

## AGENDA

### PLANNING COMMITTEE

WEDNESDAY, 8 JANUARY 2025

1.00 PM

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

Committee Officer: Jo Goodrum  
Tel: 01354 622424  
e-mail: memberservices@fenland.gov.uk

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 5 - 20)  
  
To confirm and sign the minutes from the previous meeting of 27 November 24..
- 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/YR23/0550/F  
Phase B Land East Of, Berryfield, March  
Erect 18 x dwellings (12 x 2-storey, 4-bed and 6 x 2-storey, 3-bed) with associated infrastructure and the formation of 2 x balancing ponds and public open space (Pages 21 - 36)  
  
To determine the application.
- 6 F/YR23/0940/F  
Land West And South Of 74, West Street, Chatteris,br/>Erect 70 x dwellings (29 x 2-

bed 2-storey, 29 x 3-bed 2-storey, 6 x 4-bed 2-storey and 6 x 2-bed single-storey)  
(Pages 37 - 64)

To determine the application.

7 F/YR24/0365/F

Sims Contract Furniture Limited, Plash Farm House, Plash Drove, Tholomas Drove  
Wisbech

Erect 1 x dwelling (2 storey, 4 bed) with a 1.8m (max height) front boundary wall (in  
association with existing business) and the formation of an access, involving the  
demolition of existing outbuildings (Pages 65 - 78)

To determine the application.

8 F/YR24/0339/O

12 School Lane, Manea, March, PE15 0JN

Erect up to 2 dwellings (outline application with matters committed in respect of  
access) involving demolition of existing outbuilding and part of existing dwelling  
(Pages 79 - 92)

To determine the application.

9 F/YR24/0813/O

Land East Of, 64 - 72 Sutton Road, Leverington

Erect 1 self-build dwelling (outline application with all matters reserved) (Pages 93 -  
104)

To determine the application.

10 F/YR24/0211/O

Land North Of, 35 Whittlesey Road, March

Erect of up to 19 x dwellings involving culverting the drain for access (outline  
application with matters committed in respect of access) (Pages 105 - 126)

To determine the application.

11 F/YR24/0557/F

Land South Of Swan Cottage Benwick Road Accessed From, Dykemoor Drove,  
Doddington

Erect a hay store, 1.5m high weld mesh and 1.8m high close board boundary fencing  
(retrospective) (Pages 127 - 134)

To determine the application.

12 F/YR24/0783/O

Land North East Of Highfield Lodge, Doddington Road, Chatteris

Erect up to 2 x dwellings (outline application with all matters reserved) (Pages 135 -  
148)

To determine the application.

13 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 R Gerstner, Councillor S Imafidon and Councillor E Sennitt Clough,

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## PLANNING COMMITTEE



**WEDNESDAY, 27 NOVEMBER 2024 - 1.00 PM**

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

Officers in attendance: David Rowen (Development Manager), Stephen Turnbull (Legal Officer), Gavin Taylor (Principal Development Officer) and Jo Goodrum (Member Services & Governance Officer)

### **P63/24      PREVIOUS MINUTES**

The minutes from the meeting of 30 October 2024 were signed and agreed as an accurate record.

### **P64/24      F/YR23/0766/F LAND NORTH OF 129, KNIGHTS END ROAD, MARCH CONSTRUCTION ACCESS FOR THE CONSTRUCTION OF THE FIRST 201 DWELLINGS AT WEST MARCH (OUTLINE PLANNING APPLICATION F/YR21/1497/O REFERS)**

This item was withdrawn.

### **P65/24      F/YR21/1497/O LAND WEST OF, THE AVENUE, MARCH ERECT UP TO 1,200 X DWELLINGS WITH ASSOCIATED INFRASTRUCTURE, PUBLIC OPEN SPACE, ALLOTMENTS/COMMUNITY GARDEN, LOCAL CENTRE AND PRIMARY SCHOOL, INVOLVING THE DEMOLITION OF EXISTING BUILDINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)**

Tim Williams presented the report to members and drew their attention to the update report which had been circulated.

Members received a presentation, in accordance with the public participation procedure, from Colin Male, an objector. Mr Male stated that he is a resident of Knights End Road and is responsible for a petition regarding site access, with Knights End Road now being a through road for traffic that requires access or egress onto or from the A141. He made the point that the road has a 30mph restriction, however, not many users are aware of it or adhere to the limit and the footpaths are narrow and as a dog walker he does not feel safe.

Mr Male referred to the presentation screen and explained that the road serves a large number of houses in the lower Cavalry Drive area and with the new development due to take place in Springfield Avenue, Princess Avenue and the site near Neale Wade School then much of the traffic will find its way onto Knights End Road in order to gain access to the bypass. He explained that Knights End Road is not a road like Wisbech Road or The Avenue as both of those are sufficiently wide to cater for large volumes of traffic, with the road having twists and turns and varies in width whilst narrowing quite considerable near the junction with the A141.

Mr Male referred to the presentation screen and explained that the junction is considered by many to be dangerous, due to the fact that it is difficult to judge the speed and distance of traffic especially when coming from the Mill Hill roundabout end when attempting to turn right onto the bypass as the sight line around the bend is very poor. He made the point that by allowing up to 200 more housing units with its inherent car ownership and sole access off of Knights End Road, will only compound the problems for road users and increase the likelihood of an accident at the A141 junction and at the newly created junction at the children's nursery.

Mr Male explained that the developer has included the provision of a roundabout on the A141 midway between Knights End Road and Burrowmoor Road, but only in Phase 2, following the build out of 200 dwellings and during the planning process he has repeatedly requested that the roundabout is constructed first within Phase 1 in order to allow construction traffic to access the site easily without the need to use Knights End Road and the A141 junction and it will also allow new residents to access the bypass without the need to add to the traffic along Knights End Road. He explained that access to the schools and the town away from the bypass can still be achieved from the new Knights End junction.

Mr Male added that there is a separate application with regards to the construction traffic access but, in his opinion, the solution he has set out solves that issue and provides a commitment from the developer to build the site out as outlined and actually construct a roundabout. He explained that the Gaul Road traffic lights took an age and a fight to get them constructed and in the current economic climate it is possible that Persimmon Homes could abandon the site after completing Phase 1 which would mean that all 200 dwellings would have to access their properties solely off of Knight End Road.

Mr Male added that the approval of the Broad Concept Plan during Covid restrictions is purely a concept, an idea and an outline and it does not mean anything is set in stone and he asked for the proposed A141 roundabout to be constructed before the housing works commence and that it is added as a condition of approval.

Members asked Mr Male the following questions:

- Councillor Marks stated that he also shares the same concerns, and he added that he knows the road and the fact that there is also a nursery along the road. Councillor Marks asked that when the refuse freighter is servicing the road are there any instances of bottlenecks along the section of road leading into the town. Mr Male explained that it bottlenecks in several places and in particular when children are dropped off at the nursery. He added that there are other instances on the bends of the road where cars are parked where it causes issues along with the restrictions in width in certain parts of the road and also when coming up to the A141 junction.
- Councillor Connor stated that he agrees that at the far end of the road going towards the bypass, there is no path, and you have to walk on the road. He added that he agrees with Mr Male as the road does taper in at three or four locations. Councillor Connor stated that the fact that the construction access is right beside the children's nursery, he wholeheartedly agrees that it is not the right place for construction traffic to be accessing the site.
- Councillor Imafidon stated that where the access is beside the nursery in order for groundworks to begin it will be necessary for lorries to wait by the nursery entrance to access the site. He added that there is also a bend to consider and by the nursery as you approach it from the A141 is very narrow. Councillor Imafidon stated that he echoes the concerns of Mr Male with regards to the access to the site.

Members received a presentation, in accordance with the public participation procedure, from Anne Dew, the applicant. Ms Dew stated that she is the Head of Planning at Persimmon Homes East Midlands and she was accompanied by Ben Purdy, Technical Director, Michelle Jeffrey, Land Director and Rob Hill, the Drainage Consultant. She stated that Persimmon Homes are very proud of the application which will deliver up to 1200 much needed zero carbon ready homes on an

allocated site, with the homes being complimented by major infrastructure improvements including land for a Primary School, a number of local highways upgrades, delivery of three new play areas and over 17 hectares of public open space.

Ms Dew explained that whilst the application is in outline form the future reserved matter submission will provide for a range of house types and sizes, many of which will help first time buyers to own their own home. She explained that within the 1200 units, 240 new homes will be provided for those in housing need and the tenure of the houses will be agreed as part of any reserved matters submission, with these homes helping the Council tackle the number of people in temporary accommodation or those waiting for accommodation and all dwellings will be zero carbon ready and highly sustainable.

Ms Dew explained that the houses will be built in accordance with the latest building regulations and will have enhanced insulation, solar panels and electric charging points. She made the point that the application is the product of over four years work and has undergone extensive consultation and collaboration with both District and County Council Officers and statutory consultees.

Ms Dew stated that the first step of the process was to prepare, in collaboration with the Council, a Broad Concept Plan (BCP) for the whole allocation and that BCP was approved in July 2021 and the current application has been designed to accord with the BCP. She added she is pleased to see that the application has been recommended for approval and a high-quality scheme has been achieved which is policy compliant and delivers on the Council's priorities.

Ms Dew stated that alongside the onsite delivery of the green infrastructure and land for both a new school and local centre, the scheme will also secure a number of highway improvements which include improvements to footpaths and public rights of way both on and off site. She added that it will also include a March Area Transport Study contribution of just over £550,000 which can be used towards either the scheme at Peas Hill roundabout or any other scheme identified in the study.

Ms Dew explained that it will also include improvements to the Gaul Road/A141 junction, improvements to the Slade End roundabout in Chatteris as well as improvements to the A141/A605 signalised junction. She made the point that alongside the highways works there is also a contribution towards the introduction of a bus service on site, together with associated on and offsite infrastructure and the contribution will be in excess of £3.1 million towards Highways and bus service provision within March.

Ms Dew added that a further £2.4 million contribution will be made towards education, local health care services, libraries and sports facilities in the district along with a contribution of just over £419,000 for off-site sport pitch improvements, currently ear marked for the 3G pitch at Estover Road. She stated that in the summary of the officer's report it states that Persimmon Homes are providing above the fair share of infrastructure for the overall allocation particularly with the costs associated with the new roundabout on the A141.

Ms Dew added that the scheme has been designed to accord with the BCP and prides itself on an attractive scheme which has been sensitively designed to respect the existing character of the local area. She explained that if the application is approved then she will look to submit a reserved matters application shortly to secure the details of the first phase of the development and as part of the process she will be seeking to discharge all outline planning conditions which would include a construction management plan.

Ms Dew concluded by stating that the development will seek to deliver up to 1200 dwellings including affordable housing, land for a new primary school and local centre, 17 hectares of public open space, three new play areas and significant highway improvements. She added that there will

also be a contribution towards local services along with a new bus route for the benefit of March and explained that during the delivery of the scheme there will also be opportunities available for local employment, apprentices and it will contribute to the local economy once the dwellings are occupied.

Ms Dew made the point that it is a positive development which, in her opinion, will benefit the local area and with the support of the committee it is hoped that the proposal will come to fruition.

Members asked the following questions:

- Councillor Imafidon asked why consideration had not been given to the construction of the roundabout first of all and what consideration had been given with regards to the diversion of construction traffic from Knights End Road, due to the narrowness of the road in places and also the close proximity of the access point to the children's nursery. Ben Purdy, the Technical Director of Persimmon Homes, stated that the auto tracking of HGV vehicles in Knights End Road has demonstrated that the road can accommodate large vehicles. He added that whilst he has listened to the concerns of the committee, the Highway Authority have been consulted with and have stated that Knights End Road is a suitable construction route.
- Councillor Imafidon stated that Knights End Road is acceptable only by virtue of the fact that most homes along the road park their vehicles on their driveways. He added that if there are lorries, construction traffic or parents dropping off their children to the nursery whilst construction is taking place then that will be a different matter. He asked the applicant to consider why their strategy cannot be changed to make the lives of the local residents easier? Ben Purdy explained that as part of the discharge condition application which will hopefully come forward there will be the requirement to provide a construction management plan which will include routes and could also include specific timings for deliveries. He explained that it could stipulate that no deliveries take place during nursery drop off and pick up times.
- Councillor Mrs French stated that Ms Dew has explained that the reserved matters application will be submitted shortly, and she asked for the expected timescales with regards to that application submission. Ms Dew explained that if the application is approved then there will be the need to go through the Section 106 process with officers which is likely to take in the region of 6 months and then there will need to be the discharge of conditions and then the submission of the reserved matters application. She added that once the Section 106 has been signed then work will be underway in the background on the reserved matters in order for its submission. Ben Purdy explained that work is already taking place with officers with regards to Phase 1.
- Councillor Mrs French stated that with regards to Knights End Road access, in her opinion, it is totally unsuitable as it is a residential area and has a weight limit of 7.5 tonnes which is always ignored. She explained that the road suffers from speeding vehicles, and she added that in 2003 at Gaul Road a roundabout was promised by another developer, however, that never came to fruition and traffic lights were implemented instead. Councillor Mrs French made the point that she has concerns that this application will replicate that application and there will be no roundabout installed due to affordability issues.
- Councillor Mrs French referred to literature which had been sent by Persimmon which contains information concerning upgrade works to Peas Hill Roundabout, however, she is aware that those works were withdrawn at a March Area Transport Strategy (MATS) meeting last week. She asked for clarification with regards to works at the Gaul Road junction with the A141, as the works to install traffic lights cost £2.6 million pounds. She added that the literature details £25,000 towards traffic signals on the A141 junction with the A605, but, in her opinion, there is nothing wrong with the existing traffic signals and under the MATS scheme it is actually at the Hobbs Lot Bridge where works are planned. Councillor Mrs French made the point that the Public Rights of Way do need upgrading and she added that she is intrigued to read the £244,000 towards improvements to Slade End in Chatteris and she questioned what that has to do with March and why is that being incorporated in the Section 106 when that is for a totally different town. Michelle Jeffrey, the Land Director for



Persimmon Homes, explained that these are all mitigation measures which have been put forward by the County Council Highways Team and they have suggested that these are the elements that Persimmon need to pay towards.

- Councillor Gerstner stated that access is a very big concern and in the officer's report, the Highway Authority have recommended 16 conditions and one of those is the Knights End Road site access. He added that another is with regards to the Slade End roundabout prior to occupation of the 50<sup>th</sup> dwelling, as well as the delivery of the A141 Gaul Road junction improvements. He asked the representatives of Persimmon Homes whether they are able to categorically confirm that they are able to deliver the 16 detailed conditions? Ben Purdy confirmed that they are.
- Councillor Marks stated that he has major concerns regarding the application, and he has seen applications before where building construction sites have timed deliveries which never work, meaning lorries are left parked on roadsides unable to access the sites. He made the point that with 201 dwellings before the roundabout is in place, there is a likely to be 300 cars trying to access the site as well as construction traffic. Councillor Marks referred to the Considerate Construction Scheme which he understands Persimmon are members of and he expressed the view that surely it would be more considerate to put the roundabout in at Phase 1 as opposed to Phase 2 due to the impact that is likely to be caused to the rest of March, which, in his view, would be unacceptable. He referred to the affordable homes element of the application and stated that the building is being phased and he questioned when the affordable homes are being implemented. Michelle Jeffrey stated that at the current time there is significant infrastructure which is required at the beginning of the project and, therefore, they have suggested to the Council that there may be a lower number of affordable homes delivered in the first phase and then higher amounts in the subsequent phases so that 20% of affordable homes are delivered across the entire site.
- Councillor Marks asked what guarantees are in place if the number of affordable homes delivered are low to begin with and then Persimmon decide that the scheme is no longer viable and is either pulled or mothballed. He asked whether Persimmon would not feel more comfortable that the 20% of affordable homes were achieved in Phases 1 and 2? Michelle Jeffrey stated that in an ideal world then it would be nice to be able to achieve 20% in the first couple of phases but due to significant costs such as £3.1 million pounds highways costs, electricity to the site as well as a significant amount of money required for the foul pumping station which is needed. She explained that the infrastructure costs are likely to be £10 million before one home is even built. Michelle Jeffrey explained that part of the plan through the Section 106 negotiations is to work with the authority to arrive at a solution that works for everybody, and she added that the aim is to deliver 20% but it is just not possible to deliver that percentage in the first phase. Councillor Marks asked whether the delivery would be achievable in Phases 1 and 2? Michelle Jeffrey stated that at the current time the suggestion is that 10% will be delivered in the first phase and then increased percentages going forward to make sure that the 20% is delivered overall.
- Councillor Connor expressed the view that he does not think that the application has been well thought out and he questioned who will be responsible for the 17 hectares of open space and the three play areas as the Council will not assume responsibility for them without any financial recompense that it would deserve. Michelle Jeffrey stated that a management company will be appointed which the residents will sign up to as soon as they take up occupation. She added that Persimmon Homes will look after the open space until it is handed over to the management company and then they will assume responsibility going forward.
- Councillor Connor stated that some members have asked for the roundabout to be delivered prior to the commencement of the construction of the dwellings. He added that whilst he appreciates all of the upfront costs and the need to have the finances in place to do it, Persimmons are a very large builder, and the application is only a small development to them in the bigger scheme of things. Councillor Connor stated that he is very unhappy about the traffic going down Knights End Road and exceptionally unhappy about the entrance being opposite Mill Hill Lane. He expressed the view that he has serious concerns when

considering the access point by the nursery and he asked whether there is going to be any reconsideration given so that the roundabout is constructed first. Michelle Jeffrey stated that they are willing to work with the Council to deliver something that works for all parties concerned, however, there does need to be some access via Knights End Road because ultimately the roundabout does need to be constructed and that cannot be done solely from the A141. She added they are willing to consider a lower number of occupations before the roundabout is required.

