
F/YR21/1141/O

Applicant: Mr Nick Price

**Agent : Mr Ian Gowler
Gowler Architectural**

45 Westfield Road, Manea, March, Cambridgeshire PE15 0LS

Erect up to 2no dwellings (outline application with all matters reserved) involving demolition of existing dwelling

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1 This application seeks outline planning permission, with all matters reserved, for the erection of two dwellings and the demolition of the existing dwelling on site at 45 Westfield Road.
- 1.2 As an application for outline planning permission, the matter for consideration is the principle of the development of the site for residential purposes.
- 1.3 Whilst the principle of development is acceptable purely in a spatial sense being within the built form of Manea, given the sites positioning within flood zone 3 and the failure to meet the sequential test, the proposal is contrary to Para 162 of the NPPF (2021) and Policy LP14 of the Fenland Local Plan (2014).

2 SITE DESCRIPTION

- 2.2 The site is situated on the corner of West Field Road and Fallow Corner Drove within the village framework of Manea and is currently occupied by a detached two storey dwelling.
- 2.3 The site is within Flood Zone 3, an area at highest risk.

3 PROPOSAL

- 3.1 This application seeks outline planning permission with all matters reserved for future consideration in respect of the erection a replacement dwelling (following demolition of the existing) and the erection of an additional single dwelling. An illustrative layout accompanies the submission which details one dwelling is to utilise the existing Fallow Corner Drove access, albeit widened, with a new access proposed for the other dwelling taken from West Field Road.

- 3.2 The scheme was reduced from 3 dwellings to 2 following concerns regarding overdevelopment of the site. The Parish Council and all neighbours/contributors were reconsulted on the amendment.
- 3.3 Full plans and associated documents for this application can be found at: [F/YR21/1141/O | Erect up to 2no dwellings \(outline application with all matters reserved\) involving demolition of existing dwelling | 45 Westfield Road Manea March Cambridgeshire PE15 0LS \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

No relevant recent formal history for this site.

5 CONSULTATIONS

5.1 Manea Parish Council

19/10/2021 - *No objection in principle. Comments: Density and Access*
23/08/2022 - *No objection*

5.2 Environment Agency

We have no objection to the proposed development but wish to make the following comments.

National Planning Policy Framework Flood Risk Sequential Test

In accordance with the National Planning Policy Framework (NPPF) paragraph 162, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

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

Taking a sequential approach at this site, the proposed dwelling on the corner is more at risk from flooding as breach analysis shows 0.5-1m depths just covering part of that dwelling, consideration should be made to raise the finished floor level here further than the 0.3m proposed or move the house back slightly to mitigate the risk from higher depths on this part of the site.

Review of Flood Risk Assessment (FRA)

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) ECL0527/IAN are adhered to. In particular, the FRA states that:

- Finished floor levels will be set no lower than 0.3m above ground levels.*
- Flood resistance / resilient measures will be incorporated up to 0.3m above finished floor levels.*

5.3 Natural England

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.

5.4 CCC Highways

Indicative highway boundary plans show that they do not exactly follow the site boundary that the applicant has submitted.

The applicant should contact the highway search team and confirm the highway limits and adjust the application accordingly.

Subject to a revised red line and site proposals I would have no objections to the proposals – please consult with me further when the revised proposals are received.

As part of a future reserved matters application I will be expecting:

- *Parking to be in accordance with FDC parking standards;*
- *Accesses to be sealed and drained for 5m;*
- *Section of footway to front the site and wrap around the corner of West Field Road and Fallow Corner Drove.*

5.5 FDC Environmental Health

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate.

As the proposal involves demolition of existing structures, we ask for the following condition to be imposed in the event planning consent is granted;

UNSUSPECTED CONTAMINATION CONDITION:

If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

We note one of the outbuildings on the proposed site appears to have a corrugated asbestos cement sheeting roof. As it is proposed this will be demolished I would recommend a condition requiring removal by a licensed asbestos removal contractor. Although it is accepted that low amounts of asbestos cement sheeting, which is what the shed roof may consist of, can be removed by householders provided it is taken to a licensed waste management facility which is licensed to receive such waste.

