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**F/YR22/0495/O**

**Applicant: Newman  
PB Development & Investments Ltd**

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

**36 Westfield Road, Manea, March, Cambridgeshire PE15 0LN**

**Erect up to 9 x dwellings involving the demolition of existing shed (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 site lies predominantly within the countryside and relates more to the countryside than the built-up area of Manea. The development is out of keeping with the character and pattern of development of this part of Manea which predominantly consists of frontage linear housing and would introduce a discordant and urbanising effect to the area. As such the proposal is contrary to Policies LP2, LP3, LP12 Part A (c) and (d) and LP16 (d) of the Fenland Local Plan, which enable only small village extensions which make a positive contribution to the character and local distinctiveness of the area. The proposal also fails to recognise the intrinsic character and beauty of the countryside in relation to paragraph 174(b) of the NPPF.

## **2 SITE DESCRIPTION**

- 2.1 The site comprises a rectangular parcel of maintained grassland described in the application as 'grass paddock' with a stated site area of 1.50 ha which lies behind No.36 Westfield Road and which extends to the Westfield Road frontage to incorporate the side garden of No.36 and also a large brick and tiled outbuilding pertaining to No.36. Site levels within the site range from +5.2m OD for the south-east (front) corner of the site down to +1.5m OD for the north-west (rear) corner of the site.
- 2.2 The site is enclosed and screened to the south-western flank boundary by a continuous and mature hedge line, to the north-western (rear) boundary by an extensive belt of trees and to the north-eastern flank boundary by a continuous, albeit less extensive hedge line. Agricultural land lies to the rear of the site beyond a footpath which runs parallel with Darcey Lode which runs along the site's rear boundary.
- 2.3 No.36 Westfield Road to the front comprises a 2-storey semi-detached Victorian dwelling which lies at the north-eastern end of a long line of 2-storey former local

authority dwellings which front onto Westfield Road. Glebe Close, a circa 1960's housing development lies to the rear of this line of frontage housing to the side of the site on its south-west side. More intermittent housing fronts onto Westfield Road further along the road on the north-east of the site, whilst Manea Fire Station stands directly opposite the site on the south side.

### 3 PROPOSAL

- 3.1 This outline proposal relates to the erection of up to 9 x dwellings involving the demolition of the existing outbuilding to No.36 Westfield Road whereby all matters are reserved except for access.
- 3.2 An indicative site layout drawing has been submitted with the application which shows how up to 9 x dwellings with associated plot parking and shared surface spine access road leading from Westfield Road could be accommodated on the site. The indicative site layout also shows a proposed surface water attenuation basin to be provided at the rear of the site at the head of the shared surface road and also indicative native hedge boundary planting. 3 no. new parking spaces are shown for No.36 Westfield Road to compensate for the domestic parking which would be lost as a result of the indicated alignment of the proposed access road to serve the proposed development to the rear. No indicative elevational drawings have been submitted for the application given its outline nature, although it is indicated that the dwellings are likely to be 2-storey.
- 3.3 The application is supported by the following documents/reports:
- Design and Access Statement
  - Flood Risk Assessment
  - Tree Survey Report
  - Arboricultural Assessment
  - Preliminary Ecological Assessment
  - Tree Protection Plan
- 3.4 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

### 4 SITE PLANNING HISTORY (from year 2000)

Reference	Description	Decision	Date
F/YR07/0983/O	Erection of 2 houses involving demolition of existing outbuilding  Land North East Of 36 Westfield Road, Manea	Granted	06.11.2007

F/YR10/0495/ EXTIME	Erection of 2 houses involving demolition of existing outbuilding (renewal of planning permission F/YR07/0983/O)	Land North East Of 36 Westfield Road, Manea	Granted	20.08.2010
F/YR13/0424/ EXTIME	Erection of 2 houses involving demolition of existing outbuilding (renewal of planning permission F/YR07/0983/O and F/YR10/0495/EXTIME)	Land North East Of 36 Westfield Road, Manea	Granted	01.08.2013
F/YR17/0111/O	Erection of up to 2no dwellings involving demolition of existing outbuilding (Outline with all matters reserved)	Land North East Of 36 Westfield Road, Manea	Granted	05.04.2017

- 4.1 It should be noted from the site history that planning permission was granted by the Council for the minor dwelling applications above on the basis that the proposals were considered to represent appropriate infill frontage development at this location which would not be harmful to the character and appearance of the area.

## 5 CONSULTATIONS

### 5.1 Environment Agency

*We have no comment to make on this application as all dwellings will be within Flood Zone 1.*

### 5.2 CCC Highways

Comments:

*Highways have no objection to this outline application in respect to access subject to any future reserved matters application showing car parking and turning arrangements that meet FDC parking standards.*

*Condition 1. Prior to first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.*

*Reason: In the interests of highway safety and to ensure satisfactory access into the site.*

### 5.3 Natural England

*No objection based on the plans submitted.*

*Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. Natural England's generic advice on other natural environment issues is set out at Annex A.*

#### **5.4 PCC Wildlife Officer**

*“The application scheme is acceptable but only if conditions are imposed” (details of a soft landscaping scheme to include recommended biodiversity enhancements, a Construction Environmental Management Plan (CEMP) for biodiversity, the provision of bat and bird boxes and use of native planting species of native provenance).*

#### **5.5 Cambridgeshire Fire and Rescue Service**

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

#### **5.6 Middle Level Commissioners**

Comments not received.