- Councillor Connor stated that he is grateful for agreeing to walk towards the issue because, in his opinion, there are other options such as a slip road which could be constructed off of the A141 and as long as it can accommodate a 40 tonne lorry it does not need to be up to a proper adoptable standard. He added that a compound could be constructed there and operate from there which would be closer to the proposed roundabout location and will save time and money. Councillor Connor stated that there will also be financial savings in the long run because in three years' time, the costs of construction will have increased hypothetically. Michelle Jeffrey stated that it is something to consider but it would need the approval of the Highway Authority to have a slip road off of the A141, but at the current time they are in support of the proposed access off of Knights End Road with the roundabout at a later date. Councillor Connor stated that he uses the road regularly and he can already see traffic issues at the current time.
- Councillor Benney stated that he appreciates how much work has gone into the application and made reference to the application which has been withdrawn which sets the scene, in his opinion, for how the application before the committee can progress, making the point that the construction site and the access for Phase 1 which is still in the application being determined has been withdrawn. He expressed the view that the application is now incomplete because there is no access into the site and it is clear that as applicants they acknowledge the fact that there is a need for that site but if that cannot be agreed as that application was withdrawn with a recommendation of refusal, and he questioned how as applicants can they proceed by not having the access for the construction site agreed. Michelle Jeffrey stated that the construction access which was withdrawn was for a second piece of land that Persimmon are in control of. She added that she is aware that there are concerns around the construction access point off of Knights End Road and for that reason there was some investigation works undertaken to explore the possibility of using that separate piece of land which is much closer to the A141 as an access, however, despite the number of changes that were made to it the decision was made that it would not be suitable for Highways and it was decided to withdraw the application rather than waste the time of the committee when it was already recommended for refusal. Michelle Jeffrey stated that it is a separate piece of land and does not form part of the application. Councillor Benney stated that it formed the access for the first phase of the development which is for 201 homes. Michelle Jeffrey explained that it was just going to be a secondary construction access and there was still the intention of having the main access off of Knights End Road but that was only to be for residents and the second access that was submitted was supposedly just for construction only and that would avoid lorries going up and down Knights End Road.
- Councillor Benney expressed the view that he welcomes the application as the homes are much needed, however, he does have concerns that those aspects of the application that are promised will not come forward as the committee have seen this happen on numerous times. He stated there is the need for social housing in Fenland to overcome the problem of those people living in temporary accommodation and if the 20% allocation of affordable housing can be achieved, he would be delighted, but the fact that the number of affordable homes in the early phase of the development is lower and then there is some uncertainty whether the remaining affordable homes will be delivered concerns him greatly that the 20% will not be achieved. Councillor Benney made the point that if he was in the developers position, he would do everything possible to maximise their profits but as councillors there is the need for the homes to be delivered and he would like assurances that the social housing can be delivered.
- Councillor Benney stated that he is delighted to hear about the financial contribution to the

Slade End roundabout, which he welcomes, and he made the point that Persimmon have delivered a very nice development in Chatteris. Michelle Jeffrey stated that they have every intention of delivering 20% affordable housing across the scheme and whilst Persimmon are a large developer and have resources, they can only be used towards certain amounts of items and at the moment the majority of the highway improvements are requested within the first phase. She added that the roundabout is going to be delivered within the first phase as well as all the highways' contributions, Section 106 contributions, pitch contributions as well as 20% affordable homes and all of this is not achievable at once, hence the request for some flexibility. Michelle Jeffrey made the point that if members preference is for affordable housing and if the committee are willing to recommend some triggers for the other things to be later in the development then that is something that can be looked at, however, at the current time, work is being undertaken on the triggers that have been recommended by the Highway Authority.

- Councillor Benney asked whether Persimmon have engaged with a housing provider yet for the scheme? Michelle Jeffrey explained that at the current time there is no housing provider in place, however, there is a housing provider who has expressed a significant interest and are interested in taking on all the affordable housing for the whole scheme. Councillor Benney asked whether that would be for the 20% of affordable housing that is in the proposal and Michelle Jeffrey confirmed that is correct.
- Councillor Gerstner stated that Persimmon Homes is listed within the Financial Times as a recognised developer who deliver good quality homes throughout the whole country. He added that the development is a multi-hundred-million-pound project and whilst the money is not up front, the access appears to be a very big stumbling block and he would suggest that further work is undertaken with highways to revisit the access. Councillor Gerstner asked for clarity as to whether the site is having electrical charging points and solar panels for every dwelling? Ben Purdy stated that as part of building regulation requirements all plots will have EV charging points installed and PV panels on the roofs. He added that the development will potentially have to be to the Government's future homes standard requirements and at the moment it is anticipated that air source heat pumps will be installed, and the homes will be carbon ready homes and ready for the Net Zero initiative. Ben Purdy explained that Persimmon have currently undergone a transition initiative for 31% carbon reduction future home standard which the application before the committee will potentially sit into a 70% to 80% carbon reduction.
- Councillor Sennitt -Clough stated that with regards to the Slade End roundabout it mentions that this should be delivered prior to the delivery of the 50<sup>th</sup> dwelling, however, prior to the delivery of the 201 dwelling the roundabout at the end of Knights End Road and she asked whether that had been negotiated with highways or was their suggestion. Michelle Jeffrey stated that Highways suggested those triggers and at the moment within the Planning Officer's report there is a list of highway improvements shown which are required to deliver but are only highways recommendation for those triggers and are still to be finally agreed. She explained that there is a willingness to work with the Council and members to deliver the triggers that are suitable for everybody. Councillor Sennitt Clough expressed the view that the priorities are wrong as listed at 43 it refers to the Slade End roundabout and is listed above the A141 roundabout which she feels is a priority.
- Councillor Sennitt Clough stated that, with regards to the 20% affordable housing and for the site to be a blended site, has there been any requirements given to state that it needs to be delivered equally throughout the four phases. Michelle Jeffrey stated that at the current time that is still up for discussion, but she has worked with authorities in the past where there has been the requirement for 40% affordable housing and there has still been the chance to blend them without siting all of the affordable homes in one location.
- Councillor Marks referred to EV charging and stated that there will be 1200 homes who each have a charging point, and questioned whether this has been looked at in detail as he understands from a fellow elected Member that there has already been an electric problem. He expressed the view that 1200 chargers on one site appears to be an awful lot of electric that is being utilised in the area. Ben Purdy explained that the way that the scheme is

designed is not a problem and the power for the site has already been secured for 1200 dwellings, a school and local centre. He added that the EV chargers are 7.2kw chargers which connect into the consumer unit in each block, and it is designed so that most of the chargers will be used at night on an EV tariff and the capacity is there for the site. Councillor Marks asked whether the capacity is there all the time or just at night? Ben Purdy explained that the capacity is available all of the time.

- Councillor Connor stated that a roundabout near the application site is more important, in his view, than one in Chatteris at the current time as that is something that could be considered in the future. He added that by not implementing the roundabout at Slade End, it will save money as well as the proposed signalling works which are not required at the A605 junction according to Councillor Mrs French, which will bring forward the opportunity to save some money. Councillor Connor expressed the view it is absolutely imperative that some of the money that can be saved from the highways contributions be used to build the roundabout near the application site first. He stated that this is his request and whilst he understands that nothing has been signed to date, he made the point that he will not be happy unless something is agreed at the meeting. Councillor Connor stated that the houses are much needed and as the whole site is going to take 13 or so years to build out in its entirety, he would like consideration given to only fencing off the land, which is actually required at any given time, so that people can still use the land for dog walking. Ben Purdy stated that, in relation to the trigger for the roundabout as well as Slade End, it is something that could be revisited subject to working with the Highway Authority. He added that with regards to the point concerning the fencing off of land, Persimmon will only purchase the first phase and only fence off what is needed in order to build, and the rest of the land will still be agricultural field as and when required when reserved matters come forward and, therefore, dog walking routes will still be accessible out of the construction zone.
- Councillor Marks stated that he would like clarification that the applicant is only buying the first phase as they proceed, and he would like to know what guarantees they can provide to the committee that they are able to purchase the subsequent land for the following phases in order to achieve the affordable homes. Michelle Jeffrey stated that Persimmon have a contractual position on the whole site, but the land is only drawn down in parcels as and when the relevant planning permission is achieved. She added that the whole site will not be fenced off on day 1 and the whole field will not be purchased from the landowner on day 1 but the contractual position gives Persimmon the ability to buy every phase of the site. Councillor Marks asked for clarification with regards to where the roundabout sits in the phasing? Ben Purdy referred to the presentation screen and highlighted that phase 1 is shown in the green line and links to the roundabout and that is all shown within phase 1. Councillor Marks questioned whether the land that is needed for the roundabout is within phase 1? Ben Purdy confirmed that is the case. Councillor Marks questioned that if one of the shareholders comes forward and questions the viability then there will be 200 homes built with no roundabout and all vehicles will be using Knights End Road. He added that members need some sort of guarantee that all is in order. Michelle Jeffrey explained that is why Persimmon have suggested that the trigger is brought forward. Councillor Marks questioned whether that would mean that the trigger is as the first house is being built to commence works on the roundabout? Michelle Jeffrey explained that they would prefer to see some level of housing built before the roundabout is put in because it obviously needs to be paid for and if some houses are sold before the roundabout is constructed that is better. She explained that the preference is to build the roundabout from the site but if the only way that the committee are minded to granting planning permission is that it has to be done on first occupation, then that is something that they are willing to accept.
- Councillor Marks stated that Persimmon are stating first occupation, and members are saying start of build, and he asked whether it would be possible at the start of build to commence the roundabout? Michelle Jeffrey explained that it would be finalised prior to the first occupation. Councillor Marks stated that he would like further clarification as he would like to see the roundabout works commenced on the first day of development as opposed to occupation of homes. Michelle Jeffrey explained that she is not sure how that can be secured by a Section

106 or condition as usually it is linked to occupations, and she is not aware of any other mechanism that could be used. She made the point that it is not in their interest to occupy any homes until after the roundabout is in because ultimately they make money from selling houses and not from building them.

- Councillor Connor made the point that the construction traffic does not want to go down Knights End Road and he cannot see any reason why that course of action cannot be taken.
- The Legal Officer stated that the committee should not be used as a bartering session and no matter what the applicant offers, a condition cannot be imposed or a Section 106 obligation required unless it is necessary in planning terms. He added that in order to judge whether that was necessary then advice would need to be sought from Highways Officers. The Legal Officer advised that whatever the committee wish to impose today, there needs to be satisfaction that there is a genuine highways reason, and that timing is necessary and not what is desirable in planning terms.
- Councillor Connor expressed the view that there is an absolute certain need for that to happen.
- Councillor Benney stated that as a Council certain things cannot demand from applications and whilst members can ask for them at committee, they are often told that they cannot have them. He made the point that developers need to be treated as partners because Fenland needs homes, adding that social housing is required and if the Council does not work with developers then the partnership will break down and the Council's objectives fail. Councillor Benney made the point that the homes need to come forward and he understand the concerns over the access and whilst it would be nice to see the roundabout in place, he fails to see how the committee can insist that it is implemented at commencement of build. He added that officers need to be asked whether this is achievable because from a Council's perspective there is the need to know whether it is a reasonable ask and is it correct to be asking for something which is possibly not achievable. Councillor Benney expressed the view that the committee need to be reasonable in what they are asking for because if not they will end up with nothing.
- Ben Purdy stated that in terms of construction traffic, there is the Construction Management Plan which needs to be approved as part of discharge and they can agree within that no construction traffic will enter onto Knights End Road and there will need to be a secondary access constructed which could be on the location of the roundabout, such as a deacceleration and acceleration lane in that location which can agreed potentially as a condition. He stated that is not a bartering exercise as the construction is off the A141.
- Councillor Connor asked Ben Purdy to clarify that what he is suggesting is a de acceleration lane off the A141 into the application site and not to use any heavy goods vehicles or construction traffic associated with the development. Ben Purdy stated that will be subject to Highways input and agreement.
- Councillor Gerstner stated that in the report it says the roundabout will be constructed prior to the occupation of the two hundred and first dwelling, however, during the discussion earlier it was mentioned that it would be on the completion and occupation of the first house, and he asked for clarification. Michelle Jeffrey explained at the moment the highway recommendation is the 201 but if it is an absolute requirement than consideration can be given to delivering the roundabout prior to the fist occupation.

Members asked officers the following questions:

- Councillor Mrs French explained that she is a member of the County Council Highways Committee and the Chairman of the March Area Transport Study (MATS) and after receiving the literature from Persimmon Homes yesterday and after attending a MATS meeting last week, she is now somewhat confused. She referred to the upgrade of Peas Hill Roundabout, and she explained that there have a number of applications over the last two or three-months including Barkers Lane and The Avenue and everyone of them has requested improvements to bus services. Councillor Mrs French asked the Highways Officer whether they are aware that the upgrade to Peas Hill Roundabout has been pulled? Andrew Connolly from Cambridgeshire County Council Highways stated that he is aware that there have been

difficulties over a number of months, discussions with the applicant have taken place over many months and years and, therefore, this was agreed a long time ago before last week when Peas Hill was officially pulled.

- Councillor Mrs French referred to the junction of the A141 and Gaul Road and asked Highways Officers to confirm what is proposed there to equate to £804,000? Andrew Connolly explained that the works are to make improvements to the signalised junction and all the highway requirements are evidenced based and the capacity requirements show that improvements are required when considering the amount of development proposed. Councillor Mrs French explained that she is somewhat confused as she is aware that Cannon Kirk spent £2.6 million improving the junction which was originally going to be a roundabout in 2003, and it took nearly 20 years to get the traffic lights. She added that she does not understand why the £804,869 is being requested as there are other schemes in March that could benefit from the money.
- Councillor Mrs French referred to the junction of the A141 and the A605 and she asked officers to provide details of the proposed plans for the junction. Hannah Seymour-Shove of Cambridgeshire County Council Highways explained that the proposed works at the junction are to install a signal MOVA scheme which controls traffic light signals at isolated junctions. She explained that discussions have taken place with the signals team, and they are satisfied that such works will mitigate the development impacts at the junction.
- Councillor Mrs French stated that as part of the MATS there is a plan for the junction of the A141 and Hobbs Lot and she asked the Highways Officer whether this was something that they were aware of? Hannah Seymour-Shove stated that they are aware of that, and it was considered within the mitigation request for that junction. Councillor Mrs French questioned why there is a request for £244,796 towards improvements in Chatteris to the roundabout? Andrew Connolly stated that the modelling demonstrates that over 100 vehicles are going to head down towards the Slade End roundabout in Chatteris and it is already a very congested roundabout and adding over 100 vehicles will make it even worse which is why the development needs to mitigate its impact on the roundabout. Councillor Mrs French made the point that she is not convinced with that fact, and she added that she recently attended a meeting at County Council where she requested works to be undertaken at the Eastwood End junction. She expressed the view that she has no problems with Chatteris, but she does object when March has severe traffic issues and money is being diverted to Chatteris. Councillor Mrs French explained that she will agree to all of the other highway improvements, but she will not agree to the March Area Transport money being moved to Chatteris. Andrew Connolly stated that there is a lot of mitigation being secured for the MAT schemes but when a development is showing impacts on other junctions that do not form part of the MAT scheme, the impact still needs to be dealt with and that is what is happening at the Slade End roundabout. Councillor Mrs French added that the junction of Eastwood End and the A141 has to be looked at as well.
- Councillor Benney stated that he has heard Highways Officers refer to mapping and he has great faith in the mapping system. He added that because the development is proposed to be in March, officers have considered that traffic is going to come from March to Chatteris and add even more congestion to an already congested roundabout, with the additional house building needs the improvement works carried out further down the line so as to not cause more problems in Chatteris. Councillor Benney asked the Highways Officers whether they are confident with the mapping which proves that this will alleviate some of the problems in Chatteris as he would not want to see March get 1200 homes to congest Chatteris even further. Andrew Connolly stated that it is traffic modelling that is undertaken and that considers what traffic is there at the moment and then they add their traffic on top. He explained that they are required to mitigate their impact and, therefore, not to necessarily fix the whole of the Slade End roundabout but to make sure that their development does not make it any worse which is what the applicant is demonstrating that they are doing.
- Councillor Marks made the point that he is not a fan of mapping as he is of the opinion that they are desk top surveys and are unworkable before they have been reviewed. He stated that Knights End Road has been given a measurement of 4.46 metres wide and he asked

whether officers have a measurement of the width of the narrow part of that road? Andrew Connolly stated that the applicant would have undertaken any necessary surveys. Councillor Marks asked whether the Highways Officers have undertaken any survey associated with the development such as vehicle movements? Andrew Connolly confirmed he does not have any details concerning the width of the road. Councillor Marks referred to a plan and stated that the road shows that it is 4.46 metres wide at a narrow point. David Rowen explained that the measurements included on that plan are actually topographical references and, therefore, it is actually the land level ordnance data rather than the widths. Councillor Marks stated that he had hoped that had the Highways Officers undertaken a desk top survey that they would have given the widths. He expressed the opinion there would most definitely be problems for two lorries to be able to pass along the road at the narrowest point as they come out of the site and there will definitely be problems as a result of construction traffic such as bulldozers and extra wide loads.

- Andrew Connolly stated that it has not been offered to the Highway Authority to deliver a roundabout off of the A141 from the start.
- Councillor Marks stated that he is referring to Knights End Road as it currently stands with construction traffic or other traffic. James Stringer stated that as part of the application Highways Officers would have looked at the width of Knights End Road and its ability to accommodate HGV traffic. He added that the trigger point is slightly irrelevant in that due to the fact that if it is considered to be not wide enough then it does not matter. James Stringer explained that the highways assessment is can it accommodate HGV traffic and whilst there may be an issue with regards how long that happens, as a point of principle it can geometrically accommodate HGV traffic.
- Councillor Marks asked for clarification and asked whether a desk top survey has been undertaken? James Stringer stated that highways do have a study from the applicant that covers what Knights End Road looks like in terms of its existing widths and highways have used that information in conjunction with their own mapping which is used to look at the width of carriageways and whether it can accommodate the known widths of HGVs and other construction traffic.
- Councillor Marks asked whether this work has been undertaken by the County Council Highways Officers with information away from the developer? James Stringer stated that the Highways Officers have their own mapping system and have information on the highways network that they are responsible for and are, therefore, aware of the makeup of the carriageways. He explained that as part of any application highways review the information that they hold.
- Councillor Connor stated that the applicants have stated that consideration could be given to the implementation of a slip road off of the A141 bypass into the application site and he asked whether that would be agreeable to the Highway Authority? James Stringer stated that as a point of principle he does not have any issue with that, however, whether it is physically deliverable within land that Persimmon have access to in conjunction with the red line boundary that is on the plan and whether it can meet the required standards of the Design Manual for Roads and Bridges would still need to be looked at. He added that Persimmon would need to go away and undertake an assessment but in principle if it is achievable and meets the tests then it would be something that Highways can review.
- Councillor Mrs French expressed the view that the roundabout is essential as there has been recent accidents there as well as taking into consideration that the crematorium is in the vicinity on the opposite side of the bypass. She stated that if the application is going to be approved then it must be subject to highways. Andrew Connolly stated that the applicant has not offered the roundabout to them from day one but if that was proposed then highways would not have an issue with the roundabout being delivered from day one. He added that at the moment the assessment has been based on modelling works on the junction of the A141 and Knights End Road which can accommodate in the region of 200 vehicles which is reflected in the condition and if the applicant wishes to offer something else then that can be considered.
- Councillor Gerstner stated that originally the roundabout was going to be delivered on the

occupation of the 201st house, but Persimmon have stated that they are prepared to build the roundabout on the first occupation and he asked whether the Highway Authority would object to that proposal? Andrew Connolly stated that Highways would have no objection to that.

