
F/YR23/0852/O

Applicant: Mrs G Bellamy

**Agent: Mrs Angela Watson
Swann Edwards Architecture Ltd**

Land South of 12 - 24 Ingham Hall Gardens, Parson Drove, Cambridgeshire

Erect up to 9 x dwellings (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 proposal is for the construction of a 9-dwelling development to the south of the existing southernmost extent of the village of Parson Drove.
- 1.2. The scheme represents a re-submission of a twice-refused application, with the addition of a Community Involvement Statement to demonstrate local support. The fundamental impacts of the proposal have not altered since its original submission under F/YR20/0233/O in May 2020, and resubmission and subsequent refusal under F/YR21/0233/O in June 2021.
- 1.3. The scheme is considered to extend the village out into the countryside in a non-linear fashion that is at odds with the distinctive character of the existing settlement, with the result being that the proposal would result in harm to that character contrary to the relevant policies of the development plan.
- 1.4. The Parson Drove Neighbourhood Plan requires that for developments of over five dwellings, the application is accompanied by evidence of local support and receives the backing of the Parish Council. The application is accompanied by a Community Involvement Statement appearing to demonstrate local support. However, the public consultation undertaken as part of the planning process has indicated that there is no consensus of public opinion in relation to the scheme. The Parish Council have maintained and confirmed their opposition to the proposal.
- 1.5. The scheme is not accompanied by evidence of an agreement facilitating access for waste collection vehicles, and the proposal would still result in an adverse impact on the residential amenity levels of existing dwellings on Ingham Hall Gardens due to the levels of traffic associated with the scheme.
- 1.6. The proposal is therefore recommended for refusal for all three previous reasons, as the below assessment outlines these have not be adequately reconciled.

2 SITE DESCRIPTION

- 2.1. The application site is a combination of open grassland and agricultural land to the south of the residential dwellings located off Ingham Hall Gardens and Brewery Close, Parson Drove. The land is separated from those dwellings by 1.8m closeboard fencing typical of modern residential developments. Some elements of the existing fencing have been replaced by more open trellis panels granting views over the land to the south. The dwellings on Ingham Hall Gardens and Brewery Close to the north are single-storey in height.
- 2.2. The application site is mainly located within Flood Zone 1, although the south east corner of the site contains land in both Flood Zones 2 and 3.
- 2.3. There are no defined settlement boundaries within the Fenland Local Plan 2014. However with the exception of the residential properties to the north boundary the application site is surrounded by open agricultural land that is most appropriately defined as being countryside. The proposal is therefore considered to be adjacent to the existing built up part of the settlement.

3 PROPOSAL

- 3.1. The proposal is in outline for the construction of up to 9 dwellings with access to the site via the existing road, Ingham Hall Gardens, which is privately owned along the final section leading to the application site.
- 3.2. The Design and Access Statement accompanying the application indicates that the proposal would be for the construction of bungalows adjacent to the existing development to the north, with chalet style dwellings along the southern boundary of the site.
- 3.3. The application also proposes the replacement of the existing sewage treatment plant to the east of the site with a new treatment plant as a benefit to the existing residents in the area.
- 3.4. Full plans and associated documents for this application can be found at: [F/YR23/0852/O | Erect up to 9 x dwellings \(outline application with matters committed in respect of access\) | Land South Of 12 - 24 Ingham Hall Gardens Parson Drove Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0852/O)

4 SITE PLANNING HISTORY

F/YR21/0233/O	Erect up to 9 x dwellings (outline application with matters committed in respect of access)	Refused 02.07.2021
F/YR20/0292/O	Erect up to 9 x dwellings (outline application with matters committed in respect of access)	Refused 27.05.2020
F/0797/87/O	Erection of a dwellinghouse and garage	Refused 8.10.1987

5 CONSULTATIONS

Parson Drove Parish/Town Council

- 5.1. *Councillors discussed the application and recommended refusal.*
- 5.2. *The proposed development encroached into the open countryside and would detrimentally impact the established line of built development for Parson Drove. This is also contrary to policy LP 12 Part A; sections (a), (b), (c) and (d).*
- 5.3. *Councillors noted that a Community Consultation however felt that the offer of a donation to community facilities will have influenced a large number of parishioners who indicated their support for the application. There is no formal agreement yet in place to provide this donation, therefore the community support has to be considered against this fact. The Parish Council were not happy to accept this as just a condition.*
- 5.4. *It was noted Access & Design Statement referred to the road being made up to an adoptable standard however were concerned that the access road would not be able to cope with the additional dwellings.*
- 5.5. *Therefore, as the application does not have support of the Parish Council it is contrary to the Neighbourhood Plan, policy 2 where Parish Council support is required for developments of 5 or more and should not be given planning permission.*

Environment & Health Services (FDC)

- 5.6. *The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal.*
- 5.7. *Should planning permission be granted, in the interests of protecting the amenity of existing nearby residencies, it is recommended that a number of issues are addressed from an environmental health standpoint by way of imposing conditions.*
- 5.8. *Given the nature and scale of the proposed development, the issues of primary concern to this service during the construction phase would be the potential for noise, dust and possible vibration to adversely impact on the amenity of the occupiers at the nearest residential properties.*
- 5.9. *Therefore, this service would welcome the submission of a robust Construction Environmental Management Plan (CEMP) that shall include working time restrictions in line with the template for developers, now available on Fenland District Council's website at: Construction Environmental Management Plan: A template for development sites (fenland.gov.uk)*
- 5.10. *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.*

5.11. *It is also recommended that the following condition is imposed:*

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 Local Planning Authority (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.

