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**F/YR22/0701/O**

**Applicant: Mr & Mrs Klimczuk**

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

**Land North Of 59 And 61, March Road, Coates, Cambridgeshire**

**Erect up to 4 x self/custom build dwellings (outline application with matters committed in respect of access)**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations contrary to officer recommendation.**

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## **1 EXECUTIVE SUMMARY**

- 1.1 The principle of development is not strictly supported as the site does not adjoin the built form and whilst the proposal is for self/custom build dwellings the Council can currently demonstrate that the number of permissions given for self/custom builds exceeds identified demand, and as such very limited weight can be afforded to this.
- 1.2 The site is considered to relate more to the surrounding countryside than the built form and the proposal would enclose the open field beyond the frontage development, would result in an in-depth incursion into the open countryside and would not therefore respect the local distinctiveness and character of the area. Furthermore, it would set a precedent for further in-depth development in the vicinity. As such, the proposal is considered to create a significant adverse impact on the character and visual amenity of the area.
- 1.3 It is considered that a policy compliant scheme may be achievable in relation to residential amenity (subject to suitable refuse collection arrangements) and parking/highways matters. There are no issues to address in relation to flood risk and drainage and ecology impacts are considered acceptable subject to conditions.
- 1.4 The site is located within a Sand and Gravel Mineral Safeguarding Area, the development is does not fall within any of the exemptions listed in Policy 5, there has been no demonstration that criteria (i) – (k) have been complied with and whilst the Minerals and Waste Planning Authority consider extraction is unlikely to be feasible, there is no overriding need for the development and as such the proposal is contrary to the aforementioned policy.

## **2 SITE DESCRIPTION**

The application site is located to the north east of 59 and 61 March Road, Coates. It comprises of maintained grassland with post and rail fencing enclosing the land. The eastern most boundary of the site is open (apart from an unestablished hedge) to the ditch and agricultural land beyond. To the north is a belt of trees. Access is via the shared tarmac acces off March Road, serving 4 existing dwellings (55-61 March Road) and then via the accesses currently serving 59 and 61 March Road

to the land to the rear. The application site is located in Flood Zone 1. There are open views of the site afforded when travelling along March Road due to the surrounding countryside.

### 3 PROPOSAL

3.1 The application seeks outline planning permission for up to 4 self/custom build dwellings with matters committed in respect of access only.

3.2 Full plans and associated documents for these applications can be found at:

[F/YR22/0701/O | Erect up to 4 x dwellings \(outline application with matters committed in respect of access\) | Land North Of 59 And 61 March Road Coates Cambridgeshire \(fenland.gov.uk\)](https://www.fenland.gov.uk/planning-and-building-control/outline-applications/F/YR22/0701/O)

### 4 SITE PLANNING HISTORY

F/YR22/3092/COND	Detail reserved by condition 3 (landscaping) of appeal decision APP/D0515/D/22/3295939 relating to planning application F/YR22/0303/F (Erect a detached double garage for existing dwelling)	Pending
	61 March Road	
F/YR22/0303/F	Erect a detached double garage for existing dwelling	Refused 28/03/2022
	61 March Road	Allowed on Appeal  24/06/2022
F/YR21/0712/F	Change of use of land from agricultural to equine use involving the erection of a stable block, hardstanding and 1.5m high post and rail fence (retrospective)	Granted 08/12/2021
	North of 55 March Road	
F/YR20/3023/COND	Details reserved by condition 9 (Landscaping) of planning permission F/YR19/0819/F (Erect a 2-storey 5-bed dwelling with detached garage and the temporary siting of 2 x caravans and 2 x storage containers)	Approved 15/04/2020
	55 March Road	
F/YR20/0275/F	Erect a 2-storey 5-bed dwelling with detached 2-storey garage/gym and the temporary siting of 2no caravans and 2no storage containers	Granted 22/6/2020
	55 March Road	

F/YR19/0819/F	Erect a 2-storey 5-bed dwelling with detached garage and the temporary siting of 2 x caravans and 2 x storage containers  55 March Road	Granted 20/11/2019
F/YR19/0744/F	Erect 1 x dwelling (2-storey, 6-bed) with a detached double garage with storage above, and the temporary siting of a caravan (during construction)  61 March Road	Granted 16/10/2019
F/YR19/0481/VOC	Variation of conditions 8 and 9 (plot 3 only) relating to planning permission F/YR19/0233/VOC (Variation of condition 11 to enable amendment to approved plans of planning permission F/YR17/0978/F (Erection of 4 x dwellings (comprising of 2 x 2-storey 5-bed and 2 x single-storey 4-bed) and the formation of an access) for Plot 3 only to add an attached garage; change door and window materials to polyester powder coated aluminium; change size and position of study window; omit roof light on south east elevation; and rear window/door alterations.)) relating to temporary facilities and construction management plan  59 March Road	Granted 9/8/2019
F/YR19/0466/F	Erect 1 dwelling (2-storey 5-bed) with detached 2-storey triple garage and temporary siting of 2no caravans (during construction)  57 March Road	Granted 17/7/2019
F/YR19/0233/VOC	Variation of condition 11 to enable amendment to approved plans of planning permission F/YR17/0978/F (Erection of 4 x dwellings (comprising of 2 x 2-storey 5-bed and 2 x single-storey 4-bed) and the formation of an access) for Plot 3 only to add an attached garage; change door and window materials to polyester powder coated aluminium; change size and position of study window; omit roof light on south east elevation; and rear window/door alterations.	Granted 8/5/2019

