

**Applicant: Christian Cooper
James Development Company Limited**

Agent :

Lavender Mill Bungalow, Fallow Corner Drove, Manea, March PE15 0LT

Erect 5 x dwellings (1 x single-storey 2-bed and 4 x 2-storey 2-bed), involving the demolition of existing dwelling and garage

Officer recommendation: Refuse

Reason for Committee: Application Previously Deferred by Committee

1 EXECUTIVE SUMMARY

- 1.1 This application was heard at Planning Committee on 5th February 2025 where it was deferred to obtain an ecology appraisal, a bat survey and a viability assessment.
- 1.2 The applicant has provided further information in the form of revised finished floor levels, revised elevations, a bat survey, ecology report and a biodiversity net gain report, foul water drainage options and a sequential test.
- 1.3 The requested bat survey and ecology report are considered acceptable by the FDC Ecology Officer. No viability assessment has been submitted and the applicant's arguments against the need for this are not considered to be accepted.
- 1.4 The submission largely fails to address the requirements of the Fenland Local Plan (2014) and the National Planning Policy Framework. Whilst the requested matters of an ecology appraisal and bat survey are now considered to be addressed, a viability assessment has not been submitted. Concerns regarding incongruous and dominant design, material overlooking, the lack of a substantive sequential test, foul water drainage provision and the non-submission of a viability assessment remain.
- 1.5 As such, the application is recommended for refusal.

2 UPDATE

- 2.1 The application was presented at Planning Committee on 5th February 2025 where it was agreed to defer the application to allow for further information to be provided with regard to an ecology appraisal, a bat survey and to resolve the issue of a financial contribution, given the officer recommendation this was considered to be via the submission by the applicant of a viability assessment of both this and their site to the north. Following receipt of the submitted information further consultation periods have been undertaken. Contained within Appendix A is the Officer's original committee report.

Ecology and BNG

- 2.2 An ecology appraisal was received on 15 May 2025 alongside a Biodiversity Net Gain Assessment. The Council's Ecologist has reviewed the submitted information and considers that there would be no adverse impact upon the Ouse Washes designated site. The Officer also advises that no vegetation clearance works or building demolitions should take place during the optimum bird nesting period of March to August. With regard to BNG the Office states, *"Currently the development will result in a small loss in biodiversity, contrary to policy and statute which require most developments to achieve at least a 10% gain in biodiversity. Given the constraints of this site the necessary biodiversity gain will need to be provided off-site"*.

Bat Survey

- 2.3 The requested bat survey was received on 04 August 2025. FDC's Ecology Officer has no objections to the submitted Bat Survey. The Officer is of the view that the development could be permitted without causing harm to the conservation status of bats.

Financial Contribution

- 2.4 No viability assessment has been submitted in respect of this. The applicant has however submitted a case that a viability assessment is not required as the application site and their larger site to the north are not reasonably linked, and that the voluntary financial contribution offered did not need to be based on such an assessment. There has been further correspondence between the applicant and officers around the legal basis for a joint viability assessment to be submitted, and as part of this correspondence it has been indicated by the applicant that the voluntary contribution is to be withdrawn.

Other Issues

- 2.5 In addition to the matters on which the application was previously deferred there are other issues which Members should also be updated on.

Wastewater Treatment Capacity

- 2.6 The issue of wastewater capacity was a matter which was addressed in the original report to Committee, concluding that the matter could be dealt with appropriately by way of condition. There has been subsequent consideration of this matter, with Anglian Water advising that Manea Town Lots Water Recycling Centre currently lacks the capacity to accommodate wastewater flows generated by the proposed development. However, it is included in the Business Plan for further investment for 2025-2030.
- 2.7 The Environment Agency advise that Manea Town Lots Water Recycling Centre is currently operating in exceedance of its environmental permit for discharge volume. *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.*
- 2.8 Natural England does not object subject to appropriate mitigation and *Confirmation that the relevant Waste Water Treatment Works has sufficient capacity to serve the proposed development prior to occupation... Natural England's key concern in this location is the capacity of the Manea (Town Lots) water recycling centre / sewage treatment works due to a high number of recorded discharge events. We assume*

the proposed development intends to connect to this facility. The Environment Agency's Storm Overflow Spill Frequency Portal shows that, in 2023 this sewer storm overflow spilled 98 times for a total of 1,330 hours, and in 2024 this outflow spilt 94 times for 1,323.25 hours. These discharges were into a tributary of the Old Bedford River (Counter Drain) and therefore into the Ouse Washes SAC (which is in Unfavourable condition due to Water Pollution and Discharges).

- 2.9 Additionally comments have been seen from Middle Level Commissioners to the applicant's drainage consultants, which indicates they will not give consent for discharge of wastewater to their watercourses as an alternative solution to using the Anglian Water system.

Sequential Test

- 2.10 A document addressing the sequential test has been submitted. This largely repeats the arguments made in the previously considered information but also makes the assertion that a sequential test is not required as the development is the replacement of an existing building, and that this is set out within the "Sequential Test Practice notes".

Revised Plans

- 2.11 Despite the application not being deferred to allow this issue to be addressed the applicant has submitted revised elevations to clarify existing and proposed site levels as well as seeking to address overlooking concerns. Finished floor levels for all dwellings are now set at 2.4 metres AOD. The finished floor levels for the dwellings at Plots 1 to 4 were previously 2.8 metres AOD. The finished floor levels of the bungalow at Plot 5 have not been amended from 2.4 metres AOD. The north facing elevation serving Plots 3 and 4 has ground floor doors that are no longer served by a ramp or steps due to site topography. A 2.1 metre high close boarded fence is proposed for the eastern boundary with Coolruss Lodge with a further 0.3 metres of trellis above.

Public representations

- 2.12 A further objection has been received from a neighbouring resident with regard to the revised plans. They have expressed concerns with the development generating a material overlooking impact and being out of keeping with the character of the other properties along Fallow Corner Drove.

3 ASSESSMENT AND CONCLUSIONS

Ecology and BNG

- 3.1 An Ecology Report and Biodiversity Net Gain Assessment have been submitted to which the FDC Ecology Officer raises no objections. This matter is now considered to have been appropriately assessed and could be satisfactorily addressed by the use of appropriate planning conditions. Consequently, the originally recommended reason for refusal is no longer relevant.

Bat Survey

- 3.2 A Bat Survey has been submitted and the FDC Ecology Officer is confident that the development can proceed without causing harm to bats. They do state that a Protected Species Licence is required from Natural England before any work which

could affect bats can commence. Obtaining a Licence from Natural England is a separate process from obtaining a grant of planning permission. This matter is now considered to be satisfactorily addressed subject to the grant of Protected Species Licence which would be secured by condition and the originally recommended reason for refusal is no longer relevant.

Financial Contribution

- 3.3 As set out above no viability assessment has been submitted with regards to the application site and the site to the north which the applicant is developing for 29 bungalows.
- 3.4 While the applicant has indicated that the voluntary financial contribution which was being proposed is now to be withdrawn, this does not address the issue of whether the sites are linked for the purposes of assessing whether a contribution towards affordable housing is required under Policy LP5 of the Local Plan.
- 3.5 Case law has set out that there is a tripartite test for assessing such linkage, essentially concerning:
 1. Whether the sites are in a single ownership
 2. Whether they constitute a single site for planning purposes
 3. Whether proposals can be deemed a single development.
- 3.6 The applicant has contended, in summary, that while the sites are in a single ownership, and were also bought by the applicant at the same time with both parcels having a landowner in common this does not justify aggregation. The applicant also contends that the sites do not constitute a single site for planning purposes nor are they a single development, pointing to the time lag between the original planning application for the site to the north in 2016 and this current application not being submitted until 2024. The applicant also points to a lack of functional or operational relationship between the two sites with the current application addressing a different housing need and the sites being able to proceed separately.
- 3.7 It is considered that the land ownership issue would be indicative of a relationship to suggest a conclusion of aggregation between the sites would be reasonable. While there is clearly a time lag between the original permission on the site and the current application, the applicant made their Reserved Matters application on the site to the north in 2023 and as such the two developments are perhaps not so chronologically separate as the applicant is suggesting. In terms of functional relationship between the sites the current application seeks to utilise the access road to the site to the north, and as per the applicant's originally submitted supporting information "We have adopted all the same architectural typologies and principles vis-a-vi heights, building lines, setbacks, garden sizes, material selections and all the other ancillary considerations such as biodiversity and designing out crime strategies as per the primary consent granted on our adjacent land where the development of 29 bungalows will commence this summer". A functional relationship does therefore seem apparent.
- 3.8 As such it is not accepted that the two sites should not be viewed as aggregated for the purposes of Policy LP5 of the Local Plan, and in the absence of viability information to demonstrate that the required affordable housing contribution cannot be delivered that the originally recommended reason for refusal in this regard remains relevant.

Wastewater Treatment Capacity

- 3.9 Anglian Water, Natural England and the Environment Agency advise that Manea Town Lots Water Recycling Centre currently lacks the capacity to accommodate wastewater flows generated by the proposed development. Middle Level IDB have stated that they will not give consent for discharge of wastewater to their watercourses as an alternative solution to the Manea Town Lots Water Recycling Centre capacity issues. Foul Water Drainage provision remains a material concern for the proposal site, however it is considered that this could reasonably be dealt with via planning condition.

Sequential Test

- 3.10 The applicant asserts that as the development is for the replacement of an existing building it is exempt from the sequential test. While a like for like replacement of a dwelling on a site would ordinarily be unlikely to require sequentially testing as there would be no increase in terms of exposure to flood risk, this application proposes to replace one dwelling with five dwellings, therefore significantly increasing the number of people at risk of flooding. The applicant's assertion is therefore considered incorrect and contrary to the guidance set out within the Cambridgeshire Flood and Water SPD and the NPPF (2024). It is therefore considered that the originally recommended reason for refusal remains relevant.

Revised Plans

- 3.11 Revised elevations have been submitted by the applicant to clarify existing and proposed site levels as well as seeking to address overlooking concerns. Finished Floor Levels for all dwellings are now set at 2.4 metres AOD. The north facing elevation serving Plots 3 and 4 has ground floor doors that are no longer served by a ramp or steps due to site topography. A 2.1 metre high close boarded fence is proposed for the eastern boundary with Coolruss Lodge with a further 0.3 metres of trellis above. The proposed revision to finished floor levels is considered to adequately address potential flood risk and the Environment Agency has no objections to the submitted details. However, despite the removal of the rear staircases at Plots 3 to 4. Material overlooking concerns remain from Plots 2 and 3 toward the dwelling and private amenity space of Coolruss Lodge beyond the eastern boundary. This is despite the boundary treatment amendment of 2.1 metre high fencing, as well as the proposed installation of the fixed single glazed window serving the WC and bathrooms of Plots 2 and 3. Material overlooking concerns remain from the side access staircases as well as the north facing rear elevation window serving Bedroom 2 of Plot 3 toward both Coolruss Lodge and the private amenity space at the proposed bungalow of Plot 5 to the north. As such it is considered that the originally proposed reason for refusal remains relevant.

Other Reasons for Refusal

- 3.12 Further to the assessment set out above it is not considered that there are any changed circumstances which would overcome or address the other previously recommended reasons for refusal concerning the scale and form of development and substandard amenity areas.

4 RECOMMENDATION

Refuse; for the following reasons:

1	The amount of development taking place on the site, its layout, scale, form and appearance would result in a development at odds with the prevailing pattern of development and general character in the locality with a consequent adverse and detrimental impact on the character and appearance of the area contrary to Policy LP16 (d) of the Fenland Local Plan (2014), and Policy DM3 of Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014).
2	The development would result in overlooking of the side and rear of the neighbouring bungalow, Coolruss Lodge. This loss of privacy would be to the detriment of the amenity of the residents of this property and if permitted the development would be contrary to Policy LP16 of the Fenland Local Plan (2014) and paragraph 135 of the National Planning Policy Framework (2024).
3	The development proposed by virtue of the substandard garden areas to Plots 1 and 2 and the overlooking from Plot 3 to the garden area of Plot 5 would afford an inadequate level of amenity for future residents of the development. This would be contrary to Policy LP16 of the Fenland Local Plan (2014) and paragraph 135 of the National Planning Policy Framework (2024).
4	The Cambridgeshire Flood and Water SPD 2016 and Policy LP14 (Part B) of the Local Plan requires development in Flood Zone 3 to undergo a sequential test to demonstrate that the development cannot be delivered elsewhere in the area at lower risk areas of flooding. Policy LP2 seeks to deliver high quality environments, ensuring that people are not put at identified risks from development thereby avoiding adverse impacts in the interests of health and wellbeing. The site lies within Flood Zone 3 which is a high-risk flood area. The applicant has failed to undertake a substantive and evidenced sequential test and has therefore failed to demonstrate that the development could not be delivered in an area of lower flood risk, thereby failing LP14 (Part B). Consequently, the proposal fails to satisfy policy LP2 of the Fenland Local Plan as it fails to deliver a high quality environment and unjustifiably puts future occupants at higher risk of flooding.
5	The application proposes a 'voluntary' financial contribution linked to the residential development of the site to the north (Lavender Mill). No comprehensive viability assessment covering both development sites, as required under Policy LP5 of the Fenland Local Plan 2014, has been submitted and as such it is unknown whether the contribution offered is the optimum amount which could be delivered from the linked developments. As such, to grant the application would be contrary to the aforementioned policy.

Appendix A on the next page contains the officer report presented to the planning committee of Wednesday the 5th of February 2025.

