
F/YR22/1156/O

**Applicant: Mr Mark Stone
IFEX Engineering**

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

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

Erect up to 26 x dwellings, involving the formation of a new access (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission with all matters reserved for the erection of up to 26 dwellings on land off Westfield Road, at the edge of Manea. The application is a re-submission of F/YR22/0084/O which was refused in August 2022.
- 1.2 The application is unacceptable because 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 frontage development. The development would not contribute positively to the character and local distinctiveness of the area.
- 1.3 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 This is an irregular shaped site measuring approximately 1.52 hectares and is situated to the northern side of Westfield Road, Manea, which is the main entrance road into the village when approaching from the southwest. The site lies very close to the outer edge of the village where the pattern of development is largely linear residential in nature with small pockets of backland development to the immediate rear of the built frontages. Notably 9 dwellings have previously been approved at the part of the site closest to Westfield Road (see history below). Some of these dwellings are completed with other/s under construction. Access is gained off Westfield Road.
- 2.2 The proposed site boundary fans out beyond the area of approved development into the open countryside to the rear where the land is bordered to the east by the extensive depth of garden to the rear of 94 Westfield Road and to the southwest in part by the rear boundaries to other residential gardens and also open land. There are commercial storage buildings to the southwest alongside which access can be gained to a public footpath which runs in a northeast direction to the rear of the proposed site, following the route of Darcey Lode Drain. Beyond this to the west are open agricultural fields. The larger part of the site to the rear of the

frontage comprises a green field bordered by trees and hedgerows. The trees to the rear eastern boundary on the border with No. 94 (and within the garden of No. 94) are mature and noteworthy for their size and appearance. Trees to the front of the site (within the approved development area) are protected by Tree Preservation Order 5/2001. The northwest corner of the site falls within Flood Zone 3 which is at highest risk of flooding. The remainder of the site is within Flood Zone 1 which is land at lowest risk of flooding. There is an underground high voltage electric cable which runs diagonally across the site from southwest to northeast.

3 PROPOSAL

- 3.1 This is an outline planning application for up to 26 dwellings with all detailed matters, including access, reserved for subsequent consideration. An indicative site plan has been submitted showing vehicular and pedestrian access off Westfield Road and the plan notes that the access is as approved under F/YR07/1204/F and F/YR18/1074/F but shall be widened to 6.0 metres with 1.8m footpaths. Not all of the land within the applicant's ownership forms the proposed site. There is a substantial area of the field which abuts the northern boundary abutting Darcey Lode drain which does not form part of the site and is labelled grass field outside of development on the indicative plan.

Full plans and associated documents for this application can be found at: [F/YR22/1156/O | Erect up to 26 x dwellings, involving the formation of a new access \(outline application with matters committed in respect of access\) | Land North Of 96A To 100 Westfield Road Manea Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/land/1156/0)

4 SITE PLANNING HISTORY

- 4.1 The front part of the site, up to a point roughly level with the rear boundary to 96A Westfield Road, has been granted planning permission to build 9 dwellings. The key applications being;

F/YR07/1204/F – 8 dwellings approved

F/YR18/1074/F – 1 dwelling approved (plans varied by F/YR21/1435/VOC)

F/YR22/0084/O – Erect up to 26 X dwellings (outline application with all matters reserved - Refused

5 CONSULTATIONS

- 5.1 **Anglian Water**– Will ensure that there is sufficient foul water capacity to cater for the proposed development (**30 December 2022**).
- 5.2 **Archaeology** – The site is identified as being located in an area of high archaeological potential and therefore a condition securing a programme of archaeological investigation is recommended (**24.10.2022**).
- 5.3 **Cambridgeshire Constabulary** – The layout is considered to be generally acceptable in terms of providing natural surveillance. Has requested details relating to external lighting, cycle storage and boundary treatments (**31.10.2022**).