## 59 March Road

F/YR19/0175/VOC	Variation of condition 11 to enable amendment to approved plans of planning permission F/YR17/0978/F (Erection of 4 x dwellings (comprising of 2 x 2-storey 5-bed and 2 x single-storey 4-bed) and the formation of an access) for Plot 1 only to move siting of dwelling 2.0 metres to north west, alter design of dwelling to 2-storey 5-bed and elevational changes	Granted 14/5/2019
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## 55 March Road

F/YR18/3075/COND	Details reserved by Conditions 02, 04, 06, 07, 08 & 09 of planning permission F/YR17/0978/F (Erection of 4 x dwellings (comprising of 2 x 2-storey 5-bed and 2 x single-storey 4-bed) and the formation of an access)	Approved 20/9/2018
F/YR17/0978/F	Erection of 4 x dwellings (comprising of 2 x 2-storey 5-bed and 2 x single-storey 4-bed) and the formation of an access	Granted 12/1/2018

## 5 CONSULTATIONS

### 5.1 Town Council

*The Town Council recommend refusal of this application due to Lp12, the access road, this is also back land development.*

### 5.2 Cambridgeshire County Council Highways

*Highways have no objections to this outline application.*

*The width of the shared surface drive is 5.5m. It is wide enough for passing vehicles. This should be acceptable by the LPA. However, this will not be acceptable for adoption in the future. The requirement for shared surface is width 6.0m width block paved carriageway with 0.5m paved maintenance strips and no surface delineation.*

*Subject to this the future reserved matters application to provide car parking that meets FDC parking standards.*

#### *Conditions*

*1. 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).*

### 5.3 Environmental Health (FDC)

*I refer to the above application for planning consent and would make the following observations.*

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

*Due to the close proximity to existing noise sensitive dwellings and to protect the amenity of their occupants, the following condition should be imposed in the event that planning permission is granted*

#### **NOISE CONSTRUCTION HOURS**

*No construction or demolition work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.*

#### **5.4 Refuse Team (FDC)**

*In broad principal we have no objection to this development however the following points regarding access would need addressing:*

- To allow access the private road would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from landowners or future management company against any potential damage to the road surface etc. which may be caused during vehicle operations. This would include the existing private road which is not currently accessed during waste collections.*
- A swept path plan would be required to demonstrate that an 11.5m refuse vehicle could access the site turn and leave the site in a forward direction, this would include access along the existing private road.*
- 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.*

#### **5.5 Wildlife Officer (FDC)**

*Recommendation:*

*The application scheme is acceptable but only if conditions are imposed.*

*Recommended condition(s)/Reason(s) for refusal:*

*Pre-commencement Condition(s) –*

- No development shall take place (including any demolition, ground works, site clearance) until a method statement detailing how the line of trees to the north and the ditch will be protected during construction of the proposal has been submitted to and approved in writing by the local planning authority. The content of the method statement shall include the:*

*a) purpose and objectives for the proposed works;*

- b) detailed design(s) and/or working method(s) necessary to achieve stated objectives (including, where relevant, type and source of materials to be used);*
- c) persons responsible for implementing the works;*
- d) disposal of any wastes arising from works.*

*The works shall be carried out strictly in accordance with the approved details in the first planting season after works have commenced and shall be retained in that manner thereafter.*

*Post-Commencement Condition(s) -*

- Notwithstanding the submitted details, no development shall take place until a scheme for the soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:*

*-Planting plans to all public areas, retained hedge and trees, species, numbers, size and density of planting;*

*-Placement, type and number of any recommended biodiversity enhancements; and*

*-Boundary treatments.*

*Development shall be carried out in accordance with the submitted details and at the following times:*

*Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.*

*Assessment/Comment:*

*The site as a whole does not have any ecologically significant habitats within the redline boundary, however immediately adjacent to the boundary is a line of trees and a ditch that may be being used as important commuting habitat for a variety of species.*

*Considering the proposed landscaping within the plans it is considered possible that within the appropriate stand off protection (5m from the ditch and tree line) there will be no negative impact of the construction and the new landscaping will be quite beneficial.*

*A condition requesting a detailed landscaping plan has been included as to ensure that all species used in the boarder vegetation are native and not invasive on the bordering habitats. All species used within the landscaping plan should be of local providence.*

*Planning Policies/Legislation:*

*The Council is required to have regard to the safeguarding of species and habitats protected under UK, European and International legislation when determining all planning applications. The main legislation includes:*

- the Wildlife and Countryside Act 1981 (as amended)
- the Hedgerows Regulations 1997
- the Conservation of Habitats & Species Regulations 2017 (The Habitats Regulations)
- the Protection of Badgers Act 1992 and
- Wild Mammals (Protection) Act 1996

*Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to take, damage or destroy the nest of any wild bird while that nest is in use or being built. Trees and scrub are likely to contain nesting birds between 1 March and 31 August. Trees within the application should be assumed to contain nesting birds between the above dates unless a survey has shown it is absolutely certain that nesting birds are not present.*

*Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to intentionally kill, injure or take a great crested newt or intentionally or recklessly destroy or disturb a great crested newt breeding or resting place. Great crested newts are likely to be hibernating in tree root systems, underground crevices, mammal burrows, rubble piles or old walls between October and February. Great crested newts will become active both terrestrially and within ponds between March and the middle of June. Any works impacting aquatic and terrestrial breeding and resting places which is used by great crested newts at any time needs to be certain that great crested newts are not present before the works take place.*

*Government Circular ODPM 06/2005 Biodiversity & Geological Conservation:*

*The advice given above takes into account the following guidance:*

*Paragraph 98 states “the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat. Local authorities should consult Natural England before granting planning permission. They should consider attaching appropriate planning conditions or entering into planning obligations under which the developer would take steps to secure the long-term protection of the species. They should also advise developers that they must comply with any statutory species’ protection provisions affecting the site concerned. For European protected species (i.e. those species protected under the Habitats Regulations) further strict provisions apply, to which planning authorities must have regard”.*

*Paragraph 99 states “it is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances, with the result that the surveys are carried out after planning permission has been granted”. The advice given above is in accordance with the policies in the adopted Fenland Local Plan. The Local Plan provides the framework of local planning policies with which to make planning decisions. These policies are in conformity with the National Planning Policy Framework.*

*The biodiversity policies relevant to the proposal are:*

#### **LP19 – The Natural Environment:**

*The Council, working in partnership with all relevant stakeholders, will conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland.*

*Through the processes of development delivery (including the use of planning obligations), grant aid (where available), management agreements and positive initiatives, the Council will:*

- Protect and enhance sites which have been designated for their international, national or local importance to an extent that is commensurate with their status, in accordance with national policy in the National Planning Policy Framework.*
- Refuse permission for development that would cause demonstrable harm to a protected habitat or species, unless the need for and public benefits of the development clearly outweigh the harm and mitigation and/or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity.*
- Promote the preservation, restoration and re-creation of priority habitats, and the preservation and increase of priority species identified for Fenland in the Cambridgeshire and Peterborough Biodiversity Action Plans.*
- Ensure opportunities are taken to incorporate beneficial features for biodiversity in new developments, including, where possible, the creation of new habitats that will contribute to a viable ecological network extending beyond the District into the rest of Cambridgeshire and Peterborough, and other adjoining areas*

#### **5.6 Natural England (summary)**

*Please refer to Natural England's letter dated 12 July 2019 (copy attached) regarding appropriate consideration of recreational pressure impacts, through relevant residential development, to sensitive Sites of Special Scientific Interest (SSSI)*

*Natural England's generic advice on other natural environment issues is set out at Annex A.*

#### **5.7 County Planning, Minerals & Waste**

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

*The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised. Policy 5 sets out a number of exemptions (criteria (a) – (h)), for when Policy 5 is not applicable, none of which relevant in this case. It then goes on to set out that that development will only be permitted in certain circumstances (criteria (i) – (k)). The application documentation does not appear to make any reference to the safeguarded minerals, or Policy 5. Consequently criteria (i) – (k) have not been demonstrated, leaving criterion (l), which states that:*

*“development will only be permitted where it has been demonstrated that there is an overriding need for the development (where prior extraction is not feasible) \*\*”.*

*It is noted that the proposed development is, as per the description, a relatively small development, consisting of a site area of 0.69 ha, and that there are dwellings to the south and west of site. The MWPA considers that, although the extent of the resource within the site is unknown, the nature of the development, size of the site and proximity of dwellings means that complete prior extraction is, in this case, unlikely to be feasible.*

*Should the Planning Authority be of the view that there is an overriding need for the development, the MWPA will be content that Policy 5 has been addressed, subject to the following informative being included in any permission:*

*“The site lies within a Sand and Gravel Mineral Safeguarding Area, which indicates that there may be an underlying sand and gravel resource. In this instance, the Planning Authority considers that prior extraction is unlikely to be feasible and that there is an overriding need for the development. Prior extraction of the resource has, therefore, not been required in this instance. However, the applicant is encouraged to make best use of any sand and gravel that may be incidentally extracted as part of the development.”*

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

1 objection has been received from March Road, Coates in relation to the following:

- Proposal would impact, hinder and restrict access
- Impact view and enjoyment of property
- Noise from doubling number of dwellings
- Loss of privacy
- Impact on sewage system used by 4 existing dwellings

8 Supporting comments have been received (1 from Plover Road, 1 from Hemmerley Drive, 1 from Viking Way, 1 from Crescent Road, all Whittlesey and 1 from Willowbrooke Drive, 1 from North Green, 1 from Coates Road and 1 from Minuet Paddocks, all Coates) in relation to the following:

- Good use of land locked between houses, ditch and bridleway
- Better than using farmed land
- Shortage of homes, demand for houses like these
- Require good balance from affordable to aspirational, better balance of types of homes
- In keeping with/would complement development to the front
- Provides sustainable housing
- Houses look desirable
- Ample hedging, positive impact to local wildlife and environment
- Great to see more self builds, positive impact on local economy

Comments, where they relate to planning matters will be addressed in the sections below.

