

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 18 SEPTEMBER 2024

1.00 PM

**COUNCIL CHAMBER, FENLAND HALL,
COUNTY ROAD, MARCH, PE15 8NQ**

Committee Officer: Jo Goodrum
Tel: 01354 622285
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- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 24)

To confirm and sign the minutes from the previous meeting of 7 August 2024.
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 4 To receive Members declarations of any interests under the Local Code of Conduct or any interest under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 5 F/YR24/0145/O
The Three Horseshoes, 344 March Road, Turves
Erect up to 5 x dwellings (outline application with matters committed in respect of access) involving the demolition of existing Public House (Pages 25 - 46)

To determine the application.
- 6 F/YR24/0485/VOC
Nene Parade Bedford Street, Chase Street, Wisbech
Variation of condition 01 of planning permission F/YR22/0914/FDL (Erect a care

home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved)) to enable phased development. (Pages 47 - 72)

To determine the application.

7 F/YR19/0944/O

Land West Of 85-111, Sutton Road, Leverington

Erection of up to 33no dwellings (outline application with matters committed in respect of access) (Pages 73 - 94)

To determine the application.

8 F/YR24/0458/PIP

Land East Of Hill View, Eastwood End, Wimblington

Permission in principle to erect up to 7 x dwellings (Pages 95 - 102)

To determine the application.

9 F/YR24/0551/O

Land South Of 34A To 34H, Newgate Street, Doddington

Erect up to 3 x dwellings (outline application with matters committed in respect of access) (Pages 103 - 116)

To determine the application.

10 F/YR24/0115/FDC

Land South West Of 2, Broad Street, March

Erect a single storey toilet block (Pages 117 - 128)

To determine the application.

11 Items which the Chairman has under item 3 deemed urgent

Members: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor P Hicks, Councillor S Imafidon and Councillor E Sennitt Clough,

PLANNING COMMITTEE

WEDNESDAY, 7 AUGUST 2024 - 1.00 PM



PRESENT: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor P Hicks, Councillor S Imafidon and Councillor E Sennitt Clough.

Officers in attendance: Matthew Leigh (Head of Planning), David Rowen (Development Manager), Stephen Turnbull (Legal Officer) and Jo Goodrum (Member Services & Governance Officer).

P23/24 **F/YR23/0772/F**
THE NAGS HEAD PUBLIC HOUSE, 402 EASTREA ROAD, EASTREA
CHANGE OF USE OF PUBLIC HOUSE TO CONVENIENCE STORE (CLASS E(A))
INVOLVING THE INSTALLATION OF A SHOP FRONT, A NEW CROSSOVER TO
THE FRONT SERVING THE IMPROVED CAR PARK WITH NEW SCREENING
FENCE TO THE FRONT AND DEMOLITION OF EXISTING OUTBUILDING AND
PORCH (PART RETROSPECTIVE)

David Rowen presented the report to members.

Members asked officers the following questions:

- Councillor Sennitt Clough referred to the officer's report at 9.4 where it states that some marketing was undertaken which received limited interest. She asked whether officers could confirm how active the owner was in trying to find a tenant for the pub and for how long the marketing took place? David Rowen stated that detail is unknown, and the officer's report contains the information held. He added that normally when consideration is being given to the loss of a pub or the change of use of a pub to another use, the marketing information is required in order to comply with policy but in this case as the proposal is effectively moving from one community facility to another there is less of a requirement for the marketing information to be submitted.

Members asked questions, made comments, and received responses as follows:

- Councillor Hicks expressed the opinion that the Planning Officer has made the correct recommendation as pubs are unfortunately notorious for closing in the current climate and the buildings do need to be repurposed. He made the point that it is a good application, and he is happy with the car parking arrangements.
- Councillor Mrs French stated that she agrees with the points made by Councillor Hicks.
- Councillor Imafidon stated that he has driven past the building many times and it is an eyesore. He added that he thinks it is commendable to consider bringing the building back into use and the officer's recommendation is correct.

Proposed by Councillor Mrs French, seconded by Councillor Hicks and agreed that the application be GRANTED as per the officer's recommendation.

P24/24 **F/YR23/0819/F**
LAND EAST OF 22 EASTWOOD INDUSTRIAL ESTATE, EASTWOOD END,
WIMBLINGTON
ERECT A STORAGE BUILDING FOR THE STORAGE OF FERTILISERS AND
PROVISION OF HARDSTANDING TO SERVE THE BUILDING (CLASS B8)

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Councillor Maureen Davis of Fenland District Council and Wimblington Parish Council. Councillor Mrs Davis stated that this is yet another application to increase business on what was initially granted as a light industrial estate. She made the point that the continued growth and extended hours which have been granted individually to various businesses on the site are having an overall impact on the residential areas of Eastwood End, Hook Lane, Rhonda Park and Horsemoor.

Councillor Mrs Davis explained that one major concern is the current state of Law Fertilisers present site and the possibility of fertiliser leeching. She referred to the presentation screen and added that the photographs demonstrate that the site is not well kept and causes legitimate public concern that any new development will be maintained to a high standard.

Councillor Mrs Davis added that the location map demonstrates that there are a number of ditches which run adjacent to Mr Law's properties and the leeching of fertilizer into surface water and into the ditches can prove to be harmful to the ditches, to wildlife and to humans and she made the point that both chemical and organic fertilisers can pollute both surface and groundwater. She stated that the applicant has stated, within the drainage strategy, that there is an existing ditch to the northeast of the site which currently handles all of the water and she questioned whether that statement is acceptable and with the increase in production and storage questioned whether a health impact assessment is required along with an environmental permit for the application when considering the various sites that the applicant now operates from within the industrial estate.

Councillor Mrs Davis stated that the Joint Strategic Needs Assessment for Cambridgeshire contains an evidence review of the built environments impact on health and has distilled the evidence into themes including generic evidence which supports the built environmental impact on health, communities that support healthy aging and, in her view, relevant themes impacting on health and wellbeing do need to be considered. She expressed the view that proposals which ensure the future resilience of community should take into account any significant impacts on human health and well-being risk of harm to human health or safety, noise and/or vibration levels resulting in disturbance, air quality from odour, fumes, dust, smoke or other sources.

Councillor Mrs Davis stated that the Council's Local Plan Policy LP2 makes reference to facilitating health and well-being of Fenland residents stating that development proposals should contribute to the Council's goal of Fenland residents achieving the highest attainable standard of health. She added that development proposals should positively contribute to creating a healthy, safe and equitable living environment by creating an environment in which communities can flourish promoting high levels of residential amenity, with Policies LP7 and LP16 referring to delivering and protecting high quality environments across the district and stating that any development should not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy, loss of light and should identify, manage and mitigate against any existing or proposed risk for sources of noise emissions, pollution contamination, odour and dust, vibration, landfill gas and protect from water body deterioration.

Councillor Mrs Davis stated that considering the various planning policies that protect human health and well-being amenities and the environment, the Law Fertilizers application will increase incrementally an impact in a number of areas. She made the point that the County Council Minerals and Waste Team state that new development should not result in unacceptable amenity issues or adverse impacts to human health for the occupiers or users of such development.

Councillor Mrs Davis explained that the Woodman's Way is a popular walking, cycling and leisure area that many people regularly use, and it runs close to the boundaries, west and east, of the industrial estate and the properties that exist on eastward end of Hook Road, Hook Lane and Rhonda Park, many of which were here way before the development of the industrial estate and these residents will find themselves having to endure and tolerate an increase in air pollution, dust,

odour and no doubt an increase in heavy traffic movement. She explained that the design statement says that the surrounding open spaces will be enhanced because the current Brownfield site will no longer look like wasteland but will be organized, smooth and tidy but she feels there is no evidence to support this statement.

Councillor Mrs Davis explained that there is a risk to flooding if the industrial estate is allowed to keep growing and growing and the two dwellings which are located close by have both experienced problems with excessive surface water on their properties and both of their septic tanks consistently feel water back flushing into them from the ditches which is due to the lack of maintenance of the ditches plus the drains getting blocked through debris. She added that one of the residents has had to spend three months out of her home because she could not flush the toilet, have a shower or do any washing.

Councillor Mrs Davis made the point that part of the village's historic heritage is open spaces that give views out across the landscape and looking like wasteland is not a reason to permit additional development.

Members asked Councillor Mrs Davis the following questions:

- Councillor Imafidon stated that he finds the images displayed to be quite concerning and when he carried out a site inspection, he also took his own photographs. He explained that even though there had not been any heavy rainfall for some time it was clear to see the standing water at the site and there also appeared to be some damage at the site which concerned him as well. He asked Councillor Mrs Davis to give her opinion on how this proposal will affect neighbouring properties and people who live in the area? Councillor Mrs Davis stated that it is not clear what is actually in the standing water which was seen at the site and whether there is anything which could be leeching into the ditches and in turn effecting the environment.
- Councillor Imafidon referred to the Loca Plan Policies LP16 and LP17 relating to Community Safety, and he agrees that there is no indication as to what is in the standing water at the site or whether there are any chemicals in the water. Councillor Mrs Davis explained that the colour of the water is concerning.
- Councillor Connor expressed the view that he agrees that the photos do not display a very good image. He expressed the opinion that the site is badly run and managed and he also has concerns that there may be a leak of fertilizer going into the drainage system as the standing water is not clear. Councillor Connor added that the site requires clearing and tidying and a greater deal of supervision. He asked Councillor Mrs Davis whether she has any further concerns? Councillor Mrs Davis explained that the major concern is that the building will not be kept in good repair, and she worries about the future because these things take time to take effect and she does not think that the effect will become evident for years and years. She added that no site should look like it does regardless of what industry it is.

Members received a presentation, in accordance with the public participation procedure, from Mark Law, the applicant. Mr Law explained that the planning application is to erect a storage building on spare industrial land at the existing site at Eastwood End Industrial Estate. He added that Law Fertilizers started trading in 1988 and operates as a fertilizer blender importing fertilizers into the Port of Wisbech and manufactures bespoke mixes for local farmers either in a granular or a liquid form, the business does not manufacture the individual raw materials such as nitrogen phosphate or potash.

Mr Law explained that he moved to the Eastwood End site in the year 2000 when it was just a stubble field and over the last 24 years, he has evolved the site with multiple uncontested planning applications and appropriate constructions to leave just one piece of undeveloped land at the far end of the site which is the subject of the current application. He made the point that the proposed development will not lead to any difference in the operational activities or increase of traffic flow,

with the aim of the building being to store finished goods and raw materials undercover to protect the integrity and quality of the product from the regular wet periods that occur and, therefore, also protecting the environment as all operations and products will then be undercover.

Mr Law made the point that the site is part of a designated industrial area and is hidden from view by the large Fen grain silos to the west and his existing buildings, with other industrial operators to the north and to the east and to the south there is a belt of trees and several hundred acres of farmland which helps screen the site. He stated that it is at the furthest point from the village of Wimblington on Eastwood End Industrial Estate and is out of sight of both the village and local roads.

Mr Law made the point that after over 35 years his company is an experienced fertilizer blender, running a safe and regularly monitored operation with audits having been undertaken within the last few months from the AIC which is the Agricultural Industries Confederation to check the security and quality of operations. He added that visits from the Environment Agency have taken place to check emission controls along with the Health and Safety Executive who have checked the companies Control of Substances Hazardous to Health and MSDS inventories where general fertilizers are declared as non-hazardous as well as industry bodies such as organic certifying organizations all without issue or non-compliance notices.

Mr Law advised the committee that the fertilizers are not flammable, and he explained that if organic granular nitrogen is heated with a blow torch it would only melt rather than burn, with most of the company's fertilizer materials being inert raw materials which are then used to make the bespoke mixes for local farmers to grow their crops. He advised the committee that he currently employs 10 staff which will increase to 13 with the opening of his soil and plant laboratory early in 2025.

Mr Law referred to the presentation screen and pointed out the building which has been built at significant expense which will make Law Fertilisers the only integrated fertilizer business in the UK which will be able to sample soils and manufacture solutions for the growers. He stated that the site is on an existing industrial area that will not cause any increase in traffic, there will be no change in activity, the proposal will be out of sight to the village, it will be safe and have no negative impact on the environment or the village.

Mr Law stated that one of the photographs displayed during the previous presentation was outside of the application site and the other two were a part of extreme weather patterns that have not impacted where the waters come from the road not from the application site. He confirmed that the whole fertilizer factory is secure from any discharge of any raw materials from inside the factory, with the water being from the road that is a public road within the site.

Members asked Mr Law the following questions:

- Councillor Hicks asked whether ammonium nitrate is either stored as a raw product or as a finished product on the site? Mr Law confirmed that he does not store this.
- Councillor Imafidon asked Mr Law to confirm when the laboratory was built? Mr Law stated that it has been built for two years. Councillor Imafidon asked whether it is currently in use as its condition appears to stand out from all of the other buildings that are there? Councillor Imafidon expressed the opinion that the colour of the standing water does not appear to be normal rainwater and there is something else contaminating the rainwater and he asked how long it will take for the new building to look like the ones currently on site? Mr Law stated that the plan is that the proposal will conclude his site and will allow him to have a high-quality enterprise, with the laboratory being transformational for his business. He advised the committee that the business is a family enterprise, and it is his intention to pass the business onto his son who does not like mess, he wants growth for the business and wants to make the business a world-class operation as they deal with products which are Global due to the fact that the business is an innovative fertilizer manufacturer. Mr Law

added that the intention is to have an official opening by Lord Dannatt who has undertaken some work for Law Fertilisers with the Government and he has agreed to be at the official opening of the business next year. He added that before that can take place the site would need to be finished and upgraded so not only is it officially open but also his son will then inherit the business.

- Councillor Imafidon stated that he finds it very commendable and members are all aware that part of the ethos of the Council is that Fenland is Open for Business and likes to support family run small businesses and see small businesses grow but at the same time there is a responsibility to the community to ensure safe practice that businesses are operating in the right manner and do not harm the environment and do not harm people or other businesses which is why he has raised concerns over the current condition. Councillor Imafidon stated that he would hope that Mr Law understands why he is concerned. Mr Law stated that the sheets of materials have come from the inclement weather episodes and the standing water comes off that road and it is contaminated by the soil which is between the road and the outside of that building and that building has concrete sheets to stop anything coming in. He added that at the other side of that wall is machinery and there is no fertilizer, only granulating machinery. Mr Law added that this is part of an important evolution of the business to the next stage and he wants to be a world-class business and he asked the committee to help to support the proposal to enable him to finish the site off.
- Councillor Imafidon stated that he understands the thoughts and aspirations of Mr Law, however, they have visited other sites and been amazed with regards to the condition and immaculate upkeep of other warehouse sites. He expressed the view that businesses should keep their sites tidy. Mr Law explained that as part of finishing off the site it is his intention to improve the employee satisfaction so everywhere is clean and tidy. He added that it is difficult to keep staff in Fenland and the staff he does have are excellent but are all very busy. Mr Law explained that he does need to have improved employee retention, get his son involved and part of that is making the whole site world class and immaculate at all times which is his goal.
- Councillor Connor expressed the opinion that the site is not screened enough, referring to the presentation from Councillor Mrs Davis with the photographs displaying how badly the site is maintained. He stated that if the application is approved by the committee is it the intention of Mr Law to move the whole business to the new site? Mr Law explained that the smaller site where the pictures were taken will be totally dedicated to organic regenerative fertilizer as it is the intention to segregate the two different types of fertilizer and the other site will be for laboratory plant services and for conventional fertilizers. He added that there needs to be separate sites for the two different types of farming and he operates the only organic fertilizer factory in in the UK at the moment.
- Councillor Connor stated that the site is in poor condition with poor fencing, and he asked Mr Law to explain what plans he has to tidy up the existing site? Mr Law provided assurances that within a week the site will be cleared with the steel removed to a scrapyard and then that area re-hardcored. He added that he will include a ditch so that the water from the road does not come onto the site and that area will be re-cladded. Mr Law explained that the rest of the site and inside the site is an efficient and safe site and the business is scrutinized by many organizations who check on the quality of operations and the fact that he has been trading for 35 years says a great deal. He added that he wants to use this opportunity to bring the business to another level especially as it is his legacy and he spent half of his life at Wimblington and has built his business up.
- Councillor Connor added that it is very commendable and the Council support local business as much as it can but as Councillor Imafidon stated there is also the need to ensure public health and if the application is approved he would welcome the opportunity to come and visit a nice clean site which will include hopefully some sort of drainage in the site such as an interceptor where the rain water from the site can be managed.
- Councillor Hicks asked that if the improvements to the site can be achieved so easily and quickly why have they not been undertaken previously? Mr Law explained that he did not think that there was a health hazard because the water is contained there, and it is only

some steel. He added that the site is not open to the public as it is a private industrial estate but he will look to raise that particular area of land up, create a drain and due to the busy nature of the business that piece of land was not deemed to be a priority.

- Councillor Hicks asked whether there is a reception area to meet and greet visitors? Mr Law stated that visits from Anglia Farmers have taken place and they have looked around the site. Councillor Hicks added that the overall impression of the site in the current condition would not be pleasing. Mr Law made the point that there has been extreme weather and the buildings do need to be managed so they are more resilient. He added that all of the internal water goes through an interceptor and an underground pipe, so all of its internal drains go outside the new building. Mr Laws explained that all the water from the new building will be harvested and used to manufacture foliar fertilizers so there will be no loss of water from the new building to the environment.

Members asked officers the following questions:

- Council Sennitt Clough stated that the officer's report details information from the Environmental Health Team which states that the applicant must ensure the fertilisers are stored properly and she questioned whether an Environmental Health Officer (EHO) has visited the site and also is there a condition that can be applied to the application should it be approved which states that procedures are in place and adhered to going forward with regards to the storage of the fertilisers. David Rowen stated that he is unaware whether an EHO visited the site but he added that in terms of the issue that Environmental Health raised about the ongoing management of the site it is really not a planning issue and Mr Law has given an indication that there are numerous other bodies who are responsible for ensuring the ongoing and appropriate management of the site where planning deals with ultimately the general land use of the site. He added that in terms of whether fertilizer is stored in the building, outside the building or in a safe or unsafe manner that would be down to one of the multiple other agencies that have got the remit to deal with that.

Members asked questions, made comments and received responses as follows:

- Councillor Imafidon stated that this is an application where consideration needs to be given towards trying to balance the need for business growth in the area and issues of public safety. He made the point that as a business owner himself and also as a resident of Fenland he supports any small business or any business at all in the current economic climate. Councillor Imafidon stated that any business that is brave enough or bold enough to want to expand should be commended and that is extended to Mr Law and his team. He expressed the view that the fact that he is talking about his legacy as well and he wants to pass the business onto the next generation and to create further employment for local people and generate income for the local economy should be supported. Councillor Imafidon added that he does have big concerns that the application will be approved whilst other areas relating to public safety and the safety and security of the site will be overlooked. He made the point that Mr Law has said that he will within a week rectify the condition of the site, however, Councillor Hicks has highlighted the fact about these works could have been undertaken already and the fence in several places at the existing property are mangled and the steel has been blown down and should have been fixed before. Councillor Imafidon added that he all for the expansion of business and for encouraging business in Fenland, but the condition of the site has left some doubt in his mind.
- Councillor Hicks stated that consideration has to be given to the material planning considerations and, in his view, there are no reasons to go against the officer's recommendation. He made the point that whilst he agrees that the site may be untidy, that is not a relevant consideration. Councillor Hicks stated that Mr Law has all the right paperwork to suggest that he is running his business from the inside properly, but he does need to ensure that the outside of the building is maintained and kept to an acceptable condition. He stated that he will support the application because there are no material reasons for it to be refused.
- Councillor Connor stated that committee cannot take the previous operating performance of

the site into consideration, and it has to be determined on what is before the committee both in the report and from the discussions at the committee meeting.

- Councillor Benney stated that he has listened to both the applicant and also to other members of the committee and, in his view, members are putting far too much weight on the actual maintenance of the site. He made the point that there is a planning application to be considered which is about land usage and the application is policy compliant, with an officer recommendation to approve and the untidy nature and unkempt condition of the site is not the concern of the committee. Councillor Benney reiterated that the application is policy compliant and, in his opinion, there are no material planning reasons to turn the application down.

Proposed by Councillor Mrs French, seconded by Councillor Hicks and agreed that the application be GRANTED as per the officer's recommendation.

(Stephen Turnbull advised members of the committee that the applicant had inadvertently created the impression in an email to the Clerk to Wimblington Parish Council that he has had discussions with Planning Committee members whilst his application was progressing. The applicant has now confirmed that he was referring to discussions with Kings Lynn Borough Council which he has confirmed in writing to Matthew Leigh, which also contains the text of the earlier misleading email from Mr Law to Wimblington Parish Council. Stephen Turnbull advised the committee that for the avoidance of doubt, Mr Law has also confirmed to him that he has had no discussions with Planning Committee members concerning his application)

(Councillors Benney, Mrs French, Hicks, Imafidon and Sennitt Clough declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they do not know the applicant)

(Councillor Connor declared that whilst he does know the applicant, he has had no communication or dealings with him for at least nine years and he is not pre-determined and will approach the application with an open mind)

(Councillor Marks registered that the applicant is known to him via business and took no part in the discussion and voting thereon)

**P25/24 F/YR24/0161/F
LAND SOUTH OF 4 HOLE IN THE WALL COTTAGES, PADGETTS ROAD,
CHRISTCHURCH
ERECT 1 X DWELLING (2-STOREY 4-BED) IN ASSOCIATION WITH EXISTING
FARM, AND FORMATION OF AN ACCESS**

David Rowen presented the report to members and drew members attention to the update report that had been circulated.

Members received a presentation, in accordance with the public participation procedure, from Mr Matthew Hall, the agent. Mr Hall explained that the Gladwin family purchased the farm in 1993 together with the cottages all as one and at that time there were 420 acres now there are 1,364 acres some of which is contract farming, and it is a mixed arable and livestock farm. He made reference to the officer's report and stated that under section 4.0 it makes reference to the planning history, and it gives a good overview of the farm, pointing out that in 1996 there was an application for the erection of an agricultural building, in 2011 the erection of a pig fattening unit and in 2019 the erection of an agricultural store which demonstrates that over this period of time there has been expansion at this farm and the applicant wants to expand further.

Mr Hall explained that the applicant has invested in a pig fattening unit which holds 1,050 pigs and to his knowledge this is only one of two operating in Fenland, with the other one being at Wood Street in Doddington, and the farm also has a contract with Warburtons, the bread company, for

some of their grain as well. He stated when the application was submitted, an independent agricultural appraisal was enclosed which was carried out by Cheffins and within the Council's consultant's comments under 9.14 it states that the need for an additional worker is marginal which, in his opinion, states that there is a need but he does not believe that the Council's agricultural consultant has visited the site.

Mr Hall added that the shed and infrastructure are already in place and are being used and this is not a new enterprise as it is an expanding long-established farm, with their appearing to be a great deal of support for the application and the Ward Councillor for the area, Councillor Dal Roy, supports the application along former member, Will Sutton, who has written a letter of support for the proposal along with Christchurch Parish Council who fully supports the proposal and they have submitted a detailed response which is in the report. He stated that the proposal will give continuity for one of the largest family farms in the area and family farms play an important role in the local rural economy, with the applicant advising him that they are also in discussions to take on a further 250 acres under contract farming.

Mr Hall stated that the proposal sites the dwelling where officers have shown in line with a row of cottages along frontage linear development in Flood Zone 2 and had it been sited to the north of the farm buildings that would fall in Flood Zone 3. He explained that the applicants have confirmed that to the north of the current farm buildings they are considering further expansion of either a grain store, machinery store or both.

Mr Hall recalled a very similar application in 2019 which was determined under the current Local Plan which was approved for an agricultural worker dwelling on a 1200-acre farm at Fallow Corner Drove in Manea which was approved against the officer's recommendation and was located in Flood Zone 3 whereas the proposal before the committee today is in Flood Zone 2. He made the point that the proposal is very similar application and is located in the next village and on inspection looks a very nice dwelling.

Mr Hall stated that the applicant currently resides in one of the starter homes on site that officers have indicated to the committee, with these cottages being what he would identify as being two up, two down cottages comprising of a kitchen, living area, bathroom downstairs and upstairs having two bedrooms. He explained that the property that the applicant currently resides in on the farm is in reality a one-bedroom property because his long-term partner, who also works in agriculture, uses that as an office and, therefore, it is a one bed property.

Mr Hall added that the applicant is looking to the future and might want to start a family and he wants to live in a larger property and stay on the farm. He stated that those cottages are not owned by an individual, but they were purchased and owned in 1993 by the farm and the income from them goes into the farm.

Mr Hall added that there is a great deal of support for the application and there are no objections from any persons in Christchurch. He made the point that the Highways Officer, Environmental Health and Parish Council have no concerns, with the applicant being fully aware that if the proposed dwelling is approved it will be subject to an agricultural tie and he reiterated that this is an established farming business that wishes to expand and secure its future growth going forward and on the previous application it was stated that Fenland is Open for Business.

Members asked Mr Hall the following questions:

- Councillor Sennitt Clough stated that Mr Hall has spoken about the expansion of the farm, and she asked why the demonstration of need was not made evident and clear in the application? Mr Hall stated that it is his understanding that the Cheffins report demonstrates the need here for two persons to be on site so, in his opinion, the agricultural consultant has demonstrated that need in the report, and it is the Council's agricultural consultant who disagrees.

- Councillor Connor asked Mr Hall to clarify how many pigs are actually on the site? Mr Hall confirmed that the pig fattening unit has 1050 pigs, and they get brought in at a lower weight, fattened up and then taken to the abattoir at Spalding.
- Councillor Marks asked Mr Hall to point out on the presentation screen where the pigs are located? Mr Hall explained that the actual pig fattening unit is not shown on the map but to the left there is a track at the top of the slide and the unit is to the rear of the sheds.
- Councillor Imafidon referred to the five existing dwellings and asked for clarity with regards to the rents coming from those dwellings being reinvested in the farm. Mr Hall clarified that the farm owns those cottages, they brought them with the farm in 1993 and the money from the tenancies get reinvested into the farm. He added that it is his understanding that the starter homes which are owned by the farm are only occupied for a short period of time before the tenants move on.
- Councillor Imafidon stated that he understands that an agricultural tie will be affixed to the property, and he questioned whether the dwellings will be occupied by people who work on the farm as well. Mr Hall confirmed that the new dwelling would be occupied by the farmer's son who is a director of the company and works permanently on the farm so that would be solely occupied by him.
- Councillor Connor stated that 1300 pigs must be very labour intensive, and he struggles to think how just one person can look after those pigs. Mr Hall expressed the view that it is his understanding with pig farming that there is quite a high fatality rate and if you cannot attend to the pigs in an emergency. He added the Mr Gladwin and Mr Gladwin Senior are on site, but it is very labour intensive.

Members asked questions, made comments and received responses as follows:

- Councillor Marks expressed the opinion that he feels that there is good reason to be on site if it is tied into the business which it does seem to be and equally with livestock, with their having been various other applications where farmers and contractors have submitted applications who have had livestock and crops to deal with and who operate 24 hours a day. He stated that he knows the area well and he does not think that it will look out of keeping, with it being just one very long road that goes up to a river and, in his view, the proposal is for a modern type farmhouse, which he is minded to support.
- Councillor Imafidon stated that Fenland is Open for Business and the application is to have a dwelling on site to support a livestock business. He stated that he is not an expert in farming, but he is aware that livestock requires people to be on site if you have large quantities of animals and, therefore, he is inclined to support the proposal.
- David Rowen stated that he fully accepts the need for somebody to be living on site in connection with the livestock but as the Council's own consultant has recognized that is fulfilled to a degree by the existing farmhouse within the centre of the complex. He added that the agent has confirmed that the son of the applicant who the new property is intended for already lives on the site and, therefore, that is effectively two people associated with the farm who are on site who can provide that welfare for the animals. David Rowen stated that there are already two dwellings on the site associated with the farm that can provide that welfare requirement and he added that planning policy is extremely clear that new dwellings in the countryside should only be permitted where there is a clear functional need and in this case that functional need is already being addressed by the properties that are on site and, therefore, from a planning policy point of view there is no justification for a new dwelling on site and the fact that a nicer house can be built and that it is perhaps more convenient to build a new house rather than extend one of the existing ones, it is not an essential need there so from a planning policy point there is no justification for a new dwelling to be built at this site.
- Matthew Leigh stated that in relation to a worker's dwelling as David Rowen has stated the policy refers to evidential need and the independent review of the document that was submitted stated at best marginal and for a professional document, in his opinion, this is a very low value to what was submitted and their professional opinion is that there is a very marginal at best need to put an additional workers dwelling on this site. He added that as a

Council it is acknowledged by the independent review undertaken that there is a need for a dwelling on the site to deal with the business in a functional and an operational manner on a day-to-day basis but that is being met and by another dwelling on the site so there are already two homes. Matthew Leigh made the point that it then needs to be decided whether there is need above that for a further additional dwelling and if it is because there are a certain number of pigs or because there is a certain amount of grain that is a decision the Council makes, however, this decision would have to be repeated for every applicant. He expressed the view that there is one farmhouse on this site and there is another dwelling being occupied on this site by people that work on this farm and that meets the operational needs of this business and in relation to sequential test there is other land within the site and within the District that does not fall within flood zones that are highly likely to be susceptible to flooding. Matthew Leigh added that it is still an area where the Government directs housing away from and that needs to be a material planning consideration. He made the point that the sequential test does not have to be passed if it is considered that there is a specific reason and in this instance as was explained in the presentation there is other land under the applicant's control that could accommodate a dwelling. Matthew Leigh expressed the opinion that his advice would be that future occupiers of this dwelling should not be put at risk from being in a house that could flood, plus the people that if there was a flood would have to rescue them and also thirdly that if it is a flood zone being built on, there are only limited resources to rescue people and to save those people it actually puts people that are already in flood zones at risk and that is one of the reasons why dwellings should not be built in flood zones.

- Councillor Hicks asked whether the report is considering what is on site now or is it taking into consideration what it will be in three years' time? Matthew Leigh stated that it is his understanding it was taken from what was submitted with the application and the agent has raised additional information but that should not be a consideration for this application because it is not in front of the committee in a formal process as there is no business plan and no evidence. He added that if the applicant comes forward and there is growth in the business and they decide that they do need an additional house then they should submit at that time.
- Councillor Marks made the point that he appreciates the officer's advice with regards to flood risk, however, when the committee considered an application three years ago, the applicant needed to be on site 24 hours a day and mitigation was added so that the dwelling was raised 1.5 metres out of the ground and, therefore, there could be mitigation measures put in place which could be conditioned for the current proposal. He expressed the view that when considering the welfare of the applicant and his family they have a right to start a family which will mean he needs more space in his home and the agent has advised that the applicant is using one of the two bedrooms as an office currently and he expressed the opinion that extra bedrooms should be encouraged instead of overcrowding.
- Matthew Leigh stated that he was not in post when that particular application was determined, however, an application does not have to pass a sequential test, explaining that if there was a blank scheme for a farm for an agricultural workers dwelling where there was no agricultural workers dwelling at the moment so there was a need for this site which at the moment the Council's independent report is saying there is not but if there was a need that may be a reason to allow a site in the flood zone because the need outweighs the harm. He added that in the Council's independent review it says there is a marginal need at best so that is very different to where it states there is definitively a need and there is no occupation at the moment. Matthew Leigh made the point that he does not know the other site that Councillor Marks was referring to, however, that site may have had no other land that was safe from flooding whereas the current application site does have other land that is safe from flooding and, therefore, consideration should be given to building the dwelling there before it is built in a place that is at a high risk of flooding. He expressed the view that his professional advice in this instance is for those two reasons he has given it would be very difficult for the Council to argue robustly that there is a reason that this site should be allowed to be built on when it is at risk of flooding. Matthew Leigh added that with regards to

the welfare of the family it is not a material consideration for the committee as decision makers in the planning system as there is no requirement in front of members to evidence that it has to be this gentleman on site, it could be somebody else as the agent has implied that there are multiple workers on the site and this is about ease for the applicant, about the quality of life of the applicant and that is not what the committee are in place to determine and members should be considering and determining land use and to determine applications for their lifetime and to look at the planning merits. He explained that the room currently being used as office space was for the applicant's partner who works for a different company but these points are actually not material considerations and unless they are relevant to the application which are laid down in law then they should not be considered.

- Councillor Mrs French asked whether the application could be deferred in order for a business plan to be submitted by the applicant. She added that the agent has stated that the applicant wishes to expand, and, in her view, it would be useful if there was a business plan which could back up the actual need. David Rowen explained that with regards to the information that has been submitted with the application, there has been some financial information submitted in respect of the agricultural operation which proves that the business is a viable business and, therefore, there is no doubt about the viability of the business. He added that consideration need to be given to the agricultural need and the fact that ultimately that this is more than accommodated for with the existing occupation on site.
- Matthew Leigh stated that if members wish to defer then that is within their gift, however, in his view, he does not think that any further information received would differ significantly to that already submitted.
- Councillor Benney stated that the applicant has stated that he has a report which dictates that there is a need for extra staff here and even the Council's own report says minimal, but it is not marginal and that shows that there is still a need. He expressed the view that looking after that volume of pigs must require significant work. Councillor Benney expressed the view that the best place for a business owner to be is with his business as it adds security and there is also animal welfare to be considered. He made the point that the words 'minimal need' has been used and that, in his view, shows that there is need. Councillor Benney added that there is building in Flood Zone 2 which is fully mitigated, and the land will be built up like it always is and committee need to decide whether they accept that there is a need for this and in which case that overrules other aspects of planning. He made the point that it is a good application and there is a need as the pigs need looking after and the Council should be helping businesses wherever it can in his view.
- Matthew Leigh stated that the report is an independent report and it states at best marginal and, in his opinion, that is about as low as you probably get in a professional independent report. He expressed the view that it is very rare that an independent report would states explicitly no need. Matthew Leigh made the point that there are already at least two people tied to the business that live on this site as there are multiple units and members need to consider whether there is an evidenced need for a further property on this site and the answer is not irrespective of anything else because there are actually already six properties on this site.
- Councillor Imafidon asked whether the other units on the site are occupied by persons who are working on the farm? David Rowen expressed the view that the occupation of the other units that are on site is irrelevant and the application which has been submitted is for an additional dwelling to accommodate the son of the applicant who currently resides already in one of the properties on site. He added that the Council's agricultural consultant was commenting upon the information submitted with the application and at no point within that is there actually any reference to the fact that there is already somebody living on site or a second dwelling on the site occupied and, therefore, in terms of the marginal need that was concluded on a theoretical basis rather than there is actually somebody practically already on site. Councillor Imafidon questioned that if the units on site were all occupied by people who work on the farm why nine additional units are needed and not maybe one or two units.
- Councillor Connor clarified that it is only one additional unit which has been proposed.
- Matthew Leigh explained that in the officer's professional opinion the application is

recommended for refusal.

