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AGENDA

PLANNING COMMITTEE

WEDNESDAY, 12 NOVEMBER 2025

1.00 PM

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

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 - 46)

To confirm and sign the minutes from the previous meeting of 15 October 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/YR25/0416/F
Land to the West of Horseway Farm, Byall Fen Drove, Manea
Erect an agricultural storage building, and the formation of an attenuation pond and an access (Pages 47 - 68)

To determine the application.

6 TPO 02/2025
62 Church Street, Whittlesey (Pages 69 - 78)

To advise members of the current situation and determine an appropriate course of action.

7 F/YR25/0591/A
28 Broad Street, March
Display of 1 x internally illuminated fascia sign and 1 x externally illuminated rotating projecting barber pole (retrospective) (Pages 79 - 86)

To determine the application.

8 F/YR25/0405/VOC
Land north of 96A to 100 Westfield Road, Manea
Variation of condition 22 (list of approved drawings) of planning permission F/YR22/1156/O (Erect up to 26 x dwellings, involving the formation of a new access (outline application with matters committed in respect of access)) to alter access road (Pages 87 - 106)

To determine the application.

9 F/YR25/0609/F
222 Lynn Road, Wisbech
Erect 8 x dwellings involving the demolition of existing buildings (Pages 107 - 124)

To determine the application.

10 F/YR25/0547/F
Land North of 1 Gull Road, Guyhirn
Erect 6no dwellings and the formation of 2no accesses (Pages 125 - 142)

To determine the application.

11 F/YR25/0530/F
Land South of Wenny House, Iretons Way, Chatteris
Change of use of existing paddock land to dog exercise areas including the erection of 2 x shelters, a detached dog grooming hut and a 1.8m high boundary fence, and the formation of associated hardstanding (Pages 143 - 160)

To determine the application.

12 F/YR25/0698/F
Land West of Burnlea House, Wimblington Road, Manea
Erect 1 x self-build/custom build dwelling and garage, change of use of land, erection of an industrial shed and formation of an access, in association with existing business (Pages 161 - 178)

To determine the application.

13 F/YR25/0526/F
49 Whittlesey Road, March
Erect 12 x light industrial units and a link extension to existing units involving the demolition of existing building (Pages 179 - 198)

To determine the application.

14 F/YR25/0520/RM
Nene Parade, Bedford Street, Chase Street, Wisbech
Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale (Plot 5 only) pursuant to outline permission F/YR24/0485/VOC to erect a C2 use care home facility to accommodate 70 x apartments with communal and amenity space (Pages 199 - 232)

To determine the application.

15 F/YR25/0274/F
Land West of Playing Field, Barton Road, Wisbech
Erect x 42 affordable dwellings, 1 x office/communal space including cycle stores, landscaping, highway improvements and associated works and demolition of all existing buildings (Pages 233 - 276)

To determine the application.

16 Items which the Chairman has under item 3 deemed urgent

Tuesday, 4 November 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 N Meekins

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PLANNING COMMITTEE

Fenland District Council

WEDNESDAY, 15 OCTOBER 2025 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor S Imafidon and Councillor P Murphy (Substitute).

APOLOGIES: Councillor R Gerstner and Councillor N Meekins.

Officers in attendance: Matthew Leigh (Head of Planning), David Rowen (Development Manager), Alan Davies (Principal Planning Officer), Danielle Brooke (Senior Development Officer), Kimberley Crow (Development Officer), Tom Donnelly (Senior Development Officer), David Grant (Senior Development Officer), Victoria Searle (Legal Officer) and Jo Goodrum (Member Services & Governance Officer)

P49/25 PREVIOUS MINUTES

The minutes of the 17 September 2025 were confirmed and signed as an accurate record.

P50/25 F/YR25/0274/F
LAND WEST OF PLAYING FIELD, BARTON ROAD, WISBECH
ERECT X 42 AFFORDABLE DWELLINGS, 1 X OFFICE/COMMUNAL SPACE INCLUDING CYCLE STORES, LANDSCAPING, HIGHWAYS IMPROVEMENTS AND ASSOCIATED WORKS AND DEMOLITION OF ALL EXISTING BUILDINGS

Alan Davies 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 Councillor Brenda Barber, District and Ward Councillor. Councillor Barber explained that last week she had attended a meeting where hundreds of residents of Barton Road and other roads in Wisbech St Mary packed the biggest hall available in Wisbech, and it was standing room only, making the point that the residents have had to put up with so much disruption already over the almost permanent closure of Barton Road. She explained that the current date for the road to be reopened is not until March 2026, but this date is not guaranteed because Anglian Water have been honest enough to admit that there could be further problems which would delay the reopening even further and Anglian Water have now stated that they have found disturbed asbestos in the ground.

Councillor Barber explained that the residents of Barton Road are experiencing ongoing damage to boundaries, fencing, garages and their buildings and are asking when will the problems end. She added that the very long diversion avoiding Barton Road includes Station Road in Wisbech St Mary, which is a smaller road with housing on both sides, and it has seen many problems with road erosion and many potholes since the diversion, making the point that there has been damage caused to housing which has not been rectified and the diversion is also ignored by many who are using much smaller roads including HGV'S and lorries and as a result these roads are also being damaged.

Councillor Barber made the point that the planned building of another 42 homes with access from Barton Road is clearly a bad mistake and, in her opinion, should at the very least be suspended until the road has been completely repaired and the associated problems with it have been proved to have not been passed on to the next piece of land. She stated that Anglian Water have already

come up against many problems since the sewer collapse including the discovery of an underground water course which they had not known about and if they manage to divert it or bridge it, how can the residents be sure that the problem will not affect the new builds resulting in the closure of the road yet again.

Councillor Barber added that the residents of Grove Park are already experiencing problems as the land is moving underneath and this has caused damage to their homes. She expressed the view that this amount of planning applications currently being considered in the same area amounts to over development.

Councillor Barber referred to LP13 of the Local Plan which 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 of the requirements arising from the proposed development and, in her view, conditions or planning obligations are likely to be required from any proposals to ensure that the new development meets the principle and she questioned whether it has been met. She stated that the proposed housing is for older people, over 55s and those residents are likely to need medical services and currently the GP surgeries are already well over subscribed.

Councillor Barber asked the committee to listen to the views of residents and common sense and refuse the proposal.

Members asked the following questions:

- Councillor Marks stated that Councillor Barber has raised concerns over Anglian Water which he can also concur with as he lives in a village which suffers from flooding and asked whether she has concerns over one specific area or the whole area in general with regards to the most recent report from Anglian Water? Councillor Barber explained that it appears to be that area, however, the whole area is located within Flood Zone 3 and she added that the LR statement which went up on the board stated that they believe that the benefit of the housing for the over 55's outweighs the problems which may arise due to it being within Flood Risk 3 which she disagrees with. She made the point that she does believe that the flood risk in that area should not be ignored, and the residents have advised her that the area is often running with water.
- Councillor Marks stated that he assumes that Councillor Barber has read the officer's report and asked whether she would agree with Anglian Water that at the present time there are more issues to come? Councillor Barber stated that they have already stated that there are more issues to come and their opinion has to be agreed with as they are the company undertaking the works.

Members received a presentation, in accordance with the public participation procedure, from Beverley Moss, the agent. Ms Moss stated that the scheme is for 42 affordable homes, and the Council's own housing needs report confirms that there is a significant and increasing need for housing of all types in the district. She added that the officer's report explains that the new homes are for exclusively for residents aged 55 and over and addresses the growing demand in the community for accommodation that meets the needs of the aging population.

Ms Moss explained that there would be a manager's office on site to enable the manager to carry out their daily work and manage the warden control system and that the proposal would also include an internal communal space and kitchen facilities in order that residents can meet, with the aim being to create a real sense of community. She added that all of the homes will be available for social rent which means that the new homes will be generally affordable and will provide a secure housing option for those on the lowest of incomes, with the Council's Housing Strategy and Enabling Officer consistently expressing their support for the proposal.

Ms Moss explained that all of the homes will be managed by Housing 21, and they are joint applicants along with Bowsall Developments which demonstrates that there is a committed

registered provider involved from early stages in the application process. She stated that Housing 21 is a leading not for profit provider of retirement living and where the average age of the residents is 70 and Bowsall Developments is a specialist affordable housing developer who work with contractors who seek to deliver the highest quality construction standards.

Ms Moss added that all of the homes are bungalows and six of them will be adapted for wheelchair users, with the new homes located in an area identified in the Local Plan for housing growth in the district which is the West Wisbech location for growth. She stated that the site is sustainably located near to the centre of Wisbech with bus stops for the number 46 bus being located nearby.

Ms Moss stated that the development involves the reuse of previously developed land, with planning policy being clear that the use of previously developed land and sites that are physically well related to existing settlements should be encouraged where suitable opportunities exist and, in her opinion, this is one such opportunity. She added that cars will access the site from a new access point on Barton Road and new pedestrian crossing points are going to be provided on Barton Road and Magazine Lane, with only four of the homes directly accessed off of Magazine Lane and a footpath link will be introduced for Magazine Lane for pedestrians and cyclists.

Ms Moss explained that each new home will have its own car parking space and there will be visitor parking bays as well and it is anticipated that car ownership will be quite low given the social rent tenure. She added that with regards to drainage she has worked hard with the flood authority, North Level Commissioners and Anglian Water to devise an appropriate drainage scheme for the site and during the application process all three statutory parties requested more technical information and that has been provided.

Ms Moss made the point that Anglian Water has confirmed that the nearest water recycling plant can accommodate the waste water flows from the new homes and they have given their agreement to the surface water being able to connect into their existing system. She explained that the Lead Local Flood Authority are content that the surface water from the new homes can be managed using the proposed swale and attenuation before being discharged at a controlled rate and that a maintenance plan has also been provided and can be used to control the drainage features on site, making the point that there have been no objections raised by any of the agencies.

Ms Moss explained that the new homes will be accompanied by new landscaping through private garden spaces, 69 new trees, 400 metres of new hedgerow and an area of amenity open space. She added that as well as the drainage function, the swale along the western edge would be planted with wildflowers.

Ms Moss stated that the resolved position of the Council as stated within the Council's supplementary planning document is that the Council will not seek contributions for social infrastructure on 100% affordable schemes in recognition of the viability issues faced in the area, which is a matter of planning balance and one that the Council is entirely entitled to take. She stated that the scheme is a much-needed affordable housing scheme that seeks to deliver a high-quality development, and which has addressed all of the technical issues and she asked the committee to grant planning permission in line with the officer's recommendation.

Members asked the following questions:

- Councillor Mrs French stated that she does find it disappointing that the application conflicts with the Council's LP13 and the fact that the application does not include the supply of any infrastructure as well as no contributions being put forward for the NHS. She stated that in the report it does state that doctors and dentists will be moving within that area and she questioned as to whether the 42 dwellings will be for occupation for Wisbech residents only? Ms Moss stated that it is unlikely that they will be able to specify where the residents come from, but it is anticipated that the residents will already be within Wisbech currently

residing in unsuitable accommodation. She added that by moving into the scheme they will free up their existing accommodation for others.

- Councillor Mrs French asked for the total number of car parking spaces on site? Ms Moss explained that there are two spaces per each two bedroomed dwelling, one space per one bedroomed dwelling as well as 8 visitor car parking spaces.
- Councillor Mrs French asked for clarification as to the size of the public open space as well as the details of the street furniture on the open space area? Ms Moss explained that it is 1,916 square metres of open space and on the layout it is proposed to be located on the front of the site. She added that there are some beautiful mature trees located on the front entrance which will be retained, and the open space has been accommodated around that area. Ms Moss added that there is no play space proposed due to the residents and there is a play area next door and there has not been anything specified with regards to benches, but it is something that can be agreed as part of the discharge of conditions.
- Councillor Mrs French referred to page 31 of the officer's report where it states that there is water stress and she questioned how that is going to be monitored as the report reflects that there is a suggestion of 110 litres per person per day. Ms Moss explained that the Environment Agency provided their consultation comments to officers, and they raised no objection but added a note with regards to water resources as they know that there is an area of water stress which was noted in their report in 2021. She explained that she has submitted some very detailed technical information and has worked proactively with both LLFA and Anglian Water to ensure that the proposal is something that they are comfortable with. Ms Moss made the point that whilst she is not familiar with the term water stress it would appear that there is an issue with regards to the resource of water in the area and the drainage submissions have sought to accommodate and mitigate against that. She added that should the application be approved, any decision notice will enable the further statutory bodies to monitor that and there is a maintenance plan which has been submitted so there is an element of control going forward.
- Councillor Marks stated that the Drainage Board appear to have some reservations with the proposal. He added that he has listened to the presentation by Councillor Barber and there does still appear to be some drainage issues and he questioned what else can the applicant do in order to allay some of the concerns. Ms Moss stated that she is aware of the meeting which took place and of the significant concerns surrounding the works which have taken place on a neighbouring site and the implications that has had on the local residents. She stated that from experience of other applications that she has dealt with in the district she knows that the Drainage Board appear to withhold their full approval until all of the agreements have been put in place, but from her perspective they are not objecting and there are the final agreements and approvals to be dealt with as things progress. Councillor Marks stated that is not the experience that at least two members who both sit on drainage boards have experienced.
- Councillor Marks stated a lot of emphasis was made in the presentation with regards to the community and the existing community already have significant worries with regards to the flooding. He made the point that by adding an additional 42 dwellings without better infrastructure, in his view, is only going to exacerbate the existing issues in the area for the community. Ms Moss stated that it is her understanding that the issues on the other site has been as a result of a technical issue with a drain which has had a knock-on effect. She made the point that it is a totally different site to the current application and she can put an assurance in place that the technical information has been submitted in phase 1 and the applicants have even instructed a phase 2 which demonstrates that the geology is already known and there is a knowledge of what is under the ground, with a Flood Risk Assessment having also been submitted along with a proposed drainage scheme. Ms Moss stated that they are only able to go so far with regards to the mitigation measures to be put in place to ensure that the development can be built out in accordance with the documents that get approved and meeting the high standards that the construction bodies need to put in place. She expressed the view that whilst she appreciates the issues which have occurred further down the road they do not happen on every single site and does not mean it will happen on

other sites or this site.

- Councillor Marks asked when the drainage strategy for the site was undertaken taking into consideration that issues are coming to light daily as reported by Councillor Barber in her presentation. Ms Moss stated that the original drainage strategy was originally submitted in March and during the course of the application there have been discussions which have taken place with Anglian Water and the LLFA and, therefore, the most recent drainage strategy was updated and submitted three weeks ago. She explained that they have been reconsulted which as a result meant that the consultation responses have been updated to inform the officer's report.

Members asked officers the following questions:

- Councillor Marks stated there have been previously applications refused which are for bungalows located in Flood Zone 3 where the dwellings have either needed to have upstairs living as well, however, this application is for a retirement site for elderly people as well as elderly people all living on the ground floor in Flood Zone 3 and if this is approved it will cause problems elsewhere. Alan Davies stated that when the application was submitted there was not the requirement for the application to be accompanied by a sequential and exception test which is ordinarily the case for sites located in Flood Zone 3. He added that when considering the sequential and exception test, there are two phases, firstly the sequential test to see if there are sequentially preferable sites elsewhere and in this case it would be within the West Wisbech broad location for growth. Alan Davies explained that if the sequential test is not passed then there is the exception test which is formed of two parts and the first part is to consider the public benefit which would outweigh the harm and then the second part is for the statutory consultees such as the EA, Anglian Water and the Internal Drainage Boards to be satisfied that the proposal is safe from flooding and flood risk. He made the point that in this case the applicant has submitted a Flood Risk Assessment and details as to how they would address it, with the drainage strategy and the submitted finished floor levels identifying that the floor levels would need to be three metres above sea level. Alan Davies explained that as a result in this case it would mean that floor levels would be raised by 30 – 50 centimetres and by doing that it will take into account a 1 in 100-year flood risk for the site, with Anglian Water and Environment Agency being comfortable with the mitigation proposed and that would mean that both parts A and B of the exception tests are satisfied. He stated that this would mean that the applicants have demonstrated the public benefit through the 42 affordable dwellings for the over 55's plus the addition of the 6 wheelchair adapted dwellings. Alan Davies added that the mitigation is in place should the site flood in a 1 in 100-year storm event and the finished floor levels are at a satisfactory level so that the residents on site would not be put in a dangerous situation. He explained that officers need to consider the advice from the statutory consultees, and they do not object and the exception test would be passed in this case should one be undertaken for the site. Alan Davies stated that other sites he cannot comment on but there are cases where something would fail the sequential test and the exception test and it would be recommended for refusal even if it were for affordable homes so it is dependent upon the site and the site conditions and what the applicant is proposing on that specific site and in this case the applicant has proposed mitigation in terms of flood risk that Anglian Water and the Environment Agency deem to be acceptable.
- Councillor Marks stated that he understands that Alan Davies attended the meeting that 300 people attended and a comment that he believes he made regarding going forward was whether there would be any more issues that there could be, whilst he recognises that this is site specific for planning there is a need to look at the area as well and the community. He asked for Alan Davies to clarify this comment. Alan Davies responded that in terms of that public meeting he attended it to represent Fenland District Council and also the planning department and the issues raised there are as a result of an existing water main being accidentally damaged by the developer, which has caused the flooding on that site. He stated that his comment where he said it could happen again is in respect of if works are carried out on the existing adopted water network and somebody damages that pipe it could

happen elsewhere so there is always a danger on any site where development is taking place if there is accidental damage to existing water infrastructure. Alan Davies stated that in relation to this site there is no reason to suspect that the same thing would happen and his reference to whether it could happen again was that it could happen again on the care home site as they are still building that site out but it is not something the planning system can control as accidents do happen.

- Councillor Marks expressed the view that there is no mention of loss of employment on this site whereas there are other applications being considered today where loss of employment is raised and asked why is this? Alan Davies responded that as this site is within the West Wisbech broad location for growth the Council's Local Plan has assessed this wider location and said it is suitable for residential development, therefore, the policy basis is already there for this site to come forward for residential development, and the loss of employment is already considered.
- Councillor Murphy asked if the site is large enough for refuse vehicles to enter, turn in and exit the site? Alan Davies responded that the applicant has submitted a suite of drawings with swept path analysis, which is for larger vehicles such as a fire engine and refuse vehicle, which shows that the spine road of the development is wide enough for both sizes of vehicles to enter and exit in forward gear.
- Councillor Mrs French stated that she is amazed to read some of this report, and she understands that as it is 100% affordable they do not have to supply anything else but, in her view, it is going against the Council's policy LP13 which is also linked with the infrastructure delivery plan, which was undertaken in January 2013. She asked when was this updated? Alan Davies responded that as far as he is aware the infrastructure delivery plan has not been updated, and updates are awaited to it.
- Councillor Mrs French made the point that committee regularly hear when Flood Zone 3 sites arise that there needs to be a sequential test and this proposal is for 42 dwellings and it is not required. She feels this application is a disaster waiting to happen.

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

- Councillor Marks expressed the view that the 42 houses are most likely needed but he has major concerns from reading the paper and the public open meeting about flooding in the local area and members are just looking at what the IDB have allegedly said or not said. He feels the whole report is outdated as, in his opinion, and from listening to Councillor Barber things are moving daily in the local area and the committee cannot just look at the actual application itself but needs to be mindful that further problems are not caused. Councillor Marks stated that the agent mentions a community but, in his view, there is no point having a new community here when the old community has been upset. He added that he has major worries also about these dwellings being for elderly as committee has been told on other developments that bungalows cannot be built because they are in Flood Zone 3 and if this proposal is approved today it could be adding to the problems of the emergency services as well as these are 42 extra dwellings that people have got to get out of. Councillor Marks made the point that Wisbech has flooded in the past, a lot of money has been spent on flood defences and a 100 year event is mentioned but questioned whether it is 100 years or 20 years or next year as there is flooding in the area. He stated that he cannot support this at the present moment, may be if the Environment Agency and Anglian Water could attend and it be discussed further with them but there is nothing that he is happy to approve currently.
- Councillor Mrs French stated that she agrees with Councillor Marks as she is greatly concerned and all they would be doing would be creating greater problems. She suggested that the application is deferred for further in-depth discussion with all concerned as she is more concerned regarding the flooding issue and water stress, questioning whether the residents in these dwellings are going to be able to get any water.
- Councillor Connor expressed the opinion that Councillor Mrs French is asking for further clarity on those two issues. He agreed that further clarity is required and is in favour of deferment as whilst the 42 houses are required it needs to be in the right circumstances and

enable a community to thrive. Councillor Connor expressed the view that a deferment would allow for the Environment Agency and Anglian Water to attend in a couple of months' time, which would enable further information to be heard about the repairs to Barton Road, although this has no bearing on this application.

- The Legal Officer referred to material considerations, with committee and officers being right that flood risk is a material consideration for an application located within Flood Zone 3. She made the point that there is unfortunately a slightly unrelated issue which is not a material consideration to this application and that is the damage that has been caused to a drain on a nearby site, with the flooding that the community in this location are currently experiencing not being as a result of the fact that this application site is within Flood Zone 3 but as a result of an incident on an adjacent application site which led to a very localised not linked to wider flood risk incidents in the application. The Legal Officer warned members to be careful to distinguish in their minds between the current issues with the nearby site and the actual material flood risk and how that should be addressed in policy terms for this application. She stated that officers have given very clear advice on how the sequential test and the exceptions test would apply to this application and the advice received from officers, the Environment Agency, Anglian Water and all of the statutory consultees is that the Flood Risk Assessment for this site shows that this site should be safe for the expected lifetime of the development and any flood risk that there is is mitigated through the Flood Risk Assessment.
- Councillor Marks expressed the opinion that there is one thing that is site specific which is the IDB as if it was not for the IDBs the area would have lots of problems and he feels that it is a lot larger and a moving story in relation to what is happening in this area. He made the point that what is not known is that by discharging from that site whether the problem is just moved and technical people are needed at the meeting from Anglian Water as it is not known where the drainage goes, there was mention of a drain and a water pipe so clarity is needed and he would also ask for the IDB to attend as well as the two statutory bodies as the IDB is the authority that will have to deal with any surface run off water. Councillor Marks stated that he struggles with the comment that the IDB do not get involved until the end as the IDBs do a very good job and he is not taking this away from officers as the report is very good, however, it could be outdated because of the moving incident that is happening further down the road. He stated that he is happy for a deferral but is unable to support approval.
- Councillor Mrs French thanked the Legal Officer for the advice, but she does not believe members are discussing the problems up the road and are discussing this particular site, which is in Flood Zone 3. She referred to the question she asked about when the infrastructure delivery plan was last updated and it has not been since January 2013 and it does clearly state in 5.25 of that plan that "the district is situated within a high water stress region", which as this was produced several years ago must be a bigger stress now. Councillor Mrs French stated that she would like to know where this water is coming from and she will not support the application in its present form and requested a deferment, with the relevant bodies to attend to discuss as it will be the people of Wisbech who are going to suffer.
- Councillor Imafidon stated that he has been called out several times because it is currently a nursery with greenhouses on it as some people use it to burn material and whilst he in support in principle of development of the site as it will take a nuisance problem out of the site and housing is needed but one of the problems he sees with this site is the infrastructure capacity, which has not really been talked about. He made the point that currently there are road diversions in place because of the issues in Barton Road, which is damaging people's properties and causing risk to life, with the days getting darker now and the weather changing. Councillor Imafidon referred to the meeting held last week with the MP with the relevant agencies represented and Anglian Water did say that it would be March 2026 that it is hoped the problem would be fixed, although he knows it is not directly applicable this site and will probably not be developed until after March 2026, however, they do not know if they can rectify it and what happens if it is rectified and then reoccurs

because one of the methods they were going to use was injecting certain material into the ground but this is the Fens and some of the locals mentioned that because the silt is always shifting it has not been proven that this method of repair is going to work in an area like Fenland. He expressed the view that under policy LP13 there is not the infrastructure capacity to cope with this as there have not been any upgrades of the drainage infrastructure since who knows when so he thinks members should look at deferring the application.

- Councillor Connor stated that he likes the proposition to defer the application but not for too long and he is happy to work with officers to get the relevant authorities to attend to address the committee. He expressed the opinion that the 42 houses are needed and if the statutory authorities say and prove everything is going to be fine the proposal can be approved at a later date but further clarity is required from the experts.

Proposed by Councillor Mrs French, seconded by Councillor Marks and agreed that the application be deferred to further consider the drainage and flood matters, with the relevant consultees invited to a future meeting when this application is reconsidered.

(Councillor Imafidon declared that he was at a meeting called by the local MP where this application was raised by members of the public, but he did not take part in the discussion and is not pre-determined and will consider the application with an open mind)

(Councillor Imafidon declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Wisbech Town Council but takes no part in planning)

(All members present declared that they know Councillor Barber as a fellow councillor, but are not pre-determined and will consider the application with an open mind)

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

P51/25 F/YR25/0505/F AND F/YR25/0504/LB
HARE AND HOUNDS HOTEL, 4 NORTH BRINK, WISBECH
CHANGE OF USE OF HOTEL TO 6 X RESIDENTIAL FLATS AND ERECT A BIN STORE AND CYCLE STORE AND INTERNAL AND EXTERNAL WORKS TO A LISTED BUILDING TO FORM 6 X RESIDENTIAL FLATS AND TO ERECT A BIN STORE AND CYCLE STORE

Alan Davies 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 pub at ground floor level was closed in December 2023, meaning that the facility has been lost for nearly 2 years, with the building on the second and third floors being used as a house of multiple occupancy and that use ceased just before the application was submitted, but it could be restarted. He explained that there is no loss of employment associated with the application as the pub/hotel ceased operation nearly 2 years ago and when he visited the site earlier in the year there were people sleeping rough in the rear section of the building in a single storey wing.

Mr Hall expressed the view that the proposal allows for a very prominent building to be brought back into use right in the centre of Wisbech, making reference to the planning history of the site laid out in the officer's report which states that there was a refusal in 2017 and 2018 to change the building into a snooker hall and leisure entertainment centre and the current application is for change of use into residential with an officer's recommendation of refusal and he questioned what else the building can be used for. He added that all of the technical consultees support the application along with Wisbech Town Council who fully support the application and there have

been no objections to the proposal.

Mr Hall stated that the Conservation Officer has raised an objection and during the process of the application officers allowed some revised drawings to be submitted which did go some way to alleviating the Conservation Officer's concerns. He made the point that the proposal would not result in the loss of the only pub in Wisbech as there are seven other pubs and two further hotels with bars all within 700 metres of the application site, with the other establishments being down the same road and there is a further one in the adjacent road.

Mr Hall expressed the view that the application site is right in the centre of Wisbech and not in a rural location and is unique as it has a large car parking area at the rear, its own access and is an ideal town centre location for quality residential development. He explained that one of the reasons for refusal is due to some of the flats falling short of space standards, however, there have been other applications approved by the committee and under delegated powers recently that have also fallen short of space standards, including the Buffs Club which was approved in March along with a recent application in Dartford Road in March above a shop where approval was given for five flats and some of those were short of space standards and there is also a former school next to his office where there is a conversion to 20 flats and over half of those are below space standards.

Mr Hall added that the application is a Listed Building, and he is trying to work around where possible what is already there, with the floor areas varying for each flat and he referred to the floor plans slide on the presentation screen. He indicated that there will be no works undertaken in the roof space and in the floor below the areas shown in red is where he is looking to take out some non-original partitions, making the point that there will be quite a lot of the original structure maintained and there will be very little alteration on the first floor and on the ground floor there are no concerns which have been raised by the Conservation Officer.

Mr Hall expressed the view that he feels that the alterations are minimal and in the officer's report there are a number of positives with the proposal and at 10.22 it states that the application will have a neutral effect on the Conservation Area and there are no external changes to the front elevation. He expressed the opinion that the application will allow a Listed Building to be brought back into use in a very prominent location in the centre of Wisbech rather than leaving it vacant like numerous other buildings in Wisbech and the application will allow for the building to be converted to allow much needed accommodation in the growth town of Wisbech.

Members asked Mr Hall the following questions:

- Councillor Benney stated that from the photographs it does look as through the property has not had any investment into it for many years. He added that it is listed as a pub and hotel, and he asked for clarity as to whether it was a hotel which had a bar in it or was it a drinking pub? Councillor Benney expressed the view that the size of the bar from the photographs does not lend itself to be a pub and appears to him to be more of a hotel with a licence. Mr Hall explained that quite a few years ago he undertook some work for Elgoods Brewery and it is his understanding that it had a licence, but you could still walk in and have a drink.

Members asked officers the following questions:

- Councillor Mrs French stated that she is surprised that the officer's recommendation is one of refusal, considering that it is located next door to what was once the Phoenix and all that is left of the Phoenix is a facia. She expressed the opinion that whoever the person who has brought the application forward should be congratulated. David Rowen stated that the application is largely recommended for refusal due to the lack of evidence which has been submitted as there are planning policies which require marketing exercises to demonstrate that there is no viable reuse of public houses. He added that as Mr Hall has indicated that the building has not been in operation for two years but the fact that anybody can stop using something does not mean that there is not a market out there for it to be used again. David Rowen added that had the information been received then the officer's recommendation

may have been different.

- Councillor Mrs French stated that located next door is the Phoenix and all that is left at that site is the fascia. She added that the committee approved something very similar recently at the Buffs Club in March which had not been marketed either and she added that there are a thousand pubs closing every week across the country. Matthew Leigh stated that he feels it would be helpful for members to be aware of the loss of employment justification that was submitted, remembering that the Council does have a policy in place that requires sites such as this to be actively marketed, and officers have to balance any conflict with what the policy states. He added that the report states that the property was last used as a public house on 21 December 2023, and there is, therefore, no loss of current employment as part of the proposal. Matthew Leigh clarified it is for the land use and not whether it is active or not that the Council should be looking at, explaining that officers talk about the principle of employment rather than an active use. He added that the document then states that the applicant purchased the property in December 2024 and it was last used as a first and second floor house of multiple occupancy but that has now ceased, which was also in breach of planning rules and there were active planning enforcement cases on the property although it is not a material consideration for the determination of the application. Matthew Leigh stated that the report also says that the proposal does not result in the loss of employment, it results in the loss of use and the proposal results in employment for the trade and that is the full document in relation to their evidence. He expressed the view it is clear that the current owner has chosen to not market the site and members need to be conscious that all applications need to be treated the same and it would be a worrying state of affairs to accept that applicants can purchase a site ignoring the lawful use and to then submit an application and state that there is no lawful use without any marketing. Matthew Leith stated that there needs to be consistency and by ignoring policy requirements would be a dangerous stance for members.
- Councillor Benney referred to the presentation screen and the photographs of the bar area and commented that it is certainly not a large bar area, and expressed the view it is a hotel with a small bar area in it. He asked officers to clarify whether it is a hotel with a bar or is it a bar with a hotel.? Alan Davies explained that the application was not accompanied with much information, but officers believe that it was a bar open to the public for walk in customers as well as a hotel with rooms above. Matthew Leigh added that his anecdotal knowledge is that it was a Public House, rather than just a hotel.
- Councillor Marks stated that according to Companies House it traded as the Hare and Hounds Hotel Wisbech Limited, however, he does recall visiting it on one occasion as a walk-in customer to use the pub.

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

- Councillor Marks stated that it is a very prominent building as you drive into the town of Wisbech, located adjacent to a derelict property and, in his view, anybody who is willing to invest into a Grade 2 Listed Building should be supported. He made the point that it could end up being another property which falls into disrepair but could bring more accommodation and five extra bedrooms into the town. Councillor Marks expressed the view that the Council are already housing people in shipping containers which when considering their floor space, it is probably no better than what this proposal will give, but it will give somebody a home, and he will support the application.
- Councillor Mrs French stated that she agrees with Councillor Marks and added that there are over 3,000 people on the waiting list for accommodation and a substantial number of those are people living in Wisbech. She added that it is costing the Council a very large sum of money to accommodate people in bed and breakfast accommodation. Councillor Mrs French stated that affordable homes are needed, and the applicant is willing to invest in this property to provide accommodation, and, in her view, they should be applauded.
- Councillor Murphy stated that he agrees with all of the comments made by members and in Fenland it appears that there are numerous buildings which are being left in disrepair, and they will never come back to their original use, and this is an ideal opportunity to bring a

building back to life.

- Councillor Connor expressed the view that the application should be supported, it is a Listed Building, but the committee passed an application previously in Chatteris for the Travis Perkins site which now looks very nice and had the committee not approved it then it would still be in a state of disrepair. He added that Councillor Mrs French had made the point that there are numerous Public Houses which are closing as are hotels every week, with there being 22 months since the business closed down and there does not appear to be any interest from anybody to purchase the site and reinstate the Public House business. Councillor Connor added that there is another premises in Chatteris which is in a state of disrepair and that will be lost forever and if the committee do not support this proposal then the same thing will happen to this building and that does concern him. He made the point that if somebody is prepared to invest a significant amount of money it will be a good thing and will provide extra accommodation for those in need and he will support the proposal.
- The Legal Officer stated that it appears that members have had regard to the fact that it is Listed Building, but she drew their attention to the specific duties that it imposes before the committee make their final vote. She added that when considering whether to grant development in respect of a Listed Building it is important to consider and to pay special attention to the priority of preserving a Listed Building or its setting and to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The Legal Officer stated that with regards to the specific issue of a Listed Building consent because it is an application for both planning permission and Listed Building consent, she advised the committee when considering whether to grant the Listed Building consent for the works to the building itself it is important to pay special consideration to the desirability of preserving the building or its setting or any features or special architectural aspects which the building has.
- Councillor Marks stated that he appreciates the point made by the Legal Officer, however, in his view, there will only be a loss of 10% to 15% and if the building is left empty for a number of years, it will become more dilapidated and suffer from vandalism and theft then there will be decrease of 90%. He expressed the opinion that Grade 2 Listed Buildings are a nuisance, because there is no financial input from the Government to do anything with them yet they place obstacles in the way. Councillor Marks stated that he appreciates that buildings need to be preserved but there does need to be progress as well and he will support it.

F/YR25/0505/F
Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the application be GRANTED against the officer's recommendation.

FYR25/0504/LB
Proposed by Councillor Mrs French, seconded by Councillor Murphy and agreed that the application be GRANTED against the officer's recommendation, with authority delegated to officers to apply conditions.

Members did not support the officer's recommendation of refusal as they feel that by leaving the building it will detract from the area, and the planned alterations will be minimal meaning that the heritage of the building will be retained and the property will be safeguarded.

(Councillor Imafidon declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Wisbech Town Council but takes no part in planning. He further declared that the agent is undertaking work for him and that he knows the applicant as he rents a business premises from him and took no part in the discussion and voting thereon)

(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 Murphy declared that he knows the agent, but he is not pre-determined and will consider the application with an open mind)

P52/25 F/YR25/0594/O
LAND NORTH OF 450 TO 454 MARCH ROAD, TURVES
ERECT 3 X DWELLINGS INVOLVING THE FORMATION OF ACCESSES (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

Alan Davies presented the report to members.

Members asked questions of officers as follows:

- Councillor Marks referred to the mention of the exceptions test for flood risk results in conflict with national and local flood policies and stated that Turves lies all within Flood Zone 3 so how can anyone go against this policy if they wanted to build in Turves as it means that no more building will ever happen in Turves. Matthew Leigh responded that each application is determined upon its own merits, and the exception test is clear that there needs to be public benefits that outweigh the harm and that housing as a principle alone is not public benefit. He referred to the first application, where approval was recommended based on the exception test because of the benefits of the scheme was the quantum of affordable housing units, the provision of older people's housing and the provision of single access accommodation that would be able to accommodate wheelchair users so there needs to be a selection of 'goodies' so that the benefits outweigh the harm. Matthew Leigh continued that these benefits could be ecological benefits, renewable energy and it is about providing a mix but this application apart from housing is providing no real benefits and, therefore, the exceptions test would be very difficult to pass.
- Councillor Marks stated that in a local area bringing three more families into the area when there is a pub that is trying to remain open is that not a benefit and then three more properties in Fenland that people are paying rates for. Matthew Leigh responded that people paying rates is not a material planning consideration but also the guidance from Government is clear that housing alone is not something that passes the exceptions test irrespective of what someone's personal opinion is. He added that the exceptions test has been looked at as detailed in the officer's report, the various benefits have been looked at and they are not considered to outweigh the harm.

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

- Councillor Mrs French stated that she agrees with officers on this application.
- Councillor Marks stated that Fenland villages have always had houses built initially on the side of the road, this proposal is not looking to build behind other houses but on the roadside. He referred to Flood Zone 3, which means that there will no further building in Turves so there would be a problem keeping the pub open and other services such as the bus service if people are not allowed to build. Councillor Marks made the point that there is already an approval for three on the land adjacent, this was also in Flood Zone 3 and there was obviously a need for these, and, in his view, there is a need for these three as well as if not the developer would not been bringing them forward. He stated that across the road there are all new properties or they have been built within the past 10-15 years and the issue of loss of view is looking at a railway track, he lives next door to a railway track and it is an attractive view so whilst one person may not want live here another one will. Councillor Marks reiterated that this is a Fenland village and if properties such as these are not allowed to be built these villages will die.
- Councillor Connor made the point that approximately three years ago this committee passed three next door and there are no infill sites available in Turves without building in the open countryside. He feels that if these three houses are not allowed it will be a contradiction, and Turves will die without further housing as they are fighting to keep the pub open and trying to obtain a village shop and this applicant would not be proposing

another three houses if he did not believe he could sell them. Councillor Connor stated that he called this into committee as he felt this had some merit and he is in support of this proposal, with if it is not supported it being in conflict with the decision taken three years ago and putting another 'nail in the coffin' of Turves.

- Councillor Mrs French referred to the third reason for refusal in that insufficient information has been submitted so, in her opinion, this is an incomplete application so how can approval be recommended but it could be a deferment.
- Matthew Leigh stated that it is a valid point made by Councillor Mrs French as the appropriate legislation that sits alongside planning in relation to ecology matters and protected species says that scheme cannot be approved without being confident that there will not be any harm. He expressed the view that if members had sympathies with the application he would have significant concerns in approving it at this time because of reason for refusal 3 and it would be better to defer to allow the applicant opportunity to provide those surveys that are missing as an application should not be approved without cast iron guarantee that protected species are safeguarded.
- The Legal Officer agreed, the Conservation of Habitats and Species Regulations impose much stricter restrictions on Local Planning Authorities than authorities are accustomed to under the planning regime and other contexts. She fully supports the advice the committee has received from officers that if the committee were minded to approve subject to the resolution of ecological concerns it would be appropriate to defer to allow that work to be completed before it comes back to committee.
- Councillor Mrs French stated that she sits on many IDBs and there are many discussions on badger setts, with it being a criminal offence to disturb a badger sett and to undertake a survey and move a badger sett costs in the region of £30,000 so she would not agree to an approval without this proper survey been undertaken but would go for a deferral rather than a refusal.
- Councillor Marks stated that having listened to what has just been said he would be more minded now to support a deferral. He expressed the view that they will have undertaken these tests 2-3 years ago on the field next door but accepts that badgers do move.
- Councillor Benney stated that if it is deferred then it is deferred only on refusal reason 3 as it is reasonable request to receive this report.
- Councillor Murphy expressed the opinion that it is getting to a state now where ecology is looked at more than anything else and whilst he loves animals they will move elsewhere and building and housing is required.
- Councillor Imafidon stated that it needs to be borne in mind that as much as houses are needed there are policies and laws in place for a reason, so it has to be abided by. He made the point that he was originally going to say 'why don't we just be consistent, it is not an elsewhere location and let's approve this' but after listening to Councillor Mrs French's argument he feels that deferral is better in this situation.
- Councillor Mrs French stated that this is a new law, it is against the law to disturb badgers and was not in existence when the other application was determined so the committee cannot go against the law.
- Councillor Connor made the point that the present Government are looking to review some of these policies. The Legal Officer clarified that there are prospective reforms coming to some of these requirements through the Planning and Infrastructure Bill but this is still a bill and still at the report stage in the Lords at the moment, there are amendments being made still by Government and by members of the House of Lords. She stated for the purposes of determining applications today any prospective legislative changes and reforms that might come through the bill are not material considerations.
- Councillor Mrs French stated that this is information that came from DEFRA a couple of months ago through the IDB, with the IDBs having great expertise on this and they know exactly where these badger setts are so the applicant may want to contact the IDB.
- Matthew Leigh made the point that members cannot pre-determine what the future committee might say but it can be deferred to allow the applicant to provide additional information in relation to that reason for refusal.

- Councillor Mrs French stated that the committee has undertaken this course of action previously. Councillor Connor agreed.
- The Legal Officer stated that it is difficult as the third reason goes to the principle of development or whether development is acceptable or not, except that the third reason for refusal stands as the applicant does not satisfy the ecological requirements then as a matter of principle the development is unacceptable and the development cannot be granted. She feels it is better that the committee not seek to fetter its future discretion to consider the application and since there has been quite some consideration during the course of committee around reasons for refusal 2 in particular on flood risk if the purpose of deferral is to obtain more information from the applicant the applicant may during that deferral period wish to submit further information in relation to flood and other matters. The Legal Officer stated that the committee has to not tie its hands or fetter its discretion in future and clearly committee has formed some views around the other reasons for refusal but a deferral is just that and the committee does not take a decision at all at this stage.
- Councillor Connor questioned that the committee should refuse the application just on that condition? He made the point that other applications have been deferred and been resubmitted on just one reason. Matthew Leigh stated that members have the ability to defer the application to seek additional information and what has happened before from his experience is that officers have brought back reports, sometimes that reason's concerns have fallen away and sometimes they have not and other times a reason for refusal has been progressed, then members have then approved it. He added that members should not be fettering their discretion as they will not be determining the application until it comes back, but if it is refused it is just refused so his advise is to defer it subject to additional information being received.
- Councillor Marks referred to the planning laws possibly changing and a lot of decisions may be undertaken by officers and not committee so asked if this application will come back to committee if it is deferred today, for example in 6 months time, and would not become an officer's decision? He added that going forward when the date is reached when the Government change the laws he is concerned that if this is deferred today that committee may not reconsider it due to a change in the law. The Legal Officer responded that this is wandering into the territory of other matters rather than consideration of this specific application but there are provisions in the Planning and Infrastructure Bill which would implement a national scheme of delegation which may change the balance between where applications are considered between officers and members and committees but these changes are prospective currently but she would be very surprised given that primary legislation very rarely has retrospective effect for good reason if any changes that may ultimately be brought about in future would apply retrospectively to applications that have already been submitted and committees have already considered once and deferred. She feels there is no harm if committee is minded to defer that it is deferred on condition that officers bring it back within a finite period if that would give committee more comfort so it could be a deferral for a maximum of 3 months with an instruction for officers to bring it back within that period whether or not the additional information requested by committee is approved or not. The Legal Officer stated on the issue of deciding some issues in principle and deferring others her advice is that is tricky and problematic, where issues go to the principle of whether development is acceptable or not it is very difficult to make an in principle decision on some elements and some considerations which go to that determination without reaching a final determination on all of the issues that are relevant. She continued that there is a risk in fettering a future committee's discretion to determine an application but the committee's decision and determinations of applications are always evidence based and made on the basis of the local development plan, other material considerations and the application documents and if talking about a short deferral, the Local Plan will not change in that time, there may be new material considerations that need to be taken account of but the same evidence will be before members and given the importance of consistency in decision making a committee presented with the same evidence in the same policy context with the same Local Plan with no other change in

material considerations would reach the same conclusion on the some of the points that committee has debated today. The Legal Officer stated that she would recommend a straight deferral of the application, but it could be a time limited deferral.

- Councillor Marks asked for clarification that if this application is deferred today, even with the changes that it is believed are going to happen, this will still come back to committee and prior to the cut off date those applications submitted will still come to committee and not be delegated to officers? The Legal Officer stated that is her understanding, the bill itself is still in the Lords' stage, it still needs to go through 'ping pong', achieve royal assent and then certain provisions will need to be commenced so this will take a number of months as a minimum and possibly longer before there is any change.
- Councillor Murphy asked what happens in two or three months time and the animals have moved so it could be approved but if they have not moved then it cannot be approved? Matthew Leigh responded that the surveys have not been undertaken so it is not known definitively if there are animals there but it is possible in most instances to relocate them or do something to overcome the harm but that then needs to be part of the application submission of the reports and how they are going to deal with this. He added that it is no different to most applications, but this has not been undertaken in advance where normally it has been and members are able to consider these matters comfortably.
- Councillor Connor summed up that deferral is probably the best answer with officers requested to bring this back to committee within 12 months as 3 months, in his view, is not long enough to be able to do anything.
- Councillor Marks suggested that it be 3 months but be prepared to extend to 6 should it be required?
- Matthew Leigh stated that if there are to be reports and surveys undertaken, they do take time and they will need to be written up by the ecologist and submitted to the Council for consideration then consultation will be needed so would suggest 3 months is too short. He continued that if members said 12 months it would be brought back in that time, but it is within members' gift.
- Councillor Benney made the point that if it comes back in three months and it turns up at committee without the report it can be deferred again for another time period. He feels that it should be three months and if it is not where it should be it can be deferred again but it gives the applicant some impetus to get on with it.
- Councillor Mrs French agreed with 3 months as if the applicant is serious then they will find someone to do it in a timely manner.

Proposed by Councillor Mrs French, seconded by Councillor Marks and agreed that the application be DEFERRED for three months for additional information to be submitted in relation to ecology.

(Councillor Connor stated that he did have a brief conversation with the applicant when he contacted him but did not discuss the application with them and is not pre-determined and will consider the application with an open mind)

P53/25 F/YR25/0089/F
LAND EAST OF MARCH AIRFIELD, CROSS ROAD, MARCH
ERECT X 1 SELF-BUILD/CUSTOM BUILD DWELLING IN ASSOCIATION WITH A NEW BUILDER'S YARD (SUI GENERIS), INCLUDING THE ERECTION OF A SHED, AND 2.4M HIGH PALISADE FENCE AND GATES, THE SITING OF 6 X CONTAINERS, AND THE FORMATION OF AN ACCESS

Tom Donnelly presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Jonathan Kirby, on behalf of Nigel Davies, an objector. Mr Kirby stated that is a training flying instructor and experienced pilot at March Airfield speaking on behalf of Nigel Davies, the owner

and chief flying instructor. He stated that they have been put in a situation to lodge an objection to safeguard the future of the business regarding the proposal of buildings and structures at the end of their main runway, with March Airfield being predominantly a paramotor training school and all of its students have a set syllabus which means they have to undertake a minimum of 25 flights to be signed off as a paramotor pilot, however, some pilots take longer than this.

Mr Kirby advised that flying tasks including take off, climb outs, circuit training, emergency engines offs and in-flight restarts, emergency spot landings, are all within a 25 metre circle from various heights and all this occurs within 1 mile of the airfield. He continued that once these are completed there are two cross country navigation flights to complete and each flight has a landing which will include losing height on the base leg part of the circuit over the proposed development by means of figure of eight turns until a height is achieved that the pilots can turn in on their final approach to land at the airfield, which is where the concerns and hazards lie with regards to thermic turbulence at low level as they lose height for approach to land.

Mr Kirby stated that in April 2021 they were advised to send to the LPA and FDC a safeguarding drawing for the airfield as requested by the Airfield Advisory Team, a safety division of the Civil Aviation Authority (CAA), where the previous owner of this pasture applied for planning permission for a development also at the end of their runway. He stated that this safeguarding allows them to stay legal within the UK air law of the 500-foot rule which states aircraft must be 500 feet away from persons, vessels, vehicles and structures apart from taking off and landing.

Mr Kirby expressed the view that the proposal of the structures and buildings would fall within their agreed no-fly zones and safeguarded 500 feet area around the airfield, which means they would be in breach of the 500-foot rule when in low level circuit flying when training. He understands that safeguarding in place with the LPA and FDC would safeguard their business from further proposals to Planning keeping their aviation training school legal and safe due to the 500-foot rule of the CAA.

Mr Kirby stated as an airfield they are not just able to up sticks and move to any location and the current location has had full planning permission for the last 12 years. He made the point in principle they have no objection to the application, however, they do object to the location of the proposal as it is a major concern to both them and their students and clients safety as the building's structures would be a major hazard and breaches the 500-foot UK air law rule as described in the letter received from the CAA airfield advisory team.

Mr Kirby expressed the view that if this application is allowed to proceed in its current location then the LPA and FDC are not protecting and safeguarding their already established successful local business that has continued to grow over the last 16 years, even through COVID, with full planning permission which draws in clientele from all over the UK and in turn brings in regular economy not only to them but also to the local Fenland area businesses. He expressed the opinion that these structures are all hazards and risks to both airmen and aircraft and would become a hazardous obstruction, therefore, could become a criminal matter as defined by the CAA in article 240.

Mr Kirby expressed the view that if approved it would compromise their ability to safely operate the airfield and safety is paramount to both students and existing pilots. He asked members to keep them safe and refuse the application.

Members asked questions of Mr Kirby and Mr Davies as follows:

- Councillor Marks agreed that safety is paramount, however, this business was supported and this proposal is for another business that is looking to come into the area and asked what is stopping them moving over to the left when undertaking circuits, why do circuits need to be undertaken on this side when there is the same area on the left hand side with no buildings? Mr Kirby responded that it all concerns wind as wind direction is crucial to a flight, with the take off into wind and the landing into wind. He stated that the predominant

wind direction in the UK is coming from the west to east so more often than not they are coming back over this field and landing on the airfield so moving it further up, bearing in mind that they have a lot of trainee pilots who do not quite have the same levels of accuracy, to land halfway up the field or further up the field leaves a lot of chance to the safety of the pilots. Mr Kirby stated that he personally believes that this would also make half of the airfield possibly unusable which he would question as being fair to the current owner.

- Councillor Marks expressed the view that it is a little strange that there is another building that is their own building on the corner virtually in line with the other building that is proposed. He asked if the CAA have actually provided a proper report saying that this proposal is going to cause problems? Mr Kirby responded in relation to the buildings that are currently on the airfield, which is a hanger and a residential house, that is classified as on the airfield so they are effectively in control of that and know who is on those airfields. He stated that the CAA role in the 500-foot rule applies to outside the airfield and it is not known what is happening outside of their grounds, they can guarantee the safety within their grounds but further afield it is different. Mr Davies stated that on the documents received there is a formal letter from the CAA that specifically refers to the buildings letting off thermic energy. Councillor Marks clarified that it is a letter and not a report. Mr Davies responded that whether it is a letter or a report it is stipulating the fact of what the buildings would cause if it was warm weather and it would let off thermic activity which would be dangerous.
- Councillor Marks asked if the CAA had been out on site and looked at this? Mr Davies responded that the CAA have been out many times for a previous owner with complaints. Councillor Marks reiterated have the CAA been out to look at this application and what these problems would cause the business? Mr Davies responded that the CAA did not come out on this specific application because the person that was dealing with it was the person that dealt with the last application, and they were fully aware of their area and location.
- Councillor Connor reiterated that it was a letter from the CAA? Mr Davies questioned the significance between a letter and a report. The Legal Officer stated that members are in danger of going down a dangerous road, the CAA is a statutory consultee on this type of application, they are the experts on these matters, and they have given their advice on the matters in which they have the expertise in a formal consultation response. She continued that members need to be careful not to raise somewhat immaterial considerations around the precise format of their consultation response, they are a statutory consultee and they have responded to the consultation. The Legal Officer made the point that, as with all statutory consultees and all experts who are consulted through the planning regime, it is important to bear in mind that that the committee is not compelled to follow their advice, it remains the committee's decision to make but where expert advice is received from the appropriate statutory authority who have expertise in these matters then the committee must have cogent and compelling reasons for departing from their advice with the specific elements for disagreeing with it. She continued that it needs to be borne in mind that the CAA have advised that they consider there are significant safety risks both to future residents of the dwelling and users of the airfield and that is a significant consideration that committee should afford considerable weight to.
- Councillor Imafidon referred to mention of their own structures on the airfield and this proposal they do not have control over, asking what the difference would be if they owned the proposal site? Mr Davies responded that they control all their own aircraft movements so where people take off and land is his discretion but the problem they have with the field opposite is because they predominantly take off into a westerly wind they have to come in and do figures of eights to lose height over that property, which they do not do over or above their own buildings.
- Councillor Imafidon reiterated that his question was that if they were the owners of this proposed building would there be a problem? Mr Kirby responded this is regarding the 500-foot rule that is in existence that as pilots they have to keep away from structures, vehicles and people, which is a general CAA rule for safety. He continued that it is known within their

own airfield where their own movements are and if they owned the land on the proposal they could most likely control who is there and know that when pilots are descending and coming over quite low who is there and who is not but this proposal is by somebody else and, therefore, that is somebody else's property and movements cannot be controlled. Mr Davies added that they circuit around the airfield, not over it, which is within their 500-foot zoned area around their airfield and that was one of things in their application for planning permission 12 years ago that they were 500 feet away from any buildings or structures, with this proposal contravening this.

- Councillor Imafidon expressed the view that his question has not been answered, they are talking about controlling who is in the structure or building. His question was, from the earlier presentation, one of the concerns was that they do not own the building and do not have control over the building now it is being talked about that it is not known who is in the building as it was said if it was their building they would know who was in it at any given time. He asked if this structure was theirs, they would not have any problems with this proposal? Mr Davies responded that the 500-foot rule states persons, vehicles, vessels and structures and he does not know who is in that building at any time.
- Councillor Marks made the point that if there is a tractor in the field next door they would have no control over that, if there is a car driving down the road there is no control over that, no control of lorries going to the chicken farm but they are trying to control a property across the field and put forward an argument that there needs to be control over a house and a building. Mr Davies responded that if there is a vehicle coming down road he would make that pilot aware and they would go around again, with the chicken farm being 900 metres away from them so he does not see the relevance of this. Councillor Marks reiterated that there are vehicles going up and down the road, with Mr Davies having no control over the vehicles that travel up and down that road, there are no traffic lights controlling take off and landings, but he is talking about needing to control the next field when they have no control over the whole area around, be it a tractor in a field or a lorry travelling to the chicken farm and asked if this was correct, yes or no? Mr Davies responded 100%, apart from the fact that he is missing the point that the 500-foot rule excludes take offs and landings so any time they would be 500-foot on the floor would be for take off and landing, which is exempt, outside of this they would be higher than 500 foot.

Members received a presentation, in accordance with the public participation procedure, from Mark Venni, the applicant, and Matthew Hall, the agent. Mr Venni stated that he has lived in March all his life and has a small utility business with 12 March people working for him and he is losing his current yard because it is being developed into something else. He made the point that he has looked for other yards and felt this site was a perfect place, having spoken to Mr Davies before he submitted the application and he was happy with where it was located but Mr Davies has since changed his mind.

Mr Hall expressed the view that when looking at a lot of these objections, unless he has misread them, they are from Sunderland, Sheffield, Cambridge, Hemel Hempstead and Bedford. He made the point that Mr Venni employs 12 people who all live in March but there is not going to be 12 vans coming to and from this site each day, a lot of the people keep their vans at home, and they occasionally come back to the yard.

Mr Hall stated that it is not a new business, it is established and they have submitted accounts to verify this. He made the point that they have submitted a Flood Risk Assessment, which has been approved by the Environment Agency, and it is not a residential house, it is an occupational dwelling.

Mr Hall expressed the view that if there is an issue with the fencing, they are happy to receive a condition. He referred to reason for refusal 5 regarding self-build, Mr Venni owns the land, he will build this house and has been designing this house with people in his office and he knows that he has to live in this house if approved so is happy to pay the fee and sign a legal agreement but

could not do it at the time as when the application was submitted last year these agreements did not exist.

Mr Hall referred to a slide on the presentation screen, which shows the area in line with the objector's own property and Mr Venni did speak to Mr Davies before the application was submitted as they had the shed, which is lower than objector's own shed and 130 metres away from the runway, in line with his grass runway and it was moved and the drawing in the report shows it was revised this twice. He referred to another slide which shows that the buildings are not in line with Mr Davies' runway and are 140 metres away and further slides showing how people could land if this proposal existed.

Mr Hall made the point, referring to a slide taken from public access in 2012 submitted with the application that they had no involvement with, the green area is where Mr Davies had shaded on his own slide but in this green area since his application was passed there has been a dwelling approved and built out, two or three sheds built higher than they are proposing and various approvals have been obtained for Mr Davies of pods and shepherd's huts, all in this green area right next to his runway, which are far closer than this proposal. He added that the diagram does say looking at the red circles 500 feet minimum height, not distance but height and there is a no-fly zone around the chicken farm, which is not affected and another no fly-zone around March due to the prison, and on this map he has circled Mr Davies's dwelling which would be over a third or half of his runway and Mr Venni's house has a yellow dot to the right of this is in line with Mr Davies' own property.

Mr Hall made the point that they did look at the information, moved it away and did speak to Mr Davies.

Members asked questions of Mr Venni and Mr Hall as follows:

- Councillor Mrs French asked Mr Venni where he currently has his business? Mr Venni responded that it is down Elm Road, opposite the prison road.
- Councillor Marks expressed the view that it seems to come back to CAA restrictions and asked, before the application was submitted, did they make any reference to the CAA and has there been any communication with them? Mr Hall responded before they submitted the application no, the CAA were consulted as the officer outlines in 5.4 of the report and when you read what it says in the report there is nowhere in this does it say that they object to it. He made the point that they did speak to Mr Davies and the map that he put on screen earlier they have never seen and it says 500 feet height not horizontal distance, but the house and garage are over 500 feet away anyway. Mr Hall added that they undertook research beforehand and spoke to Mr Davies then had the written representation from the CAA so when that was received, he e-mailed them, copying in the planning officer, to say this is the proposal and the drawing, with the continual line of the airfield not being interfered with.
- Councillor Connor asked for this e-mail to be distributed to officers and members and adjourned the meeting for 5 minutes. Mr Hall stated that with the response from the CAA they did copy in Mr Donnelly on 17 March so he has seen it, although it is not on public access.
- Following the adjournment, Councillor Marks referred to the last paragraph of the e-mail where it says 'I'm hopeful that through such communications, any concerns can be allayed either by the developer or a richer understanding of each other's own interests by alterations or conditions' and asked did the alterations that they made by moving the property across take place after this or with consultation with the objector? Mr Venni responded that he spoke to Mr Davies and when I said we would keep clear of his air strip he was happy, with Mr Hall coming up with the proposal and suddenly he changed his mind. Mr Hall added that he does not see anywhere in this correspondence where they say that they object, they looked at the map from 2012, have kept out of the area and spoke to Mr Davies. He stated that ultimately, if members support the application, they would be happy

to enter further discussions if this is still a gray area but nowhere else does it say they object and reiterated that on the map it says 500 feet high and not distance even though the house and garage are greater than 500 feet.

- Councillor Mrs French asked when the land was purchased and did they enter into pre-app advice? Mr Venni responded that the land was purchased about 18 months ago and they did not undertake a pre-app as he was not aware of the rules. Councillor Mrs French asked if the agent did not undertake a pre-app either? Mr Hall responded that he did not.
- Councillor Benney referred to CAA letter, which says 'my letter doesn't intend to present such concerns as assessments or conclusions' so it presents nothing in the letter that says to him that there is a conclusion from this and then goes on to say that 'having been contacted directly by the landowner pertaining to the proposed scheme, I'm encouraged to learn that dialogue exists between them and the operators of the airfield. I'm hopeful that through such communication any concerns can be allayed either by developing a richer understanding of each other's interests or by alterations and conditions', which, in his view, does not say anything and contains no substance. He feels that there is no conclusion from either side as to which is right and which is wrong, with two parties with a difference of opinions and asked Mr Hall what does this letter say of any substance relating to technical information that members need to assist them? Mr Hall responded that whilst he agrees, the officer's report at 5.4 relating to CAA does not say anywhere that they object or that they are happy or give it a yes or a no, and if it had said round here measured from the perimeter of the runway there is 500 feet measured horizontally then that would be fine but it does not say this.
- Councillor Imafidon expressed the opinion that the letter does not give any definitive response from the CAA and the fact that they have not spoken in favour of the applicant or the objector he feels the committee needs a more definite answer from the CAA. Mr Hall responded that Councillor Imafidon has summed it up well, it does not give a yes or no, if members are happy with the proposal on all other aspects it could be deferred for advice on this aspect.
- The Legal Officer referred to the previous two slides where there were some alternative landing and take off lines and questioned where these had come from, who were they prepared by and were they prepared in consultation with the airfield owner or CAA? Mr Venni responded that he produced these slides but he spoke to some paramotor pilots and they said they do go into and out of the wind but there are other options where you can land. He made the point that Mr Davies is building pods beside his runway and when he showed him the shed he said it was irrelevant his house being there.

Members asked questions of officers as follows:

- Councillor Mrs French expressed the view that once again looking at the reasons for refusal at number 4 it says that insufficient information has been submitted to demonstrate proposed development and asked is it an incomplete application? David Rowen responded that whether members view it as an incomplete application, reason for refusal number 4 relates to the whole issue of aviation safety and whether members would deem the CAA comments as an objection or not because it does not include the word objection they clearly raise significant safety issues. He added that the operator of the airfield knows how his business operates and knows the conditions around that, raising those self same safety issues and the further bit of correspondence that Mr Hall has produced does not say a great deal other than it is hoped that concerns can be allayed so clearly those concerns have not been allayed as far as the operator of the airfield is concerned so questions whether it is an incomplete application or inappropriate one, which is one for members to decide on.
- Councillor Marks expressed the view that this was not an answer to a question, Councillor Mrs French asked if this is an incomplete application, is there other stuff missing, it is not whether members rely on the CAA information but if officers say it is incomplete, what is missing from this application? Matthew Leigh responded that this incomplete application term is something that he has only experienced at Fenland, officers would say that if information is not with them it is a refusal but it is a member's belief that whenever there is a

lack of information it is an incomplete application but this is for members to decide and for officers if there is not enough information there it is a reason for refusal. He added that it is not a planning term but based on his experience of Fenland it is an incomplete application as there is not enough information in front of committee to confirm it is safe.

- Councillor Marks questioned that it is not missing any information, such as biodiversity, it is purely missing or there is not a big enough explanation from the CAA in relation to safety as when he hears incomplete what is actually missing? David Rowen responded that Councillor Mrs French specifically mentioned reason for refusal 4 which is the one that relates to aviation and as set out in that reason for refusal there are comments from the CAA raising a safety issue and there is no evidence within the application to contradict that or to demonstrate that the development would be safe.
- Councillor Marks referred to a farmer putting a shed up in that area and asked would he be able to do that without reference to this airfield? David Rowen responded that one of the restrictions on agricultural permitted development is proximity to an airfield.
- Councillor Murphy asked if the airfield was not there would planning permission be given for this proposal to be built in the open countryside? David Rowen responded that they would not which is why there are three other reasons for refusal.
- Councillor Imafidon questioned whether officers were aware of the original agreement between the applicant and airfield owner. Officers indicated that they were not.

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

- Councillor Marks expressed the view that the application should be deferred to obtain further information from both the objector and the applicant as the CAA are seeming to suggest they should work together and if they come back with a report saying yes or no that will asset with a decision.
- Councillor Benney made the point this is a business, and members always try to support businesses, but this is a field currently and as much as members want to support business, one business cannot be supported at the detriment of another. He continued that this field could be sold, and the applicant could find another field somewhere else and come back with an application that he would fully support. Councillor Benney stated that a road cannot be put on a bend because of safety but here there is an airfield which the CAA, who are in charge of all air flights that happen in the UK and associated safety regulations, providing a response which proves nothing either way. He made the point that committee see things where people turn up and there is a big personal clash going on getting embroiled in technical issues but is not sure where this one sits. Councillor Benney stated that he would like to support the business with having a house there with a yard, but at the moment it is a field and there is an existing airfield business, with which way the wind blows depending upon which way the airfield runs and if it means that 20 days a year the wind comes from the east and he cannot operate his business members should not be doing something that is detrimental to one business at the expense of another. He expressed the view that there is not enough information or real technical information from the CAA but does feels that officers have the recommendation correct on this as safety cannot be put at risk, although risks can be mitigated, in his view, there is not a technical solution to an airfield.
- Councillor Mrs French stated that she does have concerns regarding this application, she thinks herself and Councillor Murphy were the only councillors that were on the Council when the London Parachute Company got permission about 15 years ago and the business next door put telegraph poles up and endangered it. She reiterated that she does have concerns about the safety, she knows they fly west to east, and as Councillor Benney said you cannot support one business at the detriment of another.
- Councillor Marks expressed the opinion that something is being discussed that professionals exist for and they should be called in, suggesting it being deferred for the CAA to provide a report as the committee would be unable to go against it, which would then not back one business against another and be fair in planning terms, with the Council being open for business and should support all businesses, acknowledging not to the detriment of one or other and safety being paramount. He does not feel that there is not enough

information, members have heard from two different sides but a categoric report is required from the CAA to enable a decision to be made and he would prefer to defer it currently.

- Councillor Connor agreed, the applicant says the airfield operator, Mr Davies, was OK at the start then he says he was not so who knows what the real answer is and it is all about the CAA, if they say it is safe or there is mitigation that can be undertaken there would be an answer, which members have not got at the moment.
- Councillor Benney asked if it is deferred what can it be deferred on as there needs to be a purpose to a deferment and at the moment he cannot see this, questioning whether the CAA will assist with a report? Matthew Leigh responded that the CAA have been consulted and come back with their response and he does not believe that anything more would be obtained from them, they are not going to produce a bespoke report, it is no different to when Highways or the Environment Agency are consulted as there is no report but a consultation response. The Legal Officer stated that it is right to go back to the CAA as the statutory consultee in the first instance but if they cannot provide what the committee needs to make a decision she would suggest that the onus is on the applicant to demonstrate that their proposal is safe and there will be independent experts, as used in ecology, flood risk, etc., and it would be for the applicant to procure a report from a suitably accredited expert. She clarified that, if committee defer for further information, in the first instance she would suggest officers approach the CAA for a follow up consultation response and failing that it should be a request for the applicant to provide suitable independent evidence to bring back to the committee to consider.
- Councillor Murphy suggested refusal as CAA have had plenty of time in their response to outline their position and they are just 'sitting on the fence'.
- Councillor Marks expressed the opinion that it would be not right at this point to refuse it but defer it as members are trying to support businesses in Fenland, not one to the detriment of another, it would still have to come back and be debated about the actual property but there is not enough information and to be fair to all parties it needs deferring for that information and if it cannot be obtained then it is refused.

Proposed by Councillor Murphy, seconded by Councillor Benney to refuse the application as per the officer's recommendation, which was not supported on a vote by members.

Proposed by Councillor Marks, seconded by Councillor Connor and agreed that the application be DEFERRED for further information regarding aviation safety.

(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 is undertaking work for him, but he is not pre-determined and will consider the application with an open mind)

(Councillor Murphy declared that he knows the agent, but he is not pre-determined and will consider the application with an open mind)

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

P54/25 F/YR25/0517/F
LAND EAST OF OAK MEADOW, NEW DROVE, WISBECH ST MARY
CHANGE OF USE OF LAND TO 1 X GYPSY TRAVELLER'S PLOT INVOLVING THE SITING OF 1 X MOBILE HOME AND 2 X TOURING CARAVANS

Tom Donnelly presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Alexandra Patrick, the agent and Sam Taylor and Caroline Symonda, the applicants. Mr Taylor stated that he is the further generation of his family who still work the land from season to season and farm to farm keeping within his Romany tradition. He added that in recent months his family circumstances have changed as he has been given verbal notice to leave the current yard which his family current rents and as the family have nowhere else to go this has caused a great deal of stress.

Mr Taylor explained that the added stress is not helping his father who is still recovering from open heart surgery and finds himself not well enough to travel anymore meaning he needs a permanent place to reside so that he can attend medical appointments, and the simpler tasks are harder for his father to achieve. He explained that he has purchased a plot of land and has submitted a planning application and followed the due process and has funded the whole application themselves as a family, with the aim being to maintain a home for the family and to have the basic living standards which everybody is entitled to.

Mr Taylor explained that the orchard will be kept, and the trees will be maintained and pruned and cropped, with the vintage pieces of machinery which they own also being restored on the site and they used to belong to local Wisbech farmers.

Ms Symonds stated that the application is for a mobile home and two touring caravans so that her family can continue a nomadic way of life within the Romany tradition of which they are rightly proud, with the family having been part of the community of Wisbech St Mary for many years and her son attended the local primary and secondary school. She explained that they work locally for the agricultural sector and have a great respect for the local community and the letters of support from the local community demonstrate that her family are equally respected.

Ms Symonds stated that her husband has recently had open heart surgery and is recuperating and has to attend medical appointments. She explained that currently they are renting an area in a local yard but have been given notice to vacate as the site is needed by the owner's daughter meaning that they will be effectively homeless which is a very scary prospect.

Ms Symonds explained that they have purchased the acre of land and have followed the planning application process fully and as a result it was remarked on and welcomed by the Parish Council. She made the point that at the present time the Council's list for pitches, sites and plots for travellers is long and could mean that eventually her family could be forced out of the area.

Ms Symonds added that she appreciates the concerns raised by the Environment Agency with regards to the land being located within Flood Zone 3, but she is aware that is the case for most of the area and 67% of Fenland falls into that category. She explained that steps can be taken to mitigate the risk by raising the mobile home and also registering with the Environment Agency Flood Warning Scheme.

Ms Patrick explained that the application seeks permission for a small family site and a home for a three-member traveller family who are financially supported by their son, with the need for such sites being urgent, which the Planning Officer has noted as has the Gypsy Traveller Liaison Officer. She added that the proposal meets the need in a modest and responsible way and there is a clear precedence for approving similar applications in comparable or higher flood vulnerabilities including Birds Drove at Gorefield, Pearls Bridge at Manea and Leverington Common in Wisbech St Mary.

Ms Patrick stated that officers and inspectors have recognised that robust mitigation and evacuation measures make such developments acceptable and the proposal includes the same safeguarding including flood anchors, and the same comprehensive flood evacuation plans to ensure that the site is safe and compliant. She explained that in the officer's report it states that the

majority of the site in located in Flood Zone 1 and 3 and, therefore, there are safer zones for the residents to go should there be a flood or if they were advised by the Environment Agency that flooding was taking place.

Ms Patrick explained that every application should be looked at on its own merits and there is an exception with this application as the family are elderly in comparison, and they are supported by their son, with it being a simple compassionate request for one family who are demonstrating a genuine need. She made the point that a precedence has already been set and fairness and granting permission is valued.

Members asked the following questions:

- Councillor Imafidon referred to the presentation screen and asked when the photographs were taken and how far from the application site do the family currently live? Mr Taylor explained that the site is located 2 miles from their current place of residence. Councillor Imafidon referred to the photographs on the screen and stated that when he visited the site, there appears to be some difference as a hard standing is in place and another construction on the site.
- Councillor Mrs French stated that a great deal of emphasis has been made with regards to the personal circumstances and she asked for confirmation as to whether the personal circumstances were included when the application was submitted? Ms Patrick stated that confidential documents were sent to the Planning Officer.
- Councillor Marks asked how difficult it has been to find an alternative site? Ms Symonds stated it has been very difficult, and the waiting list is endless and finding somewhere else is not an option for the family and, therefore, the decision was made to purchase their own land.

Members asked officers the following questions:

- David Rowen responded to the question asked by Councillor Imafidon and confirmed that the photographs were taken at the end of July.
- Councillor Mrs French asked officers to confirm whether they have taken the personal circumstances of the applicants into consideration? Tom Donnelly stated that in paragraph 9.2 of the report it refers to the fact that personal circumstances were provided in the form of a confidential document which were taken into consideration when assessing the application. Councillor Mrs French stated that members have not seen the confidential information, however, it does state that the information could be made available to members should they wish to view it. David Rowen stated that officers ensure that confidential information is not placed into the public domain, however, should members wish to see that information then the application could be deferred and then a confidential appendix could be added to a further report at a future committee.
- Councillor Mrs French stated that there are personal circumstances to be considered, and she added that she is surprised to see that the local Parish Council and local residents are fully supportive of the proposal which is very unusual for a traveller family. She added that it would be possibly the right course of action to see the confidential information and for the application to be deferred. David Rowen stated that what has been summarised in the confidential information has actually been summarised by the applicants and the agent.
- Councillor Connor expressed the opinion that he believes that the applicants and the agent have been truthful in their presentation, and he does not feel that a confidential report is required.
- Councillor Mrs French stated that there is a new Gypsy Policy, and she questioned how the application conforms? David Rowen stated there is a new policy and there is an updated gypsy traveller accommodation needs assessment, which just sets out what the up-to-date position is in terms of need for traveller accommodation across the district. He added that this is referenced in the officer's report and sets out the number of pitches which need to be delivered, and he reiterated that the actual policies have not changed,

it is the weight and the weight which needs to be given to that need. David Rowen made the point that as stated in the officer's report there is a shortfall of pitches across the district, and this application would be a small contribution towards the shortfall if members are minded to grant planning permission.

