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**F/YR23/0185/PIP**

**Applicant: Messrs Siggee And Sanderson**

**Agent: Mr David Mead  
The Planning Partnership**

**Land South East Of Cherryholt Farm, Burrowmoor Road, March,  
Cambridgeshire**

**Residential development of up to 3 dwellings (application for Permission in Principle)**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations contrary to Officer recommendation**

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## **1 EXECUTIVE SUMMARY**

- 1.1. The proposal is an application for Permission in Principle to develop the site for up to 3 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle Stage) establishes whether the site is suitable in principle and assesses the principle issues: (1) Location; (2) Use; and (3) Amount of development proposed. The second (Technical Details Consent) stage is when the detailed development proposals are assessed. Technical details consent would need to be applied for should this application be granted.
- 1.2. Evaluation of a PIP must be restricted to the issues highlighted above; even if technical issues are apparent from the outset, they can form no part of the determination of Stage 1 of the process, Accordingly, matters raised via statutory bodies may not be addressed at this time.
- 1.3. The application site comprises part of a grassland paddock to the north of Burrowmoor Road between No.181 and Cherryholt Farmhouse. The site has been designated as an allocated site within the West March Broad Concept Plan and forms a significant proportion of the area within which a primary road has been proposed within the adopted BCP to link the north and south development areas.
- 1.4. The application includes no evidence to substantiate that the site is unlikely to fall within the land required for the BCP primary road link and as such it is considered that development of the site may prejudice the delivery of the transport network within the strategic allocation, contrary to the provisions of policies LP7 and LP9 of the Fenland Local Plan (2014). As such, the application is recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1. The application site is an existing field, identified by the applicant as currently in agricultural use as a grassland paddock. The field essentially adjoins the current edge of the developed part of the town of March, with an existing dwelling (181 Burrowmoor Road) located approximately 25m east of the site. To the west of the site, at a distance of approximately 42m, is Cherryholt Farm, a grade II listed building.
- 2.2. The site benefits from significant mature tree planting along the southern boundary of the site along the road and to the northern (rear) boundary, with the open land beyond.
- 2.3. The application site lies in flood zone 1.

## **3 PROPOSAL**

- 3.1. Planning in Principle (PIP) applications are an alternative way of obtaining planning permission for housing led development and separates the consideration of matters of principle for proposed development from the technical detail.
- 3.2. As set down in the Town & Country Planning (Permission in Principle) Order 2017 and Town & Country Planning (Brownfield Land Register) Regulations 2017, the scope of PIPs (stage 1 of the process) is restricted to consideration of location, development size and land use. All other matters are 'reserved' for consideration by the stage 2 Technical Details application which may be made should PIP be granted.
- 3.3. This application seeks planning permission in principle for up to three dwellings on the site. In line with the above regulations the design, layout and access into the site have not been provided.
- 3.4. The current proposal is the first part of the Permission in Principle application; this 'first stage' (or Permission in Principle stage) establishes whether a site is suitable in principle and assesses the 'principle' issues namely:
  - a) Location,
  - b) Use, and
  - c) Amount of development proposed
- 3.5. Should this application be successful, the applicant would have to submit a Technical Details application (stage 2 of the process) covering all other detailed material planning considerations. The approval of Permission in Principle alone does not constitute the grant of planning permission. Technical details consent regarding the proposed properties would need to be applied for should this application be granted.
- 3.6. Full plans and associated documents for this application can be found at: [F/YR23/0185/PIP | Residential development of up to 3 dwellings \(application for Permission in Principle\) | Land South East Of Cherryholt Farm Burrowmoor Road March Cambridgeshire \(fenland.gov.uk\)](https://www.fenland.gov.uk/planning-and-building-control/permissions-and-applications/permissions-in-principle/2023/0185/PIP-Residential-development-of-up-to-3-dwellings-application-for-Permission-in-Principle-Land-South-East-Of-Cherryholt-Farm-Burrowmoor-Road-March-Cambridgeshire)

