

Applicant: Mr Colin Ronald

Agent : Matthew Hall
Morton & Hall Consulting Ltd

94 Westfield Road, Manea, March, Cambridgeshire PE15 0LS

Erect up to 4 x dwellings (outline application with matters committed in respect of access and scale)

Officer recommendation: Refuse

Reason for Committee: Number of representations and Town Council comments contrary to Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 25 October 2024

EOT in Place: Yes

EOT Expiry: 14 March 2025

Application Fee: £2890

Risk Statement:

This application must be determined by 14 March 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

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| <p>1.1 The application seeks outline planning permission for up to 4 dwellings with matters committed in respect of access and scale only.</p> <p>1.2 Whilst the development is in outline form with matters only committed in respect of access and scale, it is necessary to demonstrate that the site is suitable for the development proposed. Given the constraints of the site, it is not considered that the submitted information adequately demonstrates up to 4 dwellings could be accommodated without creating significant detrimental impacts in respect of the character of the area and the residential amenity of existing and proposed dwellings, nor that a suitable access, parking and turning arrangement can be achieved within the site.</p> <p>1.3 The application is not considered to demonstrate that there will be no net loss to biodiversity as a result of the development, due to inconsistencies with submitted information and the fact that an appropriate assessment has not been provided to display how the shortfall of biodiversity on-site will be adequately mitigated or compensated for. Furthermore, given the deficit of biodiversity units highlighted and the failure to submit sufficient detail to demonstrate how the shortfall of biodiversity on-site will be compensated, and the 10% BNG will be achieved, the current calculations and proposals do not demonstrate that Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) has been met.</p> |
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1.4 As such, it is recommended to refuse the application.

2 SITE DESCRIPTION

- 2.1 The application site is located on the northern side of Westfield Road and forms a narrow linear site. There is an existing 2-storey dwelling to the south east of the site and existing gated, tarmac access along the western side of the site leading to a tarmac parking and turning area and detached double garage (which is also to remain) to the rear, there are a number of outbuildings which are proposed to be demolished and some significant trees along the western boundary of the site, the area to the north of the outbuildings is overgrown and there are overhead cables which cross the site. The site is predominantly in Flood Zone 1, with only the northern link to Darcey Lode drain in Flood Zones 2 and 3.

3 PROPOSAL

- 3.1 The application seeks outline planning permission for up to 4 dwellings with matters committed in respect of access and scale only.
- 3.2 An upgraded access is proposed to the west of the site and the proposed dwellings are single-storey in nature with a maximum height of 5.075m, widths of between 17m-20.5m and depths of between 9.8m-11.5m.
- 3.3 An indicative site layout has been submitted which indicates a 6m wide access along the western side of the site with a turning head approximately 130m from Westfield Road with the dwellings located along the east and north of the site, with gardens to the sides of plots 2-4 and an area for Biodiversity Net Gain to the north of plot 1.
- 3.4 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

- 4.1 Application site:

F/YR08/0144/O	Erection of a dwelling involving demolition of existing buildings	Granted 28/4/2008
F/YR07/0871/O	Erection of 2 x 2-bed detached bungalows	Refused 25/9/2007

- 4.2 Of relevance in respect of the adjoining land to the west:

F/YR24/0635/RM	Reserved Matters application relating to detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR22/1156/O to erect 24 x 2-storey dwellings (4 x 2-bed, 6 x 3-bed and 14 x 4-bed)	Pending Decision
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F/YR22/1156/O	Erect up to 26 x dwellings, involving the formation of a new access (outline application with matters committed in respect of access)	Granted 23/2/24
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5 CONSULTATIONS

5.1 Parish Council (24/9/24)

Object.

Inadequate access

5.2 Parish Council (19/11/24)

Members have no objection

5.3 Cambridgeshire County Council Archaeology (24/9/24)

Thank you for the consultation with regards to the archaeological implications of the above referenced planning application. The proposed development is within a wider area of archaeological potential due to its position on the Fen Island of Manea, with ground dropping away to the north into fen. These areas are known to have been heavily exploited in the past. However we now have Archaeological Evaluation results from either side of the proposed development, with the site to the north east showing only post medieval drainage ditches (Cambridgeshire Historic Environment record ECB1867). The larger site to the west, and south west has very recently been evaluated and so reporting is not yet available however the results showed a similar picture of largely post medieval drainage systems (CHER ECB7394).

We therefore have no objections or recommendations for this application.

5.4 Cambridgeshire County Council Highways

Original comments from the LHA required further information to clarify whether the visibility splays could be achieved either within land owned by the applicant or the public highway; following receipt of further details the following comments were provided:

It is unclear from the submitted information whether the required inter vehicle visibility splays can be achieved wholly within land either under the control of the applicant or the public highway

Recommendation

Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, the effect of the proposed development upon the Public Highway would likely be mitigated if the following conditions form part of any permission that the Planning Authority is minded to issue in regard to this proposal.