Senior Archaeologist (CCC)

5.12. *I am writing in regards to the archaeological potential of the above referenced planning application.*

5.13. *Our records indicate that the development lies in an area of high archaeological potential along the fen edge of a roddon, an area often utilised for activity and occupation prior to fen drainage due to representing an area of higher ground. This has been evidenced during archaeological investigation to the adjacent north-east where Roman settlement activity was identified. Three phases of settlement was present, associated with salt making and animal rearing (Cambridgeshire Historic Environment Record reference. CB15642). Medieval settlement was also identified, including trackways, enclosures and evidence for further evidence for salt making. Archaeological remains are also known to the west of the development where cropmarks outline a complex series of features including a trackway (CHER ref. MCB12606). The cropmarks and settlement activity in the area appear to be part of a chain of Iron Age to Roman settlement following the route of the roddon which the development sits on. Further extensive cropmarks detail early settlement and agricultural practices throughout the route of roddon to the north (e.g. CHER refs. 03803 and 09443) and south (e.g. CHER refs. 03805 and 03872a) of the development area.*

5.14. *Due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:*

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a. The statement of significance and research objectives;*
- b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;*

- c. *The timetable for the field investigation as part of the development programme;*
- d. *The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.*

REASON: *To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).*

Informatives: *Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI.*

Arboricultural Officer (FDC)

- 5.15. *The proposed development has limited impact on vegetation with the more important west boundary vegetation retained.*
- 5.16. *I have no objection with the proposed development of the area and matters of landscaping/tree planting can be dealt with later, some screening will be required to existing properties to the north of the development site.*

North Level Internal Drainage Board

- 5.17. *Please note that North Level District Internal Drainage Board have no objection in principle to the above application.*

Cambridgeshire County Council Highways Authority

Recommendation

- 5.18. *Based on the information submitted for the above application, I have no objection in principle to the above proposal from the highway perspective.*

Comments

- 5.19. *This application seeks Outline Planning Permission for 9 residential units. The proposals are no different from the previous applications F/YR21/0233/O and F/YR20/0292/O and while these were refused, the refusals were not on highway safety grounds.*
- 5.20. *The development is remote from the adopted highway with the access approach to the proposed dwellings believed to be private.*
- 5.21. *Clarification is required on the development's Refuse collection point since I believe the existing Refuse collection point is on Ingham Hall gardens, an inappropriate distance for Refuse collection for the development in my view.*
- 5.22. *The LHA will also expect the applicant to provide footway connectivity between the proposed development with the existing footway network in the area.*

- 5.23. *I also recommend, should the application be permitted, that the applicant consult CCC's General Principles for Development when preparing any future reserve matters applications, noting that the current indicative site plan does not conform with CCC's adoption criteria.*
- 5.24. *Since the layout for the site is a not for approval, I will make comments on the indicative drawing at the reserve matter stage of the application process.*
- 5.25. *If the LPA are mindful to approve the application, please append the following Conditions to any consent granted:*

Conditions

- 5.26. **Construction Facilities:** *Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading, and unloading of all vehicles visiting the site during the period of construction.*

Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway in accordance with Policy LP15 of the Fenland Local Plan 2014.

- 5.27. **Wheel Wash Facilities:** *Development shall not commence until fully operational wheel cleaning equipment has been installed within the site. All vehicles leaving the site shall pass through the wheel cleaning equipment which shall be sited to ensure that vehicles are able to leave the site and enter the public highway in a clean condition and free of debris which could fall onto the public highway. The wheel cleaning equipment shall be retained on site in full working order for the duration of the development.*
- 5.28. **Parking/Turning Area:** *Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out, surfaced in a bound material, drained within the site, and submitted to LPA for approval. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity.*
- 5.29. **Highway Drainage:** *The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.*

Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014

- 5.30. *I should be able to provide further comments on the above application on receipt of additional information and clarifications requested in support of the application if it advances to the next stage of the application process.*

Mr Dan Horn (FDC)

- 5.31. *As this application is for 9 dwellings, it is below the threshold for affordable housing requirements. Should this number be revised upwards we would look to apply Policy LP5 of the Fenland Local Plan (adopted May 2014).*

Local Residents/Interested Parties

Supporters

- 5.31 The application has resulted in the LPA receiving 34 letters of support for the scheme from 25 households of which 24 were within the Parson Drove and Wisbech St Mary ward boundary. It should be noted that the total number of letters as set out above does not include any of the pro-forma letters of support included within the submitted Community Involvement Statement, as it could not be confirmed that the details provided to these supporters were the same as submitted within the application. Notwithstanding, the letters of support as counted above were submitted separately from the Community Involvement Statement.