However, it should be noted that this application is an outline with matters reserved except access hence the design of the dwellings, layout and all other details are indicative only.

Furthermore, this land remains agricultural even as maintained grassland, there has been no application to change its use.

The loss of view is not a planning consideration.

## **6 STATUTORY DUTY**

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

## **7 POLICY FRAMEWORK**

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

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

#### **National Design Guide 2021**

Context – C1

Identity – I1, I2

Built Form – B2

Movement – M3

Nature – N3

Homes and Buildings – H3

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

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

#### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation on 25th August 2022, the first stage of the statutory process leading towards the adoption of the Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

Policy LP1 – Settlement Hierarchy

Policy LP2 – Spatial Strategy for the Location of Residential Development

Policy LP5 – Health and Wellbeing

Policy LP7 – Design

Policy LP8 – Amenity Provision

Policy LP11 – Community Safety

Policy LP12 – Meeting Housing Needs

Policy LP13 – Custom and Self Build

Policy LP18 – Development in the Countryside  
Policy LP20 – Accessibility and Transport  
Policy LP22 – Parking Provision (Appendix 6)  
Policy LP24 – Natural Environment  
Policy LP25 – Biodiversity Net Gain  
Policy LP26 – Carbon Sinks and Carbon Sequestration  
Policy LP27 – Trees and Planting  
Policy LP28 – Landscape  
Policy LP32 – Flood and Water Management  
Policy LP51 – Residential site allocations in Coates

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

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

Policy DM4 – Waste and Recycling Facilities

### **The Whittlesey Draft Neighbourhood Plan 2021-2040**

This neighbourhood plan has been formally submitted to Fenland District Council for independent examination and is the subject of 'Regulation 16' consultation until 1 September 2022.

Due to the current stage of progression of the plan it carries little, but some, material weight in decision making. However the following policies of the emerging plan are of relevance to this application:

Policy 1 – Spatial Planning

Policy 2 – Local Housing Need

Policy 7 – Design Quality

Policy 8 – Historic Environment

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

Policy 5: Mineral Safeguarding Areas (MSAs)

## **8 KEY ISSUES**

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Parking and Highways**
- **Flood Risk and Drainage**
- **Ecology**
- **Waste and Minerals**

## **9 BACKGROUND**

- 9.1 The frontage development, which resulted in an incursion into the open countryside from the continuous built frontage to the west, was originally granted under F/YR17/0978/F. The scheme was considered contrary to Policy LP12 and LP16 in respect of the creation of a linear form of development in the countryside and the scale and appearance of the dwellings. It was however primarily allowed as the Council were unable to demonstrate a 5 year supply of housing, whereby the 'tilted balance' under para 7 (now para 11) of the NPPF applied.
- 9.2 The Council can currently demonstrate a sufficient supply of housing (6.69 years) and as such the 'tilted balance' would not apply in the case of this current application.

## 10 ASSESSMENT

### **Principle of Development**

- 10.1 Policy LP3 of the Fenland Local Plan 2014 identifies Coates as a 'limited growth village' where development within the existing urban area or a small village extension will be acceptable in principle, subject to compliance all other relevant policies which are considered in the sections below.
- 10.2 The proposed development is located on land to the north east of, but does not immediately adjoin the existing built form (the site is separated from the gardens of 59 and 61 March Road by an area of maintained grassland) and as such the principle of development is not strictly supported.
- 10.3 Policy LP5, Part C seeks to provide, in appropriate circumstances, housing solutions that meet market expectations including self build homes, which is supported by para 62 of the NPPF. Under Section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Weight would therefore be given to this, the amount dependant on identified demand.
- 10.4 The proposal is for self/custom build dwellings, however the Council can currently demonstrate that the number of permissions given for self/custom builds exceeds identified demand, and as such very limited weight can be afforded to this.
- 10.5 Whilst the policies of the emerging local plan carry extremely limited weight in decision making:

Policy LP1, Part A identifies Coates as a medium village; Part B advises that land outside settlement boundaries is defined as countryside where development is restricted (as set out in LP18), this site is outside of the defined settlement. LP51 defines residential site allocations in Coates and this site does not have such an allocation. As such the proposal would also be considered contrary to the aforementioned policies of the emerging local plan.

### **Design considerations and visual amenity of area**

- 10.6 The application is in Outline with all matters reserved hence detailed design would be subject to a subsequent application should this scheme be successful. It is however necessary to consider the impact of development of this site on the character of the area.
- 10.7 Policies LP2 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, paras 130 and 174 of the NPPF 2021 and Chapters C1, I1 and I2 of the NDG 2021 seek to ensure that developments avoid adverse impacts, create high quality environments, which provide a positive contribution to local distinctiveness, are informed by the settlement pattern and local built environment and recognise the beauty and character of the countryside.
- 10.8 Policy LP12A supports development in villages subject to compliance with criteria a to k. However, the scheme is considered to be contrary to the following:

10.9 *Policy LP12A (a): The site is adjacent to the existing developed footprint of the village.*

The footnote for Policy LP12 clarifies that the developed footprint excludes gardens and paddocks on the edge of the settlement where that land relates more to the surrounding countryside than the built-up area;

The application site is located on maintained grassland, does not adjoin and is beyond the gardens that serve the frontage development of 55-61 March Road. As such is considered to relate more to the surrounding countryside than the built form.