Conditions

Prior to commencement, visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted plan H9533/03D; The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

Reason: In the interests of highway safety, in accordance with COM7 and COM8 of the East Cambridgeshire Local Plan 2015 and LP17 of the Submitted Local Plan 2018.

The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity

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

Prior to occupation of the use hereby approved the access road shall be constructed to a minimum width of five metres for a minimum distance of ten metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.

Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.

Prior to occupation of the use hereby approved, the access road shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway.

Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking, amending or re-enacting that order):

(a)

Class A – no gates or other means of enclosure shall be erected across the vehicular access hereby approved;

Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

5.5 UK Power Networks

We note there are HV overhead cables on the site running within close proximity to the proposed development. Prior to commencement of work accurate records should be obtained from our Plan Provision Department at UK Power Networks, Fore Hamlet, Ipswich, IP3 8AA.

In the instance of overhead cables within the vicinity, GS6 (Advice on working near overhead powerlines) and a safety visit is required by UK Power Networks.

Information and applications regarding GS6 can be found on our website <https://www.ukpowernetworks.co.uk/safety-equipment/power-lines/working-near-power-lines/advice-on-working-near-overhead-power-lines-gs6#Apply>

Should any diversion works be necessary because of the development then enquiries should be made to our Customer Connections department. The address is UK Power Networks, Metropolitan house, Darkes Lane, Potters Bar, Herts, EN6 1AG.

You can also find support and application forms on our website [Moving electricity supplies or equipment](https://www.ukpowernetworks.co.uk/i-already-have-electricity-commercial/moving-electricity-equipment).

5.6 National Grid (2/10/24 and 21/11/24)

Regarding planning application F/YR24/0707/O, there are no National Grid Electricity Transmission assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with <https://scanner.topsec.com/?d=1978&r=show&u=www.lsbud.co.uk&t=2b7cfeca099436ca065f57238747c176a1a48f5b>. Additionally, if the location or works type changes, please raise an enquiry.

Please note this response is only in reference to National Grid Electricity Transmission assets only. National Grid Electricity Distribution (formerly WPD) and National Gas Transmission (formerly National Grid Gas) should be consulted separately where required.

5.7 Environmental Health (FDC) (8/9/24 and 8/11/24)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal.

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 a condition requiring 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.

5.8 Natural England

Original comments from Natural England advised that further information was required in order to assess the potential recreational pressure impacts to Sites of Special Scientific Interest (SSSIs) in Cambridgeshire and Peterborough; following the submission of a statement in this respect the following comment have been received:

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Natural England's generic advice on other natural environment issues is set out at Annex A.

European Sites

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites

and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Sites of Special Scientific Interest Impact Risk Zones

The Town and Country Planning (Development Management Procedure) (England) Order 2015 requires local planning authorities to consult Natural England on "Development in or likely to affect a Site of Special Scientific Interest" (Schedule 4, w). Our SSSI Impact Risk Zones are a GIS dataset designed to be used during the planning application validation process to help local planning authorities decide when to consult Natural England on developments likely to affect a SSSI. The dataset and user guidance can be accessed from the data.gov.uk website

5.9 Arboricultural Officer (FDC)

Initial comments received advised that it was agreed that the removal of the trees identified would have limited impact on wider public amenity, further details would be required in relation to protection measures and that the report required updates in respect of the revised scheme; the most recent comments are provided in full below:

I have no objections in relation to the tree protection measures. Details of suitable landscaping with tree and shrubs to suit the location and appropriate information to detail their establishment will need to be considered as this project develops.

5.10 Environment Agency (19/2/25)

The Environment Agency originally objected to the scheme (full details of which are available to view on public access), the most recent comments are provided in full below:

Thank you for advising us that you need to determine this planning application. We previously raised an objection on Water Quality grounds in our letter referenced AC/2024/132368/01 and dated 02 October 2024. Unfortunately, since submitting our previous response, we have not yet been able to consider waste water disposal for this application in detail. Therefore, we are withdrawing our objection and are providing the following informative advice.

Waste Water Disposal

This site falls within the catchment of Manea (Town Lots) Wastewater Treatment Works (WWTW). We note Anglian Water Services' (AWS) 2023 Dry Weather Flow (DWF) data, shows that this works is currently operating in exceedance of its environmental permit for discharge volume. The Manea WWTW discharges into the Counter Drain (Manea and Welney IDB) waterbody, which is classified as 'moderate' ecological status as defined within Water Environment (Water Framework Directive) (England & Wales) Regulations 2017.