5.6 Local Residents/Interested Parties

Objectors – original scheme

6 objection letters were received in relation to the original scheme for 3 dwellings which raised the following material considerations:

- *Out of keeping*
- *Overdevelopment*
- *Loss of light*
- *Overlooking*

- Safety concerns regarding the new access and lack of turning on site
- Inadequate parking provision
- Impact of increase in traffic movements
- Flood risk, drainage

Supporters – revised scheme

1 supporting letter was received as a result in the reduction of the quantum of development from 3 dwellings to 2 dwellings, as set out below:

I have no objection to this revised application. Would like to have seen 2 X 3 bed bungalows in keeping with the adjacent bungalows but it is what it is.

Representations – revised scheme

1 representation was received as a result in the reduction of the quantum of development from 3 dwellings to 2 dwellings, as set out below:

The revised plan for 2 properties is more appropriate for the available plot size. We would have preferred 1 x house (replacement for current building) and 1 x bungalow (new build) to maintain and respect the current privacy and outlook for the neighbouring properties on both Westfield Road and Fallow Corner Drove which are both bungalows. However, it is what it is.

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

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

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:

LP1 – Settlement Hierarchy

LP2 - Spatial Strategy for the Location of Residential Development
LP4 - Securing Fenland's Future
LP5 - Health and Wellbeing
LP7 – Design
LP8 – Amenity Provision
LP22 – Parking Provision
LP25 – Biodiversity Net Gain
LP32 – Flood and Water Management
LP49 – Residential site allocations in Manea

8 KEY ISSUES

- **Principle of Development**
- **Flood Risk**
- **Other Matters**

9 ASSESSMENT

Principle of Development

- 9.1 As an application for outline planning permission, the matter for consideration is the principle of the development of the site for residential purposes.
- 9.2 Under Policy LP3 of the Local Plan, Manea is identified as a Growth Village in which new development and service provision within the existing urban area will be considered appropriate. With regards to Policy LP3 of the Local Plan, the development may therefore be supported.
- 9.3 The site is located within Flood Zone 3 and therefore in accordance with Local Plan Policy LP14 flood risk must also be considered.
- 9.4 The principle of the development is therefore acceptable subject to all policy considerations being assessed.

Flood Risk

- 9.5 The proposed development is in Flood Zone 3, identified as an area of high risk of flooding, and therefore representing a risk to property and life. Residential development is classified as a 'more vulnerable' use.
- 9.6 A flood risk assessment accompanies the application, and which has been deemed by the Environment Agency to satisfactorily address the Exception Test.
- 9.7 However, a Sequential Test is also required to be addressed in areas at high risk of flooding, directing new development to areas at lower risk of flooding in the first instance. There are available and deliverable sites within Manea at a lower risk of flooding than the application site, and the Applicant has not shown that these alternative sites are not suitable or readily available for the development proposed.
- 9.8 In this case the Sequential Test has not been met. Accordingly, the proposal would fail to accord with the NPPF (2021) and Policy LP14 of the Fenland Local Plan (2014).

Other Matters

- 9.9 Details pertaining to the scheme's access, appearance, landscaping, layout and scale are not committed as part of this application and will be subject to further consideration at Reserved Matters stage. However, the following assessment is based on indicative plans submitted with this application for information purposes only.

Design and Character

- 9.10 The indicative site plan demonstrates that the site is comfortably capable of sustaining two dwellings with parking and private amenity space. The dwellings roughly follow the existing linear form of development and would therefore reflect the prevailing pattern of development.
- 9.11 The indicative elevations show simple two storey dwellings and whilst it is noted that the adjacent dwellings are primarily bungalows, given that the existing dwelling to be demolished is two storey and the presence of existing two storey dwellings in the immediate vicinity no objections are raised in this regard.

Residential Amenity

- 9.12 Notwithstanding the indicative site plan, matters such as overlooking, overshadowing and loss of privacy, both in relation to the dwelling proposed and the impact upon all neighbouring properties, would be considered at reserved matters stage.
- 9.13 However, it is accepted that the quantum of development sought could be accommodated by the application site without significant harm to residential amenity subject to final design.

Access and Parking

- 9.14 Indicative access and parking have been detailed which evidences that a suitable arrangement can be achieved, subject to full details which could have been secured as part of a reserved matters application if the application was acceptable in all other regards.
- 9.15 With regards to the highway boundary, revised plans were received illustrating that the proposal is outside highways land and the red line of the site has been amended accordingly.

