupation of the first dwelling hereby approved the roads and footways required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining Ellerby Drive in accordance with the details approved on PP1000 E. Reason: In the Interest of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).
12	**Management of streets** Prior to the occupation of the first dwelling 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 Company has been established. Reason: In the interest of satisfactory development and highway safety in accordance with Policy LP15 of the Fenland Local Plan. 2014.
13	**Parking** Prior to the first occupation of the dwelling(s) to which they relate, the proposed on-site parking/turning area shall be laid out in accordance with the approved plan, PP1000E, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order). Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.
14	**Materials** No development other than groundworks and foundations shall take place until full a full plot schedule detailing the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the

	Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter. Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 and LP18 of the Fenland Local Plan, adopted May 2014.
15	**No windows** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (or any other Order revoking or re-enacting that Order with or without modification), no additional windows other than those shown on the plans hereby approved shall be installed in any dwelling. Reason To protect the amenities of the adjoining properties in accordance with Policy LP16 of the Fenland Local Plan, 2014.
16	**Refuse** Notwithstanding the submitted strategy, prior to the first occupation of the development hereby approved a detailed refuse collection strategy (along with any relevant indemnities) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing. Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.
17	**CEMP (Biodiversity)** No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Ecological Management Plan (CEMP Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall incorporate recommendations of the Ecological Impact Assessment and must include the following: a) Risk assessment of potentially damaging construction activities; b) Identification of “biodiversity protection zones”; c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements); d) The location and timings of sensitive works to avoid harm to biodiversity features; e) The times during which construction when specialist ecologists need to be present on site to oversee works;

	f) Responsible persons and lines of communication; g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and h) Use of protective fences, exclusion barriers and warning signs if applicable. The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority. Reason: In order to ensure compliance with Section 1 of the Wildlife and Countryside Act 1981 (as amended) and to provide appropriate biodiversity mitigation in line with the aims of the National Planning Policy Framework and Policy LP19 of the Fenland Local Plan 2014.
18	**Landscaping** Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:- a) hard surfacing, other hard landscape features and materials; b) boundary treatments; c) existing trees, hedges or other soft features to be retained d) planting plans, including specifications of species, sizes, planting centres number and percentage mix; e) placement, type, number and details of any recommended biodiversity enhancements and habitat improvements, including bird and bat boxes and hedgehog holes; f) a timetable for landscaping and biodiversity enhancement implementation; and g) management and maintenance details; 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.
19	**Landscaping implementation** All hard and soft landscape works including any management and maintenance details, shall be carried out in accordance with the approved details. All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, or the completion of the development, 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 the enclosed rear garden) 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. Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity and biodiversity value of the development in accordance with Policy LP16 and LP19 of the Fenland Local Plan 2014.
20	**Ecology if not commenced** 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: (i) establish if there have been any changes in the presence and/or abundance of key species (e.g. breeding birds, bats and reptiles), and (ii) identify any likely new ecological impacts that might arise from any changes. 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. Reason: To protect biodiversity in accordance with Fenland Local Plan Policies LP16 & LP19 (2014).
21	**Approved Plans**



Created on: 13/12/2023

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F/YR23/1021/F

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N

Fenland CAMBRIDGESHIRE
Fenland District Council

BENWICK S

Front Elevation
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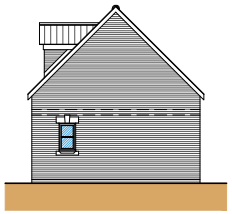

Side Elevation
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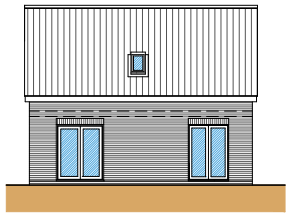

Rear Elevation
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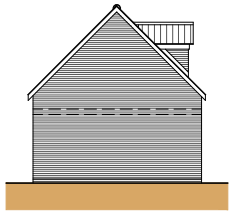

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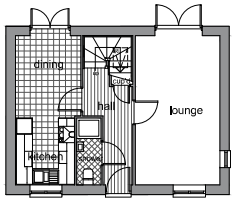

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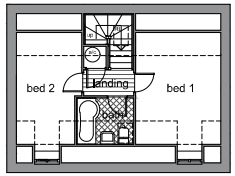

First Floor Plan
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CHILTON

Front Elevation
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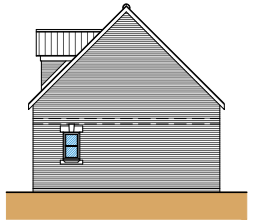

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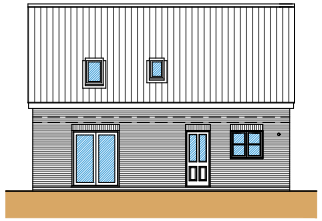

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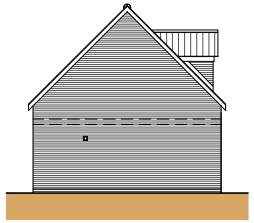

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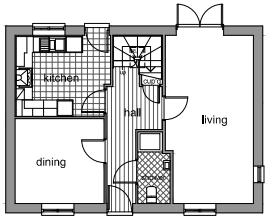

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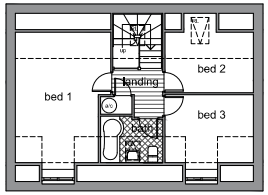

First Floor Plan
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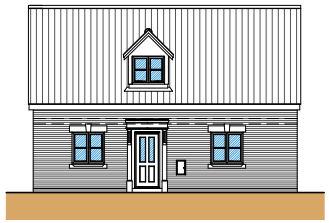
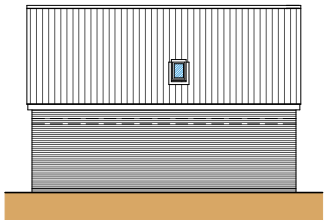
COGGESHALL



Front Elevation
Scale 1:100

Side Elevation
Scale 1:100



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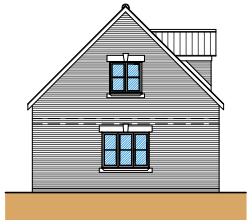

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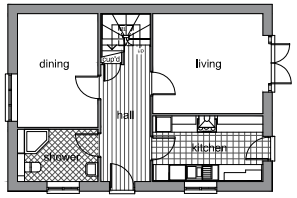

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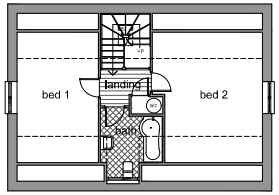


First Floor Plan
Scale 1:100

Drawing Schedule		
Plots	House Type	Original / Handed
Plot 1	Chilton	Original
Plot 2	Benwick S	Handed
Plot 3	Benwick S	Original
Plot 4	Coggeshall	Original
Plot 5	Benwick S	Handed
Plot 6	Chilton	Original
Plot 7	Chilton	Handed
Plot 8	Chilton	Original
Plot 9	Chilton	Handed
Plot 10	Chilton	Original
Plot 11	Coggeshall	Handed
Plot 12	Chilton	Original

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.

MATERIAL KEY

Proposed Cambridge Buff Brick

Proposed Red / Gray Pantiles

Proposed Finished Floor Level

Revisions

B	April 2024	Removal of Plot 13

Status
FOR APPROVAL

SWANN EDWARDS ARCHITECTURE
Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
t. 01945 450644 e. info@swannedwards.co.uk w. www.swannedwards.co.uk

Job Title
Proposed Residential Development
Land North of Ellerby Drive
Wisbech, Cambs
For: Construct Reason

Drawing Title
Planning Drawing
Floor Plans &
Elevations
House Types

Date	November 2023
Drawn by	CW
Checked by	GE
Job No.	SE-1945
Sheet Size	A1
Dwg No.	PP1100
Revision	B

Swann Edwards Architecture Limited ©

SITE PLAN KEY

Indicates neighbouring properties

Indicates proposed adoptable road and footpath

Indicates proposed dwellings

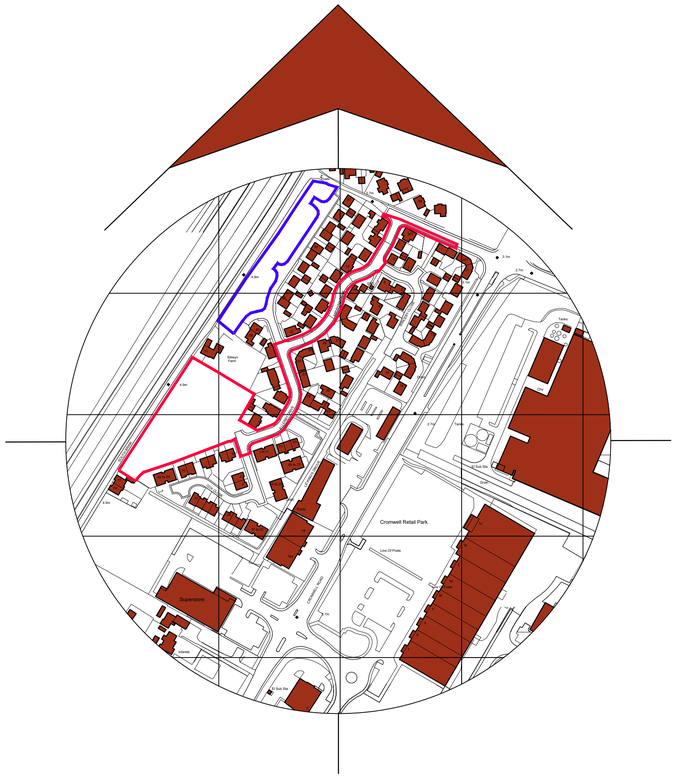
Indicates proposed parking

Indicates proposed trees

Indicates proposed site access

Indicates proposed attenuation pond

SITE LEVELS TO MATCH EXISTING
The minimum floor level of dwellings will be 3.8 metres AOD or 300mm above existing adjacent ground levels



Location Plan
Scale 1:2500
0 25 50 75 100
metres

Site Plan
Scale 1:500
0 5 10 15 20
metres

General Notes

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

Revisions

E	Feb 2025	Revision to plot 11

Status

FOR APPROVAL

SWANN EDWARDS ARCHITECTURE
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Job Title
Proposed Residential Development
Land North of Ellerby Drive
Wisbech, Cambs
For: Construct Reason

Drawing Title
Planning Drawing
Site &
Location Plans

Date: July 2023	Drawn by: CW
	Checked by: GE
Job No.: SE-1945	Sheet Size: A1
Dwg No.: PP1000	Revision: E

Swann Edwards Architecture Limited ©

F/YR25/0058/O

Applicant: Mr P Gumbley **Agent: Mr G Edwards**
Swann Edwards Architecture Ltd

Land South Of 2B And 2C, Bridge Lane, Wimblington, Cambridgeshire

Erect up to 9 x dwellings (outline application with all matters reserved)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 20 March 2025

EOT in Place: Yes

EOT Expiry: 09 May 2025

Application Fee: £6240

Risk Statement:

This application must be determined by 9th May 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

1.1. This application seeks outline planning permission for up to 9 dwellings with all matters reserved on an area of land covering some 1ha to the rear of 2b and 2c Bridge Lane. A previous application, seeking outline approval with all matters reserved, for a development of up to 9 dwellings was refused in March 2023.

1.2. The proposal would result in large scale in-depth development in an area rural in character and characterised mainly by frontage development. Development on this land would erode an important visual gap and area of separation between this part of Bridge Lane and the main built form of Wimblington. The proposal is therefore contrary to Policies LP3, LP12 and LP16 of the adopted Fenland Local Plan.

1.3. The application site is identified as being in an area of high and medium risk of surface water flooding. The Lead Local Flood Authority have objected to the application on the basis of a number of concerns; notably the known and extensive risk of surface water flooding at the site. The application fails to pass the Sequential Test in relation to surface water flood risk and fails to demonstrate that safe access and egress can be achieved. The proposed development therefore has unacceptable surface water flood risks, placing

future occupiers at an unwarranted risk of flooding contrary to Policies LP12 and LP14 of the Local Plan, Paragraphs 174 & 181 of the National Planning Policy Framework, Paragraph 023 of National Planning Practice Guidance and Section 4 of the Cambridgeshire Flood and Water Supplementary Planning Document.

1.4. The application is therefore recommended for refusal.

2 SITE DESCRIPTION

2.1. This section of Bridge Lane is a fringe rural location, which is abutted by dwellings characteristic of roadside ribbon development. The lane is single track with some passing places, but no separate footway. Sporadic dwellings of various types, styles, and sizes line the road. In contrast the application site and the adjoining land to the west of 2a Bridge Lane is open and agricultural in character.

2.2. The site is located away from the established settlement of Wimblington and is currently in agricultural use. The site is situated behind two existing dwellings at 2b and 2c Bridge Lane and is roughly 'L' shaped covering about 1ha. The site will be served by an existing access to the west of 2b Bridge Lane. The site boundaries are defined by mature hedging/planting. A public footpath and watercourse run parallel with the western boundary of the site which is within Flood Zone 1 and within an area identified with groundwater vulnerability.

2.3. The aerial view of the site and surrounding area, included below, shows the application site (outlined in red) in the context of the nearby applications in the surrounding area (clockwise from bottom);

<u>Approved / Pending</u>

- Orange outline - F/YR21/0328/F, the northward expansion of Willow Gardens development, which together with the phase 1 scheme, F/YR17/0682/F totals 58 dwellings. This is approximately 90m south of the application site (with the separating land also under the ownership of the applicant for the application considered herein);

- Blue outline - F/YR23/0206/F, a pending approval of 48 dwellings, subject to S106 negotiations;

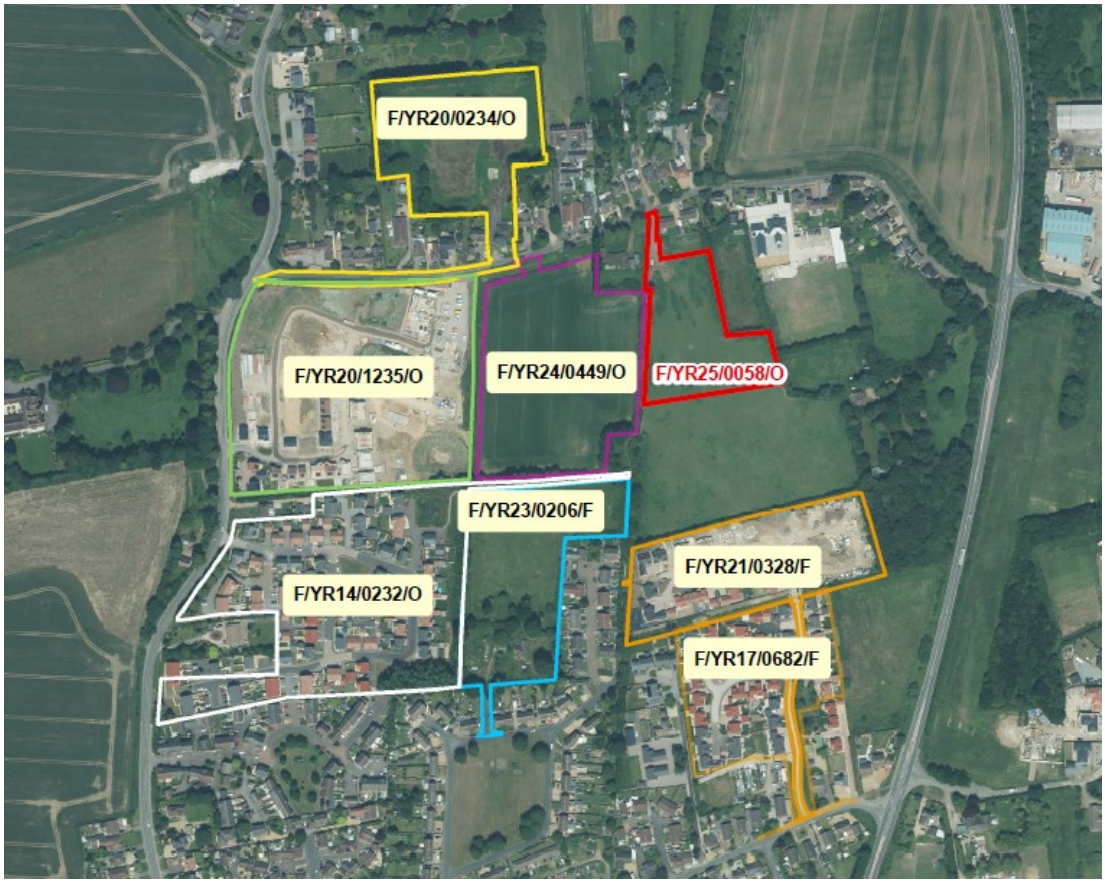
- White outline - F/YR14/0232/O, the substantially complete Lily Avenue development, including 67 dwellings;

- Green outline - F/YR20/1235/O, the Bellway development currently under construction, including 88 dwellings;

- Yellow outline - F/YR20/0234/O, a pending application for 16 dwellings to the north of Bridge Lane, where previously 7 dwellings were approved under F/YR18/0385/O.

Refused

- Purple outline - F/YR24/0449/O, a recently refused application for up to 44 dwellings, this site also includes an area relating to application F/YR15/0281/F, which was refused and dismissed at Appeal for the erection of 3 dwellings.



2.4. The aerial view emphasizes that the gap between the settlement of Wimblington and Bridge Lane has significantly closed in over the years to the point where the application site (shown red) and the adjoining land to the west (shown purple) remain the only remaining substantial parcels of open land that contribute to the rural character; as emphasised by reason for refusal 2 of F/YR24/0449/O and previous Appeal decisions for development on the same land (discussed in more detail below).

3 PROPOSAL

3.1. This application seeks outline planning permission for up to 9 dwellings with all matters reserved.

3.2. An indicative plan accompanies the application. This shows a shared private drive running along the western site boundary to serve 4 dwellings before spurring off eastwards and then south to serve a further 5 plots. A public right of way runs along the western boundary of the site, a section of the right of way near the junction with Bridge Lane merges with the site access and is to be hard surfaced.

3.3. The indicated houses are large, detached dwellings set in sizable plots of a suburban nature.

3.4. A further strip of land to the south of the application and some 85m deep has been outlined in blue on the location plan, denoting that it is under the ownership of the applicant. Continued vehicular access to this land is denoted on the indicative site plan. Further to the south development of 21 dwellings at the northern end of Willow Gardens is currently taking place under permission F/YR21/0328/F.

3.5. Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

F/YR23/0241/O	Erect up to 9 x dwellings (outline application with all matters reserved) *Land South Of 2B And 2C Bridge Lane Wimblington*	Refused 07.03.2024
F/0446/88/O	Outline application for Erection of a speedway museum *Adj 2A Bridge Lane Wimblington*	Refused
F/0340/83/F	Erection of a stable block *2A Bridge Lane Wimblington*	Granted

5 CONSULTATIONS

5.1. **Parish/Town Council**

Further to Tuesday evenings Parish Council meeting, Cllr wish to object to the above application as follows: Previous planning application F/YR23/0241/O was refused, but it is noted that although the expiry on consultations was dated 19.04.23 there were a number of entries added after this date both from the applicant and from consultants - from 19th Jul 23 through to 29th Feb 24. These additional documents referred to a number of points that were not made available to the public prior to their comments i.e. Changes to the PRoW, passing place, lighting, management and maintenance company.

Although the applicant's Design and Access statement from Swann Edwards Architecture Ltd has added some amendments, these do not change the reasons for initial refusal of previous planning application. Also, FDC planning are directed towards the refusal of planning application F/YR24/0449/O and the reasons relating to this refusal which will reflect on the position of this site.

After the Parish Council meeting last night, 11th February 2025, councillors discussed this second planning application and still uphold the objections made against planning application F/YR23/0241/O and add the following additional objections reflected against the applicants Design and Access Statement:

2.1 SITE CONTEXT

There is established landscaping to all boundaries. The site is within a residential location.

These comments contradict each other, this site has a few dwellings on the north edge that face onto Bridge Lane otherwise there are fields on all the other boundaries. The south east corner has a substantial copse of trees that edge the A141.

The Land is located within Flood Zone 1.

Although it is located in Flood Zone 1 the site is known to experience surface, pluvial flooding which has had an impact on the dwellings along Bridge Lane. The LLFA raised concerns at the previous planning applications and please refer to the reasons planning application F/YR24/0449/O was refused, this site sits to the west boundary of the proposed site.

2.4 PROPOSAL

The dwellings will be of an executive style and size These types of dwellings are not characteristic of the area or the village historic, heritage environment. These dwellings will impose on the landscape of country lane environment, Bridge Lane.

2.4 - access to the site is via an existing access off of Bridge Lane. The access measurements stated to this site is inclusive of the PRoW, narrowing the public use, plus having a site access at the entrance to a PRoW could cause a hazard to users, this includes horse riders, cyclists, runners etc. plus there is a telegraph pole alongside the PRoW that would encroach on the access width. CCC Definitive Map Officer has stated that an application would have to be made to 'Change the Surface'.

2.5 PRINCIPLE

The site is located along Bridge Lane, surrounded by existing development This is incorrect, the only development that adjacently impacts on Bridge Lane is the Bellway construction at the west entrance end of Bridge Lane. But regardless, previously granted village developments should not be set as a precedence to the subsequence planning applications.

2.5 There is an existing pedestrian footpath link into the heart of the village There is not a pedestrian footpath, there is a PRoW countryside path which is subject to flooding in wet weather and not necessarily useable by all local residents. So, the application does not accord to the principle of LP3.

3.0 DESIGN

3.1 Use & Amount

It also retains a sense of space and openness which is more appropriate in this rural village setting It is reducing the sense of space and openness within the village's rural environment, introducing executive dwellings out of character with the local environment of Bridge Lane. Therefore, NOT complying with LP12 and LP16.

3.2 Layout

The access road and one of the dwellings will run along the boundary of the PRoW, the present outlook over fields and beautiful countryside, regularly used village asset will have its views impaired from dwellings and also have an impact on noise, lighting and air pollution from vehicles using the access road to the site.

3.3 Scale

The application is in outline format with only access committed at this stage. This means that at the next stage in the planning application, 'reserve matters', could see a massive change of implications on design, size and other aspects of the application.

3.4 Landscape

The proposal takes full advantage of its natural aesthetics. The proposal removes the natural aesthetics of the landscape. Stating that it will have a backdrop of other dwellings is incorrect, the site is part of the open gap necessary in maintaining the open landscape of the Fens between dwellings. The site has fields on three sides and only a few dwellings on the north Bridge Lane side. Noncompliant to LP16 (c).

3.5 Appearance

The dwellings will be designed to have a style and appearance which is more typical of a rural village. The proposed 'large executive dwellings' are not in keeping with the typical rural environment of the historic, heritage village of Wimblington or the historic Bridge Lane. It is more along the lines of what would be expected in an 'executive urban development'. It is not acceptable in terms of form and character as highlighted in the Design Guidance and Code document adopted by Wimblington Parish Council therefore not compliant to LP12 and LP16.

3.6 Flood Risk

Section 14 of the NPPF and Policy LP14 of Local Plan requires sequential approach, directing new development to areas at lowest risk of flooding before land at higher risk is considered.

These policies refer to fluvial flooding but this site is prevalent to pluvial flooding from surface water, runoff water and a rising water table. Residents have raised their concerns from the long-term impact of constant development in the neighbourhood area. LP12 Rural Developments - it would put people or properties in danger from identified risks. A risk has

already been identified through planning application F/YR24/0449/O and this has to be strongly considered. The initial planning application objections raised a number of residents' concerns regarding flooding in the field, sewage raising up in residents gardens and inside their homes.

3.8 Environmental Consideration

An area is to be provided in the rear enclosed garden for bins, … the proposed dwellings will benefit from mains sewers CCC Highways have already stated that they would not adopt the access road therefore FDC Waste Team will not collect from the dwellings. This will mean rubbish containers having to be collected from the access entrance to the site or private rubbish collection The sites mains sewers are to be managed and maintained by the developments 'management team', this could have consequences on the local environment and properties.

The street and security lighting on the proposed site will have an impact on the natural environment, surrounding countryside, remaining open spaces and the local residents close by.

There is no pedestrian pathway along the length of Bridge Lane which puts users at risk due to the narrow lane where two vehicles struggle to pass, there will be an increase in traffic from the far east end of the lane, the use of the lane by heavy delivery vans and the initial construction vehicles, this will be dangerous for all lane users. Residents of Bridge Lane who were previously HGV drivers state that it is not possible for two HGV to pass each other on the lane and that they would struggle to enter or exit the access point to the site.

Although the applicant states that the development is close to the A141, access to the A141 would mean all vehicles having to travel along the lane and through the village, another increase in traffic in various areas.

The village is no longer sustainable and is struggling with the constant increase in planning applications that have been granted. There is no acceptable, regular public transport, the surgeries are struggling as is the infrastructure.

There are a number of LP policies, NPPF policies, EA and historic/heritage aspects that uphold the objections made to this proposed planning application.

5.2. **Senior Archaeologist (CCC)**

Thank you for the consultation with regards to the archaeological implications of the above referenced planning application. Our advice remains the same as that issued for the similar development within the same redline - F/YR23/0241/O.

Our records indicate that the site lies in an area of archaeological potential, known from investigations undertaken in the immediate vicinity. Archaeological investigations to the west revealed the remains of a ring-ditch, potentially a Bronze Age barrow and later middle Iron Age settlement

remains (Cambridgeshire Historic Environment Record reference MCB20356). The settlement developed into a larger settlement into the Roman period where a rectilinear enclosure system, post-built structures and a metalled trackway were uncovered (CHER ref. MCB20356). The Roman trackway was also identified during investigations to the adjacent north, as well as further settlement features (CHER ref. MCB31818). Further Roman features were identified during the construction of a water pipeline to the adjacent south of the development (CHER ref. MCB17554), as well as a series of undated ditches and medieval remains identified during investigations in advance of housing in the same area (CHER ref. MCB27950). Further medieval remains are known to the east, where the deserted medieval village of Eastwood End is known from investigations revealing 14th to 15th century buildings (CHER ref. MCB13422).

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

Archaeology Condition

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

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

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

Informatives: 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.

5.3. **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

As part of this planning consultation investigation for this proposal. I have reviewed the comments made by the highways authority on previous application number F/YR23/0241/O. As far as I can determined there is no changes proposed to what was found to be acceptable to the Highways Development Management team during that application. Therefore from the perspective this team I find the proposed to the highway to be acceptable, subject to the following Conditions.

However, I would note that there appears to have been a change to the access layout. This is relevant as Public Footpath No. 5 runs through this proposed access. As such I would recommend that the CCC Rights of Way team are consulted prior to the determination of this application.

Conditions

Access Road Details: Prior to the commencement of the use hereby approved the access road shall be constructed to a minimum width of 5 metres for a minimum distance of 10 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.

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

Management of Estate Roads: Prior to the occupation of the first dwelling herby 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 Company has been established.

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

Off-Site Highway Works: No development shall take place until details of works to provide a passing place on Bridge Lane, in accordance with the principle set out on PP1000 Revision C, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied/brought into use until all of the works have been completed in accordance with the approved details.

5.4. **Definitive Map Team (CCC)**

The Definitive Map Team has no objection to this proposal, because the proposal offers little change to the current situation of the public footpath – informatives to this effect were recommended.

5.5. **Environment & Health Services (FDC)**

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to have a detrimental effect on local air quality, be affected by ground contamination or adversely impact the local amenity due to excessive artificial lighting.

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 at: Construction Environmental Management Plan: A template for development sites (fenland.gov.uk)

5.6. **Lead Local Flood Authority (CCC)**

*Thank you for your consultation which we received on 19th March 2025. At present we **object** to the grant of planning permission for the following reasons:*

1. Existing Surface Water Flood Risk

The site has extensive risk of surface water flooding across the area to the north east and along the eastern boundary. It is acknowledged that development in the area will be built to ensure it is above the expected flood levels. However, there is still a risk that this could displace surface water, along with the risk to future site users, ensuring safe access and egress from the site for the lifetime of the development. It must be clear that the development will be safe, and construction of any dwellings is not within areas at risk of surface water flooding.

2. Climate Change Allowance

Climate change for the 3.3% AEP storm should be included in the hydraulic calculations. This is to account for shorter term impacts of climate change.

3. Hydraulic Calculations

There is excessive surcharging in the 1 year storm event within the hydraulic calculations. This should be limited as much as possible in this storm event in line with best practice guidance. It is noted this may be related to the permeable paving structures, but this should be clearly set out to provide reassurances around the design of the system.

4. Water Quality

The use of permeable paving and the proposed basin are supported by the LLFA. However, the basin is positioned in an area that will only benefit a small section of the drained highway. It is acknowledged that the gully's have silt traps in, but these are not viewed as a source of treatment as a small storm can flush out the pollutants stored within the gully pot. All water must be treated suitably, in line with sustainable drainage best practices, to ensure the receiving watercourse is suitably protected from pollutants for the lifetime of the development. The simple index approach, as set out in Chapter 26 of the CIRIA SuDS Manual (C753) should be followed and all surfaces should be fully treated.

5. Flow Control Diameter

The proposed flow control has a diameter of 50mm, which could pose a risk to blockage from litter or debris that may be flushed through the system. From private systems, the LLFA accepts a minimum flow control diameter of 75mm to reduce this risk. This should not further implicate the ability to manage water sustainably from the site.

5.7. **Environment Agency**

Thank you for your consultation dated 30 January 2025. We have reviewed the documents as submitted and we have no objections to this planning application. Please find further information on flood risk and water resources below.

Flood Risk

The proposed development is located within Flood Zone 1 and within a dry island, therefore this is treated as indicative Flood Zone 3a in regards to access and egress. We have reviewed the documents submitted and have determined that there are no concerns related to flood risk with the proposed development.

5.8. **Anglian Water Services Ltd**

ASSETS

Section 1 - Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the

sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES
Section 2 - Wastewater Treatment

This site is within the catchment of Doddington water recycling centre (WRC), which currently can accommodate the additional flows generated by the proposed development. Doddington 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 development foul flows 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 180 of the National Planning Policy Framework.

Section 3 - Used Water Network

***Anglian Water objects to any connection into our foul network from the proposed development, due to capacity constraints and pollution risk**.*

In order to overcome our objection we require that the applicant consults Anglian Water in a form of a Pre_Development enquiry (PPE) in order to define a Sustainable Point of Connection (SPOC). This will avoid the constrained network which could cause pollution and flood risk downstream. The developer is to be responsible for the infrastructure to convey foul water flows from the proposed development to the receiving network. Once a SPOC has been identified and a strategy has been agreed with Anglian Water, we would expect the applicant to submit this PPE as part of their submitted documents for this application, we will the review and respond appropriately. Anglian Water is committed to supporting sustainable growth and in doing so we must continue to meet the statutory obligations whilst balancing factors such as climate change as environmental protection.

However, if the LPA are minded to approve the application, despite our objection and risk of pollution, we recommend the following condition is applied:

Condition: no development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a

sustainable point of connection to the public foul network. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

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. If permission is granted we require the applicant to engage with us via our pre-development services and to submit a pre development enquiry.

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.

From the details submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be reconsulted to ensure that an effective surface water drainage strategy is prepared and implemented.

5.9. **FDC Ecology**

The Ecological Impact Assessment report is acceptable and reasonable.

Suggested conditions

Enhancements referred to in Section 7 (page 17) regarding the installation of bat and bird boxes should be adhered to.

Biodiversity Net Gain

The current metric does not show significant net gain (i.e. >0.5 biodiversity units). Also, it is not supported by an appropriate BNG Assessment report.

Biodiversity Net Gain Plan & Habitat Management and Maintenance Plan

A condition for the submission of a Biodiversity Net Gain Plan and accompanying documentation is required, e.g., Prior to the commencement of works on site (including site clearance), the submission of following Plans and statutory tools is required:

1) *A Biodiversity Net Gain Plan*
2) *A Biodiversity Net Gain Assessment - addressing mitigation hierarchy and habitat conditions assessment*
3) *a revised BNG metric, displaying significant net gain*

4) Pre-development and post-development plans showing the location of on-site habitat, scaled to an appropriate size
5) A Habitat Management and Maintenance Plan

Reason: In order that the proposals are implemented in accordance with the Environment Act 2021.

5.10. **Local Residents/Interested Parties**

Objectors

The application has resulted in the LPA receiving 25 letters of objection to the development from 20 local address points, including Bridge Lane, Lily Avenue, Eaton Estate and March Road, Wimblington and Hassock Way, March.

Reasons for objection can be summarised as:

- Minimal changes since last submission;
- Flooding and surface water drainage concerns;
- Foul water drainage concerns;
- Risk of SuDS scheme not being appropriately maintained;
- Traffic along Bridge Lane;
- Visibility and width constraints at access;
- Supporters of the application do not live nearby and will not be impacted;
- Wimblington infrastructure and services unable to cope;
- Bridge Lane is only single track; limited passing places;
- No footpaths along Bridge Lane;
- Loss of countryside character and green space; particularly along public right of way;
- Environmental and ecological impacts;
- Land ownership/boundary discrepancies;
- Residential amenity impacts;
- Potential impact on historic public footpath; feeling of enclosure from development both sides would impact amenity, could become unsafe due to lack of surveillance, flooding, or being 'penned' in by fencing;
- Concern over potential extension to the development in blue lined land with intended access point;

Supporters

The application has garnered 18 letters of support from 16 address points, including Bridge Lane and New Woods Drive in Wimblington, Wimblington Road in Doddington, and Cavalry Drive, Hundred Road, Eastwood Avenue, Elwyndene Road, Kingswood Road, Wisbech Road, Station Road, Upwell Road, Elm Road and Mill Hill Lane in March.

Reasons for support can be summarised as:

- Much needed housing close to March;
- Will compliment rural setting and a nice community;
- Employment opportunity in construction;
- A small development will make a nice contribution to the village;
- Nice to see;
- Well-spaced houses;

- Close proximity to the future Fens Reservoir;
- Good layout;
- No impact on countryside;
- Limited impact on traffic;

Four letters of support received stated no reasons for supporting the scheme.

Representations

One letter was received from a resident of Eastwood End, highlighting 'observations' to the letters received; summarised as follows;

- Many of the letters received are not 'local' to the site;
- 'Quality' executive homes are not needed, but instead affordable houses to encourage younger residents to Wimblington;
- Bridge Lane residents have already objected to a larger development on Bridge Lane owing to sewerage concerns;
- Small developments, cumulatively, have a big impact on local services and infrastructure such a doctors, schools, etc.

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**

Places great emphasis on well-designed places which are integrated into their surroundings, so they relate well to them. To this extent its Policy C1 requires development to relate well to existing built development and landscape character.

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
LP13 – Supporting and Managing the Impact of a Growing District
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
LP17 – Community Safety
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**

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

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
LP11: Community Safety
LP12: Meeting Housing Needs
LP18: Development in the Countryside
LP20: Accessibility and Transport
LP21: Public Rights of Way
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP30: Local Green Spaces and Other Existing Open Spaces
LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Character and Appearance**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Public Right of Way**
- **Biodiversity Net Gain & Ecology**

9 BACKGROUND

Previous application – F/YR23/0241/O

9.1. A previous application, seeking outline approval with all matters reserved, for a development of up to 9 dwellings was refused by Members in March 2023; in line with Officer recommendation.

9.2. Reasons for refusal can be summarised as follows:

1) In depth development within an area of rural character, contrary to Policies LP3, LP12 and LP16.
2) Lack of ecological surveys to evidence that no habitats or species would be detrimentally impacted by the development, contrary to Policies LP16 (b) and LP19.
3) Lack of appropriate assessment of flooding from all sources at the site, (in particular surface water flooding) contrary to Policy LP12 Part A (k) and Policy LP14.

9.3. The current application also seeks outline permission for the erection of up to 9 dwellings but is supported by relevant surveys and an FRA in an attempt to address reasons for refusal 2 and 3. Full assessment of the submitted details follow in Section 10.

Other relevant site history

9.4. With regard to reason for refusal 1, with respect to landscape character, the planning history of land to the west of 2a Bridge Lane however is pertinent given the similarities and proximity to the application site. A previous planning application for 3 dwellings was refused on land to the west of 2a Bridge Lane in 2015 (F/YR15/0281/F) and dismissed at appeal in January 2016 (APP/D0515/W/15/3132906).

9.5. The Planning Inspector noted that the appeal site is open and agricultural in character and the boundary of No.2A adjacent to the site acts as a “strong punctuation mark” separating the agricultural character of the site from the domestic character of the adjacent dwelling. Although the proposed dwellings were set in a line fronting Bridge Lane the Inspector took the view that development of this land would result in a visually jarring form of development that would intrude into open countryside and would be harmful to the character of the area. In looking at policy concerns, the Inspector concluded that the development would be contrary to policies LP12 and LP16 of the Local Plan, due to the impact on the open character of the land.

9.6. The Inspector did not consider that the provision of additional executive housing would be of sufficient benefit to outweigh the significant harm to the character and appearance of the area.

9.7. The site north of 3A – 9 Bridge Lane (marked yellow F/YR20/0234/O on the aerial view included at paragraph 2.4 above) is also relevant to this application. Although subsequently granted permission for redevelopment of a non-confirming use on a brownfield site it was originally refused (under Ref F/YR15/0798/O) on the grounds that the proposal would result in large scale in-depth development into an area that is currently rural in character and characterised by mainly frontage development. The Inspector in deciding the appeal (APP/D0515/W/16/3146008) against the refusal of F/YR15/0798/O referred to recent residential schemes that resulted in the continuity of frontage schemes along March Road and the north side of Bridge Lane. In particular, the Inspector remarked that Bridge Lane remains significantly separated by open agricultural fields from the main core of the village to the south. For this reason, the Inspector concluded that the appeal site was not adjacent to the development footprint of the village, and in an area strongly controlled where it did not comprise an appropriate form of development and would unacceptably consolidate ribbon development.

9.8. In summary, the appeal decision supports the position that the application site does not lie within or adjacent the developed core of Wimblington but in open countryside notwithstanding the recent Bellway development to the south of the junction of Bridge Lane and March Road.

10 ASSESSMENT

Principle of Development

10.1. Matters of principle and the relevant policies of the Fenland Local Plan have not changed since the earlier refusal of F/YR23/0241/O on this site; the revised details within the current application do not address these matters.

10.2. Policy LP3 of the Fenland Local Plan identifies Wimblington as a growth village where small village extensions of a limited scale will be appropriate as part of the strategy for sustainable growth. Policy LP3 must be read in conjunction with other policies in the Local Plan which steer development to the most appropriate sites.

10.3. Policy LP12 seeks to protect the sustainability of settlements and the open character of the countryside. To this end, in this instance it requires that:

a) The site is in or adjacent to the existing developed footprint of the village.
b) It would not result in coalescence.
c) It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland.
d) It is in keeping with the core shape of the settlement, and not harm its character and appearance.

10.4. Policy LP12 sets out that the developed footprint is defined as the continuous built form of the village and excluding groups of dispersed or

intermittent buildings that are clearly detached from the continuous built-up area.

10.5. The requirements of Policy LP12 are reinforced by Policy LP16 which stipulates that new development must make a positive contribution to the local distinctiveness and character of the area. The application site and the blue lined field beyond comprise an area of open land some 230m deep from the rear of 2b Bridge Lane to the northern boundary of the development currently being implemented at Willow Gardens. This part of Bridge Lane remains intrinsically rural in character, and the application site does not immediately adjoin the existing built-up form of the settlement, adding to its detachment from the built form of the village and relationship with the open countryside. Although there are established dwellings around the site it does not form part of the developed footprint.

