

---

**F/YR23/0856/O**

**Applicant: Mr M Taylor**

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

**Land South Of 129, Knights End Road, March, Cambridgeshire**

**Erect up to 5 x dwellings (outline application with all matters reserved)**

**Officer recommendation: Refuse**

**Reason for Committee: Town Council recommendation and number of representations contrary to officer recommendation**

---

## **1 EXECUTIVE SUMMARY**

- 1.1. This application seeks outline planning permission for the erection of up to 5 dwellings on an area of undeveloped garden land situated to the south of No.129 Knights End Road and spanning east behind Nos.125 and 123 Knights End Road. The application is made with all matters reserved for later approval.
- 1.2. On the basis of the consideration of the issues of this application, conflict arises through the principle of the development of the site rather than as a result of matters that could be addressed at the design stage, and as such it is concluded that the application is contrary to the relevant planning policies of the development plan, with respect to the potential to prejudice the delivery of a BCP for the south-west March broad location for growth (LP7 & LP9).
- 1.3. Furthermore, development at this site would be an unacceptable encroachment into the countryside at detriment to the rural character of the area by virtue of backland development in contravention of Policy LP12 and Policy LP16(d). In addition, owing to the lack of evidence to the contrary, it is considered that the principle of providing safe and convenient access may be unachievable at the site, thus the proposal does not comply with Policy LP15. Given the lack of demonstrable evidence that the development will not detrimentally impact biodiversity at the site, the scheme is also considered contrary to Policy LP19. Moreover, by virtue of a lack of demonstrable evidence in respect of the potential impact of the nearby A141 on future occupier amenity with respect to noise, the scheme is considered contrary to Policies LP2 and LP16.
- 1.4. Therefore, following in the below assessment, the application is recommended for refusal.

## 2 SITE DESCRIPTION

- 2.1. Located in Flood Zone 1, the application site is land associated with the host dwelling No.129 Knights End Road. The main part of the site comprises an area of maintained grassland with some mature trees, situated to the south of the host dwelling and spanning east behind Nos. 125 and 123 Knights End Road.
- 2.2. The land is used as garden space for the host dwelling and is bounded to the east, west and south by mature vegetation. To the north is the host dwelling and detached garage, with 1.8m fencing bounding the site from Nos. 125 and 123 Knights End Road.

## 3 PROPOSAL

- 3.1. This application seeks outline planning approval with all matters reserved for the erection of up to 5 dwellings. The indicative site plan submitted shows an access road leading from the existing dwelling access crossing west across the front of the site and turning south (forming the western boundary of the development) leading to a proposed development of 5 detached dwellings with garages with associated access, amenity spaces, parking and turning head.
- 3.2. Full plans and associated documents for this application can be found at: [F/YR23/0856/O | Erect up to 5 x dwellings \(outline application with all matters reserved\) | Land South Of 129 Knights End Road March Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/Planning/23/0856/O)

## 4 SITE PLANNING HISTORY

---

23/0028/PREAPP	Erect 5x dwellings	Not Favourable 22.05.2023
----------------	--------------------	------------------------------

---

## 5 CONSULTATIONS

### 5.1. March Town Council

*Recommendation; Approval subject to comments/recommendations from Highways and Anglian Water that existing infrastructure is sufficient.*

### 5.2. Cambridgeshire County Council Highways Authority

*Upon reviewing the plans and information submitted for this application, I have no objection in principle, however the following should be considered if this application gains benefit of planning permission.*

*Whilst I do not object to this application, I note there is currently no safe way of accessing this development for pedestrians. As part of these proposals, I would recommend a footway is provided which connects to the existing infrastructure to the east.*

*It is unclear whether the access can achieve the necessary visibility of 2.4m x 43m. Please include said visibility splays on plan reference: PP1000*

*The access will need to be a minimum of 5m wide, whilst this is clearly achievable, this may result in the removal of a tree.*

*The red line boundary shown within the location plan on plan reference: PP1000 will need to be amended to encompass any visibility splays or required widening.*