## 4 SITE PLANNING HISTORY

F/YR22/0937/F	Erection of a 2-storey 5-bed dwelling with detached garage involving the formation of a new access Land West of 181 Burrowmoor Road, March	Refused 20.04.2023
F/YR22/0913/F	Erect 1 x dwelling (2-storey 4-bed) with 2.0m high boundary brick walls Plot 2 Land At Cherryholt Farm, Burrowmoor Road, March	Granted 10.03.2023
F/YR20/0223/BCP	West March strategic allocation	Approved 14.0.2021
F/YR19/1078/F	Erect 1 x dwelling (2-storey 3-bed) and detached double garage involving the demolition of existing outbuildings Plot 2 Land At Cherryholt Farm, Burrowmoor Road, March	Refused 03.04.2020
F/YR19/1077/F	Conversion of existing barn to a single-storey 3-bed dwelling and erection of a double garage, involving demolition of existing lean-to and outbuildings Plot 1 Land At Cherryholt Farm, Burrowmoor Road, March	Granted 03.04.2020
F/YR19/0016/F	Erection of a 2-storey 5-bed dwelling with detached garage involving the formation of a new access Land West of 181 Burrowmoor Rd, March	Refused 09.05.2019
F/YR18/0599/F	Erection of a 2-storey 5-bed dwelling with detached garage involving the formation of a new access Land West of 181 Burrowmoor Rd, March	Refused 23.08.2018

## 5 CONSULTATIONS

### 5.1. Historic England

*Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.*

### 5.2. Environment & Health Services (FDC)

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

### 5.3. March Town Council

*Recommendation; Approval subject to safe access, minimal removal of trees and no parking on Burrowmoor Road.*

### 5.4. Local Residents/Interested Parties

Seven letters of support received from six address points within the ward or adjacent ward. Reasons for support of the scheme are cited as:

- *The development will be good for the local area as new homes are greatly needed; Would create work for local trades people;*
- *It would be good to see end of Burrowmoor Road developed privately;*

- *It will increase the number of properties in the Fenland area; The area already has existing approvals for new properties and the renovation of the existing farm house and associated buildings;*
- *A few nice quality homes would be nicer than a sprawling mass of 'crammed' in residences. No objections whatsoever;*
- *It will be nice to see use of the land;*

Two letters received stated no comments or reasons for support.

One letter of objection has also been received from a local resident, stating that their reason for objection was that *"Any development will be detrimental to the environment and nature."*

## **6 STATUTORY DUTY**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).
- 6.2. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

## **7 POLICY FRAMEWORK**

### **7.1. National Planning Policy Framework (NPPF) July 2021**

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 12: Conflict with an up-to-date plan should not usually be granted

Para 119: Promote effective use of land

Para 130: Well-designed development

Para 174: Contribution to and enhancement of the natural and local environment.

Para 194: Applicants should describe the significance of any heritage assets affected.

Para 197: LPAs should take account of desirability of sustaining the significance and positive contribution of heritage assets.

Para 200: Harm to or loss of significance of a heritage asset should require clear and convincing justification.

Para 202: Less than substantial harm should be weighed against public benefits.

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

### **7.3. National Design Guide 2021**

Context

Identity

Homes and Buildings

Resources  
Lifespan

#### 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  
LP7 – Urban Extensions  
LP8 – Wisbech  
LP9 – March  
LP15 – Facilitating the Creation of a More Sustainable Transport Network  
LP16 – Delivering and Protecting High Quality Environments  
LP18 – The Historic Environment  
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:

LP1 – Settlement Hierarchy  
LP2 – Spatial Strategy for the Location of Residential Development  
LP7 – Design  
LP8 – Amenity Provision  
LP22 – Parking Provision  
LP23 – Historic Environment  
LP24 – Natural Environment

#### 7.6. **March Neighbourhood Plan 2017**

H2 – Windfall Development  
H3 – Local Housing Need

### 8 **KEY ISSUES**

- **Location**
- **Use**
- **Amount of Development Proposed**
- **Other Matters**

### 9 **BACKGROUND**

9.1. The site forms part of the West March Broad Concept Plan (BCP), adopted in July 2021. The BCP sets out the aims and visions for the site taking into account opportunities and constraints for delivering housing and supporting infrastructure along with access routes into and around the BCP area and was informed by various studies including transport, ecology, drainage and landscape assessments.

