
F/YR23/0517/O

**Applicant: Mr J McGarvie
JMC Construction Ltd**

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

Land East Of 13B, Bridge Street, Chatteris, 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 the Officer recommendation.

1 EXECUTIVE SUMMARY

- 1.1. The application seeks is outline planning permission for the construction of up to 9 dwellings on the land with matters committed in respect of access.
- 1.2. The site lies within the settlement of Chatteris and abuts the Chatteris Conservation Area with a section of the site located within the conservation area. The site is also located within Flood Zones 1, 2 and 3.
- 1.3. The historic pastureland on which the proposal is situated is considered to be an important feature, contributing significantly to the setting of the associated listed building (Kent House) and the historic integrity, character and appearance of the conservation area. The proposed development by virtue of its siting would result in the loss of one of the last remaining parcels of open pastureland on the edge of the historic part of the settlement, thereby being significantly detrimental to the setting of the listed building and character and appearance of the conservation area. The proposals would result in a less than substantial level of harm, however this harm would not be outweighed by the public benefit of the provision of 9 additional houses. Overall, it is therefore considered that the proposed development would be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Sections 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.
- 1.4. The proposal includes a new access at the northeastern corner of the site off Lode Way, to facilitate the new access the existing dwelling at 32 Lode Way is to be demolished. Policy LP15 of the Fenland Local Plan 2014 seeks to ensure highway safety within the district. It is evident from the submitted plans, the applicant does control sufficient land to provide adequate visibility at the site access. The proposal therefore is of concern with regard to highway safety, which would be contrary to Policy LP15 of the Fenland Local Plan 2014.
- 1.5. Parts of the site are located within Flood Zone 2 and 3. Paragraph 159 of the NPPF (2021) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk

elsewhere. Similarly, Local Plan Policy LP14 recommends the adoption of the sequential approach to flood risk from all forms of flooding and this is reinforced by the Cambridgeshire Flood and water SPD. For reasons set out within the report, the proposed development is considered to fail the Sequential Test and Exception Test which would be contrary to Local Plan Policy LP14, the SPD and the NPPF.

- 1.6. Overall, the proposed development is considered to be unacceptable, and the recommendation is one of refusal.

2 SITE DESCRIPTION

- 2.1. The site lies within the settlement of Chatteris, the site abuts the Chatteris Conservation Area with a section of the site located within the conservation area. The Grade II Listed Building Kent House is adjoins the site at the eastern boundary. The site is located to the east of Bridge Street and to the south of Lode Way. The application site is a paddock approx. 0.89 hectares in size, two existing stables at the southwestern corner. The site is bound by a mature hedgerow to the north, east and south sides.
- 2.2.
- 2.3. The area surrounding the site is mainly in residential use, with various architectural styles including terraced, semi-detached houses, detached houses and bungalows.
- 2.4. The site is located within Flood Zone 1, 2 and 3. Approximately 20% of the site is within flood zone 3 (east of site and access) and 10% within flood zone 2 with the remainder (the most westerly swathe of the site) falling within flood zone 1.

3 PROPOSAL

- 3.1. The proposal is an outline planning application for the construction of up to 9 dwellings on the land with matters committed in respect of access. A new 5m wide access is proposed at the northeastern corner of the site off Lode Way, to facilitate the new access the existing dwelling at 32 Lode Way is to be demolished. The access would lead to a 6m permeable block paved shared driveway that would run south and then southwest across the site leading to a turning area. A pedestrian crossing is to be constructed within the proposal set back from the highway at Lode Way.
- 3.2. The indicative site layout plan provided in support of the submission details a mix of single storey and two storey dwellings (5 single storey, 3 bed & 4 two storey, 4 bed) each with an accompanying garage and driveway for parking. (8 single garages & 1 double garage).
- 3.3. The existing stables located at the southwestern corner of the site are to be demolished.

Full plans and associated documents for this application can be found at:
[F/YR23/0517/O | Erect up to 9 x dwellings \(outline application with matters committed in respect of access\) | Land East Of 13B Bridge Street Chatteris Cambridgeshire \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

- 4.1. No pertinent planning history.

5 CONSULTATIONS

5.1. Chatteris Town Council (05/07/2023)

Recommend Refusal, existing surface water drainage problems in the area will be exacerbated as a riparian drain has already been lost and caused problems when a development was built in the vicinity in 2004/5. In addition, development will lead to loss of biodiversity. Hedgerows have already been cut down.

5.2. CCC Archaeology (22/06/2023)

Our records indicate that the development sits in an area of archaeological potential, on the peripheries of the medieval to post-medieval core of Chatteris. The historic core to the adjacent west of the development features a number of listed buildings including the adjacent grade II listed Kent House (National Heritage List Entry Reference. 1126010) and the site of a former school house visible on 1st edition OS mapping (Cambridgeshire Historic Environment Record reference MCB22191). Archaeological investigations have been undertaken in the area which has revealed post-medieval buried soils (CHER ref. MCB20085) to the north, and deeply stratified medieval to post-medieval layers to the west (CHER ref. CB15741). To the south-west further medieval acidity was present, as well as post-medieval wall foundations and floors (CHER ref. MCB20072). Earlier activity is known to the north-west where Iron Age activity was overlain by later medieval to post-medieval cultivation (CHER ref. 11898).

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.

A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges

5.3. FDC Environmental Health (03/07/2023)

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

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.

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.

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)

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.

The aforementioned must also be applied to any proposed demolition works.

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.

5.4. Environment Agency (05/07/2023)

We have no objection to this planning application, providing that you have taken into account the Flood Risk considerations which are your responsibility. We have provided additional information below.

Flood Risk

The site is located within the extent of the 'IDB Flood Risk Area', which forms part of our Local Flood Risk Standing Advice (LFRSA) for Fenland District Council. As such, this development falls within the scope of Advice Note 6 of the LFRSA and we have no objections to make on the application.

The Internal Drainage Board should be consulted with regard to flood risk associated with their watercourses and surface water drainage proposals.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to

formally consider the emergency planning and rescue implications of new development in making their decisions.

Sequential and Exception Tests

In accordance with the National Planning Policy Framework (paragraph 162), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.

Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

Advice for the Applicant

Any proposed flood resilient measures should follow current Government Guidance. For more information on flood resilient measures, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings – Flood Resilient Construction, 2007", which is available on the following website: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

The Environment Agency operates a flood warning system for existing properties currently at risk of flooding to enable householders to protect life or take action to manage the effect of flooding on property. Receiving the flood warnings is free; you can choose to receive your flood warning as a telephone message, email, fax or text message. To register your contact details, please call Floodline on 0345 988 1188 or visit <https://www.gov.uk/sign-up-for-flood-warnings>.