*I note the design and access statement suggests the collection of bins from the frontage of the properties. Should the currently layout be taken forward, the radii and width arrangements may need to be enhanced to allow for refuse vehicle access.*

### **5.3. FDC Environmental Health**

*The environmental health team does not object to the principle of the application and would like to make the following observations.*

#### *Air Quality*

*Fenland District Council monitors air quality using No2 diffusion tubes in close proximity to this application site. The national air quality objective level for No2 has been met in this location.*

#### *Contaminated Land*

*The environmental health team have no records that this site has had a previous land use that suggests the site may have been left in a contaminated state.*

#### *Noise*

*Due to the close proximity of the A141 Isle of Ely Way, a robust noise impact assessment needs to be submitted for our consideration to determine the extent of how road traffic noise is expected to impact on the internal and external amenity areas of the proposed dwellings in line with relevant nationally recognised standards. The associated report will also be required to include suitable noise mitigation measures.*

### **5.4. FDC Arboricultural Officer**

*Viewing the indicative layout would suggest a significant loss of boundary vegetation along the east, west and south boundaries. This is likely overgrown hedging and may have ecological value as well as the obvious screening,*

*We require an arboricultural impact assessment to fully see the actual impact. The proposed loss of trees does not initially appear too significant particularly given the volume of proposed new planting.*

*The applicant will need to supply more information on proposed removals and methodology for the construction of the access roads as they appear to be close to retained trees.*

### **5.5. Local Residents/Interested Parties**

#### *Objectors*

*The Council received 16 letters of objection to the scheme, from 9 address points: 7 on Knights End Road itself, one from Cavalry Park and one from Grange Road (both within an adjacent ward).*

*The reasons for objection can be summarised as:*

- *Highway safety concerns with access so close to bypass;*

- Concerns over increased traffic;
- No pavements proposed with development;
- Over development;
- Noise from A141 will cause amenity issues;
- Development will change the character of the area;
- Backland development;
- Insufficient infrastructure;
- Residential amenity impacts;
- Wildlife/Environmental concerns;
- Drainage concerns; and
- Concerns over damage to nearby buildings; property devaluation.

### Supporters

The Council received 11 letters of support for the scheme, from 9 address points: one from Gaul Road (within the same ward), with the rest from adjacent wards including addresses within other areas of March (Creek Road, Eastwood Ave, Wherry Close, Elwyn Rd, Plover Drive, Peterhouse Crescent) and Wimblington (New Woods Drive).

The reasons for supporting the scheme can be summarised as:

- Bespoke development (not a 'volume developer');
- Development will allow local employment;
- Dwellings will contribute to housing shortage;
- No loss of agricultural land;
- Will contribute to the future of March;
- Consistent with March Neighbourhood Plan;
- No significant traffic impact;
- In keeping with surroundings;
- Small scale development;
- In flood zone 1;
- No ecological impacts;
- No residential amenity impacts; and
- Safe access is provided.

## **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) Sept 2023**

Para. 2 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 11 - Presumption in favour of sustainable development.

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

Para. 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para 111 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para. 130 - Planning policies and decisions should ensure high quality development.

Para. 174 - Planning policies and decisions should contribute to and enhance the natural and local environment.

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

Determining a Planning Application

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

Context

Identity

Built Form

Movement

Nature

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

LP7 – Urban Extensions

LP9 – March

LP15 – Facilitating the Creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments across the District

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

LP5 – Health and Wellbeing

LP7 – Design

LP8 – Amenity Provision

LP20 – Accessibility and Transport  
LP22 – Parking Provision  
LP24 – Natural Environment  
LP27 – Trees and Planting  
LP28 – Landscape

7.6. **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

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

7.7. **March Neighbourhood Plan 2017**

H1 – Large Development Sites  
H2 – Windfall Development

## 8 **KEY ISSUES**

- **Principle of Development**
- **Other Matters**
  - Character and appearance
  - Highway Safety/Access/Parking
  - Ecology and biodiversity
  - Residential Amenity
  - Flooding and flood risk
  - Additional considerations