10.6. Whilst Policy LP3 identifies Wimblington as a growth village, Bridge Lane and the application site are physically detached from the village. The proposal would result in the development of an existing agricultural field and would erode the space that separates Bridge Lane from the wider settlement. As such the development would have an unacceptably adverse impact on the character and local distinctiveness of the area and would be contrary to Policy LP12 and LP16 of the Fenland Local Plan. This assessment of the site is supported by the Inspector's appeal decision relating to F/YR15/0281/F and discussed above.

10.7. Whilst the policies of the emerging local plan carry extremely limited weight in decision making it should be noted that Policy LP1, Part A identifies the settlement boundary for Wimblington as a large village, the application site is not included within the settlement boundary or residential site allocations for Wimblington.

Character and Appearance

10.8. The scheme is outline in nature, with no matters committed, and thus only the general impact of the development on the character and appearance of the area can be considered, as opposed to direct design details that are reserved for later consideration. Notwithstanding, the current proposal seeks the same quantum of development in the same location as the earlier refused scheme under F/YR23/0241/O, with dwellings indicatively shown as a similar scale and layout as the earlier scheme.

10.9. The proposal would result in large scale in-depth development, into an area that is currently rural in character and characterized mainly by frontage development. At present the application site, and the wider fields of which it is a part, contribute strongly to the rural character of the area and provide a visual break between the sporadic residential development along Bridge Lane, and the developed core of Wimblington. Through the intensification of residential buildings and associated development the scheme would result in a visually jarring form of development that would intrude into the open countryside and would be harmful to the character of the area.

10.10. Far from being within the developed village of Wimblington as required by Policy LP12 the proposal would intrude into open countryside and be harmful to the character of the area, in conflict with the objectives of LP12 and LP16 of the Local Plan.

Residential Amenity

10.11. Detailed matters of residential amenity would be fully considered at Reserved Matters stage.

10.12. The indicated proposed site layout shows that the site would be large enough to reasonably accommodate the quantum of development proposed 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.

10.13. Any residential impacts which were to occur could be lessened with appropriate boundary treatments and vegetation/landscaping. 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.

Flood Risk and Drainage

10.14. The application site is located within Flood Zone 1 (low probability of flooding from rivers and sea); however part of the application site comprises an area of high and medium risk of surface water flooding. The current application includes an FRA and Surface Water Drainage Strategy to address earlier reasons for refusal on grounds of flood risk.

10.15. Policy LP14 of the Local Plan states that all development proposals should adopt a sequential approach to flood risk from all forms of flooding and development in areas known to be at risk from any form of flooding will only be permitted following:

(a) the successful completion of a sequential test (if necessary), having regard to actual and residual flood risks
(b) an exception test (if necessary),
(c) the suitable demonstration of meeting an identified need, and
(d) through the submission of a site specific flood risk assessment, demonstrating appropriate flood risk management and safety measures and a positive approach to reducing flood risk overall, and without reliance on emergency services.

10.16. Policy LP14 of the Local Plan is consistent with the requirements set out within the NPPF and guidance set out within NPPG in that they require the Sequential Test (and the Exception Test, if necessary) to be applied, where development is proposed in areas at risk from **any** form of flooding.

10.17. Within paragraph 174 of the NPPF, it states:
"…the aim of the sequential test is to steer new development to areas with the lowest risk of flooding **from any source**. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding."

10.18. Within paragraph 181 of the NPPF, it states:
"… Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: … e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan."

10.19. Within paragraph 023 of National Planning Practice Guidance, it states:
"The approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium-high flood risk areas **considering all sources of flooding including areas at risk of surface water flooding**."

10.20. Guidance contained within Section 4 of the Cambridgeshire Flood and Water SPD is consistent with Policy LP14 of the Local Plan, Paragraphs 174 & 181 of the NPPF and Paragraph 023 of National Planning Practice Guidance.

Sequential Test

10.21. Due to the proposed development being located within an area of medium-high risk of surface water flooding, the flood risk impacts of the proposed development may only be acceptable if the application demonstrated that the Sequential Test has been passed.

10.22. The application is accompanied by a Flood Risk Assessment, which includes a section relating to the Sequential Test. The assessment states that the applicant considers the Sequential Test to be passed as the site is positioned in Flood Zone 1. However, the Sequential Test was silent regarding matters of surface water flooding and is therefore contrary to the requirements of the NPPF, NPPG and FLP. As such, the Local Planning Authority consider the Sequential Test failed on the basis that there is no assessment of reasonably available sites appropriate for the proposed development that may be located in areas with a lower risk of pluvial flooding.

10.23. With due regard given to national and local planning policies and guidance relating to flood risk (as specified above), in addition to recent case law (*Mead Realisations Limited v The Secretary of State for Levelling Up, Housing and Communities & Anor, February 2024*) and various subsequent planning appeal decisions, it is considered that the proposed development fails the Sequential Test and would have unacceptable surface water flood risks.

Surface water

10.24. When considering applications for outline planning permission where details of layout are not being committed, the Local Planning Authority must consider whether an acceptable scheme for the proposed quantum of

development could be delivered around flood risk areas (i.e. not within the areas of medium and high risk of surface water flooding). Within their objection to the proposed development, the Lead Local Flood Authority acknowledged the extensive risk of surface water flooding at the north east of the site and long the eastern boundary.

10.25. Evidential proof of instances of surface water flooding, prior to any development of the site, were received though representations during consideration of the earlier refused application F/YR23/0241/O. The likelihood and extent of potential surface water flooding events are supported by the EA's surface water flood risk map, as below;

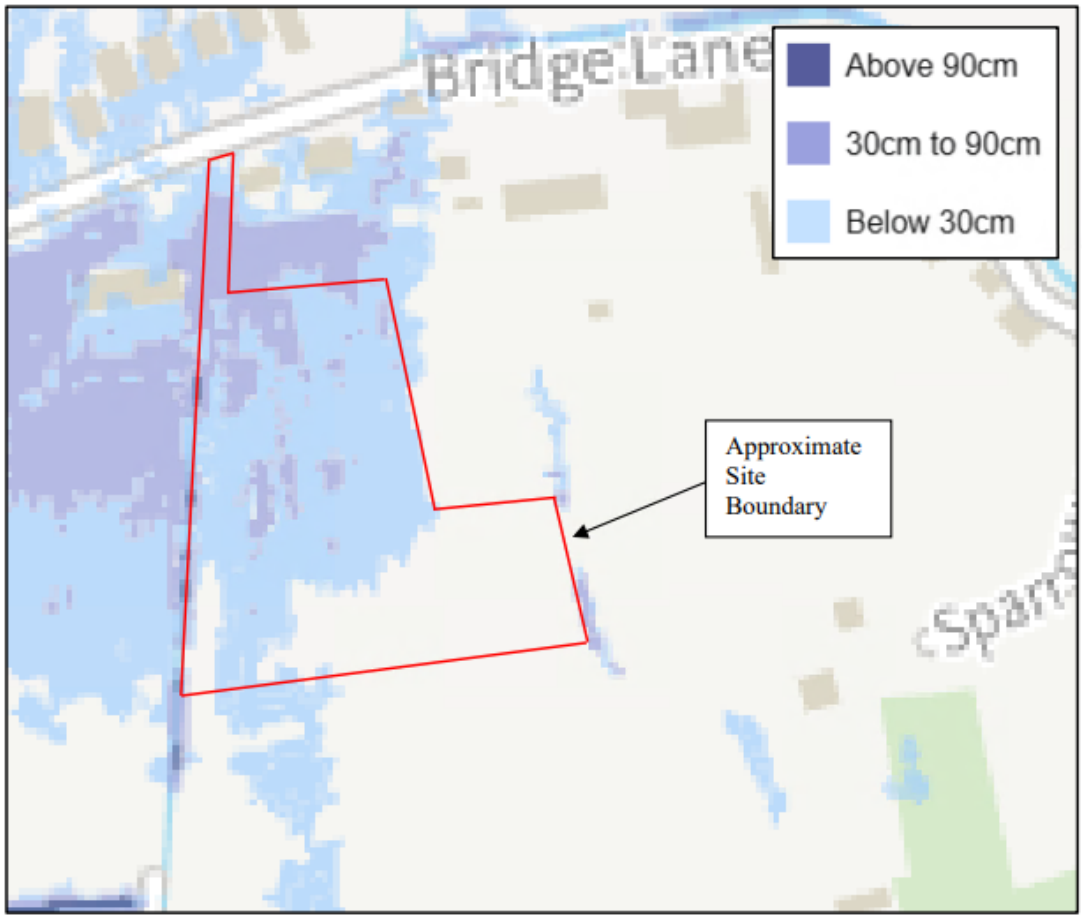


Figure 3 – Environment Agency Surface Water Flood Risk Map – 0.1% Annual Probability

10.26. The submitted FRA makes reference to this potential, summarising that the maximum flood depth during the 1% annual probability (1 in 100 chance each year) event with climate change on the access and in the northwestern corner of the site is estimated to be 0.4m. Within the remainder of the site the flood depths are below 0.3m.

10.27. The indicative site layout plan accompanying this application shows some of the intended dwellings and parts of the proposed access road being located within the area of medium risk of surface water flooding. Whilst matters of access and layout are not committed, in particular with regard to access specifically, the locational circumstances of the site are such that it would not

be practicably possible to design a suitable road layout which avoids the access passing through the area of medium risk of surface water flooding. As such it is considered that, on the balance of probabilities, the proposed development fails to demonstrate that safe access and egress can be achieved, notwithstanding any surface water flooding which may occur within intended dwellings.

10.28. The application is accompanied by a Flood Risk Assessment and Drainage Strategy. The Lead Local Flood Authority consider that the proposed climate change allowance and hydraulic calculations have not been appropriately included to design the system, and that the position of the basin is such that it will only benefit a small section of the site. Furthermore, there are concerns regarding appropriate water quality owing to a lack of appropriate water treatment within the intended system. Finally, the LLFA have concerns that the proposed flow control is too narrow which may be at risk from blockage. As such, there are concerns that the proposed system will mitigate risk and effectively drain the site.

10.29. In order to address the objection by the LLFA, the applicant submitted a revised indicative site plan, drainage layout and calculations. However, owing to the late stage of this submission in the planning process the LPA did not accept these amendments. It is understood that these technical details may be acceptable to the LLFA, subject to any formal reconsultation.

10.30. Notwithstanding, whilst the concerns raised by the Lead Local Flood Authority in respect of matters of design of the surface water drainage system and the attempts by the applicant to address these concerns are acknowledged; the Local Planning Authority do not consider there to be sufficient planning reasons to refuse the planning application in respect of the *design* of the surface water drainage scheme specifically, as the layout of the proposed development is not being committed by this outline planning application and there is no evidence to suggest that the scheme could not be appropriately designed.

10.31. However, conflict arises with respect to the *principle* of proposing residential dwellings in an area of known risk, and a lack of an appropriate Sequential Test that considers **all** forms of flooding, as required by both local and national planning policy and guidance, rather than as a result of matters that could be addressed at the detailed design stage. Furthermore, matters of safe access and egress have not been satisfactorily addressed (and given the site geometry are unlikely to be).

10.32. As such the LPA consider these conflicts are justified as a reason for refusal, contrary to the requirements of policies LP12 and LP14 of the Local Plan, Paragraphs 174 & 181 of the National Planning Policy Framework, Paragraph 023 of National Planning Practice Guidance and Section 4 of the Cambridgeshire Flood and Water Supplementary Planning Document.

Foul water

10.33. In respect of foul water drainage, the applicant proposes to discharge foul water into the existing mains sewer, which is the most sustainable foul water drainage solution providing there is available capacity for the required flows.

It is noted that the objections received from Wimblington Parish Council and several residents raise concerns regarding existing foul water drainage issues and foul water drainage impacts of the proposed development.

10.34. There is conflicting response within the above comments from Anglian Water regarding the potential capacity at Doddington WRC, which officers sought to clarify, but received no direct response. However, the applicant has provided additional evidence in the form of a Pre-Planning Assessment Report from Anglian Water (dated 07.04.25) which states: "This site is within the catchment of Doddington water recycling centre (WRC), which currently can accommodate the additional flows generated by the proposed development."

10.35. Notwithstanding, Anglian Water have considered the use of a condition relating to a foul water scheme to be submitted and approved prior to commencement should the application be recommended for approval. On the basis that Officers have not been provided with any technical grounds with which to challenge the foul water drainage impacts of the proposed development, there are no sufficient planning reasons to refuse the planning application on this basis. However, any approval should include an appropriate negative condition to ensure the proposed foul water drainage scheme can be accommodated, in consultation with Anglian Water.

Flooding and Drainage Conclusion

10.36. The proposed development is located partly within a known area of medium-high risk of surface water flood risk. The application fails to pass the Sequential Test in relation to surface water flood risk and fails to demonstrate that acceptable safe access and egress from the site can be achieved.

10.37. The proposed development therefore has unacceptable surface water flood risks, placing future occupiers at an unwarranted risk of flooding, contrary to policies LP12 and LP14 of the Local Plan, Paragraphs 174 & 181 of the National Planning Policy Framework, Paragraph 023 of National Planning Practice Guidance and Section 4 of the Cambridgeshire Flood and Water Supplementary Planning Document.

Public Right of Way

10.38. A public right of way runs along the western boundary of the site, it would appear that a section of the right of way near the junction with Bridge Lane merges with the site access and is to is to be hard surfaced. The Definitive Map Officer has been reconsulted and has stated that surface change will require separate authorisation.

10.39. Policy LP2 and LP15 of the FLP and paragraph 115 of the NPPF seek to achieve safe and suitable access for all users. The legal width of the PROW is unknown and as such there is no guarantee that a well-designed, safe and sustainable access can be achieved. However, as the Definitive Map Officer has not objected to the scheme the matter has not been included as a reason for refusal.

Biodiversity Net Gain & Ecology

10.40. Local Plan policies LP16 and LP19 outline a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat with respect to development within Fenland.

10.41. In accordance with the requirements of the Biodiversity Checklist, the applicant submitted an Ecological Impact Assessment (EIA) by a qualified ecologist that concluded that subject to successful implementation of mitigation measures and other safeguards, that can be secured by condition, no significant adverse effects are predicted to ecology or biodiversity as a result of the proposed. The EIA was reviewed by the Council's Ecology team who considered the EIA to be acceptable and reasonable.

10.42. 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.

10.43. 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 however, none of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is required to be approved before development is begun.

10.44. Notwithstanding, a recommended condition could be imposed, which would require a consideration of achieving measurable net gain and biodiversity enhancements in accordance with Local Plan policies LP16 and LP19 and Chapter 15 of the NPPF.

11 CONCLUSIONS

11.1. This application seeks to provide up to 9 dwellings in an area of open countryside away from the established settlement of Wimblington and in an area at risk of surface water flooding.

11.2. The previous refusal of an application on this site for a similar development (F/YR23/0241/O) included a number of reasons, summarised as:

1) In depth development within an area of rural character, contrary to Policies LP3, LP12 and LP16.
2) Lack of ecological surveys to evidence that no habitats or species would be detrimentally impacted by the development, contrary to Policies LP16 (b) and LP19.
3) Lack of appropriate assessment of flooding from all sources at the site, (in particular surface water flooding) contrary to Policy LP12 Part A (k) and Policy LP14.

11.3. With respect to reason for refusal 1, the locational circumstances of the site and the unacceptable principle of development in such a location has not changed since the earlier refusal. The proposal would result in large scale

in-depth development in an area rural in character and characterised mainly by frontage development and would erode an important visual gap and area of separation between this part of Bridge Lane and the main built form of Wimblington, contrary to Policies LP3, LP12 and LP16 of the adopted Fenland Local Plan. Thus, this reason for refusal must remain.

11.4. Details submitted with the current application have reconciled concerns regarding a lack of demonstrable evidence in respect of matters of ecology and biodiversity (reason for refusal 2 above); the details have been agreed by the relevant statutory consultees. Accordingly, this reason for refusal can be removed.

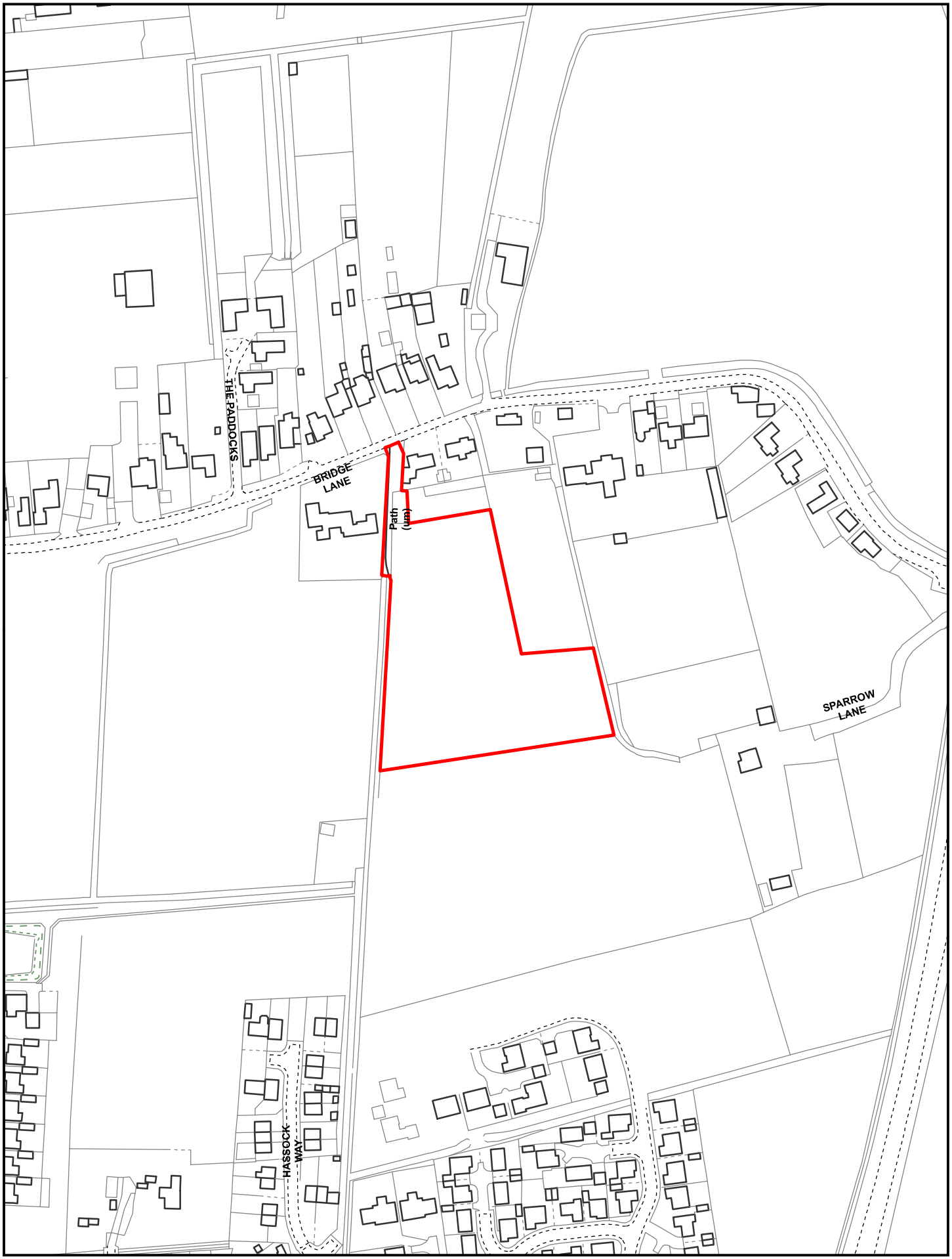
11.5. Finally, notwithstanding the submitted flood risk assessment and drainage strategy, the application fails to pass the Sequential Test in relation to surface water flood risk and fails to demonstrate that acceptable safe access and egress from the site can be achieved, contrary to policies LP12 and LP14 of the Local Plan, Paragraphs 174 & 181 of the National Planning Policy Framework, Paragraph 023 of National Planning Practice Guidance and Section 4 of the Cambridgeshire Flood and Water Supplementary Planning Document. Accordingly, this reason for refusal must remain.

11.6. As evidenced by the previous refusal it is considered that there are 'in-principle' objections to developing this site, along with remaining concerns regarding surface water flood risk and as such the recommendation is to refuse the application.

12 RECOMMENDATION

Refuse; for the following reasons:

1	The proposal would result in large scale in-depth development in an area rural in character and characterised mainly by frontage development and would erode an important visual gap and area of separation between this part of Bridge Lane and the main built form of Wimblington. The proposal is therefore contrary to Policies LP3, LP12 and LP16 of the adopted Fenland Local Plan.
2	The proposed development is located partly within a known area of medium-high risk of surface water flood risk. The application fails to pass the Sequential Test in relation to surface water flood risk and fails to demonstrate that acceptable safe access and egress from the site can be achieved. The proposed development therefore has unacceptable surface water flood risks, placing future occupiers at an unwarranted risk of flooding, contrary to policies LP12 and LP14 of the Local Plan, Paragraphs 174 & 181 of the National Planning Policy Framework, Paragraph 023 of National Planning Practice Guidance and Section 4 of the Cambridgeshire Flood and Water Supplementary Planning Document.



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F/YR25/0058/O

Scale = 1:2,500

N

Fenland CAMBRIDGESHIRE
Fenland District Council

General Notes

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

Schedule

9 No. 4 bed detached dwellings

SITE PLAN KEY

- Indicates surrounding buildings - from OS Location Plan
- Indicates existing trees to be protected and retained
- Indicates site access to Cambs Highways specification
- Indicates proposed new dwellings
- Indicates proposed 1.8m high close boarded fence
- Indicates position of proposed trees
- Indicates proposed permeable block paving
- Indicates proposed parking spaces
- Indicates proposed grassed areas
- Indicates visitor parking spaces
- Indicates private access road built to adoptable standard, finished with permeable tarmac
- Indicates public seating area
- Indicates 1.5m tarmac planings footpath adj. to shared access road
- Indicates proposed hedge
- Indicates proposed dyke to be reinstated

Status

FOR APPROVAL

SWANN EDWARDS ARCHITECTURE

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

Job Title
Proposed Residential Development
Bridge Lane, Wimblington
March, Cambs
For: Mr P Gumbley

Drawing Title
Outline Planning Drawing
Site and Location Plan

Date	Drawn by
December 2022	G.E.
	Checked by J.B.
Job No. SE-1896	Sheet Size A1
Dwg No. PP1000	Revision G

Swann Edwards Architecture Limited ©

F/YR25/0106/PIP

Applicant: Mr T Jarvis **Agent: Jordan Trundle**
Peter Humphrey Associates Ltd

Land South Of 171-183, Front Road, Murrow, Cambridgeshire

Permission in principle to erect up to 4 x dwellings and the formation of a new access

Officer recommendation: Refuse

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

Government Planning Guarantee

Statutory Target Date For Determination: 12 March 2025

EOT in Place: Yes

EOT Expiry: 9 May 2025

Application Fee: £3018

Risk Statement:

This application must be determined by 9 May 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 permission in principle for the residential development of up to four dwellings on the site with matters for consideration limited to location, land use and amount of development proposed.
1.2.	This scheme is clearly contrary to Policy LP3 of the Fenland Local Plan which relates to 'settlement hierarchy' as it is not infill development within a designated small village.
1.3.	Paragraph 8 of the NPPF places substantial emphasis on sustainability requiring the LPA to consider the services and facilities available to the residents and the options for access of services and employment as one of the key threads of sustainable development.
1.4.	This development whilst within walking distance of village facilities is considered unsustainable given the extent of available facilities and services within the small village of Murrow, this being clearly evidenced in two recent appeal decisions (2014 and 2018) which relate to the same site.
1.5.	Against this backdrop there can be no other recommendation than one of refusal given that the scheme is contrary to both local and national policies, as discussed in more detail below.

2 SITE DESCRIPTION

2.1 The site comprises an area of agricultural land which, notwithstanding the presence of individual trees on the highway frontage, and the landscaping on its south-western boundary, is relatively open. The site is therefore typical of the open, level and expansive landscape characteristic of the area; however, it does not contain any noteworthy landscape features. It does however afford views from the highway to the countryside beyond.

2.2 Development to the northern side of Front Road within the immediate vicinity comprise modestly proportioned bungalows set back from the highway behind generally open front gardens with little, or only low level, boundary treatment. Despite being set down from the highway the buildings are quite visible when travelling along it. Whilst of no particular architectural merit, these characteristics ensure that they provide a smooth transition from the settlement to the open countryside.

2.3 There is at depth development immediately to the south-west of the site and to the west of the site fronting Front Road is a Grade II Listed Building Hollycroft Farm. There is an area of vacant grass land and associated landscaping together with the access to a small development of dwellings separating the application site from the listed building.

2.4 The site is within a Flood Zone 1 area and is bounded to the south and east by agricultural land.

3 PROPOSAL

3.1 The 'Permission in Principle' (PIP) application is for residential development of up to 4 dwellings at the site. 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,

and establishes whether a 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.

3.2 Although not a requirement of a PIP application, the application is supported by an indicative site plan, showing four dwellings with attached garages, utilising a shared single access from the public highway to a shared driveway. Parking and turning is shown to the front of the dwellings with garden space to the rear.

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/YR17/1103/O	Erection of up to 3 x dwellings (Outline application with all matters reserved) *Land East Of Hollycroft House 180 Front Road Murrow*	Refused 01.02.2018 Appeal Dismissed 16.10.2018
F/YR13/0914/F	Erection of 3 x 3-storey 6-bed dwellings with attached double garages and 2.4 metre high (max) brick wall with gates *Land East Of Hollycroft House 180 Front Road Murrow*	Refused 29.01.2014 Appeal Dismissed 22.10.2014

5 CONSULTATIONS

5.1. **Wisbech St Mary Parish Council**
We did not have an opportunity to discuss this at full council, however I contacted councillors for their views. All councillors who responded viewed this application positively and supported this.

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

5.3. **Cambridgeshire County Council Highways Authority**
Recommendation
On the basis of the information submitted, from the perspective of the Local Highway Authority, I have no objection to the principal of the development in this location.
Comments
This application seeks to establish the principal of a development in this location, only. Therefore, all and any highways requirements cannot be determined at this time and will be subject to later planning submission information and approval/s. The submitted information does however show the correct inter-vehicle visibility splays and appropriate sized vehicle access. There is also a footway leading to the property and enough space shown internally for vehicles to park and turn, so as to enter the highway in a forward gears.

5.4. **Senior Archaeologist (CCC)**
I am writing regarding the archaeological implications of the above referenced planning application. The proposed development lies within an area of archaeological potential lying just to the south of one of the mains roads through the small fen settlement of Murrow. Murrow itself and in particular the development site lies over a Roddon deposit or ancient silted river channel. These form bands of slightly firmer raised ground throughout the fen and therefore have been heavily exploited through history as settlement locations, and indeed are still favoured today. The Roddon runs from Parsons Drove in the north west to Guyhirn in the south east. Crop marks both north and south of Murrow indicate a trackway and associated

settlement morphological very likely of Roman date (Cambridgeshire Historic Environment Record 03805, 10656, 03872A). Although cropmarks are less clear through the proposed development area this is due to planting conditions and the cropmarks indicate features continuing within the development area. A find spot is recorded within the redline, of medieval building material interpreted as briquettage indicating the close proximity of a medieval salt works (CHER 07888). Just to the east further medieval finds were found (CHER MCB19505) and to the west archaeological investigations found substantial medieval boundary ditches (CHER MCB16313).

Whilst this site lies in an area of relatively high archaeological interest we are however content that no works are required prior to determination of an application and consequently we wish to raise no objections for this application to secure Planning In Principle, however we would request to be consulted on any future planning application for development within the redline area indicated, with the expectation that a condition on development, could be secured at Technical Details stage.

5.5. **Environment & Health Services (FDC)**

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

5.6. **Local Residents/Interested Parties**

Objectors

The LPA received five letters of objection to the scheme from five local address points along Front Road, Murrow – it should be noted these address points are immediately within the vicinity of the site. Reasons for objection can be summarised as:

- Concerns over increased traffic;
- Impact on local services such as schools, doctors and infrastructure;
- Unsustainable, with heavy reliance on motor vehicles for transport;
- Concerns over wildlife impacts;
- Concerns over light ingress;
- Similar applications on this site have been refused twice and dismissed at appeal – nothing has changed since these;
- Concerns over flooding and drainage;

Supporters

The LPA received six letters of support for the scheme from five address points within Murrow, including Front Road, Back Road and Murrow Bank. These were received in a pro-forma format, which stated:
"Having looked at this application I feel that planning approval should be given for the proposed plots.

The site is in a good location on Front Road, Murrow within the village boundary.

I am in full support of this application."

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
Chapter 15 – Conserving and enhancing the natural environment
Chapter 16 - Conserving and enhancing the historic environment

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

Determining a Planning Application

7.3. **National Design Guide 2021**

Context
Identity
Built Form
Movement
Nature
Homes and Buildings
Resources
Lifespan

7.4. **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
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**
DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

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
LP18: Development in the Countryside
LP22: Parking Provision
LP23: Historic Environment
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP32: Flood and Water Management
LP62: Residential site allocations in Murrow

8 KEY ISSUES

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

9 BACKGROUND

9.1. Although given an alternative site address on the current application, this application site has been subject to two previous outline planning application refusals and subsequent dismissals at appeal.

9.2. The first was refused under delegated powers in early 2014 (F/YR13/0914/F); this scheme whilst in outline form with no matters committed was accompanied by an illustrative design for 3 x 3 storey 6-

bedroom dwellings. The description of development in respect of this proposal was explicit however i.e. Erection of 3 x 3-storey 6-bed dwellings with attached double garages and 2.4 metre high (max) brick wall with gates and it was on this basis the submission was considered.

9.3. Following on from the refusal this earlier scheme an appeal was submitted to the Planning Inspectorate, this was subsequently dismissed.

9.4. The Planning Inspector in their consideration of the appeal noted that Murrow had a small range of services within reasonable walking distance of the site, including a shop, school and public house. Whilst it was acknowledged that occupiers of the proposed dwellings may support the retention of those services in accordance with the objective at paragraph 28 of the National Planning Policy Framework ('Framework') it was further recognised that the village did not appear to have many employment opportunities, or other facilities to meet the day-to-day needs of its inhabitants and that although there was a bus service to destinations including Peterborough, the frequency of those services was limited.

9.5. Against this backdrop the Planning Inspector concluded that given the limited range of services and amenities available in the village, the occupants of these three large family-sized dwellings would be highly likely to be reliant on the private car to meet many of their day-to-day needs. For the reasons above the Planning Inspector concluded that the site was not an infill plot, and that a proposal of this scale at the edge of this Small Village would conflict with the relevant parts of policies LP3 and LP12 of the Local Plan and the sustainability objectives that underpin them.

9.6. The Planning Inspector also upheld the view that the large three storey dwellings proposed whilst not being contrary to the pattern of development in the village in terms of location would, in terms of their scale and form, create a very abrupt transition to and from the open countryside.

9.7. More recently, F/YR17/1103/O was refused by Planning Committee in early 2018 in accordance with officer recommendation; this scheme was outline in nature with all matters reserved, for the erection of up to 3 dwellings. Following refusal by the Council, an appeal was lodged but ultimately dismissed by the Inspectorate.

9.8. In their consideration of the appeal, the Inspector considered that, in his view, the appeal site would not be in an isolated location in the context of the relevant paragraphs of the NPPF.

9.9. However, they went on to state that they shared the view of the previous Inspector that the appeal site cannot be considered an infill plot for the purposes of LP Policy LP3 and would extend the built-up area to the south of the road into the open countryside. Concluding the proposed development in this location would not form an infill plot and would conflict with the relevant part of Policy LP3.

9.10. The harm, they considered, would conflict with the environmental objective of sustainable development would not therefore amount to sustainable development in the terms of the Framework and Policy LP1 which sets out

the presumption in favour of sustainable development in line with the Framework.

10 ASSESSMENT

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

Location

10.2. Policy LP3 of the 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.

10.3. The circumstances of this site have not changed since the earlier appeal decisions discussed above. Furthermore, the Fenland Local Plan 2014 remains the current development plan by which to assess current applications, as was the case during determination of the earlier applications.

10.4. In terms of the FLP the scheme would not accord with Policy LP3 given that Murrow is a small village where development would be considered on its merits but would normally be limited in scale to residential infilling or development of a limited scale. This scheme represents neither infill development nor, in the context of the site/settlement, development of a limited scale. This is supported by the previous appeal decisions highlighted in the Background section above.

10.5. The NPPF position would be similar even without a settlement hierarchy as the locational disadvantages of the site in terms of its lack of facilities are such that the site could not be deemed sustainable location as previously considered by Inspectors.

10.6. In addition, Policy LP12 Part A requires sites to satisfy particular criteria, to ensure the proposal 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 or property in danger from identified risks.

10.7. Policy LP16 (d) seeks to ensure that development makes a positive contribution to the local 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 street scene, settlement pattern or landscape character of the surrounding area.

10.8. With regards the effect of the proposal on the pattern of development in the village it is acknowledged that housing on this side of the settlement

continues for some distance along both Front Road and Back Road. Consequently, although the proposal would extend development along the south side of Front Road, it would be opposite existing housing, and would not significantly extend the linear form of the settlement or have a harmful effect on its shape.

10.9. Although the site is prominently located on the edge of the village, it does not form an important gap in the settlement, and its generally open characteristics, although typical of the area, do not form an important landscape feature. It is not considered that a development as illustrated would be contrary to the pattern of development in the village as such in principle development of this site may be considered, subject to detailed design, to be compliant with Policies LP12 and LP16.

10.10. Notwithstanding, this scheme is clearly contrary to Policy LP3 of the Fenland Local Plan which relates to 'settlement hierarchy' as it is not infill development within a designated small village.

10.11. With regard to the consultation draft to of the emerging Local Plan, the site has been allocated within the emerging plan (LP62.01). However, it should be noted that in the Draft Local Plan Consultation: Report on Key Issues Raised (May 2023) this site allocation has unresolved objections. Accordingly, it may be such that this site allocation may not come to fruition within any adopted version of the new local plan. Notwithstanding, given the very early stage which the emerging Local Plan is at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making.

10.12. Furthermore, for the sake of completeness and with due regard to the earlier appeal decisions at the site, the proposed scheme, in respect of its location, has also been assessed against Paragraph 8 of the NPPF, which states:

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives);

- ***an economic objective*** *– to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*

- ***a social objective*** *– to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*

- ***an environmental objective*** *– to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising*

waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

10.13. In respect of this proposal the development of this site will further the sustainability objectives as follows:

Economic Objective: The provision of housing, especially in light of the current deficiency in supply will contribute to the economic success of the District. It is recognised that the construction of the development would provide some employment for the duration of the work contributing to a strong responsive and competitive economy. Whilst it could also be argued that there may be some potential for increased expenditure with regard to local facilities the limited facilities on offer are such that this does not render the site location as sustainable. Such a stance was clearly referenced in the earlier appeal decisions which highlighted in the Background section the limited services available and the poor public transport links. A reliance on private modes of transport and the lack of services within the village illustrate that the scheme does not accord with the sustainability objectives of the NPPF.

Social Objective: There will be limited opportunities for community cohesion in the wider locality of the settlement given the relationship of the site to the main village. The proposal has a benefit of 3 houses, offering the opportunity for residents to settle in the locality. However whilst the residents will be within walking distance of the main village core this in itself offers only limited services and facilities to support community cohesion.

Environmental Objective: It is considered that any environmental impacts of the scheme in terms of its visual presence would not be so significant, subject to detailed design and appropriate mitigation where necessary, as to render the scheme unacceptable in terms of how it would relate to its surroundings and neighbouring dwellings. However as indicated above the intended occupants of the dwellings will be reliant on private modes of transport and as such the scheme fails to represent sustainable development in this regard. There will be significant adverse impacts accruing in terms of the scheme's sustainability in locational terms.

Planning Balance

10.14. As indicated above the scheme has no sustainability credentials over and above a limited economic benefit during the construction phase in terms of goods and services. Its social and environmental credentials are neutral at best in terms of the opportunities the development will afford future residents and the character of the streetscene. However, there are clear indications that to allow growth, other than small scale infill, within the village of Murrow is unsustainable. This recommendation firmly adheres to the views of the Planning Inspectors in respect of the earlier appeal decisions on this site.

10.15. There is a direct correlation between the aims of the Fenland Local Plan and the NPPF and a clear planning argument to resist this development as being in an unsustainable location.

10.16. It is however noted that Planning Inspector considered the location to be within walking distance of local facilities. Whilst this is factually correct, there

was a clear caveat contained within the Appeal decision in that whilst residents could walk to facilities the facilities in themselves were limited which rendered the location, and indeed the village unable to deliver sustainable development.

10.17. It is concluded therefore that, owing to its location, the proposal would not amount to sustainable development in the terms of the NPPF and Policy LP1 which sets out the presumption in favour of sustainable development, in line with the NPPF. Furthermore, provision of the up to four dwellings in this location would not form an infill plot and would be in conflict with Policy LP3.

Use

10.18. Policy LP12 (i) states that development should not result in the loss of high grade agricultural land or if so comprehensive evidence is provided to justify the loss.

10.19. Paragraph 187(b) of the NPPF states that decisions should recognise the intrinsic character and beauty of the countryside….including the economic benefits of the best and most versatile agricultural land. Grades 1, 2 and 3a agricultural land fall within this category. The application site is Grade 1 agricultural land. No justification was provided in respect of the loss of such land.

10.20. A large proportion of agricultural land in Fenland District is best and most versatile land. There is insufficient information upon which to assess what the loss the land might mean for the District as a whole. However, the Council has rarely refused applications by virtue of the loss of agricultural land, given the quantity of such land within the District. It is therefore considered unreasonable to justify a reason for refusal on this basis.

10.21. Considering the land use in relation to surrounding land uses, the use of the land for residential purposes, in principle, would not give rise to unacceptable impacts on surrounding residents by reason or noise or disturbance or vice versa.

Amount of Development Proposed

10.22. The application seeks Permission in Principle for up to four dwellings on a site of approximately 0.6ha which would equate to an appropriate development density in the context of the area. The submitted indicative site plan indicates an appropriate layout can be achieved, with parking/turning and private amenity space. The development could comfortably be accommodated on-site without being considered as overdevelopment. However, the detailed layout and design would be for consideration at the Technical Details stage. In terms of consideration of amount, the proposal is acceptable.

Other Matters

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

10.24. **Highway safety** – No objection was raised by the highways authority in respect of the principle of development for residential use. Notwithstanding, details regarding safe and convenient access would need to be fully reconciled at the Technical Details stage to ensure the scheme complies with Policy LP15.

10.25. **Heritage** – It is contended that the separation between the Grade II Listed Building, Hollycroft Farmhouse, together with likely intervening boundary treatments and/or landscaping would be such that the proposal would be unlikely to affect the setting of the Listed Building. Notwithstanding, details regarding heritage impacts of the scheme would need to be fully reconciled at the Technical Details stage to ensure the scheme complies with Policy LP18.