Registration to receive flood warnings is not sufficient on its own to act as an evacuation plan. We are unable to comment on evacuation and rescue procedures for developments. Advice should be sought from the emergency services and the Local Authority's emergency planners when producing a flood evacuation plan.

5.5. Historic England (12/07/2023)

Refer to need for views of the Council's conservation and archaeology expert to be sought.

5.6. CCC Highways (24/07/2023)

I note that this is an outline application for which person at this stage is sought for access alone.

The application is unacceptable to the Highway authority for the following reason:

Inadequate visibility.

HDMR 9 *As far as can be determined from the submitted plans, the applicant does not appear to control sufficient land to provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety.*

Reasons for refusal: Highway safety - Para 111 of the NPPF.

Please note below additional observations with regard to this application:

• While the proposed access would appear to achieve suitable visibility to the west for the posted speed limit, that shown to the east (2.4m by 14m) would not be acceptable. While a splay of 2.4m by 33m is also shown, this is across land outside of the applicant's control and is not therefore appropriate as it may not be conditioned with respect to this application. While visibility splays can potentially be reduced in line surveyed actual 85th percentile speeds, it appears unlikely that actual speed on this road will fall below that for which a 14m 'x' distance would be deemed appropriate. Short of obtaining additional land over which visibility could be controlled, it is unclear how the above objection can be overcome.

• It is not appropriate to serve a development of 9 dwellings from a shared private driveway crossing the footway, which may lead to unnecessary conflict between pedestrians and motor vehicles.

This problem may be overcome by construction of an appropriate junction, ideally between 5 and 6m wide, with 6m radii kerbs and footway on either side to a suitable position to cross or transition to a shared surface. It is unclear however whether the applicant owns sufficient land within which to construct the necessary.

It should be noted that the Highway Authority would not normally require a junction to serve a development of 5 dwellings or less.

• The offset distance between the proposed access and Grenadier Drive is approximately 10m centre to centre. This is likely to be insufficient to allow large vehicle such as a refuse freighter to turn between the two junctions without additional manoeuvring within the highway risking conflict with other road users. Such short distance may also create a risk of collision between opposing vehicles turning out of the junction where drivers may have difficulty determining priority and position of the opposing vehicle which is likely to create additional risk of conflict.

While there may be some scope to relax the requirements for junction spacing described section 2.10 of Cambridgeshire Highways Development Management 'General Principle of Development' this problem should ideally be overcome by increasing the distance between junctions.

5.7. CCC Highways (02/02/2024)

Further to the LHA response and recommendation of refusal on highways safety grounds under NPPF 111 (dated 24th July 2023). The LHA's objections and the recommendation of refusal remains.

Whilst the LHA accepts the speed survey results and the junction layout (but not its location). Visibility splays to the East of the access with the highway still cannot be achieved in land under the control of the applicant or within the extent of the highway. Conditions attached to other parties planning permissions and / or land cannot be used to facilitate or secure the required measures for another development, as suggested by the agent. These measures / conditions could be removed, amended or not adhered to at any time, which in this instance would have a negative effect on highways safety. It would also require the LPA to enforce any related conditions as the LHA would have no legal enforceable powers to act to protect the visibility at this junction. Therefore the Inter-vehicle visibility at this junction is below the required standards and not acceptable to the LHA.

The proximity of Grenadier Drive and the proposed staggered junction arrangement has not been addressed. It has not been demonstrated either through

technical design and / or a Road Safety Audit that this would be acceptable to the LPA and LHA and safe for users of the highway and public at large.

Reasons for refusal: Highway safety - Para 111 of the NPPF.

Inadequate visibility

HDMR 9 - As far as can be determined from the submitted plans, the applicant does not appear to control sufficient land to provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety.

5.8. FDC Conservation (23/01/2024)

1. The application seeks to erect up to 9 dwellings on a paddock located to the bottom of Black Horse Lane.

2. Consideration is given to the impact of the proposal on the architectural and historic interests of a listed building (Kent House) with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses, according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area for which the development will form the backdrop of in views along Black Horse Lane. With special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.

4. The heritage statement submitted with the application is poor and inadequately assesses the setting and interest of the land in relation to the GII listed Kent House or the impact on the backdrop and views of an important historic lane that forms part of the Chatteris Conservation Area.

5. The existing site is a positive remnant of the agricultural rural character of the historic town of Chatteris, whereby many of the buildings along Bridge Street would have backed onto expanses of field and paddocks beyond.

6. Chatteris Conservation Area derives its character from its layout, originating from ancient routes and junctions, developing gradually over centuries with a rich mixture of mainly domestic buildings in local materials, with a linear street layout, with narrow alleys that run off these arteries, and a survival along the high street of readable mediaeval burgage plots, in which development has been largely resisted. Once a small market town, surrounded by open, agricultural countryside, it has increased in size, and unsympathetic development throughout the later 20th century and beginning of the 21st century has threatened this fragile authenticity.

7. Historic Maps including the Chatteris Enclosure Map of 1830 and from 1886 show that the plot of land has remained undeveloped for 190 years and therefore very probably for several hundred years before detailed maps were made of the area. The plot subject to the current proposal appears to form a narrow linear burgage plot and paddock to the rear of grade II listed Kent House. Sited at the far end of town, it reflects the agricultural setting of the settlement and together with the surviving field to the end of Black Horse Lane represents the transition between town and countryside. The fields to the rear have since been developed

with a series of modern and unsympathetic cul-de-sacs which now enclose both these paddocks. The site is therefore considered to contribute in a meaningful way to the significance of the listed building and the conservation area.

i. A number of previous permissions and refusals could be considered to have a bearing on this case.

ii. An application (F/YR18/0805/F) for the erection of a new dwelling to the rear of No. 107 High Street was refused on grounds that the impact on the character and appearance of the conservation area and on the setting of the listed building will be to further erode the significance of both. The previously approved developments in the surrounding area have already eroded the character of the burgage plots and obscured the traditional grain of development. New development continues to encroach upon the setting of the listed building. The proposal would have served to infill the remainder of the backland plot to No. 107 and due to the increased proximity to listed building at No. 105, impact upon its setting of an undeveloped narrow rear plot. The inspector upheld, and expanded on this decision and dismissed the appeal (REF: APP/D0515/W/19/3221692)

iii. An application for development on land to the rear (west) of 92 High Street was recommended for refusal on similar grounds and was refused on grounds of access and amenity (F/YR20/0119/F).

iv. Other developments along the High Street, although detrimental over all due to the cumulative erosion of character and settlement morphology, by and large follow a linear pattern and burgage plot lines.

v. Similar development to the rear of Black Horse Lane and 133 High Street, was recommended for refusal on grounds of impact on the character of the conservation area and setting of adjacent listed building.