## 9 **BACKGROUND**

- 9.1. The application was preceded by a pre-application enquiry for the erection of 5 dwellings at the site in May 2023. The enquiry included a similar proposed layout to the current application, albeit the dwellings proposed within the pre-application enquiry appeared larger in scale to those proposed now.
- 9.2. The enquiry was considered to be not favourable given that development of the site would constitute backland development, which was incongruous with the existing settlement pattern and would result in the detriment of the character and appearance of the area, the potential for highway safety issues and issues relating to the servicing of the site (such as with regard to waste disposal).

## 10 **ASSESSMENT**

### **Principle of Development**

- 10.1. March is identified as a Market Town in the settlement hierarchy outlined in Policy LP3 where the majority of development should be directed.
- 10.2. Policy 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 south-west March (in which the application site lies) as being a broad location for growth, expecting to accommodate around 500 dwellings, along with some business development. Policy LP7 identifies the importance of planning and implementing these locations for growth in a

coordinated way, through an overarching Broad Concept Plan (BCP) that is linked to the timely delivery of key infrastructure. The policy 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.

- 10.3. A BCP for the area has not yet been advanced and as such piecemeal development of the site has the potential to prevent proper planning and coordination of development of the broad location for growth on a wholesale basis in the spirit of Policy LP7 and should therefore be refused.
- 10.4. Policy LP9 sets out the clear development intentions for the south-west March broad location for growth stipulating that noise and landscape mitigation measures should be provided along the A141 as appropriate. The indicative site arrangement includes the access road to the western edge, and to the southern part of the site, at its nearest point, the access road is indicated to be positioned approximately 5.8m from the A141 to the west. As such, this is unlikely to offer sufficient space to provide the necessary noise and landscaping mitigation as required by Policy LP9.
- 10.5. Furthermore, Policies LP7 & LP9 are supported by a corresponding policy within the March Neighbourhood Plan, Policy H1, which states “*Development within the above allocated sites must accord with the policies in the Fenland Local Plan (especially LP7 and LP9)*”.
- 10.6. Given the above, whilst there is no objection in principle to housing within the settlement of March as considered under LP3, the proposal, as situated within a broad location for growth, is likely to prejudice the delivery of a BCP for the area contrary to LP7. In addition, the layout of the scheme is unlikely to enable sufficient amenity mitigation given its proximity to the A141, as required by Policy LP9. As such, the principle of development cannot be supported.

### **Other Matters**

#### Character and appearance

- 10.7. Surrounded by mature trees, the site forms part of the countryside character of a wider triangle of undeveloped (and possible agricultural or paddock) land behind Knights End Road to the north, Linwood Lane to the east and the A141 to the west.
- 10.8. Residential development in the area is limited to frontage development only along Knights End Road to the north. There is no in-depth development to the south within this overall triangle of land behind this existing built form, with the only other development in this land a cluster of agricultural buildings along Linwood Lane approximately 230m east of the site.
- 10.9. Policy LP16 (d) requires development to make a positive contribution to the character of the area, and not adversely impact on the settlement pattern or landscape character of the surrounding area.
- 10.10. The proposal seeks to erect five dwellings on currently undeveloped land rear of Nos. 123-129 Knights End Road. By virtue of the backland nature of the

site, the proposed development would be discordant with the existing core shape and built form of the development along this part of Knights End Road, which is predominately characterised by frontage residential development, save for sporadic outbuildings.

10.11. It is clear that the site, an area of undeveloped garden land, contributes to countryside character behind the frontage development of Knights End Road. The development proposed would see up to five dwellings and associated infrastructure positioned on undeveloped garden land that currently contributes to the distinct and natural character beyond the built form to the south of Knights End Road. Development on this land would bring a distinctly urbanising effect to the detriment of the character and appearance of the area, directly contradicting the current settlement pattern and would arguably create a precedent for further backland development, contrary to the requirements of Policy LP16(d).