We understand that Manea WWTW was identified within AWS' AMP8 (2025-2030) business plan for investment, however, we do not yet know the details and timescales of any investment proposed. Ofwat published their Final Determination (FD) on 19 December 2024, and following the 18 February 2025 deadline to decide whether to accept or challenge it, AWS have announced their board decision requesting Ofwat to refer its PR24 Final Determination to the Competition and Markets Authority (CMA).

Until we have a clear understanding of AWS' plans to accommodate growth within this catchment, we are unable to comment on the impact to the water environment.

Capacity at this WWTW could have implications for this development and we recommend you consult with Anglian Water for an updated view on this proposal before determining the application. You should be satisfied that any growth can be delivered without harm to the water environment.

5.11 Anglian Water

ASSETS

Section 1 - Assets Affected

Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

This development is within the catchment of Manea-Town Lots water recycling centre (WRC), which currently lacks the capacity to accommodate the additional flows that would be generated by the proposed development. However, Manea-Town Lots WRC is included within our submitted Business Plan as a named growth scheme with investment delivery planned between 2025-2030. Our Business Plan is waiting for approval from Ofwat, December 2024, and until such time we cannot confirm this scheme will be included. Once Final Determination has been received from Ofwat we will update stakeholders, if a scheme has subsequently not been identified for investment we will update our planning responses. To ensure there is no pollution or deterioration in the receiving watercourse due to the development foul flows we recommend a planning condition is applied if permission is granted.

Condition: Prior to occupation written confirmation from Anglian Water must be submitted confirming the upgrades at Manea-Town Lots WRC water recycling centre have been completed, and there is sufficient headroom to accommodate the foul flows from the development site

Reason: to protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework.

Section 3 – Used Water

This response has been based on the following submitted documents: Flood Risk assessment FINAL REPORT ECL1332/MORTON & HALL CONSULTING DATE AUGUST 2024 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087. 2. INFORMATIVE - Protection of existing assets – If public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It would then be recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water. 3. INFORMATIVE - Building near to a public sewer - No building will be permitted

within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087. 4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Section 4 - Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

From the Flood Risk assessment FINAL REPORT ECL1332/MORTON & HALL CONSULTING DATE AUGUST 2024 submitted to support the planning application the proposed method of surface water management does not relate to Anglian Water operated assets. It is stated that surface water drainage at the site discharges to riparian drains, the Darcey Lode is at the northern boundary of the site. As such, we are unable to provide comments in the suitability of the surface water management. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. We must advise that Anglian Water has no designated surface water sewers in the area of the proposed site and therefore we are not able to offer surface water solution at a later stage.

5.12 Ecology Officer (FDC)

Original comments from the Ecology Officer highlighted concerns with the details submitted, following receipt of further details the following comments have been received:

BNG

Though the initial concern from CCC has been addressed regarding calculations being incorrect; there is a disparity between the BNG excel metric and the Ecological Impact Assessment declaring "no significant adverse effects are predicted as a result of the proposed". The report may need to be reviewed and updated.

Currently it is determined that a deficit of 1.65 biodiversity units (-42.61% net unit change) is to occur as result of the proposed works to take place on the site. Also, an appropriate BNG Assessment has not been provided to display how the shortfall of biodiversity on-site will be compensated.

As a result, the current calculations and proposals do not display that Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) has been met.

Development proposals of 10% Biodiversity Net Gain will need to be achieved before ecological requirements are met. It is also recommended that a major increase of biodiversity units (0.5 units) will need to be achieved.

If a section 106 agreement is needed, we recommend the applicant provides sufficient information for the heads of terms of an agreement prior to determination of the application. In addition to the information already provided, this information would comprise:

- A plan that follows the UK Habitat Classification showing the spatial locations of the habitats represented in the enhancement and/or creation tabs of the biodiversity metric (i.e. the target habitats).*
- The georeferenced spatial data used to create both of the above plans (in either .shp or .pig format) and written permission to share this data with Cumbria Biodiversity Data Centre (CBDC).*
- A 30-year Habitat Management and Monitoring Plan (HMMP)*

CEMP

I concur also with Cambridge Country Council's initial recommendations that mitigation measures in the Ecological Impact Assessment report should be implemented in full (e.g. construction mitigation & bird / bat boxes and planting) in full as part of detailed construction environment management plans / biodiversity and ecological enhancement scheme.

Please see wording below:

A condition for a CEMP: Biodiversity (Construction Environment Management Plan) is advised, e.g.