8. It is considered that the modern developments to the rear of the Chatteris Conservation Area (such as Gull Way) has been detrimental both to the setting of the listed building and the character of the conservation area. The undeveloped plot therefore reflects and represents a last link to the agricultural landscape setting of Chatteris. Development here would represent a cumulative detrimental impact to the setting of the listed building and the character and appearance of the conservation area, the principal of which is considered harmful.

9. Modern development now flanks the host site by way of standard modern housing development of Gull Way and Lode Way, which has some impact on the setting and appreciation of both Kent House and the historic paddock.

10. Historic England guidance on setting states that you should consider the effect of cumulative impact on setting: "Cumulative change, where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting" (p4 of The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)).

The following takes the above policy and guidance into consideration

11. *Black Horse Lane has a positive character with the entrance benefitted by the presence of the historic 133 High Street located on the corner and its ancillary buildings and views towards the agricultural paddock in the backdrop. Progressing along Black Horse Lane, the character becomes more varied with a mixture of late C19 and mid C20 properties, most notably bungalows. Whilst these buildings do not particularly benefit the street with architectural or historic interest, they are indeed of a scale that respects the hierarchy of the streetscene and allow views of Kent House in the backdrop.*

12. *The site clearly has a historic relationship with the GII listed Kent House. With Kent House being listed in 1983, there are questions over whether the site is deemed to be listed curtilage of Kent House. With information provided in the Heritage Statement being so scant this has clearly not been considered within the proposal. Despite the above being raised in the earlier comments no further information has been provided and as a result this objection still stands.*

13. *With Kent House (former Parish work house) being listed in March 1983, the OS map 1949-72 below raises some interest as to the relationship of the land to Kent House at the time of listing. The heritage statement fails to make any reference to the curtilage or the relationship of the land to the development site. This concern remains unanswered and therefore there is insufficient information and as such the Heritage Statement does not accord with para 200 of the NPPF or LP18 of the Fenland Local Plan.*

14. *Owing to the Flood Zone delineation that runs across the site, all the dwellings have been pushed to the west of the site, closest to the rear of Kent House. There is approx. 25m gap between the rear elevation of Kent House and the closest proposed new builds. This is considered insufficient and undesirable in the realms of setting of the listed building.*

15. *Looking at the proposed site plan, there are 9 dwellings proposed and with no submitted elevations, it is unclear as to whether they are single storey or two storey.*

16. *For a listed building where its setting has historically been appreciated with an expanse of paddock and open countryside directly to the rear, there is strong concern as to the impact that this development will have upon its context and understanding, as well as simply crowding out.*

17. *Outline planning permission for developments that affect the setting of Listed Buildings is difficult to support, especially in instances where the plans and heritage assessments are so limited in scope and detail.*

18. *One might consider low density agriculturally inspired buildings most appropriate to the backdrop of the listed building as a positive approach to go some way to preserve the setting and context of the listed building and views out along Black Horse Lane, rather than uninspiring and run of the mill suburban cul de sac style development.*

19. *I am of the view that two storey dwellings for plots 4, 5 and 6 are inappropriate in terms of having the effect of completely hemming in Kent House with minimal breathing space. At least single storey dwellings with an agricultural would at least give the impression of separation from the surroundings.*

The concerns above have not been addressed in the revised site layout where the gap has been increased by approx. 2 metres to 26.6 metres. The marginal increase in separation is substantially insufficient to mitigate the concerns raised.

Conclusion:

I am of the view that the loss of one of the last remaining parcels of end of open land on the edge of the historic parts of the settlement will have a considerable impact on both the setting of the GII listed Kent House and the wider Chatteris Conservation Area. This is an in-principle objection to the proposal.

It was previously mentioned that development could be improved with greater separation from Kent House, as at present the separation is no greater than the meagre spacing of modern housing estates. This remains largely unaltered other than an increase in approx. 2m which is entirely insufficient. Furthermore, substantial improvements could be made with single storey building heights closer to Kent House. Finally, an agriculturally designed scheme, layout and materials would enable an improved context and setting over the poor layout and positioning shown at present.

The development results in less than substantial harm (medium) to the identified heritage assets for which national and local heritage policy and guidance points to a presumption against supporting such development, unless there are strong public benefits which outweigh the harm identified. Furthermore, the heritage statement that is a requirement of both the NPPF and the Local Plan is not fit for purpose and fails to assess the relationship and impacts of this development on designated and non-designated heritage assets.

RECOMMENDATION: Objection

5.9. Local Lead Flood Authority (18/10/2023)

*At present we **do not support** to the grant of planning permission for the following reasons:*

1. Hydraulic calculations As per the Cambridgeshire County Council Surface Water Planning Guidance (June 2021), all developments should use upper end climate change allowances.

In accordance with the latest climate change peak rainfall intensity allowances, a climate change allowance should be incorporated into the surface water management scheme for the 3.3% annual exceedance probability rainfall event. The allowance used should be based on the lifetime of the development and therefore should include a 35% climate change allowance on the 3.3% AEP hydraulic calculations and a 40% climate change allowance on the 1% AEP hydraulic calculations. The allowance for urban creep should be added to these calculations.

The applicant has provided hydraulic modelling for the proposed impermeable areas across the site. It is noted that the Cv values for the winter and summer storms have been input as 0.84 and 0.75 respectively. However, as the modelling is for the impermeable area, these values should be set to 1 to account for the total runoff during storm events.

The hydraulic calculations show negative outflow and velocity at Link 1.005 and could therefore indicate that flows are backing up into the system or instability in the hydraulic calculations.

2. SuDS in Flood Zone As per the Cambridgeshire Flood and Water Supplementary Planning Document, above ground SuDS that lie in flood zone 3 should not contribute towards storm water storage requirements. These features may fill during a flood event and would therefore not have capacity to hold the rainfall runoff from the site as originally intended.

3. Clarification on Highway Drainage It is not clear as to where the eastern part of the access road would drain. At present this area does not appear to be entering the proposed drainage system and surface water runoff would therefore, based on the topography, impact flood risk along the public highway as well as properties to the east.