10.12. Notwithstanding an acceptable design and layout solution being proffered at Reserved Matters stage, this would not outweigh the policy considerations which would result in any development in this location being viewed as unacceptable backland development contrary to the aforementioned policy.

#### Highway Safety/Access/Parking

10.13. With respect to parking, the indicative site plans submitted suggest that there would likely be appropriate car parking and turning availability for each of the proposed dwellings.

10.14. The access is proposed to be spurred off the existing dwelling's driveway that connects to Knights End Road. The driveway is positioned approximately 50m to the east of the junction between Knights End Road and the A141.

10.15. Comments from the LHA raise no objection to the proposed access in principle, although concern regarding the sustainability of the site was raised given the lack of footpaths and streetlighting to serve users of the development, which is a material consideration in respect of the suitability of the site in general sustainability and pedestrian safety terms.

10.16. Notwithstanding matters of sustainable development, the Highways Authority noted that it was unclear from the submitted drawings that appropriate visibility splays could be achieved. It was also noted that the access would likely require widening to ensure two-way vehicle movement and appropriate access for refuse collection vehicles or emergency services. No evidence is provided to support that the access could achieve the required visibility splays or required radii on the indicative site plan.

10.17. In addition, the intensification of the use of this access to serve a total of 6 dwellings at a distance of 50m from the junction with the A141 should be considered.

10.18. Whilst it is acknowledged that this application is outline with all matters reserved, it is necessary to ensure that the principle of safe access to the proposed development could be achieved, particularly given the substantial intensification to a private access serving only one dwelling at present. As



such, in the absence of suitable evidence to the contrary, the principle of providing safe and convenient access for all may be unachievable at the site, and thus the proposals are not considered to comply Policy LP15 in respect of highway safety.

#### Ecology and biodiversity

- 10.19. The submitted scheme indicates the removal of some of the trees and a significant proportion of the mature boundary vegetation to the southern, eastern and western boundaries. It is noted that some trees and vegetation are due to be retained, however the proposed dwellings and roadway are indicated to be positioned quite close to some retained trees.
- 10.20. Comments from the Arboricultural Officer raise concern that the scheme may result in undue conflicts between the development and any retained trees on the site either during construction or during occupation of the intended dwellings. In addition, the removal of significant areas of mature field hedgerow or vegetation may result in loss of important habitat for birds or other species.
- 10.21. No supporting documentation, such as an Arboricultural Impact Assessment or Preliminary Ecological Impact Assessment were submitted in support of the application. The lack of this information results in uncertainty with respect to the impacts of the development on matters of ecology or biodiversity on the site, including any potential detrimental impacts to protected habitats, species or mature trees/vegetation, inter alia.
- 10.22. It is considered, therefore, that the application has failed to comply with Policy LP19, as it cannot be established that the site can be developed in principle without resulting in unacceptable ecology or biodiversity impacts at the site.

#### Residential Amenity

- 10.23. It would appear from the indicative plans submitted that there would be limited impacts to neighbouring residential amenity as a result of the scheme by way of overlooking, overshadowing overbearing, as such it is likely that the scheme could be compliant with Policy LP16 (e), subject to acceptable details of appearance, landscaping, layout, and scale to be submitted at Reserved Matters stage.
- 10.24. It is noted from the Design and Access statement that it is proposed that an indemnity will be provided to enable Local Authority kerbside refuse collections from outside the proposed dwellings, which would be subject to consideration by the Environmental Services team to ensure its robustness and compliance with Policy LP16 (f). This could be secured by condition to be submitted within any Reserved Matters application.
- 10.25. Concerns have been raised in respect of the impact of traffic noise from the nearby A141 on future occupiers. The impact of noise to residential development and any management and mitigation thereof is specifically required by Policy LP16 (l) of the Fenland Local Plan. At its nearest point, this road is located approximately 12m southwest of the proposed Plot 5, and this proximity may result in unacceptable noise nuisance to at least this dwelling.