- Councillor Mrs French stated that it was her understanding that the district does have a shortfall, and she does not know where the land is going to be found in order to accommodate traveller families.
- Councillor Marks asked whether it is known as to what the shortfall actually is? Matthew Leigh stated that according to Paragraph 9.9 of the officer's report it states that there is the need for 26 pitches up to March 2029.

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

- Councillor Mrs French stated that having heard the personal circumstances and the need for further pitches, in her opinion, she believes that the committee should be supporting the family. She added that there is only one reason for refusal which is flooding but that can be mitigated against.
- Councillor Marks stated he agrees with Councillor Mrs French and added that the application also includes a pitch for 2 travelling caravans and if there was a need for the family to move then they could use one of those. He added that they are a local family who work locally in agriculture who are having to move two miles, and he thinks that the application should be supported.
- Councillor Connor expressed the view that he finds it refreshing that the Parish Council of Wisbech St Mary have expressed the opinion that the family are a credit to the village and there have been numerous letters of support which have been submitted. He expressed the view that it would be a travesty if the committee refuse the application and he will be supporting the application.
- Councillor Imafidon stating that having heard the personal circumstances he will be supporting the application, and he added that the agent has explained that part of the site is located within Flood Zone 1. He does not feel the issue of flooding due to part of the site being in Flood Zone 3 is relevant as the family could move if required into the lesser zone and he will support the application.

Proposed by Councillor Mrs French, seconded by Councillor Imafidon and agreed that the application be GRANTED against the officer's recommendation with authority delegated to officers to add appropriate conditions.

Members did not support the officer's recommendation of refusal as they feel that there is a shortage of and a need for sites for travellers.

P55/25 F/YR24/0237/F
LAND SOUTH WEST OF 16 LONDON ROAD, CHATTERIS
ERECT 5 X DWELLINGS (SINGLE STOREY 4-BED) WITH DETACHED GARAGES, AND REPOSITIONING AND WIDENING OF EXISTING VEHICULAR ACCESS

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

Members received a presentation, in accordance with the public participation procedure, from presentation from Alan Faulkener, the agent. Mr Faulkener stated that the Planning Officer and Member Services had suggested to him that he may wish to email the slides which he will be referring to in his presentation to members of the committee which he has done. He added that there is a long history of garden infill in the immediate vicinity of the site with Linden Drive, Eden Crescent, Numbers 20 a, b c and d London Road and the former Travis Perkins site now known as Fortrey Court, which have all been built in the grounds of existing properties within the Chatteris Conservation Area, with Fortrey Court being developed within the curtilage of a Grade 2 Listed

Building.

Mr Faulkener stated that since the application was validated in March 2024, he has worked with officers on house design and site layout to address all their concerns and has responded to relevant comments raised by neighbouring properties, with the only outstanding matter being the reason the application is before the committee in respect to the Conservation Officer's comments. He explained that at the request of officers in May 2025 following comments from the Conservation Officer, he commissioned an independent heritage statement which was delivered in June 2025 from Artifacts Conservation, which concluded that the proposal has been carefully designed to minimise any perceived harm on the rural aspect of the setting on number 16 and this section of the Chatteris Conservation area.

Mr Faulkener explained that the existing landscaping has been retained, and the necessary widening of the access track and the required visibility splays have been kept towards the southern boundary and softened with planting. He made the point that the tree views to the wider land holding have been retained, and the new development will be kept out of the sight line.

Mr Faulkener added that the proposal will result in less than substantial harm to the Listed Building and will preserve the character and appearance of the Chatteris Conservation Area and will achieve public benefit in provision of residential accommodation. He referred to page 2 of the Conservation Officer's report from 2025 where they have provided a response, stating that the host building was Listed with a wide frontage, but made the point that there was no mention of this in the Historic England official listing for the property which simply states that a Mid-19th Century house of gault brick, hipped slate roof and dentile eaves and cornice.

Mr Faulkener stated that it is a 2-storey building and the road frontage has four window ranges of hung sashes with glazing bars in flat moulded arches and on the ground floor there are four full length casements with fixed headed lights and louvered shutters and a side entry which has a gothic arch to the porch. He referred to the presentation screen and explained that the slide shows a few images which make up the visual amenity of the historic environment and contribute to the verdant character and appearance of the Chatteris Conservation Area which was referred to by officers in the report.

Mr Faulkener stated that the modern houses opposite the entrance to the subject property and the access to the two new build properties in Fortrey Court at 22 London Road where planning consents were granted between 2019 and 2024 are the features that he wanted to highlight. He made the point that whilst there is some concern with regards to the loss of trees and front boundary hedging he has already advised officers that he would be happy to see a condition on boundary treatments attached to the planning consent.

Mr Faulkener added that he would be content to incorporate the low-level wall that the planning officer was looking to be included as well as agreeing with the conditions suggested by the Conservation Officer. He asked the committee to recognise the merits of the scheme and grant planning permission.

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

- Councillor Benney stated that the host dwelling is 16 London Road, and he recalls 18 London Road being demolished a number of years ago and number 20 was redeveloped as well with houses being sited in the back garden which is similar to the application. He added that the houses which were built in Fortrey Court were approved by officer delegation and never came before the committee but the house and the conversion of the chicken shed did come before the committee and were approved and look very nice. Councillor Benney added that the Cock Public House is not shown on the slide but that is also located in the Conservation Area and has back land development in the rear of it, making the point that

the houses were built there a few years ago and, in his view, the principle of development in this area has been fairly well established recently. He expressed the view that he is certain that the bungalows and houses will look equally as nice as the others do when they are built out. Councillor Benney stated the reason for refusal relates to the conservation and the detriment to the Grade 2 host building but, in his opinion, the site is large enough to absorb the dwellings without causing any detriment and the application should be approved.

- Councillor Murphy expressed the view that it is an ideal place to build in the rear as there have been other back land developments which have been built out in Linden Drive and Westbourne Close. He expressed the opinion they are not detrimental to the host building due to the distance that they will be from it and if it is not approved then it will be sacrilege.
- Councillor Marks stated that he agrees with the views of Councillor Murphy and Benney, making the point that it is a Grade 2 Listed Building where somebody wishes to invest and spend money on it and, in his opinion, it is a good application and should be approved.
- David Rowen stated that there is no actual works which are proposed to take place to the Listed Building, and the application is to develop in the back garden of that dwelling.
- Councillor Imafidon expressed the view it is a good application, and the actual dwellings will stand way back from the host dwelling. He added that with the vegetation and the trees which are in place then it is unlikely that the development would be visible from the main road anyway. Councillor Imafidon added that he does not believe that it is detrimental to the Grade 2 Listed Building and he will be happy to support the application.
- The Legal Officer stated that as she understands it, the view of the committee is that they are not stating that there is no harm to the Listed Building, but they are concluding that there may be some less than substantial harm, but they feel it is outweighed by the benefits of the scheme. Councillor Benney stated that his conclusion is that there is no harm whatsoever.
- Councillor Connor stated that he feels that the five houses will bring a benefit.

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

Members did not support the officer's recommendation of refusal as they feel that development within the Conservation Area has been demonstrated already, the application site is a large garden which will be able to accommodate the dwellings, it will not be detrimental to the host building and the community benefit outweighs any harm to the Listed Building.

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

(Councillor Marks declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he attends meetings of Chatteris Town Council but takes no part in planning)

(Councillors Benney, Connor, Mrs French, Imafidon and Marks declared, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

P56/25 F/YR25/0058/O
LAND SOUTH OF 2B AND 2C BRIDGE LANE, WIMBLINGTON
ERECT UP TO 9 X DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

Dannielle Brooke presented the report to members.

Member Services read out a written representation on behalf of Councillor Mrs Davis, a District and Ward Councillor. Councillor Mrs Davis stated that the initial application F/YR23/0241/O was

registered on 17 March 2023 and refused on 7 March 2024 for the reasons of “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”, with Councillor Benney proposing at the Planning Committee meeting that the application be refused, seconded by Councillor Connor, as per the officer's recommendation.

Councillor Mrs Davis referred to F/YR25/ 0058/O, which was registered on 23 January 2025 and had 23 objections from local residents, with this application going before the Planning Committee on 30 April 2025 and comments minuted as follows:

“David Rowen reminded members that an outline application for 9 dwellings on this site was refused in 2023 on the grounds of the character of the area, the in-depth nature of the development, which is essentially the same scheme in front of committee now. He continued that the character of Bridge Lane has not changed dramatically in the last 2 years and questioned what has changed since March 2023.

Councillor Benney stated that the building work and the 88 Reason Homes at the top had not started then and now they are underway they are part of the character so that is what changes it and the fact that other development has been allowed in the vicinity is good reason to only defer it on the drainage.

David Rowen stated that he believes the Bellway site had commenced in 2023 and even if it had not there then was a permission in place of 88 dwellings on that site, so nothing has changed since then.

Matthew Leigh advised members that the Council’s decision for the adjoining site is also a material consideration and that is still so recent that the applicant could submit an appeal. He continued that whoever makes the decision there should be consistent and the adjoining sites decision and an application previously refused on this site would be significant material considerations in determination of this application.”

Councillor Mrs Davis stated that the Parish Council's objection is raised in regard to the above comments, with the first application F/YR14/0232/O for 80 dwellings (max) on land east of 38 March Road being 'granted' on 25th September 2015, therefore, this development was well underway before the Members proposed to support the planning officer’s decision to refuse application F/YR23/0241/O. She feels that if members were to view the site plan it shows that the northern boundary, the one abutting Bridge Lane, is predominantly open green space and has hard landscaping of trees proposed to continue to provide a countryside view from Bridge Lane, therefore, although the Bellway site is situated south of the access to Bridge Lane, it is not impacting on the characteristic’s environment along the lane.

Councillor Mrs Davis expressed the view that Councillor Benney’s personal opinion that the character and appearance of Bridge Lane has changed is not a material consideration and is not a valid reason but local planning policies LP3, LP12 and LP16 are and the decision (reason 1) to refuse planning application FYR23/0241/O is still a valid material consideration.

Members received a presentation, in accordance with the public participation procedure, from Shanna Penney, the agent and Ben Love, the applicant. Ms Penney stated that the application was deferred by the Planning Committee in April 2025, with the minutes from that meeting suggesting that the only issue of concern for members related to surface water drainage and that was the reason for deferral. She explained that she has worked closely with the drainage consultant, and the officer’s report confirms that there are no outstanding issues with regards to surface water drainage and the Lead Local Flood Authority (LLFA) has confirmed that the proposal

will result in an improvement to surface water drainage within the wider area.

Ms Penney explained that the only issue that remains relates to the character and appearance of the area, referring to the presentation screen highlighting the bright yellow site outlined on the map has planning permission which comprises in depth development, which she feels is significant when viewing the application within its context as it demonstrates that the character of the area has now changed to that of a housing area. She explained that a previous application was refused on the site in 2024 for reasons of form and character but this situation has now changed from the previous application because at that time outline planning permission under F/YR19/0405, for up to 30 dwellings on the land to the southwest of the site, would have formed the consideration when the 2024 application was determined.

Ms Penney stated that since then the site which was under planning reference F/YR19/0405 has been granted planning permission for up to 45 under F/YR23/0206, which was granted in August 2025 and having 45 dwellings on the site to the southwest of the application site rather than 30 has significantly increased the housing density in the locality and has reinforced the residential character of the area. She expressed the view that the backdrop of 45 dwellings results in the change to the circumstances of the area and the proposal would not be out of keeping with its surroundings.

Ms Penney expressed the opinion that the site does not appear as a gap given the fact that the view from Bridge Road frontage would be of a backdrop of housing which will now appear particularly denser in view of the newly granted permission for 45 dwellings. She referred to the presentation screen and stated that it clearly shows that this part of Wimblington is a built-up residential area which is reinforced by the large site which is currently being developed on the corner with March Road, with the committee having discussed on many occasions in the past whether Bridge Lane forms part of Wimblington village and, in her opinion, the map clearly indicates that is does.

Ms Penney stated that the site would effectively comprise of infill development of housing within an established residential area and, in her view, makes sense in policy terms, with Wimblington being a growth village and policy LP3 allows for village extensions in such locations. She added that the proposal would comply with that policy given that it would extend the existing built form in this area and, in her view, the proposal is acceptable in principle in accordance with policies LP3, LP12 and LP16.

Ms Penney added that it would result in residential development within a residential part of Wimblington which adheres to the form and character of the area with particular reference to the impact resulting from the newly approved development for 45 dwellings approved under reference F/YR23/206.

Members asked the following questions:

- Councillor Mrs French stated that when it was discussed in April, the only issue that the committee had with the application was one of significant concern with regards to flooding and she is pleased to see that Ms Penney has recognised those concerns and has gone away and undertaken some work to alleviate those concerns. She stated that there is a public right of way located there, and she asked whether that will be retained? Mr Love explained that the intention is to widen the public right of way so that two prams are able to pass each other which is not the case at the current time.
- Councillor Connor asked what the plans for the small drain beside the public right of way are? Mr Love explained that he does cut it back to appease the footpath officer at the County Council and the dyke will have to be ditched out so that the drain can flow into the ditch and then further into the system. He added that where the existing dyke has been filled in, much of it will be excavated which provides an environmental gain and means that part of the pipe work cannot get blocked anymore. Mr Love stated that he does not want to

develop next door to a mess and has proposed a different type of fence alongside the footpath as opposed to a barbed wire fence.

- Councillor Mrs French asked whether the Internal Drainage Board has been consulted as part of the proposal and questioned whether it is a riparian dyke? Mr Love confirmed that it will be maintained.

Members asked officers the following questions:

- Councillor Mrs French expressed the view that it is disappointing that the application has come back with an officer recommendation of refusal when the agent and applicant have addressed the issues raised by the committee in April, and yet officers still deem the proposal as being a large scale development when it is only nine dwellings. David Rowen stated that there is not a committee decision with regards to the terms of the acceptability of the character or not and as a consequence while one of the reasons for refusal has fallen away, the character reason which was previously recommended and was previously accepted by the committee when determining a very similar application on the site has to come forward and it remains the view of officers that this is an unacceptable development in terms of the impact on the character. He made reference to the point made by the Agent with regards to the site to the south and the fact that there has now been a planning permission granted there for 45 dwellings rather than 30 dwellings which was in place at the time that the previous decision was made by the committee, making the point that it has very limited impact with regards to whether this is a harmful development or not and, in his opinion, the view that the committee needs to take from that is that the site to the south had got planning permission in place for residential development and still has. David Rowen added that there has been no change in circumstances since the previous decision to refuse planning permission for nine dwellings on this particular site was taken by the committee in February 2024.

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

- Councillor Benney stated that the character of Bridge Lane has changed beyond belief over the period of time that he has been a member of the Planning Committee, questioning what the character of Bridge Lane is as it was very open when the 88 dwellings were approved. He expressed the view that the land is ripe for development, and the land will be filled in at some point and there is a lot of space before the bypass is reached, which is a natural barrier. Councillor Benney added that it is a good use of land and with all of the local development taking place around the site he can see no reason for the application to be refused. He made the point that it is not the open countryside, and the area is becoming urbanised, and the application should be approved, with the technical difficulties raised previously having been overcome and he will support the proposal.
- Councillor Marks stated that Wimblington is evolving, and he referred to the presentation screen and added that the slide does not demonstrate all of the other development taking place on the other side of the bypass near to Data Shredders which is also going to see further development. He expressed the view that houses need to go somewhere, and, in his view, it is a good use of land, and it should be approved, otherwise the next application that comes back could be for 40, 50 or 60 dwellings.
- David Rowen stated that the issue about the previous decision by the committee to refuse planning permission on the site is a significant material consideration.
- The Legal Officer stated that she entirely concurs with the points made by officers and she added that the previous decision is a material consideration given that it is the same application site and the same proposed development on the site. She added that if members are looking to make a different decision to the one they made previously then it would be helpful to be really clear and spell out what the actual change in the material considerations are that have taken place since they decided two years ago which now leads them to form a different view. The Legal Officer explained that it maybe the intensification point raised by the applicant but, in her view, it would be helpful to explain why the committee are taking a different view or may take a different view two years on. She added

that it is important to spell out what has materially changed since the previous decision.

- Councillor Marks expressed the view that it is a very old slide which has been shown on the presentations screen compared to what there is today. He added that F/YR23/1235 is almost built out now and the slides shown appear to be out of date because there is significant change down there now including erected fences and the area is becoming more urbanised which to him is a material change which can be seen from the last decision.

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

Members do not support the officer's recommendation of refusal as they feel that since the previous application was refused the character of Bridge Lane has changed, the area is ripe for development, the frontage no longer exists in Wimblington as it is being filled in, they do not consider the proposal to be large scale development and they do not consider the visual gap to be one of any importance. Members added that a sequential test has now been undertaken, and improvement works will be undertaken to the ditch which they feel brings a great improvement and will stop any future flooding.

(All members present declared that they know Councillor Mrs Davis as a fellow councillor but are not pre-determined and will consider the application with an open mind)

(Councillors Connor and Marks declared, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

P57/25 F/YR24/0627/F
LAVENDER MILL BUNGALOW, FALLOW CORNER DROVE, MANEA
ERECT 5 X DWELLINGS (1 X SINGLE-STOREY 2-BED AND 4 X 2-STOREY 2-BED), INVOLVING THE DEMOLITION OF EXISTING DWELLING AND GARAGE

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 Councillor Charlie Marks, District and Manea Parish Councillor. Councillor Marks stated that he has worked very closely with the developers in the last 6 months since this was considered at committee previously and these developers have worked tirelessly with the local residents to try and resolve any issues that have arisen since they have been building the 29 properties. He made the point that the 5 properties being proposed remove a dated and in places damaged bungalow and bring 5 more affordable homes into the village as opposed to one bungalow which does need demolishing resulting, in his view, in a good use of land.

Councillor Marks expressed the view that it is not imposing by the way it stands, if you drive along that road there are a number of larger properties that are elevated and at the bottom there is a farmhouse that had to be built up due to flooding issues and on the corner there is a two storey building that is about 2½ to 3 metres out of the ground due to flooding issues, but there have not been any flooding issues at this end of the village. He made the point that the developer has worked tirelessly with Cambridgeshire County Council Highways and spent a fortune at the beginning of the road coming to the property entrance, they have had numerous incidents of coming across issues that were not either on plan or alternatively Highways wanted extra work, which they have paid for financially themselves and the benefit to the village is to stop flooding and, in his view, the flooding issue here with the foul water drainage will be overcome.

Councillor Marks stated that this application and this site needs this bungalow to be removed, the affordable homes are needed and going forward he believes this application should give what is

required, whilst there are other issues there, he feels they are not insurmountable. He requested the application be approved.

Members asked questions of Councillor Marks as follows:

- Councillor Imafidon referred to the mention that the foul water issue has been resolved but why does it say in the officer's report that it has not been? Councillor Marks responded that the developer has tried working with the planning officer and there are still some matters that need to be overcome but he has no doubt seeing how these developers have dealt with issues already, which is a breath of fresh air in Manea, that they will be resolved. He referred to roadway at the top of Westfield Road and the corner of this road there is all new tarmac and new gullies and there was a lot of illegal discharge onto the site of the 29 houses and the developer worked tirelessly, finding it to be a Highways problem, however, Highways at the time had suspended their contractor, which held up the project and the project has gone way over budget. Councillor Imafidon stated that it was refreshing to see the standard of road when he visited the site. Councillor Marks made the point that it is refreshing to see a developer do what they say they are going to do.
- Councillor Mrs French asked why there is no BNG? Councillor Marks responded that the developer can answer this.

Members received a presentation, in accordance with the public participation procedure, from Christian Cooper, the agent, and Robert Wickham, planning consultant. Mr Wickham referred to a basic error, in his view, in the officer's report and summary, which refers to the decision of the Planning Committee on 5 February 2025, it states that the matter is deferred to amongst other things obtain a viability assessment, stressing the word that is used in the report being obtain, but at the February meeting Councillor Benney stated "I propose that we go with a deferment on this only for three things, ecological appraisal, bat survey and sort out the financial contributions and assessment of the site", it does not say obtain a viability assessment. He expressed the opinion that sorting this out is a matter of deciding whether it is relevant and pertinent legally in the circumstances of the case.

Mr Wickham expressed the view that the design issues are not the subject of the councillors concern at the meeting, although it is raised in the report before committee today and the main point is that the statement at, for example Paragraph 2.1 that the matter was deferred to obtain this assessment, but in his view it was not it was to consider. He expressed the opinion that the officer's report is seeking to add together the main development with this small scheme at the front of this site and there is clear guidance under case law on this subject, such as Westminster City Council and Secretary of State and New Dawn Homes versus the Secretary of State, from these decisions the key tests are whether sites are aggregated or not, ownership and in this case it is the same owner, but so it was in the Westminster case and the judge in that case determined that that was not determinative and secondly whether the sites constitute a single site for planning purposes, in this case on the second and third criteria, the aggregation of the two is not appropriate and is contrary to the case law.

Mr Wickham expressed that view that the Lancaster and New Dawn Homes cases refer to separate treatment of the applications and in this instance the current application is quite separate from the scheme under construction. He continued that the judge tested whether the two areas involved at Lancaster Gate were functionally linked, they were not and are not today, the rest of the site is linked one with the other as you go onto the site.

Mr Wickham made the point that this is a separate application, the original consent for 29 was submitted some 9 years ago. He expressed the opinion that the applicants are keen to support local services, and the Environment Agency are happy with the drainage, they only responded yesterday, and they are satisfied that the connection to the outfall proposed from the site is suitable for this development.

Mr Wickham referred to alleged flooding and stated that the houses will be on the higher land which has never been flooded, with none of the site having been flooded, which has been confirmed by a local farmer that over 75 years he has known it, it has never flooded. He expressed the view that the scheme will bring forward small homes that are very much in need in this area and a single bungalow and looking at the site from the front there is a medium to large house on the left hand side, ground and first, and this scheme will be ground and first balancing both sides of the site.

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

- Councillor Benney stated that when this application was considered previously he was happy to support it, it is not a dwelling that you would normally see in this location as they are mostly large, but this does look large even though there are four. He made the point that not everybody wants big gardens or to live in big houses and just because there is nothing else like this in this street does not mean it is not needed in the street or it will not sell, in his view, they will sell quickly. Councillor Benney referred to the flooding but there is already a bungalow on the site and this scheme is for two storeys, which gives people somewhere to go if it does flood, although he is sceptical that it would. He expressed the opinion that it is a good scheme, looks nice in the street and a local member spoke in favour of it and committee usually goes along with what the local member says as they know the area best. Councillor Benney acknowledged that it is an unusual application but that does not mean that it is not wanted or needed.
- Councillor Connor agreed that it is a good application, committee has heard in the last 75 years that it has never flooded and across the other side of the road from this site there have been dwellings built and further along the ground goes down about 3-4 metres, so it is high ground which is unlikely to flood. He made the point that Councillor Marks has stated that the applicant and agent has worked tirelessly with the Parish Council and undertaken everything within their power to bring this to fruition, which he is refreshed by. Councillor Connor expressed the opinion that it will bring a benefit to Manea, as Councillor Benney stated not everyone wants a big house, it does have a small garden and some people only want small gardens, so they will not buy it if they want a big garden. He stated that he is enamoured with the scheme, it is a good scheme, and he will be supporting it.

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

Members did not support officer's recommendation of refusal of planning permission as they feel that the amount of development on the site is not considered excessive, it is felt the scheme works and looks good, the fence has been raised on the development which will help with overlooking making the point that wherever you are there is overlooking to some degree, with the current bungalow overlooking the garden of the neighbouring property anyway and the houses at the back overlooking the current bungalow, replacing a bungalow on a site in Flood Zone 3 with a two storey dwelling makes it safer and the scheme will bring homes for people, which in turns brings a public benefit.

(Councillor Marks declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Manea Parish Council but takes no part in planning. He further declared that he would be speaking in support of the application, following his presentation he took no part in the discussion and voting thereon)

P58/25 F/YR25/0404/F
GARAGES AT RIVER DRIVE, MARCH
ERECT 1 X SELF-BUILD/CUSTOM DWELLING WITH A 2.0M HIGH BOUNDARY FENCE, INVOLVING THE DEMOLITION OF EXISTING GARAGES

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 Nicholas Underwood, the applicant. Mr Underwood stated that the proposal matches the character of River Drive in terms of its block massing and is comparable in scale to the adjacent properties in Cotswold Close even though the proposal is slightly smaller and narrower, with it following the existing precedent set by the other corner plots such as 1 and 2. He explained that the street scene slide demonstrates that the height has been reduced to be comparable with adjacent buildings and the outlook from Cotswold Close falls well below the BRE 25 guidance even when standing at their rear fence which dispels any claims of prominence.

Mr Underwood stated that at the previous committee the officer's report refers to comments made by the Inspector in the appeal decision but the comments all relate to the previous scheme and not the revised current proposal which has been completely changed to address each objection. He explained that the Inspector's comment with regards to harm to character related to the previous design being a 2-storey building being next to a single storey, the scale and prominence of the dormas and concern over potential overlooking at a garden of 29 Cotswold Close from the bedrooms, making the point that the second storey has been amended, and the issues are no longer applicable, and references made to linear form and cramped related to the impact of a carport.

Mr Underwood referred to the presentation screen which showed the elongation of the building massing right up to the right hand side of the south east boundary, explaining that this has also been omitted, and the buildings overall length has been reduced by a third to match the smaller plot size of River Drive and allow an increase in separation to all boundaries. He stated that the previous claims of overdevelopment and contrived layout related to the amount of private amenity space being provided but were dismissed at appeal by the Inspector who also went on to praise the layout as being a novel and innovative approach, adding that the Inspector also stated that the quality and usability of the resulting spaces, the reduction below the one third guideline was appropriate for the development and fully compliant with all local policies.

Mr Underwood explained that, in the previous application, the Inspector had previously accepted 60 square metres for a three bedroomed house whereas now there is the provision of 82 square metres for a one bedroomed bungalow which meets the one third guidance. He added that it is disappointing to see that the officer claims that the design is out of character as the Inspector specifically highlighted that there is not prevailing architectural style in the area and that it is evident that many of the buildings in the area have been poorly modified and altered over time.

Mr Underwood stated that the Inspector also agreed that the contemporary approach to design and architectural detailing is entirely appropriate for the location. He referred to the presentation screen and stated that with regards to the claim of overlooking the garden of number 9, it was highlighted that the proposed 2 metre high timber fence would be heightened to 2.4 metres using a continuous bamboo screening, referring members to the photographs on the presentation screen and explained that by using a clumping non evasive bamboo such as grassilus or arrow it quickly forms a solid effective barrier preventing any views through it, with it growing incredibly quickly and up to 8 to 12 inches per month and he has advised officer's that the plants will be supplied as 2.4-metre-high plants from the outset.

Mr Underwood referred to the presentation screen and explained that the yellow view cone shows how the screening will prevent any views below the 2.4 metres, and he added that even if any contribution from bamboo was completely discounted the fence itself still provides a restriction on the views, with their only being a very narrow gap left between the existing tree and their extension where any potential for a view could even occur, and number 9 has written into support the application. He referred to the overlooking concerning number 8, with the photograph demonstrating that the boundary is already screened by mature bushes on their side of the fence which means that those neighbours have full control over their privacy and any potential view from the top step into their garden would already be obscured and even if the hedge was not there, the fence height from the top step is still effectively 1.6 metres high.

Mr Underwood explained that utility rooms are non-habitable space, and a path is a transitory space which is only used briefly and with low frequency because all of the primary space is located on the other side of the building, with there being no windows in the façade facing number 8 so there is no possibility of a view into it. He stated that the consultation process resulted in seven letters of support and no objections, and this has now been increased to 15 letters of support through a petition initiated by the residents and there are no objections from any of the statutory consultees.

Mr Underwood expressed the view that the proposal improves the character of the access road and the safety of the public realm. He referred to the presentation screen and explained that he has taken steps to clear the site of brambles following the comments made by Councillor Mrs French at the previous meeting.

Members asked Mr Underwood the following questions:

- Councillor Mrs French thanked Mr Underwood for clearing the site following the comments she had made previously, and she stated that the site now looks far better.
- Councillor Marks stated that part of the presentation featured the planting of trees at the side of the property which he welcomes but added that the photographs appear to have been taken when the leaves were on the trees and he questioned what will happen during the Winter when the leaves fall from the neighbours planting. Mr Underwood explained that bamboo will not be affected, and the neighbours' bush he believes is a perennial plant. Councillor Marks stated he believes it is a plant which would lose leaves. Mr Underwood stated that he had tried to submit drawings to the officer who declined to accept them, but he has incorporated a trellis to make sure that there will be no further issues, however, the photographs displayed are the only ones available.

Members asked officers the following questions:

- Councillor Benney asked officers to clarify whether the application accords with the required minimum space standards? Officers confirmed that it does.

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

- Councillor Mrs French stated that it is apparent that the site has had some alterations to it and she welcomes the fact that the applicant has taken steps to tidy the site. She added that the site is an old Council garage site, and she now feels that the proposal would be a community benefit and would mean that the anti-social behaviour complaints that are received by the Town Council will stop if the site is developed. Councillor Mrs French added that she will support the application as she feels that the changes will be of a benefit to the area.
- Councillor Imafidon stated that he will support the application as he recalls when the application came before the committee previously a supporter to the proposal explained how the anti-social behaviour was having an impact on the lives of the residents.
- David Rowen drew the committee's attention to the Inspector's comments when the previous appeal was dismissed, where the Inspector stated that 'the proposal would remove dilapidated garages which may currently attract crime and antisocial behaviour,

nevertheless the benefits do not outweigh the conclusions I've reached regarding the main planning issues'. He added that those issues were considered by the Inspector who then concluded that they were not sufficient to justify granting the application and that is a significant material consideration given the fact that it is an appeal decision within the last couple of months.

- Councillor Mrs French stated that the benefit to remove the anti-social behaviour by putting something in place of the garages will be far better for the residents who live there.
- Councillor Marks stated that the Inspector made his comments on the previous property, and the applicant has stated that he has taken on board the comments of the Inspector and made changes to his proposal. He expressed the opinion the new application brings with it more of a community benefit now the site has been cleared and by the changes that the applicant has made to the new proposal and asked officers whether they agree. David Rowen stated that he does not agree with that viewpoint and added that it is clear from the statement made by the Inspector that the proposal would remove the dilapidated garages which may attract crime and antisocial behaviour. He added that the Inspector has identified that as an issue and considered that at the appeal and concluded that it would not overcome the harm that he has identified with the failings of the previous scheme. David Rowen added that if members are of the opinion that the application is an improvement to that of the previous scheme and that is does not have the same harm in terms of the visual impact and that of overlooking then that could be looked at, however, he does not feel that the committee could reasonably say that given the Inspector's findings that the community benefits outweigh any harm.
- Councillor Connor stated the current application has been reduced from two storeys to one storey and is, therefore, a different application altogether and the car port which was originally on the side of the dwelling has now been removed and has reduced it by a third, meaning that there is more amenity space. He expressed the view that on planning balance he does not see that there is anything wrong with the application.
- Matthew Leigh explained that the application is for a self-build dwelling and taking into account what Planning Inspectors are stating in relation to self-build applications then if members are to support this application there will be delegation to officers subject to a Section 106 Agreement.
- Councillor Marks asked whether it is something that can be conditioned? Matthew Leigh explained that it cannot be and has to be subject to a legal agreement.

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

Members do not support officer's recommendation of refusal of planning permission as they feel by bringing the site back into use there will be a community benefit, and the applicant has taken the Inspector's comments into consideration making significant alterations to the scheme.

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

(Councillor Murphy left the meeting following the determination of this item)

P59/25 F/YR25/0084/F
UPDATE ON PLANNING APPLICATION F/YR25/0084/F AND RELEVANT STATUTORY DUTIES

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

The Legal Officer advised that the thrust of the contemplated challenge and of the advice received is that there are particular matters that committee now needs to turn their minds to when it comes to making a final decision, with some matters already having been carefully considered by committee. She stated that the particular issue which needs to be addressed is the importance and materiality of the Inspector's decision when he dismissed the appeal against the enforcement and upheld the Council's previous enforcement action.

The Legal Officer stated that members will be aware that generally planning applications should be determined in accordance with the development plan unless material considerations suggest otherwise and officers have set out their view on the extent to which this application accords with the development plan and in particular on the issues of the impact on the character and appearance of the area and also on the impact of residential amenity for neighbouring properties. She made the point that when the appeal went before the Inspector, the Inspector gave clear views on those matters and he felt that the application was contrary to the Local Plan policies on these two particular issues of character and residential amenity.

The Legal Officer stated that when the committee considered the application previously they appeared to form a different view but did not directly address enough the Inspector's findings at the time, how material they are to the committee's deliberations now and what has changed in terms of the material considerations between the Inspector's earlier decision and today. She continued that is the framework that matters should be considered today and when members are thinking about the report that they have received from officers, asking questions of officers and the debate it would be worth reflecting on the Inspector's consideration of those issues, when and in what context that the Inspector's findings were made, what has changed since then both in terms of the scheme proposed as there have been changes to some of the buildings, the massing and extent of some of those buildings which may be material considerations and there have been further documents submitted by the applicant which may influence the thinking particularly around landscaping where members may want to explore with officers to what extent that there have been changes.

Members asked questions of officers as follows:

- Councillor Mrs French referred to landscaping and asked for direction as she knows the building is large but if there is a condition that there has to be landscaping and it overcomes the concerns of the neighbours then, in her view, landscaping is the way forward. Matthew Leigh responded that members are aware of the appeal decision and the Inspector did not consider that landscaping would be acceptable to overcome the harm, however, members indicated at the previous meeting when this was considered that there was potential for this to mitigate the harm. He stated that some guidance has been provided regarding landscaping in the appendices and members are aware of the 6 tests of necessary, precise, reasonable, relevant to planning, enforceable and reasonable in all other respects, with officers having considered the potential for landscaping in this context, with the site and area available for landscaping being quite small and they have spoken to their arboriculturist who has indicated there is the potential to purchase and put in trees that would screen the site, however, they would require extensive support in relation to water, nutrients and maintenance in the long term to retain their health. Matthew Leigh continued there would need to a lot of trees, which would be a significant cost and what that results in is advice from officers that the cost, whether the applicant's is willing to enter into it or not, sit with the land in perpetuity and the ongoing maintenance would probably mean that it was not reasonable in planning terms. He added that furthermore disease could happen and there would need to be replanting costs, the potential trees would have to be TPOed so they are protected and there would still be, rather than being a blank wall, a lot of something at the end of the boundary and officers consider this would have some impact on the amenity, not as bad as a built form but still oppressive and unneighbourly to have that level of vegetation on the boundary. The Legal Officer added that the issue of reasonable is challenging, there would need to be a clear mechanism for enforcing such an extensive amount of landscaping

which could be undertaken through a planning obligation or condition and in terms of future management or maintenance there are mechanisms that could be used, there could be some form of security or bonds to protect against this in future so there are legal mechanisms by which what is proposed could be secured. She expressed the opinion that it is an extensive undertaking for a scheme of this size and scale and that does raise questions around whether the 6 tests can be satisfied which the committee will have to have regard to. The Legal Officer feels in particular the requirement that any condition is reasonably related in scale and kind to the development because it is a very significant amount of landscaping for a relatively small development. She made the point that this application is retrospective in a context where a enforcement notice has been served and, therefore, what the applicant may be willing to do in these circumstances may be different than if it were a fresh application coming before committee for new development which has not previously been undertaken and the applicant is always free if he considers that these conditions are too onerous to come forward and make a fresh application for a slightly different scheme that might reduce the extent of the landscaping conditions or obligations which the committee would need to seek because it has made other alterations to the design which also helped to mitigate the amenity impact on the two dwellings most severely impacted. The Legal Officer feels there are a range of views that the committee could take and a range of factors which might be material that the committee might wish to have regard to.

- Councillor Marks questioned where this landscaping would be, where the green hedge is now is the only bit being looked at for shielding so it is a metre on the boundary between the properties and it is not looking to go anywhere else just one side of the shed/building and then along 6A and 6B. He asked if a measurement is known between the two properties? David Rowen responded that it is set out in 5.2 of relevant appendices, 1-1.2 metres from the boundary fences of 10A and 10B.
- Councillor Marks questioned that within that area something like a leylandii could be planted which grows to 20 plus feet so there is a way of putting planting in that will grow quickly and shield from the building. David Rowen responded that in terms of actual species he does not think that leylandii given that 1-1.2 metres distance is probably not quite wide enough to get reasonable size leylandii in and also leylandii need significant maintenance to keep them down. He referred to the point regarding reasonableness and leylandii are notorious for their amenity harm in their own rights so effectively it would be going from a wall of a building to a wall of greenery. Matthew Leigh clarified that 5.6 of the relevant appendix advises that it would be Beech trees which are ones that are trained to grow across a trellis, there are limited options on evergreen ones, but they do exist.
- Councillor Mrs French stated that she has lots of leylandii and they do take a lot of maintenance. She feels there are some fantastic trees available that screen, such as Red Robins, which whilst expensive is not a consideration for the committee.
- Councillor Marks made the point as you go to Milton Keynes you see the big warehouses that are now four or five different variations of blue because they blend in to the countryside so could this building be painted a slightly different colour and with the other mitigation with the landscaping you would look through the bushes to a blue background as opposed to green, which some people may feel is a bit stark. David Rowen responded that having experience of and dealing with developments of a similar nature the purpose of having different colours is to mitigate the longer range views and here is a view of several metres away and whether there is an expansive wall that is one colour or another it is that visual impact from such a short distance that is the problem.
- Councillor Connor expressed the view that landscaping seems to be the preferred option here.

The Legal Officer stated that the first thing is for the committee to form a view on whether the Inspector's previous decision on the appeal finding is a material consideration in this decision now and if it is then to attach some weight to that. She continued that committee has received legal advice that is appended to the report, and she feels it is difficult to see how it is not a material

consideration albeit there has been a passage of time and some changes since which may impact on the weight that committee attaches to it. The Legal Officer requested that committee form a view on the materiality of the previous Inspector's decision first.

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

- Councillor Marks expressed the view that committee debated this greatly at the previous meeting and came to a conclusion then, recognising that a letter has now been received saying that somebody is upset, but there can be mitigation from this such as planting trees, but equally the person whose shed it is is looking after a very expensive item, which is a hobby, not a business taking place 24 hours, 7 days a week, which is a steam engine which needs this size building. He recognised that the works have been undertaken before obtaining planning permission but, in his view, there are two sides to this, needing to be mindful of the residents and attempting to find a solution for them but also there is a need for this building.
- Councillor Connor agreed with Councillor Marks, a significant building is required to put the steam engine in and it needs to be close by for reasons of security, with the curtilage of the applicant's property being the best way. He continued that he is not going to alter his thoughts about whether the right decision was made previously or not because, in his view, it was the right decision, but some mitigating landscaping would be favourable.
- The Legal Officer summarised that there are some similarities with the Inspector's reasoning when mitigation is talked about through landscaping or some other way so recognition that there is harm to the character of the area and the amenity of neighbouring residents. She feels that members share some of the Inspector's finding, which would make sense since this is the same application site, the same surroundings properties and at least a similar application so, in her view, the committee accepts that the Inspector's prior decision is a material consideration and the committee attaches some weight to that but following the questions, further documents obtained and some changes made, significant weight but not overriding or substantial weight.
- Councillor Marks stated that at least 4 of the committee members sat on the previous committee when the house itself was determined, where members were told it was overbearing and too tall and that has since diminished in significance and members are now dealing with a building but everything does tend to match in over a period of time. He acknowledges that there is a building at the bottom but if it can be mitigated against by putting trees there questioned what else can committee do. Councillor Marks stated that there have been some changes to the Inspector's findings and feels he would have to come back with other reasoning now so feels that members can go round and round in circles but believes there is a need for this building and trying to come up with reasoning to make it acceptable but if it was an agricultural building would committee even be here debating it.
- Councillor Benney stated that committee did make a decision, which he felt was a compromise because this is looking at taking concrete up and taking a bay down, with the enforcement being undertaken quickly, there never was any consultation and maybe the applicant could have worked with officers to do that, but his attention would be focused on this. He referred to Councillor Marks stating previously to not take the concrete up, it will make more dust and more trouble, but this proposal would need to take the concrete up and if he wants to keep the concrete there has got to be a regularisation of that concrete so there would need to be another application. Councillor Benney expressed the opinion that if the Council had not been so zealous in the way of undertaking the enforcement and actually worked with the applicant may be more compromise could be found. He made the point that committee needs to temper the needs of residents both sides of the fence and shielding has been discussed but he feels it needs another application but this has been pushed through at the 'speed of light' and there has not been enough time for consultation and there was a time where the Council would not accept an application to try and regularize what is going on. Councillor Benney stated that he stands by the decision he made previously, with the compromise being that the concrete is not taken up because that will make more dust and noise than leaving it there and there is a bay of the shed being removed, whilst it is one end

it was adamant at one point that it had to come down because it was on agricultural land and if there was another application that allowed this to be moved further down that would resolve the issue for all parties but this is something that needs another application to regularise what is being undertaken, what was suggested last time at committee and the need to find a compromise between two neighbours. He reiterated he stands by the decision he made previously but the shielding should be looked at for mitigation and requests that officers and the applicant/agent work together to come up with something better than what is before members now.

- Councillor Marks agreed with the comments of Councillor Benney as he cannot understand why concrete is being taken up as, in his view, that will cause more hassle, mess and noise and it has been seen that there is a good drainage system in place and the neighbours have not complained in relation to drainage. He made the point that disharmony between neighbours nobody wants but equally 'one man's house is his castle' and the applicant is keeping a very expensive item in that shed. Councillor Marks stated that if the applicant submits another planning application committee will take it on its merits, but feels this is as much as they can do.
- Councillor Connor stated that he is going to stick by his original decision and, in his view, the concrete does not want to be disturbed as it will upset the drainage, which he suspects has been undertaken correctly as the applicant would not put his property in jeopardy. He expressed the opinion that the application should be granted giving a little weight to the Inspector's decision but the applicant be asked to enter into a planting scheme which is more than adequate, which although not perfect will address the situation.
- Councillor Marks stated that he is not changing his decision from previously, however, he has not seen this traction engine on the road so is the reasoning behind the concrete because he has to have an HGV low loader on the site which will need a turning circle, so if this is required there is a need for the concrete. He continued that if the applicant takes the engine to shows, he will take this by low loader and a low loader needs a good turning circle and he believes there is mitigation in leaving that concrete.
- Councillor Connor stated that he gives weight to the committee's decision made on 30 April to keep the concrete, there was a good debate on the proposal last time and he cannot see anything further to add apart from a tree planting scheme be implemented and officers work with the applicant to get it undertaken as soon as possible.
- The Legal Officer referred to the comments made by Councillor Benney in respect of new applications and how they might play into this, if the committee is coming to a view that it would like to explore conditioning the grant so as to require work to be undertaken on a landscaping scheme to see if the applicant is willing and appropriate experts can agree a scheme that would mitigate the harms identified by the committee and the previous Inspector's appeal decision. She stated that if that does not work and the parties cannot reach agreement or it cannot be agreed on a form of mitigation which is reasonable to all parties and which addresses the harm arising from the development then at any time the applicant is free to make any alternative application and the committee would need to consider that on its merits. The Legal Officer continued that if a point is reached where the Council's experts can recommend a landscaping scheme that would address the harm and the applicant felt that was too expensive, disproportionate or not reasonable he could either take his scheme down as the enforcement action requires him to do or he can submit an alternative scheme which proposes some other way of mitigating the harm identified in relation to the character of the area and the impact on neighbouring amenity.
- Councillor Mrs French stated that she will support this application on the proviso that officers do speak with the agent and applicant to obtain a sensible landscaping scheme. She made the point that this application has been talked about for around 18 months to 2 years, if the applicant and the agent do not come up with something it will need to be looked at differently but they should be given the opportunity to come up with some scheme although she recognises that trades are expensive.
- Councillor Connor expressed the opinion that committee seems to be in agreement that they are not going to change their views and it is the recommendation that a landscaping

scheme be implemented where the agent/applicant can work together with officers and feels it should be given 6 months to come to some agreement. He expressed the view that there needs to be another condition that if any of the trees die there needs to be replanting at the soonest time in the prescribed season.

- Councillor Marks referred to height as there has been mention of shadowing and this landscaping is to shield the building not to keep growing maintenance wise 60-70 feet so it also needs to be stated the height goes to either the apex of the building or the side of the building to shield this and not be allowed to keep growing.
- Councillor Connor agreed this was a relevant point but also a condition could be applied regarding future maintenance.
- Councillor Marks stated that it is going to be two different heights so would have thought officers would need to agree some height restrictions along the boundaries. Matthew Leigh stated that officers have suggested that in the mitigation consideration be given to trees growing along a trellis. Councillor Marks responded that the heights still need to be agreed because where are the two heights going to be taken from, the back of a building which is 20 feet whereas 6A, 8A and 8 do not need that shielding.
- Matthew Leigh stated that the report only relates to 10A and 10B, all the other issues are not for debate although there has been mention of them in the debate, and there may need to be some other landscaping but that would be separate to the bespoke condition that would be required. He suggested that it would not be a particularly bespoke condition but a relatively standard retrospective condition suggesting approval through Circular 1195 requiring a scheme of landscaping to be submitted to the Council within a reasonable period, therefore, the applicant and their agent can go away and come up with something rather than put it onto officers as it is not officers responsibility. Matthew Leigh added that there would need to be some form of legal agreement to be submitted as part of that for ongoing maintenance.

Proposed by Councillor Mrs French, seconded by Councillor Marks and agreed that the application be GRANTED, with authorisation delegated to officers to apply conditions including a mitigation landscaping scheme, with the committee to be sent the conditions prior to issue.

Members do not agree with officer's recommendation of refusal as they stand by their decision made previously and feel that the objections can be mitigated by landscaping and this is a compromise position between two neighbours that disagree.

(Councillor Benney declared that he knows the applicant as when he was Portfolio Holder for Assets he had several dealings with him but no longer has dealings with him, but is not pre-determined and will consider the application with an open mind)

(Councillor Connor declared that he knows the applicant as he owns a scrap metal recycling yard and he used to own one but has since retired but he has never had any business dealings with him or socialised with the applicant. He further declared that he did meet with the applicant along with Councillor Marks on another matter. He stated that he is not pre-determined and will consider the application with an open mind)

(Councillor Marks declared that he met with the applicant once along with the Chairman but the meeting was not in relation to planning and he has had no other dealings so is not pre-determined and will consider the application with an open mind)

(Councillor Murphy declared, although he had left the meeting, that he was not present when this application was considered previously so would not be taking any part in the discussion and voting thereon)

7.36 pm Chairman

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F/YR25/0416/F

Applicant: Mr Nick Allpress
Allpress Farms Limited

Agent : Mr Tim Rutterford
Thurlow Nunn Standen Ltd (SID)

Land To The West Of Horseway Farm, Byall Fen Drove, Manea, Cambridgeshire

Erect an agricultural storage building, and the formation of an attenuation pond and an access

Officer recommendation: Grant

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

1 EXECUTIVE SUMMARY

1.1 This application seeks full planning permission for the erection of an agricultural storage building, and the formation of an attenuation pond and an access.

1.2 The development represents minimal issues in terms of visual or residential amenity, highway safety, flood risk and biodiversity and is acceptable in principle given it is an extension to an existing rural enterprise.

1.3 Objections have been received from Manea Parish Council and local residents, predominantly surrounding noise and highways issues.

1.4 The application is accompanied by a detailed Noise Impact Assessment which concludes that any noise resulting from the building would not exceed representative background sound levels at the nearest dwellings for ventilation or cooling, during the day or night. This assessment has been reviewed by the FDC Environmental Health team who have acknowledged and accepted the detail therein. A condition has been proposed to ensure that noise levels do not exceed those detailed within the Noise Impact Assessment.

1.5 The application site is situated within Flood Zone 3 and the application is accompanied by a Flood Risk Assessment (FRA). The Sequential Test within the submitted FRA is not considered to have been applied correctly, however given that the development is classed as 'Less Vulnerable', the FRA confirms that the development would be safe for its lifetime and the fact there is no objection from the Environment Agency, it is not considered that a refusal would be justified in this instance.

1.6 Following on from an initial highway objection, the agent has submitted additional details including existing and proposed road traffic movements, swept path analysis and proposed visibility splays. These submitted details indicate that it is unlikely that any significant impact would be introduced upon highway safety given the relatively modest proposed use of the access. The Highways Officer has raised no objection to the proposed new access subject to conditions relating to access layout and drainage.

1.7 It is therefore considered that the concerns raised regarding noise and highways issues have been addressed. As such, the application is recommended for approval.

2 SITE DESCRIPTION

2.1 The application site is situated on the north-western side of Byall Fen Drove, between the settlements of Chatteris and Manea. Byall Fen Drove is characterised by sporadic dwellings, with the prominent character being agricultural. At present the application site is a field

2.2 The applicant company, Allpress Farms Limited, have an agricultural holding to the east of the application site on the opposite side of Byall Fen Drove.

2.3 The closest residential properties to the application site are situated to the north-east and south-west of the application site.

2.4 A Grade II Listed Building is situated to the south of the application site at Holly House Farmhouse. An Archaeological findspot is also situated to the south of the application site.

2.5 The site is situated within Flood Zones 2 and 3 and an Amber Great Crested Newts zone.

3 PROPOSAL

3.1 This application seeks to erect an agricultural storage building, and the formation of an attenuation pond and an access on land to the West of Horseway Farm.

3.2 The proposed agricultural storage building would be for leek cold storage and would be situated adjacent to the north-western boundary of the site. The building would comprise four enclosed leek stores and an open-sided storage area. The building would cover a floor area of 60.96m x 24.69 metres approx. The roof proposed would be dual-pitched with an eaves height of 9.55 metres approx and a ridge height of 11.89 metres approx. An external staircase is proposed on the north-east facing side elevation of the building.

3.3 The building would be finished in plastisol coated box profile steel composite sheeting. The wall colour would BS colour 12B27 Olive Green and the roof would be BS colour 10A05 Goosewing Grey.

3.4 The proposed attenuation pond would be situated to south-west of the proposed building.

3.5 A new access is proposed to serve the application site positioned approximately 50 metres from the existing farm entrance on the opposite side of the road. The access would lead to an area of proposed concrete hardstanding for the parking and turning of vehicles.

3.6 The application is accompanied by soft landscaping proposals, which include an area of tree planting in the south-western part of the site, the planting of a low

hawthorn hedge to the roadside boundary and a 12m wide planting zone adjacent to the north eastern boundary

3.7 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/0339/89/F	Erect an agricultural storage building, and the formation of an attenuation pond and an access	Refused 08/06/1989

5 CONSULTATIONS

5.1 Manea Parish Council

OBJECT: Poor access, Noise from fans affecting neighbouring property

5.2 CCC Highways

CCC Highways initially recommended refusal of this application due to the proposal failing to show appropriate inter vehicle visibility splays from the proposed access and because insufficient transport information was submitted to demonstrate that the development would not be prejudicial to the satisfactory functioning of the highway.

The agent has since submitted visibility splays, swept path analysis date and road traffic movements details.

Following a review of the above documents, CCC Highways have removed their objection to the scheme as the effect of the proposed development on the highway would likely be mitigated subject to suggested conditions. The suggested conditions relate to the layout, construction and drainage of the access, positioning of gates and the requirement of parking and turning space to be provided prior to the first occupation of the development.

5.3 CCC Lead Local Flood Authority

We have reviewed the following documents:

• Flood Risk Assessment, Frith Blake Consulting LTD, Ref: 3491, Rev: V1, Dated: February 2025
• Proposed Drainage Strategy Layout, Frith Blake Consulting LTD, Ref: 3491, Rev: P1, Dated: February 2025
• Sections and Details, Frith Blake Consulting LTD, Ref: 3491, Rev: P1, Dated: May 2025

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

The LLFA subsequently have requested that pre-commencement conditions be included requiring a detailed surface water drainage scheme and management to be submitted and details of how additional surface water run-off from the site would be avoided during construction to be submitted.

5.4 **CCC Archaeology**

The CCC Archaeology Officer notes that records indicate that the application site lies in an area of archaeological potential, sat on a raised area of sands and gravels. Due to this archaeological potential, a pre-commencement condition has been requested requiring the implementation of a programme or archaeological works, secured through a Written Scheme of Investigation (WSI).

5.5 **FDC Conservation Officer**

The FDC Conservation Officer initially raised concerns regarding the siting of the proposed building and the impact this may potentially have on the Grade II Listed farmhouse. The Conservation Officer sought confirmation as to why the building could not be situated within the existing farm area.

The agent confirmed that the existing site is essentially at capacity for further traffic movements and space. The FDC Conservation Officer confirmed they had no objections to the scheme as the development would not result in unacceptable levels of harm to the setting of the GII listed farmhouse, given its setting surrounded by a working farm. The FDC Conservation Officer has caveated this by requesting that landscaping proposals are tightly conditioned to ensure implementation.

5.6 **FDC Arboricultural Officer**

The tree report demonstrates that only a group of low quality hawthorns will need to be removed, and which can be compensated for with new planting. The report identifies where protection fencing is to be set up and that a pre commencement meeting will determine the future arboricultural supervision visits. This will need to be formulated prior to works commencing on site and details shared with the council.

The new planting is acceptable and will more than compensate for the low quality trees removed.

5.7 **FDC Ecology**

The FDC Ecology Officer noted that the Ecology surveys undertaken as part of the application have been undertaken by a suitably qualified person and to generally appropriate standards, albeit it is noted that these were undertaken in February which is not an optimal time of year. The comments notes that no designated sites would be affected, nor would notable habitats or notable species.

The FDC Ecology Officer did note that due to the nearby water bodies and ditches nearby which could support amphibians, a condition should be secured should permission be granted to require a Reasonable Avoidance Method Statements (RAMS) for Amphibians to be prepared and agreed by the LPA. They also suggest a pre-commencement condition be secured to require an updated badger and water vole survey to be submitted before any site clearance or groundworks commence.

The Ecology Officer has reviewed the submitted BNG detail and considers an on-site gain of at least 10% could be achieved. They have suggested a Habitat Management and Monitoring Plan (HMMP) be required by condition. They also suggest a condition to require bird nesting and bat roosting boxes to be installed post-completion on site.

A vegetation clearance informative was also suggested to be included should permission be granted.

5.8 **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 as a result of excessive artificial lighting overspill and/or glare.

The methodology, findings and conclusions of the Adrian James Acoustics Limited Noise Impact Assessment report (Report no. 14410/1) are acknowledged and accepted. Given the type of process involved and predicted noise output coupled with an area where the background noise levels are typically low, it is recommended in the interests of protecting the amenity of those residing at the nearest dwellings that a condition is imposed to ensure that noise levels remain in accordance with those in the aforementioned report.

The noise impact assessment was undertaken in accordance with BS4142:2014+A1:2019 'Methods for rating and assessing industrial and commercial sound' and in the event of complaints received by this service, imposing a condition would allow suitably qualified officers to undertake checks to ensure that acceptable noise levels are being adhered to at the measurement position shown in the report which is located at the boundary of the nearest noise sensitive receptor.

The FDC Environmental Health team have suggested conditions regarding noise emitted from fixed plant and equipment located within the leek storage building. They have also suggested a pre-commencement condition requiring the submission of a Construction Environmental Management Plan (CEMP).

The FDC Environmental Health team have also confirmed that the development is unlikely to introduce any odour issues given that the development is for storage of Leeks. They note that odour issues would likely only become apparent if there was a deviation from appropriate storage practices, resulting in spoiled produce.

5.9 **Environment Agency**

Thank you for the consultation dated 04 June 2025. We have reviewed the documents as submitted and have no objection to this proposal.

5.10 **Anglian Water**

Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments to make.

5.11 **Designing Out Crime Officers**

The comments received from the Designing Out Crime officers confirmed that the are is a low risk to the vulnerability to crime.

The comments further note suggestions regarding lighting, gates & fencing, CCTV and Alarm systems. The comments note that such detail could be conditioned should permission be granted.

5.12 **Natural England**

NO OBJECTION

5.13 **Local Residents/Interested Parties**

The statutory neighbour consultation period ran from the 4th June to 25th June. The site notice was displayed on 16th June and expired on the 7th July.

8 letters of objection were received within the aforementioned consultation period from address points in Manea and Chatteris. The reasons for objection are summarised as follows:

Objecting Comments	Officer Response
Condition of road	Addressed in 'Access and Highways' assessment section.
Noise	Addressed in 'Residential Amenity' assessment section.
Odour	Addressed in 'Residential Amenity' assessment section.
Increased traffic	Addressed in 'Access and Highways' assessment section.
Size of building	Addressed in 'Design, Visual Amenity and Heritage' assessment section.
Impact on view	Addressed in 'Residential Amenity' assessment section.
Impact on business	Addressed in 'Other Matters' assessment section.
Loss of greenspace	Addressed in 'Landscaping' assessment section.

25 letters of support were received after the consultation period from address points in Chatteris, March, Wimblington, Manea, Wisbech and Emneth. One of the letters appears to be from a family member of the applicant. A further 6 letters of support were received from address points outside of the district. The reasons for support are summarised as follows:

Supporting Comments	Officer Response
Supporting local farmers	No further comments to make.
Job creation	No further comments to make.
Renewable energy	No further comments to make.
In keeping	Addressed in 'Design, Visual Amenity and Heritage' assessment section.
Landscaping	Addressed in 'Landscaping' assessment section.
Accessible location	Addressed in 'Access and Highways' assessment section.

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).

6.2 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

7.1 **National Planning Policy Framework (NPPF) 2024**
Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
Chapter 8 – Promoting healthy and safe communities
Chapter 9 – Promoting sustainable transport
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

7.2 **National Planning Practice Guidance (NPPG)**
Determining a Planning Application

7.3 **National Design Guide 2021**
Context
Identity
Built Form
Movement
Nature

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
LP18 – The Historic Environment
LP19 – The Natural Environment

7.5 **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

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
LP3: Spatial Strategy for Employment Development
LP5: Health and Wellbeing
LP6: Renewable and Low Carbon Energy Infrastructure
LP7: Design
LP18: Development in the Countryside
LP20: Accessibility and Transport
LP22: Parking Provision
LP23: Historic Environment
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design, Visual Amenity and Heritage**
- **Residential Amenity**
- **Access and Highways**
- **Flood Risk**
- **Archaeology**
- **Ecology**
- **Biodiversity Net Gain (BNG)**
- **Other Matters**

9 ASSESSMENT

Principle of Development

9.1 The application site is located within the open countryside, between the built up settlements of Chatteris and Manea, on the north-western side of Byall Fen Drove. The site is considered to fall within an 'Elsewhere' location, at set out within the Settlement Hierarchy in Policy LP3. Development in such locations will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services.

9.2 The application is accompanied by a Design & Access Statement/Planning Statement which sets out the requirement for the leek storage building in this location.

9.3 The principle of development is therefore considered to be acceptable, subject to further policy considerations set out below.

Design, Visual Amenity and Heritage

9.4 Policy LP16 of the Fenland Local Plan seeks to ensure 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, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.

9.5 Policy LP18 seeks to protect, conserve and seek opportunities to enhance the historic environment throughout Fenland.

9.6 The application site is situated on the north-western side of Byall Fen Drove. Byall Fen Drove is predominantly characterised by agricultural land and development, with the presence of few sporadic dwellings. Immediately opposite the site is Allpress Farms, which includes several agricultural buildings. A Grade II Listed Building is situated on the opposite side of Byall Fen Drove, approximately 140 metres from the proposed agricultural storage building.

9.7 The proposed development would be visible from the public realm given the open landscape character of the surrounding area and the scale of the proposed building. The site is currently an open field and therefore the change to a yard and the introduction of a large agricultural building would significantly change the character of the site.

9.8 Notwithstanding this however, the type of building proposed is not untypical in such a location and is not dissimilar to existing agricultural development within the immediate vicinity of the site which diminishes the impact of the development.

9.9 In addition to the above, a comprehensive landscaping scheme has been submitted as part of this application. The proposals include the planting of a number of trees, shrubs and native hedge. A 1.2m earth bund is also proposed on the south-eastern site boundary, which would be formed from spoils arising from the site. Whilst the proposed earth bund would also introduce some visual impact, landscaping is proposed to the earth bund and the overall height of this is quite limited. The landscaping proposed would therefore aid in softening the visual appearance of the development.

9.10 The Grade II Listed Building opposite the site is acknowledged, however upon consultation with the FDC Conservation Officer, no objections were raised as it is unlikely that the proposed development would introduce harm to the setting of the Listed Building given that it is a historic farmhouse, with an existing working farm adjacent. The application is accompanied by detailed landscaping proposals which will aid in obscuring the view and presence of the development within the site.

9.11 It is therefore considered that the development would be acceptable in design, visual amenity and heritage grounds and is therefore considered to be compliant with Policy LP16 and LP18 in this regard.

Residential Amenity

9.12 Policy LP2 and LP16 of the Fenland Local Plan seek to ensure that development does not adversely impact upon adjacent residential amenity.

9.13 The closest residential properties to the application site are situated to the north-east and south-west of the application site. The dwelling to the north-east (Horseway Farm) would be situated approximately 105 metres from the proposed storage building. The dwellings to the south-west of the application site (Potts Bridge Cottages) would be situated approximately 72 metres from the proposed storage building.

9.14 The proposed building would be visible to both adjacent neighbouring properties given the open nature of the site and it's surroundings, as well as the scale of the building proposed on site. Notwithstanding this however, there is sufficient clearance between the proposed building and adjacent neighbouring properties, as well as proposed landscaping to ensure that adverse overbearing, overshadowing or overlooking impacts are not introduced.

9.15 The comments received regarding the impact on views from adjacent residential dwellings are acknowledged. The loss of view is not a material planning consideration and therefore cannot be used as a reason to justify refusal of this application.

9.16 It is acknowledged that a number of the letters of objection received have raised concern with regard to potential noise and odour from the proposed agricultural storage building.

9.17 The proposed building will see an intensification of operation at the site. The application was supported by a Design and Access Statement, Noise Impact Assessment, Air Quality Assessment and Health Impact Assessment. These documents demonstrate that the proposed scheme will not give rise to any undue residential amenity or health impacts from matters such as odour. In addition to this, it is unlikely that the storage of leeks would introduce significant odour issues, and this has been confirmed with the FDC Environmental Health team. Whilst there may be potential for spoilt produce to emit odours, it would not be considered reasonable to condition details regarding the disposal of spoilt produce and this would be expected to be part of the normal management of such storage.

9.18 The application is accompanied by a detailed Noise Impact Assessment which concludes that any noise resulting from the building would not exceed representative background sound levels at the nearest dwellings for ventilation or cooling, during the day or night. This assessment has been reviewed by the FDC Environmental Health team who have acknowledged and accepted the detail therein. They have raised no objections to the proposed development on noise grounds, subject to the inclusion of a condition to control the noise emitted from the building and the submission of a construction environmental management plan. Both suggested conditions are reasonable and will be recommended should permission be granted.

9.19 Notwithstanding the above, should the Environmental Health Team receive substantiated complaints in respect of noise, odour, dust, pests, or waste as a result of the development, appropriate nuisance action can be taken where necessary under separate Environmental Legislation.

9.20 As such, given the above, it is considered that the scheme is compliant with Policies LP2 and LP16 with respect to residential amenity and health, subject to conditions.

Access and Highways

9.21 Policy LP15 of the Fenland Local Plan seeks to ensure that development provides well designed, safe and convenient access for all.

9.22 This application proposes a new access to serve the site off Byall Fen Drove. The proposed access would be positioned approximately 50 metres from the existing farm entrance. It is acknowledged that a number of the objection comments received have raised concern regarding the proposed new access and the impact this may have on the highway network.

9.23 Following on from the initial highway objection, the agent has submitted additional details including existing and proposed road traffic movements, swept path analysis and proposed visibility splays. These submitted details indicate that it is unlikely that any significant impact would be introduced upon highway safety given the relatively modest proposed use of the access. The Highways Officer has raised no objection to the proposed new access subject to a number of conditions relating to access layout and drainage. These conditions could be secured should permission be granted.

9.24 A number of comments received have raised concerns regarding the existing condition of roads surrounding the application site. Road condition is the responsibility of the landowner (in this instance the Local Highway Authority). It is not the responsibility of the applicant to repair or maintain the road surface and therefore this cannot be used as a reason to refuse the application.

9.25 The submitted site plan details an area of hardstanding to the front of the proposed agricultural storage building. This is sufficiently sized to allow vehicles to turn within the site.

9.26 The development is therefore considered to comply with Policy LP15 in this regard.

Flood Risk

9.27 Policy LP14 of the Fenland Local Plan and paragraphs 170-182 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk, with both documents steering development in the first instance towards land at a lower risk of flooding. This is achieved by means of requiring development proposals to undertake a sequential test to determine if there is land available for development at a lower risk of flooding than the application site and only resorting to development in those higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding.

9.28 The application site is situated within Flood Zone 2 and 3 and a Flood Risk Assessment (FRA) has been submitted with the application. Regarding the application of the Sequential Test, the submitted FRA makes reference to Table 2 of the Flood Risk and Coastal Change Planning Practice Guidance (PPG), however this table specifically relates to the application of the Exception Test. With regard to the Sequential Test, the submitted FRA is limited in detail, referring to

the Design and Access Statement submitted. It is understood from the Design and Access statement that the site has been chosen due to traffic concerns if the proposal was to be sited at the existing site.

9.29 Whilst the justification submitted with the application is limited in terms of the sequential approach, the proposed building would be classed as a 'Less Vulnerable' development type as set out within both the NPPF and the Cambridgeshire Flood and Water SPD. Less Vulnerable developments are considered compatible with Flood Zones 2 and 3 in certain circumstances. Less Vulnerable developments also do not require the Exception Test.

9.30 Notwithstanding the failure to fully address the Sequential Test, the submitted FRA does detail that the development would be safe from flooding for its lifetime. The Environment Agency and CCC LLFA were also consulted on this application and have raised no objection, subject to conditions. As set out elsewhere within the report the principle of locating the development at this site is considered to be acceptable. It is therefore considered that the failure to apply the Sequential Test in this instance would not warrant a refusal of the application.

9.31 It is therefore considered that despite the site being located in Flood Zones 2 and 3, the proposed development may be considered acceptable and, on balance, complies with Policy LP14 and the Cambridgeshire Flood and Water SPD in this regard.

Archaeology

9.32 The application site is situated within an area of archaeological potential, sat on a raised area of both sands and gravels. There are a few findspots within proximity of the application site. As such, upon consultation with CCC Archaeology, a pre-commencement condition has been requested requiring the implementation of a programme of archaeological work, secured in accordance with a Written Scheme of Investigation (WSI). This condition is considered reasonable and therefore would be secured to a decision should permission be granted.

Ecology

9.33 Policy LP19 of the Fenland Local Plan seeks conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland.

9.34 The application site is situated within an Amber Great Crested Newts zone.

9.35 The application is accompanied by a Preliminary Ecological Appraisal (PEA) which confirms that is unlikely that any GCN would be adversely impacted by the proposals. The PEA also advises that a single protected species survey should be undertaken prior to development commencing on site for water voles, due to the proximity of the proposed earth banking to the northeastern boundary of the site. A pre-commencement check for badgers was also recommended.

9.36 The FDC Ecology Officer has raised no objection to the proposed development subject to conditions requiring a Reasonable Avoidance Measures Method Statement for Amphibians to be submitted prior to the commencement of development on site. They have also suggested updated surveys for both water voles and badgers on site and the inclusion of bird nesting and bat boxes. These conditions are considered reasonable and would be included on a decision if permission were granted.

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 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

9.39 The FDC Ecology Officer accepts that the landscaping on site could achieve an overall BNG of at least 10%. They have suggested that a habitat management and monitoring plan (HMPP) be conditioned.

Other Matters

9.40 The comments received from the Designing Out Crime Officer are acknowledged. They have suggested several measures to be provided on site regarding lighting, fencing, CCTV and alarm systems. These details can be conditioned should permission be granted.

9.41 A letter of objection raised concerns regarding potential impact on an adjacent business, however, did not provide any detail of such potential impact and therefore it is somewhat difficult to assess such impact. Notwithstanding this however, given the agricultural character of the area and the presence of similar buildings in the immediate vicinity of the site, it is unlikely that this development would adversely impact on adjacent businesses.

9.42 The comments received regarding the loss of greenspace are acknowledged. The existing use of the site is agricultural and the landscaping proposed is considered to improve the current biodiversity on site and therefore this cannot be used as a reason to justify refusal of this application.

10 CONCLUSIONS

10.1 The proposed development is considered acceptable and accords with the relevant policies of the Fenland Local Plan. Whilst objections have been received from Manea Parish Council and local residents predominantly regarding noise, odour and highways impacts, these have been addressed and overcome within the assessment of the application and there are accordingly no outstanding technical objections from consultees.

10.2 The development represents acceptable impacts in terms of visual or residential amenity, highway safety, flood risk and biodiversity and is acceptable in principle given it is a development required for agricultural purposes within a rural location. The application is therefore recommended for approval, subject to conditions.

11 RECOMMENDATION

Grant; subject to the following 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	**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).
3	**Surface Water Scheme** No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme and maintenance plan for the site, based on the agreed Proposed Drainage Strategy Layout, Frith Blake Consulting LTD, Ref: 3491, Rev: P1, Dated: February 2025 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to the first use of the building. 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 in accordance with the NPPF and Policy LP14 of the Fenland Local Plan (2014).