- 9.2. The BCP therefore forms the basis for which the West March urban extension will develop. Planning applications within the West March strategic allocation should therefore accord with the principles and aims detailed within the approved BCP.
- 9.3. The site falls within the wider BCP area and it is to be noted that the site has been identified as open space, included as part of "*buffers to safeguard the setting of these heritage assets*" (BCP, 2021, pp.21) owing to its position forward of Cherryholt Farmhouse, a grade II listed building.
- 9.4. Immediately east of the application site and part of the same grassland field is a site with several planning refusals dating back to 1998 for applications to erect a residential dwelling, the most recent being F/YR22/0937/F; this was refused on the basis of the development prejudicing the delivery of the wider development envisaged by the West March BCP.
- 9.5. Further to the west of the application site at circa 70m distance, there is an extant permission for the conversion of an existing barn associated with Cherryholt Farm (F/YR19/1077/F) and a more recent approval for a dwelling on land known as Plot 2 Cherryholt Farm (F/YR22/0913/F). On a plot forward of 'Plot 2', a recent Permission in Principle application for the residential development of one dwelling was refused under delegated powers on the basis of the potential to prejudice the delivery of the West March BCP and its impact on the setting of the grade II listed Cherryholt Farmhouse (F/YR23/0184/PIP).

## **10 ASSESSMENT**

- 10.1. The application is made under the provisions of the Town and Country Planning (Permission in Principle) (Amendment) Order 2017, which came into force on 1st June 2018. This amends the Town and Country Planning (Permission in Principle) Order 2017 to allow local planning authorities to grant permission in principle on receipt of a valid application for housing-led development.
- 10.2. The National Planning Practice Guidance (PPG) explains that the Order is an alternative way of obtaining planning permission for housing-led development, which separates the consideration of matters of principle for development, from the technical detail. This consent route has two stages: the first stage (or permission in principle stage) establishes whether a site is suitable in principle, and the second (technical details consent) stage, is when the detailed development proposals are assessed.
- 10.3. An applicant can apply for permission in principle for a range of dwellings by expressing a minimum and maximum number of dwellings as part of the application. In this instance, permission in principle is sought for the erection of up to three dwellings on the site.
- 10.4. The PPG states: "The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these 'in principle' matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage." The

PPG also advises that applicants may volunteer additional information to support decision making, in particular, to give more certainty about how many dwellings the site is capable of supporting, and whether mitigation of likely impacts is possible. As this is a Permission in Principle application, no plans are required.

- 10.5. The Council is therefore tasked with considering whether the location, land use and amount of development are acceptable in accordance with the relevant policies in the development plan, unless there are material considerations, such as those within the NPPF and the PPG, which indicate otherwise.
- 10.6. The Council can inform the applicant what they expect to see at the technical details consent stage, but it cannot impose planning conditions.
- 10.7. Noting the guidance in place regarding Permission in Principle submissions assessment must be restricted to (a) location, (b) use and (c) amount and these items are considered in turn below:

#### **Location and Use**

- 10.8. Policy LP3 identifies March as being a focus for growth given its sustainable links to services and facilities. LP7 sets out the LPA's aims in achieving a majority of the growth in the main market towns through strategic allocations and broad areas for growth. Policy LP9 identifies West March (in which the application site lies) as being a strategic allocation accommodating around 2000 new dwellings in Fenland.
- 10.9. LP7 identifies the importance of planning and implementing these locations for growth in a coordinated way, through an overarching BCP that is linked to the timely delivery of key infrastructure. LP7 goes on to state that, with the exception of inconsequential very minor development, proposals for development within the growth locations which come forward prior to an agreed BCP will be refused.
- 10.10. Since the adoption of the BCP, the proposal is considered to comply with the requirements of LP7 and the aims of LP3 insofar as proposing housing in a designated area for growth. However, LP7 continues that planning applications are expected to adhere to the BCP;

#### **Location and compliance with the BCP**

- 10.11. The application site is located towards the eastern side of the narrowest part of the strategic allocation, with wider sections of land to both the north and south, and forms a significant proportion of the area within which a primary road has been proposed within the adopted BCP to link the development areas of the strategic allocation to the north and south of Burrowmoor Road.
- 10.12. The location of the application site (including the remainder of the grassland field to its east) is such that it is sited in a position in which the path of the intended primary roadway will have the least impact on the setting of the nearby grade II listed Cherryholt Farmhouse (discussed in more detail below). Thus, whilst it is acknowledged that the BCP access and movement plans are at this stage indicative, it follows that the primary roadway location within the

BCP will likely result in the application site forming part of the immediate setting of any such infrastructure, as it would be desirable for a new highway to be sited as far away as practicable from the listed building to minimise any impact on its setting.