No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) should be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Summary of potentially damaging activities*
- b) Identification of "biodiversity protection zones"*
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements)*
- d) The location and timing of sensitive works to avoid harm to biodiversity features.*
- e) The times during construction when specialist ecologists need to be present on site to oversee works.*
- f) Responsible persons and lines of communication.*
- g) The role and responsibilities on site of an ecological clerk of works (Eco) or similarly competent person.*
- h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.*

5.13 Local Residents/Interested Parties

Two objections have been received (from two sources at Smart Close, Manea), in relation to the following:

- Removal of trees/destruction of habitat
- Impact of surrounding developments during construction, in particular in relation to noise
- Cumulative impact of developments on the sustainability of the village/pressure on services
- Overlooking
- Impact of access given proximity
- Devaluation of property

Comments, where they relate to planning matters will be considered in the sections below, however it should be noted that devaluation of property is not a planning consideration and the development is not of a scale which can secure infrastructure contributions.

Ten supporting comments have been received (from 8 sources in High Street, Westfield Road, Station Road and School Lane, Manea), in relation to the following:

- The site is garden land that has not been maintained
- Not at risk of flooding
- Ideal site for development/bring derelict site back into positive use
- Would remove existing buildings which are in disrepair
- Adequate off street parking
- sensitive application, few select houses out of view
- Would increase natural surveillance
- Well laid out
- Infill development
- Much needed bungalows/family homes

6 STATUTORY DUTY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

Fenland Local Plan 2014

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP4 – Housing
- LP12 – Rural Areas Development Policy
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP17 – Community Safety
- LP19 – The Natural Environment

Delivering and Protecting High Quality Environments in Fenland SPD 2014

- DM2 – Natural Features and Landscaping Schemes
- DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
- DM4 – Waste and Recycling Facilities

Cambridgeshire Flood and Water SPD 2016

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 49 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
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP32: Flood and Water Management
- LP49: Residential site allocations in Manea

8 KEY ISSUES

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Highways and parking**
- **Flood Risk and Drainage**
- **Ecology**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

- 9.1 The scheme has been amended during the course of the application to reduce the maximum number of dwellings from five to four, commit 'scale', clarify the extent of the highway in respect of visibility splays, update plans in respect of trees and hedges, revise BNG and Arboricultural details and provide a response in respect of the Ouse Washes recreational impacts.

10 ASSESSMENT

Principle of Development

- 10.1 Manea is identified within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as being a 'growth village', for these settlements development and new service provision within the existing urban area or as small village extensions will be appropriate, albeit of a considerably more limited scale than that appropriate to the Market Towns.
- 10.2 Policy LP12 advises that for villages new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide-open character of the countryside.
- 10.3 This policy also advises that if a proposal within or on the edge of a village, in conjunction with other development built since 2011 and committed to be built (i.e. with planning permission) increases the number of dwellings in a growth village by 15% or more then the proposal should have demonstrable evidence of clear local community support for the scheme. Manea has already exceeded its 15% threshold. However, an appeal decision received in respect of an application that was refused purely on this basis (F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in an otherwise acceptable scheme being refused and against this backdrop the absence of community support does not render the scheme unacceptable in planning terms.
- 10.4 Given the principle of in-depth development extending north along Westfield Road has already been established, including a scheme for up to 26 dwellings (F/YR22/1156/O) immediately to the west of the application site, it is considered that the principle of development on this site could be supported by Policies LP3 and LP12 of the Fenland Local Plan 2014. This is however subject to compliance with all other relevant planning policies and material considerations.
- 10.5 Whilst the policies of the emerging local plan carry extremely limited weight in decision making:

Policy LP1, Part A identifies Manea as a large village; Part B advises that proposals within the settlement boundary will be supported in principle. The application site is predominantly outside the settlement boundary in the emerging local plan, which extends only so far as the existing outbuildings.

Design considerations and visual amenity of area

- 10.6 Policies LP2, LP12 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 135 of the NPPF 2024 and Chapters C1, I1 and I2 of the NDG 2021 seek to ensure that developments avoid adverse impacts, create high quality

environments, which provide a positive contribution to local distinctiveness and are informed by the settlement pattern and local built environment.