- 5.4 **Definitive Map Officer** – A public Footpath (No 6 Wimblington) lies to the west of the site. The full width of the path must remain open and unobstructed at all times, informatives are recommended **(31.10.2022)**.
- 5.5 **CCC Education and Libraries** – Reiterates its requirements made in relation to the earlier application F/YR22/0084/O that developer contributions shall be required towards provision of early years, primary and secondary school expansion, contribution towards library and S106 monitoring. The indicative total contribution required is £564,906 (officer note: almost all of this is towards school expansion).
- 5.6 **Environmental Health** – Recommends a ‘Unsuspected contamination’ condition **(02.11.2022)**.
- 5.7 **Environmental Services** – The roadway would need to cater of refuse vehicles and indemnity provided against future potential damage. Tracking should be provided to demonstrate turning and shared bin collection points required for private drives **(18.02.2022)**.
- 5.8 **Fire and Rescue** – Requests that adequate provision should be made for fire hydrants secured by S106 or planning condition **(25 October 2022)**.
- 5.9 **Housing Strategy** – Supports the provision of affordable housing (7 units) and mix (4 x 2 bed units, 3 x 3 bed units), and recommends that the tenure mix should be 5 affordable rented units, and 2 shared ownership units. **(10.11.2022)**.
- 5.10 **LLFA** – Earlier objections **(17.11.2022)** on the type of hydraulic calculations used were withdrawn and replaced **(14.12.2022)** by a recommendation for conditions relating to surface water drainage, and informatives.
- 5.11 **Manea Parish Council** – Objects on grounds of: back land development, over development, inadequate access and greenfield site **(23.11.2022)**.
- 5.12 **Natural England** – Refers to standing advice re SSSI impact zones and the need for new residential development to consider recreational pressure impacts on nearby sensitive SSSIs **(24.11.2022)**.
- 5.13 **NHS Cambs and Peterborough CCG** – Concludes that a contribution of £15,626.39 to mitigate impact on primary healthcare provision will be required **(25.10.2022)**.
- 5.14 **Tree Officer** - The submitted arboricultural impact assessment has noted that no trees are to be removed for the proposed development. In addition, impacts on the retained trees are minimal and will not impact on their long-term health. Tree protection can be dealt with as part of Conditions and a tree protection plan will be required at that stage. A robust landscape scheme will be required to include the planting of trees within the plots and can include the use of fastgiate forms where space is restricted.**(11.04.2023)**.
- 5.14 **Local Residents/Interested Parties**

Objections

19 representations have been received, 10 in support and 9 objecting.

The objections are summarised as follows:

- Loss of wildlife.
- Overlooking and loss of privacy.
- Noise and disturbance arising from construction, and after occupation.
- Site is used for the disposal of building and toxic materials.
- The proposal constitutes development outside the village boundary setting an unwelcome precedent.
- Flooding.
- Large numbers of approved housing remains unconstructed in the village.
- Out of keeping.
- Thorough and intensive archaeological evaluations need to be undertaken.
- Existing services cannot cope.
- Litter from the site is strewn along the PROW.
- Traffic/highway safety.
- Trees.
- Light pollution.
- Parking arrangements.
- Separation distances between dwellings.
- Shadowing/loss of light.
- Contrary to policy, the previous reasons for refusal have not been overcome.
- Detrimental impact on a TPO Oak tree.
- Village treatment plant does not have capacity.
- Financial levy should be imposed if the development is not completed within 5 years.
- Impact of views from the PROW.

Support

The reasons for support are summarised as follows:

- Well laid out.
- Park would be publicly beneficial.
- Site not at risk of flooding.
- Contribute towards affordable and housing need.
- Remove an eyesore.
- Provision has been made for wildlife.
- Will provide support for local businesses.

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).

2 POLICY FRAMEWORK

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

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

7.3 **National Design Guide 2021 (NDG)**

The NDG places great emphasis on well-designed places which are integrated into their surroundings, so they relate well to them. To this extent its Policy C1 requires development to relate well to existing built development and landscape character.

7.4 **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside.

LP4 – Housing.

LP9 - March

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP19 – The Natural Environment

7.5 **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 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 LP7 – Design

Policy LP12 – Meeting Housing Needs

Policy LP19 – Strategic Infrastructure

Policy LP20 – Accessibility and Transport

7.6 **Supplementary Planning Documents/ Guidance:**

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

DM4 – Waste and Recycling Facilities

Developer Contributions SPD 2015

Fenland Infrastructure Delivery Plan 2016

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- Background
- Principle of Development
- Flood risk and drainage
- Highway Safety
- Residential Amenity
- Biodiversity
- S106 Contributions
- Other Issues

9 ASSESSMENT

Background

- 9.1 The previous outline application (F/YR22/1156/O) for up to 26 dwellings with all matters reserved was refused on the grounds that the site fell outside the built-up area of Manea; it was out of keeping with the character and pattern of development and in the absence of supporting ecological information an assessment on the matter could not be made. Furthermore, provision had not been made for affordable housing or infrastructure needs generated by the proposal.
- 9.2 This resubmission is identical to the previous application in providing for 26 dwellings which are similarly laid out. The main differences are that the current application is now accompanied by Draft Heads of Terms providing for a housing contribution of £52,000, and 7 affordable housing units together with an ecological appraisal.
- 9.3 Given the submission of the Draft Head of Terms and the Ecological Appraisal the main issue in the consideration of this application is whether the proposal to develop in open countryside remains unacceptable.