5.10. Local Lead Flood Authority (05/02/2024)

We have reviewed the following documents:

- Flood Risk Assessment, Morton and Hall Consulting Limited, Dated: May 2023*
- Flood Zone Plan, Morton and Hall Consulting Limited, Ref: H8187/02, Dated: April 2023*
- Drainage Strategy, Morton and Hall Consulting Limited, Dated: January 2024*

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving and a swale, restricting surface water discharge to 2l/s.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality. The swale also provides biodiversity benefits.

Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

We request the following conditions are imposed:

Condition

No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by Morton and Hall Consulting Limited dated January 2024 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;*
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection,*

conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;

- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results to confirm infiltration rates;
- f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;
- g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;
- h) Full details of the maintenance/adoption of the surface water drainage system;
- i) Permissions to connect to a receiving watercourse or sewer;
- j) Measures taken to prevent pollution of the receiving groundwater and/or surface water

Reason

To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.

Condition

No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

Reason

To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.

Informatives

Infiltration

Infiltration rates should be worked out in accordance with BRE 365/CIRIA 156. If for an outline application it is not feasible to access the site to carry out soakage tests before planning approval is granted, a desktop study may be undertaken looking at the underlying geology of the area and assuming a worst-case infiltration rate for that site. If infiltration methods are likely to be ineffective then discharge into a watercourse/surface water sewer may be appropriate; however soakage testing will be required at a later stage to clarify this.

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly

during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

Local Residents/Interested Parties

Objectors

5.11. 31 letters of objection have been received from 28 addresses within Chatteris (x19), March (x3), Huntingdon x(2), Wisbech (x1), Harford (x1), St Neots (x1) and Stilton (x1) which make the following summarised comments:

- Need to keep all the green space we can in a crowded town
- Plenty of space outside of Chatteris that could be built on
- Impact on wildlife, the field in question is known to be home to a population of bats, a protected species under the Wildlife and Countryside Act 1981
- Noise and odour pollution from construction
- Flood risk to new houses and neighbouring properties, the proposed development site already experiences a notable flood risk. Introducing additional construction and alteration to the natural landscape could exacerbate the problem
- The houses being planned will likely be out of the price bracket of first time
- Increase in traffic on a busy residential road with difficult visibility
- Chatteris already has too many houses and not enough access to doctors and other local amenities
- Increase in on street parking
- Parts of the hedge at the site have already been removed without permission
- The speed survey conducted was done so on a corner where there are often parked cars. As a result, the outcome is skewed as drivers often need to slow down and doesn't truly reflect the speed at which many cars travel past the proposed new entrance.
- Many comments in support refer to the land as 'waste land'. This is inaccurate as it is used as grazing land and is largely well looked after
- Two-storey dwellings will block much needed afternoon/early evening daylight to the gardens of properties in Gull Way
- Light pollution from street lighting, home lights, and any external security lighting which may be added by owners, will have a detrimental effect on wildlife as well as the lives of existing residents
- Adverse impacts on neighbouring amenity from proposed dwellings
- More housing is not needed in Chatteris

Supporters

5.12. 13 letters of support have been received from 10 addresses within Chatteris (x9) and March (x1) which make the following summarised comments:

- Will improve the area, good use of an unsightly wasteland
- More houses are needed and the location of this project is good as its close to local shops and schools
- The roads accessible and as well as providing more housing it will create more jobs
- Great opportunity for a first-time buyer offering a location close to town and schools

- As Chatteris is growing we need more affordable houses

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. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

7.1. National Planning Policy Framework (NPPF)

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

Para. 10 - So that sustainable development is pursued in a positive way, at the heart of the Framework is a 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.

7.2. National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3. National Design Guide 2021

Context

Identity

Built Form

Homes and Buildings

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

LP10 – Chatteris

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

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
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP12: Meeting Housing Needs
- LP20: Accessibility and Transport
- LP21: Public Rights of Way
- LP22: Parking Provision
- LP23: Historic Environment
- LP24: Natural Environment
- LP30: Local Green Spaces and Other Existing Open Spaces
- LP31: Open Space and Recreational Facilities
- LP32: Flood and Water Management

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. Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Heritage and Visual Amenity of the Area**
- **Residential Amenity**
- **Access and Highway Safety**
- **Ecology**
- **Flood Risk**

9 ASSESSMENT

Principle of Development

- 9.1. The application site is located within the settlement of Chatteris which is identified within the Settlement Hierarchy as an Other Market Town; Market Towns are identified within Policy LP3 as the focus for where new housing, employment growth, retail growth and wider service provision should take place, accordingly there is a presumption in favour of development within this location. The broad principle of development is therefore acceptable subject to further policy considerations set out below.

Heritage and Visual Amenity of the Area

- 9.2. Policies LP18 of the Fenland Local Plan 2014 and DM2 and DM3 of Delivering and Protecting High Quality Environments in Fenland SPD 2014 seek to protect and conserve historic environment, protect open spaces where they are an important part of the character of a settlement and ensure that any existing views, vistas and focal points are incorporated within developments. Policy LP16 of the Fenland Local Plan 2014 and DM3 of Delivering and Protecting High Quality Environments in Fenland SPD 2014 also seek to ensure developments have a positive contribution to the local distinctiveness and character of the area and do not adversely impact on the streetscene or landscape character.