10 CONCLUSIONS

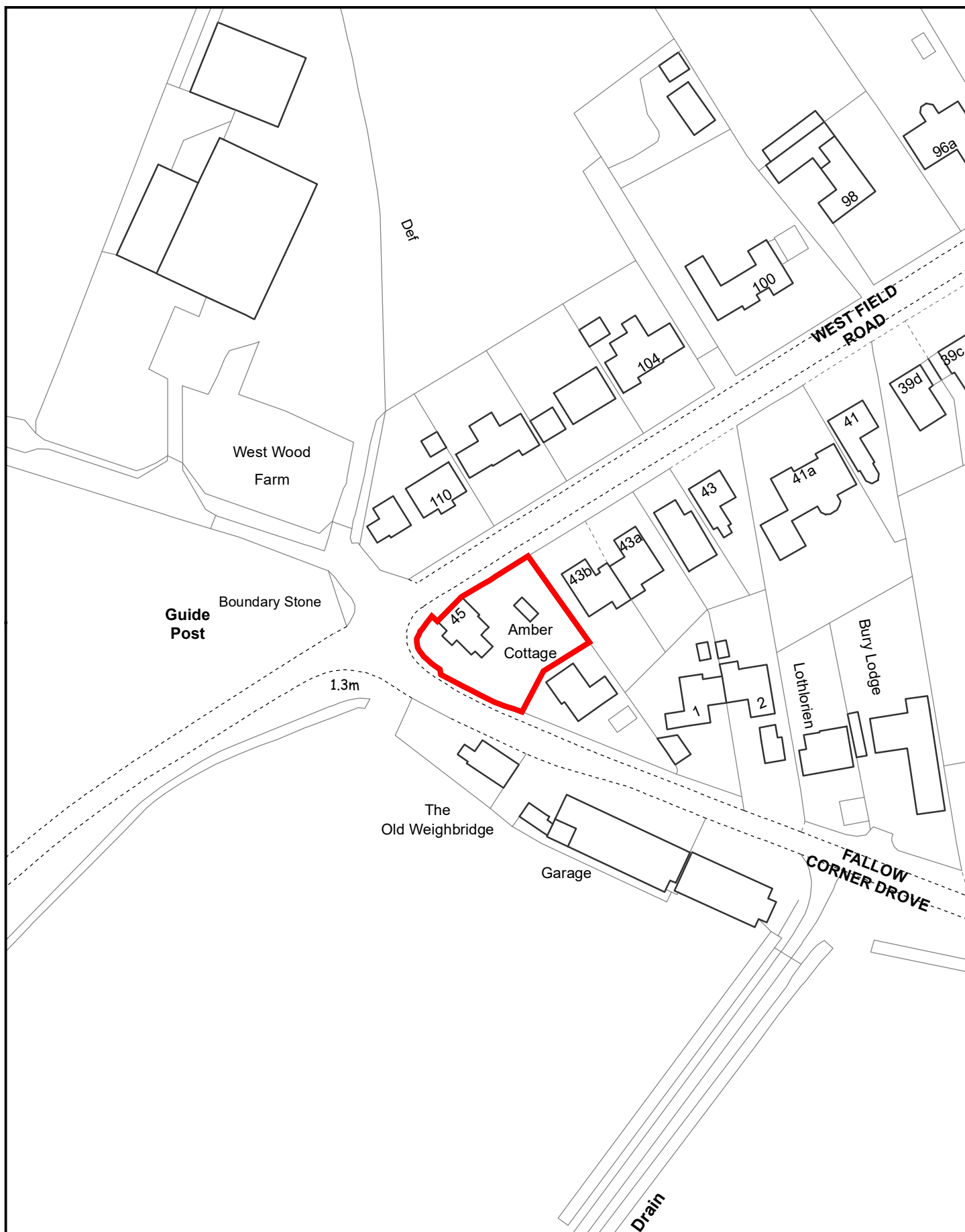
- 10.1 The objective of an outline application with all matters reserved is to determine if the principle of residential development at the application site is acceptable.
- 10.2 Whilst the principle of development is acceptable purely in a spatial sense, given the sites positioning within flood zone 3 and the failure to meet the sequential test, the proposal is contrary to Policy LP14 of the Fenland Local Plan.