F/YR24/0627/F

**Applicant: Christian Cooper
James Development Company Limited**

Agent :

Lavender Mill Bungalow, Fallow Corner Drove, Manea, March PE15 0LT

Erect 5 x dwellings (1 x single-storey 2-bed and 4 x 2-storey 2-bed), involving the demolition of existing dwelling and garage

Officer recommendation: Refusal

Reason for Committee: Parish Council comments contrary to Officer recommendation.

Government Planning Guarantee

Statutory Target Date For Determination: 23 September 2024

EOT in Place: Yes

EOT Expiry: 30th June 2025

Application Fee: £2890

Risk Statement:

This application must be determined by the 30th of June 2025 otherwise it will be out of time and therefore negatively affect the performance figures.

EXECUTIVE SUMMARY

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|-----|--|
| 1.1 | The application seeks permission to demolish an existing bungalow and to erect five dwellings with a quadrant block of four, two-storey dwellings and a bungalow. Policy LP16 (d) of the Fenland Local Plan 2014, DM3 of supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014) seek to ensure that proposals make a positive contribution to the local distinctiveness and character of the area and that the character of the local built environment informs the layout and features of proposed development. The amount of development taking place on the site, its scale, form and appearance would result in a development at odds with the prevailing pattern of development and adversely impacting on the character and appearance of the area |
| 1.2 | There is considered to be a material overlooking impact on the fenestration and private amenity space of Coolruss Lodge to the east contrary to policies LP2 and LP16 of the Fenland Local Plan (2014) and paragraph 135 of the National Planning Policy Framework (2024). Additionally the submitted details of Plot 5 are not consistent, and do not allow for a proper assessment of the impact of |

this dwelling on neighbouring amenity.

- 1.3 The proposed development would provide a substandard level of private outdoor amenity space for future occupiers of the proposed Plots 1 and 2, due to the very modest size of the garden space. The proposal fails to devote a minimum of one third of the plot size to private amenity space in accordance with LP16(h) of the Fenland Local Plan (2014). Additionally there would be overlooking of the rear garden of Plot 5 from Plot 3. The proposed development would therefore provide a sub-standard level of residential amenity for future occupiers contrary to policies LP2 and LP16(h) of the Fenland Local Plan (2014).
- 1.4 Policy LP14 (Part B) of the Local Plan requires development in Flood Zones 2 and 3 to undergo a sequential test to demonstrate that the development cannot be delivered elsewhere in the district at lower risk areas of flooding. Policy LP2 seeks to deliver high quality environments, ensuring that people are not put at identified risks from development thereby avoiding adverse impacts in the interests of health and wellbeing. The site predominately lies within Flood Zones 2 and 3 which are high risk flood areas. The applicant has failed to undertake a sequential test and has therefore failed to demonstrate that the development could not be delivered in an area of lower flood risk, thereby failing LP14 (Part B) and conflicting with the NPPF and the Flood and Water SPD.
- 1.5 The submitted information identifies the potential to impact a bat roost and recommends further survey work is carried out. In the absence of these surveys the impact of the scheme cannot be determined, nor what mitigation / compensation is required to address these impacts, contrary to Policies LP16 (b) and LP19 of the Fenland Local Plan (2014) and Paragraph 187 of the NPPF (2024)
- 1.6 The application is also not supported by sufficient detail to establish that the proposed development will be able to meet the BNG requirements for the site and the application lacks sufficient ecology information relating to the demolition of the existing building. The application therefore fails to demonstrate that the development can achieve the BNG measures for the site contrary to Policy LP16 and LP19 of the Fenland Local Plan 2014.
- 1.7 Additionally, the application indicates a link to an adjoining site in terms of providing a financial contribution. However no full viability assessment has been carried out as per Policy LP5 of the Local Plan and as such this issue cannot be accurately assessed.
- 1.8 For the reasons given above this application is recommended for **refusal**.

SITE DESCRIPTION

- 2.1 The proposal site is located to the north of Fallow Corner Drove, which is largely characterised by a linear pattern of development with dwellings of varying scales fronting onto the road. These properties are largely set within relatively spacious plots and in the immediate vicinity of the site with substantial areas of frontage. A two-storey detached property named Hadleigh is sited to the west, with a detached bungalow named Coolruss Lodge to the east. Beyond Fallow Corner Drove to the south is arable fields, with a development by the same applicant for 29 bungalows on the site of the former Lavender Mill approved under reference F/YR23/0423/RM currently under way to the north. This development shares an access with the proposal site, toward the western boundary of the site.
- 2.2 The site is currently overgrown and contains a derelict bungalow and garage. There are no trees on site. There is a fall from back to front of the site of approximately 1.5 metres.
- 2.3 Approximately 80% of the site is within Environment Agency Flood Zones 2 and 3, with the northernmost extent of the site in Flood Zone 1. There is no predicted surface water impact for the site, with a line of low extent on an east / west axis along Fallow Corner Drove beyond the southern boundary.

PROPOSAL

- 3.1 This full planning application seeks permission to erect 5 dwellings consisting of 1 single-storey, 2 bed bungalow, and 4 two-storey, 2 bed maisonettes. The existing dwelling and detached garage on site are to be demolished to facilitate the proposal. The 4 maisonettes will be positioned forwards of the footprint of the existing dwelling, with the bungalow to the rear, adjacent to the northern boundary. The maisonettes will form a rectangular quadrant with enclosed gardens to the south of Plots 1 and 2, and to the north of Plots 3 and 4. Car parking will be sited forward of the maisonettes within the southern frontage of the site. A single garage and off-road parking space will be provided for the detached bungalow. Cycle storage for the maisonettes is to be provided behind the rear garden wall of Plot 3 adjacent to a bin store.
- 3.2 The proposed facing materials are predominantly Elgin Blend bricks by Crest with roof tiles being Crest Cotswold Red pantiles. The quadrant block has first floor balconies to the front and projecting first floor bay windows to the front and west elevations which would be faced in green weatherboarding (Hardie Plank Parkside Pine) which would also be used on the west and east elevations of the proposed bungalow. These listed materials are intended to match with the materials to be utilised for the 29 bungalows approved under reference F/YR23/0423/RM to the north, albeit that a range of cladding colours was to be used within this.
- 3.3 The proposal will utilise the existing access toward the western boundary that is also to serve the 29 dwellings to the north, approved under reference F/YR23/0423/RM. The existing frontage access to Lavender Mill Bungalow is to be removed and reinstated. The proposed boundary treatment is 1.8 metre close boarded fencing and brick walls.
- 3.4 The block of maisonettes is indicated as having a finished floor level (FFL) approximately 1.5 metres above existing ground level at its front, with the

bungalow being shown with a FFL of 2.4AOD which is similar to the indicated ground levels on the site plan, although elevational drawings show this being built up by approximately 0.7m and accessed via several steps, with the Flood Risk Assessment setting out this unit would be 0.55m above existing levels.

- 3.5 The agent proposed in a letter dated December the 18th that foul water is addressed by condition given Anglian Water capacity issues in the Manea area. Surface water is to discharge to an existing water course via private surface water drains that will discharge to two surface water control chambers sited in the access road at the west of the application site.
- 3.6 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

SITE PLANNING HISTORY

No pertinent history on application site.

CONSULTATIONS (summarised)

5.1 Manea Parish Council

No Objection – Note: No Local S106 contribution.

5.2 Natural England – 23rd September 2024

Natural England has previously commented on this proposal and made comments to the authority in our response dated 23/08/2024, ref – 485332. The advice provided in our previous response applies equally to this amendment. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

The comments from the 23rd of August 2024 states:

FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES *The proposed development has the potential to have a harmful effect on terrestrial Sites of Special Scientific Interest (SSSIs) and those Special Areas of Conservation (SACs), Special Protection Areas (SPAs) or Ramsar sites that they underpin. Natural England's statutory advice on these potential impacts is set out below.*

Designated sites

Further information required - potential recreational pressure impacts to Sites of Special Scientific Interest (SSSIs) in Cambridgeshire and Peterborough.

This development site is within the zone of potential risk for publicly accessible Sites of Special Scientific Interest (SSSIs) sensitive to the effects of recreational pressure.

Within this zone, proposals for any net increase in residential units may affect the notified features of the SSSI(s) through increased recreational pressure.

*Natural England advises that such developments require a **proportionate assessment** of recreational pressure impacts on the notified features of the SSSI(s) and measures to mitigate adverse impacts eg alternative open space provision.*

Please refer to Natural England's letter dated 12 July 2019 (attached) for further information.

Discretionary Advice

Natural England may provide further advice to the applicant through the discretionary advice service (DAS). Refer to Developers: get environmental advice on your planning proposals - GOV.UK (www.gov.uk) for more information.

Impact Risk Zones for Sites of Special Scientific Interest We publish Impact Risk Zones for Sites of Special Scientific Interest (SSSI IRZs), a GIS-based tool designed for use during the planning application validation process to help local planning authorities to determine if a proposed development is likely to affect a terrestrial SSSI and when to consult Natural England. For more information and to access the SSSI IRZs and user guidance, please visit the Natural England Open Data Geoportal.

Further general advice on the consideration of protected species and other natural environment issues is provided at Annex A.

5.3 FDC Environmental Health – 19th September 2024

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

In the interests of protecting the amenity of existing nearby residents during the construction phase, this service would request the submission of a Construction Environmental Management Plan (CEMP). This should be in accordance with the template available on the Fenland District Council website via the following link: <https://www.fenland.gov.uk/planningforms>.

A Phase 2 contaminated land investigation has been undertaken by Ground Engineering, the report (ref: C15958A) dated July 2023 for which has been submitted, and the findings noted and accepted by Environmental Health. The findings of the report detailed elevated concentrations of two PAHs (benzo[b]fluoranthene and dibenzo[a,h]anthracene) where found that exceeded the soil screening values (SSV's) for a residential with home grown produce end use. Therefore, this service would recommend that the remaining suite of contaminated land conditions are imposed to protect the interests of future site users.

The report indicates that there is a moderate risk that a pathway could develop affecting groundworkers during the construction phase of the redevelopment. Therefore, we would ask that the requirements outlined on page 13 of the report are followed during the construction phase.

At the time of the report the proposed site layout was unknown, but as the site layout plan has now been submitted, all proposed landscaped areas where soil will be exposed at the surface should be replaced with a suitably thick cover or barrier layer in order to break the pathway between the underlying made ground and the end site users. We would request that this remediation work, that are detailed on page 15 and 16 of the report are carried out and a validation/closure report is submitted to and approved by the LPA for approval following the completion of the remediation works on site.

5.4 Environment Agency – 18th September 2024

Thank you for your reconsultation, please refer to our letter ref AC/2024/132297/01 dated 11 September 2024 for our comments that still stand.

The comments from 11 September 2024 stated:

We object to the submitted application as insufficient information has been provided relating to water quality.

Water Quality

The proposed development is located within the catchment of the Manea – Town Lots Waste Water Treatment Works (WWTW) which is currently exceeding its permitted volume of discharge to the watercourse. The development of further housing will increase foul water flows to the WWTW and in turn the volume of discharge. This poses an unacceptable risk of pollution. We therefore object to this application as it is currently submitted and recommend that planning permission should be refused on this basis.

Reasons

The Manea – Town Lots WWTW is exceeding the limits set for its environmental permit to discharge treated flows to a surface waterbody which in this case is the drain under the jurisdiction of the Manea and Welney Internal Drainage Board which forms part of the Old Bedford and Middle Level catchment. The Middle Level is at 'moderate' classification and required under the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 to reach 'good' by 2027. The River Basin Management Plan for this catchment cites challenges caused by pollution from the water industry as a reason for not achieving 'good'. We note that Anglian Water Services (AWS) have not identified actions to increase capacity at this WWTW in their published Drainage and Wastewater Management Plan.

The limits in the environmental permit issued for this WWTW are set to prevent harm to the waterbody into which the treated flows discharge. Exceedance of this presents a risk of causing deterioration. The Manea WWTW has frequently exceeded the set permit limit since 2017. This situation is likely to be exacerbated by increased foul water flows from new development, especially if this occurs in a similar timeframe to other consented developments but there appears to be no discussion in the submitted documents of how the proposed development would affect this.

Paragraph 187 of the National Planning Policy Framework (December 2024) states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of water pollution.

The Water Framework Directive places an obligation on all public bodies in their decision making to ensure that decisions do not lead to a reduction in the water framework classification status.

For these reasons we consider that the applicant has not provided sufficient information to assure the Local Planning Authority that if consented, this development will not cause pollution and unacceptable harm to the water environment.

Overcoming our objection

We recommend that the applicant, in consultation with AWS, shall submit a foul water strategy that:

- Includes analysis of forecasted flows arising from the site when operational with expected capacity of the receiving WWTW (once necessary works are undertaken) to demonstrate that the flows can be treated whilst remaining compliant with current or new environmental permits;*
- Includes an assessment of the cumulative impacts on foul water treatment and water quality for this WWTW catchment;*
- Includes plans for appropriate phasing or timing of construction to ensure that it becomes operational in line with available capacity and not before.*

Submission of a foul water strategy which addresses the above concerns will not in itself overcome our objection. We will provide bespoke comments upon receipt of reconsultation. Depending on the evidence submitted and circumstances at the time we reserve the right to reconsider our position.

Should the LPA be minded to approve this application, contrary to our advice, we request that you contact us to discuss further prior to any decision being made.

Notwithstanding and without prejudice to the above objection, we have attached an Appendix, which details the additional comments that we wish to raise in relation to consultation on this planning application. If the above objection is resolved then these comments would likely be applicable.