10.10 *Policy LP12A (c): It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland;*

*Policy LP12A (d): The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance;*

Development on the north-eastern side of Feldale Lane and March Road is limited to linear development which affords views of and retains the openness of this edge of settlement location. The proposal would enclose the open field beyond the frontage development, would result in an in-depth incursion into the open countryside and would not therefore respect the local distinctiveness and character of the area. Furthermore, it would set a precedent for further in-depth development in the vicinity. As such, the proposal is considered to create a significant adverse impact on the character and visual amenity of the area, contrary to the aforementioned policies.

10.12 Whilst the policies of the emerging local plan carry extremely limited weight in decision making:

Policy LP7 and LP28 seek to ensure developments relate well to the site, its local and wider context and contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness. The proposal would therefore be contrary to the aforementioned policies.

**Residential Amenity/Health and wellbeing**

10.13 The application is in Outline with all matters reserved hence detailed design would be subject to a subsequent application should this scheme be successful. It is however necessary to consider whether a policy compliant scheme could be achieved.

10.14 The development proposes to utilise the existing private shared access off March Road and then an access between 59 and 61 March Road. There is potential for additional noise and disturbance as a result of the additional traffic alongside existing dwellings, with a separation distance of 3m – 3.5m between these and the access. Given the proposal is for 4 dwellings this impact is not considered to be significantly adverse, providing that a bound material is used for the access to reduce noise.

10.15 The site is a sufficient distance from existing dwellings and of a sufficient size that a policy compliant scheme in relation to privacy, light, outlook and overshadowing could be achieved.

- 10.16 The indicative site plan indicates a bin collection area within the site. It is understood that currently the Council's refuse vehicles do not utilise the private road for collection and have advised that the private road (including the existing section) would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from landowners or future management company against any potential damage to the road surface, which may be caused during vehicle operations. No information has been provided as to whether the existing access has been constructed to the required specification and as such it is unclear whether it would be necessary for residents to bring their bins for roadside collection on March Road. If this is the case drag distances would be far in excess of the 30m maximum set out in Policy DM4 and RECAP guidance, the site itself is at least 100m from March Road. Whilst the policies of the emerging local plan carry extremely limited weight in decision making, Policy LP8 carries forward these requirements.

### **Parking and Highways**

- 10.17 The existing private access off March Road is 5.5m wide at the junction leading to a 5m drive which is currently shared by 4 existing dwellings. It is proposed to utilise this and then create a 5.5m wide access to serve up to 4 new dwellings. Due to the location of the site the length of the shared access is in excess of 210m and whilst only serving up to 4 additional dwellings is not ideal in terms of width for a shared surface of this length. Nevertheless, the LHA have no objections to the scheme subject to a condition to secure retention of on-site parking and turning and it is considered that due to the size of the site suitable parking and turning could be achieved.

### **Flood Risk and Drainage**

- 10.18 The site is located in Flood Zone 1, the lowest risk of flooding, hence the sequential and exception tests are not applicable to this site. It is also at a low/very low risk of surface water flooding.
- 10.19 The issue of foul drainage has been raised by a local resident, this would be dealt with under building regulations should the application be successful.

### **Ecology**

- 10.20 The Council's Wildlife Officer has been consulted on the scheme and advises that the site as a whole does not have any ecologically significant habitats within the redline boundary, however immediately adjacent to the boundary is a line of trees and a ditch that may be being used as important commuting habitat for a variety of species. On this basis he has recommended a condition to ensure that these features are adequately protected, in addition to a landscaping condition to secure a suitable scheme.
- 10.21 The site is located with a SSSI impact zone and Natural England have advised that there should be appropriate consideration of recreational pressure impacts. The proposal is for up to 4 additional dwellings and as such there is not considered to be a significant impact in this regard.

### **Waste and Minerals**

- 10.22 The site is located within a Sand and Gravel Mineral Safeguarding Area (MSA) which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). This policy seeks to prevent mineral resources of local and/or national importance being needlessly sterilised.

10.23 Policy 5 sets out a number of exemptions (criteria (a) – (h)), for when Policy 5 is not applicable, none of which are relevant in this case. Development within MSAs which is not covered by the exemptions is only permitted where it is demonstrated that:

*(i) the mineral can be extracted where practicable prior to development taking place; or*

*(j) the mineral concerned is demonstrated to not be of current or future value; or*

*(k) the development will not prejudice future extraction of the mineral; or*

*(l) there is an overriding need for the development (where prior extraction is not feasible).*

10.24 The application documentation does not make any reference to the safeguarded minerals, or Policy 5, consequently criteria (i) – (k) have not been demonstrated as being met.

10.25 With regards to (l) the Minerals and Waste Planning Authority (MWPA) considers that, although the extent of the resource within the site is unknown, the nature of the development, size of the site and proximity of dwellings means that complete prior extraction is, in this case, unlikely to be feasible and that should the Council be of the view that there is an overriding need for the development, the MWPA will be content that Policy 5 has been addressed.

10.26 As detailed above, the proposal is for self/custom build dwellings, however the Council can currently demonstrate that the number of permissions given for self/custom builds exceeds identified demand, and a sufficient supply of housing (6.69 years), hence there is no overriding need for the development and it is considered contrary to the aforementioned policy.