Principle of Development

- 9.4 Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy with the market towns being the main focus for housing and growth, with development of a considerably limited scale in the Growth Villages (including Manea). The general principle of limited development in Manea is therefore supported by Policy LP3.

Character and Appearance

- 9.5 Policy LP12 seeks to protect the sustainability of settlements and the open character of the countryside. To this end, in this instance it requires that:
- a) The site is in or adjacent to the existing developed footprint of the village.
 - b) It would not result in coalescence.
 - c) It would not have an adverse impact on the character and appearance of the surrounding countryside and farmland.
 - d) It is in keeping with the core shape of the settlement, and not harm its character and appearance.

- 9.6 The requirements of Policy LP12 are reinforced by Policy LP16 which stipulates that new development must make a positive contribution to the local distinctiveness and character of the area.
- 9.7 The previous application was refused on the primary grounds that the proposal did not accord with Policies LP12 and LP16. Given the predominately frontage development on this part of Westfield Road, it was considered that the proposal constituted an encroachment into the open countryside incongruous with the character and pattern of existing development.
- 9.8 Although details relating to affordable housing and ecology have now been submitted the indicative scheme remains essentially as that refused previously. As before, it is considered that the application fails to address concerns regarding developing the open countryside against the character and pattern of existing development and for this reason the proposal remains contrary to policy and therefore unacceptable.

Flood Risk and Drainage

- 9.9 The proposed dwellings will be sited outside the small areas of Flood Zones 2 and 3 which lie along the north-western boundary of the site.
- 9.10 The LLFA is satisfied that the surface water from the site can be managed through the use of permeable paving (though these areas will not be adopted by the Highway Authority), attenuation basin and restricting the flow of discharge.

Highway Safety

- 9.11 The Highway Authority has not commented on the current application. It should be noted that it had not raised any objections on the previous application where it set out that the width of the carriageway had to be at least 5, with 2m footways on either side. The current layout shows a carriageway width of 6m with 1.7 footways on either side, the previous requirements of the Highway Authority could therefore be met with minor adjustments.

Residential Amenity

- 9.12 Policy LP 16 (e) requires proposals not to adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.
- 9.13 It has been accepted that the site is sufficiently sized to accommodate 26 dwellings, although the layout may need to be adjusted to ensure sufficient separation distances are achieved in some instances.
- 9.14 The passage of traffic through the access to the site will result in some noise and disturbance to the nearest frontage dwelling on Smart Close but given that the road passes it gable end there would not be sufficient grounds for refusal.
- 9.15 In summary, impact on living conditions would be addressed at reserved matters were planning permission to be granted

Biodiversity

- 9.16 Policy LP16 (b) requires proposals for new development to protect and enhance biodiversity on and surrounding the proposal site, taking into account the requirements of Policy LP19.
- 9.17 Natural England have referred to additional recreational pressures on SSSIs generated by new development. Officers consider that any extra pressures brought about by the proposal will be marginal when seen in the context of Manea's population of around 2,600.
- 9.18 An ecological appraisal has been submitted; it concludes that the site is of low ecological value. These conclusions have not been verified by the Council's Ecologist. Should comments be received these will be reported to Members by way of an update. However, accepting the professional opinion of the applicant's ecologist, there does not appear to be a case to suggest that the application is unacceptable on ecological grounds.
- 9.19 There are protected trees near the proposed access, an Oak and Holly Tree. As the proposal does not involve the removal of any trees and impacts on those retained are minimal, the Tree Officer has confirmed that tree protection and landscaping can be dealt with by condition.