- Councillor Gerstner stated that with regards to the engineering of the slip road would that be considered as an issue. James Stringer stated that he is not able to comment on that new proposal currently as neither the County Council nor Persimmon have looked at that yet. He explained it would need to be looked at to see whether geometrically it can be accommodated or whether Persimmon own enough land along the frontage of the A141 to fit it in but as a point of principle if those things can be overcome then it could be looked at. James Stringer stated that they are quite big risks because if they cannot fit those aspects in then it is not achievable.
- Councillor Connor asked the Highway Officers to confirm that they would be content for Persimmons to construct the roundabout before the ground is broken on the application site. James Stringer stated that he would not have an issue with that, however, Persimmon have stated that they would need to access their site to be able to construct their roundabout and if the slip road option is not available then there is no other way for the applicant to get onto their land other than via Knights End Road. He added that if the slip road is not an option then they will have to come in via Knights End Road and if the first thing that they do on site is then to build a roundabout.
- Councillor Connor stated that he would be willing to accept that because it would only be for a limited amount of traffic using Knights End Road to build the roundabout as opposed to an increased amount of traffic which would be using the site for the construction of 201 homes. James Stringer stated that he agrees that it would be a very limited time and would be much smaller than the 201 homes. Councillor Connor expressed the view that it would be a compromise for him, and he would find that acceptable.
- Councillor Marks asked the Highways Officers whether they are aware of the roundabout suggestion by the developer and has there been communication regarding as it. He added that earlier in the discussion, one of the officers had stated that they were not aware of it. Andrew Connolly asked whether Councillor Marks was referring to the new roundabout on the A141 and Councillor Marks confirmed that was correct. Andrew Connolly stated that they have had considerable dialogue with the applicant regarding this and have the full designs which meet the safety standards and have been through a safety audit. He added that he was referring earlier with regards to triggers of when delivery should take place over communications with the applicant.
- Councillor Marks asked for confirmation that Highways are happy with layout of the roundabout, and it is acceptable to them with everything being achievable. Andrew Connolly stated that it has been through a safety audit and any issues raised as part of the safety audit have been addressed.
- Councillor Mrs French stated that with regards to the bus service provision and the delivery of public transport between the application site and March Town Centre that there are no bus stops in Knights End Road. She expressed the view that as it is a lengthy road that needs to be looked at.
- Councillor Mrs French added that the local Vicar of St Wendredas Church has submitted concerns with regards to the Public Rights of Way and the closed cemetery which has been closed since 1880. She added that the Vicar has requested that proper fencing is erected to deny people accessing the cemetery irresponsibly.
- Councillor Mrs French stated that she has noted that Highways have stated that improvements are given to the A141 under the MATs scheme but there is no mention in the Highways report, making the point that the Hostmoor junction is very controversial with certain matters. Councillor Mrs French stated that she would like to know whether Highways are looking into the junction of Hostmoor Avenue and the A141? Andrew Connolly stated that there are number of schemes and developments impacting onto that junction. James Stringer added that the Highway Authority and colleagues in the Rights of Way team have asked for a condition for a detailed rights of way scheme and consideration will be given with regard to the fencing and the churchyard can be dealt with.



- Andrew Connolly stated that with regards to bus stops, Highways have requested a financial contribution towards improving bus services which is the FACT service operated by the Combined Authority and the proposal is for the service to run through the site once Knights End Road and the A141 are linked up. Councillor Mrs French stated that she would like to see a larger bus as the vehicles used by FACT are not very large and she would like to see bus stops or shelters in Knights End Road. Andrew Connolly stated that with the regards to the routing of the bus, the current proposal is that it is likely to go through the site and not necessarily down the whole length of Knights End Road, however, there could be the potential for a bus stop closer to the Knights End Road section which would be more convenient for existing residents.
- David Rowen referred to the rights of way comment and fencing which was referred to and he added that this was referred to in the update report and provided details of the suggestion that there could be additions to the wording in the planning conditions.
- Councillor Marks asked where the 7.5 tonne restriction zone actually starts on Knights End Road. James Stringer explained that it is his understanding that it covers the whole length of the road from the A141 up to the Church.
- Councillor Mrs French asked Rob Morris from Anglian Water whether he is satisfied that the development can cope with sewage? Rob Morris explained that there has been a number of investigations, studies and modelling work which have taken place as there have been discussions with the applicant for many years concerning the proposal. He added that as part of the discussions there is a Section 98 which is a requisition of a sewer which would be looking for a pumping station to serve the site with the rising main to take it to the sustainable point of connection in March. Rob Morris added that Anglian Water are satisfied that the flows can be accommodated.
- Councillor Connor referred to a previous meeting where a representative from Anglian Water had stated that they were not going to allow an application to discharge any more effluent into the Barkers Lane sewer and the application contained a condition where a pipe system was going to be implemented down The Avenue and she had stated that the pumping station in Knights End Road would not be able to cope. Councillor Connor asked Rob Morris if he could confirm that with the current proposal the effluent from the first 50 of the dwellings is going to be using the same pumping station as detailed within the officer's report? Rob Morris stated that the first 50 dwellings which have been looked at are going to Knights End Road and then Knights End pumping station and the flows can be accommodated with that length of sewer and the pumping station. Councillor Connor stated that Hannah Wilson from Anglian Water had advised members that the pumping station was up to capacity and the sewerage backs up onto Barkers Lane and he questioned the fact that the pumping station cannot cope in wet weather periods without the addition of a further 50 properties. Rob Morris explained that the flows are going into a different part of the network, and he explained that the issue with Barkers Lane is that it is a very flat sewer which causes capacity issues. He added that the sewer in Knights End Road has the self-cleansing velocity gradient which allows for the flow to go in there and he added that the flow for 50 properties will be around 0.2 litres per second and the capacity of the 150 sewer that is being looked to connect into it has up to 26.4 litres per second and the flow going into it is a negligible amount. Rob Morris made the point that he understands the point made with regards to the accumulation of lots of sewers but there is sufficient latency period for any flows coming into it in order that it can be managed.

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

- Councillor Benney expressed the view that he hopes that the improvements do take place to the Apple Green roundabout as the proposed dwellings will have an impact on the residents of Chatteris and Chatteris deserves it.
- Councillor Connor stated that he can see why the 1200 homes should be approved but he added that he feels very strongly that the roundabout should be built prior to any development taking place of the homes. He added that as a compromise he would like the committee to concur with him that the construction traffic should only be allowed to access Knights End Road in order to build the roundabout.

- Councillor Mrs French stated that as part of the BCP it had been discussed previously that the top of Knights End Road be closed so that nothing goes through there and that maybe something to consider.
- Councillor Gerstner stated that the applicant appears to have made some compromise with regards to building the roundabout on the first occupation and not the 201st dwelling and, in his view, the applicant is making a huge effort if the roundabout could not be built from the very beginning.
- Councillor Benney made the point that he agrees with the point made by Councillor Connor and added that it would be good for the residents of March and Knights End Road if the roundabout could be built so that they do not have to wait and to keep the construction traffic to a minimum.
- Councillor Marks stated that he would like the developers to reflect and take into account the disruption that is likely for such a large number of years. He added that if the application considers the neighbours by constructing the roundabout from day 1 then the local residents will feel happier that at least the developer has tried to work with the Council and consider the local residents. Councillor Marks stated that he agrees with the point made by Councillor Benney that the contribution towards the works at the Chatteris roundabout is also needed.
- Councillor Sennitt Clough stated that whilst she agrees that the construction traffic should be kept to a minimum, she would like to know how that particular condition can be imposed and policed going forward.
- David Rowen stated that there has been a great deal of discussion surrounding the roundabout and referred to the point made by Councillor Benney concerning reasonableness and added that with regards to dealing ordinarily with developments of this scale, it is not uncommon for there to be a delivery of a certain level of that development before infrastructure is delivered. He explained that with regards to the information before the committee, the modelling work indicates that the first 200 houses can be accommodated by Knights End Road before the roundabout needs to be delivered and also the professional view of the Highway Officers is that there the construction traffic for that first phase of development can also be accommodated by Knights End Road. David Rowen added that, whilst the applicant has indicated to the committee that there maybe some scope to move that to a lower level of delivery from the 200 homes, in terms of reasonableness and the evidence for decision making everything indicates that a certain level of delivery can occur before the roundabout is needed. He explained that officers can undertake discussions with the applicant to decide exactly where that threshold is, however, in his experience it would be very unusual for infrastructure as significant as a roundabout to be delivered before development commences and it would be very unusual for a roundabout to be delivered before first occupation. David Rowen stated that, whilst he appreciates the concerns around the safety of Knights End Road, there is nothing to substantiate and evidence that with the only evidence and professional opinions in front of the committee from Highways Officers is that there is no justification to be seeking the roundabout pre-commencement.
- Councillor Marks stated that having spoken to Highways it appears that the emphasis appears to have been put on the developer to provide the data for the roundabout and not the Highways Officers who have admitted that they have not undertaken a desk top survey. He added that he still has serious concerns as a regular user of the road, and he does not feel that the plans are particularly safe, and the residents need to be considered along with the children who use the nursery.
- David Rowen added that the committee need to make their decisions based on the evidence before them and not to make decisions based on emotion or the human side of things and there is no evidence which has been provided to justify requiring the roundabout to be delivered at an earlier stage. He explained that the usual way of approaching a scheme such as this is that the developers provide facts and figures which is then verified by the Highway Authority and the application has been through a significant round of modelling and remodelling work in some instances. David Rowen made the point that the views of the Highways Officers in front of members are a result of a three-year long process and numerous iterations of modelling work, and their views are set out in the officer report. He

explained that the mitigation required by Highways is also set out in the officer report and that should be the basis on which the committee makes their decision.

- Councillor Marks expressed the view that he has seen a lot more in-depth reports from the County Council than what has been provided with this application. He added that, whilst he appreciates that emotion needs to be discounted, he is concerned that the information from Highways is not as sufficient as to what he has seen on other applications.
- The Legal Officer stated that there does not appear to be any supporting evidence in order for the committee to impose a condition or Section 106 obligation to require that the roundabout is constructed and advised the committee that they may find themselves with a challengeable planning permission. He explained that if the applicants are not happy with the condition, then they can appeal, and such an appeal is likely to be lost due to the fact that there is no actual evidence other than emotion. The Legal Officer highlighted to members that if the application were to go to appeal then the Council may find themselves liable to costs and he explained to members that as the applicant has alluded to the fact that they would consider such a condition.
- Councillor Marks stated that before a proposal is made then members need to consider the conditions that they would like to see added to the application.
- Gavin Taylor drew members attention to proposed condition 45 in the officer's report which sets out explicitly when the roundabout is proposed or required to be secured and following the discussion by members it would appear to be the crux of what members are considering and may, therefore, wish to amend that in their proposal. Gavin Taylor referred members to the legal advice provided to members by the Legal Officer and added that there has not been an explicit agreement from the applicant to demonstrate that they would accept a variance to that condition only an indication that they may consider a variance to it and, therefore, that does carry a risk because if the condition is amended then the applicant could technically appeal that condition.
- Councillor Mrs French stated that she agrees with the comments made by Gavin Taylor concerning condition 45 and referred to condition 46 where she added that she is very concerned after Cannon Kirk spent £2.6 million at the Gaul Road junction, only to hear that the County Council are still requesting money for that junction. She referred to condition 47 which stated that no more than 500 dwellings shall be occupied until such a time as the MATS Hostmoor Avenue scheme or any alternative junction improvement scheme for the A141/Hostmoor Avenue junction has been delivered. Councillor Mrs French expressed the view that the reserved matters application is not likely to be received until 2025/26 and by the time development starts, she is hopeful that under the MATS scheme that the Hostmoor scheme will already have been delivered. She made the point that she is not happy with the application, but it cannot be refused and when the reserved matters application is submitted at that time it will be necessary to review the conditions.
- David Rowen stated that in terms of Gaul Road, Cannon Kirk have delivered the junction improvements, however, the design and engineering of the junction is to basically deal with the traffic which was generated as result of the Cannon Kirk scheme and as a result of the current proposal there will be additional traffic flows and potentially different traffic flows which is why Highways have identified mitigation measures meaning that the junction requires an element of re-engineering to accommodate the development. He added with regards to the modelling, the impact will not occur until the 500<sup>th</sup> dwelling and he explained that with regards to the MATS scheme the impact is after a certain number of dwellings which is why 500 is the trigger point as it is not needed before then.
- Councillor Mrs French stated that by the time the reserved matters application is submitted she would hope that Hostmoor and the rest of the MATS scheme will be completed. She added that a lot of the funding comes from the Combined Authority and, in her opinion, it will be interesting to see where all the funding is diverted to if the MATS scheme is completed.
- David Rowen referred to the wording of condition 47 and explained that it does seem to indicate that if the MATS scheme has delivered the Hostmoor improvements then potentially that money is not required for that particular scheme.
- David Rowen stated that officers are seeking delegated authority from the committee to

finalise the terms of the Section 106 Agreement, to finalise the precise wording of the condition list which will include the condition that the Chairman has set out.

- Councillor Mrs French stated that she is looking at the list of commercial opening times at condition 53 which refers to a commercial unit and she asked what is the commercial unit going to be operating as between 6am and 11pm. Gavin Taylor explained that is in reference to the local centre and, therefore, the intention is to have a small retail outlet such as a convenience store or hairdressers and, therefore, the proposal is to restrict the opening hours but that is generally to serve the local community.
- Councillor Marks stated that he would like to review the construction plan alongside the Chairman and Planning Officers. David Rowen asked whether that is to review the wording or details of the condition? Councillor Marks stated that he would like to see both aspects.

**Proposed by Councillor Connor, seconded by Councillor Marks and agreed that the application be APPROVED as per the officer's recommendation subject to amendment to the conditions that the roundabout is complete before any building commences with a caveat that the construction traffic should be allowed to enter and leave Knights End Road unfettered during the construction of the roundabout.**

*(Councillors Connor, Mrs French and Marks declared, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on the application)*

*(Councillor Mrs French further 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. She added that she is also the Chairman of the MATS scheme)*

3.35 pm

Chairman

F/YR23/0550/F

**Applicant: Fink Developments**

**Agent : Swann Edwards Architecture Limited**

**Phase B Land East Of, Berryfield, March, Cambridgeshire**

**Erect 18 x dwellings (12 x 2-storey, 4-bed and 6 x 2-storey, 3-bed) with associated infrastructure and the formation of 2 x balancing ponds and public open space**

**Officer recommendation: Refuse**

**Reason for Committee: Referred by Head of Planning on advice of Committee Chairman.**

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### **Government Planning Guarantee**

**Statutory Target Date for Determination: 25 September 2023**

**EOT in Place: Yes**

**EOT Expiry: 13 January 2025**

**Application Fee: £8,316**

**Risk Statement:**

**This application must be determined by 13 January 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

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## **1 EXECUTIVE SUMMARY**

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| <p>1.1 This application is seeking full permission for 18 detached open market dwellings, 12 of which would be 4 bed roomed and 6 at 3 bedrooms that would be positioned on the western section of the site, within Flood Zone 1.</p> <p>1.2 The site is agricultural and the western boundary of the site adjoins a development currently under construction by the applicant which was approved for residential development for 28 dwellings.</p> <p>1.3 Subject to compliance with other relevant policies within the Local Plan the principle of the development is acceptable given it is on the edge of March.</p> <p>1.4 It is considered that the proposals comply with relevant criteria in Local Plan policy LP16 with regards to site layout, building design and amenity considerations</p> <p>1.5 The lack of affordable housing provision and financial contributions towards infrastructure such as schools and healthcare are considered acceptable in light of the third party assessment of the applicant's Viability Assessment.</p> <p>1.6 The internal access road for 10 of the dwellings as well as some property curtilages, are within Flood Zone 2. As such there is a need to apply, the</p> |
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Sequential Test as directed by the NPPF and Environment Agency Standing Advice. Despite the submission of a Sequential Test Statement on behalf of the applicant, it is concluded that a Sequential Test for the proposals has not been adequately undertaken in line with the approved guidance provided in the Cambridgeshire Flood and Water SPD and is therefore contrary to national and local policy.

- 1.7 In the absence of necessary information to demonstrate otherwise, it would appear from the latest response of the County's Ecologist that the development would result in net loss in biodiversity value, which conflicts with Local Plan policy.
- 1.8 The conclusion reached is that failure of the applicant to prepare an adequate Sequential Test and demonstrate that the development would not result in a net loss of biodiversity is that the proposals should be rejected.

## **2 SITE DESCRIPTION**

- 2.1 The application site is located towards the north of the Town of March and is just under 2.6 hectares in size. The western boundary of the site adjoins a development currently under construction by the applicant which was approved for residential development for 28 dwellings under permissions reference F/YR14/1020/O and F/YR18/0984/RM. Beyond the three other boundaries of the application site are agricultural fields.
- 2.2 The authorised use of the site is agricultural and with the exception of the adjoining construction site the boundaries are currently open, but with ditches on the eastern and southern sides. The westernmost part of the site is within Flood Zone 1, with the remainder of the site being within Flood Zones 2 and 3.