It was proposed by Councillor Mrs French that the application be refused as per the officer's recommendation, which was not supported by other members.

It was proposed by Councillor Hicks to defer the application to allow the applicant to provide more detailed information as well as a business plan, which was not supported by other members.

Proposed by Councillor Marks, seconded by Councillor Imafidon and agreed that the application be GRANTED against the officer's recommendation, with authority delegated to officers to apply conditions in conjunction with the proposer and seconder and to include an agricultural tie condition.

Members do not support officer's recommendation of refusal of planning permission as they feel that there is the need for the additional dwelling on site and that mitigation measures can be included to protect the dwelling from flooding.

(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind.)

(Councillor Marks asked for it to be noted that he sits on March East Internal Drainage Board along with Councillor Mrs French and Councillor Hicks)

**P26/24 F/YR24/0254/PIP
BROWNLOWS YARD, 400 CREEK ROAD, MARCH
PERMISSION IN PRINCIPLE TO ERECT UP TO 9 X DWELLINGS**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall explained that the officer's report confirms that it is a brownfield site which has been in the Brownlow family's ownership for 40 years and has long been established as a yard which has expanded over many years with the site having been used as a patio company, car dealer, furniture maker, storage, persons with banger cars, persons with reptiles, a joinery workshop and portacabins. He stated that at present as the officer's report confirms there is storage, various commercial buildings, building materials and various vehicles.

Mr Hall made the point that in the officer's report the Highway Authority does not object to the proposal, not only to the access point but also that the visibility splays can be achieved. He added that even though the application is for Planning in Principle (PIP), consideration has been given to the fact that if the application is approved to the technical details.

Mr Hall stated that the whole site is located in Flood Zone 1, there would be associated drainage and if the application is approved there would be a requirement for an adoptable footpath to the front of a site, street lighting and widening the road, with the opportunity to allow a community benefit of the road being widened all the way along where it is currently narrow. He referred to the location map on the presentation screen and pointed out the site and the access point and explained that there have been two other delegated officer approvals here which are located where the red line is on the small section of land adjacent to the access way and along the frontage which already has PIP for residential dwellings and are located in Flood Zone 1, with extant permission under delegated approval for up to three dwellings around the corner of Creek Road to Flaggrass Road.

Mr Hall referred to the photos on the screen which displayed the existing access way which is a

track, with the photo taken in December 2022 in the winter months, which shows the area to be unkept, there is standing water, and it looks very untidy and the second photo displays a Google overview which clearly shows that the site is a brownfield site, where the access is at the moment and the proposed access will be over the existing one to improve it. He explained that on the 30 July he spoke to Middle Level Commissioners regarding the proposal site and the letter they had sent out, during the conversation the riparian ditch was discussed which is located along the northern boundary and a discussion took place with regards to the discharging into that ditch a greenfield runoff rate, so it has to be attenuated through a crate system or a basin and then a discharge point, with the officer at Middle Level stating that the proposal would be acceptable, and she did advise that a direct discharge with no attenuation or anything would not be acceptable.

Mr Hall referred to the photos which show the standing water, and expressed the view that the access at the moment is pretty poor, with standing water and it is not going to improve and will probably get worse but if the proposal is approved then an engineered drainage solution would have to be undertaken to address those issues. He made the point that there have been no neighbouring objections including no objections from Environmental Health, Archaeology, Highways and March Town Council, with all of the site being located in Flood Zone 1 and officers have confirmed that this site is brownfield and would be efficient use of brownfield land.

Mr Hall stated that as part of any technical details, the road would have to be widened along with the formation of a footpath and the introduction of street lighting for which discussions with Highways have already taken place. He made the point that agents are often told, quite rightly, to look at the character of the area which in this case is currently a mess, however, if the proposal was to be approved with the introduction of some residential dwellings the character of the area would be vastly improved.

Members asked Mr Hall the following questions:

- Councillor Mrs French stated that this site already has approvals for two other PIP applications and there is another application which has been submitted for six dwellings which is still pending and now a PIP proposal has been submitted for 9 dwellings. She asked whether the intention is for that to become a full-blown estate? Mr Hall referred to the presentation screen and explained that there is a PIP at the front which has approval and the further pending application for 6 has had the technical details submitted and then another three. He referred to the screen and highlighted the green area and the yard which is split in two between two different owners within the Brownlow family but he has not received any instruction to advance the three on the corner or the small piece of land and there have been no discussions or instructions for any of the remaining areas of land.
- Councillor Marks asked whether the road improvements are still being introduced for the two PIP applications? Mr Hall explained that the application at the front is still pending and that includes street lighting, an adoptable footpath and widening of the road and, therefore, that scheme is being progressed, with the details available on Public Access.
- Councillor Marks asked whether a letter confirming the conversation has been received to confirm the agreement regarding the drainage? Mr Hall explained that he has received a standard response from Middle Level and then following that he had a telephone conversation with them on the 30 July and it was conversation over the phone about surface water drainage going forward if the application was approved and, therefore, nothing has been put in writing to that effect. Councillor Marks stated the site is known to him and he is aware of just how wet the site can get, especially in the winter months, and he would have liked to have seen the actual response from the IDB, which is site specific concerning the drainage on the site.
- Councillor Hicks asked for confirmation that the entire site falls within Flood Zone 1? Mr Hall stated that the whole of this PIP application is in Flood Zone 1.
- Councillor Sennitt Clough asked for further clarity concerning the comments from the Archaeology Team at the County Council and the fact that they do not have any reservations as she is aware that the site is located near the Fen Causeway and the

comments from the Archaeologists state that there would need to be an archaeological investigation should any works commence. Mr Hall stated that other applications just off Flaggrass Road, such as the Piggeries, which was approved a couple of years ago is extremely close and maybe on the Fen Causeway, was subject to an archaeological dig and the applicant is aware that there would be the need for a next stage contamination report and archaeology and he explained that the site at the front may also have to have one as well.

- Councillor Marks referred to 1.5 of the officer's report which states that in the course of the application the officers have provided the agent with the opportunity to explore alternative options for the site which would avoid siting development within the area of high and medium risk of surface water flooding such as relocating the proposed access, however, the agent has confirmed that they wish to proceed with this current proposal. Councillor Marks asked Mr Hall to explain the reasoning behind that decision? Mr Hall referred to the location plan on the presentation screen and he pointed out to the left where the access is shown which also encompasses the existing track, explaining that the access is also in the same position as the application which already has a PIP but as there is another application pending it has been kept there because there were queries from Highways with regards to the access, radius kerbs, and splays on the one at the front. He added that this proposal has been tied in with the application which already has PIP and the technical details that are pending which is why the access has been kept there to tie in with the other development.

Members asked officers the following questions:

- Councillor Hicks referred to 10.10 of the officer's report and stated that it confirms that the application site is all located in Flood Zone 1, but within the conclusion in the report it states that by virtue of its location and land use it is within an area of high and medium risk of water flooding. He asked officers to clarify why they have provided a recommendation of refusal when the site is located in a Flood Zone 1 area as it appears that officers are going against their own policy? David Rowen stated that fluvial flooding is what Flood Zones 1, 2 and 3 cover and when considering the proposal, the issue being considered is surface water flooding which is a different source of flooding.

Members asked questions, made comments and received responses as follows:

- Councillor Mrs French stated that she totally agrees with the officers with regard to surface water flooding and as the application site falls within her County Council Division, she knows the site very well and every time there is heavy rainfall it floods, with there being a field and a ditch in the vicinity which has caused issues in the past and there is surface water flooding there. She added that with regards to the drainage board, it is her understanding that this falls under March Fifth Board, where she is a representative on, and any time that there has been an application for this they do raise concerns because that is March North and it does not have the infrastructure. Councillor Mrs French added that further down Creek Road, there is an Anglian Water depot and there are five to seven lorries every day bringing in their tanks and that is obviously an ongoing thing. She made the point that she did ask the agent with regards to how many further applications are in the pipeline and she expressed the view that should the application be approved; she can foresee there being a complete estate down there. Councillor Mrs French added that it is not in the March Neighbourhood Plan and when that was adopted it was specifically stated that because of the infrastructure in March North it cannot take anymore, with further up the road there being a planning application for St John's College for 99 dwellings which was refused and lost on appeal. She added that this is not a location to intensify housing, the officer's recommendation in her opinion is correct and she would like to see the outcome of the pending application for six dwellings before any more PIP applications are considered.
- Councillor Marks stated that the issue of the surface water does cause him concern and he is disappointed that the Middle Level have not provided a letter to confirm the discussions that took place with Mr Hall. He expressed the view the officers have made the correct recommendation.

- Councillor Mrs French stated that she is a member of eleven drainage boards and added that March Fifth are over capacity, referring to a report which was circulated which states that they will not allow anything unless it is greenfield flow which obviously then means attenuation tanks have to be included. She reiterated that she cannot support the application as it is now.

Proposed by Councillor Hicks, seconded by Councillor Imafidon and agreed that the application be REFUSED as per the officer's recommendation.

(Councillor Benney declared that the agent has undertaken work for Chatteris Town Council and himself personally, but he is not pre-determined and will consider the application with an open mind.)

(Councillor Mrs French declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council, but takes no part in planning)

**P27/24 F/YR24/0333/F
LAND NORTH EAST OF HORSEWAY FARM ACCESSED FROM BYALL FEN
DROVE, MANEA
ERECT 1 DWELLING (2-STOREY 3-BED) AND FORMATION OF A NEW ACCESS**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Mrs Baxter, the applicant, and Ian Gowler, the agent. Mrs Baxter stated that she is looking for a new dwelling for her family, to continue living at the same address and to continue providing support for the businesses, with at the current time her family residing with her father-in-law, and she explained that they are all involved with the businesses which are family orientated and are operated from the site where the application is proposed. She explained that her husband works in the family's construction business and undertakes work in the local area for the local community and she explained that valuable plant equipment and materials are stored at the address along with the holiday let business they operate at the site which is becoming increasingly popular.

Mrs Baxter added that she anticipates that part of the business to grow due to the proposed reservoir and she explained that there are also cattle on site which require looking after. She stated that she is involved with the holiday let business including the arrival and departure of the guests which can be at different times of the day, and she added that she also deals with the security on the site as there have been thefts in the past of diesel and vehicles.

Mrs Baxter explained that it is the intention for the businesses and new dwelling to remain in the family's ownership and she made the point that whilst that is not a material consideration to give planning permission, it would support local businesses and also give her family its own space.

Mr Gowler stated that there are no technical objections to the proposal, and he explained that the extended roadway to the site is due to highway visibility. He added that the need for the dwelling is due to the expanding family's requirements and the intention is for the new dwelling to be for Mrs Baxter and her family in connection with the businesses that are already operating on the site.

Mr Gowler added that the holiday let business can mean that guests arrive either early in the morning or late in the evening which is why there is the need for somebody to be there on site. He made the point that Mr and Mrs Baxter are already living at the property and, therefore, it is not an additional home that is being sought it is for residents already living on the site.

Mr Gowler added that he notes an additional reason for refusal is appearance and he referred to the presentation screen which displays the extent of the hedging to the front of the house and the

image of the streetscene shows an image which is not quite representative of what the view will be from the road as it will not be visible. He explained that the photos shown in the officer presentation displayed a large gap in the hedge which was there whilst hedging works took place, however, that has been replanted and will be filled in once it grows.

Members asked Mrs Baxter and Mr Gowler the following questions:

- Councillor Hicks referred to the slide which shows the driveway and he asked whether any consideration was given with regards to a different access point? Mr Gowler stated that the highway visibility standards for that type of road is 245 metres and he explained that a very long section of the road was surveyed to ascertain where the 245 metres could be achieved and from previous experience of the Highway Authority is that they do not normally allow anything less. Councillor Hicks stated that he appreciates the points made, however, in his view, the current access point lends itself to accommodate another 2 or three properties on the site and he questioned whether that is going to be the plan going forward. Mr Gowler stated that to consider further buildings there is not the business need argument as there is with the current proposal, where there is a need for there to be somebody on site to look after the businesses.
- Councillor Marks questioned that as there are not going to be any additional vehicles, could the current access point not be shared with the other family members? Mr Gowler stated that is achievable and the location plan shows the existing entrance which is on an awkward corner and the 245-metre splay would not be achievable although a sensible splay could be attained. Mr Gowler made the point that the applicants are already living there, the access point is already being used for both of the businesses and he would be happy to omit the proposed access and for the existing access to be used instead. Councillor Marks stated that for a comfort factor it goes some way towards nobody considering a development in the paddock behind it.
- Councillor Marks expressed the view that the proposal demonstrates the need for somebody to live on site, especially with the holiday lets on the site and asked Mrs Baxter whether she also works with the family building business as well. Mrs Baxter responded that she mainly deals with the holiday lets and undertakes a small amount of secretarial work for the building business.

Members asked officers the following questions:

- Councillor Marks asked whether it is possible to condition and add a tie to the application should it be approved, albeit not an agricultural tie, so that it is tied to the business or the site. Matthew Leigh stated that one of the needs for an agricultural workers dwelling is the need for regular activity outside of reasonable hours and there is a reason why the planning system supports agricultural workers specifically within the National Planning Policy Framework due to the likelihood and the frequency of the unattractive hours and it does not pick out other industries. He explained that he has seen many discussions at planning appeals where applicants have argued that they need a dwelling for security purposes but made the point that there are numerous other security steps that can be taken to protect properties and businesses before a dwelling is built and for that reason he advised members to give that aspect very limited weight. Matthew Leigh referred members to 9.5 of the officer's report where it states that no planning permission appears to exist for the site to function as a builder's yard, with only planning permission for the replacement dwelling and change of use of garages to holiday lets apparent in the planning history and members should not be looking to approve an application where there is a potentially unauthorised business operating from the site. He referred to the holiday let accommodation and stated that members need to consider whether in reality the unsociable hours and the number of units should allow it to have a new dwelling when Government policies do not support it. Matthew Leigh added that if members support the proposal then it is likely that a precedent is being set for any rural business to then be considered which is an approach that he would not recommend. He stated that there can be tie added to the application and it would have to be added as a personal permission, however, the viability information for the holiday lets

has not been received to confirm that the business is financially viable enough to support a dwelling in its own right and, therefore, in this instance he would advise that a tie should not be added.

- Councillor Imafidon made the point that with regards to the need on the site for security to be present, he runs a holiday let business and from his experience, just like agriculture, there are very often instances why people arrive late such as accidents or traffic delays and in some cases he has assisted with a check in at 2.00am and, in his view, there is the need for somebody to be on site to look after that aspect of the business. He stated that it has been mentioned that there are details concerning the planning history for the holiday lets and, in his opinion, there is a good plausible reason why somebody needs to be there. Councillor Imafidon added that there have been numerous thefts from construction sites and farms over recent times in Fenland and again that proves that somebody should be on site. He expressed the view that if it can be applied to the agriculture sector then that should also be the case for the holiday let business.
- Councillor Connor stated that he thinks the points made by Councillor Imafidon are valid especially as he is speaking from personal experience.
- David Rowen stated that there is already a dwelling on the site and for those instances of late arrivals then there is already somebody living on site who can deal with them. He referred to the actual layout for the application and stated that that, in his view, he would question how effective that the proposed arrangement would be with regards to being able to service those customers arriving for the holiday lets given the physical separation from the operation to the west and that from a practical point of view it does not seem to support that type of operation.
- Matthew Leigh stated that with regards to the planning guidance and the fact that agricultural dwellings are allowed, security is not a consideration as it is about the functional need for farming and if security was a material consideration then it would mean that every business or factory could have a dwelling on the site to provide security. He stated that members need to consider that there are only three holiday lets on site and, therefore, need to give thought to the fact that there is already a dwelling on the site and whether there is an additional need for another dwelling for someone to be on site for 24 hours a day, seven days a week for three holiday lets. Matthew Leigh added that members need to consider whether the need is so significant in order to go against the adopted planning policies and the lack of evidence that could weigh in favour of the material considerations in relation to the viability and also Government guidance on where dwellings should be sited and, in his view, members should not be going against that.
- Councillor Marks stated that he knows the site and the location of the property to walk through into the farmyard is no more than 50 metres and he does not feel that it is disjointed from the business. He added that, as the agent has already stated, if the roadway could be reinstated so that there was just one access it would make access far easier. Councillor Marks made the point that with regards to the holiday lets, there is a very large provider and supplier of leeks in the county, located in very close proximity and they have people employed for 24 hours a day. He added that he also recalls an application from a site in Manea where the residents where hot bedding every 8 hours and, therefore, the owners needed to be on site to deal with arrivals and departures.
- Councillor Marks stated that officers have expressed the view that the house appears to be located too far away and are disjointed from the business. David Rowen made the point that visitors to the site do not know the layout of the site and usually if there is an argument that a dwelling is needed in connection with a business that the business is better linked, located or more closely located than the proposal before the committee. He added that with regards to the point made concerning the alternate access arrangement, the application is a full application and what has been applied for is displayed on the presentation screen and that is what members need to determine.
- Councillor Sennitt Clough stated that it appears that there is a third business operating from the site with regards to the rearing of animals which would lend itself to people being present on the site. She added that the dwelling already on the site has occupants which

she presumes are from the older generation and, therefore, to continue with that aspect of business, in her view, would require younger people on site so that they could be on standby to assist with the animal rearing business. David Rowen stated that with regards to animals on site and animal welfare there was very limited information submitted with the application to substantiate that fact, with the focus in the application appearing to be with the construction business and the holiday let operation. He added that there has been no information provided with regards to the number of animals on site and there is no other land which has been indicated as being owned by the applicant and when he drove past the site there only appeared to be 2 horses on site and no evidence of any other animals. Councillor Sennitt Clough referred to paragraph 9.3 where reference to the animal business is made and she added that she has undertaken a site visit, but it is obscured significantly by the laurel hedge.

- Councillor Imafidon stated that the sustainability of the holiday let business also needs to be taken into consideration when taking into account cancelled bookings and loss of business. He added that, when considering the existing dwelling on site, Mrs Baxter explained that her family are currently residing with her father-in-law and partner which, in his opinion, shows that there is a need for an additional dwelling.
- Councillor Mrs French referred to 9.5 of the officer's report which states that no planning permission appears to exist for the site to function as a builder's yard and she asked whether the agent has provided any indication that a planning application maybe submitted for that. David Rowen stated that there is no supplementary information which has been submitted to indicate that either an application for planning permission or for a certificate of lawfulness to demonstrate that the builder's yard is lawful is indicated within the submission. Councillor Mrs French asked David Rowen if he is aware how long the builder's yard has been there, and he confirmed that he does not know.
- Councillor Hicks stated that the Local Plan is in place to provide guidance for members to follow and he asked officers to confirm whether approvals should only be given for proposals in the agriculture industry. Matthew Leigh stated that decision makers, whether that be officers, members of the committee or the Planning Inspector, should determine applications in accordance with the development plan unless material considerations indicate otherwise, with the policy specifically referring to agricultural workers dwellings as that reflects the nature of the district and the historic point with regards to highlighting the need for specific types of accommodation for these properties. He added that there can be material considerations that would mean that a different business could be supported in a similar thrust, however, he added that if that were the case then the guidance and the policy with regards to agricultural workers would need to be looked at. Matthew Leigh stated that consideration would be needed with regards to the business having to be lawful and to have evidence to substantiate its lawfulness and, in this case, discounting the builder's yard. He added that you would also need to have a level of comfort that the business has a long-term life span, and, in this case, it is a very small concern with it being only three holiday lets and no information with regards to viability has been provided. Matthew Leigh made the point that if permission is granted with the restricted condition and the business goes bust then the existing occupiers will have to move out and in theory the house should remain vacant forever and end up being demolished. He made the point that there is not a policy which dictates that applications can be supported which go against the Council's actual policy but there should be material considerations in place which make the decision makers comfortable to go against the actual policy. Matthew Leigh expressed the view that the officer's report outlines the very clear concerns and added that when considering the access and the distances between the properties, it actually considers the aesthetic harms that it has moved away from the other building, along with the physical remoteness of it when considering how it connects, which would not be able to be amended as part of the application because the red area would need to change and, therefore, it would need to be a refusal. Matthew Leigh stated that if the existing access was used the required visibility splays would not be met and the Highway Authority would say that there is an existing visibility splay and will the 1.2 vehicle movements from the site as a result of the new

dwelling result in any demonstrable harm which is probably very unlikely and, therefore, there is no requirement to meet the 245-metre distance on an existing access.

Members asked questions, made comments and received responses as follows:

- Councillor Marks stated that he would describe the area as a hamlet as there are 5 or 6 other properties there and when considering the size of the proposed dwelling, in his view, it is a sensible three bedroomed family size property, with there being across the road a dwelling which is behind a hedge and further along there are other dwellings together with a digester. He made the point that he does not believe anybody would want to build a property in this location due to the odour from the digester, unless it was tied into their business and Mrs Baxter is involved with the business and whilst disregarding the building business, which could possibly be unlawful, there are buildings there which could in the future be converted into further holiday lets. Councillor Marks expressed the opinion that there is the need for somebody to be on site at the location and Mrs Baxter appears to be the key person involved with the holiday let business. He expressed the view that he is not content with the entrance and feels that it could be made to be just one access point for the whole site. Councillor Marks made the point that he feels that it is a good application, and they already own the land, if they need to purchase a property where else are they going to be able to do that in the local area so that they are close to the holiday lets. He expressed the view that Fenland is Open for Business and with the introduction of the reservoir it is going to bring forward further business.
- Councillor Benney stated that Councillor Marks has stated that the site is three miles from Manea, and he anticipates that it will be the same distance from Chatteris. He asked for it to be recorded that he has never spoken to Mr Baxter, but he has seen his business vehicles driving around the area as he appears to undertake a great deal of work in the Chatteris area. Councillor Benney stated that to the best of his knowledge it is a family business, and his sons work in the business, with it being a local business who operate their business from the home, and it is a family run operation who are asking the Council to support them. Councillor Benney stated that the number of holiday lets is irrelevant and the decision making comes down to different interpretations of policy and whether certain aspects are given additional weight. He added that it is the committee's role to consider applications and there are aspects of applications which are not always policy compliant but that is the role of a councillor to bring a personal touch to the determinations, to look at them with compassion and to take into account aspects that are not covered in policy.
- Councillor Imafidon stated that he agrees with Councillor Benney with regards to the amount of holiday lets as there is nothing to say that the business will not expand in the future and with the proposed growth in the area, which is likely with the introduction of the reservoir, he will be personally and strongly looking to support a local family business.
- Councillor Hicks stated that he is not content with the fact that the construction business appears to be operating from the site without permission.
- Matthew Leigh stated that he wishes to clarify that planning policies cannot be interpreted any differently to how they are written, committee can interpret and give weight to material considerations differently but when policy is read clearly and explicitly it cannot be interpreted any differently. He added that members and officers can give different weight to different material considerations, and it can be said that material considerations outweigh the harm with a policy, but policies cannot be interpreted differently.

Proposed by Councillor Marks, seconded by Councillor Imafidon and agreed that the application be GRANTED, against the officer's recommendation with authority delegated to officers to apply suitable conditions in consultation with the Chairman, proposer and seconder to include a tie to one of the businesses operating from the site.

Members did not support the officer's recommendation of refusal of planning permission as they feel that there is a need to have people living on the site and they do not agree that it is out of character in the area.

(Councillors Benney, Mrs French, Hicks, Marks and Sennitt Clough declared, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they have been lobbied on the application)

(Councillor Marks declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Manea Parish Council, but takes no part in planning)

P28/24

F/YR24/0410/F

**LAND EAST OF STORES AT THE LODGE, FENDYKE LANE, LEVERINGTON
ERECT A DWELLING (2-STOREY 5-BED) INVOLVING THE DEMOLITION OF
EXISTING COMMERCIAL BUILDINGS**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Gareth Edwards, the agent. Mr Edwards stated that the business is owned by the applicant and his son, and they have operated from the brownfield site for nearly 20 years, with the business currently employing four members of staff, adding that previously he had employed six people, however, due to not being able to operate equipment at the site he had to let them go. He explained that the equipment was partly funded by the Council in 2020 and is a company which deals with engine electronics and race engine operating all over the country and world.

Mr Edwards explained that the application site has the applicants own converted dwelling to the front of the application proposal and that obscures the application from the street scene on the lane, with a recent approval for a garage block with an annex above to the north of the dwelling which should commence imminently. He made the point that he has worked closely with the planning officer and was delighted to receive an email with an officer's recommendation for approval, which needed to be signed off and was somewhat disappointed to be then told that the application would be brought before the Planning Committee for determination with a recommendation for refusal.

Mr Edwards added that the business has operated from the site with no real issues and with the new dwelling that has been constructed to the south and the sale of the previous home of the owner to the north it has brought with it more of an issue with noise and he referred to another application in close proximity to the site which is for the conversion of an existing cold store into two dwellings. He stated that the application comes with the support of neighbouring properties, the Parish Council and other statutory consultees.

Mr Edwards added that the suggestion was made with regards to looking into carrying out a Class MA application on the building, however, in his view, it is clear that the structures are not the most attractive and the proposal which is smaller in size than the current is more appropriate and would accord with the neighbouring properties. He explained that the dwelling is to be located in Flood Zone 1 and by removing the business it will reduce the traffic flow to and from site and the applicant is looking to purchase a building on an existing industrial site which the proposal before the committee will provide the revenue to do so.

Mr Edwards stated that the proposal will also allow the applicant to have the use of all his machinery in the one location and to allow the business to progress, with at the current time he is having to use space within other businesses which is disruptive, expensive and time consuming. He explained that the applicant does not own any other buildings to operate from and is keen to have his own premises in order to allow for expansion without causing a nuisance.

Mr Edwards referred to the reasons for refusal and added that the application site falls within a cluster of residential dwellings on Fendyke Lane and following on from other recent approvals will

increase the number but made the point that the proposal will not be seen from the road itself due to the applicant's house and garage block. He reiterated that it is located in Flood Zone 1 and is only the access that is in Flood Zone 2.

Members asked officers the following questions:

- Councillor Hicks referred to the issue of the initial officer's recommendation of approval being communicated to the agent to then end up changing to one of refusal. He added that it is not the first time that this has occurred, and he asked officer to provide an explanation. David Rowen stated that most of the agents should know that an indicative informal recommendation from the case officer is not necessarily binding and is always dependent on being reviewed by a more Senior Officer. He added that the report before members sets out the material planning considerations and whilst an email has been sent during the application process indicating that the case officer may be minded to support an application is not a material planning consideration and does not overcome the material issues as set out in the officers report.
- Councillor Hicks expressed the view that going forward he would suggest the officers do not give any indication of the recommendation as it may give false hope to the applicant and should not form any part of any correspondence. Matthew Leigh stated that he agrees with the points made by David Rowen and added that it will be something that is reviewed to ensure that there is a consistent approach across the authority.
- Councillor Mrs French expressed the view that an indication should not be given in advance of a final determination. Matthew Leigh stated that the case law is clear, and no individual officer can bind the Council and decisions are made by the committee or delegated to officers. He added that Senior Officers do not proactively look to overturn recommendations and he explained that during his career he had recommendations overturned by a more Senior Officer which did not impact or effect his confidence. Matthew Leigh added that whether or not officers communicate a recommendation it is not a material consideration for the debate and it is the planning agents who are bringing it forward to try and influence the committee which is undermining the planning process and not taking into consideration the fact that the Council are developing and upskilling its officers and making informed decisions as a committee. He made the point that it is actually irrelevant to the committee's decision-making process and the fact that it is discussed and given credence, in his view, is the issue.
- Councillor Connor stated that he is sure that members of the committee will debate the application and will be open minded in their decision making.

Members asked questions, made comments and received responses as follows:

- Councillor Sennitt Clough stated that when she undertook a site visit, she noticed that there was a sign attached to a telegraph post adjacent to a wheatfield which is very much the open countryside and, in her view, it would not be a good place to build on. She made the point that the actual site was further down the road and, therefore, she was unclear why that planning notice was affixed to the post she saw. Councillor Sennitt Clough added that when she viewed the actual site, she felt that it was open countryside and the point made with regards to the house being built and imposing over the lane, in her opinion, is incorrect.
- Councillor Marks stated that there appears to be concern with regards to the height and size of the building which he recalls had been an issue some years ago with a property in Wimblington and now that the property has been built out it cannot be identified due to its height. He expressed the view that the proposed site is a barn, and it will still look like a barn with the property next door to it and, in his opinion, he does not see any issue with the size and height of the proposed dwelling.
- David Rowen stated that, in accordance with the Local Plan, as the site does not fall within the main settlement of Gorefield or Leverington and it is deemed to be an elsewhere location where the Council and national policy indicates that new dwellings should not be allowed unless there is justification such as agricultural workers. He explained that in this case there is a dwelling in an elsewhere location with no functional justification to it and,

therefore, the principle of the development is clearly contrary to local policy. David Rowen drew members attention to the presentation screen and stated that with regards to the height, the existing dwelling is 7.6 metres high and the building to the rear can be seen which as part of the proposal would be 2.4 metres higher along with a bigger mass. He referred members to the elevations which are proposed and explained that the mass is different along with the access being in Flood Zone 2 and the fact that there was no sequential information submitted.

It was proposed by Councillor Hicks that the application be refused as per the officer's recommendation, which was not supported by other members.

Proposed by Councillor Sennitt Clough, seconded by Councillor Imafidon and agreed that the application be GRANTED against the officer's recommendation, with authority delegated to officers to apply conditions in conjunction with the Chairman, proposer and seconder.

Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal will clear up the site aesthetically, will not impose on the location and there are a number of other dwellings in the vicinity of the application site already on the same side of the road.

4.14 pm

Chairman

F/YR24/0145/O

Applicant: Mr Fletcher

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

**The Three Horseshoes, 344 March Road, Turves, Peterborough
Cambridgeshire PE7 2DN**

Erect up to 5 x dwellings (outline application with matters committed in respect of access) involving the demolition of existing Public House

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 10 April 2024

EOT in Place: Yes

EOT Expiry: 27 Sept 2024

Application Fee: £1156

Risk Statement:

This application must be determined by 27 September 2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

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| <ol style="list-style-type: none">1.1. This application seeks outline planning approval, with matters committed in respect of access only, for the erection of up to 5 dwellings, facilitated by the demolition of the existing public house, known as The Three Horseshoes.1.2. The below assessment considers that the proposal is largely acceptable with respect to its location, in respect of the settlement hierarchy, Policy LP3.1.3. Evidence regarding the financial viability of the pub and its active marketing as a going concern has been submitted for consideration against the requirements of Policy LP6 when related to the loss of a community facility. However this evidence fails to adequately demonstrate that the pub is no longer financially viable, and is silent on the matter regarding community need. The proposal is therefore contrary to Policy LP6.1.4. In addition, The Three Horseshoes has recently been designated by the Council as an Asset of Community Value, owing to the fact that the pub is one of a very limited number of facilities available within Turves. An independent residents' group have made significant progress in pursuing their right to bid for |
|--|

the pub under the ACV process. Accordingly, this designation and progress forms a material consideration of significant weight in favour of retaining the pub for the community, which is not outweighed by the benefit of the provision of market dwellings as proposed.

- 1.5. The site is in Flood Zone 3 and as such is required to pass the Sequential and Exception tests with regard to flood risk. The evidence submitted with the application has failed to fully demonstrate that there are no sequentially preferable sites that could accommodate the quantum or scale of development proposed under the terms of the current scheme. As such, it is considered that the current scheme is not compliant with Policy LP14 with a failed Sequential Test.
- 1.6. The recommendation is therefore to refuse the application.

2 SITE DESCRIPTION

- 2.1. The application site comprises the existing Three Horseshoes public house (PH) building, along with an area of land used as PH car park and land to the rear of the PH, currently used as a public garden/seating area. The PH is a substantial building finished in white render which fronts a prominent junction of March Road and Burnt House Road within Turves. The site is surrounded on two sides by mature hedging with open countryside/ sporadic development to the west and north.
- 2.2. A 1.8m high close boarded fence marks the southern boundary with the adjacent development of 6 x semi- detached houses. 6 parking spaces are located immediately south of this boundary. The site itself is generally open and provides pedestrian access to the pub and car park.
- 2.3. The site is within Flood Zone 3 as is the whole settlement of Turves.

3 PROPOSAL

- 3.1. This application seeks outline planning approval for the erection of up to 5 dwellings at the site, facilitated by the demolition of the existing pub, known as The Three Horseshoes. The application commits matters in respect of access only, intending to utilise an access approved under F/YR19/0895/F, originally intended to serve the pub and two new dwellings to the north, to serve a total of 7 dwellings (2 approved under F/YR19/0895/F and the proposed additional 5).
- 3.2. The indicative plans submitted show two pairs of 2-storey, 3-bed semi-detached dwellings positioned to front March Rd/Burnt House Road between the approved dwellings (F/YR19/0985/F) intended to the north and No.6 Horseshoe Place to the south. A further 2-storey, 3-bed detached dwelling is indicated to be positioned to the rear of the site.
- 3.3. Each dwelling is proposed to include private garden space bounded by 1.8m close boarded fencing, with parking for each dwelling and turning provided off a shared driveway.