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

*The Environmental Health Team note and accept the submitted information and have ‘No Objections’ to the proposal.*

*As a result of the demolition of an existing structure and in the event that planning permission is granted, this service considers it necessary for inclusion of the unsuspected contaminated land condition.*

*Given the scale of the proposal and close proximity to existing residents, the applicant needs to consider the potential for adversely impacting on their amenity during the development stage. We therefore ask the applicant to produce a Construction Management Plan (CMP) that sets out how adverse impacts such as noise and dust will be mitigated in order to protect those existing sensitive uses in the area. This can be submitted as a pre-commencement condition in the event permission is granted.*

*An effective CMP should include the following elements as a minimum;*

- Notices to be posted on site to keep residents and other neighbours advised of anticipated events*
- Letters to be hand delivered to residents in advance of noisy or other work being undertaken that may cause a disturbance*
- No noisy work before 8am or after 5pm weekdays, or before 8am or after 1pm Saturdays or at any time on a Sunday or Bank or Public Holiday*
- Water suppression techniques to control dust during development*
- Loads delivered / collected from site to be covered including use of skips*
- Constructor to describe how noise will be minimised to prevent disruption to adjacent occupiers*
- A complaints / contact book to be kept on site and used to record details of complaints.*

*Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction*

*and open sites may also be relevant, as would details of any piling construction methods / options, as appropriate.*

## **5.10 Manea Parish Council**

*Refuse – Not a brownfield site. Backland development. Entrance opposite Fire Station exit. Lack of infrastructure. No Affordable homes.*

## **5.11 Local Residents/Interested Parties**

Thirteen letters of support received (two each from residents of School Lane, Old Dairy Yard and Scholars Close, one each from Fallow Corner Drove, Straight Road, Williams Way, Westfield Road and Cox Way, Manea and two from residents of Chatteris ) on the following grounds:

- Scheme provides good use of land for housing on land which is not currently being used for agricultural gain and of no value
- Opportunity to provide further self-build homes in the village to continue the self-build ethos which will benefit both villagers and local businesses
- Good location for Manea to expand further as a popular village without detriment to local amenity
- Well-thought out housing plan with good sized gardens to the dwellings.
- The density of development is comfortable given the land is of substantial size
- Scheme will provide self-builders the unique opportunity to get onto the housing ladder
- Current shortage of quality building plots and good quality homes in the area

Two letters of objection received from residents of Gleb Close and Westfield Road, Manea on the following grounds:

- Density of development
- Scheme would be out of character / not in keeping with the area
- Would lead to loss of hedgerows / bio-diversity
- Visual impact
- Overlooking / loss of residential privacy
- Loss of view / outlook
- Would devalue properties
- Would cause building precedent

## **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)**

Para 2 – Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise;

Para 7 – The purpose of the planning system is to contribute to the achievement of sustainable development;

Para 11 – Plans and decisions should apply a presumption in favour of sustainable development;

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

Para 60 – To support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay;

Para 62 – The size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to... or build their own homes);

Paragraph 69 – Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly;

Para 110 – In assessing...specific applications for development, it should be ensured that: (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location...

Para 119 – Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Para 124 – Planning policies and decisions should support development that makes efficient use of land;

Para 126 – The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development...;

Para 159 – Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk;

Para 174 – Planning policies and decisions should contribute to and enhance the natural and local environment;

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

Process for determining a planning application.

## **National Design Guide 2021**

Context  
Identity  
Built Form  
Movement  
Nature  
Public Spaces  
Uses  
Homes and Buildings  
Resources  
Lifespan

## **Fenland Local Plan 2014**

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

### **Emerging Local Plan**

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

Policy LP1: Settlement Hierarchy  
Policy LP2: Spatial Strategy for the Location of Residential Development  
Policy LP4: Securing Fenland's Future  
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  
Policy LP24: Natural Environment  
LP25: Biodiversity Net Gain  
Policy LP27: Trees and Planting  
Policy LP28: Landscape  
Policy LP32: Flood and Water Management  
LP34: Air Quality  
LP49: Residential site allocations in Manea

## **8 KEY ISSUES**

- **Principle of Development**
- **Character and appearance**
- **Flood risk and drainage**
- **Whether proposed access arrangements would be acceptable**
- **Design / residential amenity (indicative only)**
- **Ecology**
- **Other Matters - Affordable housing / Infrastructure**