## **3 PROPOSAL**

- 3.1 The application is seeking full permission for 18 detached open market dwellings, 12 of which would be 4 beds and 6 at 3 beds that would be positioned on the western section of the site, within Flood Zone 1. The eastern side of the site, which is in Flood Zones 2 and 3 would be landscaped and would comprise of areas of public open space and attenuation ponds.
- 3.2 Access to the site would be achieved by extending the turning head to the south from the adjacent site under construction with 8 houses (3 to north and 5 to the south) before the proposed layout shows the driveway deviating to the north to serve access to the 10 remaining dwellings. The principal elevations of which face eastwards overlooking the proposed open space area.
- 3.3 The applicant states that the design of the dwellings is largely driven by the appearance of the properties being constructed in their adjacent development under permissions F/YR14/1020/O and F/YR18/0984/RM. Whilst they state that the theme of the neighbouring house types would be carried through the development, the proposed dwellings would be slightly more contemporary in their design detailing as they transition into the open countryside
- 3.4 Full plans and associated documents for this application can be found at:

#### **4 SITE PLANNING HISTORY**

No relevant site history (excludes part of application site forming access to public highway through adjacent development to the west).

#### **5 CONSULTATIONS**

##### **5.1 March Town Council**

Three comments received, latest response dated 3 December 2024, states that their Recommendation is Refusal of the application, noting the Town Council stands by its recommendation of 19.2.2024 to refuse this application due to flooding and draining issues at the location.

##### **5.2 Councillor M Summers**

Response dated 14 July 2023 stating that this appears to be a sensible and modest development in a logical growth area.

##### **5.3 Anglian Water**

Three comments received, latest response dated 17 February 2024, which states that the foul drainage from this development is in the catchment of March Water Recycling Centre that has available capacity for these flows. Recommend a number of informatives should the application be granted consent.

##### **5.4 Local Lead Flood Authority – CCC**

Three comments received, latest response dated 18 September 2024, that states that on the basis of the updated information received they have no objection in principle to the proposed development. The response states that the documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving on the access and drives with water being retained within a basin before discharge into the adjacent watercourse network at a rate of 2l/s in all storms up to and including the 100 year + 40% climate change. Go on to add that ideally the adoptable access road would have an additional form of surface water treatment, however, the size of development and expected vehicle movements, the basin alone will provide mitigation in line with the Simple Index Approach. Finally, they note that the IDB are satisfied with the proposed discharge rate from the site.

Advise further of two conditions that should be imposed (relating to detailed design of the surface water drainage and construction work run off), together with a number of informatives should permission be granted.

##### **5.5 Middle Level Commissioners**

Response received 15 July 2024 noting that the proposed SuDS point should be located outwith the area of floodplain. State that the Board are also of the view that the careful reshaping of the ground adjacent to the Boards District Drain at Point 29 and on the southern side of the watercourse forming the northern boundary would provide a multifunctional area that provides a suitable storage that can provide many benefits and contribute positively to the sense of place enhancing the existing character and provide distinctiveness.

## **5.6 Environment Agency**

Response dated 6 September 2023 in which they consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, they have no objection to the proposed development on flood risk grounds.

Agency also comment that, in accordance with the National Planning Policy Framework, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. Noting it is for the Local Planning Authority to determine if the sequential test must be applied and whether or not there are other sites available at lower flood risk.

## **5.7 Cambridgeshire Fire and Rescue**

Latest response 12 February 2024 advises that should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition and the cost of these to be received from the developer.

## **5.8 Local Highways Authority (CCC)**

Based on the information submitted, the LHA have no objection to the proposed development. Confirm that vehicular access via Berryfield is appropriate for a development of this scale and nature and turning provision suitable for refuse vehicles has been provided. Note that inter vehicular visibility splays are acceptable, and while not explicitly shown, 2m x 2m pedestrian visibility splays are achievable for all driveways. Highlight that Highway adoption is speculative until the road serving the adjacent development is adopted.

In the event that the Local Planning Authority are mindful to approve the application, they recommend the inclusion of the conditions to any consent granted relating to Binder Course, Construction Facilities, Highway Drainage, Management of Estate Roads and Wheel Wash Facilities as well as an Informative.

## **5.9 FDC Environmental Health**

Although current and historic land use does not suggest the site has been left in a contaminated state, recommend that a condition is imposed in the event that planning permission is granted in relation to the discovery of any unsuspected contamination. Also recommend that due to the close proximity and scale of this development they advise a condition requiring the submission and agreement of a construction management plan demonstrating how noise, vibration and dust will be managed so that it does not have a detrimental impact on the existing properties during the construction period. Working time restriction condition also advised.

## **5.10 FDC Leisure and Open Spaces**

Advise that given that the development would offer green space adjacent to the two ponds, nothing further is needed in this location. Would wish to receive a S106 payment to support other local play area development / refurbishment in the town if that is possible.

## **5.11 FDC Housing Officer**

Since this planning application proposes the provision of 18 number of dwellings, policy seeks to secure a policy contribution of 25% affordable housing which equates to 5 affordable dwellings in this instance. Based on the subsequent



Fenland Viability Report of March 2020 provision of 20% affordable housing 4 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 4 affordable rented homes and 1 shared ownership based on the provision of 25% affordable housing or 3 affordable rented homes and 1 shared ownership based on the provision of 20% affordable housing. This can be delivered on site or via a financial contribution.

#### **5.12 County Planning – Minerals and Waste**

The site lies within a Sand and Gravel Mineral Safeguarding Area which is safeguarded under Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021). The MWPA considers that although the extent of the resource within the site is unknown, that complete prior extraction is, in this case, is unlikely to be feasible. Recommend informative be attached to any permission granted.

#### **5.13 FDC Environmental Services Operations Manager – Refuse collection**

No issues with the tracking which shows vehicle could enter and turn on site with correct vehicle dimensions used.

#### **5.14 County Ecologist**

Third and latest response to application states that they still object to the application because:

- a) The applicant has not provided the BNG metric calculations and therefore, we cannot assess whether the scores within the BNG Biodiversity Statement are accurate
- b) The scheme has not been redesigned, nor has there been a commitment by the Applicant, to maximise enhancements of habitats for the benefit of biodiversity (Biodiversity Net Gain) and minimise adverse impact to biodiversity
- c) No information has been provided to confirm how compensation in loss of biodiversity (BNG) is likely to be achieved and as such how the scheme will meet Local Planning Policy LP16/LP19. This is needed to inform suitable planning conditions / obligations.

Issues relating to water vole have been resolved. Detailed comments in relation to the above provided in response.

#### **5.15 County Archaeologist**

Latest response of 9<sup>th</sup> February 2024 confirms previously issued comments, namely that they consider a programme of archaeological investigation should be secured by condition. This being due to the archaeological potential of the site, a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary.

#### **5.16 CCC Planning and Sustainable Growth Service**

The development would require contributions towards early year, primary and secondary education that in combination amount to £576,666. In addition, the development would need to pay the following library and lifelong learning contribution and would therefore need to contribute £4,095 (£91 per head of population x 45 new residents).

### **5.17 NHS Cambridgeshire & Peterborough Integrated Care System (ICS)**

The proposed development is likely to have an impact on the services of the GP Practices operating within the vicinity of the application. A developer contribution will therefore be required to mitigate the impacts of this proposal. Response calculates the level of contribution required, in this instance to be £14,765.71 (2.82qm at £5224 per sqm).

### **5.18 Cambridgeshire Constabulary - Designing Out Crime Officer**

Detailed comments provided in relation to external lighting, parking, landscaping, cycle storage, boundary treatments and open space,

### **5.19 Local Residents/Interested Parties**

#### **Objectors**

Five representations have been received in objection to the proposals. The reasons for objection are summarised in the bullet points below:

- Loss of good quality agricultural land;
- Amenity issues with current construction site adjacent to site;
- Materials proposed are unsuitable;
- Site is at risk of flooding;
- Impacts on roads and infrastructure;
- Negative impact on landscape character of area; and
- Lack of affordable housing proposed in development.

## **6 STATUTORY DUTY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the March Neighbourhood Plan (2017).

## **7 POLICY FRAMEWORK**

### **National Planning Policy Framework (NPPF) 2024**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed and beautiful places

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

Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

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

LP9 – March

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

LP19 – The Natural Environment

### **March Neighbourhood Plan 2017**

H2 – Windfall Development

H3 – Local Housing Need

### **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

Policy 5 - Mineral Safeguarding Areas

Policy 10 - Waste Management Areas (WMAs)

Policy 14 - Waste management needs arising from residential and commercial Development

Policy 16: -Consultation Areas (CAS)

### **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**

### **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
- LP12: Meeting Housing Needs
- 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
- LP39: Site allocations for March

## **8 KEY ISSUES**

- **Principle of Development**
- **Site layout, building design and amenity considerations**
- **Flood risk and the Sequential Test**
- **Ecology and Biodiversity Net Gain (BNG)**
- **Affordable housing, community infrastructure and viability matters**
- **Loss of agricultural land**

## **9 BACKGROUND**

- 9.1 As mentioned above, whilst the policies of the emerging Local Plan carry extremely limited weight in decision making, it is relevant to note that the site is shown as being located within the settlement boundary of March and as a potential a site allocation (reference LP39.08) for 24 dwellings. The emerging Plan notes that any development proposals should include an assessment of flood risk which reflects the recommendations of a SFRA Level 2 assessment.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The application site is located adjacent to the built form of the settlement of March

which is identified within the Settlement Hierarchy as a 'Primary Market Town'. Market Towns are identified within Policy LP3 as the focus for housing growth, accordingly there may be a presumption in favour of housing within this location given that a development of this scale is well below the definition of 'Large scale housing' proposals of 250 dwellings or more. However, this is subject to compliance with other relevant policies within the Local Plan, in particular Policy LP16 (Delivering and Protecting High Quality Environments across the District).

### **Site layout, building design and amenity considerations**

- 10.2 The development of this site would result in a further incursion into the open countryside. However, given that the submitted layout shows that only a limited amount of the site on the western side adjacent to the dwellings would be developable given the flood risk of the remainder, and the fact that the area furthest from the settlement would be open space and attenuation features, this is considered to mitigate the impact to some degree and provide a transition from built form to open countryside given the principal elevations of nine of the dwellings facing outwards onto this space. This would be a more appropriate edge to the settlement as opposed to the current development to the west that backs onto the countryside with fencing.
- 10.3 The dwellings under construction on the site to the west are a mix of 2 and 3-storeys and the houses proposed in this application are of a design and scale representative of that development, being 2 storeys in height with four different house types across the 18 dwellings proposed. The dwellings under consideration indicate a mix of materials, predominantly red brick but with some render on the principal elevation to provide variety and interest to the scheme. Roof tiles would be either slate grey in colour or terracotta. There is sufficient space within the site for all dwellings to be provided with private garden land, which equates to at least one third of the area of the curtilage, and at least two parking spaces, thereby complying with Policy LP16 and the adopted parking standards. Twelve of the properties would also have a single garage. There do not appear to be any specific significant concerns regarding relationships between proposed dwellings or with the site to the west.
- 10.4 In conclusion it is considered that the proposals comply with relevant criteria in Local Plan policy LP16.

### **Flood Risk and the Sequential Test**

- 10.5 The western side of the site where all the dwellings are located is in Flood Zone 1, leading east into Flood Zones 2 and 3. However, ten of the plots have part of their curtilage and are served by the proposed internal road that is within Flood Zone 2, which is an area of medium risk of flooding.
- 10.6 The newly updated National Planning Policy Framework (NPPF) in paragraph 170 states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Paragraph 173 notes that as well as Local Plans, a sequential risk-based approach should also be taken to individual applications in areas known to be at risk now or in future from any form of flooding. The NPPF notes that 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 or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The need for a Sequential Test does not apply

to applications coming forward on sites allocated in an adopted Local Plan. As highlighted in paragraph 9.2 above, whilst the site is a potential site allocation in the emerging Local Plan, this has limited weight and the SFRA Level 2 referred to in Site Allocation LP39.08 of the emerging Local Plan has not yet been undertaken. This could potentially affect the area of developable land.

- 10.7 Paragraph 175 of the NPPF states that the Sequential Test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk). As outlined in paragraph 10.5 above, ten of the plots have part of their curtilage and are served by the proposed internal access road that is within Flood Zone 2, which is an area of medium risk of flooding.
- 10.8 Thus it is clear that the application needs to be subject to a Sequential Test to consider if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. Planning Officers have throughout the determination of the application stipulated that a Sequential Test would need to be undertaken in relation to the proposed development. The decision as to whether a Sequential Test is required lies with the decision maker. This has been confirmed in case law.
- 10.9 Standing Advice produced by the Environment Agency notes that development is not exempt from the Sequential Test just because a flood risk assessment shows the development can be made safe throughout its lifetime without increasing risk elsewhere. The advice also states that a Sequential Test is required for major and non-major development if any proposed building, access and escape route, land-raising or other vulnerable element is within Flood Zones 2 or 3, which as described above is the case for ten of the dwellings proposed. This internal access road would be a vital link to enable residents to escape the site in a flood event. It therefore follows that internal access must not be vulnerable to flooding.
- 10.10 Both the national Planning Policy Guidance (NPPG) and the Cambridgeshire Flood and Water Supplementary Planning Document note that the presence of existing flood defences should not be taken into consideration on the basis that the long term funding, maintenance and renewal of this infrastructure is uncertain.
- 10.11 In September 2024 the agent submitted a 'Sequential Test Statement' on behalf of the applicant. However, this Statement is not considered to be adequate as it does not follow the guidance on how applicants should undertake the Sequential Test as set out in the Cambridgeshire Flood and Water Supplementary Planning Document. In particular, there is no agreement with the Council on the geographical area over which the test is to be applied or the identification of reasonably available sites.
- 10.12 Consequently, it is concluded that as a Sequential Test for the proposals has not been adequately undertaken in line with approved guidance provided in the Cambridgeshire Flood and Water SPD and therefore the application is contrary to Chapter 14 of the NPPF, Part B of Local Plan Policy LP14 and Policy H2(c) of the March Neighbourhood Plan.

### **Ecology and Biodiversity Net Gain (BNG)**

- 10.13 The application has been accompanied by a Preliminary Ecological Appraisal and Water Vole Surveys given the presence of ditches to the site. An evaluation of these surveys by the County Ecologist notes that they are satisfied that the scheme would have no impact of the scheme on water vole.
- 10.14 The Environment Act 2021 requires development proposals to deliver a statutory 10% net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting
- 10.15 This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.16 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.
- 10.17 However, the County Ecologist notes that the scheme would result in net loss in biodiversity value, which conflicts with Local Plan policy LP19 (The Natural Environment). The scheme design also fails to accord with NPPF paragraph 193(d) because it has not been designed to incorporate “opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity”. Despite representations on behalf of the applicant on this matter, the County Ecologist continues to object to the scheme, until the applicant commits to maximising BNG on-site (in accordance with BNG principles and planning policy). Their view is that residual losses in BNG should be addressed through redesign (in the first instance), or alternatively via off-site solution. The outline of which is required to help the Council to determine whether planning conditions / obligations are required to ensure at least no net loss, and ideally net gains, can be delivered.
- 10.18 In conclusion, whilst the application is not subject to the statutory 10% Biodiversity Net Gain requirement, in the absence of necessary information to demonstrate otherwise, it would appear that the development would result in net loss in biodiversity value, which conflicts with Local Plan policy LP16(b) and LP19.

### **Affordable housing, community infrastructure and viability matters**

- 10.19 The application is for 18 dwellings for sale on the open market. Whilst the Council’s Housing Officer has acknowledged that affordable housing provision for a proposal of this scale could be secured via off site via a financial contribution, no such contribution is being offered by the applicant. In support of the application the applicant has submitted a Viability Assessment which concludes that not only is the scheme unable to support any affordable housing it could not provide financial contributions towards community infrastructure.
- 10.20 In light of the policy requirements for both affordable housing and community infrastructure, the Council has procured independent third-party review of the submitted Viability Assessment. The advice received in return is that the Viability Assessment is accurate, and this is position is not unusual given current viability

position in the district and was relevant in the determination of the adjacent development to the west. Whilst the third-party review was given over a year ago an informal view has been sought from them within the last 6 months in which they advise that whilst things have improved in the market since September 2023, the situation has not changed that much to alter their recommendation. Therefore accepting the position in relation to viability it is a material consideration to justify non compliance with current requirements in order to facilitate the continued delivery of housing.

### **Loss of agricultural land**

- 10.21 The Local Plan and the NPPF both seek to protect the best and most versatile agricultural land, and this is a matter raised in representations received to the application. Given the scale of the site it is not considered that the loss of the site would be objectionable in this context.