- 3.4. Full plans and associated documents for this application can be found at: [Simple Search \(fenland.gov.uk\)](http://fenland.gov.uk)

4 SITE PLANNING HISTORY

F/YR19/0895/F	Erect 2 x dwellings (2-storey 3-bed) Land North Of Three Horseshoes PH	Granted (Delegated) 31.01.2020
F/YR19/0176/F	Erection of 2 x 2-storey 3-bed dwellings involving demolition of single storey storeroom of public house Land West Of The Three Horseshoes PH	Refused (Committee) 30.05.2019
F/YR18/0879/F	Erection of 2 x 2-storey 3-bed dwellings involving demolition of single storey storeroom of public house Land West Of The Three Horseshoes PH	Refused (Delegated) 27.11.2018
F/YR07/0507/F	Change of use of garden to car park	Granted 13.07.2007
F/YR06/0771/F	Installation of 2 French doors and balcony to first-floor living accommodation	Granted 16.08.2006
F/YR02/0714/F	Formation of access into existing car park	Granted 01.8.2002
F/YR01/1012/F	Change of use of land from beer garden to car park	Granted 11.12.2001

5 CONSULTATIONS

5.1. Cambridgeshire County Council Highways Authority

I have no objections to the principal of the proposed development however the following points need to be addressed to make it acceptable to the highways authority.

- The extent of the highways as shown on the proposed plans is incorrect. The correct boundary is further to the west of the shown boundary line. I would recommend that the applicant contact the CCC searches team for the definitive area.*
- The bin store/collection points shown at each entrance to the development are partly within the highway. Please remove these from the highway and place them within the property boundary. I would note that the southern one is orientated so that the residents/refuse collection operatives would have to walk on the grass verge. This is also unacceptable and should be amended to have a hard standing for people to access the area.*
- The applicant has proposed an extension to the footway from their access to the bus stop. I would however point out that there is a War Memorial in place within this section, which is placed within the highway extent/verge. I note that this area currently has paving stones in front (presumably installed as part of memorial design). However the drawings show these to be removed and replaced with tarmac. I recommend that the Parish and all and any other stakeholders are consulted on this detail prior to the*

determination of this application. I would also recommend that this detail is conditioned as these works would be completed by the developer using the standard LHA materials with no further public consultation.

- *Further to this the footway extension crosses an existing junction. This cannot be changed into a straight forward crossover layout as proposed on the plans, due to the existing nature and use of the property. If permitted it would likely result in larger vehicles being unable to egress the junction with potential detrimental effects on the highway and the safety of its users e.g. vehicles having to stop and manoeuvre on the highway. There is also a potential issues with its construction as it would require kerbs which will cause an issue with the levels on the property side. I do not believe that this proposed footway improvement is needed to facilitate the development from a highway stand point and therefore could be removed from the proposals without any detriment to the highway, which would overcome the above mentioned issues.*

If the applicant is unwilling or unable to amend the application or provide additional information as outlined above, please advise me so I may consider making further recommendations.

Additional Comments

The proposed vehicle access with the highway as shown on the proposed layout plans. Appears to be as per the approved access location and layout for application number F/YR19/0895/F. This access layout and location on this application would be suitable for shared use with this development and the previously approved development under application F/YR19/0895/F and should be conditioned as applicable.

5.2. Senior Archaeologist (CCC)

I am writing to you with regard to the archaeological implications of the above referenced planning application.

Our records indicate that The Three Horseshoes public house which is proposed for demolition under the submitted scheme is illustrated on Ordnance Survey mapping dating to the late 19th century (Cambridgeshire Historic Environment Record reference MCB32535). An historic photograph of the building uploaded to the website of Whittlesey Town Council suggests the core of the building, comprising the southern two-thirds of the two-storey linear range aligned roughly north-south to face the corner of March Road (formerly the Horsey Toll to March turnpike road - CHER ref MCB31388), may be considerably earlier and appears likely to be of 18th or early 19th century date.

Adjoining the southern end of the building is a single-storey structure which appears now to be incorporated into the public house, although the same 19th century Ordnance Survey mapping indicates that this was formerly a separate blacksmiths workshop which, given the otherwise remote location, seems likely to have primarily served the horse traffic using the turnpike road.

The Great Eastern Railway (Ely & Peterborough Branch) line opened in 1847 and remains open today, passing close-by to the south of the site (MCB24025) with a level crossing passing over Burnthouse Road. Immediately east of the crossing, The Benwick Goods Railway was built southwards from 'Three Horse Shoes Junction' on the Ely and Peterborough Railway to Benwick. It opened to Burnt House in 1897 and to Benwick in 1898. Well supplied with freight collection points, it was a typical and successful attempt by the Great Eastern Railway to help local farmers in depression, and played a major role in promoting local recovery (MCB27270).

The application as presented makes no assessment of the heritage impact of the proposal beyond identifying that no statutorily designated assets are likely to be affected. In this it misses the locally derived historical and architectural significances of the structures to be demolished, as reflected in the abundance of public comments responding to the proposal. Accepting that the surviving built form is significantly altered by use and by unsympathetic alterations such that its retention at any price pay not be warranted, nevertheless the total loss of this non-designated but locally important heritage asset should be mitigated by a programme of detailed recording in advance of demolition, should the scheme gain consent.

We therefore do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological historic building recording, secured through the inclusion of a negative condition such as the example condition approved by DLUHC:

Archaeology Condition

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

- a) the statement of significance and research objectives;*
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;*
- c) The timetable for the field investigation as part of the development programme;*
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.*

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (DLUHC 2023).

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

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

5.3. Environment & Health Services (FDC)

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 [...]

*Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites **may** also be relevant, as would details of any piling construction methods / options, as appropriate.*

The issue of historic fuel storage has been brought to the attention of this service, having not been acknowledged in the application supporting documents. A study of the available mapping system confirms the site history included garage use and presence of fuel tanks.

In light of the aforementioned information, an intrusive investigation will be necessary and should planning permission be granted, it can be secured by imposing the full contaminated land condition. This will ensure compliance with the relevant staged parts of the condition, which will also cover potential remediation and validation aspects.

5.4. Whittlesey Town Council

The town council recommend refusal until additional marketing has been carried out which can be constituted as appropriate as reflected in LP6 of the local plan retaining community facilities.

5.5. Local Residents/Interested Parties

Objectors

The LPA has received 58 letters of objection for the application from the following locations:

- 23 addresses within Turves;

- 11 addresses within Whittlesey (including Coates);
- 9 addresses within March (including Wimblington and Manea);
- 3 addresses within Wisbech (including Wisbech St Mary);
- 7 other addresses, including Peterborough, Spalding, Boston and Stamford;

In addition, objection letters were received from representatives of organisations including Campaign for Real Ale (CAMRA), Campaign for Pubs, and the Turves and District Residents Association, which is understood to have been specifically formed in response to this application.

Reasons for objection to the application can be summarised as (in order of frequency of reference):

- Demolition of the pub will result in the loss of the last remaining community facility in the village;
- Turves has insufficient infrastructure and facilities to accommodate more housing;
- The pub has a historic character that will be lost if it is demolished;
- A change of use of the pub should be considered;
- The pub has not been actively and appropriately advertised for sale;
- Pubs contribute to the sustainability of the village and the well-being of residents;
- The personal circumstances of the applicant should not be a factor in determining the application;
- Concerns over risk of flooding;
- Concerns over overlooking and privacy to existing dwellings;
- Implications for wildlife;
- Concerns over amenity impacts (noise) from new dwellings;
- Highway safety concerns;
- Potential for overshadowing and loss of light;

The Turves and District Residents Association objection made particular reference to the following matters:

- Site planning history
- Neighbourhood planning policies
- Use class
- Culture, leisure, tourism and community facilities asset of community value
- Rural housing
- Health and social wellbeing
- Reference to emerging plan policies- site not within development area boundary, non-compliant to LP17, amenity provision, etc.
- Historic environment
- Loss of amenity
- Community deprivation
- Retaining community facilities
- Suspected contamination

Supporters

The LPA has received 31 letters of support for the scheme from the following locations:

- 15 addresses within Turves (including 1 from the applicant);
- 8 addresses within Whittlesey (including Coates and Eastrea);
- 4 addresses within Wisbech (including Fridaybridge and Elm);
- 1 address in Mepal;
- 1 address in Peterborough; and
- 1 address in Barnsley.

Of these letters, 15 were pro-forma style letters submitted by the agent.

The reasons for support of the proposal can be summarised as (in order of frequency of reference):

- The pub is no longer financially viable;
- The personal circumstances of the applicant should be a consideration;
- Refusal of the scheme may result in the pub building standing derelict;
- Five new dwellings will provide much needed housing;
- The pub has been actively and appropriately marketed for sale with little interest;
- Redevelopment will improve the overall appearance of the area;
- Turves residents should take on the pub or create a community centre;
- The proposal will be better use of the land;
- The location is ideal for houses;
- Private owners should not be responsible for providing community space;

2 of the letters received included no reasons for support.

6 STATUTORY DUTY

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

6.2. The site falls within the Whittlesey Neighbourhood Plan (NP) area. Accordingly, the NP also forms part of the development plan for the purposes of statutory duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004.

7 POLICY FRAMEWORK

7.1. National Planning Policy Framework (NPPF)

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

Para. 11 - Presumption in favour of sustainable development

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

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

Para. 83 - To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.

Para. 88 - Planning policies and decision should enable: d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Para 97 - To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;

Para 115 - Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para. 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

Para 180 - Planning policies and decisions should contribute to and enhance the natural and local environment.

Para 203 - . In determining applications, local planning authorities should take account of: c) the desirability of new development making a positive contribution to local character and distinctiveness.

7.2. **National Planning Practice Guidance (NPPG)** Determining a Planning Application

7.3. **National Design Guide 2021** Context

Identity
Built Form
Movement
Uses
Homes and Buildings
Resources
Lifespan

7.4. Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP6 – Employment, Tourism, Community Facilities and Retail
LP12 – Rural Areas Development Policy
LP14 – Responding to Climate Change and Managing the Risk of Flooding
LP15 – Facilitating the Creation of a More Sustainable Transport Network
LP16 – Delivering and Protecting High Quality Environments
LP17 – Community Safety
LP18 – The Historic Environment
LP19 – The Natural Environment

7.5. Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy
LP2: Spatial Strategy for the Location of Residential Development
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP11: Community Safety
LP17: Culture, Leisure, Tourism and Community Facilities
LP18: Development in the Countryside
LP20: Accessibility and Transport
LP22: Parking Provision
LP23: Historic Environment
LP24: Natural Environment
LP32: Flood and Water Management
LP33: Development on Land Affected by Contamination

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

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

7.7. Cambridgeshire Flood and Water SPD 2016

- 7.8. **Whittlesey Neighbourhood Plan 2021-2040**
Policy 1 – Spatial Planning
Policy 7 – Design Quality
Policy 8 – Historic Environment
Policy 11– Adapting to and Mitigating Climate Change

8 **KEY ISSUES**

- **Principle of Development**
- **Use Class**
- **Parking and Access**
- **Flood Risk**
- **Character, Amenity and Heritage**

9 **BACKGROUND**

- 9.1. The site attributed to The Three Horseshoes PH has been subject to recent planning history pertinent to consider within the context of the current application. The below gives an overview to the background of the cases highlighted in bold within the Site Planning History table in Section 4 above.
- 9.2. Application F/YR18/0879/F for the erection of 2no. 2-storey, 3-bed dwellings involving demolition of a single storey storeroom, on land west of the PH (that forms part of the current application site) the was refused under delegated powers in Nov 2018. The proposal was refused for four reasons, including:
- LP3 – the proposal was not considered residential infilling;
 - LP16 – the scale and siting of the dwellings was not considered to make a positive contribution to the character of the area;
 - LP2 & LP16 – the proposal resulted in unacceptable amenity impacts;
 - LP14 – failure of the sequential test.
- 9.3. Following this, the application F/YR19/0176/F was resubmitted with some design changes and letters of support, requiring the application be determined by Planning Committee. Members resolved to refuse the application for the same reasons as outlined above in May 2019.
- 9.4. On land to the north of the current application site (forming part of the existing PH car park), application F/YR19/0895/F for the erection of 2no 2-storey, 3-bed dwellings was granted under delegated powers in January 2020.
- 9.5. The application for the 2no dwellings under F/YR19/0895/F on land to the north of the PH has been secured, and remains extant, owing to the commencement of works by virtue of the installation of foundation piles.

10 **ASSESSMENT**

Principle of Development

- 10.1. Policy LP3 of the FLP identifies Turves as a ‘small village’ whereby development will be considered on its own merits but will normally be of a

very limited nature and normally be limited in scale to residential infilling or a small business opportunity.

- 10.2. The application site is located between the adjacent site to the north with an extant and implemented planning permission for the erection of 2 dwellings (F/YR19/0895/F) and the residential development at Horseshoe Place to the south. As such, the redevelopment of the public house for residential development would be tantamount to residential infill, and thus would be compliant with Policy LP3 in this regard.
- 10.3. The proposal would see the demolition of the existing Three Horseshoes public house (the pub) to facilitate the development. As such, the principle of development must also be assessed against other relevant policies of the local plan to determine its acceptability in principle.

Loss of Public House

- 10.4. NPPF Paragraph 88(d) seeks the retention of local services and community facilities to ensure prosperous rural communities. Policy LP6 considers the impact of development proposals on the provision of Employment, Tourism, Community Facilities and Retail within the district, and states, with respect to the retention of community facilities:

Proposals that would lead to the loss of community facilities (e.g. public houses, village shops, community halls, post offices) will only be permitted if:

- 1) it can be demonstrated that the retention of the facility is no longer financially viable and an appropriate marketing exercise has been carried out, **and** it can be demonstrated that there is a lack of community need for the facility, or*
- 2) an alternative facility is provided.*

- 10.5. To address point 1), the applicant provided evidence, dated September 2023, concluding that the pub has been actively marketed since February 2020 as a going concern, but with little apparent success. It outlined private trading information, noting that at the end of the financial year of 2018-2019 (the year prior to marketing) the pub turned a healthy profit. No more recent accounts information was provided, however, on the basis of the submitted information, it is considered that the pub was clearly marketed as a profitable business, and as such appears to remain financially viable for use as a pub. Thus, on the basis of evidence available to Officers, the scheme is considered contrary to Policy LP6.
- 10.6. In addition, point 1) also requires applicants to demonstrate that there is a lack of community need for the facility or to provide an alternative (Point 2). No evidence with respect to community need has been provided by the applicant, and therefore does not fully demonstrate the level of community need (or not) as required by LP6.
- 10.7. Subsequent to the validation of the current application, an un-incorporated body, known as the 'Turves and District Residents Association'¹ (TDRA) has been established, and has been successful in its application to the Council to

¹ [Turves and District Residents' Association – Creating a Better Community \(wordpress.com\)](https://www.turvesanddistrictresidentsassociation.com/)

nominate The Three Horseshoes Public House as an Asset of Community Value (ACV), which was determined on 8th April 2024.

10.8. The FDC Website explains that:

The Community Right to Bid allows communities, town and parish councils to nominate buildings or land as an Asset of Community Value.

This means that if it ever goes up for sale, you can 'stop the clock' for up to 6 months. This gives you the opportunity to get together with your neighbours and raise the finances to bid to buy it.

For an asset to be listed it must be clearly shown that its main use (now or in the recent past) contributes to the social well-being, cultural, recreational or sporting interests of the local community, and that this use will continue.²

10.9. Once listed as an ACV, the sale of such an asset is subject to moratorium period which are intended to delay sale and provide a window of time for a community bid. During this moratorium period, planning applications can still progress, however a property's status as an ACV becomes a material planning consideration, with the amount of weight directly correlating to the progress made by a community bidder to pursue purchase of the property.

10.10. It is understood that the TDRA have made significant progress in pursuing their right to bid for the pub, with their intention to retain it as a community facility for the village. Their progress so far has included:

- The successful application for ACV;
- A successful grant application for primary funding;
- An independent survey and valuation of the pub; and
- An open community meeting with survey conducted on what community facility residents wish to see for the space going forward;

10.11. As such, it is evident that TDRA have legitimate interest in progressing a bid for the pub and are seeking to make this a true community facility for residents of Turves. Thus, the ACV status of the pub and the progress made on the attempts of TDRA to retain this building as a community facility is a material planning consideration that should be given significant weight and establishes that there is an apparent need for the community facility to be retained. It could therefore be reasonably argued that it would be premature to conclude that there is no community need for this facility.

10.12. Furthermore, according to the recent Survey of Fenland Settlements Existing Services and Facilities (May 2022)³ that was undertaken to inform the Emerging Local Plan, it is understood that the village of Turves has only three designated community facilities, including, a mobile library, a non-food store, and the pub, to serve around 400 residents (population estimated mid 2018). The population is therefore dependent upon larger surrounding settlements for wider services and community facilities. Given this limited

² [Community Right to Bid - Fenland District Council](#)

³ [PE08-1 Survey of Fenland Settlements Existing Services and Facilities May 22.pdf](#)

number of existing facilities, the loss of the pub as a community facility would have a significant detrimental impact on the offerings within the village, and potentially the wellbeing of its residents. Noting the presumption in favour of sustainable development outlined within both national planning policy and Policy LP1, the benefit of providing 5 new market dwellings within the village is not considered to satisfactorily outweigh the adverse impact of the loss of a community facility in this case.

Principle of Development – Conclusion

- 10.13. This application is outline in nature, with only matters of access committed. Notwithstanding matters of access (discussed in more detail below), the main issue for consideration at this time is whether or not the principle of development is acceptable.
- 10.14. Facilitated by the proposed demolition on The Three Horseshoes pub, the site is in an infill position and thus would accord with the settlement hierarchy LP3. Evidence submitted by the applicant suggests that the pub has been actively marketed, with no viable buyer found during the marketing period. However, on the basis of the evidence submitted it is considered that the pub remains a financially viable prospect.
- 10.15. Furthermore, no evidence has been put forward by the applicant to demonstrate that there is a lack of community need for the premises, a matter which is countered by the clear community involvement in attempting to secure its retention through the ACV process.
- 10.16. As such, the scheme is contrary to the requirements of Policy LP6 and the aims of NPPF Paragraph 88(d) to retain such facilities in rural areas and the proposal is therefore considered to be unacceptable in principle and cannot be supported.

Use Class

- 10.17. The applicant has submitted that they consider the Use Class of the Three Horseshoes to be that of Use Class E(b) for the sale of food and drink for consumption mostly on the premises.
- 10.18. Use Class E of the Use Classes Order 1987 (as amended) was introduced on 1st September 2020 and covers the former use classes of A1 (shops), A2 (financial and professional), A3 (restaurants and cafes) as well as parts of D1 (non-residential institutions) and D2 (assembly and leisure) and puts them all into one new use class. There are several permitted development rights to go from or to Use Class E from/to other use classes and could potentially offer a ‘fall back’ to the applicant to alter the use of the Three Horseshoes within these permitted development rights without the need for planning control.
- 10.19. However, Officers consider that the appropriate use class for the Three Horseshoes is instead ‘Sui Generis’ which encompasses both public houses, wine bars, or drinking establishments and drinking establishments with expanded food provision. A Sui Generis use class means any further change to the premises will require express planning permission and the Local Planning Authority will have the opportunity to ensure that any future

use is appropriate in this location. Notwithstanding, the application before the Council does not specify a use class within its description and seeks to demolish the pub with a view to erecting 5no market dwellings. As such, the LPA is able to offer appropriate planning controls in this case.

Parking and Access

- 10.20. Policy LP15 requires development to provide to provide a well-designed, safe and convenient access for all, and well-designed parking appropriate to the amount of development proposed, ensuring that all new development meets the Council's defined parking standards.
- 10.21. Matters of access are committed with this application. The proposal seeks to replicate a previously approved access arrangement under F/YR19/0895/F, with a 5m wide access from the site leading off March Road. The current scheme would link this access to a shared 5m wide driveway for the plots, each with their own parking area. Matters of specific parking allocation would be subject to the level of accommodation proposed within the final scheme on any subsequent reserved matters application.
- 10.22. Initially, the Highways Authority, whilst not objecting in principle, required minor amendments to make the access arrangements acceptable. However, it was further noted that the access arrangements were as the earlier approved scheme, and as such these minor matters could be conditioned to ensure a fully acceptable access scheme.
- 10.23. Accordingly, the scheme is considered to comply with Policy LP15 subject to conditions.

Flood Risk

- 10.24. Policy LP14 requires development proposals to adopt a sequential approach to flood risk from all forms of flooding, and states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management.

Sequential Test

- 10.25. It is for the applicant to demonstrate through an assessment that the Sequential Test has been met. In February 2018, the Council amended the approach to agreeing the scope of the Sequential Test to a settlement by settlement basis, instead of the entire district as set out in the SPD. As such, the settlement of Turves is the area of search for the Sequential Test for this application.
- 10.26. The application is accompanied by a Sequential and Exception Test document, dated 30 November 2023. The Sequential Test identifies eight recent planning permissions within the settlement of Turves, discounting each as either already commenced, occupied, or stating that they are not comparable in scale to the current application. For example, F/YR22/0919/O is a site for two plots with extant outline approval granted 21.10.2022. The applicant discounts this as a non-comparable site as it proposed large executive style dwellings. In addition, F/YR23/0362/O was approved

02.11.2023 and again was discounted by the applicant as this proposed 3 large dwellings.

- 10.27. The LPA would argue however, that these planning permissions in particular should not be discounted from the sequential test, as they are both extant permissions that were both determined on an outline basis. The descriptions of each make no reference to executive style' dwellings, and the details submitted have not been progressed to reserved matters stage, and as such the applicant's assertion that these are non-comparable in dwelling design and thus should be discounted is flawed as the details available to the LPA at this stage are merely indicative.
- 10.28. Furthermore, noting the current application site area of approximately 1900m², and comparing that of the site area of F/YR23/0362/O which equates to approximately 4700m² - it is clear that this site has ample capability of accommodating the quantum of development proposed within the current application, and this, notwithstanding the overall number and style of the dwellings proposed, is therefore sequentially preferable. Similarly, the site area of F/YR22/0919/O equates to approximately 7500m²; thus this site would also be capable of accommodating the application proposal.
- 10.29. Officers have reviewed the evidence provided and believe that these sites would be available for development and can clearly accommodate the application proposal in terms of site areas, and as such the sequential test is considered to be failed.

Exception Test

- 10.30. The failure of the sequential test negates the need to follow with an Exception Test. However, information submitted with the application indicates that the Exception Test may have been passed due to possible provision of renewable energy sources and the inclusion of flood mitigation measures.
- 10.31. In respect of meeting the first part of the exception test (wider community benefits to outweigh flood risk) through utilising renewable energy/ energy efficient means, updates were introduced to Approved Document L of Building Regulations in 2023, which now seeks significantly greater measures to conserve fuel and power usage. In this regard, the provision to meet wider community sustainability benefits through the incorporation of renewable energy means, as set out in the adopted Flood and Water SPD has been somewhat superseded by latest Building Regulations. As such, it is questionable whether this approach would now be sufficient to achieve wider community benefits to outweigh flood risk. Notwithstanding, by virtue of the aforementioned conflict with policy LP6, there appears to be a negative impact to the wider community through the proposed development.

Flooding and Flood Risk – Conclusion

- 10.32. Notwithstanding observations in respect of the exception test, the evidence submitted has failed to fully demonstrate that there are no sequentially preferable sites that could accommodate the quantum of development proposed under the terms of the current scheme and thus the proposal has

failed the Sequential Test. As such, it is considered that the current scheme is not compliant with Policy LP14 and should be refused.

Character, Amenity and Heritage

- 10.33. Policy LP16 requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area, enhancing its setting, responding to and improving the character of the local environment, reinforcing local identity and not adversely impacting in design or scale terms on the street scene, settlement pattern or landscape character of the surrounding area. Policy LP18 states that the Council will protect, conserve and seek opportunities to enhance the historic environment throughout Fenland. All development proposals that would affect any designated or undesignated heritage asset are required to provide a clear justification for the works, especially if these would harm the asset or its setting, so that the harm can be weighed against public benefits.
- 10.34. Details of appearance, layout and scale are to be submitted at Reserved Matters stage, however the submitted indicative street scene drawing suggests that the dwellings will be similar in style and scale to those approved under F/YR19/0895/F on land immediately to the north. As such, it is acknowledged that the proposal could form a congruous style with adjacent development. Similarly, matters of residential amenity such as impacts from overlooking, overshadowing or other amenity concerns are reserved for further assessment at later stages.
- 10.35. However, consideration must be paid to the existing character of the Three Horseshoes Pub and how its removal may impact the overall character of the area. Officers undertook informal discussions with the Conservation Officer regarding such matters, particularly with respect to heritage and the existing historical character of the pub, resulting in the following comments:
- I have read the Archaeology comments and whilst they state there are local historical connections and indeed historic significance, they are not formally objecting and are suggesting a recording condition if FDC planning department are minded to support.*
- From a heritage consideration, whilst the building does have historic connections and significance, it is very heavily altered and largely cleansed of its originality and architectural merit.*
- 10.36. As such, it is considered that the existing pub is not of significant architectural or historical merit to justify a refusal of its demolition on the basis of character, amenity or heritage.

11 CONCLUSIONS

- 11.1 On the basis of the consideration of the issues of this application, conflict arises through the principle of the development of the site rather than as a result of matters that could be addressed at the design stage.

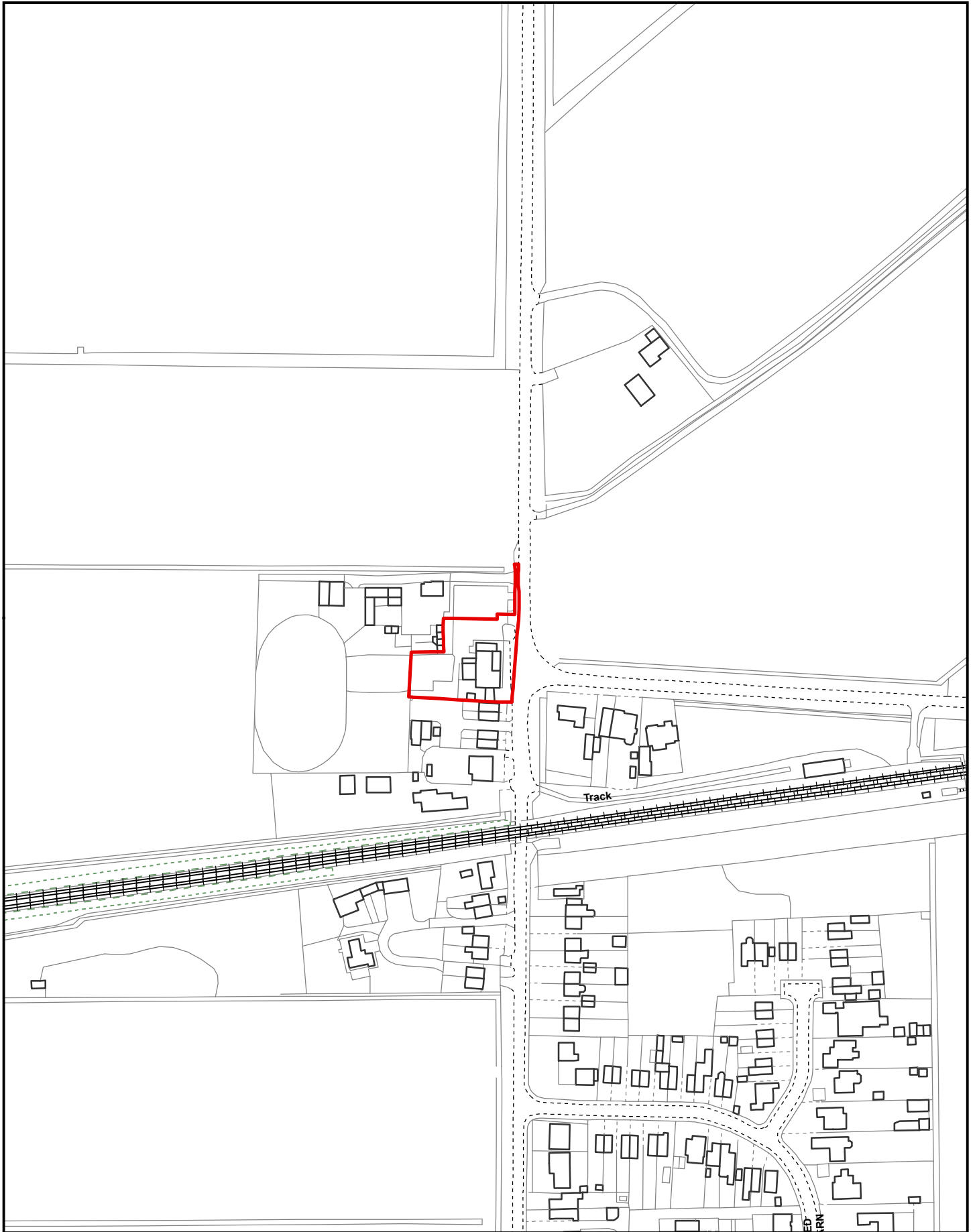
- 11.2 The application does not adequately demonstrate that the pub is no longer financially viable, nor does it address any lack of community need for the pub. Accordingly, the proposal is contrary to the requirements of Policy LP6 and Paragraph 88 (d) of the NPPF.
- 11.3 The scheme proposes no alternative offerings of a community space to replace that lost through the demolition of the pub and would therefore result in a significant detrimental impact to the settlement and its residents; a matter not outweighed by any benefit of providing up to five market dwellings in its place. Furthermore, the successful designation of the pub as an Asset of Community Value, and the progress made by a local residents' group in pursuing their right to bid for the pub should be given significant weight in the planning balance in favour of its retention.
- 11.4 In addition, the proposed scheme is considered to be contrary to the requirements of Policy LP14 on the basis that it has failed to be demonstrated that there are no sites available which would be sequentially preferable and is therefore contrary to Policy LP14 and the adopted Cambridgeshire Flood and Water SPD or Section 14 of the NPPF.
- 11.5 There are no material considerations that justify the approval of the scheme contrary to those policies and as such a non-favourable response is forthcoming.
- 11.6 Therefore, given the above assessment, the application is recommended for refusal.

12 RECOMMENDATION

Refuse; for the following reasons;

1	Policy LP6 of the Fenland Local Plan, and Paragraph 88(d) of the National Planning Policy Framework (2023) seeks the retention of local services and community facilities to ensure prosperous rural communities. LP6 requires applicants to demonstrate that the facility is no longer financially viable, that an appropriate market exercise has been carried out, and that there is a lack of community need for the facility. The application seeks to demolish the existing pub on the site for the development of market housing. Evidence of its marketing has been advanced, however, the application fails to adequately demonstrate that the pub is no longer financially viable and that there is a lack of community need for the facility, a matter countered by the clear community involvement in attempting to secure its retention through the ACV process. The application is therefore contrary to the requirements of Policy LP6 of the Fenland Local Plan (2014) and Paragraph 88 (d) of the National Planning Policy Framework (2023).
2	Policy LP14 of the Fenland Local Plan, section 14 of the National Planning Policy Framework (2023) and Cambridgeshire Flood and Water Supplementary Planning Document (2016) require development proposals to adopt a sequential approach to flood risk from all forms of flooding, and policy LP14 states that development in

	<p>an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management. The proposal is for the construction of up to five dwellings on an outline basis and is accompanied by a Sequential Test document. The document however fails to fully identify land available within the settlement of Turves that is available for development of the scale proposed by the application, and the test is therefore considered to be failed. The proposal is therefore contrary to policy LP14 of the Fenland Local Plan (2014), Section 14 of the National Planning Policy Framework (2023) and Cambridgeshire Flood and Water Supplementary Planning Document (2016).</p>
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F/YR24/0145/O

Scale = 1:2,500





EXISTING PUBLIC HOUSE
ROOF AREA = 344.3m²
PROPOSED TOTAL ROOF AREA
OF DWELLINGS = 292.3m²

- DWELLING KEY**
- PLOT 1 = 3 BED SEMI-DETACHED
 - PLOT 2 = 3 BED SEMI-DETACHED
 - PLOT 3 = 3 BED SEMI-DETACHED
 - PLOT 4 = 3 BED SEMI-DETACHED
 - PLOT 5 = 3 BED DETACHED



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- LEGEND**
- CONCRETE BUFF MARSHALL SLABS (NON SLIP)
 - PERMEABLE MARSHALLS BRINDLE BLOCK PARKING (NON SLIP)
 - WASTE BINS
 - GRASS
 - VEGETATION
 - PROPOSED HEDGING

A PLANNERS COMMENTS		FEB 24
REVISIONS		DATE
<p>MORTON & HALL CONSULTING LIMITED CONSULTING STRUCTURAL ENGINEERS</p> <p>1 Gordon Avenue, March, Cambridgeshire, PE15 8AU Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonandhallconsulting.co.uk</p> <p>LABC Fenland District Council Building Design Awards Building Excellence in Fenland</p>		
Mr Fletcher		
Three Horse Shoes Public House March Road, Turves Combs, PE7 2DN		
Proposed Site Plan with Indicative Layout		
DATE: R.Pogworth	DRAWN BY: R.Pogworth	
DATE: Nov 2023	CHECKED BY: R.Pogworth	
DATE: As Shown	PROJECT: H9084/05a	

PROPOSED SITE PLAN (1:200)

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F/YR24/0485/VOC

**Applicant: Mr A Broadway
Fenland Future Limited**

**Agent : Mr S Machen
Barmach Ltd**

Nene Parade Bedford Street, Chase Street, Wisbech, Cambridgeshire

Variation of condition 01 of planning permission F/YR22/0914/FDL (Erect a care home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved)) to enable phased development.