Appendix 1 – Flood Risk

National Planning Policy Framework Sequential Test

In accordance with the National Planning Policy Framework (NPPF) paragraph 174, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk 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 as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be

aware that although we have raised no objection to this planning application on flood risk grounds, this should not be taken to mean that we consider the proposal to have passed the Sequential Test.

Review of Flood Risk Assessment (FRA)

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) (Engineering Support Practice Ltd) are adhered to. In particular, the FRA recommends that:

- Finished floor levels of the proposed single storey dwelling will be set no lower than 500mm above existing ground levels.*
- Finished floor levels of the proposed two storey semi-detached dwellings will be set no lower than 1.0m above existing ground levels.*
- Flood resilient measures will be incorporated up to 600 mm above finished floor levels.*

Exception Test

With regard to the second part of the Exception Test, your Authority must be satisfied with regards to the safety of people (including those with restricted mobility), the ability of people to reach places of safety, including safe refuges within buildings, and the ability of the emergency services to access buildings to rescue and evacuate people. 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.

We strongly recommend that you consult your Emergency Planner on the above issues.

Other Sources of Flood Risk

We have reviewed the submitted FRA with regard to tidal and main river flood risk sources only. The Internal Drainage Board should be consulted with regard to flood risk associated with their watercourses and surface water drainage proposals.

Advice for the Applicant

Any proposed flood resilient measures should follow current Government Guidance. For more information on flood resilient techniques, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings – Flood Resilient Construction", which can be downloaded from 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. Flood Warnings Service (F.W.S.) is a national system run by the Environment Agency for broadcasting flood warnings. 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 for developments. Advice should be sought from the Emergency Services and the Local Planning Authority's Emergency Planners when producing a flood evacuation plan.

5.5 Cambridgeshire County Council - Highways

On behalf of the Local Highway Authority, I raise no objections to the proposed development, subject to the condition(s) set out below.

Comments

In the event that the LPA are mindful to approve the application, please append the following Conditions and Informatives to any consent granted.

Conditions

Non-standard condition

All planting to the boundary of the development will need to be within the remit of the applicant's site no planting should be placed on the public highway. The Highway Authority would request that the landscaping be planted so that at a reasonable level of maturity it does not overhang the public highway.

Reason: In the interests of highway safety

Closure of Access

The existing access to Lavender Mill Bungalow shall be permanently and effectively closed and the footway / highway verge shall be reinstated in accordance with a scheme to be Place and Sustainability Highway Development Management East Highways Depot Stirling Way Witchford Ely CB6 3NR agreed with the Local Planning Authority within 28 days of the bringing into use of the new access.

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

5.6 Middle Level Commissioners (Internal Drainage Board)

Thomas Consulting's Drainage Strategy report and calculations provided for the Phase 1 development (F/YR19/0958/O) showed that the proposed development will store surface water in permeable paving in the private drive areas and under the entrance road, discharging at an attenuated rate of 5 l/s. The Board awaits further details of the drainage strategy of Phase 2 from the applicant, including details of storage volumes, flow controls etc. to show that the Phase 2 proposals can also provide a volume suitable to cater for a 1-in-100-year storm plus an allowance for climate change.

With regards to treated foul water disposal, as the Manea Town Lots WWTW discharges into the Manea & Welney DDC area, a Discharge Consent application

would therefore be required from this Board for a discharge via Anglian Water Services. However, the comments from the Environment Agency to the above planning application of 11th September are noted, regarding their objection to the proposed disposal of treated foul effluent to Manea & Welney DDC via the AWS Manea - Town Lots WWTW. Please note that neither the Curf & Wimblington Combined IDB or the Manea & Welney District Drainage Commissioners will consent to the discharge of treated foul effluent into watercourses in their districts, if requested due to the capacity issues with Anglian Water Services Ltd.

The Boards look forward to receiving further details from the applicant in due course.

5.7 Cambridgeshire County Council – Principal Ecology Officer

The application has the potential to impact Nene Washes SSSI / SAC / SPA and Ramsar site as a result of recreational pressure. In addition, the scheme is likely to result in the loss of a bat roost. However, no details assessment has been undertaken on these features and as such the level of adverse impact of the scheme cannot be determined, not what mitigation / compensation is required to address these impacts.

In light of the above, the scheme will potentially conflict with Fenland Local Plan 2014 policies LP16 & LP19 which seek to conserve, enhance and promote the biodiversity interest and National Planning Policy Framework (Dec 2024). Nor, whether the LPA will meet its statutory duties to conserve biodiversity (Section 40, Natural Environment and Rural Communities Act 2006) and European protected species (Conservation of Habitats and Species Regulations 2017).

We therefore recommend refusal, unless the following information is provided prior to determination:

- completion of further survey work (bat) recommended in the Preliminary Ecological Appraisal*
- appraisal of recreational impact on national and international nature conservation sites*
- shadow stage 1 Habitat Regulations Assessment (if required)*
- Biodiversity Net Gain assessment using full Statutory Metric and completed by a suitably qualified ecologist. All new habitats within a private dwelling should be recorded as 'vegetated' or 'unvegetated' garden.*

Please find further information below

International and nationally important sites of nature conservation

The site falls within Natural England's Site of Special Scientific Interest Impact Risk Zone. Their standing advice for this land is:

Natural England Site of Special Scientific Interest Impact Risk Zone – (MAGIC.gov.uk)

Further information required - potential recreational pressure impacts to Sites of Special Scientific Interest (SSSIs) in Cambridgeshire and Peterborough

This development site is within the zone of potential risk for publicly accessible Sites of Special Scientific Interest (SSSIs) sensitive to the effects of recreational pressure.

Within this zone, proposals for any net increase in residential units may affect the notified features of the SSSI(s) through increased recreational pressure.

*Natural England advises that such developments require a proportionate **assessment of recreational pressure impacts** on the notified features of the SSSI(s) and measures to mitigate adverse impacts eg alternative open space provision.*

Please refer to Natural England's letter dated 12 July 2019 for further information.

The proposed scheme will result in the construction of new dwellings and has the potential to affect SSSI (particularly in combination with other projects) as a result of recreation, and therefore the above requirement is applicable. This is further confirmed by Natural England's consultation response.

The applicant has not provided any assessment of the recreational impact, particularly on the Nene Washes SSSI / Special Area of Conservation / Special Protection Area and Ramsar site. Nor considered what mitigation measures are appropriate to advice impact.

Furthermore, if there is potential impact on an international site (habitat site), the LPA has insufficient information provided to be able to write a stage 1 Habitat Regulations Assessment report (if applicable).

*We therefore recommend **refusal** until the following information is provided:*

- A proportional assessment of recreational impact on the notified features of the SSSI and measures to mitigated adverse impacts*
- If potential impact on habitat site (including SPA, SAC or Ramsar) that the applicant should provide a shadow stage 1 Habitat Regulations Assessment report.*

We recommend the allocation seek further guidance on this matter through the Natural England's discretionary advice service (DAS). Please refer to Natural England consultation response for more info.

Protected Species - bats

The Preliminary Ecological Appraisal recorded bat droppings within the property. The building is scheduled for demolition and therefore the PEA recommends further surveys to determine the type of roost, level of impact of the scheme and what mitigation is required.

However, the applicant has not submitted these surveys and therefore, the LPA is unable to determine the impact of the scheme on protected species, including European protected species (bats).

*The impact of a development on protected species is a material consideration in the planning process. We refer the LPA to Natural England's **standing advice for protected***

species and development. Section 2 states “you can refuse planning permission if surveys..... do not provide enough evidence to assess the likely negative effects on protected species”.

European Protected Species

The proposed demolition works are likely to require a licence to undertake works to damage a bat roost.

As a competent authority, the Council also has a statutory duty to protect the favourable conservation status of European protected species (e.g. bats, otter, great crested newt) under the Conservation of Habitats and Species Regulations 2017 (as amended). As part of this duty, the LPA must consider whether a licence (from Natural England) is likely to be granted for the proposed development. The further bat survey work is required to determine if (a) a licence is likely to be required and if yes, (b) will Natural England’s 3 licensing tests for EPS (required to grant a licence) likely to be met.

We therefore recommend **refusal** unless the following recommended survey / assessment is completed:

- Protected Species surveys (bats) recommended in the ecology report

Biodiversity Net Gain

The applicant has submitted Biodiversity Net Gain values calculated using the Small Sites Metric. However, the Small Sites Metric cannot be used on sites where European protected species are present (see page 7, The Small Sites Metric (Statutory Biodiversity Metric) User Guide).

Therefore, if a bat (protected species) roost is confirmed to be present during further survey work, then a full version of a Statutory Metric will need to be completed by a competent ecologist. Therefore, the BNG assessment cannot be agreed until the bat work has been completed.

Biodiversity Net Gain Analysis & Proposals 1104-13

The Biodiversity Net Gain Analysis & Proposals 1104-13 drawing of existing habitat shows the location of seven ‘BNG photos’, however BNG photos 6 & 7 are missing from the document. Please provide.

The post-development drawing maps newly created hedgerows, scrub and trees have been recorded within private gardens (garden within curtilage of a privately owned or tenanted dwelling house). This is in direct conflict with the Small Sites Metric User Guide (see extract below). All new habitats within the curtilage of a dwelling can only be allocated as either vegetated garden or unvegetated garden. Please update.

The Small Sites Metric (Statutory Biodiversity Metric) User Guide, page 27:

Recording residential development (at post-development) - private gardens

The post-development private garden has no public access, and biodiversity net gains cannot be legally secured. As these gains cannot be secured you should only record created private gardens as either:

- ‘urban – vegetated garden’; or

- ‘urban - unvegetated garden’

You should not:

- record the creation of any other new habitats within private gardens
- record enhancement of any habitat within private gardens

BNG loss

The Statutory Biodiversity Metric calculations record an increase in BNG. However, this is inaccurate....and the scheme is likely to result in a net loss due to loss of habitat of biodiversity value, and only ‘vegetated garden’ (which has a low BNG score) can be created within the curtilage of dwellings.

*In light of the above, we recommend **refusal** until the following information is provided:*

- Updated Biodiversity Net Gain assessment using full metric (if bat roost is confirmed) to be completed by a suitably qualified ecologist
- Update post-development habitats to reflect type of development – all new habitat within private gardens to be classified as vegetated / unvegetated garden.

Planning conditions

If the applicant submits the above information and addresses our concerns, it is anticipated that biodiversity compensation / mitigation measures and enhancements recommended within the ecological report(s) should be secured through a suitable worded condition(s) to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:

1. Construction Environment Management Plan (CEMP: biodiversity)
2. Landscape and Biodiversity Enhancement Scheme
3. Natural England licence (bats)
4. Detailed lighting scheme sensitively designed for wildlife
5. Time limit until update ecological surveys required

The mandatory Biodiversity Gain condition would apply (please note, this there are two versions – a standard condition and a condition for phased development).

If “significant on-site Biodiversity Net Gain” or any “off-site BNG” is proposed, the management and monitoring of the scheme for 30 years must be secured through a suitably worded planning condition / obligation.

5.8 Local Residents/Interested Parties

Objectors

Two letters of objection have been received from two properties on Fallow Corner Drove, Manea. They have expressed concerns regarding:

- Overlooking
- Design
- Out of keeping

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)

POLICY FRAMEWORK

National Planning Policy Framework 2024 (NPPF)

Chapter 5 – Delivering a sufficient supply of homes

Chapter 12 – Achieving well-designed and beautiful places

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

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Homes and Buildings

Fenland Local Plan 2014

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

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

LP16 – Delivering and Protecting High Quality Environments Across the District

LP19 – The Natural Environment

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

DM6 – Mitigating Against Harmful Effects

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 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy
LP2: Spatial Strategy for the Location of Residential Development
LP7: Design
LP8: Amenity Provision
LP12: Meeting Housing Needs
LP22: Parking Provision
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP32: Flood and Water Management
LP33: Development on Land Affected by Contamination
LP49: Residential site allocations in Manea

KEY ISSUES

- **Principle of Development**
- **Layout and Design**
- **Impact on Residential Amenity / Land Users**
- **Highway Safety and Parking**
- **Flooding Considerations / Drainage**
- **Ecology**
- **Voluntary Section 106 Contributions**
- **Biodiversity Net Gain (BNG)**

BACKGROUND

- 9.1 There have been no previous applications for residential development on this site. The site immediately to the north was a former mill and latterly a grain store and has had the benefit of permission for residential development since 2016 with a reserved matters application for 29 single storey dwellings approved under reference F/YR23/0423/RM. That application was submitted by the same applicant as this application and utilises similar materials of construction, with the current application using the approved access.

ASSESSMENT

Principle of Development

- 10.1 The site is located within the settlement of Manea; which is identified within Policy LP3 of the Fenland Local Plan (2014) and the settlement hierarchy within this as being a Growth Village where the broad principle of new residential development is considered acceptable, subject to detailed policy considerations.

Layout and Design

- 10.2 The proposed development is located off Fallow Corner Drove which is predominantly characterised by detached dwellings, of varying forms, which are in a linear pattern. The dwellings either side of the application site are, to the west, a two-storey detached dwelling, one of a broadly matching pair, with a one and a half

storey front projecting garage, while to the east is a detached bungalow. Both of these properties are set back from the road with relatively open frontages.