- 10.7 The area of Westfield Road in the vicinity of the site comprises predominantly frontage development of detached, 2-storey dwellings, though there are some semi-detached and single storey properties, particularly on the southern side of the road, hence the introduction of single-storey dwellings on this site would not be entirely out of character and would limit visibility of the development from the public realm.
- 10.8 There is an extant outline permission (F/YR22/1156/O) on the land immediately to the west for an in-depth development of up to 26 dwellings, and an ongoing application for the associated Reserved Matters for 24 dwellings (F/YR24/0635/RM) which is to be determined elsewhere within this Committee agenda; the proposed application does not extend significantly beyond the extent of the adjoining permission. However, the adjoining site currently remains undeveloped, as such this application is considered premature, and is in isolation an inappropriate encroachment into the open countryside incongruous with the character and pattern of existing development. It is not considered appropriate or reasonable to impose a condition to withhold development on this site until such time as the adjoining development is implemented. The proposed development is therefore currently considered contrary to Policy LP12, Part A, (c) and (d).
- 10.9 During the course of the application, it was confirmed that the mature trees alongside the western boundary of the site are located within the application site and can be retained (along with the TPO'd tree to the front of 96 Westfield Road) with appropriate protection/mitigation measures as set out Arboricultural Impacts Assessment. The scheme would result in the loss of some trees, which is regrettable, however the Council's Arboricultural Officer has no objection to this advising that their removal would have limited impact on wider public amenity.
- 10.10 Whilst layout has not been committed the constrained, narrow and linear nature of the site (along with the proposed siting and scale of the development to the west) is such that in all likelihood the only scheme feasible for the site would be similar to that submitted and shoehorned into the site. The development would rely on an access road running the length of the site (approximately 200m) likely sandwiched between high boundary treatments, as due to the narrowness of the site three of the plots feature side gardens along the access along with the garden to the host dwelling which would require a suitable boundary treatment, only a single turning head has been indicated approximately 130m from Westfield Road, with two of the plots extending north of this with limited opportunity for turning, an area of open space is indicated in order to avoid development around the overhead cables, dwellings are indicated in very close proximity to the boundary with potential for poor outlook and amenity and the parking arrangements indicated are barely workable. As such, the application has failed to demonstrate that a high-quality development can be achieved on this site for the number of dwellings applied for.

Residential Amenity/Health and wellbeing

- 10.11 Policies LP2 and LP16 of the Fenland Local Plan 2014 and para 135 of the NPPF 2024 seek to ensure that developments avoid adverse impacts and create high quality environments with high levels of residential amenity.
- 10.12 The application was revised to also commit 'scale' and confirm that single-storey dwellings are being applied for, as such, subject to suitable site/Finished Floor Levels and boundary treatments it is not considered that unacceptable overlooking would be derived from the proposed development. Similarly, whilst it will be likely

necessary for proposed dwellings to be located close to the boundary, this is unlikely to result in a significant detrimental impact on the residential amenity of existing/proposed surrounding dwellings as currently sited.

- 10.13 The host dwelling (94 Westfield Road) retains amenity space to the rear, albeit this is segregated by the parking area and garage and as such not all is particularly usable. It will be necessary to provide boundary treatments to secure this area and provide adequate privacy, whilst still retaining visibility to the parking area. It is acknowledged that there will be some noise and disturbance to this existing dwelling (along with those to the west on Smart Close) by virtue of the use of the access in such close proximity, however, this is not considered significantly adverse in respect of the traffic movements for 4 additional dwellings. There are 2 windows in the side elevation of the host dwelling which face towards the access and the applicant's agent advises (email of 10/10/24) that these serve a hall and landing area rather than habitable rooms, and there is scope to secure an appropriate boundary treatment or obscure glazing to the ground floor window to avoid a loss of privacy.
- 10.14 The proposed development has failed to demonstrate that a high-quality living environment can be achieved for future residents, the proposed dwellings are sited in close proximity to the boundary with limited opportunity for an acceptable outlook/level of light, dwellings and gardens are overlooked by the existing 2/3-storey dwellings on Smart Close and to a lesser extent Dunvegan Close (along with potential dwellings on the adjoining development site to the west), the impact on which is compounded by the constrained nature of the site/development and the proximity of the access.
- 10.15 Local residents have raised concerns regarding the impact of the construction phase of the development. The Council's Environmental Health Team have no objections to the scheme but do recommend Construction Environmental Management Plan (CEMP) is conditioned in the event the application is granted. Ordinarily this would not be secured on a development of this scale, however given the constraints of the site and the adjoining development which may come forward this is considered warranted in this case.

Highways and parking

- 10.16 Access is being committed as part of this application and a single 5m x 10m access point to Highways specification is proposed in a similar position to the existing access off Westfield Road, with visibility splays of 2.4m x 43m in both directions. This is acceptable to the Local Highways Authority (LHA), who recommend conditions in respect of visibility splays, drainage, construction and ensuring the access is not enclosed.
- 10.17 The indicative layout details a 6m wide shared surface within the site, which was widened during the course of the application to be suitable as a shared surface and enable the parking spaces to be more useable. Nevertheless, the access, parking and turning arrangements within the site are far from ideal due to the constraints of the site, access being sandwiched between high boundary treatments and the length of the access with limited opportunities for turning. Tracking has not been provided for the full length of the access and the current arrangement is unlikely to be suitable for collection by Council refuse vehicles, with limited scope for a collection area. As such, the scheme has failed to demonstrate that a suitable access, parking and turning arrangement can be achieved within the site.