- 9.3. Due regard is given to the impact of this proposal on the architectural and historic interests of the listed building, setting of adjacent listed buildings and on the character and appearance of the conservation area with due regard to the duty in law under S66 and S72 Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.4. The plot appears to form a narrow linear burgage plot and paddock to the rear of Grade II listed Kent House. Sited at the far end of town, it reflects the historic agricultural setting of the settlement and together with the surviving field to the end of Black Horse Lane represents the transition between town and countryside. The fields to the rear have since been developed with a series of modern and unsympathetic cul-de-sacs which now enclose both these paddocks. The site is therefore considered to contribute in a meaningful way to the significance of the listed building and the conservation area.
- 9.5. Owing to the Flood Zone delineation that runs across the site, all the dwellings have been pushed to the west of the site, closest to the rear of Kent House. There is a approx. 25m gap between the rear elevation of Kent House and the closest proposed new builds.
- 9.6. The Heritage statement that has been submitted by the applicant in support of the application has been reviewed by the Conservation Officer who has stated that it 'is poor and inadequately assesses the setting and interest of the land in relation to the Grade II listed Kent House or the impact on the backdrop and views of an important historic lane that forms part of the Chatteris Conservation Area. The site clearly has a historic relationship with the Grade II listed Kent House. With Kent House being listed in 1983, there are questions over whether the site is deemed to be listed curtilage of Kent House. With information provided in the Heritage Statement being so scant this has clearly not been considered within the proposal.'
- 9.7. Initially the closest dwelling to Kent House (Plot 5) was located approx. 23.6m to the east, the Conservation Officer in initial comments stated 'there is approx. 25m gap between the rear elevation of Kent House and the closest proposed new builds. This is considered insufficient and undesirable in the realms of setting of the listed building. Development could be improved with greater separation from Kent House, as at present the separation is no greater than the meagre spacing of modern housing estates'.
- 9.8. The applicant following initial comments from the Conservation Officer did submit revised plans for the development at the site, increasing the separation distance of Plot 5 to Kent House by 3m to approx. 26.6m. The Conservation Officer reviewed these amendments to the proposed development at the site detailing within their revised comments that 'the gap between the rear elevation of Kent House and the closest proposed new builds is still considered insufficient and undesirable in the realms of setting of the listed building. The concerns above have not been addressed in the revised site layout where the gap has been increased by approx. 3 metres to 26.6 metres. The marginal increase in separation is substantially insufficient to mitigate the concerns raised.'
- 9.9. The Conservation Officer has maintained an objection to the development throughout the lifetime of the application. Within their concluding comments throughout the consultation process the Conservation Officer has stated that 'I am of the view that the loss off one of the last remaining parcels of end of open land on the edge of the historic parts of the settlement will have a considerable impact

on both the setting of the Grade II listed Kent House and the wider Chatteris Conservation Area. This is an in-principle objection to the proposal.'

- 9.10. Additionally, the Conservation Officer has detailed 'development could be improved with greater separation from Kent House, as at present the separation is no greater than the meagre spacing of modern housing estates. This remains largely unaltered other than an increase in approx. 2m which is entirely insufficient. Furthermore, substantial improvements could be made with single storey building heights closer to Kent House. Finally, an agriculturally designed scheme, layout and materials would enable an improved context and setting over the poor layout and positioning shown at present. Furthermore, the heritage statement that is a requirement of both the NPPF and the Local Plan is not fit for purpose and fails to assess the relationship and impacts of this development on designated and non-designated heritage assets.'
- 9.11. It is therefore evident that the proposed development would have an adverse impact on the Conservation area and the setting of a Grade II Listed building. The proposals would result in less than substantial level of harm, however this harm would not be outweighed by the public benefit of the provision of 9 additional houses. Overall, it is therefore considered that the proposed development would be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Sections 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.

Residential Amenity

- 9.12. The submitted application is for Outline Planning permission with matters committed in respect of access, hence the impact on the residential amenity of adjoining properties cannot be fully assessed, however an indicative site layout has been submitted within the proposal.
- 9.13. The site is relatively large and as such there is scope to provide acceptable relationships between the proposal and surrounding dwellings and to provide a minimum of a third of the plot for private amenity space, as required by Policy LP16 (h) of the Local Plan.

Access and Highway Safety

- 9.14. Policy LP15 aims to ensure that new development provides a well designed, safe and convenient access. Access is committed as part of this application and the submitted plan details a new 5m wide access is proposed at the northeastern corner of the site off Lode Way, to facilitate the new access the existing dwelling at 32 Lode Way is to be demolished. The access would lead to a 6m permeable block paved shared driveway that would run south and then southwest across the site leading to a turning area. A pedestrian crossing is to be constructed within the proposal set back from the highway at Lode Way.
- 9.15. The applicant has submitted a speed survey and amended plans throughout the lifetime of the application to address concerns from CCC Highways in relation to providing adequate visibility splays for the proposed development.
- 9.16. The Highways officer has maintained a recommendation for refusal of the application despite the submission of amended and additional information from the applicant. The Highways Officer has commented stating that the 'the LHA accepts the speed survey results and the junction layout (but not its location). Visibility splays to the East of the access with the highway cannot be achieved in land under the control of the applicant or within the extent of the highway. Conditions attached

to other parties planning permissions and / or land cannot be used to facilitate or secure the required measures for another development, as suggested by the agent. These measures/conditions could be removed, amended or not adhered to at any time, which in this instance would have a negative effect on highway safety. It would also require the LPA to enforce any related conditions as the LHA would have no legally enforceable powers to act to protect the visibility at this junction. Therefore, the Inter-vehicle visibility at this junction is below the required standards and not acceptable to the LHA.'

- 9.17. The Highway officer also added comments detailing that the offset between the proposed access and Grenadier Drive is approximately 10m centre to centre, which is likely to be insufficient to allow large vehicles such as a refuse freighter to turn between the two junctions without additional manoeuvring within the highway risking conflict with other road users. Such short distance may also create a risk of collision between opposing vehicles turning out of the junction where drivers may have difficulty determining priority and position of the opposing vehicle which is likely to creating additional risk of conflict. The Highways Officer outlined that the issue may be overcome by increasing the distance between the junctions, however, the applicant has not addressed the above issue. The Highways Officer commented that 'it has not been demonstrated either through technical design and / or a Road Safety Audit that this would be acceptable to the LPA and LHA and safe for users of the highway and public at large.'
- 9.18. Overall, it is therefore considered that from the submitted plans, the applicant does not appear to control sufficient land to provide adequate visibility at the site access. Furthermore, due to the location of the access and close proximity of the access to Grenadier Drive, the proposed development is considered to be insufficient to allow large vehicles such as a refuse freighter to turn between the two junctions without additional manoeuvring within the highway risking conflict with other road users. The proposal therefore is of concern with regard to highway safety, which would be contrary to Policy LP15 of the Fenland Local Plan 2014.

Ecology

- 9.19. Policy LP16 (b) requires proposals for new development to protect and enhance biodiversity on and surrounding the proposal site, taking into account locally designated sites and the special protection given to internationally and nationally designated sites in accordance with Policy LP19. Criteria (c) requires the retention and incorporation of natural and historic features of the site such as trees, hedgerows, field patterns, drains and water bodies.
- 9.20. The application site is a paddock approx. 0.89 hectares in size, two existing stables at the southwestern corner. The site is bound by a mature hedgerow to the north, east and south sides.
- 9.21. Ecological surveys and if necessary, species surveys, are required to be carried out pre-determination. Section 40 of the Natural Environment and Rural Communities Act 2006 places a public sector duty upon local planning authorities to conserve biodiversity. Section 180 of the NPPF states that when determining planning applications local planning authorities should refuse planning permission if significant harm to biodiversity resulting from development cannot be avoided (through locating on an alternative site with less impact), adequately mitigated or as a last resort, compensated for. Such consideration requires sufficient ecological investigation to assess if there are any particular protected species present so that they can be taken into account in the consideration of the proposals.