## **9 BACKGROUND**

- 9.1 The current outline application proposal for up to 9 x dwellings at this undeveloped site to the rear of No.36 Westfield Road has been the subject of a previous preliminary enquiry submitted in 2021 showing a similar indicative linear backland housing scheme to that now proposed, albeit that that preliminary proposal showed 12 x dwellings instead of the 9 x dwellings as now proposed.
- 9.2 It was confirmed in the advice letter for that enquiry that Manea is identified as being a 'growth village' for the purposes of Policy LP3 of the Fenland Local Plan (2014) and the settlement hierarchy and that for these settlements development and new service provision within the existing urban areas will be appropriate. However, this is on the basis of compliance with Policy LP12A that development is in keeping with and reflecting the character of the area and that there are no significant issues in respect of flood risk, highways, visual or residential amenity.
- 9.3 In this respect, the footnote for Policy LP12A clarifies that the developed footprint excludes gardens and paddocks on the edge of settlements where that land relates more to the surrounding countryside than the built up area. In this context, it was considered that the proposal site to the rear of No.36 Westfield Road was separated from the development footprint of Manea village (in this case) by surrounding gardens and paddocks, a rural track and the proposed access and verges to the site itself, which was considered to be at odds with the character of the area.
- 9.4 Accordingly, that indicative housing scheme was considered by officers to be contrary to local plan and national policy advice and also National Design Guide guidance whereby it was considered without prejudice that the proposed scheme was unlikely to receive support from officers were a planning application to be subsequently submitted. It was acknowledged that the description of the development related to self-build dwellings whereby if the proposal fell within the legal definition as set out under the Self-Build and Custom Housebuilding Act 2015 (as amended) that the Council would have a duty under Sections 2 and 2A of the aforementioned Act to have regard to the Self-Build and Custom Build register and ensure that enough planning permissions are granted annually for the district to meet identified demand. As such, weight would be given to this position depending on the identified demand for this kind of housing, although it was further advised that in this case that the indicated self-build nature of the indicative scheme was not a sufficient reason in itself to overcome the identified constraints of the proposal.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The spatial strategy and settlement hierarchy for Fenland is set out in Policy LP3 of the Fenland Local Plan (adopted 2014) ('the local plan'). Manea is designated as a growth village whereby development and new service provision either within the existing urban area or as small village extensions will be appropriate, albeit of a considerably more limited scale than is appropriate to the market towns.
- 10.2 The proposed site does adjoin the edge of the settlement of Manea and so in principle a small village extension adjoining the settlement would meet Policy LP3 in principle whereby the site is located within a sustainable position within close



proximity to bus stops and local village services, whilst a continuous footpath runs along Westfield Road to the village centre. Therefore, in the broad terms as set out in Policy LP3, the proposal would be acceptable.

- 10.3 The policies of the emerging Fenland Local Plan carry extremely limited weight in decision making at this time as referenced above in this report. Policy LP1 of the emerging Local Plan ('Settlement Hierarchy') identifies Manea as a 'Large Village'. Policy LP1 states that proposals within the settlement boundaries will be supported in principle whereby that land falling outside the settlement boundaries is defined as countryside. Policy LP1 goes on to state that development in the countryside (i.e. that land falling outside the boundaries of all settlements in the hierarchy) will be restricted to that development which is appropriate within the countryside (as defined). The majority of the proposed development site falls outside the defined red line development boundary and would as a consequence of this be contrary to LP18 of the emerging Local Plan relating to development in the countryside.

### **Character and Appearance**

- 10.4 Policy LP12 Part A of the adopted local plan sets out that for villages that new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide-open character of the countryside. Additionally, any proposal will need to satisfy the applicable policies of the local plan (including the settlement hierarchy) as well as criteria a – k of that policy as summarised as follows:
- (a) The site is in or adjacent to the existing developed footprint\* of the village (except for those villages listed in the settlement hierarchy in Policy LP3 as being 'Small' or 'Other' villages, where only infill sites will normally be considered favourably)
  - (b) It would not result in coalescence with any neighbouring village
  - (c) It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland
  - (d) The proposal is of a scale and in a location that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance;
  - (e) It would not extend existing linear features of the settlement, or result in ribbon development;
  - (f) The site retains and respects natural boundaries such as trees, hedgerows, embankments and drainage ditches
  - (g) The site retains and respects ecological, heritage and biodiversity features
  - (h) It would not result in the loss of important spaces within the village
  - (i) It would not result in the loss of high grade agricultural land, or if so, comprehensive evidence is provided to justify the loss. This should include an assessment of all alternative reasonable opportunities in the locality to develop on lower grades of agricultural land
  - (j) It would not put people or property in danger from identified risks
  - (k) It can be served by sustainable infrastructure provision, such as surface water and waste water drainage and highways.
- 10.5 Policy LP2 of the local plan concerns the facilitation of health and wellbeing of Fenland's residents. Development proposals should positively contribute towards creating a healthy, safe and equitable living environment. One of the criteria towards achieving these aims concerns creating sufficient and the right mix of homes to meet people's needs and in the right location.

- 10.6 Policy LP16 concerns the delivery and protection of high-quality environments across the district. Proposals for all new developments are required to meet the criteria set out in this policy. Criteria (d) states 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”.
- 10.7 The pattern of development along this section of Westfield Road is predominantly frontage development, albeit that the 1960’s built Glebe Close to the rear of this established frontage line is the ‘historical’ and notable backland housing exception to this general norm, whilst Dunvegan Close further along Westfield Road to the south-west of Glebe Close is a more modern exception. In contrast, the long strip of undeveloped grassland which exists to the rear of No.36 Westfield Road the subject of the current outline application is consistent in its undeveloped and tranquil appearance with the similarly undeveloped adjacent and parallel long strips of undeveloped grassland plots which exist behind their respective frontage dwellings leading down Westfield Road from Old Dairy Yard and which combined currently serve as a ‘green’ natural break between Glebe Close and Old Dairy Yard.
- 10.8 The applicant’s quoted examples within the submitted Design and Access Statement of where the local planning authority has granted planning permission for sites within Manea which it is posited are prime examples of why the built form of Manea is considered to be ‘*diverse, inclusive and adaptable*’ have been noted. However, cited application F/1797/88/O which related to residential development on ‘Land south-west of the fire station’ in Westfield Road comprising 0.85 ha contains an historical permission, whilst cited application F/YR14/0244/O for the erection of 5 no. dwellings at ‘Land to rear of 35 Westfield Road’ also has a lapsed permission whereby it is noted that the site area for that proposal showed the red line having a limited depth beyond existing frontage dwellings along this south side of Westfield Road. Cited application F/YR/16/0107/O for the erection of 29 x dwellings at ‘Lavender Mill, Fallow Corner Drove’ has an extant permission by virtue of a subsequent reserved matters submission relating to the development of a commercial site framed unusually on two sides by frontage housing (commercial buildings now removed – site cleared) where the development of this site for housing was seen as a planning gain. The last cited application, F/YR22/0084/O, relating to 26 dwellings on ‘Land North of 96A to 100 Westfield Road, Manea’, and perhaps most relevant to the current application, was refused planning permission by Fenland District Council on 5 July 2022 in part as (Refusal reason 1):