11 RECOMMENDATION

Refuse: for the following reason:

1	The application site is categorised as Flood Zone 3 land, an area at high risk of flooding. Where development is necessary in areas at risk of flooding,
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	<p>Paragraph 162 of the NPPF (2021) requires development to pass the Sequential Test, which aims to steer new development to areas at the lowest risk of flooding from any source. Development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas at a lower risk of flooding.</p> <p>With extant consents and sites reasonably available throughout Manea on land which is categorised as Flood Zones 1 and 2, the proposal would involve the construction of one additional permanent dwelling on land which is at greater risk of flooding and the development therefore fails to pass the Sequential Test.</p> <p>The application is accordingly considered to be contrary to Para 162 of the NPPF (2021) and Policy LP14 of the Fenland Local Plan (2014).</p>
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Created on: 05/10/2021

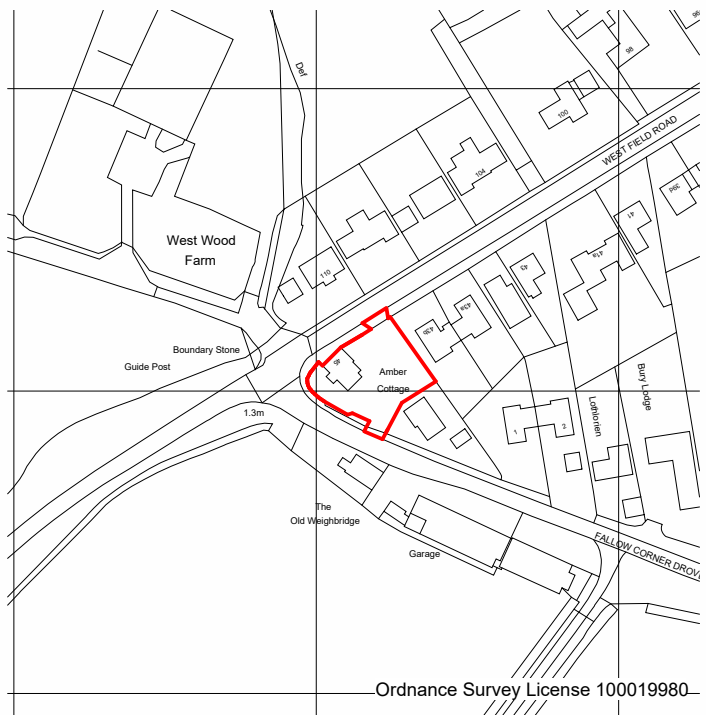
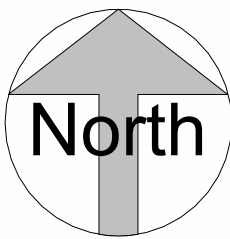
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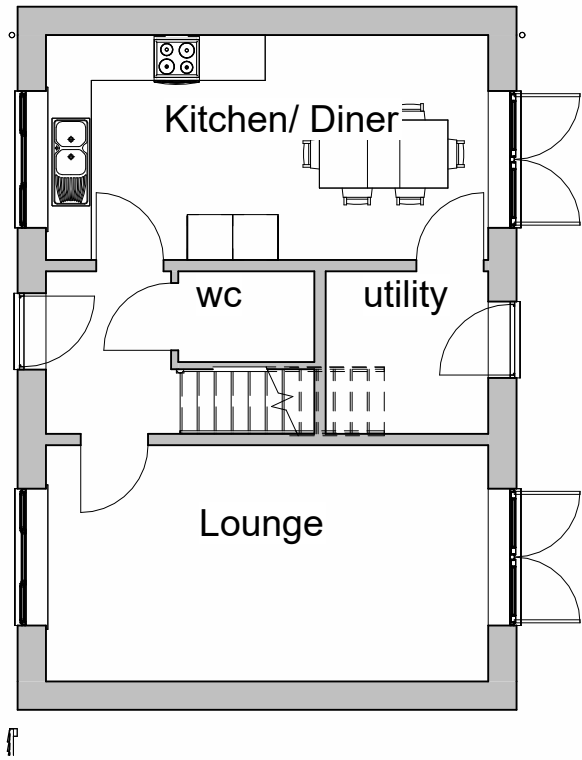
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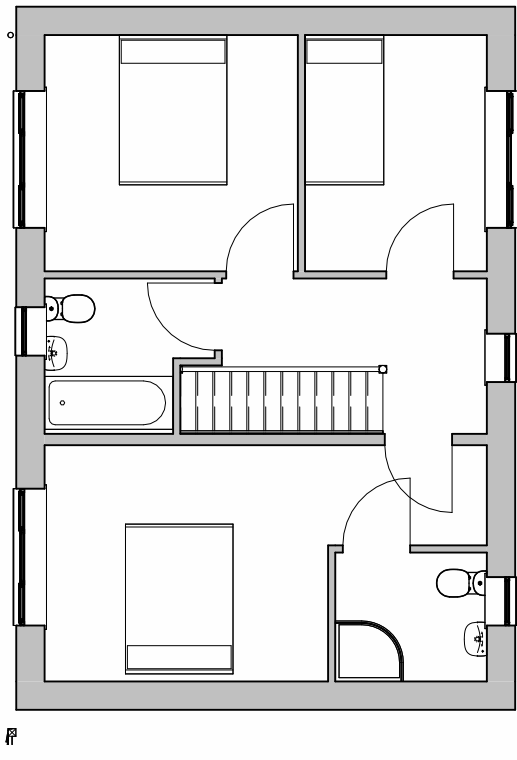
Notes
Any discrepancies to be brought to attention of Author as soon as possible.
All dimensions shown in "mm" unless otherwise shown.
Unless stated otherwise, this drawing has been assessed for risks and nothing is deemed to be outside of normal good safe working practice that would be covered by a contractors Construction Phase Health and Safety Plan.