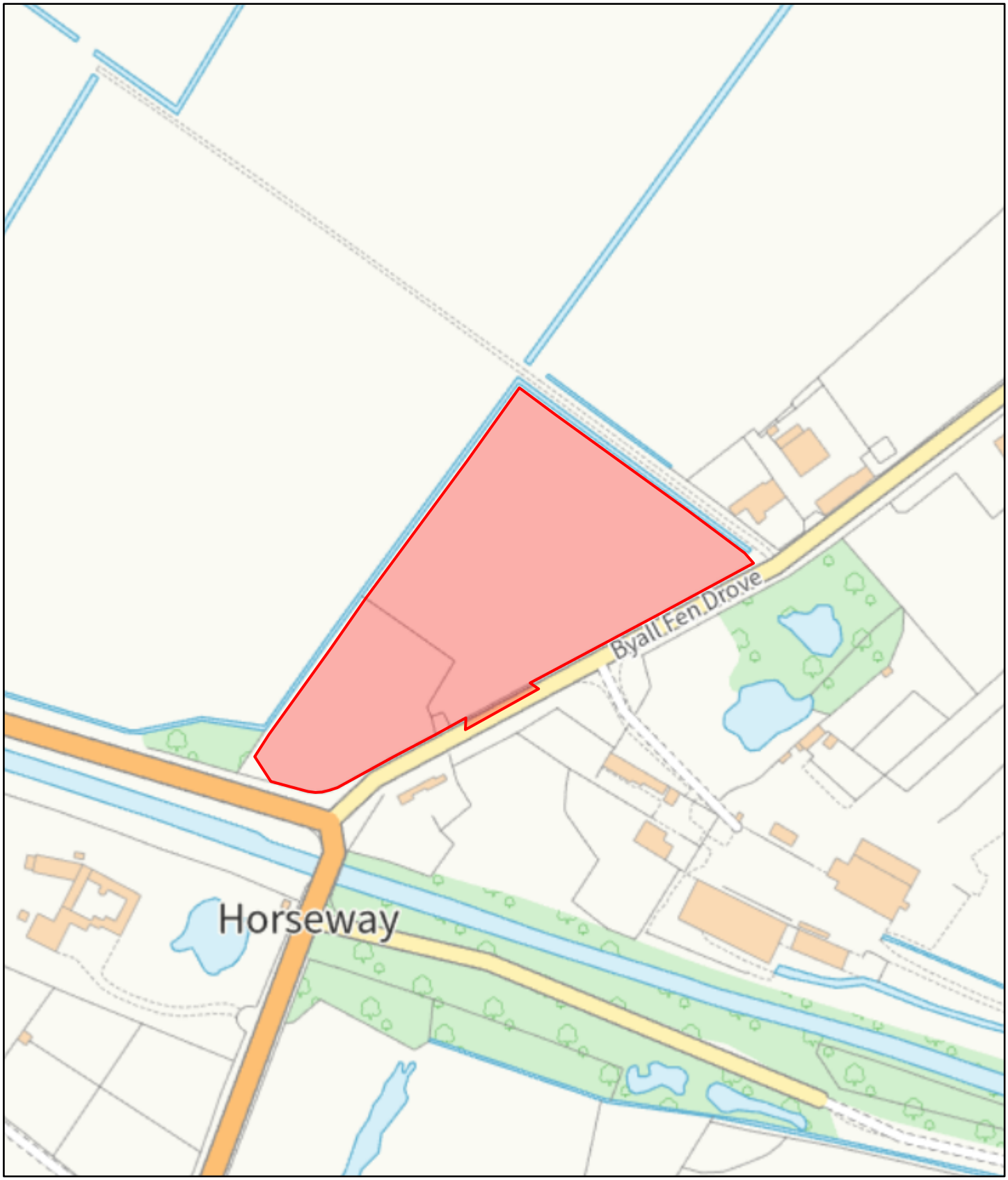
4	**Surface water during construction** No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning 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 in accordance with the NPPF and Policy LP14 of the Fenland Local Plan (2014); recognising that initial works to prepare the site could bring about unacceptable impacts.
5	**Flood risk mitigation** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Frith Blake Consulting LTD, Ref: 3491, Rev: P1, Dated: February 2025). 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).
6	**Noise** The rating level of the noise emitted from fixed plant and equipment located within the leek storage building shall not exceed 9dB LAr, Tr (ventilation) and 19dB LAr, Tr (cooling) or 33dB LAr, Tr (loading) at Monitoring Position 1 (boundary with Horseway Farm) as shown on Figure 6 within the Noise Impact Assessment report (Report no. 14410/1) dated 06.02.2025 when assessed in accordance with BS 4142:2014+A1(2019). Reason: To ensure that the amenities of occupiers of other premises in the vicinity are protected in compliance with Policy LP2 and LP16 of the Fenland Local Plan (2014).
7	**Construction Environmental Management Plan (CEMP)** Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority regarding mitigation measures for noise, dust and lighting during the construction phase. 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. Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.

8	**RAMS (Amphibians)** Prior to the commencement of any development, a Reasonable Avoidance Method Statement (RAMS) for Amphibians demonstrating the proposed measures to avoid harm to protected species and their habitats, shall be submitted to and approved in writing by the Local Planning Authority. The RAMS shall be based on the findings of the submitted Preliminary Ecological Appraisal, (James Blake Associates, March 2025) and should outline measures to minimise the risk of disturbance, injury, or death to protected Amphibians and damage to their habitats. All works shall be carried out in accordance with the agreed RAMS. Reason: In order to ensure that compliance with Section 1 of the Wildlife and Countryside Act 1981 (as amended) with respect to specially protected species and in line with the aims of the National Planning Policy Framework and Policy LP19 of the Fenland Local Plan 2014.
9	**Water Voles** No development, including preparatory works, shall in any circumstances commence until pre-commencement surveys for Water Voles have been completed and confirmed no Water Voles are present. A copy of the survey report must be submitted to the LPA within 1 week of the completion of the survey. If Water Voles are found to be present, no development, including preparatory works shall be undertaken until a Water Voles mitigation strategy has been provided to and approved by the LPA. Reason: In order to ensure that compliance with Section 1 of the Wildlife and Countryside Act 1981 (as amended) with respect to specially protected species and in line with the aims of the National Planning Policy Framework and Policy LP19 of the Fenland Local Plan 2014.
10	**Mammals** No development, including preparatory works, shall in any circumstances commence until pre-commencement surveys for Mammals have been completed and confirmed no Mammals are present. A copy of the survey report must be submitted to the LPA within 1 week of the completion of the survey. If Mammals are found to be present, no development, including preparatory works shall be undertaken until a Mammals mitigation strategy has been provided to and approved by the LPA. Reason: In order to ensure that compliance with Section 1 of the Wildlife and Countryside Act 1981 (as amended) with respect to specially protected species and in line with the aims of the National Planning Policy Framework and Policy LP19 of the Fenland Local Plan 2014.
11	**Bird and Bat boxes** Prior to the first use of the development, at least 2 bird boxes and 2 bat boxes have been suitably designed into the scheme in accordance with best practice

	methodology as set out by the Royal Society for the Protection for Birds and Bat Conservation Trust, evidence of the inclusion of these boxes should be provided to the Local Planning Authority. Reason: To ensure the development provides a net gain in biodiversity in accordance with LP19 of Fenland Local Plan and the NPPF.
12	**Tree Protection** Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard, which shall be submitted to and agreed in writing by the LPA prior to commencement of works on site, shall be implemented and maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes. Reason: To ensure that retained trees are adequately protected in accordance with Policies LP16 and LP19 of the Fenland Local Plan, adopted May 2014.
13	**Access construction** Prior to the first use of the development the vehicular accesses where it crosses the public highway shall be laid out and 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, in accordance with Cambridgeshire County Council's construction specification. Reason: In the interests of highway safety and to ensure satisfactory access into the site in compliance with Policy LP15 of the Fenland Local Plan (2014).
14	**Access drainage** The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity. Reason: To prevent surface water discharging to the highway in accordance with Policy LP15 of the Fenland Local Plan (2014).
15	**Parking and turning** Prior to the first use of the development sufficient space shall be provided within the site to enable vehicles to: a) enter, turn and leave the site in forward gear b) park clear of the public highway The area shall be levelled, surfaced and drained and thereafter retained for that specific use. Reason: In the interests of satisfactory development and highway safety in accordance with Policy LP15 of the Fenland Local Plan (2014).
16	**Gates** The proposed gates must be set back at least 18m into the applicant's

	property from the boundary of the public highway, and retained in perpetuity. Reason: In the interest of highway safety in accordance with Policy LP15 of the Fenland Local Plan (2014).
17	**Lighting and CCTV** Prior to the first use of the development, a scheme for the provision of external lighting and CCTV shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use/occupation of the approved agricultural building and retained thereafter in perpetuity. Reason: In order to ensure adequate safety and security on site to accord with Policy LP16 of the Local Plan.
18	**Materials** The materials to be used for the external walls and roof shall be in strict accordance with those specified in the application unless different materials are first agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details. Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.
19	**BNG** No development, including preparatory works, shall commence until a Biodiversity Gain plan shall be submitted to and approved in writing by the Local Planning Authority; The Biodiversity Gain plan shall deliver a minimum of 10% biodiversity net gain and will include as a minimum, where applicable: i) Details regarding how the biodiversity gain hierarchy has been applied; ii) Details regarding proposed significant on-site biodiversity enhancements; and/or; iii) Details regarding proposed significant off-site biodiversity gains; iv) A completed pre and post development biodiversity metric calculation; and v) A Habitat management and monitoring plan for both on and off site improvements. The approved plan will be implemented within 1 year of the approval and so maintained for at least 30 years after the development is completed. Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).
20	**Approved Plans** The development hereby permitted shall be carried out in accordance with the following approved plans and documents

F/YR25/0416/F



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Fenland District Boundary

Fenland District Council

Uniform

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IF IN DOUBT CALL THE SPECIALIST INSTALLATION DIVISION
ON 01284 812060.

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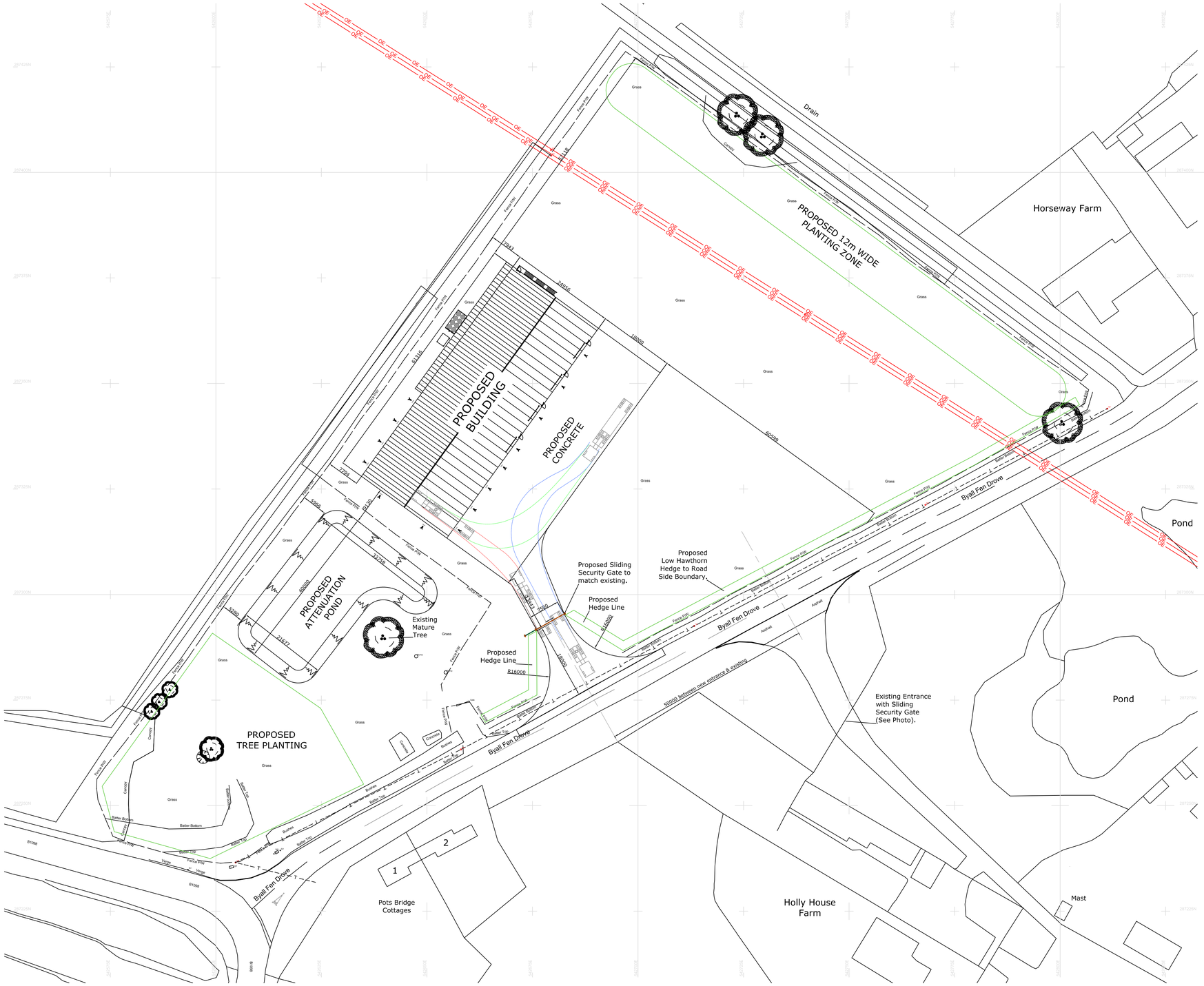
SURVEY STATIONS			
Name	Easting	Northing	Height
STNTGT01	542791.761	287332.137	3.639
STNTGT02	542717.208	287292.717	3.323
STNTGT03	542639.666	287250.570	3.595



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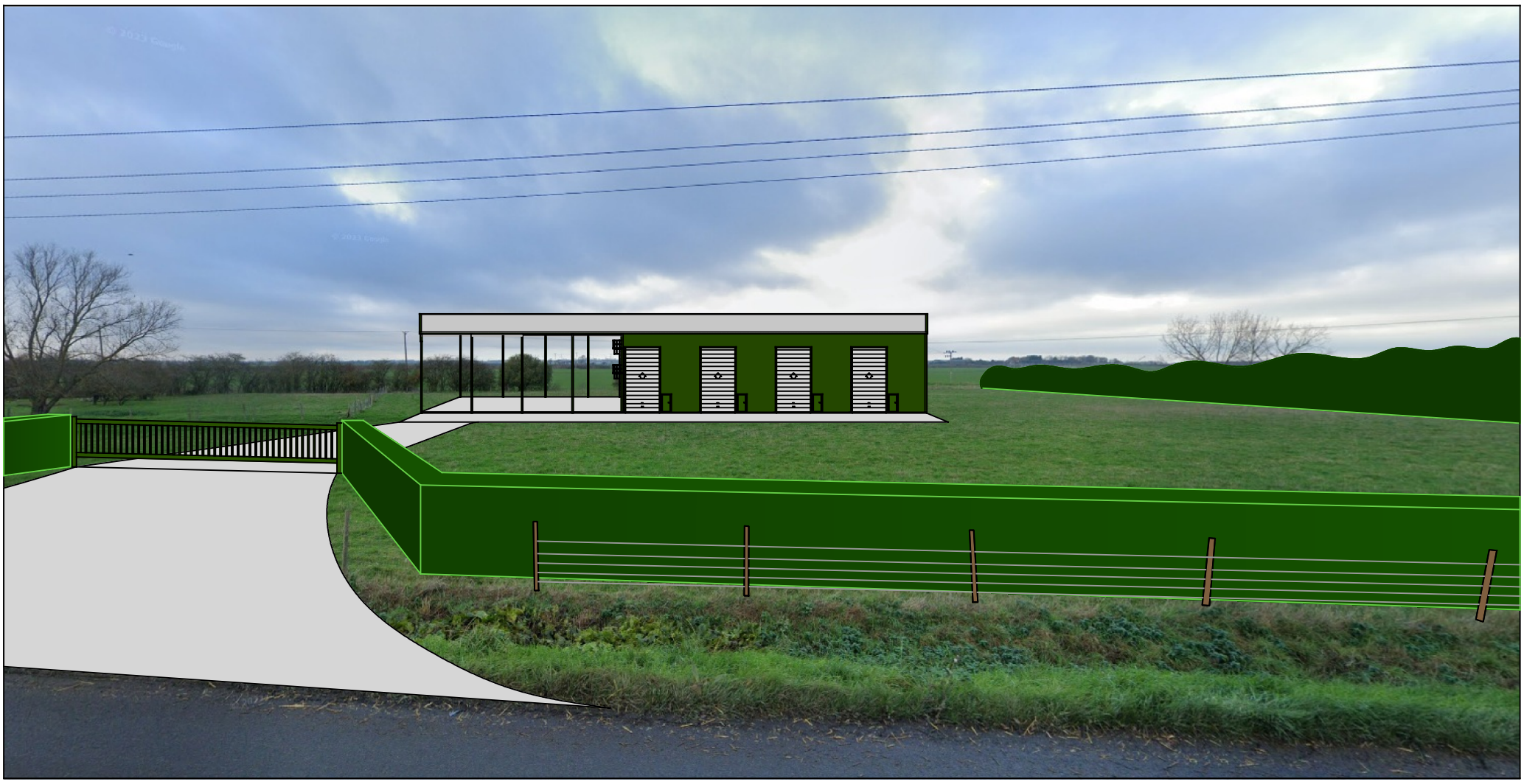
VIEW OF EXISTING SITE FROM BYALL FEN DROVE.
(Google Streetview)



APPROXIMATE VIEW OF PROPOSED SITE FROM BYALL FEN DROVE.
(Google Streetview)

REV.	DATE.	REVISION.	DRN.

PROJECT:
Proposed Leek Store at:
Land opposite Holly House Farm,
Chatteris, Cambs. PE16 6XQ

STREET SCENE IMPRESSION

CLIENT:
ALLPRESS FARMS LTD
HOLLY HOUSE FARM
HORSEWAY
CHATTERIS
CAMBS.
PE16 6XQ

Thurlow Nunn Standen Ltd.
Specialist Installations Division
Unit 45, Symonds Farm Business Park,
Newmarket Road, Risby,
Bury St Edmunds,
Suffolk, IP28 6RE.
Tel : (01284) 812060
Email : sid@tnsgroup.co.uk

SCALE:	SHEET:	DRAWN BY:
NTS	A3	Stephen C Powell

SALES ORDER No.	DRAWING No:	ISSUE:
...	2337 : 03 : 03	P0

DATE: May 2025

IF IN DOUBT CALL THE SPECIALIST INSTALLATION DIVISION ON 01284 812060.

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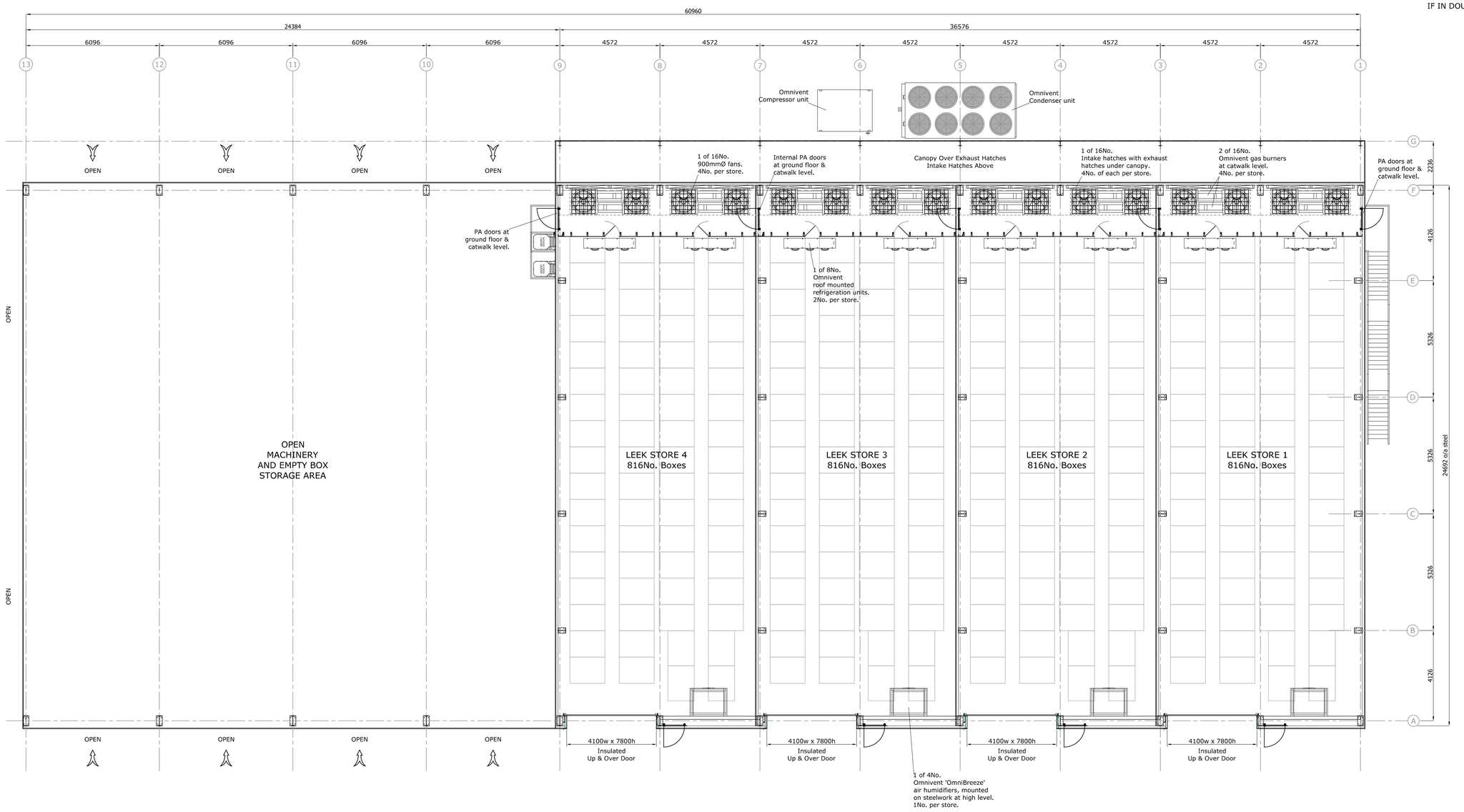
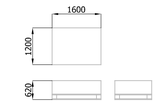
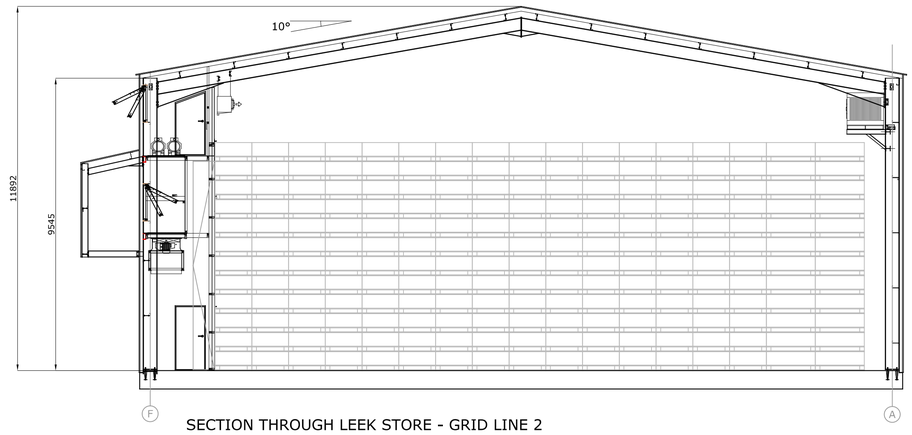
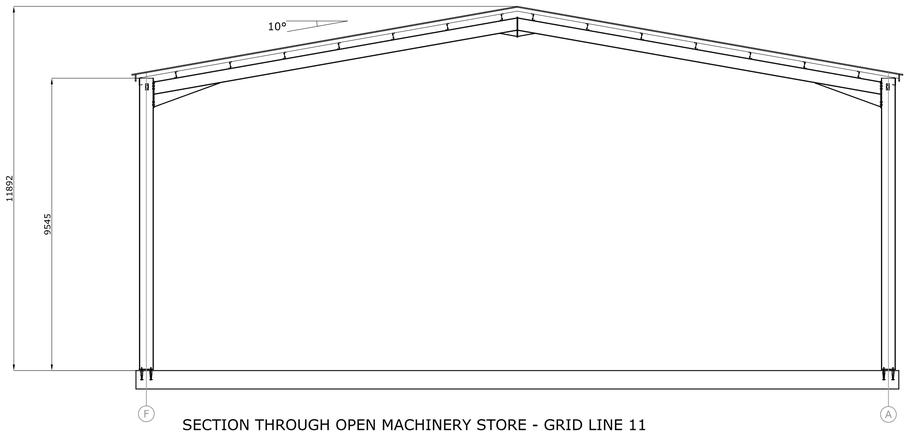




Leek Storage Boxes
1600mm x 1200mm x 620mm high



SECTION THROUGH LEEK STORE - GRID LINE 2



SECTION THROUGH OPEN MACHINERY STORE - GRID LINE 11

ISS.	DATE.	REVISION.	DRN
P1	14.01.25	Ventilation equipment and hatches revised.	SCP

Proposed Leek Store at:
Land opposite Holly House Farm,
Chatteris, Cambs. PE16 6XQ

GENERAL ARRANGEMENT

CLIENT:
ALLPRESS FARMS LTD
HOLLY HOUSE FARM
HORSEWAY
CHATTERIS
CAMBS. PE16 6XQ

Thurlow Nunn Standen Ltd.
Specialist Installations Division
Unit 45, Symonds Farm Business Park,
Newmarket Road, Risby,
Bury St Edmunds,
Suffolk. IP28 6RE
Tel : (01284) 812060
Email : sid@tnsgroup.co.uk

SCALE:	SHEET:	DRAWN BY:
1:100	A1	Stephen C. Powell

SALES ORDER No:	DRAWING No:	ISSUE :
;	2337 : 05 : 01	P1

DATE: November 2024

	AGENDA ITEM NO 6
PLANNING COMMITTEE	
Date	**28 October 2025**
Title	**TPO 02/2025 – 62 Church Street, Whittlesey**

1. PURPOSE

The purpose of this report is to advise members of the current situation in respect of confirmation of a Tree Preservation Order (TPO) at 62 Church Street, Whittlesey, and to determine an appropriate course of action.

2. SUMMARY

Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to this Committee where objections to the Order are received. An objection to the TPO was received from the applicant of the recent application to carry out Works to Trees in a Conservation Area.

In October 2025 an Emergency TPO was imposed on 1x Lime, 1x Beech, 1x Copper Beech, 1x Yew, 1x Sycamore, 4x Silver Birch, 1x Norway Maple, 1x Holly and 4x Corsican Pine at 62 Church Street in Whittlesey. The Order was required to ensure the trees are protected as they are highly prominent trees located within the Whittlesey Conservation Are, which contributes to the amenity and character of the area.

The following list details the trees which form part of the TPO (15 no. trees are included).

- T1 – Lime
- T2 – Beech
- T3 – Copper Beech
- T4 – Yew
- T5 – Silver Birch
- T6 – Sycamore
- T7 – Silver Birch
- T8 – Norway Maple
- T9 – Silver Birch
- T10 – Silver Birch
- T11 – Holly
- T12 – Corsican Pine
- T13 – Corsican Pine
- T14 – Corsican Pine
- T15 - Corsican Pine

No consultation responses were received from neighbours, nor the town/parish council.

The Arboricultural Officer and Conservation Officer provided consultation comments to the TRCA submission objecting to the removal of the trees within the application.

The trees offer considerable levels of positive verdant amenity to the conservation area, street scene, nearby listed buildings and the host dwelling, which is considered to be a non-

designated heritage asset in its own right. The trees add to the character of the conservation area and building, where tree removal or harsh pruning works could impact on this. The trees are significant, and no suitable justification has been provided to remove them.

It is noted that additional trees have been included within the order compared with the trees submitted within the TRCA application. The Tree Officer confirms that this was undertaken on the grounds of expediency and completeness. As significant trees were already subject to an application for removal, it was considered prudent to assess other trees on site that may also meet the criteria for protection. This approach ensures that any trees of merit are afforded suitable safeguarding and reduces the risk of future inappropriate works being carried out.

3. RECOMMENDATION

It is therefore recommended that members confirm the TPO in respect of the 1x Lime, 1x Beech, 1x Copper Beech, 1x Yew, 1x Sycamore, 4x Silver Birch, 1x Norway Maple, 1x Holly and 4x Corsican Pine at 62 Church Street in Whittlesey.

Forward Plan Reference No. **(if applicable)**	Not applicable
Portfolio Holder(s)	Not applicable
Report Originator	Zoe Blake, Development Officer
Contact Officer(s)	Matthew Leigh, Head of Planning
Background Paper(s)	N/A

1. BACKGROUND

1.1 A TRCA application (a notification of proposed works to trees within a Conservation Area. Town and Country Planning Act 1990.) was received under reference F/YR25/0613/TRCA for the felling of 2 x Conifers, 2 x Silver Birch, 4 x Scotts Pine, 1 x Maple and 1 x Lime Tree within a conservation area.

1.2 The Arboricultural Officer completed an evaluation of all the trees at the site for a potential TPO using TEMPO (Tree Evaluation Method for Preservation Orders) and considered that the 1x Lime, 1x Beech, 1x Copper Beech, 1x Yew, 1x Sycamore, 4x Silver Birch, 1x Norway Maple, 1x Holly and 4x Corsican Pine warranted a TPO.

1.3 During the processing of the TPO an objection from the applicant was received resulting in the confirmation of the no. 15 trees to be presented to the Planning Committee.

2. ASSESSMENT

2.1 The Order, which encompasses the site at 62 Church Street in Whittlesey is detailed on the accompanying plan.

2.2 Matters relating to the issue and confirmation of a TPO are normally dealt with by delegated powers and confirmations are only referred to Committee where objections to an Order are received.

2.3 The placement of a TPO does not prevent tree works or even removal, but gives the Local Planning Authority control over ‘inappropriate’ works.

2.4 The applicant has objected to the placing of the TPO for the 1x Lime, 1x Beech, 1x Copper Beech, 1x Yew, 1x Sycamore, 4x Silver Birch, 1x Norway Maple, 1x Holly and 4x Corsican Pine at 62 Church Street in Whittlesey, where is was requested that the TPO be cancelled, on the understanding that the applicant remains fully engaged and committed to collaborative working with Fenland Council on any future tree management.. The applicant detailed their reasons for objecting to the TPO as the following:

- Commitment to Compliance: The applicant states that they are working with a tree consultant who specialises in conservation area compliance. This ensures that any current or future tree works will be managed to the highest standards and in line with council requirements.

- Willing Collaboration: The applicant states that they have no intention of removing or undertaking inappropriate works on these trees. Their goal is to manage them responsibly.

- Duplication of Controls: The applicant considers that since the property is already within a designated conservation area, permission is required for most tree works. Adding a TPO provides little additional control but does create extra administrative burden.

- Practical Timing Concerns: Due to limited availability from the tree consultant, the applicant raises concerns with their ability to respond fully.

- Health and safety concerns: During the consideration of the TRCA application, the applicant detailed health and safety concerns, particularly of

pedestrians, road users, and the property opposite should one of the trees at the front fail. Regarding the tree at the rear, the applicant mentioned that the tree is extremely close to the building and poses a significant risk if it were to fail.

2.5 It is noted that additional trees have been included within the order compared with the trees submitted within the TRCA application. The Tree Officer confirms that this was undertaken on the grounds of expediency and completeness. As significant trees were already subject to an application for removal, it was considered prudent to assess other trees on site that may also meet the criteria for protection. This approach ensures that any trees of merit are afforded suitable safeguarding and reduces the risk of future inappropriate works being carried out

3 ARBORICULTURAL OFFICER'S ASSESSMENT

3.1 It is considered that the trees are of high amenity value within Whittlesey Conservation Area, especially where some of these being located to the front of the property.

3.2 The trees identified by the arboricultural officer which forms this TPO offer considerable levels of positive verdant amenity to the conservation area, street scene, nearby listed buildings and the host dwelling, which is considered to be a non-designated heritage asset in its own right. The trees add to the character of the conservation area and building, where tree removal or harsh pruning works could impact on this. The trees are significant, and no suitable justification has been provided to remove them.

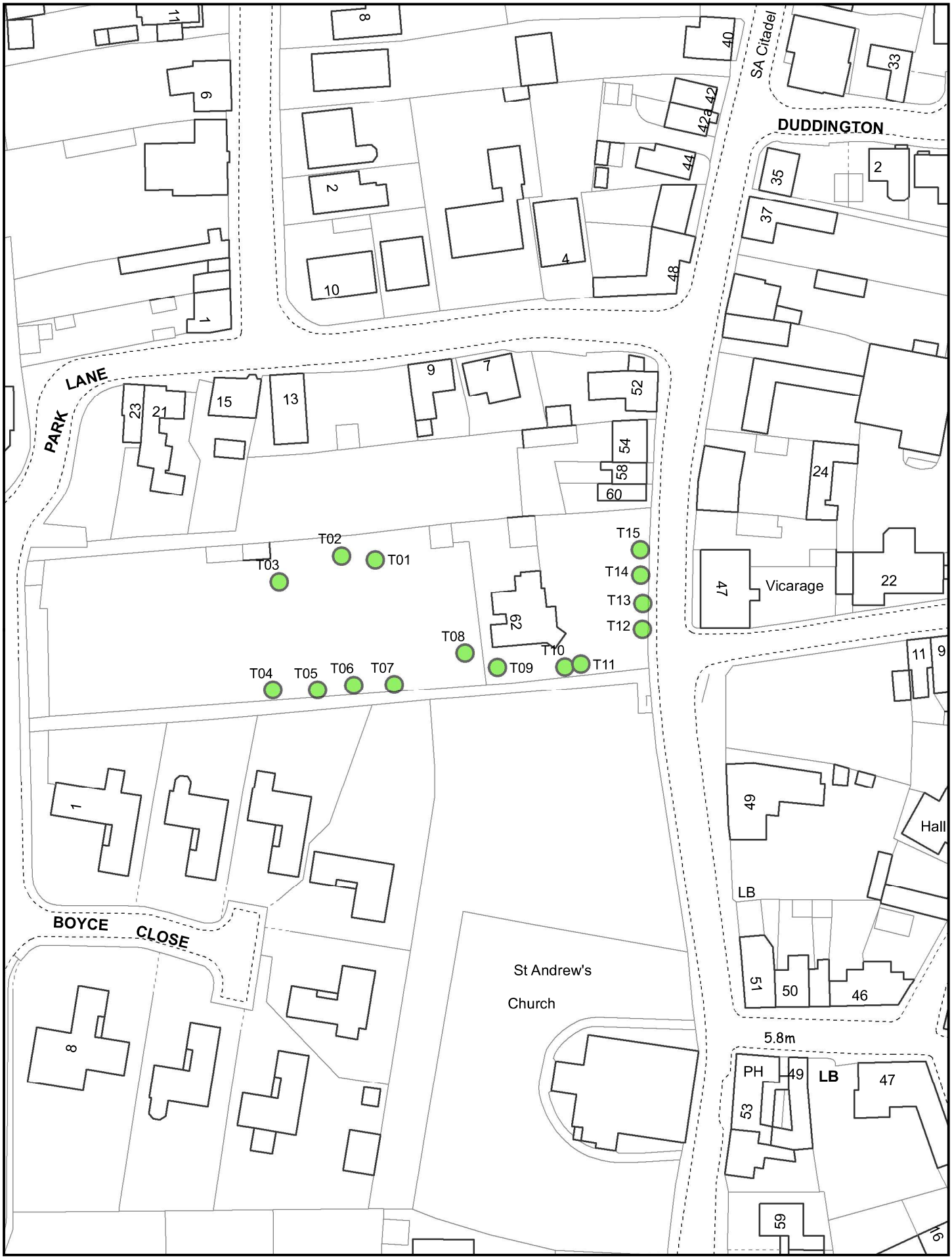
3.3 It is considered expedient to place a TPO on the 1x Lime, 1x Beech, 1x Copper Beech, 1x Yew, 1x Sycamore, 4x Silver Birch, 1x Norway Maple, 1x Holly and 4x Corsican Pine to contribute to tree cover, amenity and biodiversity.

3.4 In light of the above considerations, it is considered that the placing of a TPO is the correct decision to ensure that the correct advice and guidance is obtained regarding protection of the tree population.

4 CONCLUSION

4.1 Due consideration has been given to the objection from the original applicant, however it is considered that the trees identified within the proposed TPO offer considerable levels of positive verdant amenity to the conservation area, street scene, nearby listed buildings and the host dwelling, which is considered to be a non-designated heritage asset in its own right. As such, the TPO should be in place to protect these significant trees.

4.2 It is therefore recommended that the TPO at 62 Church Street in Whittlesey is confirmed.



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TPO02/2025
Church Street, Whittlesey
Trees as per schedule

N

Fenland CAMBRIDGESHIRE
Fenland District Council

Created on: 28/10/2025	**F/YR25/0613/TRCA**	N	Fenland CAMBRIDGESHIRE Fenland District Council
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TREE EVALUATION METHOD FOR PRESERVATION ORDERS - TEMPO

SURVEY DATA SHEET & DECISION GUIDE

Date: 9th September 2025 Surveyor: Andrew Day

Location: 62 Church Street, Whittlesey

Tree ID/No.	Species
T1	Lime
T2	Beech
T3	Copper Beech
T4	Yew
T5	Silver Birch
T6	Sycamore
T7	Silver Birch
T8	Norway Maple
T9	Silver Birch
T10	Silver Birch
T11	Holly
T12	Corsican Pine
T13	Corsican Pine
T14	Corsican Pine
T15	Corsican Pine

Part 1: Amenity assessment

a) Condition & suitability for TPO

5) Good Highly suitable
3) Fair/satisfactory Suitable
1) Poor Unlikely to be suitable
O) dead/dying/dangerous* Unsuitable

* Relates to existing context and is intended to apply to severe irremediable defects only

Score & Notes 5

b) Retention span (in years) & suitability for TPO

5) 100+	Highly suitable
4) 40-100	Very suitable
2) 20-40	Suitable
1) 10-20	Just suitable
	Unsuitable

Score & Notes 4

*Includes trees which are an existing or near future nuisance, including those clearly outgrowing their context, or which are significantly negating the potential of other trees of better quality

c) Relative public visibility & suitability for TPO
Consider realistic potential for future visibility with changed land use

5) Very large trees with some visibility, or prominent large trees	Highly suitable
4) Large trees, or medium trees clearly visible to the public	Suitable
3) Medium trees, or large trees with limited view only	Suitable
2) Young, small, or medium/large trees visible only with difficulty	Barely suitable
1) Trees not visible to the public, regardless of size	Probably unsuitable

Score & Notes 4

d) Other factors
Trees must have accrued 7 or more points (with no zero score) to qualify

5) Principal components of formal arboricultural features, or veteran trees
4) Tree groups, or principal members of groups important for their cohesion
3) Trees with identifiable historic, commemorative or habitat importance
2) Trees of particularly good form, especially if rare or unusual
1) Trees with none of the above additional redeeming features (inc. those of indifferent form)
-1) Trees with poor form or which are generally unsuitable for their location

Score & Notes 4

Part 2: Expediency assessment
Trees must have accrued 10 or more points to qualify

5) Immediate threat to tree inc. s.211 Notice
3) Foreseeable threat to tree
2) Perceived threat to tree
1) Precautionary only

Score & Notes 5

Part 3: Decision guide

Any O	Do not apply TPO 1-6
1 - 6	TPO indefensible
7-11	Does not merit TPO
12-15	TPO defensible
16 +	Definitely merits TPO

Add Scores for total:	Decision:
22	

Tree Location Plan

62 Church Street, Whittlesey, Cambs

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F/YR25/0591/A

Applicant: Me Emre Evl **Agent : -**
4K Cutz

28 Broad Street, March, Cambridgeshire, PE15 8TG

Display of 1 x internally illuminated fascia sign and 1 x externally illuminated rotating projecting barber pole (retrospective)

Officer recommendation: Refuse

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

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1 EXECUTIVE SUMMARY

1.1 This application is for the display of 1 x internally illuminated fascia sign and 1 x externally illuminated rotating projecting barber pole.

1.2 The oversized signage, overly bright backlit text and the illuminated barber pole detract from the character, appearance and setting of the March Conservation Area and the setting of the GII listed fountain canopy adjacent, resulting in less than substantial harm to the setting of the March Conservation Area and an adjacent listed building.

1.3 The proposed signage fails to make a positive contribution and therefore is considered to adversely impact on the visual amenity of the streetscene and character of the area and fails to protect and enhance heritage assets. The scheme is in contravention of Policies LP16 and LP18 of the Fenland Local Plan and does not comply with the requirements of paragraph 141 of the NPPF.

1.4 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

2.1 The application site is situated on the western side of Broad Street, within the market town of March. The site is situated within the March Conservation Area. There are also a number of Grade II Listed Buildings surrounding the application site, including a Grade II Listed fountain.

2.2 The building is currently occupied by 4K Cuts and was previously occupied by Kleanco Dry Cleaners & Laundry. The advert is already in situ.

3 PROPOSAL

3.1 This application seeks advertisement consent for the display of the following:

- 1 x internal illuminated facia sign

- 1 x externally illuminated rotating projecting barber pole

3.2 After visiting the application site, it is evident that the proposal is retrospective.

4 SITE PLANNING HISTORY

4.1 There is no relevant planning history.

4.2 However, an advertisement consent application was refused in September 2025 at No. 18 Broad Street, currently occupied by F & S Majestic Turkish Restaurant. This application was for 1 x internally illuminated fascia sign, and it was concluded to adversely impact on the streetscene and character of the area and failed to protect and enhance heritage assets.

5 CONSULTATIONS

5.1 Parish/Town Council:.
Recommendation: Approval.

5.2 Conservation Officer (FDC):.
The host premises forms part of the early-mid C20 building with a highly positive classically inspired first floor with double hung timber sash windows that align symmetrically with the 3no. ground floor commercial units.

32 Broad Street at the other end of the terrace is a highly positive frontage, inclusive of traditional shopfront with pilasters and a traditional retractable canopy to the front. In essence, this shop portrays what should be aspired to within historic conservation areas.

No.28 (the host property) was formerly Kleanco and whilst it was not a traditional frontage it was pared back and restrained.

What has recently been installed is quite frankly brash, ugly and highly damaging to the character and appearance of the Conservation Area and nearby heritage assets.

The oversized signage and overly bright backlit text, the employment and the illuminated and animated barber pole and proliferation of unnecessary window stickers, detracting from the character, appearance and setting of the March Conservation Area and the setting of the GII listed fountain canopy adjacent.

There is a statutory requirement on Local Planning Authorities to seek to conserve and enhance conservation areas, for which this recent installation cannot be described as resulting in either.

The retrospective proposal leads to less than substantial harm (medium) to the character and appearance of the designated March Conservation Area and the setting go the GII listed fountain canopy. It should be highlighted that the NPPF states that any harm to heritage assets should be met with a strong presumption for refusal unless the harm is outweighed by public benefit. There is considered to be no public benefit to unacceptable and damaging signage.

RECCOMENDATION: Objection – Less than substantial harm (medium) to the setting of the March Conservation Area and an adjacent listed building.

5.3 Environment & Health Services (FDC):
The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposals, as they are unlikely to have a detrimental effect on the local amenity as a result of artificial light overspill and/or glare.

5.4 Cambridgeshire County Council Highways Authority:.
I have no objection to the proposals as the illuminance levels are unlikely to distract road users. While the projecting sign allows sufficient headroom for pedestrians to safely pass underneath, a licence to project over the highway is required.

5.5 Senior Archaeologist (CCC):
Thank you for the consultation with regards to the archaeological implications of the above referenced planning application. We have no comments with regards to archaeology.

5.6 March Society: No Response Received.

5.7 Local Residents/Interested Parties: No Response Received.

6 STATUTORY DUTY

6.1 The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 require a Local Planning Authority to exercise its powers in the interests of amenity and public safety taking into account the provisions of the development plan, so far as they are material, and any other relevant factors.

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Chapter 4 – Decision-making
Chapter 12 – Achieving well-designed places
Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Fenland Local Plan 2014
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP18 – The Historic Environment

Emerging Local Plan
The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with

Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:
LP11 – Community Safety
LP20 – Accessibility and Transport
LP23 – Historic Environment

March Neighbourhood Plan 2017
There are no specific policies relating to developments such as this, however the visions, aims and objectives of the Plan is that the quality of the built and natural - 5 - environment is improved along with the level of provision and quality of recreational land facilities

8 KEY ISSUES

- Principle of Development
- Amenity
- Public Safety

9 ASSESSMENT

Principle of Development

9.1 Paragraph 141 of the NPPF advises that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment if poorly sited and designed. The Local Planning Authority should therefore consider any proposals for advertisements on amenity and public safety grounds only.

Amenity

9.2 The fascia sign includes internal illumination and the projecting barber pole is externally illuminated. The FDC Environmental Health team were consulted as part of this application. They have raised no objections to the proposal as the proposals are unlikely to have any detrimental impact upon local amenity as a result of artificial light overspill and/or glare. As such, the illumination of the advert is not considered to adversely impact upon adjacent amenity.

9.3 Amenity would include the visual amenities of the area and impact of the proposal on the streetscene and character for which Policies LP16 and LP18 would be applicable, as these seek to provide high quality environments and ensure development (including advertisements) make a positive contribution to and do not adversely impact on the streetscene or character of the area, protecting and enhancing heritage assets and their setting.

9.4 The signage is considered oversized with overly bright backlit text. The employment and the illuminated and animated barber pole and proliferation of unnecessary window stickers detract from the character, appearance and setting of the March Conservation Area and the setting of the GII listed fountain canopy adjacent.

9.5 There is a statutory requirement on Local Planning Authorities to seek to conserve and enhance conservation areas, for which this recent installation cannot be described as resulting in either.

9.6 The NPPF states that any harm to heritage assets should be met with a strong presumption for refusal unless the harm is outweighed by public benefit. There is considered to be no public benefit to unacceptable and damaging signage.

9.7 Fenland District Council's Conservation Officer has objected to the proposal and has stated that the retrospective proposal leads to less than substantial harm (medium) to

the character and appearance of the designated March Conservation Area and the setting of the GII listed fountain canopy.

9.8 The signage is considered to detract from the character and appearance of the building and therefore is considered to adversely impact on the streetscene and the character and appearance of the designated March Conservation Area. It fails to protect and enhance heritage assets including, the setting go the GII listed fountain canopy. The proposed advertisement is therefore considered contrary to Paragraph 141 of the NPPF and Policies LP16 and LP18 of the Fenland Local Plan 2014.

Public Safety

9.9 Factors to be taken into account regarding public safety include the following:
- The safety of persons using any highway, or other means of transport;
- Whether the advertisement should obscure any traffic signs or signals;
- Likely to hinder the operation of any device used for the purpose of security of surveillance or for measuring the speed of any vehicle (as indicated within Part 1, section 3(2)(b) of the Town and Country Planning (Control of advertisements)(England) 2007).

9.10 In terms of public safety, it is not considered that the advert would introduce any safety issues. It should be noted that CCC Highways have raised no objection to the scheme.

9.11 When assessing the advertising signs in terms of safety, as required by the NPPF, there are no reasons to refuse the application.

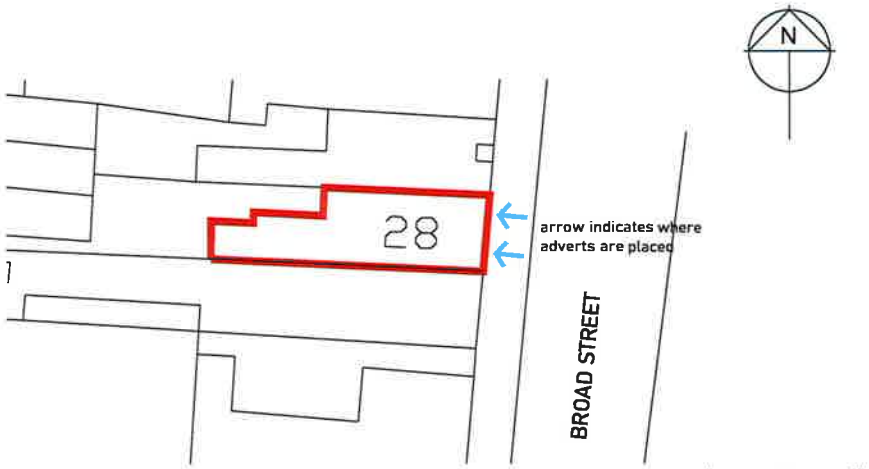
10 CONCLUSIONS

10.1 The scheme is in contravention of Policies LP16 and LP18 of the Fenland Local Plan and does not comply with the requirements of the NPPF as the oversized signage and overly bright backlit text, the employment and the illuminated and animated barber pole and proliferation of unnecessary window stickers, detract from the character, appearance and setting of the March Conservation Area and the setting of the GII listed fountain canopy adjacent. As such, this application is recommended for refusal.

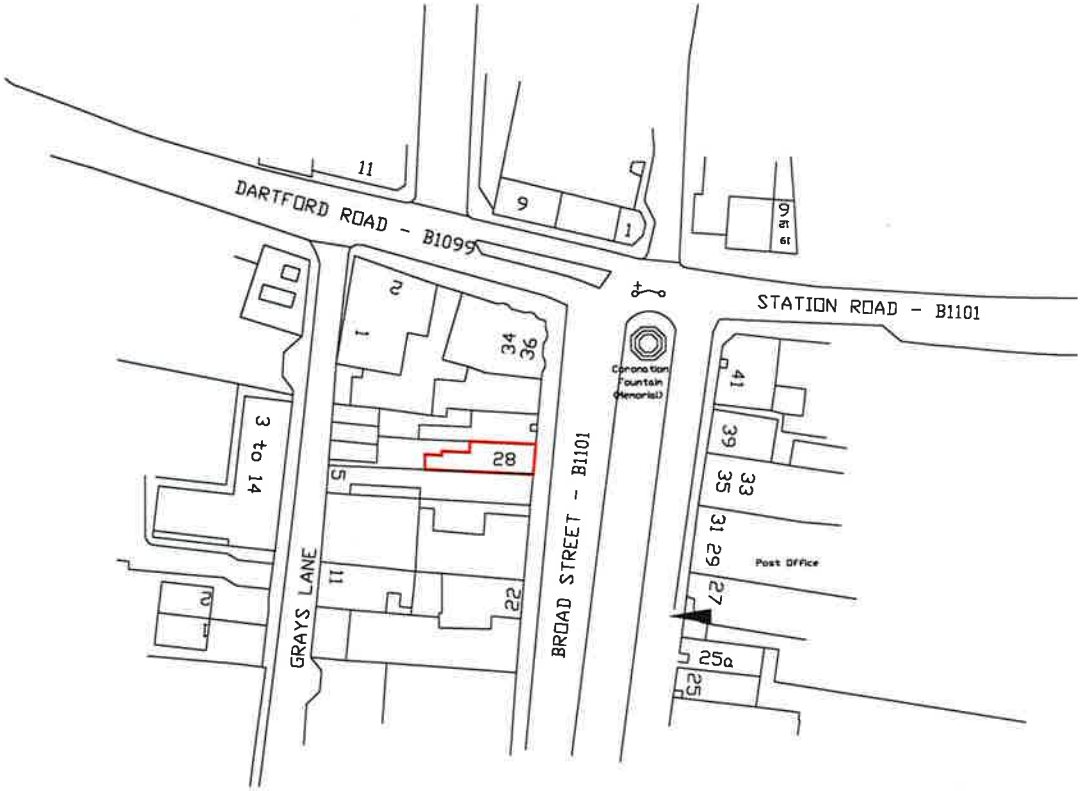
11 RECOMMENDATION

Refuse; for the following reason:

1	By virtue of the adverse impact of the fascia sign and rotating barber pole on the character of March Conservation Area, the scheme is in contravention of Policies LP16 and LP18 of the Fenland Local Plan and does not comply with the requirements of the NPPF as the oversized signage and overly bright backlit text and the illuminated and animated barber pole detract from the character, appearance and setting of the March Conservation Area and the setting of the GII listed fountain canopy adjacent, resulting in less than substantial harm to the setting of the March Conservation Area and the setting of an adjacent listed building. The proposed advertisement is therefore considered contrary to Paragraph 141 of the NPPF and Policies LP16 and LP18 of the Fenland Local Plan 2014.

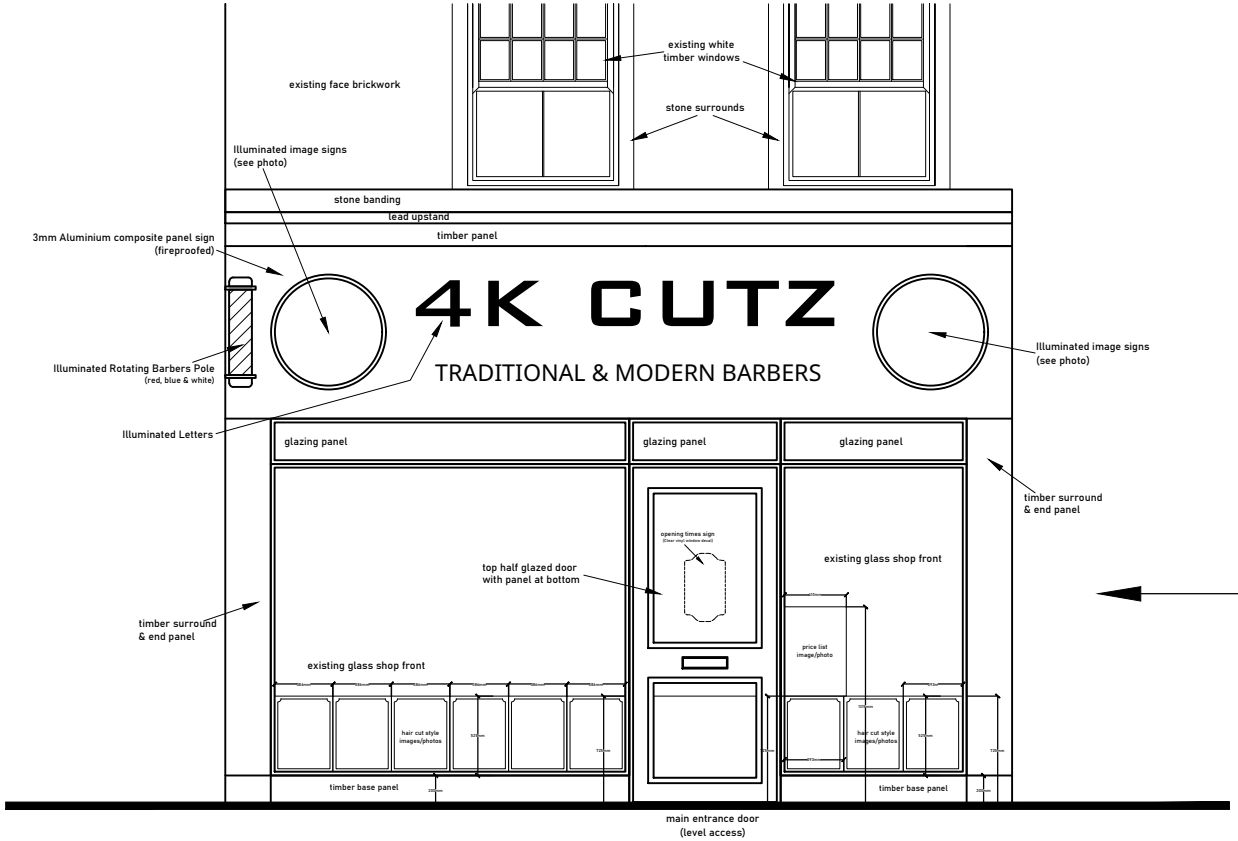


BLOCK PLAN



LOCATION PLAN

Rev A - Block plan added (Planners request)	24.06.25
Proposed Signage Broad Street, March. Cambs. PE15 8TG	
For: KUNDURLER LTD	
PLANNING	June 2025
1:1250 & 1:500 @A4	DB/K/PD/02 A



Front Elevation Only (1:50 Scale)

Street view Image

(Not To Scale)

Rev C - Dims added (planners request)	21.07.25
Rev B - Additional information incorporated (planners request)	19.06.25
Rev A - Scale bar incorporated	07.04.25

Proposed Signage
Broad Street, March.
Cambs. PE15 8TG

For: KUNDURLER LTD

PLANNING	Feb 2025
1:50 @A4	DB/K/PD/01 C

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F/YR25/0405/VOC

Applicant: Mr M Stone **Agent: Mr R Papworth Morton & Hall Consulting Ltd**

Land North Of 96A To 100, Westfield Road, Manea, Cambridgeshire

Variation of condition 22 (list of approved drawings) of planning permission F/YR22/1156/O (Erect up to 26 x dwellings, involving the formation of a new access (outline application with matters committed in respect of access)) to alter access road

Officer recommendation: Grant

Reason for Committee: Parish Council comments contrary to officer recommendation.

1 EXECUTIVE SUMMARY

1.1. This application seeks to vary condition 22 (approved drawings) of planning permission F/YR22/1156/O, which permitted the erection of up to 26 dwellings, involving the formation of a new access. Reserved Matters approval (F/YR24/0635/RM) agreed the detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR22/1156/O to erect 24 x 2-storey dwellings (4 x 2-bed, 6 x 3-bed and 14 x 4-bed). The application seeks to regularise the approved drawings to better reflect the position of the existing access on the ground.

1.2. No objections have been received from the Highway Authority, Environmental Services or FDC Arboricultural Consultant on the basis of concerns raised regarding highway safety, manoeuvrability or the impact to a significant tree to be retained on site.

1.3. The Parish Council concerns with respect to the application appear unfounded when considered against the evidence and the relevant policies of the Fenland Local Plan 2014. Accordingly, refusal of the scheme on the basis of the issues raised within the comments received is unjustified in this case and thus, the application is recommended for approval.

2 SITE DESCRIPTION

2.1. This is an irregular shaped site measuring approximately 1.52 hectares and is situated to the northern side of Westfield Road, Manea, which is the main entrance road into the village when approaching from the southwest. The site lies very close to the outer edge of the village where the pattern of development is largely linear residential in nature with small pockets of backland development to the immediate rear of the built frontages. Notably 9 dwellings have previously been approved at the part of the site closest to

Westfield Road (see history below). Some of these dwellings are completed with other/s under construction. Access is gained off Westfield Road.

2.2. The proposed site boundary fans out beyond the area of approved development into the open countryside to the rear where the land is bordered to the east by the extensive depth of garden to the rear of 94 Westfield Road and to the southwest in part by the rear boundaries to other residential gardens and also open land. There are commercial storage buildings to the southwest alongside which access can be gained to a public footpath which runs in a northeast direction to the rear of the proposed site, following the route of Darcey Lode Drain. Beyond this to the west are open agricultural fields. The larger part of the site to the rear of the frontage comprises a green field bordered by trees and hedgerows. The trees to the rear eastern boundary on the border with No. 94 (and within the garden of No. 94) are mature and noteworthy for their size and appearance. Trees to the front of the site (within the approved development area) are protected by Tree Preservation Order 5/2001. The northwest corner of the site falls within Flood Zone 3 which is at highest risk of flooding. The remainder of the site is within Flood Zone 1 which is land at lowest risk of flooding. There is an underground high voltage electric cable which runs diagonally across the site from southwest to northeast.

3 PROPOSAL

3.1. The proposal seeks alteration to Condition 22 of F/YR22/1156/O to enable alteration of the proposed access road position to align with the existing access where it meets Westfield Road and limit the need to reconstruct part of it. Some additional works, such as setting kerbs and laying the finished surface will be required to enable adoption. The application seeks to regularise the approved drawings to better reflect the position of the existing access on the ground.

4 SITE PLANNING HISTORY

F/YR24/0635/RM	Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR22/1156/O to erect 24 x 2-storey dwellings (4 x 2-bed, 6 x 3-bed and 14 x 4-bed)	Approved 06.03.2025
F/YR24/0707/O	Erect up to 4 x dwellings (outline application with matters committed in respect of access and scale) 94 Westfield Road Manea	Refused 06.03.2025
F/YR22/1156/O	Erect up to 26 x dwellings, involving the formation of a new access (outline application with matters committed in respect of access)	Granted 23.02.2024
F/YR22/0084/O	Erect up to 26 x dwellings (outline application with all matters reserved)	Refused 05.07.2022
F/YR21/1435/VOC	Variation of condition 8 (list of approved plans) relating to planning permission F/YR18/1074/F - change of garage design Site Of Former 96 Westfield Road, Manea	Granted 25.01.2022

F/YR18/1074/F	Erection of a 3-storey 5/6-bed dwelling and detached double garage Former 96 Westfield Road, Manea	Granted 07.02.2019
F/YR07/1204/F	Erection of 8 x 2 and a half-storey detached houses comprising; 2 x 5/6-bed with attached single garage, 1 x 5/6-bed with detached double garage, 2 x 5/6-bed with integral single garage, 1 x 4/5-bed with detached single garage and 2 x 4/5-bed with attached garage Former 96 Westfield Road, Manea	Granted 03.01.2008
F/YR07/0120/RM	Erection of 8 detached houses comprising; 2 x 4-bed with detached double garage, 1 x 4/5-bed with integral garage, 2 x 4-bed with integral garage, 1 x 4-bed with attached car port and 2 x 4-bed with attached garages with associated landscaping 96 Westfield Road, Manea	Refused 29.03.2007
F/YR04/3133/O	Erection of 4 dwellings 96 Westfield Road, Manea	Granted 11.05.2004
F/YR03/1359/O	Erection of 8 dwellings 96 Westfield Road, Manea	Granted 05.02.2004
F/YR02/1165/O 02/00503/02AP	Erection of 8 no. dwellings 96 Westfield Road, Manea	Refused 27.11.2002 Appeal Dismissed 08.08.2003
F/YR01/0647/O	Erection of 4 dwellings 96 Westfield Road, Manea	Granted 24.08.2001

5 CONSULTATIONS

5.1. Manea Parish Council

OBJECT:
The kink in the access road will cause congestion particularly when HGVs enter the site, could cause restricted access for emergency services.
Visibility splays inadequate.
Lack of parking space for plot 2.
Damage to existing tree roots

5.2. Cambridgeshire County Council Highways Authority

Recommendation
On behalf of the Local Highway Authority, I consider the variation of Condition 22 (list of approved drawings) of planning permission F/YR22/1156/O to be acceptable.

Comments
The applicant has demonstrated that the proposed access road can accommodate vehicle movements by a vehicle which meets FDC's refuse collection specifications.

It is noted that if the applicant's intention is for the road to be put forward for adoption, it must be constructed to CCC's adoptable standards for width of carriageway and footways.

It is also requested that the conditions previously sought by the Local Highway Authority are reimposed with regard to this application.

5.3. **FDC Environmental Services**
I've reviewed the revised Refuse Tracking document & all looks fine

I'm assuming we have received the indemnity as we will be expected to go onto shared/private roads

5.4. **Arboricultural Officer (FDC)**
The tree report provides suitable protection measures to be in place to implement the scheme. I have no objections.

5.5. **Local Residents/Interested Parties**

The LPA received 7 letters in support of the scheme, from residents of Manea including addresses at The Conifers, Cox Way, High Street, Station Road, and Westfield Road. One letter of objection was received from Cathedral View, Manea and a representation was received from a resident of Smart Close, Manea. The details of the comments received are summarised below;

Supporting Comments	Officer Response
Will cause more disruption to reconstruct the access as there is already a well-constructed access in use by a number of residents	Matters relating to residential amenity were considered during approval of F/YR22/1156/O. Notwithstanding, this is noted.
Would aid in protecting the oak tree	Matters of tree protection were considered during approval of F/YR22/1156/O. Notwithstanding, the current application includes an Arboricultural Method Statement discussed in more detail below.

Objecting Comments	Officer Response
Too many houses, not enough parking, flooding concerns, traffic concerns	These matters were considered during approval of F/YR22/1156/O and impacts mitigated through conditions and S106 agreement.

Comments	Officer Response
Query as to the construction of the completed road	The application includes proposals for the road to be adopted by the Highways Authority. Accordingly, the road will need to meet the appropriate standard of construction.
Query to ensure road is completed before occupation of the dwellings	Conditions within both F/YR22/1156/O and the subsequent F/YR24/0635/RM require the road to be constructed to accord with approved plans to at least binder course level prior to occupation of the dwellings.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1. **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
Chapter 5 – Delivering a sufficient supply of homes
Chapter 8 – Promoting healthy and safe communities
Chapter 9 – Promoting sustainable transport
Chapter 11 – Making effective use of land
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

7.3. **National Design Guide 2021**

7.4. **Fenland Local Plan 2014**

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

7.5. **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

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

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
DM4 – Waste and Recycling Facilities

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
LP7: Design
LP8: Amenity Provision
LP11: Community Safety
LP12: Meeting Housing Needs
LP20: Accessibility and Transport
LP21: Public Rights of Way
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP32: Flood and Water Management

8 KEY ISSUES

- **The acceptability of the changes proposed to:**
  - **Highway Safety**
  - **Residential Amenity**
  - **Trees**
- **The conditions subject to which planning permission was granted**
- **Parish Council Objection**
- **Biodiversity Net Gain**

9 ASSESSMENT

9.1. Section 73 of the Town and Country Planning Act 1990 states that for applications under this section, "*the local planning authority shall consider only the questions of the conditions subject to which planning permission should be granted*", hence the below assessment considers the impact of the proposal with regard to the conditions relating to planning permission F/YR22/1156/O only.

The acceptability of the changes proposed to:

Highway Safety

9.2. The application seeks to amend the approved plans to reflect the as built access to the development, known as Smart Close. Smart Close, currently approximately 80m long, stretches from Westfield Road to the furthest existing dwelling at No.8 Smart Close. The scheme seeks to utilise Smart Close as the access for the wider development, and this application specifically seeks to correct the approved plans to more closely match the line and position of Smart Close as previously constructed.

9.3. The outline application approved drawings depict a relatively straight access, whereas in reality, Smart Close follows a more meandering path. It should

be noted that Smart Close is already in use following such a path, already serving a number of dwellings.

9.4. Both the Highways Authority and FDC Environmental Services reviewed the submitted plans, and initially queried matters of visibility and manoeuvrability. Additional supporting information was submitted by the applicant in response, including appropriate visibility splay drawing and a refuse tracking plan. This supplementary information was reviewed by both consultees, and no objections were put forth, subject to the reimposition of earlier conditions originally imposed on the outline application relating to the geometry and construction of the access, along with a refuse collection strategy. These original conditions have not yet been discharged and accordingly remain relevant in this case.

9.5. Notwithstanding, there are no concerns relating to highway safety on the basis of the proposed change. Accordingly, it is considered that the revised plans are acceptable in the context of the originally approved scheme.

Residential Amenity

9.6. The existing dwelling nearest the access is No.2 Smart Close. In relation to this dwelling, the original outline approval depicted the access to be positioned approximately 4m from the dwelling (taken from the back edge of the footpath). The access as constructed is, in reality, much closer to the dwelling at No.2, as is reflected in the revised drawings submitted with the current application; these depict the access to be positioned approximately 1.6m from the dwelling (as measured from the same point) as constructed.

9.7. The current access currently serves four dwellings, however this application (for the erection of up to 26 dwellings) will see the access utilised to serve a maximum of 30 dwellings. Accordingly, there will be additional impacts from the intensification of use of the access from additional traffic from the wider development. The passage of traffic through the access to the site will result in some noise and disturbance to the nearest frontage dwelling on Smart Close (No.2) but it is not considered that this would be significantly greater than the impacts arising from the previously approved arrangement.

9.8. Notwithstanding, to reiterate, this application does not seek to rebuild or reposition the access from the as built position nor does not seek to further intensify the use of the access from the earlier approved scheme, it is merely seeking to regularise the as built position of the access on the submitted drawings.

9.9. Therefore, whilst it is acknowledged that the development as a whole will result in increased traffic movements, there are no additional impacts to residential amenity that will occur as a result of the proposed application when compared with the context of the originally approved scheme.

9.10. Smart Close has been constructed to functionally serve the existing properties and is intended to be improved with some additional works, including setting kerbs and laying of a finished surface ready for adoption, to facilitate access to the wider development. It is acknowledged that these works may result in disruption to access and/or result in limited amenity

impacts from noise whilst these additional works are carried out. However, given that these impacts will be temporary, it is considered that these impacts do not preclude permission being granted. Nevertheless, these works would have occurred with respect to the original approved scheme and thus do not offer sufficient grounds for refusal of the current application.

9.11. Nonetheless, the Outline consent includes a condition relating to a Construction Management Plan (CMP) to be submitted and approved in writing by the LPA, in consultation with the Environmental Health team which is yet to be discharged and thus should be reimposed. The approved CMP will ensure impacts from dust, noise, and vibration are limited to safeguard as far as practicable the residential amenity of neighbours during the period of construction.

9.12. Furthermore, it should be noted that any grant of planning consent does not indemnify against statutory nuisance action being taken under the Environmental Protection Act 1990 in the event that the Environmental Health Team receive substantiated environmental health complaints with respect to this development.

9.13. Given the above, it is considered that the revised plans are acceptable in the context of the originally approved scheme.

Trees

9.14. It is noted that concern was raised regarding the protection and preservation of the existing oak tree adjacent to the site and concerns that work to the access would damage the existing tree.

9.15. The proposal does not intend to move the existing access from its current position but instead seeks to regularise the approved drawings to better reflect the line of the as constructed access that will be utilised to serve the wider development. Accordingly, there will be limited impacts to the tree as works will be confined to the position of the existing access.

9.16. The current application includes an Arboricultural Method Statement (AMS) that has been reviewed by the FDC Arboricultural Consultant who concludes that the AMS provides sufficient information regarding tree protection at the site to ensure suitable protection during implementation of the scheme. As such, the tree protection condition as imposed on F/YR22/1156/O can be amended to a compliance condition.

9.17. In addition, the Outline consent includes a condition requiring a Construction Environmental Management Plan (biodiversity) to be submitted and approved in writing, which remains relevant and should be reimposed. In addition to the AMS, this condition seeks to biodiversity (including the existing tree(s)) are safeguarded and adequately protected during the period of construction.

9.18. Accordingly, it is considered that the revised plans are acceptable in the context of the originally approved scheme.

The conditions subject to which planning permission was granted

9.19. The below table outlines each condition imposed on F/YR22/1156/O, and whether these should be amended, removed or varied with respect to the current scheme, with reference to the above:

No.	Condition summary	Amendment required?
1	Reserved Matters to be considered	This condition remains relevant to the current scheme and should be retained in full.
2	Expiry for RM	This condition remains relevant to the current scheme but should be varied to reflect an expiry from the date of the original outline decision so as not to extend the life of the permission – i.e. Reserved Matters should be submitted before 23rd February 2027.
3	Quantum	This condition remains relevant to the current scheme and should be retained.
4	Construction Management Plan	This condition remains relevant to the current scheme and should be retained.
5	Construction Environment Management Plan (Biodiversity)	This condition remains relevant to the current scheme and should be retained.
6	Tree Protection	Amend to compliance with submitted AMS.
7	Open Space Provision (with Reserved Matters)	This condition remains relevant to the current scheme and should be retained in full.
8	Biodiversity Enhancements	This condition remains relevant to the current scheme and should be retained in full.
9	Street Maintenance	This condition remains relevant to the current scheme and should be retained.
10	Binder Course	This condition remains relevant to the current scheme and should be retained; N.B it is noted the decision notice for F/YR22/1156/O includes two conditions combined into one relating to the binder course and provision of on-site parking and turning (an administrative error), these should be separated into two for the avoidance of doubt.
11	Levels	This condition remains relevant to the current scheme and should be retained.
12	External Lighting Scheme	This condition remains relevant to the current scheme and should be retained.
13	Fire Hydrants	This condition remains relevant to the current scheme and should be retained.
14	Unsuspected Contamination	This condition remains relevant to the current scheme and should be retained.
15	Refuse Collection Strategy	This condition remains relevant to the current scheme and should be retained.
16	Archaeology	This condition remains relevant to the current scheme and should be retained.

17	Foul Water Drainage Scheme	This condition remains relevant to the current scheme and should be retained.
18	Surface Water Drainage Scheme	This condition remains relevant to the current scheme and should be retained.
19	Surface Water management during construction	This condition remains relevant to the current scheme and should be retained.
20	Drainage Verification	This condition remains relevant to the current scheme and should be retained.
21	Gates	This condition remains relevant to the current scheme and should be retained.
22	Approved Plans	Amend plan references to reflect the current application.

Parish Council Objection

9.20. This application is before Members owing to the Parish Council objection contrary to officer recommendation.

9.21. The Parish Council concerns regarding inadequate visibility splays have been addressed, as discussed above. The parking arrangements for Plot 2 are not due to be amended from the existing situation as the existing road geometry is not due to be amended. No concerns regarding the access geometry have been raised by the Highways Authority or Environmental Services.

9.22. Matters relating to tree protection of the Oak tree are considered above.

9.23. Accordingly, on the basis of the above assessment it is considered that the Parish Council comments have been adequately addressed and residual concerns can be mitigated by conditions and thus refusal of the scheme of the basis of these concerns would be unreasonable.

Biodiversity Net Gain (BNG)

9.24. 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 offsetting. 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.

9.25. 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 outline application was submitted prior to the requirement for statutory net gain coming into force.

10 CONCLUSIONS

10.1. The proposal is acceptable in terms of the changes proposed as it represents no notable issues in terms of visual amenity, residential amenity,

biodiversity or highway safety and is therefore considered acceptable. Thus, a favourable recommendation is forthcoming, subject to amended conditions as above.