*“The site lies predominantly within the countryside and relates more to the countryside than the built-up area of Manea and therefore would be out of keeping with the character and pattern of development of this part of Manea and would introduce an urbanising effect to the area which is predominantly rural and tranquil in nature with limited frontage development”.*

- 10.9 It is considered that the site the subject of the current outline application, namely that land to the rear of No.36 Westfield Road comprising a large, green rectangular tract of land bordered by mature hedgerows and trees similarly relates more to the open countryside beyond to the north of Westfield Road than the established built-up area of the village which, as previously stated, is characterised by frontage housing along this section of Westfield Road. It is noted that the applicant has asserted that the land was previously within the curtilage of a structure and can be

classed as 'brownfield' by definition and therefore can be described as PDL (Previously Developed Land) for this reason. Whether this can strictly be argued to be the case or not, the undeveloped grassland behind No.36 nonetheless has a distinctly separate and open feel to it from the more domesticated front and side area to No.36 which forms the immediate residential curtilage to the dwelling whereby the footnote to Policy LP12 Part A states that “ *\*The developed footprint of the village is defined as the continuous built form of the settlement and excludes...(b) gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the open countryside than to the built-up area of the settlement...\**”.

- 10.10 As such, the proposed development would appear as a small linear estate as inappropriate backland development extending into the countryside to the rear of the existing built-up area. As a consequence, the development would not be in keeping with the pattern of development and would not preserve the character or appearance of this part of Manea due to its scale and location. The development would therefore have an incongruous and urbanising effect upon land which is currently rural and tranquil in nature. The proposal would therefore be contrary to Policy LP12 criteria (c) and (d) of the adopted local plan. Similarly, the proposal is contrary to Policy LP16 (d) as it would not make a positive contribution to the local distinctiveness and character of the area or enhance its local setting. Furthermore, it would erode the local setting. Accordingly, the development would fail to recognise the intrinsic character and beauty of the countryside as set out in paragraph 174 (b) of the NPPF.
- 10.11 It is considered that the above issues could not be overcome with a particular design of housing because the issues concern the location and also the scale of the proposed development within a predominantly non-domestic setting and the proposal is therefore unacceptable in principle for this reason.
- 10.12 The case is made by the applicant that the Council should view the submitted proposal favourably as the dwellings proposed by the current application would be intended and marketed as self-build where it is stated by the applicant that Manea has a long-standing self-build/custom-build culture. Whilst this may be the case (and it is noted the number of third party representations made in favour of the proposal on this basis), the Council's most up to date held figures for self-build housing planning permissions for the district show that the Council currently has a healthy surplus of self-build planning permissions either as extant or implemented for the district in excess of government required targets for this form of housing. As such, this current surplus capacity does not outweigh in the planning balance the amenity harms which this report has identified would occur with the proposal. .

### **Flood Risk and Drainage**

- 10.13 The site lies predominately within Flood Zone 1 representing the lowest risk of flooding, although the north-west (rear) extremity of the site lies within Flood Zones 2/3 representing a medium to high risk of flooding. The indicative site layout plan submitted shows that this rear strip of land would not be built over by dwellings and would be adjacent to a proposed attenuation basin which would serve the proposed development in which surface water from permeable areas would run into whereby surface water from the site currently drains into Darcey Lode to the immediate rear of the site.
- 10.14 The Environment Agency has not raised any flood risk objections to the submitted scheme on the basis that all of the dwellings would be sited within Flood Zone 1.

The applicant has submitted a Flood Risk Assessment (FRA) for the scheme and has applied the Sequential and Exception Tests as part of the FRA process whereby it is stated in the FRA that *“Although the north-western part of the site is in Flood Zone 3, the access and dwellings are located in Flood Zone 1. It is therefore not possible to undertake the development at an alternative site with a lower probability of flooding. The site is considered to pass the Sequential Test. The Exception Test requires consideration of the wider sustainability benefits of a development and that the development would be safe and residual risks managed... Section 5 of this Flood Risk Assessment describes the flood mitigation measures and the management of the residual risks, demonstrating that this development will be safe and not increase flood risk elsewhere. The development is considered to pass the Exception Test”*.

- 10.15 Given the aforementioned application of the Sequential and Exception Tests required for the FRA and given that the Environment Agency are not objecting to the proposal on flood risk grounds, it is considered that no flood risk objections can reasonably be sustained to the proposal under Policy LP14 of the adopted local plan or the requirements of the NPPF. Should planning permission be granted, details concerning drainage could be adequately dealt with through planning conditions to comply with Policy LP14.