Officer recommendation: Grant

Reason for Committee: Fenland Future Limited is the applicant and is a wholly owned subsidiary of Fenland District Council.

Government Planning Guarantee

Statutory Target Date For Determination: 15 August 2024

EOT in Place: Yes/No

EOT Expiry: 20 September 2024

Application Fee: £293

Risk Statement:

This application must be determined by 20 September 2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- 1.1 This application is made under Section 73 of the Town and Country Planning Act 1990 for the variation of condition 1 to the development granted by planning permission reference F/YR22/0914/FDL. The variation sought proposes to allow the development to come forward in phases rather than in its entirety.
- 1.2 This existing permission was granted in outline form with all matters reserved for a care home up to 70 apartments, commercial floorspace (Class E) up to 900square metres, and up to 60 dwellings.
- 1.3 The recommendation is to grant consent subject not only to the variation of condition 1, but other conditions, as outlined in the report, resulting from the variation of condition 1 to allow a phased development.

2 SITE DESCRIPTION

- 2.1 The 1.78 ha site is located to the north of the town centre, near the local shops and amenities. Access is via the Freedom Roundabout/Lynn Road to Chase Street & Bedford Street. To the north-east of the site is the existing Boathouse Business Centre, a prominent building of some design stature. Some modern houses face the site from the east on Chase Street. Older terraced housing surrounds the site from the north-east. The roads are currently one-way from the south.
- 2.2 The site is currently vacant, separated into distinct development plots by the roads. The site is adjacent to the port and Nene Parade, providing access to public realm and the riverfront. The site is somewhat unkempt and given its prominent relationship with the waterfront is perhaps in need of regeneration via redevelopment.
- 2.3 The site is largely within Flood Zone 3 around 1/3rd within Flood Zone 2

3 PROPOSAL

- 3.1 The application is made under Section 73 of the Town and Country Planning Act 1990 which are applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted. Commonly known as a 'variation of condition' application. If such applications are approved, they create a new separate permission, whilst the original permission remains in place. It is then for the landowner or developer to decide which permission to implement.
- 3.2 In this case the relevant planning permission is reference F/YR22/0914/FDL, granted on the 5th June 2023. The permissions granted is to 'Erect a care home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved)'.
- 3.3 The decision notice included 23 planning conditions, with condition 1 requiring approval of Reserved Matters needing to be obtained from the Local Planning Authority prior to the commencement of development.
- 3.4 Condition 1 is the condition which this application seeks to vary in order to allow the development to be delivered in phases rather than in its entirety. This will allow the Reserved Matters and other details required by other conditions to come forward for approval separately and therefore allow implementation as and when developers are in a position to commit to specific parts of the development.
- 3.5 Post submission, the applicant has supplied a Phasing Plan showing the site split into three Phases, with Phase 1 being the southeastern part of the site identified in the Illustrative Development Plots plan accompanying the outline application. This plot is identified as being for the care home and some of the commercial element.
- 3.6 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=SDHAXHHEFON00>

4 SITE PLANNING HISTORY

F/YR22/0309/F - Erect 8 x residential units (1 x 3-storey block of 1-bed flats) involving demolition of existing building
5 Bedford Street, Wisbech Granted 26.08.2022

F/YR04/0036/O - Residential Development and 640 sq. Metres mixed use including A1, A2, A3, B1 and D2 uses (0.79 ha)
Land East and West Bedford Street, Wisbech Granted 30.04.2004

F/YR07/0544/F - Erection of a part 3-storey, part 2-storey office building comprising; meeting room, harbour master's office, washroom facilities for the river user, yacht club, cafe and offices and erection of 12.5 metre high antenna mast to roof and 15.0 metre high (to hub) wind turbine to side, provision of bin storage and car/cycle parking
Land Fronting Silver Street/Chase Street/Russell Street /Nene Parade,
Granted 27.07.2007

F/YR09/0074/FDC - Pedestrianisation works to Nene Parade between Russell Street and Freedom Bridge, new access road to Wisbech Police Station and signal control pedestrian facility across Freedom Bridge
Land At Freedom Bridge and Nene Parade, Granted 26.11.2010

F/YR09/0072/FDC - Construction of link road between Chase Street and De Havilland Road Land Between Chase Street and De Havilland Road, Wisbech
Granted 26.03.2012

F/YR03/0810/O - Residential Development (0.79 ha) Land East and West Bedford Street, Wisbech Refused 22.12.2003

F/YR06/1129/F - Erection of a part 3-storey, part 2-storey office building comprising; meeting room, harbour master's office, washroom facilities for the river user, yacht club, cafe and offices. Erection of 12.5-metre-high mast on roof of 2-storey building, provision of bin storage and car/cycle parking
Land Fronting Silver Street /Chase Street / Russell Street /Nene Parade, Wisbech
Granted 19.12.2006

F/YR06/0976/F - Remediation of previously developed land (incorporating excavation and back filling) and implementation of first phase of highway and landscape works including drainage infrastructure, laying of services, creation of landscaped square (Harbour Square), creation of pedestrian orientated space along Nene Parade, Silver Street / Russell Street
Phase 1 Land Fronting Silver Street / Chase Street /Russell Street/Nene Parade,
Granted 16.11.2006

F/YR08/0617/FDC - Remediation of the remaining land and associated ground works including the raising of the site levels to accord with the recommendations of flood risk assessment
Land Fronting Silver Street and Chase Street And Russell Street /Nene Parade,
Wisbech Granted 02.09.2008

F/YR22/0914/FDL - Erect a care home for up to 70 apartments, commercial floorspace (Class E) up to 900 square metres and up to 60 dwellings (outline application with all matters reserved)
Nene Parade Bedford Street Chase Street Wisbech Cambridgeshire
Granted 05.06.2024

5 CONSULTATIONS

5.1 Parish/Town Council

02.07.2024

Comment: That the application be supported.

5.2 Designing Out Crime Officers

14.06.2024

I have viewed the documents in relation to crime, disorder, and the fear of crime. I have no comment or objection to the above-mentioned variation.

5.3 Environment Agency

03.07.2024

We have reviewed the documents as submitted and recommend the variation of condition. We have provided further details below.

Flood Risk Assessment

We are satisfied that the variation of this condition does not raise any concern to us in terms of flood risk and the finished floor levels will still be set in accordance with the approved FRA.

5.4 Valuation & Estates Officer (FDC)

13.06.2024

Please note we have no objections from Assets & Projects.

5.5 Environment & Health Services (FDC)

14.06.2024

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

5.6 Cambridgeshire County Council Highways Authority

04.07.2024

Recommendation: In order to make an informed decision in respect of the submitted application, additional information is required. Comments: Please provide additional information regarding the intended phased delivery. Possibly in the form of a plan.

03.09.2024 – latest response

Just to confirm, the phasing plan provided is acceptable to the LHA. I therefore, have no objection to the variation of Condition 1.

5.7 Wisbech Society
03.07.2024

No objections.

5.8 Local Lead Flood Authority
04.07.2024

The application to vary condition 1 to permit phased development does not appear to have any surface water flood risk or drainage implications therefore we have no comments to make.

Informatives included with response.

5.9 Local Residents/Interested Parties

None.

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).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

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

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

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

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

Para. 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

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

LP5 – Meeting Housing Need

LP6 – Employment, Tourism, Community Facilities and Retail

LP8 – Wisbech

LP13 – Supporting and Managing the Impact of a Growing District

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP18 – The Historic Environment

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

LP3: Spatial Strategy for Employment Development

- LP4: Securing Fenland's Future
- LP6: Renewable and Low Carbon Energy Infrastructure
- LP7: Design
- LP12: Meeting Housing Needs
- LP15: Employment
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP23: Historic Environment
- LP24: Natural Environment
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination
- LP34: Air Quality
- LP35: Regeneration of Wisbech
- LP36: Residential Site Allocations for Wisbech

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

DM6 – Mitigating Against Harmful Effects

Developer Contributions SPD 2015

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development and the variation being sought**
- **Consequential amendments to other conditions**

9 BACKGROUND

- 9.1 At the time planning application F/YR22/0914/FDL was submitted, Fenland District Council owned land with the application being submitted by Fenland Future Ltd. The agent has informed the Local Planning Authority that the land has since been transferred into the ownership of Fenland Future. Fenland Future is a wholly owned subsidiary of FDC which has the objective of, amongst other things, maximising the return to the Council as shareholder from its asset portfolio and exploiting opportunities for acquisitions, development and commercial return from assets and to create a delivery model that operates with a degree of commerciality in line with aspirations that mirror the Council's Business Plans and Commercial Investment Strategy.

10 ASSESSMENT

Principle of Development and the variation being sought

- 10.1 The principle of development has been established by the permission F/YR22/0914 FDL granted on 5th June 2023. Since that permission there have been no new or revised National for Local Plan policy changes that would alter the reasons for granting consent. Neither do there appear to be any new material considerations arising. Consultation responses have not raised any issues.

10.2 With regard to the variation to condition 1 of the above permission to allow the development to come forward in phases, this appears a sensible variation in order to aid and facilitate delivery of development of this site which has remained underdeveloped following clearance and remediation for well over a decade.

10.3 Planning permission F/YR22/0914/FDL was granted without a legal agreement in relation to affordable housing provision or other financial payments. The Planning Committee report noted that the applicant has submitted a case specific viability assessment which confirmed no affordable housing will be delivered due to the viability position of the site. This viability assessment was prepared in December 2022 and concluded the following:

This is not a standard appraisal given the fact that a nil or negligible land value has been applied. In most scenarios, a land owner would not release land for development without generating a reasonable land value plus a development premium. However, this is a regeneration project, the layout and mix of uses is partly dictated by the constraints of the site as well as its location. The sales values are the main driver behind the viability issues as well as the relatively high build costs. It is therefore likely that the scheme would only be brought forward with a landowner willing to forgo the usual land value and developers profit.

10.4 In light of this conclusion, and the fact there have not been sufficient positive changes in market conditions since December 2022, there is little to justify revisiting the viability of the proposals. The site is a challenging and stalled brownfield site with significant abnormal costs associated with flood risk mitigation, utility service provision, and is located within a low value area.

Consequential amendments to other conditions

10.5 As mentioned in paragraph 3.1 above, if this application is approved, it creates a new separate permission that thereafter can be implemented. Therefore, it is necessary to attach the conditions of the existing permission where these are still required or modified as a consequence of the variation being applied for. This is permitted by subsection (2)(a) of Section 73 of the Town & Country Planning Act, as this allows the local planning authority to decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted.

10.6 In this respect the wording of condition 1 should be altered to make reference to the Phasing Plan submitted, so it is clear when Reserved Matters and details required by other conditions are submitted and approved which part of the site they relate to. Condition 2 needs to be altered in respect of the time by which Reserved Matters must be approved, as a Section 73 permission cannot be granted to extend the time by which Reserved Matters must be made. Consequential reference to phasing would also be required in a number of other conditions (4-9, 11-17, and 20-21) where these conditions require further details to be submitted for approval or they relate to specific parts of the development, that is, the housing element.

11 CONCLUSIONS

11.1 The principle of development has been established through the earlier consent and there is no new or revised Policy considerations or other material considerations relevant to the proposed development, including those relating to

viability. The variation being sought for phasing allows flexibility to the delivery of the redevelopment of this site, which has been a long time in gestation. Accordingly, the application should be approved.

12 RECOMMENDATION

Grant; subject to the following conditions:

For illustrative purposes, changes to the wording of the existing conditions are shown in Appendix 1 to this report.

1	<p>Approval of the details of all the following reserved matters for each relevant phase of the development shall be obtained from the Local Planning Authority before any development of that phase is commenced:</p> <ul style="list-style-type: none"> i. the layout of the site ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the means of access thereto; v. the landscaping <p>The relevant phases of the development are those identified on plan reference NWF-NOR-XX-XX-DR-A-90009 Rev PO2 or any subsequent plan approved in writing by the Local Planning Authority.</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the 5th June 2026.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p>The submission of a detailed layout for each relevant phase as required by condition No 1, shall include the following:</p> <p>A detailed design of the surface water drainage of that phase. The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy prepared by Tetra Tech Limited (ref: 784-B020853 Rev 04) dated 8 February 2023 and shall also include:</p> <ul style="list-style-type: none"> a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change),

	<p>inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;</p> <p>c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);</p> <p>d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</p> <p>e) Site Investigation and test results of the relevant phase to confirm infiltration rates;</p> <p>f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants.</p> <p>g) Demonstration that the surface water drainage of the relevant phase is in accordance with DEFRA non statutory technical standards for sustainable drainage systems;</p> <p>h) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>i) Permissions to connect to a receiving watercourse or sewer;</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts, and in accordance with Policy LP 14 of the Fenland Local Plan 2014.</p>
5	<p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from each relevant phase will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces on the relevant phase commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts and in accordance with Policy LP 14 of the Fenland Local Plan 2014.</p>
6	<p>Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system of the relevant phase has been constructed in accordance with the details approved under the</p>

	<p>planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority, and in accordance with Policy LP 14 of the Fenland Local Plan 2014.</p> <p>Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development.</p>
7	<p>Prior to occupation of any dwelling, the developer shall be responsible for the provision of Welcome Travel Packs to be delivered to each new household prior to first arrival. Welcome Travel Packs should comprise a bus voucher (4-weeks travel on local routes free of charge) and a cycle voucher (money off the price of a bike at a local shops). Details to be agreed with the Local Planning Authority.</p> <p>Reason: In the interest of sustainable forms of travel and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
8	<p>The submission of details for each relevant phases as required by condition No 1, shall include an Emergency Evacuation Plan to address the following requirements:</p> <p>Adequacy of rescue or evacuation arrangements Details and adequacy of an emergency plan Provision of and adequacy of a temporary refuge Details and adequacy of flood proofing and other building level resistance and resilience measures</p> <p>Reason: In the interests of safety of future residents and accordance with Policy LP14 of the Fenland Local Plan adopted 2014.</p>
9	<p>Prior to occupation of any dwelling, the developer shall deliver pedestrian drop kerb with tactile paving crossing provision between the new footway to be delivered on the west side of Chase Street and the existing footway on the east side of Chase Street. Details of the works to be submitted to and agreed with the Local Planning Authority.</p> <p>Reason: In the interest of improved pedestrian facilities and in accordance with Policy LP15 of the Fenland Local Plan 2014</p>
10	<p>A noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with details set out within the Tetra Tech Noise Assessment Report (Revision 3 / 24.06.2022) and shall have regard to the internal and external noise levels as stipulated in British standard 8223:2014 Guidance on sound insulation and noise reduction for buildings and the World Health Organisation (WHO) Guidelines for Community Noise.</p> <p>The noise mitigation scheme shall confirm final details of:</p>

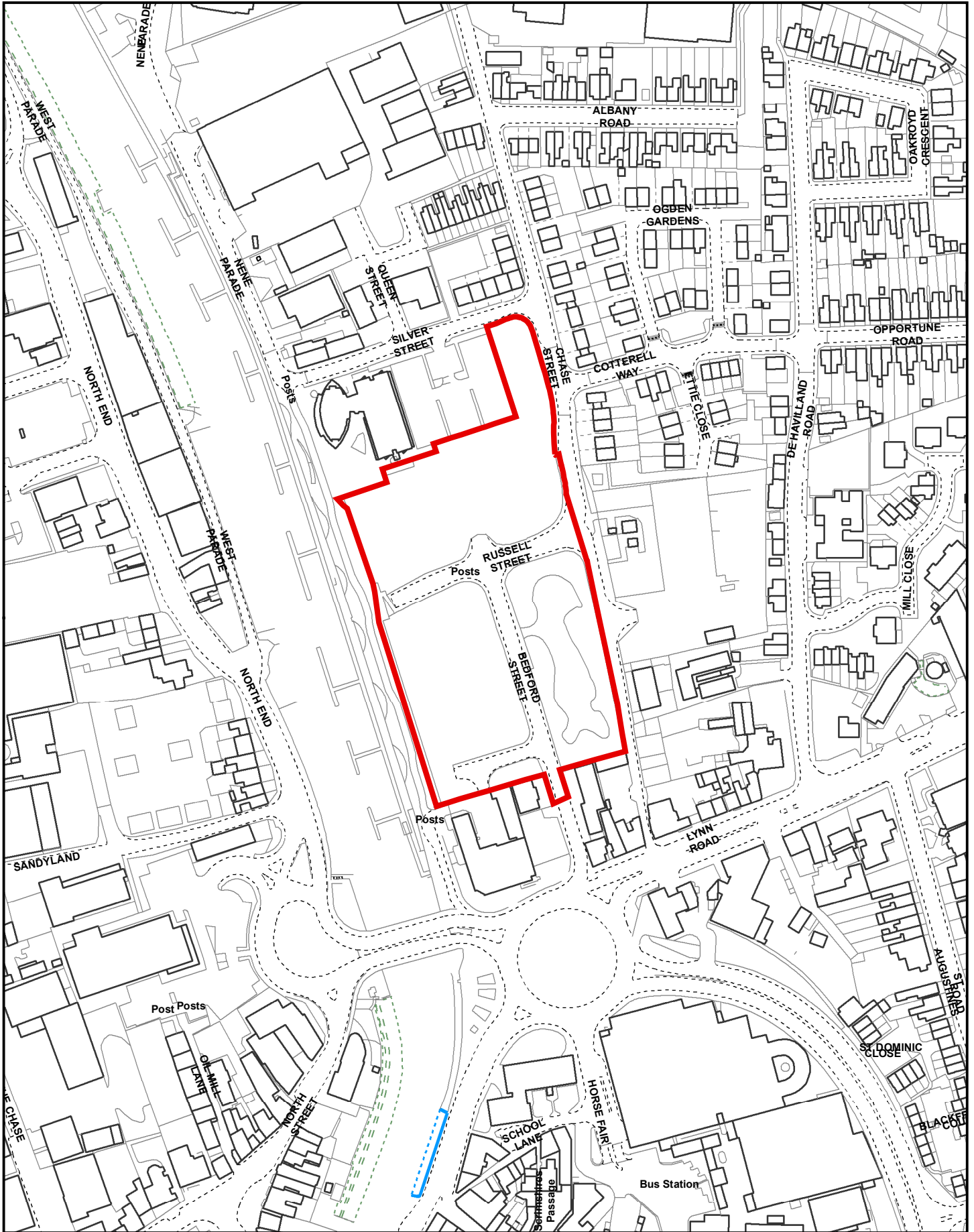
	<p>a) the acoustic insulation performance specification of the external building envelope of the residential properties having regard to the building fabric, glazing and ventilation.</p> <p>b) mitigation measures to reduce the level of noise experienced internally, as well as confirmed external mitigation details such close boarded fencing and its confirmed height as a minimum of 1.8m</p> <p>The scheme shall be carried out as approved before the residential properties are occupied and shall be retained as such.</p> <p>Reason in the interests of residential amenity and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
11	<p>Prior to the commencement of each relevant phase a scheme and timetable for the provision of fire hydrants required for that phase shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable.</p> <p>Reason - To ensure a satisfactory form of development.</p>
12	<p>Prior to the commencement of each relevant phase, including any site clearance, groundworks or construction, a Construction Environmental Management Plan (CEMP) to manage the impacts of construction during the life of the works of that phase shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The CEMP shall include:</p> <p>a) Identification of best practice measures to be used to control fugitive dust from demolition, earthworks and construction activities.</p> <p>b) Identification of best practice measures to be used to control noise from demolition, earthworks and construction activities.</p> <p>c) Identification of best practice measures to be undertaken if any material suspected to be contaminated is found at the site.</p> <p>d) 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</p> <p>e) A complaints procedure - detailing how complaints will be received, addressed and recorded. including contact details (including a telephone number which will be staffed and charged during site operational hours) for a point of contact for the site - and confirmation of how these details will be made available to local residents.</p> <p>The details approved shall be complied with in full and monitored by the applicants to ensure continuing compliance during the construction of the development.</p> <p>Reason: In the interest of the amenity of nearby occupiers and in accordance with Policy LP16 of the Fenland Local Plan (2014)</p>
13	<p>If, during development, contamination not previously identified is found to be present within a relevant phase then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and</p>

	<p>obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.</p> <p>Reason - To control pollution of land and controlled waters in the interests of the environment and public safety and in accordance with Policy LP16 of the Fenland Local Plan.</p>
14	<p>For each relevant phase, the details required in condition No 1 shall include a scheme of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of that phase. The development shall be carried out and thereafter retained in accordance with the approved details.</p> <p>Reason To ensure that the precise height of the development can be considered in relation to adjoining dwellings/buildings and for the visual appearance of the finished development in accordance with policy LP16 of the fenland Local Plan (2014).</p>
15	<p>For each relevant phase, the details required in condition No 1 shall include a Lighting Impact Assessment regarding lighting generated by that phase and its impact upon the amenity of adjacent occupiers and biodiversity. This should be undertaken by a suitably qualified professional, and the accompanying report would be required to demonstrate to what levels the residential properties will be potential affected and any protected species likely to be harmed by the proposed scheme and what mitigation measures are considered necessary. The report must include an Iso contour plan and demonstrate that any proposed lighting will be within parameters set in accordance with the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, having regard to the relevant Environmental Zone, being (E3) Suburban areas.</p> <p>The assessment shall also;</p> <p>a) identify those areas/features on site that are particularly sensitive for protected species and the features that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and</p> <p>b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.</p> <p>The development shall be implemented in accordance with the approved Lighting Assessment.</p> <p>Reason: In the interest of the amenity of neighbouring occupiers and occupiers of the development and in accordance with policy LP16, and in the interest of biodiversity and policy LP19 of the Fenland Local Plan 2014.</p>
16	<p>No development on any relevant phase shall take place until an ecological</p>

	<p>design strategy (EDS) for that phase addressing the creation of mitigation and compensation habitat both on and off site has been submitted to and approved by the Local Planning Authority. The EDS shall include the following:</p> <ul style="list-style-type: none"> a) Purpose and conservation objectives for the proposed works. b) Review of site potential and constraints, including a biodiversity metric assessment using the Biodiversity Metric 3.1. c) Detailed design(s) and/or working method(s) to achieve stated objectives. d) Extent and location/area of proposed works on appropriate scale maps and plans. e) Type and source of materials to be used where appropriate, e.g., native species of local provenance. f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development. g) Persons responsible for implementing the works. h) Details of initial aftercare and long-term maintenance. i) Details for monitoring and remedial measures. j) Details for disposal of any wastes arising from works. <p>The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.</p> <p>Reason: In the interests of biodiversity and in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
17	<p>No development on any relevant phase shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) for that phase has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <ul style="list-style-type: none"> a) Summary of potentially damaging activities. b) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site (Such as the Rosa Rugosa identified within the PEA). c) The location and timing of sensitive works to avoid harm to biodiversity features. d) The times during construction when specialist ecologists need to be present on site to oversee works. e) Responsible persons and lines of communication. f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. g) Use of protective fences, exclusion barriers and warning signs. <p>The approved CEMP 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.</p> <p>Reason: In the interests of biodiversity and in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
18	<p>The development shall not exceed 70 extra care home apartments, 900sq metres commercial (Class E) floorspace or 60 C3 dwellings. No evidence is given to acceptable capacity beyond the details proposed.</p>

	<p>Reason: In the interest of the amenity of future occupiers and in order to accord with the application and for the avoidance of doubt.</p>
19	<p>Prior to the occupation of the first dwelling hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets (if any are not already adopted) within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.</p> <p>Reason: In the interest of achieving a satisfactory development and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
20	<p>Prior to the first occupation of a relevant phase any new roads, and footways shall be constructed to at least binder course surfacing level from the development to the adjoining County Road in accordance with the details approved in writing by the Local Planning Authority.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan (2014).</p>
21	<p>Notwithstanding the indicative layout submitted with the application, the submission of a detailed layout for each relevant phase as required by condition No 1, shall include an assessment of the layout, scale, appearance and landscaping against the sections within the National Design Guide (those relating to relevant residential developments of this type). This is in order to demonstrate and achieve high quality development in accordance with the conclusion within the Design and Access Statement submitted with this application.</p> <p>Reason: In the interest of satisfactory development and in accordance with Policy LP16 of the Fenland Local Plan (2014) and paragraphs 129-134 of the NPPF.</p>
22	<p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing.</p> <p>For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ol style="list-style-type: none"> a) the statement of significance and research objectives; b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c) The timetable for the field investigation as part of the development programme; d) The programme and timetable for the analysis, publication and dissemination, and deposition of resulting material and digital archives.

	<p>REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework, and in accordance with Policy LP18 of the adopted Fenland Local Plan (2014).</p>
23	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p> <p>Reason - For the avoidance of doubt and in the interest of proper planning.</p>



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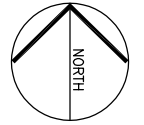
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DATE	REVISION	REV	DRW	CHK
13.10.2023	FIRST ISSUE FOR COMMENT	P01	LM	SB
27.10.2023	SEPARATE PLOT FOR PUBLIC REALM	P02	LM	SB



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Drawn	Date
LM	13.10.2023

Checked	Date
SB	13.10.2023

Project Name
NENE WATERFRONT

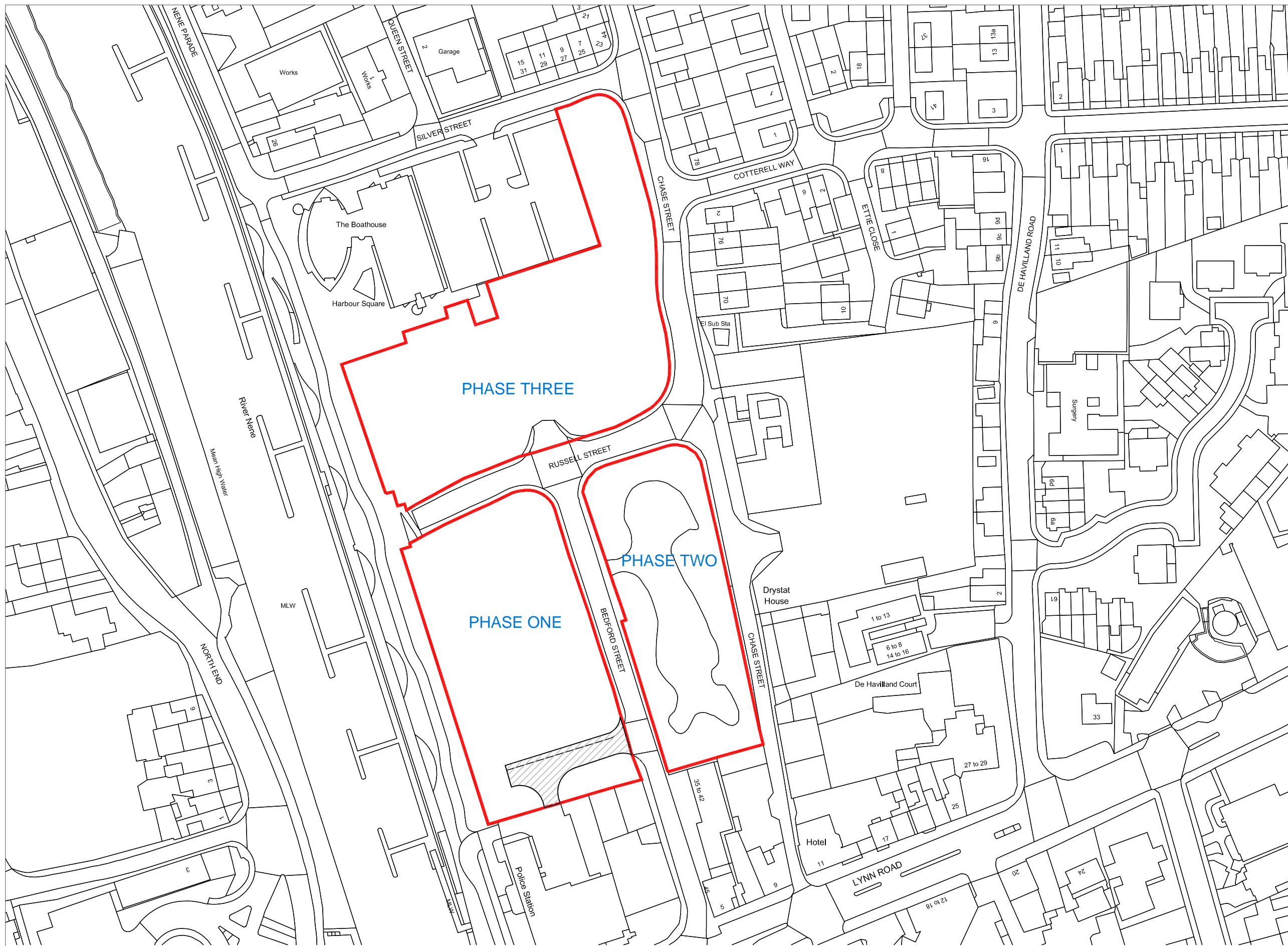
Drawing Title
~~LAND TRANSFER PLAN EXCLUDING HIGHWAYS~~
PHASING PLAN

Scale **1:1250 @ A3**

Sheet Status **INFORMATION**

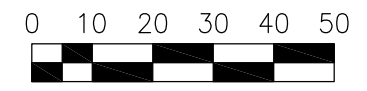
Project No. **IANC20-0113**

Drawing No.	Rev.
NWF-NOR-XX-XX-DR-A-90009	P02



Note: Red line boundary for land transfer is based upon title information provided by the client body regards their own ownership in email dated 09/06/2022 (HM Land Registry Title Plan 2362514 - Plan CB105867 (003). Client's solicitor to confirm title boundaries & extents of ownership

KEY: Red Line Boundary Easement



Appendix 1 – Illustration of changes to wording of existing conditions

Proposed wording to amended conditions resulting from variation to planning permission F/YR22/0914/FDL as recommended shown underlined and in blue where new wording inserted and struck through (—) where proposed to be deleted.

- 1 Approval of the details of all the following reserved matters for each relevant phase of the development shall be obtained from the Local Planning Authority before any development of that phase is commenced:

- i. the layout of the site
- ii. the scale of the building(s);
- iii. the external appearance of the building(s);
- iv. the means of access thereto;
- v. the landscaping

~~(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.~~

The relevant phases of the development are those identified on plan reference NWF-NOR-XX-XX-DR-A-90009 Rev PO2 or any subsequent plan approved in writing by the Local Planning Authority.

Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.

- 2 Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the ~~expiration of 3 years from the date of this permission~~ 5th June 2026.

Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.

- 3 The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 4 The submission of a detailed layout for each relevant phase as required by condition No 1, shall include the following:

A detailed design of the surface water drainage of ~~the site~~ that phase. The scheme shall be based upon the principles within the agreed Flood Risk Assessment and Drainage Strategy prepared by Tetra Tech Limited (ref: 784-B020853 Rev 04) dated 8 February 2023 and shall also include:

- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;
- c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);
- d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);
- e) Site Investigation and test results [of the relevant phase](#) to confirm infiltration rates;
- f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants.
- g) Demonstration that the surface water drainage of the [relevant phase](#) site is in accordance with DEFRA non statutory technical standards for sustainable drainage systems;
- h) Full details of the maintenance/adoption of the surface water drainage system;
- i) Permissions to connect to a receiving watercourse or sewer;

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts, and in accordance with Policy LP14 of the Fenland Local Plan 2014.

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

Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts and in accordance with Policy LP14 of the Fenland Local Plan 2014.

- 6 Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system [of the](#)

[relevant phase](#) has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority, and in accordance with Policy LP 14 of the Fenland Local Plan 2014.

Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development.

- 7 Prior to occupation of ~~the development~~ [any dwelling](#), the developer shall be responsible for the provision of Welcome Travel Packs to be delivered to each new household prior to first arrival. Welcome Travel Packs should comprise a bus voucher (4-weeks travel on local routes free of charge) and a cycle voucher (money off the price of a bike at a local shops). Details to be agreed with the Local Planning Authority.

Reason: In the interest of sustainable forms of travel and in accordance with Policy LP15 of the Fenland Local Plan 2014.

- 8 The submission of details [for each relevant phase](#) as required by condition No 1, shall include an Emergency Evacuation Plan to address the following requirements:

- Adequacy of rescue or evacuation arrangements
- Details and adequacy of an emergency plan
- Provision of and adequacy of a temporary refuge
- Details and adequacy of flood proofing and other building level resistance and resilience measures

Reason: In the interests of safety of future residents and accordance with Policy LP14 of the Fenland Local Plan adopted 2014.

- 9 Prior to occupation of [any dwelling](#) ~~the development~~, the developer shall deliver pedestrian drop kerb with tactile paving crossing provision between the new footway to be delivered on the west side of Chase Street and the existing footway on the east side of Chase Street. Details of the works to be submitted to and agreed with the Local Planning Authority.

Reason: In the interest of improved pedestrian facilities and in accordance with Policy LP15 of the Fenland Local Plan 2014

- 10 A noise mitigation scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall be in accordance with details set out within the Tetra Tech Noise Assessment Report (Revision 3 / 24.06.2022) and shall have regard to the internal and external noise levels as stipulated in British standard 8223:2014 Guidance on sound insulation and noise reduction for buildings and the World Health Organisation (WHO) Guidelines for Community Noise.

The noise mitigation scheme shall confirm final details of:

- a) the acoustic insulation performance specification of the external building envelope of the residential properties having regard to the building fabric, glazing and ventilation.
- b) mitigation measures to reduce the level of noise experienced internally, as well as confirmed external mitigation details such as close boarded fencing and its confirmed height as a minimum of 1.8m

The scheme shall be carried out as approved before the residential properties are occupied and shall be retained as such.