10.26. **Impact on biodiversity/BNG** – The LPA duty under Section 40 of the Natural Environment and Rural Communities Act 2006 as amended, has been considered.

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.

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.

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.

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, unless appropriate exemptions were to apply.

10.27. **Working Time Restrictions** – 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.

10.28. **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.

Additional considerations

10.29. No conditions can be attached to a grant of Permission in Principle in accordance with the NPPG advice (Paragraph: 020 Reference ID: 58-020-20180615).

11 CONCLUSIONS

11.1. The application seeks permission in principle for the residential development of up to four dwellings on the site with matters for consideration limited to location, land use and amount of development proposed.

11.2. This scheme is clearly contrary to Policy LP3 of the Fenland Local Plan which relates to 'settlement hierarchy' as it is not infill development within the designated small village of Murrow.

11.3. Moreover, the proposal would not amount to sustainable development in the terms of the NPPF and Policy LP1 which sets out the presumption in favour of sustainable development, in line with the NPPF.

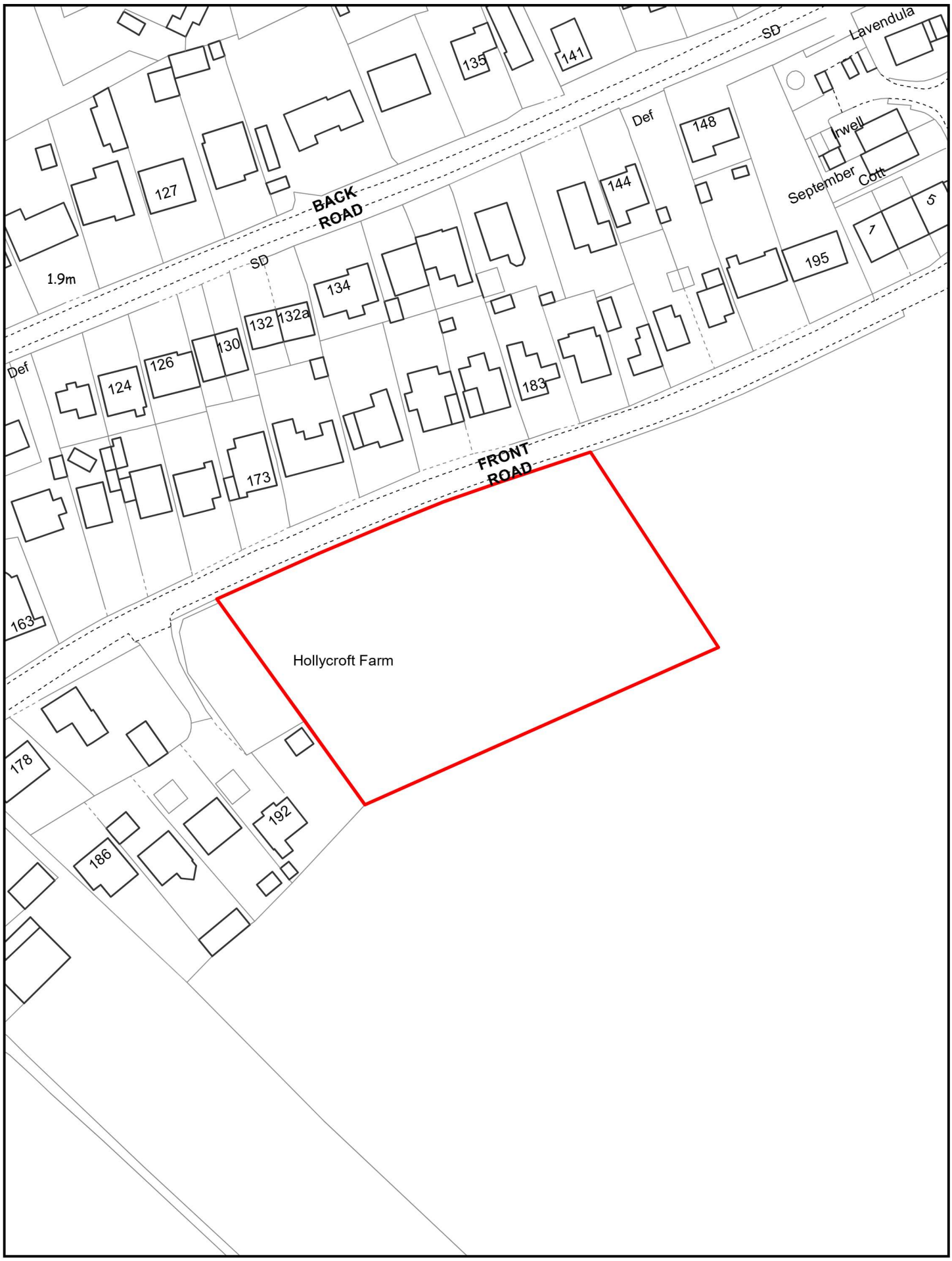
11.4. The above assessment has been supported with due regard to the site planning history, which includes two refused applications and dismissed appeals for similar development proposals under the current development plan. Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, Officers consider there are no overriding material considerations to indicate a departure from the development plan is warranted in this instance.

11.5. Notwithstanding any matters that can be resolved at Technical Details Stage, the principle of development of this site is opposed on the basis of the intended location of the development, and thus the recommendation is to refuse permission in principle.

12 RECOMMENDATION

Refuse, for the following reason;

1	Policy LP1 of the Fenland Local Plan (2014) sets out the presumption in favour of sustainable development, underpinned by the sustainability objectives of the NPPF. Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district, and defines Murrow as a 'small village' where development may be permitted on its merits but normally limited to small scale residential infilling. In the context of the site/settlement, the proposed development represents neither infill development nor development of a limited scale and would result in up to four additional dwellings within a small village which offers limited local services and employment opportunities, with a burden of reliance of private vehicles to access goods and services. Therefore, the proposal is considered unsustainable development contrary to the aims and objectives of the NPPF and Policies LP1 and LP3 of the Fenland Local Plan, adopted May 2014.



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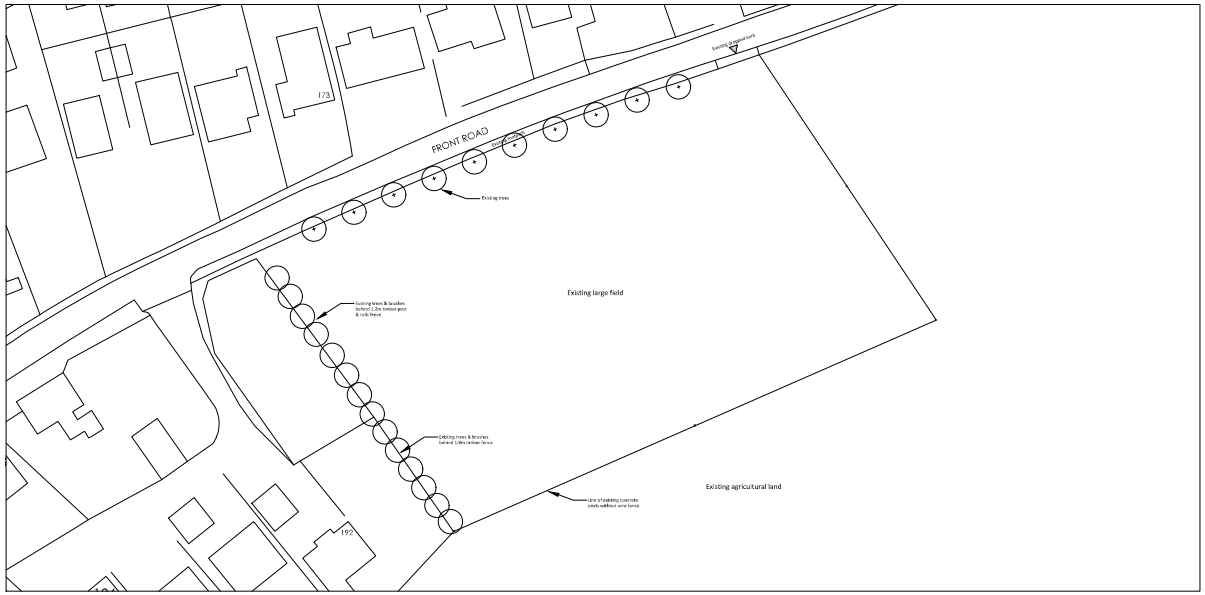
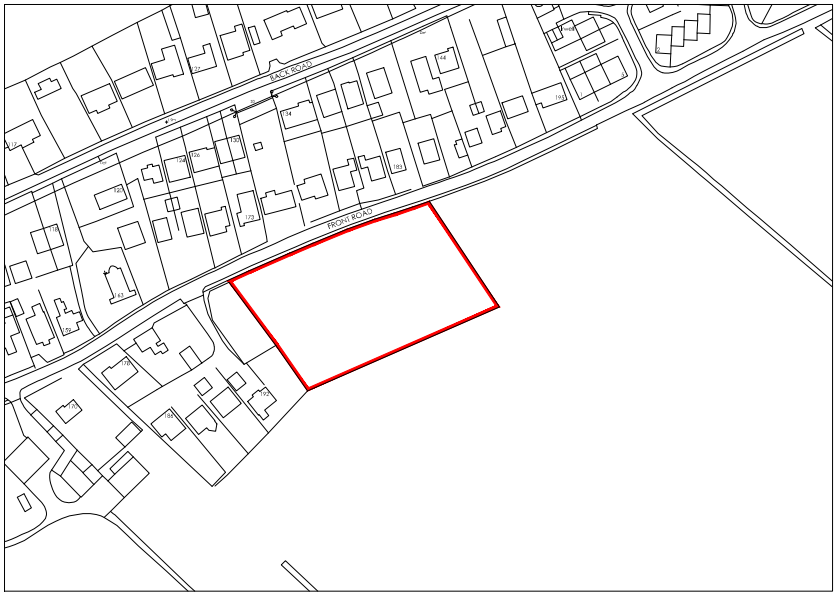


EXISTING SITE PLAN 1:500

0m 10 20 30 40 50m

N



LOCATION PLAN 1:1250

0m 25 50 75 100 125m

N

INDICATIVE SITE PLAN 1:500

0m 10 20 30 40 50m

N

SITE PLAN KEY

- 5.0m Wide Access
- Permeable Hard Surface
- Gravel Surface
- Paving / Patio (Indicative Layout)
- Lawned Grass (Seeded or Turf)
- Trees
- Hedges
- 2.4m x 43m Visibility Splay
- 1.8m Access Gate

REVISIONS

PETER HUMPHREY ASSOCIATES

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CLIENT
MR T JARVIS

PROJECT
PROPOSED RESIDENTIAL DEVELOPMENT

SITE
LAND SOUTH OF 171 - 183
FRONT ROAD
MURROW
CAMBS
PE13 4JQ

DRAWING
PERMISSION IN PRINCIPLE DRAWING

JOB NO.	PAPER SIZE	DATE
7101/PIP01	A1	DEC 2024

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

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F/YR24/0610/F

Applicant: K Codona
Carta Developers

Agent : Stuart Carruthers
Carta Developers

Land East Of Dragonfly Cottage, Seadyke Bank, Murrow, Cambridgeshire

Change of use of land for the stationing 4 x residential mobile homes on 2 x pitches, formation of hardstanding and access and post and rail boundary fence (1.5 high max)

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

Government Planning Guarantee

Statutory Target Date For Determination: 17 September 2024

EOT in Place: Yes

EOT Expiry: 8th May 2025

Application Fee: £578

Risk Statement:

This application must be determined by the 8th of May 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

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1 EXECUTIVE SUMMARY

1.1 This full planning application on Land East of Dragonfly Cottage, Seadyke Bank, Murrow seeks a change of use of land for the stationing of 4 x residential mobile homes on 2 x pitches, the formation of hardstanding, a new tarmac access, and the erection of a post and rail boundary fence to a maximum height of 1.5 metres.

1.2 Two previous applications for the stationing of four static caravans on this site were refused under references F/YR15/0686/F and F/YR17/0170/F. The applications were refused on flood safety grounds and the lack of a sequential test.

1.3 The proposal engages the tilted balance on the basis of a lack of 5-year land supply for Gypsy & Traveller pitches in the district. It is considered that the proposal is acceptable in principle, on balance, by contributing towards achieving the required supply.

1.4 It is acknowledged that there is a policy conflict in respect of flood risk by virtue of the site's location in Flood Zone 3. However, it is considered that this is sufficiently mitigated by the measures set out in the submitted Flood Risk Assessment. Additionally, the proposal is considered to meet the Exceptions Test by making a direct contribution to an identified need for Gypsy and Traveller accommodation within Fenland.

1.5 The proposal is considered to be acceptable in terms of the overall planning balance and it is therefore recommended that permission is granted in this instance subject to conditions controlling highway impacts, future use of the site and appropriate drainage measures.

2 SITE DESCRIPTION

2.1 The site is outside the built-up settlement of Murrow, in an area of linear development. The site is currently overgrown, with an agricultural access track beyond the western boundary. The site gently slopes away from Seadyke Bank before flattening out toward the rear of the site. The front and rear of the site have open boundaries, with a 2.5 metre high hedge beyond the access track to the south-west adjacent to the side elevation of Dragonfly Cottage. A hedging line of various heights is located along the north-eastern boundary, with four static caravans at a traveller site named Conifer Place beyond. This site was granted permission under reference F/0875/84/F.

2.2 To the south of the site are log cabins which are used in conjunction with the nearby fishing lakes. A business named GB Construction Partnership Ltd is located to the south-east proposal site. Semi-detached dwellings named Dragonfly Cottage and Daschside Cottage are located to the south-west of the site. Beyond the north-eastern rear boundary is Little Seadyke Drain and then arable fields.

2.3 The site and surrounding area is located entirely in Environment Agency Flood Zone 3. The centre of the site is subject to medium surface water flood risk, with low surface flood risk beyond the northern-eastern boundary along Little Seadyke Drain to the rear of the site.

3 PROPOSAL

3.1 This full planning application seeks a change of use of land for the stationing of four residential mobile homes on two pitches, the formation of hardstanding, a new tarmac access, and the erection of a post and rail boundary fence to a maximum height of 1.5 metres. A wildflower meadow is to be sited beyond the rear boundary of the site to provide access for North Level District Internal Drainage Board to maintain Little Seadyke Drain to the rear of the site. Two static caravan spaces are to be provided toward the rear of the site on a horizontal alignment, with two other static caravan spaces sited toward the side boundaries of the plot on a vertical alignment.

3.2 An indicative drawing of a static caravan has been provided that would typically be utilised on such plots. The static caravan contains two bedrooms, a bathroom, kitchen and living area. The indicative static caravan measures 3.9 metres in depth, 14.4 metres in length, has a 2.1 metre high eaves height and a ridge height of 3.25 metres. To address flood risk concerns, the finished floor levels of the caravan will be a minimum of 0.3 metres above ground level and will be secured with a ground anchor to the land.

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

Reference	Description	Decision
F/YR15/0223/F	Formation of a new vehicular access to existing field.	Granted – 28/05/2015
F/YR15/0686/F	Change of use of land to form a travellers site for siting of 4no caravans, erection of 4no washroom / toilet blocks, bin store and formation of 1.5 metre high bunding to site perimeter.	Refused – 23/12/2016
F/YR17/0170/F	Change of use of land to form a travellers site for siting of 4no caravans, erection of 4no washroom / toilet blocks, bin store and formation of 1.5 metre high bunding to site perimeter.	Refused – 20/04/2017

5 CONSULTATIONS

5.1 **Parson Drove Parish Council – 21st August 2024**

Following on from Parson Drove Parish Council meeting recommendations were given for refusal of this planning application due to:
** Building in open countryside - Fenland Local Plan 2014 LP3, LP12, LP16.*
** It was noted that North Level Internal Drainage Board have objected.*

5.2 **North Level District Internal Drainage Board – 13th August 2024**

My Board objects to the current proposal.

The Boards Little Seadyke Drain runs along the northern boundary of the site. Therefore the Boards byelaws apply.

On receipt of consent the Board is willing to relax the byelaw to 6 metres for a fenceline providing the mobile homes are sited 9 metres from the watercourse.

5.3 **Environment Agency – 23rd August 2024**

Thank you for your consultation dated 05 August 2024. We have reviewed the documents as submitted and we object to this planning application on flood risk grounds. Further information on flooding and waste can be found in the relevant sections below.

<u>Flood Risk</u>

We object to the proposed development as it falls within "Highly Vulnerable" flood risk vulnerability category that is inappropriate to the Flood Zone 3a in which the application site is located. The application is therefore contrary to the National Planning Policy Framework (NPPF) and planning practice guidance (PPG). We recommend that planning permission is refused on this basis.

<u>Reason</u>

NPPF Annex 3 classifies development types according to their vulnerability to flood risk. PPG Table 2 provides guidance on which developments are

incompatible with certain Flood Zones. This site lies within Flood Zone 3a which is land defined as having a high probability of flooding.

Vulnerability classifications

Information on the vulnerability classifications can be found in the Planning Practice Guidance associated with the National Planning Policy Framework (Flood risk and coastal change section, Flood Zone and flood risk tables).

Link: https://www.gov.uk/guidance/flood-risk-and-coastal-change#flood-zone-and-flood-risk-tables

Breach Hazard Map

Although the site is located within flood zone 3, it is outside of the breach hazard map extents. If you are minded to approve this application despite our objection, we would recommend the following condition be applied:

We recommend that all static caravans/chalets/log cabins are secured to the ground using an adequate mechanism such as chains and ground anchors and the finished floor level set at a minimum 300mm above ground level.

Where no area of safe refuge is provided, your Authority should only grant planning permission if content that the risks to the future users of the site can be managed through a robust flood warning and evacuation plan. During the preparation of the Flood Warning and Evacuation Plan, we recommend entering early discussions with your emergency planners.

Given the possible risk and vulnerability of flooding on the site as outlined above and the mitigation measures proposed within the FRA, we cannot advise that this development will be safe from tidal flood risk over the lifetime of the development.

We recognise that you as the Local Planning Authority can accept the reliance on a flood warning and evacuation plan to manage the risks to future users of the site. We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals, as we do not carry out these roles during a flood. Our involvement with this development during an emergency will be limited to delivering flood warnings to occupants/users covered by our flood warning network.

Planning practice guidance (PPG) states that, in determining whether a development is safe, the ability of residents and users to safely access and exit a building during a design flood and to evacuate before an extreme flood needs to be considered. One of the key considerations to ensure that any new development is safe is whether adequate flood warnings would be available to people using the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. As such, we recommend you refer to 'Flood risk emergency plans for new development' and undertake appropriate consultation with your emergency planners and the emergency services to determine whether the proposals are safe in accordance with paragraph 173 of the NPPF and the guiding principles of the PPG.

Waste

Advice to applicant

If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc.…' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply. Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption from us.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

• any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.

• We have produced guidance on the recovery test which can be viewed at https://www.gov.uk/government/publications/deposit-for-recovery-operators-environmental-permits/waste-recovery-plans-and-deposit-for-recovery-permits#how-to-apply-for-an-environmental-permit-to-permanently-deposit-waste-on-land-as-a-recovery-activity.

You can find more information on the Waste Framework Directive here: https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive

More information on the definition of waste can be found here: https://www.gov.uk/government/publications/legal-definition-of-waste-guidance

More information on the use of waste in exempt activities can be found here: https://www.gov.uk/government/collections/waste-exemptions-using-waste

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here: https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests

5.4 **Cambridgeshire County Council – Highways Officer – 29th August 2024**

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

I note that the application form states that a 'new or altered access to the public highway' will be required (consistent with the application description), whereas the D&A statement at Para 3.1 states the use of an existing access.

Having reviewed aerial photography for the last 20 years, there is no evidence to suggest that an access has existed in a formal manner in the location shown on the submitted drawings.

Notwithstanding the above, the formation of an access to serve the proposed development in the location proposed is acceptable in principle, noting that adequate vehicle to vehicle inter-visibility is available within the existing public highway. Revised and dimensioned drawings will be required to address the following points in order to demonstrate the acceptability of the proposed access arrangements: 1. Access to comprise a minimum width of 5m for 10m from the carriageway edge; 2. Access to be splayed 3.0 x 3.0m either side of the 5m width at the carriageway edge;

3. Access to be constructed to CCC specification within the highway verge (for circa first 3.5m from carriageway edge). Thereafter the access should be hard surfaced, sealed and drained (away from the highway) for a length of 10m from the carriageway edge; 4. Any gates should be provided at each side of the access to the adjacent residential parcels within the site, and not across the shared access itself. It is noted that Para 3.3 of the D&A states that there is ample space within the curtilage of the site of the 'storage' of touring caravans, which implies some form of wider 'storage' use. The applicant should be invited to clarify this element. Finally, the applicant should clarify the areas to be reserved within each parcel curtilage for the turning and parking of vehicles, separate from area for accommodation etc. Simply stating an entire area for hardstanding is not acceptable in this respect. I look forward to receiving further plans in due course.

5.5 **Local Residents/Interested Parties**

Representations

None

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 Parson Drove Neighbourhood Plan (2020).

6.2 The Council has a duty Under the Equality Act 2010, Section 149, to have due regard to the need to:

• eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
• advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
• foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024
Chapter 5 – Delivering a sufficient supply of homes

National Planning Practice Guidance (NPPG)
Determining a Planning Application

National Design Guide 2021

Planning Policy for Traveller Sites 2024 (PPTS)
Policy B Planning for Traveller Sites
Policy C Sites in rural areas and the countryside
Policy H Determine planning application for traveller sites
Policy I Implementation

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

Parson Drove Neighbourhood Plan 2020
Policy 1 – Housing Growth
Policy 2 – Scale of Housing Development
Policy 5 – Road and Pedestrian Safety

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
DM6 – Mitigating Against Harmful Effects

Cambridgeshire Flood and Water SPD 2016
Fenland Gypsy and Traveller Accommodation Needs Assessment (GTANA)

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
LP13: Custom and Self Build
LP14: Gypsies and Travellers and Travelling Showpeople
LP18: Development in the Countryside
LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP27: Trees and Planting
LP32: Flood and Water Management

8 KEY ISSUES

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

9 BACKGROUND

9.1 Two previous applications for the stationing of four static caravans on this site were refused under references F/YR15/0686/F and F/YR17/0170/F. The applications were refused on flood safety grounds and the lack of a sequential test.

9.2 The reason for refusal under F/YR17/0170/F stated:

Policy LP14 of the Fenland Local Plan (2014) and paragraph 100 of the National Planning Policy Framework and seeks to direct development to areas of lowest flood risk. The development is located within Flood Zone 3, the area of highest flood risk and therefore would result in highly vulnerable development being located in the area of highest flood risk. The application is required to pass a sequential test to demonstrate there are no sequentially preferable sites reasonably available that can meet the developments need. Guidance on the application of the sequential test is given in ' The Cambridgeshire Flood and Water Supplementary Planning Document' adopted by the Local Planning Authority December 15th 2016. The application failed to demonstrate there are no reasonably available sites in sequentially preferable locations available to meet the need of the development. Therefore the sequential test is considered to be contrary to paragraph 100 of NPPF, and Policy LP14 of the Fenland Local Plan (2014) and guidance in the adopted Cambridgeshire Flood and Water Supplementary Planning Document.

10 ASSESSMENT

Principle of Development

10.1 The site is situated outside of the built-up area of the settlement of Murrow and is deemed to be open countryside. Except on statutorily designated Green Belt land (not applicable anywhere in Fenland) the Planning Policy for Traveller Sites

(PPTS) (revised in December 2024) is not opposed in principle to Traveller sites in the countryside. It does however state in Policy H (paragraph 26) that Local Planning Authorities (LPAs) should *very strictly limit* new traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan.

10.2 Furthermore, paragraph 26 states that LPA's should ensure that sites in rural areas respect the scale of, and do not dominate, the nearest settled community, and avoid placing an undue pressure on the local infrastructure. In its recent decisions the Council has accepted that planning permission can be granted on sites in the countryside, having regard to Fenland Local Plan policy LP5, acknowledging that the identified need will not be met by land within existing towns and villages. As such, the principle of traveller sites in the countryside is supported. The means by which new traveller development is to be controlled are set out in further policies in the PPTS and in local policies, and these are considered below.

PPTS policies and criteria under PPTS

10.3 Policy B: planning authorities should, amongst other things, set pitch targets for Gypsies and Travellers which address likely needs in their area, working collaboratively with neighbouring local planning authorities. In producing their local plans they should:
a) identify and update annually, a supply of specific deliverable sites sufficient to provide five years' worth of sites against their locally set targets;
b) identify a supply of specific, developable sites or broad locations for growth, for years six to ten and, where possible, for years 11-15;
c) consider production of joint development plans that set targets on a cross-authority basis, to provide more flexibility in identifying sites, particularly if a local planning authority has special or strict planning constraints across its area (local planning authorities have a duty to cooperate on planning issues that cross administrative boundaries)
d) relate the number of pitches to the circumstances of the specific size or location of the site and the surrounding population's size and density;
e) protect local amenity and environment.

10.4 Paragraphs 23 and 24 of Policy H of the PPTS notes that planning law requires applications for planning permission to be determined in accordance with the provisions of the development plan, unless material considerations indicate otherwise. Applications should also be assessed and determined in accordance with the presumption in favour of sustainable development in the NPPF and the PPTS.

10.5 Paragraph 25 states that that local planning authorities should consider the following issues, amongst other relevant matters, when considering planning applications:
a) the existing level of local provision and need for sites;
b) the availability (or lack) of alternative accommodation for the applicants;
c) other personal circumstances of the applicant;
d) that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches should be used to assess applications that may come forward on unallocated sites;
e) that they should determine applications for sites from any Travellers and not just those with local connections.

10.6 As such, in respect of Policy H the following is considered:

(a) *The existing level of provision and need for Traveller pitches*

10.7 Policy LP5 Part D states there is no need for new pitches as per the findings of the Fenland Gypsy and Traveller Accommodation Needs Assessment (GTANA) update. However, due regard has also been given to recent planning appeals wherein it has been established the Council are unable to identify and demonstrate the current need for Gypsy & Traveller plots within the district and therefore are unable to demonstrate a five-year land supply in this regard. The GTANA is due to be reviewed as part of the emerging Local Plan and until this time, Officers are unable to accurately assert what the District's need is or how this will be met. In the absence of an adequate supply, significant weight in favour of the proposal must be given as a means of helping to meet the need in the district.

10.8 When having due regard to this position, the provision of additional Gypsy & Traveller plots in this development proposal weighs significantly in favour of the application, notwithstanding any harm identified and conflict with Fenland Local Plan policies arising from the location of the site. Therefore, when considering the principle of development in this instance, it is considered to be acceptable when having regard to the Council's lack of evidence to identify the need for Gypsy & Traveller pitches in the district and acknowledging that this development would offer a modest contribution towards meeting this.

(b)The availability (or lack) of alternative accommodation for the applicants

10.9 Based on the current status of the GTANA, it is concluded that the Council is unable to adequately demonstrate that they have a 5-year supply of Traveller pitches at present. Therefore, it can be reasonably concluded that the Council would be unable to confirm the availability of alternative accommodation for the applicants as per part (b) of the PPTS. Policy H states that where an authority cannot demonstrate an up to date five year supply, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of planning permission.

(c) *Other personal circumstances of the applicant*

10.10 The application would meet the accommodation need of the applicant and family and will assist in reducing/eliminating unauthorised encampments within the District whilst meeting a current unmet need.

10.11 Given the above considerations, it is considered that the principle of development on this site is acceptable.

Layout and Design

10.12 For gypsy and traveller accommodation, Policy LP5 Part D sets out criteria as to a site's suitability for occupation by those who meet the planning definition set out in Planning Policy for Traveller Sites 2015 (PPTS). Decisions are made on a "case by case" basis subject to; no conflict with national planning policy; a peaceful and integrated coexistence with the local settled community; and no unacceptably adverse impact on local character or appearance. PPTS, Policy H also sets out similar criteria for determining planning applications for traveller sites.

10.13 Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.

10.14 It is noted that there are a number of static caravans in the vicinity of the site that serve a traveller site immediately adjacent to the north-west, and a fishing lake to the south-east on the opposite side of Seadyke Bank. The development would not demonstrably detract from the rural and open character of the area and immediate surroundings given other forms of similar development within the vicinity. It is therefore considered that there will not be an adverse impact on the character and appearance of the surrounding area.

10.15 The size of the site relative to the amount of development proposed is not considered to constitute overdevelopment, providing acceptable levels of amenity space for each plot. Whilst the static homes would be placed on undeveloped land, it is immediately bordered by residential development to the east and west. This site forms an undeveloped gap within a strip of ribbon development. However, the proposal is of limited scale and it is considered that the proposed layout and design would not visually detract from the existing development in the surrounding area.

Impact on Residential Amenity / Land Users

10.16 Impact on amenity can arise as a result of a range of factors, including noise, overlooking and overbearing/overshadowing. The development is sufficiently separated from the neighbouring mobile homes and dwellings, so as not to impact on residential amenity in terms of loss of the factors outlined above. This remains the case when the raised finished floor levels of 300mm are taken into account.

10.17 Given, the proximity to adjacent development, consideration must be had with regard to amenity impact upon the nearest settled community. What comprises the “nearest settled community” is not described by the PPTS. The nearest settled community is not the same as the nearest settlement, or that phrase would have been repeated in the PPTS. Given the predominately rural nature of the surroundings, it is considered that the nearest settled community consists of the dwellings within the built-up settlement of Murrow, 430 metres away.

10.18 Notwithstanding that the site lies adjacent to an established gypsy traveller site of 4no households, there are only two dwellings from the settled community at Dragonfly Cottage and Daschside Cottage to the south-west in the immediate vicinity of the site. In this regard, the development is considered to be small scale providing a site for two pitches for static caravans in that it would not significantly further dominate the established line of dwellings at Murrow approximately 430 metres away to the south-west, where the majority of the population of Murrow reside.

10.19 Based on the above observations, there is not considered to be a material amenity impact arising from the proposed use of the site or the siting or four static caravans.

Highway Safety and Parking

10.20 The site is approximately 430 metres from the eastern edge of Murrow where key services such as a local store, public house and school are sited. It is considered that the site, whilst in relatively close proximity to these key services would not be easily accessible by foot due to the lack of footpaths which does conflict with local and national policy in respect of achieving sustainable transport options, as it would likely mean occupiers relying on private motor car for most journeys to access essential services. However, despite this, it would not be considered reasonable to conclude that the site has insufficient access to local services.

10.21 The PPTS identifies that traveller sites in the countryside can be acceptable and it can be reasonably assumed therefore that a reliance on a private motor car to access services would be common in these instances. As such, whilst the lack of sustainable travel options weighs against the scheme, it is not uncommon for such development to place a reliance on private motor vehicles to undertake most trips. Furthermore, those essential services are generally within 1 to 2 miles of the site which is considered acceptable and satisfactorily meet the day to day needs of the occupants.

10.22 There is adequate space within each pitch to provide two off road parking spaces. Whilst there is not a defined quantum for parking spaces per traveller pitch, this is considered to be acceptable amount for pitches that are likely to contain two-bedroom static caravans. The proposed access is sited on a straight road with good visibility in both directions. There is not considered to be a highway safety impact from the proposal.

Flood Risk and Drainage

10.23 The site and surrounding area is entirely located in Environment Agency Flood Zone 3 and is therefore considered to be at a high probability of fluvial and/or tidal flooding. National planning policy does not prohibit the granting of planning permission for developments in areas at high risk of flooding. While guidance exists to ensure that flood risk is appropriately assessed and mitigated, there are no absolute legal restrictions preventing development in such locations.

10.24 Policy LP14 of the Local Plan as well as Paragraph 175 of the NPPF seek new developments to adopt a sequential approach to flood risk, where new developments are steered to areas with the lowest possibility of flooding.

10.25 The Planning Practice Guidance (PPG) advises that a Sequential Test is required for planning applications in areas at risk from flooding from any source. In the case of river and sea flooding, this specifically includes land within Flood Zones 2 and 3. The fundamental objective of the Sequential Test is to steer new development to areas with the lowest risk of flooding (i.e. Flood Zone 1), in line with the risk-based approach advocated by paragraph 162 of the National Planning Policy Framework (NPPF, 2023).

10.26 The application site lies within an area of identified flood risk and, as such, the Sequential Test is engaged. However, no Sequential Test has been submitted in support of the application. While it is acknowledged that the Council cannot currently demonstrate a five-year supply of deliverable Gypsy and Traveller sites (5YHLS), this does not, in itself, disapply the requirement to undertake the

Sequential Test. As such, the application fails to satisfy the first key test for residential-led development in areas liable to flooding.

10.27 The Courts have confirmed that whilst it is generally accepted that the siting of development, in relation to flooding, should be lead through a sequential risk-based approach there may be times when it is acceptable to not take such an approach. However, this will need to be for very special circumstances and would be the exception rather than the norm.

10.28 It is, however, generally accepted that undertaking a full district-wide Sequential Test could be overly onerous and might include sites that are unrealistic or inappropriate for the type of development proposed. In such cases, a proportionate and pragmatic approach is encouraged, including through early engagement with the Local Planning Authority (LPA) to agree the scope of the Sequential Test.

10.29 In this case, no such engagement has taken place. The applicant has not approached the Council to agree reasonable parameters for the Sequential Test area or to discuss what alternative sites may be considered 'reasonably available'. Any such test should be informed by the Council's spatial strategy, local plan policies, and up-to-date evidence of land availability. Decisions on site suitability must be rooted in planning judgment, having regard to the specific nature of the development and the need for flexibility in site comparison.

10.30 As noted above, the Council cannot demonstrate a 5YHLS for Gypsy and Traveller accommodation. While this shortfall does not override the need for a Sequential Test, it is material to understanding the practical limitations in delivering such sites. Traveller sites, by their nature and planning policy position, are situated within the open countryside. Therefore, it would be appropriate for the area of search to be all open countryside areas within the District to demonstrate that there are no reasonably available sites elsewhere in sequentially preferable locations.

10.31 Recent appeal decisions have considered the matter of 'available' sites, citing the national Planning Policy for Traveller Sites (PPTS) document which identifies that to be considered developable, traveller sites should be in a suitable location and that there should be a reasonable prospect that they are available now. The Local Plan does not allocate land for any traveller sites and there is no evidence of alternative, available sites in sequentially preferable (i.e. lower flood risk) locations that could accommodate the proposal.

10.32 In this context, and given the acknowledged shortfall in supply, the nature of the development proposed, and the lack of identified alternative sites, it is considered that a refusal based solely on the absence of a Sequential Test would be difficult to sustain on appeal. There is, therefore, a reasonable basis to conclude that the site may be acceptable in flood risk terms, subject to passing the Exception Test.

10.33 The NPPF confirms that where it is not possible to locate development in zones of lower flood risk, the Exception Test may be applied. This test provides a framework for assessing whether development can proceed safely, whilst recognising the wider sustainability needs of a community.

10.34 The Exception Test comprises two elements, both of which must be satisfied:

a) Development to demonstrate that it achieves wider community sustainability benefits having regard to the district's sustainability objectives, and
b) That it can be made safe for its lifetime and will not increase flood risk elsewhere ('flood risk management')

(a) Wider community sustainability benefits

10.35 The first limb of the Exception Test requires that the development provides wider sustainability benefits to the community that clearly outweigh the flood risk. The second limb requires that the development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, reducing overall flood risk. Whilst it is ordinarily the applicant's responsibility to demonstrate compliance with both elements, the Local Planning Authority must still make its own objective assessment of the evidence and reach a reasoned conclusion on whether both parts of the test are met.

10.36 In this case, the proposal would make a direct contribution to meeting an identified need for Gypsy and Traveller accommodation within Fenland. The Council is currently unable to demonstrate a five-year supply of deliverable sites for Gypsies and Travellers, as required by both the Planning Policy for Traveller Sites (2015) and the NPPF. The proposed development would therefore assist in addressing the acknowledged shortfall in the provision of suitable accommodation for the Traveller community.

10.37 Sustainability objectives are outlined under 2.4 of the Fenland Local Plan and, relevant to this application includes, point 6.1, the aim to thrive in safe environments and decent affordable homes and point 6.3, redress inequalities related to age, gender, disability, race, faith, location and income. The proposal would align with both objectives by contributing towards a more inclusive and equitable housing strategy, ensuring that the specific needs of the Traveller community – a recognised ethnic minority group – are not marginalised. The provision of appropriate accommodation helps reduce housing inequality and supports the ability of this group to access services and participate fully in society.

10.38 Taken together, the scheme would deliver clear and measurable sustainability benefits in the form of social inclusion, housing provision, and reduced inequality. These benefits are considered to outweigh the flood risk, particularly when considered alongside the safeguards and mitigation measures addressed under the second arm of the Exception Test.

(b) Flood safety

10.39 The application was supplemented with a Flood Risk Assessment for which the Environment Agency were consulted and raised an objection. They did however confirm that the site was outside of breach extents. The Environment Agency did provide further guidance if the LPA was minded to approve the application. They recommended that all static caravans are secured to the ground and finished floor levels are set a minimum of 300mm above ground level. They also recommended a robust Flood Warning and Evacuation Plan. This can all be required through the imposition of appropriately worded conditions.

Foul and surface water drainage

10.40 With regard to drainage, North Level Internal Drainage Board have stated that they object to the proposal as their Little Seadyke Drain runs along the northern boundary of the site. However, they have stated that they require the applicant to apply for consent to discharge any water to their watercourse. Additionally, they are willing to relax the byelaw to 6 metres rather than 9m for the rear boundary fence line once byelaw consent has been granted and on the basis of the mobile homes being sited 9m from the drain. Due to the thickness of the lines on the plan an accurate distance to the fence line and mobile home positions cannot be accurately determined, although the measurements are close to 6 metres and 9 metres respectively. It is though considered that these minimum separation distances can be reasonably secured by condition.

10.41 With regard to foul water drainage this will be addressed by a package treatment plant. Further details of the treatment plant and where treated water will discharge to will be addressed by condition. Surface water drainage will be addressed by a soakaway and an existing water course. It is anticipated that surface water will discharge to Little Seadyke Drain beyond the rear boundary of the site. Further details as to how surface water will be addressed will be secure by condition.

Conclusion

10.42 It is concluded therefore, that the site, whilst located in an area at high risk of flooding, could be made safe from the effects of flooding through the proposed mitigation, secured by condition, and would not cause the risk or impacts of flooding to increase elsewhere in accordance with Policy LP14 of the Fenland Local Plan (2014)

10.43 It is also considered that the development by virtue of the natural topography, proposed permeable hardstanding and area of grassed land to the rear of the site the proposal would not increase flooding potential on Little Seadyke Drain to the rear of the site nor to the adjacent residential uses in accordance with Policy LP14 of the Fenland Local Plan (2014)

Biodiversity Net Gain (BNG)

10.44 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.

10.45 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 proposal engages the tilted balance on the basis of a lack of 5-year land supply for Gypsy & Traveller pitches in the district. It is considered that the proposal is acceptable in principle, on balance, by contributing towards achieving the required supply.

11.2 It is acknowledged that there is a policy conflict in respect of flood risk by virtue of the site's location in Flood Zone 3. However, it is considered that this is sufficiently mitigated by the measures set out in the submitted Flood Risk Assessment, along with conditions to be imposed to ensure compliance with this for the lifetime of the development.