- 5.32. The reasons for support for the scheme can be summarised as:

- Positive as intended as bungalows;
- The development is close to village amenities;
- The development will aid in sustaining the village;
- No environmental/wildlife concerns;
- Site provides good access and no highways safety issues;
- Complies with Parish Council requirement for public consultation; follows Neighbourhood Plan
- Site is within flood zone 1; no drainage issues;
- Proposed monetary contribution to Parish is a benefit;
- The site is not an encroachment into open countryside;
- There will be no residential amenity issues arising from the scheme;
- Resubmission has addressed reasons for refusal of earlier applications;
- The design of the dwellings is in keeping with others nearby;
- Follows the Emerging FDC Draft Local Plan; and
- Will enhance and improve the appearance of the area.

Five letters received included no reasons for support.

Objectors

- 5.33. 21 letters of objection against the scheme were received from 12 households within the Parson Drove and Wisbech St Mary ward boundary, including the majority received from residents of Ingham Hall Gardens, the residential development immediately adjacent to the site and through which access to the subject site would be gained. One letter of objection was from an address in Northborough (near Peterborough).

- 5.34. The reasons for objection to the scheme can be summarised as:

- Backland development in the open countryside; out of character;
- The precedent set by earlier refusals;
- The potential for additional precedent for more development;
- Concerns over increased traffic, pedestrian safety and highways;

- Inadequate infrastructure to cope with more development; road is showing signs of wear and tear;
- No public transport serving Parson Drove;
- Foul drainage concerns; existing treatment plant is overloaded;
- Environmental and Wildlife concerns;
- Residential amenity impacts to residents of Ingham Hall Gardens; overlooking, light pollution, noise, etc.
- Proposals will impede views of surrounding countryside;
- Access is via an unadopted road, ownership of it is unclear as is any right of way over it, and maintenance is understood to be the financial responsibility of existing residents.
- Design not in keeping with the surrounding development as chalets;
- Proposed monetary contribution to Parish is not legally binding;
- Letters of support from people not local to the development site.

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).

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 14: Conflicts with the neighbourhood plan where adverse impact outweighs benefits

7.2. National Planning Practice Guidance (NPPG)

Determining a planning application

7.3. 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

LP12 – Rural Areas Development Policy

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments

LP19 – The Natural Environment

7.4. 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
LP18 – Development in the Countryside
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP24 – Natural Environment
LP32 – Flood and Water Management
LP57 - Residential site allocations in Parson Drove

7.5. **Parson Drove Neighbourhood Plan**

Policy 1 – Housing Growth

Policy 2 – Scale of Housing Development

Policy 5 – Road and Pedestrian Safety

8 KEY ISSUES

- **Principle of Development**
- **Visual Impact and Character**
- **Highway Safety**
- **Residential Amenity**
- **Natural Environment**
- **Flood Risk**
- **Other matters**

9 BACKGROUND

9.1. This application is a resubmission of an application that has been refused on two previous occasions.

9.2. The first was a delegated refusal of permission in May 2020 (F/YR21/0233/O), following an earlier informal email indicating that some development on the land may be acceptable.

9.3. Four reasons were given for refusing the above application, which can be summarised as being:

- the impact in relation to the character and appearance of the settlement,
- the lack of support for the scheme from both the community AND the Parish Council in line with the policies of the Neighbourhood Plan,
- the impact of the scheme and its provision in relation to residential amenity, and
- the lack of information to demonstrate an acceptable impact on biodiversity.

- 9.4. Following this, Members refused a subsequent resubmission in their meeting of 30 June 2021. The previous reason for refusal in relation to biodiversity was reconciled through the submission of an acceptable ecological appraisal of the site. Notwithstanding, three reasons for refusing the application remained, including the impact in relation to the character and appearance of the settlement, the lack of support for the scheme in line with the policies of the Neighbourhood Plan, and the impact of the scheme and its provision in relation to residential amenity.

10 ASSESSMENT

Principle of Development

- 10.1. The application site is located beyond the existing built-up extent of the settlement of Parson Drove on the south side of Main Road, beyond the development access from Ingham Hall Gardens, which was itself a backland development scheme.
- 10.2. Parson Drove is identified within the Fenland Local Plan as a Limited Growth Village, and policy LP3 notes that for such settlements, *“a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability, but less than would be appropriate in a Growth Village. Such development may be appropriate as a small village extension”*.
- 10.3. The application site is also located on Grade 2 agricultural land. Policy LP12 (i) of the Fenland Local Plan requires development to not result in the loss of high grade agricultural land. The National Planning Policy Framework notes at footnote 58 of paragraph 175 that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. The NPPF defines the “Best and most versatile agricultural land” as land in grades 1, 2 and 3a of the Agricultural Land Classification. Having regard to the wider classification of land across the District, it is noted that the significant majority of land within Fenland falls within these grades and it would therefore not be possible for Fenland to achieve its housing targets without development on such land. Notwithstanding, the application site is not considered to comprise an area of such size as to be considered ‘significant’ with regard to paragraph 175 of the National Planning Policy Framework.
- 10.4. Paragraph 14 of the National Planning Policy Framework (2019) makes it clear that the adverse impact of allowing a development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh its benefits, provided that neighbourhood plan is up to date, contains policies to allow the settlement to meet its identified housing requirement, has a 3-year supply of deliverable sites and housing delivery is at least 45% of that required over a 3-year period.
- 10.5. With regard to the scale of development noted above, the Parson Drove Neighbourhood Plan (adopted 2020) states at Policy 2: Scale of Housing Development, that *“sites proposing 5 or more dwellings may be considered appropriate where: the proposal is accompanied by clear demonstrable evidence of positive community support for the scheme generated via a*

thorough and proportionate pre-application community consultation exercise; and it is supported by the Parish Council".