Reason in the interests of residential amenity and in accordance with Policy LP16 of the Fenland Local Plan 2014

- 11 Prior to the commencement of ~~the development~~ each relevant phase a scheme and timetable for the provision of fire hydrants required for that phase shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable.

Reason: To ensure a satisfactory form of development.

- 12 Prior to the commencement of ~~development~~ each relevant phase, including any site clearance, groundworks or construction, a Construction Environmental Management Plan (CEMP) to manage the impacts of construction during the life of the works of that phase shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include:
- a) Identification of best practice measures to be used to control fugitive dust from demolition, earthworks and construction activities.
 - b) Identification of best practice measures to be used to control noise from demolition, earthworks and construction activities.
 - c) Identification of best practice measures to be undertaken if any material suspected to be contaminated is found at the site.
 - d) 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
 - e) A complaints procedure - detailing how complaints will be received, addressed and recorded. including contact details (including a telephone number which will be staffed and charged during site operational hours) for a point of contact for the site - and confirmation of how these details will be made available to local residents.

The details approved shall be complied with in full and monitored by the applicants to ensure continuing compliance during the construction of the development.

Reason: In the interest of the amenity of nearby occupiers and in accordance with Policy LP16 of the Fenland Local Plan (2014)

- 13 If, during development, contamination not previously identified is found to be present within a relevant phase ~~at the site~~ then no further development of that phase (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.

Reason: To control pollution of land and controlled waters in the interests of the environment and public safety and in accordance with Policy LP16 of the Fenland Local Plan.

- 14 For each relevant phase, the details required in condition No 1 shall include a scheme of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of ~~the development~~ that phase. The development shall be carried out and thereafter retained in accordance with the approved details.

Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings/buildings and for the visual appearance of the finished development in accordance with policy LP16 of the fenland Local Plan (2014).

- 15 For each relevant phase, the details required in condition No 1 shall include a Lighting Impact Assessment regarding lighting generated by ~~the development~~ that phase and its impact upon the amenity of adjacent occupiers and biodiversity. This should be undertaken by a suitably qualified professional, and the accompanying report would be required to demonstrate to what levels the residential properties will be potential affected and any protected species likely to be harmed by the proposed scheme and what mitigation measures are considered necessary. The report must include an Iso contour plan and demonstrate that any proposed lighting will be within parameters set in accordance with the Institution of Lighting Professionals Guidance Notes for the Reduction of Obtrusive Light GN01:2011, having regard to the relevant Environmental Zone, being (E3) Suburban areas.

The assessment shall also;

a) identify those areas/features on site that are particularly sensitive for protected species and the features that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and

b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

The development shall be implemented in accordance with the approved Lighting Assessment.

Reason: In the interest of the amenity of neighbouring occupiers and occupiers of the development and in accordance with policy LP16, and in the interest of biodiversity and policy LP19 of the Fenland Local Plan 2014.

- 16 No development on any relevant phase shall take place until an ecological design strategy (EDS) for that phase addressing the creation of mitigation and compensation habitat both on and off site has been submitted to and approved by the Local Planning Authority. The EDS shall include the following:
- a) Purpose and conservation objectives for the proposed works.
 - b) Review of site potential and constraints, including a biodiversity metric assessment using the Biodiversity Metric 3.1.
 - c) Detailed design(s) and/or working method(s) to achieve stated objectives.
 - d) Extent and location/area of proposed works on appropriate scale maps and plans.
 - e) Type and source of materials to be used where appropriate, e.g., native species of local provenance.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for implementing the works.
 - h) Details of initial aftercare and long-term maintenance.
 - i) Details for monitoring and remedial measures.
 - j) Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

Reason: In the interests of biodiversity and in accordance with Policy LP19 of the Fenland Local Plan 2014.

- 17 No development on any relevant phase shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) for that phase has been 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) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) including ensuring no Non-Native Invasive Species are spread across the site (Such as the Rosa Rugosa identified within the PEA).
 - c) The location and timing of sensitive works to avoid harm to biodiversity features.
 - d) The times during construction when specialist ecologists need to be present on site to oversee works.
 - e) Responsible persons and lines of communication.
 - f) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - g) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP 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.

Reason: In the interests of biodiversity and in accordance with Policy LP19 of the Fenland Local Plan 2014.

- 18 The development shall not exceed 70 extra care home apartments, 900sq metres commercial (Class E) floorspace or 60 C3 dwellings. No evidence is given to acceptable capacity beyond the details proposed.

Reason: In the interest of the amenity of future occupiers and in order to accord with the application and for the avoidance of doubt

- 19 Prior to the occupation of the first dwelling hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets (if any are not already adopted) within the development shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.

Reason: In the interest of achieving a satisfactory development and in accordance with Policy LP15 of the Fenland Local Plan (2014).

- 20 Prior to the first occupation of the development [a relevant phase](#) any new roads, and footways shall be constructed to at least binder course surfacing level from the development to the adjoining County Road in accordance with the details approved in writing by the Local Planning Authority.

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

- 21 Notwithstanding the indicative layout submitted with the application, the submission of a detailed layout [for each relevant phase](#) as required by condition No 1, shall include an assessment of the layout, scale, appearance and landscaping against the sections within the National Design Guide (those relating to relevant residential developments of this type). This is in order to demonstrate and achieve high quality development in accordance with the conclusion within the Design and Access Statement submitted with this application.

Reason: In the interest of satisfactory development and in accordance with Policy LP16 of the Fenland Local Plan (2014) and paragraphs 129-134 of the NPPF.

- 22 No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing.

For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- c) The timetable for the field investigation as part of the development programme;

- d) The programme and timetable for the analysis, publication and dissemination, and deposition of resulting material and digital archives.

Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework, and in accordance with Policy LP18 of the adopted Fenland Local Plan (2014).

- 23 The development hereby permitted shall be carried out in accordance with the following approved plans and documents;

F/YR19/0944/O

Applicant: Mr Goodale

Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited

Land West Of 85-111, Sutton Road, Leverington, Cambridgeshire

Erection of up to 33no dwellings (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation.

Government Planning Guarantee

Statutory Target Date For Determination: 3 February 2020

EOT in Place: Yes

EOT Expiry: 20th September 2024

Application Fee: £0.00 - free go following refusal of earlier application.

Risk Statement:

This application must be determined by 20th September 2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- 1.1 Outline application with all matters reserved except access on unallocated greenfield site. Thirty three properties are proposed, including 8 affordable with public open space area. Vehicular access proposed from Sutton Road (A1101) on land between 111 and 113 Sutton Road. A similar application was refused under delegated powers in June 2019.
- 1.2 Approximately half the site is classified as being in Flood Zone 3 (highest risk of flooding) and as such Sequential Test is required to avoid, where possible, flood risk to people and property where other lower risk land might be preferable. The applicant's Sequential Test only considers the search area to be the village of Leverington. However, given location of the site, Planning officers consider that the search area should include Wisbech. When considering this wider search area there are reasonably available sites for this type of development in areas with a lower risk of flooding. The proposal therefore fails the Sequential Test.
- 1.3 The Local Highways Authority objects to the proposals on highways safety grounds relating to the proposed access on Sutton Road (A1101) and also a pinch-point within the site which the internal road would need to be located.
- 1.4 Therefore, given the above as described in more detail in the assessment outlined below, the application is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site relates to an area of open countryside in agricultural use near to the rears of a linear row of houses on the western side of Sutton Road. The back gardens of houses on Sutton Meadows are approximately 15 metres from the southern site boundary. The 1.36-hectare site is within the Leverington Parish however it has greater affinity to the north-western edge of Wisbech.
- 2.2 The River Nene is approximately 520m to the east. In terms of flood risk the site is in both Flood Risk Zone 3 and 1. Part of the Flood Zone 3 area appears to be up to 200mm above that in the Flood Zone 1 (as detailed in the applicant's topography survey). As such, there may be some doubt as to the accuracy of the extent of the Flood Risk Zones published by the Environment Agency. However, the applicant is at liberty to challenge the status with the Environment Agency. Currently no challenge appears to have taken place.
- 2.3 Sutton Road is part of the A1101 classified road to the east of the site.

3 PROPOSAL

- 3.1 The proposal is in outline form for up to 33 dwellings (with 8 affordable units (24.2%) with all matters reserved other than the means of access. The indicative site plan details the access on a narrow almost rectangular strip of land between No's 111 and 113 Sutton Road. The access area adjoins the northern corner of the main site at a pinch-point approximately 5.1m wide. From the north-western corner of No 111 the proposed access is generally shown at 5 metres in width and has a 2 metre wide footway. However, at the pinch point this narrows to a carriageway of only 2.9 metres titled a priority lane with shared surface (shared with the 2 metre footway).
- 3.2 The accesses to both numbers 111 and 113 Sutton Road are immediately adjacent to the proposed access land.
- 3.3 The indicative layout (which is not being determined) shows 33 houses (a mix of detached, semi-detached, some with garages, and two chalet bungalows, served off a cul-de-sac. On site parking seeks to demonstrate parking at 2 spaces per dwelling (however this excludes garages). The site includes a triangular area of public open space adjacent to the northern boundary. The proposal would result in a density of 24.3 dwellings per hectare.
- 3.4 Full plans and associated documents for this application can be found at: [F/YR19/0944/O | Erection of up to 33no dwellings \(outline application with matters committed in respect of access\) | Land West Of 85-111 Sutton Road Leverington Cambridgeshire \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR18/0120/O	Erect up to 33no dwellings (outline application with matters committed in respect of access)	Refused 05/06/2019
F/YR10/0062/F	Erection of a 2-half storey 4-bed detached house with detached double garage involving demolition of existing dwelling, 113 Sutton Road	Granted 19/03/2010

5 CONSULTATIONS

5.1 Leverington Parish Council: 19.11.2019 – initial comments

The development is on A1 agricultural land. Planning refused in 2018 (F/YR18/0120/O Paras 155-165 of NPPF/LP14 of local plan 2014/Cambridgeshire Flood and Water SPD Para 180 NPPF, with no changes to current application It should be refused. Grade 1 agricultural land still being cropped

Proposed Access is within 25 metres of Access to site already committed to 221 dwellings on opposite side of A1101 increasing an already large vehicle flow, the Access is also within 50 metres of a vehicle repair and car sales site on one side of A1101 and a service station and tyre fitting service directly opposite same. Large HGV capacity with a 40mph speed limit which would have to be reduced in the interest of safety. Parish Council have sent comments on this stretch of road for a number of years.

Out of character with other dwellings in vicinity. Dangers of movement of traffic especially as the A1101 is an extremely busy road. Bang in the middle of a flood risk zone.

Please note also they refer to site being in Wisbech It is fully in the Parish of Leverington and as such in a low growth area as per 2014 local plan and development has already exceeded the 10% allocated growth rate.

Village amenities are unable to cope with the number of new people. School doctors, dentists, roads are at a point where any more capacity will be a step too far. Infrastructure unable to cope on this heavy commuter route. Drainage system and utilities such as water pressure, will be affected, The sewers are many years old. Lack of natural habitat for wildlife. Lack of views for residents already living there

04.08.2022 – reconsultation response – latest comment

Comments from Leverington Parish Council

Access

Drainage by diverting surface water to other areas is just going to exacerbated flooding in other areas.

Agricultural Land which itself floods every winter.

Schools, Doctors, Infrastructure all unable to cope given the already passed development of over 200 dwellings will demonstrate this admirably.

Traffic/Highways unable to cope.

Existing Dwellings will lose the view of Roman Bank Ancient Sea Wall.

Noise.

*Close proximity to existing dwellings causing loss of view, overlooking, loss of privacy,
Sewers unable to cope with present discharge let alone extra.
Ground raising would cause problems to present dwellings and Sutton Meadows.
Definite need to reduce speed limit on A1101.
If passed a condition must be that Developer should consider the installation of Defibrillator on site for use of immediate area.*

5.2 North Level Internal Drainage Board: 16.01.2020 – initial response

Objection raised, site has no outfall for surface water.

23.10.2020 – reconsultation comments

Objection still stands until issues identified are addressed.

25.11.2020 - reconsultation comments

Original comments to the above application still stand object to the idea that permission be given subject to a detailed design at a later date

22.12.2022 – latest comments

The Board has noted Anglian Water's agreement for a surface water outfall location and rate, which is into a sewer system that ultimately outfalls into the Board's White Engine Drain, alongside Dowgate Road.

As the proposed development would result in an increased discharge to the Board's drainage network, prior written consent would need to be obtained from the Board for this and a development levy paid, in line with the enclosed.

At this stage the Board does not commit to accepting any specific discharge rate, as there is a known constraint further downstream on White Engine East Drain that may limit the additional flow rate the Board will permit, and/or require works to be undertaken by the developer (or at their cost) if a discharge of 4 l/s from the site is to be approved.

Should you be minded to grant consent for this application, I would request you apply a condition (or conditions) requiring detailed surface water system designs and supporting information to be approved before commencement of works on site.

5.3 Anglian Water Services Ltd: 11.11.2019 – initial response

Suggested Informative Statements and Conditions Report submitted.

19.10.2020 – reconsultation response

Suggested Informative Statements and Conditions Report submitted.

29.11.2020 – reconsultation response

Suggested Informative Statements and Conditions Report submitted.

31.12.2022 – latest comments

Suggested Informative Statements and Conditions Report submitted as follows:

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.

Section 2 - Wastewater Treatment

The foul drainage from this development is in the catchment of West Walton Water Recycling Centre that will have available capacity for these flows.

Section 3 - Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment and Sustainable Drainage Strategy 2031 – FRA & DS – Rev F – Oct 2022; 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 - A 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 is 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. Anglian Water has reviewed the submitted documents, Flood Risk Assessment and Sustainable Drainage Strategy 2031 – FRA & DS – Rev F – Oct 2022, and can confirm that these are acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted. Note to applicant – Surface Water Hierarchy evidence will need to be submitted at 106 application stage.

5.4 CCC LLFA (Lead Local Flood Authority): 18.12.2019 – initial response

Objection based on reasons outlined in response.

17.01.2020 – reconsultation response

Unable to remove objection for reasons outlined.

09.08.2022 - reconsultation response

Maintain objection for reasons outlined.

26.10.2022 – latest response

We have reviewed the following documents:

- Flood Risk Assessment and Sustainable Drainage Strategy, MTC Engineering (Cambridge) Ltd., 2031 – FRA & DS - Rev F, dated October 2022

Based on these, as Lead Local Flood Authority (LLFA) we have **no objection in principle** to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving and geocellular crates, restricting surface water discharge to 4.0 l/s prior to a pumped discharge to the public surface water sewer.

The LLFA is supportive of the use of permeable paving as in addition to controlling the rate of surface water leaving the site it also provides water quality treatment which is of particular importance when discharging into a surface water sewer. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual. We request the following conditions are imposed:

Condition 1 - No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment and Sustainable Drainage Strategy prepared by MTC Engineering (Cambridge) Ltd (ref: 2031 – FRA & DS - Rev F) dated October 2022 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of the first dwelling. Reason To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

Condition 2 - Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems that are not publicly adopted, in accordance with the requirements of paragraphs 163 and 165 of the National Planning Policy Framework.

Condition 3 - No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.

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

Condition 4 - Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system has been constructed in accordance with the details approved under the planning permission. Where necessary, details of corrective works to be carried out along with a timetable for their completion, shall be included for approval in writing by the Local Planning Authority. Any corrective works required shall be carried out in accordance with the approved timetable and subsequently re-surveyed by an independent surveyor, with their findings submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development.

Informatives

IDB Consent This site falls within the North Level Internal Drainage Board (IDB) district. Under the Land Drainage Act 1991, any person carrying out works on an ordinary watercourse in an IDB area requires Land Drainage Consent from the IDB prior to any works taking place. This is applicable to both permanent and temporary works. Note: In some IDB districts, Byelaw consent may also be required.

Signage

Appropriate signage should be used in multi-function open space areas that would normally be used for recreation but infrequently can flood during extreme events. The signage should clearly explain the use of such areas for flood control and recreation. It should be fully visible so that infrequent flood inundation does not cause alarm. Signage should not be used as a replacement for appropriate design.

Pollution Control

Surface water and groundwater bodies are highly vulnerable to pollution and the impact of construction activities. It is essential that the risk of pollution (particularly during the construction phase) is considered and mitigated appropriately. It is important to remember that flow within the watercourse is likely to vary by season and it could be dry at certain times throughout the year. Dry watercourses should not be overlooked as these watercourses may flow or even flood following heavy rainfall.

5.5 Cambridgeshire County Council Highways Authority: 25.11.2019 – initial response

Highway comments from refused planning application F/YR18/0120/O remain applicable.

23.01.2024 – re-consultation response

The key point is that the access treatment at the pinch point (rear no. 111) on entry into the site isn't acceptable. By removing the footway for the pinch point, pedestrians accessing the site are forced into the carriageway and path of vehicles. This is hazardous and for that reason I would recommend an objection. If this were to be approved regardless, the internal roads would not be considered for adoption.

12.03.2024 – latest response

On the basis of the information submitted, it's my view that the proposed development will have an unacceptable impact on highway safety and on this basis and as outlined in NPPF paragraph 115, I object to the proposal.

It is unclear how the access onto Sutton Road could be constructed in such a way that it does not undermine the safety or operational of adjoining accesses to no. 111 and 113 Sutton Road. There is no separation between accesses meaning vehicle movements from the three accesses will be in conflict and the ambiguous layout means vehicle priorities could be misinterpreted, leading to collisions. Within the site a carriageway pinch point has been introduced to the rear of no.111 Sutton Road. The pinch point and corresponding road alignment mean that the priority movement is unclear risking vehicle conflict and / or unnecessary reversing. The applicant has also not demonstrated how emergency service or refuse vehicles could navigate through the restricted carriageway. At this pinch point, the edge of the internal road / footway is shown to be coincident to the application boundary with zero buffer. It's unlikely that the road infrastructure could be constructed without encroachment outside of the application boundary.

Parking arrangements for plots 12, 22 and 23 are unacceptable as they require vehicle manoeuvring either linearly across a footway or across a pedestrian crossing point. These introduce unnecessary risks which could be designed out.

5.6 Designing Out Crime Officers: 12.0.2019 – initial and only response

Thank you for the opportunity to comment on the above Outline Application and this office has noted that all matters, except for access are committed. Whilst there are no objections to the proposed development, we would wish to be consulted should Outline planning approval be obtained, to discuss community safety and vulnerability to crime - this is an area that has seen some residential burglaries and thefts - please note the following comments.

This office would wish to ensure that crime prevention is considered as an integral part of the initial design of any development. This proposed development should incorporate the principles of 'Secured by Design 2019 Homes'. In particular it needs to demonstrate that:

- o Natural Surveillance of public and semi-private spaces, in particular, entrances to a development, paths, play areas, open spaces and car parks.*
- o Defensible space and the clear definition, differentiation and robust separation of public, private and semi-private space, so that all the spaces are clearly defined and adequately protected in terms of their use and ownership.*
- o External lighting should be column lit and all to the standard of adopted roads and in particular to include shared parking courts and footpaths.*
- o Design and layout of pedestrian, cycle and vehicle routes into and within the site, including how these integrate with existing patterns in the village.*
- o Landscaping and planting, in particular, potential hiding places and dark or secluded areas are not created.*

There are no further comments at this stage, but this office is more than happy to be consulted at any time.

5.7 Housing Strategy (FDC): 21.11.2019 – initial response

Comments including the following:

As it currently stands, we would expect a contribution of 25% on this site of 33 dwellings. The total number of dwellings we require would be 8.

29.05.2024 – latest response

Fenland Local Plan Policy LP5 Requirements

Policy LP5 of the Fenland Local Plan (adopted May 2014) seeks 25% affordable housing on developments where 10 or more homes will be provided

On sites of	Level of affordable housing
<i>Minor developments (5-9 dwellings)</i>	<i>Nil affordable housing</i>
<i>Major developments (10 or more dwellings)</i>	<i>25% affordable housing (rounded to the nearest whole dwelling)</i>
<i>Tenure Mix</i>	<i>70% affordable housing for rent (affordable rent tenure) and 30% other affordable routes to home ownership tenure (shared ownership housing)</i>

The Fenland Viability Report (March 2020)

To inform the preparation of Fenland's emerging Local Plan, a Viability Assessment was undertaken which looked at the cost of building new homes and the costs associated with the policies in this Local Plan.

This report concluded that viability in Fenland is marginal and varies between localities in the district. The assessment indicates that 20% affordable housing is likely to be the maximum level of provision that can be achieved through planning obligations. In response to the report, the Council has confirmed that finding of the viability assessment will be taken into account when determining planning applications from May 2020 onwards.

Consequently, while the Council aims to deliver policy compliant 25% affordable Housing provision on qualifying schemes where possible, it is acknowledged that a reduced percentage of affordable housing via planning obligations to a maximum of 20%, will be achievable in most instances.

Since this planning application proposes the provision of 33 number of dwellings, our policy seeks to secure a contribution of 25% affordable housing which equates to 8 affordable dwellings in this instance.

Based on the provision of 20% affordable housing 7 affordable dwellings would be required in this instance.

The current tenure split we would expect to see delivered for affordable housing in Fenland is 70% affordable rented tenure and 30% shared ownership. This would equate to the delivery of 6 affordable rented homes and 2 shared ownership based on the provision of 25% affordable housing or 5 affordable rented homes and 2 shared ownership based on the provision of 20% affordable housing.

The provision of on-site affordable housing or a financial contribution

Where affordable housing is due, the policy indicates that the affordable housing will be provided on site unless there are exceptional circumstances which necessitate provision on another site or the payment of a financial contribution. Since 2016 Fenland has had arrangements in place to mitigate the difficulty of implementing an on-site policy for sites with a planning obligation to deliver less than 10 affordable homes. These arrangements are regularly reviewed to ensure that they continue to accurately reflect the challenges of securing small scale on site affordable housing delivery through planning obligations.

This arrangement has been reviewed in response to the findings of the Viability Assessment and the potential for variations in the percentage of affordable housing delivery that is likely to be achievable through planning obligations, depending on the location of the site within the local authority district area.

*Accordingly, Fenland's current approach is to agree that sites **that yield less than 10 (i.e. 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision**. The application of this arrangement is not dependent on the total number of dwellings seeking consent for delivery, instead, it is triggered by the number of affordable homes that are deliverable.*

If the applicant chooses to provide a financial contribution rather than seek an RP partner to deliver the on-site affordable housing, the affordable housing financial contribution will be calculated in accordance with the mechanism provided in the Local Plan policy and as follows:

- The applicant should submit the necessary open market values of homes which would otherwise have been affordable housing to FDC.*
- FDC will assume that RPs would usually pay 55% of OMV for a rented dwelling and 65% of OMV for a shared ownership dwelling.*
- FDC will assume that 70% of all affordable homes will be rented tenure and 30% will be shared ownership tenure.*

5.8 FDC Environmental Services: 13.11.2019 – initial and only response

In broad principal we have no objection to this development, however the following points would need addressing in the future:

- Swept path plan to demonstrate 11.5m refuse collection vehicle can enter in a forward motion and turn on the public highway.*
- Refuse and recycling bins will be required to be provided as an integral part of the development.*
- Bins will require presenting at the curtilage of the property/shared collection point for plots served by private driveways, where it meets the Public Highway on the day of collection.*
- New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.*
- Please refer to the useful supplementary planning guidance for Cambridgeshire and Peterborough available in the RECAP Waste Management Design Guide [here](https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/recap-waste-management-design-guide/)*

<https://www.cambridgeshire.gov.uk/business/planning-and-development/water-minerals-and-waste/recap-waste-management-design-guide/>

5.9 Cambridgeshire Fire & Rescue Service: 15.11.2019 – initial and only response

Adequate provision should be made for fire hydrants secured by S106 or planning condition; access and facilities for the fire service should also be provided in accordance with Building regulations approved document B5 section 16.

5.10 Environment & Health Services (FDC): 13.11.2019 – initial and only response

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

Given the scale of the proposed development, I would expect it to be connected to mains drainage and note the correspondence of Anglian Water, and owing to the close proximity to existing residential properties, I would also like to see a construction management plan submitted prior to commencement of development, which outlines procedures to ensure that any potential disturbance caused to existing nearby residencies will be to a minimum.

Whilst there is no known contamination linked with the proposed development site, which is currently put to agricultural farming use, there is a large agricultural type establishment to the north which is identified as being an area of likely land contamination. In light of this, and with the nearest proposed dwelling being what I believe to be only 11pprox.. 70m away, it would be prudent to impose the unsuspected contamination condition;

5.11 Senior Archaeologist (CCC): 03.12.2019 – initial and only response

Our records indicate that the site lies in an area of high archaeological potential, located in the fenland tidal flats of Wisbech that are characterised by a series of deposits relating to marine and fresh water flooding. The impact of this flooding was responded to, in some degree, in the Saxon period with the construction of the Roman Bank (also known as the Sea Bank), a linear earthwork built to protect reclaimed land from high tides and sea floods, and which despite its name is more likely to be of Late Saxon to Early Medieval (possibly 7th century) origin (Cambridgeshire Historic Environment Record reference 04448).

The section running roughly north-west to south-east only 200m from the western boundary of the development area is designated of national importance as a Scheduled Ancient Monument (DCB351). Located just to the west of the dyke are two possible barrows or burial mounds, Cherry Tree Hill (DCB219) and Rabbit Hill (DCB218), both of which are again protected as Scheduled Monuments, while a number of other sites/ areas of interest are also known in the vicinity, including evidence for Early Medieval saltworking in the area around Roman Bank, close to the north-west corner of the proposed development site (03960). We anticipate that successional deposits will seal old land surfaces in this area to the east of the Sea Bank, where continued marine transgressions were allowed to occur. It is therefore considered likely that important archaeological remains could survive on the site and that these would be severely damaged or destroyed by the proposed development.

We have commented on this site previously. We would recommend that the same archaeological standard condition is placed on the development as was recommended for prior (refused) application F/YR18/0120/O within the same bounds.

5.12 Environment Agency: 27.11.2019 – initial response

Have no objection to the proposed development but provide comments relating to Planning Policy Framework Flood Risk Sequential Test, together with review of Flood Risk Assessment and advice to LPA regarding Flood Plan.

12.11.2020 – reconsultation response

Thank you for your email. We have reviewed the amendments submitted and have no further comment to make on this application.

05.08.2020 – reconsultation response

Have no objections to the development proposed subject to condition outlined below. State that without this condition, the proposed development on this site poses an unacceptable risk to the environment and they would object to the application.

12.01.2023 – latest response

Thank you for your consultation dated 20 December 2022 for the above application. We have reviewed the documents as submitted and we have no objections to the development proposed subject to the condition outlined below. Without this condition, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application. Further information for the developer is provided below.

Flood Risk

The proposed development will only meet the requirements of the National Planning Policy Framework if the following measure(s) as detailed in the Flood Risk MTC - 2031 - FRA - DS - Rev F - Oct 2022 and Drawing number 10 Revision B dated Feb 2019 submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Condition

The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) MTC - 2031 - FRA – DS - Rev F - Oct 2022 and Swan Edwards Drawing Job NO. SE-584 Drawing number 10 Revision B dated Feb 2019. The following mitigation measures detailed within the FRA:

- *Properties will be 2 storeys as shown on Swan Edwards Drawing Job NO. SE-584 Drawing number 10 Revision A*
- *Finished floor levels are set no lower than 4.25m above Ordnance Datum (AOD)*
- *Flood resilient and resistant construction*

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

5.13 Cambridgeshire County Council – Section 106:28.11. 2019 – initial and only response

Statement has been prepared to provide a justification for the education, library and/or strategic waste mitigation measures necessary to be included within a planning obligation that Cambridgeshire County Council requires in its' role as Local Children's Services Authority, Library Authority and Waste Planning Authority. The combined indicative figure is £675,901.

5.14 Local Residents/Interested Parties

Objectors

Letters of objection received from over 24 residents referring to the following:

- Insufficient infrastructure (school/Surgeries)

- No executive houses should be provided we need affordable,
- Traffic congestion, inadequate public transport,
- Noise pollution,
- Harm to the environment,
- Uncertainty due to length of time taken,
- Loss of an active farming plot/good silt quality land.
- Impact on protected species,
- Poor access,
- Overdevelopment, excessive density,
- Poor drainage/flooding, (photograph illustrates poor drainage of agricultural land) infiltration will not work, discharge unworkable no watercourse near, Highway drains silted up, raising of ground levels will exacerbate existing problems, building in a flood risk area is bound to fail. Time taken on drainage answers illustrates the scale of the issue.
- Light pollution,
- Overlooking/loss of privacy, Loss of view,
- Insufficient separation,
- Overshadowing/loss of light,
- Would set a precedent,
- Visual impact

Supporters

Letters of support received from over 8 residents of Leverington referring to the following:

- Support provision of affordable houses, and a mix
- Benefits the local economy and existing services, the village needs growth,
- Good links,
- Lower flood risk than the site opposite,

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).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

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

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

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

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

Para. 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

Para 165. Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

Para 166. Strategic policies should be informed by a strategic flood risk assessment and should manage flood risk from all sources. They should consider cumulative impacts in, or affecting, local areas susceptible to flooding, and take account of advice from the Environment Agency and other relevant flood risk management authorities, such as lead local flood authorities and internal drainage boards.

Para 167. All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations.

Para 168. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential

approach should be used in areas known to be at risk now or in the future from any form of flooding.

Para 169. If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3.

Para 170. The application of the exception test should be informed by a strategic or site-specific flood risk assessment, depending on whether it is being applied during plan production or at the application stage. To pass the exception test it should be demonstrated that: a) the development would provide wider sustainability benefits to the community that outweigh the flood risk; and b) the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible, will reduce flood risk overall.

Para 171. Both elements of the exception test should be satisfied for development to be allocated or permitted.

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

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

LP5 – Meeting Housing Need

LP6 – Employment, Tourism, Community Facilities and Retail

LP8 – Wisbech

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP18 – The Historic Environment

LP19 – The Natural Environment

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
LP18: Development in the Countryside
LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP27: Trees and Planting
LP28: Landscape
LP29: Green Infrastructure
LP30: Local Green Spaces and Other Existing Open Spaces
LP31: Open Space and Recreational Facilities
LP32: Flood and Water Management
LP56: Residential site allocations in Leverington

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

DM6 – Mitigating Against Harmful Effects

Developer Contributions SPD 2015

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Flooding, Sequential Test**
- **Highways Safety**
- **Residential Amenity**
- **Impact on the character of the Area**
- **Ecology**
- **Community Infrastructure, Affordable Housing and Planning Obligations**
- **Other Issues**

9 BACKGROUND

- 9.1 Planning application for a similar development on this site was previously refused under delegated powers (reference F/YR18/0120/O). No appeal was lodged following the refusal.

- 9.2 An appeal decision (F/YR17/1218/O) for 4 dwellings land to the west of 116-124 Sutton Road failed the Sequential Test contrary to LP14, the SPD and the NPPF and the appeal was dismissed.
- 9.3 Planning permission was granted for 221 Dwellings on Land East of 88 Sutton Road (F/YR17/0304/F). In applying the Sequential Test (at the time) it was considered that a sequentially preferable site for 221 houses was not available in Wisbech. Of particular relevance was the failure of allocated sites in Wisbech to come forward. That application was considered to pass the Exceptions test by virtue of the use of Suds and grey water recycling, and the provision of 23 affordable dwellings of which there was a critical need in Fenland.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP1 sets out the overall strategy for growth, and LP3 sets out the settlement hierarchy. The site is in the Parish of Leverington, however it has a closer spatial relationship with Wisbech a Market Town in the hierarchy. Windfall sites on the edge of Wisbech can be considered acceptable in principle. When travelling along the A1101 as you pass the application site, there is no perception the site is within Leverington which lies further to the west.

Flooding, Sequential Test

- 10.2 The site is in both Flood Zones 1 and 3. From the Indicative Site Plan provided with the application 19 of the proposed dwellings and 23 of the plots would be wholly or partly within Flood Zone 3 as well as the access to the properties located within Flood Zone 1. In line with requirements of the NPPF, NPPG and Part B of Local Plan Policy LP14, development proposed within Flood Zone 3 requires the submission of a Sequential Test. As the NPPG advises, *'Even where a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied.'* The applicant submitted his own Sequential Test based on the inability of Leverington to provide land for 33 dwellings in Leverington.
- 10.3 The site subject of this application is considered to be physically part of Wisbech given the continuation of built development between the site and the centre of Wisbech itself. As such, it is reasonable and consistent for the Sequential Test area of search to be based on the settlement of Wisbech. This being in line with the advice in the NPPG which states *'For individual planning applications subject to the Sequential Test, the area to apply the test will be defined by local circumstances relating to the catchment area for the type of development proposed.'*
- 10.4 An initial review of Appendix A2 of the Council's most recent Five Year Housing Land Supply document of May 2024 identifies a number of sites with five or more dwellings within Wisbech that are anticipated to be delivered over the next five years.
- 10.5 Therefore, these sites and smaller sites have planning permission that are sequentially preferable in flood risk terms. Additionally, there is a significant quantum of dwellings that will come forward within the strategic allocations for Wisbech as identified in the Local Plan that are within Flood Zone 1. Planning applications are under consideration for parts of the strategic allocation.

Collectively, both in the present and the immediate future. there is more than enough land available to meet the 33 houses within the Wisbech area of search.

- 10.6 The proposal therefore fails the Sequential Test as there are reasonably available sites for this type of development in areas with a lower risk of flooding. Therefore, on flood risk grounds, there is no reason to grant permission for these proposals given Section 14 of the NPPF, the advice within the NPPG and Part B of Local Plan Policy LP14.