- 10.3 The application proposes to erect a quadrant block of dwellings which would sit forward of the current bungalow on site and the adjacent bungalow and in line with the lower 1.5 storey elements of the neighbouring houses to the west. Given the scale and mass of the proposed building at two-storeys and with raised floor levels it is considered that this would form a highly prominent and incongruous feature within the streetscene.
- 10.4 This impact would be exacerbated by the design and appearance of the proposed development with overly fussy and unattractive elevations containing first floor balconies and projecting first floor bay windows clad in green weatherboarding and with a clock feature incorporated at the apex of the roof.
- 10.5 The appearance of the development, and indeed its form in terms of being a quadrant block of maisonettes is untypical of anything found along Fallow Corner Drove and is not considered to be sympathetic to a location at the edge of a village being more typical of a form of development found in more intensively developed urban areas.
- 10.6 Further visual and character harm would also arise from the amount of hard surfacing indicated to the front of the development to provide six car parking spaces to serve the four dwellings as well as the use of 1.8m walls to screen the garden areas for plots 1 and 2. This would all sit adjacent to the landscaped open front garden of Coolruss Lodge to the east.
- 10.7 In terms of the bungalow proposed on the rear portion of the site, this would be largely screened from wider public view and its design and appearance in itself is considered acceptable. However, the presence of this tandem form of development would be noticeable from the street and again this is not typical of any form of development on Fallow Corner Drove and would further adversely impact upon the character of the area.
- 10.8 While it is accepted that there is an in-depth development taking place to the rear of the site on previously developed land this is considered to be viewed as distinctly separate to the frontage of Fallow Corner Drove. Given the distance from the road and boundary treatments to the development and the frontage properties and that this is single storey would consequently result in this largely being screened from wider view from Fallow Corner Drove.
- 10.9 Overall, it is considered that the amount of development taking place on the site, its layout, scale, form and appearance would result in a development at odds with the prevailing pattern of development and unsympathetic to its surroundings, adversely impacting on the character and appearance of the area contrary to Policy LP16 (d) of the Fenland Local Plan (2014), and DM3 of Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014).

Impact on Residential Amenity / Land Users

- 10.10 Firstly, when considering this matter, the amenity of future occupiers of the development must be considered.
- 10.11 All four of the quadrant maisonettes have their own garden space indicated. However, the areas provided for Plots 1 and 2 fall significantly below the third of a plot required by LP16(h) of the Fenland Local Plan (2014) and measuring 6.05 metres by 2.7 metres and 4.9 metres by 1.6 metres respectively would not constitute usable garden spaces and would provide inadequate amenity.
- 10.12 The garden areas for Plots 3, 4 and 5 are considered to be acceptable as they accord with Policy PL16(h).
- 10.13 The distance from the main elevation of Plot 3 to the proposed bungalow to the rear is 8.4 metres. While the bungalow's garage would be located on part of the boundary there would still be views of the rear garden of the bungalow from the upper floor windows of Plot 3 which would result in substandard levels of privacy for the occupiers of the proposed bungalow.
- 10.14 As the development is located within a residential area it is not considered that there would be any adverse noise or other environmental impacts affecting amenity or arising from the development to impact on existing residents in the vicinity.
- 10.15 To address further the impact of the development on the amenity of neighbouring residents the relationships between the proposed dwellings and existing properties must also be considered.
- 10.16 A key element in this consideration is the raising of the finished floor levels above existing ground levels and the consequent use of steps to access the properties. This results in overlooking concerns to existing properties.
- 10.17 Plots 2 and 3 within the quadrant block have their entrances, accessed via several steps, on the east elevation facing towards the neighbouring property Coolruss Lodge. This would introduce activity at a higher level and consequent overlooking to the frontage, and more importantly the side, including windows, of the neighbouring property. This would not be mitigated by the use of a 1.8m close boarded fence along the boundary. Additional overlooking of Coolruss Lodge would also take place from the northern elevation of Plot 3, including of the rear garden area from the first floor. As such the development would result in a loss of privacy and amenity for the occupiers of this neighbouring dwelling.
- 10.18 It is not considered that the west elevation of the quadrant block would have any undue overlooking issues for the neighbour on that side owing to the largely blank elevation, or obscure glazed windows, of Hadleigh facing this element of the development .
- 10.19 Given the conflicting details submitted regarding Plot 5 (the bungalow) it is difficult to fully assess the impacts which this may have on neighbouring dwellings. If the dwelling is to be raised 0.55 or 0.7 m above existing ground level, which the elevation plans and FRA indicate, then there is the potential for some overlooking of both Coolruss Lodge to the east and the dwelling approved to the north on the Lavender Mill site to occur. However, if, as the site plan seems to indicate,

development is to take place at existing ground level then these relationships may be more acceptable. With regards to the relationship with Hadleigh this is considered likely to be acceptable given the separation distance between the frontage of the bungalow and the boundary with this property.

- 10.20 It is not considered that there would be any adverse impacts arising on neighbouring properties in terms of overshadowing or overbearing on neighbouring properties owing to the separation distances involved.
- 10.21 In summary it is considered that the application affords substandard levels of amenity for future occupiers of the development as well as resulting in loss of privacy for neighbouring residents to the detriment of their amenity. The application has, additionally, provided insufficient information to allow for the full and proper assessment of other relationships with neighbouring dwellings. Therefore, the proposal is not considered to accord with Policy LP16 of the Fenland Local Plan and Section 12 of the National Planning Policy Framework, which seek to ensure that future occupiers and existing properties are not subject to a material amenity impact arising from a proposed development.

Highway Safety and Parking

- 10.22 With regard to highway safety, there is good visibility to the east and west at the junction with Fallow Corner Drove to the south. The accesses to the parking areas meet the required visibility splays for 20mph and 30mph roads when assessed against the distance requirements contained within the Manual for Streets document.
- 10.23 With regard to parking spaces, the Planning Statement states: *The proposed scheme has been designed in accordance with the requirements of the 2014 Local Plan. Parking is available on the basis of 2 cars for the bungalow, and one car for each 1 2-bedroom starter home. There also a further two parking spaces for visitors.*
- 10.24 The car parking standards of Appendix A of the Local Plan regarding maisonettes states that for units of more than one bedroom 1.5 spaces must be provided. The proposal meets this requirement. With regard to the proposed bungalow, 2 spaces are provided, which also meets the requirements.
- 10.25 The County Highways Officer has no objections to the submitted details and has requested a visibility condition, closure of access condition and works in the public highway informative. There is not considered to be a materially significant parking or highways impact from the proposal.

Flooding Considerations / Drainage

- 10.26 The NPPF and Policy LP14 of the Fenland Local Plan, reinforced by the Cambridgeshire Flooding and Water SPD 2016, state that development should be avoided in areas of high flood risk however where development is necessary it should be safe from flood risk for its lifetime without increasing flood risk elsewhere. The application site is predominantly in Flood Zone 3 with a small proportion in FZ2 and FZ1. As such the application is required to pass the sequential test and if deemed sequentially acceptable the exception test.

- 10.27 The submitted Flood Risk Assessment states that because of the adjacent development site it is considered unnecessary to apply the Sequential and Exception Tests. Predominantly the approved development is in FZ1. It is not accepted that this development in any way results in a situation whereby the current application does not need to be considered sequentially. As no sequential information has therefore been provided as part of the FRA the sequential test is considered to be failed.
- 10.28 In relation to the exception test this is a full application, and no wider sustainability benefits have been identified as part of this. As such it is also deemed that the exception test is failed. As such the development conflicts with the NPPF, Policy LP14 of the Local Plan and the Flood and Water SPD.
- 10.29 With regards to surface water drainage, the site is intending to tie into the drainage system for the neighbouring development, which is considered to be a broadly acceptable approach. MLC have commented regarding a requirement for final discharge rates to be clarified, however it is considered that surface water matters could be dealt with through an appropriately worded condition.
- 10.30 An objection has been received in relation to foul water from the EA concerning the capacity at the Manea – Town Lots Waste Water Treatment Works (WWTW) which is currently exceeding its permitted volume of discharge. No comments have been received from Anglian Water (AW) who are the operators of the WWTW. Officers are aware that AW and the EA have been seeking to resolve these matters, and it may be that a suitably worded condition requiring a foul water drainage strategy is an appropriate way forward. However, given the various other issues which officers have identified with this application no further work has been undertaken in respect of exploring this.

Ecology

- 10.31 The submitted Preliminary Ecological Appraisal identifies that evidence of bats was found in the roof space of the bungalow to be demolished and that further surveys should be carried out in this regard. No further surveys have been submitted and as such the Council's ecology advisor objects to the application on the basis that it is not currently possible to assess the impact of the development on protected species or to consequently assess any appropriate mitigation. The application is therefore in conflict with Policy LP19 of the Local Plan.
- 10.32 The Ouse Washes Site of Special Scientific Interest, Special Area of Conservation, Special Protection Area and Ramsar is located approximately 1.5km from the application site and both Natural England and the Council's ecologist have identified the need to assess the impact of the development in terms of recreational pressures arising from additional residential development on this area. It is not considered that a development resulting in a net of four additional dwellings, in the context of the wider population of Manea, would create any significantly undue additional pressures from a recreational point of view and as such any further detailed assessment would be unnecessary and unreasonable.

'Voluntary' Section 106 Contributions

10.33 As the application is only for four additional dwellings it falls below the normal thresholds for section 106 contributions to be sought. However, the applicants have sought to link the scheme to their development at the rear for 29 houses and also to a potential future application on a separate parcel of land to the east (which does not currently have planning permission) . The development of 29 dwellings was assessed as being unviable to provide any contributions at the time that outline permission was granted.

10.34 The Planning Statement submitted with the application suggests that a 'voluntary' sum of £8,149 could be provided as part of this application to in part address the request made by the NHS at the time of the Reserved Matters application for the 29 dwellings being approved in 2023 (notwithstanding that no such request was made in relation to the outline application) and the currently proposed development.

10.35 Policy LP5 of the Local Plan sets out that:

If a development scheme comes forward which in accordance with Part A of this Policy does not require the provision of affordable housing, but the scheme is followed by an obviously linked subsequent second development scheme at any point where the original permission remains extant, or up to 5 years following completion of the first scheme, then if the combined total of dwellings provided by the first scheme and the second or subsequent scheme provides 5 or more dwellings, then the above thresholds will apply cumulatively.

The policy goes on to state that:

Development viability will be assessed on the entire scheme(i.e. both application sites), not the second in isolation.

10.36 While the Local Plan clearly allows for assessment of linked sites such as this, the policy only references affordable housing rather than any other contributions. As such it is not considered that there is any policy basis to secure a contribution towards health as set out within the application. Consideration could be given towards using the proffered monies towards wider affordable housing delivery. However, the policy also makes clear that there should be a full viability assessment of both of the schemes to ensure that the Council is securing the optimum level of contributions. No such assessment has been submitted and it is therefore not possible to conclude that the £8,149 represents an appropriate level of contribution across the linked sites.

10.37 Notwithstanding that the delivery of such a financial contribution is not considered to outweigh the harm identified elsewhere within this report arising from the development this lack of comprehensive viability assessment and the conflict with policy represents further grounds to refuse the application.

Biodiversity Net Gain (BNG)

- 10.38 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.
- 10.39 The Council's Ecology advisor (CCC) objects to the submitted Biodiversity Net Gain details, stating "*The applicant has submitted Biodiversity Net Gain values calculated using the Small Sites Metric. However, the Small Sites Metric cannot be used on sites where European protected species are present.... Therefore, if a bat (protected species) roost is confirmed to be present during further survey work, then a full version of a Statutory Metric will need be completed by a competent ecologist. Therefore, the BNG assessment cannot be agreed until the bat work has been completed.*

*In light of the above, we recommend **refusal**"*

- 10.40 Given the above comments it is not considered that the application can currently demonstrate that the proposed development provides a biodiversity net gain and as such it would not be appropriate to grant the application with a bio diversity gain condition.