11.3 The proposal is considered to be acceptable in terms of the overall planning balance and it is therefore recommended that permission is granted in this instance subject to conditions controlling highway impacts, future use of the site and appropriate drainage measures.

12 RECOMMENDATION

Grant; subject to the following conditions:

Section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).The applicant has been consulted on the proposed conditions and at the time of writing their confirmation of agreement is awaited. An update will be provided to Committee regarding this.

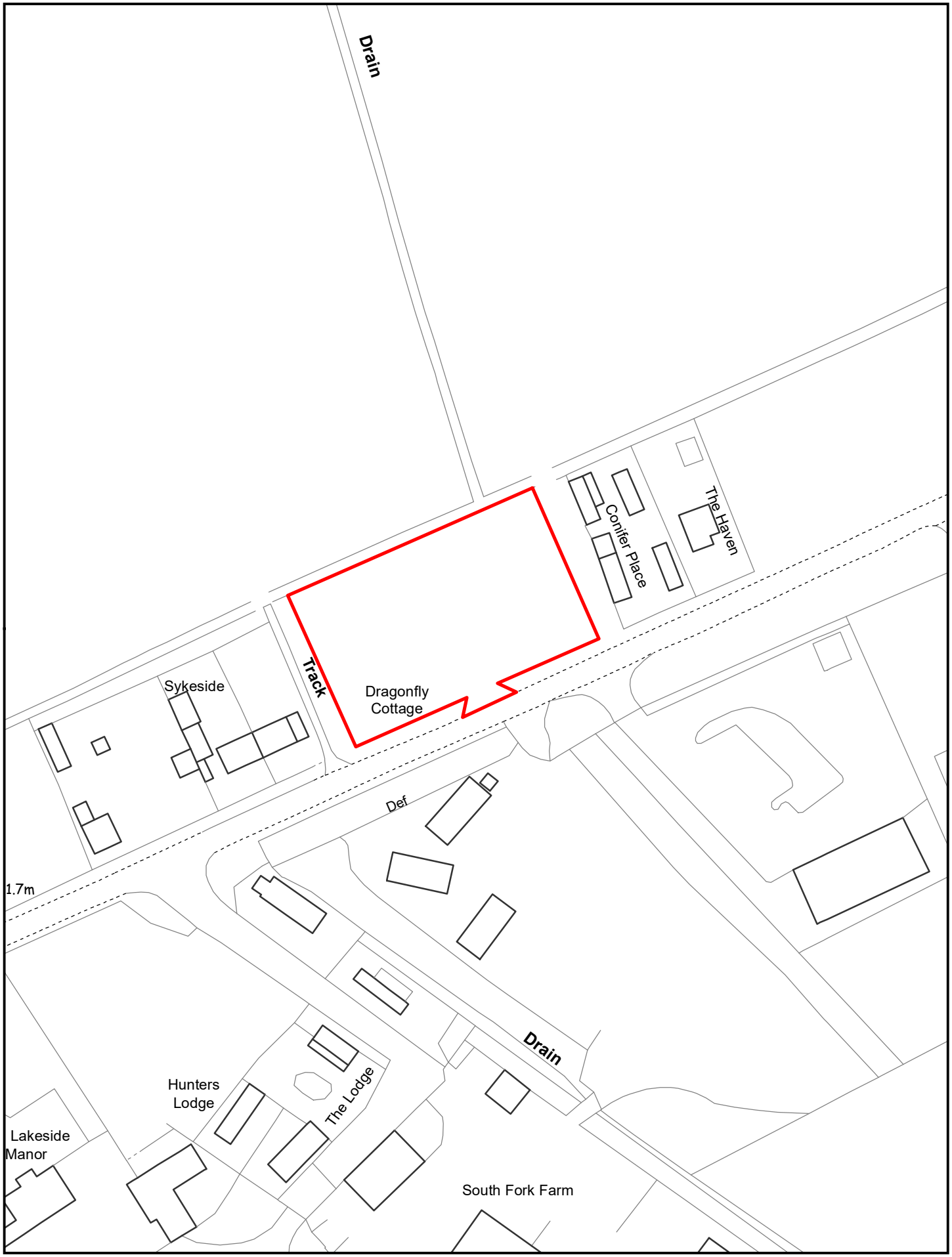
1	The development must be begun not later than the expiration of one year beginning with the date of this permission. Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.
2	The site shall be limited to two pitches, each containing no more than two caravans as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968. Reason: In order that the Local Planning Authority can control the impact of the use of the site on the locality, in accordance with Policy LP2, LP15 and LP16 of Fenland Local Plan 2014.
3	The site shall not be occupied by any persons other than gypsies and travellers as defined in Annex 1 to 'Planning policy for traveller sites' (Department for Communities and Local Government, December 2024), namely "Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such". Reason: The site is in an area where residential development other than

	in particular circumstances would be contrary to policy LP3 of the Fenland Local Plan, 2014. Planning permission has only been granted in order to provide accommodation for occupation by gypsies and travellers having regard to the specific policies for development of this nature in place at this time.
4	No development, including preparatory works, shall commence until revised and dimensioned drawings are submitted to and approved in writing to address the following points in order to demonstrate the acceptability of the proposed access arrangements: 1. Access to comprise a minimum width of 5m for 10m from the carriageway edge; 2. Access to be splayed 3.0 x 3.0m either side of the 5m width at the carriageway edge; 3. Access to be constructed to CCC specification within the highway verge (for circa first 3.5m from carriageway edge). Thereafter the access should be hard surfaced, sealed and drained (away from the highway) for a length of 10m from the carriageway edge; 4. Any gates should be provided at each side of the access to the adjacent residential parcels within the site, and not across the shared access itself. Reason: In the interests of highway safety, in accordance with Policies LP15 and LP16 of the Fenland Local Plan, 2014.
5	The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) undertaken by Stuart H Carruthers (June 2024) and the following mitigation measures it details: · The finished floor levels of the mobile homes will be at least 0.3m above ground level. · The mobile homes shall be secured with ground anchors to the land. · All residents of the site shall register with the Environment Agency Floodline Service and shall prepare an evacuation plan as recommended by the Environment Agency. These mitigation measures shall be fully implemented prior to occupation and subsequently shall be retained and maintained thereafter throughout the lifetime of the development. Note: The above approved plan does not constitute final approval of detailed site levels or finished floor levels. Reason: To reduce the risk of flooding to the proposed development and future occupants.
6	Prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

	Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place. Reason: In the interests of the character and appearance of the development and the amenity of the area in which it is set including the amenity of nearby occupiers in accordance with Policies LP16 and LP19 of the Fenland Local Plan, 2014.
7	All hard and soft landscape works shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a 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. Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan 2014.
8	No floodlights or other forms of external lighting shall be installed to serve the proposed use/development, without first gaining the approval, in writing, of the Local Planning Authority. Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit. This Condition is imposed in accordance with Policy 16 of the Fenland Local Plan, 2014.
9	No development, including preparatory works, shall commence until full details of the proposed means of foul and surface water disposal to separate systems shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems. Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding. This Condition is imposed in accordance with Policy 14 of the Fenland Local Plan, 2014 and Section 14 of the National Planning Policy Framework, 2024.
10	No commercial activities shall take place on the land, including the storage of materials.

	Reason: To protect the general amenity and character of the area in accordance with policy LP16 of the Fenland Local Plan, 2014 and Policy B and H of the Planning Policy for Traveller Sites, 2024.
11	No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site. No more than one commercial vehicle per pitch shall be kept on the land for use by the occupiers of the caravans hereby permitted, and they shall not exceed 3.5 tonnes in weight. No person other than a permanent resident of the pitch to which this planning permission relates shall bring a laden commercial vehicle to the site, or park, or keep laden commercial vehicles on the site. Reason: To protect the general amenity and character of the area in accordance with policy LP16 of the Fenland Local Plan, 2014 and Policy B and H of the Planning Policy for Traveller Sites, 2024.
12	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting that Order with or without modification) no development covered by Class A to Part 2 of Schedule 2 to that Order (the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure) shall be carried out without planning permission granted by the Local Planning Authority. Reason: To protect the general amenity and character of the area in accordance with policy LP16 of the Fenland Local Plan, 2014 and Policy B and H of the Planning Policy for Traveller Sites, 2024.
13	Space shall be made available at all times to enable the turning and parking of all vehicles calling at the site. Reason: In order to ensure the free flow of traffic along Seadyke Bank in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan, 2014.
14	No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence. Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.
15	In accordance with the submitted details, no development including fencing shall be sited within 6 metres of Little Seadyke Drain. No caravans shall be sited within 9 metres of Little Seadyke Drain. Reason: To ensure that access is made available at all times for

	maintenance of Little Seadyke Drain by North Level District Internal Drainage Board, in accordance with LP14 of the Fenland Local Plan, 2014.
16	In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported immediately to the Local Planning Authority (LPA). An investigation and risk assessment must be undertaken in accordance with details to be agreed with the LPA. Where remediation is necessary, a remediation scheme must be submitted to and approved in writing by the LPA. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved by the LPA. No deviation shall be made from this scheme without the express written agreement of the LPA. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspected contamination has been submitted to and agreed in writing by the LPA. Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policies 16 and 17 of the Fenland Local Plan, 2014.
17	Approved Plans



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Fenland CAMBRIDGESHIRE
Fenland District Council

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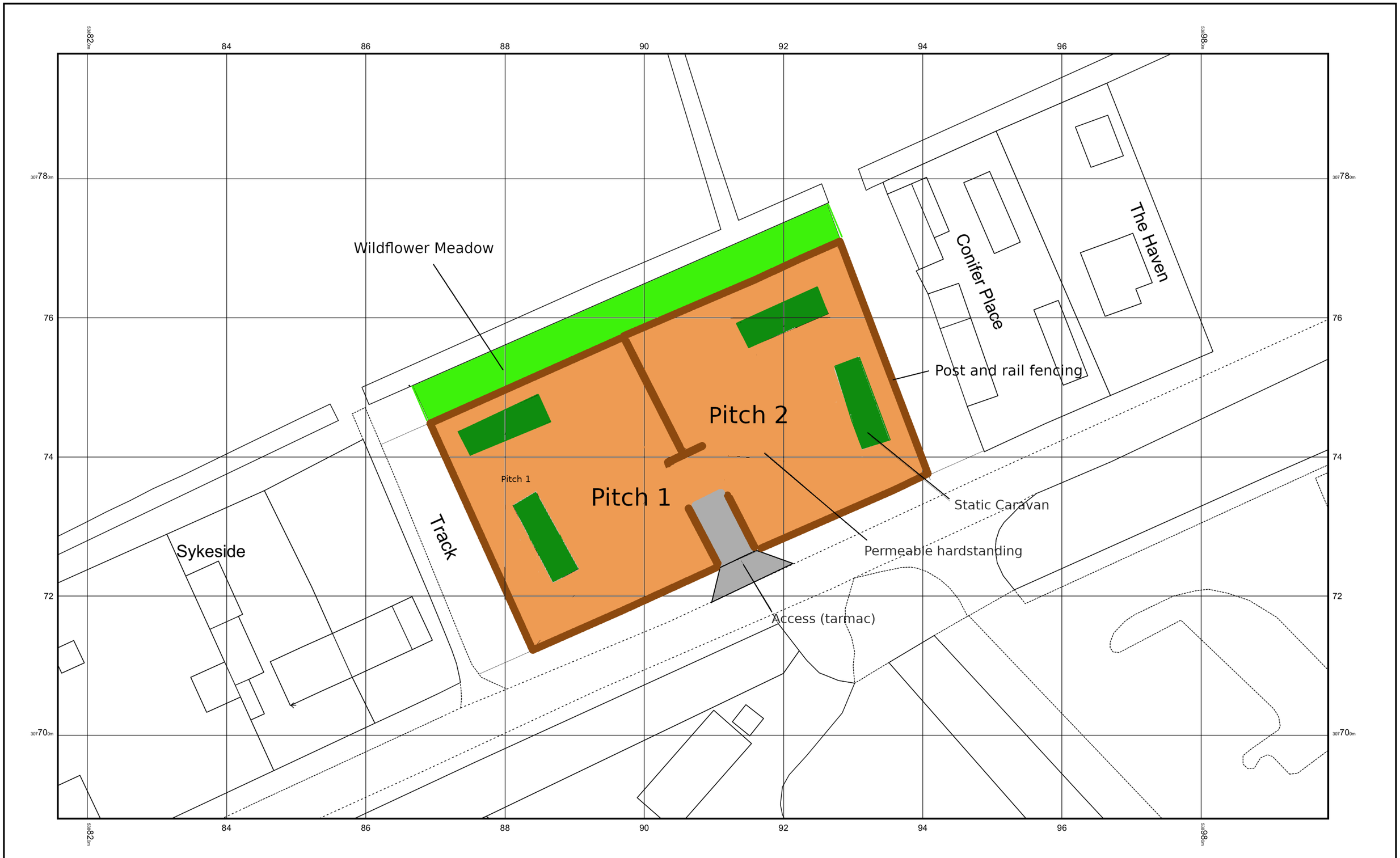

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Applicant: Mr & Mrs Klimczuk

Agent: Mr G Boreham
Morton & Hall Consulting Ltd

17 Priors Road, Whittlesey, Peterborough, Cambridgeshire PE7 1JR

Erect 2x dwellings (self-build/custom build) involving demolition of existing dwelling and outbuilding and alterations to existing access

Reason for Committee: Number of representations contrary to officer recommendation

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Government Planning Guarantee

Statutory Target Date For Determination: 1 April 2025

EOT in Place: Yes

EOT Expiry: 8th May 2025

Application Fee: £1156

Risk Statement:

This application must be determined by the 8th of May 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

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1 EXECUTIVE SUMMARY

1.1 This is a full planning application at 17 Priors Road, Whittlesey seeking the erection of two self-build dwellings, involving the demolition of the existing dwelling and outbuilding, as well as alterations to the existing access.

1.2 The proposed layout is considered to constitute overdevelopment, resulting in a cramped and incongruous form of development. This generates insufficient usable private amenity space, as well as lack of manoeuvrability and parking spaces for vehicles. This is contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, and to provide an acceptable level of amenity to the occupants of the site.

1.3 The proposed two-storey dwelling at Plot 2 constitutes a visually jarring design that is alien and incongruous to the built development in the vicinity of the site. This gives rise to material character and appearance concerns. This is contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, without adverse impacts due to design or scale on the settlement pattern or landscape character of the area.

1.4 The proposed parking provision at Plot 2 of one off-road parking space does not accord with Appendix A of the Fenland Local Plan. Additionally, utilising the proposed turning area for an off-road parking space generates material

manoeuvrability concerns for vehicles using the site. Therefore, this application is not considered to accord with Policy LP16 and Appendix A of the Fenland Local Plan (2014), as well as Chapter 12 of the National Planning Policy Framework (2024). These policies seek to ensure that a site is well-designed and provides an acceptable level of parking provision.

2 SITE DESCRIPTION

2.1 The proposal site contains a bungalow that is accessed from a road located between 15 and 19 Priors Road. To the north of the site there is a linear development of residential dwellings named Priors Road. To the east of the site is Park Lane Primary School with the playing fields of the school located to the south. To the west of the site is an open field.

2.2 The site is not located within Whittlesey Conservation Area and is not adjacent to any listed buildings. The site and surrounding area are entirely located in Environment Agency Flood Zone 1. The access point and an area to the rear of the existing dwelling is subject to a low level of surface water flood risk.

2.3 The site is currently bordered by low level planting either side of the frontage of the access. A one metre high timber fence marks the side and rear boundary with 19 Priors Road. A 1.8 metre high timber fence marks the boundary with 21 Priors Road and 23 Priors Road. The western boundary adjacent to the existing boundary is interspersed with trees and hedging, beyond which is an open field. The southern and south-eastern boundary, which is shared with Park Lane Primary School, is marked by a 1.8 metre weld mesh fence.

3 PROPOSAL

3.1 This is a full planning application at 17 Priors Road, Whittlesey for two self-build dwellings, involving the demolition of the existing dwelling and outbuilding, as well as alterations to the existing access.

3.2 Plot 1 is proposed to be a single storey bungalow. This bungalow will contain three bedrooms, an en-suite, bathroom, study area, lounge, kitchen / diner, W/C, utility room and a garage.

3.3 Plot 2 is proposed to be a two-storey dwelling. This dwelling at ground floor level will contain two bedrooms, two en-suites, a lounge, study, kitchen / diner, utility, W/C and a double garage. Three bedrooms, a bathroom and an airing cupboard are proposed at first floor level.

3.4 The proposed materials of construction for both self-build bungalows are Grandchester Blend Bricks and grey Redlands Grovebury roof tiles. Windows are to be grey UPVC.

3.5 The site is to be bordered by, and the plots separated by, a 1.8 metre high close boarded timber fence. A new tarmac driveway is to be provided with a 4 metre wide gate adjacent to the rear boundary of 19 Priors Road. The gate is to be constructed from black powder coated steel and will not exceed 2 metres at the highest point. A new 5 metre by 10 metre access is to be sealed and drained away to County Highways specifications. To the east of the access, the existing bin store

will be retained. To the south of the bin store along the eastern boundary to the frontage of Plot 2 a two metre high mixed hedge will be provided.

3.6 Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

4.1 No relevant history.

5 CONSULTATIONS

5.1 **Whittlesey Town Council – 18th February 2025**

The Town Council recommend approval of this application but have the following concerns overlooking the neighbouring property, no report present from CCC Highways, concerns over the splay and geometry of the access.

5.2 **Fenland District Council – Environmental Health – 7th 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 – 26th February 2025**

Recommendation

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

Comments

The development benefits from an existing vehicle access with the highway. In regard to the highway the applicant is seeking approval for the alteration to the vehicle access with the highway, to facilitate the construction of two residential dwellings. The proposed shared access width of 5m for 10m is acceptable to the highway authority and suitable for the proposed use.

I do have some concerns with the shown internal parking / turning arrangement and would recommend to the parking and planning authority that this is revised

and the area of turning increased. So as to make this more of a functional space to use on a daily basis.

Conditions

Access Details:

Prior to the commencement of the use hereby approved the access shall be constructed to a minimum width of 5 metres for a minimum distance of 10 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.
Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.

Parking/Turning Area:

Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).

Informatives

Works in the Public Highway
This development involves work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

5.4 **Local Residents/Interested Parties**

Objectors

None

Supporters

Six communications of support have been received for this application. There are two from Priors Road, and one each from The Grove, Stonald Road and Constable Close in Whittlesey, as well as Willowbrook Drive in Coates. One of the communications of support is from someone with the same surname as the applicant. A further representation whilst supporting the build does raise concerns about overlooking.

There will be no overlooking.
The existing dwelling is run down.
Access to the property is uneven.
Does not encroach onto greenfield land.
Proposal is in keeping with the area.

The plot will be utilised to its full potential.
There is a need for more bungalows in Whittlesey.
…it would be an improvement to the overgrown trees and shed which is currently there.
…the new properties proposed will have significant curb appeal.

Representations

None

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 Whittlesey Neighbourhood Plan (2023).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024
Chapter 5 – Delivering a sufficient supply of homes
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

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
LP11 – Whittlesey
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District

Whittlesey Neighbourhood Plan 2021-2040
Policy 1 – Spatial Planning
Policy 2 – Local Housing Need
Policy 7 – Design Quality
Policy 11– Adapting to and Mitigating Climate Change

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
LP12: Meeting Housing Needs
LP13: Custom and Self Build
LP22: Parking Provision
LP27: Trees and Planting
LP32: Flood and Water Management

8 KEY ISSUES

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

9 ASSESSMENT

Principle of Development

9.1 The site is located within the settlement of Whittlesey; Whittlesey is identified within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as being an 'Other Market Town'. For these settlements the Policy states that "The majority of the district's new housing, employment growth, retail growth and wider service provision should take place in these settlements".

9.2 The proposal is for two self-build properties within the established settlement of Whittlesey in a predominantly residential area. The construction of dwellings in such a location is supported by local and national policy as it is considered to constitute a sustainable location.

9.3 Policy LP16 supports the principle of such development subject to the significance of, and the likely impact upon the character of the surrounding area, the amenity of neighbouring properties and users in its design and appearance, and the impact on highways and parking.

9.4 The Self-Build and Custom Housebuilding Act 2015 defines self-build and custom housebuilding as:
(A1) In this Act “self-build and custom housebuilding” means the building or completion by –
(a)Individuals,
(b)Associations of individuals, or
(c)Persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals. (A2) But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans decided or offered by that person.

9.5 The Right to Build Task Force says:
In simple terms, this form of housebuilding can be described as a process where "a home is built to the plans or specifications decided by the occupant". When considering whether a home is a self-build or custom build home, relevant authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout.

9.6 Self-build typically involves the construction of single (usually detached) homes, including conversion projects and extensive renovations (usually demolition or rebuild).

9.7 A self-build home is one built to the plans or specifications of the occupant on a single plot.

9.8 A custom build home is built to the plans or specifications of the occupant on a multiplot site which is actively managed by a third-party enabler.

9.9 On the basis of the self-build confirmation documents received from the agent, the properties are to be self-build, and the self-build status could be secured via a planning condition.

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

Layout and Design

9.11 The proposal seeks to demolish the existing dwelling on site and provide a three bedroom self-build bungalow at Plot 1 and a five bedroom self-build two-storey dwelling at Plot 2.

9.12 The proposal is considered to constitute backland development. Whilst Plot 1 is set forward of where the existing dwelling is located, both self-build properties are located to the rear of an established linear development along Priors Road. There are no other examples of backland development in the vicinity of the site. To allow an intensification of development on this site would create a quantum of dwellings that is considered to constitute overdevelopment.

9.13 The layout and scale of the dwellings is considered to constitute overdevelopment. This layout leads to a lack of usable private amenity space for both plots, as well as lack of parking provision and manoeuvrability for the occupants of Plot 2. These matters will be examined in greater depth later in the report.

9.14 Plot 1 is considered a standard bungalow design that would not be out of keeping with existing development in the vicinity of the site. The same can not be said for the two-storey dwelling at Plot 2. There appears to be no design reference for this dwelling and the Design & Access Statement does not discuss how the design for either plot has been arrived at. It is considered Plot 2 would be overly dominant in the site, and whilst largely concealed from nearby dwellings the bulk and fenestration arrangement is visually jarring and not in keeping with development in the vicinity.

9.15 The proposed materials of construction for both self-build bungalows are Grandchester Blend Bricks and grey Redlands Grovebury roof tiles. Exact details would need to be addressed by condition as there are varying shades of Redlands Grovebury tiling. Windows are to be grey UPVC. Subject to further details of the tiling, the proposed materials are considered to be appropriate for the dwellings and do not detract from the built character of the surrounding area.

9.16 The submitted Tree Report states:
The conifer tree and cherry tree are further away from the new dwelling than the existing dwelling therefore the situation for the trees will be better.
We are also showing more planting.
The site is not a conservation area or the ground of a listed building.
If when the Planning Officer visits site, the trees are still present and they feel a report is required, we will obtain this but the trees are further away from the proposed dwellings than the existing which must be better for the trees.

9.17 When visiting the proposal site it was observed that a substantial number of trees on site had recently been removed. Only three trees on the existing site plan are flagged for removal, but they have already been removed. However, none of the trees are subject to a preservation order. The conifer tree and cherry tree referenced in the Tree Report are located to the east of Plot 1 within the grounds of Park Lane Primary School. The trees are 1 metre further away from the proposed dwelling at Plot 1 than the north-eastern corner of 17 Priors Road. It is not considered that the site layout would materially impact the trees within the school site.

9.18 Given the above considerations, the layout and design of the proposed two storey dwelling at Plot 2 gives rise to material character and appearance concerns, as well as overdevelopment concerns. This is contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, without adverse impacts due to design or scale on the settlement pattern or landscape character of the area. These Policies also seek to protect the amenity of occupants and provide an acceptable level of usable private amenity space for both plots, as well as sufficient parking provision and manoeuvrability for the occupants' vehicles.

Impact on Residential Amenity / Land Users

9.19 Observations on the potential impact on residential amenity from overbearing, overshadowing and overlooking have been made on the basis of the submitted plans. Existing and proposed site levels have not been submitted to support this application. The site is observed to be flat.

9.20 With regard to an overshadowing impact from Plot 1, this 6.164 metre high bungalow is to be sited 1.2 metres from the boundary with 19 Priors Road to the north. This boundary will be bordered by a 1.8 metre high close boarded timber

fence. Due to the separation distance of 14.4 metres to 19 Priors Road and a proposed bungalow height of 6.164 metres there is not considered to be a material loss of light from the proposal.

9.21 The current boundary treatment for the southern and eastern boundary of 19 Priors Road is a 1 metre high timber fence. A 1.8 metre high close boarded fence is proposed for these boundaries. Whilst this fencing may generate an enclosing / overbearing impact on the occupants of 19 Priors Road, this fencing could be erected by the occupants of 17 Priors Road under permitted development. Therefore, this matter does not carry material planning weight.

9.22 21 Priors Road is located 11.9 metres from Plot 1 at the nearest point, and 23 Priors Road is located is located 1.8 metres away. Due to the separation distances, bungalow and height of 6.164 metres and 1.8 metre high boundary treatment there is not considered to be an overshadowing impact.

9.23 There is not considered to be an overlooking impact from Plot 1. This is because all fenestration is sited at ground floor level. Whilst the existing boundary with 19 Priors Road is marked by a 1 metre high timber fence, a 1.8 metre high close boarded timber fence is proposed to all of the boundaries of the site.

9.24 There is not considered to be a material overshadowing impact from either of the self-build plots. The highest part of Plot 2 is 6.983 metres above ground level. Due to a separation distance in excess of 5 metres to Plot 1 and no windows in the south facing elevation of Plot 1, there is not considered to be a material overshadowing impact on Plot 1 to the north.

9.25 At first floor level of Plot 2 there are to be two south facing rear elevation bedroom windows. These windows face towards the playing fields of Park Lane Primary School. However, there is not considered to constitute a material overlooking impact of the land. There are to be six west facing rooflights which would be located approximately 2.2 metres above floor level. Therefore, there is not considered to be an overlooking impact from these rooflights. On the frontage elevation, a rooflight will be sited above the ground floor entrance hall adjacent to the stairwell. A blacked out false window is proposed for Bedroom 4. Natural light will still be available for this room as it is served by two rooflights 2.2 metres above floor level. There is not considered to be a material overlooking impact from the first floor fenestration of Plot 2.

9.26 Criterion h of Policy LP16(h) of the Fenland Local Plan (2014) requires each plot: *provides sufficient private amenity space, suitable to the type and amount of development proposed; for dwellings other than flats, as a guide and depending on the local character of the area, this means a minimum of a third of the plot curtilage should be set aside as private amenity space.* Private amenity space is usable space which is not visible when viewed from land outside of the ownership of the occupant. There are parts of both plots which whilst constituting private amenity space are not likely due to utilised for such a purpose due to their restrictive location, by virtue of being sited close to residential boundaries. It is considered that the amount of usable private amenity space provided for Plot 2 is not commensurate with the amount of space which is typically commensurate with a five bedroom dwelling. However, it is observed that both Plot 1 and Plot 2 meet the required private amenity space provision.

9.27 Given the above considerations there is not considered to be a material overbearing, overshadowing or overlooking impact between the plots or on

neighbouring dwellings and land uses. Therefore, in this regard, the proposal is considered to accord with Policies LP2 and LP16 of the Fenland Local Plan (2014) as well as Chapter 12 of the National Planning Policy Framework (2024).

Highway Safety and Parking

9.28 The County Highways Officer has no objections to the submitted access details, and recommend access and parking / turning area conditions, as well as a works in the public highway informative. However, they do make the following observations:

I do have some concerns with the shown internal parking / turning arrangement and would recommend to the parking and planning authority that this is revised and the area of turning increased. So as to make this more of a functional space to use on a daily basis.

Manoeuvrability on site for the occupants of Plot 2 is considered to be substandard, especially if the turning area is being utilised to meet minimum parking space requirements.

9.29 The private road is not constructed to an adoptable standard and refuse collectors would utilise the existing bin store area located 11.5 metres south of the highway.

9.30 Appendix A of the Fenland Local Plan covers parking standards and parking space sizes in the district. For garages it states:

Garages should normally be set back 6 metres from the edge of the footway abutting the curtilage of the property. A garage can be counted as a parking space or counted towards the parking space allocation, provided the size of the garage exceeds 7.0m x 3.0m (internal dimensions).

9.31 The internal dimensions of the single garage at Plot 1 are 3.5 metres width and 7 metres depth. This garage accords with Appendix A. The distance from the parking space to the front of the garage to the edge of the highway measures 6.5 metres in depth. Allowing for a 0.5 metre garage door clearance, this parking space is considered to be acceptable. The internal dimensions of the double garage at Plot 2 are 6 metres width and 6.7 metres depth. Therefore, these two spaces cannot be counted toward the parking provision for Plot 2.

9.32 In Appendix A, for dwellings with three bedrooms or fewer, a minimum of two off road parking spaces is required. Plot 1 meets this requirement. For dwellings with four bedrooms or greater a minimum of three off road parking spaces is required. Appendix A states that garages that do not meet the internal dimension requirements cannot be counted as a parking space. Therefore, with the provision of only one off-road parking space, Plot 2 does not accord with Appendix A of the Fenland Local Plan (2014).

9.33 Given the above considerations, there are material concerns regarding manoeuvrability and the lack of off-road parking spaces for Plot 2. Therefore, this application is not considered to accord with Policy LP16 and Appendix A of the Fenland Local Plan (2014), as well as Chapter 12 of the National Planning Policy Framework (2024). These policies seek to ensure that a site is well-designed and provides an acceptable level of parking provision.

Flood Risk and Drainage

9.34 The site and surrounding area are entirely located in Environment Agency Flood Zone 1. The access point and an area to the rear of the existing dwelling is subject to a low level of surface water flood risk. Surface water is to be addressed via a soakaway. The means of addressing foul water is currently unknown. Further drainage details would need to be secured by condition to ensure that site is safe from surface water flooding over its lifetime and sufficient foul water drainage is provided.

9.35 Given that the site is in Flood Zone 1 and only susceptible to a low level of surface water flood risk, provided that full details of drainage can be addressed through condition, this application is considered to accord with Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework (2024)

Ecology

9.36 The submitted Ecological Impact Statement considers that there is negligible potential for roosting bats on site and that care will be taken to ensure that nesting sites are not disturbed during construction. Paragraph 1.7 of the document states *Enhancements recommended for the site include the installation of bat and bird boxes.* No such provision is shown on any of the plans for the site. Paragraph 6.8.4 of document states *Any new boundary fences/walls on the developed site will have a small gap at ground level (approximately 13cm wide by 13cm high) on each boundary section. This will allow small terrestrial animals such as hedgehogs to access the site freely.* No such provision is shown on any of the plans for the site.

Biodiversity Net Gain (BNG)

9.37 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.

9.38 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 proposed layout is considered to constitute overdevelopment, resulting in a cramped and incongruous arrangement for the two plots, which will result in insufficient usable private amenity space, as well as lack of manoeuvrability and parking spaces for vehicles. This is contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, and to provide an acceptable level of amenity to the occupants of the site.

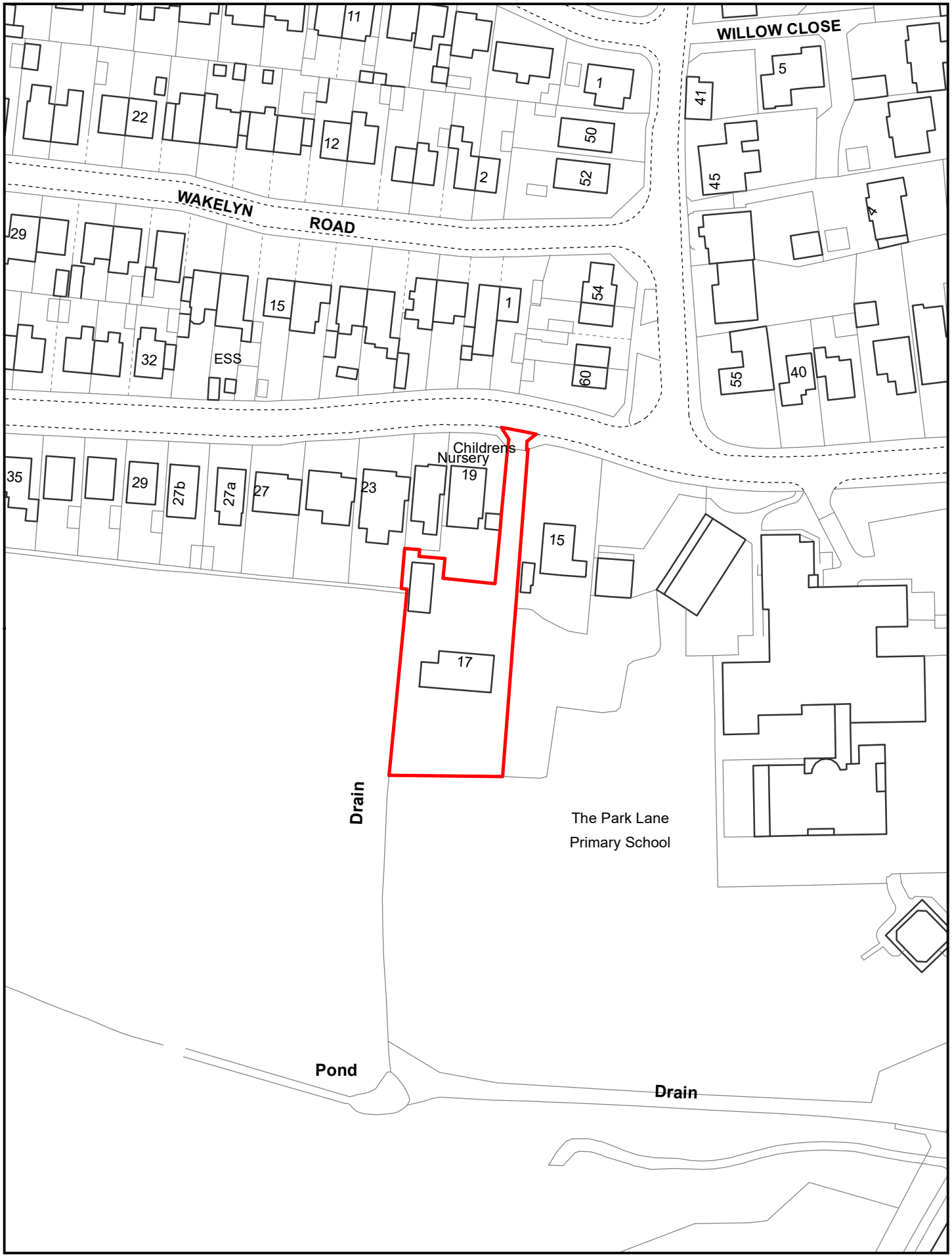
10.2 The proposed dwelling at Plot 2 is considered to constitute a visually jarring design that is alien and incongruous to the built development in the vicinity of the site. This gives rise to material character and appearance concerns. This is contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, without adverse impacts due to design or scale on the settlement pattern or landscape character of the area.

10.3 The proposed parking provision at Plot 2 of one off-road parking space does not accord with Appendix A of the Fenland Local Plan. Additionally, utilising the proposed turning area for an off-road parking space generates material manoeuvrability concerns for vehicles using the site. Therefore, this application is not considered to accord with Policy LP16 and Appendix A of the Fenland Local Plan (2014), as well as Chapter 12 of the National Planning Policy Framework (2024). These policies seek to ensure that a site is well-designed and provides an acceptable level of parking provision.

11 RECOMMENDATION

Refuse; for the following reasons:

1	The proposed layout is considered to constitute overdevelopment, resulting in a cramped and incongruous form of development. This generates insufficient usable private amenity space, as well as lack of manoeuvrability and parking spaces for vehicles. This is contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, and to provide an acceptable level of amenity to the occupants of the site.
2	The proposed two-storey dwelling at Plot 2 constitutes a visually jarring design that is alien and incongruous to the built development in the vicinity of the site. This gives rise to material character and appearance concerns. This is contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, without adverse impacts due to design or scale on the settlement pattern or landscape character of the area.
3	The proposed parking provision at Plot 2 of one off-road parking space does not accord with Appendix A of the Fenland Local Plan. Additionally, utilising the proposed turning area for an off-road parking space generates material manoeuvrability concerns for vehicles using the site. Therefore, this application is not considered to accord with Policy LP16 and Appendix A of the Fenland Local Plan (2014), as well as Chapter 12 of the National Planning Policy Framework (2024). These policies seek to ensure that a site is well-designed and provides an acceptable level of parking provision.