S106 Contributions

- 9.20 Policy LP5 Part A of the local plan requires developments of 10 or more houses to provide 25 percent of the dwellings as affordable houses, the exact tenure mix to be informed by an up-to-date housing needs assessment. This should form the basis of a S106 Agreement to accompany the submission.
- 9.21 Policy LP13 of the local plan sets out that planning permission will only be granted if there is sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development.
- 9.22 The Council's Local Plan and CIL Viability Assessment report of December 2019, concludes that development on greenfield sites in the south of the district should be able to bear developer contributions of 20 percent affordable housing and scope for £2000 per unit or 10 percent affordable housing with scope for approximately £5000 per unit. With no affordable housing, there is scope for £15,000 or so per unit on greenfield sites in the south of the district.
- 9.23 The National Planning Practice Guidance (NPPG) states that planning applications that fully comply with up-to-date policies that have set out the contributions from developments, they should be assumed to be viable. A decision maker can give appropriate weight to emerging policies. The Council has been applying the findings and recommendations set out in the December 2019 report to development proposals. The NPPG states that it is up to the applicant to demonstrate the need for a viability assessment at the application stage.
- 9.24 Unlike the previous application, this application is accompanied by S106 Head of Terms which provides for £52,000 (26 dwellings by £2000) with 25% of the development (7 units) to be affordable.
- 9.25 Both the County Council and the healthcare provider have set out a case for obtaining developer contributions towards education and libraries (£564,906) and primary health care (£15,626.39) to mitigate the impact of the development.

9.26 The Council's Local Plan and CIL Viability Assessment report of December 2019, concludes that development on greenfield sites in the south of the district should be able to bear developer contributions of 20 percent affordable housing and scope for £2000 per unit. This is a material consideration in the determination of applications. The application proposes a level of financial contribution and affordable housing provision which would be in line with the Viability Assessment.

Other Issues

9.27 Reasonable noise and disturbance during construction and following occupation is to be expected.

9.28 Time limits for implementing permissions (and any potential penalties) is a matter for central government.

9.29 The site is sufficiently sized to provide for adequate separations distances between dwellings.

9.30 Contamination is able to be dealt with through condition/s.

9.31 An area covering 3,750m² (0.8 acres) is shown as open space around the attenuation pond to the northwest of the site. This area has been referred to as 'Parkland' of public benefit in several comments submitted in favour of the proposal. Given the limited size, and remote location of this area, Officers consider that this area is unlikely to be of use other than to the residents of the development.

10 CONCLUSIONS

10.1 The application is unacceptable because 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 frontage development. The development would not contribute positively to the character and local distinctiveness of the area. This conclusion is entirely consistent with the previous decision of the Council (Committee) to refuse the application on this basis.