Location Plan
Scale 1 : 2500



Indicative Proposed Ground Floor
Scale 1 : 100



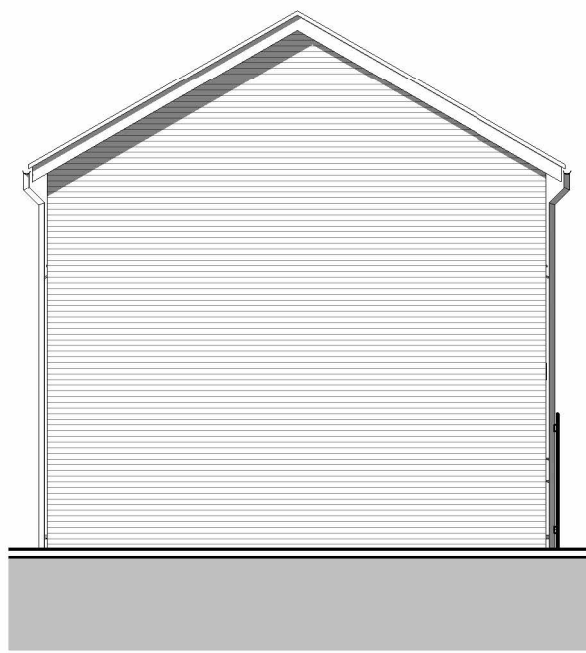
Indicative Proposed First Floor
Scale 1 : 100



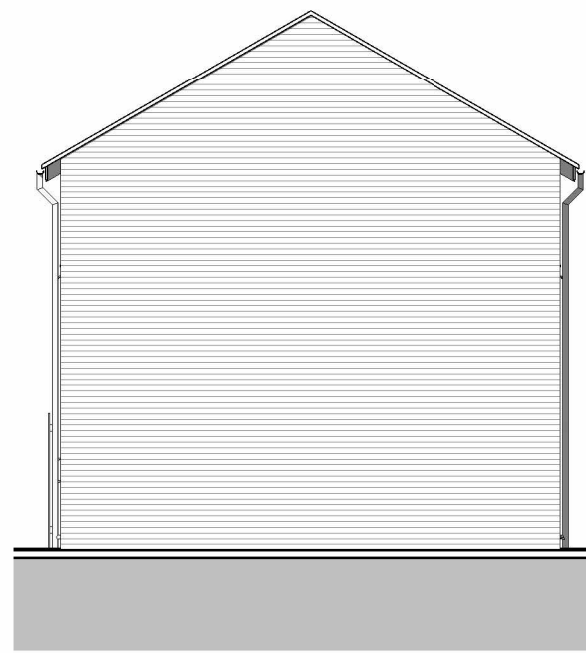
Indicative Front Elevation
Scale 1 : 100