Created on: 06/02/2025

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F/YR25/0078/F

Scale = 1:1,250

N

Fenland CAMBRIDGESHIRE
Fenland District Council

TYPICAL GATE DETAIL
(1:50)

LEGEND:

- EXISTING DWELLINGS
- PAVEMENT
- GRASS
- PERMEABLE BLOCK PAVING (NON SLIP)
- TARMAC
- RESIN BOUND GRAVEL
- SLAB PAVING
- WHEELIE BINS
- HEDGING
- VEGETATION

1.8m CBF DETAIL
(1:50)

GATE DETAIL
(1:50)

PROPOSED SITE PLAN
(1:200)

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	REVISIONS	DATE
H	PLANNERS COMMENTS	JAN 2025
G	CLIENTS COMMENTS	DEC 2024
F	CLIENTS COMMENTS	DEC 2024
E	CLIENTS COMMENTS	DEC 2024
D	CLIENTS COMMENTS	NOV 2024
C	CLIENTS COMMENTS	NOV 2024
B	CLIENTS COMMENTS	NOV 2024
A	CLIENTS COMMENTS	NOV 2024

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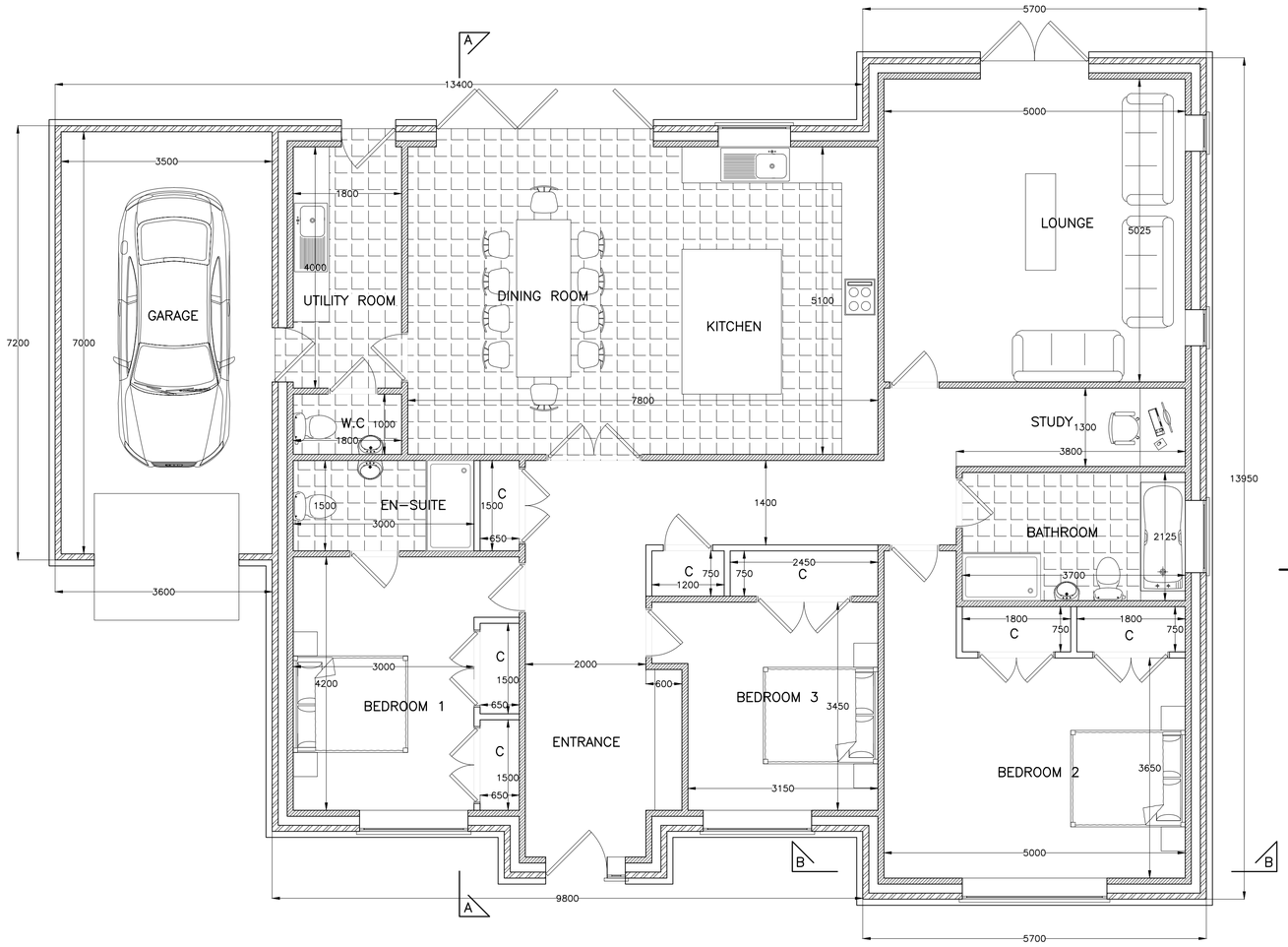
CLIENT
Mr & Mrs Klimczuk

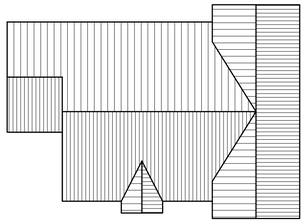
PROJECT
17 Priors Road
Whittlesey
Cambs
PE7 1JR

TITLE
Proposed Site Plan

DRAWN: G.Boreham	DATE OF ISSUE:
CHECKED:	
DATE: Nov 2024	DRAWING NUMBER: H8905/101 H
SCALE: As Shown	



PROPOSED FLOOR PLAN
(1:50)



PROPOSED ROOF PLAN
(1:200)

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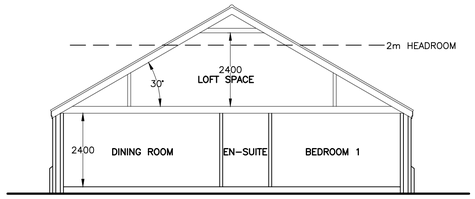
WALLS : GRANDCHESTER BLEND BRICKS

JOINERY : GREY UPVC



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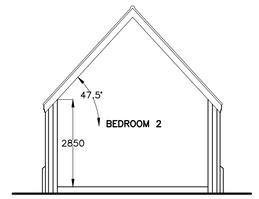

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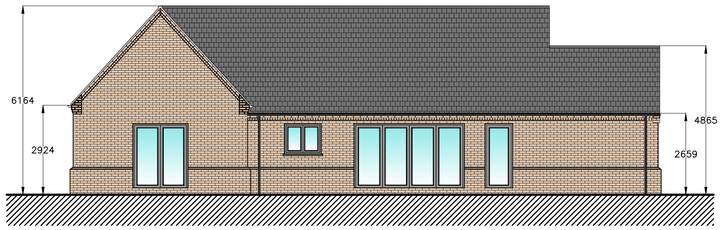

PROPOSED REAR ELEVATION
(1:100)

PROPOSED FRONT ELEVATION
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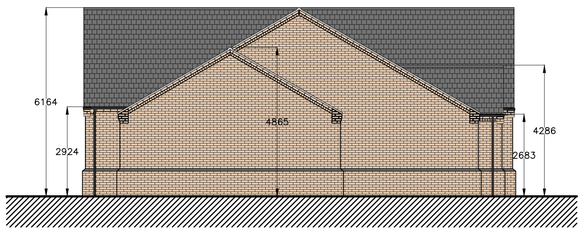

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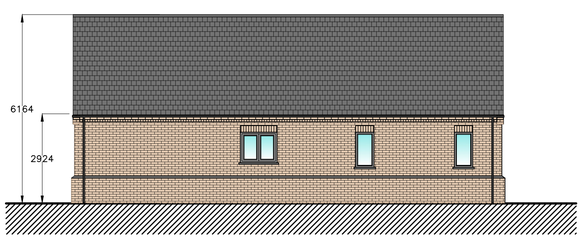

PROPOSED LHS ELEVATION
(1:100)

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E	PLANNERS COMMENTS	JAN 2025
D	MATERIALS ADDED	DEC 2024
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B	CLIENTS COMMENTS	NOV 2024
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Mr & Mrs Klimczuk

PROJECT
17 Priors Road
Whittlesey
Cambs
PE7 1JR

TITLE
Proposed Plans
& Elevations
PLOT 1

DRAWN: G.Boreham	DATE OF ISSUE:
CHECKED:	
DATE: Nov 2024	DRAWING NUMBER: H8905/102 E
SCALE: As Shown	

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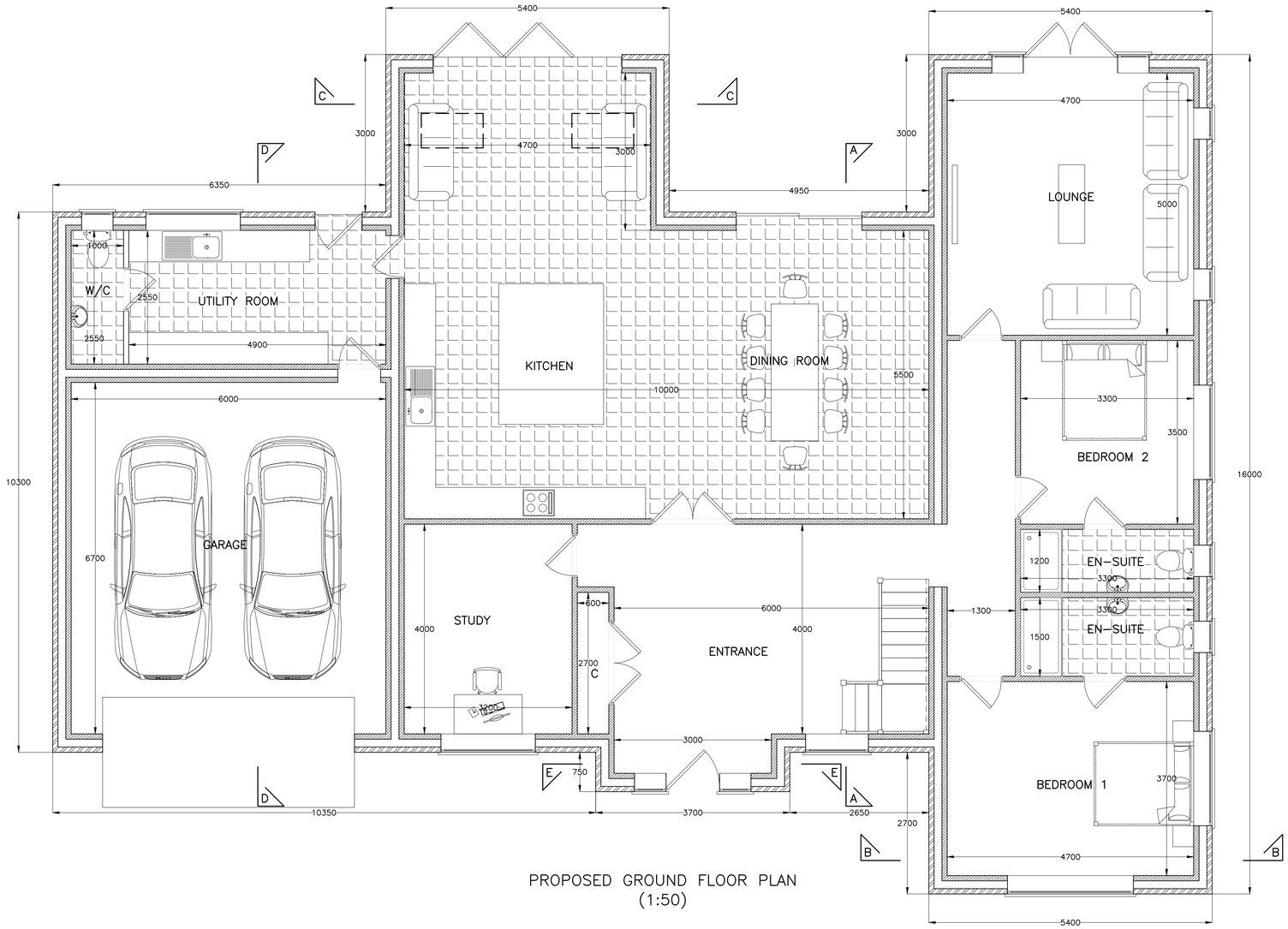
WALLS : GRANDCHESTER BLEND BRICKS

JOINERY : GREY UPVC



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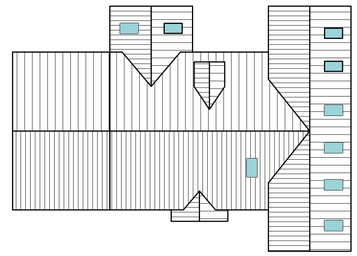

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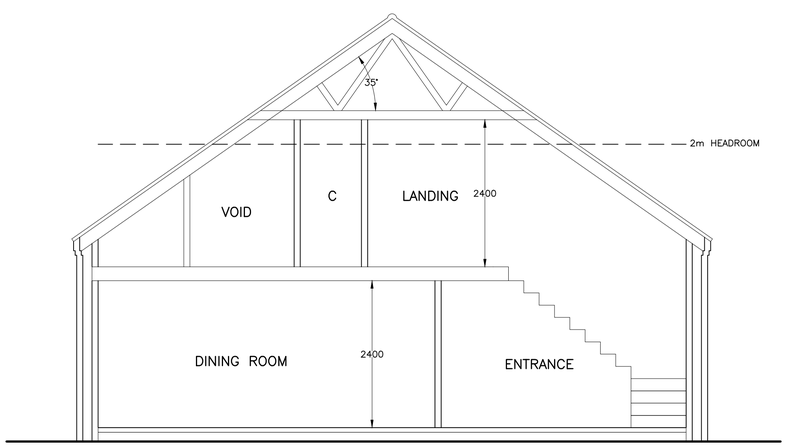

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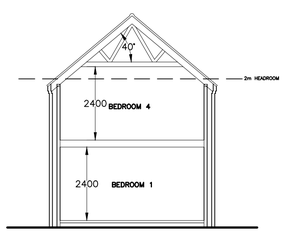

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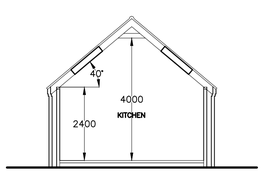

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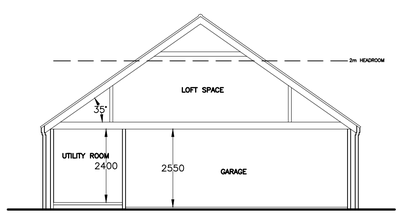

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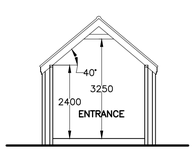

PROPOSED SECTION E–E
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17 Priors Road
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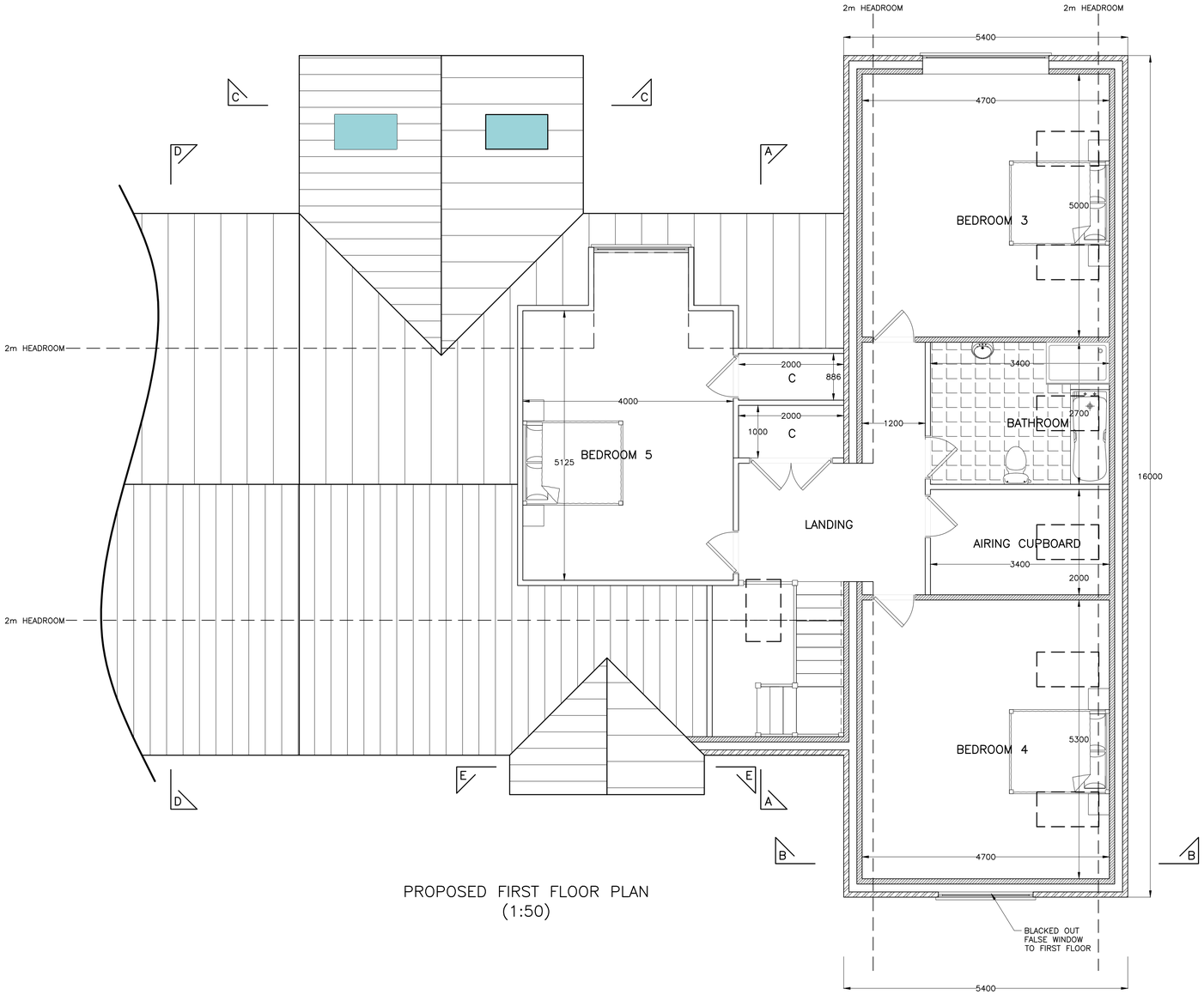
Cambs
PE7 1JR

TITLE
Proposed Ground Floor Plan & Sections
PLOT 2

DRAWN	G.Boreham	DATE OF ISSUE	
CHECKED			
DATE	Dec 2024	DRAWING NUMBER	H8905/111 D
SCALE	As Shown		



PROPOSED FIRST FLOOR PLAN
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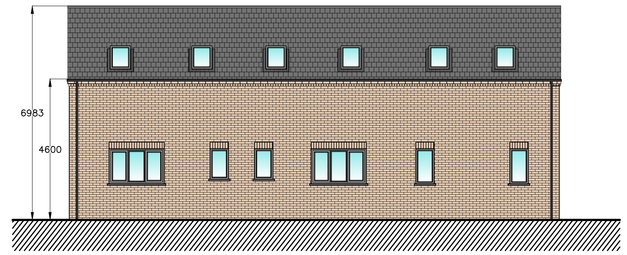

PROPOSED RHS ELEVATION
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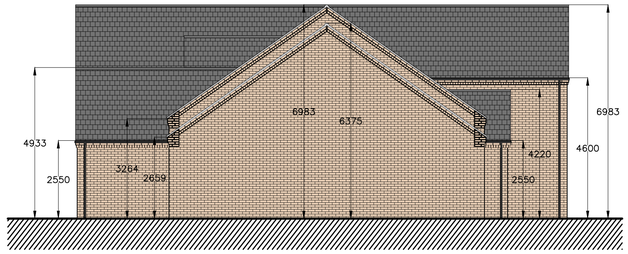

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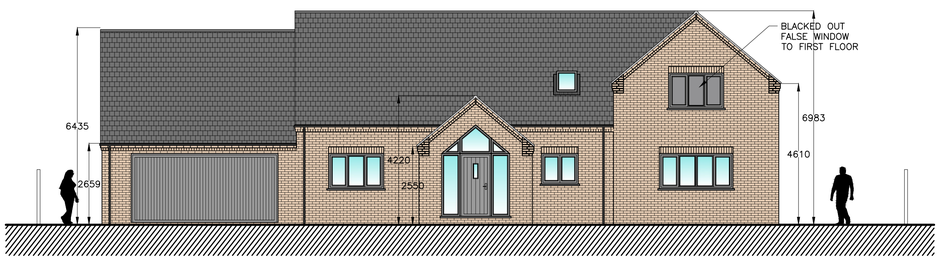

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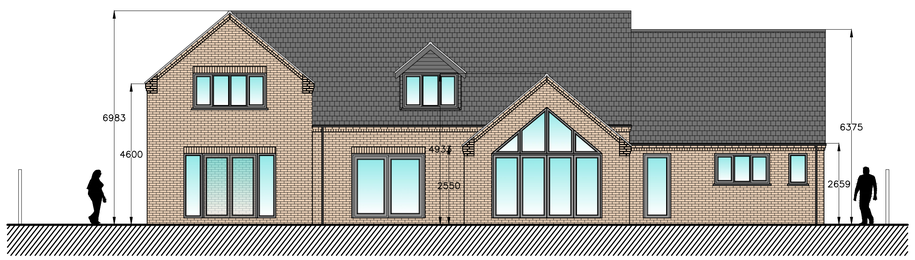

PROPOSED REAR ELEVATION
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Building Excellence in Fenland
winner

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Mr & Mrs Klimczuk

PROJECT
17 Priors Road
Whittlesey
Cambs
PE7 1JR

TITLE
Proposed First Floor Plan & Elevations
PLOT 2

DRAWN	G.Boreham	DATE OF ISSUE	
CHECKED			
DATE	Dec 2024	DRAWING NUMBER	H8905/113 B
SCALE	As Shown		

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F/YR25/0084/F

Applicant: Mr N Bowers

Agent : Mr J Scotcher
Morton & Hall Consulting Ltd

6 Bridge Lane, Wimblington, March, Cambridgeshire PE15 0RS

Change of use of land to domestic land, erection of a shed and formation of hardstanding involving the demolition of existing garage (retrospective)

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

Government Planning Guarantee

Statutory Target Date For Determination: 2 April 2025

EOT in Place: No

EOT Expiry: 8th May 2025

Application Fee: £1734

Risk Statement:

This application must be determined by the 8th of May 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

1.1 This is a partly-retrospective full planning application at 6 Bridge Lane, Wimblington, seeking a change of use from domestic land, the erection of a shed and the formation of hardstanding involving the demolition of an existing garage.

1.2 An enforcement appeal was dismissed on this site on the 16th of September 2024 under reference APP/D0515/C/23/3317077. Following this appeal, this application has been submitted with a reduced area of hardstanding, and the storage building reduced in length.

1.3 It is considered that a material character and amenity impact remains from the amended area of hardstanding and storage building. The development is alien and incongruous to the semi-rural character of the Bridge Lane to the visual detriment of the surrounding area. It also considered that a material overbearing impact remains for the properties at 10a and 10b Bridge Lane which has not been adequately addressed by this application. This is contrary to Policies LP2 and LP16 of the Fenland Local Plan (2014) which seek to protect the amenity of residents and promote good design.

1.4 As such it is recommended that the application is refused.

2 SITE DESCRIPTION

2.1 Bridge Lane serves residential dwellings and agricultural fields to the north of the main built-up area of Wimblington and is now linked to it by new residential development under construction. It nevertheless retains much of its rural character and is considered to remain in a semi-rural setting, especially towards its eastern end. In the vicinity of the site housing runs along the southern side of the road, with small arable and grazed fields remaining beyond the residential uses, and larger fields to the north of Bridge Lane with the A141 to the north and east. The residential area of the application site extends behind three dwellings to the north, and others to the east on account of a curvature in the road. To the south of the application site, behind a 2.1 metre high brick wall is an agricultural field in the appellant's ownership, accessible only through the residential land. The northern boundary with 6a, 8a and 8 Bridge Lane is bordered by 2.1 metre high brick wall. The north-eastern and eastern boundary with 10, 10a and 10b Bridge Lane is bordered by 1.8 metre high timber fence.

2.2 The entirety of the site and surrounding area is in Environment Agency Flood Zone 1. The dwelling, vehicular access and part of the agricultural field is in an area of low surface water flood risk. The site is not within a conservation area and there are no listed buildings in the vicinity.

3 PROPOSAL

3.1 Full planning permission is sought for the change of use of land to domestic land, the erection of a shed and formation of hardstanding involving the demolition of the existing garage at 6 Bridge Lane, Wimblington. It should be noted that the application is partly retrospective in nature. This application seeks to retain the shed and hardstanding albeit reduced in scale following the dismissal of an enforcement appeal for their retention in 2024.

3.2 The proposed storage building is shown on the plans as measuring 17.9 metres wide and 9 metres in depth, with an eaves height of 4.77 metres and a ridge height of 5.7 metres. The materials of construction for the building are listed as navy cladding, a grey roof and grey roller shutter doors. The present building on site has a grey roof and navy blue cladding on the frontage. However, at this time the sides and rear of the building are a mixture of green and brown colouring.

3.3 The existing size of the hardstanding within the application site is 1181.6 square metres, the proposed area of hardstanding is 781.6 square metres with 400 square metres changed to grassed land. It has been agreed with the applicant prior to submission of the application that the area of hardstanding to the south of the boundary wall does not form part of the proposal and therefore is located outside of the red line application boundary.

3.4 The existing building on site measures 270 square metres with the amended building measuring 161.1 square metres. No material amendments are proposed to the residential boundary treatment and no planting is proposed between the building and the boundaries.

3.5 Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/

4 RELEVANT SITE PLANNING HISTORY

Reference	Description	Decision
F/YR20/0338/F	Erect 1 dwelling (2-storey 5-bed) with attached triple garage/plant room/enclosed swimming pool, 2.0m high (approx height) wall with railings and gates to front and the temporary siting of 2 x static caravans involving the demolition of existing dwelling and garage	Granted – 09 June 2020

5 CONSULTATIONS

5.1 Wimblington Parish Council – 14th March 2025

There have been a number of previous applications, an appeal, an enforcement notice and now another planning application with retrospective inclusions.

A large 'agricultural warehouse', (not a garden shed) that has been built to house large heavy vehicles, has been erected in the grounds of the dwelling, No. 6 Bridge Lane, (the property itself already houses three double brick-built garages), it is out of character with the historic countryside environment of the lane, as is the dwelling itself. The size and design of the agricultural building and the dwelling are not in keeping with the built form of the village or the linear layout of Bridge Lane. There is already an Enforcement Notice (raised in 2022) with regard to the removal of the 'agricultural building' which, after a dismissed appeal in 2023, was put into force in September 2024.

This agricultural building imposes on the homes in Bridge Lane, the view from some of the neighbours rear windows and their gardens is now that of a metal wall and roof. Stated, in previous granted planning applications, was the fact that this dwelling would not compromise the amenities of neighbouring occupiers but this is not the case both with the size of the dwelling and the size of the agricultural warehouse.

Therefore, we feel this application does not complying with LP12 Part C, LP16 (d), DM3 - Delivering and protecting high quality environment and Chapter 12 of the NPPF

5.2 Fenland District Council – Environmental Health – 07 April 2025

I confirm receipt of the above application details and have considered the implications of the proposed development in terms of:

Noise, Air pollution, Contaminated land or Artificial light

I conclude that there are no 'No Objections' to the proposal from an Environmental Health standpoint.

5.3 Local Residents/Interested Parties

Objectors

Objections have been received from five properties on Bridge Lane, Wimblington raising the following issues (summarised):

- No justification for the loss of agricultural land.
- The building should be reduced in size to that of a domestic garage.
- The building is visible from the lane, fields and A141.
- Bridge Lane is a single track road.
- The building and yard are better suited an industrial estate.
- The building and yard should be completely removed from the site.
- The reduction in size of the building and hardstanding does not address the enforcement appeal dismissal reasons.
- The building is domineering.
- Surface water has not been adequately addressed.
- Not like for like replacement.
- Devaluation of property.
- Loss of view.

Supporters

Fifteen communications of support have been received. The respondents are from Chapel Gardens and Heron Way in Benwick, Curf Terrace x2, Curf Fen Drove, Delve Terrace, High Street and Pound Road in Chatteris, Church Road in Emneth, Calvary Drive x2, Coldham Bank and Station Road in March, Spencer Close in West Walton, and Eastwood End Industrial Estate in Wimblington. They have given the following reasons for supporting the proposal (summarised).

- Previous buildings in disrepair
- Lack of visual impact
- The site has plenty of space to accommodate the building.
- Benefits of the building housing steam engines
- The whole area is in the future development building line.
- The house is high quality and spacious.

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 Wimblington and Stonea Neighbourhood Plan (Pre-Submission Draft October 2024).

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

National Planning Practice Guidance (NPPG)
Determining a Planning Application

National Design Guide 2021
Context
Identity
Built Form
Nature
Uses
Homes and Buildings
Resources

Fenland Local Plan 2014
LP1 – A Presumption in Favour of Sustainable Development
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP12 – Rural Areas Development Policy
LP14 – Responding to Climate Change and Managing the Risk of Flooding 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
DM6 – Mitigating Against Harmful Effects

Cambridgeshire Flood and Water SPD 2016

Wimblington and Stonea Neighbourhood Plan (Pre-Submission Draft October 2024)
Wimblington & Stonea Parish Council has carried out a pre-submission consultation on the draft plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The draft plan has not yet been submitted for examination. Given the very early stage which the draft plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry very limited weight in decision making. Of relevance to this application are policies:

Policy RE 1: Rural Character
Policy NE 1: Protecting the Landscape
Policy SD 1: Development and the Settlement Boundary
Policy HD 3: High-Quality Design
Policy SD 5: Flood Risk

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
LP5: Health and Wellbeing

LP7: Design
LP8: Amenity Provision
LP18: Development in the Countryside
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP32: Flood and Water Management
LP33: Development on Land Affected by Contamination
LP34: Air Quality

8 KEY ISSUES

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

9 BACKGROUND

9.1 Planning permission was granted for a dwelling on this site under reference F/YR20/0338/F. Subsequently an enforcement complaint was received regarding the provision of a storage building, concrete hardstanding, car storage and change of use of land. An enforcement notice was served on the 25th of January 2023 with a compliance period of six months. The requirements of the notice were:

(a) Cease the use of the land for the storage and dismantling of vehicles, including HGV's, cars used in conjunction with stock car racing, steam engines and any other vehicles which are not reasonably connected to the lawful uses of the domestic and agricultural uses of the site respectively.
(b) Break up any areas of hardstanding not shown on plan 1000B of planning approval F/YR20/0338/F and remove any resultant material from the site.
(c) Dismantle the building located on the eastern boundary of the site and remove any resultant material from the site.

9.2 The Applicant decided to appeal (reference APP/D0515/C/23/3317077) the Council's decision to serve an enforcement notice. The appeal in part was under Ground (a) and therefore, looked to regularise the alleged breach of planning control. The appeal was dismissed, on the 16th of September 2024, and a summary of Inspector observations in the Appeal Decision and the relevant paragraph numbers are shown below:

9.3 Character and appearance
24 - In conclusion, the development harms the character and appearance of the area, and conflicts with the relevant parts of Fenland Local Plan (2014) ("FLP") policies LP12 and LP16. These policies require development to make a positive contribution to the local distinctiveness and character of the area, without adverse impacts due to design or scale on the settlement pattern or landscape character of the area.

9.4 Living conditions

31 - In conclusion, the development harms the living conditions of residential occupiers of the adjoining land, and conflicts with the relevant parts of FLP policy LP16, which requires that development must not adversely impact the amenity of neighbouring users.

9.5 Drainage

36 - In conclusion, with the information before me, subject to a suitable planning condition, the development would make adequate provision for surface water drainage and would accord with the relevant parts of FLP policy LP16, which requires development to provide hard and soft landscaping incorporating sustainable drainage systems where appropriate.

9.6 Other matters

44 - Therefore, even if limited to the residential land, the use of the Land for the storage of vehicles associated with the appellant's hobbies would not be incidental to the residential use of the land as a dwelling. Consequently, the exemption from development afforded by Section 55(2) does not apply, and there is no fallback position in relation to the use.

10 ASSESSMENT

Principle of Development

10.1 The principle of development for residential development on this site incidental to the enjoyment of the dwelling is agreeable subject to permitted development guidelines. Permitted development rights for domestic outbuildings were not removed at the time of construction.

10.2 Whilst the principle of development for domestic purposes on the application site is therefore not disputed, given that it was within the red line boundary for residential use when the dwelling on site was approved under reference F/YR20/0338/F, it is considered that the scale, design and dominance of the proposed building and hardstanding exceeds what could be considered to be normal domestic use storage buildings. Therefore, the proposal is not considered to be domestic and the principle of development in this instance has not been established.

10.3 The principle of development for the loss of agricultural land is also of relevance. Regardless of whether or not the land on which part of the storage building is sited is in active agricultural use, this land remains in an agricultural use class. No supporting information has been submitted to justify the loss of 24.03 square metres of agricultural land to facilitate the positioning of the storage building. When assessing the loss of agricultural land Paragraph 38 of the appeal decision states: *Even if the building were moved entirely onto the residential area, its height gives rise to effects significantly greater than those which would arise from a building which could be constructed as 'permitted development'.*

Layout and Design

10.4 To address the reasons for the enforcement appeal dismissal, the Applicant is proposing to reduce the size of the storage building currently on site through reducing the length of the building from 30 metres to 17.9 metres. The depth of the building remains at 9 metres, whilst the eaves and ridge heights will remain at 4.77 metres and 5.7 metres. The Applicant has stated that the building cannot be made

lower in height due to the need to accommodate the height of the chimneys of the steam engines to be housed.

10.5 The planning merits of the building subject of this application, has previously been considered at appeal. When dismissing the appeal, the Inspector considered this matter in detail (paragraphs 14-24) and concluded that "the development harms the character and appearance of the area, and conflicts with the relevant parts of Fenland Local Plan (2014) ("FLP") policies LP12 and LP16. These policies require development to make a positive contribution to the local distinctiveness and character of the area, without adverse impacts due to design or scale on the settlement pattern or landscape character of the area." It is not considered that the relatively limited reduction in length, when compared to the height and scale of the remaining structure can be considered to have overcome the harm identified by the Council when serving the enforcement notice or by the Planning Inspector when dismissing the appeal.

10.6 Whilst it is noted that application forms indicate that the Applicant may be proposing to alter the appearance of the structure in situ to blue cladding, this is not considered to alter the overall appearance of the structure or the impact to the character and appearance of the wider area to such a degree as to mitigate the harm of the character and appearance of the area.

10.7 The existing storage building is in close proximity to the boundaries of 8, 10, 10 and 10b Bridge Lane. The relocated building would be the following distances from the existing boundaries: 8 Bridge Lane – 12.75 metres, 10 Bridge Lane– 12.82 metres, 10a Bridge Lane 2.2 metres and 10b Bridge Lane 2.2 metres. A new 1.8 metre high timber boundary fence is shown on the proposed plans that is located 0.68 metres from the east facing rear of the storage building and proposed grassed area. This fence was not present on site at the time of the officer site visit. It is considered that the location of this fencing will lead to an area to the rear of the fenced boundaries of 10a and 10b Bridge Lane that would be in the ownership of the applicant and would be difficult to maintain.

10.8 With regard to the location of the proposed storage building in relation to the neighbouring dwellings, the distances are as follows:
8a– 27.4 metres
8– 28.6 metres
10a – 29.5 metres
10b – 31 metres
6 (applicant's dwelling) – 39.85 metres.
6a– 40.3 metres.
10 – 45.6 metres

10.9 No justification has been given by the applicant as to why the visually prominent location of the storage building is adjacent to residential boundaries. The location is considered to generate a material impact on the character and amenity of the surrounding area.

10.10 When dismissing the Enforcement Appeal the Inspector stated that:
"*The former stable building along the eastern boundary was only slightly shorter in length than the garage building constructed, but was narrower and significantly lower, being a shallow flat roofed structure not much taller than the adjacent domestic fencing. The building which replaces it is a substantial 260sqm steel framed structure of a size and style more commonly seen in industrial areas or farmyards.*"

10.11 The changes to the appearance of the building, particularly as there is no reduction in the design ethos or the height of the building, are not considered to overcome the harm, due to the industrial appearance of the building, highlighted by the Inspector when dismissing the appeal.

10.12 The hardstanding currently present on site is 1181.6 square metres, however, it must be noted that this is currently unauthorised. As part of the development the area of hardstanding is to be reduced to 781.6 square metres and for the other 400 square metres to be removed and returned to grassed land. Whilst it is accepted that there were areas of concrete within that part of the site historically, these were over a significantly smaller area than the concrete hardstanding proposed. It is considered that this level of hardstanding further exacerbates the harm to the character and appearance of the area outlined above. This conclusion is similar in nature to that of the Planning Inspector when determining the appeal. The area beyond the 2.1 metre high boundary wall at the southern boundary is agricultural in use. Part of the amended storage building (24.03 square metres) and an area of hardstanding (418.4 square metres) are positioned on the land. It has been agreed with the applicant prior to submission of the application that the area of hardstanding to the south of the boundary wall does not form part of the proposal and therefore is located outside of the red line application boundary.

10.13 There is no landscaping proposed to mitigate the impact of the proposed building and hardstanding. The proposed site layout plan shows areas of what is described as “vegetation” to the rear of 6a, 8a, 8, 10a and 10b Bridge Lane. Photographs taken on site show that there is no vegetation to the rear of 6a and 8a Bridge Lane. There is vegetation on the rear boundary of 8 Bridge Lane, as well as sparse vegetation at 10a and 10b Bridge Lane. However, this vegetation does not sufficiently address the visual dominance and material overbearing impact that the amended building will generate.

10.14 To conclude, the proposed layout, materials of construction and scale of development is considered to detrimentally impact on the site and the semi-rural character and appearance of the wider area. This is considered to be consistent with the findings of the Planning Inspector at the time of dismissing the previous appeal.

10.15 The proposal is therefore, contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, without adverse impacts due to design or scale on the settlement pattern or landscape character of the area.

Impact on Residential Amenity / Land Users

10.16 Efforts have been made to reduce the amenity impact on 8 Bridge Lane by reducing the length of the building. The reduction in the length of the building has resulted in the northern elevation of the storage building now being some 12.75 metres from the northern boundary and 28.6 metres from the dwelling. The resultant increase in separation distance is now considered to mitigate the harm from the building currently in situ in relation to overshadowing and overbearing upon the occupiers of the dwelling. This also applies to the dwellings at 6a, 8a and 10 Bridge Lane. Whilst it is accepted that the storage building will still be visible from these properties, it is not considered that this would have a

detrimental impact upon the amenity of the residents of these properties to such a degree as to warrant a reason for refusal.

10.17 Notwithstanding the above, amenity concerns remain with regard to the impacts on the amenity to the properties at 10a and 10b Bridge Lane, primarily in relation to overshadowing and the overbearing nature of the development. The storage building is 2.2 metres to the west of the fenced boundary. 10a Bridge Lane is located 29.5 metres from the building and 10b Bridge Lane is located 31 metres away. The submitted proposed site plan shows vegetation at the rear boundaries of 6a, 8a, 8, 10a and 10b Bridge Lane. It is not considered that the height or density of the trees and hedging in this location mitigates the dominance of the storage building. This is especially the case for 10a and 10b Bridge Lane given the 2.2 metre separation distance to the residential boundary. It must be noted that at the time of the appeal a similar landscaping solution was offered. However, the Planning Inspector considered, that the provision of landscaping *"would have only limited effects."*

10.18 To conclude whilst attempts have been made to reduce the impact on the amenity of some of the neighbouring properties, impacts in relation to overshadowing and overbearing are considered to remain for the dwellings at 10a and 10b Bridge Lane.

10.19 Given the above considerations, despite the reduction in the length of the storage building a material overbearing concerns remains for the properties of 10a and 10b Bridge Road. This is contrary to Policies LP12 and LP16 of the Fenland Local Plan. These policies require development to make a positive contribution to the local distinctiveness and character of the area, as well as minimising the impact on residential amenity and adjacent land uses.

Highway Safety and Parking

10.20 The proposal seeks to utilise the existing vehicular access at the site frontage to the north, which is located behind electric gates. This access leads to the block paved residential driveway then to the concrete hardstanding to the east of the dwelling

10.21 When serving the Enforcement Notice no harm was identified in relation to highway safety or the free flow of traffic. Furthermore, when dismissing the appeal, no concerns on these matters were raised by the Planning Inspector. Whilst it is noted that there is a reduction in hard standing proposed this is not considered to materially alter the considerations of the development when compared to the development considered under the previous appeal.

10.22 Therefore, no objection is raised to the development based on car parking or highway safety.

Flood Risk and Drainage

10.23 The entirety of the site and surrounding area is in Environment Agency Flood Zone 1. The dwelling, vehicular access and part of the agricultural field is in an area of low surface water flood risk. Foul water provision is not impacted by this proposal. Surface water is to be addressed via a soakaway.

10.24 The area of concrete hardstanding and the storage building are impermeable, and there is a need to ensure that the site and neighbouring gardens are not subject to surface water flooding.

10.25 At the time Enforcement Appeal Inspector the Inspector observed: *The hardstanding on the residential land has been designed with a central gully system with 3 drains. Plans available to me, but not to the Council at the time the Notice was served, show each drain feeds into a solid underground pipe into the field. An interconnecting perforated pipe then runs diagonally across the field, terminating in an outflow into the ditch which runs along its western boundary on the appellant's land. He advises that discharge into the ditch only occurs in the event of a heavy downpour in a major storm event. It was dry weather at the time of my visit, but I have seen no evidence that the drainage installed is inadequate to meet the demands put on it.*

10.26 In relation to drainage provision for the rear of the building, Paragraph 34 of the appeal decision states: *There is guttering along the front of the building, but I saw no downpipes, and there was none at the rear. Were I to allow the appeal and grant planning permission for the building, these could be required by a planning condition with discharge into the field away from residential properties.* At the time of the officer site visit no downpipes were observed on the rear of the building and none are shown on the proposed elevational drawings. Additionally, no surface water drainage provision information has been supplied, and there is no evidence provided that drainage pipes have been installed underneath the hardstanding.