### **Transport / Traffic**

- 10.16 Policy LP2 of the adopted local plan requires development proposals to provide and maintain effective, sustainable and safe transport networks to ensure access to all essential services.
- 10.17 Policy LP12 Part A (k) requires any proposal to be served by sustainable infrastructure provision, which includes highways.
- 10.18 Policy LP15 (C) requires that development should have regard to criteria which includes the site being located and designed so that it can maximise accessibility and help to increase the use of non-car modes (e.g. walking and cycling) and specifically that proposals which include new public highway should ensure such new highway complements and enhances the character of the area, possibly through the preparation of a public realm strategy for larger development schemes. The policy adds that any development that has transport implications will not be granted planning permission unless deliverable mitigation measures have been identified and arrangements secured for their implementation which will make the development acceptable in transport terms.
- 10.19 The matter of Access falls to be considered for the current outline application. The proposed development would be served by a 6m width shared service access road with 0.5m service zones extending to the rear of the site with indicated turning head from a new vehicular access point to be created from Westfield Road which would replace the current domestic access arrangements. The new service road would require the demolition of the existing large outbuilding which currently stands within the side grounds of No.36 Westfield Road. 2.4m x 43m visibility splays are shown in each direction along Westfield Road from the centre point of the proposed new access whereby part of the existing mature frontage hedge along Westfield Road would be required to be removed to facilitate the new access arrangements where shown access ramp details onto the new service road behind would be in accordance with CCC Highways specification.

- 10.20 The application is not accompanied by a Transport Statement, albeit this is an outline application for 'up to' 9 x dwellings, although CCC Highways have been consulted on the application as a statutory consultee. The site falls within the 30mph speed limit, whilst the site is within easy walking/cycling distance of the village centre. CCC Highways have responded by saying that they have no objections to the application proposal in respect to the indicated access arrangements subject to any future reserved matters application showing car parking and turning arrangements that meets FDC parking standards.
- 10.21 Whilst CCC Highways have not made any comments regarding the additional volume of traffic which would be generated along Westfield Road by the proposed development, it is considered that the introduction of 'up to' 9 x dwellings at this site would not amount to a significant intensification of use of the highway in terms of daily / weekly vehicle movements.
- 10.22 In the circumstances, the proposal would not be contrary to Policy LP2, LP12 or LP15 of the adopted local plan.

### **Design / residential amenity (indicative only)**

- 10.23 Policy LP16 of the adopted local plan states that high quality environments will be delivered and protected throughout the district. LP16 (e) specifically states that development shall not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light, whilst LP16 (h) states that development shall provide sufficient private amenity space [for the end user], suitable to the type and amount of development proposed. Policy LP2 echoes LP16 where it states that development should avoid adverse impacts.
- 10.24 Matters of Scale, Layout, Appearance and Landscaping (Design) are reserved matters which do not fall to be considered for the current outline application. However, the submitted indicative site layout plan shows how up to 9 x detached dwellings with a combination of garages and hardstanding parking spaces could be accommodated at the site to run either side of the proposed spine access road. Compensatory parking is shown leading off the spine access road at the front to serve 36 Westfield Road.
- 10.25 No tracking drawing details have been submitted to demonstrate that a refuse collection vehicle could satisfactorily access the site and then to be able to be turned around in the indicated rear turning head at the end of the proposed service road to egress the site in forward gear. The adopted RECAP Waste Management Design Guide SPD (2012) advises that residents should not have to move waste more than 30 metres to any designated storage area within the boundaries of their respective property and that any designated storage area within the boundaries of the property should not be more than 25 metres distance from the collection point. The SPD adds that where properties do not share waste containers that residents should take their waste storage containers to the collection point for the purpose of emptying, which is either within the curtilage of the property or the kerbside depending on the requirements of the particular local authority and that for containers with two wheels that the distance between the collection point and the collection vehicle must not exceed 25 metres.
- 10.26 The dwelling shown to be sited nearest to the highway (Westfield Road) for the proposed development on the indicative site layout plan would be sited approximately 85 metres away, whilst the dwelling shown to be sited furthest away from the highway at the end of the proposed service road would be sited

approximately 290m away. Thus, a back land scheme such as the indicative scheme submitted could have issues for refuse collection if, for example, refuse collection vehicles were not able to access and egress the site satisfactorily or depending upon the Council's refuse collection policy (such as if the road would be adopted or depending upon the road surface) or if individual or collective refuse location points did not meet the aforementioned RECAP guidance. However, the proposed access road is indicated at 6m width to serve up to 9 x dwellings and it is noted that CCC Highways have not commented on this particular issue for their highways response other than to indicate that the proposed access arrangements would be otherwise satisfactory from a highway safety perspective.

- 10.27 The applicant has stated that refuse collection for the scheme would be fully compliant with Fenland District Council's refuse guidelines and would be informed by the RECAP SPD and the toolkit which the guidance contains. Given this and given that Layout is a reserved matter for the current outline application, it is considered that this issue can be sufficiently addressed at detailed consideration stage should planning permission be granted for the current outline application. However, it is considered prudent that any subsequent reserved matters submission be accompanied by a refuse collection strategy to inform the final design of the proposed scheme which can be conditioned on any planning permission granted for the current application.
- 10.28 The submitted Design and Access Statement states that a mix of house types would be provided and that an active street frontage would be maintained, adding that the proposed dwellings would reflect the local vernacular with the use of traditional materials and finishes and have roof spans across the narrowest plan dimension. Additional landscaping would be provided to augment existing site boundary vegetation which would be retained/trimmed back. It is stated that optimum use would be made of sustainable building materials and renewable forms of energy, namely 'fabric first', and that the dwellings would promote disabled access.
- 10.29 The indicated proposed site layout shows that the site would be large enough to accommodate up to 9 x dwellings at an appropriate scale, design and orientation with good sized rear gardens which would not significantly adversely affect the amenity of neighbouring residential users with regard to overbearing effects, loss of light, overshadowing, loss of privacy/overlooking or noise/light pollution whereby neighbours would be indirectly affected by the impacts of the proposed development given the distance of the proposed dwellings to the flank boundaries of the site and the forward line of adjacent dwellings onto Westfield Road. Cited loss of outlook and loss of property values within third party representations received are not material planning considerations.
- 10.30 Any residential impacts which were to occur could be lessened were existing established flank hedgerows to the site to be retained, which is indicated. Additionally, a Construction Management Plan (CMP) could be imposed on any planning permission granted for the submitted scheme to lessen the incidence of noise and disturbance arising from the development, such as working times, delivery times, storage of plant and machinery and dust prevention measures.
- 10.31 As such, it is considered that the issue of residential amenity could be satisfactorily dealt with through the submission of a subsequent reserved matters application to accord with Policies LP2 and LP16 (e), although this does not remove the objections in principle to this backland development scheme at this location for the reasons as identified above.