10.26. The Environmental Health team do not object to the development in principle, but note that sufficient evidence to satisfy that impacts from noise to the development will be within acceptable limits has not been submitted. Such evidence would be necessary prior to determination of the application to ensure that noise was successfully managed and mitigated in accordance with Policy LP16 (I).

10.27. Accordingly, notwithstanding matters that could be resolved at Reserved Matters stage, the lack of demonstrable evidence in respect of noise management and mitigation at the site is such that the LPA are unable to satisfy that the scheme would be acceptable in principle in respect of residential amenity in accordance with Policy LP16.

#### Flooding and flood risk

10.28. The site falls within Flood Zone 1 (low risk) and issues of surface water disposal will be considered under Building Regulations, as such, there is likely to be no issues to reconcile with regard to Policy LP14.

#### Additional considerations

10.29. Whilst the points of the local residents affected by and objecting to the proposal are noted, issues such as damage to nearby buildings or property devaluation are not a material planning considerations in the determination applications. Concerns over drainage can be overseen under building regulations and by the Drainage Board.

10.30. Economic benefits of the construction of the development are acknowledged, although these would be limited and short-lived given the scale of the proposed development. In addition, whilst it is acknowledged that small-scale developments such as the proposed do help to contribute to the overall sustainability of settlements, the potential impact on the overall deliverability of a wider BCP for the area, which seeks to ensure a sustainable future for the growth of the market town of March in a planned and coordinated manner, should take precedence. It is not considered that the benefits of approval of such a scheme would justify an exception to policy in this case. Notwithstanding, any benefits would be very modest through the introduction of 'up to' 5no. dwellings

## **11 CONCLUSIONS**

11.1. The application site was subject to an earlier pre-application enquiry for a similar sized scheme, which garnered a likely unfavourable response in respect of the possible contraventions of the current Fenland Local Plan.