9.22. Policy LP19 of the Local Plan states that planning permission should be refused for development that would cause a demonstrable harm to a protected species or habitat unless the need for and public benefits of the development clearly outweigh the harm and mitigation, or compensation measures can be secured to offset the harm.

9.23. A Preliminary Ecological Impact Assessment has been submitted and if the application was acceptable in all other matters it would be suggested that a planning condition be attached requiring a further Ecological Impact Assessment to be submitted at the reserved matters stage to ensure no protected species or habitats were impacted by the proposed development.

Flood Risk

9.24. The site is located within Flood Zone 1, 2 and 3. Approximately 20% of the site is within flood zone 3 (east of site and access) and 10% within flood zone 2 with the remainder (the most westerly swathe of the site) falling within flood zone 1 where the proposed dwellings are to be located. As the access and private access road is located within Flood Zone 2 and 3 and due to the length and creation of additionally hardstanding within these flood zones it is considered this could lead to adverse impacts on flooding within this area and also the dwellings located at the west of the site.

9.25. Paragraph 159 of the NPPF (2021) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Similarly, Local Plan Policy LP14 recommends the adoption of the sequential approach to flood risk from all forms of flooding and this is reinforced by the Cambridgeshire Flood and water SPD.

9.26. A Flood Risk Assessment (FRA) has been submitted with the application. It concludes:

- The proposed development consists of nine single storey and 2 storey residential dwellings on land east of 13B Bridge Street, Chatteris;
- The site is located within an Internal Drainage Board catchment and through the operation and maintenance of the pumping stations and the channel system the Board seek to maintain a general standard capable to providing flood protection to agricultural land and developed areas of 1 in 20 and 1 in 100 years, respectively;
- The proposed dwellings are located within Flood Zone 1;
- There are no specific recommendations regarding the design of the dwellings to mitigate the risk of flooding;
- The development passes the Sequential Test and is therefore suitable for the proposed location.

9.27. In addition, the FRA considers the development passes the Sequential Test and Exception Test because:

- The proposed dwellings are situated within Flood Zone 1. Dwellings proposed at alternative sites could therefore not be at a lower risk of flooding. The development is considered to pass the Sequential Test;
- The Fenland Local Plan defines the housing distribution for new dwellings across the District. Within the district there is a target of 11,000 new

dwellings over the period from 2011 to 2031. The proposed development will contribute to this target;

- Section 5 of this Flood Risk Assessment describes the flood mitigation measures and the management of the residual risks, demonstrating that this development will be safe and not increase flood risk elsewhere. The development is considered to pass the Exception Test.

- 9.28. The Environment Agency has no objection to the proposal. However, their comments do set out that 'in accordance with the National Planning Policy Framework (paragraph 162), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.'
- 9.29. In accordance with Section 14 of the NPPF (2019), Policy LP14 of the Fenland Local Plan 2014, the requirements of the Cambridgeshire Flood and Water Supplementary Planning Document (2016) and Policy LP32 of the Emerging Local Plan, it is for the applicant to demonstrate through an assessment that the Sequential Test has been met.
- 9.30. On 25.08.2022 the government published further guidance and clarification with regard to: The sequential approach to the location of development
<https://www.gov.uk/guidance/flood-risk-and-coastal-change>
- 9.31. The approach is designed to ensure that areas at little or no risk of flooding from any source are developed in preference to areas at higher risk. This means avoiding, so far as possible, development in current and future medium and high flood risk areas considering all sources of flooding including areas at risk of surface water flooding. Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied.
- 9.32. The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites within a defined area set by local circumstances relating to the catchment area for the type of development proposed. In this instance the search area is the settlement of Chatteris.
- 9.33. It is the applicant's responsibility to provide evidence that there are no other development sites in Flood Zone 1 within Chatteris which are reasonably available and appropriate for the proposed development. Reasonably available sites' are those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development.
- 9.34. These could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development. Such lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available'.

- 9.35. The applicant has not submitted an assessment of such sites and the Sequential Test provided makes reference to factors such as access to flood warnings, flood defences, sufficient time to take precautionary actions to limit the potential impact of flooding, use of temporary pumping equipment if Nightlayers Pumping Station were to breakdown or the power supply disrupted and helping to meet housing targets. However, as set out in paragraph 9.17 above, avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features. Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied.
- 9.36. There are a large number of sites available within Chatteris that could accommodate the proposed 9 dwellings (either singularly or in a group) whereby no part of the site would fall within Flood Zone 2 or 3. For this reason the proposed development is considered to fail the Sequential Test.
- 9.37. For the above reasons, this part of the application is contrary to Local Plan Policy LP14, the adopted SPD and the NPPF.