CONCLUSIONS

- 11.1 The proposed development by virtue of its amount, layout, form, design and scale would appear incongruous, unattractive and dominant in the streetscape to the significant detriment of the character and visual amenity of the area.
- 11.2 There is considered to be a material overlooking impact on the fenestration and private amenity space of Coolruss Lodge to the east as a result of the proposed development. Inadequate details have been provided to allow full assessment of other relationships arising from the development. The proposed scheme would also afford inadequate amenity for future residents of the development itself in terms of lack of amenity space and internal overlooking.
- 11.3 No information has been submitted to demonstrate that the site is sequentially acceptable in terms of flood risk or to demonstrate how the exception test would be passed. Additionally, there is a lack of appropriate assessment of the impact on protected species or a demonstration that, as a consequence, the development would deliver Bio-diversity Net Gain.
- 11.4 Finally, while the applicant has sought to link the application to the development of that of the neighbouring site in terms of making a 'voluntary' financial contribution, no comprehensive viability assessment has been submitted to demonstrate that this is an appropriate level of contribution. Notwithstanding this, the contribution is not considered to outweigh the harm and clear policy conflicts identified.
- 11.5 Due to the material concerns detailed in this report, the application is considered to be contrary to Policies LP2, LP5, LP16, LP14 and LP19 of the Fenland Local Plan (2014), Chapters 5, 12 and 14 of the National Planning Policy Framework (2024),

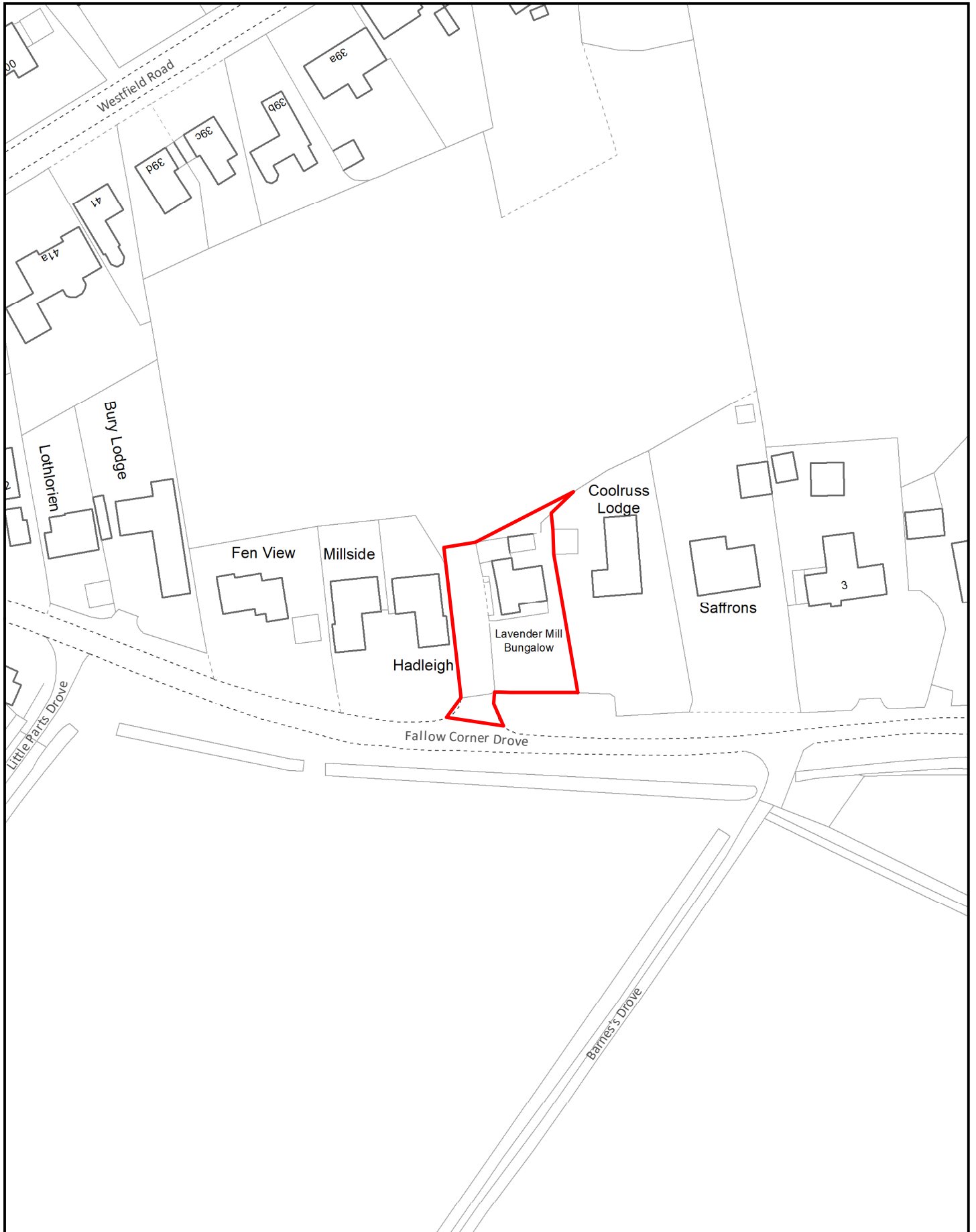
the Cambridgeshire Flood and Water SPD (2016) and the Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014).

RECOMMENDATION

REFUSE; for the following reasons:

1	The amount of development taking place on the site, its layout, scale, form and appearance would result in a development at odds with the prevailing pattern of development and general character in the locality with a consequent adverse and detrimental impact on the character and appearance of the area contrary to Policy LP16 (d) of the Fenland Local Plan (2014), and Policy DM3 of Supplementary Planning Document: Delivering and Protecting High Quality Environments in Fenland (2014).
2	The development would result in overlooking of the side and rear of the neighbouring bungalow, Coolruss Lodge. This loss of privacy would be to the detriment of the amenity of the residents of this property and if permitted the development would be contrary to Policy LP16 of the Fenland Local Plan (2014) and paragraph 135 of the National Planning Policy Framework (2024).
3	Inadequate information has been submitted within the application to allow for the full and comprehensive assessment of the relationships between Plot 5 and neighbouring dwellings in terms of amenity with conflicting details provided regarding the raising of floor levels. To grant planning permission would therefore be contrary to Policy LP16 of the Fenland Local Plan (2014) and paragraph 135 of the National Planning Policy Framework (2024).
4	The development proposed by virtue of the substandard garden areas to Plots 1 and 2 and the overlooking from Plot 3 to the garden area of Plot 5 would afford an inadequate level of amenity for future residents of the development. This would be contrary to Policy LP16 of the Fenland Local Plan (2014) and paragraph 135 of the National Planning Policy Framework (2024).
5	The Cambridgeshire Flood and Water SPD 2016 and Policy LP14 (Part B) of the Local Plan requires development in Flood Zone 3 to undergo a sequential test to demonstrate that the development cannot be delivered elsewhere in the area at lower risk areas of flooding. Policy LP2 seeks to deliver high quality environments, ensuring that people are not put at identified risks from development thereby avoiding adverse impacts in the interests of health and wellbeing. The site lies within Flood Zone 3 which is a high-risk flood area. The applicant has failed to undertake a substantive and evidenced sequential test and has therefore failed to demonstrate that the development could not be delivered in an area of lower flood risk, thereby failing LP14 (Part B). Consequently, the proposal fails to satisfy policy LP2 of the Fenland Local Plan as it fails to deliver a high quality environment and unjustifiably puts future occupants at higher risk of flooding.

6	The Preliminary Ecological Appraisal submitted with the application identifies the potential for a bat roost to exist at the site and recommends further survey work needs to be carried out. No such surveys have been undertaken and, in their absence, it is not possible to adequately assess the impacts upon protected species or to identify appropriate mitigation. Policies LP16 (b) and LP19 of the Fenland Local Plan (2014) and Paragraph 187 of the NPPF (2024) seek to conserve, enhance and promote biodiversity and, if permitted, the application would be in conflict with these policies.
7	The application is not supported by adequate information to establish that the proposed development will be able to meet the BNG requirements for the site and to grant planning permission would consequently be contrary to Policies LP16 and LP19 of the Fenland Local Plan 2014.
8	The application proposes a 'voluntary' financial contribution linked to the residential development of the site to the north (Lavender Mill). No comprehensive viability assessment covering both development sites, as required under Policy LP5 of the Fenland Local Plan 2014, has been submitted and as such it is unknown whether the contribution offered is the optimum amount which could be delivered from the linked developments. As such, to grant the application would be contrary to the aforementioned policy.



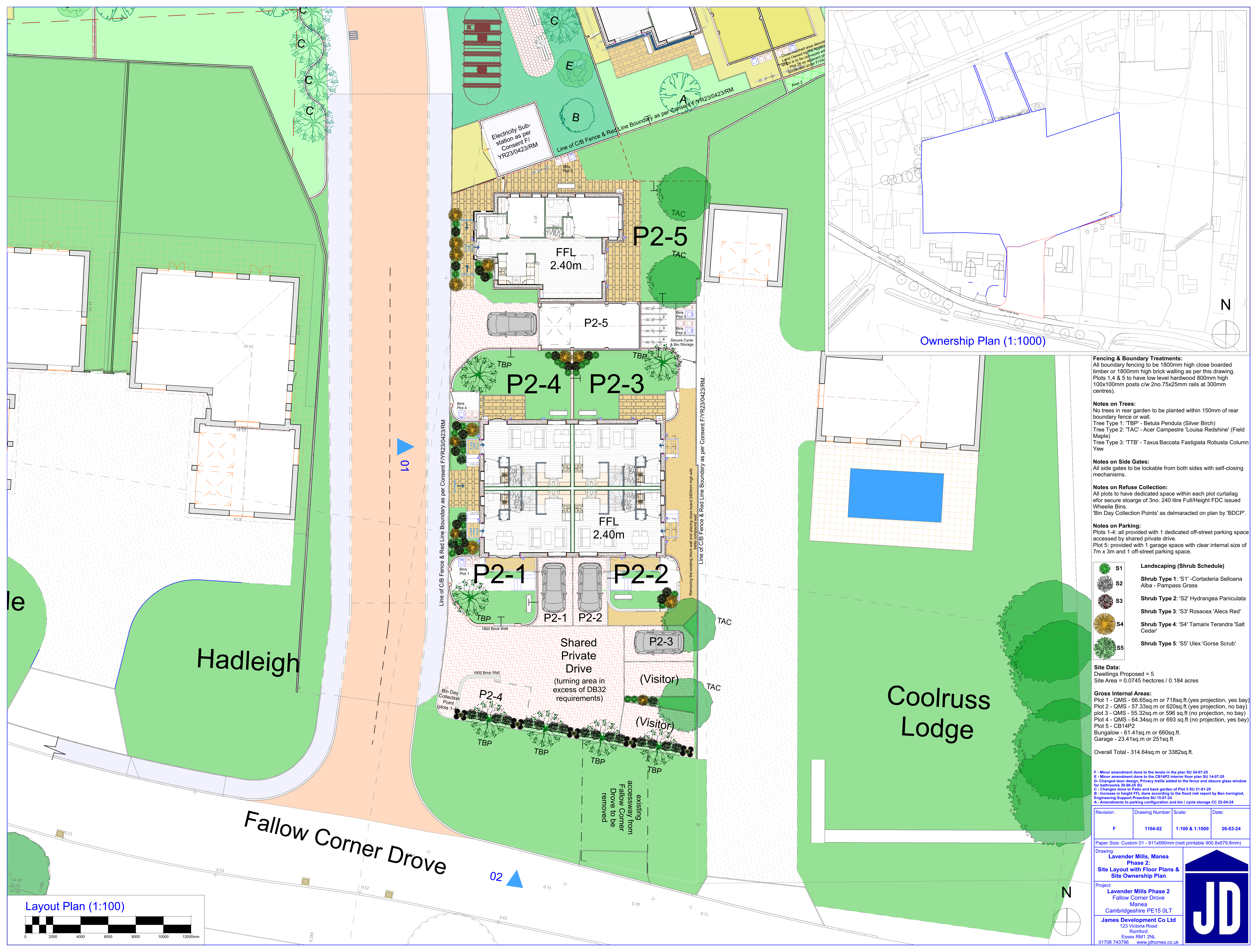
Created on: 12/08/2024

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F/YR24/0627/F

Scale = 1:1,250





Layout Plan (1:100)

Ownership Plan (1:1000)

Fencing & Boundary Treatments:
All boundary fencing to be 1800mm high close boarded timber or 1800mm high brick walling as per this drawing. Plots 1, 4 & 5 to have low level hardwood 800mm high 100x100mm posts c/w 2no.75x25mm rails at 300mm centres).

Notes on Trees:
No trees in rear garden to be planted within 150mm of rear boundary fence or wall.
Tree Type 1: 'TBP' - Betula Pendula (Silver Birch)
Tree Type 2: 'TAC' - Acer Campestre 'Louisa Redshine' (Field Maple)
Tree Type 3: 'TTB' - Taxus Baccata Fastigiata Robusta Column Yew

Notes on Side Gates:
All side gates to be lockable from both sides with self-closing mechanisms.

Notes on Refuse Collection:
All plots to have dedicated space within each plot curtailag efor secure storage of 3no. 240 litre Full/Height FDC issued Wheelie Bins.
'Bin Day Collection Points' as delmaracted on plan by 'BDCP'.

Notes on Parking:
Plots 1-4: all provided with 1 dedicated off-street parking space accessed by shared private drive.
Plot 5: provided with 1 garage space with clear internal size of 7m x 3m and 1 off-street parking space.

	S1	S2	S3	S4	S5
Landscaping (Shrub Schedule)					
Shrub Type 1: 'S1' -Cortaderia Selloana Alba - Pampass Grass					
Shrub Type 2: 'S2' Hydrangea Paniculata					
Shrub Type 3: 'S3' Rosacea 'Alecs Red'					
Shrub Type 4: 'S4' Tamarix Terandra 'Salt Cedar'					
Shrub Type 5: 'S5' Ulex 'Gorse Scrub'					

Site Data:
Dwellings Proposed = 5
Site Area = 0.0745 hectares / 0.184 acres

Gross Internal Areas:
Plot 1 - QMS - 66.68sq.m or 718sq.ft (yes projection, yes bay)
Plot 2 - QMS - 57.33sq.m or 620sq.ft (yes projection, no bay)
Plot 3 - QMS - 55.32sq.m or 596 sq.ft (no projection, no bay)
Plot 4 - QMS - 64.34sq.m or 693 sq.ft (no projection, yes bay)
Plot 5 - CB14P2
Bungalow - 61.41sq.m or 660sq.ft.
Garage - 23.41sq.m or 251sq.ft.
Overall Total - 314.64sq.m or 3382sq.ft.