Indicative Rear Elevation
Scale 1 : 100



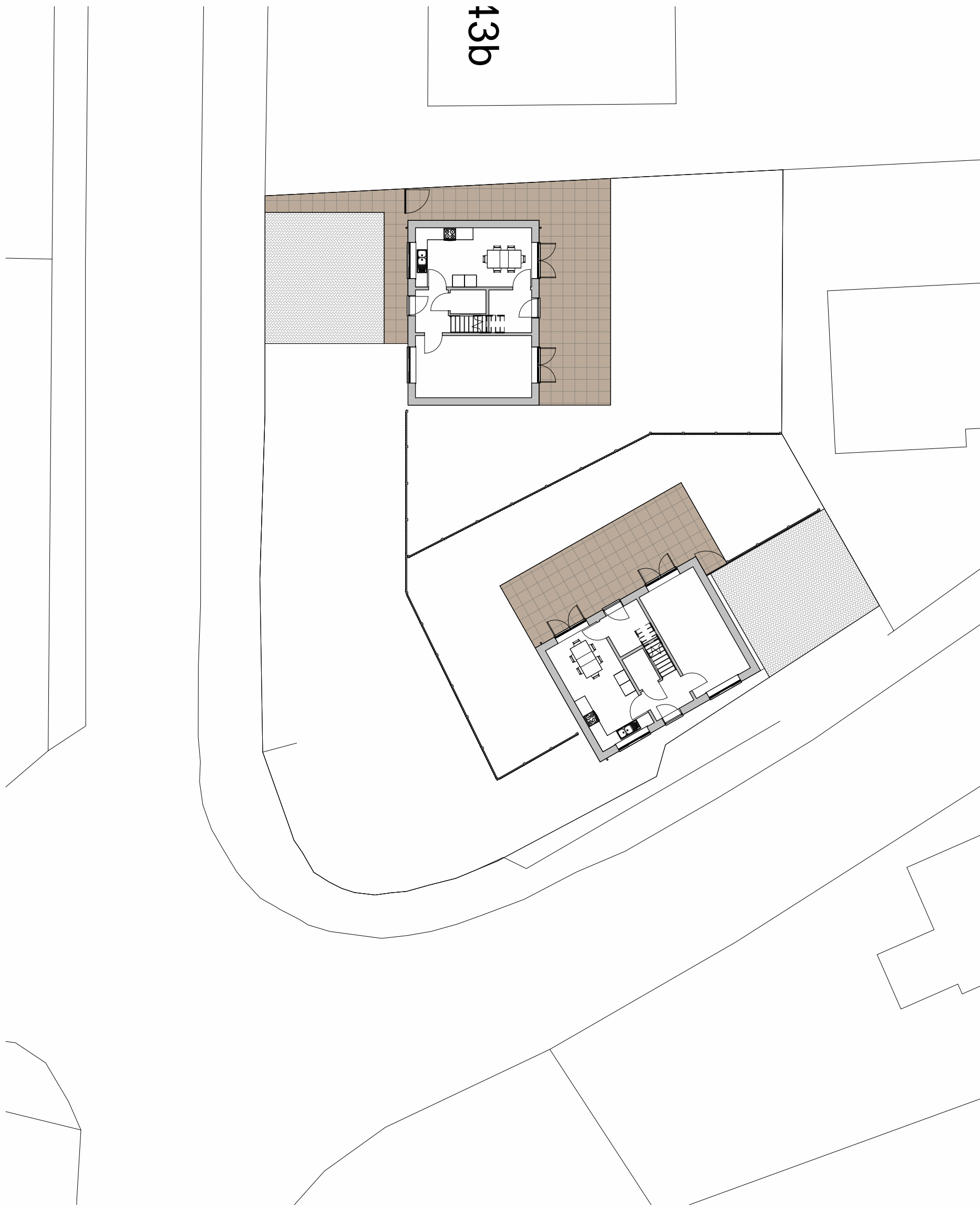
Indicative Side Elevation 1
Scale 1 : 100



Indicative Side Elevation 2
Scale 1 : 100



Indicative Proposed Block Plan
Scale 1 : 200



Indicative Proposed Site Plan
Scale 1 : 200



Existing Block Plan
Scale 1 : 200

B	Location plan amended	14-11-22
A	Amended to 2 Plots, New Footpath Added	13-02-22

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Proposed Development at Amber Cottage,
Fallow Corner Drive, for Mr Nick Price

Planning

date created	scale	drawing no.	rev
10/04/21	As indicated @ A1	454 - P01	B