- 10.6. The application attempts to address earlier reasons for refusal by including a Community Involvement Report, which concludes that at public exhibition *"69.7% of completed forms were in favour of some form of development of which 68.4% were in favour of the nine dwellings with a community enhancement."*
- 10.7. Whilst these figures may constitute evidence of positive community support for the scheme as a majority percentage of respondents to the applicant's consultation appear to be in favour of development at the site. The public consultation undertaken as part of the application process indicates that public opinion on the proposal is divided, with those most directly affected by the proposals being the most opposed to the scheme. In addition, comments received from Parson Drove Parish Council are particularly relevant in determining if the scheme accords with the Neighbourhood Plan as it is a requirement within the policy that Parish Council support is obtained.
- 10.8. The Parish Council have reviewed the submitted documents and resolved to recommend refusal of the proposal. The Parish Council considered that, in respect of the submitted Community Involvement Report and the application's compliance with the Neighbourhood Plan, that the offer of a £50,000 community enhancement payment *"will have influenced a large number of parishioners who indicated their support"*, in particular they note *"there is no formal agreement in yet in place"* to enable the Parish Council to accept this enhancement payment. It should be noted that there is no legal recourse for the LPA or Parish Council to mandate this payment from the applicant, and as such consideration of the scheme must disregard this proposition.
- 10.9. Accordingly, the earlier reason for refusal in respect of the non-compliance with Policy 2 of the Parson Drove Neighbourhood Plan (adopted 2020), must remain.
- 10.10. With regard to the consultation draft to of the emerging Local Plan, the site forms part of a larger site allocation for wholesale development of up to 30 dwellings (Policy LP57). However, it should be noted that in the Draft Local Plan Consultation: Report on Key Issues Raised (May 2023) this site allocation has been actively objected to by Parson Drove Parish Council for very similar reasons to that of their objection to this application specifically. Concerns are raised that the site as a whole would impact on the open countryside, has flood risk issues, and would have major impact on the shape and form of Parson Drove. Accordingly, given the outstanding objections to this policy, it may be such that this site allocation may not come to fruition within any adopted version of the new local plan. Notwithstanding, given the very early stage which the emerging Local Plan is 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.

- 10.11. However, the principle of the proposal is not opposed by the relevant policies of the current Fenland Local Plan, and consideration must be given to the specific impacts as detailed below.

Visual Impact and Character

- 10.12. Policy LP12 of the Fenland Local Plan (2014) addresses the matter of development within or adjacent to villages under Part A of that policy, noting that development will be supported where it does not harm the wide open character of the countryside, alongside a set of other criteria. These include (as relevant to matters of visual impact and character) the proposal not having an adverse impact on the character and appearance of the surrounding countryside and farmland, being of a scale and in a location that is in keeping with the core shape and form of the settlement, not harming its character and appearance, not extending linear features of the settlement, and retaining natural boundaries of the site.
- 10.13. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.
- 10.14. The Design and Access statement with regard to the matter of visual impact indicates that the applicant would be willing to accept a condition requiring a landscaping scheme around the perimeter of the site to soften its appearance.
- 10.15. Parson Drove is identified in the settlement hierarchy of the Fenland Local Plan (2014) as a Limited Growth Village and is of a distinctive linear character. There are only limited exceptions to this character, with Ingham Hall Gardens being a backland development itself that took place on former garden land (as the name suggests).
- 10.16. The southern boundary of the existing properties located along Brewery Close and Ingham Hall Gardens creates a strong boundary with the countryside for the present extent of the village, with these properties also being the most southerly projection of the village along the Main Road. There is an informal access to the rear of 22 Ingham Hall Gardens however with this exception, the land that is the subject of the planning application is distinctive in its own right due to its openness. This character is notably visible not only from the immediate vicinity of the site, but also on the approach to Parson Drove from the south west along Murrow Bank, with the existing single-storey dwellings on Brewery Close being visible from some distance across the open agricultural land in that direction.
- 10.17. Notwithstanding the potential for the inclusion of a landscaping scheme surrounding the proposed site, the encroachment of the built form of the village into the agricultural landscape to the south of the settlement in this location would have a detrimental impact on the appearance and character of the settlement in this regard, introducing a domestic appearance and

features into what is currently a comparatively open aspect dominated by agricultural land. Landscaping may mitigate this to an extent, however it would take a significant amount of time to establish and would still result in an obvious visual intrusion of the built form into the countryside surrounding the village, which would set an unacceptable precedent.

- 10.18. In character terms, the proposal is located on a backland site, which is located beyond an existing development that was itself in a backland location. Whilst the policies of the Local Plan do not preclude backland development per-se, Parson Drove is particularly distinctive within the immediate vicinity and within the wider setting of the district as a settlement with extremely limited backland development and a very strong character of linear, frontage development along Main Road.
- 10.19. The locational circumstances and countryside character of the site have not changed since the earlier refusals of the scheme. Accordingly, the nature of the proposed site is therefore considered to remain contrary to that established character and would result in harm to the character of the settlement and the surrounding area contrary to policies LP12 and LP16 of the Fenland Local Plan (2014) and as such, the earlier reason for refusal pertaining to character harm has not been reconciled.