Highway Safety

- 10.7 In their latest response to the application the Local Highways Authority (LHA) object to the proposed development on the basis that it will have an unacceptable impact on highway safety and therefore paragraph 115 of the NPPF is applicable. That is, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety
- 10.8 The proposed vehicle access is within a narrow rectangular piece of land to the northeast of the site. The LHA advises that it is unclear how the access onto Sutton Road (A1101) could be constructed in such a way that it does not undermine the safety or operational of adjoining accesses to no. 111 and 113 Sutton Road. There is no separation between accesses meaning vehicle movements from the three accesses will be in conflict and the ambiguous layout means vehicle priorities could be misinterpreted, leading to collisions.
- 10.9 Once within the proposed site, the LHA notes that there is also a narrow pinch-point in the internal access road near to the corner of a garage building at the rear of No 111 Sutton Road and close to the indicative Plot 1 on the indicative site layout. The carriageway narrows at this point to only 3 metres with a 2 metre footway, shown as a priority Lane with a shared surface. Given this will need to accommodate waste collection vehicles there is further concern as to the safety of pedestrians on such a narrow pathway/carriageway. This is considered to represent poor highway design. The LHA states *'risking vehicle conflict and / or unnecessary reversing. The applicant has also not demonstrated how emergency service or refuse vehicles could navigate through the restricted carriageway. At this pinch point, the edge of the internal road / footway is shown to coincident to the application boundary with zero buffer. It's unlikely that the road infrastructure could be constructed without encroachment outside of the application boundary.*
- 10.10 As there is insufficient space to improve the point of access and the narrow pinch point of access/footway, the proposal is therefore contrary to paragraph 115 of the NPPF and Local Plan Policy LP15(C) in that it does not provide a safe access.

Residential Amenity

- 10.11 The indicative layout proposed demonstrates the possible provision of up to 33 dwellings at a gross density of 24.3 per hectare. Some parking spaces may be tight and may not be acceptable as provided. Nevertheless, there are not considered to be any significant issues in providing a development of up to 33 dwellings on this site (subject to detailed submission under reserved matters). The indicative proposal would not generate serious concerns of loss of privacy or overdominance. At the outline stage there is not considered to be any reasons on which to refuse the application on the impact on residential amenity and therefore accords with policy LP16(e).

Impact on the character of the area

- 10.12 The proposal is to the rear of houses on Sutton Road and Sutton Meadows. When seen from the north and west across open fields the development will be viewed against the backdrop of existing housing. The previous application was not refused on grounds of impact to the open countryside or character of the area. It did not consider it would result in a significant intrusion to the open countryside or result in extended ribbon development. It also did not consider it would set a precedent due to heritage considerations on land between this site and the village of Leverington. Therefore, it is concluded that this development could comply with policies LP12(D) and LP16(D).

Ecology

- 10.13 There is no evidence of significant ecological value of the site. A biodiversity net gain report and metric tool was submitted in March concluding that a 17% gain would be achievable. A re-consultation was sent to Cambridgeshire Ecology but at the time of writing nothing has been received. Without further evidence it is not considered to be a reason on which to refuse the application. Notwithstanding, biodiversity/ ecology impacts did not form a reason for refusal of the previous proposal under F/YR18/0120/O.

Community Infrastructure, affordable housing and Planning Obligations

- 10.14 Following the Council's own viability assessment as part of the evidence base for the new draft local plan, the Council accepted a position that 20% affordable housing south of the A47 with £2000 per dwelling infrastructure contributions, and 10% provision of First Homes north of the A47 and no infrastructure contributions would be a generally viable level of contribution for sites to deliver. In the latest Design and Access Statement submitted in July 2022, this states that the applicant is *'looking to enter into the section 106 agreement to provide affordable housing in line with the local plan and all required contributions'*. On this basis the proposals would appear to deliver appropriate level of community infrastructure and affordable housing as accepted by the Council as being at a viable level.

Other Issues

- 10.15 The previous application concluded that to refuse the application on grounds of loss of best and most versatile agricultural land would not be sustainable in that so much of the best land is located across Fenland that no development would be plausible and delivering and sustaining a 5-year land supply would be challenging.

11 CONCLUSIONS

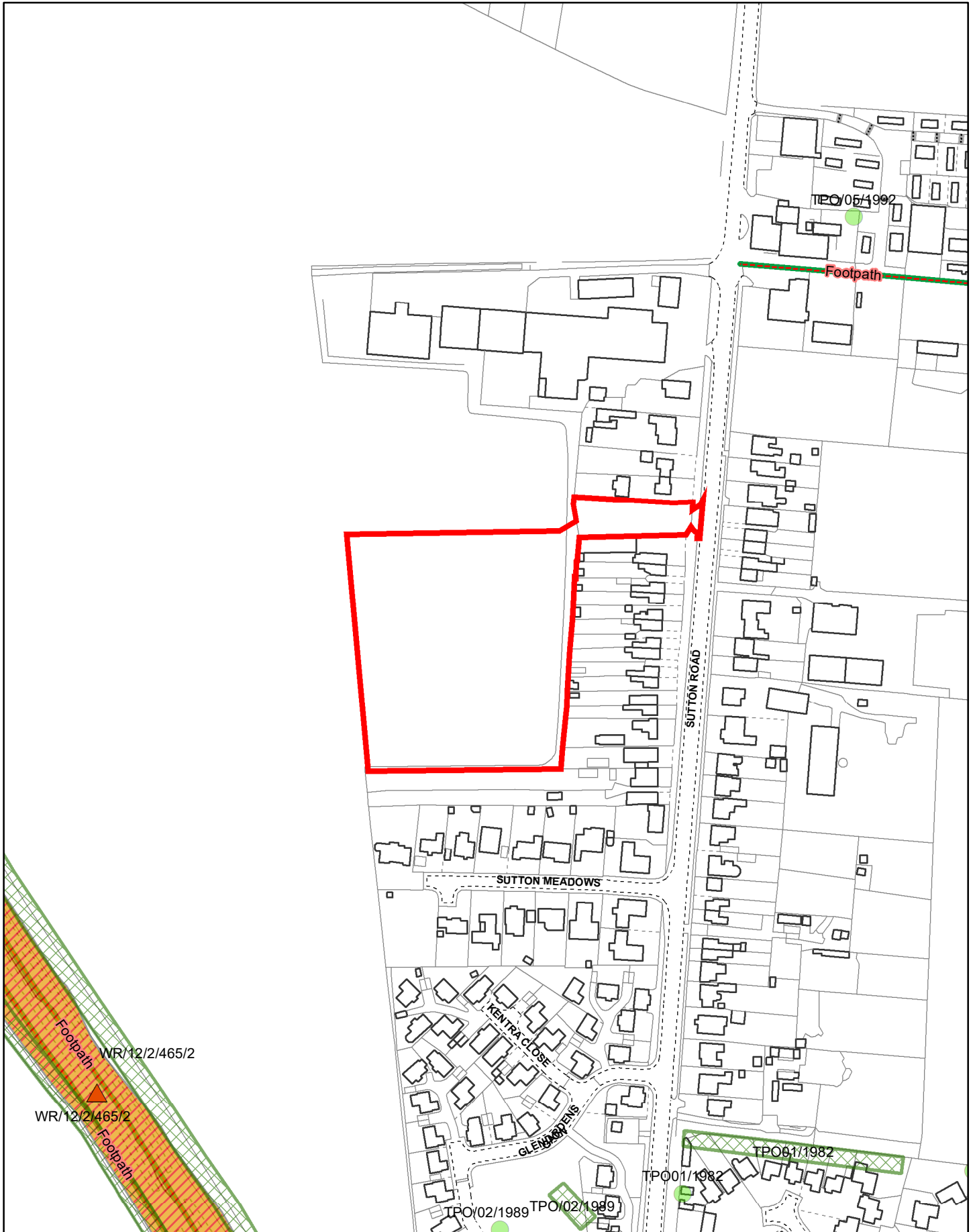
- 11.1 The proposals are not considered to have passed the Sequential Test and are therefore contrary to Section 14 of the NPPF and policy LP14(B) of the adopted Fenland Local Plan.

- 11.2 Secondly, the proposed access and internal road has not demonstrated it can be provided without resulting in the risk of collisions due to inadequate space. It is therefore considered to have an unacceptable impact on highway safety contrary to Paragraph 115 of the NPPF and PolicyLP15(C).

12 RECOMMENDATION

Refuse; for the following reasons:

1	A substantial part of the proposed site is within Flood Zone 3 where there is a high probability of flooding. Other sites in more sequentially preferable locations that can cumulatively or directly meet the provision of 33 dwellings are reasonably available, and the current applications within the strategic allocated site (Broad Concept Areas) are likely to improve the availability of sites in the future. The proposal would therefore not meet the requirements of paragraph 168 of the NPPF and Part B of Local Plan Policy LP14.
2	The proposed access will result in an unacceptable impact on highway safety. It will undermine the safety or operations of adjoining accesses to no. 111 and 113 Sutton Road onto Sutton Road (the A1101), there is no separation between accesses meaning vehicle movements from the three accesses will be in conflict and the ambiguous layout means vehicle priorities could be misinterpreted, leading to collisions. The plan does not satisfactorily demonstrate that access for all modes of transport can adequately be provided due to a narrow pinch point adjacent to a large building at the rear corner part of 111 Sutton Road and the site boundary, thus introducing an additional collision risk for large vehicles and pedestrians. The proposal is therefore contrary to Paragraph 115 of the NPPF and Local Plan Policy LP15(C) in that it does not provide a safe access.



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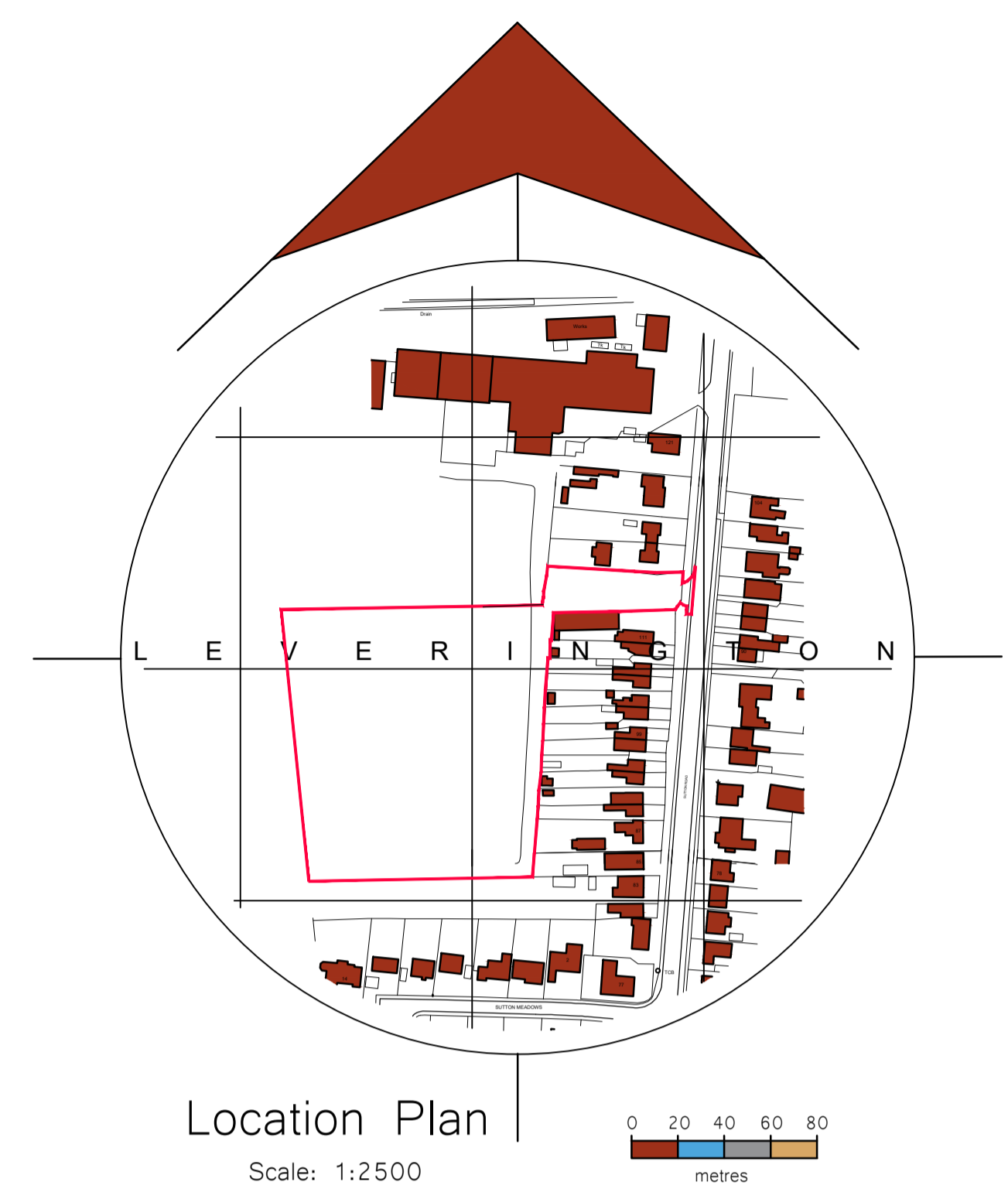
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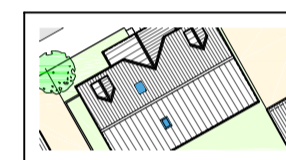
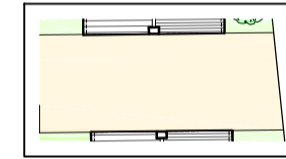
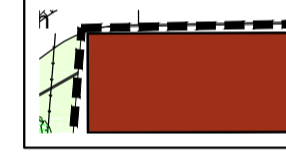
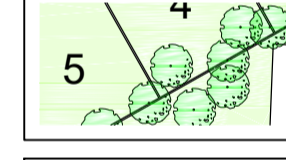
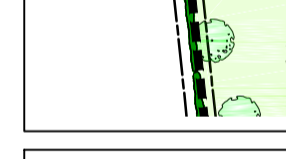

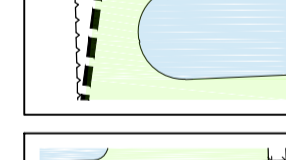

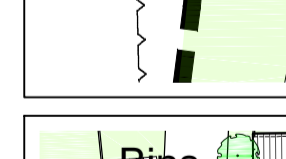
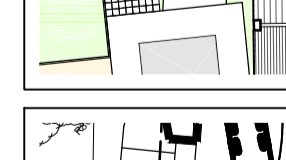
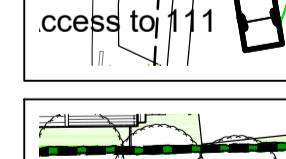
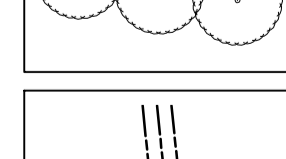






Indicative Site Plan
Scale: 1:500



SITE PLAN KEY

-  Indicates proposed dwellings
-  Indicates parking spaces and access
-  Indicates existing neighbouring dwellings
-  Indicates proposed trees
-  Indicates proposed site boundary with natural hedging and trees
-  Indicates line of Flood Zone 3
-  Indicates proposed attenuation pond
-  Indicates proposed road and footpath to adoptable standard
-  Dotted line indicates existing objects to be removed
-  Indicates proposed bin collection point
-  Dashed Line indicates proposed 2.4x120.0m visibility splays
-  Indicates existing trees
-  Indicates existing overhead power lines
-  Indicates proposed site access to Cambs CC approval along with reinstatement of footpath and kerbs

House Type Schedule				
Plot Number	Beds	Garage	Parking	Dwelling Type
1	3	1	2	Chalet Bungalow
2	3	1	2	Chalet Bungalow
3	3	0	2	Semi Detached
4	3	0	2	Semi Detached
5	3	0	2	Semi Detached
6	3	0	2	Semi Detached
7	3	0	2	Houses
8	3	0	2	Semi Detached
9	3	0	2	Semi Detached
10	2	0	2	Semi Detached
11	2	0	2	Semi Detached
12	3	2	2	Houses
13	3	2	2	Houses
14	3	1	2	Houses
15	3	1	2	Houses
16	3	1	2	Houses
17	3	1	2	Houses
18	3	0	2	Semi Detached
19	3	0	2	Semi Detached
20	3	0	2	Semi Detached
21	3	0	2	Semi Detached
22	2	0	2	Semi Detached
23	2	0	2	Semi Detached
24	3	1	2	Houses
25	3	1	2	Houses
26	4	1	2	Houses
27	4	1	2	Houses
28	3	1	2	Houses
29	3	1	2	Houses
30	3	0	2	Semi Detached
31	3	0	2	Semi Detached
32	4	1	2	Houses
33	4	1	2	Houses

- General Notes
1. This drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are shown in 'mm' unless otherwise stated.
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 4. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 5. Any discrepancies are to be brought to the designers attention.

Revisions

D	Feb 2024	Highways Amendments
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Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

Swann Edwards Architecture Limited, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
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Job Title Proposed Residential Development 113 Sutton Road, Leverington Wisbech, Cambs Mr Goodale	Date December 2017	Scale Various Sheet Size A1
Drawing Title Outline Planning Drawing Site & Location Plans	Job No. SE-584	Drawn by G.E.
	Dwg No. 10	Revision D

F/YR24/0458/PIP

**Applicant: Mr & Mrs Redhead & Brooks Agent : Mr G Boreham
Morton & Hall Consulting Ltd**

Land East Of Hill View, Eastwood End, Wimblington, Cambridgeshire

Permission in principle to erect up to 7 x dwellings

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The proposal is an application for Permission in Principle to develop the site for up to 7 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle stage) establishes whether a site is suitable in principle and assess the principal issues name:
- (1) Location
 - (2) Use, and
 - (3) Amount of development proposed;
- 1.2 Evaluation of a PIP must be restricted to the issues highlight above, even if technical issues are apparent from the outset these can form no part of the determination of Stage 1 of the process. Accordingly, matters raised via statutory bodies may not be addressed at this time.
- 1.3 This application site comprises an existing single storey residential dwelling and detached outbuildings, historically agricultural in nature. Historically, recommendations and refusals had been based upon the judgement that the area was in an “Elsewhere” location as set out in policy LP3. However, an appeal decision and subsequent grants of permission for residential development by the Council establish Eastwood End as being part of the growth village of Wimblington and in a sustainable location.
- 1.4 Whilst it is considered that the location and proposed land use are acceptable in principle, the amount of development is considered to be fundamentally unacceptable on the basis that it would result in encroachment into the countryside. Further, it would create a form of development significantly at odds with the prevailing pattern of development in the locality of the site, thereby harming the character of the area.
- 1.5 It is therefore recommended to refuse Permission in Principle.

2 SITE DESCRIPTION

- 2.1 The application site is located on the southern side of Eastwood End, in the parish of Wimblington. At present, the site comprises a single storey residential property and a small number of detached outbuildings.
- 2.2 The surrounding area is characterised by a mix of commercial and residential development along Eastwood End, notably with recent permissions granted for 2no. dwellings, 3no. dwellings and 9no. dwellings in the immediate vicinity of the site.

3 PROPOSAL

- 3.1 The application seeks permission in principle to erect up to 7no. dwellings on Land East of Hill View, Eastwood End, Wimblington.
- 3.2 As the application is solely for permission in principle, the only matters for consideration are location, land use and amount of development.
- 3.3 Full plans and associated documents for this application can be found at: [F/YR24/0458/PIP | Permission in principle to erect up to 7 x dwellings | Land East Of Hill View Eastwood End Wimblington Cambridgeshire \(fenland.gov.uk\)](https://www.fenland.gov.uk/planning-and-building-control/permissions-and-planning-applications/F/YR24/0458/PIP%20|%20Permission%20in%20principle%20to%20erect%20up%20to%207%20x%20dwellings%20|%20Land%20East%20Of%20Hill%20View%20Eastwood%20End%20Wimblington%20Cambridgeshire)

4 SITE PLANNING HISTORY

- 4.1 There is no relevant planning history on the site.

5 CONSULTATIONS

5.1 Senior Archaeologist (CCC) – 10/06/2024

Based on the provided plans we do not object to the development in principle but consider that a programme of archaeological investigation should be secured by the use of a pre commencement archaeological condition at technical details stage.

5.2 Parish/Town Council – 20/06/2024 (Summarised)

- Application site and other recent permissions granted are close to narrow and tight bend on Eastwood End.
- No further need for dwellings until recently granted dwellings are built and occupied. Also need to see how local infrastructure copes with increase in dwelling numbers.
- Although in Flood Zone 1, other concerns of flooding already prevalent in the area.
- Site is in a rural environment and does not conform with settlement pattern.
- Wastewater treatment works in Doddington already struggling with capacity.

5.3 Environment & Health Services (FDC) – 19/06/2024

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

5.4 Local Residents/Interested Parties

Objectors –

14 letters of objection have been received (seven from Eastwood End, two from Eaton Estate and Dolby Close, Norfolk Street, Stone Grange and Doddington Road, Wimblington and Breton Road, March) raising the following issues:

- Highway network unsuitable for further development in terms of width, visibility and types of vehicles using road.
- Indicative layout not in keeping with linear pattern of development.
- Negative impact on wildlife in area.
- Issues with flooding in area.
- Services and facilities in Wimblington already stretched.
- House types proposed (4/5-bed properties) are not required, more starter homes needed.
- Number of properties in Eastwood End tripled in last 10 years.

Supporters –

10 letters of support have been received (three from Eastwood End, two from Horsemoor, two from Manea Road and Hook Road, Norfolk Street and Meadow Way, Wimblington) on the following grounds:

- Development will provide a mix of houses and compliment other developments in the area.
- Other applications have been approved along Eastwood End.
- Will make good use of a redundant, unviable farm.
- Provides more housing in Fenland.
- The site is an obvious extension to newly redeveloped area of Eastwood End.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

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

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

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

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

Para. 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

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

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

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

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

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
- LP3: Spatial Strategy for Employment Development
- LP4: Securing Fenland's Future
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP12: Meeting Housing Needs
- LP13: Custom and Self Build
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP27: Trees and Planting
- LP28: Landscape
- LP29: Green Infrastructure
- LP32: Flood and Water Management

Delivering and Protecting High Quality Environments in Fenland SPD 2014
 DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

8 KEY ISSUES

- **Location**
- **Land Use**
- **Amount**

9 ASSESSMENT

9.1 Noting the guidance in place regarding Permission in Principle submissions, assessment must be restricted to (a) location, (b) use, and (c) amount and these items are considered in turn below:

Location

- 9.2 Policy LP3 defines Wimblington as a growth village, where small village extensions will be appropriate, albeit of a more limited scale than that appropriate to the market towns. Locations which do not fit within the defined settlement hierarchy set out in policy LP3 are deemed “elsewhere” locations where only development meeting the criteria set out within this policy will be acceptable.
- 9.3 Eastwood End is located to the east of the A141. It is a single carriageway road with few footpaths and loops back around to the west to rejoin the A141 further north. There are other roads which radiate off this loop and continue in a northerly and easterly direction. The area to the north of Eastwood End is given over mainly to agriculture/employment buildings. For the most part, Eastwood End itself is fronted by residential dwellings.
- 9.4 The site is located on the southern side of Eastwood End and currently comprises a single storey residential dwelling and a small cluster of agricultural buildings.
- 9.5 In an appeal decision made in respect of the refusal of planning application F/YR20/0635/F deemed that Eastwood End is contiguous with the settlement of Wimblington and is therefore more consistent with the characteristics of a Growth

Village, rather than an “elsewhere” location, as had previously been considered the case.

9.6 The aforementioned appeal decision along with other decisions made by Fenland District Council along Eastwood End are material considerations in the assessment of this application. The decisions to which consideration and weight has been given in the assessment of this application are as follows:

- F/YR19/0550/O – Land south of 6 Eastwood End. Planning permission granted for 3no. dwellings.
- F/YR21/0455/F – 1 Eastwood End. Planning Permission granted for 3no. dwellings involving demolition of existing dwelling.
- F/YR20/0641/F – Land south of Eastwood End. Planning Permission granted for 9no. dwellings with garages.
- F/YR22/0884/PIP – Land north of Hill View, Eastwood End. Permission in principle granted for up to 9no. dwellings.

9.7 When having regard to these decisions made by the Planning Inspectorate and Fenland District Council, it is apparent that Eastwood End has recently, generally, been considered a sustainable location for residential development.

9.8 Therefore, the proposal is considered to be acceptable in terms of the principle of location having regard to Policy LP3.

Use

9.9 Part of the site comprises an existing residential property with recently approved residential development to the north and north-west. There are also a number of residential properties situated to the west of the site and further north along Eastwood End.

9.10 As the proposal is also for residential development, this is considered to be in keeping with the surrounding land uses and is therefore considered to be acceptable, particularly when considering that a portion of the site currently hosts a residential dwelling.

Amount

9.11 The application seeks Permission in Principle for up to 7no. dwellings. Whilst not required as part of a PiP application an indicative site layout plan has been submitted as part of the application that shows 7 large, detached dwellings, all within generous plot sizes.

9.12 The site is measured at just under a hectare in size, meaning a very low density of approximately 7 dwellings per hectare. Whilst it is noted that properties along Eastwood End generally benefit from large plot sizes and curtilages, it is not considered that this would represent an efficient use of land, as required by paragraphs 128 and 129 of the NPPF (2023).

9.13 Notwithstanding this, the size and form of the application site and the amount of development proposed, as illustrated by the indicative layout plan, would inherently result in a form and character of development significantly out of keeping with the linear pattern of development prevalent along Eastwood End, particularly so on the eastern and southern side of the road, and a significant encroachment into the open countryside.

9.14 On this basis, it is considered that the principle of development in respect of the amount of development would be unacceptable having regard to the requirements of the NPPF and Policy LP16 of the Fenland Local Plan.

10 CONCLUSIONS

10.1 The application seeks permission in principle for up to 7no. dwellings at Land east of Hill View, Eastwood End, Wimblington. As the application is only for permission in principle, it is only possible to assess the location, land use and amount of development proposed.

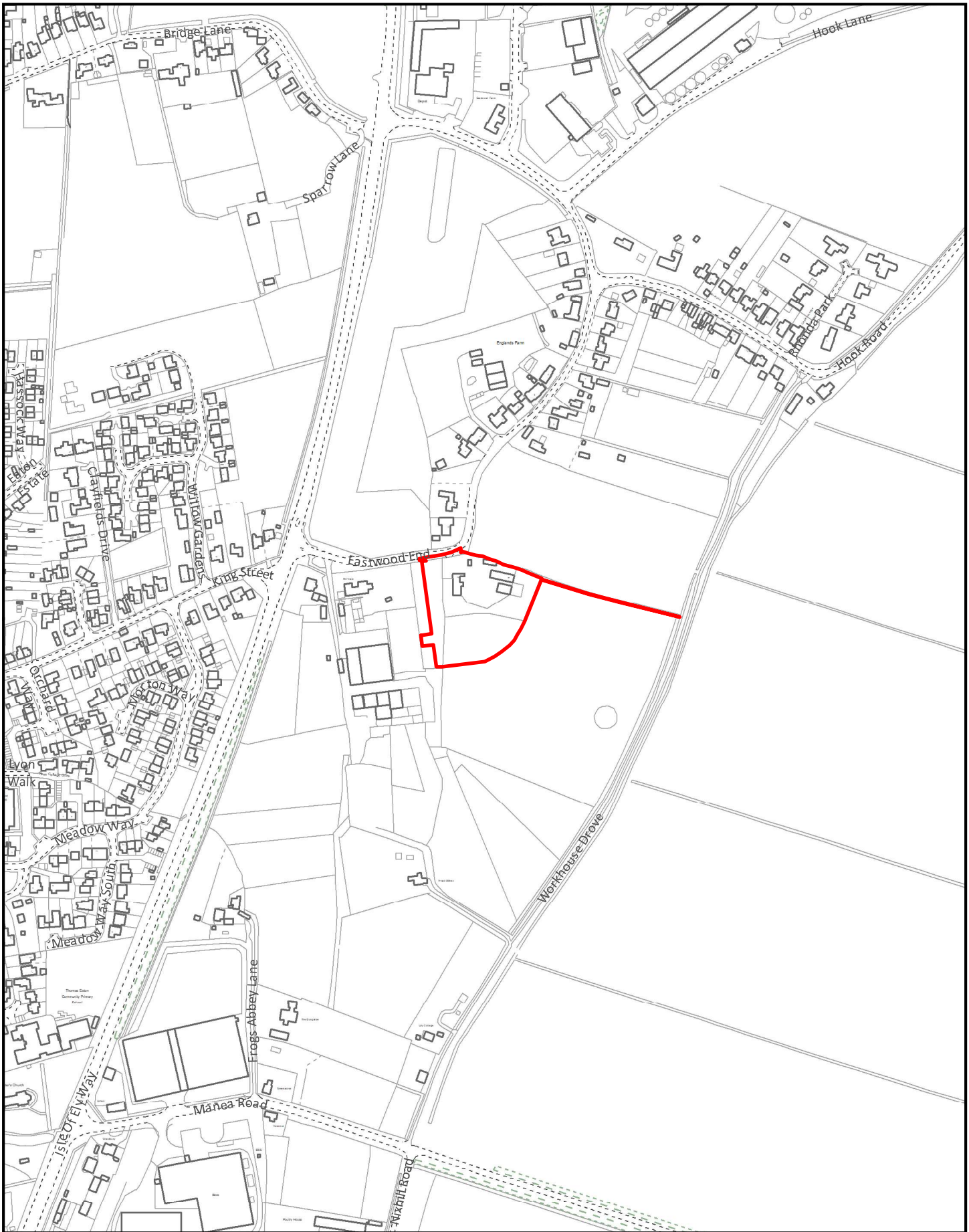
10.2 As assessed above, the location and proposed land use is acceptable in principle for new residential development. However, when considering the dominant linear pattern of development present along the entirety of Eastwood End, it is considered that the creation of 7no. dwellings on this site would be completely at odds with the prevailing pattern of development and fundamentally unacceptable having regard to the NPPF and Fenland Local Plan. This is further reinforced by the excessively sized red line that would likely result in a significant encroachment into the countryside.

10.3 On this basis, it is recommended that the application be refused.

11 RECOMMENDATION

Refuse; for the following reason:

1.	The application, by virtue of the proposed amount of development, would result in a form of development contrary to the prevailing linear pattern of development in the surrounding area and significant encroachment into the open countryside resulting in an unacceptable and adverse impact on the character of the area, contrary to Policy LP16 of the Fenland Local Plan 2014 and Paragraph 135 of the NPPF (2023).
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F/YR24/0458/PIP

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F/YR24/0551/O

Applicant: Mr J Webb

**Agent : Mr G Boreham
Morton & Hall Consulting Ltd**

Land South Of 34A To 34H, Newgate Street, Doddington, Cambridgeshire

Erect up to 3 x dwellings (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 30 August 2024

EOT in Place: Yes

EOT Expiry: 23 October 2024

Application Fee: £1734

Risk Statement:

This application must be determined by 23rd October 2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- 1.1 This application seeks outline planning permission for the erection of 3 dwellings with matters committed in respect of access.
- 1.2 The application site is in Flood Zone 3, and is accompanied by a Flood Risk Assessment that does not include consideration of the Sequential and Exception Tests. As such, the proposal fails to accord with the necessary requirements of Policy LP14, the SPD and the NPPF, and as such, should be refused on the basis of a lack of demonstrable evidence that the scheme would be acceptable in respect of flood risk.
- 1.3 Thus, given the following consideration of these planning policies, the proposal is considered unacceptable with regard to Flood Risk and is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site is located to the rear of 34A-34H Newgate Street and is presently paddock land with residential properties to the east of the site. The site is bounded by close boarded fencing.

2.2 The site falls within Flood Zone 3, with the access road falling within Flood Zone 1.

3 PROPOSAL

3.1 This application seeks outline planning permission for the erection of 3 dwellings with matters committed in respect of access. This would utilise the existing access track between Nos. 34 and 34A. The indicative layout shows 3 dwellings with parking space to the front and private amenity space to the rear.

3.2 Full plans and associated documents for this application can be found at: [F/YR24/0551/O | Erect up to 3 x dwellings \(outline application with matters committed in respect of access\) | Land South Of 34A To 34H Newgate Street Doddington Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR24/0551/O)

4 SITE PLANNING HISTORY

Pertinent planning history:

Reference	Description	Decision
F/YR16/0930/F	Erection of 3 x 2-storey 4-bed dwellings with detached double garages (Plots 1 and 3) involving demolition of garage (Land South Of 32C To 34A Newgate Street Doddington)	Granted 08/12/2016
F/YR15/0222/O	Erection of 2 dwellings involving demolition of existing stables (Land South Of 32D - 34H Newgate Street Doddington)	Granted 12/05/2015
F/YR14/1014/O	Erection of 4no dwellings (max) involving demolition of existing stables (Land South Of 32D - 34H Newgate Street Doddington)	Refused 12/02/2015
F/YR05/1458/F	Erection of 4 x 3-bed semi-detached houses and 2 detached garage blocks	Granted 24/03/2006

5 CONSULTATIONS

5.1 Doddington Parish Council

At last nights meeting of Doddington Parish Council members objected to the above planning application on the basis that the site is located in Flood Zone 3 on the Environment Agency Flood Risk Extract Map. Despite comments made in the Flood Risk Assessment, no consideration appears to have been given over the very soft and boggy condition that the ground shows following a period of rain.

5.2 FDC Environmental Health

I confirm receipt of the above application details and have considered the implications of the proposed development in terms of:

*Noise
Air pollution
Contaminated land
Artificial light*

I conclude that there are no 'No Objections' to the proposal from an Environmental Health standpoint.