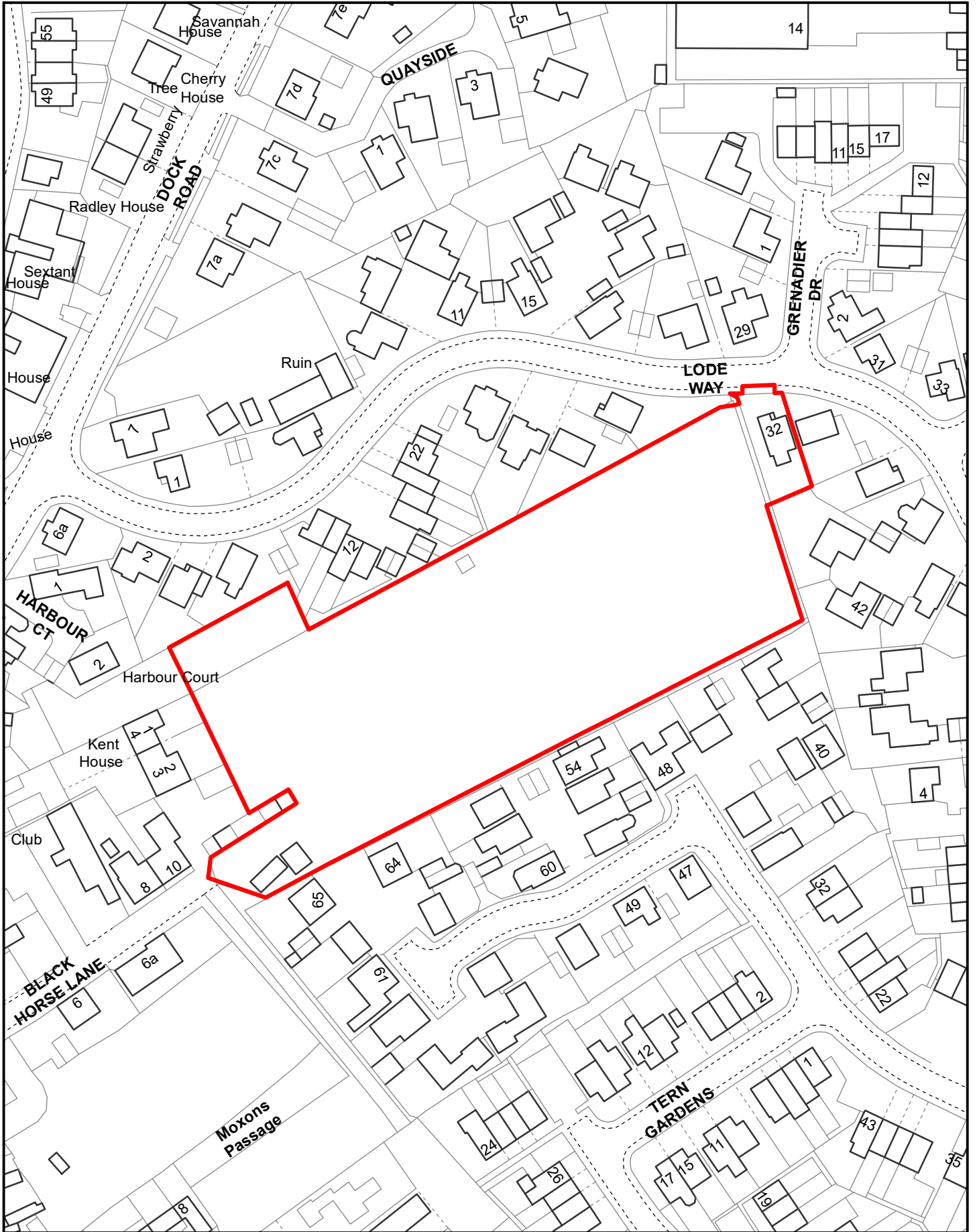
10 CONCLUSIONS

- 10.1. The historic pastureland on which the proposal is situated is considered to be an important feature, contributing significantly to the setting of the associated listed building (Kent House) and the historic integrity, character and appearance of the conservation area. The proposed development by virtue of its siting would result in the loss of one of the last remaining parcels of open pastureland on the edge of the historic part of the settlement, thereby being significantly detrimental to the setting of the listed building and character and appearance of the conservation area. The proposals would result in a less than substantial level of harm, however this harm would not be outweighed by the public benefit of the provision of a net of 8 additional houses. Overall, it is therefore considered that the proposed development would be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Sections 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.
- 10.2. The proposal includes a new access at the northeastern corner of the site off Lode Way, to facilitate the new access the existing dwelling at 32 Lode Way is to be demolished. Policy LP15 of the Fenland Local Plan 2014 seeks to ensure highways safety within the district. It is evident from the submitted plans, the applicant does control sufficient land to provide adequate visibility at the site access. The proposal therefore is of concern with regard to highway safety, which would be contrary to Policy LP15 of the Fenland Local Plan 2014.
- 10.3. Parts of the site are located within Flood Zone 2 and 3. Paragraph 159 of the NPPF (2021) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. Similarly, Local Plan Policy LP14 recommends the adoption of the sequential approach to flood risk from all forms of flooding and this is reinforced by the Cambridgeshire Flood and water SPD. For reasons set out within the report, the proposed development is considered to fail the Sequential Test and Exception Test which would be contrary to Local Plan Policy LP14, the SPD and the NPPF.

11 RECOMMENDATION

Refuse; for the following reasons:

1.	<p>Policies LP18 of the Fenland Local Plan 2014 and DM2 and DM3 of Delivering and Protecting High Quality Environments in Fenland SPD 2014 seek to protect and conserve the historic environment, protect open spaces where they are an important part of the character of a settlement and ensure that any existing views, vistas and focal points are incorporated within developments. Policy LP16 and DM3 also seek to ensure developments have a positive contribution to the local distinctiveness and character of the area and do not adversely impact on the streetscene or landscape character.</p> <p>The historic pastureland on which the proposal is situated is considered to be an important feature, contributing significantly to the setting of the associated listed building (Kent House) and the historic integrity, character and appearance of the conservation area. The proposed development by virtue of its siting would result in the loss of one of the last remaining parcels of open pastureland on the edge of the historic part of the settlement, thereby being significantly detrimental to the setting of the listed building and character and appearance of the conservation area. The proposals would result in a less than substantial level of harm, however this harm would not be outweighed by the public benefit of the provision of 9 additional houses. Overall, it is therefore considered that the proposed development would be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Sections 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.</p>
2.	<p>Policy LP15 of the Fenland Local Plan 2014 requires new development requires development to ensure safe and convenient access for all. In addition, Paragraph 111 of the NPPF (July 2021) states that development proposals should be refused if they result in detrimental impacts to highway safety. The applicant does not appear to control sufficient land to provide adequate visibility at the site access. The proposed development would therefore be detrimental to highway safety.</p>
3.	<p>Parts of the site, including the access to the development, are located within Flood Zone 2 and 3, where there is a high probability of flooding. The Sequential Test for flood risk has not been passed as there are likely to be available sites within Chatteris with a lower probability of flooding that could accommodate the nine plots. Allowing the proposed development could therefore place people and property at an increased risk, with no justification, contrary to Policy LP14 of the Fenland Local Plan (2014), NPPF and Section 4 of the Cambridgeshire Flood & Water SPD (2016).</p>