F - Minor amendment done to the levels in the plan SU 24-07-25
E - Minor amendment done to the CB14P2 interior floor plan SU 14-07-25
D - Changed door design, Privacy trellis added to the fence and obscure glass window for bathrooms 30-06-25 SU
C - Changes done to Patio and back garden of Plot 5 SU 21-01-25
B - Increase in height FFL done according to the flood risk report by Ben horinglod, Engineering Support Practice SU 15-07-24
A - Amendments to parking configuration and bin / cycle storage CC 22-04-24

Revision:	Drawing Number:	Scale:	Date:
F	1104-02	1:100 & 1:1000	26-03-24

Paper Size: Custom 01 - 911x690mm (nett printable 900.8x679.8mm)

Drawing:
Lavender Mills, Manea
Phase 2:
Site Layout with Floor Plans & Site Ownership Plan

Project:
Lavender Mills Phase 2
Fallow Corner Drove
Manea
Cambridgeshire PE15 0LT
James Development Co Ltd
123 Victoria Road
Romford
Essex RM1 2NL
01708 743796 www.jdthomes.co.uk



East Elevation
See site elevations for gradient of site



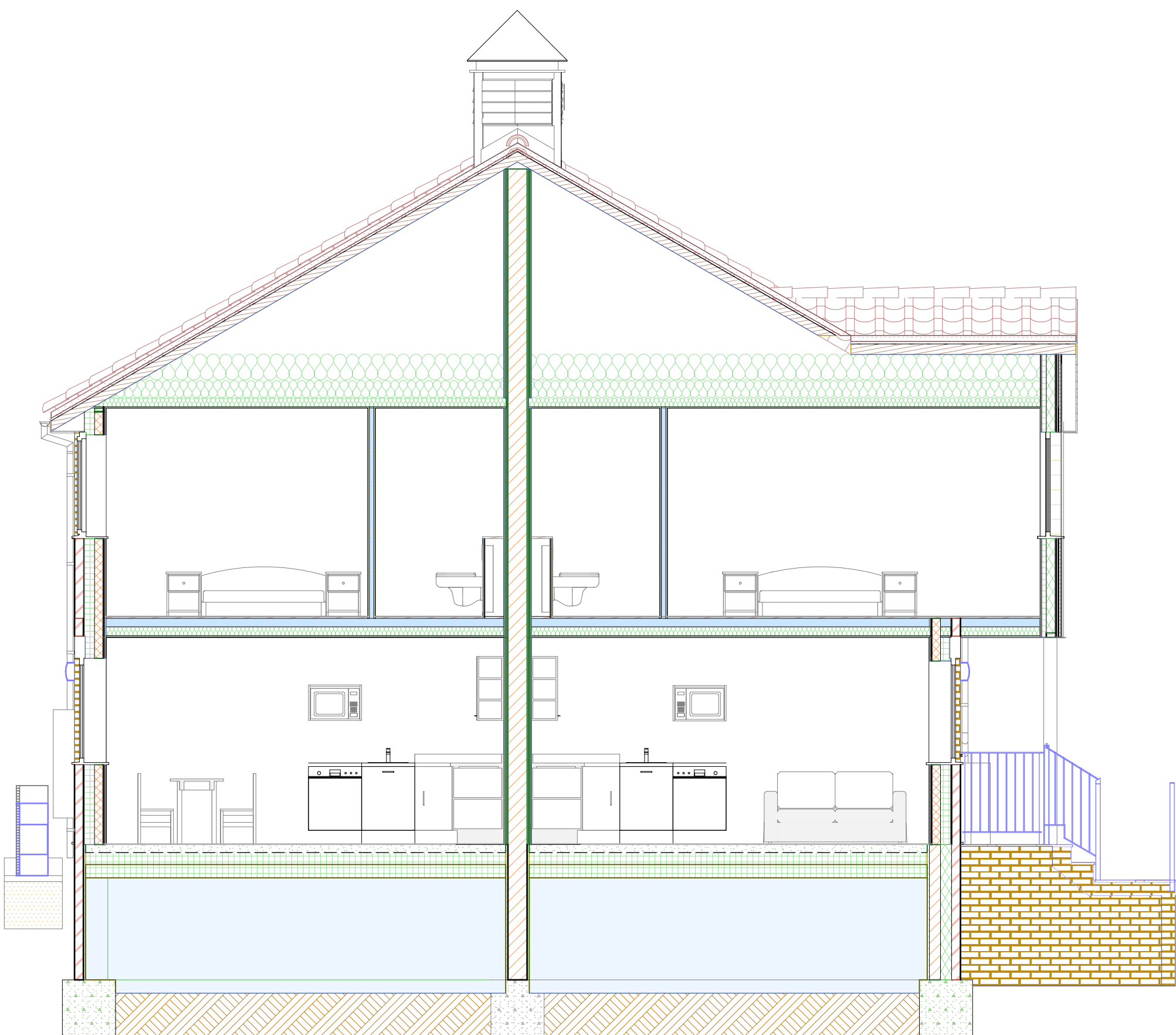
North Elevation
See site elevations for gradient of site



Perspective - Rear Right



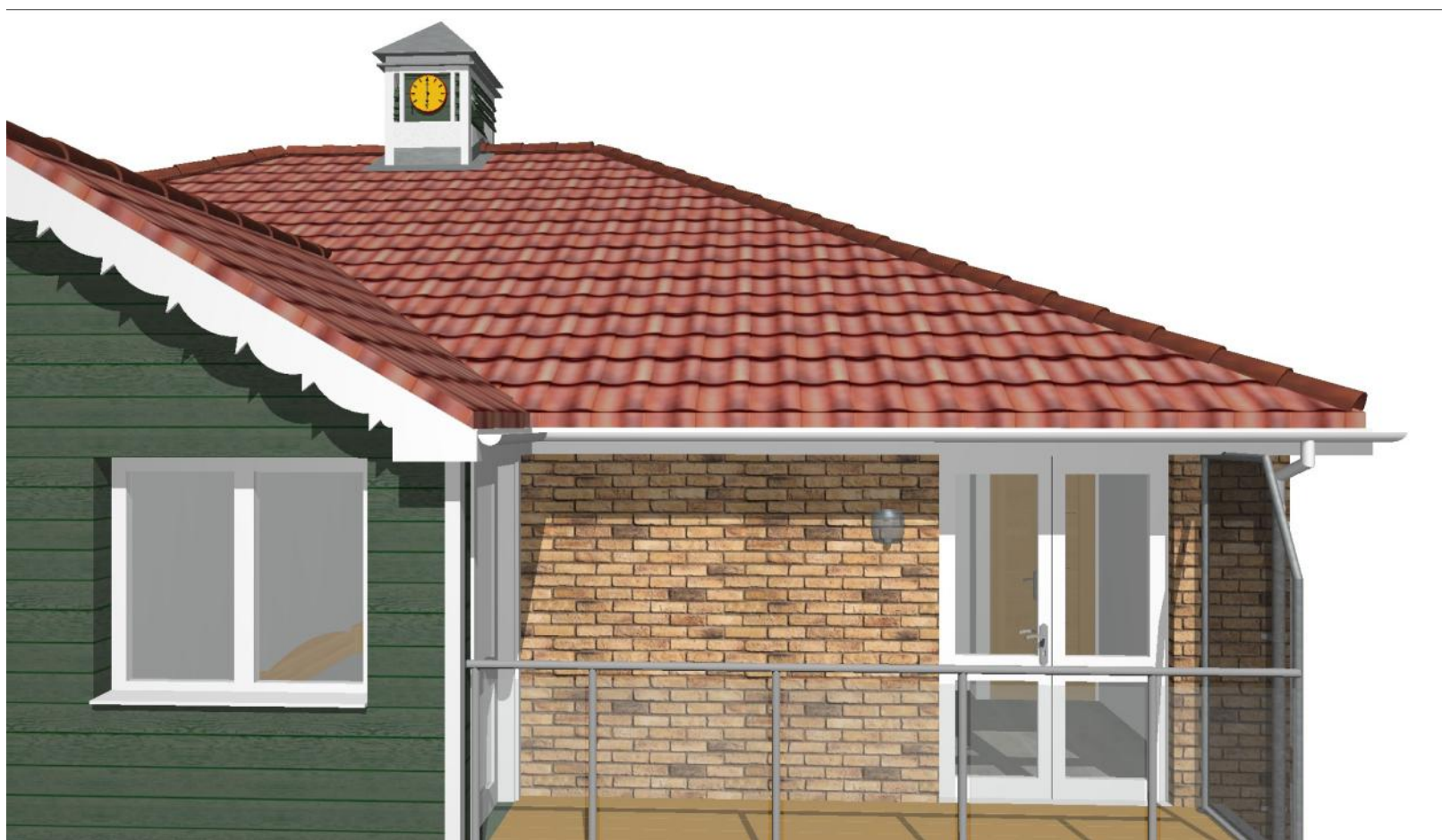
Section 01



Section 02



Perspective - Rear Right



Closeup Elevation showing the partition on the Plot 2 Balcony



Perspective showing the partition on the Plot 2 Balcony

- Plot 1 area - 2 Bedroom 66.65 Sqm which is 718 Sqft
Plot 2 area - 2 Bedroom 57.33 Sqm which is 620 Sqft
Plot 3 area - 2 Bedroom 55.32 Sqm which is 598 Sqft
Plot 4 area - 2 Bedroom 64.34 Sqm which is 693 Sqft
NOTE
To satisfy Lifetime Homes internal criteria, the Ag will have:
5 - r16
6 - All doors of minimum clear opening of 750mm and entrance level doors with 300mm rib to opening pull side
7 - Minimum clear circulation space as shown on floor plan
8 - Living room and kitchen on entrance level
9 - Double bedroom space on entrance level in MIP annex
10 - Entrance level WC fitted with shower, sloping floor & drainage in MIP annex
11 - Bathroom & WC walls ready for future grab rail fitment
12 - Staircase appropriate for stair lift installation
13 - MIP annex ceiling designed to accommodate weight of MIP hoist to line shown on floor plan and no partitions on route to be structural
14 - MIP annex shower room offering accessible access for MIP use
15 - Windows to living room allowing seated occupants to see out with at least one operable light with handle no higher than 1200mm
16 - All service controls located between 450mm and 1200mm above floor level

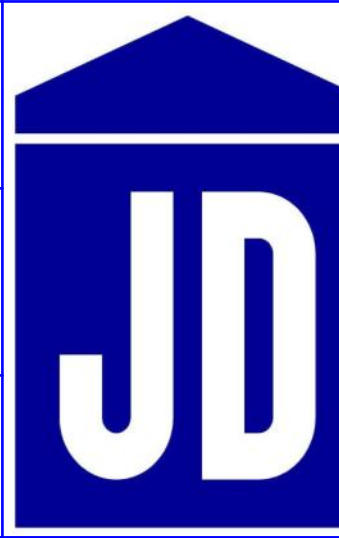


F- Minor amendments done to external stairs and internal layout 24-07-25 SU
E- Changed front doors and bathroom windows 09-07-25 SU
D- Minor amendments done 21-05-25 SU
C- Partition added on plot 2 balcony SU 06-09-24
B - Floor slab raised by 1m further to flood risk assessment by Ben Hornigold, Engineering Support Practices Ltd. SU 11-07-24
A - Minor Modifications for Floor Plans and Elevations 19-04-23 SU

Revision:	Drawing Number:	Scale:	Date:
F	1104-05	1:50	27-03-24

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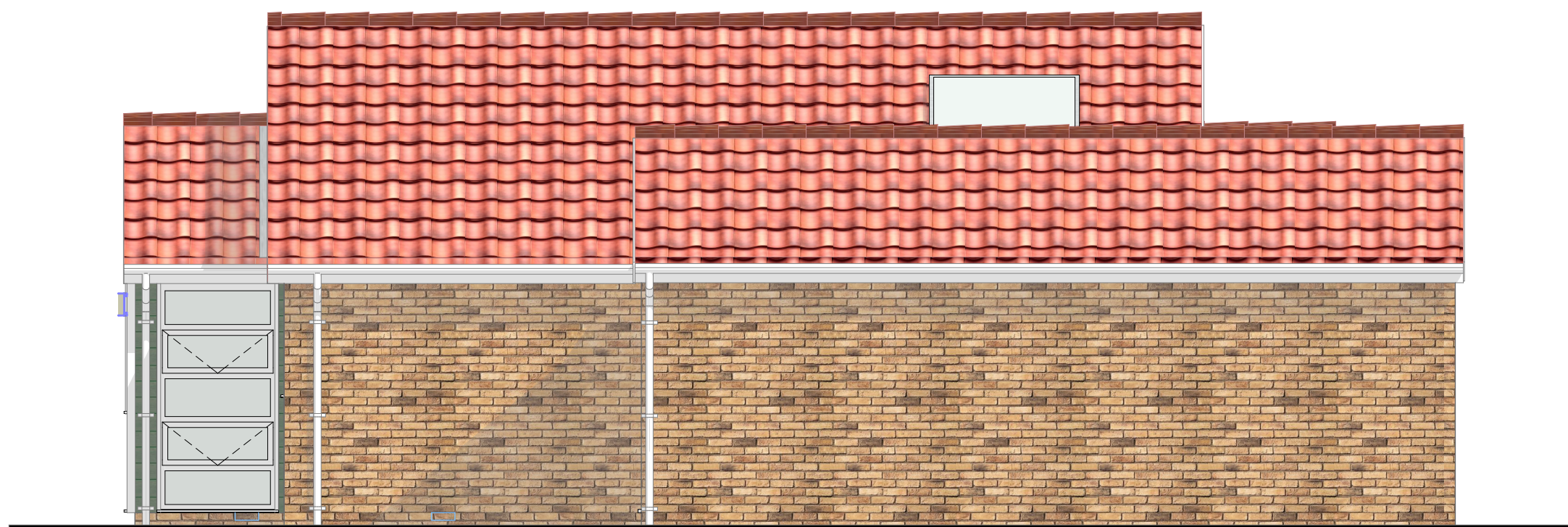
Drawing: Q-Block Type QSM General Arrangement Floor Plans, Front & Rear Elevations (Plots 1,2,3,4)	
Project: Lavender Mills Phase 2 Fallow Corner Drove Manea Cambridgeshire PE15 0LT James Development Co Ltd 123 Victoria Road Romford Essex RM1 2NL 01708 743796 www.jdthomes.co.uk	