10.27 Whilst such provision may adequately address surface water on the site and adjacent land, none has been provided within the submitted information. Therefore, it is considered that at the present time surface water flood risk on this site has not been sufficiently addressed. This is contrary to Policy LP14 of the Fenland Local Plan and Chapter 14 of the National Planning Policy Framework, which seek to ensure that development does not increase flood risk on a proposal site and adjacent land uses. It is however, acknowledged that surface water drainage could be potentially addressed by a time limited condition given the retrospective nature of the proposal and therefore, this is not considered to warrant a reason for refusal.

Other Considerations

10.28 Communications from members of the public have raised a number of issues. Whilst most matters are broadly covered in the assessment above it is considered that a number of comments require a specific comment.

10.29 The age, rarity of and need to keep the steam engines indoors has been raised. Whilst it is acknowledged that it may be beneficial for the steam engines to be kept indoors there is no reason before the Council as to why they need to be kept on this site, other than in the interest of ease of the Applicant. Whilst the benefit to the individual is noted, this is not considered to be of any demonstrable weight and does not overcome the harm highlighted above.

10.30 It has been raised that the house and its grounds are a credit to architectural design and building and that this kind of housing is what Fenland needs, high quality and spacious. These points are not considered to relate to the application as the proposal does not relate to the dwelling.

10.31 Comments have been received that the whole area is in the future development line. The area where the hardstanding and building is positioned could have been developed for domestic purposes by virtue of the permission F/YR20/0338/F for construction of the dwelling. However, the land beyond the 2.1 metre high southern boundary wall remains in agricultural use. The current Fenland Local Plan does not provide defined settlement limits and therefore does not automatically preclude or encourage development on the site or the wider area. The Emerging Local Plan appears to exclude the area from the settlement boundary for Wimblington.

10.32 With regard to comments of objection, the devaluation of a property and a loss of view of land outside of your ownership are not matters which carry material planning weight.

Biodiversity Net Gain (BNG)

10.33 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.

10.34 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. This is because the application is retrospective, and therefore the development is *de-minimis* for the purposes of BNG.

10.35 Furthermore, matters relating to Biodiversity Net Gain (BNG) were not identified as weighing against the development at the time of the previous appeal decision. As such, to now raise an objection on the basis of BNG would be considered unreasonable and inconsistent with the previous decisions.

11 CONCLUSIONS

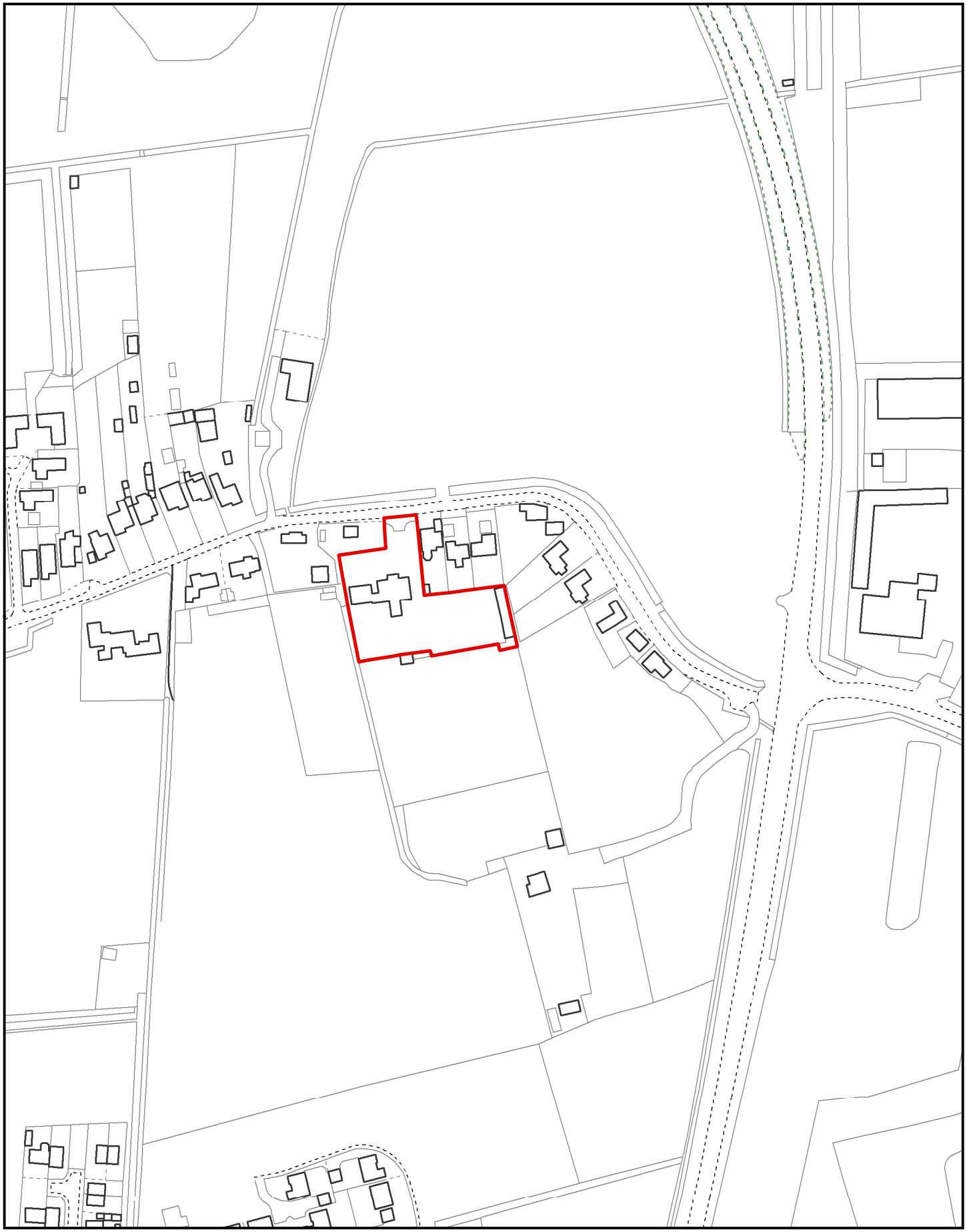
11.1 Whilst it is acknowledged that the both the building and the hard standing would be reduced it is considered that the development would still appear as an alien and incongruous feature in the semi-rural character of the Bridge Lane to the detriment of the site and the character and appearance of the surrounding area. It also considered that a material overbearing impact remains for the properties at 10a and 10b Bridge Lane which has not been adequately addressed by suggested amendments to the existing building. Therefore, material harm remains in relation to the character and appearance of the area and impacts on amenity of the adjoining residents.

11.2 The proposal is therefore, contrary to Policies LP2 and LP16 of the Fenland Local Plan (2014).

12 RECOMMENDATION

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

1	The development by virtue of its scale and appearance would harm the character and appearance of the area, and conflicts with the relevant parts of Fenland Local Plan (2014) Policies LP12 and LP16. These policies require development to make a positive contribution to the local distinctiveness and character of the area, without adverse impacts due to design or scale on the settlement pattern or landscape character of the area.
2	The development by virtue of its scale and position would have a detrimental impact on the amenity of the adjoining residents at 10a and 10b Bridge Lane due to the consequent overshadowing and the overbearing impacts. This is contrary to Policies LP2 and LP16 of the Fenland Local Plan (2014) which seek to protect the amenity of residents and promote good design.



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Fenland CAMBRIDGESHIRE

Fenland District Council

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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

PROPOSED SITE PLAN (1:250)

SITE KEY: CONCRETE | GRAVEL | TARMAC | GRASS | SLAB PAVING | EXISTING DWELLINGS | VEGETATION

	REVISIONS	DATE

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Fenland District Council Building Design Awards
Building Excellence in Fenland

CLIENT: Mr N Bowers

PROJECT: 6 Bridge Lane,
Wimblington,
Cambs,
PE15 0RS

TITLE: Proposed Site Plan

DRAWN: J.Scotcher	DATE OF ISSUE:
CHECKED:	
DATE: Dec 2024	DRAWING NUMBER: H9861/03
SCALE: As Shown	

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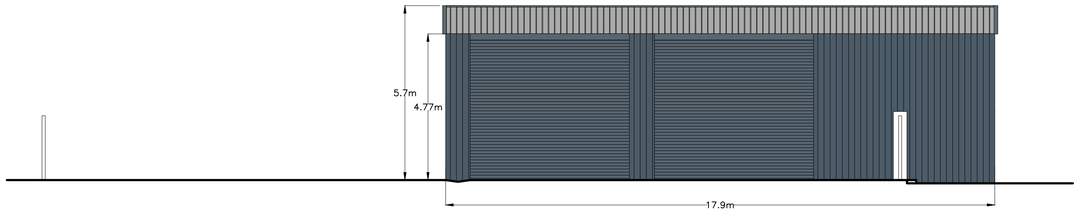
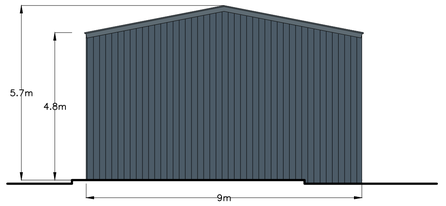
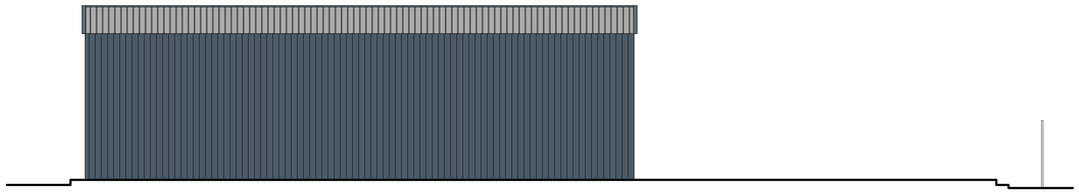


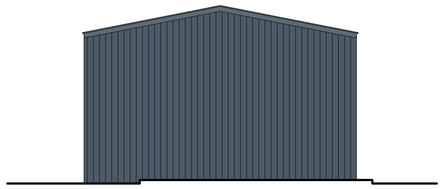
PROPOSED FRONT ELEVATION
(1:100)



PROPOSED LEFT ELEVATION (1:100)

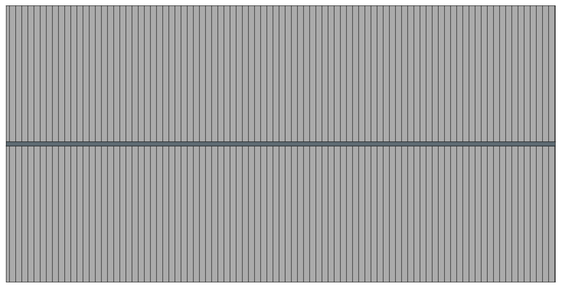


PROPOSED REAR ELEVATION (1:100)



PROPOSED RIGHT ELEVATION (1:100)

PROPOSED GROUND FLOOR PLAN
(1:100)



PROPOSED ROOF PLAN (1:100)

	REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED

1 Gordon Avenue,
March,
Cambridgeshire.
PE15 8AJ

Tel: 01354 655454
Fax: 01354 660467
E-mail: info@mortonandhall.co.uk
Website: www.mortonconsultingengineers.co.uk

LABC BUILDING EXCELLENCE AWARDS winner

Fenland District Council Building Design Awards
Building Excellence in Fenland

CLIENT
Mr N Bowers

PROJECT
6 Bridge Lane,
Wimblington,
Cambs,
PE15 0RS

TITLE
Proposed Building Arrangements

DRAWN J.Scotcher	DATE OF ISSUE
CHECKED	
DATE Dec 2024	DRAWING NUMBER H9861/04
SCALE As Shown	

APPLICATION NO: F/YR24/0468/O

Applicant: Mr D Dalrymple
Beauville Properties Ltd

Agent : Mr Lee Bevens
L Bevens Associates Ltd

SITE LOCATION: Land South Of 116 - 122 New Road, Chatteris

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

UPDATE

1. Background

1.1. This application was previously reported to the Planning Committee meeting of 2nd April 2025, when Members had concerns regarding the following matters:

- Contamination
- Refuse collection (adoptable road)
- Dwellings (scale)

1.2. Members resolved to defer determination of the application requesting that Officers returned to the agent for additional information and to enable Members to make an informed decision on the application.

1.3. For reference, the original Committee Report, recommendation and suggested conditions are included as an appendix following this update.

2. Agent response

2.1 The applicant's agent has submitted a further statement in support of the application, which is available on the Council's website. This addresses:

1. Road and refuse vehicles; setting out that discussions have taken place with officers at CCC Highways, and the illustrative road layout reflects those discussions. Additionally, tracking details were submitted with the application showing a refuse vehicle would be able to enter and turn round within the site.

2. Boundary confirmation and judicial review; title plans have been provided showing that the application site is within the ownership of the applicant. The judicial review referenced by an objector was a planning appeal.

3. Contamination; confirming that the applicant has spent approximately £100k on decontamination costs relating to the 2005 planning permission (F/YR03/0054/F).

4. Dwelling scale and mix; clarifying that while they are not committed as part of the application illustrative street scenes have been submitted as part of the application showing bungalows along the western side of the site adjacent to Green Park.

3. Officer Comment

3.1 This is an outline application with all matters reserved other than access. As such the details submitted in terms of site layout (roads) and scale are illustrative only, however, as set out in the original report, these are considered to show that an appropriate development could come forward at reserved matters stage.

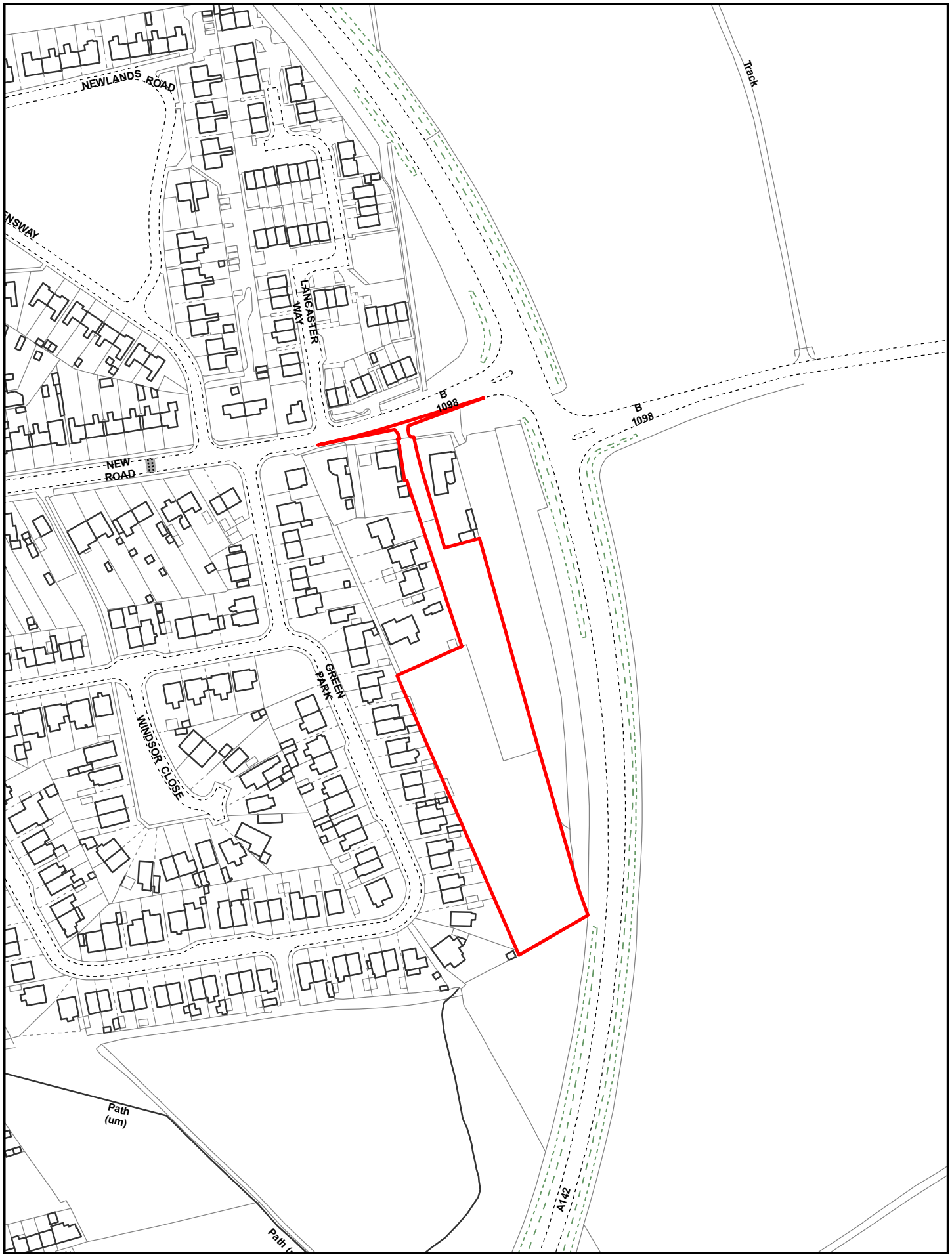
3.2 As a clarification to the 'Planning History' section of the original report, refused planning application F/YR01/0939/F was the subject of an appeal which was dismissed in July 2003.

4. Conclusion

4.1 On the basis of the above, and as concluded within the original Officer report, it is considered that there are no reasonable material planning reasons to refuse outline planning permission.

Recommendation: GRANT – The above update does not alter the recommendation as set out within the original report, contained within Appendix 1.

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



Created on: 06/06/2024	F/YR24/0468/O	N
© Crown Copyright and database rights 2024 Ordnance Survey 10023778	Scale = 1:2,500	Fenland CAMBRIDGESHIRE Fenland District Council

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

ALL WORKS TO COMPLY WITH CURRENT CDM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPOSIBILITY TO FULLY COMPLY WITH THE CDM 2015 REGULATIONS INCLUDIN 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.

Scale: 1:500

0m 5 10 15 20 25m 50m

2.4m x 43m visibility splay

2.4m x 43m visibility splay

6m

Existing tarmac path

BN25 kerb along new access

6m

Existing tarmac path

New 2m footpath laid out and constructed to CCC specification to tie in with existing

5m wide access with 2m footway and 0.5m margin and 6m radius kerbs.2.4m x 43m visibility splays in accordance with 30mph speed limit.

0.5m 5m 2m

5m Minor Estate Road

Existing fence retained

Existing Ash tree removed

Existing Willow tree removed

Existing Willow tree removed

Existing Goat Willow trees along boundary to be removed and replaced with native species hedge planting

Existing Lawson Cypress trees along boundary to be removed and new 2m high timber fencing erected

Existing Lawson Cypress trees along boundary to be trimmed back to boundary and retained.

Existing Goat Willow tree along boundary to be removed and replaced with native species hedge planting

Existing Goat Willow trees along boundary to be removed and replaced with new trees

Indicative new tree planting

Fenceline reinstated to correct boundary (Registered Title)

Indicative new tree planting

Existing Goat Willow tree along boundary to be removed

Existing Silver Fir tree retained

Fenceline reinstated to correct boundary (Registered Title)

6m shared surface

Mixture of new native species hedge planting to boundary

Mixture of new native species hedge planting to boundary

Mixture of English Oak, Ash and Field Maple trees

Indicative area of on site reptile receptor with 2m corridor maintained to southern boundary and wider context. Final area to be subject to a reserved matters application

Mixture of Ash trees

Mixture of new native species hedge planting to boundary

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

North

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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Web: www.lbevens-associatesltd.co.uk

DRAWING STATUS: PRELIMINARY ☐ CONSTRUCTION ☐ PLANNING ■ FILE COPY ☐

CLIENT
Beauville Properties Ltd

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

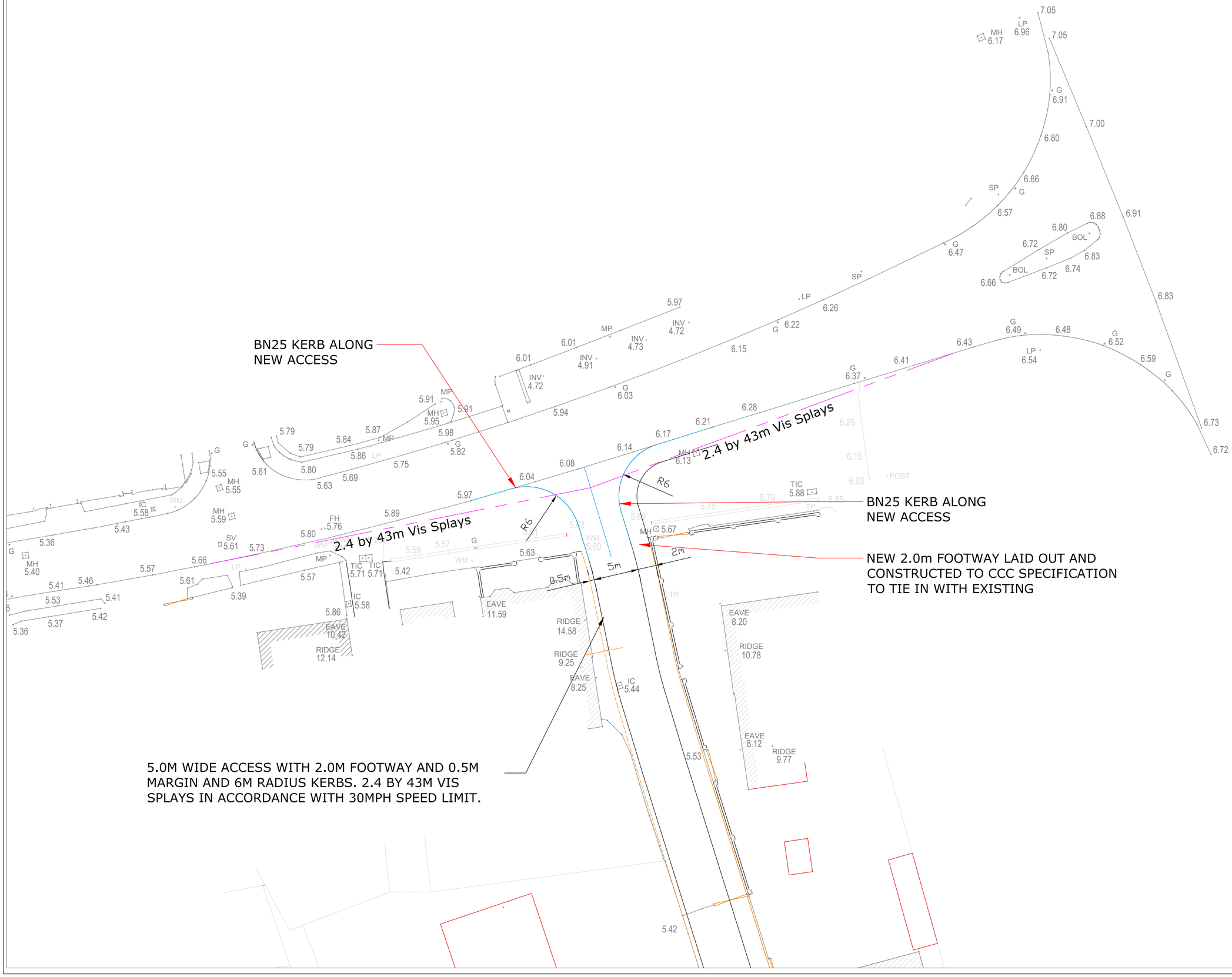
DRAWING TITLE
Illustrative Site Layout

(ACCESS COMMITTED)

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

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

REVISION: D



North Arrow

N
W E
S

NOTES

1. This drawing is to be read in conjunction with 3272-03 and 3272-04.
2. 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.
3. Any discrepancies, of whatever nature, must be reported to the Engineer prior to the commencement or continuance of any further works.
4. All private drainage works to be in accordance with the requirements of Building Regulations 2010, Part H, "Drainage and waste disposal", (01st October 2015).
5. 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.
6. 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. 100mm diameter pipes shall not be laid flatter than 1 in 80, 150mm diameter pipes shall not be laid flatter than 1 in 150.
7. All pipes, chambers and fittings to be installed strictly in accordance with the manufacturers instructions.
8. Pipes which run adjacent to buildings shall be installed in strict accordance with Part H, Clauses 2.23 to 2.25 and Diagram 8.
9. 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
10. All drains in the vicinity of existing or proposed trees to be constructed in accordance with the requirements of NHBC Practice Note 3.
11. Private drainage frames must be tied to manhole risers by use of manufacturers ties (e.g. Polypipe ref. FRK500 fixing kit and FRK501 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.
12. All existing land drains encountered on site during construction to be re-connected.
13. All dimensions in metres unless otherwise stated.
14. 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.
15. 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

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

MTC 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

PROJECT
Land South of 122 New Road, Chatteris

TITLE
Site Access

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

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APPENDIX 1

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

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.

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/m2 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 propose 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 m² (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 m².

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 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.

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;

Provider	**% of Total contributions**	**Amount proposed based on 20 dwellings (£40,000)**

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
		£40,000

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	*Reserved Matters* Approval of the details of: (i) the layout of the site (ii) the scale of the building(s); (iii) the external appearance of the building(s); (iv) the landscaping (hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development). 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.
2	*Reserved Matters expiry* 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. Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990 (as amended).
3	*Commencement* 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. Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
4	*Archaeology* 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) and Policy LP18 of the Fenland Local Plan, 2014.
5	*Surface Water Drainage* 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. The scheme shall be based upon the principles within the agreed Sustainable Drainage Strategy prepared by MTC Engineering (ref: 3272 FRA & DS) dated July 2024 and shall also include: 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; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance; c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it); d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections); e) Site Investigation and test results to confirm infiltration rates; f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants; g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems; h) Full details of the maintenance/adoption of the surface water drainage system; i) Permissions to connect to a receiving watercourse or sewer; j) Measures taken to prevent pollution of the receiving groundwater and/or surface water. Reason: To 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.
6	*Construction Drainage* No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence. Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself 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.
7	*Foul Drainage* 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.

	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.
8	*CMP* 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: a) Construction programme; 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; 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; d) Details of restricted Construction hours; e) Details of restricted Delivery times and collections; 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; h) 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, including details of any piling construction methods / options, as appropriate; 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; j) Use of concrete crushers; k) Prohibition of the burning of waste on site during demolition/construction; l) Site artificial lighting including hours of operation, position and impact on neighbouring properties; m) Drainage control measures including the use of settling tanks, oil interceptors and bunds. n) Screening and hoarding details; o) Access and protection arrangements around the site for pedestrians, cyclists and other road users; The approved CMP shall be adhered to throughout the construction period and must demonstrate the adoption of best practice. 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.
9	*CEMP: Biodiversity* No development shall take place (including demolition, ground works and

	vegetation clearance) until a Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall 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; a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction this may be provided as a set of method statements d) The location and timings of sensitive works to avoid harm to biodiversity features e) The times during which construction when specialist ecologists need to be present on site to oversee works f) Responsible persons and lines of communication g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person h) Use of protective fences, exclusion barriers and warning signs if applicable The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority Reason: To protect biodiversity in accordance with policies LP16 & LP19 of the Fenland Local Plan 2014.
10	Trees No works shall commence until an arboricultural protection and method statement 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; i) An arboricultural and impact assessment for existing trees and hedgerow within the access works area including details of any removal and pruning ii) Details of tree protection measures iii) Details of any intrusive groundworks in and around any root protection areas including methods of any ground-breaking iv) Details of any replacement planting to mitigate the loss of any vegetation with the access works area. v) Details of long-term management and maintenance of any retained, replaced or new planting with the access works area. Reason: In the interests of visual amenity and biodiversity protection in accordance with policies LP16 of the Fenland Local Plan, 2014.
11	*Landscaping: Ecology* The landscaping details submitted in accordance with Condition 01 of this permission shall include: (a) a plan showing (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 (ii) the location of hedges to be retained and details of species in each hedge. (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; (c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site; (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; (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; (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. 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. 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.
12	*Ecology Enhancements* 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 & bird boxes to be installed. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity. 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.
13	*GCN & Reptile Strategy* Prior to or alongside the submission of reserved matters a Great Crested Newt ('GCN') and Reptile Mitigation Strategy or demonstration that the developer has *signed up to a Natural England District Level Licencing Scheme* for GCN shall be submitted to and approved in writing to the LPA works shall be carried out strictly in accordance with approved strategy. Reason: To protect biodiversity in accordance with policies LP16 & LP19 of the Fenland Local Plan 2014.
14	*Housing Mix*

	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. The scheme shall include: - 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. - A schedule of dwelling sizes (by number of bedrooms). - 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. Development shall not commence until the housing mix scheme has been approved in writing by the Local Planning Authority. 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.
15	*Noise* 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. Reason: To safeguard residential, in accordance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.
16	*Waste Collection Strategy* 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. 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.

	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.
17	*Lighting* 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; i) the specification of lights and lighting structures, ii) locations and heights of all lighting, iii) the light levels to be achieved over the intended area and at the development site boundaries and the surrounding area. The approved scheme shall be implemented on site prior to first occupation of the development or in agreed phases and retained as such thereafter. 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
18	*Fire Hydrants* 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. 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.
19	*Access* Prior to the first occupation the access road shall be constructed fully in accordance with the details set out on the approved Indicative Site Access Plan 3272-08 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. Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.
20	*Binder Course* 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. Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

21	*Street Management & Maintenance* 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. 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.
22	*Highway drainage* The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity. Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.
23	*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) 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. 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.
24	*Biodiversity Net Gain* Development may not be begun unless: (a) a biodiversity gain plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
25	Approved Plans 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. - CH23/LBA/649/OP-1-101 Location Plan - 3272-08 Indicative Access Design

	- CH23/LBA/649/OP-1-102 Rev D Illustrative Site Layout

F/YR24/0828/VOC

Applicant: Mr Richard Barnes
RJB (East) Ltd

Agent : Mr G Boreham
Morton & Hall Consulting Ltd

32 Wimblington Road, Doddington, March, Cambridgeshire PE15 0TJ

Variation of condition 16 (list of approved plans), relating to planning approval F/YR23/0539/O (Erect up to 4 x dwellings (outline application with matters committed in respect of access and layout), involving the demolition of existing dwelling and storage buildings) relating to changes to layout of plots 2, 3 and 4, roadway and trees

Officer recommendation: Grant

Reason for Committee: Parish Council objection and six or more written opinions received which differ from the Officer recommendation

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Government Planning Guarantee

Statutory Target Date For Determination: 6 December 2024

EOT in Place: Yes

EOT Expiry: 07 May 2025

Application Fee: £293

Risk Statement:

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

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1 EXECUTIVE SUMMARY

1.1 This application seeks a Variation of Condition 16 to the list of approved plans to enable a revised layout of plots 2, 3 and 4, roadway and trees.

1.2 The amendments proposed to the layout include an amended orientation of plot 4. Plots 2 and 3 remain in a similar position to that of the original outline application.

1.3 Objections have been raised by neighbouring properties and the Parish Council predominantly concerning potential overlooking impacts because of the amended layout of Plot 4. These comments are acknowledged, however only layout and access are committed at this stage. Fenestration details would be considered at the reserved matters stage and it is considered that an acceptable scheme could be achieved on site which would not adversely impact upon neighbouring properties.

1.4 As such, this recommendation is to grant this application.

2 SITE DESCRIPTION

2.1 The application site is located to the south of Wimblington Road within the settlement of Doddington.

2.2 The site is currently occupied by a bungalow, a series of outbuildings and grassland areas. A range of mature trees are currently situated within the site and to the sites boundary's.

2.3 Existing access off Wimblington Road is located at the northern boundary of the site. To the east of the site is overgrown vegetation with open fields beyond, south of the site there are 16 no. residential dwellings that were approved under planning application F/YR14/0217/F. To the west of the site is Crossway Wood, which is part of a Tree Preservation Order TPO01/2014 and has an existing pond. A newt corridor is maintained from Crossway Wood to a pond on the Larkfleet development to the south of the site approved under planning application F/YR14/0217/F.

2.4 The application site is situated within Flood Zone 1 and an Amber Great Crested Newts Protection Zone.

3 PROPOSAL

3.1 This application seeks a Variation of Condition 16 to the list of approved plans to enable a revised layout of plots 2, 3 and 4, roadway and trees.

3.2 Plots 2 and 3 will remain in a similar position to the approved layout. The amendment to plot 4 includes an amended orientation.

3.3 The amendments to the internal roadway include minor amendments to the parking and turning areas within the site.

3.4 A revised tree report has also been submitted detailing the trees to be removed and retained.

3.5 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/YR24/3104/COND	Details reserved by condition 4 (construction method statement) and 12 (construction environmental management plan) of Planning permission F/YR23/0539/O (Erect up to 4 x dwellings (outline application with matters committed in respect of access and layout), involving the demolition of existing dwelling and storage buildings)	Approved 22/10/2024
F/YR24/3132/COND	Details reserved by Condition 01 (Materials) of planning permission F/YR24/0114/RM (Reserved Matters application relating to detailed matters of appearance, landscaping and scale (for Plot 1 only) (1 x dwelling, 2-storey, 4-bed) pursuant to outline permission F/YR23/0539/O (Erect up to 4 x dwellings (outline application with matters committed in respect of access and layout), involving the demolition of existing dwelling and storage buildings))	Approved 13/11/2024
F/YR24/0114/RM	Reserved Matters application relating to detailed matters of appearance, landscaping and scale (for Plot 1 only) (1 x dwelling, 2-storey, 4-bed) pursuant to outline permission F/YR23/0539/O (Erect up to 4 x dwellings (outline application with matters committed in respect of access and layout), involving the demolition of existing dwelling and storage buildings)	Approved 01/05/2024

F/YR23/0539/O	Erect up to 4 x dwellings (outline application with matters committed in respect of access and layout), involving the demolition of existing dwelling and storage buildings	Granted 17/11/2023

5 CONSULTATIONS

5.1 Doddington Parish Council

Doddington Parish Council has considered the amended plans submitted under the above reference and has no further comment to make.

Previous comments received from the Parish Council supported the objections raised by residents of Witchford Close and Woodford Close with regard to overlooking impacts associated with Plot 4. The Parish Council noted that residents would be adversely impacted (policy LP2).

5.2 FDC Arboricultural Officer

Having reviewed the current method statement and tree protection plan I consider this acceptable. The method statement includes details on site supervision, but states this is to be formalised at a pre-commencement meeting. This will need to be done and details of when arboricultural site monitoring is to be undertaken.

Previous comments received from the FDC Arboricultural Officer noted that the submitted method statement and protection plan was insufficient in detail. The agent has provided amendments to overcome these initial concerns.

5.3 CCC Highways

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 a review of the documents provided to the Highway Authority as part of the above planning application, the revised drawings do not alter the original comments raised in the consultation response dated 22nd November 2024.

In the event that the LPA are mindful to approve the application, please append the Conditions outlined within the consultation response for the outline planning consent (planning ref. F/YR23/0539/O), dated 16th August 2023.

Informatives

Works in the Public Highway
This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way,

without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

5.4 **Local Residents/Interested Parties**

7 letters of objection have been received with regard to this application. 4 of these letters are from properties at Woodside Close; 2 from Witchford Close and 1 from Eastwood, Chatteris. The reasons for objection are summarised as follows:

- Privacy
- Overlooking
- Impact on property value
- Trees
- Loss of view
- Parking
- Newt corridor not retained
- Land ownership

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

7.1 **National Planning Policy Framework (NPPF) 2024**
Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
Chapter 9 – Promoting sustainable transport
Chapter 11 – Making effective use of land
Chapter 12 – Achieving well-designed places
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**
Context
Identity
Built Form

7.4 **Fenland Local Plan 2014**
LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
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

7.5 **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 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
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **The acceptability of the changes proposed**
- **The conditions subject to which planning permission was granted**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

9.1 The Planning Practice Guidance (PPG) notes that there are instances where new issues may arise after planning permission has been granted, which require modification of the approved proposals.

9.2 The PPG advises that where modifications are fundamental or substantial a new planning application will be required. Where less substantial changes are proposed a minor material amendment application under S73 of the Town and Country Planning Act 1990 can be submitted where there is a relevant condition that can be varied – for example and in this case, the conditions controlling the approved plans.

9.3 The effect of granting S73 permission is to effectively re-issue a planning permission and therefore any conditions and obligations that are relevant to the new permission having regard to the previous permission should be re-imposed and any new conditions or obligations imposed where appropriate to do so.

9.4 The High Court ruling in the case of Armstrong v Secretary of State for Levelling-Up, Housing and Communities [2023] EWHC 176 reiterated the principle of S73 applications. This Case Law states that:

9.5 Section 73 is clearly intended to be a provision which enables a developer to make a section 73 application to remove or vary a condition, provided of course that the application does not conflict with the operative part of the planning permission.

9.6 The operative part of a planning permission is considered to be the description of development granted.

10 ASSESSMENT

Principle of Development

10.1 The principle of development has been clearly established by virtue of the original grant of permission. It is merely the revised details and any implications of the amendments proposed that require consideration under Section 73; along with an evaluation as to whether the amendments proposed are individually and cumulatively minor in the context of the approved scheme.

The acceptability of the changes proposed

10.2 This application seeks to vary condition 16 which relates to the list of approved plans. The amendments proposed relate to an amended layout of Plots 2, 3 and 4, amendment to the roadway and to the trees on site.

Amended layout

10.3 As aforementioned, plots 2 and 3 remain in a similar position to the original approved layout of the scheme. The amendment to plot 4 includes an amended orientation. The amended layout of plot 4 would not introduce any issues with regard to visual amenity, parking or provision of private amenity space.

10.4 The letters of objection received, and the comments provided by the Parish Council are acknowledged. However, it should be highlighted that this application is a Variation of Condition application relating to a previous Outline permission which only committed access and layout. As such, matters relating to appearance, landscaping and scale would be considered at subsequent reserved matters stage.

10.5 The elevation and floor plan drawings provided are indicative only and would not be approved as part of this application. Fenestration details would be approved at reserved matters stage. Irrespective of this, it is considered that a scheme could be accommodated under the amended layout which would not introduce adverse impacts upon the privacy of surrounding properties. As such, the amended layout could not be refused on issues relating to the detailed design of the dwellings as this has not been committed at this stage.

10.6 The letters of objection received also raised concerns regarding potential impacts on property value and loss of view. These are not material planning considerations and therefore cannot be used as a reason to justify refusal.

10.7 One of the letters received raised concerns regarding land ownership. Similarly to the above, land ownership is a civil matter and not a material planning consideration.

10.8 Concerns were raised regarding the existing newt corridor not being retained. The agent has since amended the submitted site plan to ensure that the newt corridor remains in situ.

10.9 Concerns raised regarding parking and trees will be discussed below.

10.10 The amended layout is therefore considered to be acceptable and compliant with Policy LP16 of the Fenland Local Plan. Window arrangements would be reviewed at reserved matters stage.