## Ecology/Biodiversity/Trees

- 10.32 Policy LP16 (b) requires proposals for new development to protect and enhance biodiversity on and surrounding the proposal site taking into account locally designated sites and the special protection given to internationally and nationally designated sites in Policy LP19, whilst Policy LP16 (c) requires the retention and incorporation of natural and historic features of the site such as trees, hedgerows, field patterns, drains and water bodies.
- 10.33 The application site comprises grassland bounded by hedgerows and mature trees, although no trees on the site are listed as being subject to a Tree Preservation Order, and also a traditional brick and tile storage building which is proposed to be replaced by the current application and which has some structural roof damage. Ecological surveys and, if necessary, individual species surveys are required to be carried out pre-determination whereby Section 40 of the Natural Environmental and Rural Communities Act 2006 places a public sector duty upon local planning authorities to conserve biodiversity. Section 180 of the NPPF states that when determining planning applications that local planning authorities should refuse planning permission if significant harm to biodiversity resulting from development cannot be avoided (through locating to an alternative site with less ecology impact), or unless adequately mitigated or, as a last resort, compensated for. Such consideration requires sufficient ecological investigation to assess if there are any particular protected species present so that they can be taken into account in the consideration of the proposal.
- 10.34 Policy LP19 of the adopted local plan states that planning permission should be refused for development that would cause demonstrable harm to a protected species or habitat unless the need for and public benefits of the development clearly outweigh the harm and mitigation or compensation measures can be secured to offset the harm.
- 10.35 A detailed Preliminary Ecological Assessment (PEA) (Hillier Ecology, December 2021) has been undertaken of the site. The survey for the assessment found the stable outbuilding to have negligible potential to support roosting bats, that there were no suitable roosting features within the building and no evidence of bat usage. The trees on the site were considered to have negligible potential to support roosting bats with an absence of potential roosting features and no evidence of bat usage was similarly found. The site and surrounds were found to offer moderately suitable foraging and commuting habitat for bat species and no further bat surveys are required. No species of bird were recorded during the survey, although suitable nesting habitat is present on the site and in the surrounds and no further bird surveys are required. The survey for badger produced a negative result with no badger setts and no evidence was found of badgers using the site and no further badger surveys are required. The site was found to be unsuitable to support a viable population of reptiles and no further reptile surveys are required. A habitat assessment of the site and surrounds was carried out to look at its suitability to support hedgehog and it is thought that the site was suitable for supporting such species, although no further Hedgehog surveys are required. Overall, the survey for the ecological assessment has found the site to be of low ecological value and will benefit from the opportunity for biodiversity enhancement offered by the proposed development.
- 10.36 The Wildlife Officer has been consulted on the PEA and has advised that the proposal scheme is acceptable, but only if acceptable planning conditions are

imposed, namely details of a soft landscaping scheme to be submitted for implementation to include recommended biodiversity enhancements, a Construction Environmental Management Plan (CEMP) for biodiversity, the provision of bat and bird boxes and use of native planting species of native provenance. He concludes that the PEA outlines that the proposed development can avoid negative impacts on ecological material concerns whilst also maintaining the biodiversity value of the site so long as the mitigation and compensation measures recommended within the report are followed and that the conditions recommended will ensure that these mitigation and compensations are included within the application documentation. He adds that the indicative layout already includes significant ecological mitigation and compensation and that the inclusion of these stated measures will ensure at least that no net loss of biodiversity would result from the proposal.

- 10.37 No ecology objections are therefore raised to the proposal under LP Policies 16 and 19 of the adopted local plan.

### **Affordable Housing / Infrastructure**

- 10.38 Policy LP5 Part A (a) of the adopted local plan requires developments of between 5-9 dwellings to provide 20% of the dwellings as affordable homes where the exact tenure mix would be informed by the latest Strategic Housing Market Assessment (SHMA). However, Policy LP5 has been superseded by the NPPF which states that where Major developments involving the provision of housing is proposed, that at least 10% of the total number of homes should be made available for affordable housing. However, one of the exceptions to this requirement is where applicants wish to build or commission their own homes, e.g. self-build and custom-build. The current application is predicated on the basis that the dwellings would all be for self-build/custom-build purchasers where it is stated in the application that there is an ongoing demand for such homes to be built within Manea. In any event, the current application is for 'Up to 9 x dwellings' and is not a Major application by definition. Whilst noting Manea Parish Council's comments that no affordable housing is to be provided for the submitted housing scheme, the requirement for affordable housing does not therefore fall to be considered for the current application.