## **11 CONCLUSIONS**

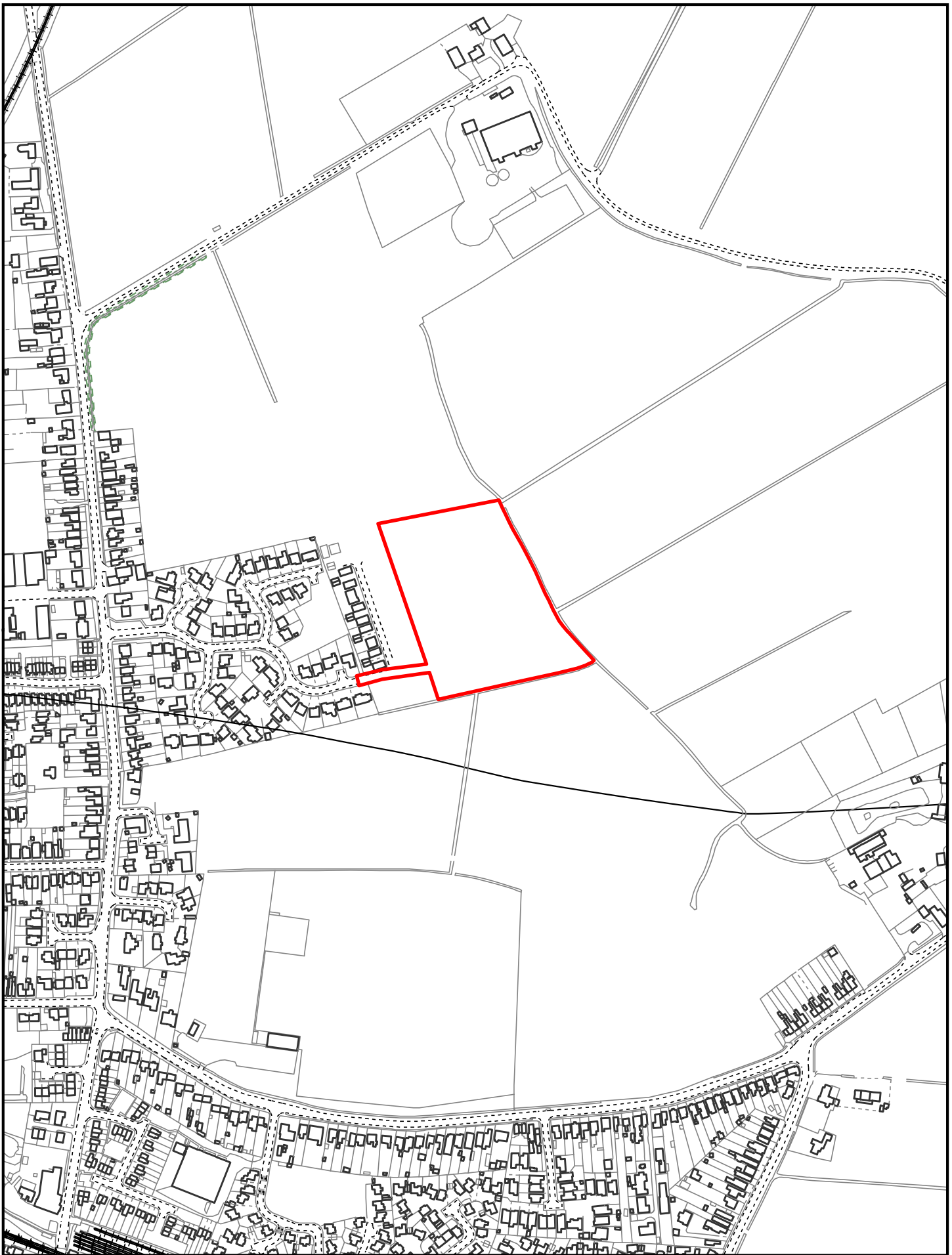
- 11.1 The principle of the development is accepted in this location and the site layout, building design and amenity considerations are considered acceptable, together with other matters reviewed by consultees in relation to highways, archaeology, drainage and environmental health matters. The lack of affordable housing provision and financial contributions towards infrastructure such as schools and healthcare are considered acceptable in light of the third party assessment of the applicant's Viability Assessment.
- 11.2 As part of the development, including the internal access road for 10 of the dwellings, is within Flood Zone 2, there is a need to apply the Sequential Test as directed by the NPPF and Environment Agency Standing Advice. Despite the submission of a Sequential Test Statement on behalf of the applicant, it is concluded that a Sequential Test for the proposals has not been adequately undertaken in line with the approved guidance provided in the Cambridgeshire Flood and Water SPD and is therefore contrary to national and local policy.
- 11.3 Whilst the application is not subject to the statutory 10% Biodiversity Net Gain requirement, in the absence of necessary information to demonstrate otherwise, it would appear from the latest response of the County's Ecologist that the development would result in net loss in biodiversity value, which conflicts with Local Plan policy.
- 11.4 The conclusion reached is that failure of the applicant to prepare an adequate Sequential Test and demonstrate that the development would not result in a net loss of biodiversity is that the proposals should be rejected.

## **12 RECOMMENDATION**

**Refuse**, for the following reasons:



|   |   |
|---|---|
| 1 | <p>Part of the development, including the internal access road for 10 of the dwellings, is within Flood Zone 2. Despite the submission of a Sequential Test Statement on behalf of the applicant, it is concluded that a Sequential Test for the proposals has not been adequately undertaken in line with the approved guidance provided in the Cambridgeshire Flood and Water SPD. Accordingly, the application is contrary to Chapter 14 of the NPPF, Part B of Fenland Local Plan Policy LP14 and Policy H2(c) of the March Neighbourhood Plan.</p> |
| 2 | <p>The application as submitted has failed to demonstrate that the development would not result in a net loss in biodiversity value, which conflicts with Fenland Local Plan policy LP16(b) and LP19.</p>   |



Created on: 13/07/2023

**F/YR23/0550/F**



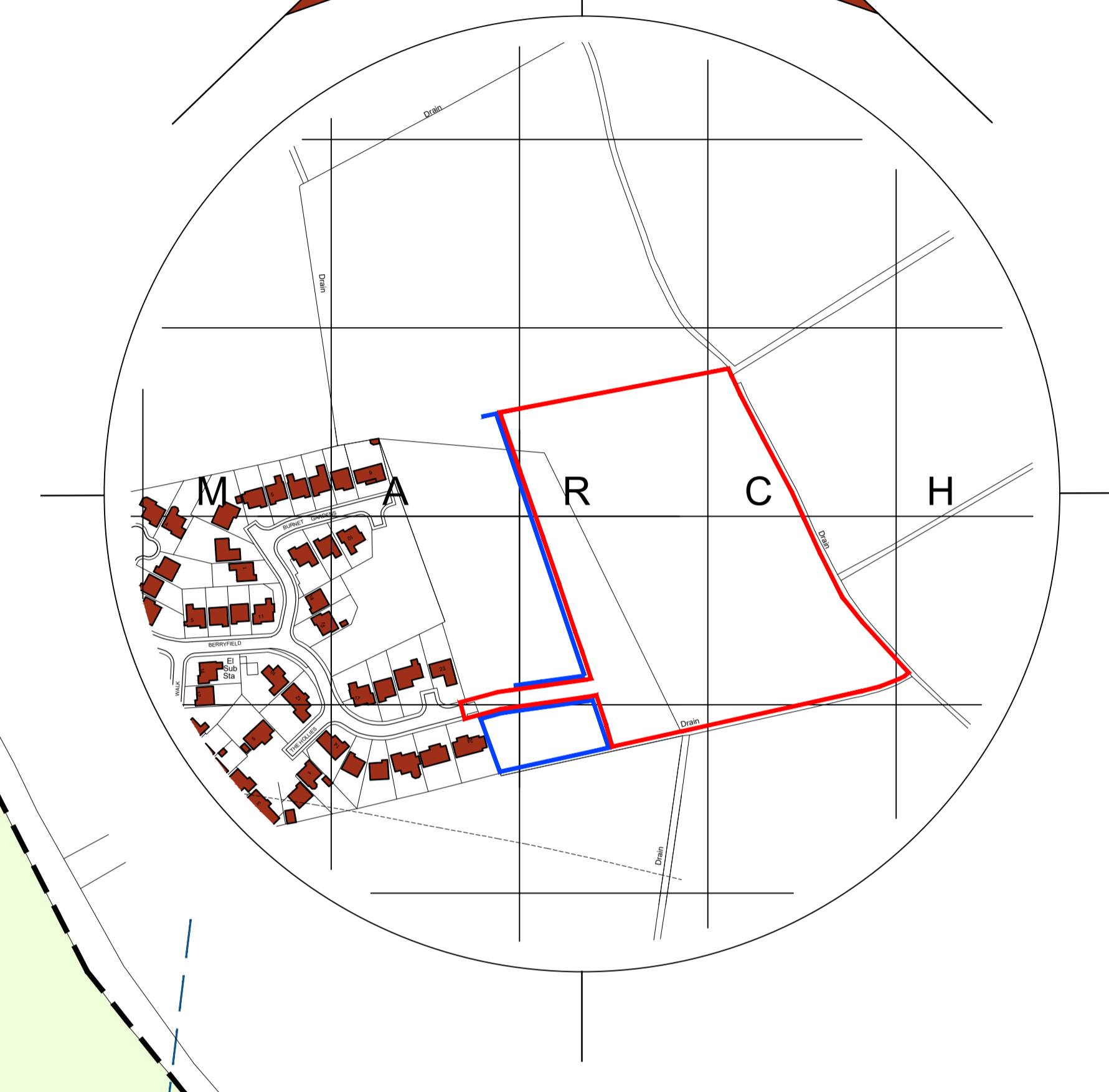
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Scale = 1:5,000

| Schedule of Sizes |                |          |                     |       |
|-------------------|----------------|----------|---------------------|-------|
| Plot              | Unit Ref       | Bedrooms | Floor Area          | Notes |
| Plot 1            | House Type B1  | 4 Bed    | 161.0m <sup>2</sup> |       |
| Plot 2            | House Type B1  | 4 Bed    | 161.0m <sup>2</sup> |       |
| Plot 3            | House Type B4  | 4 Bed    | 146.4m <sup>3</sup> |       |
| Plot 4            | House Type B2  | 3 Bed    | 119.0m <sup>4</sup> |       |
| Plot 5            | House Type B1  | 4 Bed    | 161.0m <sup>2</sup> |       |
| Plot 6            | House Type B1  | 4 Bed    | 161.0m <sup>2</sup> |       |
| Plot 7            | House Type B2H | 3 Bed    | 119.0m <sup>4</sup> |       |
| Plot 8            | House Type B1  | 4 Bed    | 161.0m <sup>2</sup> |       |
| Plot 9            | House Type B2  | 3 Bed    | 119.0m <sup>4</sup> |       |
| Plot 10           | House Type B2  | 3 Bed    | 119.0m <sup>4</sup> |       |
| Plot 11           | House Type B2  | 3 Bed    | 119.0m <sup>4</sup> |       |
| Plot 12           | House Type B1  | 4 Bed    | 161.0m <sup>2</sup> |       |
| Plot 13           | House Type B4  | 4 Bed    | 146.4m <sup>3</sup> |       |
| Plot 14           | House Type B2  | 3 Bed    | 119.0m <sup>4</sup> |       |
| Plot 15           | House Type B1  | 4 Bed    | 161.0m <sup>2</sup> |       |
| Plot 16           | House Type B1  | 4 Bed    | 161.0m <sup>2</sup> |       |
| Plot 17           | House Type B4H | 4 Bed    | 146.4m <sup>3</sup> |       |
| Plot 18           | House Type B4  | 4 Bed    | 146.4m <sup>3</sup> |       |

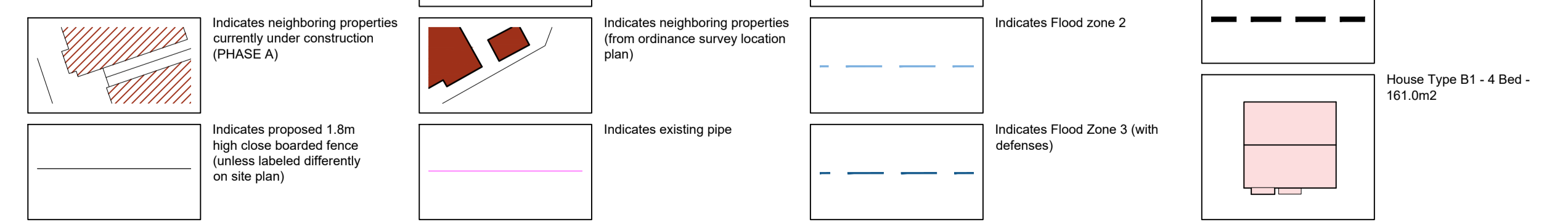
| Schedule of Materials |                       |           |                               |
|-----------------------|-----------------------|-----------|-------------------------------|
| Plot                  | Bricks                | Render    | Roof Tiles                    |
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| Plot 2                | ibstock Windsor - Red | Off White | Russell Galloway - Terracotta |
| Plot 3                | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |
| Plot 4                | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |
| Plot 5                | ibstock Windsor - Red | Off White | Russell Galloway - Terracotta |
| Plot 6                | ibstock Windsor - Red | Off White | Russell Galloway - Terracotta |
| Plot 7                | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |
| Plot 8                | ibstock Windsor - Red | Off White | Russell Galloway - Terracotta |
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| Plot 10               | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |
| Plot 11               | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |
| Plot 12               | ibstock Windsor - Red | Off White | Russell Galloway - Terracotta |
| Plot 13               | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |
| Plot 14               | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |
| Plot 15               | ibstock Windsor - Red | Off White | Russell Galloway - Terracotta |
| Plot 16               | ibstock Windsor - Red | Off White | Russell Galloway - Terracotta |
| Plot 17               | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |
| Plot 18               | ibstock Windsor - Red | Off White | Russell Galloway - Slate Gray |

- General Notes
- All dimensions are shown in 'mm' unless otherwise stated.
  - The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
  - This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
  - Any discrepancies are to be brought to the designers attention.



Location Plan  
Scale: 1:2500

SITE PLAN KEY



Site Plan  
Scale: 1:500

Status  
**PLANNING**

**SWANN EDWARDS**  
ARCHITECTURE

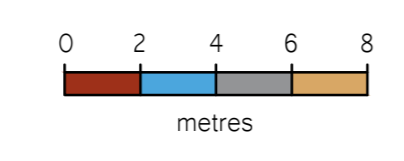
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t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

|  |               |                       |
|--|---------------|-----------------------|
| Job Title  | Date          | Scale                 |
| Proposed Residential Development Land East of Berryfield March, Cambs for: Fink Developments | February 2023 | Various Sheet Size A1 |
| Drawing Title  | Job No.       | Drawn by              |
| PHASE B Planning Drawing Site and Location Plans   | SE-1819       | RS                    |
|  | Dwg No.       | Revision              |
|  | PP1000        | C                     |

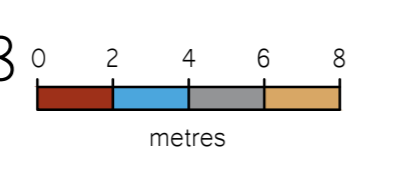
General Notes  
 1. All dimensions are shown in 'mm' unless otherwise stated.  
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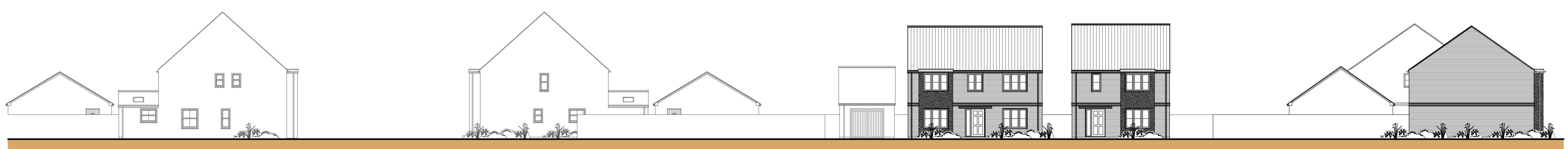
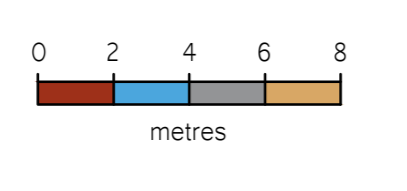
Street Elevation - Plots 1-5  
 Scale: 1:200



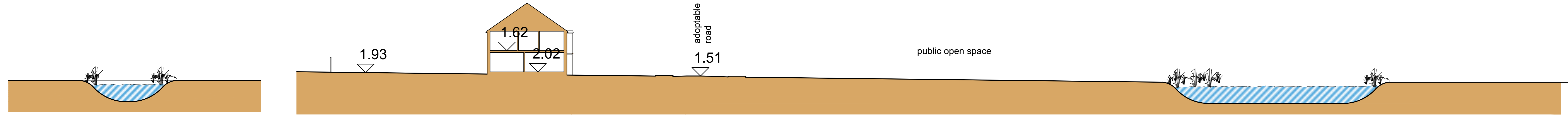
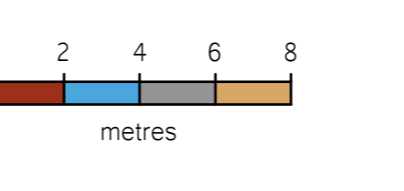
Street Elevation - Plots 5, 8-15 and 18  
 Scale: 1:200



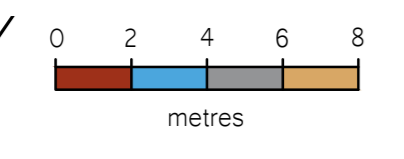
Street Elevation - Plots 16-18  
 Scale: 1:200



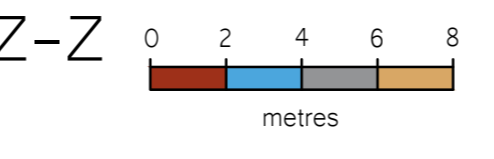
Street Elevation - Plots 6-8  
 Scale: 1:200



Section Y-Y  
 Scale: 1:200



Section Z-Z  
 Scale: 1:200



PLANNING

**SWANN EDWARDS**  
 ARCHITECTURE  
 Swann Edwards Architecture Limited  
 Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA  
 t: 01945 420234 e: info@swannedwards.co.uk w: www.swannedwards.co.uk

|  |                            |                  |               |
|--|----------------------------|------------------|---------------|
| Proposed Residential Development<br>Land East of Berryfield<br>March, Cambs<br>for Fink Developments | Job Title<br>February 2023 | Drawn by<br>RS   | Checked by    |
| Drawn by<br>PHASE B<br>Street Elevations and 3D Images<br>Pond Sections                              | Job No<br>SE-1819          | Sheet Size<br>A0 | Revision<br>D |
|  | Drawn by<br>PP2000         |                  |               |

**F/YR23/0940/F**

**Applicant: Mr Sim Man  
Minster Property Group**

**Agent : Mr Jake Stentiford  
Surface Planning**

**Land West And South Of 74, West Street, Chatteris, Cambridgeshire**

**Erect 70 x dwellings (29 x 2-bed 2-storey, 29 x 3-bed 2-storey, 6 x 4-bed 2-storey and 6 x 2-bed single-storey)**

**Officer recommendation: Grant subject to legal agreement**

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

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## **Government Planning Guarantee**

**Statutory Target Date For Determination: 12 February 2024**

**EOT in Place: Yes**

**EOT Expiry: 15 January 2025**

**Application Fee: £25,619**

### **Risk Statement:**

**This application must be determined by 15 January 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

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## **1 EXECUTIVE SUMMARY**

- 1.1 The site comprises approximately 3 hectares of grassland on the western side of the town of Chatteris. A new vehicular access is proposed to be taken from West Street on the eastern boundary at the southern end of the site.
- 1.2 The application is submitted in full for 70 no. affordable homes along with estate roads, private drives, parking, landscaping, areas of public open space (including a Local Equipped Area of Play), and drainage infrastructure including two attenuation basins and a pump station.
- 1.3 The application site is not allocated for development in the Local Plan but permission for a residential scheme for 58 houses has been granted on this site but has expired. However, the principle of a housing development would accord with the Spatial Strategy as set out in policy LP3 of the adopted Local Plan. Whilst the housing proposed would further exceed the approximate housing figure for Chatteris given in Part A of Local Plan policy LP4, this would not in itself be contrary to that part of the policy and would further increase supply and provide much needed affordable dwellings. The number of homes applied for in this location is acceptable and is therefore in conformity with Part B of policy LP4 of the adopted Local Plan.