Roadway

10.11 The proposed internal roadway is to be slightly amended to accommodate the revised layout. The amended roadway layout retains provision for parking for 3 vehicles for each plot in the form of driveways and associated garages. Communal turning areas are also retained within the site.

10.12 The CCC Highways team were consulted as part of this application and have raised no objection to the amended internal roadway as the site retains access and turning for refuse vehicles. As such, the amendments to the roadway are considered acceptable and there are no issues to address with regard to Policy LP15.

Trees

10.13 The proposed amended layout and alterations to the internal roadway as resulted in amendments to the trees on site to be retained and removed. Upon consultation with the FDC Arboricultural Officer, no objections were raised to the amendments proposed and the method statement and protection plan submitted are considered to be acceptable. As such, there are no issues to address with regards to Policy LP19.

The conditions subject to which planning permission was granted

No.	Condition summary	Amendments required?
1	Approval of reserved matters	Condition to be retained.
2	Application for approval of reserved matters shall be made before the expiration of 3 years	Condition to be amended to reference the date of the original outline consent.
3	Development shall begin before expiration of 2 years from the date of approval of the last reserved matters	Condition to be retained.
4	No development to take place prior to the submission of a Construction Method Statement	Details approved under F/YR24/3104/COND. Condition to be amended to be in accordance with these details.
5	Prior to commencement of use condition relating to construction of access.	Condition to be retained.
6	Landscaping details to be submitted in accordance with Condition 01	Condition to be retained.
7	Access and hardstanding to be constructed with adequate drainage	Condition to be retained.
8	Permitted development rights removed for the provision of gates and means of enclosure across vehicular access	Condition to be retained.
9	Prior to occupation condition requiring on-site parking/turning areas to be laid out in a bound material and	Condition to be retained.

	drained within the site	
10	Prior to commencement condition of use condition requiring provision of visibility splays	Condition to be retained.
11	Contamination condition during development	Condition to be retained.
12	No development to take place until a construction environmental-management plan has been submitted	Details approved under F/YR24/3104/COND. Condition to be amended to be in accordance with these details.
13	Working hours condition	Condition to be retained.
14	Condition requiring development to be undertaken in accordance with the submitted tree survey	Condition to be amended to reference new tree surveys.
15	Condition requiring development to be undertaken in accordance with Preliminary Ecological Appraisal	Condition to be retained.
16	Approved plans condition	Condition to be amended to reference amended plans.

Biodiversity Net Gain (BNG)

10.14 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.

10.15 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 is a Section 73 application which are currently exempt from the Biodiversity Gain Condition.

11 CONCLUSIONS

11.1 The amendments proposed are considered acceptable and the scheme is considered to remain compliant with the Fenland Local Plan 2014. The comments received from neighbouring properties and the Parish Council are acknowledged however window arrangements would be considered at reserved matters stage. The drawings provided are only indicative and are not approved details at this stage. As such, the application is recommended for approval.

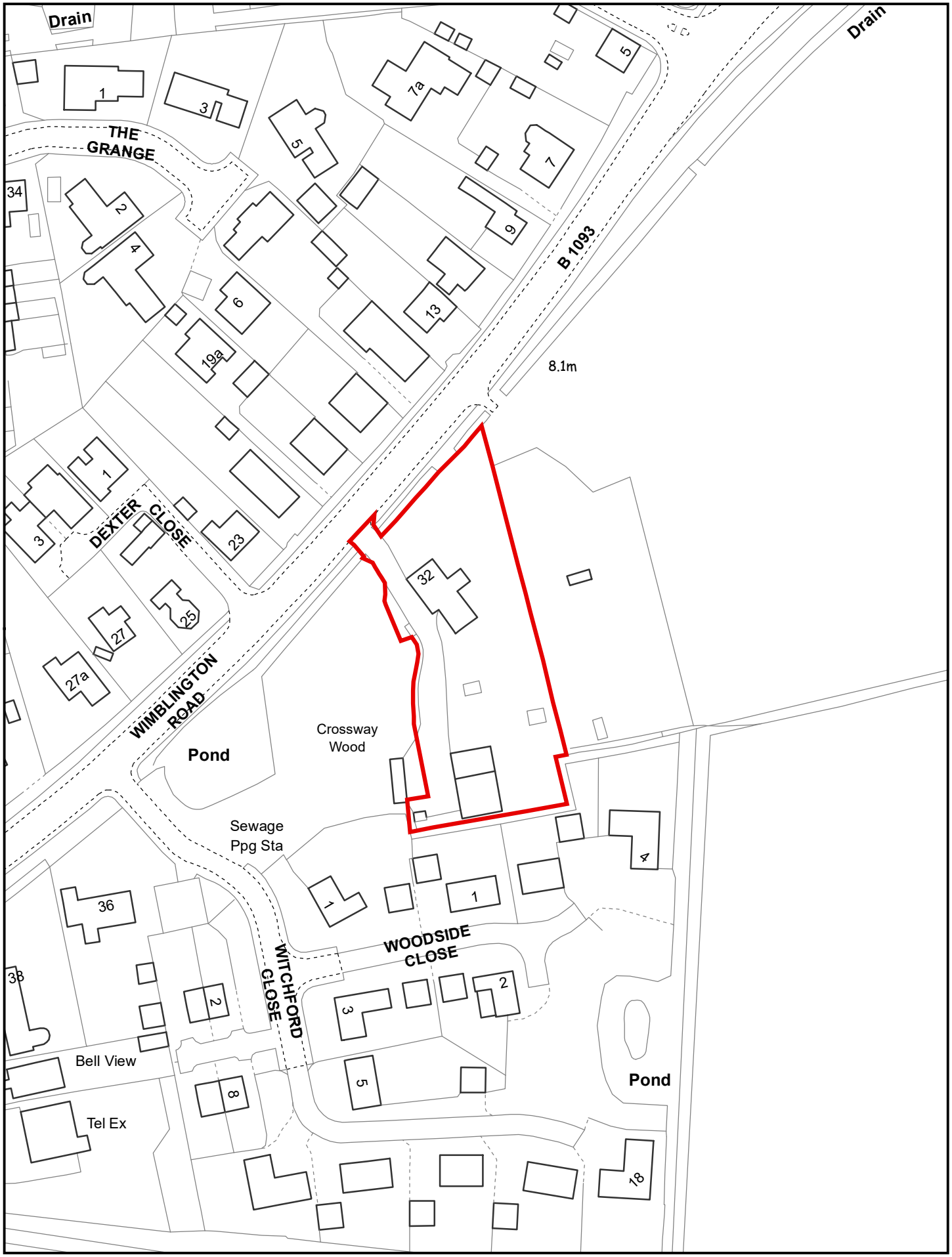
12 RECOMMENDATION

12.1 **Grant**; with the following conditions:

1	Approval of the details of:

	i. the scale of the building(s); ii. the external appearance of the building(s); iii. the landscaping (hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).
2	Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the 17th November 2026.
3	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.
4	The development hereby approved shall be carried out in accordance with the Morton & Hall Consulting Ltd Preliminary Construction Management Plan – October 2024 revision (submitted with F/YR24/3104/COND).
5	Prior to the commencement of the use hereby approved the access road shall be constructed to a minimum width of 5 metres for a minimum distance of 10 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.
6	The landscaping details to be submitted in accordance with Condition 01 of this permission shall include: a) existing and proposed site levels including those on adjacent land. b) means of enclosure ensuring that adequate gaps are provided under any new fencing to allow for the passage of hedgehogs. c) car parking, vehicle and pedestrian access and circulation areas (which shall be of a bound material) d) hard surfacing, other hard landscape features and materials e) planting plans, including specifications of species, sizes, planting centres number and percentage mix, a range of native tree and shrub species should be included. f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife g) existing trees, hedges or other soft features to be retained, including those on adjoining land and a tree survey is required to ensure the proposal will not have an adverse impact on the trees h) timing of landscaping works All works shall then be carried out in accordance with the approved details.
7	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.
8	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking, amending or re-enacting that order) no gates or other means of enclosure shall be erected across the vehicular access hereby approved;
9	Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).
10	Prior to commencement of the use/or first occupation of the development hereby approved, visibility splays shall be provided on both sides of the new vehicular access and shall be maintained free from any obstruction over a

	height of 600 mm within an area of 2 metres x 2m metres measured along respectively the back of the footway
11	If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.
12	The development hereby approved shall be carried out in accordance with the Denny Ecology Construction Environment Management Plan (submitted with F/YR24/3104/COND).
13	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.
14	The proposed development must be undertaken in accordance with the recommendations outlined within the submitted Arboricultural Method Statement including the tree protection plan prepared by OMC Arboriculture dated 16th March 2025.
15	The proposed development must be undertaken in accordance with the mitigation and enhancements outlined within the Preliminary Ecological Assessment prepared by Applied Ecology Ltd in May 2023.
16	Approved plans; Preliminary Ecological Appraisal H9658/01D Location plan, existing and proposed tree plan H9658/02G Proposed site plan Arboricultural Method Statement – OMC Arboriculture dated 16th March 2025



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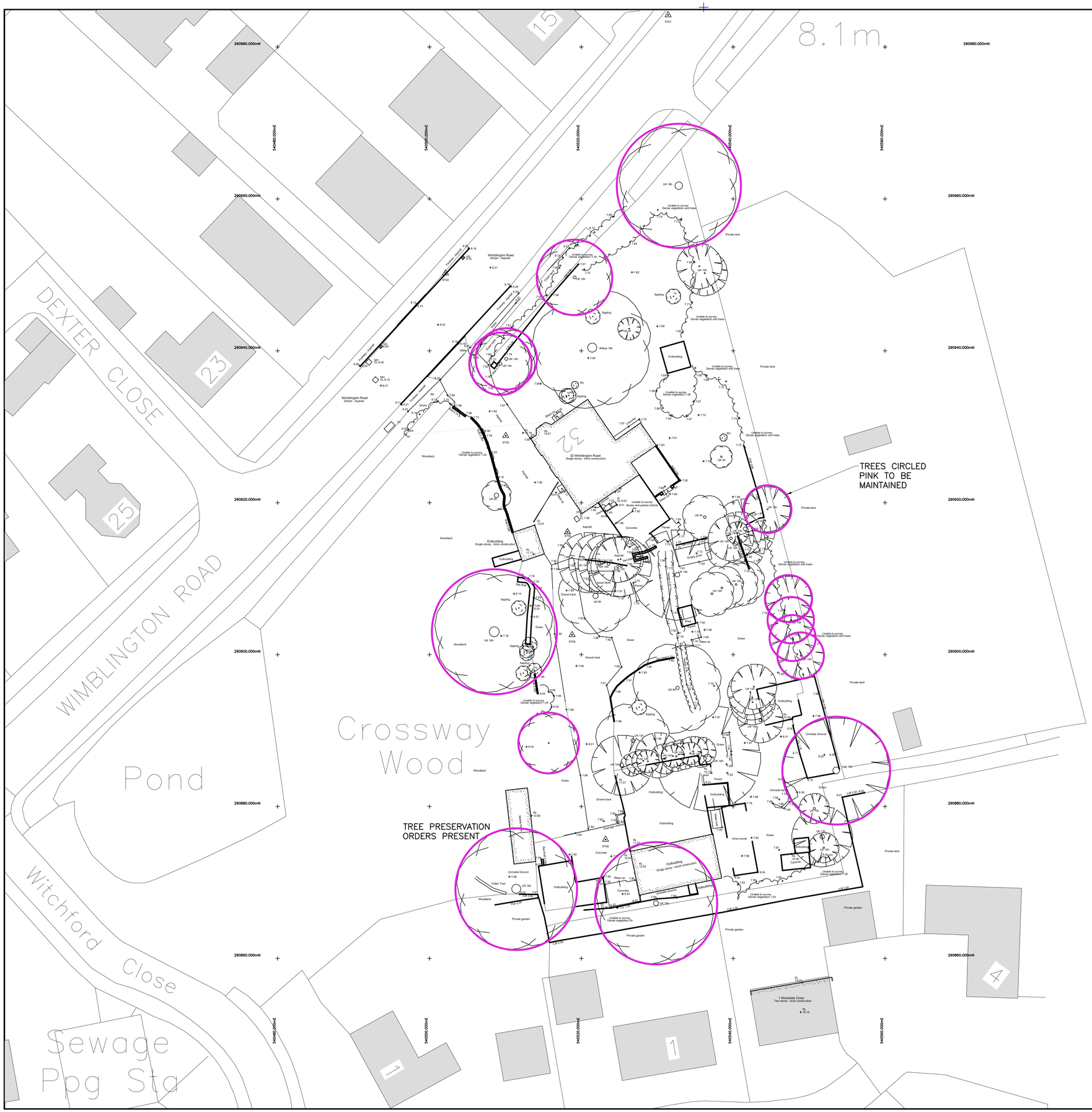
F/YR24/0828/VOC

Scale = 1:1,250

N

Fenland CAMBRIDGESHIRE
Fenland District Council



LEGEND:

- EXISTING DWELLINGS
- PAVEMENT
- GRASS
- PERMEABLE BLOCK PAVING (NON SLIP)
- TARMAC
- GRAVEL
- SLAB PAVING
- WHEELIE BINS
- HEDGING
- VEGETATION

N W E S

EXISTING SITE PLAN (1:250)

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Please read, if in doubt ask. Change nothing without consulting the Engineers.

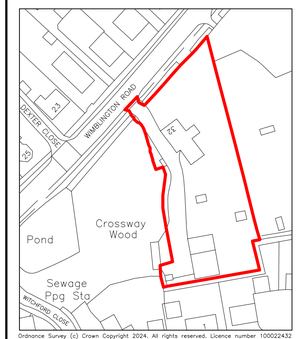
Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.

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



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LOCATION PLAN (1:1250)

METERS
1:1250 0 10 20 30 40 50

N W E S

METERS
1:250 0 5 10 15 20

D	BOUNDARY UPDATED	MAR 2025
C	BOUNDARY UPDATED	MAR 2025
B	PLANNERS COMMENTS	OCT 2024
A	PLANNERS COMMENTS	OCT 2024
	REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED
CONSULTING STRUCTURAL ENGINEERS
1 Gordon Avenue, March, Cambridgeshire. PE15 8AJ
Tel: 01354 655454
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E-mail: info@mortoncondhall.co.uk
Website: www.mortonconsultingengineers.co.uk

Fenland District Council Building Design Awards Building Excellence in Fenland

CLIENT: RJB (East) Ltd

PROJECT: 32 Wimblington Road, Doddington, Cambridgeshire, PE15 0TJ

TITLE: Existing Site Plan, Location Plan & Existing & Proposed Tree Plan

DRAWN: G.Boreham	DATE OF ISSUE:
CHECKED:	
DATE: Jun 2024	DRAWING NUMBER: H9658/01D
SCALE: As Shown	

LEGEND:

- EXISTING DWELLINGS
- PAVEMENT
- GRASS
- PERMEABLE BLOCK PAVING (NON SLIP)
- TARMAC
- GRAVEL
- SLAB PAVING
- WHEELIE BINS
- HEDGING
- VEGETATION
- ROOT PROTECTION ZONES (REFER TO TREE REPORT)
- ASHP = AIR SOURCE HEAT PUMP

SB = 2m SILVER BIRCH (BETULA PENDULA)

CH = 2m CHERRY TREE (PRUNUS REGINA)

N W E S

PROPOSED SITE PLAN (1:250)

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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

PROPOSED LANDSCAPING WORKS

Landscaping to be set on completion of each of the plots ensuring that no further building operations are required in the areas concerned and that the build process has moved on. All existing trees as shown to be maintained. Any tree planting to be implemented during the first season following the completion of the area concerned giving it time to establish during the build process within other areas of the Development.

MAINTENANCE

Maintenance to commence from the completion of the works and shall cease 12 months following the date of practical completion. The Developer and then each home Owner shall be responsible for the timing of the visits to ensure that the site has a well maintained appearance.

GRASSED AREAS

The grass/lawn mixes are to be maintained in accordance with the Establishment and Maintenance documents on www.wildseed.co.uk.

Lawns to be cut as necessary.

PROPOSED REPLACEMENTS

Any shrubs/plants which do not grow in the first 12 months, should be replaced with the same species and size as the original plant. This includes plants vandalised or stolen through no fault of the Developer. Plants should be checked at the end of the growing season from September onward but before leaf fall for deciduous species.

1:250 METERS 0 5 10 15 20

	REVISIONS	DATE
G	PLANNERS COMMENTS	APR 2025
F	BOUNDARY UPDATED	MAR 2025
E	PLANNERS COMMENTS	NOV 2024
D	SCHEME REVISED	NOV 2024
C	DIMENSION ADDED	OCT 2024
B	PLANNERS COMMENTS	OCT 2024
A	DRAWING AMENDED	JUL 2024

MORTON & HALL CONSULTING LIMITED
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E-mail: info@mortonandhall.co.uk
Website: www.mortonconsultingengineers.co.uk

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

CLIENT: RJB (East) Ltd

PROJECT: 32 Wimblington Road, Doddington, Cambridgeshire, PE15 0TJ

TITLE: Proposed Site Plan

DRAWN	G.Boreham	DATE OF ISSUE	
CHECKED			
DATE	Jun 2024	DRAWING NUMBER	H9658/02G
SCALE	As Shown		

F/YR25/0145/F

Applicant: Mr & Mrs S & T Rutterford & Hudson	**Agent: Mr G Boreham Morton & Hall Consulting Ltd**

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

Erect 2 x self-build/custom build dwellings including formation of a new access

Officer recommendation: Refuse

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

Government Planning Guarantee

Statutory Target Date For Determination: 31 March 2025

EOT in Place: Yes

EOT Expiry: 07 May 2025

Application Fee: £1156

Risk Statement:

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

1 EXECUTIVE SUMMARY

1.1 The site is well related to the primary market town of March to which new development should be directed as set out in the settlement hierarchy of Policy LP3 of the Fenland Local Plan.

1.2 The development has a poor visual relationship due to the clearance between the site and the development to the east of the site and appears randomly placed, exacerbated by the design and appearance of the proposed dwellings and the stark appearance they will introduce when travelling along Gaul Road. The development is considered to result in an incongruous form of development contrary to Policy H2 of the March Neighbourhood Plan 2017, Policy LP16(d) of the Local Plan and Paragraph 135 of the NPPF.

1.3 The application site is situated within Flood Zone 3 (high risk). This application proposes an intensification of the use of the site in comparison to the extant permission on site and therefore both the Sequential Test and Exception Test are required. The submitted Sequential Test has been mis-applied and has incorrectly rules out a number of acceptable sites. The application therefore does not pass the Sequential Test and the Exception Test is therefore not applicable. The development would therefore also be contrary to LP14, the adopted SPF and paragraph 170 of the NPPF.

1.4 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

2.1 The site is part of a larger area of open scrub land and is situated approximately 40 metres to the west of the nearest dwellinghouse, 167 Gaul Road. The site measures approximately 25.5 metres wide x 22.5 metres deep and has an area of approximately 0.06 hectares.

2.2 The site fronts onto Gaul Road and is served by an existing footpath cycleway which is separated from the road by a small grass verge. The residential development to the east (of which No.167 is part) was originally approved in 2009 with amendments since. This development stops abruptly where it adjoins the wider land in which this current application site is located.

2.3 To the west of the site is a run of overhead electricity power cables mounted on pylons. The site lies wholly within Flood Zone 3 which is the greatest risk of flooding.

3 PROPOSAL

3.1 This application is for the erection of 2 x self-build/custom build dwellings including the formation of a new access. The proposed new access would be centrally located within the site.

3.2 The dwellings proposed would be 2-storey, detached dwellings, finished with a dual-pitched roof. The eaves height would be approximately 5.1 metres and the ridge height would be approximately 8.7 metres. The footprint of both dwellings would be 9.3 x 6.2 metres.

3.3 The materials proposed are a red brick and white render and grey roof tiles with anthracite UPVC windows.

3.4 Parking spaces are proposed to the front and side of each individual dwelling, with private amenity space and bin storage to the rear of the dwellings, which would be enclosed by 1.8 metre close boarded fences.

3.5 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/YR22/1053/F	Erect 1 dwelling (2-storey 4-bed) with detached garage	Granted 21/04/2023
F/YR22/0565/O	Erect up to 2 dwellings (outline with matters committed in respect of access)	Refused 29/07/2022

5 CONSULTATIONS

5.1 **March Town Council**

Recommendation: Approval

5.2 **FDC Ecology**

Thank you for consulting the Ecology Team on the above application.

I would raise no objections to the proposals on Ecology grounds, since the proposals will not affect any designated sites, protected or priority species or any notable habitats. The application site appears to have been subject to disturbance relatively recently in connection with the nearby new development.

I note that the proposals are exempt from biodiversity net gain, but I would advise that, in the general interests of biodiversity enhancement, if permission is to be granted to the development, bat roosting and bird nesting opportunities should be required to be provided on the site post-completion.

Reason - in the interests of the conservation of the natural environment, Policy LP19

5.3 **FDC Environmental Services**

We have 'No Objections'

5.4 **FDC Environmental Health**

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.

5.5 **FDC Planning Policy**

Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of that Act to have regard to this and to give enough suitable development permissions to meet the identified demand. As set out in the Regulations, Part 1 of a register comprises those people and organisations who meet all the eligibility criteria, including the local connection test. Part 2 comprises those people and organisations who meet most, but not necessarily all, the eligibility criteria. The Council has a duty to 'give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area' (i.e. to meet the demand for the number of applicants on Part 1 of their register) within a 3 year period, post the end of the base period.

The permissions granted demonstrate that the demand for self-build and custom housing (as identified by the register) is comfortably being met in Fenland. Therefore, no weight should be given to the delivery of self/ custom build housing at this time.

5.6 **CCC Highways**

Recommendation

Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, the effect of the proposed development upon the public highway would likely be mitigated if the following conditions form part of any permission that the Local Planning Authority is minded to issue in regard to this proposal.

Comments

The development proposed is accessed from Gaul Road, March. Gaul Road benefits from a combined kerb drainage system. It is necessary that the works within the highway to facilitate this proposal do not prevent the current drainage system on Gaul Road from operating satisfactorily.

In the event that the LPA are mindful to approve the application, please append the following Conditions and Informatives to any consent granted:

Conditions

The alterations to the existing kerb line along Gaul Road to facilitate the motor vehicle access as shown on Drawing H9789/02 B shall be constructed using a combined kerb drainage system to the satisfaction of the Local Highway Authority.

Reason: In the interest of highway safety and to maintain the effective operation of the highway.

Prior to the first occupation of the development (or prior to the commencement of the first use) the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

The proposed vehicular access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway

Notwithstanding the provision of Class A of Schedule 2, Part 2 of The Town and Country Planning (General Permitted Development) [England] Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected

across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety

The proposed vehicular access shall be a minimum width of 5m, for a minimum distance of 5m measured from the carriageway edge and thereafter retained free of obstruction. Reason: in the interests of highway safety.

5.7 **Environment Agency**

We have no objection to the proposed development on flood risk grounds but wish to make the following comments:

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

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

NPPF Flood Risk Sequential Test

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

5.8 **Local Residents/Interested Parties**

7 letters of support were received with regard to this application from properties within March (Bluebell Way, Babble Close, Brewin Avenue, Millfield Close, Gaul Road Farm and Gaul Road) and Wimblington (New Woods Drive), during the consultation period. The reasons for support are summarised as follows:

- Extant planning approval
- In keeping with existing and planned development
- Previous application out of character
- Meet the needs of the local community

6 STATUTORY DUTY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the March Neighbourhood Plan (2017).

7 POLICY FRAMEWORK

7.1 **National Planning Policy Framework (NPPF) 2024**
Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
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

7.2 **National Planning Practice Guidance (NPPG)**
Determining a Planning Application

7.3 **National Design Guide 2021**
Context
Identity
Built Form

7.4 **Fenland Local Plan 2014**
LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
LP5 – Meeting Housing Need
LP9 – March
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District

7.5 **March Neighbourhood Plan 2017**
H2 – Windfall Development

7.6 **Cambridgeshire Flood and Water SPD 2016**

7.7 **Emerging Local Plan**
The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 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
LP20: Accessibility and Transport
LP22: Parking Provision
LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design Considerations and Visual Amenity of the Area**
- **Residential Amenity**
- **Access and Highway Safety**
- **Flood Risk**
- **Other Issues**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

9.1 The site history section detailed above indicates the planning history of the site. Application reference F/YR22/0565/O was heard at planning committee on 27th July 2022. The application was an outline application for the erection of 2 dwellings with matters committed in respect of access.

9.2 The 2 reasons for refusal were due to the failure of the application to comply with the Sequential Test, thus contrary to Policy LP14 and the visually separated nature of the site which was considered contrary to Policy LP16.

9.3 Application reference F/YR22/1053/F was also heard at planning committee on 5th April 2023. This application was a full application for 1 dwelling with detached garage. The application was recommended for refusal by officers due to the failure of the application to comply with the Sequential Test, thus contrary to Policy LP14 and the visually separated nature of the site which was considered contrary to Policy LP16. Members did not support officer's recommendation of refusal of planning permission as they felt that applications have been approved for a number of dwellings in the vicinity and whilst there is a gap in the built form this proposal is not in isolation, one dwelling will not harm the surrounding area and flooding issues can be overcome with mitigation. This application was therefore granted with conditions requiring foul water details to be submitted. This permission is due to expire on the 21st April 2026.

10 ASSESSMENT

Principle of Development

10.1 Policy H2 of the March Neighbourhood Plan 2017 supports the provision of residential development.

10.2 Policy LP3 of Fenland Local Plan (the Local Plan) contains the spatial strategy and settlement hierarchy for the district. March is a primary Market Town (along with Wisbech) and other market towns are Chatteris and Whittlesey. The majority of the district's new housing and other growth should take place in these settlements.

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

10.4 Policy LP5, Part C seeks to provide, in appropriate circumstances, housing solutions that meet market expectations including self-build homes, which is supported by para 62 of the NPPF. Under Section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Weight would therefore be given to this, the amount dependant on identified demand.

10.5 The proposal is for self/custom build dwellings, however the Council can currently demonstrate that the number of permissions given for self/custom builds exceeds identified demand, and as such very limited weight can be afforded to this.

10.6 The site is considered to be well related to March and in terms of position/location in relation to the town centre and services would be acceptable and accord with the settlement hierarchy set out in Policy LP3 and as such the principle of development is considered to be acceptable, subject to further policy considerations set out below.

Design Considerations and Visual Amenity of the Area

10.7 Paragraph 135 of the NPPF requires, amongst other things, that development will add to the overall quality of the area and be visually attractive as a result of good architecture and layout. It should be sympathetic to local character, including the surrounding built environment and landscape setting.

10.8 Policy H2 of the March Neighbourhood Plan 2017 states that development should be of a high standard of design.

10.9 Policy LP16 of the Local Plan requires, amongst other things, that development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment and does not adversely impact in design or scale terms on the street scene, settlement pattern and landscape character of the surrounding area (criteria d).

10.10 There is an extant permission on the site for the erection of one dwelling as discussed within the background section above. This singular dwelling would have had a modern, unconventional design in comparison to the existing development to the east of the application site.

10.11 This proposal is however for a pair of detached dwellings, also situated within open street frontage and somewhat separated from the built edge of March. The design of these dwellings is of a fairly standard design in comparison to the extant permission on site. The proposed development also includes close boarded fencing upon the east and western boundaries, resulting in a stark view when travelling along Gaul Road. No landscaping is proposed to soften the boundaries of the site in relation to the open expanse surrounding the site. There would be a clearance of approximately 1.3 metres between Plot 1 and the west facing boundary fence and 1.4 metres between Plot 2 and the east facing boundary fence, thus contributing to this stark appearance. This also diminishes the scope for landscaping to soften the boundaries of the site due to the limited clearance between the dwellings and boundary of the site.

10.12 The proposal is therefore considered to result in a development that appears incongruous in this location and within the street scene, contrary to Policy H2 of the March Neighbourhood Plan 2017, Policy LP16 (d) of the Local Plan and the advice contained in paragraph 135 of the NPPF.

Residential Amenity

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

10.14 The FDC Environmental Health officer has recommended that a condition be included should permission be granted to restrict working times on site. As the development is for 2 dwellings and given the lack of immediate neighbouring properties, the inclusion of such a condition is considered to be unreasonable in this instance.

10.15 In terms of amenity for future occupiers, both plots have a sufficient area of private amenity space to the rear of the dwelling. Both plots also have 2 parking spaces and bin storage areas. As such, there are no issues to address with regards to residential amenity.

Access and Highway Safety

10.16 The proposed access would be centrally located within the site between the two dwellings. Upon consultation with the Highways Authority, no objections were raised as the proposed access will not result in any significant adverse effects upon the public highway subject to the inclusion of conditions.

10.17 Both dwellings would include the provision of 3 bedrooms. Appendix A of the Fenland Local Plan states that dwellings with up to 3 bedrooms should provide 2 on-site parking spaces. The submitted site plan details the provision of 2 space for both dwellings. As such, the proposal is considered to comply with Policy LP15.

Flood Risk

10.18 Policy LP14 Part B of the Fenland Local Plan 2014 states that the granting or refusing of planning permission will be informed by local and regional flood risk studies and guidance which are set out in the policy and any national advice in force at the time. All development proposals should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a Sequential Test where necessary and an Exception Test if necessary; through suitable demonstration of meeting an identified need and through the submission of a site-specific flood risk assessment.

10.19 Policy H2 (c) of the March Neighbourhood Plan states that windfall development will only be acceptable where the site is at a low risk of flooding i.e. not within Flood Zones 2 or 3.

10.20 The applications site falls within Flood Zone 3 (high risk) and the dwelling is considered to be ‘more vulnerable’ within the flood risk vulnerability and flood zone compatibility table. The extant permission on site is acknowledged, however this permission was for one dwelling and this application is for two dwellings. There is

therefore an intensification of development on site in comparison to the previous approval and therefore both the Sequential and Exception Test would be required to be applied to this development due to this intensification.

10.21 The submitted Sequential Test search area relates to the settlement of March only, which given the previous approval on site being considered to be within the settlement, the area of search is considered to be acceptable.

10.22 The Cambridgeshire Flood and Water Supplementary Planning Document states that the Sequential Test was developed to steer development to areas with the lowest probability of flooding. The SPD states that developers need to identify and list reasonably available sites identifying reasonably available sites as:

"Reasonably available sites will include a site or a combination of sites capable of accommodating the proposed development. These may be larger, similarly sized or a combination of smaller sites that fall within the agreed area of search."

10.23 The Sequential Test undertaken by the applicant's agents sets out sites with planning permission within March, and states whether they as agents consider the sites are reasonably available and whether they are considered to be at a lower risk of flooding. The Sequential Test incorrectly states that sites within a lesser Flood Zone are not sequentially preferable due to planning applications being for bungalows. The Sequential Test undertaken as part of this application has therefore been mis-applied and has incorrectly ruled out a number of acceptable sites. As the application does not pass the Sequential Test the Exception Test is not applicable.

10.24 Based on the above assessment, the applicant has been unable to show that there are no other reasonably available sites appropriate for the proposed development in areas at a lower risk of flooding and has not demonstrated any wider community benefits of the development and therefore the development fails the Sequential Test and allowing the development would be contrary to Local Plan Policy LP14, the adopted SPD and paragraphs 170 of the NPPF.

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 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 The development has a poor visual relationship due to the clearance between the site and the development to the west of the site and appears randomly placed,

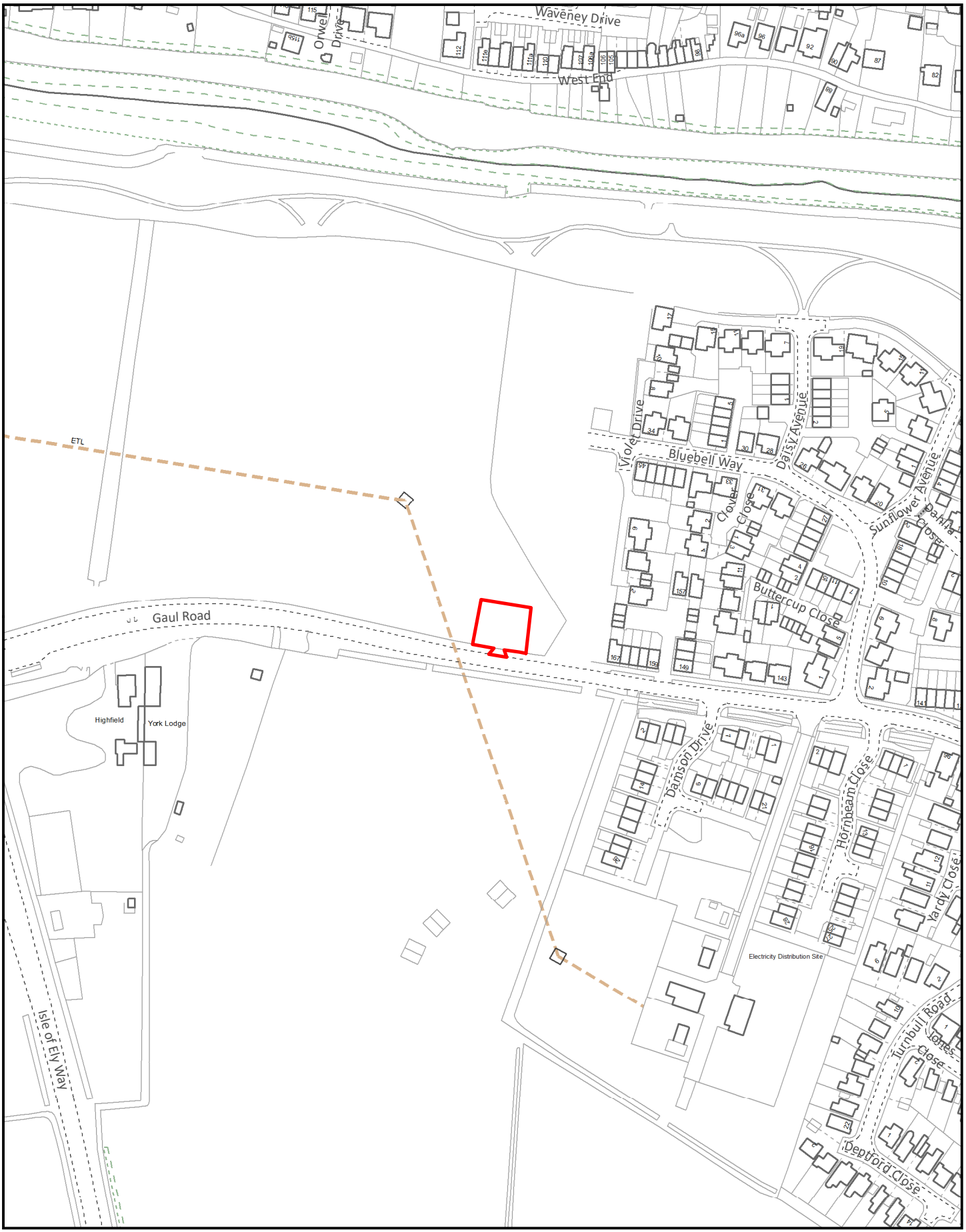
exacerbated by the design and appearance of the proposed dwellings and the stark appearance they will introduce when travelling along Gaul Road. As such, the development is considered to result in an incongruous form of development contrary to Policy H2 of the March Neighbourhood Plan 2017, Policy LP16(d) of the Local Plan and Paragraph 135 of the NPPF.

11.2 The application site is situated within Flood Zone 3 (high risk). This application proposes an intensification of the use of the site in comparison to the extant permission on site and therefore both the Sequential Test and Exception Test are required. The submitted Sequential Test has been mis-applied and has incorrectly rules out a number of acceptable sites. The application therefore does not pass the Sequential Test and the Exception Test is therefore not applicable. The development would therefore also be contrary to LP14, the adopted SPF and paragraph 170 of the NPPF.

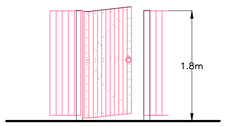
12 RECOMMENDATION

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

1	Policy H2 of the March Neighbourhood Plan 2017 and Policy LP16(d) of the Local Plan requires that development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment and does not adversely impact in design or scale terms on the street scene, settlement pattern and landscape character of the surrounding area. The proposal would result in a pair of detached dwellings situated in an area of open street frontage, separated from the existing development to the east. The dwellings will appear as if they had been randomly positioned in this isolated position and will appear incongruous with the street scene, with a lack of landscaping to soften the boundaries of the proposed development. As such, the scheme fails to respond positively to the local setting and character of the area and is therefore considered contrary to the aforementioned policies.
2	The site is located within Flood Zone 3 where there is a high probability of flooding. The Sequential Test for flood risk has not been adequately applied or met and consequently, the application fails to demonstrate that there are no other reasonably available sites with a lower probability of flooding that could accommodate the development. In addition, the Exception Test has also not been passed. Allowing the proposed development could therefore place people and property at an increased risk, with no justification, of flooding contrary to Policy LP14 of the Fenland Local Plan (2014), NPPF and Section 4 of the Cambridgeshire Flood & Water Supplementary Planning Document (2016).