Highway Safety

- 10.20. Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. Appendix A of the Fenland Local Plan sets out the parking standards associated with development proposals, noting that for properties of up to three bedrooms, two parking spaces are required, and for properties of four bedrooms or more, provision of three spaces is required.
- 10.21. The proposal is for the dwellings to be accessed via the existing highway known as Ingham Hall Gardens, with the new road joining the existing surface where it terminates at the entrance to a treatment plant to the east of the site. It is noted however that the road in this location however is currently not publicly adopted. The application site does extend out to meet the edge of the adopted highway, however ownership certificate A is signed as part of the application forms, indicating that the entire site is within the applicant's ownership. This matter would need to be clarified should members be minded to grant planning permission.
- 10.22. The proposed plans show a carriageway 5.5m wide allowing for two-way vehicle flow, with a 1.8m footpath to either side of the new carriageway. The comments of the highways authority note however that the existing estate road is not to an adoptable standard, and should members be minded to grant planning permission in its current format then the road would remain in private ownership and consideration should be given to on-site turning provision, bin collection arrangements and street lighting, maintenance etc.
- 10.23. The Highways Authority however confirm that there are no highway safety objections to the proposal if the road is to remain in private ownership.

- 10.24. Consideration must therefore be given to the impact of granting consent for up to nine dwellings from a private access and whether or not that is acceptable in planning terms. This is discussed further in the section below titled Residential Amenity.

Residential Amenity

- 10.25. Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal, with the guideline for non-flat development being one third of the plot area.
- 10.26. There are several elements to the impact of the proposal on the residential amenity of both the proposed dwellings and the existing properties in the area. In respect of these matters, it is noted that the application is made in outline with only access committed for approval at this time and therefore specific impacts regarding overlooking etc are not considered in detail at this stage. The indicative layout plan submitted alongside the application is relevant however in establishing whether or not it is possible for the proposal to meet the required standards in respect of amenity impacts prior to submission of reserved matters.
- 10.27. The scheme indicates that up to nine dwellings are proposed to be located on the land. Whilst this figure is a maximum for consideration at this stage, it must be assessed on the basis that nine properties will be constructed on the land, unless a condition is imposed on any permission granted restricting it to fewer than that figure. All matters relating to residential amenity must therefore be considered on the basis of an additional nine dwellings at this point.
- 10.28. Sewage Treatment Plant/Drainage Issues
Any proposals to replace the existing sewage treatment plant as part of the development are not considered material to the proposed application for the following reasons.
- The application if approved would be required to make appropriate provision for foul sewage treatment for the new dwellings. If the existing system is incapable of accommodating the flow from the proposed dwellings then it would be required to be upgraded.
 - The existing dwellings already have foul sewage treatment provision. The residents association has confirmed the existing system is not nearing the end of its lifetime and that accommodation is being made for its replacement when necessary.
 - The proposal cannot therefore be considered to be a benefit to the existing dwellings that would mitigate harm caused by the development.
- 10.29. Traffic Increases
The first of the matters relevant to consideration in respect of residential amenity relates to the impacts of the use of the site as a matter of principle, and the increased impacts arising as a result of a further nine dwellings being accessed along Ingham Hall Gardens. This results in greater impacts on all the properties currently accessed on the existing development through

an increase in traffic using the access road. In particular, this will impact most significantly on those properties located directly opposite the access roads, specifically 14 and 37 Ingham Hall Gardens due to headlights of vehicles accessing the site, and those properties flanking the access road, with 28 and 30 Main Road experiencing the greatest impact due to their rear gardens being located directly adjacent to the access road. The increase in traffic along these parts of Ingham Hall Gardens will result in a loss of amenity levels within the identified properties in particular, and a likely loss of amenity to a lesser extent in other dwellings along Ingham Hall Gardens for the same reason.

10.30. Privacy and amenity levels within adjoining gardens

The properties along the southern side of Ingham Hall Gardens will also now experience a loss of amenity levels due to the southern boundary of their properties adjoining the rear gardens of the plots identified as 1-5 on the indicative site plan. The control available over the scale of the proposed dwellings on the land mean that it is unlikely that they would experience a loss of privacy as a result of the proposals. The noise impacts of residential dwellings being located adjacent to their gardens would not be sufficient to justify refusal on the grounds of amenity impact, in particular since the affected gardens are already flanked by other residential gardens due to the layout of the Ingham Hall Gardens estate.

10.31. Impacts relating to landscaping along the northern boundary of the site to as shown on the indicative plan may result in loss of light or outlook for dwellings to the north. However, landscaping is a reserved matter that is not submitted for approval at this stage and as a result, it is within the control of the later reserved matters to ensure that any boundary planting in this location is acceptable in regards to impact on neighbouring amenity, specifically that the planting proposals do not result in the use of species that are not appropriate for use within residential gardens due to their mature height.

10.32. Bin collection

Finally, and as noted earlier, the limitation of the access road to the properties being of a private nature as the road is not adoptable will result in several amenity impacts. Private driveways are normally limited to serving no more than five dwellings, not least of which is due to the requirement for bin collections from the properties to take place adjacent to an adopted highway. This would result in a potential requirement for the dwellings at plots 5 and 6 a distance in the region of 150m for collection. This would not constitute the high levels of residential amenity required by policy LP2 and would be in contravention of the RECAP Waste Management Design Guide (2012).