## **11 CONCLUSIONS**

11.1 The principle of development is not strictly supported as the site does not adjoin the built form and whilst the proposal is for self/custom build dwellings the Council can currently demonstrate that the number of permissions given for self/custom builds exceeds identified demand, and as such very limited weight can be afforded to this.

11.2 The site is considered to relate more to the surrounding countryside than the built form and the proposal would enclose the open field beyond the frontage development, would result in an in depth incursion into the open countryside and would not therefore respect the local distinctiveness and character of the area. Furthermore, it would set a precedent for further in depth development in the vicinity. As such, the proposal is considered to create a significant adverse impact on the character and visual amenity of the area.

11.3 It is considered that a policy compliant scheme may be achievable in relation to residential amenity (subject to suitable refuse collection arrangements) and parking/highways matters. There are no issues to address in relation to flood risk and drainage and ecology impacts are considered acceptable subject to conditions.

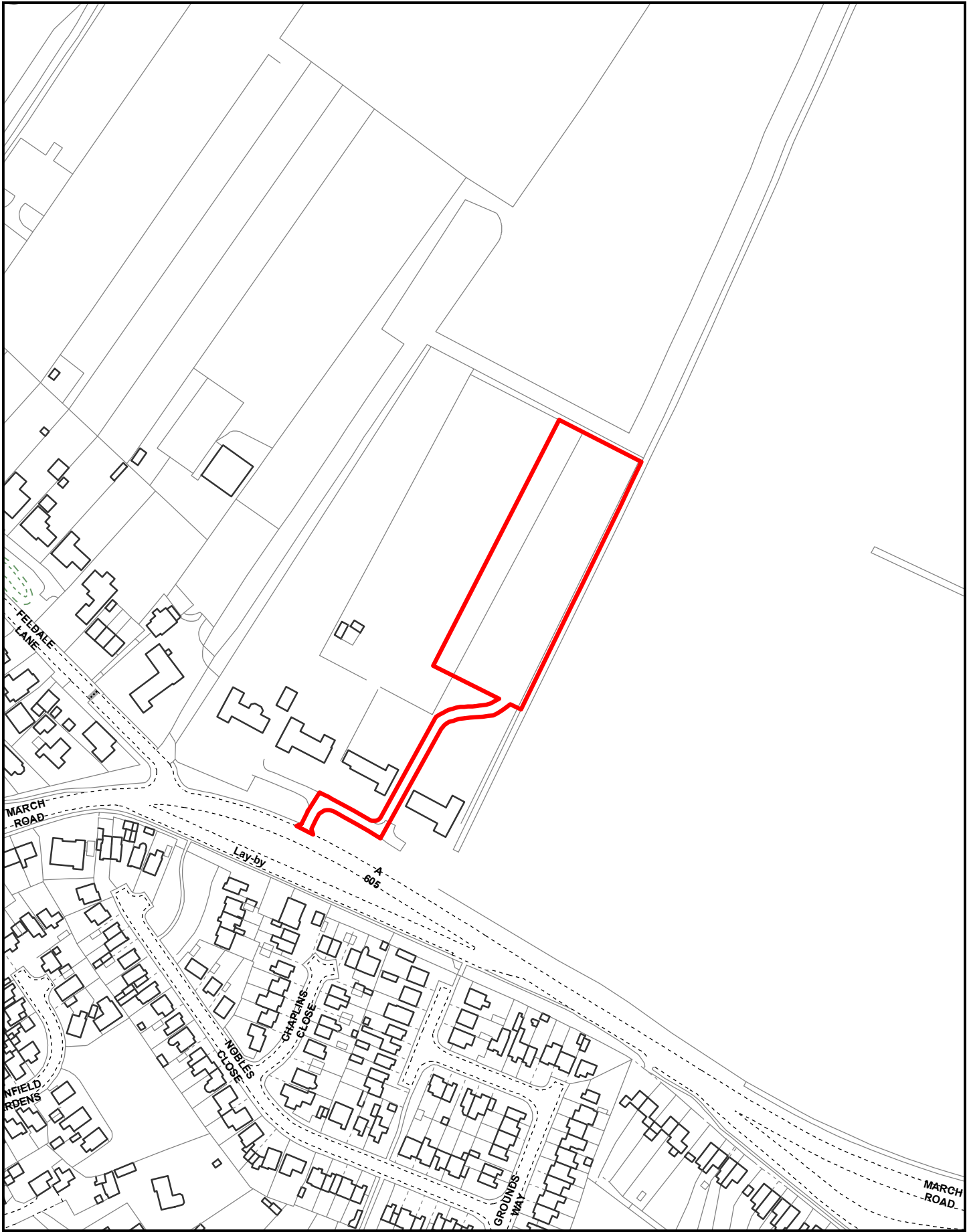
11.4 The site is located within a Sand and Gravel Mineral Safeguarding Area, the development does not fall within any of the exemptions listed in Policy 5, there has been no demonstration that criteria (i) – (k) have been complied with and whilst the MWPA consider extraction is unlikely to be feasible there is no overriding

need for the development and as such the proposal is contrary to the aforementioned policy.