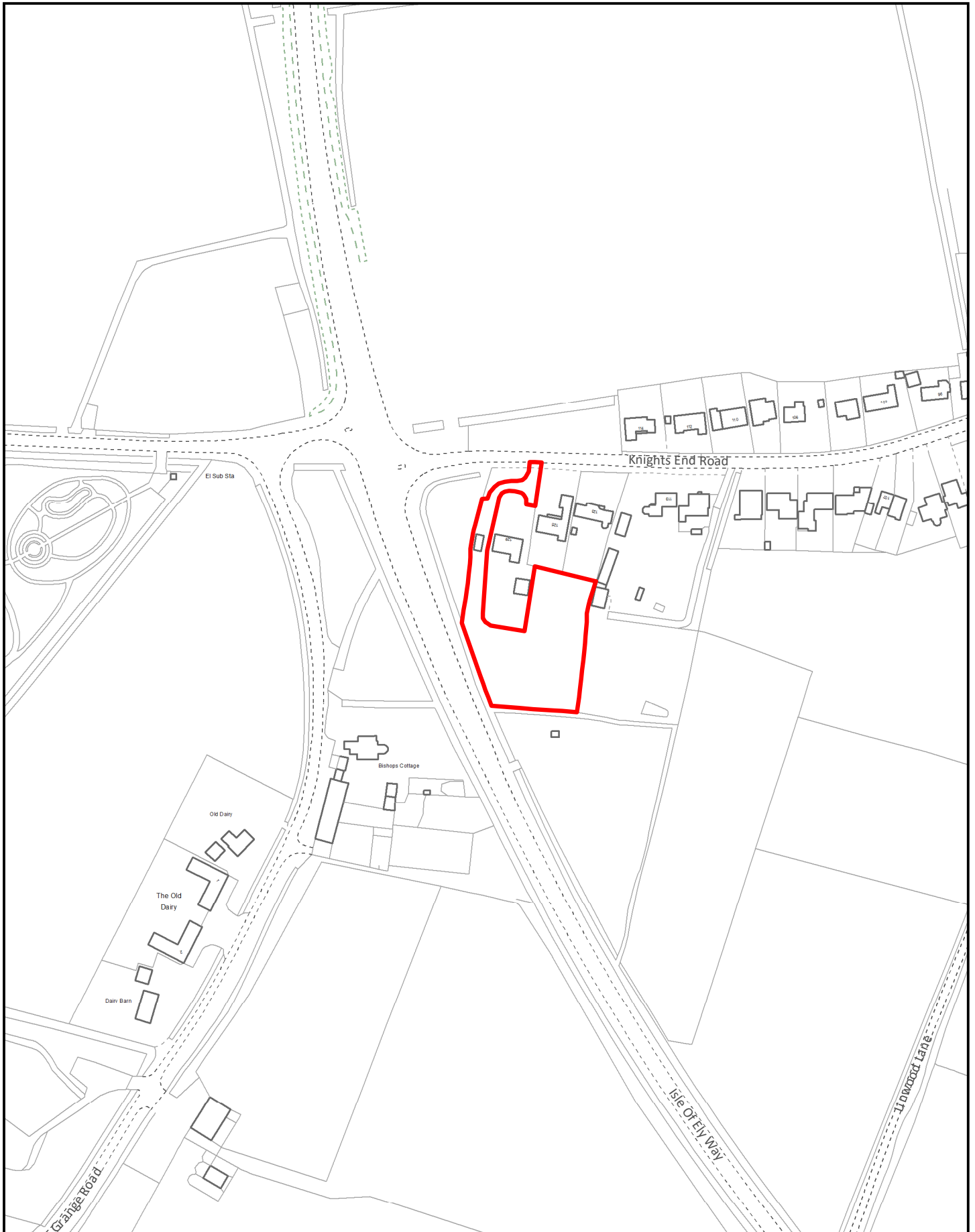
11.2. The above assessment has established that the site is contrary to the policies of the current adopted development plan with respect to the potential to prejudice the delivery of a BCP for the south-west March broad location for growth (LP7 & LP9), impact of the development on the character and appearance of the area by virtue of backland development (LP12 & LP16), concerns over highway safety (LP15), concerns over ecology and biodiversity (LP19) and the potential impact of the nearby A141 on future occupier amenity with respect to noise (LP16). Accordingly, the application must be recommended for refusal.

## 12 RECOMMENDATION

**Refuse**, for the following reasons:

1	<p>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 up to five dwellings within the South-west March broad location for growth. The application site is located in a key position adjacent to the A141, within which development must include landscape and noise mitigation for the wider site as appropriate; such detail has not been included within the proposals. There is no evidence to demonstrate that if granted permission the development of up to five dwellings at the site would not prejudice the delivery of a BCP for the designated growth area 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>
2	<p>Policy LP16 (d) of the Fenland Local Plan (2014) requires development to deliver and protect high quality environments specifying that development should make a positive contribution to the local distinctiveness and character of the area. The development proposed would see up to five dwellings and associated infrastructure positioned on undeveloped garden land that currently contributes to the distinct and natural character beyond the built form to the south of Knights End Road. Development on this land would bring a distinctly urbanising effect to the detriment of the character and appearance of the area, directly contradicting the current settlement pattern and would arguably create a precedent for further backland development, contrary to the requirements of Policy LP16(d).</p>
3	<p>Policy LP15 seeks to support proposals that provide safe and convenient access for all. In the absence of evidence to the contrary, the LPA cannot confidently ascertain that safe access is achievable in respect of providing the required visibility splays relative to the speed of the road within the highway boundary and / or application boundary. Thus, the scheme is contrary to Policy LP15 as has not been substantiated that suitable and safe access to the development can be provided.</p>
4	<p>Policy LP19 seeks to ensure development proposals will conserve, enhance and promote the biodiversity of the natural environment throughout Fenland. Details of the presence of habitats, protected species or biodiversity in or around the site have not been advanced with the application to satisfy that any removal of mature hedgerow or trees at the site will not result unacceptable impacts to biodiversity. Thus, given the lack of demonstrable evidence, the scheme is considered contrary to Policy LP19.</p>