Flood Risk and Drainage

- 10.18 Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework set out the policy approach towards development in areas of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding. They also seek to ensure developments remain safe from all sources of flooding.
- 10.19 The site is predominately within Flood Zone 1 and has a very low risk of surface water flooding. The application site includes a trip of land to enable a discharge pipe to be taken to Darceys Lode drain to the north and this is the only area located within Flood Zones 2 and 3. Due to this the application is accompanied by a Flood Risk Assessment which sets out that the mitigation measures recommended are that floor levels are set at 0.3m above ground level with 0.3m of flood resilient construction above finished floor level. Given that the entirety of the proposed access and dwellings are located at the lowest risk of flooding it is not considered necessary in this case to undertake the sequential and exception tests
- 10.20 With respect to foul drainage, Anglian Water confirmed that the application site is within the catchment of Manea-Town Lots water recycling centre (WRC), which currently lacks the capacity to accommodate the additional flows that would be generated by the proposed development. However, the Manea WRC is included within their Business Plan as a named growth scheme with investment delivery planned between 2025-2030. Consequently, they did not object to the development on the basis of foul drainage, however they did require imposition of a condition to ensure written confirmation of the upgrades to Manea WRC is obtained, and thus capacity available, prior to occupation of the development.
- 10.21 However, on review of this condition, it was considered it would not meet the tests as required by Para. 58 of the NPPF, as it was considered unreasonable to preclude occupation of the development whilst awaiting the outcome of the Manea WRC improvements, that would ultimately be out of the applicant's control and may risk the development standing empty until such time that the infrastructure improvements were in place.
- 10.22 As such, given the known issue relating to the lack of capacity within Manea WRC, and noting Anglian Water's intention to upgrade its infrastructure within Manea by 2030, should the application be approved, it is considered more reasonable in this circumstance to append a condition requiring an appropriate foul drainage scheme to be submitted for approval prior to commencement of the development. Furthermore, noting the timescales involved for improvements to be undertaken, the LPA propose a proactive approach to foster appropriate growth within the district (in accordance with the aims of the NPPF) by extending the life of the permission from 3 years to 5 years to allow the infrastructure improvements to be completed prior to submission of Reserved Matters.
- 10.23 Notwithstanding, it is considered that such matters can be appropriately controlled by condition should the application be granted, to ensure the scheme will, on balance, comply with Policy LP14 and the NPPF.

Ecology

- 10.24 The site is located with a SSSI impact zone (Ouse Washes) and Natural England have advised that there should be appropriate consideration of recreational pressure impacts.
- 10.25 The process of Appropriate Assessment involves an initial screening which considers whether or not a project is likely to have a significant effect on a

European protected site either alone or in combination with other projects. If the project is not likely to have any significant effects on a European protected site, the Appropriate Assessment process is complete and there will be no further constraint to granting permission under the UK Habitats Regulations.

- 10.26 Following initial comments from Natural England a statement was provided by the applicant's Ecologist and it is on this basis that Natural England have advised that a likely significant effect in respect of recreational impacts can be ruled out.
- 10.27 The application is also accompanied by an Ecological Impact Assessment which concluded that no further surveys for protected species are required and that based on successful implementation of mitigation measures and other safeguards, no significant adverse effects are predicted. However, this is inconsistent with the BNG metric submitted which sets out that a deficit of 1.65 biodiversity units (-42.61% net unit change) is to occur as result of the proposed works to take place on the site.
- 10.28 Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and para 187 of the NPPF 2024 seek to conserve, enhance and promote biodiversity and para 193 of the NPPF 2024 advises that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. The application is not considered to demonstrate that there will be no net loss to biodiversity as a result of the development, due to inconsistencies with submitted information and the fact that an appropriate assessment has not been provided to display how the shortfall of biodiversity on-site will be adequately mitigated or compensated. As such, the application should be refused in accordance with the aforementioned policies.

Biodiversity Net Gain (BNG)

- 10.29 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.30 As referred to in the section above, currently it is determined that a deficit of 1.65 biodiversity units (-42.61% net unit change) is to occur as result of the proposed works to take place on the site. Given the deficit of biodiversity units highlighted and the failure to submit an appropriate BNG Assessment to demonstrate how the shortfall of biodiversity on-site will be compensated, and the 10% BNG will be achieved, the current calculations and proposals do not demonstrate that Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) has been met.
- 10.31 While a BNG condition is required to be imposed on relevant permissions and could allow for, in all likelihood, off-site mitigation to be provided the issue of BNG is one which needs to be considered as part of the determination of an application and there needs to be a reasonable prospect of suitable mitigation being deliverable. The application is not considered to have demonstrated this.