## 12 RECOMMENDATION

### Refuse for the following reasons:

1	<p>Policies LP2, LP12 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, paras 130 and 174 of the NPPF 2021 and Chapters C1, I1 and I2 of the NDG 2021 seek to ensure that developments avoid adverse impacts, create high quality environments, which provide a positive contribution to local distinctiveness, are informed by the settlement pattern and local built environment and recognise the beauty and character of the countryside.</p> <p>The site is considered to relate more to the surrounding countryside than the built form and the proposal would enclose the open field beyond the frontage development, would result in an in-depth incursion into the open countryside and would not therefore respect the local distinctiveness and character of the area. Furthermore, it would set a precedent for further in-depth development in the vicinity. As such, the proposal is considered to create a significant adverse impact on the character and visual amenity of the area, contrary to the aforementioned policies.</p>
2	<p>Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021 seeks to prevent mineral resources of local and/or national importance being needlessly sterilised.</p> <p>The site is located within a Sand and Gravel Mineral Safeguarding Area, the development is does not fall within any of the exemptions listed, there has been no demonstration that criteria (i) – (k) have been complied with and whilst the MWPA consider extraction is unlikely to be feasible, there is no overriding need for the development and as such the proposal is contrary to the aforementioned policy.</p>



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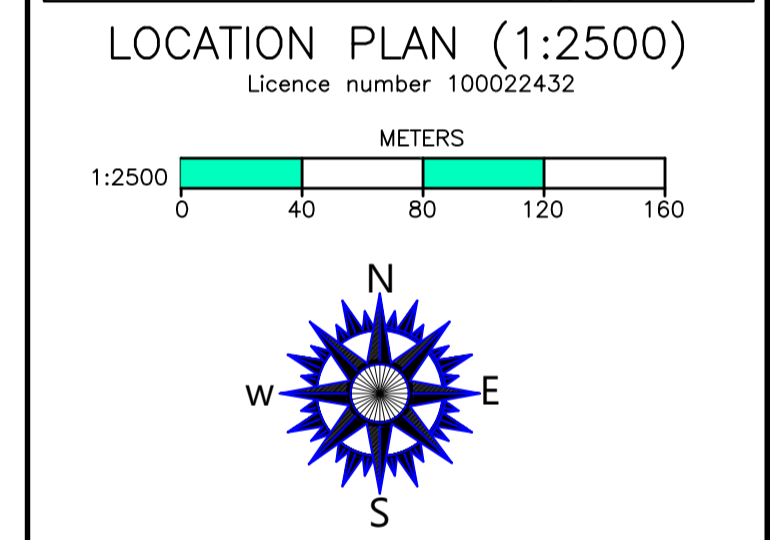
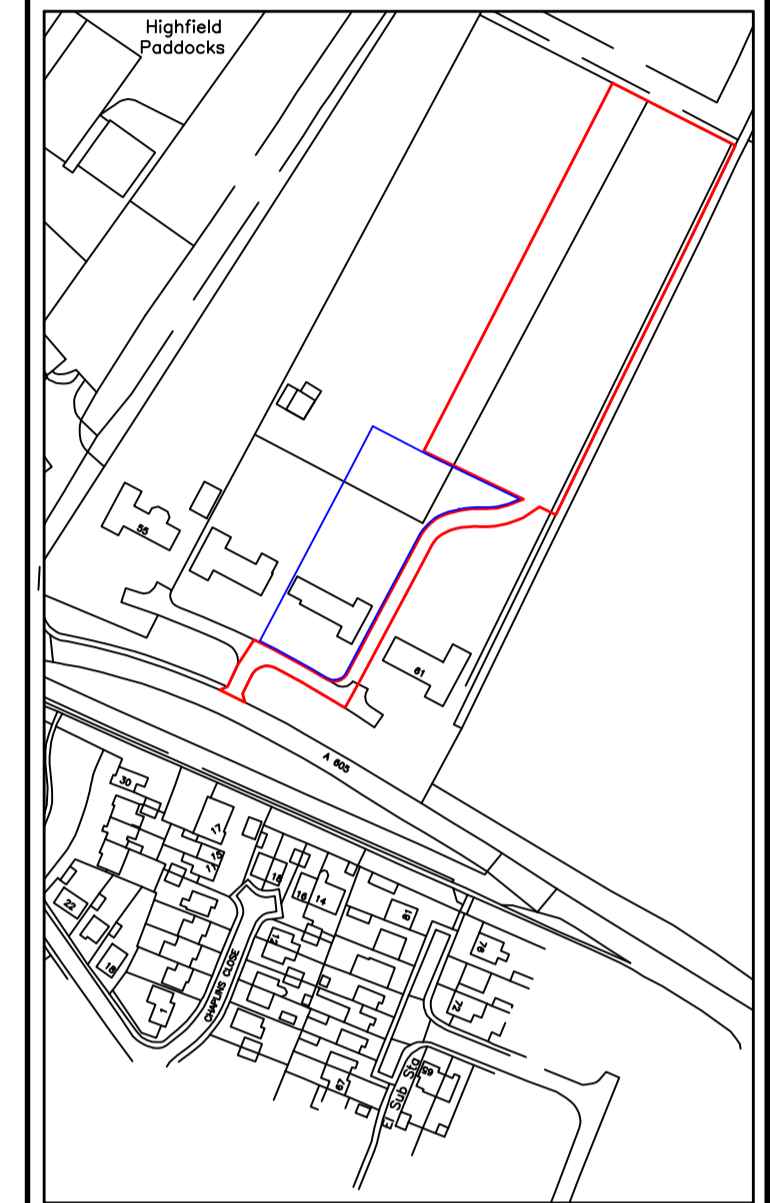
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Please read, if in doubt ask. Change nothing without consulting the Engineers.  
Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.  
Where materials,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