- 1.4 The site layout, building design and amenity considerations are considered acceptable, together with other matters reviewed by consultees in relation to highways, flooding, drainage and environmental health matters. The Council's adopted Developer Contributions Supplementary Planning Document allows for affordable housing schemes to be granted without planning obligations for other community infrastructure.
- 1.5 Having regard to national and local planning policies, and all comments received, and subject to the signing of the Section 106 legal agreement, it is considered that the proposal would, on balance, amount to sustainable development and would accord with the Development Plan taken as a whole. There are no material considerations worthy of sufficient weight that indicate that a decision should be made other than in accordance with the Development Plan.
- 1.6 Accordingly, the conclusion reached is that the development should be approved.

## **2 SITE DESCRIPTION**

- 2.1 The application site currently comprises an area of grassland extending to 2.98 hectares. Bounding the application site is Chatteris Town FC ground to the north, residential properties along West Street to the east, the Twenty Foot Drain and adjoining vegetation to the west, and the boundary of a residential curtilage (84 West Street) as well as fields/paddocks to the south.
- 2.2 The land has previously been used for horse grazing, and there are several small disused structures located across the site. A number of drainage ditches run across the site. The existing ground cover largely consists of bramble scrub. There are a number of existing trees on the site which are evaluated in the accompanying Arboricultural Implications Assessment.
- 2.3 Areas of the site on the western side are located with Flood Zone 3 whilst the majority of the land in the centre and to the east are within Flood Zone 1.

## **3 PROPOSAL**

- 3.1 The application is submitted in full for 70 no. affordable homes along with estate roads, private drives, parking, landscaping, areas of public open space (including a Local Equipped Area of Play), and drainage infrastructure including two attenuation basins and a pump station.
- 3.2 The proposed development will comprise 100% affordable homes, with a mix of tenures including affordable home ownership and affordable rent based on a tenure blind design approach. The registered provider would retain ownership of public areas of the site which would ensure that areas of public open space and landscaping are properly maintained for the long term.

- 3.3 The scheme proposes a mix of housing types and sizes comprising 2, 3 & 4 bedroom houses and bungalows based on the following schedule of accommodation:

**schedule of accommodation**

| <b>housetype</b>               | <b>code</b>                | <b>area</b>      | <b>quantity</b>     |
|--------------------------------|----------------------------|------------------|---------------------|
| 2B4P House                     | A                          | 70m <sup>2</sup> | 22 no. units        |
| 2B4P House                     | B                          | 74m <sup>2</sup> | 07 no. units        |
| 3B5P House                     | C                          | 82m <sup>2</sup> | 12 no. units        |
| 3B5P Det. House                | D                          | 90m <sup>2</sup> | 04 no. units        |
| 3B5P Det. House                | E                          | 90m <sup>2</sup> | 03 no. units        |
| 4B6P House                     | F                          | 96m <sup>2</sup> | 06 no. units        |
| 2B3P Bungalow                  | G                          | 60m <sup>2</sup> | 04 no. units        |
| 2B3P Bungalow                  | H                          | 63m <sup>2</sup> | 02 no. units        |
| 3B5P House                     | J                          | 88m <sup>2</sup> | 10 no. units        |
| <b>Total Number of Units</b>   |                            |                  | <b>70 no. units</b> |
| <b>approximate site area :</b> | 2.98Ha / 7.36 acres        |                  |                     |
| <b>density :</b>               | 23.2 dwellings per hectare |                  |                     |
| <b>open space</b>              | 0.765Ha                    |                  |                     |

- 3.4 The applicant states that the scheme has been designed to achieve an attractive, green neighbourhood character, with extensive public landscaping, tree planting including tree-lined streets, providing, attractive green frontages throughout the site. A varied materials palette has been employed, using a number of distinct material combinations in order to provide variety and visual interest throughout the development.
- 3.5 The proposed landscaping details incorporate native species selected to maximise the biodiversity potential of the proposed areas of shrub planting, native hedgerows, amenity grass areas and wildflower seeded areas, with extensive tree planting across a total area of 7,650sqm of public open space, comprising more than 25% of the total site area.
- 3.6 Primary vehicular and pedestrian access to the site is from West Street near the junction with Gibside Avenue to the north, with an additional pedestrian connection that is proposed to be provided at the northern end of the site via the existing access to the Chatteris Town FC ground.
- 3.7 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

## 4 SITE PLANNING HISTORY

| Reference      | Description   | Decision   |
|----------------|---|------------|
| 23/0011/PREAPP | Erect 70 dwellings  | Favourable |
| F/YR17/0591/RM | Reserved matters application relating to the detailed matters of appearance, landscaping, layout and scale pursuant to outline permission F/YR15/0512/O for the erection of 58 x 2-storey dwellings and 3 x single storey dwellings comprising of: 3 x 1 bed, 8 x 2-bed, 19 x 3-bed, 25 x 4-bed and 3 x 5-bed with associated garages, parking and landscaping. | Approved   |
| F/YR15/0512/O  | Residential Development (58 dwellings max) involving demolition of existing storage building.   | Granted    |

## 5 CONSULTATIONS – SUMMARY OF RESPONSES RECEIVED

### 5.1 Chatteris Town Council

5/6/2024

Latest response following initial comments made 06/12/2023. *Support in principle development of the site but members are concerned about the density and do not agree to 70 dwellings. They are concerned about the impact on surrounding roads, in particular West Street and the junction of West Street and Huntingdon Road, and the greater loss of green space and biodiversity. Members are also concerned about the drainage arrangements and potential for flooding. If approved request mini roundabout at junction of West Street and Huntingdon Road and Section 106 contribution towards outdoor leisure facilities.*

### 5.2 Housing Strategy & Enabling Officer

17/11/2023

State that they are pleased to see that Minster Property Group are looking to deliver the proposal as a 100% wholly affordable housing scheme that delivers a range of dwelling types and sizes are proposed for the site, comprising of 2, 3 & 4 bedroom houses and bungalows in order to accommodate a variety of households. The exact tenure mix is to be decided through discussion with the local authority and informed by the latest Government guidance and latest SHMA and they recommend early discussion on this matter.

### 5.3 Cambridgeshire Fire Service

20/11/2023

State that should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may



be by way of Section 106 agreement or a planning condition. Where a Section 106 agreement or a planning condition has been secured, the cost of Fire Hydrants will be recovered from the developer.

#### **5.4 NHS Cambridgeshire & Peterborough Integrated Care System (ICS)**

23/11/2023

*The proposed development is likely to have an impact on the services of the GP Practice operating within the vicinity of the application (George Clare Surgery) which does not have capacity to take on additional patients. A developer contribution will therefore be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £58,174.46 (11.14sqm at £5224 per sqm).*

#### **5.5 Anglia Water**

30/05/2024 – latest response

Three comments received, latest response dated above which states that the foul drainage from this development is in the catchment of Chatteris-Nightlayer Fen Water Recycling Centre that will have available capacity for these flows. Recommend a number of informatives should the application be granted consent.

#### **5.6 Environment Agency**

07/12/2023

Note that all built development has been proposed within the Flood Zone 1 areas within the red line boundary and are therefore satisfied with the proposed development. Regarding the Flood Risk Sequential Test, advise that it is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Having reviewed the submitted Flood Risk Assessment with regard to tidal and designated main river flood risk sources they consider that the site is at low risk of flooding from these sources. As such, they have no objection to the proposed development on flood risk grounds.

#### **5.7 Local Lead Flood Authority**

6/11/2024

Final response following five earlier representations objecting to the proposals resulting in the submission of further details and information. Latest response states that Lead Local Flood Authority (LLFA) now have no objection in principle to the proposed development. They state the submitted documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving and two linked attenuation basins, restricting surface water discharge to QBAR. 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 watercourse. Attenuation basins provide amenity whilst the inclusion of micropools enhances biodiversity and water quality. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

Latest response also recommends conditions are imposed regarding detailed design of the surface water drainage, run off prevention during construction and

survey of drainage system prior upon completion. A number of informatives are also recommended.

## **5.8 FDC Environmental Health**

24/5/2024

Note and accept the latest submitted information and have 'No Objections' to the revisions. The content of the Residential Planning Noise Assessment (Ref: 100967-R01 Version 2) has been acknowledged and is accepted.

State that previous comments provided by them in respect of amenity protection are still valid. Earlier comments received recommend the submission of a robust Construction Environmental Management Plan (CEMP) covering all aspects of the construction and a vibration impact assessment in the event piling is required. A condition will be required to ensure that in the event planning consent is granted, the recommended noise mitigation measures are then implemented into the design to ensure adequate protection for future residents. Whilst ground contamination isn't expected to be an issue, due to the removal of existing structure(s), it would however be prudent to impose the a condition for unsuspected contamination should planning permission is granted.

## **5.9 CCC - Definitive Map Team**

6/12/2023

*Public Bridleway No. 30, Chatteris, runs to the west of the application site. Request that in line with our guidance for developers, any new trees or hedging must have an offset distance of 2 metres from the Public Right of Way. Whilst the Definitive Map Team has no objection to this proposal, they state the Bridleway must remain open and unobstructed at all times and their response includes a number of informatives for any permission issued.*

## **5.10 FDC Tree Officer**

26/09/2024

Updated response following initial comments - no objection to the tree removal proposals and agree with the low category categorisation. The arboricultural report provides some protection details and that it is achievable, but this needs to be more robust if approved to give clear direction to the people reading it. If the LPA are minded to approve, suggest conditioning a more robust tree protection method statement, to include arboricultural supervision times.

Within the proposed landscaping the tree and shrub species are acceptable, however, consider some species locations such as Sorbus adjacent to areas where berry drop could create a slip hazard and nuisance need to be considered to be set back further or changed for an alternative species to prevent these issues resulting in the trees being removed by residents in the future. Where Prunus species are shown close to hard surfacing, their root growth characteristic can cause displacement damage as they mature, so root deflectors need to be installed or again, consideration given to the space available for tree planting, the trees future maturity size and attributes such as berries, shading, canopy spread etc. Fastigate trees might need to be considered where space restrictions are limited. Would suggest these issues are considered to plan for harmonious development of the planting in relation to the positioning of the scheme, to ensure

continuous retention of the trees and shrubs so they do not become a problem for future residents where they may remove them.

#### **5.11 East of England Ambulance Service**

05/01/2024

Development would affect March, Ely and St Ives Ambulance Stations. Additional residents resulting would require additional facilities and a requested contribution towards these has been calculated at £22,890.

#### **5.12 CCC Education and Library Infrastructure**

08/12/2023

The development would require contributions towards early year, primary and secondary education that in combination amount to £714,772. In addition, the development would need to pay the following library and lifelong learning contribution and would therefore need to contribute £10,325 (£59 per head of population x 175 new residents).

#### **5.13 Cambridgeshire Constabulary - Designing Out Crime Officer**

29/11/2023

Response states that this generally appears to be an acceptable layout in relation to crime prevention and the fear of crime, providing reasonable levels of natural surveillance from neighbour's properties with many of the homes facing each other and overlooking open space. Pedestrian and vehicle routes are aligned together and overlooked suggesting that pedestrian safety has been considered, which should encourage some level of territoriality amongst residents. Some of the vehicle parking is in-curtilage between and to the sides of properties. Most of the homes have back-to-back protected rear gardens which reduces the risks and vulnerability to crime and many homes have been provided with some defensible space to their front. Detailed comments provided in relation to external lighting, cycle storage, and rear access footpaths given.

#### **5.14 CCC Highways – Development Control**

10/10/2024

Final response following two earlier representations to the proposals resulting in the submission of further details and information. Latest response states that there are no objections in principle to the application. Recommend conditions be attached concerning footway works, binder course and wheel wash facilities as well as an informative.

#### **5.15 CCC Highways – Transport Assessment Team**

24/10/2024

Note that the site is situated within walking and cycling distance to a range of facilities and amenities. There is a gap in the existing pedestrian network between the proposed site access and the existing footway provision on the western side of West Street circa 45m north of the proposed site access. Beyond this, the existing pedestrian network provides suitable access to key facilities within Chatteris. The junction capacity assessments are acceptable for use. The development is not anticipated to cause detriment to the operation of the surrounding network.

The Highway Authority have no objections to the proposals subject to a planning condition requiring, prior to occupation, the developer to be responsible for the provision and implementation of Welcome Travel Packs.

## 5.16 Wildlife Trust

24/11/2023

The application site is located to the west of the existing settlement. A habitat and species survey report has been prepared, and while it appears to include relevant information the nominated Fenland DC ecological advisor should review this report in detail. The application also includes a brief summary of a Biodiversity Net Gain assessment using the Defra Biodiversity Metric 4.0. but the summary document includes insufficient information for it to be independently reviewed.

## 5.17 CCC - Ecology Advisory Service

12/12/2024

Note that the submission of the additional information addresses the following points previously raised and are considered resolved: water vole, watercourses and post development BNG.

Welcome update to the Biodiversity Net Gain assessment to incorporate the Open Space for habitat enhancements and reflect our previous comments. The biodiversity metric shows an increase of 12% BNG for habitats and 149% increase in hedgerows. However, the response states they are concerned that the proposed enhancement of the open space (western boundary) from modified grassland to 'other neutral grassland' and 'bramble' to 'mixed scrub' is unlikely to be achieved under the current landscape proposals. Response recommend refusal until updated Landscape Proposals are provided to confirm how other neutral grassland and mixed shrub will be established on Open Space (either in detail, or as an outline with detailed information to be secured through condition).

Following the above response the applicant provided further details which were shared with the County Ecologist. In an email dated 20 December 2024 the Ecologist states they have reviewed the updated landscape proposals (sheet 4) and are satisfied that it reflects proposed enhancements set out in the biodiversity metric and therefore, the biodiversity net gain in BNG (habitats) has the potential to be delivered. The email goes on to say further details of the proposed design of the open space (and other landscape details) would need to be secured through suitable worded conditions to ensure delivery of the BNG targets.

## 5.18 Local Residents/Interested Parties

Eleven representations have been received (seven from residents of West Street, one each from Blackmill Road, Meadow Close, Fairview Avenue and Willow Tree Close) and objecting to the proposals. The reasons for objection are summarised in the bullet points below:

- No more need for houses, just for commuters and lots of houses for sale;
- Loss of open space;
- Overlooking and overshadowing of bungalows with two storey dwellings proposed, noise issues;
- Site is at risk of flooding and would worsen flooding in the surrounding area;

- Increased congestion on local road on roads which are unsuitable for more traffic. West Street is too narrow, lack of parking means many cars park on pavement making situation worse. Will be difficult for deliveries to the site and for emergency vehicles;
- Lack of infrastructure in area, doctors, dentists, schools, police;
- Devaluation of properties; and
- Bats in area would be impacted.

A petition also signed by 144 residents of Chatteris has been received objecting to the proposals.

One representation has been received from a neighbour enquiring as to the arrangements for his drainage that runs from his property across the site to the mains drainage connection to the west.

## 6 STATUTORY DUTY

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

## 7 POLICY FRAMEWORK

### **National Planning Policy Framework 2024 (NPPF)**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed and beautiful places

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

Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

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
- LP10 – Chatteris
- 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
- LP19 – The Natural Environment

### **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

- Policy 5 - Mineral Safeguarding Areas
- Policy 10 - Waste Management Areas (WMAs)
- Policy 14 - Waste management needs arising from residential and commercial Development
- Policy 16: -Consultation Areas (CAS)

### **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**

### **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
- LP4: Securing Fenland's Future
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP14: Gypsies and Travellers and Travelling Showpeople
- LP18: Development in the Countryside

- LP20: Accessibility and Transport
- LP21: Public Rights of Way
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP29: Green Infrastructure
- LP31: Open Space and Recreational Facilities
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination
- LP34: Air Quality
- LP45: An aspirational community
- LP46: Residential site allocations in Chatteris

## **8 KEY ISSUES**

- **Principle of Development**
- **Site layout, building design and amenity considerations**
- **Access, Highways and Transport related matters**
- **Flood risk and drainage**
- **Ecology and Biodiversity Net Gain (BNG)**
- **Affordable housing, community infrastructure and viability matters**

## **9 BACKGROUND**

- 9.1 As noted in Section 4 above, a pre application enquiry was made in relation to an affordable housing scheme at this site. Initially the enquiry was based on a layout showing 86 dwellings. The advice provided by FDC Officers in August 2023 on a revised layout of 70 dwellings stated that this would be a less dense and higher quality scheme. Response went to on to add that whilst there may be technical issues to address from external consultees, the revised layout submitted illustrates that an acceptable scheme for 70 units on the site could be achieved in principle.
- 9.2 Whilst the policies of the emerging Local Plan carry extremely limited weight in decision making, it is relevant to note that the site is shown as being located within the settlement boundary of Chatteris and as a potential site allocation (reference LP46.09) for 58 dwellings. This being on the basis that it and other similar sites had extant planning permission at time of preparing the emerging Local Plan on 1 April 2021. However, the relevant planning permissions references F/YR15/0512/O and F/YR17/0591/RM appear to have expired prior to any lawful implementation.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The development proposes 70 affordable dwellings on an unallocated site on the edge of the market town of Chatteris, accordingly it must initially be assessed against policies LP3 and LP4 of the adopted Local Plan. Policy LP3 sets out a Spatial Strategy, as well as a Settlement Hierarchy and what development is acceptable in the Countryside within Fenland District. In this respect Chatteris is

designated as an 'Other Market Town' under the 'Market Towns' classification of the Spatial Strategy hierarchy that the policy identifies as being settlements where *'The majority of the district's new housing, employment growth, retail growth and wider service provision should take place'*.