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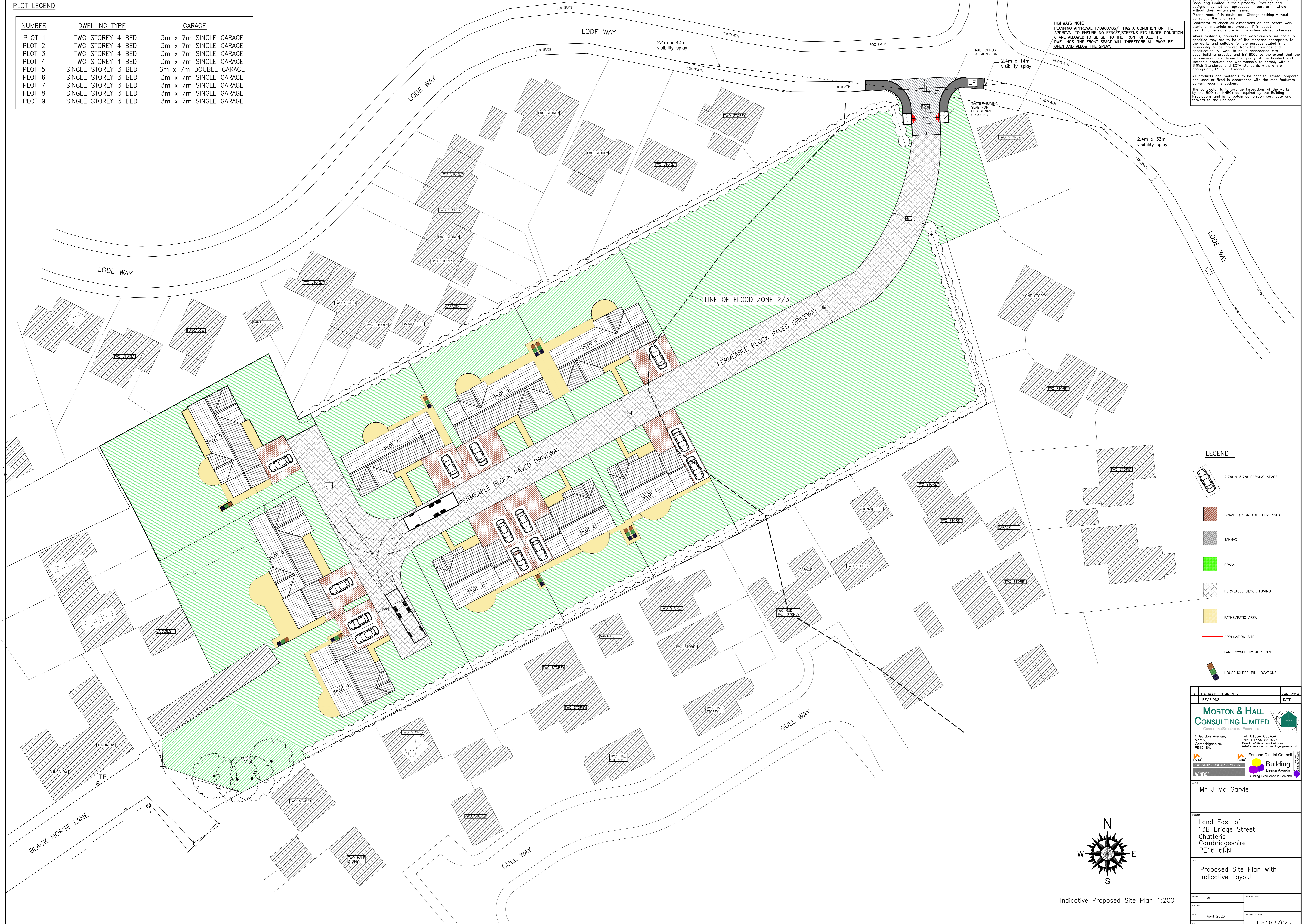


PLOT LEGEND

NUMBER	DWELLING TYPE	GARAGE
PLOT 1	TWO STOREY 4 BED	3m x 7m SINGLE GARAGE
PLOT 2	TWO STOREY 4 BED	3m x 7m SINGLE GARAGE
PLOT 3	TWO STOREY 4 BED	3m x 7m SINGLE GARAGE
PLOT 4	TWO STOREY 4 BED	3m x 7m SINGLE GARAGE
PLOT 5	SINGLE STOREY 3 BED	6m x 7m DOUBLE GARAGE
PLOT 6	SINGLE STOREY 3 BED	3m x 7m SINGLE GARAGE
PLOT 7	SINGLE STOREY 3 BED	3m x 7m SINGLE GARAGE
PLOT 8	SINGLE STOREY 3 BED	3m x 7m SINGLE GARAGE
PLOT 9	SINGLE STOREY 3 BED	3m x 7m SINGLE GARAGE

DISCLAIMER NOTE
 PLANNING APPROVAL F/0960/06/F HAS A CONDITION ON THE APPROVAL TO ENSURE NO FENCES, SCREENS ETC UNDER CONDITION 6 ARE ALLOWED TO BE SET TO THE FRONT OF ALL THE DWELLINGS. THE FRONT SPACE WILL THEREFORE ALL WAYS BE OPEN AND ALLOW THE SPILL.

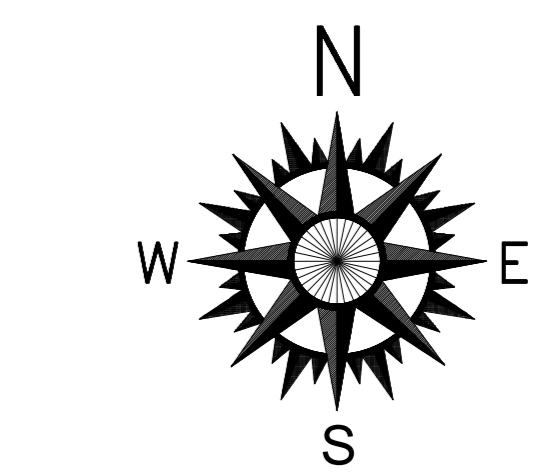
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 Please read, if in doubt ask. Change nothing without consulting the Engineer.
 Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the work and suitable for the purpose stated in or reasonably to be inferred from the drawings and specifications. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and COTD standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCU (or WBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.



LEGEND

- 2.7m x 5.2m PARKING SPACE
- GRAVEL (PERMEABLE COVERING)
- TARMAC
- GRASS
- PERMEABLE BLOCK PAVING
- PATHS/PATIO AREA
- APPLICATION SITE
- LAND OWNED BY APPLICANT
- HOUSEHOLDER BIN LOCATIONS

A REVISIONS / COMMENTS		DATE
MORTON & HALL CONSULTING LIMITED		
1 Gordon Avenue, March, Cambridgeshire, PE15 8AU		Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonandhall.co.uk
Fenland District Council Building Design Awards Building Excellence in Fenland		Mr J Mc Garvie Land East of 13B Bridge Street Chatteris Cambridgeshire PE16 6RN
Proposed Site Plan with Indicative Layout.		
DATE	BY	CHECKED BY
04/04/2023	MH	
SCALE	AS SHOWN AT AD	
	H8187/04 A	



Indicative Proposed Site Plan 1:200