## **11 CONCLUSIONS**

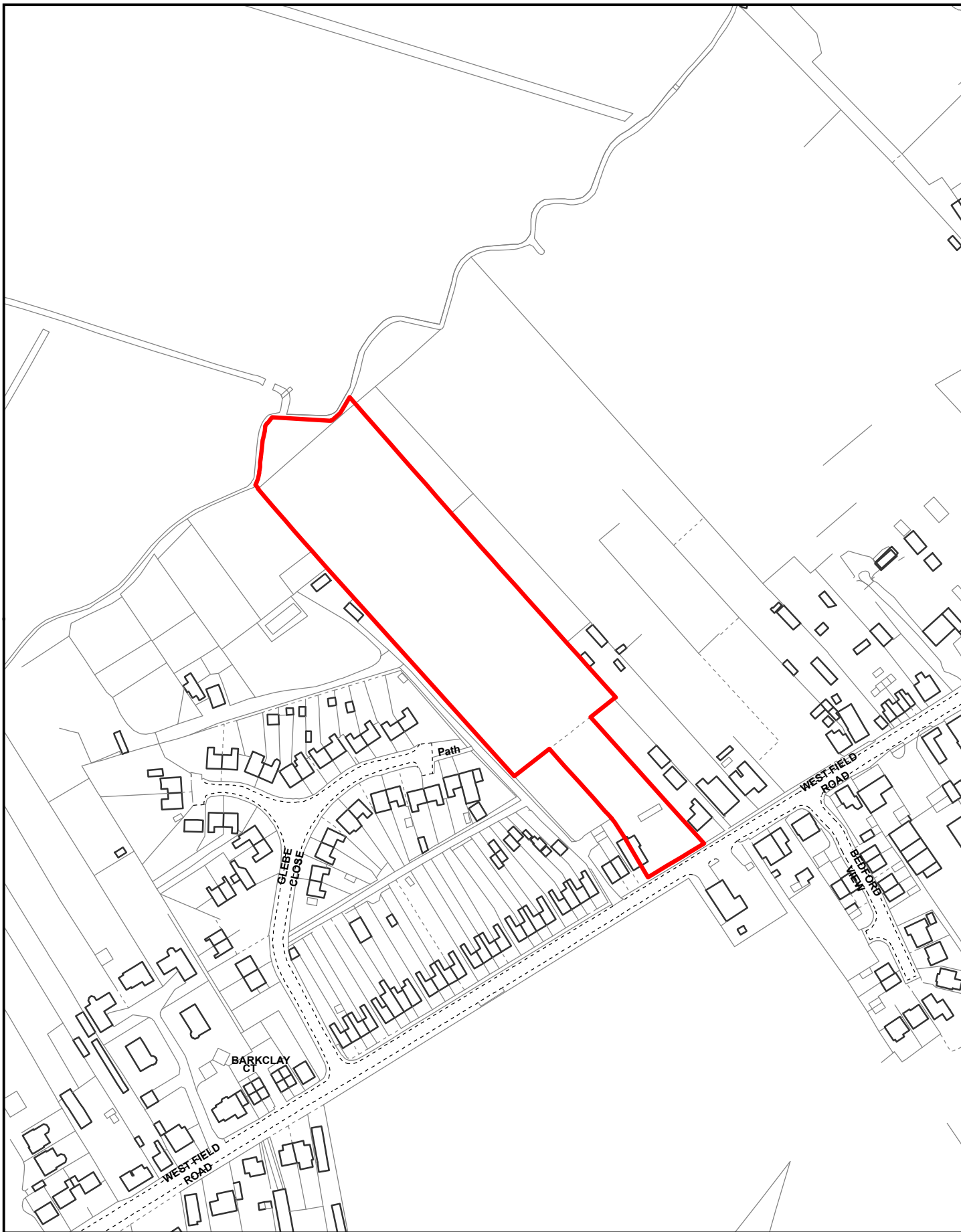
- 11.1 The application is unacceptable in principle as the proposed site relates more to open countryside than the built area of Manea and is out of keeping with the pattern of development and character of this part of the village which is predominantly countryside with linear frontage development existing along this section of Westfield Road. As such, the development would not contribute positively to the character and local distinctiveness of the area.
- 11.2 In other respects, the development could be made acceptable by imposing conditions if a grant of planning permission were being recommended. However, this does not outweigh the fundamental issues identified and the conflicts arising with development plan policy as set out in the report above whereby the inclusion of self-build/custom-build housing for the submitted scheme does not outweigh these fundamental issues of concern.

## **12 RECOMMENDATION**



**Refuse;** for the following reasons:

1	<p>The site lies predominantly within the countryside and relates more to the countryside than the built-up area of Manea. The development is out of keeping with the character and pattern of development of this part of Manea which predominantly consists of frontage linear housing and would introduce a discordant and urbanising effect to the area. As such the proposal is contrary to Policies LP2, LP3, LP12 Part A (c) and (d) and LP16 (d) of the Fenland Local Plan, which enable only small village extensions which make a positive contribution to the character and local distinctiveness of the area. The proposal also fails to recognise the intrinsic character and beauty of the countryside in relation to paragraph 174(b) of the NPPF.</p>
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Created on: 11/05/2022

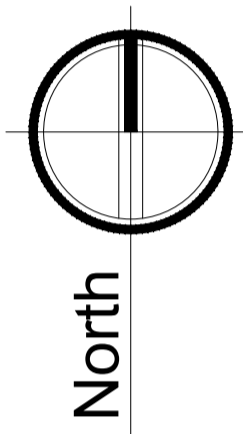
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**F/YR22/0495/O**

Scale = 1:2,500



Scale: 1:500  
 0m 5 10 15 20 25m 50m



Existing trees retained and further enhanced with new tree planting for bio-diversity enhancement of site

Proposed Surface water detention pond to discharge to the Darcey Lode along the northern boundary of the site.