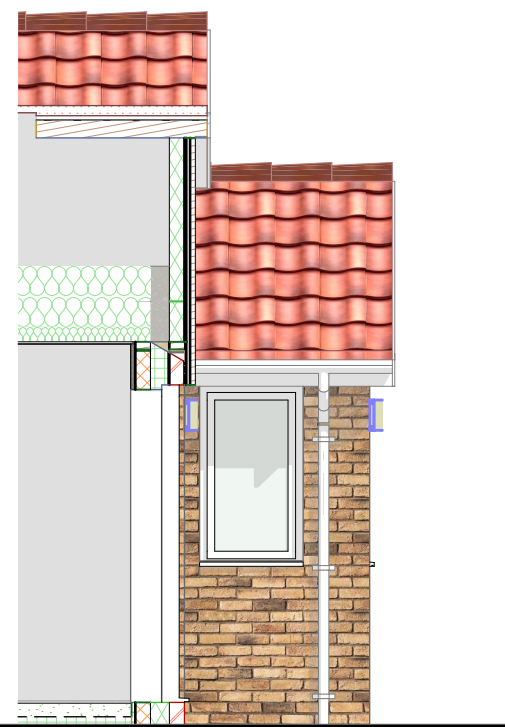
NOTE
To satisfy Lifetime Homes internal criteria, the Agg will have:
5 - 100
6 - All doors of minimum clear opening of 750mm and entrance level doors with 300mm rib to opening gull side
7 - Minimum clear circulation space as shown on floor plan
8 - Living room and kitchen on entrance level
9 - Double bedroom space on entrance level in MIP annex
10 - Entrance level WC fitted with shower, sloping floor & drainage in MIP annex
11 - Bathroom & WC walls ready for future grab rail fitment
12 - Staircase appropriate for stair lift installation
13 - MIP annex ceiling designed to accommodate weight of MIP hoist to line shown on floor plan and no partitions on route to be structural
14 - MIP annex shower room offering accessible access for MIP use
15 - Windows to living room allowing seated occupants to see out with at least one operable light with handle no higher than 1200mm
16 - All service controls located between 450mm and 1200mm above floor level



East Elevation



South Elevation



Sectional Elvation A-A
Rear Bedroom Window Elevation



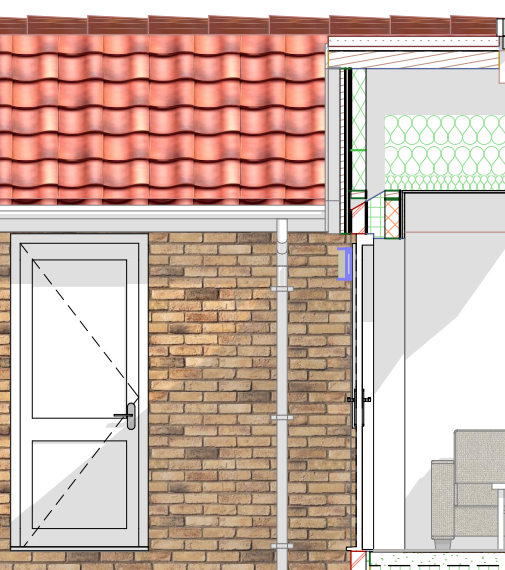
Perspective - Front Right



West Elevation



North Elevation



Sectional Elvation B-B
Garage Rear Door Elevation



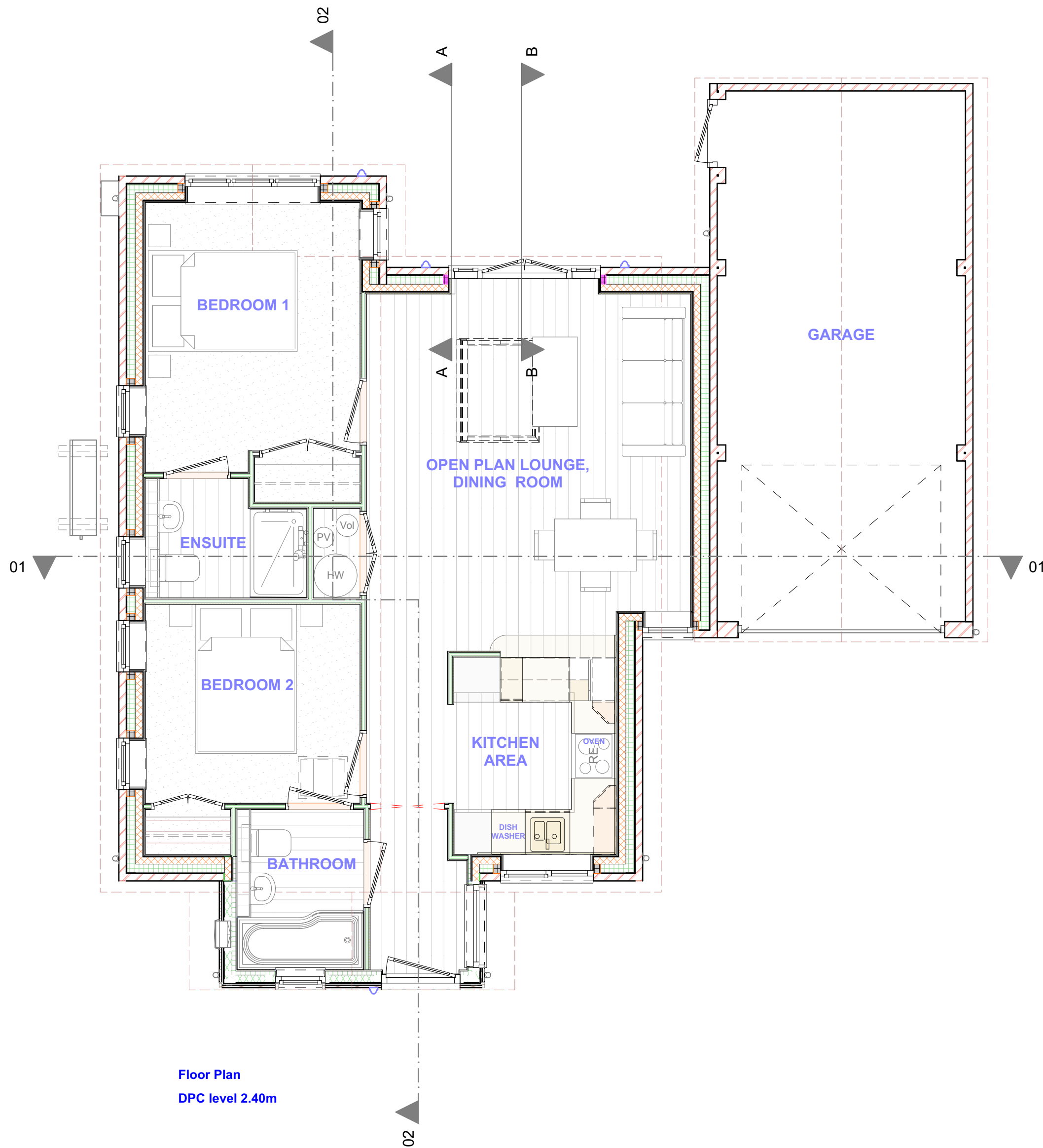
Perspective - Front Left



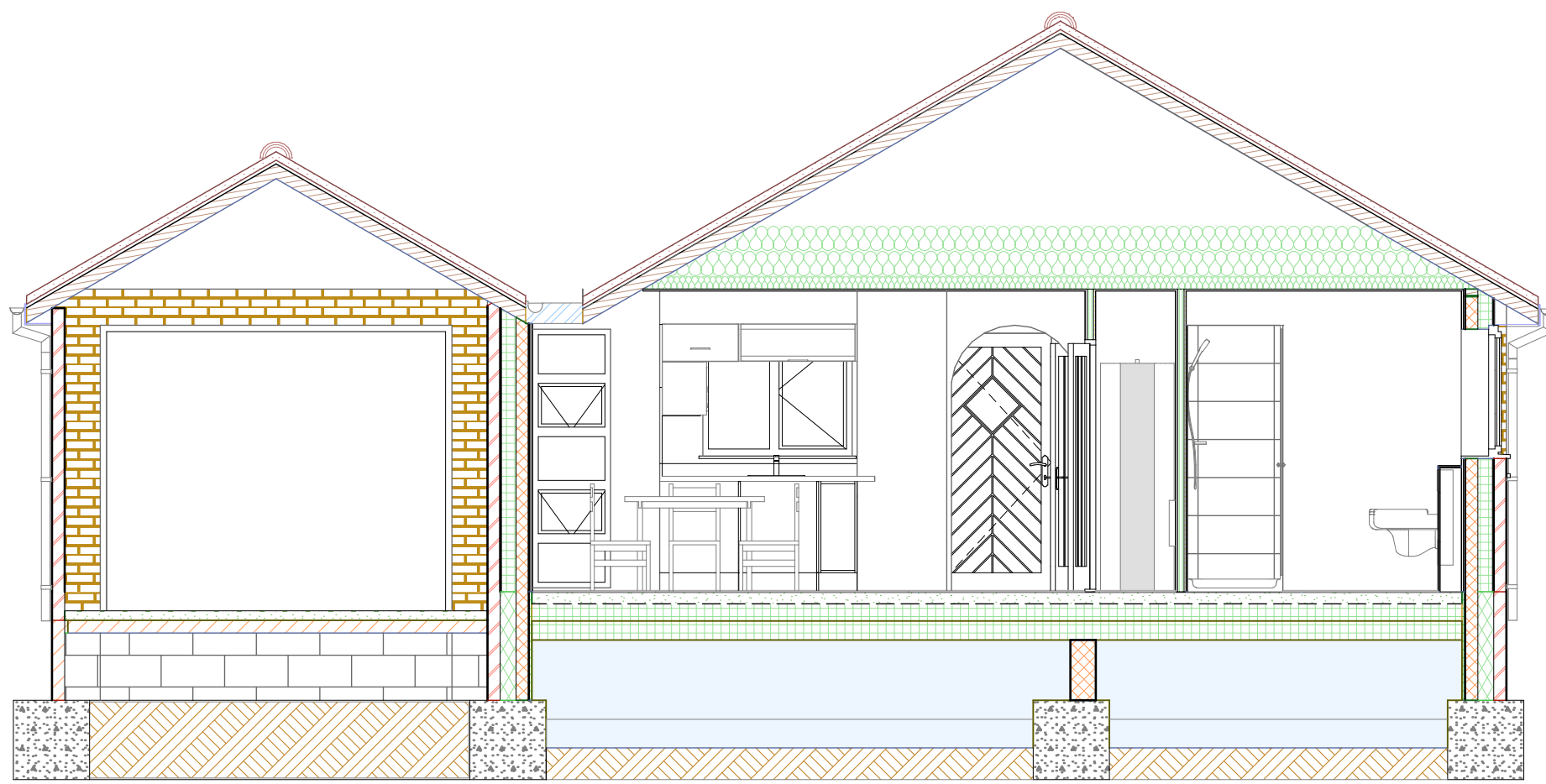
Perspective - Rear Left



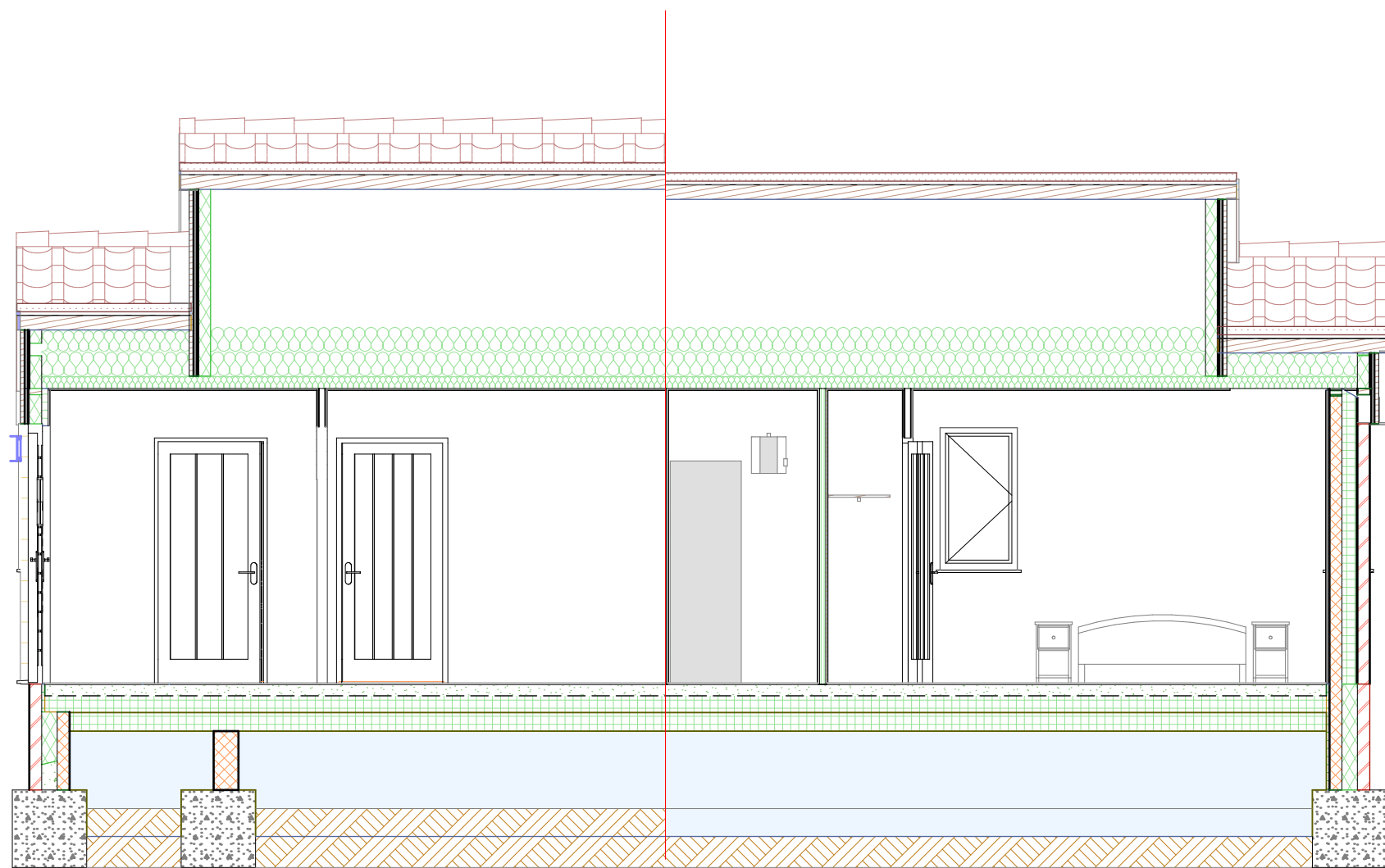
Perspective - Rear Right



Floor Plan
DPC level 2.40m



Section 01



Section 02

Gross Internal Areas:
Plot 5 - 81.41m² (869sqft)
Garage - 23.41m² (251sqft)
SCALE 1:50