5.3 CCC Highways

Recommendation

On the basis of the information submitted, from the perspective of the Local Highway Authority, I consider the proposed development is acceptable.

Comments

The applicant has proposed a shared use access this being 5m wide for the first 10m, which is acceptable to the LHA. The development also benefits from an existing access with the highway.

Conditions

Vehicle access - Prior to first occupation the vehicle access will be constructed as per the approved plans and be a minimum of 5m for the 10m in to the property.

Informatives

Works in the Public Highway

5.4 Local Residents/Interested Parties

1 letter of objection has been received with regard to this application from an address point at Newgate Street. The reasons for objection are summarised as follows:

- Boundary wall damage between 34 and 34a Newgate Street due to large vehicles accessing the site during the development of other properties
- Parking and access
- Contractor vehicle parking
- Mental Wellbeing

21 letters of support have been received with regard to this application (10 from Newgate Street; 2 from Thistledown; 2 from Ronalds Way; 1 from Benwick Road; 1 from Church Lane; 1 from New Street; 1 from Kingsland Close; 1 from Cowslip Close; 1 from High Street and 1 from The Rowans). The reasons for support are summarised as follows:

- Dwellings next to the site with infrastructure installed
- Infill
- Additional housing for village
- Security
- Family homes
- In keeping
- Parking
- Not visible from streetscene
- Support village amenities

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

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

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

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

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

Para. 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
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Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Identity

Built Form

Movement

Homes and Buildings

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy

- 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
- LP19 – The Natural Environment

7.5 Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP28: Landscape
- LP32: Flood and Water Management

7.6 Supplementary Planning Documents/Guidance

Cambridgeshire Flood and Water SPD (2016)

8 KEY ISSUES

- Principle of Development
- Character and Amenity
- Access and Parking
- Flood Risk
- Biodiversity

9 BACKGROUND

- 9.1 As detailed within the planning history section above, application reference F/YR16/0930/F was granted for the erection of 3 dwellings opposite the site, utilising the same access road. It should be noted that this site is situated predominantly within Flood Zone 1 (dwelling and access). The garage and area to the front of Plot 3 is situated within Flood Zone 3.
- 9.2 Application reference F/YR15/0222/O was also approved which included the application site under this application. It should be acknowledged however that the site area under this application was proposed to be utilised as paddock land associated with the 2 dwellings only.

9.3 Application reference F/YR14/1014/O which incorporated the current site was refused for the following reason:

- 1. The proposal is contrary to LP14 of the Fenland Local Plan and Section 10 of the National Planning Policy Framework in that the development is located in a high risk flood area and the applicant has not provided any evidence to establish that there are no other reasonably available sites in areas with a lower probability of flooding. The proposal therefore fails the sequential approach to flood risk as the development will result in an unwarranted intrusion into an area susceptible to flooding.*

9.4 Application reference F/YR05/1458/F was also approved, albeit under a previous development plan. However, it should be noted that the site area under this application was proposed to be utilised for garage blocks, not dwellinghouses.

9.5 In summary, there is no planning history on the site itself for dwellinghouses.

10 ASSESSMENT

Principle of Development

10.1 Policy LP3 of the Fenland Local Plan 2014 states that Doddington is identified as a Growth Village where 'development and new service provision either within the existing urban area or as small village extensions could be appropriate.

10.2 Having regard to the site in the context of the village, it is concluded that the site would fall within the built settlement. As such the principle of development for three market dwellings is acceptable, subject to compliance with relevant policies of the development plan.

10.3 In this regard, Local Plan policy LP12 (Part A) sets out criteria (a - k) for new development in village locations, which are required to be met. These are considered below.

Design Considerations and Visual Amenity of the Area

10.4 Details of appearance, layout, scale and landscaping are to be submitted at Reserved Matters stage. The submitted indicative site plan offers limited details with respect to these matters, albeit it does detail an indicative layout of the three dwellings, alongside parking spaces and private amenity space. The plots appear suitably sized to allow for appropriate levels of amenity for future occupants.

10.5 The application site respects the natural boundaries of the site and will not result in incursion into the agricultural land to the east. Providing the natural boundaries at the site are suitably retained, it is likely that the site can be appropriately developed to maintain the overall residential character of adjacent dwellings without detriment to the character and appearance of the area and to offer acceptable levels of residential amenity.

10.6 Neighbouring comments are acknowledged with regard to the impact that building works on site will have neighbouring properties. It is not considered that the erection of 3 dwellings would significantly impact upon neighbouring amenity.

- 10.7 Neighbouring comments are also acknowledged with regard to damage to a boundary wall from previous developments adjacent to the site. This is a civil matter and not something that can be addressed by the planning authority.
- 10.8 In summary, subject to securing a suitable design at reserved matters stage, development of the site is not anticipated to result in harm to the character of the countryside or the local setting in accordance with policies LP12 (Part A)(a to i)

Access and Parking

- 10.9 Access has been committed at outline stage. The application proposes to utilise the existing access which also serves the development to the east. CCC Highways have raised no objection to the access arrangements proposed subject to conditions. Furthermore, a suitable scheme for parking within the site and sustainable connectivity to the wider highway network is likely to be achievable, subject to detailed design.
- 10.10 As such there are no issues to address with regard to Policies LP12(Part A)(k) LP15.

Flood Risk

- 10.11 The application site is situated predominantly within Flood Zone 3, the area at highest risk of flooding, with only the access road situated within Flood Zone 1. Policy LP12 (Part A) (j) and LP16 (m) seeks to avoid placing people and property in danger from identified risks e.g., flooding. Policy LP14 requires development proposals to adopt a sequential approach to flood risk from all forms of flooding, and states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management.
- 10.12 The application is accompanied by a Flood Risk Assessment that does not include consideration of the Sequential and Exception Tests and appears to rely on the applicant's advice that there has been no flooding at the site since their ownership and from the review of previous FRA's which advise that there is no known flooding at the site within the last 100 years. The FRA also states that in a flood event, there are many hectares of agricultural land that would flood first. The Flood and Water SPD and national planning practice guidance is explicit in setting out that the existence of defences should be disregarded in undertaking the sequential test, as they can fail.
- 10.13 It is the applicant's responsibility to provide evidence that there are no other development sites at a lower risk of flooding within Doddington, which are reasonably available and appropriate for the proposed development. Reasonably available sites are those in a suitable location for the type of development with a reasonable prospect that the site is available to be developed at the point in time envisaged for the development. These could include a series of smaller sites and/or part of a larger site if these would be capable of accommodating the proposed development. Such lower-risk sites do not need to be owned by the applicant to be considered 'reasonably available'.
- 10.14 Avoiding flood risk through the sequential test is the most effective way of addressing flood risk because it places the least reliance on measures like flood defences, flood warnings and property level resilience features. Even where a

flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere, the sequential test still needs to be satisfied. It is highly likely that there are a number of sites available within Doddington which could accommodate 3 dwellings (either singularly or in a group).

- 10.15 As such, the proposal fails to accord with the necessary requirements of Policy LP14, the SPD and the NPPF, and the flood risk avoidance aims of the NPPF. Consequently, the proposal would place people and property at an unwarranted danger of flooding and therefore fails to accord with policies LP12 (Part A (j)), LP14 and LP16 (m) of the Fenland Local Plan and the aims of Chapter 14 of the NPPF.

Biodiversity

- 10.16 The application is accompanied by an Ecological Impact Assessment (EIA). The EIA states that no further surveys for protected species are deemed necessary. The EIA does also include a number of mitigation measures to ensure no significant adverse effects result from the development. The EIA also recommends the inclusion of bat and bird boxes. CCC Ecology were consulted on this application, however no consultation comments have been forthcoming. Notwithstanding this, subject to conditions, it is not considered that the proposal would introduce any detrimental impacts upon protected species in accordance with Local Plan policies LP16 and LP19.

Biodiversity net gain

- 10.17 The application form states that the pre-development biodiversity value of onsite habitats is 0.49. The application is accompanied by a BNG Metric, Technical Report and Proposal Plan. The Metric details that 10% BNG can be achieved within the site. It would be expected that a suitable scheme to secure net gain could be secured through reserved matters.

Other Matters

- 10.18 One resident has raised concerns over damage caused by large vehicles and contractor vehicle parking. Given the scale of the development, it is not anticipated that the construction phase would result in any significant issues, subject to various trades observing their obligations in respect of ensuring amenity is protected as far as practicably possible during works.

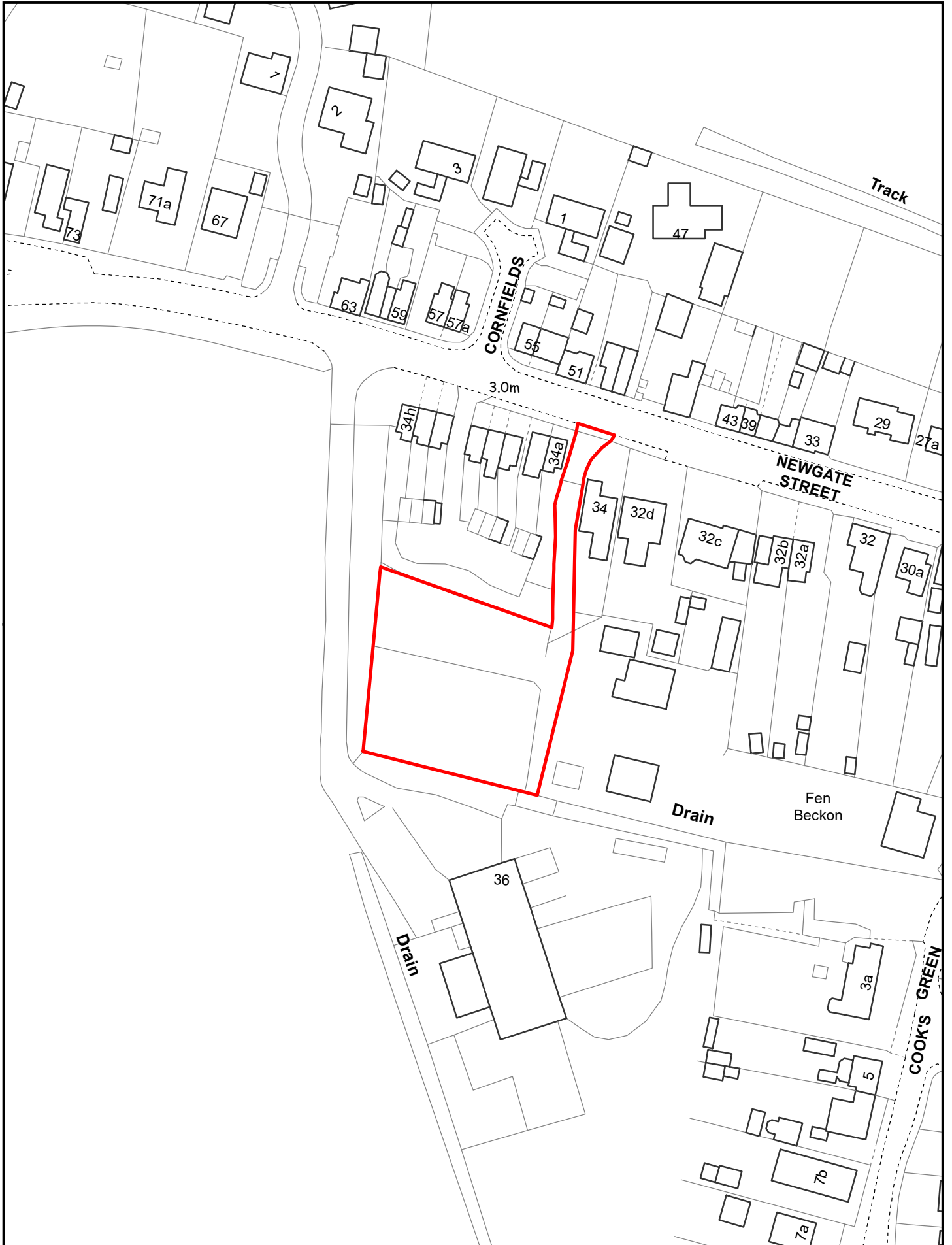
11 CONCLUSIONS

- 11.1 Notwithstanding any issues that could be resolved through submission of a detailed Reserved Matters applications, the application site is situated within Flood Zone 3. The application is not supported by sufficient evidence in respect of the Sequential or Exception tests and is therefore contrary to Policy LP14 and the adopted Cambridgeshire Flood and Water SPD or Section 14 of the NPPF. Furthermore, the development fails to accord with Local Plan policies LP12(Part A) and LP16(m) in that it would put future occupiers and their property at risk of flooding without justification.

12 RECOMMENDATION

12.1 **Refuse**, for the following reason:

1	<p>Policies LP12 Part A (j), LP14 and LP16 (m) of the Fenland Local Plan, Section 14 of the National Planning Policy Framework (2023) and Cambridgeshire Flood and Water Supplementary Planning Document (2016) require development proposals to adopt a sequential approach to flood risk from all forms of flooding. Policy LP14 states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management.</p> <p>The application does not include evidence in respect of the sequential or exception tests and therefore fails to provide demonstrable evidence that the scheme would be acceptable in respect of flood risk. The proposal is therefore contrary to Policies LP12 Part A (j), LP14 and LP16 (m) of the Fenland Local Plan (2014), Section 14 of the National Planning Policy Framework (2023) and Cambridgeshire Flood and Water Supplementary Planning Document (2016).</p>
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Created on: 11/07/2024











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F/YR24/0551/O

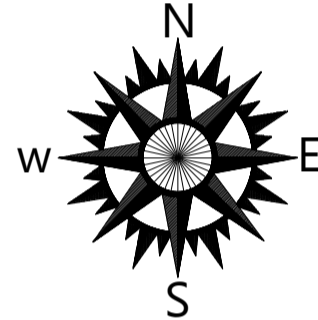
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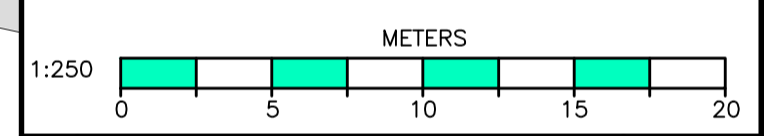
LEGEND:

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

INDICATIVE PROPOSED SITE PLAN (1:250)



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 Please read, if in doubt ask. Change nothing without consulting the Engineers.
 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



A	PLANNERS COMMENTS	JUL 2024
	REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED
 CONSULTING STRUCTURAL ENGINEERS

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 Website: www.mortonconsultingengineers.co.uk

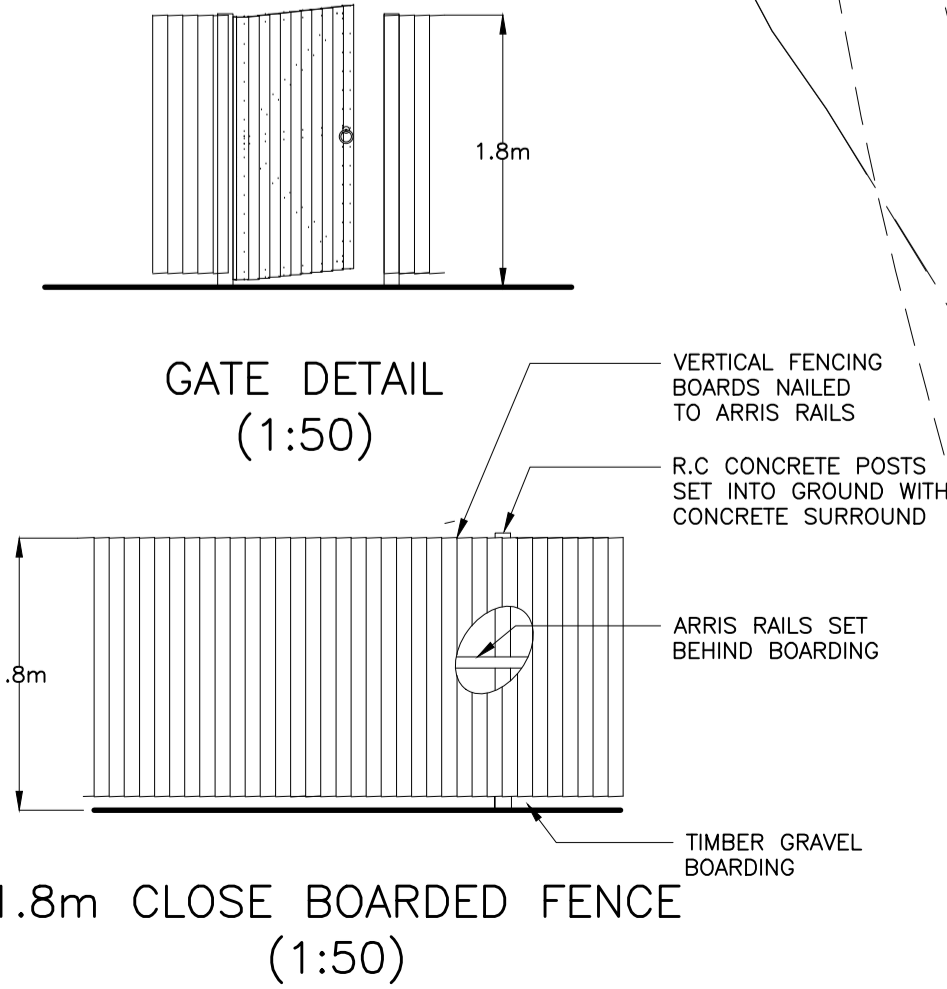
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 Building Design Awards
 winner
 Building Excellence in Fenland

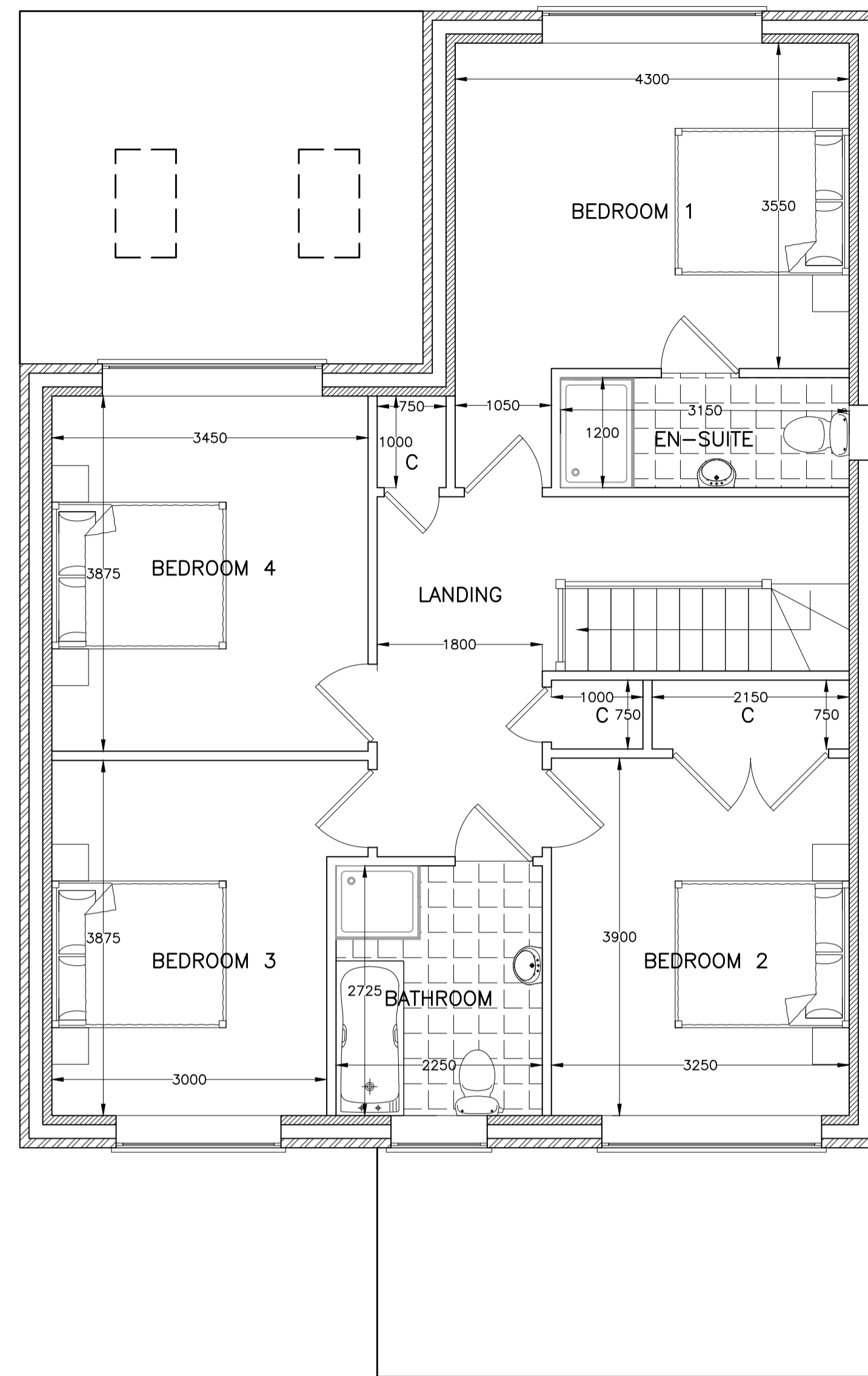
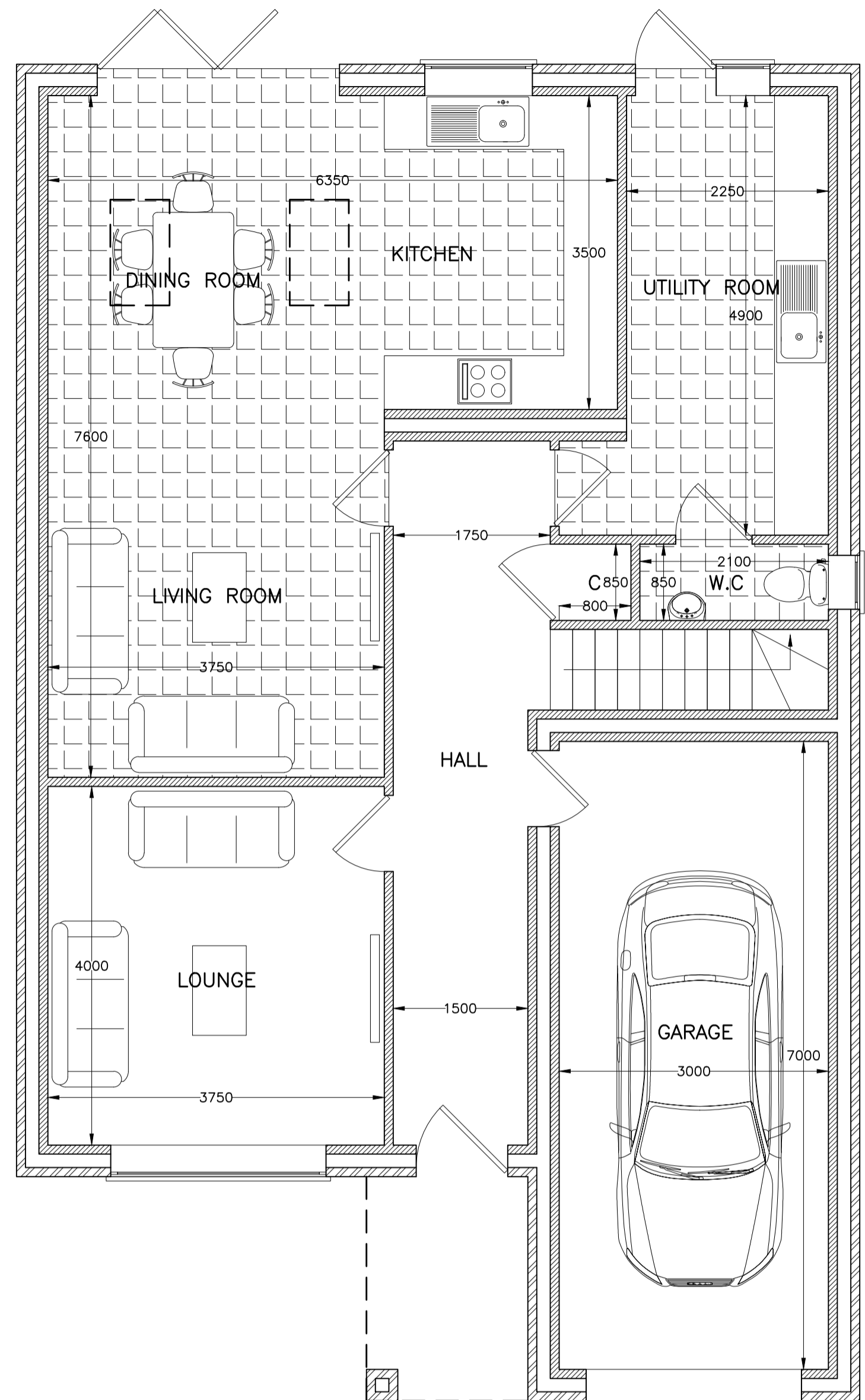
CLIENT
 Mr J Webb

PROJECT
 Land to the Rear of 34 – 34H Newgate Street
 Doddington, Cambridgeshire
 PE15 0SR

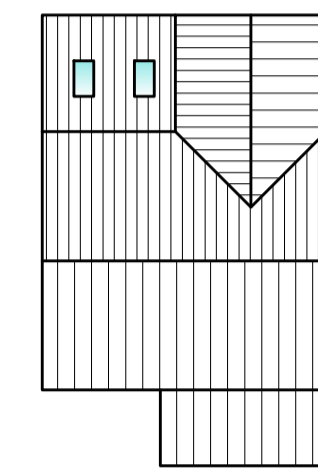
TITLE
 Proposed Site Plan
 With Indicative Layout

DRAWN G. Boreham	DATE OF ISSUE
CHECKED	
DATE Feb 2024	DRAWING NUMBER H9573/03A
SCALE As Shown	





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



PROPOSED ROOF PLAN (1:250)

REVISIONS	DATE

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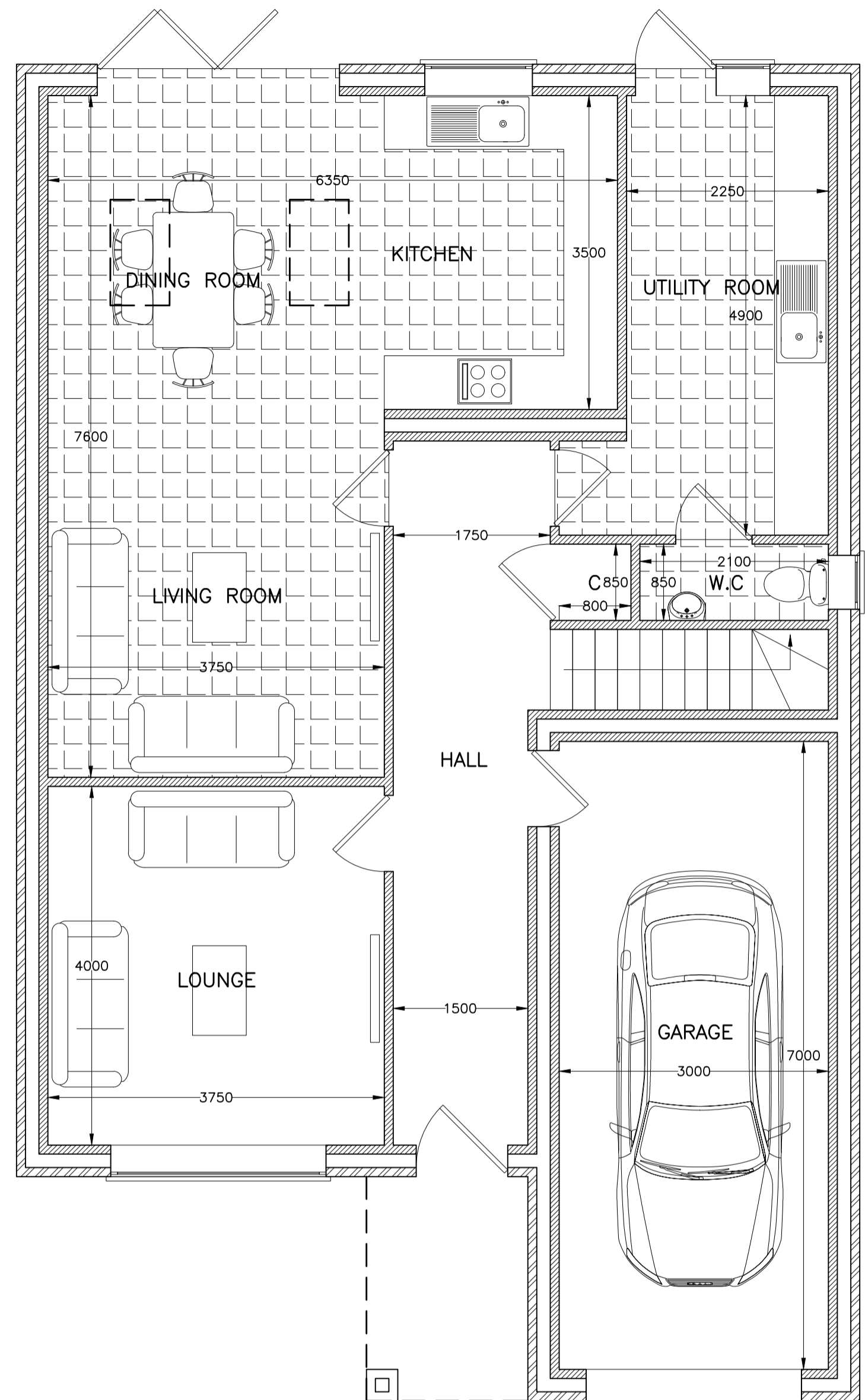
Fenland District Council Building Design Awards winner

CLIENT
 Mr J Webb

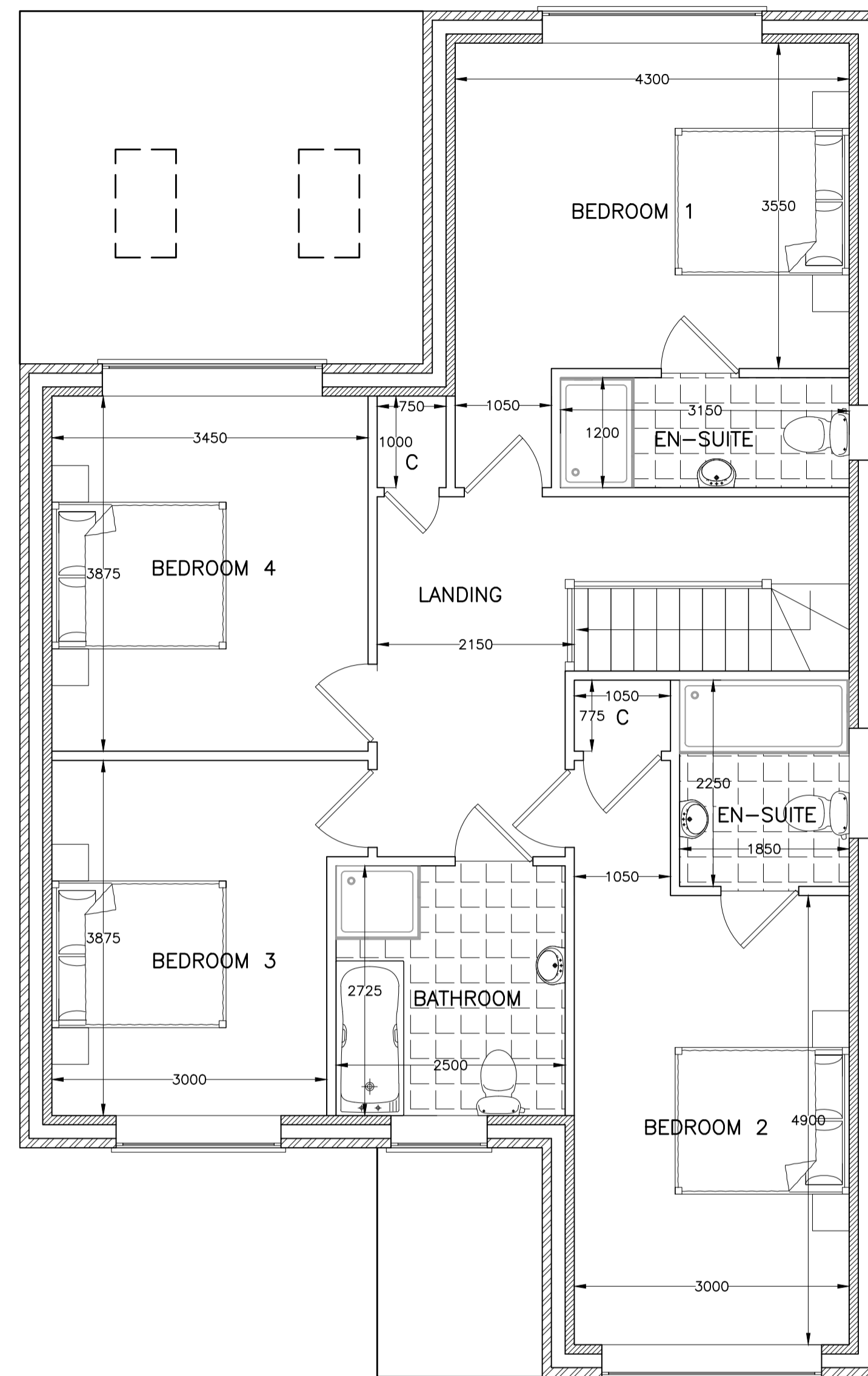
PROJECT
 Land to the Rear of 34 – 34H Newgate Street
 Doddington, Cambridgeshire
 PE15 0SR

TITLE
 Proposed Floor Plans
 INDICATIVE
 Plots 1 & 3

DRAWN G. Boreham	DATE OF ISSUE
CHECKED	
DATE Feb 2024	DRAWING NUMBER H9573/04
SCALE As Shown	

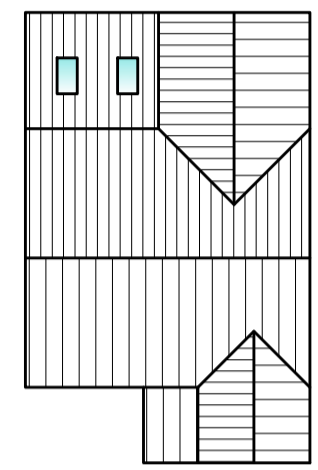


PROPOSED GROUND FLOOR PLAN (1:50)



PROPOSED FIRST FLOOR PLAN (1:50)

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 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



PROPOSED ROOF PLAN (1:250)

REVISIONS	DATE

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Fenland District Council Building Design Awards winner

CLIENT
 Mr J Webb

PROJECT
 Land to the Rear of 34 – 34H Newgate Street
 Doddington, Cambridgeshire
 PE15 0SR

TITLE
 Proposed Floor Plans
 INDICATIVE
 Plot 2

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DATE Feb 2024	DRAWING NUMBER H9573/05
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F/YR24/0115/FDC

**Applicant: Mr Mark Greenwood
Fenland District Council**

**Agent : Miss Molly Young
Wilby & Burnett LLP**

Land South West Of 2, Broad Street, March, Cambridgeshire

Erect a single storey toilet block

Officer recommendation: Grant

Reason for Committee: Fenland District Council Application

Government Planning Guarantee

Statutory Target Date For Determination: 2 April 2024

EOT in Place: Yes

EOT Expiry: 20 September 2024

Application Fee: £293

Risk Statement:

This application must be determined by 20.09.2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission for the erection of a toilet block to replace the previous facility that was demolished as part of the March Town Centre regeneration.
- 1.2 Following amendments to the scheme – including a revised siting and design, less than substantial harm has been identified as the impact on the adjacent Conservation Area and Listed Buildings. However, it is considered on balance that this is acceptable when having regard to the public benefit arising from the scheme.
- 1.3 The proposal is considered to be acceptable in all other regards, including design and character impact, and amenity impact.
- 1.4 As such, the recommendation is to grant planning permission, subject to conditions.