B	PLANNERS COMMENTS	JUN 22
A	CLIENTS COMMENTS	APR 22
REVISIONS		DATE

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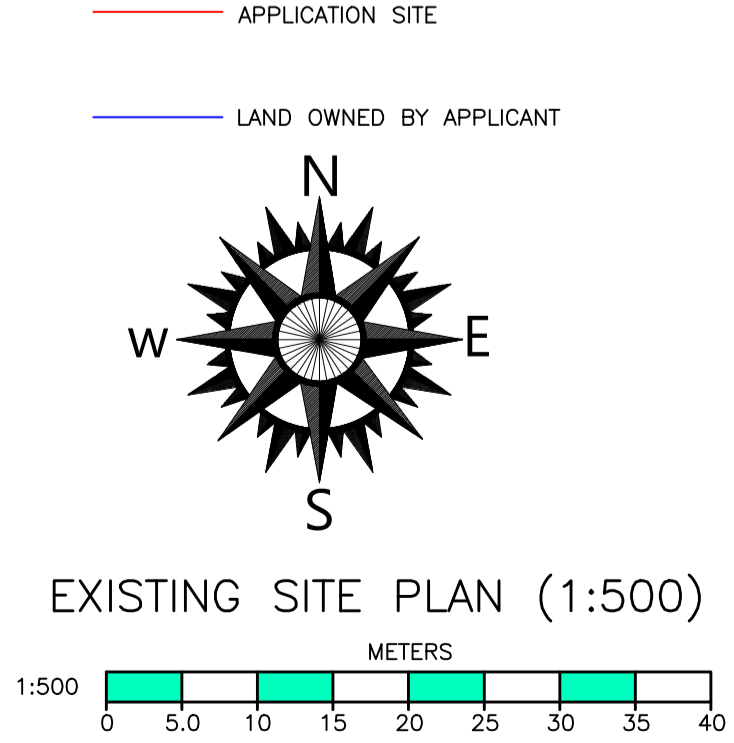
Fenland District Council  
 Building Design Awards  
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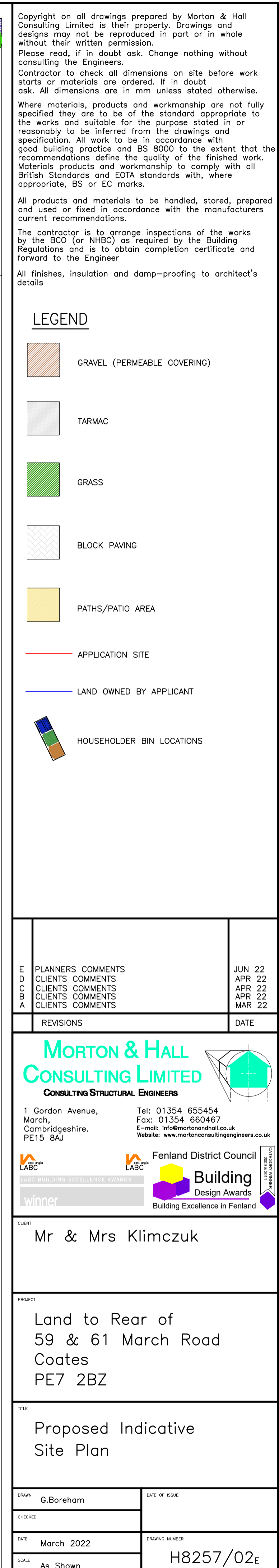
CLIENT  
Mr & Mrs Klimczuk

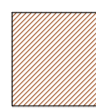






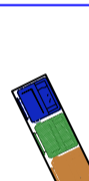
PROJECT  
Land to Rear of  
59 & 61 March Road  
Coates  
PE7 2BZ

TITLE  
Exisitng Site Plan &  
Location Plan

DRAWN G.Boreham	DATE OF ISSUE
CHECKED	
DATE March 2022	DRAWING NUMBER H8257/01b
SCALE As Shown	





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E	PLANNERS COMMENTS	JUN 22
D	CLIENTS COMMENTS	APR 22
C	CLIENTS COMMENTS	APR 22
B	CLIENTS COMMENTS	APR 22
A	CLIENTS COMMENTS	MAR 22
REVISIONS		DATE

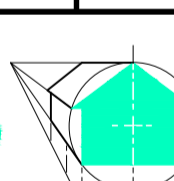
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CLIENT	Mr & Mrs Klimczuk	
PROJECT	Land to Rear of 59 & 61 March Road Coates PE7 2BZ	
TITLE	Proposed Indicative Site Plan	

DRAWN G.Boresham	DATE OF ISSUE
CHECKED	
DATE March 2022	DRAWING NUMBER H8257/02e
SCALE As Shown	