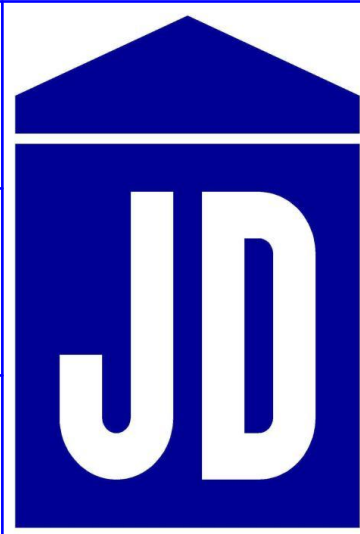
Revision:	Drawing Number:	Scale:	Date:
F	1104-06	1:50	27-03-24

Paper Size: Custom 01 - 911x690mm (nett printable 900.8x679.8mm)

Drawing:
Bungalow Type CB14 P2
General Arrangement
Floor Plans, Front & Rear Elevations
(Plot 5)

Project:
Lavender Mills Phase 2
Fallow Corner Drive
Manea
Cambridgeshire PE15 0LT

James Development Co Ltd
123 Victoria Road
Romford
Essex RM1 2NL
01708 743796 www.jdthomes.co.uk



F - Many minor amendments including to DPC level, doors & fenestration and roof detailing MC 23-07-25
E - Minor amendment to the interior floor plan SU 14-07-25
D - Stairs added to garage and adjusted frenchdoor location SU 21-01-25
C - Elevations ammended part sectional elevation further to invalidation letter SU 16-07-24
B - Floor slab raised by 0.550m further to flood risk assessment by Ben Horinglod, Engineering support practices Ltd. SU 15-07-24
A - Minor amendment to the kitchen plan SU 11-04-24



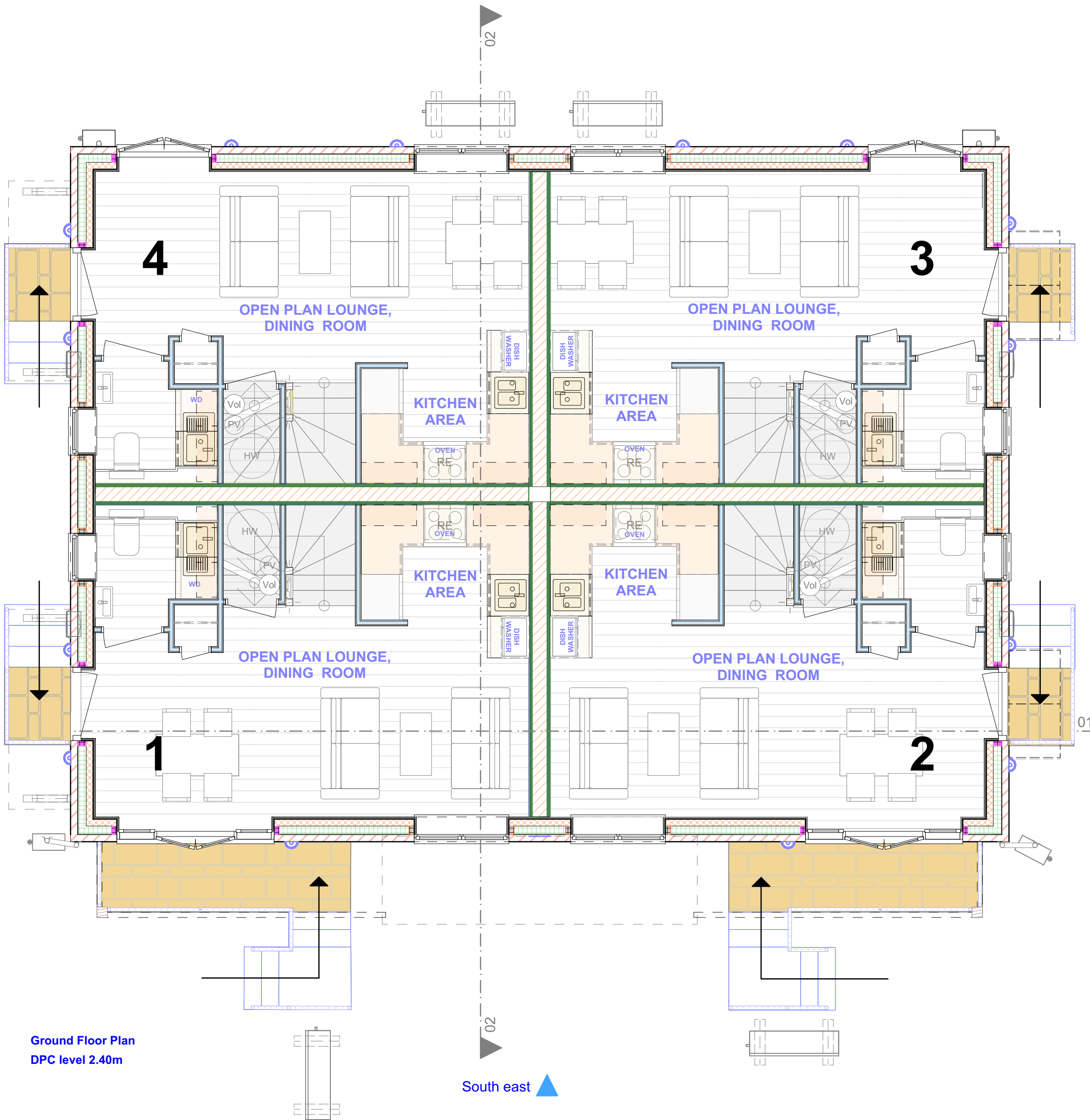
South Elevation
See site elevations for gradient of site



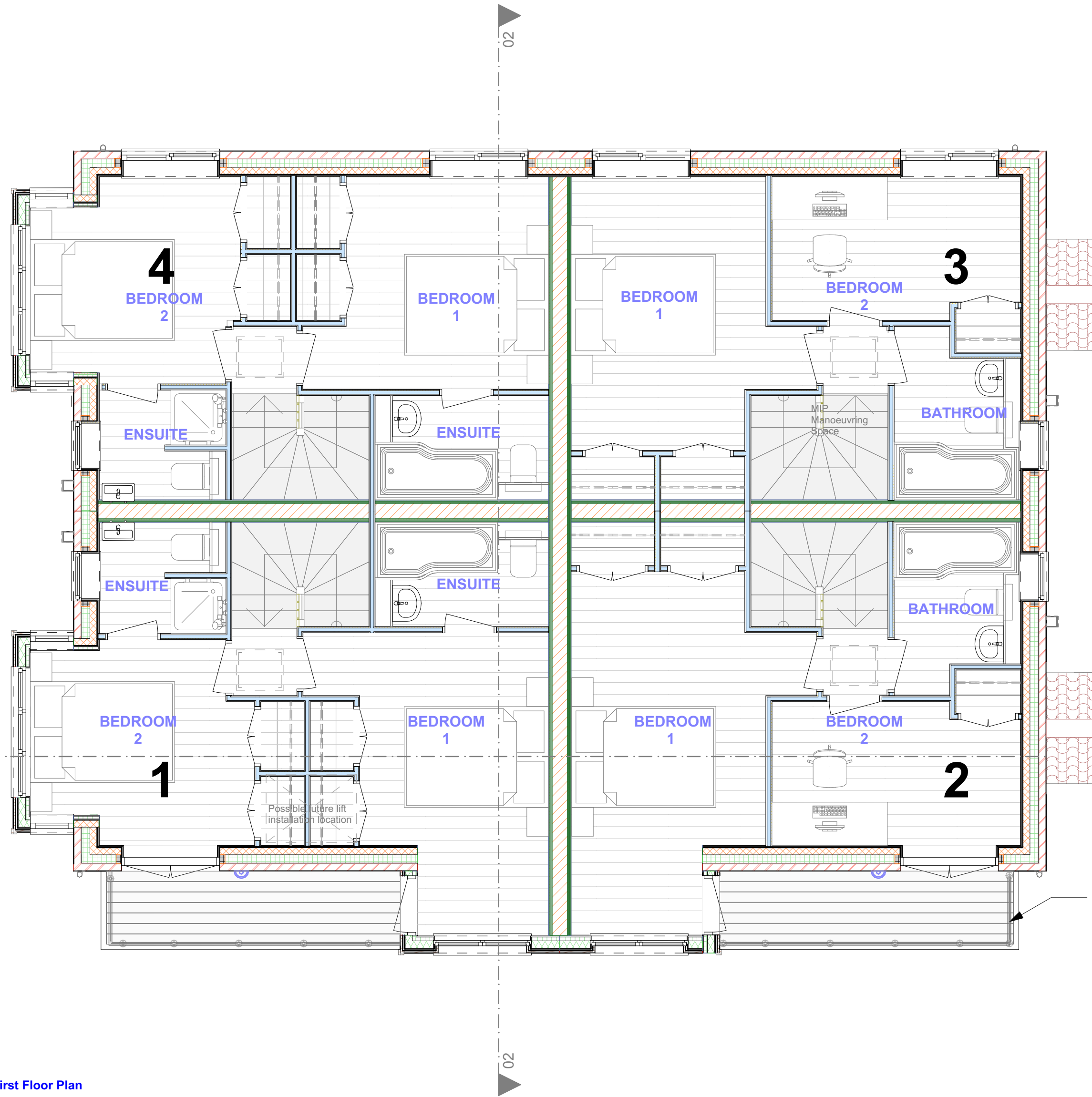
West Elevation
See site elevations for gradient of site



Perspective - Front Right



Ground Floor Plan
DPC level 2.40m



First Floor Plan



Perspective - Front Left

Plot 1 area - 2 Bedroom 66.65 Sqm which is 718 Sqft
Plot 2 area - 2 Bedroom 57.33 Sqm which is 620 Sqft
Plot 3 area - 2 Bedroom 55.32 Sqm which is 596 Sqft
Plot 4 area - 2 Bedroom 64.34 Sqm which is 693 Sqft
NOTE
To satisfy Lifetime Homes internal criteria, the Ag will have:
5 - n/a
6 - All doors of minimum clear opening of 750mm and entrance level doors with 300mm rib to opening pull side
7 - Minimum clear circulation space as shown on floor plan
8 - Living room and kitchen on entrance level
9 - Double bedroom space on entrance level in MIP annex
10 - Entrance level WC fitted with shower, sloping floor & drainage in MIP annex
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13 - MIP annex ceiling designed to accommodate weight of MIP hoist to line shown on floor plan and no partitions on route to be structural
14 - MIP annex shower room offering accessible access for MIP use
15 - Windows to living room allowing seated occupants to see out with at least one operable light with handle no higher than 1200mm
16 - All service controls located between 450mm and 1200mm above floor level

0 1500 3000 4500mm

F - Minor amendments done to external stairs and internal layout 24-07-25 SU
E - Changed front doors and bathroom windows 09-07-25 SU
D - Minor amendments done 21-05-25 SU
C - Partition added on plot 2 balcony SU 06-09-24
B - Floor slab raised by 1m further to flood risk assessment by Ben Hornigold, Engineering Support Practices Ltd. SU 11-07-24
A - Minor Modifications for Floor Plans and Elevations 19-04-23 SU

Revision:	Drawing Number:	Scale:	Date:
F	1104-04	1:50	27-03-24

Paper size: Custom 1 - 911x690mm (nett printable 900.8x679.8)
Drawing:
**Q-Block Type QSM
General Arrangement
Floor Plans, Front & Rear Elevations
(Plots 1,2,3,4)**
Project:
Lavender Mills Phase 2
Fallow Corner Drove
Manea
Cambridgeshire PE15 0LT
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