11 RECOMMENDATION

Grant, subject to the following conditions;

1	**RM Details** Approval of the details of: (i) the layout of the site; (ii) the scale of the buildings; (iii) the external appearance of the buildings; (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	**Start Date** Application for approval of the Reserved Matters shall be made to the Local Planning Authority before 23rd February 2027. The development to which this permission relates shall be begun no later than the expiration of two years from the final approval of the reserved matters. Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 of the Town & Country Planning Act 1990.
3	**Quantum** The development shall not exceed 26 dwellings (Use Class C3). Reason: For the avoidance of doubt and to ensure a satisfactory standard of development.
4	**CMP** Prior to the commencement of development, a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall contain as a minimum: - - Hours of Site working and deliveries - Parking provision for site workers - Layout of site compound and materials store - Dust management measures - Measures to minimise mud from being taken onto the highway from the site - Name and contact details for on-site person responsible for

	compliance with this CMP (including an out of hours contact) - Details of temporary fencing during construction - Measures to prevent avoidable noise nuisance to neighbours e.g. no radios or amplified music The approved CMP shall be implemented in full throughout the construction period. Reason: In the interest of neighbour amenity in accordance with Policy LP16 of the Fenland Local Plan 2014.
5	**CEMP Biodiversity** No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following: a) Summary of potentially damaging 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) including ensuring no Non-Native Invasive Species are spread across the site. d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during 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. 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 ensure that the development aligns with the National Planning Policy Framework and Policy LP19 of the Fenland Local Plan 2014.
6	**Tree Protection** The tree protection measures as detailed within the approved Arboricultural Method Statement (OMC Arboriculture, Ref: 2295ams/CJO/2804, Dated 28 April 2025) shall be put in place prior to: - any site clearance; - any materials being brought onto site; and/or - any development commencing; and shall remain fully in place until the development is completed.

	Where development is completed in relation to a particular tree i.e. no further development will take place in the vicinity of the tree then that particular tree protection measure may be removed. Reason: In the interests of the visual appearance of the development and protection of retained trees/existing biodiversity in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014.
7	**Open Space Provision** The detailed layout required by condition 1 shall include the provision of a minimum of 0.3ha of open space including details of landscaping, future management and maintenance. Reason: In the interests of the amenity of the future occupants and to accord with policy LP13 of the Fenland Local Plan (2014) and the requirements of Appendix B-Open Space Standards.
8	**Bat & Bird Boxes** The development hereby permitted shall not be occupied until at least 4 bird boxes and 4 bat boxes have been suitably designed into the scheme in accordance with best practice methodology as set out by the Royal Society for the Protection for Birds and Bat Conservation Trust, evidence of the inclusion of these boxes should be provided to the Local Planning Authority before the occupation of the 26th dwelling. Reason - In the interests of protecting and enhancing biodiversity in and around the site in accordance with policy LP16(b) and LP19 of the Fenland Local Plan, 2014.
9	**Management of Streets** Prior to the first occupation of any dwelling which forms part of this development details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway 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 198 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.
10	**Binder Course** Prior to the first occupation of any dwelling the roads and footways shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road. Reason: To ensure satisfactory development of the site and a

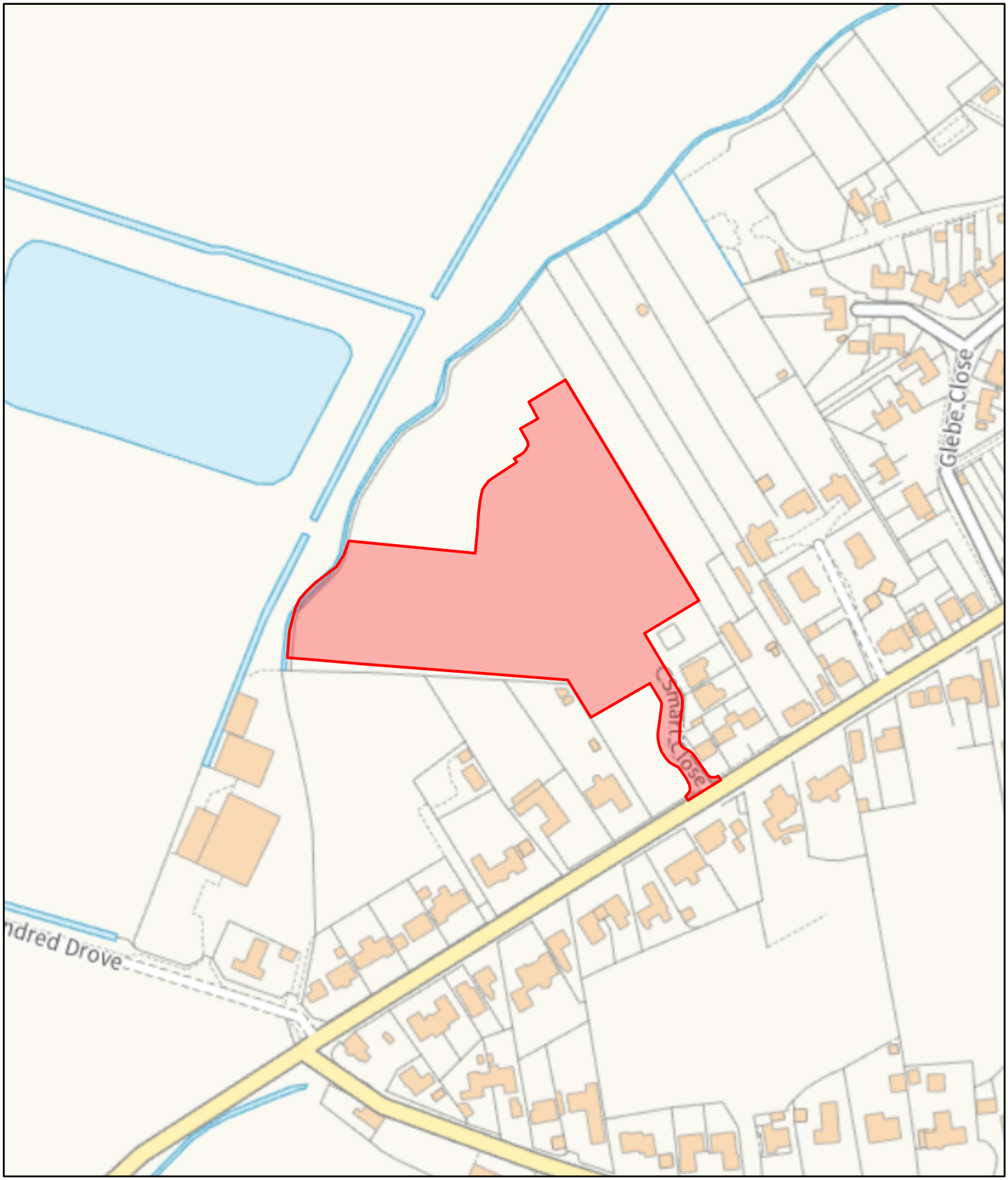
	satisfactory standard of highway design and construction in accordance with Policy LP15 of the Fenland Local Plan 2014.
11	**On-site Parking** Prior to the first occupation of individual dwellings their associated on-site parking /turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use. Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.
12	**Levels** Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter retained in accordance with the approved details. Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings in accordance with Policy LP16 (d and e) of the Fenland Local Plan (adopted May 2014).
13	**External Lighting** Prior to the commencement of development above slab level, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity. Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.
14	**Fire Hydrants** Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply and access arrangements for the fire and rescue service shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be; implemented, made available for use and the Local Planning Authority notified in writing of its completion, all prior to the occupation of the first dwelling. Reason: In the interests of the safety of the occupiers in accordance with Policy LP2 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.
15	**Unsuspected Contamination** In the event contamination not identified previously is encountered during development, development should stop until such time the level

	of risk from the discovered contamination has been robustly assessed and the ground subsequently remediated before development recommences with a report being submitted to the LPA outlining the contamination discovered and a remediation strategy that sets out how the discovered contamination will be dealt with. 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 and Policy LP16 of the Fenland Local Plan 2014.
16	**Refuse Collection Strategy** Prior to the first occupation of the development hereby approved a refuse collection strategy 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 2014.
17	**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 in accordance with national policies contained in the National Planning Policy Framework.
18	**Foul Water** Prior to the construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate to the public network, shall be submitted to and approved in writing by the Local Planning Authority. Reason: To prevent environmental and amenity problems arising from flooding to accord with Policy LP14 of the Fenland Local Plan 2014.

19	**Surface Water** 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 Flood Risk Assessment and Sustainable Drainage Strategy prepared by MTC Engineering (ref: 2689 - FRA & DS - Rev B) dated November 2022 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 reduce 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 to accord with Policy LP14 of the Fenland Local Plan 2014.
20	**SW 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 to accord with Policy LP14 of the Fenland Local Plan 2014.
21	**Drainage Verification** Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority. Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development to accord with Policy LP14 of the Fenland Local Plan 2014.
22	**No Gates** 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 road hereby approved. Reason: In the interests of highway safety in accordance with Policy LP15 of the Fenland Local Plan 2014.
23	**Approved Plans** The development hereby permitted shall be carried out in accordance with the following approved plans and documents.

F/YR25/0405/VOC



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0 115 230 460 ft

0 35 70 140 m

Fenland District Boundary

Fenland District Council

Uniform

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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

SD

Ward Bdy

Drain

ALL ADOPTABLE ROADS TO BE 6m WIDE WITH 2m WIDE PATHS BOTH SIDES

UNDERGROUND HV ELECTRIC

PRIVATE DRIVE

PROPOSED SWALE BY MTC ENGINEERING LTD

T1 T2 T3 T4 T5 T6 T7 T8

PRIVATE DRIVE

APPROVED LINE OF ROADWAY AS PER F/YR22/1156/0

SMART CLOSE

PAVEMENT

PAVEMENT

2.4m x 43m VISIBILITY SPLAY

2.4m x 43m VISIBILITY SPLAY

WEST FIELD ROAD

WEST FIELD ROAD

4 90a 92 94 94b 94c 2 37 37a 37b 39 39a 96a 98 100

N W E S

PROPOSED SITE PLAN
(1:500)

LEGEND

- CONCRETE SLABS (NON SLIP)
- PERMEABLE BLOCK PAVING (NON SLIP)
- GRASS
- WASTE BINS

B	DRAWING UPDATED	APR 25
A	PLANNERS COMMENTS	OCT 22
	REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED
CONSULTING STRUCTURAL ENGINEERS
1 Gordon Avenue,
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Tel: 01354 655454
Fax: 01354 660467
E-mail: info@mortonandhall.co.uk
Website: www.mortonconsultingengineers.co.uk

Fenland District Council Building Design Awards
Building Excellence in Fenland

CLIENT
Mr M Stone

PROJECT
96A–100 Westfield Road
Manea
Cambridgeshire
PE15 0LS

TITLE
Proposed Site Plan with Indicative Layout

DRAWN R.Papworth	DATE OF ISSUE
CHECKED	
DATE Sept 2022	DRAWING NUMBER H8549/01B
SCALE As Shown	

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F/YR25/0609/F

Applicant: Mr Graham James
Superseal

Agent : Mr Nigel Lowe
Peter Humphrey Associates Ltd

222 Lynn Road, Wisbech, Cambridgeshire, PE13 3EE

Erect 8 x dwellings involving the demolition of existing buildings

Officer recommendation: Refuse

1 EXECUTIVE SUMMARY

1.1. The proposal seeks the erection of no. dwelling, following the demolition of an existing two-storey building on site.

1.2. The site is located in the market town of Wisbech and is therefore in a sustainable location for new development. The proposal is therefore considered to be acceptable in principle.

1.3. It is considered that the proposed site layout represents an impractical and undesirable form of development through the absence of sufficient detail to demonstrate that a refuse vehicle could traverse the site, and the location of parking provision for plots 6-8 being located immediately in front of the lounge window to plot 6.

1.4. It is considered that the proposal would not adequately provide for the future occupiers of the site and would detrimentally impact on the amenities of existing neighbours. This arises from plots 5 and 8 being in close proximity to neighbouring properties, therefore resulting in direct overlooking into the private amenity spaces of neighbouring properties. Further, the existing trees on site would result in the private amenity spaces to plots 3 and 6 being in shade for large parts of the day.

1.5. The application site is located in Flood Zone 2 and fails to pass both the Sequential and Exception Test. The proposed development is therefore at an unacceptable and unjustified risk of flooding.

1.6. Finally, the proposed access arrangements lack the detail to demonstrate that pedestrian movements will be adequately incorporated, and that it would not compromise the use of the highway into Fen Close.

1.7. The proposal is therefore considered to be contrary to Policies LP14, LP15 and LP16 of the Fenland Local Plan, and Chapters 12 and 14 of the NPPF.

1.8. It is accordingly recommended that planning permission is refused in this instance.

2 SITE DESCRIPTION

2.1 The application site is located at 222 Lynn Road in Wisbech. The site and associated land previously operated for commercial purposes for a business selling conservatories, although the site has been unoccupied for approximately 9 months.

2.2 The site comprises a two-storey building to the front that previously served as an office space. The associated land extends to the rear and doglegs to the east. Presently, this land is generally overgrown but previously operated as a showroom space for the business.

2.3 The site is adjoined by residential properties on all sides, comprising a mix of single and two-storey properties.

2.4 The site and its access lie entirely within Flood Zone 2 and is generally at very low risk of surface water flooding. The area of the site measures at 0.33 hectares.

2.5 There is an extant outline planning permission on site for the erection of up to 3no. dwellings approved under F/YR22/0920/O.

3 PROPOSAL

3.1 The proposal seeks full planning permission for the erection of 8 x dwellings including the demolition of the existing buildings to the frontage of the site.

3.2 The proposed dwellings are all two-storey in nature, with two detached properties located at the front of the site in the location of the existing building that is to be demolished, with two sets of three terraced properties located in the rearmost part of the site.

3.3 The proposed dwellings comprise 2 x 3-bed properties and 6 x 2-bed properties. The proposed palette of materials comprises:
- Plots 1 & 2: Wienerberger Weather Gault Brick, Crest Planum Anthracite grey tile
- Plots 3, 4, 5: Wienerberger Trentino brick, Crest Planum Anthracite grey tile
- Plots 6, 7, 8: Wienerberger Weathered Gault Brick, Crest Planum Anthracite grey tile

3.4 Plots 1 & 2 measure 10.5m in width, 6.3m in depth, 5.1m in height to the eaves and 7.4m in height to the ridge. The blocks comprising plots 3-5 & 6-8 measure 17.75m in width, 9.1m in depth, 5.1m in height to the eaves and 8.4m in height to the ridge.

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/YR22/0920/O	Erect up to 3no. dwellings (outline application with all matters reserved)	Granted 07.12.22

5 CONSULTATIONS

5.1 Cambridgeshire County Council Archaeology – 28.08.25

No objection subject to condition to secure scheme of archaeological work

5.2 Environmental Health – 27.08.25

No objection subject to condition securing submission of Construction Environmental Management Plan (CEMP).

5.3 Wisbech Town Council – 01.09.25

That the application be supported

5.4 FDC Ecology – 02.09.25

No objection subject to informatives and BNG condition

5.5 FDC Environmental Services – 03.09.25

A swept path plan would be required to demonstrate that a refuse vehicle could enter and exit the site.

5.6 CCC Highways

10.09.25

The existing site access has an open frontage across the full width of the site, with no dedicated pedestrian footway between 244 Lynn Road and 1 Fen Close. This arrangement is considered substandard and ambiguous for both movements to and from the site and those travelling past the site on foot, exposing pedestrians to potential conflict with vehicular traffic. Although the proposal seeks to reduce the extent of vehicular access to a single point, it does not currently include measures to provide segregated pedestrian connectivity to the wider footway network along Lynn Road or the public footpath linking Fen Close to Fenland Road.

Given the current proposal, it is difficult for the Local Highway Authority to conclude that the scheme adequately meets these requirements. Specifically:

• There is insufficient prioritisation of pedestrian and cycle movements at the site access;

• The lack of segregated path lacks inclusive connectivity for those with reduced mobility;

• The layout does not adequately minimise potential conflicts between users of different transport modes.

03.10.25

Whilst the Local Highway Authority welcomes the proposed footway extension in principle, the accompanying access plan does not clearly demonstrate how pedestrian movements along the new footway will interact with vehicular movements on Fen Close. The arrangement currently lacks sufficient detail to assess the potential implications for all users.

The proposed Site Plan appears to be based on Ordnance Survey mapping, which is not sufficiently precise to confirm whether the proposed footway arrangement will maintain adequate space for vehicular access along Fen Close. Accurate measurements in relation to the existing layout of Fen Close are essential to ensure that the proposal does not compromise highway functionality or safety.

The applicant will therefore need to either i) supplement the existing OS base with accurate site measurements or ii) provide the footway proposal on a topographical survey base.

The Local Highway Authority needs to be satisfied that any footway proposal would not preclude Fen Close for continuing to operate as a motor vehicle highway. To this end, it is suggested that consideration is given to proposing the footway along the highway/site boundary, rather than aiming to align with the existing kerb line at the junction of Fen Close.

Furthermore, the applicant should clarify the intention behind the inclusion of a ramp at the entrance to the site, noting its existing levels. It is unclear why a ramp would be necessary to deliver the footway mitigations, and further design works would be necessary to confirm any such proposals are deliverable.

At this stage, the proposal lacks sufficient detail to demonstrate its deliverability. Consequently, the Local Highway Authority is not in a position to recommend a planning condition.

5.7 FDC Tree Officer – 03.10.25

No objection subject to pre-commencement condition to secure tree protection and soft landscaping.

5.8 Local Residents/Interested Parties

A total of 2no. letters of objection were received on the application from residents of Lerowe Road and Lynn Road.

Objecting Comments	Officer Response
Loss of light to neighbouring property	See 'Amenity Impact' section of report
Overlooking of neighbouring private amenity space	See 'Amenity Impact' section of report
Site located in Flood Zone 2	See 'Flood Risk and Drainage' section of report
Loss of habitats and biodiversity value of site	See 'Biodiversity Impact' section of report

A total of 3no. letters of representation were received on the application from residents of Lynn Road and Fenland Road.

Comments	Officer Response
Dust and noise during construction	See 'Amenity Impact' section of report
Concerns over responsibility for maintenance of existing soft landscaping features	See 'Tree and Landscape' section of report

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024
Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
Chapter 5 – Delivering a sufficient supply of homes
Chapter 7 – Ensuring the vitality of town centres
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)
Determining a Planning Application

National Design Guide 2021
Context
Identity
Built Form
Movement
Nature
Uses
Homes and Buildings

Fenland Local Plan 2014
LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
LP5 – Meeting Housing Need
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
LP18 – The Historic Environment
LP19 – The Natural Environment

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

Cambridgeshire Flood and Water SPD 2016

Emerging Local Plan

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

LP1: Settlement Hierarchy
LP2: Spatial Strategy for the Location of Residential Development
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP9: Residential Annexes
LP12: Meeting Housing Needs
LP15: Employment
LP16: Town Centres
LP20: Accessibility and Transport
LP22: Parking Provision
LP23: Historic Environment
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP32: Flood and Water Management
LP33: Development on Land Affected by Contamination

8 KEY ISSUES

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

9 BACKGROUND

9.1 The application site benefits from extant outline planning permission for the erection of 3 x dwellings granted under application reference number F/YR22/0920/O, which remains extant until 07.12.25.

10 ASSESSMENT

Principle of Development

10.1 The settlement of Wisbech is one of the districts primary market towns where it is accepted that the majority of growth will be directed. Accordingly, the scheme aligns with the general settlement policies; subject to other policy considerations which include visual amenity and character (LP16), residential amenity (LP2 & LP16), highway safety (LP15), flood risk (LP14) and biodiversity and landscape (LP19). Within the emerging local plan, the policies which would be enacted for this well located and sustainable site align with the current policies of the adopted development plan.

10.2 Further to this, the site benefits from an extant outline planning permission for residential development granted under F/YR22/0920/O, which establishes the principle of development on the site.

Character and appearance

10.3 The application is located in an area surrounded by residential development, and therefore the introduction of further residential development is considered to be in keeping with the character of the surrounding area.

10.4 Development in the surrounding area comprises a mix of single and two-storey properties, with the development fronting onto Lynn Road dominated by two-storey dwellings. As such, the provision of solely two-storey properties is not considered to be out of keeping with the character of the area.

10.5 The proposed palette of materials as set out in paragraph 3.3 of this report is considered to be suitable in this location when considering the varied palette of materials present along Lynn Road, Lerowe Road and Fen Close, which comprises a mix of buff and red facing brick, light-coloured render, and red and dark roof pantiles.

10.6 The submitted site layout plan identifies the existing and proposed site levels, which demonstrates a consistency between the two. However, it is proposed that the finished floor levels of the proposed dwellings are set between 0.4m and 0.9m above the site levels, with the Flood Risk Assessment concluding that the finished floor levels should be set 1.0m above existing ground levels.

10.7 Given the close-knit and two-storey nature of development fronting onto Lynn Road, it is considered that the development will remain relatively invisible from the public vantage points along Lynn Road and therefore acceptable in terms of street scene impact. Notwithstanding this, the neighbour amenity impact of these raised flood levels will be considered later in the report.

10.8 The density of development sits at approximately 24 dwellings per hectare, which is greater than the density generally seen on the southern side of Lynn

Road. However, given that this is a Market Town Location, it is considered that this would constitute an efficient use of land, in accordance with Paragraph 129 of the NPPF.

10.9 Notwithstanding that the density of development is considered to be acceptable, due to the constraints of the site in terms of size and shape, the proposed site layout is considered to be undesirable, particularly in respect of the location of parking provision for plots 4-8, particularly with the provision of 6 parking spaces immediately in front of plot 6, providing limited space to access the front door to the property.

10.10 Further to this, insufficient information has been provided in the form of swept path analysis to demonstrate that refuse vehicles can suitably traverse the site.

10.11 It is therefore considered overall that the proposed site layout is inadequate and would result in an impractical and poor quality of development, contrary to Policy LP16 of the Fenland Local Plan (2014) and Chapter 12 of the NPPF (2024).

Amenity Impact

10.12 The proposed locations of Plots 1 and 2 are sited approximately 2.2 and 1.75m from the southwestern boundary of the site respectively, with 1 Fen Close sited adjacent. The existing building to be demolished currently sits in this location and is immediately adjacent to the boundary of the site and is two-storey in nature. As such, the location of the proposed dwellings provides some additional separation to the neighbouring property to the west that would ensure the amenities enjoyed by this property would not be negatively impacted by the development. It is noted that the element of the adjoining property appears to be a garage, with no habitable rooms having an outlook in this direction that would experience any greater loss of light or outlook.

10.13 As previously highlighted, the proposed parking provision for plots 6-8 being located directly in front of plot 6 would result in a poor outlook from the sole window to a lounge, which would therefore provide a subpar level of amenities for occupiers of this plot.

10.14 Furthermore, it is noted that Plots 5 and 8 sit in close proximity to the neighbouring properties on Fenland Road and Lerowe Road, at 5m and 6m respectively. Due to the two-storey nature of the proposed dwellings, there are windows at first floor level that would overlook the private amenity spaces of the neighbouring properties, particularly plot 8 which would have direct views into the gardens of the neighbouring properties to the east.

10.15 It is also considered that the existing trees on site would result in the gardens to plots 3 and 6 in particular being in shade for large periods of the day, which may place pressure on the future removal of these trees. This point is considered in further detail later in the report.

10.16 In summary, it is considered that the proposal would result in a subpar level of amenities for the occupiers of plots 3 and 6 in due to the location of parking provision and existing trees significantly reducing outlook and causing extensive shading. It is further considered that the close proximity of plots 5 and 8 to the boundaries of the site would result in overlooking from first floor

windows into the private amenity spaces of neighbouring properties on Fenland Road and Lerowe Road respectively. The proposal is therefore considered to be contrary to Policy LP16 of the Fenland Local Plan (2014) in respect of its amenity impact.

Flood Risk and Drainage

Identified Flood Risk

10.17 The site is within a Flood Zone 2 location and as such falls within the Environment Agency Standing Advice (SA). SA states that finished floor levels should be a minimum of whichever is higher of 600mm above the:

- Average ground level of the site,
- Ground level of the access road(s) next to the building **or**
- Estimated river or sea flood level.

10.18 It is further noted that if floor levels cannot be raised to meet the minimum requirement they should be raised as much as possible, with consideration being given to moving vulnerable uses to upper floors. Extra flood resistance and resilience measures should also be included.

10.19 The submitted FRA states that 'the site is at risk during a breach of the tidal defences. During a breach in 2115 the maximum flood level is estimated to be +4.3 OD, up to 1.2m deep.' Accordingly, the flood mitigation proposed is as follows:

- Finished floor levels should be set 1.0m above existing ground level
- Flood resilient construction to 0.3m above the predicted flood level; and
- Demountable defences to 0.6m above the finished floor level.

10.20 It is further recommended that any future occupiers are made aware of the risks of flooding and the Floodline Direct Warnings Service.

Policy Considerations

10.21 Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework set out the policy approach towards development in areas of flood risk. Policy LP14 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 success completion of a sequential test, having regard to actual and residual flood risk
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.

10.22 The National Planning Policy Framework includes an over-arching principle that development should be directed away from areas at highest risk of flooding. As such, a sequential, risk-based approach is to be taken to individual applications in areas known to be at risk now or in the future from flooding. Planning Practice Guidance (PPG) confirms that this means avoiding, where possible, development n current and future medium and high flood risk areas. The PPG confirms that the underlying purpose includes placing the least reliance on measures like flood defences, flood warnings and property level resilience features. Therefore, even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the Sequential Test still needs to be satisfied.

Sequential Test

10.23 The submitted Flood Risk Assessment by Ellingham Consulting concludes that the Sequential Test is passed on the basis that the Fenland Local Plan identifies three urban extensions in Wisbech, all of which fall within flood zone 3, thereby indicating that there are no sites available with a lesser flood risk. However, no detailed interrogation of any alternative sites is provided to support this conclusion.

10.24 It is for the decision-maker to consider whether the Sequential Test is passed, with reference to information held on land availability and an appropriate area of search. The latter should be determined by the Local Planning Authority. Accordingly, clarification on the LPA's expected area of search for a Sequential Test is now provided on the Council's website, which states:

"Applicants must define and justify an appropriate area of search when preparing the Sequential Test. The extent of this area will depend on the location and roles of the settlement, as well as the type and scale of development proposed:

- *For developments within or adjacent to Market Towns and Growth Villages, the area of search will normally be limited to land within or adjacent to the settlement in which the development is proposed.*

- *For all other locations – including Limited Growth, Small and Other Villages, or Elsewhere Locations – the area of search will normally be expected to be district-wide.*

To pass the Sequential Test, applicants must demonstrate that there are no reasonably available sites, within the defined search area, with a lower probability of flooding that could accommodate the proposed development. A poorly defined or unjustified area of search may result in the Sequential Test being considered invalid.

10.25 As the site is located within one of the District's Market Towns, it is agreed that the search area should be limited to the settlement of Wisbech. The PPG makes it clear that 'reasonably available' sites are not limited to single plots. This may include part of a larger site if it is capable of accommodating the proposed development, as well as smaller sites that, individually or collectively, could meet the development requirement. Sites do not need to be in the ownership of the applicant to be considered 'reasonably available'.

10.26 As set out above, the application is not supported by a detailed interrogation of any sites to determine whether these may or may not be available and capable of accommodating the proposed development. However, notwithstanding this, there have been resolutions made by the Planning Committee to grant planning permission for a total of nearly 600 dwellings in Wisbech under reference numbers F/YR22/0844/O and F/YR22/1256/F. Both of these sites lie within Flood Zone 1 and at a lower risk of flooding and therefore are sequentially preferable in flood risk terms.

10.27 On this basis, it cannot be considered that the Sequential Test is passed in this instance.

Exception Test

10.28 Notwithstanding the failure of the Sequential Test, had this been passed it would then be necessary for the application to pass the Exception Test, which comprises of demonstration of the following:

a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall.

10.29 In respect of a); the most recent Fenland District Council Five Year Housing Land Supply (June 20256) demonstrates a 6.6-year supply of housing land over the five-year period within the district. As such, the Council has a sufficient supply of housing delivery land and is meeting its requirements as demonstrated through recent housing delivery test results. The submitted FRA does not provide any commentary in relation to the Exception Test, but it is not considered that there would be any substantive benefits other than the delivery of housing, and re-development of a brownfield site. Notwithstanding this, the SPD explicitly states that "*the general provision of housing itself would not normally be considered as a wider sustainability benefit*". Therefore, it is considered that the aforementioned benefits would carry very limited weight in this context.

10.30 In addition, the "tilted balance" as set out in the footnote to paragraph 11 of the NPPF (where Councils are unable to demonstrate a sufficient supply of housing) specifically excludes development in high flood risk areas from any presumption in favour of development. This clearly indicates the government's objective of avoiding development in areas of flood risk, unless demonstrably necessary, even when a Council is unable to deliver the housing its residents need.

10.31 In respect of the latter (b); the inclusion of food mitigation measures, such as raising the finished floor level, may result in an unviable or impractical solution that, whilst may address matters of flood safety, may also give rise to a number of other issues with respect to scale, access and impact on neighbour amenity, which may not be overcome.

Drainage

Surface Water

10.32 The submitted application form states that surface water will be discharged via soakaways. The site is located in an area of very low surface water flood risk, and it is therefore considered that this is an acceptable means of surface water drainage.

Foul Water

10.33 The submitted application form states that Foul Water will be discharged into the existing foul main. It is considered that this is an acceptable means of discharging foul water.

Flood risk and drainage conclusion

10.34 To reiterate, Policy LP14, supported by the NPPF and NPPG, states that 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 the successful completion of the Sequential Test and Exception Test.

10.35 The above assessment concludes that the development fails to pass the sequential test by virtue of a failure to provide a detailed assessment of any alternative sites, and the development of circa 600 dwellings coming forward in the settlement of Wisbech. It is therefore not possible to positively determine that there are no reasonable available sites at lower flood risk that could accommodate the development. As such, the scheme fails the sequential test.

10.36 The application is supported by a flood risk assessment which includes recommendations for flood risk management and mitigation, which demonstrates that the site can be made safe from flooding. However, the potential solution for flood mitigation, namely the raising of ground/finished floor levels, may give rise to additional issues of character and amenity harm.

10.37 In summary, the site lies in an area at risk of flooding, and the application fails to pass the sequential test and is unable to demonstrate that development of this site is necessary, nor provide sufficient justification that the benefits accrued would outweigh the flood risk. Development of the site would therefore place people and property in an unwarranted risk of flooding for which there is a strong presumption again, both through policies of the development plan and national planning policy. The proposal is therefore in direct conflict with local policy LP14 and the NPPF and should therefore be refused.

Trees and Landscape

10.38 Due to the period of time that the site has been unoccupied, it has become generally overgrown, as well as having a number of existing trees that are to be retained as part of the development.

10.39 The application is supported by an Arboricultural Impact Assessment which has been considered by the Council Tree Officer, with no objections raised subject to conditions securing tree protection measures and the submission of a soft landscaping scheme to mitigate against the tree loss required to accommodate the proposal.

10.40 Notwithstanding these comments, there are concerns that the relationship between the existing trees and the private amenity spaces of plots 3 & 6, and the area of parking provision in front of plot 6 may result in future pressure on the removal of these trees.

10.41 However, in the absence of an objection on these grounds, it is considered that it would be unreasonable to refuse the application on these grounds. Therefore, subject to the conditions as set out above, the proposal is considered to satisfy the requirements of Policy LP19 of the Fenland Local Plan (2014) in respect of tree and landscape impact.

Parking Provision and Highway Safety

10.42 The Highway Authority have considered the proposal and have raised objections on the basis that insufficient information being provided to demonstrate that the proposed access arrangement would not detriment the functioning of the highway or result in a detrimental impact to highway safety in the vicinity of the site.

10.43 The key concerns relate to the provision of the pedestrian footpath and a lack of accurate measurements to determine that this is deliverable without detriment to the use of the junction into Fen Close.

10.44 In the absence of this information, it would be inappropriate to approve the scheme with a condition requiring the delivery of the footpath when the implications of doing so are not fully known.

10.45 As such, it is not considered that the proposal accords with Policy LP15 of the Fenland Local Plan (2014) and Paragraphs 115 & 116 of the NPPF (2024).

10.46 Notwithstanding this, the level of parking provision shown on the proposed site layout is considered to accord with the standards set out in Appendix A of the Fenland Local Plan.

10.47 As per the standards, the erection of 2 x 3-bed and 6 x 2-bed properties would require the provision of a total of 16 parking spaces (2 per dwelling), which is delivered as per the submitted site layout plan.

10.48 Overall, for the reasons as set out in this section of the report, the proposal is considered to be in conflict with Policy LP15 of the Fenland Local Plan (2014) and Paragraphs 114 & 115 of the NPPF due to a lack of information to demonstrate that the proposal would be detrimental to highway safety in this location.

Biodiversity Impact

10.49 The application is supported by a Preliminary Ecological Appraisal which has been considered by the Council Ecologist. The report concludes that there will be no significant impact on any protected sites or species, subject to a number of precautionary and enhancement measures, which it is considered could be secured via condition.

10.50 The Council ecologist has raised no objections to the scheme based on the conclusions of the report.

10.51 It is considered that the proposal would accord with Policy LP19 of the Fenland Local Plan in terms of its biodiversity impacts.

Biodiversity Net Gain (BNG)

10.52 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.

10.53 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

11 CONCLUSIONS

11.1 The proposal seeks the erection of no. dwelling, following the demolition of an existing two-storey building on site.

11.2 The site is located in the market town of Wisbech and is therefore in a sustainable location for new development. The proposal is therefore considered to be acceptable in principle.

11.3 It is considered that the proposed site layout represents an impractical and undesirable form of development through the absence of sufficient detail to demonstrate that a refuse vehicle could traverse the site, and the location of parking provision for plots 6-8 being located immediately in front of the lounge window to plot 6.

11.4 It is considered that the proposal would not adequately provide for the future occupiers of the site and would detrimentally impact on the amenities of existing neighbours. This arises from plots 5 and 8 being in close proximity to neighbouring properties, therefore resulting in direct overlooking into the private amenity spaces of neighbouring properties. Further, the existing trees on site would result in the private amenity spaces to plots 3 and 6 being in shade for large parts of the day.

11.5 The application site is located in Flood Zone 2 and fails to pass both the Sequential and Exception Test. The proposed development is therefore at an unacceptable and unjustified risk of flooding.

11.6 Finally, the proposed access arrangements lack the detail to demonstrate that pedestrian movements will be adequately incorporated, and that it would not compromise the use of the highway into Fen Close.

11.7 The proposal is therefore considered to be contrary to Policies LP14, LP15 and LP16 of the Fenland Local Plan, and Chapters 12 and 14 of the NPPF.

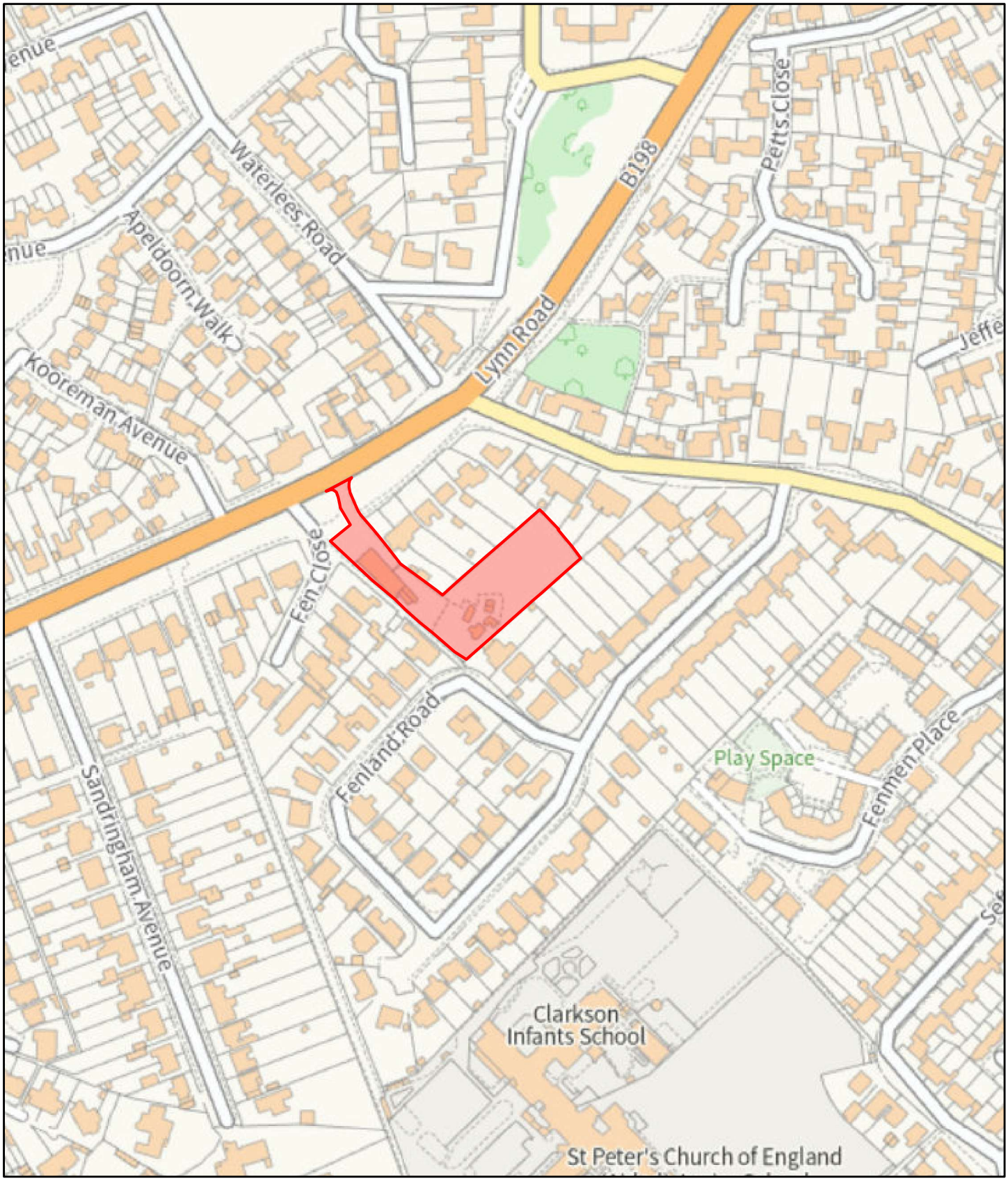
11.8 It is accordingly recommended that planning permission is refused in this instance.

12 **RECOMMENDATION**

Refuse; for the following reasons:

1.	The proposal, by virtue of its design and layout, would represent an impractical and undesirable form of development through the location of the parking courtyards to serve plots 4-8. Further, there is insufficient information to demonstrate that refuse vehicles could adequately traverse the site. This is contrary to Policy LP16 of the Fenland Local Plan (2014), and Chapter 12 of the NPPF (2024).
2.	The proposal, by virtue of the proximity of plots 5 & 8 to the boundary of the site, would give rise to detrimental impacts on the amenities of existing neighbours through the overlooking of first floor windows into neighbour private amenity space. Further, the existing trees on site would place the private amenity spaces to plots 3 and 6 predominantly in shade, providing a poor standard of amenities for future occupiers. The proposal is therefore contrary to Policy LP16 of the Fenland Local Plan (2014).
3.	The site is located in Flood Zone 2 and fails to pass both the Sequential and Exception Test. The proposed development is therefore at an unacceptable and unjustified risk of flooding, contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).
4.	The proposal is supported by insufficient information to demonstrate that the proposed access arrangement would not detriment the functioning of the existing highway network or result in a detrimental impact to highway safety in the vicinity of the site, particularly the access into Fen Close. The proposal is therefore contrary to Policy LP15 of the Fenland Local Plan (2015).

F/YR25/0609/F



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0 115 230 460 ft

0 35 70 140 m

Fenland District Boundary

Fenland District Council

Uniform
© Crown Copyright and database rights 2025 Ordnance Survey AC0000815148.

PROPOSED LEVELS SITE PLAN 1:250

Continuation of footpath

PROPOSED LEVELS
3.487

EXISTING LEVELS
3.29

LOCATION PLAN 1:1250

PROPOSED SITE PLAN 1:250

REVISIONS

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CLIENT
MR P DAY

PROJECT
RESIDENTIAL DEVELOPMENT

SITE
LAND AT SUPERSEAL
LYNN ROAD
WISBECH
CAMBS
PE13 3EE

DRAWING
PROPOSED SITE PLAN

JOB NO.	PAPER SIZE	DATE
7121 PL01b	A1	MARCH 2025

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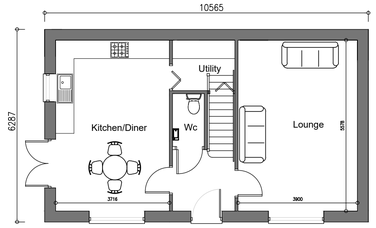

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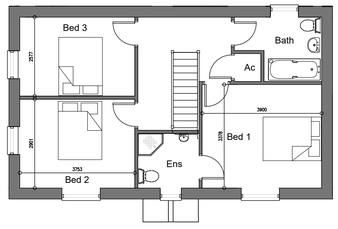
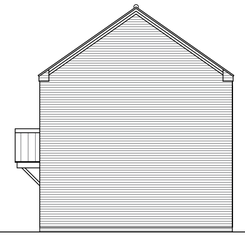


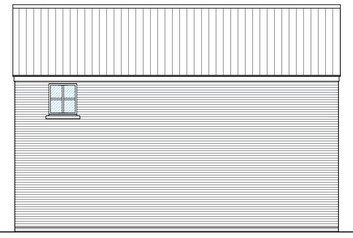
First Floor 1:100

PLOT 2

Front Elevation 1:100

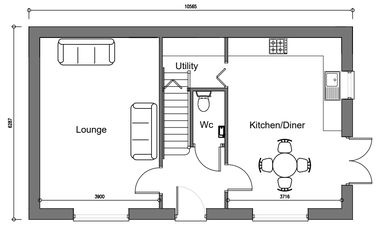


Side Elevation 1:100



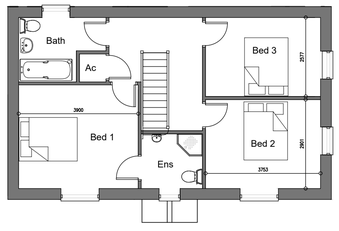
Rear Elevation 1:100

Side Elevation 1:100



Ground Floor 1:100

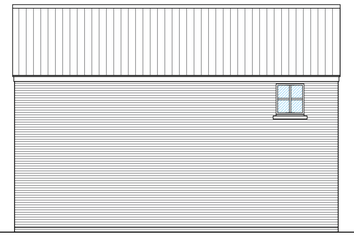
PLOT 1



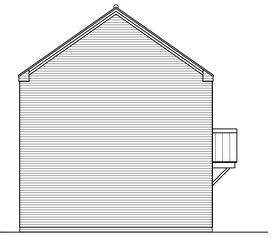
First Floor 1:100

Front Elevation 1:100

Side Elevation 1:100



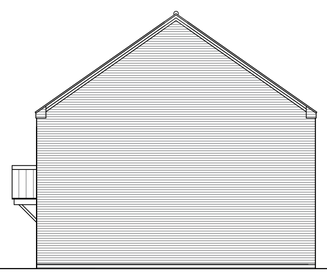
Rear Elevation 1:100



Side Elevation 1:100

Plots 1 & 2 =110m.sq.floor area(3 bed unit)
Plots 3,5,6,8 =83.700m.sq.floor area(2 bed unit)
Plots 4 & 7 =95.600m.sq.floor area(3 bed unit)

Front Elevation 1:100



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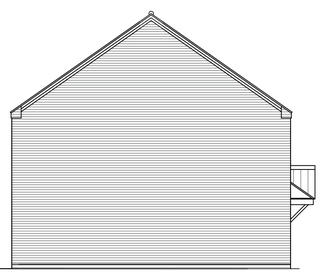
Rear Elevation 1:100



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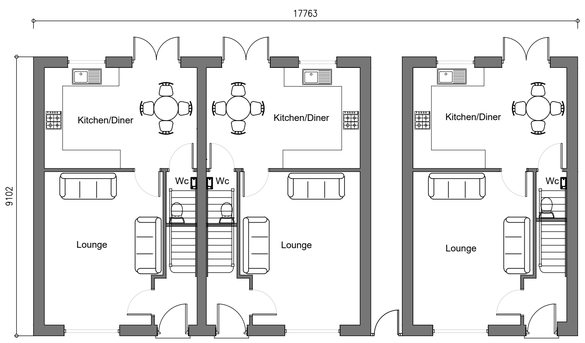
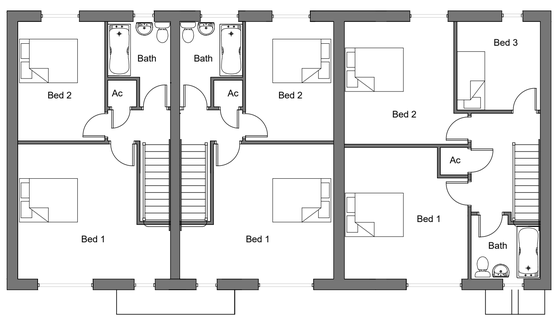


Ground Floor 1:100

PLOTS 3-8
PLOTS 3-5 handed to plan



First Floor 1:100

Plots 1 & 2 Wienerberger Weathered Gault brick,Crest Planum Anthracite grey tile
Plots 3,4,5 Wienerberger Trentino brick,Crest Planum Anthracite grey tile
Plots 6,7,8 Wienerberger Weathered Gault brick,Crest Planum Anthracite grey tile

REVISIONS

PETER HUMPHREY ASSOCIATES

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F/YR25/0547/F

Applicant: P Moules
Village House Ltd

Agent: Mr Rory Canham
Peter Humphrey Associates Ltd

Land North Of 1, Gull Road, Guyhirn, Cambridgeshire

Erect 6no dwellings and the formation of 2no accesses

Officer recommendation: Refuse

Reason for Committee: Parish Council comments contrary to Officer Recommendation

1 EXECUTIVE SUMMARY

1.1. The proposal seeks the erection of 6no. fully affordable dwellings, and the creation of 2no. access points.

1.2. The proposal is considered, on balance, to be acceptable in principle when considering the material considerations relating to other developments built out in the surrounding area.

1.3. The proposal is considered to be acceptable in respect of character impact, amenity impact, biodiversity impact and highway safety impact.

1.4. However, the application site is located within Flood Zone 3 and fails to demonstrate that the application passes the Sequential Test or Exception Test through the absence of a detailed assessment of alternatively available sites. The proposal us therefore in conflict with Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).

1.5. Accordingly, it is recommended that planning permission is refused in this instance.

2 SITE DESCRIPTION

2.1 The application site is located to the east of Gull Road in Guyhirn. The site is currently characterised as an open and undeveloped parcel of land which is adjoined by residential development to the south and west, with new dwellings currently under construction to the north.

2.2 The application site lies almost entirely within Flood Zone 3 but is at very low risk of surface water flooding.

3 PROPOSAL

3.1 The proposal seeks the erection of 6no. fully affordable dwellings, and the creation of 2no. access points.

3.2 The proposed dwellings are laid out in three pairs of semi-detached properties which are all two-storey, 3-bedroom properties.

3.3 Each pair of dwellings measures 5.1m in height to the eaves, 9.1m in height to the ridge, 12.25m in width and 9.1m in depth.

3.4 The proposed palette of materials comprises 'Weinerburger Hathaway' brindled facing bricks, 'Marley Modern' smooth grey tiles and cream uPVC windows and doors.

3.5 The proposed boundary treatments comprise a mix of 1.2m post and rail fencing and 1.8m close boarded fencing.

3.6 The two access points are proposed to provide access onto Gull Road, with each access serving three dwellings, with frontage parking areas provided.

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

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

4 SITE PLANNING HISTORY

F/YR12/0546/O	Erection of 2no. dwellings	Refuse 13.09.12
F/YR18/0595/O	Erection of up to 8 x dwellings and the formation of 4 x access involving the demolition of existing outbuildings (outline application with all matters reserved)	Refuse 03.08.18
F/YR18/0956/O	Erection of up to 7no dwellings and the formation of 4no vehicular access involving the demolition of existing outbuilding (outline application with matters committed in respect of access)	Refuse 07.12.18

5 CONSULTATIONS

5.1 CCC Archaeology – 28.07.25

No objection subject to condition requiring submission of WSI

5.2 FDC Ecology – 31.07.25

No objection subject to conditions requiring submission of CEMP & BNG scheme

5.3 Natural England – 06.08.25

Further information required to determine impact on designated sites arising from recreational pressure impacts

5.4 Anglian Water – 08.08.25

Objects to a connection to vacuum sewerage system due to the risk of flooding and pollution. If permission is granted, condition requested requiring the submission of a scheme for foul drainage

5.5 Environment Agency – 01.08.25

No objection subject to condition requiring compliance with mitigation measures set out in FRA

5.6 Wisbech St Mary Parish Council – 12.08.25

Refusal. Cllrs said this area is over developed and had concerns over highway traffic & safety

5.7 CCC Highways – 13.08.25

No objections

5.8 North Level Drainage Board – 20.08.25

The applicant/developer must ensure that they have obtained consent from the Board for all works within 9 metres of Rose Farm Drain, before any works are carried out.

5.9 Environmental Health – 24.08.25

No objection subject to condition restricting working hours

5.10 Local Residents/Interested Parties

Four letters of objection received from residents of Gull Road on the following (summarised) grounds:

Objecting Comments	**Officer Response**
Overdevelopment of site	See 'Character and appearance'
Insufficient parking and turning space	See 'Parking provision and highway safety'
Danger caused by construction traffic	See 'Parking provision and highway safety'
Insufficient water pressure	
Impact on neighbours due to construction activities	See 'Amenity Impact'
Flood Risk on site	See 'Flood Risk and Drainage'
Insufficient capacity at local services	
Car accidents on Gull Road	See 'Parking provision and highway safety'

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024
Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
Chapter 5 – Delivering a sufficient supply of homes
Chapter 9 – Promoting sustainable transport
Chapter 11 – Making effective use of land
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance (NPPG)
Determining a Planning Application

National Design Guide 2021
Context
Identity
Built Form
Movement
Nature
Homes and Buildings

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

Delivering and Protecting High Quality Environments in Fenland SPD 2014
DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

Cambridgeshire Flood and Water SPD 2016

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

LP1: Settlement Hierarchy
LP2: Spatial Strategy for the Location of Residential Development

LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP12: Meeting Housing Needs
LP18: Development in the Countryside
LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP28: Landscape
LP32: Flood and Water Management

8 KEY ISSUES

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

9 ASSESSMENT

Principle of Development
Infill Development

9.1 Policy LP4 of the Fenland Local Plan (2014) defines Guyhirn as a 'small village' whereby development will be restricted to that of a very limited nature and normally be limited in scale to residential infilling or a small business opportunity. Policy LP12 of the Local Plan also states that new development within villages will be supported where it satisfies Policy LP3, as well as the criteria set out therein.

9.2 The glossary within the Local Plan defines residential infilling as '*Development of a site between existing buildings.'* The Planning Portal defines this as '*The development of a relatively small gap between existing buildings.'*

9.3 The site forms a 50m gap between a residential dwelling at No.1 Gull Road to the South, and residential development to the north that is currently under construction as approved under F/YR20/1017/O. Whilst a site frontage like this would not generally be considered a 'relatively small gap', the open space on this side of Gull Road has incrementally been eroded through the erection of 12 dwellings approved under applications F/YR20/0423/F, F/YR21/1291/F & F/YR20/1017/O. A further resolution to grant planning permission for 24 dwellings on Gull Road was made by planning committee under reference F/YR25/0111/O. As such, the application site is the last remaining gap in development on this side of Gull Road and would represent a completion of the linear pattern of development present on Gull Road.

9.4 It is therefore considered that the proposal is compliant with Policy LP3 of the Fenland Local Plan (2014) when considering the relevant material planning considerations.

Community Consultation Exercise

9.5 Policy LP12 of the Local Plan states that if a proposal within or on the edge of a village would, in combination with other development built since 2011 and committed to be built (i.e. with planning permission), would increase the number of dwellings in a small village by 10% or more, then the proposal should have demonstrable evidence of clear local community support for the scheme (with such support generated via a thorough and proportionate pre-application community consultation exercise or a Neighbourhood Plan exercise); or if, despite a thorough and proportionate pre-application consultation exercise, demonstrable evidence of support or objection cannot be determined, then there will be a requirement for support from the applicable Parish or Town Council.

9.6 Guyhirn has already exceeded its 10% growth threshold, with 86 dwellings committed/built over a threshold of 25. However, an appeal decision received in respect of an application that was refused purely on this basis (planning application reference: F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in planning permission being refused.

9.7 The comments of the Parish Council of the 12th August are noted wherein objections were raised on the basis of overdevelopment and highway safety. However, evidence has also been supplied by the applicant that a pre-application consultation exercise was undertaken whereby a positive response was given on the basis of the site providing a fully affordable scheme.

9.8 Therefore, whilst there is a conflict with Policy LP12 of the Local Plan in terms of an absence of support from the Parish Council, with consideration given to the referenced appeal decision, the absence of clear community support does not render the scheme unacceptable in principle in planning terms.

Character and Appearance

9.9 LP12 includes criteria for development in villages and refers to Part A which sets development criteria for rural villages which includes the following:

(c) It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland,
(d) The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement, and it would not harm its character and appearance.
(e) It would extend existing linear features of the settlement.

9.10 Policy LP16 (d) refers to development making a positive impact to local distinctiveness and the character of the area and amongst other things should not have an adverse impact on landscape character. It is also a core planning principle in the NPPF that recognises the intrinsic value of the countryside therefore consideration needs to be given to any harm caused.

9.11 The proposal represents the development of a currently undeveloped parcel of land, which would inherently alter the current character of the site. However, there is existing residential development of similar size and scale to the southeast and west of the site, with new dwellings currently under construction immediately to the northwest of the site. As highlighted in the 'Principle of development' section above, the site is considered to constitute an infill development and therefore it is not considered that the development would have a detrimental or incongruous impact on the landscape character of the area.

9.12 The submitted street scene drawings identify that the dwellings will be similar in ridge height to the new development currently under construction to the north. Whilst they appear to be higher in ridge height than the dwellings to the southeast, given that the proposed development is more closely related to that which is to the north, it is considered that the increased height is acceptable in this instance.

9.13 Notwithstanding this, given that the site levels drop down away from the highway, it is recommended that a condition is imposed requiring confirmation of site levels to ensure that this is the case and to avoid any negative impact on the street scene.

9.14 The proposed dwellings are laid out in three pairs of semi-detached properties which are all two-storey, 3-bedroom properties. Each pair of dwellings measures 5.1m in height to the eaves, 9.1m in height to the ridge, 12.25m in width and 9.1m in depth. The proposed palette of materials comprises Weinerburger Hathaway brindled facing bricks, Marley Modern smooth grey tiles and cream upvc windows and doors.

9.15 The development on this side of Gull Road comprises a roughly even split of detached and semi-detached dwellings. As such, it is considered that this approach to development would be acceptable, particularly given that the scale and massing of the proposed dwellings is commensurate with the existing development on both sides of Gull Road.

9.16 In this regard, the density of development is comparable with existing development in the surrounding area, with any increased density a result of the development comprising semi-detached dwellings as opposed to detached dwellings.

9.17 The proposed boundary treatments comprise a mix of 1.2m post and rail fencing and 1.8m close boarded fencing to provide plot demarcation. There is an existing hedgerow along the frontage of the site that falls outside of the red line boundary of the site and will therefore be retained. The general means of boundary treatment in the surrounding area comprises a mix of soft landscaping and timber fencing and, as such, the means of boundary treatment proposed in this application are considered to be in keeping and acceptable.

9.18 Therefore, it is considered that the proposal is in compliance with Policies LP12 and LP16 of the Fenland Local Plan (2014) in respect of character and appearance impact.

Residential Amenity

9.19 Policy LP12 and LP16(e) considers the impact of development on residential amenity. The proposed dwellings are two-storey in nature, with rear facing windows at first-floor level, although these serve secondary and tertiary bedrooms. It is not considered that these windows would result in any increased overlooking than would generally occur between two-storey dwellings, particularly those that are semi-detached.

9.20 The relationship between the proposed dwellings and those that exist/are under construction is such that there will be no loss of amenities to the existing properties. The nearest dwelling to the south of the site is approximately 20m away; to the southwest, approximately 25m away; and approximately 6m to the north, albeit that this is a side elevation with no windows proposed that would overlook this.

9.21 The proposed dwellings would benefit from rear private amenity spaces measuring a minimum of 9m in depth. The plot sizes measure approximately 25m x 7.5m

(212.5m2 area), with the rear private amenity spaces measuring approximately 7.5m x 9m (67.5m2 area). The proposed dwellings each measure approximately 6m x 9m (54m2). This means that the usable private amenity space provision equates to approximately 31% of the plot size. This is commensurate with development to the north on this side of Gull Road, and is therefore considered to be acceptable in respect of private amenity space provision and in accordance with Policy LP16(h) of the Fenland Local Plan.

9.22 The proposed means of boundary treatment is considered to be acceptable in maintaining amenity between each of the proposed dwellings.

9.23 The proposal is therefore considered to satisfy the requirements of Policy LP16 of the Fenland Local Plan (2014) in respect of residential amenity impact.

Flood Risk and Drainage

9.24 Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024) set out the policy approach towards development in area of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding. They also seek to ensure developments remain safe from all sources of flooding.

9.25 The application site is located almost entirely within Flood Zone 3, with only a small part of the developable area of plots 1 & 2 being located within Flood Zone 1. The site is, however, at very low risk of surface water flooding.

Policy Considerations

9.26 Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework set out the policy approach towards development in areas of flood risk. Policy LP14 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 permitting following:

A) The successful completion of a sequential test, 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.

9.27 The National Planning Policy Framework includes an over-arching principle that development should be directed away from areas at highest risk of flooding. As such, a sequential, risk-based approach is to be taken to individual applications in areas known to be at risk now or in the future from flooding. Planning Practice Guidance (PPG) confirms that this means avoiding, where possible, development in current and future medium and high flood risk areas. The PPG confirms that the underlying purpose includes placing the least reliance on measures like flood defences, flood warnings and property level resilience features. Therefore, even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the Sequential Test still needs to be satisfied.

Sequential Test

9.28 The submitted Flood Risk Assessment by Ellingham Consulting concludes that "the reasonably available alternative sites do not include sites that provide affordable dwellings", with a supplementary document provided that provides an interrogation into alternative sites. As set out in the 'Principle' section above, the Local Plan settlement hierarchy identifies Guyhirn as a Small Village where limited infill proposals should only normally be considered.

9.29 The sequential test justifies that the area of search should be limited to Guyhirn and states that the site is protected by the River Nene tidal defences, which were not considered during the preparation of the Environment Agency Flood Maps. However, as set out in paragraph 9.27, the PPG principle is to place the least reliance on flood defences etc.

9.30 It is for the decision-maker to consider whether the Sequential Test is passed, with reference to information held on land availability and an appropriate area of search. The latter should be determined by the Local Planning Authority. Accordingly, clarification on the LPA's expected area of search for a Sequential Test is now provided on the Council's website, which states:

"Applicants must define and justify an appropriate area of search when preparing the Sequential Test. The extent of this area will depend on the location and roles of the settlement, as well as the type and scale of development proposed:

- *For developments within or adjacent to Market Towns and Growth Villages, the area or search will normally be limited to land within or adjacent to the settlement in which the development is proposed.*

- *For all other locations – including Limited Growth, Small and Other Villages, or Elsewhere Locations – the area of search will normally be expected to be district-wide.*

To pass the Sequential Test, applicants must demonstrate that there are no reasonably available sites, within the defined search area, with a lower probability of flooding that could accommodate the proposed development. A poorly defined or unjustified area of search may result in the Sequential Test being considered invalid."

9.31 The above is clear that the area of search applied to a Sequential Test will normally be based on a district wide search area, unless it can be demonstrated that there is a particular need for the development in that location.

9.32 With respect to need, it is noted that the housing register includes 31 names of people seeking affordable housing in Guyhirn. Therefore, given that the proposal is considered to be acceptable in principle, as set out above, it is accordingly considered that there is an identified need that the development would contribute towards. As such, it is agreed that the area of search for the Sequential Test should be limited to the settlement of Guyhirn.

9.33 Notwithstanding this, guidance relating to flood risk provides no exemption to the requirement to pass the Sequential Test based on any specific tenure or housing mix. The NPPF is clear that all development proposed in Flood Zones 2 and 3 must demonstrate that there are no reasonably available sites at lower risk of flooding.

9.34 The PPG makes it clear that 'reasonably available' sites are not limited to single plots. This may include part of a larger site if it is capable of accommodating the proposed development, as well as smaller sites that, individually or collectively, could meet the development requirement. Sites do not need to be in the ownership of the applicant to be considered 'reasonably available'.

9.35 The submitted analysis identifies a total of 32no. dwellings that benefit from granted planning permission and are deemed to be 'Available'. The analysis concludes that 8no. of these units should be discounted as they are not meeting the same need given that they are not affordable units. This does, however, leave the remaining 24 units granted under F/YR25/0111/O as being proposed as affordable units that are available.

9.36 The Sequential Test report concludes that, whilst the 24 units are available and could accommodate the development, given that there are 31 names included no the register for people seeking affordable housing in Guyhirn, the provision of 6no. additional units proposed would contribute further to meeting this need and therefore the applicant deems to Sequential Test to be passed.

9.37 However, it is considered that this justification would be more relevant when assessing the exception test as a wider sustainability benefit (considered below). The Sequential Test simply seeks to determine whether the development can be accommodated elsewhere at a lower risk of flooding. As already identified, the Sequential Test report identifies a total of 32no. dwellings that can be considered reasonably available and therefore could accommodate the proposed development.

9.38 Subsequently, it cannot be considered that the Sequential Test is passed in this instance.

Exception Test

9.39 Notwithstanding the failure of the Sequential Test, had this been passed it would then be necessary for the application to pass the Exception Test, which comprises of demonstration of the following:

a) The development would provide wider sustainability benefits to the community that outweigh the flood risk; and

b) The development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall.

9.40 In respect of a); the most recent Fenland District Council Five Year Housing Land Supply (June 2025) demonstrates a 6.6-year supply of housing land over the five-year period within the district. As such, the Council has a sufficient supply of housing delivery land and is meeting its requirement as demonstrated through recent housing delivery test results. No substantive benefits other than the provision of affordable housing have been identified within the submitted Flood Risk Assessment, other than the delivery of the housing itself. The SPD explicitly states that "*the general provision of housing itself would not normally be considered as a wider sustainability benefit*". Therefore, whilst the community benefits of the provision of housing are noted these are considered to be of very limited weight in this context.

9.41 It is noted, however, that the scheme will offer 6 affordable housing units as the primary benefit of the development. The scheme represents a relatively small

contribution to the district's overall affordable housing needs, and it is generally expected that such housing is delivered on low-risk sites. Development on high-risk sites requires exceptional circumstances, which have not been demonstrated. Furthermore, the site is located in a village with limited access to services, facilities and public transport, meaning future occupiers would be heavily reliant on private vehicles. These factors further reduce the weight that can be attributed to the delivery of affordable housing in this location. Furthermore, where a scheme is wholly comprised of affordable housing, the Council would not normally seek S.106 obligations. Whilst this reflects policy, the absence of any contributions, such as towards NHS or education, the development will inevitably place further pressure on already stretched local services. As a result, the overall community benefits arising from the development of 6 affordable units are significantly reduced.

9.42 In addition, the "tilted balance" as set out in the footnote to para. 11 of the NPPF (where Councils are unable to demonstrate a sufficient supply of housing) specifically excludes development in high flood risk areas from any presumption in favour of development. This clearly indicates the government's objective of avoiding development in areas of flood risk, unless demonstrably necessary even when the Council is unable to deliver the housing its residents need.

9.43 In respect of the latter (b); The inclusion of flood mitigation measures, such as raising finished floor levels to 2.3m AOD (approximately 1.5m above existing site level) may result in an unviable or impractical solution that, whilst may address matters of flood safety, may also give rise to a number of other issues with respect to scale, access, and impact on the street scene, which may not be overcome.

Drainage

Surface Water

9.44 The submitted Design & Access Statement states that surface water will be discharged to existing drain to rear of site, with necessary consent from I.D.B prior to commencement. The site is located in an area of very low surface water flood risk, and it is therefore considered that this is an acceptable means of surface water drainage, subject to appropriate IDB consents.

Foul Water

9.45 The submitted Design & Access Statement states that Foul Water will be discharged into the existing foul main in the public highway. The application is subject to an objection from Anglian Water in respect of the proposed connection to the vacuum sewerage system until it is confirmed that there is sufficient pressure to accommodate the development.

9.46 The applicant has provided further information in this regard and advised that an alternative means of foul water sewage would be unviable due to space constraints and additional costs that would make the development unviable.

9.47 On balance, it is considered that the means of foul water disposal could be secured via condition to ensure that an appropriate detailed scheme is agreed prior to the commencement of the development and fully implemented prior to the first occupation of the development.

Flood risk and drainage conclusion

9.48 To reiterate, Policy LP14, supported by the NPPF and NPPG, 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 on be permitted following the successful completion of the Sequential Test and Exception Test.

9.49 The above assessment concludes that the development fails to pass the sequential test by virtue of a failure to provide a detailed assessment of any alternative sites. It is therefore not possible to positively determine that there are no reasonably available sites at lower flood risk that could accommodate the development. As such, the scheme fails the sequential test.

9.50 The application was supported by a flood risk assessment which includes recommendations for flood risk management and mitigation, which demonstrates that the site can be made safe from flooding. However, the potential solutions for flood mitigation, namely the raising of ground levels locally by up to 1.5m, may give rise to additional issues of character harm.

9.51 In summary, the site lies in a high-risk area for flooding, and the application fails to pass the sequential test and is unable demonstrate that development of this site is necessary or provide sufficient justification that the benefits accrued would outweigh the flood risk. Development of the site would therefore place people and property in an unwarranted risk of flooding for which there is a strong presumption against both through policies of the development plan and national planning policy. The proposal is in direct conflict with local policy LP14 and the NPPF and should therefore be refused.

Parking Provision and Highway Safety

9.52 The site is proposed to be accessed via 2no. access points (each to serve 3no. dwellings) fronting onto Gull Road, which has a 40mph speed limit. Concerns have been raised by the Parish Council and some neighbours in respect of highway safety and the potential increase in danger to highway users arising from the development.

9.53 Notwithstanding this, the Highway Authority have considered the proposal and have raised no objection in respect of highway safety. Given the geometry of Gull Road, there is ample visibility in each direction from the location of the proposed access points to allow safe access and egress from the site.

9.54 The dwellings proposed are all 3-bedrooms properties and would benefit from 2no parking spaces each. This would comply with the parking standards as set out in Appendix A of the Fenland Local Plan (2014), which requires a minimum of 2 spaces for residential dwellings up to three bedrooms.

9.55 The site would benefit from a sufficiently sized turning area to allow vehicles to turn and enter the highway in forward gear, albeit the arrangement being less than ideal and not the most practical. Vehicles may be required to reverse in front of other properties before being able to turn, which may cause some disturbance, but not sufficiently so to justify the refusal of the application.

9.56 The proposal is therefore considered to be acceptable in terms of its parking provision and highway safety impact, having regard to Policy LP15.

Biodiversity Impact

9.57 The development has been considered by the Council's Ecologist and Natural England in respect of the ecological impacts of the scheme. The application is supported by an Ecological Impact Assessment and BNG Report/Supporting statement.

9.58 Natural England requested further information to determine the impacts on designated sites. This related to recreational pressure impacts arising from the development. This factor was also considered by the Council Ecologist and it was determined that the recreational disturbance impacts would be nugatory.

9.59 In this regard, it must be noted that the development would result in 6no properties which would likely yield low occupant numbers that may choose to visit those areas. Furthermore, it is noted that Natural England raised no objections when consulted on two larger-scale development proposals at the edge of Whittlesey (F/YR23/0245/O and F/YR23/0705/O) which cumulatively totalled up to 424 dwellings. It was concluded on one scheme of up to 175 dwellings that it would not have significant adverse impacts on designated sites.

9.60 Whilst these sites were in a different part of the district, it is considered that the same principle would be applicable, and therefore it is considered that it would be disproportionate to require any further evidence of impacts through this latest proposal for 6no. dwellings.

9.61 The Council Ecologist has requested a condition requiring the submission of a Construction Environmental Method Statement, with particular concern given to details of avoiding water pollution during construction works. It is recommended that such a condition is imposed on any permission granted.

9.62 Beyond this, no concerns or objections were raised in respect of the ecological implications of the development, with the submission Ecological Impact Assessment concluding that there would be no impacts that could not be mitigated against.

9.63 The proposal is therefore considered to be in accordance with Policy LP19 of the Fenland Local Plan (2014) in respect of its biodiversity impact.

Biodiversity Net Gain (BNG)

9.64 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.

9.65 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

10 CONCLUSIONS

10.1 The proposal seeks the erection of 6no. fully affordable dwellings, and the creation of 2no. access points.

10.2 The proposal is considered, on balance, to be acceptable in principle when considering the material considerations relating to other developments built out in the surrounding area.

10.3 The proposal is considered to be acceptable in respect of character impact, amenity impact, biodiversity impact and highway safety impact.

10.4 However, the application site is located within Flood Zone 3 and fails to demonstrate that the application passes the Sequential Test or Exception Test through the absence of a detailed assessment of alternatively available sites. The proposal us therefore in conflict with Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).

10.5 In terms of the overall planning balance of the scheme, the flood risk associated with the development is considered to weigh heavily against the application. Whilst the proposal would provide 6no. units of additional housing, it is considered that the benefits arising from this are modest and do not outweigh the harm caused by the flood risk associated with the development.

10.6 Even when considering that the proposal is considered to be acceptable in other respects, it is not considered that the overall benefits of the scheme are sufficient to outweigh the harm and render the proposal overall acceptable in the planning balance.

10.7 Accordingly, it is recommended that planning permission is refused in this instance.

11 RECOMMENDATION

Refuse; for the following reasons:

1.	Policy LP14 of the Fenland Local Plan, Section 14 of the National Planning Policy Framework (2024) and Cambridgeshire Flood and Water Supplementary Planning Document (2016) require development proposals to adopt a sequential approach to flood risk from all forms of flooding, and Policy LP14 states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, and Exception Test (where appropriate), and the demonstration that the proposal meets an identified need and appropriate flood risk management. The development is located within Flood Zone 3, the area of highest flood risk and therefore would result in a 'more vulnerable' development being located in the area of highest flood risk. The application fails to pass the Sequential Test and is unable demonstrate that development of this site is necessary, nor does it provide sufficient justification that the benefits accrued would outweigh the flood risk. Development of the site is therefore contrary to Chapter 14 of the NPPF (2024), Policy LP14 of the Fenland Local Plan (2014) and guidance in the adopted Cambridgeshire Flood and Water Supplementary Planning Document (2016).
2.	The application is not supported by a completed legal agreement pursuant to Section 106 of the Town and Country Planning Act 1990 to secure the development in its entirety as affordable housing. As such, the development fails to secure a policy-compliant level of contributions necessary to make the development acceptable in planning terms and to ensure that the impacts of the development are appropriately mitigated in accordance with the Community Infrastructure Regulations 2010 (Regulation 122). The proposal is therefore contrary to policy LP13 of the Fenland Local Plan 2014 and guidance contained within the NPPF.