10.33. The D&A Statement accompanying the application indicates that the intention is to provide an indemnity to allow waste collection vehicles to enter the application site for the purposes of waste collection, which may overcome that aspect of the consideration of the proposal in residential amenity terms, however no such agreement is put forward for consideration at this time. This would therefore need to be secured by planning condition if the application is recommended for approval, or should form part of a reason

for refusal if the application is not supported, to ensure that it is considered appropriate during the course of any appeal that may be made on the site.

Conclusion

- 10.34. Given the above, the residential amenity impacts from the likely traffic generation and potential bin drag distances are considered to result in unacceptable residential amenity impacts contrary to policies LP2 and LP16 of the Fenland Local Plan (2014). Accordingly, the earlier reason for refusal pertaining to amenity has not been reconciled.

Natural Environment

- 10.35. Policy LP19 of the Fenland Local Plan (2014) states that the Council will conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland, protecting designated sites, refusing permission for developments that cause demonstrable harm to a protected habitat or species, and ensure opportunities are taken to incorporate beneficial features into new developments.
- 10.36. The application is accompanied by an updated ecological appraisal of the site undertaken by Philip Parker Associates Ltd. This report includes a preliminary assessment of the site including a habitat survey, an assessment of the proposed works on species present on the site and a mitigation strategy in relation to the impacts of the proposals on protected species. None of the information included in the report indicates that the scheme would be unacceptable from an ecological perspective.

Flood Risk

- 10.37. The majority of the application site is located within Flood Zone 1. A small portion of the site is located within flood zones 2 and 3 however none it would not be necessary to locate any of the built development within these parts of the site. On that basis, and subject to compliance with the recommendations made within section 6 of the accompanying Flood Risk Assessment, it is considered that the scheme is acceptable from a flooding and flood risk perspective.

Other matters

- 10.38. Lack of Public Transport.
Concern is raised by local residents regarding the lack of public transport. This may be the case, however the village is classified as a Limited Growth village where an amount of development is considered acceptable, therefore the lack of public transport is not considered acceptable grounds for the refusal of the application.
- 10.39. Impact on views.
The loss of a view is not a material consideration in relation to the determination of a planning application.

11 CONCLUSIONS

- 11.1 The application proposals have seen no significant amendment in relation to the previous refusals of applications for residential development on the site. The current proposal is accompanied by a Community Involvement

Statement which seeks to overcome a previous reason for refusal, however the sustained objection by the Parish Council in respect of the scheme negates any justification for removal of this reason. In addition, it is considered that the impact of the proposal on the character and appearance of the area remain unchanged.

- 11.2 The proposed monetary contribution to the Parish is noted, however there is no legal recourse available to the LPA or Parish council to mandate this payment, and thus it must form a material consideration in respect of this application. In addition, any stated intention to upgrade the existing sewage treatment plant in this part of the village is noted, but this does not constitute a material factor in favour of the development as appropriate management of the existing system is in place and the additional load as a result of the proposed development would need to be accommodated regardless of the state of the existing system. The amenity impacts in relation to the proposal remain the same as previously considered.
- 11.3 Accordingly, the scheme is recommended for refusal by virtue of the impact in relation to the character and appearance of the settlement, the lack of support for the scheme in line with the relevant policies of the Parson Drove Neighbourhood Plan, and the impact of the scheme and its provision in relation to residential amenity.
- 11.4 Committee should note the absence of any change in planning circumstances in relation to the current scheme and associated reasons for refusal proposed and the previously refused application. Committee's notice is therefore brought to the Planning Code of Conduct in relation to consistent decision making where there have been no changes in planning circumstance.