11 CONCLUSIONS

- 11.1 Whilst the development is in outline form with matters only committed in respect of access and scale, it is necessary to demonstrate that the site is suitable for the

development proposed. Given the constraints of the site, it is not considered that the submitted information adequately demonstrates up to 4 dwellings could be accommodated without creating significant detrimental impacts in respect of the character of the area and the residential amenity of existing and proposed dwellings, nor that a suitable access, parking and turning arrangement can be achieved within the site,

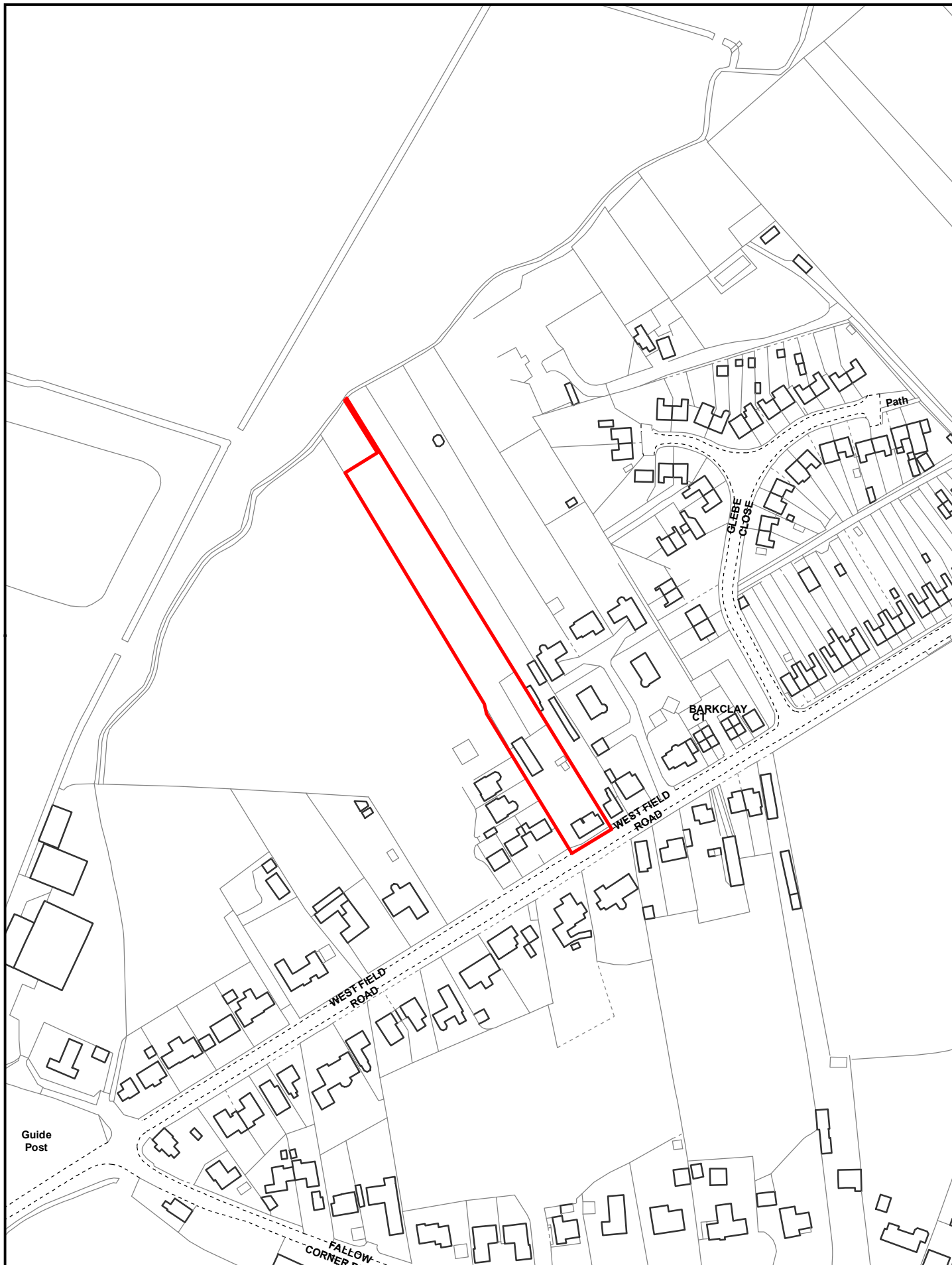
- 11.2 The application is not considered to demonstrate that there will be no net loss to biodiversity as a result of the development, due to inconsistencies with submitted information and the fact that an appropriate assessment has not been provided to display how the shortfall of biodiversity on-site will be adequately mitigated or compensated for. Furthermore, given the deficit of biodiversity units highlighted and the failure to submit sufficient detail to demonstrate how the shortfall of biodiversity on-site will be compensated, and the 10% BNG will be achieved, the current calculations and proposals do not demonstrate that Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) has been met.