10.13. In addition, the BCP proposes the existing junction between Burrowmoor Road and the A141 to the west of the site will be closed off, further increasing the likelihood that the proposed primary road link on or near the application site will be integral to the delivery of the BCP.

10.14. As discussed above, the PPG advises that applicants may volunteer additional information to support decision making. However, the application includes no evidence to substantiate that the application site is unlikely to fall within the land required for the BCP primary road link. Thus, whilst the principle of residential development on the site is identified as likely to be considered acceptable in respect of the Settlement Hierarchy, without the supporting evidence that demonstrates how the site does not conflict with the indicative access and movement plans as set out within the adopted BCP, the granting of permission in principle on the application site would be prejudicial to the delivery of the BCP, contrary to Policies LP7 and LP9.

#### Location and impact on heritage

10.15. In addition, consideration must be given to the proposed location and use of the site and any corresponding impact thereof on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building *or its setting* according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990, as well as the requirements of Section 16 of the NPPF, and Policy LP18 of the Fenland Local Plan.

10.16. To the west of the application site, is a complex of former agricultural buildings that includes the grade II listed Cherryholt Farmhouse. The listed building is the easternmost of the buildings associated with Cherryholt Farm and is therefore the closest to the application site, separated from it by approximately 42 metres.

10.17. Based upon the limited information available at this stage of the Permission in Principle application, it is concluded that the proposal is unlikely to result in substantial harm to the Grade II heritage asset or its setting considering the broad issues of location of the development. Any substantiated impacts would ultimately be considered at technical details stage, whereby measures may be incorporated to address any identified risk(s) pertaining to impacts to heritage.

#### Location and use conclusion

10.18. Given the above, matters in respect of the impact of the scheme on the setting of the listed building may likely be reconciled at technical details stage.

10.19. Notwithstanding, it is concluded that the location of the site is not suitable to use for development of up to three dwellings, owing to the likelihood of the scheme prejudicing the delivery of the wider BCP contrary to Policies LP7 and LP9. As such Permission in Principle should be refused.



### **Amount of Development Proposed**

- 10.20. No indicative plans are required to be submitted as part of a Permission in Principle application, so there is nothing to suggest how a development of three dwellings would be laid out.
- 10.21. Notwithstanding, the proposed quantum of development may introduce a tighter knit form of development than is currently found in the locality that may result in harm to the character and settlement pattern of the area.
- 10.22. However, it is noted that the application seeks Permission in Principle for a maximum of 3 dwellings. As such, consideration pertaining to the density of development and the impacts thereof would ultimately be considered at technical details stage, whereby a reduction of the number of dwellings or their scale and design may be deemed necessary to address any identified risk(s) pertaining to these issues.
- 10.23. Therefore, at this stage, there is insufficient evidence relating to the amount of development proposed to justify a reason for refusal on this basis.

### **Other Matters**

- 10.24. The matters raised by March Town Council relating to safe access, minimal removal of trees and no parking on Burrowmoor Road would be addressed at the technical details stage. No conditions can be attached to a grant of Permission in Principle in accordance with the NPPG advice (Paragraph: 020 Reference ID: 58-020- 20180615).