5	<p>Policy LP16 seeks to support development that ensures a high quality environment that does not result in adverse amenity impacts for both neighbouring and future occupiers. In the absence of evidence to the contrary, the LPA cannot confidently ascertain if noise from the adjacent A141 would be within acceptable limits, or if any potential noise nuisance can be adequately managed or mitigated. Thus, the scheme is contrary to Policy LP16 as has not been substantiated that residential amenity for future occupiers will not be compromised.</p>
---	---



Created on: 02/11/2023

© Crown Copyright and database  
rights 2023 Ordnance Survey 10023778

**F/YR23/0856/O**

Scale = 1:2,500

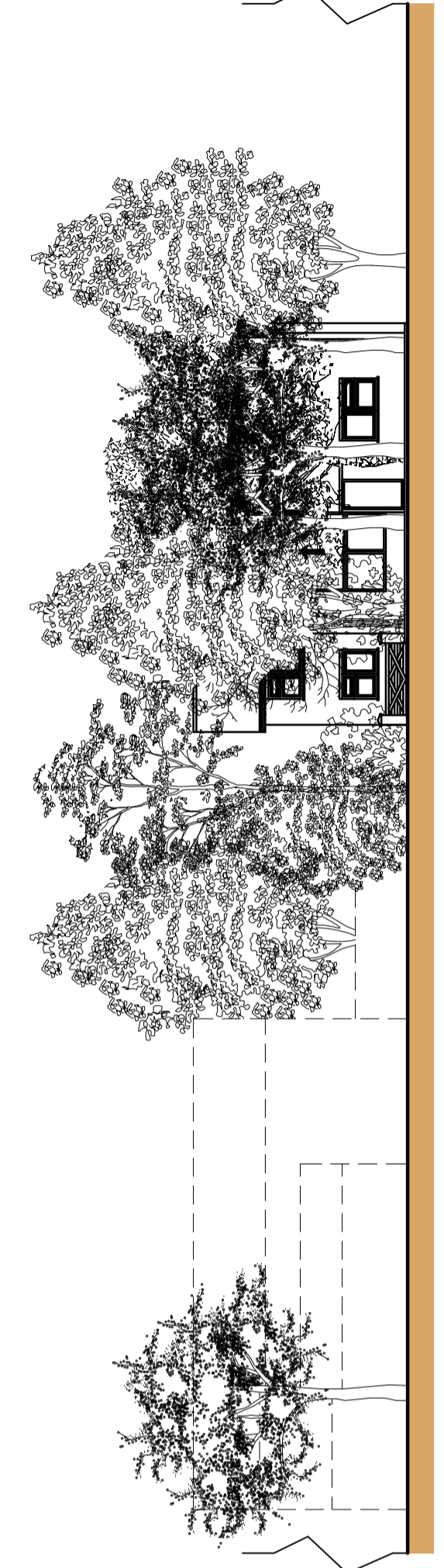


K N I G H T S E N D R O A D

Site Access

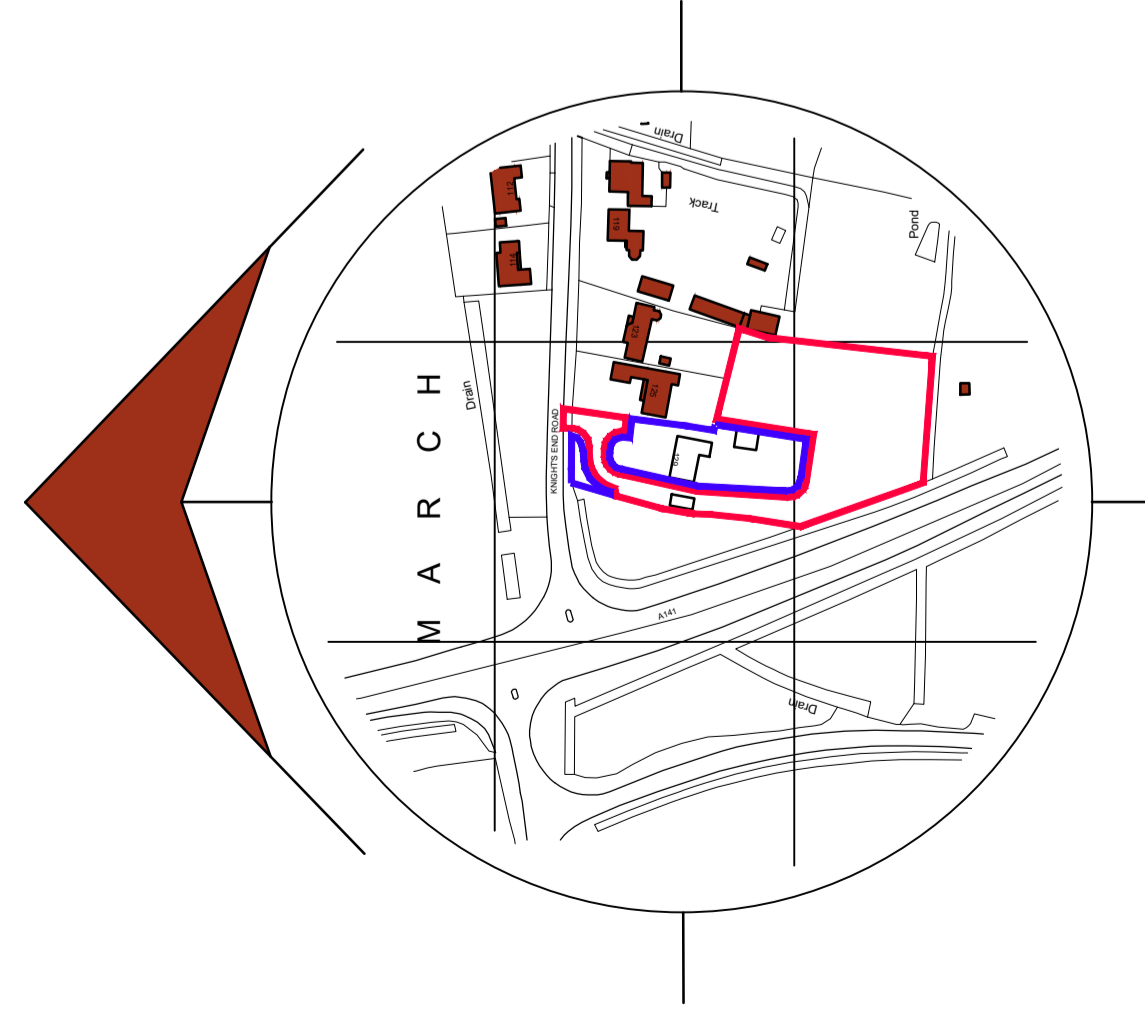


Site Plan  
Scale: 1:200



Street Scene (A-A)  
Scale: 1:200

INDICATIVE LAYOUTS



Location Plan  
Scale: 1:2500

SITE PLAN KEY

	Indicates neighbouring properties taken from OS map
	Indicates existing host property
	Indicates proposed dwellings
	Indicates existing structure to be demolished
	Indicates proposed trees
	Indicates existing hedging and trees
	Indicates proposed permeable road to adoptable standard
	Indicates proposed driveway and parking areas
	Indicates existing site access to be widened and constructed to Cambs CC specification

Status: **FOR APPROVAL**

**SWANN EDWARDS ARCHITECTURE**

Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA  
t 01945 450634 e info@swannedwards.co.uk w www.swannedwards.co.uk

Proposed Residential Development Land to the rear of 129 Knights End Road, March For: Mr M Taylor	Job Title Date September 2023	Drawn by GT Checked by G.E.
Outline Planning Drawing Site and Location Plan	Job No. SE-1956 Dwg No. PP1000	Sheet Size A1 Revision A

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.