F/YR25/0547/F

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Fenland District Boundary

Fenland District Council

Uniform

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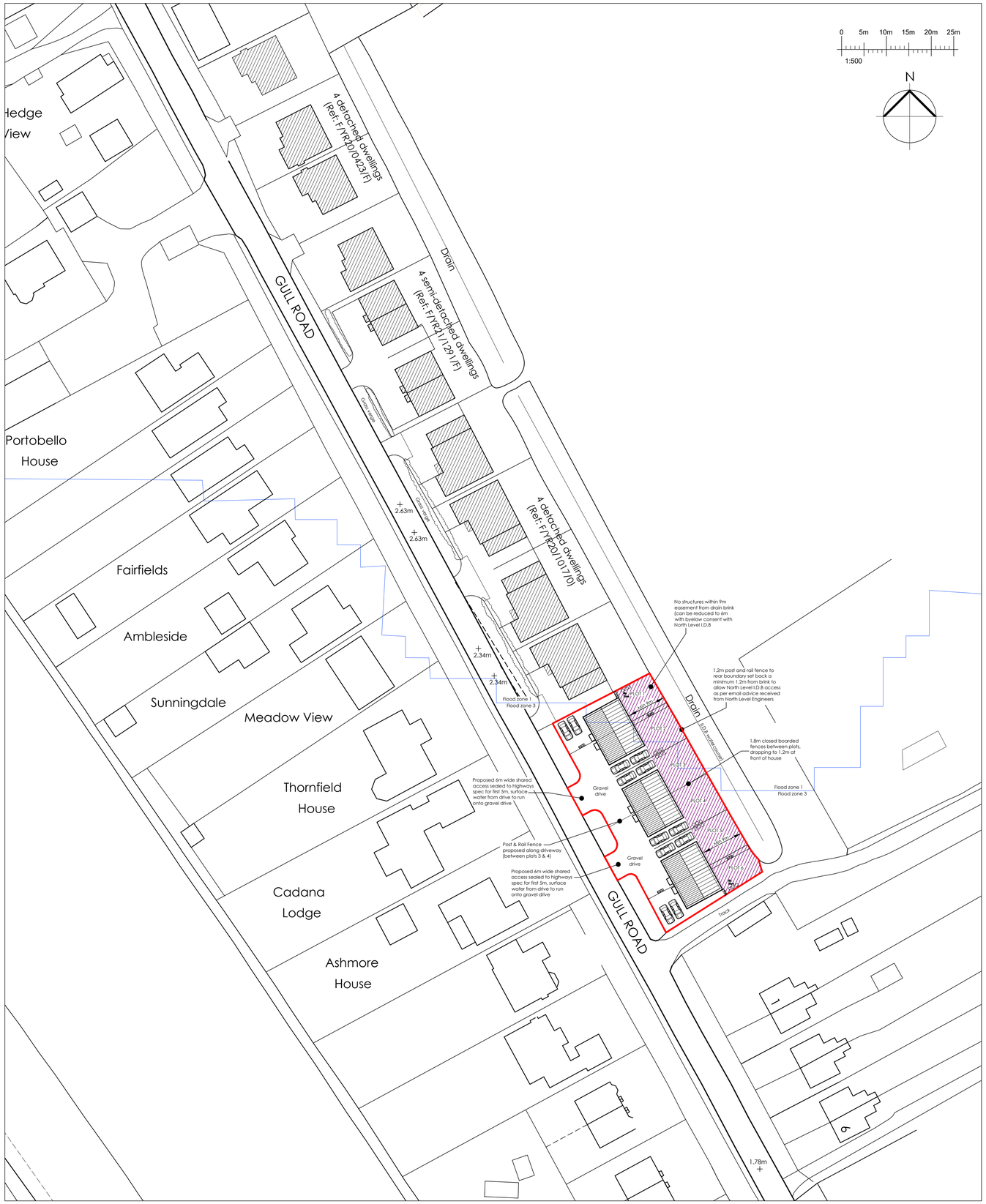

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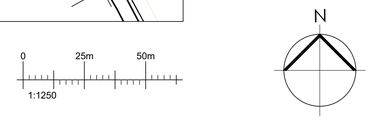
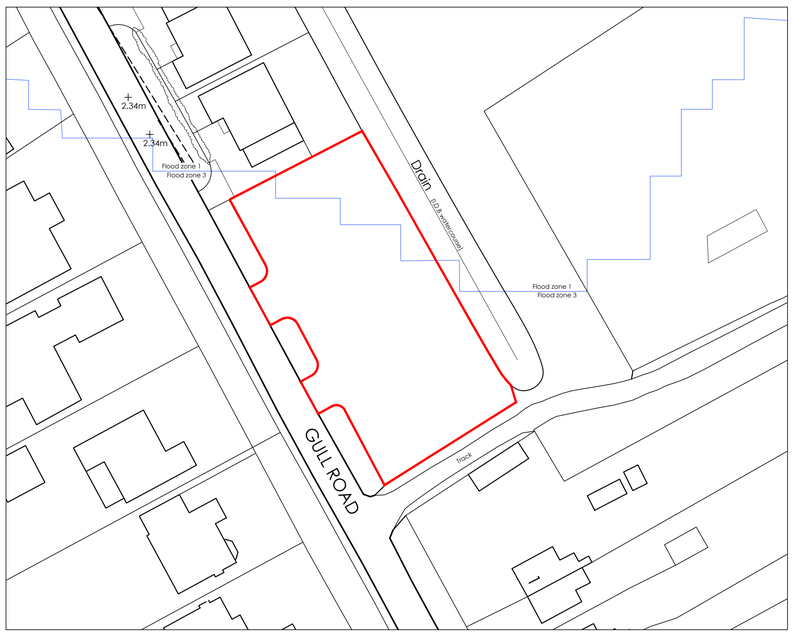
Location Plan
Scale 1:1250





Existing Site Plan
Scale 1:500

F - Updated ahead of Invalidation comments (17.07.2025)

E - Updated ahead of Invalidation comments (14.07.2025)

D - Site application boundary updated. (11.06.2025)

C - Site Plan updated, as requested by client. (06.05.2025)

B - Site Plan updated, as requested by client. (06.12.2024)

A - Plot layouts within the site amended, at client request. (05.12.2024)

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CLIENT
VILLAGE HOUSE LTD

PROJECT
PROPOSED AFFORDABLE DWELLINGS

SITE
LAND NORTH OF 1 GULL ROAD
GULL ROAD
GUYHIRN
CAMBS
PE13 4ER

PLANNING DRAWING(S)

DRAWING
LOCATION & SITE PLAN(S)

JOB NO.	PAPER SIZE	DATE
7112/01F	A1	DEC 2024

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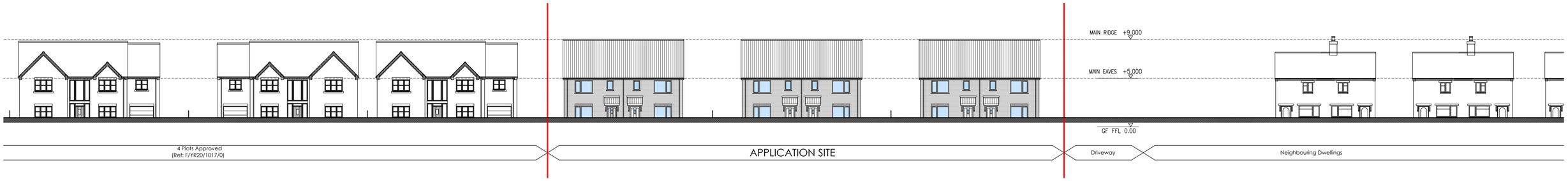

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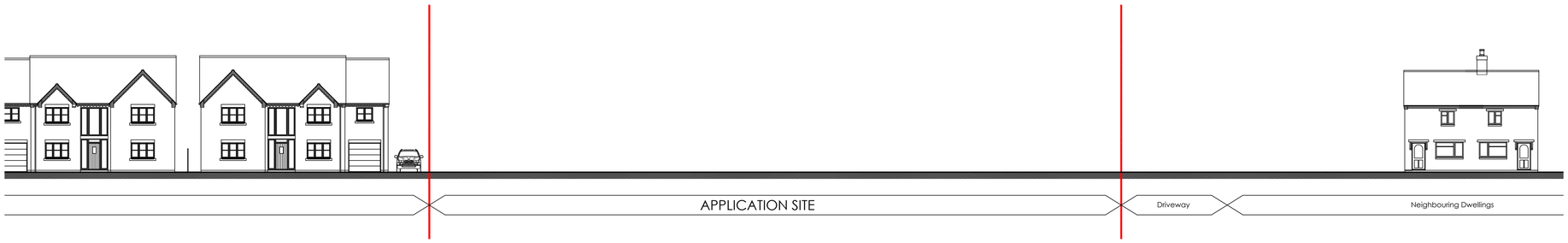

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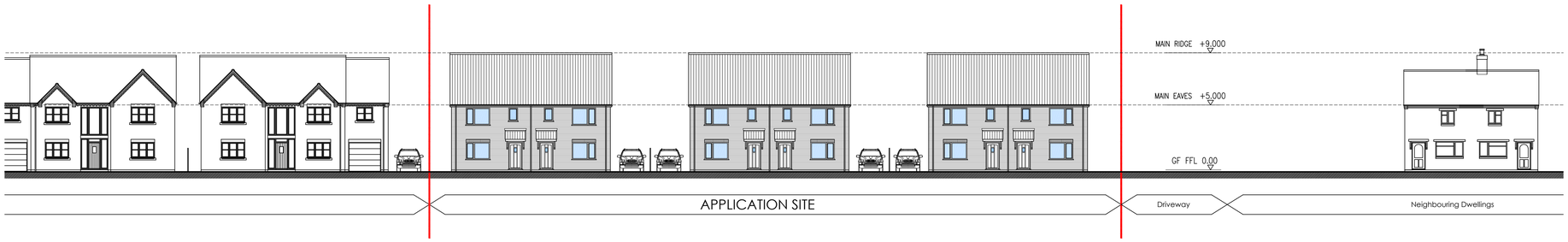

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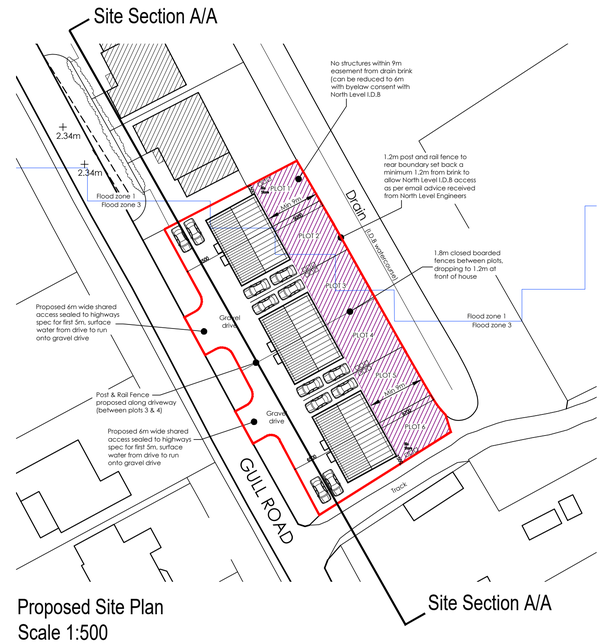

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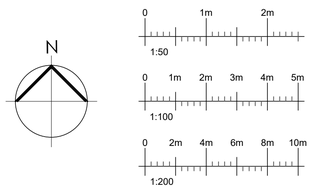

A - Updated ahead of Invalidation comments (14.07.2025)

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7112/03A	A1	JUNE 2025

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CLIENT
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PROJECT
PROPOSED AFFORDABLE DWELLINGS

SITE
LAND NORTH OF 1 GULL ROAD
GULL ROAD
GUYHIRN
CAMBS
PE13 4ER

PLANNING DRAWING(S)

DRAWING
PROPOSED DRAWING(S)

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Proposed Front Elevation
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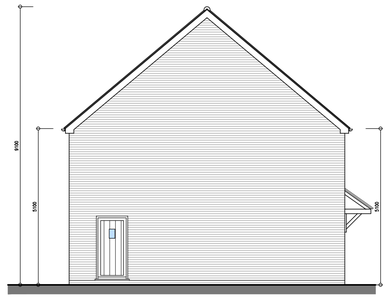

Proposed Side Elevation
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Proposed Rear Elevation
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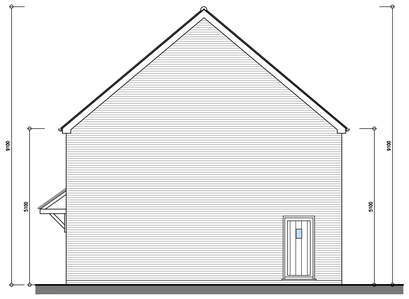

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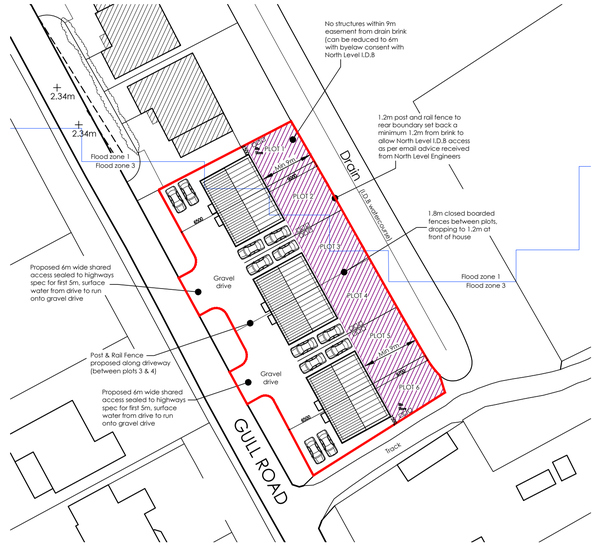

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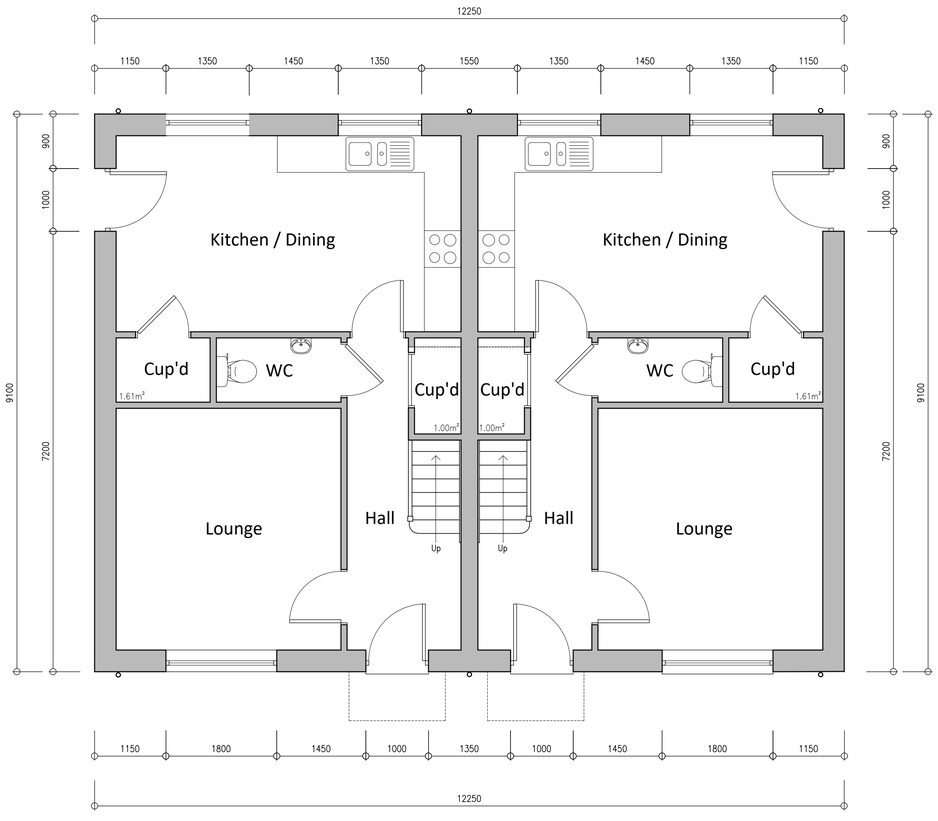

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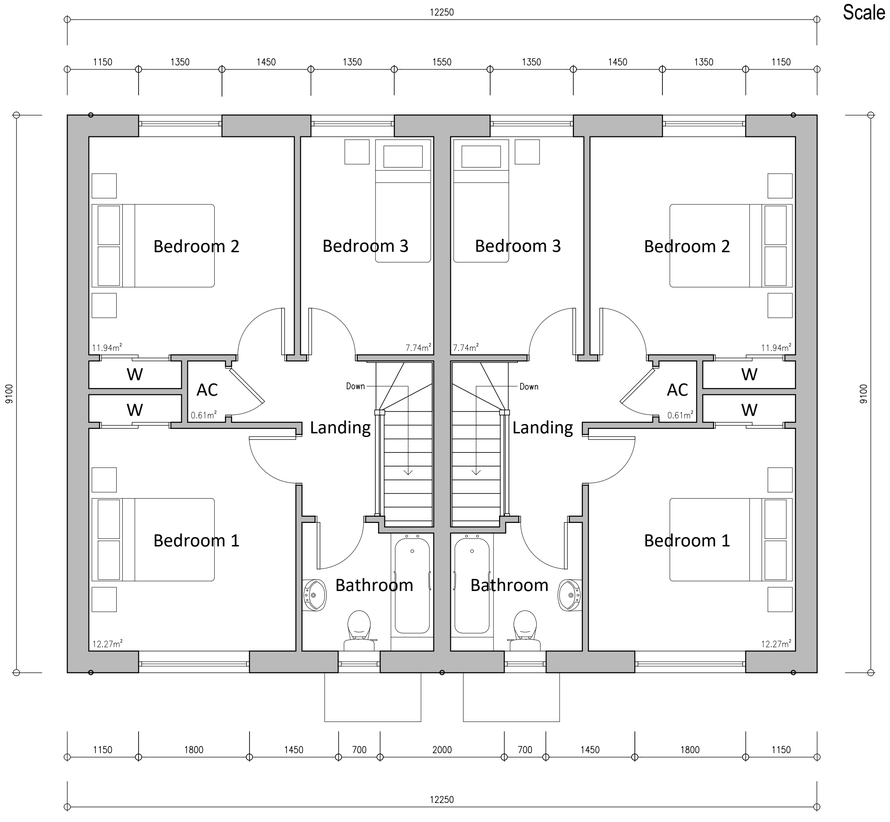

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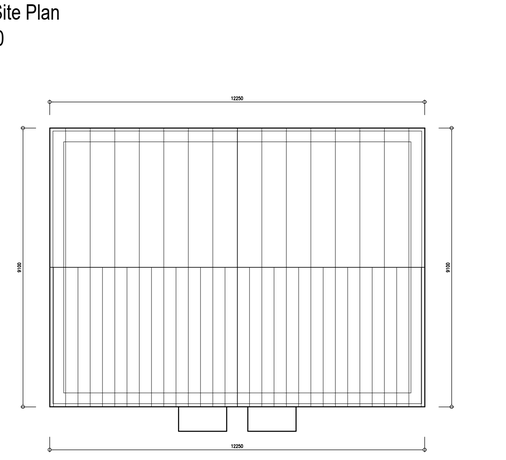

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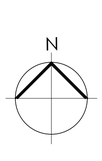

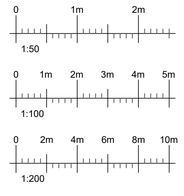

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F/YR25/0530/F

Applicant: Mandy Jackson

Agent: Mr R Papworth
Morton & Hall Consulting Ltd

Land South of Wenny House, Iretons Way, Chatteris, Cambridgeshire

Change of use of existing paddock land to dog exercising areas including the erection of 2 x shelters, a detached dog grooming hut and a 1.8m high boundary fence, and the formation of associated hardstanding

Officer recommendation: Approve

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

1 EXECUTIVE SUMMARY

1.1 This application seeks full planning approval for the change of use of existing paddock land to dog exercising areas including the erection of 2 x shelters, a detached dog grooming hut and a 1.8 metre high boundary fence, and the formation of associated hardstanding at Land South of Wenny House, Iretons Way, Chatteris.

1.2 The scheme is considered acceptable on balance with respect to technical matters regarding highway safety, neighbour amenity, environmental health, flooding, ecology and biodiversity, subject to appropriate conditions.

1.3 It is considered that the proposed scale and boundary treatment does not materially impact the open countryside of the area, in accordance with Policies LP12 and LP16 of the Fenland Local Plan 2014 and DM3 of Delivering and Protecting High Quality Environments in Fenland SPD 2014.

1.4 As such the scheme is recommended for approval.

2 SITE DESCRIPTION

2.1 The application site comprises 1.59 hectares of existing grassed paddock land which is dissected by an existing site access running from the A142 which serves the dwelling Wenny House and an existing business named Welly Wearers. There are no buildings or portable field shelters on either of the paddocks. This land is bordered by 1 metre high post and rail timber fencing with an established 4 metre high hawthorn hedge and 12 metre high leylandii tree line on the north-western boundary. The site is outside of the established settlement of Chatteris within the parish boundary of Manea.

2.2 The site is located in Flood Zone 1 with sporadic areas subject to a low, medium and high probability of annual surface water flood risk.

3 PROPOSAL

3.1 This application seeks to change the use of existing paddock land to dog exercising areas including the erection of 2 x shelters, a detached dog grooming building and a 1.8 metre high boundary fence, and the formation of associated hardstanding.

3.2 The development is to be accessed utilising the existing access point and track from the A142, albeit this is to be upgraded, being widened to 5m for its first 10 metres from the A142 and metalled for its first 10 metres.

3.3 The paddocks either side of the access track will be used as separate exercising areas, each with their own gravelled car parking area and lean-to shelter (measuring 3 metres in depth, 4 metres wide, an eaves height of 1.9 metres and a maximum height of 2.5 metres). These exercising areas will be bound with 1.8m high post and mesh fence.

3.4 An area for dog grooming is identified in the north-west corner of the site adjacent to the existing country store business and will be operated from what resembles a shipping container. Car parking is proposed to utilise the existing car parking available to the country store.

3.5 The proposed opening hours are Monday to Sunday 07:00 to 18:00 during November, December, January, February and Monday to Sunday 07:00 to 21:00 from March to October. Waste from the animals would be placed within a dog waste bin of which there will be one in each exercise enclosure.

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

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR02/0932/F	Erection of stable block and the change of use of agricultural land to paddock area	Approved – 23 September 2002
F/YR16/0343/F	Erection of a single-storey building for sale of equestrian equipment involving the demolition of existing building	Refused – 22 August 2016
F/YR17/0636/PNC03	Change of use of agricultural building to flexible use falling within Class A1 (shops)	Prior Approval Not Required – 05 September 2017

5 CONSULTATIONS

5.1 Chatteris Town Council – 18 September 2025

Re-iterate original comments: Will only support if fencing is of industrial grade, 2 metres high and set into the ground and there is a double gate system at the entrance to each field. These conditions should be imposed on safety grounds due to the fields' close proximity to the A142. The revised plans do not appear to address these concerns.

5.2 Manea Parish Council – 22 July 2025

No objection.

5.3 Fenland District Council – Trees Consultant – 28 October 2025

The arboricultural report identifies the quality and constraints of the trees. The protection measures included in the method statement are acceptable and if you are minded to approved will need to be part of a pre-commencement method statement ensuring that the tree protection measures are understood and implemented.

5.4 Natural England – 02 October 2025

No objection.

5.5 Fenland District Council – Ecology Officer – 25 July 2025

No objections. Requests standard BNG condition.

5.6 Fenland District Council – Environmental Health – 15 September 2025

No objections.

5.7 Cambridgeshire County Council – Highways Officer – 27 October 2025

Recommendation

Following a careful review of the Transport Statement and associated 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.

Comments

The Local Highway Authority is satisfied that the level of traffic generation proposed as a result of this application is unlikely to have a significant adverse effect upon the public highway subject to the below condition being applied.

Conditions

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, as shown on plan H10353/02D and thereafter maintained in perpetuity.

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

5.8 Lead Local Flood Authority – 23 October 2025

Thank you for your re-consultation which we received 15th September 2025.

Having reviewed the revised documentation we can confirm that the LLFA has no further comments beyond those set down in our response of 24th July 2025. Our position therefore remains supportive of the development.

The comments from 24 July 2025 state:

No objections. Requests condition that development constructed in accordance with the surface water drainage scheme. Requests informative regarding pollution control.

5.9 Anglian Water – 15 September 2025

The recent application amendments are not relevant to Anglian Water. There are no additional drainage documents since our last response, therefore we have no further comments to add to our previous response (PLN-0230471 dated 22nd July 2025).

The comments from 22 July 2025 state:

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…We have reviewed Preliminary Drainage Strategy and Design Access and Statement submitted with the application. The applicant does not provide details of the non - domestic water demand for the proposed development site… Any application for non-domestic proposals requiring heavy water usage will need to demonstrate that sufficient water capacity is available through a Water Resources Strategy in consultation with us. We have a restriction for non-domestic water supply of 20m3 per building.

A strategic water resources strategy informative is requested should the application be granted. No comments are given with regard to the used water network or surface water disposal.

5.10 Cambridgeshire County Council – Minerals and Waste – 07 August 2025

The proposed development is located adjacent to the Minerals Allocation Area, separated by Langwood Hill Drove. Given the nature of the proposal, the MWPA requests applicant confirm:

1. that they are aware of the of the Mineral Allocation, and

2. they are satisfied that the proposed development will not be subject to unacceptable amenity issues or adverse impacts to human health while the Mineral Allocation is worked and restored.

Subject to the requested confirmation, the MWPA, has no objection to the proposed development.

5.11 Cambridgeshire Constabulary – Designing Out Crime – 26 September 2025

Thank you for the opportunity to comment on this revised planning proposal having viewed the documents this office has no additional comment. My previous comments dated 4th August 2025 still stand.

The comments from 04 August 2025 state:

Support – Crime statistics for the area are provided. Security measures are recommended regarding fencing, CCTV and external lighting.

5.12 Local Residents/Interested Parties

Seven communications of support have been received from members of the public. Five respondents are from Chatteris. One respondent is from Christchurch and one respondent is from Wimblington.

Supporting Comments	Officer Response
This will reduce vehicular movements to dog exercise areas further afield.	This will be addressed in the Highway Safety and Parking section.
This will provide a secure dog exercise area for the residents of Chatteris as there isn't an exercise field in or near the settlement.	This will be addressed in Outstanding Matters from Representation section.
Other dog parks in the vicinity are always fully booked.	This will be addressed in Outstanding Matters from Representation section.
The exercise area will be safe and secure	This will be addressed in the Highway Matters from Representation section.

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

National Planning Policy Framework (NPPF) 2024
Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
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 17 – Facilitating the sustainable use of minerals

National Planning Practice Guidance (NPPG)
Determining a Planning Application

National Design Guide 2021
Context
Identity
Built Form
Movement
Nature
Public Spaces
Uses
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
LP6 – Employment, Tourism, Community Facilities and Retail
LP12 – Rural Areas Development Policy
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP19 – The Natural Environment

Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021
Policy 5 - Mineral Safeguarding Areas
Policy 14 - Waste management needs arising from residential and commercial Development

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
LP4: Securing Fenland's Future
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP17: Culture, Leisure, Tourism and Community Facilities
LP18: Development in the Countryside
LP20: Accessibility and Transport

LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP31: Open Space and Recreational Facilities
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**
- **Outstanding Matters from Representation**
- **Biodiversity Net Gain (BNG)**

9 ASSESSMENT

Principle of Development

9.1 The application site is located approximately 0.8 miles to the south-east of the periphery of the built form of Chatteris and is accessed from the A142. Notwithstanding the presence of a significant transport route, it falls within an area of sporadic development separated by agricultural land. Given this locale and character, the application site is considered to fall within an 'Elsewhere' location, as set out within the Settlement Hierarchy in Policy LP3. Policy LP3 supports proposals where development will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. It is considered that the proposed development, intended as a dog exercise area, complies with Policy LP3 by way of outdoor recreation.

9.2 The principle of development is therefore considered acceptable, subject to the policy considerations set out below.

Layout and Design

9.3 Policy LP12 sets out that proposals for development in 'Elsewhere' locations, will be supported where the application does not cause demonstrable harm to the open countryside. Furthermore, Policy LP16 requires proposals for new development 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 impacts, either in design or scale terms, on the street scene, settlement pattern or landscape character of the surrounding area. In addition, LP16 requires proposals to provide well designed hard and soft landscaping.

9.4 The scheme is divorced from the settlement of Chatteris, on paddock land within a sparsely developed area located off the A142. The development proposes alteration to two areas of land to the front of the site to create a 1.8m wire mesh fenced dog exercise area.

9.5 In terms of buildings on the site, the proposed dog exercise areas will see the erection of two shelters albeit these will be modest in scale and height, with mono-pitched roofs reaching a maximum height of 2.5m. These timber buildings are typical rural structures and will not appearance incongruous in the landscape, nor will the 2.25 metre high green building adjacent to the existing Welly Wearers business. These buildings will result in negligible impact to the character of the area, particularly given that they are modest in scale and will not appear incongruous in the countryside setting.

9.6 The two large dog exercise areas are separated by the vehicular access runs approximately 189 metres along the south-western frontage approximately 10 metres from the A142 which runs parallel to the proposed wire mesh fencing. As such, it is considered that the overall visual impact of the newly installed fence will be limited within the existing streetscene and have only minor impacts on character.

9.7 The installation of wire mesh fencing which is permeable in appearance, and the construction of three small buildings, no closer than 50 metres to the highway. will not result in a detrimental impact to the currently open countryside character of the area, and will therefore accord with Policies LP12 and LP16 of the Fenland Local Plan in terms of visual impact.

Impact on Residential Amenity / Land Users

9.8 Policies LP2 and LP16 (e) seek to ensure development proposals do not adversely impact on the amenity of neighbouring users such as by virtue of noise, light pollution, loss of privacy and loss of light.

9.9 The nearest residential dwellings to the site include Late Five Bells Bungalow, 75 metres to the west, Wenny House (which is the applicant's property), 30 metres to the north. A property named Amberlea is located 113 metres to the east and King George Cottage is located 40 metres to the south on the opposite side of the A142.

9.10 The use of the site as a dog exercise area may increase noise in respect of vehicle movements and/or dog barking. However, it is considered that the impact of disturbance from noise will likely be limited given the separation from the nearest dwellings.

9.11 The submitted Planning, Design and Access Statement suggests that the facility is intended to be operational Monday to Sunday 07:00 to 18:00 during November, December, January, February and Monday to Sunday 07:00 to 21:00 from March to October.

9.12 These hours of operation are significant, however, it is considered that the proposed dog grooming and dog exercises uses in conjunction with the existing Welly Wearers business will not generate material noise and disturbance issues.

9.13 It should be noted that there is a haulage business immediately to the west of the site and the site benefits from being located to an existing haulage business with regard to noise and disturbance. Additionally, the business is 0.8 miles from the built up settlement of Chatteris.

9.14 Dog waste bins are intended to be provided within each dog exercise enclosure. A condition can be applied to ensure the waste management strategy is acceptable prior to commencement of use of the facility.

9.15 It is noted that no objections are raised by the Environmental Health team highlighting any concern with respect to light pollution, noise disturbance, nor any additional environmental health concerns such as waste management; nor did any adjacent residents object on the grounds of amenity impact. Notwithstanding, conditions can be imposed to ensure appropriate lighting (if intended) and waste disposal is secured at the site.

9.16 As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or adjacent land users. As such, the proposal is considered to accord with the provisions of Section 12 of the National Planning Policy Framework (2024), and Policy LP16 of the Fenland Local Plan (2014).

Highway Safety and Parking

9.17 This application proposes an amended access onto the A142 which will serve the dog exercise and dog grooming businesses, as well as the existing Welly Wearers countryside store. There is considered to be good visibility in both directions from the access onto the A142 which is subject to a 60mph speed limit.

9.18 The County Highways Officer has no objection to the proposal and has expressed no concerns regarding visibility for vehicular users at the junction with the A142 (Iretons Way) and Langwood Hill Drove. They have requested a condition with regard to construction of the upgraded access.

9.19 This application proposes four additional parking spaces, with two for each dog exercise area. The parking provision for the dog grooming business is provided by the six parking bays for the existing Welly Wearers store.

9.20 There are no specified standards within Policy LP15 in respect of parking provision requirements for developments such as this. Accordingly, the proposed access and parking/turning area is considered acceptable, subject to appropriate management of the site via a strict booking system; such matters can be secured by imposition of conditions to safeguard the integrity of the access and highway carriageway and prevent unacceptable impacts to the public highway. Given the proposed scale and nature of the scheme the volume and arrangement of parking provision is acceptable with respect to Policy LP15 and Appendix A of the Fenland Local Plan.

9.21 With respect to parking location, the parking provision for each exercise area is outside of the 1.8 metre high mesh wire and post fencing. This is considered an acceptable arrangement and will minimise the risk of dogs running loose into the highway or within the parking area. Comments of support from members of the public state that there are no dog exercise areas in the Chatteris area, so this will help to reduce vehicular journeys to sites further afield.

9.22 The proposal is considered be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies LP2 and LP15, as well as Section 9 of the National Planning Policy Framework (2024).

Flood Risk and Drainage

9.23 Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the National

Planning Policy Framework set out the policy approach towards development in areas of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding.

9.24 The site is located in Flood Zone 1 with sporadic areas subject to a low, medium and high probability of annual surface water flood risk. The proposal is not for habitable buildings and the scale of development is not considered to materially impact surface water drainage on and around the site.

9.25 Anglian Water has no objections. A strategic water resources strategy condition is requested should the application be granted. No comments are given with regard to the used water network or surface water disposal.

9.26 The Lead Local Flood Authority has no objections. They request a condition that development shall be constructed in accordance with the surface water drainage scheme. Requests informative regarding pollution control.

9.27 It is considered that given the condition recommended to secure the means of surface water drainage, it is considered that the proposal accords with Policy LP14 of the Fenland Local Plan and the intentions of the National Planning Policy Framework (2024) in this regard.

Outstanding Matters from Representation

9.28 Communications of support from members of the public state that there is no dog exercise in the Chatteris area and the exercise areas further afield are often fully booked. Need is not a matter which is given material planning weight when assessing an application.

9.29 The application site is entirely located in the Parish of Manea. Manea Parish Council has no objections to the proposal. The nearest settlement is Chatteris and the Town Council has objected to the proposal. There are no rules within the Scheme of Delegation which specifies that the comments triggering committee attendance have to come from the Town / Parish Council in which the application site is located.

Biodiversity Net Gain (BNG)

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

9.31 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

9.32 The site consists of modified grassland fields, native and non-native hedgerows, lines of trees, a building and existing hardstanding/driveway. Proposals will result in a loss of modified grassland and a section of a line of trees (small sized) to facilitate access to the exercise field to the east of the access, with a gain achieved by the planting of individual trees and a native hedgerow. This loss of a small area of established trees to facilitate access is not considered to materially impact the

character of the site, wider area or biodiversity provision on site. The submitted Biodiversity Net Gain Report states that the proposal will generate a gain of 10.56% gain for area habitats and 11.53% for linear habitats.

10 CONCLUSIONS

10.1 The proposal is considered acceptable and accords with the necessary policies of the Fenland Local Plan. It represents minimal issues in terms of visual or residential amenity, flood risk and highways safety and is acceptable in principle given its rural locale; accordingly, this application is recommended to be granted subject to conditions.

10.2 The proposal is considered to accord with Policies LP1, LP2, LP3, LP6, LP12, LP14, LP15, LP16 and LP19 of the Fenland Local Plan, 2014 as well as Chapters 2, 4, 6, 8, 9, 11, 12, 14, 15 and 17 of the National Planning Policy Framework, 2024.

11 RECOMMENDATION

Grant

Conditions

1	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	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).
3	Management Strategy Prior to the first use of the development hereby approved, a site management plan and appointments scheduling strategy shall be submitted to and approved in writing by the Local Planning Authority. The site management and appointments shall comply with the agreed details and thereafter be retained in perpetuity, unless otherwise agreed in writing. Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan 2014.
4	Hours of Operation The dog exercise area hereby approved shall only be used between the hours of 07:00 to 21:00 Monday to Sunday, exclusive of Bank Holidays.

	Reason: In the interest of residential amenity in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.
5	Refuse strategy Prior to the first use of the development hereby approved, a waste management strategy shall be submitted to and approved in writing by the Local Planning Authority. The waste management shall accord with the agreed details and thereafter be retained in perpetuity, unless otherwise agreed in writing. Reason: To ensure a satisfactory form of waste management in accordance with Policy LP16 of the Fenland Local Plan 2014.
6	Gates Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), no gate or gates to the vehicular access (as detailed in Schedule 2, Part 2, Class A) shall be set within 6 metres from the near edge of the highway carriageway. Any gates erected shall be hung to open inwards i.e., away from the highway. Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan 2014.
7	Parking Provision Prior to the commencement of the use hereby approved, the on-site parking shall be laid out in accordance with the approved plans, surfaced and drained within the site. The parking area, surfacing and drainage shall thereafter be retained as such in perpetuity. Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.
8	Construction of Access 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, as shown on plan H10353/02D and thereafter maintained in perpetuity. Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.
9	Water Supply No development shall commence until a strategic water resources strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water. The strategy will confirm non-domestic water is available to serve the development and should explore innovative solutions

	which may help reduce overall water demand. Reason: To ensure domestic water supply is not jeopardised and to protect water resources and ensure sustainable development in accordance with Policy LP14 of the Fenland Local Plan, 2014.
10	Arboricultural Method Statement No development shall take place until a detailed Arboricultural Method Statement (AMS) has been submitted and approved in writing by the Local Planning Authority. The AMS shall include justification and mitigation for any tree removal proposed and details of how trees will be protected at all stages of the development. Recommendations for tree surgery works and details of any tree surgery works necessary to implement the permission will be required as will the method and location of tree protection measures, the phasing of protection methods where demolition or construction activities are essential within root protection areas and design solutions for all problems encountered that could adversely impact trees (e.g. hand digging or thrust-boring trenches, porous hard surfaces, use of geotextiles, location of site compounds, office, parking, site access, storage etc.). All works shall be carried out in accordance with the agreed AMS. Reason: To ensure that the trees on site are adequately protected, to safeguard the character and appearance of the area, in accordance with policies LP16 and LP19 of the Fenland Local Plan, adopted May 2014. The condition is pre-commencement in order to ensure that the protection measures are implemented prior to any site works taking place to avoid causing damage to trees to be retained on site.
11	External Lighting No external lighting shall be erected on the site without the submission of full details to, and written approval of the Local Planning Authority. Any security/floodlighting shall be installed and retained strictly in accordance with the approved details. Reason: To safeguard amenities of adjoining occupiers as per Policy LP16 of the Fenland Local Plan 2014.

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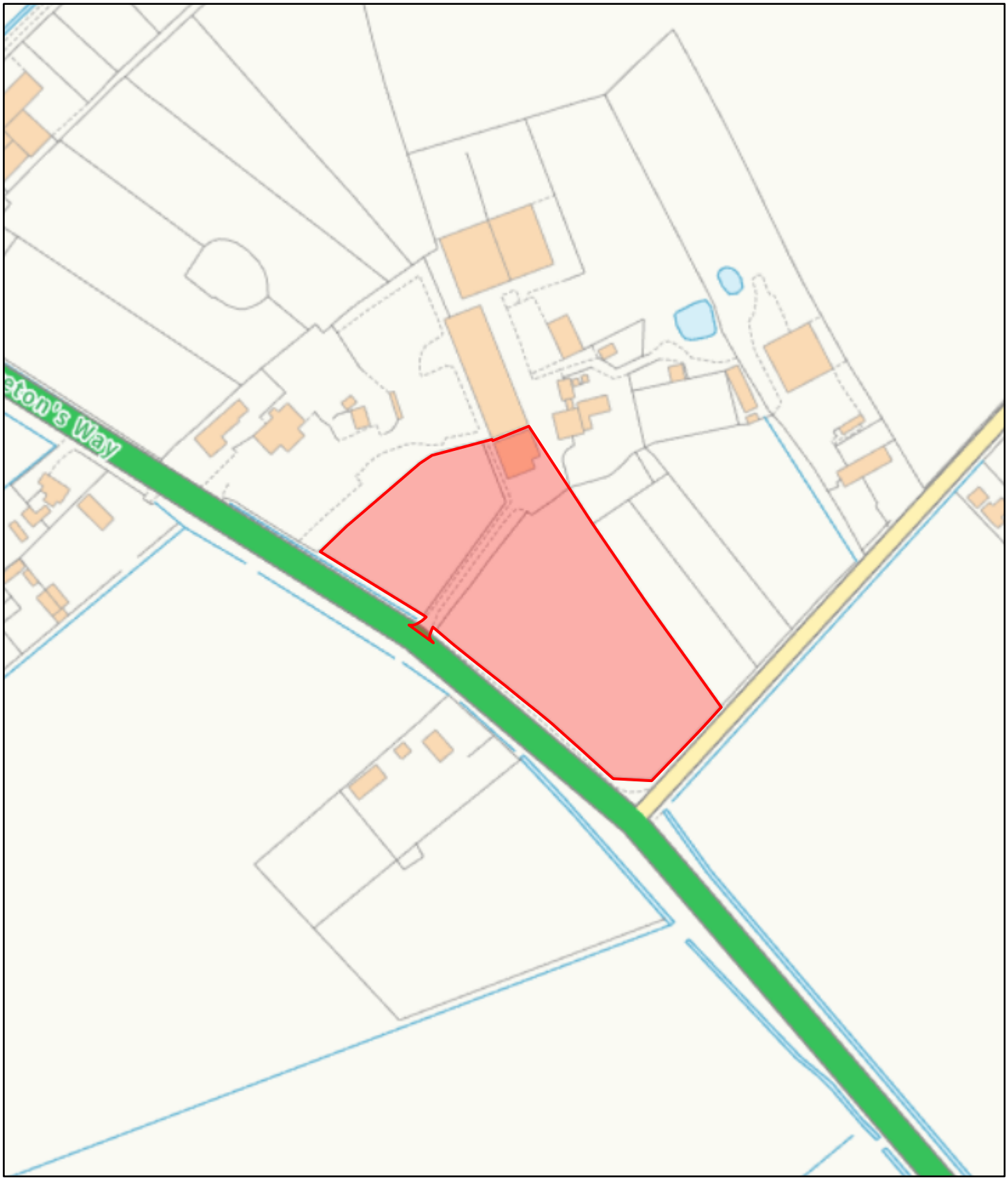

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Fenland District Boundary

1:2,500

0 115 230 460 ft

0 35 70 140 m

Fenland District Council

Uniform

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Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.

All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.

The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer

Pond

Pond

Pond

Cow Cottage

Depot

Wenny House

Amberlea

Drain

4m HIGH HAWTHORN HEDGE

12m HIGH LELANDI

EXISTING 1.2m HIGH POST AND RAIL FENCE

2.0m HIGH LAUREL HEDGE

EXISTING ELECTRIC GATE

3.2m

GRASS PADDOCK

EXISTING 1.2m HIGH POST AND RAIL FENCE

3.2m

EXISTING 1.2m HIGH POST AND RAIL FENCE

PATHWAY

A 142

PATHWAY

4.7m 3.2m

8.2m

PATHWAY

GRASS PADDOCK

EXISTING 1.2m HIGH POST AND RAIL FENCE

PATHWAY

IRETONS WAY

EXISTING 1.2m HIGH POST AND RAIL FENCE

LANGWOOD HILL DROVE

Drain

N

W E

S

EXISTING SITE PLAN
(1:500)

1:500 METERS
0 5 10 15 20 25 30 35 40

A	DRAWING UPDATED	SEP 2025
	REVISIONS	DATE

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Fenland District Council Building Design Awards
Building Excellence in Fenland

CLIENT
Mandy Jackson

PROJECT
Wenny House
Iretons Way
Chatteris
PE16 6UZ

TITLE
Existing Site Plan

DRAWN R.Papworth	DATE OF ISSUE
CHECKED	
DATE April 2025	DRAWING NUMBER H10353/01A
SCALE As Shown	

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The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer

Pond
Pond
Pond
Cow Cottage
Depot
Wenny House
Amberlea
Drain
Drain
PROPOSED DOG GROOMING AREA
4m HIGH HAWTHORN HEDGE
12m HIGH LELANDI
1.8m HIGH POST AND MESH FENCE
2.0m HIGH LAUREL HEDGE
EXISTING ELECTRIC GATE
DOG EXERCISE AREA
6.8m
PROPOSED LEAN-TO SHELTER
3.0m
15.8m
GRAVEL PARKING AREA
39.4m
3.2m
56.9m
91.5m
5.0m
10.0m
PATHWAY
A 142
IRETONS WAY
LANGWOOD HILL DROVE
INDICATES ADDITIONAL AMOUNT OF TARMAC REQUIRED
SET 5x10m TARMAC ACCESS SET TO FENLAND COUNTY COUNCIL HIGHWAYS SPEC AND ENSURE THIS DRAINS AWAY FROM THE HIGHWAY
N
W
E
S

PROPOSED SITE PLAN
(1:500)

1:500 METERS
0 5 10 15 20 25 30 35 40

D	DRAWING UPDATED	SEP 2025
C	PLANNERS COMMENTS	SEP 2025
B	DRAWING UPDATED	MAY 2025
A	CLIENTS COMMENTS	APR 2025
	REVISIONS	DATE

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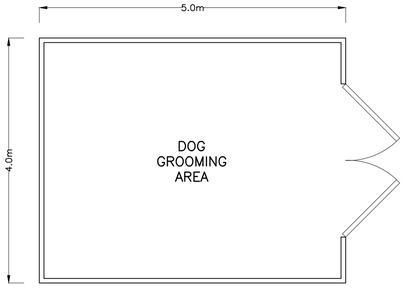
LABC WARM BUILDING EXCELLENCE AWARDS winner
LABC Fenland District Council Building Design Awards Building Excellence in Fenland

CLIENT
Mandy Jackson

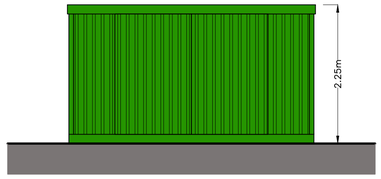
PROJECT
Wenny House
Iretons Way
Chatteris
PE16 6UZ

TITLE
Proposed Site Plan

DRAWN	R.Papworth	DATE OF ISSUE	
CHECKED			
DATE	April 2025	DRAWING NUMBER	H10353/02D
SCALE	As Shown		



PROPOSED GROUND FLOOR PLAN
(DOG GROOMING AREA)
(1:50)



PROPOSED FRONT ELEVATION
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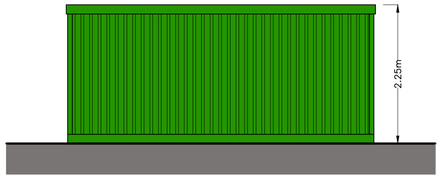
(1:50)



PROPOSED RHS ELEVATION
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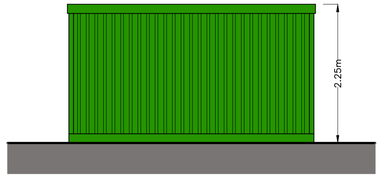

PROPOSED REAR ELEVATION
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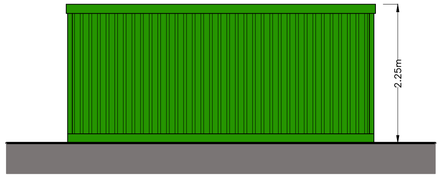
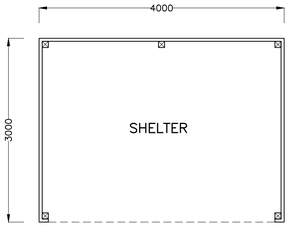
(1:50)



PROPOSED LHS ELEVATION
(DOG GROOMING AREA)
(1:50)



PROPOSED GROUND FLOOR PLAN
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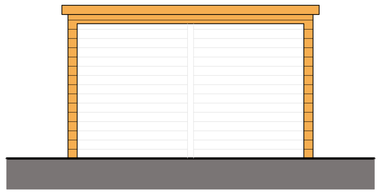
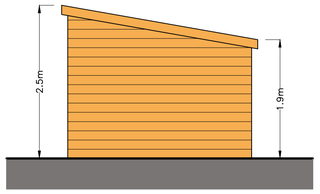


PROPOSED FRONT ELEVATION
(EXERCISE SHELTER) (2No)
(1:50)



PROPOSED RHS ELEVATION
(EXERCISE SHELTER) (2No)
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PROPOSED REAR ELEVATION
(EXERCISE SHELTER) (2No)
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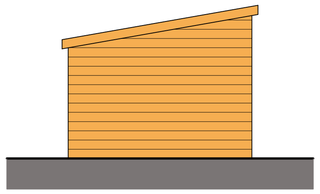

PROPOSED LHS ELEVATION
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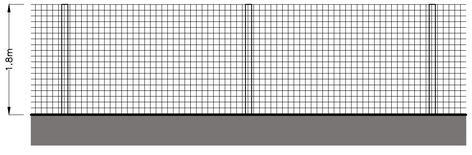

PROPOSED POST AND MESH FENCE DETAIL
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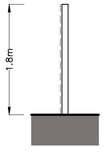

PROPOSED POST AND MESH FENCE SECTION
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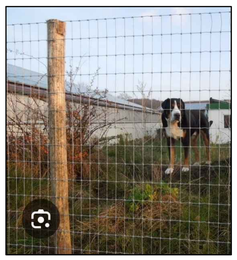

TYPICAL POST AND MESH FENCE

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Please read, if in doubt ask. Change nothing without consulting the Engineers.

Contractor to check all dimensions on site before work starts or materials are ordered. Do not scale, if in doubt ask. All dimensions are in mm unless stated otherwise.

Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and 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

	REVISIONS	DATE
B	PLANNERS COMMENTS	SEP 2025
A	CLIENTS COMMENTS	APR 2025

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Fenland District Council Building Design Awards
Building Excellence in Fenland

CLIENT
Mandy Jackson

PROJECT
Wenny House
Iretons Way
Chatteris
PE16 6UZ

TITLE
Proposed Plans
& Elevations

DRAWN: R.Papworth	DATE OF ISSUE:
CHECKED:	
DATE: April 2025	DRAWING NUMBER: H10353/03B
SCALE: As Shown	

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F/YR25/0698/F

Applicant: Mr Sam Harrison

Agent: Mr G Boreham
Morton & Hall Consulting Ltd

Land West of Burnlea House, Wimblington Road, Manea, Cambridgeshire

Erect 1 x self-build/custom build dwelling and garage, change use of land, erection of an industrial shed and formation of an access, in association with existing business

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

1.1 This application seeks full planning permission for the erection of a self-build/custom build dwelling and garage, change of use of land, erection of an industrial shed and formation of an access in association with a grounds maintenance business on land west of Burnlea House. The existing business is located outside of the application site boundary on adjacent land to the rear of Burnlea House.

1.2 It is considered that insufficient evidence and information have been submitted to demonstrate that the proposal is essential for a rural worker, as required in an 'Elsewhere' location such as this. Therefore, the proposal is considered to be unacceptable in principle and contrary to Policies LP3 and LP12 of the Fenland Local Plan, 2014 and Paragraph 84(e) of the National Planning Policy Framework, 2024.

1.3 Further, the development of this site would result in an adverse landscape character impact by virtue of the development of a greenfield site in a currently rural and largely undeveloped area, and by virtue of the excessive size and scale of the dwelling proposed, contrary to Policy LP12 and LP16.

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

1.5 In the absence of a legal agreement or other enforceable mechanism to secure the delivery and occupation of the proposed dwelling as a self-build unit, the development fails to meet the definition and requirements of self-build housing as set out in the Self-Build and Custom Housebuilding Act 2015 (as amended).

1.6 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

2.1 The application is on agricultural land located to the west of Burnlea House, Wimblington Road, Manea.

2.2 The site is currently used as grazing land. The surrounding area is characterised largely by open and undeveloped land used for agricultural purposes. There is a complex of buildings housing the existing grounds maintenance business to the south of an existing dwelling named Burnlea House.

2.3 The proposed access construction has been commenced with hardstanding placed on the land to build up to the access to the level of Wimblington Road. Additionally, utilities have been placed on site in the approximate location of the grounds maintenance business outbuilding.

2.4 The site is located in Flood Zone 3 and is at a low, medium and high risk of annual surface water flooding.

3 PROPOSAL

3.1 This is a full planning application for the erection of 1 x self-build/custom build dwelling and garage, change use of land, erection of an industrial shed and formation of an access, in association with a business on Land West of Burnlea House, Wimblington Road, Manea. The existing grounds maintenance business is located outside of the application site on adjacent land to the rear of Burnlea House, which is indicated as being owned by the applicant's parents.

3.2 The proposed two-storey, four bedroom dwelling is to be raised 1.4 metres above existing ground level with a further 0.6 metres of flood resistant and resilient construction. A detached high roofed single-storey triple garage is proposed to the east of the dwelling. The proposed materials of construction for both the dwelling and garage are buff brickworks with a slate roof.

3.3 To the rear of the dwelling a storage building is proposed. The building would be accessed via a gravelled access and measure 12.25 metres in width, 18.7 metres in depth, have a 4.5 metre eaves height and a 5.7 metre ridge height. The building is to have buff brickwork base wall with corrugated cladding above.

3.4 The proposal incorporates the creation of a new access point onto Wimblington Road.

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

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

5 CONSULTATIONS

5.1 Cambridgeshire County Council – Highways Officer – 22 October 2025

No objections - *The development proposal is for a single selling residential unit and private storage building, accessed off a nation speed limit road (60mph). The proposed vehicle access layout is suitable for a single residential dwelling and there is good visibility in either direction. Parking and turning has also been provided within the curtilage of the site. So that vehicles can enter turn and leave in a forward gear. No gates have been proposed over the access and there are no police recorded accidents in the near vicinity of the proposed access. There is also a two existing vehicle access points to the east of the proposed development. I do not see any highways reason for the objection and or for a recommendation of refusal of this development by the local highways authority.*

5.2 Cambs Constabulary – Designing Out Crime Officer – 21 October 2025

Provides crime statistics for the area for the last two years. The Officer then provides guidance on doors, CCTV, signage, alarms, lighting and landscaping.

5.3 Environment Agency – 20 August 2025

No objections. Development should accord with the submitted Flood Risk Assessment:

Finished floor levels will be set no lower than 1.4m above surrounding ground level.

Flood resilient / resistant measures will be incorporated into the development up to 0.6m above finished floor levels.

There will be no ground floor sleeping accommodation.

5.4 Wimblington Parish Council – 15 October 2025

No objection.

5.5 Fenland District Council – Environmental Health – 08 October 2025

No objection. Requests a construction working times condition.

5.6 Fenland District Council – Ecology – 02 November 2025

No objection – *I would support proposals to install 1 no. bird nesting box and 1 no. bat roosting box on the new buildings, once complete.*

Although the application site is within 4 km of the Ouse Washes designated nature conservation sites and within the area of search for potential Goose and Swan Functionally Linked Land,

There is no direct connectivity between the application site and the Ouse Washes. The application site is more than 3.5 km from the Ouse Washes and separated from it by Manea settlement. Swans and Geese prefer to use large areas of open, undisturbed land for resting and for feeding they prefer open areas of winter

stubble, root crops or areas of longer forage. The application site is relatively small, close to the road and close to areas subject to other human disturbance. It is therefore sub-optimal for use by notable water bird species. There is a super-abundance of more suitable habitat for swans and geese in the wider area.

I would conclude that the development proposal will have no significant impacts either on the special interest of the Ouse Washes designated sites or on notable water and wading birds.

5.7 Local Residents/Interested Parties

Five objections have been received (two from March, two from Wimblington and one from Doddington) and are summarised below.

Objecting Comments	Officer Response
The site is in the open countryside	This matter will be addressed in the Principle of Development section.
Unlit 60 mph road with no pavements in vicinity of site and poor accident record.	This matter will be assessed in the Highway Safety and Parking Section.
The argument for "business security" is unconvincing	This matter will be assessed in the Site Security section.
The site is in Flood Zones 2 and 3 and no sequential test submitted.	This matter will be addressed in the Flood Risk and Drainage section.
The purpose of the application is for the applicant to live close to family.	This matter will be addressed in the Other Matters for Discussion section.
The application has strong ties to the council.	This matter will be addressed in the Other Matters for Discussion section.
Letters of support are from family and friends.	This matter will be addressed in the Other Matters for Discussion section.
Working next to the business will lead to anti-social working hours	This matter will be addressed in the Impact on Residential Amenity / Land Users section.

Ten supporting comments have been received (nine from Manea and one from Wimblington) and are summarised below.

Supporting Comments	Officer Response
The business is already running on site and is in a suitable location.	This matter will be addressed in the Principle of Development section.
Having a dwelling on site would reduce the possibility of theft and would benefit the business and community.	This matter will be addressed in the Principle of Development section.
Scale of property in keeping with others in area.	This matter will be addressed in the Layout and Design section.
Building on this land will not generate additional traffic and there is good access visibility.	This matter will be assessed in the Highway Safety and Parking Section.
This application will not impact our land and property and we have a business on our land.	This matter will be addressed in the Other Matters for Discussion section.
The applicant will be able to test new technologies on site before releasing it into the market.	This matter will be addressed in the Other Matters for Discussion section.
The costs of renting a commercial property would be very expensive.	This matter will be addressed in the Other Matters for Discussion section.
There may be future employment opportunities for local residents.	This matter will be addressed in the Other Matters for Discussion section.

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 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 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

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
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP19 – The Natural Environment

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 NE1: Protecting the Landscape
Policy NE2: Biodiversity
Policy RE1: Rural Character
Policy SD1: Development and the Settlement Boundary
Policy SD3: High-Quality Design
Policy SD4: Provision of energy and water efficient buildings
Policy SD5: Flood Risk

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
LP3: Spatial Strategy for Employment Development
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP11: Community Safety
LP12: Meeting Housing Needs
LP13: Custom and Self Build
LP15: Employment
LP18: Development in the Countryside
LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Layout and Design**
- **Impact on Residential Amenity / Land Users**
- **Highway Safety and Parking**
- **Flood Risk and Drainage**
- **Site Security**

- **Other Matters for Consideration**
- **Biodiversity Net Gain (BNG)**

9 ASSESSMENT

Principle of Development

9.1 The proposal seeks full planning permission for the erection of a self-build dwelling which is to be constructed and occupied by the applicant in connection with their existing grounds maintenance business. The business currently operates from the neighbouring site beyond the eastern boundary which has an associated dwelling named to the rear of Burnlea House.

9.2 The Fenland Local Plan, 2014, and National Planning Policy Framework, 2024, restrict development in the countryside to where it is essential and falls within one of the listed exceptions. None of the submitted information seeks to address the relevant policies except to state that *Fenland's Local Plan dated 2014 is over 10 years old.*

9.3 The site is located 1.1 miles from the settlement of Manea and is divorced from any services and facilities. As such, it is considered that the application site is located in an 'Elsewhere' location as identified by Policy LP3 of the Fenland Local Plan, 2014.

9.4 Development in these locations is restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport and utility services. The existing business is not considered to wholly fall into any one of the above categories.

9.5 Paragraph 84 of the NPPF concerns rural housing and states:

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) There is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

b) The development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;

c) The development would re-use redundant or disused buildings and enhance its immediate setting;

d) The development would involve the subdivision of an existing residential building; or

e) The design is of exceptional quality, in that it:

i) Is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and

ii) Would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

9.6 In relation to the definition of "isolated homes", the Court of Appeal decision on 'City & Country Bramshill Ltd v Secretary of State for Housing, Communities and Local Government [2021]' concluded the proximity of a site to other dwellings does not constitute a site being isolated. Rather, it is the functional relationship of a site to settlements due to a lack of connectivity that would be the determining factor.

9.7 The existing grounds maintenance business is to be relocated from the adjacent land onto the proposal site. With regard to the proposal relocation, the submitted Planning Statement states:

We have been based out of my parent's yard who have lived in the village for 25 years. With them coming to an age of retirement and the possibility of them looking to downsize, due to our growth, we have got to the stage we have outgrown the faculties available to store our growing assets/fleets.

With the vast amounts of machinery, attachments and equipment needed for various operations, being on site will allow us to do ongoing maintenance as the equipment comes back to the yard. Not only will this mean we can operate jobs more efficiently with swapping equipment throughout the day, but this will also mean more security having the machines leaving and returning to the yard.

9.8 None of the submitted information details as to whether alternative properties are available in the vicinity. Furthermore, no details have been provided as to the current address of the applicant to demonstrate the current commute that they have to their place of work. As already highlighted, even if the applicant lives a great distance away from the site, there are likely to be alternatively available properties within a reasonable distance of the site that could provide this need. There is already an existing dwelling at Burnlea House in the ownership of the applicant's parents adjacent to the proposal site.

9.9 No information has been submitted justifying why the existing business site cannot be used going forwards other than applicant's parents may wish to downsize, but that would seem to raise the prospect of the dwelling being available to continue the operation of the business.

9.10 A Self-Build Declaration has been submitted by the applicant. The document states that *client involved in design process and is to build and live in the dwelling.* The applicant would then operate the grounds maintenance business in the building to the rear of the dwelling. This would satisfy the definition of a self-build dwelling. A legal agreement or other enforceable mechanism is required to secure the delivery and occupation of the proposed dwelling as a self-build unit.

9.11 The applicant states that t*he proposal allows for the safeguarding of the business on site, in terms of security.* However, it should be noted that the business is not on site and would be moved from the adjacent land to the rear of Burnlea House which is in the ownership of the applicant's parents. The applicant provides two crime reference numbers but does not state where the theft took place. Therefore, it is difficult to determine whether the proposal would offer enhanced security when compared to the site where the crime occurred.

9.12 The Cambridgeshire Constabulary Designing Out Crime Officer was when consulted provided crime statistics for the last two years for the vicinity of the site

which is in a medium risk crime area. The Officer has also provided design guidance for enhanced security. They give guidance on secured by design doors, CCTV provision, lighting, and appropriate landscaping.

9.13 Security is given as the main reason for the proposed dwelling and relocated business. However, security does not carry material planning weight when assessing the planning need for a new dwelling, especially when sited in an 'Elsewhere' location. No further substantive arguments are put forward as to why a dwelling is essential in this location.

9.14 On the aforementioned basis, it cannot be confirmed that there is an "essential need" for a rural worker to live on site, as specified by Paragraph 84 (a) of the NPPF, and therefore it is not considered that this exception applies to the development to justify the erection of a dwelling in this isolated location.

9.15 It is therefore considered that the proposal conflicts with Policies LP3 and LP12 of the Fenland Local Plan, 2014, and Chapter 2 of the National Planning Policy Framework, 2024. The principle of development in this location therefore is not agreed and the proposal is considered to constitute unjustified development in the countryside.

Layout and Design

9.16 The location of the proposed dwelling and storage building is situated on a parcel of undeveloped agricultural land that is greenfield in nature. On the basis that it is not considered to constitute a rural workers development, as per the 'Principle of Development' section above the proposal should be assessed against Policy LP3, LP12 and LP16.

9.17 The site is in an elsewhere location where development will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation etc. and therefore the proposal is considered contrary to Policy LP3 of the Fenland Local Plan, 2014.

9.18 Whilst the location of the proposed dwelling is in relatively close proximity to the existing outbuildings on the adjacent parcel of land, it is considered that the creation of a dwelling on a greenfield site would result in an encroachment on the landscape character of the area. The location of the site in such a rural location result in a site that is not related to a settlement or pattern of development. As such, the proposal is considered to be contrary to Policy LP12 Part (a), (c) & (d) in this regard.

9.19 The dwelling measures approximately 10.8m in height to the ridge, 21.4m in width at its widest point, and 20.8m in depth at its longest point. The visual impact of the dwelling will be exacerbated by the raising of finished floor levels 1.4 metres above ground level to address flood risk.

9.20 There is a large amount of glazing within the proposed dwelling and the proposed materials of construction are modern in appearance. Whilst there is not a prescriptive local design guide for dwellings in the open countryside, the design is not considered to have any local design reference and would appear at odds with other dwellings in the vicinity of the site. It is considered the external appearance of the dwelling is more in keeping with a suburban than a rural setting.

9.21 This design, size and scale is considered to be inappropriate in such a rural and open location, and insufficient justification is provided for it contrary to Policy LP12

and LP16 of the Fenland Local Plan, 2014. As such, it is considered that the proposal is unacceptable in terms of its character and appearance impact.

Impact on Residential Amenity / Land Users

9.22 The dwelling is located on a spacious parcel of land that affords a generous level of private amenity space provision, more than sufficient for the size and scale of dwelling proposed.

9.23 The existing grounds maintenance business located on land to the east of the site is not shown on the submitted location plan as being in the ownership of the applicant. Therefore, the potential amenity impact upon Burnlea House which is currently occupied by the applicant's parents must be assessed from the proposed development.

9.24 The rural nature of the site means that there is a great level of separation from any other residential properties, with the nearest dwelling located approximately 97 metres to the west at a property named Greensholme which would not receive any amenity impact from the proposed scheme. The dwelling at Burnlea House is 35 metres from the detached garage and 52 metres from the proposed dwelling, as well as 86 metres from the storage building. At these separation distances there is not considered to be a material overlooking or overshadowing impact. However, matters related to noise and disturbance must be assessed.

9.25 The application form states the hours of opening as Monday to Sunday 07:30 to 18:00. The Environmental Health Officer has no objection to the proposed dwelling or business use and therefore there are no anticipated amenity impacts.

9.26 As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users. As such, the proposal is considered to accord with the provisions of Section 12 of the National Planning Policy Framework (2024), and Policy LP16 of the Fenland Local Plan (2014).

Highway Safety and Parking

9.27 The application proposes a new access onto Wimblington Road which will provide access to the proposed dwelling at the front of the site and new business building to the rear. The access is onto a straight section of Wimblington Road with good visibility in both directions.

9.28 A number of concerns have been expressed with regard to highway safety in the vicinity of the site. Members of the public correctly state that this area of Wimblington Road has a 60mph speed limit and is potholed. They also state that a number of serious vehicular accidents have occurred in the vicinity of the site.

9.29 The County Highways Officer has no objections to the proposal and state that there have been not police recorded access in the vicinity of the proposed access. They state: *I do not see any highways reason for the objection and or for a recommendation of refusal of this development by the local highways authority.* It is therefore considered that the highway safety concerns expressed cannot be given significant weight when assessing the proposal.

9.30 The application proposes three parking spaces. Although there is a greater amount of spaces available to the front of the dwelling. This level of provision accords with

Appendix A of the Fenland Local Plan. Additionally, there is adequate parking provision and manoeuvrability space for commercial vehicles in the gravel to the front of the proposed storage building.

9.31 Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

9.32 The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies LP2 and LP15, as well as Section 9 of the National Planning Policy Framework (2024).

Flood Risk and Drainage

9.33 According to the Environment Agency's flood mapping, the application site is located within Flood Zone 3 (rivers and seas flooding) and at high risk of surface water flooding. Surface water is proposed to be addressed by a soakaway and foul water addressed by a package treatment plant.

9.34 Policy LP14 of the Fenland Local Plan and Chapter 14 of the NPPF seeks to direct development away from areas at high risk of flooding in the first instance, unless the sequential test and, if necessary, the exceptions test can be met.

9.35 The application is supported by a Flood Risk Assessment proposing finished floor levels of 1.4 metres above ground level, which has been considered by the Environment Agency, with no objections raised by this body.

9.36 The Flood Risk Assessment states that the sequential test is met by virtue of the development proposal being for a rural worker dwelling, meaning that no other parcels of land at lower risk of flooding are available to accommodate the proposal.

9.37 As set out in the 'Principle of Development' section above, the site is considered to be located in an 'Elsewhere' location, as defined by Policy LP3. As per the conclusions of this section of the report, it is not considered that Policy LP3 of the Fenland Local Plan, or Paragraph 84(a) of the NPPF is met on the basis that there is insufficient evidence to demonstrate that the proposal is essential for agricultural purposes. On this basis, the exclusion of other reasonably available sites capable of accommodating the development is unjustified.

9.38 The Council's adopted approach to the Sequential Test states that the area of search will be 'determined by considering the proposal's objectives, linked to the spatial policies of the Local Plan. For proposals that demonstrate a clear objective to sustain particular settlements or the countryside, the area of search will be:

A) Developments in the countryside – The whole of the rural area

B) Developments in towns and villages – The town/villages that the proposal would sustain."

9.39 As the application site is located in an 'Elsewhere' location with insufficient justification, it is considered that the search area for the sequential test must cover the whole of the rural area. Accordingly, the sequential test is deemed to be failed.

9.40 As the sequential test has been failed, it is not necessary to consider the exception test. Notwithstanding this, the site does not offer any wider public sustainability benefits, and it is therefore considered that the first part of the exception test would be failed in any event.

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

Other Matters for Consideration

9.42 There are several comments raised by objectors and supporters. The supporters state that the costs of renting a commercial property would be very expensive. The applicant will be able to test new technologies on site before releasing it into the market. The purpose of the application is for the applicant to live close to family.

9.43 Objectors have stated that the applicant has made this application to live next to their family. They also state that supporting comments are from family and friends and not informed individuals. They also state that the applicant has close ties to the council.

9.44 None of the above objecting and supporting comments are considered to be material to the determination of the application.

9.45 The agent for this application raised that the objecting comments were very similar in content and would appear to be from unoccupied dwellings. The agent's claim appears to possibly have some veracity upon a cursory examination, but it is not considered practical or necessary to investigate this further given the application is not triggered to be reported to Committee owing to the number of objections received, and the number of objections received is not a material planning consideration.

9.46 It should be noted that the development is not of a scale to require contributions towards affordable housing or infrastructure provision.

Biodiversity Net Gain (BNG)

9.47 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.

9.48 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the nature of the development being self / custom build is exempt from statutory net gain.

10 CONCLUSIONS

10.1 The application seeks full planning permission to erect 1 no. self-build dwelling. The supporting information states that this is to be occupied by a worker in connection with a business to be built on site. At present, a legal agreement or other enforceable mechanism to secure the delivery and occupation of the proposed dwelling as a self-build unit has not been supplied.

10.2 It is considered that insufficient evidence and information have been submitted to demonstrate that the proposal is essential for agriculture or similar rural enterprise, as required in an 'Elsewhere' location such as this. Therefore, the proposal is therefore considered to be unacceptable in principle and is contrary to Policies LP3 & LP12 of the Fenland Local Plan (2024) and Paragraph 84(e) of the NPPF (2024).

10.3 Further, the development of this site would result in an adverse landscape character impact by virtue of the development of a greenfield site in a currently rural and largely undeveloped area, and by virtue of the excessive size and scale of the dwelling proposed, contrary to Policies LP12 and LP16.

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

10.5 Whilst the proposal would save the applicant property rental costs and provide onsite security, neither of the reasons are assigned material planning weight and the application is not supported by local or national planning policy as shown in the paragraphs above. The recommendation is therefore one of refusal.

11 RECOMMENDATION

Refuse; for the following reasons:

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

4	In the absence of a legal agreement or other enforceable mechanism to secure the delivery and occupation of the proposed dwelling as a self-build unit, the development fails to meet the definition and requirements of self-build housing as set out in the Self-Build and Custom Housebuilding Act 2015 (as amended).