Created on: 26/02/2025 © Crown Copyright and database rights 2025 Ordnance Survey 10023778	**F/YR25/0145/F** Scale = 1:2,500	N Fenland CAMBRIDGESHIRE Fenland District Council



GATE DETAIL
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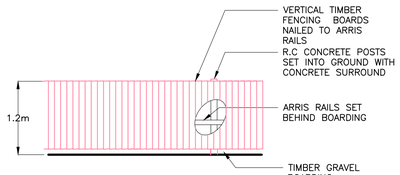

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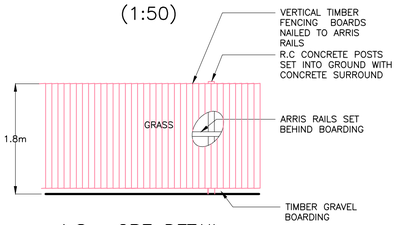
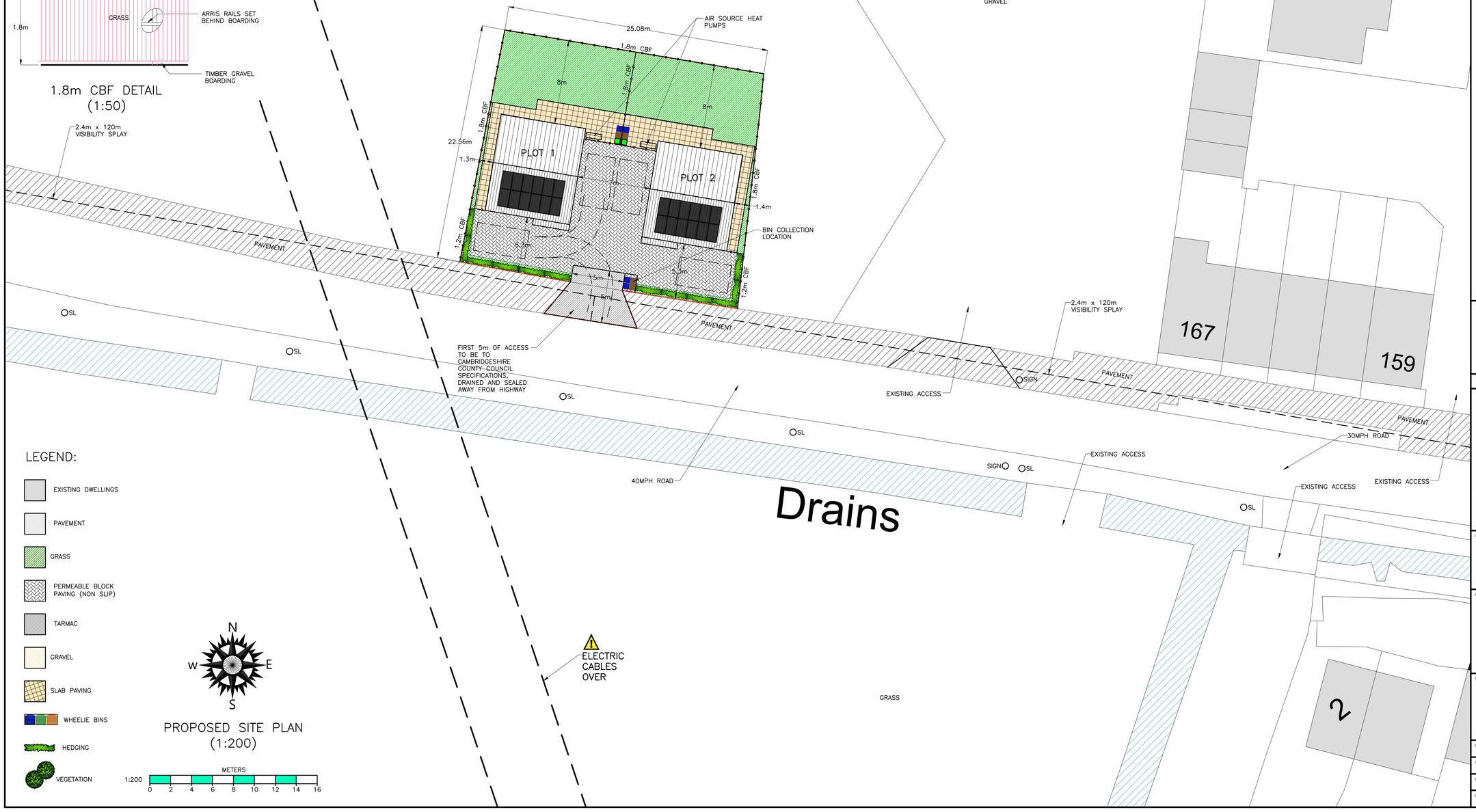


1.8m CBF DETAIL
(1:50)

PROPOSED STREET SCENE (1:200)



LEGEND:

- EXISTING DWELLINGS
- PAVEMENT
- GRASS
- PERMEABLE BLOCK PAVING (NON SLIP)
- TARMAC
- GRAVEL
- SLAB PAVING
- WHEELIE BINS
- HEDGING
- VEGETATION

PROPOSED SITE PLAN
(1:200)

1:200 METERS 0 2 4 6 8 10 12 14 16

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Website: www.mortonconsultingengineers.co.uk

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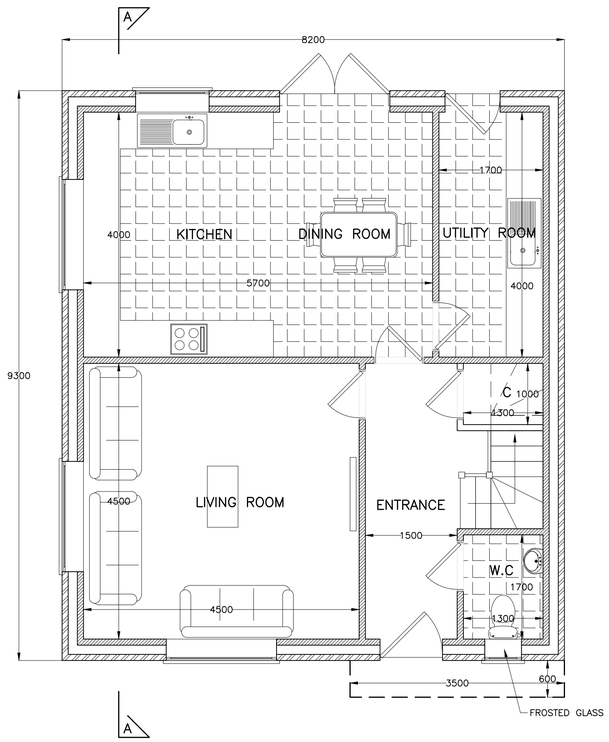
Building Excellence in Fenland

CLIENT
Mr M Rutterford &
Mr L Rutterford

PROJECT
Site Adjacent
167 Gaul road,
March, Cambs,
PE15 9RH

TITLE
Proposed Site Plan,
Planning Details &
Street Scene

DRAWN: G.Boreham	DATE OF ISSUE:
CHECKED:	
DATE: Jan 2025	DRAWING NUMBER: H9789/02 B
SCALE: As Shown	



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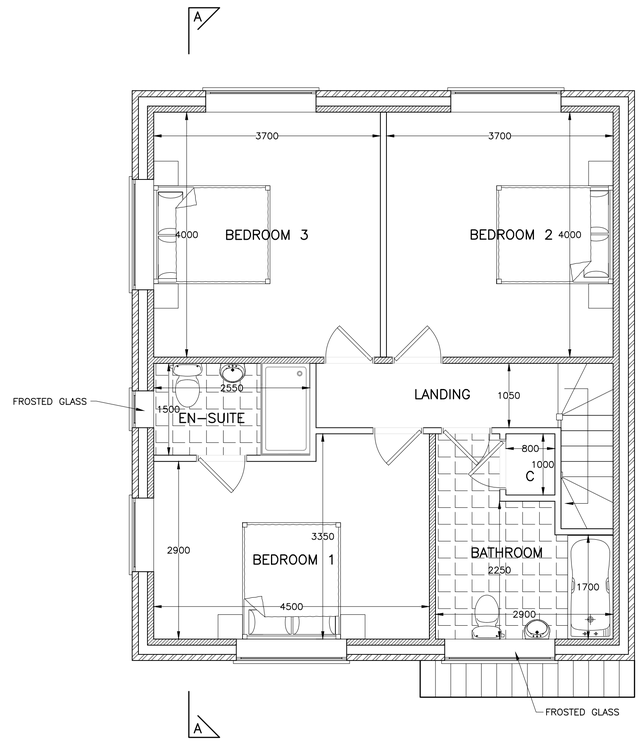

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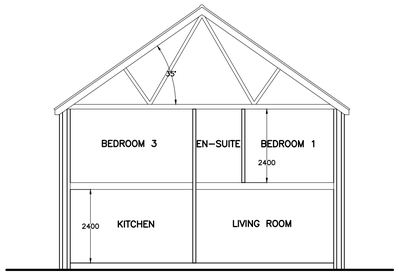

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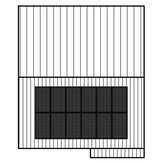

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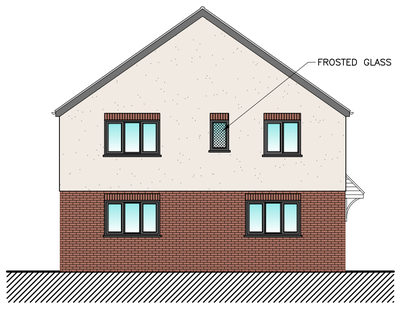
(1:200)

PROPOSED FRONT ELEVATION
(1:50)



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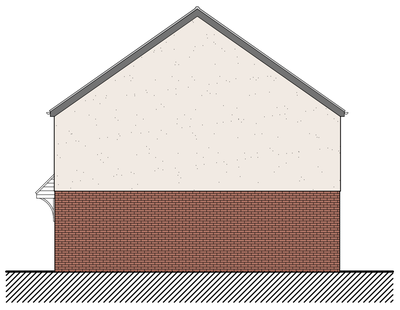

PROPOSED RHS ELEVATION
(1:100)

PROPOSED REAR ELEVATION
(1:100)

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Building Excellence in Fenland

CLIENT
Mr M Rutterford &
Mr L Rutterford

PROJECT
Site Adjacent
167 Gaul road,
March, Cambs,
PE15 9RH

TITLE
Proposed Plans, Elevations & Section
PLOT 1

DRAWN: G.Boreham	DATE OF ISSUE:
CHECKED:	
DATE: Jan 2025	DRAWING NUMBER: H9789/03 B
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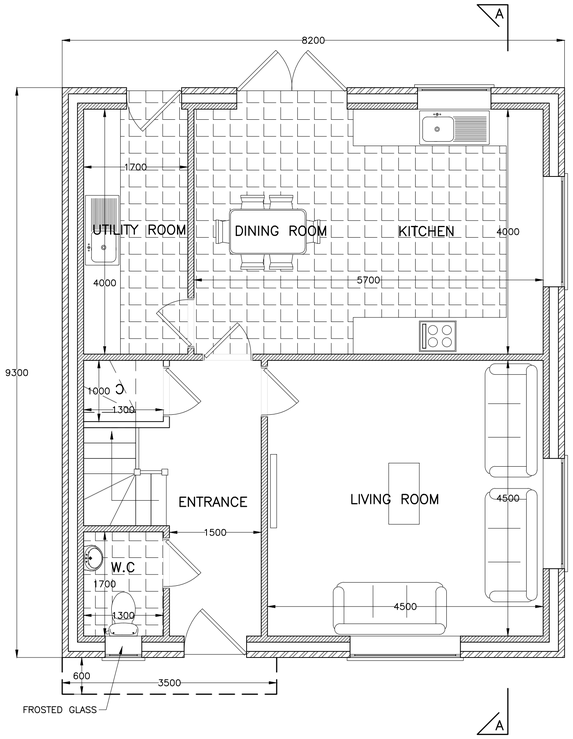

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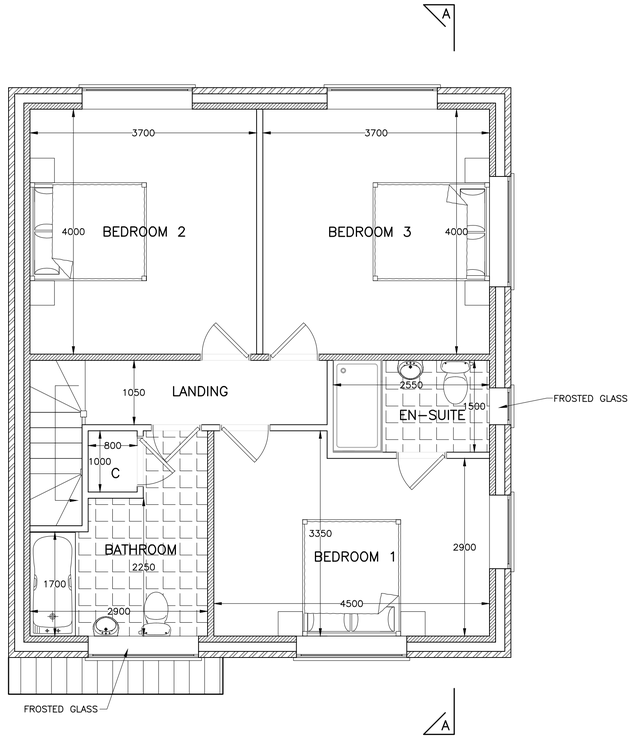

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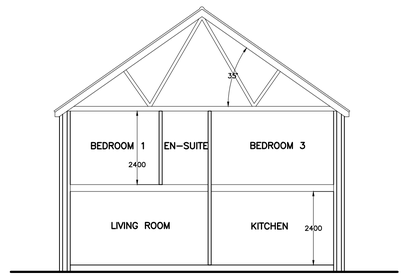

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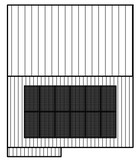

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PROPOSED FRONT ELEVATION
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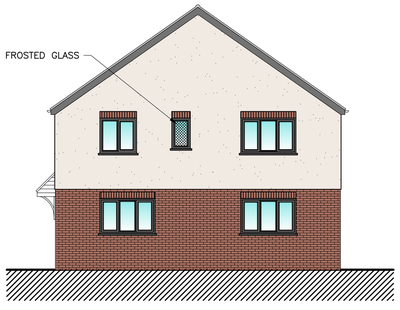

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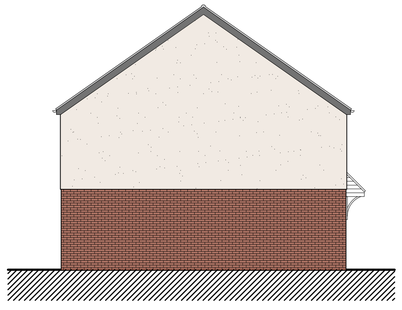

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PROJECT
Site Adjacent
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PE15 9RH

TITLE
Proposed Plans, Elevations & Section
PLOT 2

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DATE: Jan 2025	DRAWING NUMBER: H9789/04 B
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F/YR24/0996/F

Applicant: Mrs Elizabeth Mason
In Care of Morton & Hall Consulting Ltd

Agent: Mr J Scotcher
Morton & Hall Consulting Ltd

Land North Of 70, Station Road, Manea, Cambridgeshire

Erect 1 x self-build/custom build dwelling involving the formation of an access

Officer recommendation: Refuse

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

---

Government Planning Guarantee

Statutory Target Date For Determination: 6 February 2025

EOT in Place: Yes

EOT Expiry: 07 May 2025

Application Fee: £578

Risk Statement:

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

---

1 EXECUTIVE SUMMARY

1.1 This application is for the erection of 1 x self-build/custom dwelling involving the formation of an access, within the village of Manea.

1.2 The proposed development would be of a scale and design that is in keeping with the area and would not detract from the character of the site and the area. However, the site is located within Flood Zone 3 and the applicant has not shown that the development is Sequentially acceptable or of wider community benefit.

1.3 As such the application is considered to conflict with the NPPF, policies of the Local Plan and the Flood and Water SPD.

1.4 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

2.1 The application site is situated on the eastern side of Station Road, within the village of Manea. The site currently forms a parking/garden area associated with No. 70 Station Road. Neighbouring properties are situated to the north and south of the application site which are both detached 2-storey dwellings, finished with dual-pitched roofs.

2.2 The application site is situated within Flood Zone 3 and an Amber Great Crested Newts zone.

3 PROPOSAL

3.1 This application seeks to erect one dwelling including the formation of an access.

3.2 The dwelling proposed is a detached, 2-storey dwelling with dormer accommodation. The proposed dwelling would have a maximum depth of 14.2 metres and a width of 6.5 metres approx. The roof proposed would be dual pitched with an eaves height of 3.8 metres and a ridge height of 7.5 metres approx. Two dormer windows are proposed on both the principle and rear elevation of the dwelling.

3.3 The proposed materials include a buff brickwork with red brick detailing and blue/grey slate roof tiles.

3.4 The application proposes to extend the existing dropped kerb to provide 2 parking spaces to the front of the proposed dwelling. Private amenity space and bin storage would be provided to the rear of the dwelling.

3.5 Full plans and associated documents for this application can be found at: https://www.publicaccess.fenland.gov.uk/publicaccess/

4 SITE PLANNING HISTORY

No planning history on site.

5 CONSULTATIONS

5.1 **Manea Parish Council**

Observation: Visibility/Parking

5.2 **CCC Highways**

Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, the effect of the proposed development upon the Public Highway would likely be mitigated if the following conditions form part of any permission that the Planning Authority is minded to issue in regard to this proposal.

Conditions

The proposed vehicular access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

The proposed vehicular access shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway.

Reason: In the interests of highway safety and to ensure satisfactory access into the site and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

Informatives

Works in the Public Highway
This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

5.3 **FDC Environmental Health**

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 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 **Local Residents/Interested Parties**

11 letters of support were received regarding this application from residents within Manea, within the consultation period. The reasons for support are summarised as follows:

- Good design
- Infill
- In keeping with surrounding area
- No negative impact on neighbouring amenity
- Use of unused land
- Parking

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

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 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**

Context
Identity
Built Form

7.4 **Fenland Local Plan 2014**

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

7.5 **Cambridgeshire Flood and Water SPD 2016**

7.6 **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
LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design and Visual Amenity**
- **Residential Amenity**
- **Access and Parking**
- **Flood Risk**
- **Ecology**
- **Biodiversity Net Gain (BNG)**

9 ASSESSMENT

Principle of Development

9.1 Policy LP3 of the Fenland Local Plan 2014 identifies Manea as a Growth Village, where, according to LP3, 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. Accordingly, there is a presumption in favour of development within this location. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of visual amenity, design, parking, highways, flood risk and ecology.

9.2 Policy LP5, Part C seeks to provide, in appropriate circumstances, housing solutions that meet market expectations including self-build homes, which is supported by para 62 of the NPPF. Under Section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Weight would therefore be given to this, the amount dependant on identified demand.

9.3 The proposal is for a self/custom-build dwelling. However, the Council can currently demonstrate that the number of permissions given for self/custom-builds exceeds identified demand, and as such very limited weight can be afforded to this.

Design and Visual Amenity

9.4 The proposed dwelling is a 2-storey detached dwelling, with dormer accommodation. The existing dwellings either side are standard 2-storey detached dwellings with dual-pitched roofs. The proposed dwelling would have a narrower frontage and a reduced eaves height in comparison to the dwellings to the north and south of the site. These differences are acknowledged, and design amendments were suggested by the case officer to the agent to bring the design of the dwelling more in line with the adjacent properties, however these amendments were not forthcoming.

9.5 Notwithstanding this, there are a variety of dwelling types and styles within the immediate surrounding area and whilst the difference in design is acknowledged, it is not considered that the proposed dwelling would introduce significant impacts upon the character of the surrounding area. Therefore, on balance the development is considered acceptable in this regard.

Residential Amenity

9.6 Neighbouring properties are situated to the north and south of the application site. The property to the south of the site is within the ownership of the applicant and is situated approximately 3.25 metres from the proposed development. The property to the north of the site would be situated approximately 12.2 metres from the proposed dwelling.

9.7 In considering the property to the north of the site, given the proposed clearance between the proposed dwelling and neighbouring property, it is unlikely that the proposed dwelling would introduce any adverse overbearing or overshadowing impacts. The proposed dwelling does not include any first-floor windows to the side elevations and therefore it is unlikely that any overlooking impacts would be introduced.

9.8 As aforementioned, the property to the south of the site is within the ownership of the applicant. There would be a clearance of approximately 3.25 metres between the properties. Therefore, the proposed dwelling would be visible to this property. However, given the lower ridge height of the proposed dwelling than the adjacent property, it is unlikely that the proposed dwelling would introduce significant overbearing impacts upon this property. There are existing north facing windows upon side elevation of the neighbouring property, which would be partially obscured by the proposed development. Similarly, given the proposed eaves height of the dwelling, it is unlikely that the development would significantly overshadow these side windows. There is a ground floor window proposed to the south facing elevation of the proposed dwelling which would face onto neighbouring property which would serve a hallway. As such, it is not considered that this window would introduce significant overlooking impacts.

9.9 In terms of residential amenity for future occupiers, there is ample space to the rear of the proposed dwelling set aside as private amenity space. The existing dwelling would also retain sufficient private amenity space.

9.10 As such, the development is considered to be compliant with Policy LP2 and LP16 of the Fenland Local Plan.

Access and Parking

9.11 The application proposes to extend the existing dropped kerb to allow parking provision for 2 vehicles to the front of the proposed dwelling. Upon consultation with CCC Highways, no objections have been raised to the extension of the existing dropped kerb subject to conditions.

9.12 Appendix A of the Fenland Local Plan states that dwellings with up to 3 bedrooms should provide 2 on site parking spaces. The submitted site plan details 2 parking spaces to the front of the existing dwelling. As such, there are no issues to address with regard to Policy LP15.

Flood Risk

9.13 Paragraph 170 of the NPPF (2024) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. In the same vein, Local Plan Policy LP14 recommends the

adoption of a sequential approach to flood risk from all forms of flooding and this is reinforced by the Cambridgeshire Flood and water SPD.

9.14 The Cambridgeshire Flood and Water Supplementary Planning Document states that the sequential test was developed to steer development to areas with the lowest probability of flooding. The SPD states that developers need to identify and list reasonably available sites identifying reasonably available sites as:

"Reasonably available sites will include a site or a combination of sites capable of accommodating the proposed development. These may be larger, similarly sized or a combination of smaller sites that fall within the agreed area of search."

9.15 The submitted Flood Risk Assessment undertaken by Ellingham Consulting Ltd is accompanied by a separate sequential test. The sequential test undertaken by the applicant's agents sets out sites with planning permission within Manea, it states whether they as agents consider the sites are reasonably available and whether they are considered to be at a lower risk of flooding. The sequential test incorrectly states that sites for 1 dwelling are 'not comparable' to the proposal and are therefore rejected. This is clearly an incorrect approach to take and not consistent with policy and therefore, the sequential test is not considered to be passed. As the application does not pass the Sequential Test the Exception Test is not applicable.

9.16 Based on the above assessment, the applicant has been unable to show that there are no other reasonably available sites appropriate for the proposed development in areas at a lower risk of flooding and has not demonstrated any wider community benefits of the development and therefore the development fails the Sequential Test and allowing the development would be contrary to Local Plan Policy LP14, the adopted SPD and paragraphs 170 of the NPPF.

Ecology

9.17 The application is accompanied by a Preliminary Ecological Appraisal. This PEA has not raised any requirements for additional surveys, however, has suggested biodiversity enhancements. Should permission be granted, conditions can be granted to ensure that biodiversity enhancements are provided on site.

Biodiversity Net Gain (BNG)

9.18 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.

9.19 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

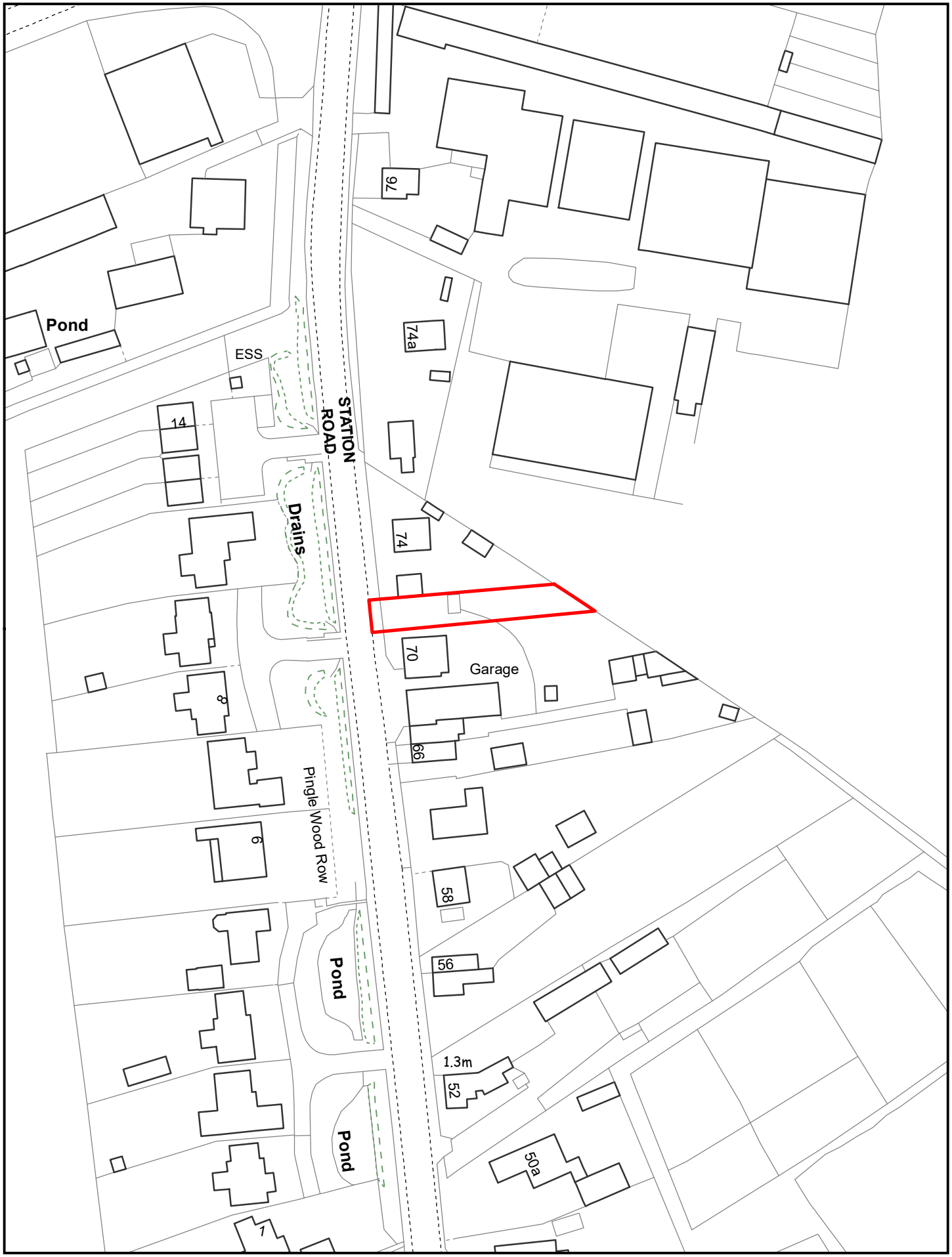
10.1 The proposed development would be of a scale and design that is in keeping with the area and would not detract from the character of the site and the area. However, the site is located within Flood Zone 3 and the applicant has not shown that the development is Sequentially acceptable or of wider community benefit.

10.2 As such the application is considered to conflict with the NPPF, policies of the Local Plan and the Flood and Water SPD.

11 RECOMMENDATION

11.1 **Refuse;** for the following reason

1	The site is located within Flood Zone 3 where there is a high probability of flooding. The Sequential test for flood risk has not been adequately applied or met and consequently, the application fails to demonstrate that there are no other reasonably available sites with a lower probability of flooding that could accommodate the development. In addition, the Exception Test has also not been passed. Allowing the proposed development could therefore place people and property at an increased risk, with no justification, of flooding contrary to Policy LP14 of the Fenland Local Plan (2014), NPPF and Section 4 of the Cambridgeshire Flood & Water Supplementary Planning Document (2016).



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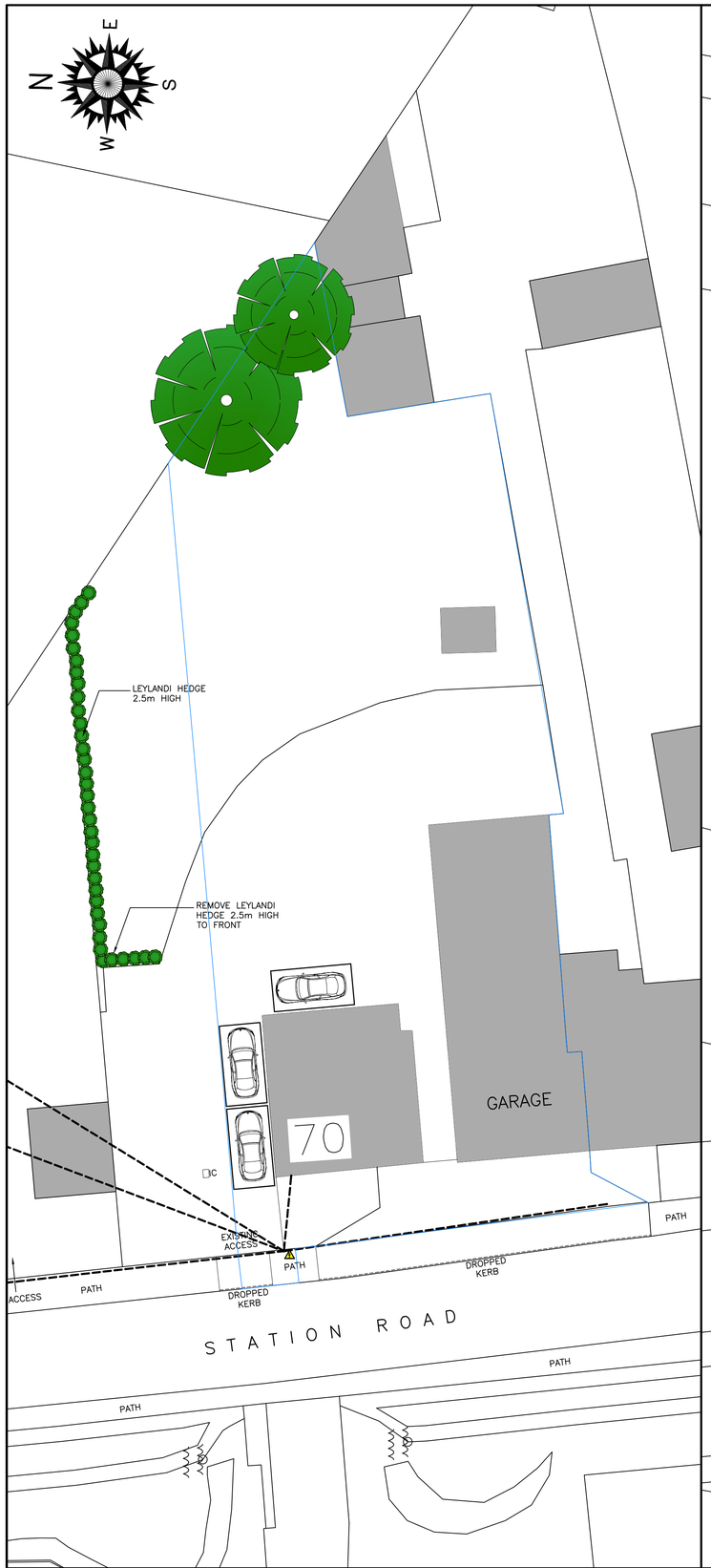
Fenland CAMBRIDGESHIRE
Fenland District Council



SITE KEY:

PERMEABLE BLOCK PAVING (NON SLIP) | GRAVEL | TARMAC | GRASS | SLAB PAVING | EXISTING DWELLINGS | VEGETATION

EXISTING SITE PLAN (1:200)

METERS

1:200 0 2 4 6 8 10 12 14 16

SITE KEY: PERMEABLE BLOCK PAVING (NON SLIP) | GRAVEL | TARMAC | GRASS | SLAB PAVING | EXISTING DWELLINGS | VEGETATION

PROPOSED SITE PLAN (1:200)

METERS

1:200 0 2 4 6 8 10 12 14 16

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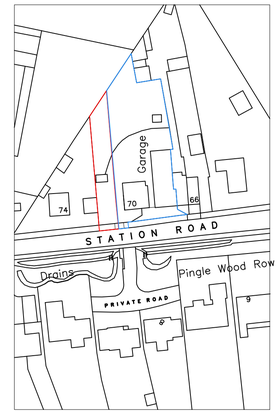
All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.

The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer

All finishes, insulation and damp-proofing to architect's details



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LOCATION PLAN 1:1250

METERS

1:1250 0 10 20 30 40 50

N E S W

B	CLIENTS COMMENTS	JAN 2025
A	CLIENTS COMMENTS	AUG 2024
	REVISIONS	DATE

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Fenland District Council Building Design Awards — Building Excellence in Fenland — LABC BUILDING EXCELLENCE AWARDS winner

CLIENT

Elizabeth Mason

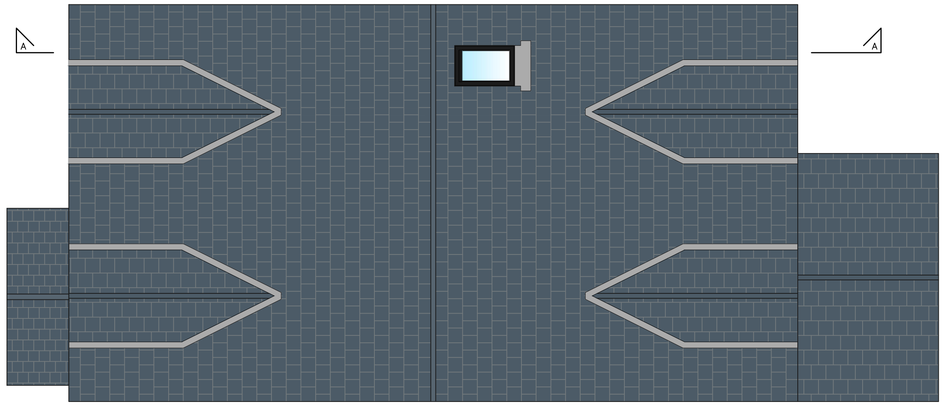
PROJECT

70 Station Road,
Manea, March
Cambridgehsire
PE15 0HE

TITLE

Existing & Proposed
Site Plan & Location Plan

DRAWN	J.Scotcher	DATE OF ISSUE	
CHECKED			
DATE	Jul 2024	DRAWING NUMBER	H9704_01 B
SCALE	As Shown		



PROPOSED ROOF PLAN (1:50)

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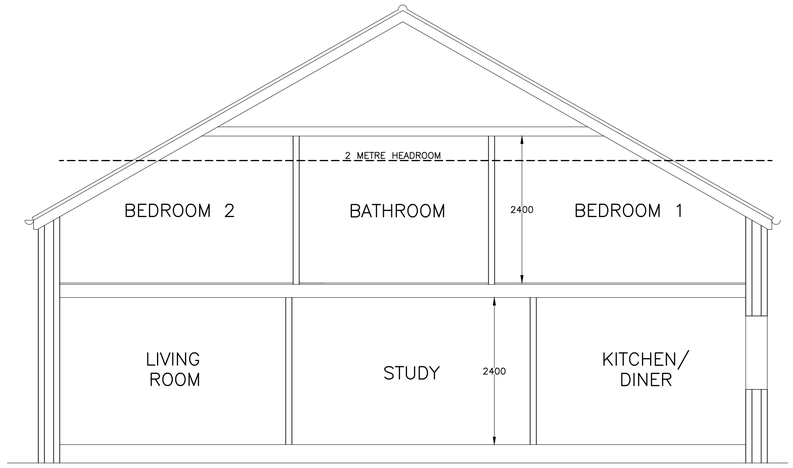

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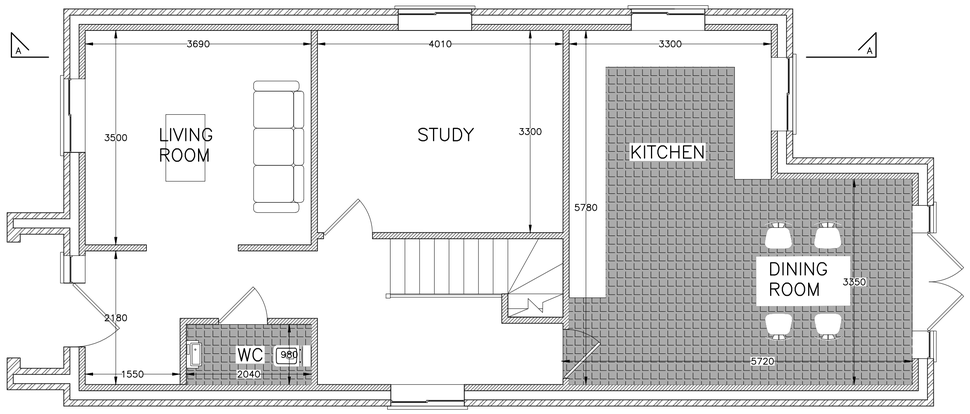

PROPOSED GROUND FLOOR PLAN (1:50)

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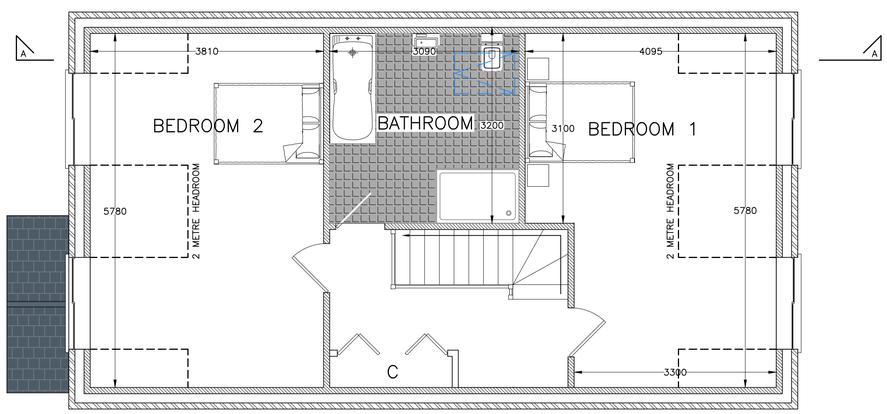

PROPOSED FIRST FLOOR PLAN (1:50)

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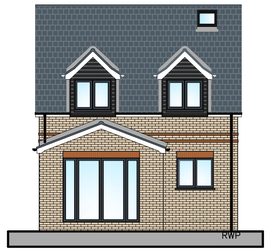

PROPOSED REAR ELEVATION (1:100)

METERS
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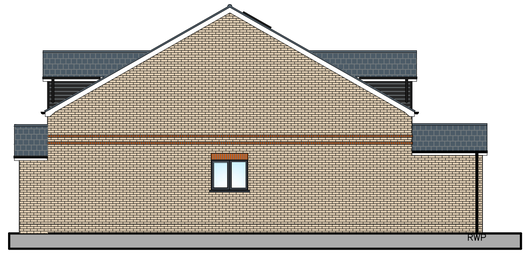

PROPOSED RIGHT HAND SIDE ELEVATION (1:100)

METERS
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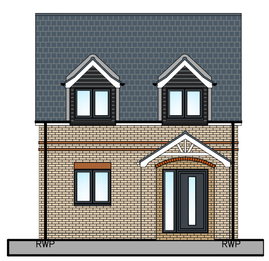

PROPOSED FRONT ELEVATION (1:100)

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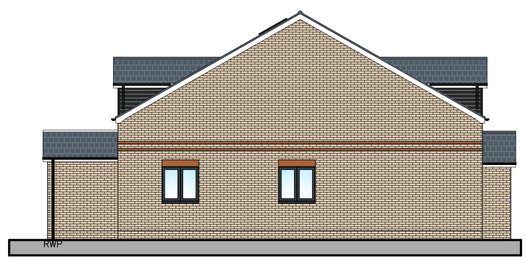

PROPOSED LEFT HAND SIDE ELEVATION (1:100)

METERS
1:100 0 1 2 3 4 5 6 7 8

EXISTING STREET SCENE (1:200)

METERS
1:200 0 2 4 6 8 10 12 14 16

PROPOSED STREET SCENE (1:200)

METERS
1:200 0 2 4 6 8 10 12 14 16

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All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.

The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer

All finishes, insulation and damp-proofing to architect's details

PROPOSED MATERIALS:

WALLS: BUFF BRICKWORK, RED BRICK DETAILING

ROOF: BLUE/GREY SLATE TILE

JOINERY: ANTHRACITE GREY uPVC UNITS

RAINWATER GOODS: BLACK uPVC

A	CLIENTS COMMENTS	AUG 2024
	REVISIONS	DATE

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Fenland District Council Building Design Awards Building Excellence in Fenland

CLIENT
Elizabeth Mason

PROJECT
70 Station Road,
Manea, March
Cambridgehsire
PE15 0HE

TITLE
Proposed Building Arrangements

DRAWN	J.Scotcher	DATE OF ISSUE	
CHECKED			
DATE	Jul 2024	DRAWING NUMBER	H9704_02A
SCALE	As Shown		

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