10.2 Part A Policy LP4 of the adopted Local Plan identifies housing targets to be built in the district between 2011 and 2031. With respect to Chatteris, the approximate target for this period is 1,600 dwellings. The Council's Planning Policy Team has provided figures that 466 dwellings have been built in Chatteris since 2011, with a further 1,315 having planning consent. Therefore, the approximate target for Chatteris has already been exceeded in respect of completions and planning permissions combined and would be further increased by the dwellings proposed in this application. Also, from a wider District perspective, the Council can demonstrate a 5-year housing land supply.

10.3 In relation to this matter, the findings of a Planning Inspector who decided an appeal for 110 dwellings at Upwell Road in March earlier in the year made the following comments:

*'I accept that, the Council being able to demonstrate a 5-year housing land supply, means that there have been homes provided on the ground for local people over and above the identified need. Nevertheless, the PPG states that the standard method for calculating local housing need provides a minimum number. This is echoed in the Framework (paragraphs 61, 76 and 77), and there is no reason that it should be considered a ceiling.'*

10.4 Thus, it is considered that further housing beyond the approximate housing figure given in Part A of policy LP4 would not in itself be contrary to that part of the policy; particularly where this could secure the delivery of much needed affordable housing, as supported by the Council's Housing Strategy & Enabling Officer in their response to the application (paragraph 5.2 above)

10.5 Part B, Policy LP4 of the adopted Local Plan then sets out criteria for assessing housing development proposals. In January 2015 the District Council produced a 'Guidance and Clarification Note' in relation to Part B of Policy LP4. This Note sets out the following with respect to new development on non allocated sites in Market Towns other than Strategic Allocations and Broad Locations for Growth:

*'For proposals for fewer than 250 dwellings (small scale sites) which are either in or adjacent to a market town and not within a Strategic Allocation or Broad Location, the reader is referred in the first instance to the criteria in Policy LP16 - Delivering and Protecting High Quality Environments across the District. Under Policy LP4 Part B any site for between 1 to 249 dwellings may be considered as having potential for development.'*

10.6 As this is proposals is adjacent to a market town and under 249 dwellings it is considered to have the potential for development subject to assessment against the criteria in policy LP16. Policy LP16 of the adopted Plan seeks to ensure high quality environments will be delivered and protected throughout the district and this be achieved by assessing proposed development against 15 criteria where relevant to the proposals under consideration. Consideration of the relevant criteria applicable for this planning application are described under the headings of the remaining 'Key Issues' highlighted below.



10.7 In conclusion, subject to the consideration of matters as described below, the principle of a housing development would accord with the Spatial Strategy as set out policy LP3 of the adopted Local Plan. Whilst the housing proposed would further exceed the approximate housing figure for Chatteris given in Part A of Local Plan policy LP4, this would not in itself be contrary to that part of the policy and would further increase supply and provide much needed on site affordable dwellings. The number of homes applied for in this location is acceptable and is therefore in conformity with Part B of policy LP4 of the adopted Local Plan. Also, material to this matter is the fact that a residential scheme at this site has been granted permission under the policies of current Local Plan, notwithstanding that this permission has lapsed as it was not implemented.

### **Site layout, building design and amenity considerations**

10.8 The applicant states that starting point for the design of the proposed development was the previously approved scheme for 58 dwellings, which was supported and approved by the Local Planning Authority under the currently adopted Local Plan. They state that due to decreased dwelling footprints associated with affordable tenure properties, there is an opportunity to increase the density of the scheme, and therefore its benefits in respect of affordable housing delivery, without substantively impact on the character and street scene of the proposals.

10.9 As described in paragraph 9.1 above, the applicant initially proposed in a pre-application enquiry a scheme of 86 affordable homes with a layout that reflected the overall form of the previously approved scheme. Following initial advice to this pre-application a number of design suggestions were made, including a reduction in front of plot parking, a less regimented layout, the addition of single-storey bungalows, and an overall reduction in density. In response to these comments the applicant carried out an overhaul of the design, which is now put forward in this application, entailing a reduction by 16 units to a total of 70, thereby reducing the density to 23.2 dwellings per hectare. The redesigned scheme as submitted is considered to comprehensively address the key concerns raised in respect of parking, layout and density.

10.10 The scheme includes a good variety of house type designs and a varied materials palette to maintain visual interest and make create a distinctive neighbourhood character. This includes a mix of materials, predominantly red and buff brick but with some including elements of render to provide variety and interest to the scheme. Roof tiles would be either slate grey in colour, or terracotta. There is sufficient space within the site for all dwellings to be provided with private garden land, which equates to at least one third of the area of the curtilage, thereby complying with Policy LP16 (h) and at the requisite number of parking spaces contained within the adopted parking standards in Appendix A of the Local Plan.

10.11 Policy LP16 of the adopted Local Plan establishes requirements in respect of the proposed development for the provision of 6,705sqm of open space, of which 1,192sqm should comprise on-site children's play. The scheme exceeds the total requirement, with provision of 7,650sqm of public open space, comprising more than 25% of the total site area. Most of this area is to the west of the site within the areas of the site known to be within Flood Zone 3. Details of a Local Equipped Area for Play provision within this area have been provided and the location is identified between the two proposed attenuation basins. As well as the main area of open space pockets of green space are dotted throughout the scheme. The proposed landscaping details incorporate native species selected to maximise the

biodiversity potential of the proposed areas of shrub planting, native hedgerows, amenity grass areas and wildflower seeded areas, with extensive tree planting.

- 10.12 The scheme provides well-proportioned living spaces and external amenity space to each plot, with appropriate separation distances and orientation of dwellings to ensure privacy and avoid any issues of overbearing or overshadowing between units. Appropriate separation distances are provided between all proposed dwellings, and between proposed dwellings and existing dwellings neighbouring the site. As a result, the scheme achieves a high standard of residential amenity for both neighbours and future residents of the scheme.
- 10.13 The application is supported by a Residential Planning Noise Assessment, based on the results of an environmental noise survey. This concludes that there should be no adverse impacts as a result of the proposed development in respect of noise subject to mitigation measures such as enhanced glazing on certain dwellings and fencing, which the Environmental Health Officer has advised should be required to be implemented by a planning condition.
- 10.14 In conclusion it is considered that the proposals comply with relevant criteria in Local Plan policy LP16.

### **Access, Highways and Transport related matters**

- 10.15 Local Plan Policy LP15 (Facilitating the Creation of a More Sustainable Transport Network in Fenland) sets out a vision for a sustainable transport strategy which it expects all development to feed into LP15 (C) requires all development to demonstrate that they have regard to 6 criteria including;
- Maximising accessibility to increase the use of non-car modes,
  - Ensuring development which includes new public highway accords with the character of an area
  - Development likely to result in significant transport impacts should be supported by a Transport Assessment and Travel Plan,
  - Development of 50+ dwellings should demonstrate how it contributes to the Market Town Transport Strategy
  - Providing safe, convenient and effective access for all with priority for non-car modes of transport and habitat connectivity where opportunities exist giving easy access and permeability to adjacent areas
  - Providing well-designed car and cycle parking having regard to the parking standards set out in Appendix A of the Local Plan.
- 10.16 Policy LP15 sets out that any development that has transport implications will not be granted permission without demonstration of deliverable mitigation which would make the development acceptable in transport terms.
- 10.17 The application is accompanied by a Transport Statement and Travel Plan which has been reviewed by CCC's Development Management and Transport Assessment Teams. The review of these documents assessed the proposal in terms of sustainability, accident data, site access, vehicular trip generation and future proofing and movement and accessibility. Considering the proposed intensification of use along West Street, proof was required that the carriageway on the approach to the site access from the north of 5 metres is present. The applicant subsequently produced a Width Review Plan showing this to be the case.

10.18 Collectively the Highway Authority has no objections subject to conditions relating to footway works, binder course, wheel wash facilities and the provision and implementation of Welcome Travel Packs for new residents on occupation. As such, the advice received suggests that the proposals accord with the aims of LP15 in demonstrating that it assists with the sustainability aims of the Local Plan.

### **Flood risk and drainage**

10.19 Part B of Local Plan Policy LP14 (Responding to Climate Change and Managing the Risk of Flooding in Fenland) advocates development proposals should adopt a sequential approach to flood risk from all forms of flooding. Environment Agency Flood maps show that the majority of the site is within Flood Zone 1 (least risk), whilst the western and some of the southern parts of the site are within Flood Zone 3 (highest risk). A site-specific Flood Risk Assessment demonstrates that the layout presented shows no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future. In line with paragraph 175 of the NPPF this means that there is no requirement to undertake a Sequential Test. The Environment Agency response notes that they have reviewed the submitted Flood Risk Assessment with regard to tidal and designated main river flood risk sources and consider that the site is at low risk of flooding from these sources. As such, they go on to say that they have no objection to the proposed development on flood risk grounds.

10.20 With regard to surface water drainage, this would be managed within the site through the use of permeable paving and two linked attenuation basins on the west of the site, restricting surface water discharge. In their response the Local Lead Flooding Authority having reviewed the submitted Drainage Strategy and associated plans and details 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 watercourse. Their response states that the attenuation basins provide amenity whilst the inclusion of micro pools enhances biodiversity and water quality.

10.21 With regard to foul water drainage this would be via mains drainage and Anglian Water in their response state that the foul drainage from this development is in the catchment of Chatteris-Nightlayer Fen Water Recycling Centre and that this has available capacity for these flows.

10.22 In light of all the above it is considered that the proposals submitted have been designed to ensure that the development is directed away from areas at highest risk and also ensures that flood risk is not increased elsewhere. Therefore, the proposals comply with the requirements of Part B of Local Plan Policy LP14.

### **Ecology and Biodiversity Net Gain (BNG)**

10.23 The application has been accompanied by a Habitat and Protected Species Reporting, including a supplementary report concerning Water Vole given the presence of ditches to the site. An evaluation of these surveys by the County Ecologist notes that they are satisfied that the scheme would have no impact of the scheme on water vole.

10.24 The Environment Act 2021 requires development proposals to deliver a statutory

10% net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting

- 10.25 This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.26 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force. Nevertheless, the biodiversity metric shows an increase of 12% BNG for habitats and 149% increase in hedgerows and the latest email of 20<sup>th</sup> December 2024 from the County Ecologist states that concerns on how this would be achieved have now been met, subject to conditions securing the delivery of the BNG targets.

### **Affordable housing, community infrastructure and viability matters**

- 10.27 The scheme comprises 100% affordable housing. In this regard the scheme would provide a substantial contribution towards the Council's affordable housing needs notwithstanding housing stock in general. The Council's Housing team has indicated support for the scheme and the delivery of affordable housing could be reasonably secured via a Section 106 planning obligation. The Section 106 will have a built-in flexibility in relation to the tenure mix rather than changing the tenure mix via a tenure plan.
- 10.28 In respect of other infrastructure contributions, the Council's adopted Developer Contributions Supplementary Planning Document states that planning obligations will not normally be sought from affordable housing schemes (other than the provision of the homes themselves). In this regard therefore, whilst the NHS, Ambulance Service, and CCC Education and Library Service requested financial sums, this is not sought in this case due to the nature of the houses in the application.
- 10.29 As such, the proposal complies with policy LP5 which requires a Section 106 agreement to secure the affordable housing proposed.

## **11 CONCLUSIONS**

- 11.1 The principle of a development of this scale is acceptable in this location being on the edge of an 'Other Market Town', adjacent to the built area and is therefore compliant with relevant Local Plan policy LP3. Whilst Chatteris has exceeded its approximate housing target for the Local Plan period through completions and extant permissions, this figure is not a ceiling and the proposal would increase the supply of housing and much needed affordable housing.
- 11.2 The site layout, building design and amenity considerations are considered acceptable, together with other matters reviewed by consultees in relation to highways, flooding, ecology, biodiversity net gain, drainage and environmental

health matters. The Council's adopted Developer Contributions Supplementary Planning Document allows for affordable housing schemes to be granted without planning obligations for other community infrastructure.

- 11.3 Having regard to national and local planning policies, and all comments received, and subject to the resolution of the Section 106 legal agreement, it is considered that the proposal would, on balance, amount to sustainable development and would accord with the Development Plan taken as a whole. There are no material considerations worthy of sufficient weight that indicate that a decision should be made other than in accordance with the Development Plan. Accordingly, the conclusion reached is that the development should be approved

## 12 RECOMMENDATION

- 12.1 Members are recommended to APPROVE the application in accordance with the following terms;
1. The Committee delegates authority to finalise the terms and completion of the Section106 legal agreement and planning conditions to the Head of Planning; and,
  2. Following the completion of the Section106 agreement, application F/YR23/0940/F be approved subject to planning conditions, an indicative list of these is set out in principle at Appendix 1 below; or,
  3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the Section 106 legal agreement or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

### Appendix 1 - Proposed Draft Conditions

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|---|---|
| 1 | <p>Start date to implement permission<br/>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>   |
| 2 | <p>Construction Environmental Management Plan<br/>No development shall commence until a site wide Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include the consideration of the following aspects of demolition and construction works:</p> <p>a) Construction and phasing programme.<br/>b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures.</p> |

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|   | <p>c) Construction hours which shall be carried out between 0800 hours to 1800 hours Monday to Friday, and 0800 hours to 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless in accordance with agreed emergency procedures for deviation.</p> <p>d) Delivery times and collections / dispatches for construction purposes shall be carried out between 0800 to 1800 hours Monday to Friday, 0800 to 1300 hours on Saturdays and at no time on Sundays, bank or public holidays, unless otherwise agreed in writing by the Local Planning Authority</p> <p>e) Soil Management Strategy having particular regard to potential contaminated land and the reuse and recycling of soil on site, the importation and storage of soil and materials including audit trails.</p> <p>f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites.</p> <p>g) 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. Details of any piling construction methods / options, as appropriate.</p> <p>h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways.</p> <p>i) Use of concrete crushers.</p> <p>j) Prohibition of the burning of waste on site during demolition/construction.</p> <p>k) Site artificial lighting including hours of operation, position and impact on neighbouring properties.</p> <p>l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.</p> <p>m) Screening and hoarding details.</p> <p>n) Access and protection arrangements around the site for pedestrians, cyclists and other road users.</p> <p>o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures.</p> <p>p) External safety and information signing and notices.</p> <p>q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures.</p> <p>The approved CEMP shall be adhered to throughout the demolition and/or construction period and must demonstrate the adoption of best practice to reduce the potentially adverse effects on those living and working nearby the development site, whilst also acknowledging the health, safety and welfare of those working on site. The CEMP should be in accordance with the template on the Fenland District Council website via the following link:<br/> <a href="https://www.fenland.gov.uk/planningforms">https://www.fenland.gov.uk/planningforms</a></p> <p>Reason: In the interests of safe operation of the highway and protection of residential amenity in accordance with policy LP15, LP16 and LP19 of the Fenland Local Plan (2014).</p> |
| 3 | <p>Surface water drainage details</p> <p>No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site</p>  |

has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.

The scheme shall be based upon the principles within the agreed

- Technical Note, JPP Consulting LTD, Ref: 26065 / LC / 004, Dated: 24th October 2024
- Preliminary Drainage Strategy, JPP Consulting LTD, Ref: 26065 – 103, Rev: H, Dated: 5th June 2024
- Drained Layout Areas, JPP Consulting LTD, Ref: 26065 – 104, Rev: F, Dated: 5<sup>th</sup> June 2024
- Adoptable Drainage Construction Details, JPP Consulting LTD, Ref: 26065 – 105, Rev: C, Dated: 18th December 2023
- Surface Water Exceedance Flow Routing Plan, JPP Consulting LTD, Ref: 26065 – 107, Rev: B, Dated: 5th June 2024
- Detention Basin Cross Sections, JPP Consulting LTD, Ref: 26065 – 106, Rev: A, Dated: 2nd November 2024
- Flood Risk Assessment and Drainage Strategy, JPP Consulting LTD, Ref: RFRA-26065-01-B, Rev: B, Dated: April 2024
- FSR and FEH Hydraulic Calculations, JPP Consulting LTD, Ref: 26065, Dated: 7th June 2024
- Technical Note, JPP Consulting LTD, Ref: 26065 / LC / 001, Dated: 21st December 2024 and shall also include:

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

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|   | <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.</p>   |
| 4 | <p>Surface water run off measures during construction<br/>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.</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.</p> |
| 5 | <p>Ground and floor level details<br/>Prior to commencement of development details of existing ground levels (in relation to an existing datum point), proposed finished floor levels and floor slab levels of the development shall be submitted to and approved in writing by the Local Planning Authority. 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.</p>  |
| 6 | <p>Arboricultural Method Statement<br/>No development, including preparatory works, shall commence until a detailed Arboricultural Method Statement for the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be implemented in accordance with the measures identified within the approved Statement.</p> <p>Reason: To ensure the protection of trees on and adjacent to the site, during and post construction in accordance with Policies LP16 and LP19 of the Fenland Local Plan, 2014</p>   |
| 7 | <p>External lighting<br/>Prior to development proceeding above slab level, a scheme for the provision of external lighting for the development shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the access road and parking areas lit by columns to BS5489:1 2020 and security lights to dwellings dusk to dawn LED bulkhead lights. The approved details shall be implemented prior to the occupation of the dwelling to which they relate and be retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention</p>  |