F/YR25/0698/F

9/30/2025, 4:20:02 PM

1:1,250

0 55 110 220 ft

0 15 30 60 m

Fenland District Boundary

Fenland District Council

Uniform

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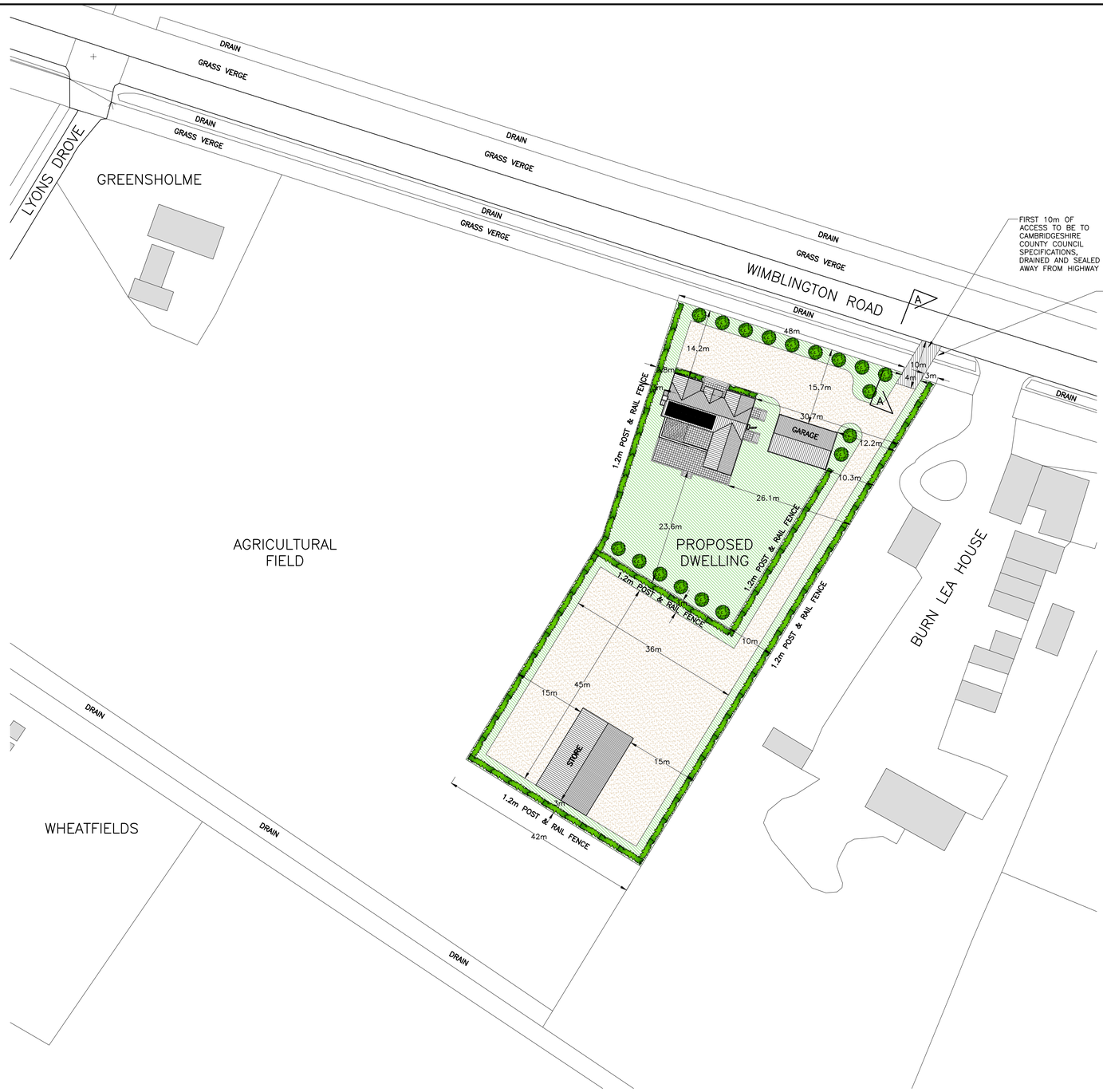
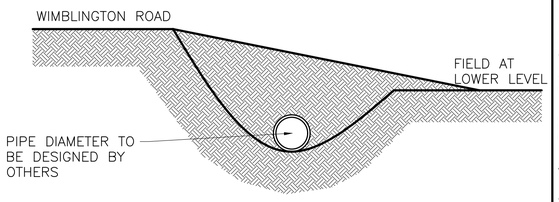
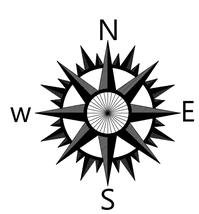




PROPOSED CULVERT SECTION A–A
(1:50)

LEGEND:

- EXISTING BUILDINGS FROM OS MAP
- PROPOSED BUILDINGS
- TREES AND HEDGES
- GRASS
- GRAVEL
- PATIO
- EXISTING ACCESS



PROPOSED SITE PLAN
(1:500)

PROPOSED STREET SCENE
(1:250)

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All finishes, insulation and damp-proofing to architect's details

	REVISIONS	DATE
D	PLANNERS COMMENTS	SEP 25
C	PLANNERS COMMENTS	SEP 25
B	DRAWING UPDATED	SEP 25
A	ALTERATIONS FOLLOWING CLIENT COMMENT	AUG 25

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Fenland District Council Building Design Awards
Building Excellence in Fenland
LABC BUILDING EXCELLENCE AWARDS
Winner
LABC QUALITY ASSURED

CLIENT
Mr Sam Harrison

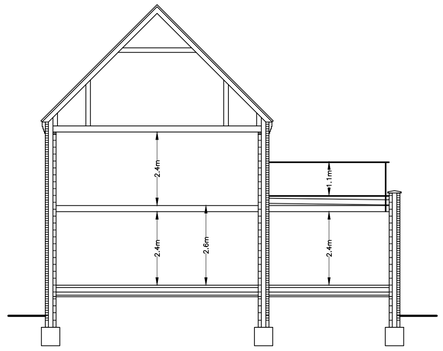
PROJECT
Proposed Dwelling at Land Adj. Burn Lea House
Wimblington Road, Manea
PE15 0JR

TITLE
Proposed Site Plan & Street Scene

DRAWN	J. Burrows	DATE OF ISSUE	
CHECKED	M. Hall		
DATE	July 2025	DRAWING NUMBER	H10444–02 D
SCALE	As Shown		

PROPOSED FRONT ELEVATION (NE)
(1:100)

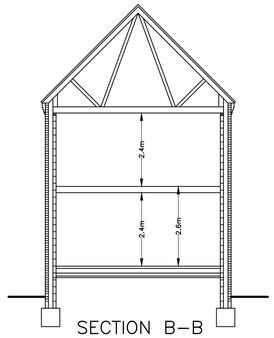
PROPOSED SIDE ELEVATION (NW)
(1:100)



SECTION A–A
(1:100)

PROPOSED REAR ELEVATION (SW)
(1:100)

PROPOSED SIDE ELEVATION (SE)
(1:100)



SECTION B–B
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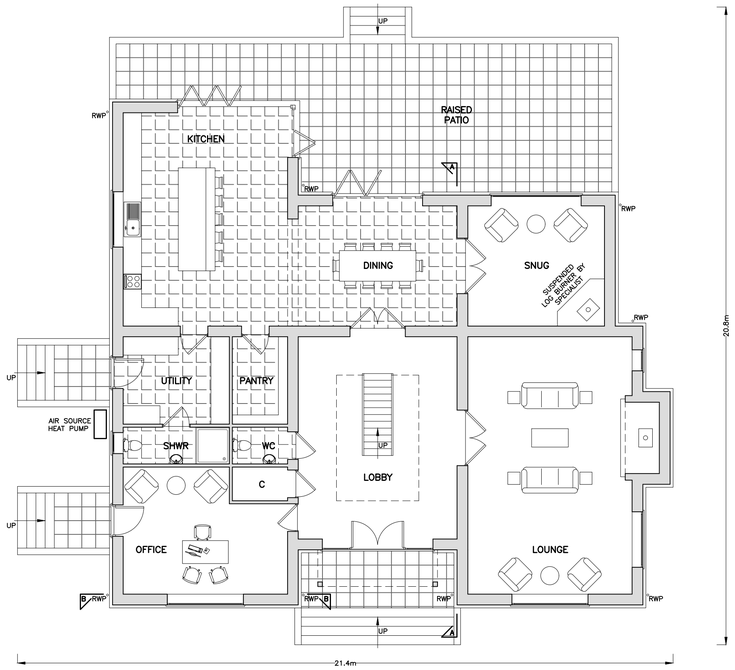

PROPOSED GROUND FLOOR PLAN
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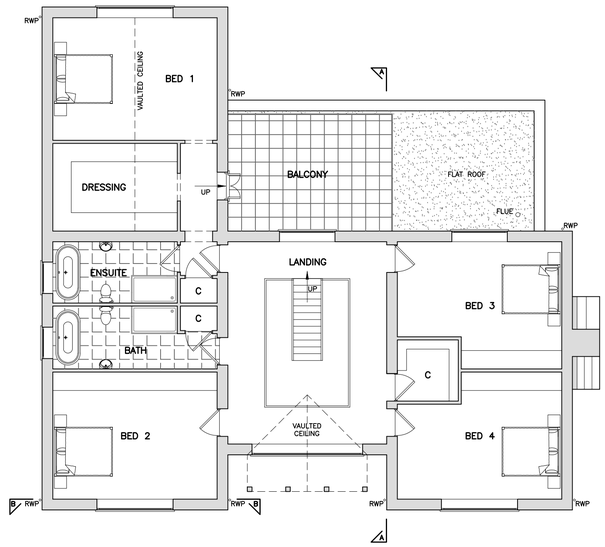

PROPOSED FIRST FLOOR PLAN
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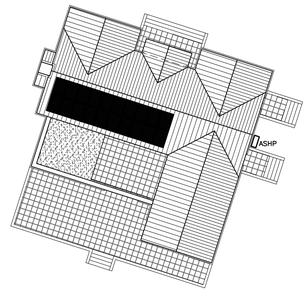

PROPOSED ROOF PLAN
(1:250)

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LEGEND:

- SLATE ROOF TILE
- BUFF BRICKWORK
- GREY BRICKWORK
- CORRUGATED CLADDING
- UPVC JOINERY
- OBSCURE JOINERY
- UPVC GUTTERS & DOWN PIPES

	REVISIONS	DATE
C	PLANNERS COMMENTS	SEP 25
B	FFL UPDATED	SEP 25
A	ALTERATIONS FOLLOWING CLIENT COMMENT	AUG 25

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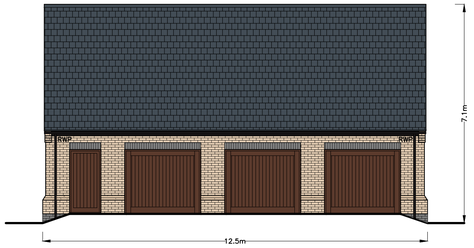
CLIENT
Mr Sam Harrison

PROJECT
Proposed Dwelling at Land Adj. Burn Lea House
Wimblington Road, Manea
PE15 0JR

TITLE
Proposed Plans, Elevations & Section

DRAWN	J. Burrows	DATE OF ISSUE	
CHECKED	M. Hall		
DATE	July 2025	DRAWING NUMBER	H10444–04$_C$
SCALE	As Shown		



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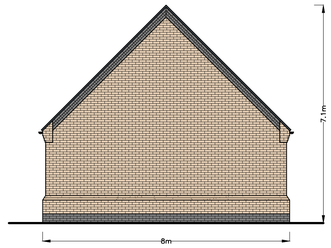
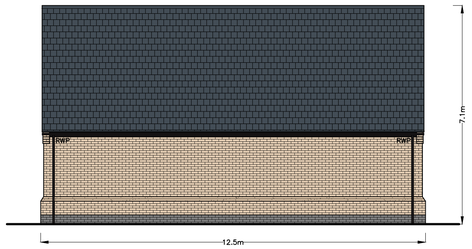


PROPOSED SIDE GARAGE
ELEVATION (NW)
(1:100)



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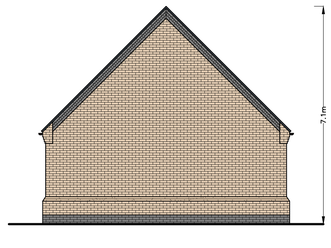

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ELEVATION (SE)
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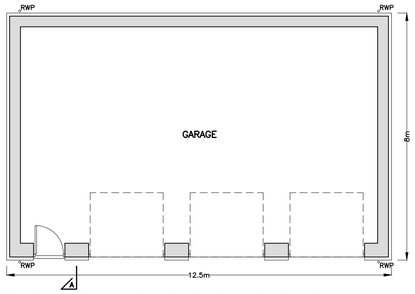

PROPOSED GARAGE GROUND FLOOR PLAN
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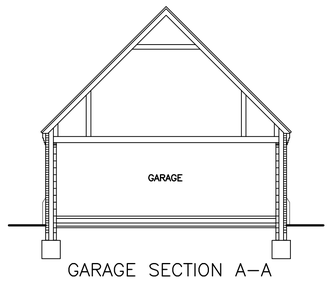

GARAGE SECTION A–A
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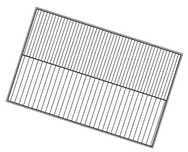

PROPOSED GARAGE ROOF PLAN
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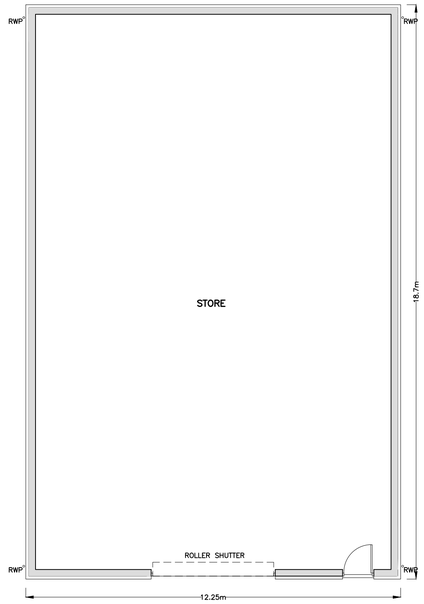

PROPOSED STORE GROUND FLOOR PLAN
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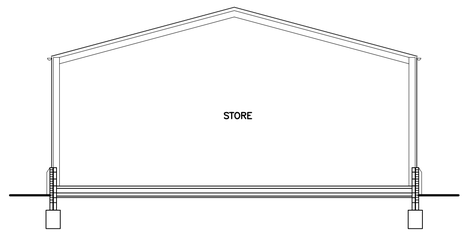

STORE SECTION A–A
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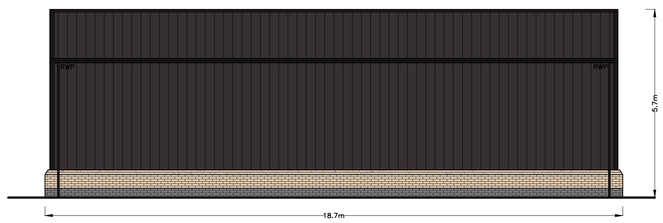

PROPOSED SIDE STORE
ELEVATION (NW)
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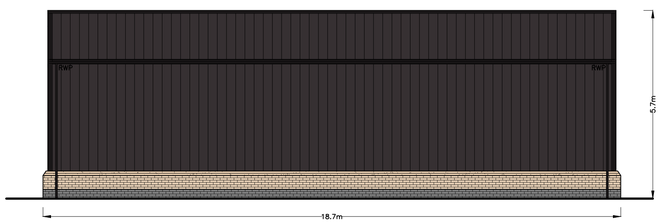
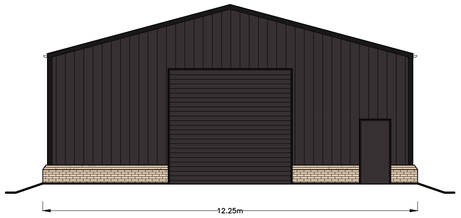


PROPOSED SIDE STORE
ELEVATION (SE)
(1:100)



PROPOSED FRONT STORE
ELEVATION (NE)
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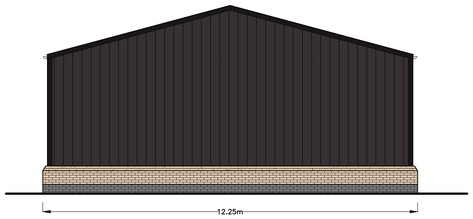

PROPOSED REAR STORE
ELEVATION (SW)
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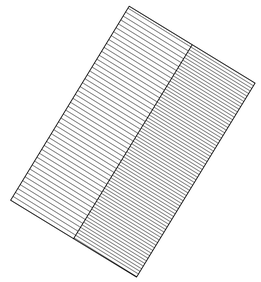

PROPOSED SHED ROOF PLAN
(1:250)

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C	PLANNERS COMMENTS	SEP 25
B	DRAWING UPDATED	SEP 25
A	ALTERATIONS FOLLOWING CLIENT COMMENT	AUG 25
	REVISIONS	DATE

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Building Excellence in Fenland

CLIENT
Mr Sam Harrison

PROJECT
Proposed Dwelling at Land Adj. Burn Lea House
Wimblington Road, Manea
PE15 0JR

TITLE
Proposed Garage & Store Plans Elevations & Sections

DRAWN	J. Burrows	DATE OF ISSUE	
CHECKED	M. Hall		
DATE	July 2025	DRAWING NUMBER	H10444–03C
SCALE	As Shown		

F/YR25/0526/F

Applicant: Mr S Rutterford

Agent: Mr R Papworth
Morton & Hall Consulting Ltd

49 Whittlesey Road, March, Cambridgeshire, PE15 0AG

Erect 12 x light industrial units and a link extension to existing units, involving the demolition of existing building

Officer recommendation: Refuse

Reason for Committee: Number of comments from members of the public contrary to Officer recommendation.

1 EXECUTIVE SUMMARY

1.1 This proposal seeks to erect 12 light industrial units, link two existing units, as well as demolish an existing single storey store / office at 49 Whittlesey Road, March.

1.2 The site is in a rural area, located just beyond the western edge of the town of March. The proposal, therefore, falls to be considered against the policies of restraint that apply to an elsewhere location – principally Fenland Local Plan Policy LP3 – to protect the attractive largely undeveloped rural character. The proposal would be a significant urbanisation of the countryside. The land whilst currently in light industrial use would be subject to a significant intensification of activity and development when compared to the present situation on site.

1.3 The development would also be contrary to settlement policy for the District more generally, as set out in Policy LP3, which 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). 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.

1.4 This is not a sustainable location. There would be a high reliance on the use of the private car by staff to get to and from the site because of its location on an unlit road with no footpaths.

1.5 The site is within Flood Zone 3 – in an area at the highest risk of flooding – in respect of which a sequential test is required to be passed (as per Local Plan Policy LP14 and the NPPF) to establish if there are alternative suitable sites at lesser flood risk that should be developed in preference to a site within Flood Zone 3. The purpose of the sequential test is to direct new development to sites at the least risk of flooding. In this instance, the sequential test is not considered to be passed. There has been no systemic assessment of allocated employment sites across the District to establish if suitable alternative sites, with lower flood risk, are available. In the absence of evidence to the contrary, it has, therefore, to be concluded that the proposals will put people and property at an unnecessarily high risk of being affected by flooding.

2 SITE DESCRIPTION

2.1 This site currently contains three light industrial units and lies on the south side of Whittlesey Road, March, in the countryside outside of and functionally isolated from the town.

2.2 One of the existing units is proposed to be demolished located at the north of the site toward the site entrance. The site is largely hard surfaced with areas of open storage of materials associated with the existing businesses on site.

2.3 The site is bordered by 2-metre-high palisade fencing. A drainage ditch is located beyond the southern rear boundary with a grassed field and the marina beyond. To the east are two industrial buildings in use by D.R. Betts Carpentry, Fen View Motors, Anglian Mobility, Fenn Holidays, ABC Boat Hire and LA Motor Group, as well as a residential property at 2 Marina Drive. To the north beyond Whittlesey Road are 5 industrial units and a detached industrial shed currently under construction following approval of F/YR24/0270/F to replace an existing builder's yard. To the west of the site development has been approved for the erection of 1 x office, 1 x vehicle workshop and 1 x training centre after approval of F/YR21/0887/F following a committee overturn.

2.4 The overall character of the location is of a loose scattering of development within a predominately undeveloped rural environment.

3 PROPOSAL

3.1 This proposal seeks to erect 12 light industrial units, link two existing units, as well as demolish an existing single storey store / office at 49 Whittlesey Road, March.

3.2 10 new units will be located adjacent to the western boundary where the two existing units are to be retained. Units 1 to 5 will be located to the north of Unit A, with Units 6 to 10 located to the south of Unit B. 2 units will be located in the south-east corner of the site. To the frontage of each unit and along the eastern boundary 69 parking spaces will be provided. A bin store and cycle store will be located close to the site entrance with a further bin store located at the end of a turning head opposite existing Unit A. Solar panels are to be sited on the east facing roof slope on 11 of the 12 proposed units. A small amount of landscaping will be sited along the northern, eastern and southern boundaries.

3.3 The existing steel single storey store/office to the northern central area of the site is to be demolished. The steel framed industrial storage units located on the western boundary are to be retained with the construction of new units to the north and south. The submitted information states that the existing units to be retained are utilised for storage of buses.

3.4 Units 1 to 10 will be constructed from goosewing grey corrugated steel walls with a sapphire blue corrugated steel roof. Each unit will have roller shutter doors and pedestrian frontage doors with fire exit doors to the rear. Units 1 to 5 will be 18 metres in depth and Units 6 to 10 will be 18.7 metres in depth. The new units have an eaves height of 6.2 metres and a ridge height of 8.6 metres.

3.5 Units 11 and 12 are to measure 18 metres in depth, 15.5 metres in width, have an eaves height of 6.2 metres and a ridge height of 8.6 metres. The units will be

constructed from goosewing grey corrugated steel walls with a sapphire blue corrugated steel roof.

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

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR05/0317/F	Alterations to existing garage / workshop to form additional office accommodation.	Granted – 18/04/2005
F/YR08/0729/F	Erection of office building, four bay coach garage and 2 metre high palisade fencing to west and north boundaries with associated parking.	Granted – 19 December 2008
F/YR16/0648/F	Erection of a front extension to existing coach garage.	Granted – 19 September 2016.
F/YR18/0874/F	Erection of a 2-bay coach garage and concrete forecourt	Granted – 22 November 2018.

5 CONSULTATIONS

5.1 Fenland District Council – Trees Consultant – 25 September 2025

Having reviewed the plan and location of the fencing, I am happy with this.

5.2 Fenland District Council – Environmental Health – 24 August 2025

Requests conditions regarding unsuspected contamination, noise emissions, artificial lighting and the submission of a Construction Environmental Management Plan.

5.3 Cambridgeshire County Council – Highways Officer – 19 August 2025

No objection - *The development benefits from an existing vehicle access with the highway which has good visibility in either direction. I would not at this point however that the highways authority considers this site to be only accessible by motorised access as no sustainable transport links exist in this area. Also that Fenland District Council as the planning and parking authority should be satisfied that there is sufficient room within the premises for the number of vehicles that will need to be accommodated.*

5.4 LLFA – 07 August 2025

No objection – Surface water can be addressed via proposed permeable paving. They request conditions regarding submission of a detailed surface water drainage scheme and surface water management during construction works.

5.5 Fenland District Council – Business and Economy Team – 05 August 2025

Support - *There is significant demand for light industrial space in Fenland. The Economic Growth Team have received a steady flow of enquires for businesses*

seeking small industrial units in the district. There continues to be strong demand and weak supply of light industrial units in Fenland. The proposed development will lead to job creation for residents, create start-up and scale-up opportunities and generate additional business rates for the council.

5.6 Cambs Constabulary – Designing Out Crime Officer – 01 August 2025

I have viewed the Design and access statement and associated documents in relation to crime, disorder, the vulnerability to crime and fear of crime. I have searched the constabularies crime and incident systems covering this area for the previous 2 years, I consider this to be a ward area of low/medium risk to the vulnerability for crime. The Officer also provides guidance on external lighting, doors, CCTV, alarms, fencing, cycle storage and construction phase security.

5.7 Fenland District Council – Ecology – 25 July 2025

The site was cleared after 30 January 2020 therefore a biodiversity net gain minimum of 10% is required. BNG provision can only be achieved through an off-site habitat. Pre-commencement conditions are recommended to ensure BNG provision and ecology protection measures.

5.8 Environmental Services – 24 July 2025

No objections. *New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place. Refuse and recycling bins will be required to be provided as an integral part of the development.*

5.9 March Town Council – 22 July 2025

Approval.

5.10 Cambridgeshire County Council – Archaeology – 21 July 2025

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. The Officer recommends a Written Scheme of Investigation pre-commencement condition.

5.11 Environment Agency – 18 July 2025

No objections. IDB should be consulted due to adjacent watercourses. LPA need to determine if the sequential test should be applied.

5.12 Anglian Water – 18 July 2025

There is no connection to Anglian Water sewers, we therefore have no comments to make.

5.13 Local Residents/Interested Parties

Eleven supporting comments received from residents of March (10) and Wimblington raising the following summarised issues:

Supporting Comments	Officer Response
Site is brownfield where use has ceased.	This will be addressed in the Principle of Development section.
There are already commercial and industrial uses adjacent to the site.	This will be addressed in the Principle of Development section.
Light industrial use already exists on site.	This will be addressed in the Principle of Development section.
The buildings look very modern.	This will be assessed in the Layout and Design section.
The site is in Flood Zone 3 and has been used by Fenns Buses for 30+ years.	This will be addressed in the Flood Risk and Drainage section.
Will save on travel to other locations.	This will be addressed in the Sustainability section.
Location is perfect for growth.	This will be addressed in the Sustainability section.
There is a need for new units.	This will be addressed in the Economic Growth section.
Will create jobs.	This will be addressed in the Economic Growth section.
Will encourage new businesses.	This will be addressed in the Economic Growth section.

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

National Planning Policy Framework (NPPF) 2024
Chapter 2 - Achieving sustainable development
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 17 – Facilitating the sustainable use of minerals

National Planning Practice Guidance (NPPG)
Determining a Planning Application

National Design Guide 2021
Context
Identity
Built Form
Movement

Nature
Uses
Resources

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
LP6 – Employment, Tourism, Community Facilities and Retail
LP9 – March
LP12 – Rural Areas Development Policy
LP13 – Supporting and Managing the Impact of a Growing District
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP19 – The Natural Environment

March Neighbourhood Plan 2017

Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021
Policy 5 - Mineral Safeguarding Areas
Policy 10 - Waste Management Areas (WMAs)
Policy 14 - Waste management needs arising from residential and commercial Development
Policy 16 - Consultation Areas (CAS)

Delivering and Protecting High Quality Environments in Fenland SPD 2014
DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
DM4 – Waste and Recycling Facilities
DM6 – Mitigating Against Harmful Effects

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
LP3: Spatial Strategy for Employment Development
LP4: Securing Fenland's Future
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP11: Community Safety
LP15: Employment
LP18: Development in the Countryside

LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP32: Flood and Water Management
LP33: Development on Land Affected by Contamination
LP34: Air Quality
LP40: Site allocations for non-residential development in March

8 KEY ISSUES

- **Principle of Development**
- **Sustainability**
- **Economic Growth**
- **Layout**
- **Impact on Land Users**
- **Highway Safety and Parking**
- **Flood Risk and Drainage**
- **Other Matters from Representation**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

9.1 The two existing light industrial sheds were constructed following approval under reference F/YR08/0729/F for a four bay coach garage and F/YR18/0874/F for a proposed garage. Having conducted a site visit it would appear the northernmost of these two buildings have not been constructed in accordance with the previously approved plans under F/YR08/0729/F. Two of the garage bays are in office use for which no approval has been given.

9.2 To the north beyond Whittlesey Road are 5 industrial units and a detached industrial shed currently under construction following approval of F/YR24/0270/F to replace an existing builder's yard. To the west of the site development has been approved for the erection of 1 x office, 1 x vehicle workshop and 1 x training centre after approval of F/YR21/0887/F following a committee overturn.

10 ASSESSMENT

Principle of Development

10.1 The site is in the countryside outside of any settlement and is physically and functionally detached from the nearest settlement, which is the town of March. The policies of restraint that apply to the rural area, therefore, apply (FLP LP3) and seek to protect the undeveloped nature of the countryside and to resist isolated development on grounds of sustainability (FLP LP15). More specifically, Policy LP3 restricts development in the countryside to that required to support rural-based enterprise, principally agriculture, horticulture and forestry. The proposal does not meet these criteria and is therefore contrary to the spatial strategy of the Development Plan.

10.2 Policy LP6 aims to support employment growth across all sectors but directs such development to sustainable and accessible locations that can meet the needs of businesses while minimising environmental and social impacts. This approach aligns with the Government's wider objectives, as articulated in Chapters 2 and 6 of the National Planning Policy Framework (NPPF), which promote sustainable patterns of growth by focusing employment uses in areas with good connectivity. The proposed intensification of a light industrial use in an isolated rural location raises significant concerns in terms of sustainability and the resulting impact on the character and appearance of the surrounding countryside.

10.3 It is, however, acknowledged that the site constitutes previously developed land (brownfield land), which national planning policy encourages to be reused before considering greenfield sites. Paragraph 125(c) of the NPPF recognises the value of such land in supporting sustainable development, including opportunities to remediate degraded or derelict sites. This material consideration weighs positively in favour of the proposal and reflects the Government's commitment to making efficient use of land resources.

10.4 Despite this, the brownfield status of the site alone does not override the other significant policy considerations. The scale and nature of the proposed development would lead to a substantial intensification of use in an unsustainable location, resulting in material harm to the rural character and visual amenity of the area. On balance, the benefits of redeveloping brownfield land are therefore outweighed by the conflict with the Development Plan's spatial strategy and the adverse impacts on the countryside, which weigh heavily against the scheme.

10.5 Retention of light industrial businesses in the District maximises the employment benefit to the local area, but this cannot be at the cost of the overdevelopment of a site in the rural area that would be a harmful erosion and urbanisation of the countryside, contrary to the detriment of its essential open character or through the intensification and exacerbation of an unsustainable development.

10.6 Refusal of planning permission is considered to be justified, on grounds that the proposal would be contrary to settlement policy for the District, and harmful to the open rural character, as set out in Policies LP3 and LP6 of the Local Plan.

Sustainability

10.7 Policy LP6 sets a target for 30ha of new employment floor space in March between 2011-2031. The Employment Evidence Report (2013) which supports the adopted Local Plan states that 1ha would be needed to accommodate 3,500sqm of employment floorspace. Based on this, the floor space target for March is 105,000sqm. As it stands, between 2012-25, the completed and committed employment floor space for March is around half this target at 51,487 sqm. Therefore, there is still a need in March for a significant amount of employment floorspace. It is important to note that this target is solely for inside the settlement of March, and no target has been given for employment floorspace in elsewhere locations.

10.8 The site next to established business uses to the east. These are longstanding uses and it would be wrong to regard their existence as justification for a development that would be functionally isolated from March insofar as there are no footpaths or street-lighting on Whittlesey Road leading back into the town. Most attending the site can, therefore, be expected to rely heavily on the use of a private car or motorbike to travel to and from their place of work.

10.9 In turn, the site cannot be regarded as being a sustainable location, which is contrary to Policy LP15 which, firstly, seeks to reduce the need to travel and then seeks to reduce the use of the car. This is also contrary to national policy as set out in Paragraph 8 of the NPPF. Whilst Policy LP6 supports the development of employment sites, this is subject to its location according with the spatial strategy under Policy LP3.

10.10 This is not, therefore, considered to be an appropriate location to increase employment provision - due to the site's physical separation from March, combined with an absence of sustainable transport links to the town, which renders the site unsustainable for such growth.

10.11 To justify such a development a detailed site availability search is required. A search has been submitted, however, it is not considered the search has been sufficiently comprehensive, exhaustive and wide-ranging geographically, to demonstrate convincingly that there is no suitable allocated land available to justify the development of an unsustainable site in the rural area.

10.12 It is considered important to clarify that this application does not seek to expand an existing business but provide new business units. These units could be located elsewhere in the district in designated, sustainable industrial estates.

10.13 The application is supported by a Design and Access Statement which summarises the range of the site-search undertaken, including the following:

Martin Avenue - There is no land for sale both at Martin Avenue on Rightmove or commercial websites. On visiting Martin Avenue, there is no room for an access way or further expansion.

Thorby Avenue - On undertaking a site visit along Thorby Avenue, there are no sites for sales and also on viewing Rightmove as well as further commercial land websites, there is no further land for sale down Thorby Avenue.

Hostmoor Avenue - On undertaking a site visit along Hostmoor Avenue, there is no land for sale. Rightmove had also indicated that there is no land for sale at Hostmoor Avenue.

Melbourne Avenue - There appears to be no scope for further industrial buildings together with offices to house this development. At the time of the looking there was no land for sale in this area on Rightmove or other commercial land websites.

Creek Fen Business Park - On undertaking a site visit, there is not sufficient space within the confines of this site for the existing business use due to the size of the vehicles and offices required, in association with this.

Longhill Road / Foundry Way - On undertaking a site visit to this area, there is no further room for expansion within the confines of the industrial site usage.

10.14 Clearly, some attempt has been made to undertake a search for suitable alternative sites in one of the four growth centre centres in the District. However, the search undertaken is considered to be insufficiently comprehensive and exhaustive. There is also a reliance on the Rightmove website or other websites to ascertain what is currently being offered for sale. As has been found at appeal, Rightmove and other such websites cannot be

relied upon to be an accurate representation of what is potentially available. For example, land may be available that is not being sold on these websites and there has apparently been no direct approach to landowners to find potentially suitable land in one of the four growth centres to determine if they wish to sell.

10.15 Refusal of planning permission is, therefore, considered to be justified on grounds that the development would not be sustainable; moreover, it has not been shown that a site in the rural area needs to be released for development because there is no other suitable land in one of the four growth centres in the District.

Economic Growth

10.16 Several of the representations in support of the application cite the economic benefits of the development and it is recognised that the Council's Business and Economy Team are also generally supportive of the proposal on similar grounds. However, while there is the potential for economic benefits to arise, no information or evidence to support the assertion regarding the demand for such units within the district or assessing the current provision or occupation of such units has been provided.

10.17 The information submitted with the application itself is quite limited in terms of assessing the economic benefits which would arise and it is apparent that this is a speculative development rather than one which has identified 'end users'. As such it is not possible to fully quantify or assess the economic benefits or to give such significant weight to these which may outweigh the clear policy conflicts identified elsewhere within this report.

Layout

10.18 The site is fairly open, in light industrial use and lies within a loose scattering of development in the rural area. It is not an infill site within a built-up location and presently looks out onto open agricultural land to the west. The overall character of the location is of spaciously dispersed development that gives a sense of openness, travelling east to west along Whittlesey Road. The introduction of substantial building works in a location that contributes significantly to the open character of what is a rural area would be visually intrusive and would amount to a significant urbanisation of the countryside of the edge of this western side of March.

10.19 Comments have been received from a member of the public that the builds look modern in design. The buildings are considered to be of a height, design and materials of construction that are in keeping with the two units on site that are to be retained as part of the proposal and appear as typical of the nature of the development proposed.

10.20 It is precisely on the edge of settlements where they adjoin the countryside that is important to apply strict control over new development to prevent urban sprawl and erosion of the open character of the countryside. This alone justifies refusal of planning permission.

Impact on Adjacent Land Users

10.21 There is not considered to be a material amenity impact arising from the proposed development.

10.22 There is no additional lighting proposed on any of the new units or elsewhere on site. It is anticipated that if approved, lighting will be required for the site. It is considered that new lighting could be addressed by condition.

10.23 The proposed ridge height of all of the new units is 8.6 metres. The separation distances to buildings beyond the site boundaries are such that there will not be a material loss of light as a result of the proposed buildings. The neighbouring industrial buildings to the east of the site have a blank rear elevation and are 6.56 metres away at the nearest point. To the west is a parcel of land that has been commenced for an office, vehicle shed and training centre under F/YR21/0887/F. This adjacent parcel of land is currently subject to a variation of condition application under F/YR25/0466/VOC. The proposed training centre is 15.6 metres from the rear elevations of the new units on the application site. Based on these heights and separation distances there is not considered to be an overbearing or overshadowing impact on adjacent existing and proposed units.

10.24 There is not considered to be an overlooking impact from the proposed units. None of the proposed units or units on adjacent sites are for habitable use and there are no windows on the proposed units in close proximity to the boundaries.

10.25 There is not considered to be a material noise impact from the proposed light industrial units. The nearest dwelling to the site is located at 2 Marina Drive which is located 10.7 metres away from the site boundary, however, this is separated from the site by the vehicular access to existing light industrial units to the east. Should excessive levels of noise occur this is a matter that could be addressed by Environmental Health, who have requested a noise emission condition should the application be granted.

Highway Safety and Parking

10.26 Access to the site is via Whittlesey Road which is a Cambridgeshire County Council adoptable road. This is an existing access which has been utilised by the depot for nearly 40 years, which was for heavy goods and long base vehicles.

10.27 The access is located adjacent to a bend on Whittlesey Road however this gives good visibility in both directions, and ensures that vehicles enter and exit the site in a forward gear. There would be no requirement for parking along Whittlesey Road, as the site has an adequate area for on site parking particularly in the proposed parking area which provides 69 parking spaces. This amount of parking provision meets the relevant criteria for parking provision under Appendix A of the Fenland Local Plan.

10.28 All temporary facilities during the construction period would need to be set within the site and a relevant condition can be imposed if granted.

10.29 No footpaths to serve the site are proposed. There are drains to the north and south of Whittlesey Road, so if there was a desire to provide footpaths it would not be possible to do so.

Flood Risk and Drainage

10.30 The site lies in Flood Zone 3 and is, therefore, at a high risk of flooding. Policy LP14 (Part B) requires development proposed in high (Zone 3) to medium (Zone 2) areas of flood risk to pass a sequential test. This is in-line with national

policy, which seeks to locate proposals in areas of lowest flood-risk in the first instance, unless it can be shown that there are no reasonably available sites in areas of lower flood risk where it could be located.

10.31 In view of the fact the site lies in the countryside outside of any settlement it is considered the search area for sequential test purposes should be the entire District and should focus on the four market towns of March, Chatteris, Wisbech, and Whittlesey, which are all identified for employment growth. It would be expected that the application would thoroughly assess each of these allocated employment growth areas in terms of their suitability to provide a site for the development sought and in terms of the sequential test required to be passed in terms of flood risk - as part of developing an argument that the development sought does need to be located on an unsustainable site at high risk of flood within the rural area. That has not been done.

10.32 The Council does not, therefore, have complete information from the applicant on this important issue. In the absence of such information from the applicant it is, therefore, obliged to take a precautionary approach, based on its own assessment of the likely position.

10.33 The applicant has failed to provide sufficient evidence to show that there is no capacity within the employment land allocated in all four towns to accommodate further employment-related development. That being the case, based on the information available, it is not considered that it has been shown that there are no suitable sites available in areas of lower flood risk, in turn, the sequential test is not passed. The proposal is, therefore, in conflict with Policy LP14 and national policy as set out in the NPPF.

10.34 Whilst neither the LLFA or the Environment Agency raise objections to the development in terms of the engineered flood-minimisation/drainage proposals that might be achievable on the site, there is still a requirement under the NPPF for development on sites in Flood Zones 2 and 3 to pass a sequential test assessment to establish if there are other suitable sites in areas of lesser flood risk where development could take place in preference to the development of a site in Flood Zone 3, as sought.

10.35 Although the site is currently used for light industrial purposes, the Sequential Test remains a necessary and relevant for the proposed intensification of development. The applicant has not demonstrated that alternative sites with a lower risk of flooding across the District have been adequately assessed or discounted in a systematic and robust manner. National planning guidance requires that, even where some existing uses are established, new development proposals must still comply with the Sequential Test to ensure that development is directed to the areas at lowest risk of flooding wherever possible. Without a thorough and comprehensive assessment of reasonable alternative locations, the Sequential Test has not been satisfactorily passed in this instance.

10.36 The Sequential Test section of the Design and Access Statement is minimal and states: *The site is located within flood zone 3 and normally a Sequential Test would be required. However, given the site is for redevelopment of a commercial usage which has only recently ceased and would not increase vulnerability, the scope of the test should be agreed to be restricted to the site only, on the basis given that the site is within flood zone 3. The Sequential Test should be considered to be passed.* There are further material planning concerns generated by the proposal other than flood risk generated by further development of this

unsustainable site. Refusal of planning permission on flood-risk grounds is considered justified.

10.37 The Local Lead Flood Authority has responded that it has no objections to the development in this regard, subject to any planning permission being granted with conditions relating to the provision of (A) the submission to, and agreement by the LPA, of the detailed design of the surface water drainage proposals for the site and (B) details being submitted to and agreed by the LPA relating to how any additional surface-water run-off from the site during the construction phase will be handled. No drainage comments have been made from any other consultees.

10.38 No buildings are proposed within the 9m maintenance strip of the board-maintained drain to the north of the site.

Other Matters for Consideration

10.39 The proposal at this site is to set solar panels to the roof pitches to aid in the provision of sustainable renewable energy. The efficacy of these solar panels would need to be secured via condition for the submission of further details.

Biodiversity Net Gain (BNG)

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

10.41 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

11 CONCLUSIONS

11.1 This is an unacceptable proposal on a site in a sensitive location in the rural area, beyond the western edge of the town of March.

11.2 The proposal, therefore, falls to be considered against the policies of restraint that apply to the rural area - principally FLP Policy LP3 - to protect the attractive undeveloped rural character. The proposal would be a significant urbanisation of the countryside.

11.3 The development would also be contrary to settlement policy for the District more generally, as set out in FLP LP3, which seeks to direct new development to the most accessible and sustainable locations - generally within the four market towns in the District and certain other identified villages.

11.4 This a not a sustainable location. There would be a high reliance on use of the private car by staff to get to and from the site because of its location on an unlit road with no footpaths.

11.5 It is acknowledged that the site is classified as previously developed (brownfield) land, which is a material consideration in favour of redevelopment in accordance

with national planning policy. However, this positive attribute does not outweigh the substantial harm arising from the significant intensification of the existing use and the resultant increase in built form. The proposal would lead to an exaserbation of the harm from the development already being location in an unsustainable location, inappropriate for such scale and intensity. The development would also result in a detrimental impact on the character and appearance of the surrounding countryside. Therefore, while the reuse of previously developed land is encouraged, it must be balanced against the adverse effects the development would cause to the local environment and the overarching objectives of the Development Plan.

11.6 The site is also within Flood Zone 3 - that is, is in an area at the highest risk of flooding - in respect of which a sequential test is required be passed (as per FLP Policy LP14 and the NPPF) to establish if there are alternative suitable sites at lesser flood risk that should be developed in preference to a site within Flood Zone The purpose of the sequential test is to direct new development to sites at the least risk of flooding. In this instance, the sequential test is not considered to be passed. There has been no systemic assessment of allocated employment sites across the district to establish if suitable alternative sites, with lower flood risk, are available. In the absence of evidence to the contrary, it has, therefore, to be concluded that the proposals will put people and property at an unnecessarily high risk of being affected by flooding.

11.7 It is acknowledged that the proposed development would deliver certain benefits, including the provision of industrial units and the creation of local employment opportunities. However, these benefits are considered limited and do not outweigh the significant harm to the character and appearance of the area, nor do they address broader sustainability objectives. Additionally, the site is located within Flood Zone 3, where Government guidance is clear that new development should be avoided unless the public benefits clearly outweigh the risks and harm. In this case, such overriding public benefits have not been demonstrated. Accordingly, when assessed in the planning balance, the adverse impacts of the proposal weigh heavily against the application for the reasons set out above.

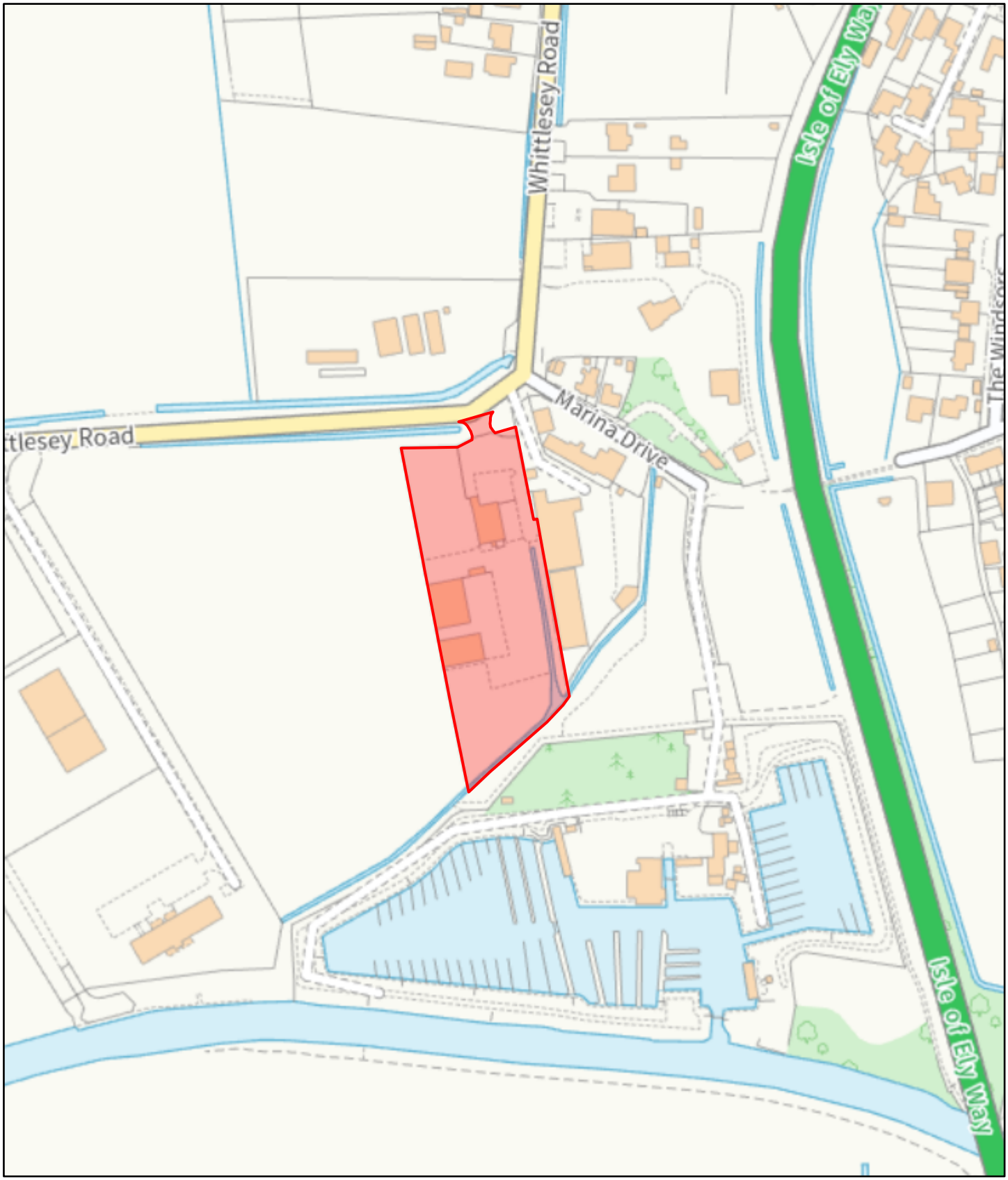
12 RECOMMENDATION

Refuse; for the following reasons:

1	The application site lies in the rural area outside of the town of March and would introduce substantial buildings and other building works onto a sparsely developed light industrial site. This would be an unacceptable urbanisation of the countryside, to the detriment of its attractive open character and appearance, without special circumstances to justify this. The proposal would, therefore, be contrary to Policy LP3 of the Fenland Local Plan (2014), a key purpose of which is the protection of the rural character of the countryside by limiting new development within it to that which requires a rural location, such as agriculture, horticulture and forestry.
2	The application site is not in a sustainable location in that it lies outside of the nearest settlement (March) on a road without public footpaths and street-lighting, which means that staff travelling to and from the site will have a heavy reliance on the use of a private motorcar, which is at

	variance with the principles of sustainability generally, as set out in the National Planning Policy Framework, and to Policies LP1 and LP3 of the Fenland Local Plan (2014), which seek to direct development into the four main growth centres across the District because of their accessibility and sustainability to accommodate new development.
3	The application site lies within Flood Zone 3, which means the land is at the highest risk of flooding. In line with the National Planning Policy Framework (NPPF), Policy LP14 (Part B) of the Fenland Local Plan (2014) requires the development of such sites to be subject to a Sequential Test which shows that there are no other suitable sites of lesser flood-risk which could accommodate a proposal and are available for development. This requires the applicant to undertake a comprehensive assessment of employment land across the District to determine the availability (or not) of potentially suitable sites with lesser flood-risk. The purpose of the Sequential Test is to direct development to sites with the least flood risk. Only limited information on this matter is provided. The Sequential Test is not, therefore, passed and it has to be concluded that, in the absence of evidence to the contrary, the development of the application site would potentially put people and property to unwarranted risk from flooding, contrary to the NPPF and Policy LP14 (Part B) of the Fenland Local Plan.

F/YR25/0526/F



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Fenland District Boundary

Fenland District Council

Uniform

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16

Drain

Drain

35

WHITTLESEY ROAD

39

COMMERCIAL USAGE

F/YR24/0270/F

ERECT A BLOCK OF 5 x INDUSTRIAL UNITS AND A DETACHED INDUSTRIAL SHED (CLASS B2), INVOLVING THE DEMOLITION OF EXISTING BUILDINGS (PART RETROSPECTIVE)

ESS

38

WB

Drain

1

F/YR20/0265/O

ERECT 1 DWELLING (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

WHITTLESEY ROAD

0.5m

MARINA DRIVE

2

Depot

COMMERCIAL USAGE

Drain

F/YR22/3146/COND

ERECT 1 x OFFICE/WORKSHOP, 1x VEHICLE WORKSHOP AND 1 x TRAINING CENTRE, 2.4M HIGH (APPROX) FENCE AND FORMATION OF CAR PARK AND ASSOCIATED INFRASTRUCTURE

EXISTING BLOCK PLAN
(1:500)

1:500 METERS
0 5 10 15 20 25 30 35 40

N
W E
S

REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED
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Tel: 01354 655454
Fax: 01354 660467
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Website: www.mortonandhall.co.uk

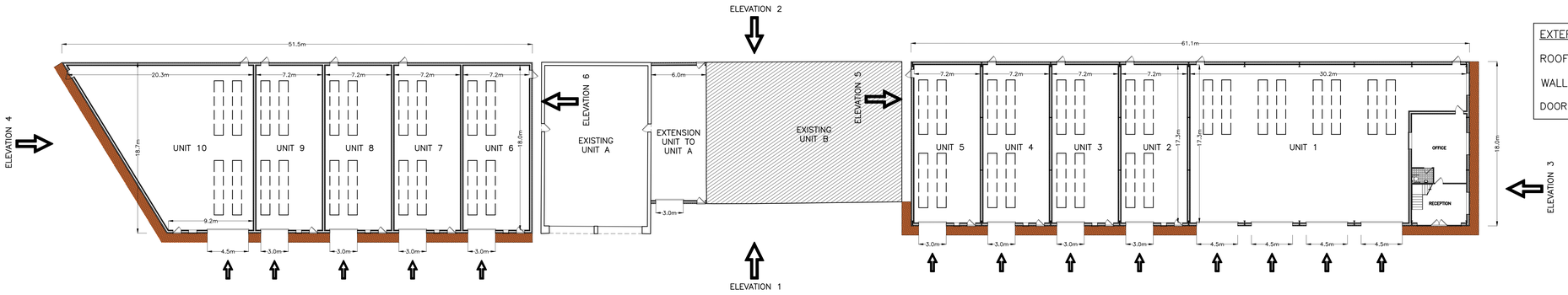
Fenland District Council Building Design Awards Winner 2014

CLIENT: Mr S Rutterford

PROJECT: 49 Whittlesey Road
March
Cambridgeshire
PE15 0AG

TITLE: Existing Block Plan

DRAWN: R.Papworth	DATE OF ISSUE:
CHECKED:	
DATE: Mar 2025	DRAWING NUMBER: H10280/02
SCALE: As Shown	



PROPOSED GROUND FLOOR PLAN
(1:200)

EXTERNAL MATERIALS

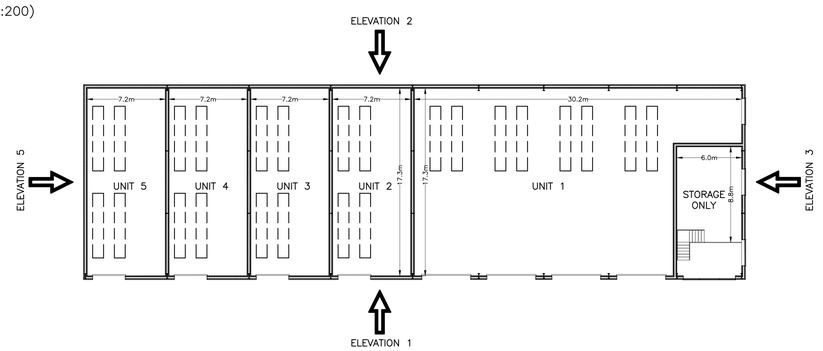
ROOF : KINGSPAN KS1000 RW IN SAPHIRE BLUE

WALLS : KINGSPAN KS1000 RW IN GOOSEWING GREY

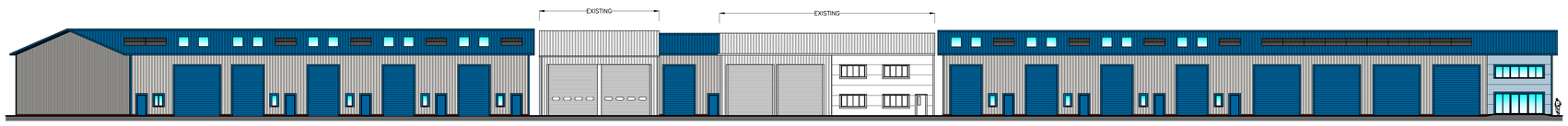
DOORS : ROLLER SHUTTERS IN SAPHIRE BLUE

PARKING SPACES

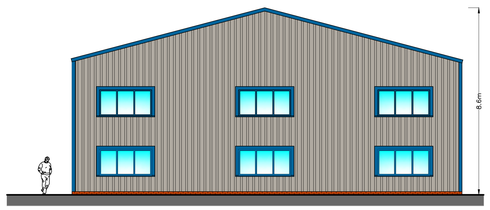
UNIT NUMBER	UNIT AREA	SPACES PROVIDED
UNIT 1	522.5m²	12
UNIT 2	124.5m²	4
UNIT 3	124.5m²	4
UNIT 4	124.5m²	4
UNIT 5	124.5m²	4
UNIT 6	129.6m²	4
UNIT 7	129.6m²	4
UNIT 8	129.6m²	4
UNIT 9	129.6m²	4
UNIT 10	265.8m²	7
UNIT A	313.5m²	7
UNIT B	329.5m²	7
UNIT 11	129.6m²	7
		TOTAL 69 AS PER FDC REQUIREMENTS



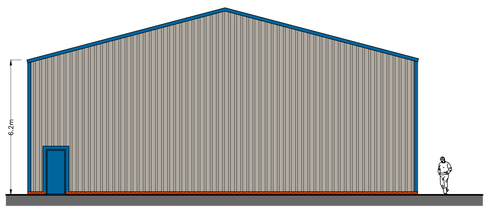
PROPOSED FIRST FLOOR PLAN
(1:200)



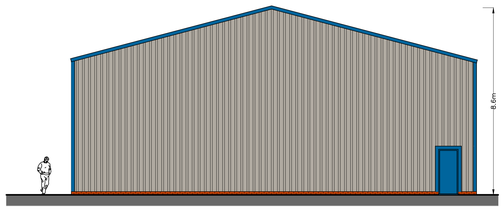
PROPOSED FRONT ELEVATION (1)
(1:200)



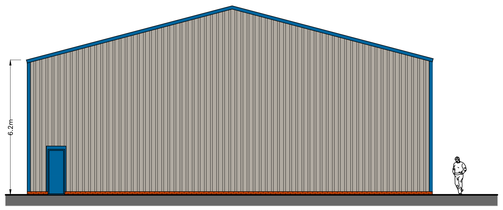
PROPOSED RHS ELEVATION (3)
(UNIT 1–5)
(1:100)



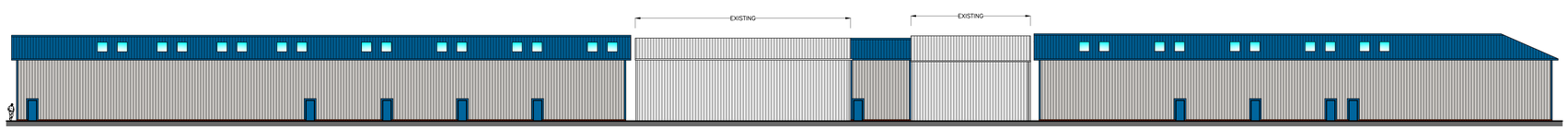
PROPOSED LHS ELEVATION (5)
(UNIT 1–5)
(1:100)



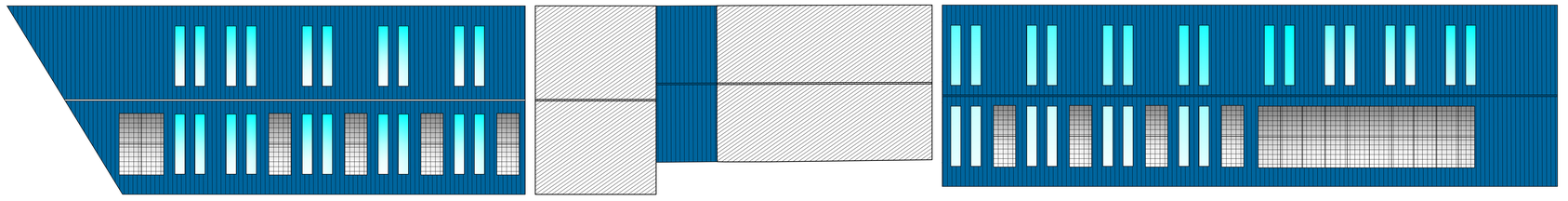
PROPOSED RHS ELEVATION (6)
(UNIT 6–10)
(1:100)



PROPOSED LHS ELEVATION (4)
(UNIT 6–10)
(1:100)



PROPOSED REAR ELEVATION (2)
(1:200)



PROPOSED ROOF PLAN
(1:100)

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	REVISIONS	DATE
B	PLANNERS COMMENTS	APR 2025
A	DRAWING UPDATED	APR 2025

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Website: www.mortonandhall.co.uk

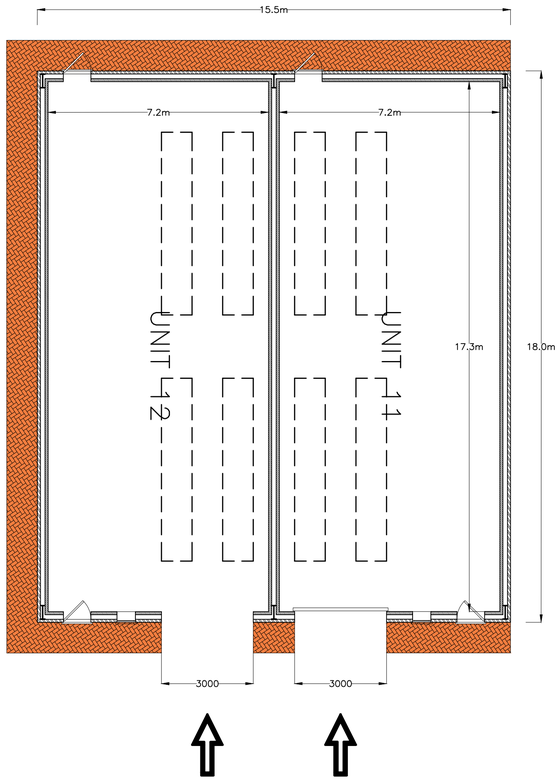
Fenland District Council Building Design Awards Winner

CLIENT: Mr S Rutterford

PROJECT: 49 Whittlesey Road
March
Cambridgeshire
PE15 0AG

TITLE: Proposed Ground Floor Plan & Elevations (UNITS 1 – 10)

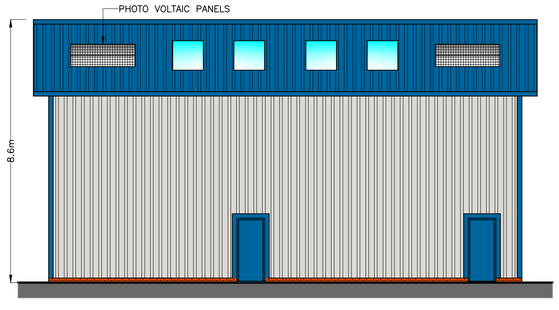
DRAWN	R.Papworth	DATE OF ISSUE	
CHECKED			
DATE	Mar 2025	DRAWING NUMBER	H10280/06B
SCALE	As Shown		



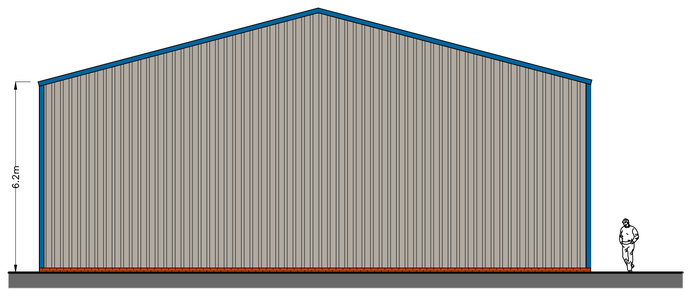
PROPOSED GROUND FLOOR PLAN
(1:100)

PROPOSED FRONT ELEVATION
(1:100)

PROPOSED RHS ELEVATION
(1:100)



PROPOSED REAR ELEVATION
(1:100)



PROPOSED LHS ELEVATION
(1:100)

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	REVISIONS	DATE

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Fenland District Council Building Design Awards — Building Excellence in Fenland
ABC BUILDING EXCELLENCE AWARDS winner

CLIENT
Mr S Rutterford

PROJECT
49 Whittlesey Road
March
Cambridgeshire
PE15 0AG

TITLE
Proposed Ground Floor Plan & Elevations (UNITS 11 – 12)

DRAWN: R.Papworth	DATE OF ISSUE:
CHECKED:	
DATE: Mar 2025	DRAWING NUMBER: H10280/07
SCALE: As Shown	

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F/YR25/0520/RM

Applicant: Fenland Extra Care Consortium	**Agent: Miss Katia Clarke Planning Potential Ltd**

Nene Parade Bedford Street, Chase Street, Wisbech, Cambridgeshire

Reserved Matters application relating to detailed matters of access, appearance, landscaping, layout and scale (Plot 5 only) pursuant to outline permission F/YR24/0485/VOC to erect a C2 use care home facility to accommodate 70 x apartments with communal and amenity space

Officer recommendation: Delegate authority to the Head of Planning to grant planning permission, subject to the expiry of the consultation with Anglian Water

Reason for Committee: Fenland Extra Care Consortium is the applicant and has an agreement with Fenland Future Limited which is a wholly owned subsidiary of Fenland District Council.

1 EXECUTIVE SUMMARY

1.1 The application seeks Reserved Matters approval for Phase 1 of outline permission F/YR22/0914/FDL and subsequent variation F/YR24/0485/VOC. It proposes a four-storey Extra Care facility comprising 70 apartments (Use Class C2), with associated access, parking, and landscaping.

1.2 The site was previously owned by Fenland District Council and has since been transferred to Fenland Future Ltd, a wholly owned FDC subsidiary established to deliver regeneration and commercial return in line with the Council's Business Plan and Commercial Investment Strategy. Fenland Future has a land agreement with the Fenland Extra Care Consortium, contingent on planning approval.

1.3 The layout follows a U-shaped configuration, creating a central courtyard that provides visual relief and outlook towards the river. The scale and massing are broadly consistent with neighbouring landmark buildings such as The Boathouse and Wisbech Police Station, helping integrate the development within its mixed context.

1.4 The appearance is contemporary but sympathetic, using brickwork with varied patterns, recessed panels, stone detailing, and balconies to break up the façade and introduce visual interest. The design provides an architectural solution to deal with the sites constraints, while respecting nearby heritage assets and views along Nene Parade.

1.5 Access will be taken from Bedford Street, with a clear and safe circulation layout, including 24 parking spaces (3 disabled), cycle provision, and a dedicated drop-off layby. The access strategy ensures efficient operation for residents, staff, and visitors, with negligible highway impact confirmed by the Transport Statement.

1.6 The landscaping scheme integrates native planting, green roofs, and public realm enhancements to soften the building's appearance and improve biodiversity.

Boundary and courtyard planting provide privacy and amenity, while hard surfacing will use permeable materials.

1.7 Overall, the proposal delivers an acceptable form of development that meets identified housing needs and contributes positively to the surrounding area and is considered to be in accordance with the NPPF and Policies LP1, LP2, LP14, LP15, LP16, LP18, and LP19 of the Fenland Local Plan and is therefore, recommended for approval, subject to appropriate conditions

2 SITE DESCRIPTION

2.1 The application site fronts Nene Parade and the riverfront to the west, with Grade II Listed buildings beyond, along North End . It lies to the south of Russell Road, west of Bedford Road, and is bounded to the south by Wisbech Police Station which is a non-designated heritage asset. Further to the south east are a number of Grade II Listed buildings along Lynn Road. The site is situated within the Nene Waterfront and Port Broad location for Growth and extends to approximately 0.56 hectares and is currently vacant, with an unkempt appearance. Informal footways cross the site, providing pedestrian access through to the surrounding area.

2.2 This site forms part of a larger 1.78-hectare area which benefits from outline planning permission (Ref: F/YR22/0914/FDL) for a mixed-use development comprising extra care apartments, commercial floorspace, and up to 60 dwellings, with all matters reserved. This permission was subsequently varied (Ref: F/YR23/0485/VOC) to allow for phased development.

2.3 The site is located to the north of Wisbech town centre and is accessed via Freedom Roundabout/Lynn Road onto Chase Street and Bedford Street. To the north-east lies the Boathouse Business Centre. Modern residential properties face the site from Chase Street to the east, while older terraced housing surrounds the site to the north-east. Local roads are currently configured as one-way from the south.

2.4 In terms of flood risk, the majority of the site lies within Flood Zone 3, with the south-eastern portion falling within Flood Zone 2. There are no additional environmental or planning constraints identified on the site.

2.5 The wider site consists of the following plots under the terms of F/YR23/0485/VOC:

To the north – Phase 3:
Plot 1 – commercial/office and apartments
Plot 2 – Residential housing
Plot 4 – Residential Apartments

To the east – Phase 2:
Plot 3 – Residential Housing

3 PROPOSAL

3.1 This Reserved Matters application seeks approval for detailed aspects of Plot 5 only, which comprises extra care apartments. The details submitted cover access, appearance, landscaping, layout, and scale.

3.2 Vehicular and pedestrian access to the site is proposed from Bedford Street to the east, with a secondary pedestrian access from Nene Parade to the west. Car parking will be located to the south of the proposed building, providing 24 spaces in total, including three accessible bays. A dedicated service bay is proposed on Bedford Street to the north of the building.

3.3 The proposed building is four storeys in height and has a broadly 'U'-shaped footprint. It has a maximum height of 13.57 metres, a maximum width of 54.1 metres, and a maximum depth of 43.8 metres. The development will provide a total of 70 extra care apartments, with the following unit mix:

- 55 x 1-bedroom apartments
- 2 x 1-bedroom bariatric apartments (both at podium floor level)
- 13 x 2-bedroom apartments (1 at podium level, 4 on the first floor, 4 on the second floor, and 4 on the third floor)

3.4 The building is predominantly finished in facing brick, with architectural detailing such as patterned and recessed brickwork. The development also includes operational and staff facilities, communal areas for residents, and outdoor amenity spaces.

3.5 Key communal, operational, and staff areas are concentrated at ground floor level. A ‘podium’ level of residential accommodation is also proposed at this level. Additional amenity features include roof gardens and communal seating areas on the first and second floors, with further communal seating at third-floor level.

3.6 Vehicular and pedestrian access will be taken from Bedford Street to the east with an additional pedestrian access to be provided from Nene Parade to the west. Soft landscaping includes native, low-maintenance planting along the site boundaries, perimeter tree planting, and trees integrated within the car parking area. Hard landscaping features comprise permeable block paving and resin-bound gravel. The development also incorporates green roofs.

3.7 In addition to the Reserved Matters, the submission also includes details addressing various conditions attached to the outline consent, including drainage, ecology, external lighting, and highways matters. These elements will be considered in the relevant sections of this report.

3.8 It is advised that the site is to be operated by Pinnacle Group who are a leading provider of housing, neighbourhood and community-facing services across the UK.

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

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

4 SITE PLANNING HISTORY

Reference	Proposal	Decision
F/YR24/0648/VOC	Variation of conditions 4 (surface water drainage), 5 (surface water run-off), 6 (surface water drainage report), 7 (welcome travel packs), 8 (emergency evacuation plan), 9 (pedestrian drop kerb), 11 (fire hydrants), 12 (construction environmental management plan), 13 (contamination), 14 (levels), 15 (lighting impact assessment), 16 (ecological design strategy), 17 (construction environmental management plan), 20 (roads and footways) and 21 (site assessment) of planning permission F/YR22/0914/FDL (Erect a care home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved)) - Variation of the wording of conditions to clarify that the scheme will be delivered in phases Nene Parade Bedford Street Chase Street Wisbech	Withdrawn
F/YR24/0485/VOC	Variation of condition 01 of planning permission F/YR22/0914/FDL (Erect a care home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved)) to enable phased development Nene Parade Bedford Street Chase Street Wisbech	Grant
F/YR22/0914/FDL	Erect a care home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved) Nene Parade Bedford Street Chase Street Wisbech	Grant
F/YR22/0309/F	Erect 8 x residential units (1 x 3-storey block of 1-bed flats) involving demolition of existing building 5 Bedford Street, Wisbech	Granted

5 CONSULTATIONS

5.1 Wisbech Town Council

Support the Application

External Consultees

5.2 Cambridgeshire County Council – Lead Local Flood Authority

No objection - The submitted documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving over the parking area and tanked attenuation before limited discharge into the Anglian Water surface water sewer at a maximum rate of 1.5 l/s during the 1% AEP including climate change.

5.3 Cambridgeshire County Council – Archaeology

No Objection – would like it noted that the pre-commencement condition relating to archaeology has not been discharged and remains extant.

5.4 Cambridgeshire County Council – Highways

No objection

5.5 Environment Agency

Originally objected to the application as the finished floor levels were shown as 5.2 AOD, when 5.5 AOD is required. However, following discussion and further review of the plans given that 5.2 AOD relates to the welfare and amenity facilities for future residents rather than sole habitable accommodation the EA are satisfied safe refuge can be provided.

5.6 Cambridgeshire Constabulary

No objections

5.7 Cambridgeshire Fire and Rescue

No response received at the time of writing this report

5.8 Anglian Water

Note that the proposed surface water drainage strategy lacks evidence of compliance with the surface water hierarchy and may increase flood risk. They request consultation on any future applications to discharge Conditions 4 and 5 of outline permission F/YR24/0485/VOC.

Following receipt of the above response, the Applicant has been in contact with AW and provided a letter from them dated 1st September 2025 which confirms they have no objection to the proposed connections. With additional reporting undertaken and provided on 31st October, confirming the Surface water hierarchy has been satisfied. Additional comments have been sought from AW but at the time of writing, these have not been provided.

5.9 Natural England

No comment

Internal Consultees

5.10 FDC Housing

No comments received at the time of writing this report

5.11 FDC Environmental Health

No objection - Details of the supporting documentation including the External Lighting Report provided by The Engineering Workshop LLP (Document: 2449-TEW-RP-E-External Lighting Report-S0-P02) relevant to this service are accepted.

5.12 FDC Conservation Officer

No objection – considerations should be given to rationalising fenestration layout.

5.13 FDC Ecology

No objection

5.14 FDC Environmental Services – Refuse

No objections

5.15 FDC Arboricultural Consultant

No objection, originally noted that the landscape proposals lack sufficient detail to demonstrate successful establishment or long-term visual and biodiversity benefits.

Additional information was provided on the landscaping scheme following the receipt of the above comments. Whilst the Arboricultural Consultant raises no objection, they note that the application still lacks sufficient detail. It is considered this can be overcome via condition, should the application be approved. This is discussed further in the below report.

Local Residents/Interested Parties

5.16 No letters of representation have been received from local residents or interested parties at the time of writing this report

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024
Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
Chapter 5 – Delivering a sufficient supply of homes
Chapter 7 – Ensuring the vitality of town centres
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
LP4 – Housing
LP5 – Meeting Housing Need
LP6 – Employment, Tourism, Community Facilities and Retail
LP8 – Wisbech
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

Developer Contributions SPD 2015

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
LP6: Renewable and Low Carbon Energy Infrastructure
LP7: Design
LP8: Amenity Provision
LP11: Community Safety
LP12: Meeting Housing Needs
LP17: Culture, Leisure, Tourism and Community Facilities
LP20: Accessibility and Transport
LP21: Public Rights of Way
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP29: Green Infrastructure
LP30: Local Green Spaces and Other Existing Open Spaces
LP31: Open Space and Recreational Facilities
LP32: Flood and Water Management
LP35: Regeneration of Wisbech
LP37: Site allocations for non-residential development in Wisbech

8 KEY ISSUES

- **Access**
- **Appearance**
- **Layout**
- **Landscaping**
- **Scale**

9 BACKGROUND

9.1 It is worth nothing that the at the time planning application F/YR22/0914/FDL was submitted, Fenland District Council owned land with the application being submitted by Fenland Future Ltd. It has been advised that the land has since been transferred into the ownership of Fenland Future, whom have a land deal with Fenland Extra Care Consortium dependent on the site gaining planning permission. Fenland Future is a wholly owned subsidiary of FDC which has the objective of, amongst other things, maximising the return to the Council as shareholder from its asset portfolio and exploiting opportunities for acquisitions, development and commercial return from assets and to create a delivery model that operates with a degree of commerciality in line with aspirations that mirror the Council's Business Plans and Commercial Investment Strategy.