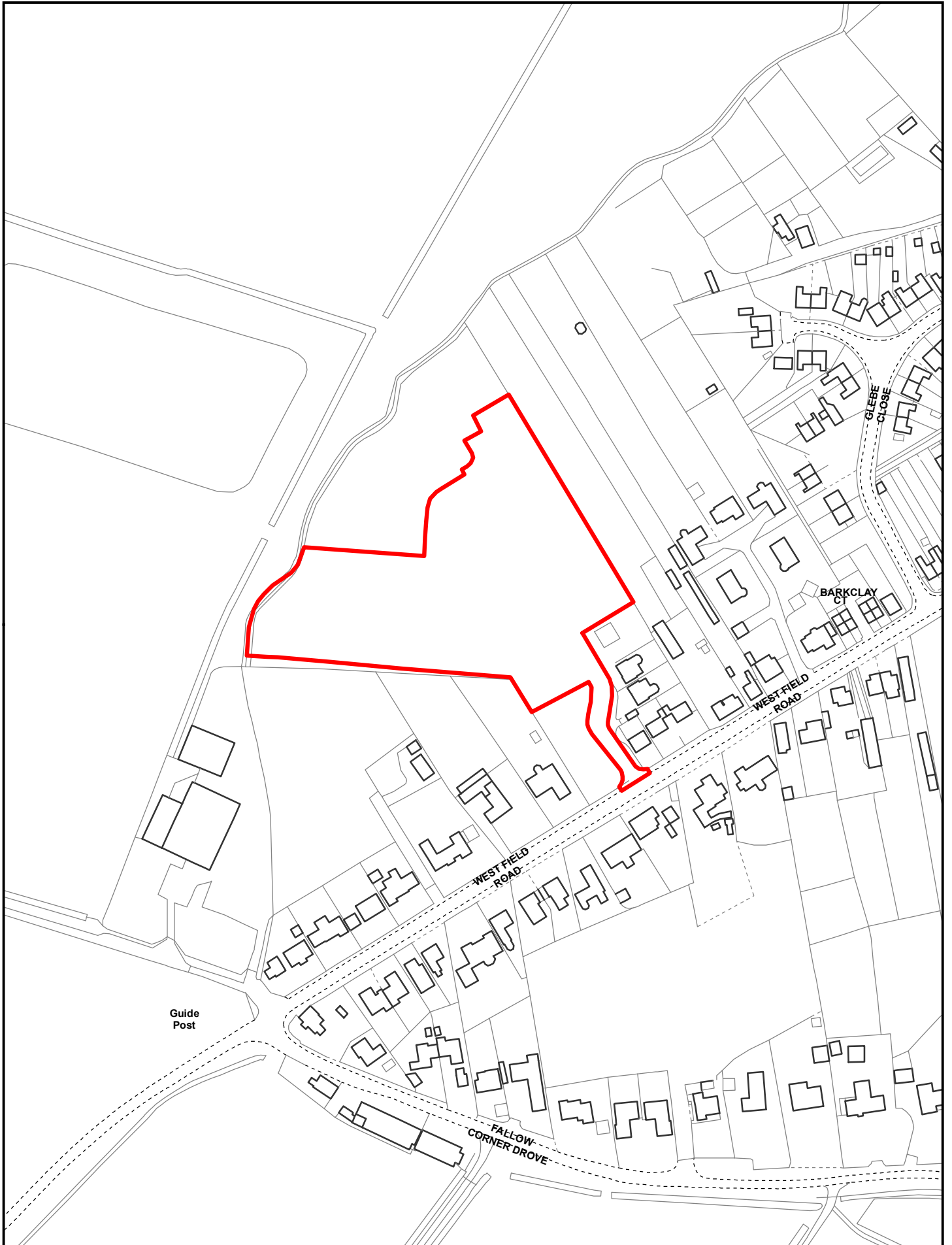
10.2 In other respects, the development could be made acceptable by imposing conditions if permission were being recommended. However, this does not outweigh the fundamental issues and conflicts with development plan policy set out above.

11 RECOMMENDATION

Refuse; for the following reason:

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 and would introduce an urbanising effect to the area which is predominantly rural and tranquil in nature with limited frontage development. As such the proposal is contrary to policies LP2, LP3, LP12 (c) and (d) and policy LP16 (a) 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
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	character and beauty of the countryside in relation to paragraph 174(b) of the NPPF.
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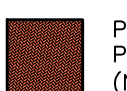


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 Please read, if in doubt ask. Change nothing without consulting the Engineers.
 Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, 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



LEGEND

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

A	PLANNERS COMMENTS	OCT 22
	REVISIONS	DATE

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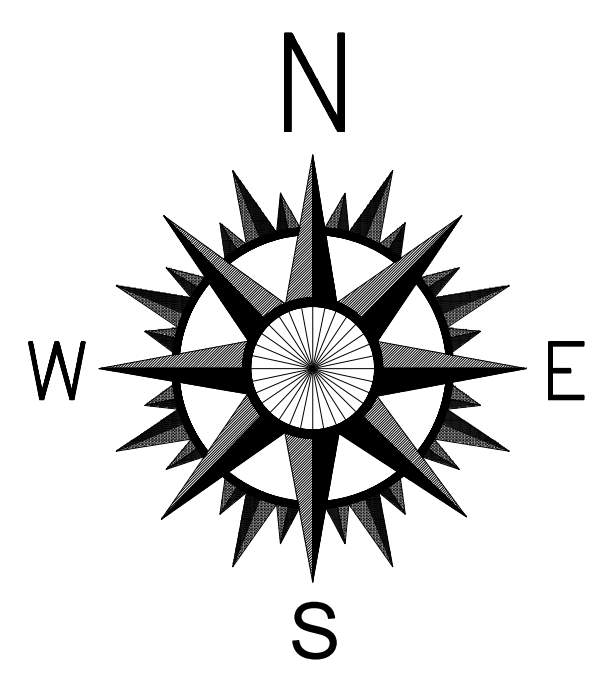
LABC Fenland District Council Building Design Awards winner Building Excellence in Fenland

CLIENT
 Mr M Stone

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

TITLE
 Proposed Site Plan
 with Indicative Layout

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



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