## **11 CONCLUSIONS**

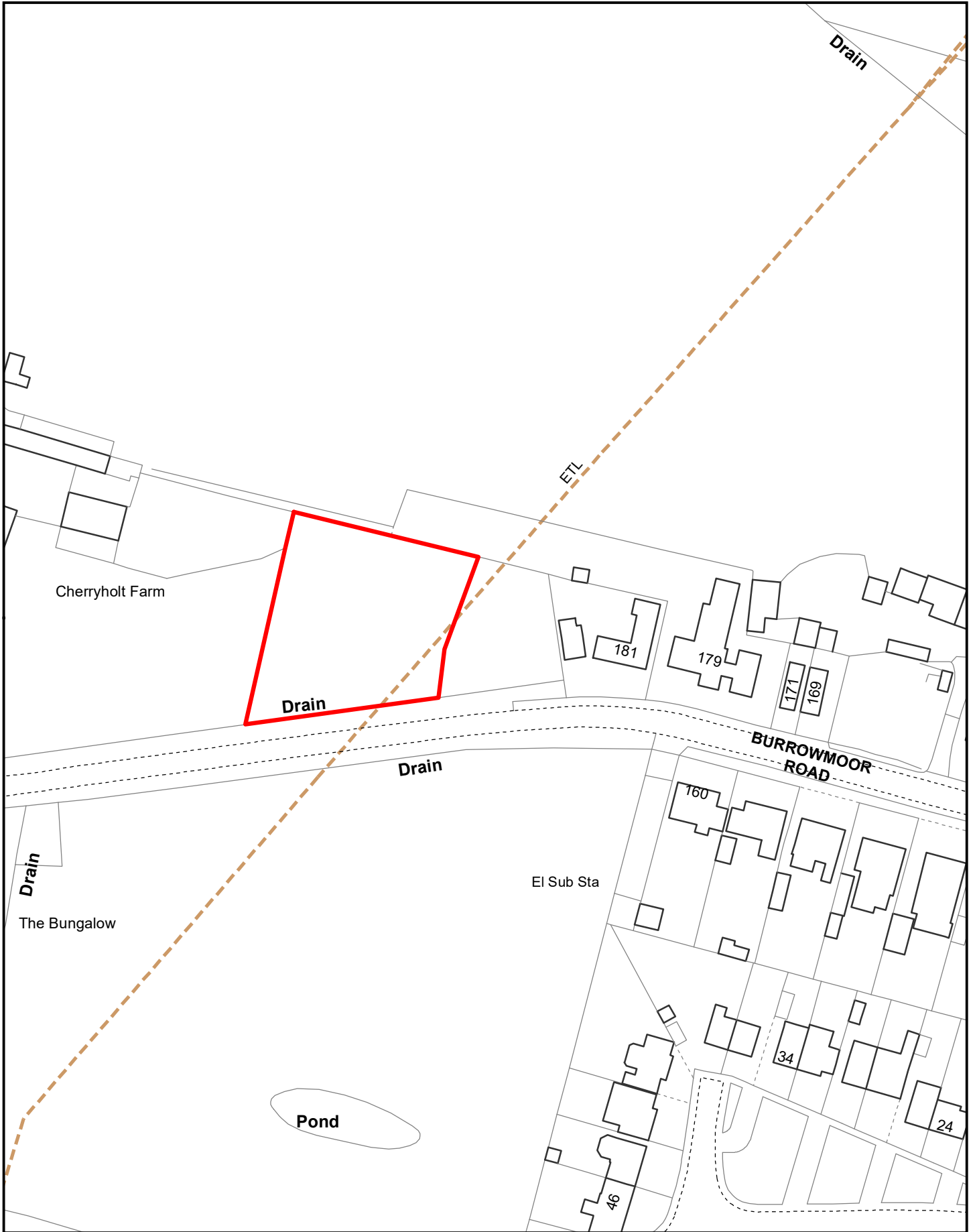
- 11.1. As indicated above, it is only location, use and amount of development that may be considered at the first Permission in Principle stage and that in respect of these matters the development would be contrary to elements of Policies LP7, LP9 of the Fenland Local Plan (2014) and adopted West March Broad Concept Plan (2021). It is therefore concluded that the Planning In Principle application fails and should be refused.