9.2 Outline planning permission was granted under the terms of F/YR22/0914 FDL for the erection of a care home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved). A subsequent application was made to vary condition 1 which was approved under the terms of F/YR24/0485/VOC on 20th September 2024, this allows the development to come forward in phases, to aid and facilitate delivery of

development of this site which has remained underdeveloped following clearance and remediation for well over a decade.

10 ASSESSMENT

Principle of Development

10.1 The principle of development on this site was established through the granting of outline planning permission (Ref: F/YR22/0914/FDL) on 5 June 2023 and subsequent variation under the terms of F/YR24/0485/VOC on 20th September 2024. Since that time, there have been no changes to national or local planning policy that would materially alter the justification for the approved scheme. Although a revised version of the National Planning Policy Framework (NPPF) has since been published, the key policy principles relevant to this development remain broadly unchanged. Furthermore, there are no new material planning considerations that would affect the assessment of this proposal.

10.2 Consultation responses received in relation to the current application have not raised any significant issues which would indicate non-compliance with the established principle of development.

10.3 Condition 1 of the outline permission requires that, prior to the commencement of development on any individual phase, approval must be obtained from the Local Planning Authority for the following reserved matters:

i. Layout of the site
ii. Scale of the building(s)
iii. External appearance of the building(s)
iv. Means of access
v. Landscaping

10.4 The relevant phases of the development are those identified on plan reference NWF-NOR-XX-XX-DR-A-90009 Rev P02. According to this plan, the site subject to this Reserved Matters application is designated as Phase 1, and the submitted application includes full details addressing all five reserved matters listed above. These elements are assessed in detail in the relevant sections of this report.

10.5 Condition 2 requires that applications for approval of the Reserved Matters be submitted no later than 5 June 2026. The current submission, relating to Phase 1, has been made within the required timeframe and is therefore compliant with this condition.

10.6 Condition 18 limits the development to the following maximum parameters:

- No more than 70 extra care apartments
- No more than 900 sq. metres of commercial (Use Class E) floorspace
- No more than 60 dwellings (Use Class C3)

10.7 The proposals put forward in this application relate specifically to the extra care element and comprise 70 apartments, in accordance with the maximum quantum permitted by Condition 18. No evidence has been submitted to justify any exceedance of the permitted thresholds, nor is any proposed as part of this application. The scheme is therefore considered to be fully compliant with this condition.

Design, Scale and Appearance

10.8 Policy LP16 of the Fenland Local Plan, sets out a number of criterions in which proposals are required to meet, to ensure that high quality environments are provided and protected. Most relevant to the proposal are:

(d) 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, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.

10.9 Further guidance is provided within the Delivering and Protecting High Quality Developments SPD.

10.10 The site is set within a transitional context where the immediate surroundings remain largely free from significant built form and appear in an unmanaged or naturalised state. To the north, the most notable landmark is 'The Boathouse', a prominent, contemporary building which establishes a clear visual reference point. To the south, the Police Station reiterates the more historic nature of the town and is traditional in form and use of materials. To the east, the site is bordered by a cluster of two-storey residential dwellings, which contribute to a more domestic scale and character. To the west, the River Nene defines a strong natural boundary, beyond which lies the more established and built-up core of Wisbech. Collectively, this varied context reinforces the site's role as a transitional space.

Scale and Form

10.11 The scale of the building is broadly consistent with non-residential buildings in the immediate area, most notably The Boathouse and the Wisbech Police Station. These comparators provide an established built form of a similar scale, which assists in assimilating the proposed development into the local context.

10.12 The proposed flat-roof design introduces a substantial expanse of built form. While this could risk presenting as a visually heavy and monolithic structure, the flat roof has the benefit of avoiding an overly dominant skyline and maintains a more restrained overall height than would otherwise be the case with a pitched roof of comparable scale. The approach therefore achieves a balance between delivering the required quantum of units and ancillary floorspace and mitigating the potential for the building to appear overbearing.

10.13 That said, the uniformity of the roofline could still give rise to perceptions of bulk, particularly in longer-range views along Bedford Street. A staggered roof profile, incorporating setbacks or variation in parapet heights, would have helped to soften this impact and improve the relationship with the smaller-scale residential plots to the rear. This is a design opportunity that has not been fully taken but is partly mitigated by the U-shaped footprint.

10.14 The U-shaped form is an important design response, as it creates a degree of articulation in the building envelope and introduces an internal courtyard overlooking the river and promenade. This layout helps balance the need for

openness with the provision of privacy for future occupiers. When experienced from Nene Parade, the U-shape reduces the impression of mass, although this benefit is most apparent when the building is viewed directly head-on.

10.15 Within the wider site context, the proposed variation in massing between phase one and the future phase residential blocks and mixed use development will provide visual cues as to different uses within the development, almost acting as a landmark feature, alongside the other buildings with a similar mass and scale. This hierarchy of scale will assist in reading the site as a cohesive but varied composition, contributing positively to legibility.

Layout

10.16 The footprint is broadly consistent with that approved under the outline consent, albeit with a slight change in orientation. This is not considered to prejudice the scheme. The layout remains legible, with traditional delineation of features such as parking and open space, which will support ease of navigation for residents and visitors. The U-shaped configuration also allows for efficient circulation, with communal facilities located centrally to provide convenient access to amenity areas.

Design, Materials and Detailing

10.17 The proposal provides a visual transition between the historic police station building and the more contemporary Boathouse, reflecting the evolving character of the area. Whilst the building does not seek to replicate the finer grain of historic environment, it responds to the larger-scale civic and commercial buildings nearby. In doing so, the proposal acknowledges that this part of Wisbech is establishing a more mixed character while still respecting local distinctiveness.

10.18 The building is proposed to be finished in facing brick. According to the Design and Access Statement, visual interest will be achieved through the use of varied brick patterns and textures, recessed elements, balconies, stone cladding, arcades, and window frame treatments. It is considered that these features are important in breaking up the visual mass of the building. Therefore, it is essential that such detailing is delivered at build-out stage, as the absence of complementary materials and detailing could result in an overly dominant and monotonous brick elevation. Whilst the wider area does not possess significant architectural merit in its own right, the regeneration context requires that new development sets a positive design precedent. The minor setbacks and façade articulation proposed are therefore welcomed, as they help to mitigate bulk and add refinement to the overall composition The applicant proposes the use of facing brick as the primary material, which is consistent with local vernacular traditions.

10.19 The success of the scheme is highly dependent on the delivery of these detailing measures at construction stage. Without them, the elevations would risk presenting as flat and monotonous, resulting in a development that would be overly dominant and unsympathetic to its setting. This is of particular importance given that the wider townscape, although not of high architectural merit in every instance, and the immediate vicinity, is undergoing regeneration. New development in this context should seek to set a high design benchmark.

10.20 The minor façade setbacks, vertical articulation, and use of different textures and materials will help to mitigate the sense of bulk, adding rhythm and visual variety. The proposal therefore has the potential to achieve a contemporary but contextually sensitive appearance, provided that the detailed design is carefully controlled through appropriate planning conditions

Impact on Setting of Listed Building

10.21 Statutory Duties under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision-makers to give "special regard" to the desirability of preserving a listed building, its setting, and any features of special architectural or historic interest it possesses. This duty is paramount and must be given considerable importance and weight in the planning balance.

10.22 Paragraph 208 of the National Planning Policy Framework highlights the responsibility of the Local Planning Authority (LPA) to identify and assess the particular significance of any heritage asset that may be affected by a development proposal, including impacts on its setting. Such assessment should be informed by the best available evidence and, where necessary, expert advice. The LPA must take this significance into account when weighing the impact of proposals, with the objective of avoiding or minimising conflict between the asset's conservation and the development.

10.23 Paragraph 212 of the NPPF makes clear that great weight must be given to the conservation of designated heritage assets, irrespective of the degree of harm. Furthermore, the greater the importance of the asset, the more weight should be afforded to its conservation. This applies whether the harm amounts to total loss, substantial harm, or less than substantial harm to significance.

10.24 Paragraph 215 of the NPPF advises that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm must be weighed against the public benefits of the proposal, including securing its optimum viable use.

10.25 Local policies reinforce this position. LP16 and LP18 of the Fenland Local Plan require that development proposals respect, conserve, and where possible enhance, heritage assets and their wider settings.

10.26 The NPPF Glossary defines setting as:

"The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."

10.27 Further guidance is provided by the Planning Practice Guidance (PPG), paragraph 013 (Reference ID: 18a-013-20140306). This confirms that assessments of setting should be proportionate to the significance of the asset and the degree to which proposed changes may enhance or detract from that significance.

Key considerations include:

- All heritage assets have a setting, whether designated or not, and its extent may go beyond the asset's curtilage.

- Views are often central to setting but environmental factors (e.g. noise, vibration, or dust), as well as historic or functional links between places, can also be important.
- The contribution of setting may change over time and does not depend on public access.
- Cumulative effects should be taken into account, recognising that harm to setting can reduce an asset's significance and undermine its long-term conservation.

10.28 Historic England guidance on setting highlights that significance is often conveyed through views, which may be static or dynamic, short or long-range, and experienced from, across, or including the asset. Important views include

- Designed views integral to the asset's function or layout;
- Incidental townscape or landscape views of aesthetic value;
- Historically associated views (e.g. battlefields or vantage points);
- Culturally significant views (e.g. those depicted in art, protected landscapes, or valued through tradition);
- Views demonstrating relationships between assets, natural features, or astronomical alignments.

10.29 Against this policy and guidance framework, the proposed development is modern in its architectural expression, sharing a degree of continuity with the contemporary design language of The Boathouse to the north. As discussed above, the massing of the building has been articulated through a series of stepped brickwork panels, both vertical and horizontal, which create depth and shadowing to break up its overall form. The proposed use of cast stone is a positive design element, providing a material palette that complements traditional brickwork and echoes the treatment seen across Wisbech's historic townscape.

10.30 As assessed in the preceding section, the success of this approach will rely heavily on the quality of external materials and detailing. It is therefore recommended that conditions require the submission of sample panels and detailed brickwork specifications to ensure that the elevations achieve the intended depth and richness of appearance.

10.31 The introduction of landscaped space to the recessed central block fronting the river is considered a positive element, softening the building's appearance and contributing to the greening of the public realm. While the arrangement of some windows appears irregular, this is a direct response to the functional requirements of providing habitable rooms with adequate natural light and ventilation. Although the Conservation Officer has observed that this results in a degree of visual clutter, it is acknowledged that the variation also introduces articulation and breaks down the elevation's uniformity. Furthermore, given the degree of separation alongside intervening structures, the proposal is not considered to result in harm to the setting of the nearby heritage assets. On balance, this is not considered to give rise to harm of a level sufficient to warrant refusal, in line with Paragraph 215 of the NPPF, this minor level of harm is outweighed by the significant public benefits arising from the delivery of specialist accommodation to meet identified community needs.

Amenity

10.32 Policy LP2 of the Fenland Local Plan seeks to promote high levels of residential amenity. Similarly, Policy LP16 seeks to ensure development proposals result in high quality environments most relevant:

(h) 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.

10.33 The submitted plans confirm that each habitable room within the development would benefit from appropriately sized window openings, ensuring adequate levels of natural daylight and ventilation. As such, there are no concerns in respect of sunlight provision to primary habitable rooms, including bedrooms.

10.34 In terms of internal space, the Nationally Described Space Standards (NDSS) require a one-bedroom, two-person unit to provide a minimum of 50sqm of gross internal floorspace, while a two-bedroom, four-person unit must achieve at least 70sqm. Although it is recognised that two-bedroom apartments within a care setting are unlikely to accommodate four persons, the submitted floorplans confirm that all units comfortably exceed the relevant minimum standards. Specifically:

- One-bedroom units: 55.73–56.05 sqm
- Two-bedroom units: 79.31 sqm
- One-bedroom bariatric units: 79.31 sqm

10.35 The above demonstrates that the proposed apartments would provide an acceptable standard of accommodation. The internal floor areas ensure that residents will benefit from spacious and functional living environments. Several apartments are also proposed with private terrace and balconies, offering direct access to outdoor amenity space in addition to communal facilities. This provision is considered to be a valuable enhancement in terms of resident wellbeing and accords with Policy LP2's emphasis on ensuring good quality of life.

10.36 Regard must also be had to potential impacts on the amenity of future neighbouring occupiers, particularly in respect of the land to the east (identified as Plot 3). The submitted Design and Access Statement indicates that this land may be brought forward for residential development of up to 2.5 storeys in height. Whilst there will be a degree of separation between Plot 3 and the proposed care home, the latter's overall scale and massing could potentially influence outlook and overshadowing for future occupiers of that site. However, as no detailed scheme for Plot 3 has been submitted, it is not possible to undertake a full or definitive assessment at this stage. It is reasonable to conclude, however, that any future detailed proposals for Plot 3 could be designed to avoid significant adverse impacts, for example through the careful positioning of windows, appropriate separation distances, and considered building orientation. As such, there is insufficient evidence of harm to justify refusal of the present application on these grounds.

10.37 Condition 14 of planning permission F/YR24/0485/VOC requires the submission of a scheme detailing existing ground levels (in relation to an agreed datum

point), along with the proposed finished floor and floor slab levels for each phase of the development.

10.38 The submitted floor plans provide these details, confirming the following levels:

- Datum point ±0.000 (+4.900)
- Ground Floor: +0.300 (+5.200)
- Podium Floor: +0.900 (+5.800)
- First Floor: +3.975 (+8.875)
- Second Floor: +7.050 (+11.950)
- Third Floor: +10.125 (+15.025)

10.39 The finished floor levels are considered appropriate and consistent with the scale and form of the outline scheme, as well as the surrounding land levels. While the ultimate relationship with residential development to come forward in subsequent phases (such as Plot 3) cannot be fully assessed at this stage, there is no evidence to suggest that harmful amenity impacts would arise. It remains possible for future phases to be designed in such a way as to avoid issues of overlooking, overbearing impact or overshadowing.

10.40 On this basis, it is considered that the submitted details are acceptable and satisfy the requirements of Condition 14 of planning permission F/YR24/0485/VOC, in respect of amenity concerns for phase 1 (plot 5).These considerations are also relevant to the assessment of flood risk, which is discussed later in this report.

10.41 Notwithstanding the above requirements, the proposed development is not considered likely to result in demonstrable harm to the residential amenity of future occupiers, either within the development itself or in relation to adjacent land. The apartments exceed national minimum space standards, benefit from adequate natural light and ventilation, and provide private or communal amenity space appropriate to their use. Although some issues such as noise mitigation remain to be addressed via condition, these matters are capable of resolution and do not constitute reasons for refusal.

10.42 Accordingly, the proposal is considered to comply with Policies LP2 and LP16 of the Fenland Local Plan, as well as the guidance set out within the Delivering and Protecting High Quality Developments SPD.

Landscaping and Ecology

10.43 Policy LP16 of the Fenland Local Plan requires all development to contribute to high-quality environments. In relation to landscaping, criteria (c) and (d) require proposals to retain and incorporate natural and historic features of the site, such as trees and hedgerows, in order to preserve landscape character and the settlement pattern of the surrounding area.

10.44 Policy LP19 requires development proposals to conserve, enhance, and promote the biodiversity and geological interest of the natural environment across Fenland.

10.45 The proposed landscaping scheme includes native, low-maintenance planting along the site boundaries, perimeter tree planting, and additional trees integrated within the car parking areas. Hard landscaping features will comprise permeable

block paving and resin-bound gravel, while green roofs are also proposed to enhance both visual and ecological value.

10.46 Although the application site is currently laid to grass, providing open green space that contributes to the local character, it is neither formally landscaped nor well-maintained. The proposed scheme would introduce intentional, structured planting that would represent a visual and ecological enhancement in its own right. While the introduction of a four-storey care home will inevitably change the landscape character of the site, the principle of this was established under previous planning permissions. Give the above, the proposed combination of soft and hard landscaping measures is considered sufficient and appropriate.

10.47 Notwithstanding the above, there is no objection to the proposed soft landscaping however, it is noted that there is insufficient information in terms of a number of key details, including plant sizes at the time of planting, planting quantities, installation methods, establishment measures, and aftercare details. The additional information provided during the determination, only briefly outlines the potential mature sizes of the proposed trees and other species, but does not fully consider their suitability for the location given their growth potential. Furthermore, associated issues such as potential pests (for example, aphids in Lime varieties) and whether root deflectors or other mitigation measures are required to avoid future conflicts have not been addressed. However, it is considered that these matters can be satisfactorily secured by condition.

10.48 Ecological considerations have been informed by both historic and updated surveys. A Preliminary Ecological Appraisal was undertaken by Tetra Tech in 2021 as part of the outline planning permission. In support of this reserved matters submission, an Ecological Design Strategy and a Construction Environmental Management Plan (CEMP) have been submitted prepared by Red Ecology. These documents confirm that the development has been designed to minimise biodiversity loss, reduce ecological disturbance during construction, and create new habitats of ecological interest.

10.49 A biodiversity net gain assessment has also been undertaken using the Statutory Metric, based on the proposed landscape masterplan. While the development is not required to achieve a 10% biodiversity net gain due to the original permission predating the mandatory requirement, opportunities to enhance biodiversity have nonetheless been integrated into the scheme, as shown on the proposed landscape plan and set out in the Ecological Design Strategy.

10.50 Condition 16 of the original planning consent required the submission of an ecological design strategy. This has been submitted alongside this application, prepared by Red Ecology dated June 2025 and provides detailed proposals for the long-term ecological management and enhancement of the site, following completion of construction. It outlines the establishment, maintenance, and monitoring of new and retained habitats, as well as measures to support protected and priority species.

10.51 Key elements include the creation of native tree, shrub and hedgerow planting, species-rich wildflower grassland, amenity grassland, and ornamental landscaping to deliver a varied ecological structure. Species measures include bird nesting bricks (Swift, House Sparrow and other species), bee bricks, and a sensitive lighting scheme to safeguard foraging bats. Invasive species (Japanese

Rose and Butterfly Bush) are to be eradicated in accordance with the approved CEMP.

10.52 The ecological design strategy provides clear aftercare and monitoring arrangements, including biannual habitat checks, five-yearly management reviews, and replacement planting where losses occur. Responsibility for implementation and long-term maintenance is clearly assigned to the developer and an approved management company.

10.53 The proposals are consistent with the Preliminary Ecological Appraisal and deliver appropriate mitigation and enhancement in line with Policy LP19 of the Fenland Local Plan and the NPPF. Whilst it is not usually appropriate to discharge conditions during the reserved matters stage, given this condition directly correlates to the landscaping scheme required under condition 1, in this instance, it is considered acceptable.

10.54 In respect of lighting, Condition 15 of the 2024 permission requires a Lighting Impact Assessment for each relevant phase, addressing potential impacts on the amenity of neighbouring occupiers and on biodiversity. The application is accompanied by an assessment prepared by The Engineering Workshop, which confirms that all external lighting will be directed towards the building and car park, away from adjacent plots, to minimise amenity impacts and excessive light spill. This approach also seeks to protect retained and newly created vegetation of biodiversity value.

10.55 Similarly, Condition 17 of the original permission required the submission of a Construction Environmental Management Plan, again this has been submitted prepared by Red Ecology dated June 2025. The CEMP sets out site-specific measures to avoid or reduce ecological impacts during construction, including a full risk assessment of potentially damaging activities (e.g. vegetation clearance, machinery use, lighting, dust and runoff). Appropriate mitigation measures are identified and will be overseen by an Ecological Clerk of Works where necessary. Measures include protection of nesting birds, bats, Badgers and Hedgehogs, control of invasive species, tree and habitat protection through fencing and exclusion zones, noise and lighting controls, and pollution prevention in line with Environment Agency guidance.

10.56 Roles and responsibilities are clearly defined between the Site Manager, Fenland Extra Care Consortium, and Red Ecology. Timing of sensitive works and ecologist attendance are appropriately set out, and the mitigation measures are proportionate, deliverable, and consistent with good ecological practice.

10.57 The submitted CEMP (Biodiversity) provides sufficient information to demonstrate that ecological impacts will be effectively managed and that biodiversity interests will be safeguarded during construction. Whilst it is not usually appropriate to discharge conditions during the reserved matters stage, given this condition directly correlates to the landscaping scheme required under condition 1, in this instance, it is considered acceptable.

10.58 Taking into account the above, it is considered that the proposed development would not result in harm to ecological interests and would provide a modest uplift in biodiversity value. The landscaping scheme, which incorporates native planting, perimeter and car park tree planting, green roofs, and high-quality hard surfacing, will contribute positively to the visual character of the site and the wider

streetscape while also supporting ecological enhancements. No objections have been raised by Natural England, the FDC Ecologist, or Environmental Protection. The proposal is therefore considered acceptable in terms of both landscaping and ecology, and in accordance with Policies LP16 and LP19 of the Fenland Local Plan.

Access, Parking and Highway Safety

10.59 Policy LP15 of the Fenland Local Plan requires all new development to contribute to the delivery of a sustainable transport network by providing well-designed, safe, and convenient access for all users. Proposals should also provide car and cycle parking appropriate to the scale and type of development, in accordance with the parking standards set out in Appendix A.

Access

10.60 The transport statement submitted in support of this application prepared by Caneparo Associations dated June 2025 as well as the associated plans denote both the vehicular and pedestrian accesses to be provided to the site. Additional informative plans were also provided to show the extent of public highway, during the determination of the application, to assist the LHA in the assessment of the proposal on the impact of the highway.

10.61 Access to the on-site car park is proposed off the short access road off Bedford Street located adjacent to the southern boundary of the site. It is proposed that vehicles would enter the car park off a new access located along the northern edge of the access road and exit via an egress off the western end of the access road. Vehicles would be encouraged to circulate around the car park in an anticlockwise manner via appropriate on-site signage and road markings. The swept paths included in Appendix E of this statement, show that a standard design vehicle can enter and exit the proposed on-site car park without the need to reverse onto of off the adopted highway.

10.62 It is anticipated that all delivery and servicing activities would take place from the proposed layby on Bedford Street. The track diagrams for a Council refuse truck and the largest goods vehicle anticipated to require access to the proposed facility is included in Appendix G. The track diagrams included in Appendix H, show that a range of small goods vehicles would be able to enter and exit the on-site car park in forward gear if necessary. Taking into account the above, it is considered that it has been demonstrated that the access provided to and within the site is sufficient.

Highway Safety

10.63 Within the supported transport statement, the assessment concludes that the proposed development would have no material impact on the surrounding transport or highway network arising from the change of use. Safe access for pedestrians and cyclists has been incorporated into the design, including a dedicated entrance from Nene Parade linked to the surrounding pedestrian network, as well as secure cycle parking provision.

10.64 The Transport Statement goes on to advise that the estimated traffic generation associated with the proposal would be very low, and in fact slightly below the level assessed and deemed acceptable at the outline planning permission stage.

On this basis, the proposals are considered to have a negligible effect on the operation of the local road network.

10.65 The LHA were consulted on this application, initially requesting additional information regarding the extent of the proposal and its relationship with the public highway, following the receipt of additional information and overlay plans, the Highway Authority have raised no objection to the proposal and have not recommended any conditions.

10.66 The submitted evidence is considered sufficient to demonstrate that the development provides safe and convenient access for all users, incorporates appropriate parking and cycle facilities, and would not adversely affect the surrounding transport or highway network. The proposal therefore accords with Policy LP15 of the Fenland Local Plan and Chapter 9 of the National Planning Policy Framework (NPPF).

Parking

10.67 While Appendix A specifies requirements for various use classes, it does not set out standards for C2 (residential institutions) extra care housing.

10.68 The proposed development includes a total of 24 car parking spaces, three of which are designated for Blue Badge holders. Given the absence of specific Local Plan standards for extra care facilities, an assessment will be made in terms of the parking requirement on comparable schemes; this stance is supported by the Housing LIN Design Principles for Extra Care Housing (3rd Edition, June 2020). This guidance confirms that formal parking standards for 'housing with care' are uncommon, and provision is often determined with reference to precedents from similar developments. The Housing LIN document notes that for general needs affordable housing, parking provision is typically around 40% of units. Applied to the 70-bed scheme at Nene Parade, this would equate to 28 spaces.

10.69 A parking note, included within Appendix F of the Transport Statement, seeks to justify that the parking provision provided would be sufficient in these specific circumstances as the proposal is an extra care facility, and therefore future residents will be subject to statutory care assessments and are unlikely to own cars due to mobility, health, and support needs. On this basis, the proportion of car ownership is expected to be significantly lower than in general needs housing.

10.70 The scheme also includes a dedicated drop-off and pick-up layby to facilitate safe and convenient access for residents, visitors, and care staff.

10.71 It is also advised within this note that, Pinnacle Group, a Registered Provider of Social Housing and the intended operator of the facility, has been involved throughout the design process. Based on their operational experience with extra care schemes, they have confirmed that the proposed provision of 24 spaces is more than adequate. Pinnacle note that two-bedroom apartments within such schemes are typically required for care-related purposes (e.g. storage of medical or mobility equipment) rather than to accommodate multiple car-owning occupants. Furthermore, it is advised that tenancy agreements do not guarantee parking spaces for residents, further supporting an efficient allocation of spaces.

10.72 The parking note goes on to advise of two precedent schemes to support the above conclusion:

- Beeston, Leeds (63 apartments: 51 one-bedroom, 12 two-bedroom) – 19 spaces (30%)
- Telford (67 apartments: 61 one-bedroom, 6 two-bedroom) – 21 spaces (31%)

10.73 It is claimed that both operate efficiently without reported parking issues, despite having a lower parking provision proportion than is proposed at Nene Parade. The LPA have also taken an overview of similar facilities within the Fenland District whereby this stance has been supported E.g. (F/YR21/1069/F - Chrysanthemum House, Wisbech; F/YR16/0171/F – Lyncroft Residential Home, Wisbech).

10.74 Taking into account the extra care housing typology, the operational experience of Pinnacle Group, precedent examples from other local authority areas, the inclusion of a dedicated drop-off facility, and the close proximity of the site to Wisbech Town Centre, with good pedestrian links, it is considered that the proposed parking provision of 24 spaces is appropriate and proportionate to the development. The scheme meets the requirements of Policy LP15 in providing safe, convenient, and suitably designed access and parking arrangements.

10.75 The submitted evidence is considered sufficient to demonstrate that the development provides safe and convenient access for all users, incorporates appropriate parking and cycle facilities, and would not adversely affect the surrounding transport or highway network. The proposal therefore accords with Policy LP15 of the Fenland Local Plan and Chapter 9 of the National Planning Policy Framework (NPPF).

Flood Risk and Drainage

10.76 Policy LP14 of the Fenland Local Plan and paragraphs 170-182 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk, with both documents steering development in the first instance towards land at a lower risk of flooding. The majority of the application site falls within Flood Zone 3 with the remainer sitting within Flood Zone 2. Ordinarily the sequential and exceptions test would be required however, this was considered acceptable under the terms of the original consent and therefore, is not for consideration or assessment of this application. However, the approval was subject to a number of conditions requiring additional details in respect of flooding and drainage this will be addressed and assessed individually below.

Condition 4:

The submission of a detailed layout for each relevant phase as required by condition No 1, shall include the following: A detailed design of the surface water drainage of that phase. The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy prepared by Tetra Tech Limited (ref: 784- B020853 Rev 04) dated 8 February 2023.

Condition 5:

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from each relevant

phase will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority.

Condition 8:

The submission of details for each relevant phases as required by condition No 1, shall include an Emergency Evacuation Plan to address a number of requirements.

10.77 This submission includes a number of drawings to seek to comply with the above conditions in terms of the first phase of development. A site-specific Flood Risk Assessment that was submitted and conditioned as part of the outline application. This identified the relevant design flood levels for the 1 in 200 tidal event, with overtopping levels at 4.48mAOD (2011 baseline) and 4.50mAOD (2115 climate change), and breach levels at 5.23mAOD and 5.20mAOD respectively.

10.78 The proposed building design incorporates a ground floor finished floor level of 5.20mAOD and a podium level of 5.80mAOD, where all sleeping accommodation will be located. The ground floor therefore sits 0.7m above the design overtopping level, with only a small area at potential risk in the climate change breach scenario. Importantly, the podium level provides 1.3m clearance above the overtopping level and a minimum 600mm freeboard above the breach level, ensuring safe refuge and compliance with accepted design principles.

10.79 No living or sleeping accommodation is proposed at ground floor level, which is restricted to communal areas only. The entrance, set at 5.20mAOD, is necessary to provide level access to surrounding highways, which are constrained at approximately 4.10mAOD.

10.80 In addition, the development incorporates a comprehensive package of flood resilience and resistance measures, including use of solid concrete foundations and floors; water-resistant finishes; ceiling-fed pipework and wiring; raised electrical and mechanical services; installation of non-return valves on drainage outlets; and specification of durable materials. These measures will further mitigate residual risk and support rapid recovery in the event of a flood.

10.81 On this basis, the proposed approach is considered to appropriately address flood risk in line with national policy requirements. While the ground floor sits marginally lower than the Environment Agency's preferred level, the overall design strategy ensures that all habitable accommodation remains safely above both overtopping and breach levels and incorporates robust resilience measures. It is therefore considered that the proposal represents an acceptable response to site-specific flood risk, and the Environment Agency have not objected on this basis.

10.82 In terms of addressing the requirements of condition 4; a full detailed Surface Water Drainage Plan in line with agreed FRA and Drainage Strategy has been prepared by Create Consulting Engineers and accompanies this application to discharge this condition.

10.83 Similarly, in terms of addressing the requirements of Condition 5; Construction Surface Water Management Plan has been prepared by Create Consulting Engineers and accompanies this application to discharge this condition.

10.84 In terms of satisfying the requirements of both condition 4 and 5, the submitted material provides the detailed design of the surface water drainage and confirms that reserved matters proposals have been designed within the parameters agreed at outline. More specifically in terms of condition 5, the Construction Surface Water Management Plan undertaken by Create Consulting Engineers Ltd ref: RB/VL/P25-3423/02, dated June 2025 and accompanying plans provides a detailed surface water drainage scheme in line with the approved Flood Risk Assessment. During construction, a temporary surface water management plan will manage runoff via perimeter ditches and an attenuation basin designed for a 1:100 year rainfall event, with measures to control silt, pollution, and spillage. Temporary flows will be restricted to the permanent drainage system, with final permanent flow control provided upon completion. The strategy complies with environmental guidance and will be reviewed throughout construction, with the contractor responsible for implementation.

10.85 Notwithstanding the above, the proposal does seek to discharge surface water to an existing Anglian Water Manhole, to which Anglian Water have advised that insufficient information has been provided to comply with the surface water hierarchy – '*The applicant does not explain as to why the surface water from the development cannot be discharged into the local ditch. A surface water connection into Anglian Water surface water sewer is subject to sufficient evidence to prove that all surface water disposal routes have been explored as detailed in the surface water hierarchy'.*

10.86 Subsequently, additional information was submitted to clarify this matter, including a confirmation letter from Anglian Water dated 1 September 2025 (Ref: ALD-0228657) alongside a report on 31st October carried out by Create (ref: B/VL/P25-3423/04TN) confirming that AW have no objection to either a direct foul water connection or a direct surface water connection to the public surface water sewer with the report detailing how the Surface Water hierarchy has been complied with and considered.

10.87 Formal comments have been requested from Anglian Water to confirm whether this information is sufficient to satisfy the requirements of Conditions 4 and 5; however, at the time of writing, these comments remain outstanding. It is considered, based on the information provided directly to the applicant by Anglian Water, alongside the report satisfying the Surface Water Hierarchy that the concerns previously raised will fall away and the matter will be considered to have been satisfactorily addressed. The LPA therefore consider that, the details submitted, together with the subsequent confirmation letter (received following the initial consultation response), are likely to be deemed sufficient to satisfy the requirements of Conditions 4 and 5. However, as no formal consultation response has been received at this time it is recommended that the final determination is delegated to the Head of Planning subject to the expiry of the consultation with Anglian Water.

10.88 In terms of addressing the requirements of condition 8 an Emergency Evacuation Plan designed by Create Consulting Engineers Ltd dated June 2025 has been submitted alongside this application. This sets out several recommendations in terms of flood risk, likelihood and preparatory measures such as before occupation, a Flood Evacuation Plan will be lodged with Fenland District Council's Emergency Planning team and the site registered with the Environment Agency's Floodline service. Site management and residents (where practicable) will be trained in evacuation procedures, supported by an emergency flood kit

stored above flood levels with essential supplies. A transport strategy will be in place to enable vehicle evacuation, alongside a directory of emergency contacts. Management will also be trained to safely isolate utilities, and insurance cover will be confirmed as adequate. These measures ensure the development can operate safely in flood risk terms.

10.89 This document also sets out the evacuation plan in the event of a flood, personal safety takes precedence, and no evacuation should be attempted through floodwater due to hidden hazards. Upon receipt of a formal Flood Warning for this section of the River Nene, site management must prepare residents for evacuation and check that Nene Parade remains clear of floodwater. If safe, residents will be evacuated via pre-arranged transport along Bedford Street and southwards beyond the floodplain to a designated shelter, as directed by Fenland District Council. With 70 residential rooms on site, appropriate vehicle capacity must be arranged. If floodwater has already overtopped onto Bedford Street, residents should not evacuate but instead take refuge above ground floor level within the building.

10.90 Furthermore, this document provides information on the reoccupation of the building stating that Once the flood event has passed and the warning for the River Nene has been lifted, reoccupation of the property should only occur when it is confirmed safe to do so and clearance has been given by the emergency services. On returning, site management must remain alert to residual hazards such as standing water, debris, silt deposits, or potential contamination. Before residents re-enter, insurance companies should be contacted, and the structural condition of the building inspected by a competent professional. Utilities must be checked and reconnected by providers prior to use. A clean-up operation should then follow, including emergency pumping if necessary, ventilating the building, safe disposal of contaminated food, and recording all damage for insurance purposes. Further guidance is available from Floodline and the Council's Environmental Health team.

10.91 The submitted information satisfactorily addresses flood risk, drainage, and emergency management requirements in accordance with Policy LP14 of the Fenland Local Plan and paragraphs 170–182 of the NPPF. The detailed surface water drainage design and construction management plan, both prepared by Create Consulting Engineers, demonstrate compliance with the approved Flood Risk Assessment, incorporating appropriate attenuation, flow controls, and temporary construction-phase measures to manage runoff, pollution, and siltation. Finished floor and podium levels have been set at 5.20mAOD and 5.80mAOD respectively, ensuring all habitable areas remain safely above overtopping and breach levels, supplemented by comprehensive resilience features such as raised electrical systems and non-return valves. An Emergency Evacuation Plan provides clear procedures for flood warning, refuge, evacuation and reoccupation, supported by management training, emergency supplies, and coordination with Fenland District Council and the Environment Agency

10.92 It is therefore considered that collectively, the measures as outlined above ensure that the development will be safe for its lifetime without increasing flood risk elsewhere. Furthermore, there have been no objections raised by the LLFA, Environment Agency or other statutory consultees in this respect and the details submitted are therefore considered acceptable.

Biodiversity Net Gain (BNG)

10.93 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.

10.94 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 original planning application was submitted prior to the requirement for statutory net gain coming into force.

10.95 Notwithstanding the above, as detailed within the Ecology section of this report, additional information by way of a biodiversity net gain assessment has also been undertaken using the Statutory Metric, based on the proposed landscape masterplan. While the development is not required to achieve a 10% biodiversity net gain due to the original permission predating the mandatory requirement, opportunities to enhance biodiversity have nonetheless been integrated into the scheme, as shown on the proposed landscape plan and set out in the Ecological Design Strategy. For the avoidance of doubt, the deemed condition does not apply to the approval of this application.

Other Matters:

Compliance with National Design Guide

10.96 Condition 21 of the outline application states:

Notwithstanding the indicative layout submitted with the application, the submission of a detailed layout for each relevant phase as required by condition No 1, shall include an assessment of the layout, scale, appearance and landscaping against the sections within the National Design Guide (those relating to relevant residential developments of this type). This is in order to demonstrate and achieve high quality development in accordance with the conclusion within the Design and Access Statement submitted with this application

10.97 In respect of the above condition, the National Design Guide (NDG) does not explicitly provide a section on Extra Care Facilities, its principles are intended to apply flexibly to all forms of residential development, including specialist housing. Several themes are directly relevant here, and their requirements are reinforced through Fenland Local Plan policies.

10.98 The NDG in policy U1 – A Mix of Uses, highlights that successful places incorporate a mix of uses, helping to create vibrant and active communities. The wider site already establishes a mixed-use character, and the Extra Care accommodation diversifies housing types while meeting a clearly identified need. This stance is reflected in Policy LP16(c), which requires development to

contribute positively to local identity and character, supporting balanced and sustainable communities.

10.99 Policy U2 promotes housing variety, including specialist forms such as Extra Care. This scheme directly contributes to housing choice and inclusivity, accommodating older residents and those needing additional support. This aligns with Policy LP2, which promotes high standards of residential amenity for all occupiers, and Policy LP16(d), which requires development to meet community needs while reinforcing resilience and adaptability in housing provision.

10.100 Policies H1 and H2 – Homes and Healthy Places stress that homes should provide healthy, comfortable environments with good space, light, ventilation, and access to external amenity. The proposal exceeds the Nationally Described Space Standards (NDSS), provides generous communal space, and benefits from private balconies and a landscaped courtyard. This is consistent with Policy LP2, which safeguards residential amenity, and Policy LP16(h), which requires sufficient and well-related amenity space to be provided for all dwellings.

10.101 Policy P3 highlights that well-designed public and semi-public spaces should support social interaction and accessibility. The development achieves this through its U-shaped courtyard, riverside frontage, and pedestrian-friendly design, which together promote social activity, natural surveillance, and connectivity. This requirement is echoed in Policy LP16(d), which expects proposals to enhance the character of the local built environment and contribute positively to the street scene and settlement pattern.

10.102 Policy M3 emphasises that parking and servicing areas should be attractive, integrated, and not dominate the street scene. The proposed parking is softened through permeable surfacing and tree planting, while servicing has been designed to minimise conflicts with pedestrians. This approach reflects Policy LP16(c), which requires development to integrate well with its surroundings, and Policy LP19, which requires landscaping and biodiversity enhancements to be embedded into development proposals.

10.103 Taking into account the above, although the NDG does not provide bespoke guidance for Extra Care housing, the scheme demonstrates clear alignment with its principles of mixed-use vibrancy, housing choice, health and wellbeing, high-quality public realm, and integrated servicing. These principles are embedded within and reinforced by the Fenland Local Plan. The scheme is considered to satisfy the intent of Condition 21 and is acceptable in planning policy terms.

Planning Balance

10.104 In terms of sustainability the National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; economic, social and environmental, 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)

10.105 This stance is supported by Local Plan Policy LP1. In respect of the economic objective, it is acknowledged that most residential development typically generates some economic benefit, particularly through the creation of jobs during the construction phase. In this case, the proposal would generate temporary employment in the construction phase and contribute to the local economy through increased footfall for local businesses, shops, and services once occupied. While these benefits are modest in scale, they nonetheless represent a positive contribution to the economic role of sustainable development.

10.106 In respect of the social objective, the proposal provides 70 Extra Care units, directly addressing an identified need for specialist accommodation within the district. This supports housing choice, enables older residents to live more independently, and relieves pressure on general housing stock and health/social care services. Whilst the benefits are most directly felt by future occupiers, there are also wider social advantages in creating inclusive, mixed communities. Accordingly, the scheme makes a meaningful contribution to the social strand of sustainable development.

10.107 With regard to the environmental objective, as set out in earlier sections of this report, the development is considered acceptable in terms of design, scale, and layout. It would not cause harm to the character or appearance of the area, nor result in unacceptable landscape impacts. The proposal provides ecological and biodiversity enhancements. The scheme also demonstrates appropriate finished floor levels and flood risk resilience measures.

11 CONCLUSIONS

11.1 Taking into account the above assessment, the proposed Reserved Matters submission for Phase 1 accords with the parameters and principles established under the extant outline permission and subsequent variation of conditions application. The scheme provides full details of layout, scale, appearance, access, and landscaping, all of which have been assessed and found to comply with the relevant national and local planning policies. The proposed development delivers 70 Extra Care apartments within the limits of Condition 18, meeting an identified local need for specialist accommodation and contributing positively to the social, economic, and environmental objectives of sustainable development as set out in the NPPF and Policy LP1.

11.2 The design, scale, and appearance of the building respond appropriately to the transitional character of the site, providing a contemporary yet contextually sensitive form that complements its surroundings. Technical matters, including flood risk, drainage, access, parking, and landscaping, have been satisfactorily addressed, with no outstanding issues that would preclude approval. Whilst certain details, such as materials, will require further approval via condition, these are capable of resolution. Overall, the proposal represents an acceptable form of development that aligns with Policies LP2, LP14, LP15, LP16, LP18, and LP19 of the Fenland Local Plan and is therefore recommended for approval.

12 RECOMMENDATION

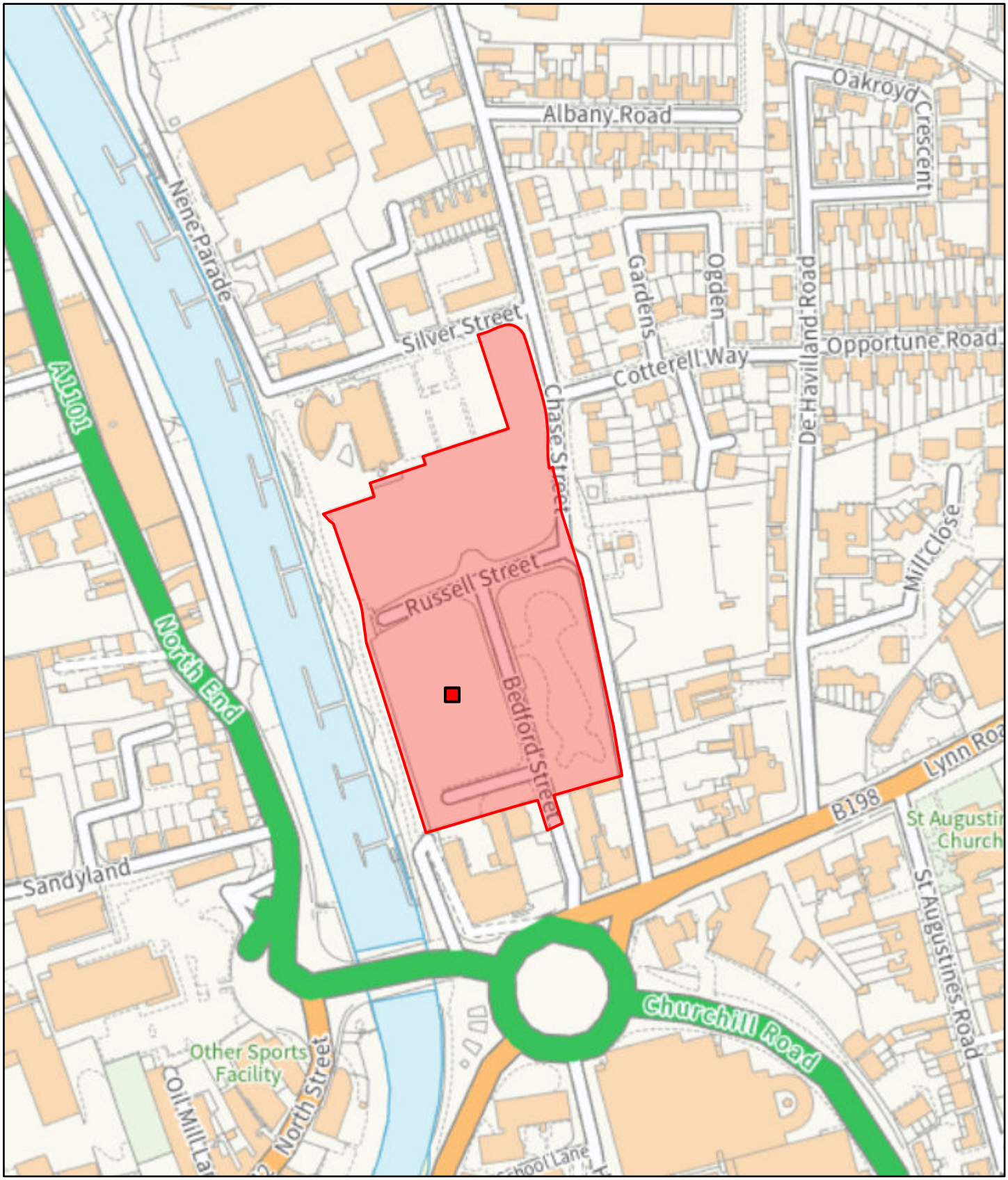
Members are recommended to delegate authority to the Head of Planning to grant planning permission, subject to the expiry of the consultation with Anglian Water and no objections being received, and subject to the following conditions:

1	No works above ground level shall occur until sample panels of brickwork (showing the colour, texture, face bond and pointing) alongside detailed brickwork specifications have been submitted to and approved by the local planning authority. The works must then be carried out in accordance with the approved sample unless otherwise agreed in writing by the local planning authority. Reason: To ensure that the approved works are carried out without detriment to the character and appearance of the building where there is insufficient information within the submitted application, in accordance with Policy LP16 and LP18 of the Fenland Local Plan
2	Notwithstanding the above, prior to their use in the development hereby approved, samples and associated details of all other the materials to be used in the construction of the external surfaces, including windows, doors and balustrading, of the development hereby approved shall have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details. Reason: In order to ensure that suitable materials are used on the development as there are insufficient details within the submitted planning application, in accordance with Policy LP16 of the Fenland Local Plan
3	Prior to any works above ground level, full details of the proposed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submitted details shall include, but not be limited to, the following: A) Planting schedules, including species, sizes at the time of planting, and planting densities/quantities; B) Details of planting methods and installation, including soil preparation and root management measures (such as the use of root barriers or deflectors where required); C) Details of establishment measures and maintenance/aftercare for a minimum period of five years following planting; and D) An assessment of the suitability of the selected species in relation to their mature size, growth characteristics, and potential pest issues (for example, aphids associated with Lime species). The approved details shall be implemented in full within the first available planting season (October to March inclusive) following the occupation of the development. If, within a period of five years from the date of planting, any tree or plant, or any tree or plant planted in replacement for it, is removed, uprooted, destroyed, dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree or plant of the same species and size as that originally planted shall be planted at the same place,

	unless the Local Planning Authority gives its written consent to any variation. 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.
4	The development hereby permitted shall not be first occupied/provided with connection to utility services until such time as the vehicle parking area indicated on the approved plans, including 24 spaces in total, including three accessible bays, alongside the dedicated service bay on Bedford Street to the north of the building, has been hard surfaced, sealed and marked out in parking bays. The vehicle parking area(s) shall be retained in this form at all times. The vehicle parking area(s) shall not be used for any purpose other than the parking of vehicles that are related to the use of the approved development. Reason: To ensure adequate space for parking off the highway is provided in the interest of highway safety, in accordance with Policy LP15 of the Fenland Local Development Plan
5	The use of the premises, hereby approved, shall be solely for that specifically referred to within the Planning Statement produced by Planning Potential dated June 2025 (Extra Care) and for no other purpose within Use Class C2 or any other use. Reason: For the avoidance of doubt regarding the scope of this permission, and the basis on which the application has been determined Any other Use of the site would require careful assessment in terms of amenity space, parking and the principle of development, given the site location and constraints, in accordance with Policies LP1, LP2, LP3, LP15 and LP16 of the Fenland Local Development Plan
6	The development shall be undertaken in accordance with the terms and specifications contained within the Foul and Surface Drainage Strategy ref: P25-3423-00 01 P02, Construction Surface Water Management Plan ref: P25-3423-0005 P01 and Construction Surface Water Management Report ref: RB/VL/P25-3423/02 dated: June 2025 and the Emergency Evacuation Plan ref: GGB/VL/P25-3423/03 dated: June 2025, which are attached and form part of this permission. REASON: To ensure a satisfactory method of surface water drainage, to prevent the increased risk of flooding elsewhere and to minimise the risk of flooding for occupants/residents, in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.
7	Upon completion of the surface water drainage system, in accordance with the details of condition 6, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority, prior to the first occupation of the development, hereby approved. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission.

	Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority, and in accordance with Policy LP 4 of the Fenland Local Plan 2014. Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development, in accordance with Policy LP14 of the LDP.
8	The development shall be undertaken in accordance with the terms and specifications contained within the Ecological Design Strategy ref: 1011.EDS.FINAL.01 dated June 2025 and Construction Environmental Management Plan ref: 011.CEMP.FINAL.01 dated June 2025, which are attached to and form part of this permission. Reason: To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to protect features of nature conservation importance in accordance with Policy LP19 of the Fenland Local Plan 2014.
9	The development shall be undertaken in accordance with the terms and specifications contained within the Lighting Impact Assessment ref: 2449-TEW-RP-E-External Lighting Report-S0-P02 dated May 2025 which is attached and form part of this permission. All illumination within the site shall be installed, maintained and retained in accordance with the approved details. There shall be no other lighting of the external areas of the site. Reason: To ensure that any floodlighting at the site is of a satisfactory specification and to ensure that it will not cause any undue harm or loss of amenity to the surroundings area, in accordance with Policies LP16 and LP19 of the Fenland Local Development Plan.
10	The development hereby permitted shall be carried out in accordance with the following approved plans and documents: Location Plan - A(91)E0-000 Proposed Site Layout - A(91)E0-002 Rev A Proposed Ground Floor Plan - A(GA)E0-100 Rev A Proposed Podium Floor Plan - A(GA)E0-101 Rev A Proposed 1st Floor Plan - A(GA)E0-102 Rev A Proposed 2nd Floor Plan - A(GA)E0-103 Rev A Proposed 3rd Floor Plan - A(GA)E0-104 Rev A Proposed Roof Plan - A(GA)E0-105 Proposed East and South Elevations - A(GA)E0-300 Rev A Proposed West and North Elevations - A(GA)E0-301 Rev A4 Inner Courtyard Elevations - A(GA)E0-303

F/YR25/0520/RM



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0 35 70 140 m

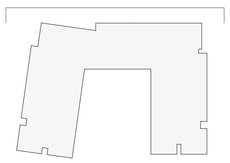
Fenland District Boundary

Fenland District Council

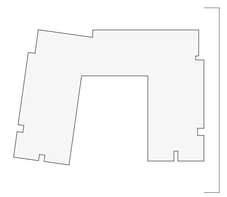
Uniform

© Crown Copyright and database rights 2025 Ordnance Survey AC0000815148.

Eastern Elevation - Bedford Street



Southern Elevation



A(GA)E0-300 Proposed - Elevations

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This drawing to be read in conjunction with all specifications and all other consultants design information. Any contradictions between this drawing and any other design information to be advised to the contract administrator and author immediately. The contractor to site measure, check and verify all information issued and confirm the correctnedd of the contents prior to the commencement on site.

Finished Floor Levels

	+/-0.000 (+4.900 AOD)
Ground Floor	+0.300 (+5.200 AOD)
Podium Floor	+0.900 (+5.800 AOD)
1st Floor	+3.975 (+8.875 AOD)
2nd Floor	+7.050 (+11.950 AOD)
3rd Floor	+10.125 (+15.025 AOD)

TIDAL BREACHING LEVEL

BEDFORD STREET LEVEL

REV	DATE	DRAWN	CHECK
A	30/06/2025	BH	BL
-	15/04/2025	BH	BL

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Dyer

PROJECT
Wisbech Extra Care

ADDRESS
Nene Waterfront, Chase Street
Wisbech PE133BL, United Kingdom

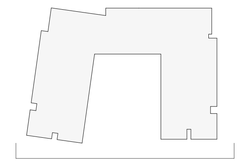
TITLE
Proposed - Elevations

SCALE @ A1
1:100

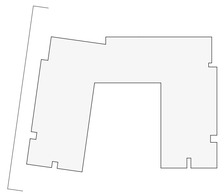
PROJECT NO - DRAWING NO
25001-A(GA)E0-300

REV

Western Elevation - Nene Parade



Northern Elevation - Russel Street



A(GA)E0-301 Proposed - Elevations

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REV	DATE	DRAWN	CHECK
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ADDRESS
Nene Waterfront, Chase Street
Wisbech PE133BL, United Kingdom

TITLE
Proposed - Elevations

SCALE @ A1
1:100

PROJECT NO - DRAWING NO
25001-A(GA)E0-301

REV

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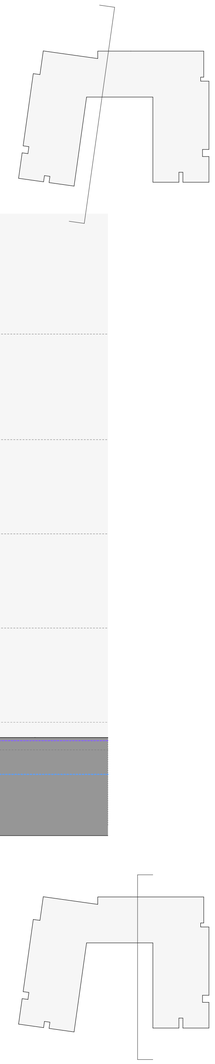
3rd Floor	+10.125 (+15.025 AOD)

TIDAL BREACHING LEVEL

BEDFORD STREET LEVEL

Inner Courtyard Elevation - Northern Wing



Inner Courtyard Elevation - Southern Wing

REV	DATE	DRAWN	CHECK
-	30/06/2025	BH	BL

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PROJECT
Wisbech Extra Care

ADDRESS
Nene Waterfront, Chase Street
Wisbech PE133BL, United Kingdom

TITLE
Proposed - Elevations

SCALE @ A1
1:100

PROJECT NO - DRAWING NO
25001-A(GA)E0-303

REV

A(GA)E0-303 Proposed - Elevations

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This drawing to be read in conjunction with all specifications and all other consultants design information. Any contradictions between this drawing and any other design information to be advised to the contract administrator and author immediately. The contractor to site measure, check and verify all information issued and confirm the correctnedd of the contents prior to the commencement on site.

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3rd Floor	+10.125 (+15.025)

- 1BEDROOM APARTMENT
- BARIATRIC APARTMENT
- 2BEDROOM APARTMENT
- TECHNICAL ZONE
- CIRCULATION ZONE
- MANAGEMENT
- COMMUNAL AREAS
- APPLICATION BOUNDARY

REV	DATE	DRAWN	CHECK
-	15/04/2025	BH	BL

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Dyer

PROJECT
Wisbech Extra Care

ADDRESS
Nene Waterfront, Chase Street
Wisbech PE133BL, United Kingdom

TITLE
Proposed - 3rd Floor

SCALE @ A1
1:100

PROJECT NO - DRAWING NO | REV
25001-A(GA)E0-104

0 0.5 1.0 1.5 2.0 2.5 5.0 10 m

N

F/YR25/0274/F

Applicant: Bowsall Developments Ltd & Housing 21	**Agent: Mrs Beverley Moss Hourigan Planning**

Land West of Playing Field, Barton Road, Wisbech, Cambridgeshire

Erect x 42 affordable dwellings, 1 x office/communal space including cycle stores, landscaping, highways improvements and associated works and demolition of all existing buildings

Officer recommendation: Grant

Reason for Committee: Deferral from previous Committee meeting

1 EXECUTIVE SUMMARY

1.1. This application was heard at Planning Committee on 15th October 2025, where Members agreed to defer determination of the application to enable statutory consultees to provide updated responses regarding site drainage and the location of the majority of the site within Flood Zone 3.

1.2. Further to this the Lead Local Flood Authority (LLFA), Anglian Water, the Environment Agency and North Level District Internal Drainage Board (IDB) have submitted written updates to the Local Planning Authority confirming that there are no objections to the proposal on the basis of flood risk, but that standard conditions should be imposed regarding drainage of surface and foul water to address such matters appropriately.

1.3. Accordingly, there are no reasonable reasons to refuse planning permission on the basis of unacceptable surface water flood risk and as such this proposal is considered to be acceptable in respect of flood risk.

1.4. The proposed development seeks to provide a total of 42 single storey dwellings for occupation by over-55s only within a 100% social rent development in the West Wisbech broad location for growth. Six of the dwellings will be constructed to M4(3) standards, which means they are fully wheelchair-user adapted. The 100% social rent dwellings will be secured by a s106 agreement and due to the fact that the whole site will be for affordable dwellings no additional s106 obligations are sought.

1.5. When taking all elements of the proposal into consideration the benefits that would arise from the proposed development outweigh the harm of the site being located within Flood Zone 3, which can be mitigated through measures identified in the Flood Risk Assessment submitted as part of the application. The application is therefore recommended for approval, subject to a s106 agreement to secure the affordable dwellings.

2 UPDATE

2.1 During the Planning Committee meeting of 15th October 2025 Members were presented with the above application, that was recommended for approval with the following:

- The Committee delegates authority to finalise the terms and completion of the s106 legal agreement and planning conditions to the Head of Planning; and,

- Following the completion of the s106 application F/YR25/0274/F be approved subject to planning conditions set out in draft at Appendix 1; or,

- The Committee delegates authority to refuse the application in the event that the Applicant does not agree to 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.

2.2 Members resolved to defer determination of the application to provide the four consultees relating to flood risk to update their response in view of the situation at the care home site to the west of the application site and for further consideration of the proposal, given that a significant part of the site is located within Flood Zone 3.

2.3 Further to this the four consultees concerned with flood risk (the LLFA, the Environment Agency, Anglian Water and the IDB) have responded in writing and have confirmed that their previous advice remains unchanged; they do not object to the proposal, but proposed standard conditions in order that the development is acceptable in respect of surface and foul water drainage and that the impact of the development is suitably mitigated.

2.4 For reference, the original Committee Report, recommendation and suggested conditions are included as an appendix following this update.

3 CONSULTATIONS

3.1 Anglian Water (17/10/2025)

As there are no proposed changes made on the drainage plans submitted with the application our planning response reference 224463/1/0229547 dated 1st of August 2025 to the planning application F/YR25/0274/F remains the same. We have no objections to the above planning application however Anglian Water would need to be consulted for any changes/amendments made to the proposed drainage strategy at a later planning stage.

3.2 Environment Agency (31/10/2025)

The site in questions holds a ground level of 2.6-2.8mAOD. Based on the modelled depths on site during the 1 in 200-year (0.5% AEP) event, this would put the water at 2.9-3.0mAOD. Based on the Fenland 2011 SFRA paragraph 9.4.10, the finish floor level should be 300mm above the modelled depths.

Based on these depths, the proposed finish floor levels in the submitted drawing 2403-P-06 REV A; dated 20.02.25; submitted by 4ward Architects would provide sufficient protection to this event.

3.3 CCC Lead Local Flood Authority (22/10/2025)

I can confirm as per our most recent consultation response on the 7th August 2025 (ref: F/YR25/0274/F) that the LLFA support this application.

3.4 **North Level IDB (31/10/2025)**

Based on what is shown on Fenland's website at the time of this email, the Board's position remains as set out in its letter of 8 August 2025, no objection but with a request for drainage-related conditions as part of any planning permission granted.

4 ASSESSMENT AND CONCLUSIONS

Site Specific Flooding and Drainage

4.1 The application site is located within Flood Zones 1 and 3, with the majority of the site located in Flood Zone 3.

4.2 Matters of surface water flooding were considered in the original officer report and the proposed mitigation for this was considered by the four flood risk consultees. The proposed mitigation, specifically the raising of finished floor levels to 3 metres Above Ordnance Datum (AOD) was considered to be acceptable. Notwithstanding the fact that part of the site lies within Flood Zone 3, the benefits of the proposal are considered to outweigh the negatives of permitting a residential development within this location, given that the flood risk to future residents can be mitigated by the measures proposed by the applicant.

4.3 The Lead Local Flood Authority (LLFA), the Environment Agency, the Internal Drainage Board (IDB) and Anglian Water have all been reconsulted since the previous committee meeting on 15th October 2025. All four consultees have confirmed that there is still no objection to the scheme on the basis of flood risk, subject to the imposition of proposed conditions.

4.4 The details submitted as part of the planning application have been re-reviewed by the Environment Agency, Anglian Water, the IDB and Lead Local Flood Authority, and none have raised any objection to the proposals.

4.5 Accordingly, the details submitted with the application are considered to comply with the NPPF and Policy LP14 of the Fenland Local Plan, subject to conditions.

5 Conclusion

5.2 On the basis of the above, all technical matters for surface water drainage and flood risk mitigation have been resolved by the applicant or can be secured by conditions. As such, there are no reasonable reasons to refuse planning permission on the basis of unacceptable surface water flood risk and as such flood risk is not considered to be a justified reason for refusal and it is certainly not a reason for refusal identified by the LLFA, IDB, Anglian Water or the Environment Agency.

5.2 The proposal will provide 42 single storey dwellings for affordable rent for over 55s and will offer 6 of the 42 dwellings as M4(3), which means they will be fully adapted for wheelchair users. Therefore, on balance, the public benefits of the proposal outweigh the negatives of the development being mostly located within

Flood Zone 3 which, as is demonstrated within the application, can be successfully mitigated by raising the finished floor levels of the proposed dwellings, amongst other mitigation measures.

6 RECOMMENDATION

6.1 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 s106 legal agreement and planning conditions to the Head of Planning; and,

2. Following the completion of the s106 application F/YR25/0274/F be approved 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 to 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.

Planning Conditions

1	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	Prior to the commencement of the development hereby approved a scheme and timetable for the provision of the six M4(3) dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The provision of the six M4(3) dwellings shall be made in accordance with the approved scheme and timetable. Reason - To ensure a satisfactory form of development.
3	No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site. Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy E7 of the Fenland District Wide Local Plan.
4	No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Method Statement (CEMS: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMS (Biodiversity) shall include the following: a) Summary of potentially damaging activities. b) Identification of "biodiversity protection zones".

	c) The location and timing of sensitive works to avoid harm to biodiversity features. d) The times during construction when specialist ecologists need to be present on site to oversee works. e) Responsible persons and lines of communication. f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. g) Use of protective fences, exclusion barriers and warning signs. The approved CEMS shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. Reason - In the interests of the conservation of the natural environment (Policies LP 16 and LP19).
5	Prior to the occupation of the development, a Habitat Management and Monitoring Plan (HMMP), including details of measures to protect and enhance existing flora, fauna and habitats within the development site shall be submitted to and approved by the Local Planning Authority in writing. The Habitat Management and Monitoring Plan (HMMP) shall be carried out as approved in accordance with the specified schedule contained therein. Reason - To protect the visual amenity value of the landscaping, and the biodiversity value of the habitat within the site in accordance with Policy LP16 of the Fenland Local Plan, 2014.
6	All vegetation clearance at the site shall only take place outside the bird breeding season of March to September inclusive, unless a nesting bird survey has been undertaken by an experienced ecologist 24-48 hours prior to clearance and the report submitted to the local Planning Authority for approval. Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of the National Planning Policy Framework.
7	All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil 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 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	Provision shall be made on the site for communal open space for the benefit of the occupiers of the dwellings comprised in this permission and shall be to the standards adopted by the Local Planning Authority at the date of this decision notice. Reason - To ensure compliance with the Council's policy for the provision of open space and to ensure that the occupants of the permitted dwellings are afforded an acceptable measure of amenity.
9	Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable. Reason - To ensure a satisfactory form of development.
10	Prior to the commencement of development a detailed scheme for the construction of estate road(s), associated footway(s) and cycleway(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed scheme shall be constructed to at least binder course surfacing level to the adjoining highway prior to the first occupation of any dwelling served by the estate road. Reason - In the interests of highway safety and the amenities of occupiers.
11	Prior to the first occupation of each dwelling hereby approved, the proposed on-site parking for that individual dwelling shall be demarcated, levelled, surfaced and drained in accordance with the approved plans. Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of residents/occupiers of the approved scheme and shall not be used for any other purpose. Reason - In the interests of highway safety.
12	The ground floor level of any buildings involved in the development shall be at least 3.0m AOD and shall thereafter be retained as such in perpetuity. Reason - To provide a reasonable freeboard against flooding.
13	No development approved by this permission shall be occupied prior to the completion of the recommendations detailed in the e3p Phase II Geoenvironmental Site Assessment dated March 25 (Ref 30-048-R1). 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) below: (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 guidance. (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.
14	Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved Construction Environmental Management Plan (CEMP). Reason - To ensure the safe operation of the development site and 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.
15	Prior to the commencement of development, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity. Reason - In order to ensure that the site meets the crime prevention guidelines.
16	Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover, measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes. Reason - To ensure that retained trees are adequately protected.
17	Prior to the commencement of the development hereby approved, details of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved by the Local Planning Authority. This should include provision for the storage of three standard sized wheeled bins for each new property with a collection point no further than 25 metres from 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. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in

	the approved form 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.
18	Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Authority. The scheme shall subsequently 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.
19	Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Authority in consultation with the Drainage Authority. The scheme shall subsequently 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 surface water drainage and to prevent the increased risk of flooding.
20	Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations: i) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B); ii) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C); Reason - To prevent overlooking of neighbouring properties, in the interest of the protection of residential amenity and in order to control future development and to prevent the site becoming overdeveloped. Also to ensure that the development is single level accommodation, which was a reason for grating this planning permission.
21	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).
22	The development hereby permitted shall be carried out in accordance with

	the following approved plans and documents:

Appendix A – Original Committee Report

F/YR25/0274/F

Applicant: Bowsall Developments Ltd & Housing 21	**Agent: Mrs Beverley Moss Hourigan Planning**

Land West of Playing Field, Barton Road, Wisbech, Cambridgeshire

Erect x 42 affordable dwellings, 1 x office/communal space including cycle stores, landscaping, highways improvements and associated works and demolition of all existing buildings

Officer recommendation: Grant

Reason for Committee: Town Council comments contrary to Officer recommendation

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1. EXECUTIVE SUMMARY

1.1. This application is a full application for 42 affordable dwellings on previously developed land located in the West Wisbech broad location for growth.

1.2 The proposed development seeks to provide a total of 42 single storey dwellings for occupation by over-55s only within a 100% social rent development in the West Wisbech broad location for growth. The 100% social rent dwellings will be secured by a S.106 agreement and due to the fact that the whole site will be for affordable dwellings no additional S.106 obligations are sought.

1.3 The site lies within Flood Zone 3. At the time the application was submitted and validated the Draft Approach to the Sequential Test for Housing' (DAST) guidance was in place, meaning that at the time no Sequential or Exception Test were required. Notwithstanding the lack of a Sequential and Exception Test, it is concluded that there are no sequentially preferable sites within the West Wisbech broad location for growth that could provide for 42 social rent dwellings with on-site management arrangements. It has been demonstrated that the proposal would pass both criteria of the Exception Test by virtue of providing six M4(3) dwellings, which would be a sustainable community benefit, in accordance with the Cambridgeshire Flood and Water SPD.

1.4 The application site is located within the West Wisbech broad location for growth and therefore residential development on this site is considered to be acceptable in principle.

1.5 It is demonstrated below that when taking all elements of the proposal into consideration that, on balance, the benefits that would arise from the proposal outweigh the harms, such as the site being located within Flood Zone 3, which can be mitigated through measures identified in the Flood Risk Assessment submitted as part of the application, in addition to the public benefits of six M4(3) dwellings, which are fully wheelchair-user adapted.

2. SITE DESCRIPTION

2.1 The application site is located on the south side of Barton Road, less than 1 mile to the west of Wisbech town centre. The site is accessed from Barton Road and is bounded by Barton Road playing fields to the east, Magazine Lane to the south and Grove Park to the west.

2.2 The site is approximately 1.87 hectares and is currently in use as a plant nursey with retail sales. The site comprises a mix of greenhouses and open fields for the growing of plants and some single storey brick outbuildings to the south of the site which have also been used for the purposes of growing plants/shrubs for the nursery business.

2.3 The site is relatively flat, with a slight fall from north to south, although there are localised higher points within the site, albeit the variance in height is minimal.

2.4 The existing dwellinghouse, no. 67 Barton Road, which is associated with the existing business and is located to the northeast of the site, does not form part of the planning application.

2.5 The site is crossed with existing drainage for the greenhouses and footpaths to and from the greenhouses, which are in varying states of repair. There are also a number of areas of hardstanding, which are the previous footprints of former greenhouses.

2.6 Fronting onto Barton Road are a number of existing mature trees including at either side of the existing vehicular access to the site. On the eastern boundary of the site there is also a line of mature trees. The western boundary, between the site and Grove Park, is a 1.8-metre-high timber fence. The southern boundary is heavily vegetated and screens views of the site from Magazine Lane.

3. PROPOSAL

3.1 The application proposes the development of 42 no. affordable dwellings with the following description of development:

3.2 "Demolition of all existing buildings and structures and the erection of 42 no. affordable dwellings to be occupied by people aged 55 and over, 1 no. unit functioning as a manager's office, landscaping, highways improvements and associated works".

3.3 The scheme comprises a total of 42 no. residential single storey dwellings in the form of bungalows with a mix comprising of 35 no. 1 bed bungalows and 7 no. 2 bed bungalows. All of the proposed dwellings would be occupied social rent dwellings and all residents would be aged 55 or older.

3.4 The site will be accessed from the north, along Barton Road, and this will function as the main vehicular access to site, along with footpath connections to the east and west along Barton Road. There will be a secondary pedestrian/cycle entrance to the south onto Magazine Lane.

3.5 In the northwest corner of the site, to the west of the Barton Road entrance, there will be a small area of amenity space, which will function as a landscaped gateway into the site. To the south of this area of Public Open Space (POS) there will be a narrow, linear swale to provide drainage as part of an on-site Sustainable Urban Drainage System (SuDs) for the development.

3.6 There are two main existing boundaries to the site from where the site is publicly visible. These boundaries are the northern, onto Barton Road, and the southern, onto Magazine Lane. The layout of the site has been designed so that the northern boundary will have the landscape gateway with dwellings fronting onto it presenting on Barton Road. The southern boundary will have dwellings fronting towards Magazine Lane, thereby both boundaries positively address the areas which they front onto.

3.7 In addition to the 42 dwellings proposed, Plot 6 would provide a site manager's office to be available on site and for the site manager to perform their daily managerial work in supporting the residents with their tenancy needs. Plot 6 would also provide an internal communal space and kitchen facilities so that residents can meet.

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

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

4. SITE PLANNING HISTORY

4.1 The site has a long planning history, the most pertinent applications relevant to this proposal being as follows:

Reference	Description	Decision	Date
F/YR06/0034/O	Residential Development (1.61 ha)	Withdrawn	21.02.2006
23/0099/PREAPP	Erect 42 dwellings, 1x unit functioning as a managers office and providing communal space and kitchen facilities for residents; landscaping, highways improvements and associated works involving demolition of existing buildings	Advice Given	

5. CONSULTATIONS

5.1 Wisbech Town Council

Object for the following reasons:

- The proposal would constitute overdevelopment of the site
- There is insufficient highway infrastructure to support additional residential development in this area
- There is inadequate drainage infrastructure in the vicinity of the site
- There is insufficient community infrastructure to support development of this scale

5.2 FDC Housing Strategy and Enabling Officer

Support this application as it provides 100% affordable housing with much needed 1 and 2 bed bungalows for over 55-year-olds, with all dwellings being offered as social rent.

5.3 CCC Archaeology

14.04.2025: Support, as follows:

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.

14.08.2025 Update:

Thank you for your consultation in regard to the amendments made to the above referenced planning application.

The amendments include an approved Written Scheme of Investigation. Please note that the WSI is for the evaluation phase of works only, which will determine the need for further mitigation. If required these works will need to be led by a new WSI.

Therefore our comments remain the same as previously advised, namely that due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary.

5.4 Cambridgeshire and Peterborough Integrated Care System (ICS)

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: Clarkson Surgery, Trinity Surgery, North Brink Practice. There is zero capacity in the Wisbech area to take on additional patients and this development of 42 dwellings would see an increase in patient pressure of circa 100 of new residents, which would require additional Whole Time Equivalent GP/Nurse / Admin support workforce to support increase in appointments as follows: GP = 0.05 / Nurse = 0.03 and Admin = 0.10 with a resulting increase on estate demand of 6.91sqm net internal area.