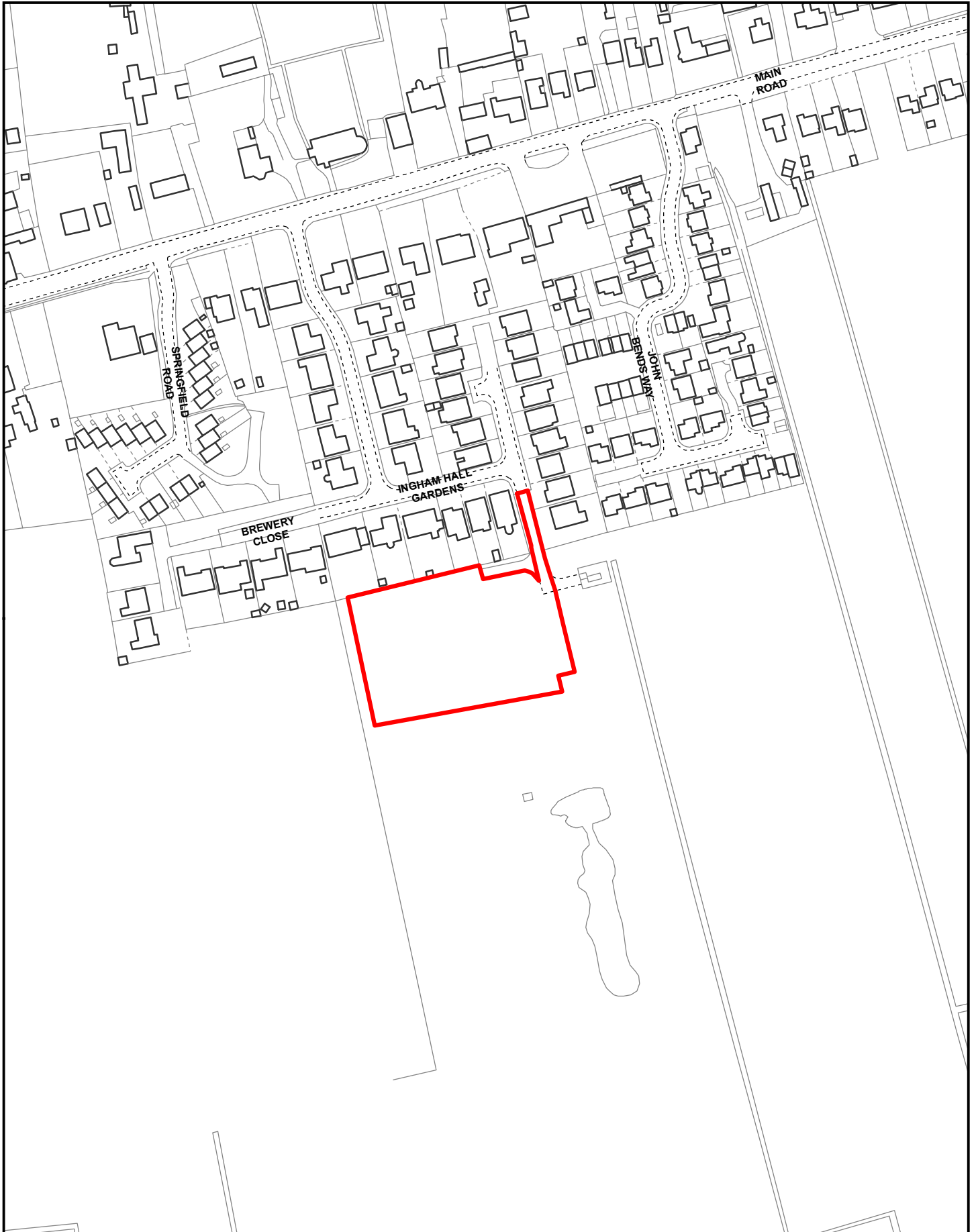
12 RECOMMENDATION

Refuse, for the following reasons;

Reasons

1	<p>Character Harm</p> <p>Policy LP12 of the Fenland Local Plan 2014 seeks to ensure that development does not result in an adverse impact on the character and appearance of the surrounding countryside and policy LP16 seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area whilst enhancing its setting and responding to the character of the local built form, and not adversely impacting on the street scene.</p> <p>The development proposal for 9 dwellings is considered out of character with the prevailing linear form of development in Parson Drove and will result in an incursion into the open countryside that will have a detrimental impact on the character and appearance of the settlement by extending the non-linear development in a position that is notable on the approach into the village.</p>
---	--

	The development is therefore considered contrary to Policies LP12 and LP16 of the Fenland Local Plan 2014.
2	<p>PD Neighbourhood Plan</p> <p>Policy 2 of the Parson Drove Neighbourhood Plan (adopted 2020) considers that development of more than 5 dwellings should have the support of the local community and also the Parson Drove Parish Council.</p> <p>Notwithstanding the evidence submitted within the Community Involvement Report, the development application has generated a number of local objections together with an objection from the Parish Council. It is therefore considered that the proposal fails to comply with Policy 2 of the Parson Drove Neighbourhood Plan (adopted 2020).</p>
3	<p>Amenity</p> <p>Policy LP2 of the Fenland Local Plan 2014 requires proposals to promote high levels of residential amenity while policy LP16 requires the proposal to not have an unacceptable impact on neighbouring amenity. The proposal would result in a significant increase in the amount of traffic using Ingham Hall Gardens, and the additional traffic would result in adverse impact on the residential amenity of several properties on Ingham Hall Gardens/Main Road. The proposed properties would also fail to meet the requirement in policy LP2 of providing high levels of residential amenity due to the distance they are located from the nearest Waste/Recycling point on Ingham Hall Gardens and the requirement for residents to move their waste/recycling bins to that point. The proposal would therefore be contrary to policies LP2 and LP16 of the Fenland Local Plan.</p>