New native species hedge planting to boundary. (Subject to future reserved matters application)

Existing hawthorn hedge retained and trimmed back towards boundary. (Subject to future reserved matters application)

Indicative new tree planting.

Existing hedge retained to boundary.

3 No. car parking spaces and turning for 36 Westfield Road.

New 1.8m high boundary fencing for 36 Westfield Road

Existing out-building removed shown dotted

2.4 x 43m visibility splay to entrance

Existing gate and access removed.

Typical detail for Access Way Ramp in accordance with Cambridgeshire County Council specification

Existing hedge partially removed to allow for wider access into site.

2.4 x 43m visibility splay to entrance

**Indicative Layout Site Plan 1:500**

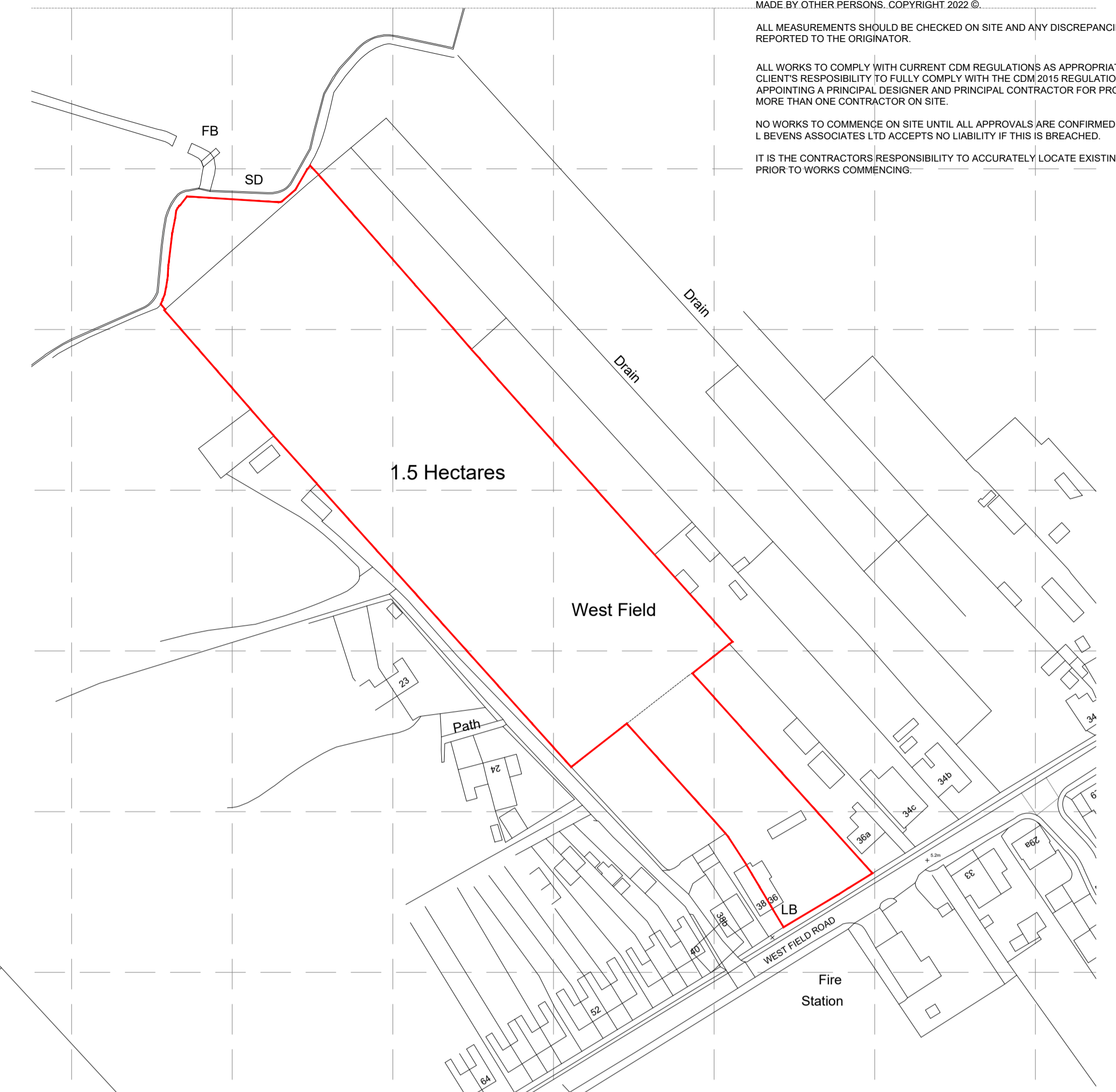
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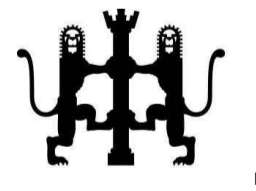
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**Location Plan 1:1250**



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

CLIENT  
 PB Developments & Investments Ltd/Newman

PROJECT  
 Proposed residential development at 36 Westfield Road, Manea, Cambridgeshire.

DRAWING TITLE  
 Indicative Layout Site Plan  
 Location Plan

SCALE	DATE	DRAWN	CHECKED
1:500 & 1:1250 @ A1	March 2022	LB	
DRAWING NUMBER	REVISION		
CH21/LBA/591/OP-1-101			