## **12 RECOMMENDATION**

**Refuse;** for the following reason;

1	Policies LP7 and LP9 detail the approach within the Fenland Local Plan (2014) to development of Urban Extensions in general, and within March in particular. The proposal is for the construction of a single dwelling within the West March strategic allocation, for which a Broad Concept Plan was adopted in July 2021. The application site is located in a key position within the wider strategic allocation to the west of March and the granting of Permission in Principle for up to three new dwellings in this location would be likely to have a significant impact on the delivery of a strategic road link between the north part of the
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	<p>allocation and the southern part as set out within the adopted BCP. There is no evidence to demonstrate that if granted permission the proposal would not prejudice the delivery of the transport network within the strategic allocation and therefore the proposal would be contrary to the provisions of policies LP7 and LP9 of the Fenland Local Plan (2014), and by extension policy H1 of the March Neighbourhood Plan (2017).</p>
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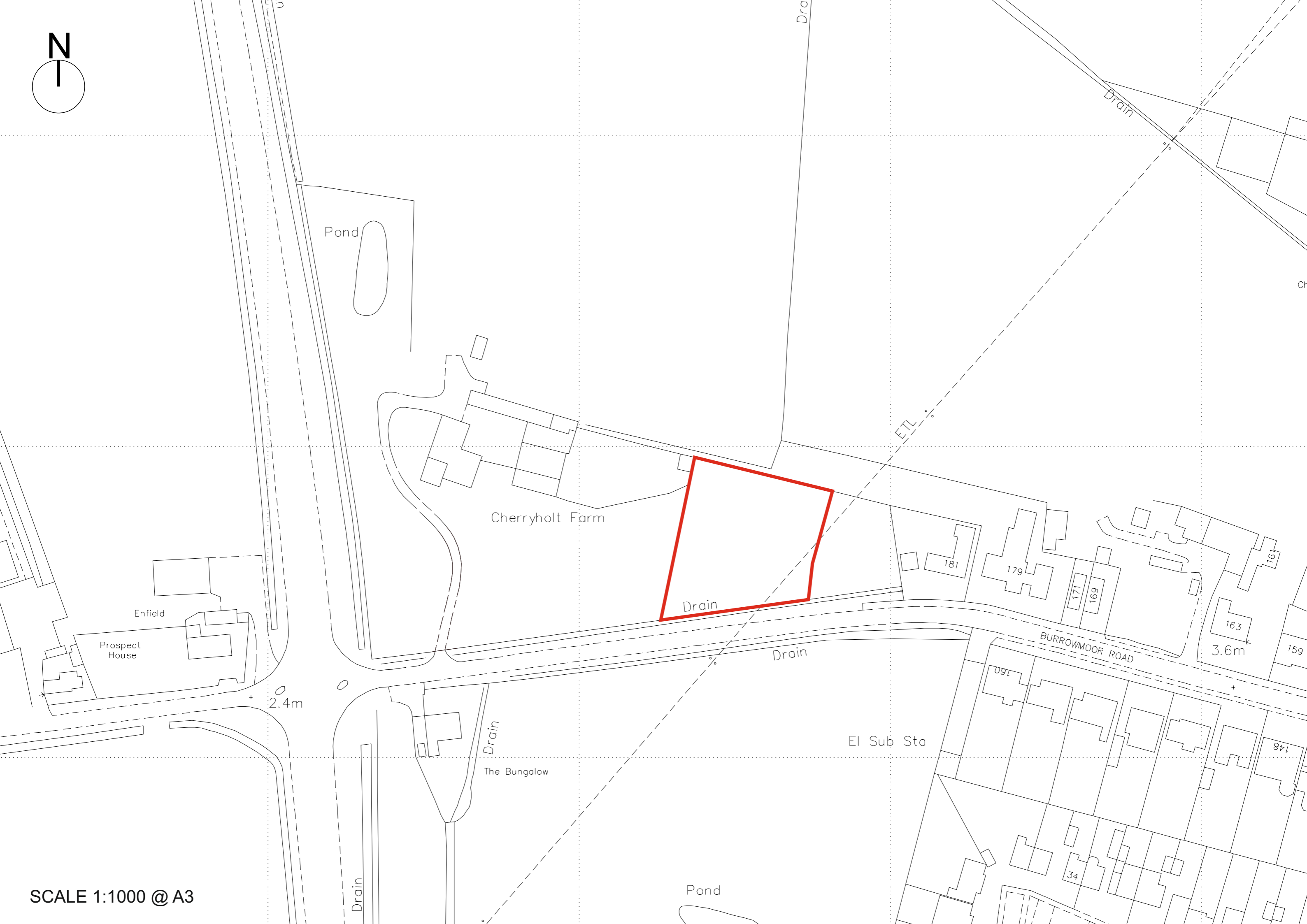
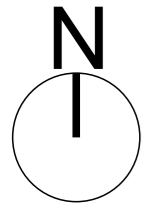
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