12 RECOMMENDATION

Refuse, for the following reasons:

1.	<p>Policies LP2, LP12, LP15 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 135 of the NPPF 2024 and Chapters C1, I1 and I2 of the NDG 2021 seek to ensure that developments avoid adverse impacts, create high quality environments with high levels of residential amenity, which provide a positive contribution to local distinctiveness and are informed by the settlement pattern and local built environment and provide well designed, safe and convenient access for all, along with well-designed parking arrangements.</p> <p>Given the constrained, narrow, linear nature and location of the site, it is not considered that the submitted information adequately demonstrates that up to four dwellings could be accommodated without creating significant detrimental impacts in respect of the character of the area and the residential amenity of existing and proposed dwellings. Furthermore, it has not been demonstrated that a suitable access, parking and turning arrangement can be achieved within the site. As such, the development is contrary to the aforementioned policies.</p>
2.	<p>Policies LP16 (b) and LP19 of the Fenland Local Plan 2014 and para 187 of the NPPF 2024 seek to conserve, enhance and promote biodiversity and para 193 of the NPPF 2024 advises that if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. The application is not considered to demonstrate that there will be no net loss to biodiversity as a result of the development, due to inconsistencies with submitted information and the fact that an appropriate assessment has not been provided to display how the shortfall of biodiversity on-site will be adequately mitigated or compensated for. As such, the application should be refused in accordance with the aforementioned policies.</p>

3	<p>The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.</p> <p>It is currently determined that a deficit of 1.65 biodiversity units (-42.61% net unit change) is to occur as result of the development. Given the deficit of biodiversity units highlighted and the failure to submit an appropriate BNG Assessment to demonstrate how the shortfall of biodiversity on-site will be compensated, and the 10% BNG will be achieved, the current calculations and proposals do not demonstrate that Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) has been met and as such the development is contrary to the aforementioned policies.</p>
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Scale = 1:2,500



Fenland District Council

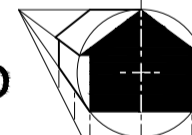


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Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.
Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials, products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.
All finishes, insulation and damp-proofing to architect's details


C PLANNERS COMMENTS		OCT 2024
B PLANNERS COMMENTS		SEP 2024
A PLANNERS COMMENTS		SEP 2024
REVISIONS		DATE

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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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
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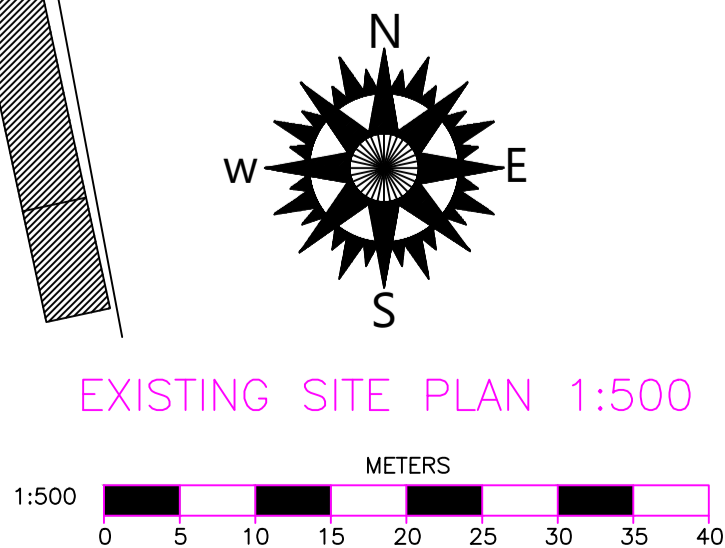
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All finishes, insulation and damp-proofing to architect's details

LEGEND:

- EXISTING DWELLINGS
- PAVEMENT
- GRASS
- PERMEABLE BLOCK PAVING (NON SLIP) - PRIVATE DRIVE
- PERMEABLE BLOCK PAVING PRIVATE DRIVE
- TARMAC
- GRAVEL
- SLAB PAVING
- WHEELIE BINS
- HEDGING
- VEGETATION

INDICATIVE PLOT LEGEND

- PLOT 1 - 3 BED BUNGALOW
- PLOT 2 - 3 BED BUNGALOW
- PLOT 3 - 3 BED BUNGALOW
- PLOT 4 - 3 BED BUNGALOW

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Fenland District Council

Building
Design Awards
Building Excellence in Fenland

PLANNERS COMMENTS

HIGHWAYS BOUNDARY ADDED

PLANNERS COMMENTS

PLANNERS COMMENTS

OCT 2024

OCT 2024

SEP 2024

SEP 2024

Mr & Mrs Ronald

Development at
94 Westfield Road
Manea
Cambs PE15 0LS

Proposed Site Plan
Indicative Layout

DRAWN MH	DATE OF ISSUE
CHECKED	
DATE June 2024	DRAWING NUMBER H9533/03
SCALE As Shown	

PROPOSED SITE PLAN 1:500

1:500 0 5 10 15 20 25 30 35 40 METERS