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 £36,108.29 (6.91sqm at £5224 per sqm). 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 £36,108.29 (6.91sqm at £5224 per sqm).

5.5 FDC Ecology

No objection but propose conditions requiring a Construction Environmental Method Statement (CEMP), the statutory BNG requirements and a Habitat Management and Monitoring Plan (HMMP).

5.6 **Cambridgeshire Fire and Rescue**

No objection. Advise that a condition requiring fire hydrants is imposed should permission be granted.

5.7 **Environment Agency**

No objection:

Flood Risk
We strongly recommend that the development should be carried out in accordance with the submitted Flood Risk Assessment (FRA) (Ref: 23007-FRA-001 Rev A; dated February 2025; submitted by Dart Engineers LTD) and the following mitigation measures it details:

- *Finished floor levels shall be set to 3.0mAOD*

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 you to determine if the sequential test needs to be applied and whether there are other sites available at lower flood risk.

Flood Resilience
We strongly recommend the use of flood resistance and resilience measures. Physical barriers, raised electrical fittings and special construction materials are just some of the ways you can help reduce flood damage.

Water Resources
The location of this development is in an area of serious water stress (as identified in our report Water stressed areas – 2021 classification) and has the potential to increase abstraction from groundwater sources. We have evidence which indicates that groundwater abstraction to meet current needs of the population is already in some cases causing ecological damage to Water Framework Directive designated waterbodies or there is a risk of causing deterioration in the ecology if groundwater abstraction increases. Therefore, the water resource demand of the development should be considered. This supply needs to be sustainable and have no adverse impact to WFD waterbodies including chalk streams.

Residential/Domestic
We strongly support all efforts to make new residential developments as water efficient as possible. As a minimum, the higher standard of a maximum of 110 litres per person per day should be applied to this development as set out in the Building Regulations &c. (Amendment) Regulations 2015. This standard is already a requirement of Policy LP7, Part J in the Fenland Local Plan and can be checked by Local Planning Authority's Building Regulations teams for compliance.

5.8 **North Level IDB**

29.04.2025: Holding objection to the proposal for the following reason:

It is noted that the planned surface water systems for this development discharge to an Anglian Water surface water sewer in Magazine Lane. That sewer runs

generally westwards before outfalling into a Board-maintained watercourse known as Cox's Lane Drain.

Concerns have been raised in recent months by Anglian Water about watercourse levels and water levels/flows in this area. Any proposed discharge from this development will need to be agreed with Anglian Water and the Board.

Pending at least an 'in principle' agreement for how surface water run-off will be effectively discharged from this development, the Board must note a holding objection to the application. Should you wish to favourably determine this application in advance of surface water matters being resolved, the Board would request that appropriate pre-commencement conditions are attached to any permission.

Update 29.05.2025:

Thank you for your re-consultation about these proposals. Comments made by North Level District Internal Drainage Board in its letter of 29 April 2025 still apply. I would be grateful if you would continue to take them into account when considering this application.

5.9 **FDC Arboriculture**

24.05.2025: No objection, subject to a condition requiring the submission of a comprehensive Arboricultural Method Statement:

The arboricultural report satisfactorily identifies the quality and constraints of the existing tree stock and acknowledges that some tree losses will occur. These losses are considered acceptable in the context of the overall scheme. Replacement planting has been incorporated into the soft landscape design, which provides suitable mitigation.

The submitted method statement outlines the required tree protection measures; however, it lacks sufficient detail regarding how ground disturbance within root protection areas (RPAs) will be managed.

To ensure the protection measures are clearly understood and properly implemented, more robust guidance is required. This should include detailed methodologies in line with BS5837:2012, supported by a supervision schedule setting out when an arboricultural consultant is to be present on site to oversee critical stages, including the installation and maintenance of protective measures.

30.06.2025 Update:

No objection: The Tree Report identifies suitable measures that will be put in place to protect the trees to be retained.

5.10 CCC Lead Local Flood Authority

30.04.2025, 03.06.2025 and 10.07.2025: Comments received objecting to the application. Further information has been received and updated comments provided.

07.08.2025 Update:

We have reviewed the following documents:

- *Drainage Strategy, DART, Ref: 23007-DR-C-0100, Rev: P8, Dated: January 2025*
- *Impermeable Area, DART, Ref: 23007-DR-C-01010, Rev: P4, Dated: January 2025*
- *Construction Drainage Strategy, DART, Ref: 23007-DR-C-0102, Rev: P1, Dated: January 2025*
- *Flood Risk Assessment, DART, Ref: 23007-FRA-001, Rev: A, Dated: February 2025*

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 a swale and geocellular attenuation before discharging via flow control at 2l/s into the existing surface water sewer. A maintenance plan has also been provided detailing maintenance practices and adoption details of the surface water drainage features on site.

We request the imposition of three conditions.

5.11 Education, Library and Strategic Waste

The following table sets out the requested s106 contributions:

	Contribution	**Project**	**Indexation Date**	**Trigger**
Early Years	N/A	N/A	N/A	N/A
Primary Ed.	N/A	N/A	N/A	N/A
Secondary Ed.	N/A	N/A	N/A	N/A
SEND Ed.	N/A	N/A	N/A	N/A
Libraries	£6,195	Enhancement of Wisbech Library	1st Quarter 2019	100% prior to occupation of 50% of the development
Strategic Waste	N/A	N/A	N/A	N/A
Monitoring Fee	£600	N/A	1st Quarter 2025	10 days after commencement of development

The contributions sought are towards libraries only and Cambridgeshire County Council provide justification for the above figure based on Department of Culture, Media and Sport guidelines.

5.12 Designing Out Crime

No objection, provided that should the proposal be approved a condition requiring the development to be undertaken in accordance with Secured by Design is imposed.

5.13 CCC Highways

No objection for the following reasons:

- *References have been made to the relevant policies and guidance.*
- *The access arrangements through the site are noted. The two sets of uncontrolled crossing points on Barton Road and Magazine Lane are noted. The internal network of footways will be accessible to residents and nearby residents connecting Barton Road to Magazine Lane are noted. The details of this section are acceptable.*
- *The applicant during the pre-app phase was asked to redo their trip generation assessment on TRICS using Retirement and Care Community category. The submitted details for this application highlight the trip rates to be 0.152 arrivals in the AM Peak (10 two-way trips) and 0.102 departures (6 two-way trips) in the PM peak are low but are noted and acceptable.*

5.14 Anglian Water

06.05.2025 and 09.06.2025: Comments received objecting to the proposal.

01.08.2025: Updated comments received with no objection to the proposal. The comments are as follows:

Based on the above assessment West Walton WRC is within the acceptance parameters and can accommodate the flows from the proposed growth. Informatives are suggested to protect Anglian Water's assets, to manage connections to the public sewer network and regarding surface water disposal.

5.15 FDC Environmental Health

No objection subject to the imposition of conditions covering the following mattes, should permission be granted:

- No occupation of the development until the recommendations of the e3p Phase II Geoenvironmental Site Assessment dated March 25th 2025 (Ref 30-048-R1) have been undertaken.
- A Construction Environmental Management Plan (CEMP) shall be submitted.
- A lighting scheme shall be submitted.

5.16 East of England Ambulance Service

No objection. Financial contributions are requested as follows:

This proposed development is likely to impact on the services of 3 ambulance stations (Wisbech, March and Peterborough Hub) operating within the vicinity: travel times from Wisbech Ambulance Station in rush hour traffic to the development location are circa 10 minutes, 20 minutes from March and 30 minutes from Peterborough Hub (Reference ShapeAtlas) (NB this is a standard reference point and does not mean ambulances come from these locations in order to respond to calls). Wisbech Ambulance Station has capacity for 4 emergency ambulance vehicles and more will be required to manage population growth from this development. Each ambulance requires 78.46m2 GIA at a cost of £5,167 per m2 and additional ambulance vehicles are likely to be supplied from the Peterborough Hub.

This application for 42 dwelling development could generate another 92 residents and will generate an anticipated additional 5 calls per annum which combined with other developments in Fenland places significant pressure on March and Wisbech ambulance stations and others in the local area to maintain mandated response times. 2023/24 activity is currently calculated at population level across the East of England (residents 6.3m) / number of Incidents in (1.4m) = 0.23 incidents per person per annum. This is an increase of 10.5% per annum compared to existing activity, postcode area PE131 indicates 986 incidents per annum between 1st April 2024 and 31st March 2025.

A developer contribution will be required to mitigate the impacts of this proposal and is calculated at £9,520 (discounted rate).

18.07.2025 Clarification: The sum requested is not £9,520, but £13,734 as referred to in the response.

5.17 Local Residents/Interest Parties

A total of 4 letters of objection have been received from residents of Grove Park and Ashdale Park, Wisbech and one set of comments from an address in Magazine Lane, Wisbech. The objections raise the following concerns:

Comment Received	Officer Comments
Increased volumes of traffic in the local area.	Covered in Transport Statement
Construction phase will exacerbate existing traffic levels.	CEMP required by condition
Insufficient capacity in existing GP surgeries.	Addressed in s106 considerations below
Existing sewerage systems cannot cope.	Drainage details provided and conditions proposed
Noise and dust from construction.	CEMP required by condition
Impact upon local wildlife.	See Ecology section below
Overdevelopment of the area.	Covered in Principle section bellow
Insufficient infrastructure.	Covered in s106 considerations below

In addition to the concerns raised above the following points, which are not considered to be material planning considerations, were made:

- Unattractive views out onto the proposed development.
- The impact upon the foundations of existing parkhomes to the west.

6. STATUTORY DUTY

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

7. POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024
Chapter 2 - Achieving sustainable development
Chapter 4 – Decision-making
Chapter 5 – Delivering a sufficient supply of homes
Chapter 8 – Promoting healthy and safe communities
Chapter 9 – Promoting sustainable transport
Chapter 11 – Making effective use of land
Chapter 12 – Achieving well-designed places
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)
Determining a Planning Application

National Design Guide 2021
Context
Identity
Built Form
Movement
Nature
Homes and Buildings
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
LP8 – Wisbech
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

Delivering and Protecting High Quality Environments in Fenland SPD 2014
DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

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
LP7: Design
LP8: Amenity Provision
LP12: Meeting Housing Needs
LP20: Accessibility and Transport
LP21: Public Rights of Way
LP22: Parking Provision
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP32: Flood and Water Management
LP36: Residential Site Allocations for Wisbech

8. KEY ISSUES

- **Principle of Development**
- **Flood Risk and Drainage**
- **Housing Need and Supply**
- **Affordable Housing and Housing Mix**
- **Design, Character and Appearance**
- **Residential Amenity**
- **Highway Safety**
- **Archaeology**
- **Ecology**
- **Landscape**
- **Contamination**
- **Developer Contributions**
- **Biodiversity Net Gain (BNG)**

9. BACKGROUND

9.1 A planning application was submitted for this site in 2006 under reference F/YR06/0034/O for residential development. The application was subsequently withdrawn on 21.02.2006.

9.2 The applicant applied for pre-application advice for this scheme in 2023 under reference 23/0099/PREAPP. The advice offered was positive and at that time the site was considered to be acceptable in policy terms as the proposal could be brought forward as a stand-alone development, which would not hinder the strategic planning of the West Wisbech BCP.

10. ASSESSMENT

Principle of Development

10.1 The proposal seeks full planning permission for 42 single storey affordable dwellings along with 1 x office/communal space including cycle stores, landscaping, highways improvements and associated works and demolition of all existing buildings on site.

10.2 The application site is located on the edge of the town of Wisbech, which is identified as one of the two main 'Market Towns' along with March in Policy LP3 of the Fenland Local Plan, with the two 'Other Market Towns' being Chatteris and Whittlesey. As such, it is one of the main areas for growth within the district. The key statement in Policy LP3 in respect of the location of the proposal is that 'the focus for the majority of growth is in and around the four market towns. 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'.

10.3 The site is currently a plant nursery and features a number of internal roads and driveways, areas of hardstanding and greenhouses and also areas of grass and for the growing of plants and flowers. For the purposes of this planning application it is considered to be a mix of brownfield and greenfield land, although given the quantum of existing buildings and structures onsite there are more previously developed areas than not. The applicant has provided both a Planning Statement and appendix to it which clarify why the site is considered to be previously developed. In the appendix the applicant refers to appeal decision APP/H1033/W/23/3317979, which concerned the proposal for 2 no. dormer bungalows in Charlesworth, Derbyshire. The site was a former nursery and garden centre. The inspector confirmed that no definition of 'previously developed site' was provided as part of the appeal. However, the inspector did state the following:

> *At the time of my visit, the site was occupied by a large, dilapidated building on the eastern boundary, a greenhouse, sections of a collapsed building, various pieces of equipment and significant areas of hardstanding. There was a substantial amount of vegetation and self-seeded bushes on the site. Nevertheless, the buildings and equipment are visible, and I was largely able to traverse the site on hard standing such that I do not consider the site has returned to its natural state or that structures on site blend into the landscape. For these reasons, I find that for the purposes of LP Policy EQ 3 the appeal site is previously developed.*

10.4 The officer's site visit for this application took place during ordinary working hours and the garden centre/nursery was trading, with several staff on site and a large range of plants and flowers for sale, along with a number of greenhouses with plants and flowers at various stages of maturity. The site was walked both from north to south and east to west and was predominantly carried out whilst walking on existing hardstanding.

10.5 Like the appeal site referred to above by the applicant, it was possible to traverse the site on hardstanding and the site continued to function as an operating business with a number of permanent structures on site including sheds, greenhouses, other storage buildings and reception area for payments etc. As such, the site has not blended back into the landscape as would be the case had

the current use ceased, and it is considered to be more developed that an area for growing of plants functioning as a plant nursery would expect to be. As such, it is considered to accord with Policy LP3 as the location is 'in and around' the town of Wisbech and the site itself is predominantly previously developed.

10.6 In addition to Policy LP3 directing development to the larger towns within the district, Policy LP8 of the Fenland Local Plan, which covers Wisbech specifically, identifies the area within which the site is located, as part of the West Wisbech broad location for growth. It states that 'the area will provide a high-quality living environment and be predominantly open space and residential although there may be opportunities for some business use'. The policy then adds that the area indicated on the Key Diagram is 'very indicative, with the final extent subject to the preparation of a broad concept plan for the area. This scheme should be informed in particular by an assessment of flood risk and transport issues'. It is considered that Policy LP8 of the Fenland Local Plan supports the principle of developing this site for housing, subject to satisfactorily addressing flood risk and transport.

10.7 Changes to the National Planning Policy Framework (NPPF) since 2018 have placed greater emphasis on the acceptability of re-developing brownfield sites. Paragraph 125 of the NPPF states that "planning policies and decision should… give substantial weight to the value of using suitable brownfield land within settlements for homes… proposals for which should be approved unless substantial harm would be caused." Again, it is considered that due to the site primarily consisting of previously developed land the proposal is acceptable in principle.

Flood Risk and Drainage

Context

10.8 The site lies within Flood Zones 1 and 3, with the area of low flood risk at the front (north) end of the site connecting onto Barton Road, and the area of highest flood risk, Flood Zone 3, to the south of this area comprising the rest of the site. Furthermore, there are some areas of the site that may be subject to a low chance of surface water flooding, as depicted on the Environment Agency flood maps. The application proposes a 42 dwelling scheme comprising 100% affordable housing units.

Policy Considerations

10.9 Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework (NPPF) set out the policy approach towards development in areas of flood risk. Policy LP14 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, 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.

10.10 The NPPF includes an over-arching principle that development should be directed away from areas at highest risk of flooding. To achieve this a sequential, risk-based approach is to be taken to individual applications in areas known to be at risk now or in the future from flooding. Planning Practice Guidance (PPG) confirms that this means avoiding, so far as possible, development in current and future medium and high flood risk areas. The PPG furthermore confirms that the underlying purpose includes placing the least reliance on measures like flood defences, flood warnings and property level resilience features. Therefore, even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the Sequential Test still needs to be satisfied.

Sequential Test

10.11 The north section of the site, from where the development will be accessed, lies in Flood Zone 1 and the rest of the site to the south, where the proposed dwellings will be situated, lies within Flood Zone 3. The NPPF seeks to direct development away from areas at highest flood risk. Paragraph 173 of the NPPF states that 'a sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding'. In addition to Section 14 of the NPPF regarding flood risk, Part B of 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 should be informed by a Sequential Test and Exception Test if necessary, along with the suitable demonstration of meeting an identified need and the submission of a site specific flood risk assessment.

10.12 The applicant has not submitted a Sequential Test or Exception Test with this application due to the fact that at the time of the submission the 'Draft Approach to the Sequential Test for Housing' (DAST) guidance document was in place. The guidance document has since been withdrawn, but this application had been validated and consultations provided by the time the guidance was withdrawn on 27th June 2025. Whilst confirmation of the withdrawal of the guidance stated that it is no longer a material planning consideration it is deemed reasonable to not expect the applicant to undertake a Sequential Test for this proposal so far into the process.

10.13 Taking the DAST guidance into consideration no Sequential Test is required for this proposal as it lies within an urban extension site identified in Policy LP8 of the Local Plan and the guidance states 'these sites do not have to go through sequential testing in terms of the principal of development as this was done at the time the sites were identified for inclusion in the adopted Local Plan. However, site specific flood risk assessments should be undertaken so that the higher risk areas within the sites are avoided as far as possible and these can be made safe from flooding and do not cause flooding elsewhere'. A site-specific flood risk assessment has been carried out and has been submitted with this application and this is discussed in further detail in the Flood Risk section of this report.

10.14 Returning to the need for a Sequential Test for this site, given that the majority of the site where dwellings will be located is Flood Zone 3, it is considered that the area of search for a Sequential Test would be the West Wisbech broad location for growth, which is defined by Policy LP8 as the area broadly to the north of Mile Tree Lane, south of the B1169, and east of Gadd's Lane and Barton Road. A

significant portion of this broad location for growth is Flood Zone 3. The National Planning Practice Guidance (PPG) for flood risk was recently updated, on 17.09.2025. It clarifies the area for search and, in this case, the implications for the area of search for this site is that it would remain the West Wisbech broad location for growth.

10.15 Therefore, were the applicant to undertake a Sequential Test within the broad location for growth it is unlikely that a site for 42 dwellings that is sequentially preferable would be identified and thus the Sequential Test would be passed. Nevertheless, a Sequential Test has not been undertaken and there may be sequentially preferable sites; in addition, if the area of search were to be expanded to include the whole of Wisbech then it is almost certain that a sequentially preferable site would be identified, and the Sequential Test would be failed.

Exception Test

10.16 Notwithstanding the fact that the applicant has not undertaken a Sequential nor Exception Test, had the Sequential Test have been deemed to have been passed, it would then be necessary for the application to pass the Exception Test, which comprises of demonstration of the following:

(a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and

(b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, will reduce flood risk overall.

10.17 In respect of (a); the most recent Fenland District Council Five Year Housing Land Supply (June 2025) demonstrates a 6.6-year supply of housing land over the five-year period within the district. The Council therefore has a sufficient supply of housing delivery land and is meeting its requirement as demonstrated through recent housing delivery test results. The SPD explicitly states that “the general provision of housing itself would not normally be considered as a wider sustainability benefit”. Therefore, whilst the community benefits of the provision of housing are noted these are considered to be of very limited weight in this context.

10.18 In terms of part a) the test in Paragraph 178 of the NPPF requires applications to demonstrate that ‘the development would provide wider sustainability benefits to the community that outweigh the flood risk’. The Cambridgeshire Flood and Water SPD seeks to define what constitutes ‘wider sustainability benefits’ at a local level and lists the following:

- Land and water resources
- Biodiversity and green infrastructure
- Landscape, townscape and historic environment
- Climate change mitigation and renewable energy
- Flood risk and climate change adaptation
- Pollution
- Healthy and inclusive and accessible communities
- Economic activity
- Transport

10.19 The proposal seeks to regenerate an existing previously developed site and would provide 42 affordable dwellings, proposed to be for social rent, for over 55's. The Cambridgeshire Flood and Water SPD is clear; in Paragraph 4.5.9 it states that the general provision of housing by itself would not normally be considered as a wider sustainability benefit to the community which would outweigh flood risk. However, the themes and issues are quite broad and there is no specific, detailed requirements to achieve the objectives and thus every proposal is assessed on its own merits.

10.20 The proposed scheme provides accommodation exclusively for residents aged 55 and over, addressing a clear and growing demand within the community for accommodation that meets the need of the aging population. With this ageing population, there is increasing demand for housing specifically designed to meet the needs of older people, including considerations of accessibility, safety and appropriate scale. By delivering a dedicated 55+ development, the scheme will help meet this demographic requirement, ensuring that older residents have suitable and sustainable housing options.

10.21 In addition, the scheme will facilitate greater churn within the wider housing market. By providing older residents with housing tailored to their needs, at this scale, the proposal is likely to free up larger family homes elsewhere, thereby helping younger households and families access accommodation more appropriate to their requirements. This dual benefit supports a more efficient and responsive local housing market while also enhancing wellbeing and independence for older residents.

10.22 The proposal is seeking to provide six dwellings which would be M4(3) compliant under Building Regulations. This means that they would be fully adapted for wheelchair use. For a development of this scale a total of six dwellings to be M4(3) is considered to be significant and would fall within the theme of 'healthy and inclusive and accessible communities' of the Cambridgeshire Flood and Water SPD and so, were the proposal be required to demonstrate it could pass the Exception Test if it was considered to fail the Sequential Test, it is considered that it would provide a wider sustainability benefit by virtue of providing six M4(3) compliant dwellings – i.e. fully adapted for wheelchair use.

10.23 It is noted, however, that the scheme will offer 42 affordable housing units, as the primary benefit of the development, which will be for over 55's and 6 of the dwellings will be M4(3), which means that they are fully adapted for wheelchair users. The scheme represents a sizeable contribution to the district's overall affordable housing needs. In addition, the site is located within an area identified for housing growth, it is sustainably located being close to the centre of Wisbech and it involves the reuse of previously developed land.

10.24 It is generally expected that housing is delivered on suitable, low-risk sites in respect of flooding. Development on a high-risk site requires exceptional circumstances that demonstrate the public benefits outweigh the harm. In this case weight should be given to the quantum of affordable housing units, the fact that this housing is for over 55's and the fact that a significant number of these dwellings will be adapted for wheelchair use (M4(3)).

10.25 As discussed below, where a scheme is wholly comprised of affordable housing, the Council would not normally seek s106 obligations. The absence of any contributions, for this application, is considered to be less problematic with this proposal than might be in other cases. This is because the proposal is for over

55's housing and therefore, there will be no burden placed on the education system and thus contributions towards education would be unjustified.

10.26 However, although the absence of NHS contributions is consistent with the Council's policy, the additional pressure this development would place on already overstretched NHS services, without the benefit of financial support, weighs against the scheme when considering its overall public benefits.

10.27 In respect of criterion (b) of the Exception Test The inclusion of flood mitigation measures including raised finished floor levels, flood resilient construction measures and sustainable drainage systems within the proposal are highlighted within the flood risk assessment technically address the need for safety in times of flooding at the site, and as such would satisfy the Exception Test in this regard.

10.28 Overall, having considered the relevant policies, material considerations, and the specific circumstances of the site and scheme, it is concluded that, on balance, the development satisfies the exceptions test.

10.29 Accordingly, it is considered that the proposal is acceptable in principle having regard to policies LP3, LP8 and LP14 of the Fenland Local Plan, guidance within the now-removed Draft Approach to the Sequential Test for Housing' (DAST), the Cambridgeshire Flood and Water SPD and when giving consideration to recent approvals in the surrounding area.

Drainage

10.30 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. For foul drainage private infrastructure managed by residents groups or management companies should be avoided.

10.31 The Environment Agency has been consulted on this application and confirm that the development should be carried out in accordance with the submitted Flood Risk Assessment (Revision A) with the mitigation of the Finished Floor Levels set to 3.0m Above Ordnance Datum (AOD). The Environment Agency advises that these mitigation measures should be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above should be retained and maintained thereafter throughout the lifetime of the development. This is to reduce the risk of flooding to the proposed development and future occupants. It is considered that these mitigation measures can be successfully required by condition in order to make the development acceptable in respect of flood risk.

10.32 In addition to the Environment Agency the Lead Local Flood Authority (LLFA) has considered the scheme and confirmed in its latest response dated 7th August 2025 that there is no objection to the proposal, subject to the use of a swale and geocellular attenuation to limit discharge from site via a flow control mechanism of 2 litres per section into the existing surface water sewer. Conditions relating to a detailed surface water drainage scheme, details of controlling surface water

run-off during constriction and a final surface water drainage system are proposed, should permission be granted, to ensure that the development is acceptable in respect of flood risk from surface water. In addition to the Environment Agency and the LLFA the North Level Internal Drainage Board has been consulted and confirms in its latest response that the Board does not object to the proposal and supports the LLFA's request for drainage-related conditions. It is therefore considered that the scheme for surface water drainage is acceptable in principle in this instance.

10.33 Finally, in respect of flood risk and drainage Anglian Water confirms in its latest response dated 1st August 2025 that there is no objection to the proposal provided that surface water discharge from site is limited to 2 litres per second.

10.34 It is therefore concluded that the proposal accords with Policy LP14 of the Fenland Local Plan and Section 14 of the NPPF in respect of flood risk and drainage.

Housing Need and Supply

10.35 In June 2025 Fenland District Council updated its Five-Year Housing Land Supply. The Council can demonstrate a 6.6-year supply of housing land over the five-year period.

10.36 Policy LP4 of the Fenland Local Plan identifies a need for 11,000 new homes to be built in the district between 2011 and 2031, with 3,000 of those being planned for in and around Wisbech. The policy states that at the time 3,527 affordable dwellings were required across the district (The Strategic Housing Market Assessment for the Cambridge Housing Sub-Region (SHMA: 2012)).

10.37 Fenland District Council's latest housing needs assessment for the area (Housing Needs of Specific Groups GL Hearn, October 2021) identifies that for Fenland the affordable housing need for the period 2020 to 2040 is now 289 dwellings per annum out of a total of 538 which, if applied across the 20 year period that the report covers, would equate to 5,780 affordable dwellings required, demonstrating not only a significant need, but an increasing need since the adoption of the Local Plan.

10.38 The proposed development seeks to provide 42 dwellings which will be in the form of bungalows. There will be a mix of 35 one bed bungalows and 7 two bed bungalows. It is intended that the dwellings will be occupied on a 100% social rent basis and that all occupants will be 55 or over.

10.39 It is demonstrated in the Housing Needs of Specific Groups GL Hearn, October 2021, report that there is a clear and demonstrable need for affordable housing of all tenure types within the district. This proposal will contribute somewhat towards that need, albeit there is no specific demand identified with the report for affordable housing for 55-year-olds and over. Fenland's Housing Strategy and Enabling Officer has been consulted on the proposal, based on it providing 100% affordable housing, and has confirmed that the proposal is supported.

10.40 In summary there is not a policy requirement for this housing were it to be solely private market housing, as Fenland District Council can demonstrate a 6.6-year Housing Land Supply. However, as the proposal is for 100% affordable housing and the Housing Strategy and Enabling Officer confirms there is a need, the proposal is considered to accord with Policy LP5 – Meeting Housing Need of the Local Plan.

Affordable Housing and Housing Mix

10.41 Fenland District Council's latest housing needs assessment for the area (Housing Needs of Specific Groups GL Hearn, October 2021) broadly identifies the following suggested strategic affordable housing mix for the 2020-2040 period;

Size	Market	Affordable Homes to Buy	Affordable Homes to Rent
1 Bed	0-10%	20-25%	35-45%
2 Bed	20-30%	35-45%	35-45%
3 Bed	40-50%	25-35%	10-20%
4 Bed+	20-30%	5-10%	0-10%

10.42 The proposal is for 35 one bed bungalows and 7 two bed bungalows, which equates to one bed bungalows forming 83% of the scheme and two bed bungalows forming 17%. Whilst this does not fit the strategic affordable housing mix for the area as identified by the GL Hearn report, it has to be considered against the needs of the district as a whole and for all types of housing. The proposed development will provide solely one or two bed bungalows for over 55's for social rent that this application proposes. Given that the proposal is intended to address a defined housing need and demographic, it would be inappropriate to require a housing mix that accords with the general proportions set out in the table above.

10.43 The Housing Strategy and Enabling Officer has been consulted on the proposed tenure and mix of dwellings and fully supports the proposal as it will deliver much needed social housing for the district and, in particular, the market town of Wisbech.

10.44 The proposal will provide 100% affordable housing in the form of social rent, and this is considered to exceed those policy requirements of Policy LP5 – Meeting Housing Need of the Fenland Local Plan. The policy requirement for sites of more than 10 dwellings requires a minimum of 25% of the dwellings on site to be affordable and the exact tenure mix should be informed by the latest Strategic Housing Market Assessment (SHMA). In this case that is the GL Hearn report referenced above, and this proposal exceeds the identified need for 1 and 2 bed social rent properties for this site as a whole, but not for the wider area.

10.45 It is considered that the proposed housing mix does not necessarily follow that identified by the GL Hearn report and thus is contrary to the requirements of Policy LP5 of the Local Plan. However, the development is seeking to provide a mix and tenure of housing that is underprovided in the District, namely affordable housing of 1 and 2 beds with a social rent tenure which meets the need of the aging population. As such the housing mix does not comply with policy but would help to meet policy objectives across the wider District.

Design, Character and Appearance

10.46 The layout provides for adequate manoeuvrability, with tracking plans provided for a range of vehicle types, including refuse and fire appliances. No concerns are

raised in respect of the general layout of the proposal, which provides adequate manoeuvrability in respect of matters such as parking, waste collection, emergency vehicle access and logical pedestrian and cycle manoeuvrability, although highway matters are discussed in further detail in the subsequent sections below, as is the layout in respect of density and design.

10.47 It is proposed that the dwellings will all be 'true' bungalows, in that they will be single storey only and there will be a total of three designs across the site. All three types will have simple, accessible internal layouts and will have simple designs externally, although not devoid of architectural features. Type A will have canopies on the front elevation, windowcills and brick headers and corbelled eaves. Type B will be similar, although they will include cladding or render in sections to add variety to the external appearance and will have a higher ridge height to add prominence. Type C will be similar in design to Type A, although these will include cladding or render sections too. All of the proposed dwelling types are considered to be an appropriate design for the site and surrounding area and will not result in a development with an appearance that would have a detrimental impact upon the character of the area.

10.48 The proposed development seeks permission for 42 single storey dwellings and manager's office arranged around a central spine road. The surrounding area is a mix of housetypes, with a recently constructed care home to the west, an existing parkhome site on the immediate western boundary and a number of purpose-built cul-de-sacs of bungalows to the south. To the east of the site beyond the mature vegetation on the boundary there is an existing park. As such the site is surrounded by a mixture of land uses and developments and the proposal for additional bungalows within this area would not result in a detrimental impact upon the character and appearance of the area. In fact, this type of development is not untypical for the area. As such, the proposed layout and design of the dwellings is considered to accord with Policy LP16 of the Local Plan, as it would be appropriate within its context.

Residential Amenity

10.49 The proposal is for 42 single storey dwellings. The dwellings would not have a detrimental impact on the amenity of existing residents to the north or south of the site due to the scale of the proposed dwellings and distance between them. To the east of the site is an existing park which again will experience no detriment to its amenity. However, several objections have been raised by residents of the parkhome site to the west. It is considered that due to the single storey nature of the dwellings, and the distance between the proposed dwellings and existing parkhomes, there will be no loss of light, privacy, overshadowing or overbearing impact as a result of this proposal.

10.50 The proposed spine road of the development is located to the east of the parkhome site and concerns have been raised regarding traffic noise as a result. However, the spine road will be a cul-de-sac providing vehicular access to the 42 one and two bed dwellings. Due to the overall scale of the development the number of traffic movements will not result in the levels of noise generated by traffic on nearby roads such as Barton Road. In addition, the positioning of a swale between the site to the west and the proposed dwellings to the east will lessen the impact of noise upon existing residents to the east by virtue of the spine road being located away from the parkhomes and there being dwellings in between the parkhome site and the proposed spine road. As such, the impact of noise and disturbance from the spine road upon existing residents to the west is

considered to be minimal, and no objections have been received from the Council's EH Team in respect of this.

10.51 Comments relating to disturbance during the construction period from neighbouring residents are noted and therefore a condition is proposed to require the applicant to submit a Construction Environment Management Plan (CEMP) prior to commencement of development in order to minimise noise, dust and odour impact on neighbouring residents during construction, such as noise and dust generated from Barton Road during said period.

10.52 The submitted layout plan demonstrates that each of the proposed dwellings will have appropriately sized private rear gardens commensurate with 1 and 2 bed dwellings for over 55s. The layout demonstrates that all of the proposed dwellings will have private amenity space which will ensure that back-to-back and back-to-side distances of the proposed dwellings will not have a detrimental effect upon future occupants of the development in respect of privacy, loss of light or overbearing impact.

10.53 As such, the proposal is considered to accord with Policy LP16 in respect of residential amenity, both for existing neighbouring residents and future occupants of the proposed development.

Highway Safety

10.54 The submitted layout demonstrates that the development will be accessed by car, bike and foot from Barton Road. In addition, there will be pedestrian and cycle access to and from Magazine Lane to the south.

10.55 Cambridgeshire County Council Highways has been consulted upon the proposal and has raised no objection to the proposal. It is therefore considered that provided a condition requiring the access to be carried out in accordance with the submitted Access Drawing (Revision B) the development will provide acceptable access to Barton Road in accordance with the requirements of Policy LP8 and LP15 of the Local Plan.

Archaeology

10.56 The applicant has submitted a Written Scheme of Archaeological Investigation (WSI) with this application in order to address Cambridgeshire County Council Archaeology's requirement for such work. The County has been consulted upon the WSI and whilst it confirms the WSI is acceptable 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. As such a condition is proposed to ensure that no development commences until a programme of archaeological work has been secured.

10.57 It is considered that with the imposition of said condition the development would be in accordance with Policy LP8 and LP18 of the Local Plan.

Ecology

10.58 Policy LP19 of the Local Plan states that the Council will conserve, enhance and promote the biodiversity and geological interest of the natural environment.

10.59 The site is not subject to any site-specific ecological designations and there are none nearby. The applicant has submitted Biodiversity Net Gain (BNG) Metric in accordance with the mandatory net gain requirements as set out in the Environment Act 2021 with the application and Fenland District Council's Ecologist has assessed the submission.

10.60 The planning application is supported by an Ecological Appraisal and Biodiversity Net Gain (BNG) Assessment as well as the requisite BNG Metric. The Ecological Appraisal notes: that it is unlikely that the proposed development will have any direct or indirect impact on any local designated sites. It adds that the site has a moderate level of ecological interest with a range of ecological features including trees and hedgerows, which are in 'poor' ecological condition. Some trees are in 'moderate' condition, grassland is 'poor' condition, ruderal vegetation is in 'moderate' condition and existing ditches are in 'poor' condition. Mitigation is proposed for the loss of some trees and hedgerows, which will be in the form of new tree and hedgerow planting throughout the site and existing trees and hedgerows will be protected during construction.

10.61 The Council's Ecologist has raised no objections to the submitted information and the proposed development and has recommended the imposition of a condition to protect wildlife during clearance and construction work, which is considered to be acceptable in order to achieve development that accords with Policy LP16 and LP19 of the Local Plan.

Landscape

10.62 The application is accompanied by three detailed planting plans, a planting plan overview and an Arboricultural Impact Assessment and Method Statement. The landscaping details shown on the submitted plans, along with the AIA demonstrate that where possible existing vegetation and mature trees will be retained. These will be protected during the construction phase and following completion of the dwellings the landscaping scheme will be implemented. It involves the creation of a small woodland area at the front of the site, screening it from Barton Road, and areas of communal planting throughout the site, along with plot-specific planting too.

10.63 Fenland District Council's Arboricultural Officer has been consulted on the plans and considers the amount of vegetation to be removed, and that to be provided, as acceptable mitigation as a result of the proposed development. The proposed species are considered acceptable, and no objections are raised regarding the trees to be removed to facilitate the development of the site, in particular those self-set trees in poor condition towards the south of the site.

10.64 Given the level of information submitted as part of the application it is considered prudent to condition the development to be carried out in accordance with the plans so that the development is in accordance with Policy LP19 of the Local Plan in respect of landscaping.

Contamination

10.65 A Phase 1 Site Appraisal and Phase 2 Geoenvironmental Site Assessment has been submitted with this planning application in order to assess the likelihood and nature of any potential contamination on the site. The site is partly previously developed as a garden centre, and the assessment has taken the existing site conditions into account.

10.66 Fenland District Council's Environmental Health Officer has assessed the submitted reports and has confirmed that the conclusions are satisfactory and that a condition requiring the recommendations of the Phase 2 report are implemented. It is considered that this suggestion is both reasonable and necessary, particularly for a site of this scale and nature, as are the subsequent two suggested conditions regarding the need for a Construction Environment Management Plan (CEMP) and details of any external lighting scheme.

10.67 It is therefore considered that the proposal accords with Policy LP16 in terms of land contamination, subject to the imposition and undertaking of the development in accordance with the proposed conditions.

Developer Contributions

10.68 This proposal is for a development of 100% affordable housing. As such, Paragraph 4.2 of the Developer Contributions SPD identifies affordable housing where additional planning obligations other than the affordable housing itself will not normally be sought. A summary table has been provided in a previous section of this report as to what a number of consultees have requested, but due to the proposal seeking to provide 100% affordable housing due weight must be given to Paragraph 4.2 of the SPD. Therefore, whilst a number of consultees have sought planning obligations, this proposal will seek to provide 100% affordable housing only, in accordance with the Developer Contributions SPD.

10.69 In terms of NHS contributions, the occupants of the proposed dwellings will be relocating from elsewhere, likely to be elsewhere in the district. As such, the burden placed on the NHS from future residents of this proposal has already been taken into account as part of the district as a whole. That said, as discussed previously, the fact that this scheme is for over 55s will place a burden on the NHS and the fact that the proposal will not financially contribute directly towards the NHS has to be given weight and considered as a negative aspect of the proposal. However, even though the proposal will not provide and s106 financial obligations, the overall community benefits arising from the development of 42 affordable housing units for over 55s is still considered to be significant.

10.70 The s106 agreement will secure 100% affordable housing and will confirm the tenure of the housing. It will also ensure that that development is for over 55s. There will be no other financial contributions, save for the monitoring fee, that will be secured by the s106.

Biodiversity Net Gain (BNG)

10.71 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.

10.72 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.

10.73 A Biodiversity Net Gain Metric has been provided with the application and Fenland District Council's Ecologist has assessed the submitted information, concluding that the development could achieve an overall 10% net gain in biodiversity through new landscaping, particularly new tree and shrub planting and the creation of a wetland swale feature along the western boundary of the site.

10.74 The proposal is therefore considered to have appropriate regard to Policy LP19 of the Fenland Local Plan (2014) in terms of the biodiversity impacts of the scheme.

10.75 In this instance the Biodiversity Gain Condition will apply, should permission be granted, which will require the submission of a final Biodiversity Gain Plan to be approved before development is begun. In addition, a Habitat Management and Monitoring Plan will be required by condition to secure the long-term management of the habitats.

11. CONCLUSIONS AND PLANNING BALANCE

11.1 The proposed development seeks to provide a total of 42 single storey dwellings for occupation by over 55s only within a 100% social rent development in the West Wisbech broad location for growth. The 100% social rent dwellings will be secured by a S.106 agreement and due to the fact that the whole site will be for affordable dwellings no additional S.106 obligations are sought.

11.2 The site lies within Flood Zone 3 and therefore current planning policy requires the application to be supported by a Sequential Test. However, the application was submitted and validated when the Draft Approach to the Sequential Test for Housing (DAST) guidance was in place and at that time a Sequential and Exception Test was not required. Notwithstanding the lack of a Sequential Test, it is concluded that the proposal would, on balance, pass both criteria of the Exception Test by virtue of delivering a significant number of affordable housing units, providing a specific type and tenure of accommodation to meet an identified need for housing, providing six M4(3) dwellings and facilitating churn in both the existing affordable housing provision within the District and market housing, which would be a sustainable community benefit in accordance with the Cambridgeshire Flood and Water SPD.

11.3 Fenland District Council can demonstrate a 6.6-year Housing Land Supply. However, this site is within the West Wisbech broad location for growth. Even if it were to be considered that due to the site lying within Flood Zone 3 private market housing should not be supported, it is considered that the sustainable community benefits which would be provided by the proposal, namely 42 social rent dwellings, six of which will be constructed to M4(3) standards, for a specific need within the community (i.e. for over 55s) would, on balance, outweigh the fact that Fenland has a 6.6-year Housing Land Supply.

11.4 Therefore, when taking all elements of the proposal into consideration it is considered that, on balance, the benefits that would arise from the proposal outweigh the harms, such as the site being located within Flood Zone 3, which can be mitigated through measures identified in the Flood Risk Assessment submitted as part of the application.

11.5 As such, the proposal is recommended for approval.

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 s106 legal agreement and planning conditions to the Head of Planning; and,

2 Following the completion of the s106 application F/YR25/0274/F be approved 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 to 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.

Planning Conditions

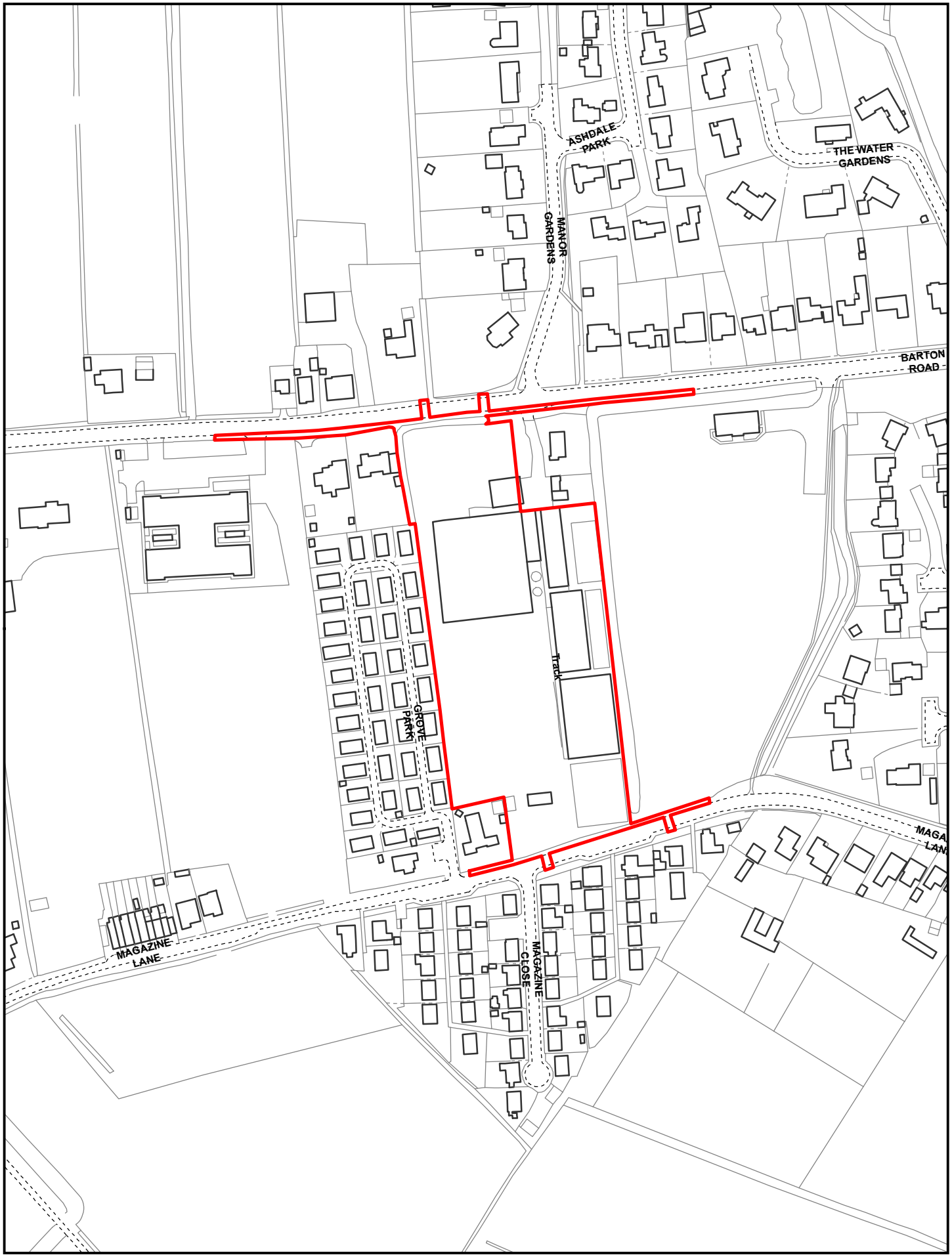
1	The development permitted shall be begun before the expiration of 3 years from the date of this permission. Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2	Prior to the commencement of the development hereby approved a scheme and timetable for the provision of the six M4(3) dwellings shall be submitted to and agreed in writing by the Local Planning Authority. The provision of the six M4(3) dwellings shall be made in accordance with the approved scheme and timetable. Reason - To ensure a satisfactory form of development.
3	No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site. Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy E7 of the Fenland District Wide Local Plan.
4	No development shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Method Statement (CEMS: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMS (Biodiversity) shall include the following: a) Summary of potentially damaging activities. b) Identification of "biodiversity protection zones". c) The location and timing of sensitive works to avoid harm to biodiversity features.

	d) The times during construction when specialist ecologists need to be present on site to oversee works. e) Responsible persons and lines of communication. f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. g) Use of protective fences, exclusion barriers and warning signs. The approved CEMS shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details. Reason - In the interests of the conservation of the natural environment (Policies LP 16 and LP19).
5	Prior to the occupation of the development, a Habitat Management and Monitoring Plan (HMMP), including details of measures to protect and enhance existing flora, fauna and habitats within the development site shall be submitted to and approved by the Local Planning Authority in writing. The Habitat Management and Monitoring Plan (HMMP) shall be carried out as approved in accordance with the specified schedule contained therein. Reason - To protect the visual amenity value of the landscaping, and the biodiversity value of the habitat within the site in accordance with Policy LP16 of the Fenland Local Plan, 2014.
6	All vegetation clearance at the site shall only take place outside the bird breeding season of March to September inclusive, unless a nesting bird survey has been undertaken by an experienced ecologist 24-48 hours prior to clearance and the report submitted to the local Planning Authority for approval. Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of the National Planning Policy Framework.
7	All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil 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 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	Provision shall be made on the site for communal open space for the benefit of the occupiers of the dwellings comprised in this permission and

	shall be to the standards adopted by the Local Planning Authority at the date of this decision notice. Reason - To ensure compliance with the Council's policy for the provision of open space and to ensure that the occupants of the permitted dwellings are afforded an acceptable measure of amenity.
9	Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable. Reason - To ensure a satisfactory form of development.
10	Prior to the commencement of development a detailed scheme for the construction of estate road(s), associated footway(s) and cycleway(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed scheme shall be constructed to at least binder course surfacing level to the adjoining highway prior to the first occupation of any dwelling served by the estate road. Reason - In the interests of highway safety and the amenities of occupiers.
11	Prior to the first occupation of each dwelling hereby approved, the proposed on-site parking for that individual dwelling shall be demarcated, levelled, surfaced and drained in accordance with the approved plans. Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of residents/occupiers of the approved scheme and shall not be used for any other purpose. Reason - In the interests of highway safety.
12	The ground floor level of any buildings involved in the development shall be at least 3.0m AOD and shall thereafter be retained as such in perpetuity. Reason - To provide a reasonable freeboard against flooding.
13	No development approved by this permission shall be occupied prior to the completion of the recommendations detailed in the e3p Phase II Geoenvironmental Site Assessment dated March 25 (Ref 30-048-R1). 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) below: (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 guidance. (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.
14	Prior to the commencement of development, including any demolition works, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved by the Local Planning Authority in writing. The development shall be carried out in accordance with the approved Construction Environmental Management Plan (CEMP). Reason - To ensure the safe operation of the development site and 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.
15	Prior to the commencement of development, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity. Reason - In order to ensure that the site meets the crime prevention guidelines.
16	Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover, measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes. Reason - To ensure that retained trees are adequately protected.
17	Prior to the commencement of the development hereby approved, details of the location and design of the refuse bin and recycling materials storage areas and collection points shall be submitted to and approved by the Local Planning Authority. This should include provision for the storage of three standard sized wheeled bins for each new property with a collection point no further than 25 metres from 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. The refuse storage and collection facilities and vehicular access where required shall be provided prior to the first occupation of the units to which they relate and shall be retained in the approved form 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.
18	Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Authority. The scheme shall subsequently 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.
19	Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Authority in consultation with the Drainage Authority. The scheme shall subsequently 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 surface water drainage and to prevent the increased risk of flooding.
20	Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations: i) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B); ii) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C); Reason - To prevent overlooking of neighbouring properties, in the interest of the protection of residential amenity and in order to control future development and to prevent the site becoming overdeveloped. Also to ensure that the development is single level accommodation, which was a reason for grating this planning permission.
21	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).
22	The development hereby permitted shall be carried out in accordance with the following approved plans and documents:



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schedule of plots			
Plot 1	Type B	2B3P	66.4 sqm
Plot 2	Type A	1B2P	54 sqm
Plot 3	Type A	1B2P	54 sqm
Plot 4	Type A	1B2P	54 sqm
Plot 5	Type C	1B2P	62 sqm
Plot 6	Type D	MANAGERS OFFICE	66.4 sqm
Plot 7	Type A	1B2P	54 sqm
Plot 8	Type A	1B2P	54 sqm
Plot 9	Type A	1B2P	54 sqm
Plot 10	Type A	1B2P	54 sqm
Plot 11	Type B	2B3P	66.4 sqm
Plot 12	Type B	2B3P	66.4 sqm
Plot 13	Type A	1B2P	54 sqm
Plot 14	Type A	1B2P	54 sqm
Plot 15	Type A	1B2P	54 sqm
Plot 16	Type C	1B2P	62 sqm
Plot 17	Type C	1B2P	62 sqm
Plot 18	Type A	1B2P	54 sqm
Plot 19	Type A	1B2P	54 sqm
Plot 20	Type A	1B2P	54 sqm
Plot 21	Type A	1B2P	54 sqm
Plot 22	Type A	1B2P	54 sqm
Plot 23	Type A	1B2P	54 sqm
Plot 24	Type A	1B2P	54 sqm
Plot 25	Type A	1B2P	54 sqm
Plot 26	Type B	2B3P	66.4 sqm
Plot 27	Type A	1B2P	54 sqm
Plot 28	Type A	1B2P	54 sqm
Plot 29	Type A	1B2P	54 sqm
Plot 30	Type C	1B2P	62 sqm
Plot 31	Type C	1B2P	62 sqm
Plot 32	Type A	1B2P	54 sqm
Plot 33	Type A	1B2P	54 sqm
Plot 34	Type A	1B2P	54 sqm
Plot 35	Type A	1B2P	54 sqm
Plot 36	Type A	1B2P	54 sqm
Plot 37	Type B	2B3P	66.4 sqm
Plot 38	Type B	2B3P	66.4 sqm
Plot 39	Type C	1B2P	62 sqm
Plot 40	Type A	1B2P	54 sqm
Plot 41	Type A	1B2P	54 sqm
Plot 42	Type A	1B2P	54 sqm
Plot 43	Type B	2B3P	66.4 sqm

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NORTH
WEST EAST
SOUTH

0m 10m 20m 30m

SITE AREA
18351 sqm - 1.83 Ha - 4.5 acres RED LINE

17147 sqm - 1.71 Ha - 4.5 acres SITE
POS 3235 sqm / 0.79 acres (inc drain)
SUDS 900 sqm
12837 sqm - 1.28 Ha - 3.1 acres Net

MIX
1B x 35No @ 83%
2B x 7No @ 17%
42NO TOTAL

BUNGALOW
TYPE A 29 x 1B2P - 581 sqft - 54 sqm
TYPE B 07 x 2B3P - 715 sqft - 66.4 sqm
TYPE C 06 x 1B2P - 667 sqft - 62 sqm

TOTAL 42No @ 32.8 DPH net

MANAGERS OFFICE
01 - 715 sqft - 66.4 sqm

Gross Internal Area 26,578 sqft - 2469.2sqm including managers office
coverage = 7382sqft per acre

PARKING - 73 No @ 1.7 average

Rev.	Date	Description	Drawn	Check
j	13/05/25	sub station removed	jw	
i	01/04/25	changes as validation letter	jw	
H	25/02/25	plot Schedule and dimensions added	jw	
G	22/02/25	Schedule amended/ density changed	jw	
F	28/01/25	amended as Prime comments/ dwg 24-1-25	jw	
E	23/01/25	redrawn and roof plans amended as elevations	jw	
D	09/01/25	highway preap comments as Prime Transport email-9 jan 25 and red line amended as legal agreement	jw	
C	08/01/25	plot 38 parking amended as Hourigan Planning comments	jw	
B	06/01/25	M4(3) parking amended to 6x3.3m as AD	jw	

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Contract
PROPOSED RESIDENTIAL DEVELOPMENT
BARTON ROAD WISBECH

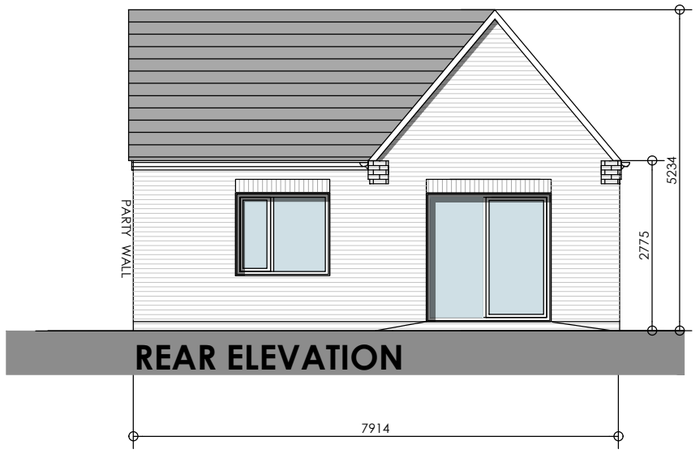
Sheet Title
SITE LAYOUT- BLOCK PLAN

Client
bowsall developments ltd

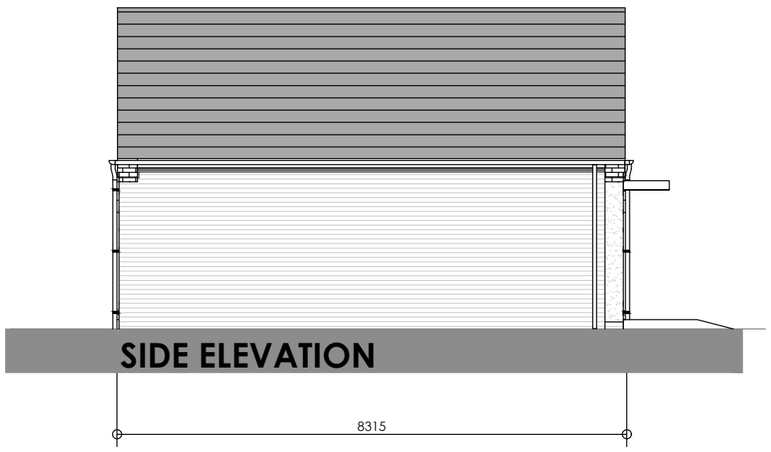
Scale 1:500@A1
Date 10.01.25
Drawn By JDW
Checked By

Drawing Number
2403-P-03J

HOUSE TYPE A



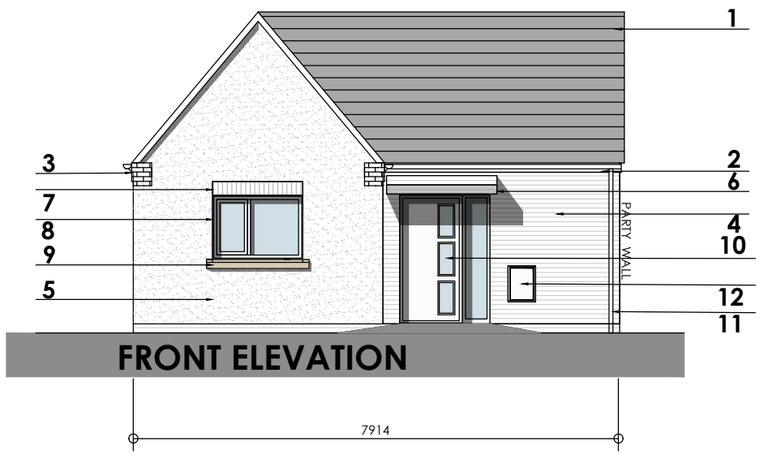
REAR ELEVATION



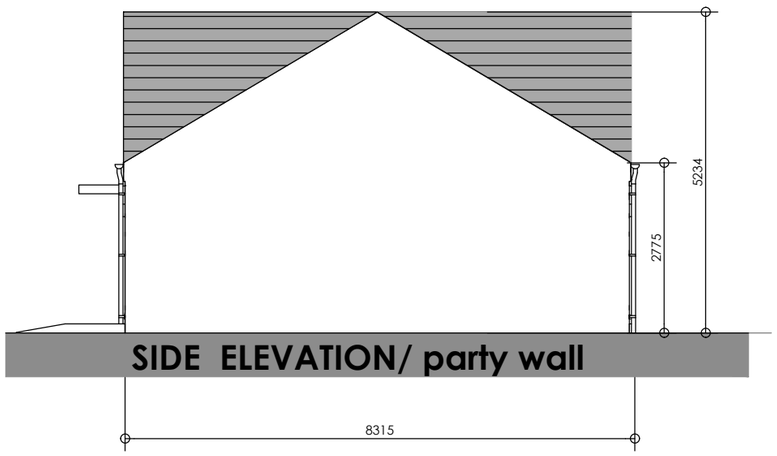
SIDE ELEVATION

EXTERNAL MATERIALS

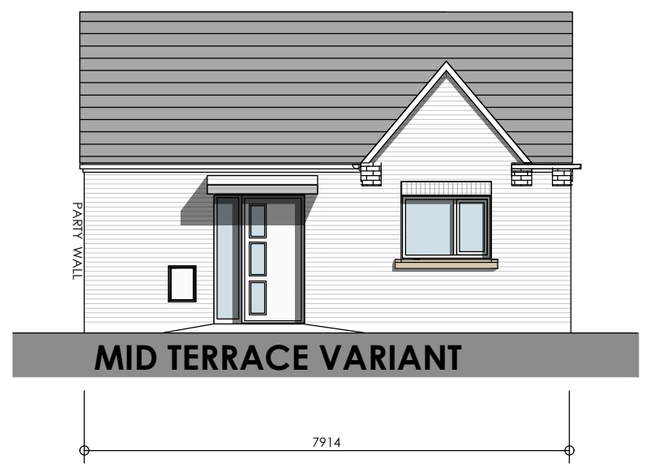
1 **ROOF TILES** - CONCRETE INTERLOCKING TILES IN GREY COLOUR
2 **SOFFIT & FASCIAS** - BLACK
3 **CORBELLED EAVES**
4 **FACING BRICKWORK**- refer to materials plan
5 **RENDER OR TIMBER CLADDING**
6 **CANOPY**- GRP WITH GREY FASCIA
7 **WINDOW HEADERS -** red facing brick
8 **WINDOWS** - White UPVC
9 **WINDOW CILLS -** Recon Stone cills
10 **FRONT DOORS**- refer to materials plan
11 **RAINWATER GOODS**- black upvc
12 **ELECTRIC METER** - White



FRONT ELEVATION



SIDE ELEVATION/ party wall



MID TERRACE VARIANT

rev	date	revision	by	by

4ward Architects
Forward Thinking Design

Contract
RESIDENTIAL REDEVELOPMENT
MAGAZINE LANE / BARTON ROAD, WISBECH FENLAND

Client
BOWSALL

Sheet Title
BUNGALOW TYPE A -1B2P
ELEVATIONS

Date	Scale	Drawn By	Checked By	Drawing Number
23.01.25	1:100 @A3	JDW		2403 -P-10 B

The Firs 33 Priorslee Village
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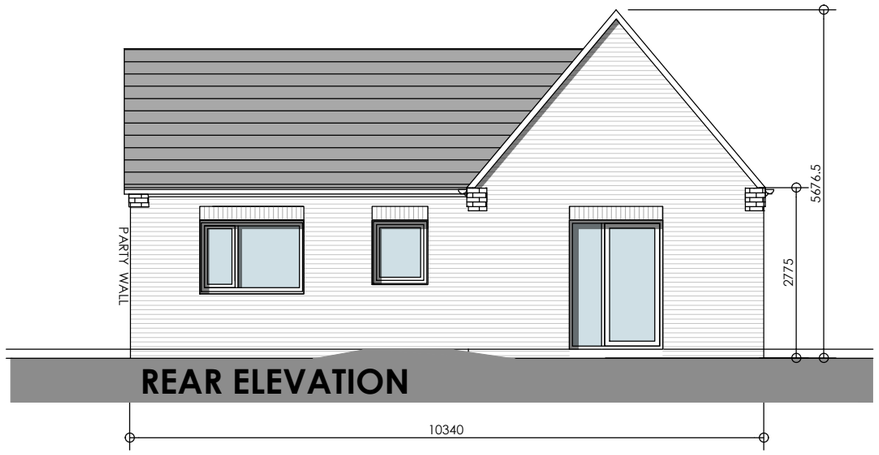
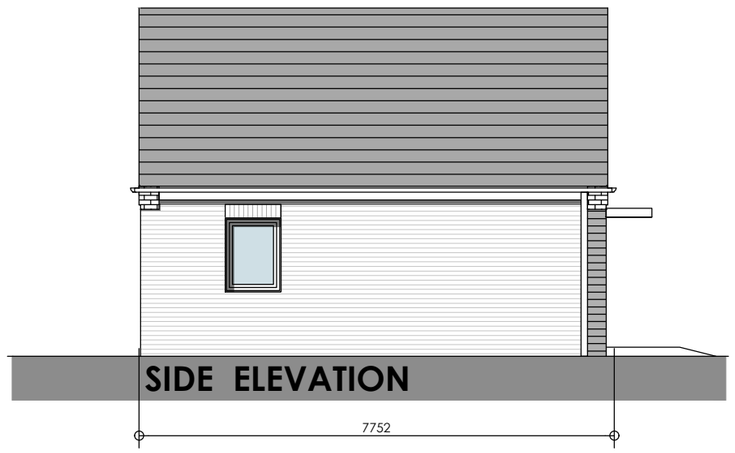
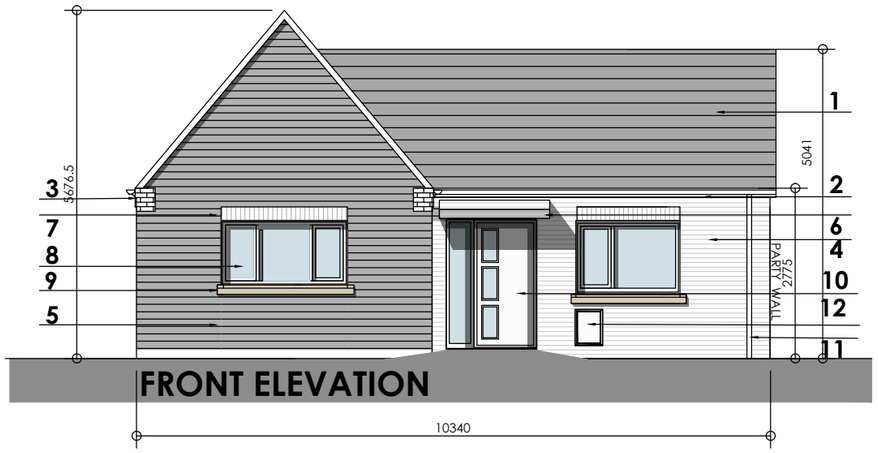
HOUSE TYPE B



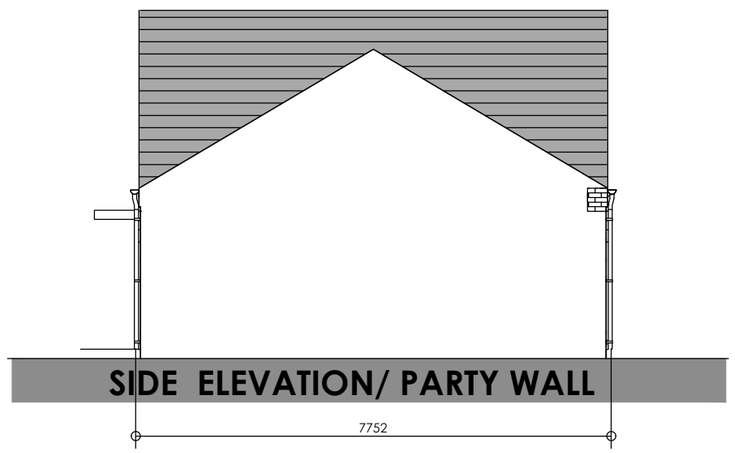
REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION/ PARTY WALL

EXTERNAL MATERIALS

1 **ROOF TILES** - CONCRETE INTERLOCKING TILES IN GREY COLOUR
2 **SOFFIT & FASCIAS** - BLACK
3 **CORBELLED EAVES**
4 **FACING BRICKWORK**- refer to materials plan
5 **RENDER OR TIMBER CLADDING**
6 **CANOPY**- GRP WITH GREY FASCIA
7 **WINDOW HEADERS -** red facing brick
8 **WINDOWS** - White UPVC
9 **WINDOW CILLS -** Recon Stone cills
10 **FRONT DOORS**- refer to materials plan
11 **RAINWATER GOODS**- black upvc
12 **ELECTRIC METER** - White

rev	date	revision	by	by

4ward Architects
Forward Thinking Design

Contract
RESIDENTIAL REDEVELOPMENT
MAGAZINE LANE / BARTON ROAD, WISBECH FENLAND

Client
BOWSALL

Sheet Title
BUNGALOW TYPE B -2B3P
ELEVATIONS

Date	Scale	Drawn By	Checked By	Drawing Number
23.01.25	1:100 @A3	JDW		2403 -P-11A

The Firs 33 Priorslee Village
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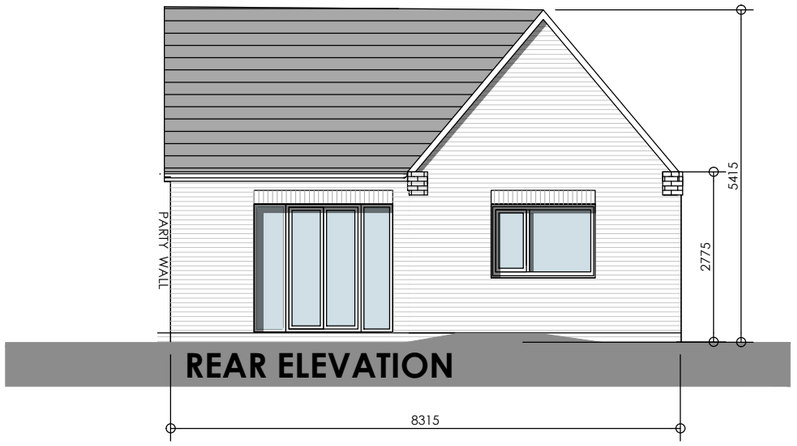
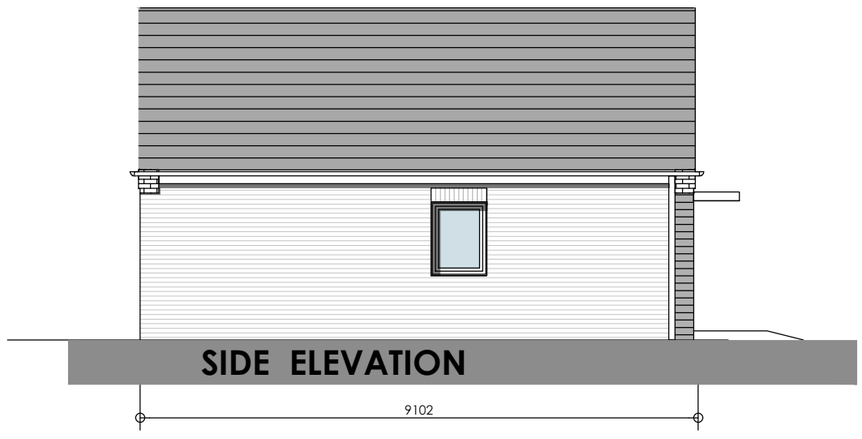
Architecture & Urban Design

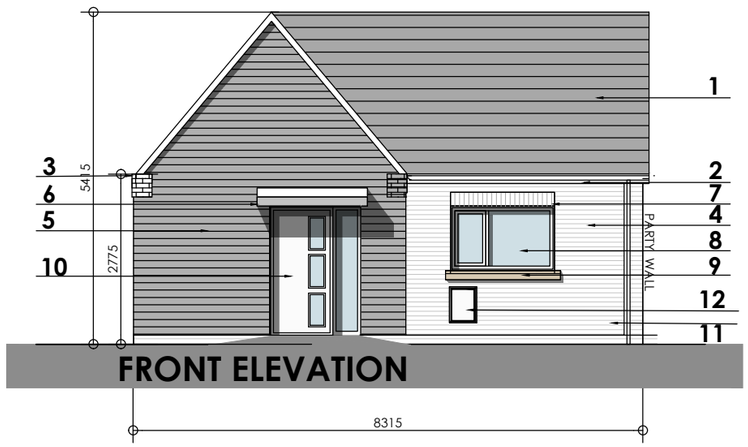
HOUSE TYPE C



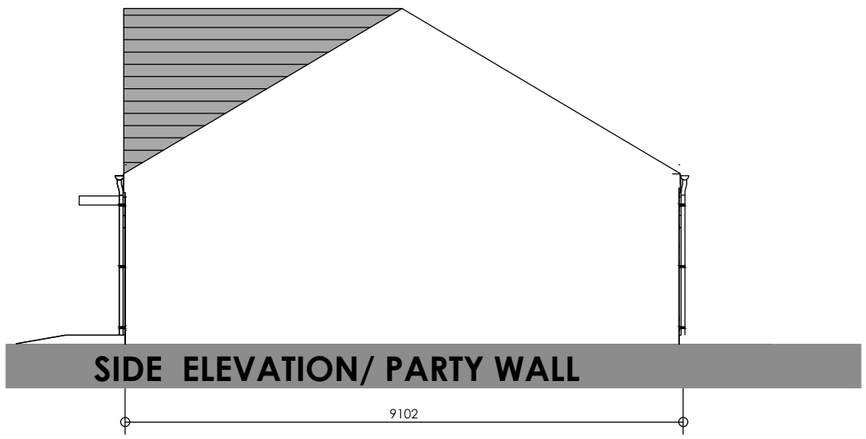
REAR ELEVATION



SIDE ELEVATION



FRONT ELEVATION



SIDE ELEVATION/ PARTY WALL

EXTERNAL MATERIALS

1 **ROOF TILES** - CONCRETE INTERLOCKING TILES IN GREY COLOUR
2 **SOFFIT & FASCIAS** - BLACK
3 **CORBELLED EAVES**
4 **FACING BRICKWORK**- refer to materials plan
5 **RENDER OR TIMBER CLADDING**
6 **CANOPY**- GRP WITH GREY FASCIA
7 **WINDOW HEADERS -** red facing brick
8 **WINDOWS** - White UPVC
9 **WINDOW CILLS -** Recon Stone cills
10 **FRONT DOORS**- refer to materials plan
11 **RAINWATER GOODS**- black upvc
12 **ELECTRIC METER** - White

rev	date	revision	by	by

4ward Architects
Forward Thinking Design

Contract
RESIDENTIAL REDEVELOPMENT
MAGAZINE LANE / BARTON ROAD, WISBECH FENLAND

Client
BOWSALL

Sheet Title
BUNGALOW TYPE C -1B2P
ELEVATIONS

Date	Scale	Drawn By	Checked By	Drawing Number
23.01.25	1:100 @A3	JDW		2403 -P-12

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