Created on: 25/10/2023

© Crown Copyright and database
rights 2023 Ordnance Survey 10023778

F/YR23/0852/O

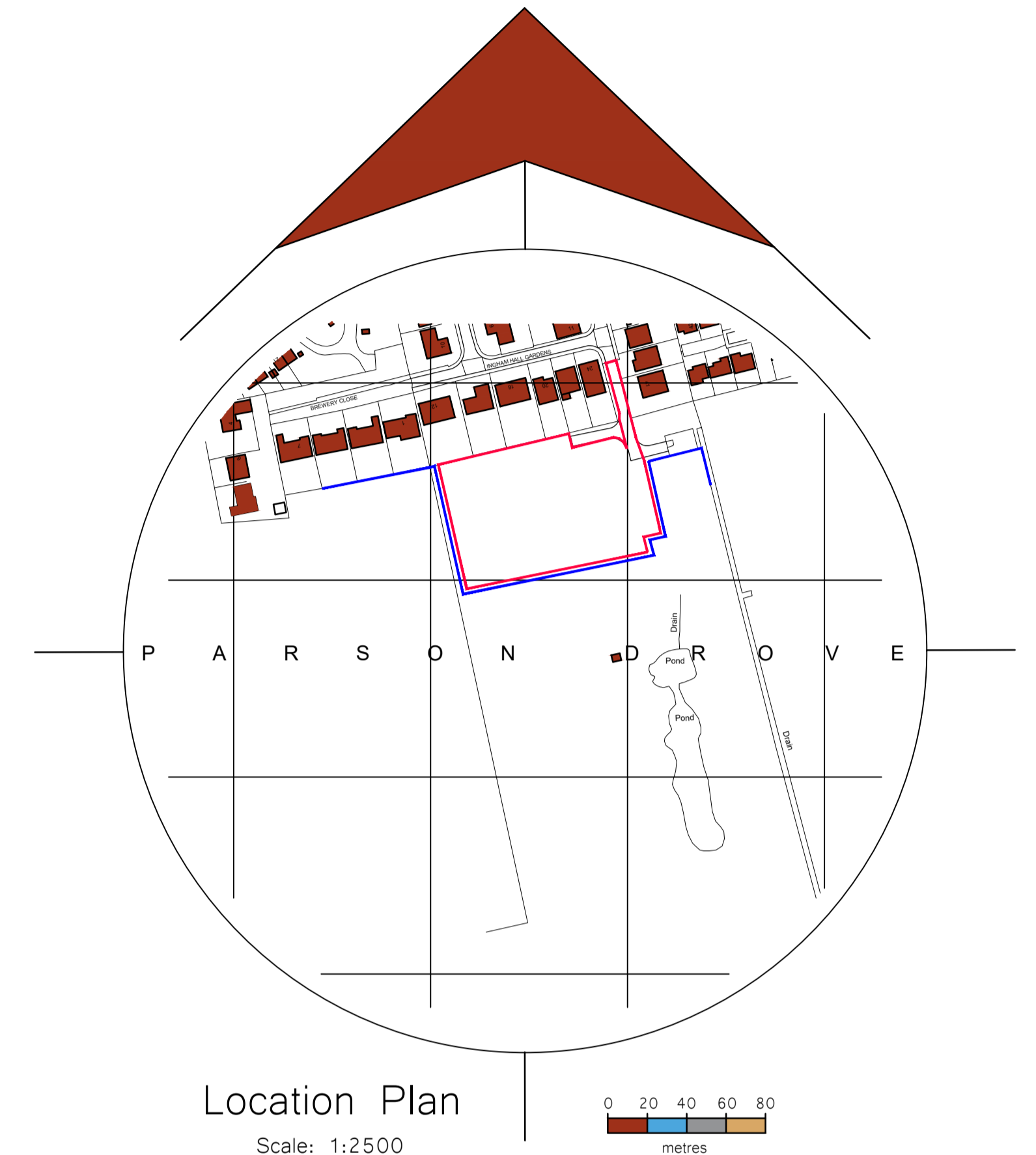
Scale = 1:2,500



General Notes
 1. All dimensions are shown in 'mm' unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers attention.

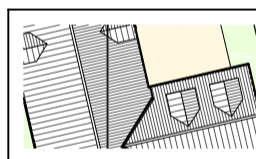
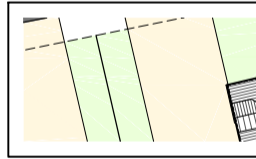
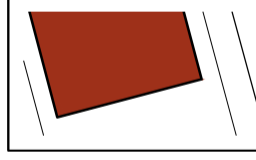
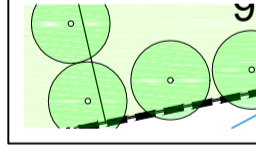
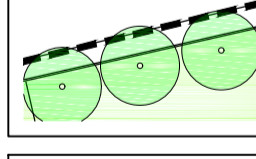
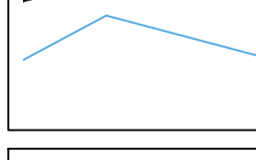
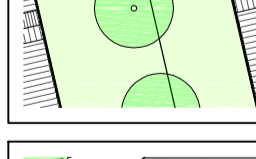
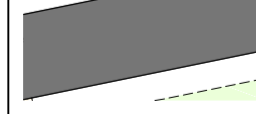


Indicative Site Plan
 Scale: 1:500



Location Plan
 Scale: 1:2500

SITE PLAN KEY

-  Indicates proposed dwellings
-  Indicates parking spaces and access
-  Indicates existing neighbouring dwellings
-  Indicates proposed trees
-  Indicates proposed site boundary
-  Indicates line of flood zone 2
-  Indicates grassed areas
-  Indicates adoptable standard road with service strip

Status
FOR APPROVAL

SWANN EDWARDS
 ARCHITECTURE
 Swann Edwards Architecture Limited, Fen Road,
 Guyhirn, Wisbech, Cambs, PE13 4AA
 t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title	Date	Scale
Proposed Residential Development Ingham Hall Gardens Parson Drove, Wisbech, Cambs for: Mrs G Bellamy	August 2023	Various Sheet Size A1
Drawing Title	Job No.	Drawn by
Outline Planning Drawing Site & Location Plans	SE-1870	G.E.
	Dwg No.	Revision
	PP-1000	