2 SITE DESCRIPTION

- 2.1 The application site is located within the Conservation Area of March and is also immediately adjacent to the boundary of the designated Town Centre.

- 2.2 The site is situated on the southern side of Grays Lane, which branches off the west at the bottom of Broad Street, and is approximately 25m from the junction between Grays Lane and Broad Street.
- 2.3 The site is also in close proximity to the riverbank – approximately 10m away – and has a number of trees present.
- 2.4 There are also a number of Grade II Listed Buildings in the vicinity of the site, the closest being Old Bank House to the north west of the site:
- 2.5 The proposals form part of the wider regeneration of March Town Centre.

3 PROPOSAL

- 3.1 The proposal seeks the erection of a new toilet block comprising 3no. additional toilets and a plant room.
- 3.2 The proposed palette of materials include red facing brickwork walls and reclaimed tiles on the roof.
- 3.3 Full plans and associated documents for this application can be found at:

[F/YR24/0115/FDC | Erect a single storey toilet block | Land South West Of 2 Broad Street March Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR24/0115/FDC | Erect a single storey toilet block | Land South West Of 2 Broad Street March Cambridgeshire (fenland.gov.uk))

4 SITE PLANNING HISTORY

Pertinent to this case is:

F/YR22/1319/FDC	Demolition of the public toilets and shelter within a conservation area	Granted 10.2.23
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5 CONSULTATIONS

- 5.1 **CCC Ecology**
No objections following clarification
- 5.2 **Conservation Officer**
Amended scheme results in less than substantial harm on the Conservation Area and should be weighed against the public benefit.
- 5.3 **March Town Council**
No objection
- 5.4 **Designing out crime Officer**
Provision of additional lighting, CCTV and secure plantroom doors should be incorporated and can be secured by conditions.
- 5.5 **CCC Archaeology**
No objections
- 5.6 **Middle Level Commissioners**

The site appears to involve development within the Commissioners' 20m byelaw strip. Development within, over, or under a Commissioners' maintained watercourse, or within the Commissioners' maintenance strip, requires the Commissioners' prior written consent.

5.7 FDC Environmental Health

No objection

5.8 Local Residents/Interested Parties

Objectors

One letter of objection was received from a resident of March, raising the following issues:

- Risk of antisocial behaviour based on the use of the old toilet block.
- Amenity impact on neighbouring property garden due to proximity of building to garden wall.
- Requested re-positioning of building above the pump out station.

Representations

Two letters were received from one resident of March, neither objecting or supporting the application, with the following points raised:

- CCTV should be incorporated on building to deter antisocial behaviour
- Comments by MLC regarding 20m byelaw noted
- The design is in keeping with the Conservation Area

6 STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) and March NHP 2017.
- 6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

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

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

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

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

Para. 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Public Spaces

Homes and Buildings

Fenland Local Plan 2014

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP6 – Employment, Tourism, Community Facilities and Retail

LP9 – March

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP18 – The Historic Environment

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:

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

- LP11: Community Safety
- LP16: Town Centres
- LP17: Culture, Leisure, Tourism and Community Facilities
- LP23: Historic Environment
- LP38: March Community Regeneration

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

DM6 – Mitigating Against Harmful Effects

March Neighbourhood Plan 2017

There are no relevant policies within the Neighbourhood Plan for the purposes of this application

8 KEY ISSUES

- **Principle of Development**
- **Impact on character and appearance**
- **Impact on amenities**
- **Impact on Designated Heritage Assets**
- **Other matters**

9 BACKGROUND

9.1 This application is made by Fenland District Council as part of the wider regeneration scheme of March Town Centre, in order to provide a new toilet block following the demolition of the previous facility.

9.2 The application has been amended in its lifetime to revise the design and siting of the building following comments from the Council's Conservation Officer and due to concerns with the loss of a tree considered to be of good quality and high amenity value. The changes proposed are as follows:

- Revised siting adjacent to eastern boundary of site.
- Building geometry re-aligned to create symmetrical roof.
- Overhang at front of building reduced in depth.

10 ASSESSMENT

Principle of Development

10.1 This proposal seeks the creation of a new public toilet facility following the demolition of the previous facility as part of the regeneration of March Town Centre.

10.2 On the basis that the proposal seeks to provide a replacement facility for one that was previously demolished, still within a town centre location, it is considered that the principle of development is acceptable in this instance.

Character and appearance impact

- 10.3 The proposal is for a single storey building fronting onto the highway with a pitched roof. The proposed palette of materials includes red facing brickwork with reclaimed pantiles on the roof.
- 10.4 The original siting of the building would have resulted in the loss of a sycamore tree that was considered to be in good condition and of good amenity value due to its prominent location. The siting of the building was revised to allow the retention of this tree. Whilst the revised location would still result in the loss of a purple maple tree, it is considered that its amenity value is less than that of the sycamore tree.
- 10.5 It is considered that there is still likely to be some impact on the trees to be retained, but it is considered unlikely that these impacts will result in a severe detriment to these trees that would result in a significant decline in their quality and visual value.
- 10.6 It is therefore considered, on balance, that the scheme is acceptable in character and appearance terms in this regard.
- 10.7 The site is situated immediately to the south of the built-up area of March Town Centre. As such, it is not considered that the introduction of a new structure in this location would be out of keeping or incongruous on the character and appearance of the street scene and landscape of the area.
- 10.8 The design approach and proposed palette of materials on the building is considered to be a sympathetic and appropriate response to the character and appearance of development in this location, having regard to Policy LP16 of the Fenland Local Plan.

Amenity Impact

- 10.9 The building is not located in close proximity to the boundary of any neighbouring properties, and its single storey nature ensures that there will be no adverse impacts on amenities arising from the development, particularly in terms of overlooking
- 10.10 Concerns have been raised in local representations as to the risk of anti-social behaviour in the vicinity of the proposed building, which could have the potential to impact on neighbouring amenities. Notwithstanding this, proposals include the provision of CCTV and external lighting that will significantly reduce the risk of anti-social behaviour and ensure that suitable levels of residential amenity is maintained for residents in the surrounding area.
- 10.11 As such, it is considered that the proposal has appropriate regard to Policy LP16 of the Fenland Local Plan in respect of the retention of residential amenity.

Impact on designated heritage assets

- 10.12 The application site is located outside, but immediately adjacent to, the March Conservation Area. There are also a number of Grade II Listed Buildings in the surrounding area, particularly present in March Town Centre.
- 10.13 The Council's Conservation Officer raised concerns with the original scheme in respect of location of the site and original design of the proposed building. These concerns related to the site appearing in a sensitive and prominent location and the subsequent visual impacts arising from the development.

- 10.14 Following amendments to the scheme in respect of the siting and design of the building – particularly changes to the roof – revised comments were received from the Conservation Officer that concluded less than substantial harm on the low end of the spectrum would result.
- 10.15 Notwithstanding the less than substantial harm, it was also acknowledged that there would be a degree of public benefit arising from the scheme, and that this should be weighed in the overall planning balance as required by para 208 of the NPPF.
- 10.16 When considering the public benefits arising from the scheme – particularly the provision of a much-needed facility to replace that which was previously demolished – it is considered that this would outweigh the less than substantial harm identified.
- 10.17 It is subsequently concluded that the proposal would have appropriate regard to Sections 66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990, and Policy LP18 of the Fenland Local Plan in respect of the preservation of the character, appearance and setting of the Conservation Area and nearby Listed Buildings.

Other Matters

- 10.18 The comments of the Middle Level Commissioners are noted in that the site is located within a 20m byelaw strip, and that permission will be required from the Commissioners before any development can take place.
- 10.19 Whilst not a consideration in the determination of this application, the comments are noted and it is recommended that an informative is placed on any permission granted to this effect.

11 CONCLUSIONS

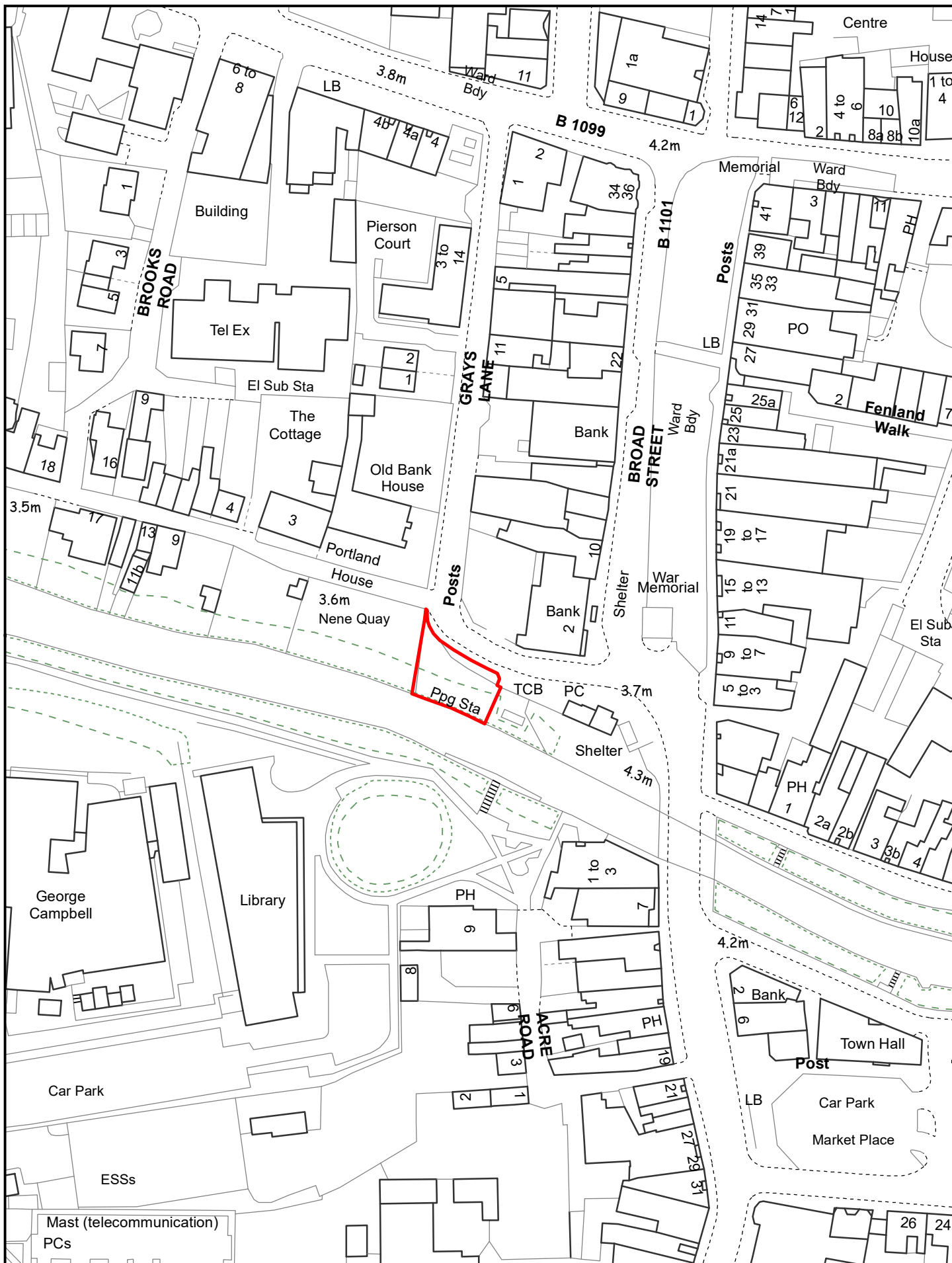
- 11.1 The proposal seeks planning permission for the erection of a toilet block to replace that previously demolished as part of the regeneration of March Town Centre.
- 11.2 The proposal is considered to be acceptable in all technical respects – design, amenity and, on the balance of public benefit, impact on designated heritage assets. Accordingly, it is considered that the proposals are acceptable in planning terms and planning permission should be granted in this instance.

12 RECOMMENDATION

Grant; subject to the following conditions:

1	The development permitted shall be begun before the expiration of 3 years from the date of this permission. Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2	Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local

	Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes. Reason - To ensure that retained trees are adequately protected.
3	The development hereby permitted shall be carried out in accordance with the following approved plans and documents



Created on: 21/02/2024

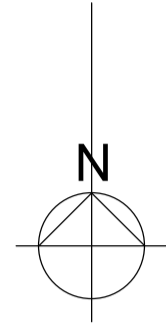
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GRAYS LANE

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KEY

- = BOUNDARY OF OWNERSHIP
- = SITE BOUNDARY
- - - = ROOF OVERHANG
- = DEMOLISHED
- = GRADIENT CONTOUR LINES / LEVELS
- = NEW GRASSED AREA
- = NEW HARDSTANDING AREA

PLANNING

NEW TOILET BLOCK
 GRAYS LANE
 MARCH
 PE15 8TQ

FENLAND DISTRICT COUNCIL

SITE PLAN AS PROPOSED

RIBA Chartered Practice

wilby & burnett

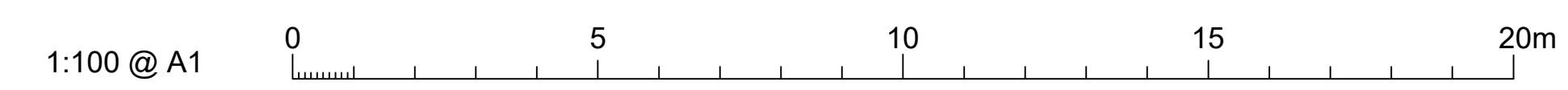
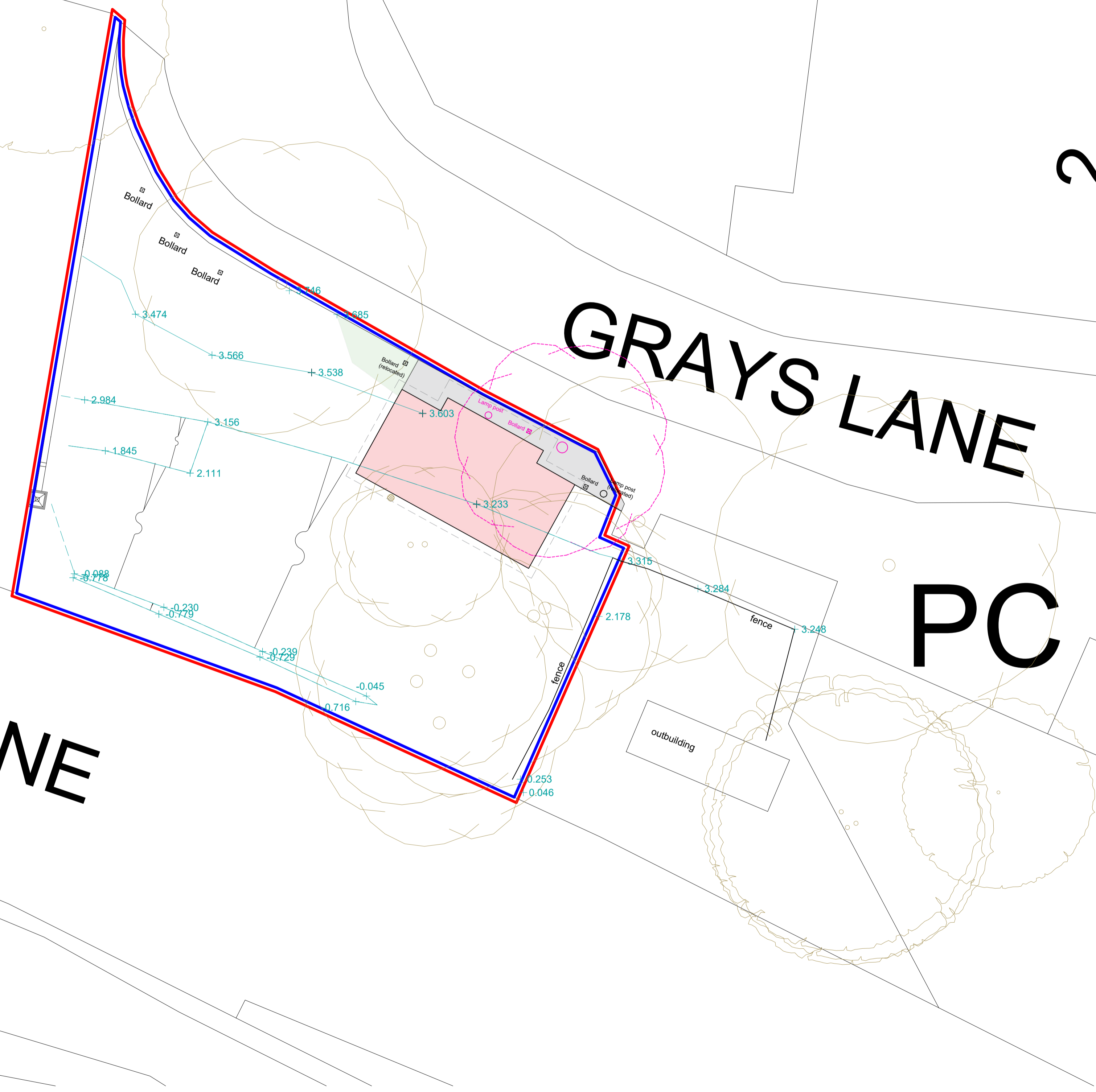
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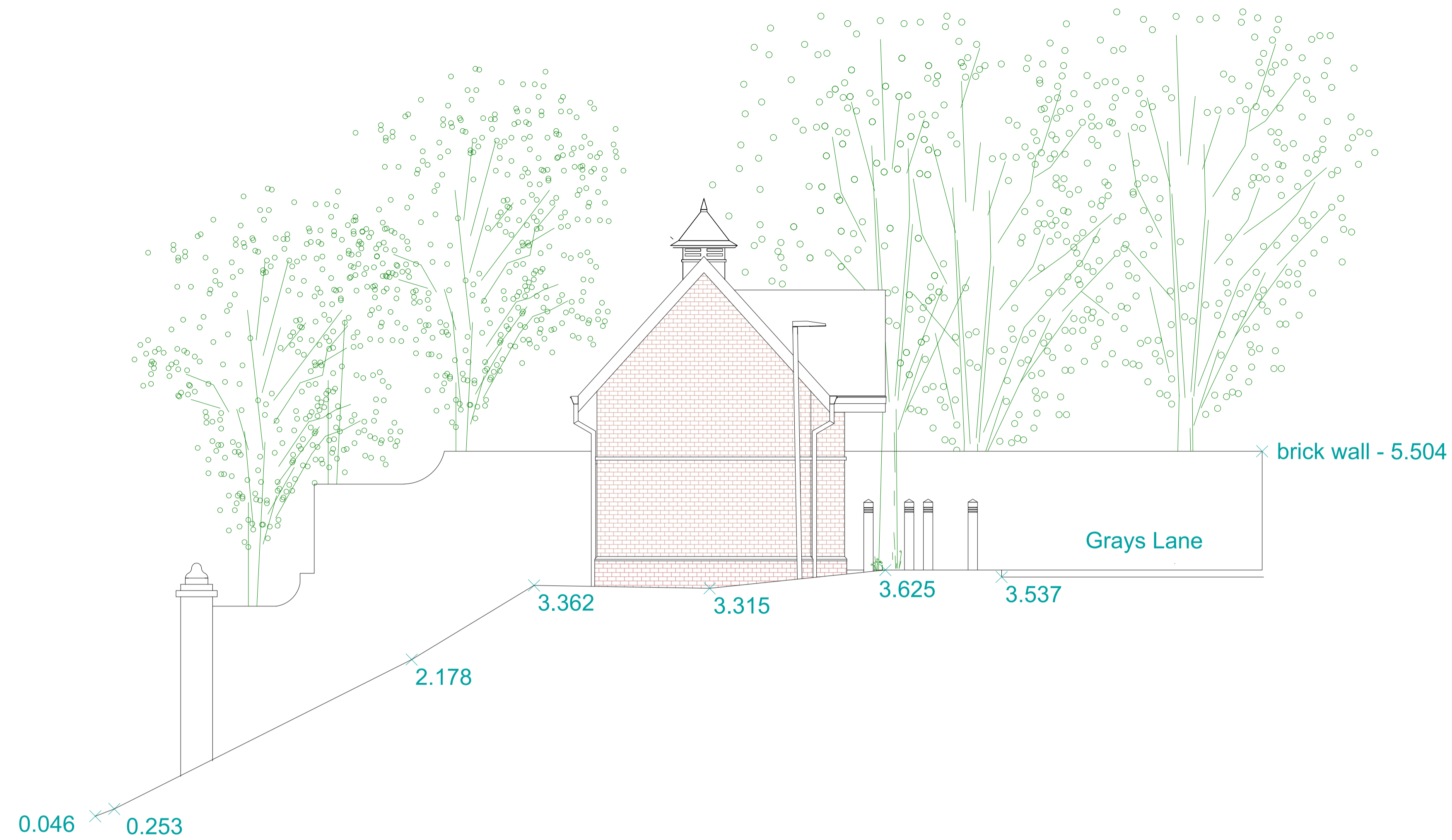
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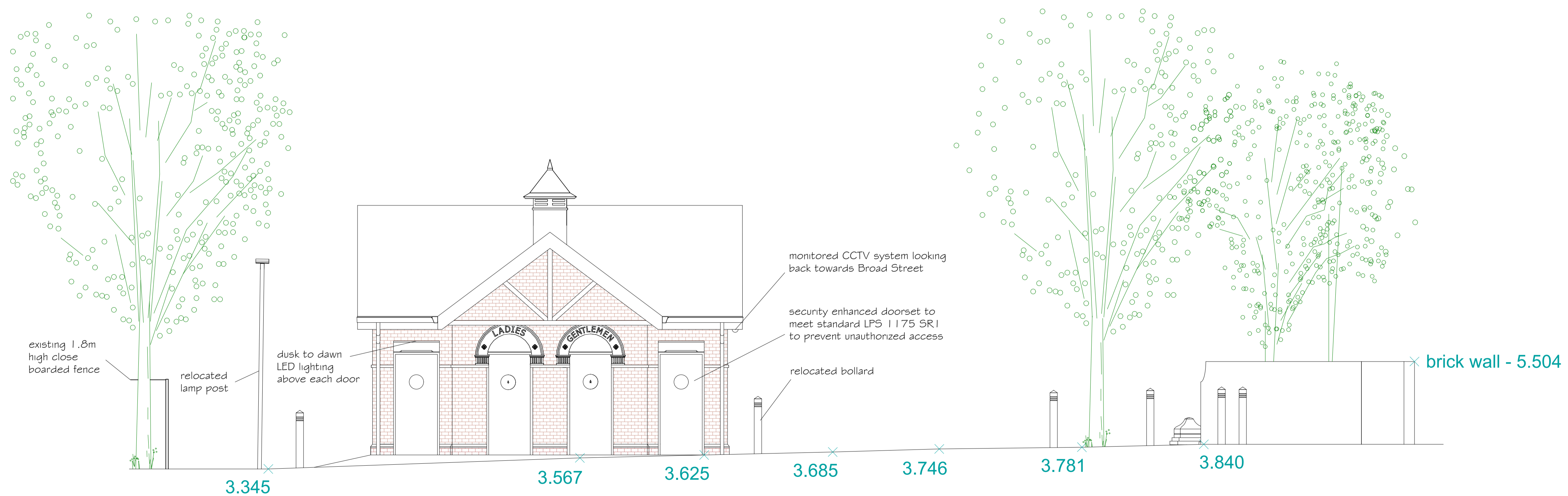


NORTH WEST ELEVATION AS PROPOSED 1:50 @ A1

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NORTH EAST ELEVATION AS PROPOSED 1:50 @ A1



PLANNING

NEW TOILET BLOCK
GRAYS LANE
MARCH
PE15 8TQ

FENLAND DISTRICT COUNCIL

NORTH WEST & NORTH EAST
ELEVATIONS AS PROPOSED

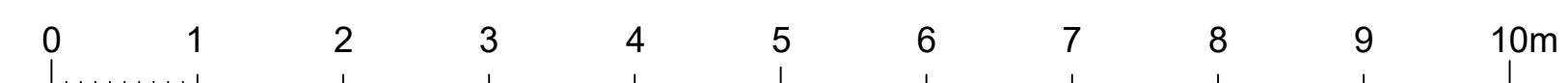
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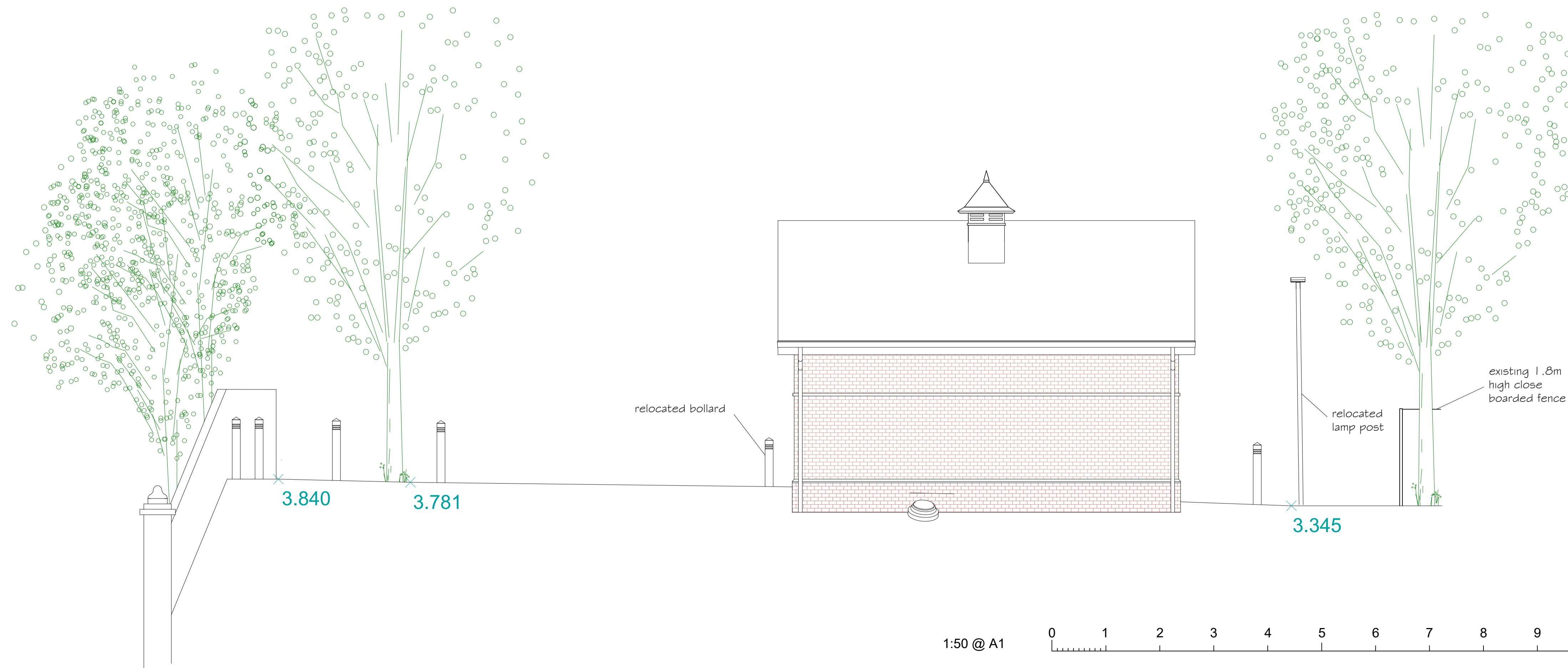
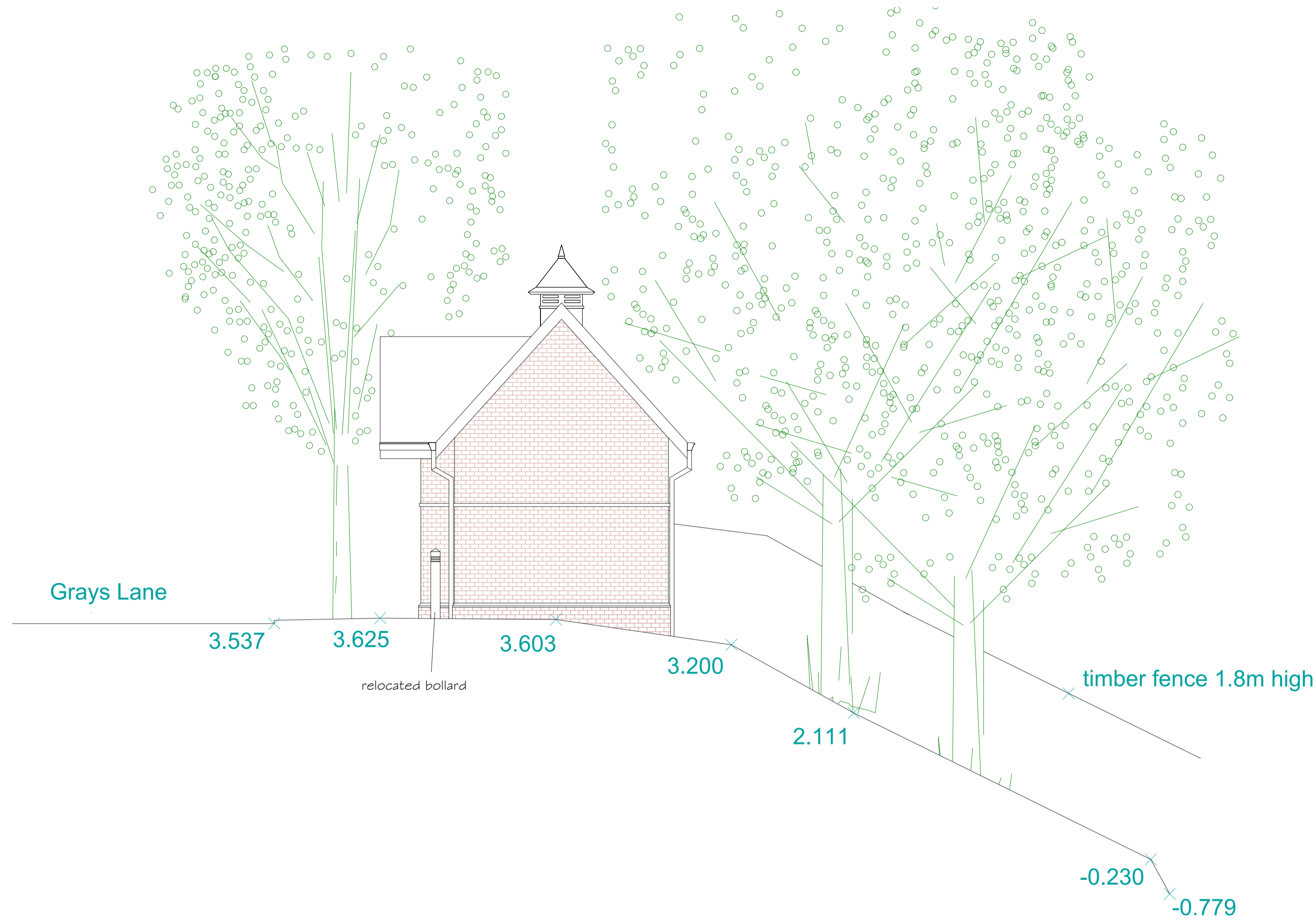
JUNE 2024 MY

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1:50 @ A1





PLANNING

NEW TOILET BLOCK
GRAYS LANE
MARCH
PE15 8TQ

FENLAND DISTRICT COUNCIL

SOUTH WEST & SOUTH EAST
ELEVATIONS AS PROPOSED

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1:50 @ A1 LT

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