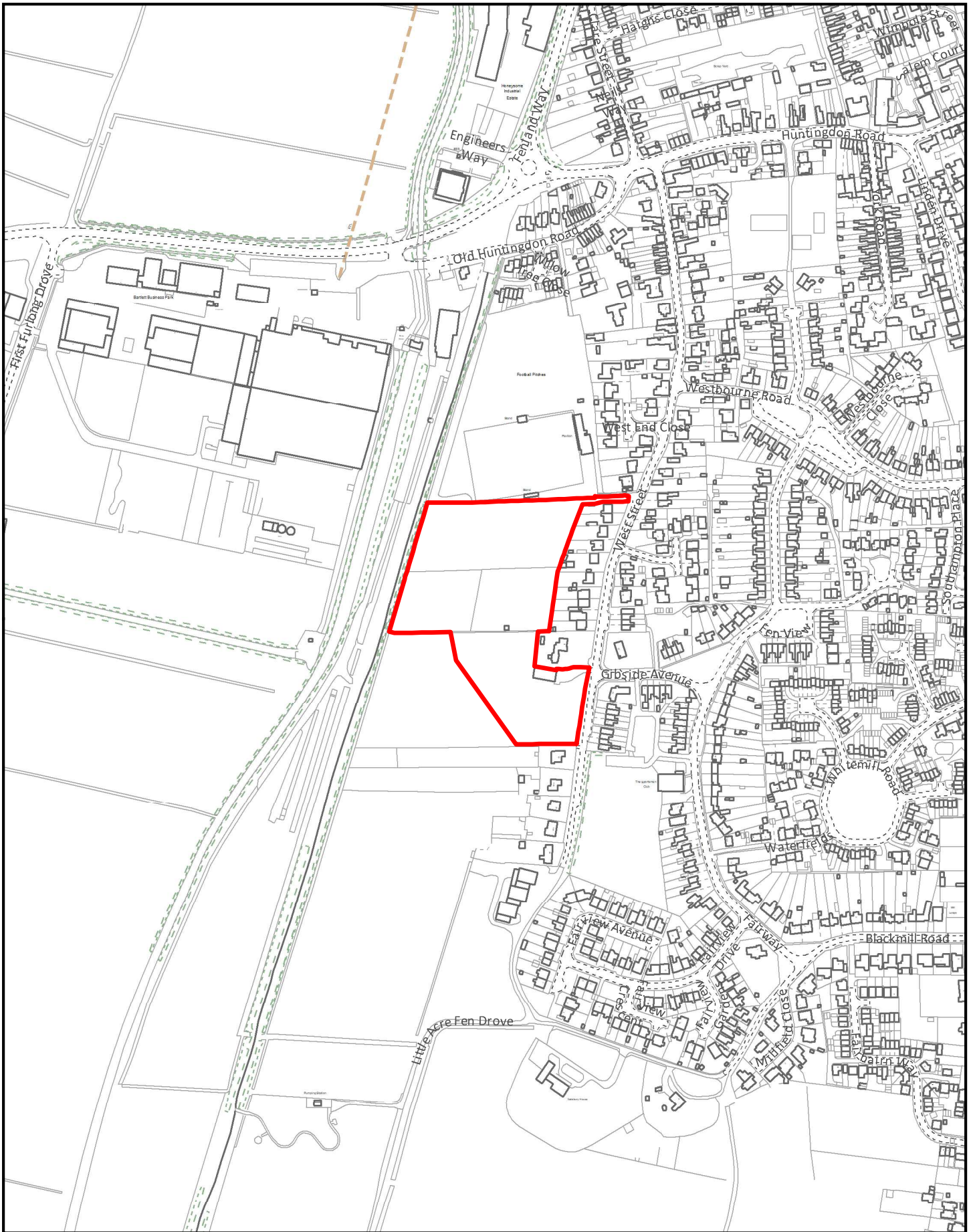


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|    | guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.   |
| 8  | <p>Final material details<br/>Prior to development proceeding above slab level, full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>   |
| 9  | <p>Landscaping implementation, management and maintenance details<br/>Notwithstanding the submitted details before development above slab level details of hard and soft landscaping, including the play area, and including a timetable for delivery shall be submitted and agreed in writing by the LPA. Development shall be carried out in accordance with the approved details. Any trees, shrubs or hedges forming part of the approved landscaping scheme (except those contained in enclosed rear gardens to individual dwellings) that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced.</p> <p>Reason: To ensure the landscaping proposals submitted are implemented managed and maintained in accordance with policy LP16(i) of the Fenland Local Plan, 2014.</p>   |
| 10 | <p>Landscape and Ecological Management Plan<br/>A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior development proceeding above slab level for each development phase. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> <li>a) Description and evaluation of features to be managed.</li> <li>b) Ecological trends and constraints on site that might influence management.</li> <li>c) Aims and objectives of management.</li> <li>d) Appropriate management options for achieving aims and objectives (including biodiversity net gain).</li> <li>e) Prescriptions for management actions.</li> <li>f) Preparation of the work schedule (including an annual work plan capable of being rolled forward over a 30 year period and BNG audit).</li> <li>g) Details of the body or organisation responsible for implementation of the plan.</li> <li>h) Ongoing monitoring and remedial measures.</li> </ul> <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the development with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and</p> |

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|    | <p>implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.</p> <p>A 5 yearly report shall be submitted to the LPA confirming the progress of the LEMP and results of any monitoring work.</p> <p>The LEMP shall be implemented in accordance with the approved details and all features shall be retained in the manner thereafter in perpetuity.</p> <p>Reason: To ensure biodiversity is protected and enhanced in accordance with policies LP16 and LP19 of the Fenland Local Plan, 2014.</p>  |
| 11 | <p><b>Fire Hydrants</b></p> <p>No development above slab level within a development phase shall take place until details for the provision of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any dwelling within the respective development phase is occupied.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>  |
| 12 | <p><b>Contaminated land</b></p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 196 and 197, and Policies LP14 and LP16 of the Fenland Local Plan 2014.</p> |
| 13 | <p><b>Noise and ventilation measures</b></p> <p>The development shall be undertaken in accordance with the glazing, ventilation and fencing measures stipulated within the Residential Planning Noise Assessment report (Version 2) reference 100967-R01 dated 17 April 2024 submitted with the application.</p> <p>Reason: To manage and mitigate the risk to the amenity of new residents from existing sources of noise in accordance policy LP16(I) of the Fenland Local Plan, adopted 2014.</p>  |
| 14 | <p><b>Welcome Travel Pack</b></p> <p>Prior to the first occupation of any dwelling within, a Welcome Travel Pack detailing sustainable travel for each dwelling shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The Welcome Travel Packs shall be distributed to the first occupants of each dwelling within and shall include the provision of active travel vouchers to promote sustainable travel.</p>   |

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|    | <p>Reason: To encourage sustainable modes of travel in accordance with policy LP15 of the Fenland Local Plan, adopted 2014.</p>   |
| 15 | <p><b>Footpath works</b><br/>Prior to first occupation the footway works as shown on the approved plans will be delivered in full.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>  |
| 16 | <p><b>Maintenance and Management of Public Areas</b><br/>Prior to occupation of any dwelling hereby permitted a management and maintenance plan for the shared/public areas (including open space landscaping, play area and lighting) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as approved in accordance with the specified schedule contained therein.</p> <p>Reason: To ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 and that the development is adequately maintained, managed and serviced in accordance with Policy LP16 of the Fenland Plan 2014</p> |
| 17 | <p><b>Parking provision and use</b><br/>Prior to the first occupation of the relevant dwelling hereby approved, the associated on-site parking shall be provided in accordance with the approved plans. Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of occupiers for each dwelling of the approved scheme and shall not be used for any other purpose.</p> <p>Reason - In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>   |
| 18 | <p><b>Refuse Collection Strategy</b><br/>Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan 2014.</p>   |
| 19 | <p><b>Binder course</b><br/>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on ^IN.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>  |
| 20 | <p><b>Post construction surface water drainage survey</b><br/>Upon completion of the surface water drainage system, including any</p>   |

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|    | <p>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.</p> <p>Reason: To ensure the effective operation of the surface water drainage scheme following construction of the development.</p> |
| 21 | <p>Compliance with approved plans and documents<br/>The development hereby permitted shall be carried out in accordance with the approved plans and documents:</p>   |



Created on: 16/11/2023

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**F/YR23/0940/F**

Scale = 1:5,000

N

Fenland District Council

**Proposed Site Layout**

Scale: 1:500

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Source File: 21002 Model.rvt

| Rev | Date       | Drawn | Note   |
|-----|------------|-------|--|
| P02 | 18/07/2023 | JKG   | Drawing status updated to 'Planning'. Disclaimer amended.  |
| P03 | 03/10/2023 | JKG   | Highway amended, planting / screening shown, house types amended, SoA updated, LEAP added. Plots 16-18 moved away from rear boundary. Plot 29 re-orientated. |
| P04 | 12/03/2024 | JKG   | Site access and note added. Landscaping updated.   |
| P05 | 18/04/2024 | JKG   | Plots 36-45 amended.   |
| P06 | 08/05/2024 | JKG   | Substation added.  |
| P07 | 03/07/2024 | JKG   | Substation relocated.  |
| P08 | 31/10/2024 | JKG   |  |
| P09 | 13/11/2024 | JKG   |  |



**Key**

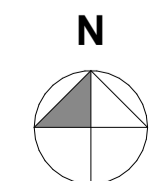
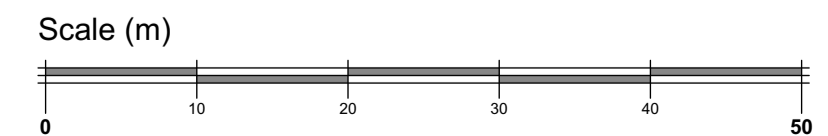
- Application site boundary
- Proposed Housing
- Existing Surrounding Buildings
- Private Rear Garden Area
- Public Open / Green Space
- Principal Highway / Road
- Private Drive
- Car Parking Spaces
- Pedestrian Footpaths
- Drainage Easement
- Proposed Tree Planting (indicative only - to be designed and specified by Landscape Architect)
- Proposed Hedge / Shrub Planting (indicative only - to be designed and specified by Landscape Architect)
- ▶ House types - Primary Point of Access
- ▶▶▶ Primary Site Access

**schedule of accommodation**

| housetype       | code | area             | quantity     |
|-----------------|------|------------------|--------------|
| 2B4P House      | A    | 70m <sup>2</sup> | 22 no. units |
| 2B4P House      | B    | 74m <sup>2</sup> | 07 no. units |
| 3B5P House      | C    | 82m <sup>2</sup> | 12 no. units |
| 3B5P Det. House | D    | 90m <sup>2</sup> | 04 no. units |
| 3B5P Det. House | E    | 90m <sup>2</sup> | 03 no. units |
| 4B6P House      | F    | 96m <sup>2</sup> | 06 no. units |
| 2B3P Bungalow   | G    | 60m <sup>2</sup> | 04 no. units |
| 2B3P Bungalow   | H    | 63m <sup>2</sup> | 02 no. units |
| 3B5P House      | J    | 88m <sup>2</sup> | 10 no. units |

**Total Number of Units** : 70 no. units

approximate site area : 2.98Ha / 7.36 acres  
 density : 23.2 dwellings per hectare  
 open space : 0.765Ha  
 parking provision : 300% / 200% / 100%



Client: Minster Property Group Ltd.

Project Title: Proposed Residential Development at Land off West Street, Chatters

Drawing Title: Proposed Site Layout

Drawing Status: Planning

Scale: 1:500  
 Date: 14.07.23  
 Project Number: 21002  
 Drawing Number: 0102  
 Revision: P09

# Indicative Street Elevations

Scale: 1:200

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Source File: 21002 Model.rvt

| Rev | Date       | Drawn | Note                |
|-----|------------|-------|---------------------|
| P02 | 03/10/2023 | JKG   | Disclaimer amended. |



1. Elevation A



2. Elevation B



3. Elevation C



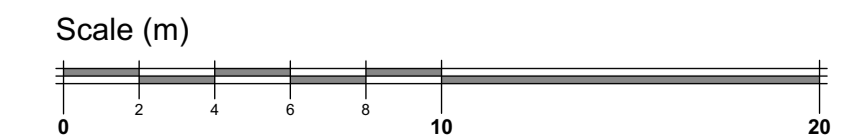
Client: Minster Property Group Ltd.  
Project Title: Proposed Residential Development at Land off West Street, Chatteris

Drawing Title: Indicative Street Elevations  
Drawing Status: Planning

Scale: 1:200  
Drawn: JKG  
Project Number: 21002  
Drawing Number: 0400  
Revision: P02

Original Paper Size: A1

Date: 18.07.23



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F/YR24/0365/F

**Applicant: T Sims  
Sims Contract Furniture**

**Agent : Swann Edwards  
Architecture Limited**

**Sims Contract Furniture Limited, Plash Farm House, Plash Drove, Tholomas Drove Wisbech Cambridgeshire**

**Erect 1 x dwelling (2 storey, 4 bed) with a 1.8m (max height) front boundary wall (in association with existing business) and the formation of an access, involving the demolition of existing outbuildings**

**Officer recommendation: REFUSE**

**Reason for Committee: Call in by Chair of Planning Committee**

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## **Government Planning Guarantee**

**Statutory Target Date For Determination: 19 June 2024**

**EOT in Place: Yes**

**EOT Expiry: 13 January 2025**

**Application Fee: £578**

**Risk Statement:**

**This application must be determined by 13<sup>th</sup> January 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

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## **1 EXECUTIVE SUMMARY**

- |  |
|--|
| <p>1.1 The application seeks full planning permission for the erection of 1 x dwelling (2 storey, 4 bed) with a 1.8m (max height) front boundary wall (in association with existing business) and the formation of an access, involving the demolition of existing outbuildings.</p> <p>1.2 Policy LP3 of the Fenland Local Plan 2014 sets out the settlement Hierarchy and the countryside. The site is located in the open countryside more than 1km south of the settlement of Murrow and more than 500m west of the small village of Tholomas Drove Policy LP3 of the Fenland Local Plan (2014) requires development in areas away from market towns and villages to be essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Policy LP12 Part D of the Fenland Local Plan (2014) states proposals for new dwellings in such locations will be supported where the application addresses the functional need for a dwelling in this location and that there is no availability of other suitable accommodation on site or in the area. The proposal seeks to create a residential development associated with a rural enterprise in an elsewhere location. The submission has not demonstrated that the proposal is demonstrably essential or that there is functional need for accommodation such as the proposed to be provided at the site as there is already a dwelling on the site. Furthermore, there has been no</p> |
|--|

evidence submitted to suggest that the proposal meets any of the exceptions as set out in Paragraph 84. Thus, the principal of the development in this location is considered contrary to the above aforementioned local and national planning policies and cannot be supported.

- 1.3 Local and National planning policy states that development in areas at risk of flooding should be avoided. In addition, Local Plan Policy LP 14 (Part B) reflects the national approach by adopting a sequential approach to flood risk from all forms of flooding. The application site is situated partially within flood Zone 3 (High Risk) and the application is not accompanied by a sequential test and the sequential and exception tests have not been passed. Therefore, the proposal would fail to accord with the provisions of the NPPF and Policy LP14 of the Fenland Local Plan 2014.
- 1.4 The proposal is considered a new dwelling in the countryside. A dwelling on the proposed site would significantly reduce the plot size of 'Plash Farmhouse' which would not be in character with the sporadic dwellings positioned on large plots along Plash Drove or the countryside location. Therefore, the proposal is considered contrary to policy LP16 (d) of the Fenland Local Plan 2014
- 1.5 As such the recommendation is to refuse planning permission.

## **2 SITE DESCRIPTION**

- 2.1 The application site is associated with Sims Contract Furniture Limited, located within the open countryside on the southern side of Plash Drove approximately 500m southwest of the village of Tholomas Drove and approximately 2km south of Murrow. The overall site consists of a number of small buildings (2x workshops, woodstore, portacabin/office, and 2x containers) which make up Sims Contract Furniture Ltd including an existing large industrial building and an associated farmhouse approximately 55m to the west of the business. The proposed dwelling would be located between the business and the associated farmhouse partially in replacement of outbuildings associated with the business and partially on garden land associated with the farmhouse. The business has been operating from the site for over 20 years.
- 2.2 The site is within Flood Zone 3 (High Risk).

## **3 PROPOSAL**

- 3.1 The application seeks full planning permission for the erection of 1 x dwelling (2 storey, 4 bed) with a 1.8m (max height) front boundary wall (in association with existing business) and the formation of an access, involving the demolition of existing outbuildings.
- 3.2 The proposed dwelling would measure approximately:
  - 12m width
  - 7.9m max roof pitch height
  - 12.2m depth
- 3.3 The materials proposed are:
  - Walls – Michelmersh Facing Brick Freshfield Lane 1<sup>st</sup> quality
  - Roof – Marley Thrutone Fibre Cement Slate
  - Windows – UPVC windows

- Doors – UPVC

3.4 Full plans and associated documents for this application can be found at:

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

## 4 SITE PLANNING HISTORY

4.1 Pertinent planning history listed below:

| Application      | Description  | Decision              | Date        |
|------------------|--|-----------------------|-------------|
| F/YR23/3028/COND | Details reserved by Condition 06 (Materials) of planning permission F/YR21/0063/F (Erect an industrial building and portacabin (part retrospective) and access improvements) | Approved              | 14 Apr 2023 |
| F/YR23/0857/F    | Change of use of land to form car park, erect an extension to existing building, formation of an access and relocation of office portacabin and container                    | Granted               | Dec 2023    |
| F/YR21/0063/F    | Erect an industrial building and portacabin (part retrospective) and access improvements   | Granted               | 15 Apr 2021 |
| F/94/0893/F      | Erection of detached double garage   | Granted               | 07 Apr 1995 |
| F/90/0996/F      | Erection of a 3-bed bungalow with attached double garage   | Granted               | 23 May 1991 |
| F/0988/89/F      | Erection of agricultural workers bungalow  | Refused               | 19 Apr 1990 |
| F/0183/79/F      | Erection of a garage   | Application permitted | 26 Apr 1979 |

## 5 CONSULTATIONS

### 5.1 Wisbech St. Mary Parish Council

*At the meeting of Wisbech St. Mary Parish Council on 13th May 2024, the Council recommended APPROVAL subject to sufficient evidence of business needs.*

### 5.2 Environment & Health Services (FDC)

*I refer to the above application for consideration and would make the following observations.*

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

*As the proposal involves demolition of an existing structures, we ask for the following condition to be imposed in the event planning consent is granted;*

*UNSUSPECTED CONTAMINATION CONDITION: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from*

*the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.*

*REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.*

### **5.3 North Level Internal Drainage Board**

*Please note that North Level District Internal Drainage Board has no objections to make regarding the above planning application.*

### **5.4 Cambridgeshire County Council Highways Authority**

*Recommendation*

*On the basis of the information submitted I have no objection to the proposed development.*

*Comments*

*The proposed access is of sufficient size to accommodate the forecast use and it is capable of achieving the necessary visibility. While details of drainage have not been submitted, the land visibility falls away from Plash Drove, meaning an additional means of access drainage is not required. Please append the following Recommended Conditions*

*Closure of Access: Prior to the commencement of the development hereby approved a scheme for the permanent and effective closure of the existing access(es) to Plash Drove, including reinstatement of the highway verge as appropriate shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be implemented in accordance with the approved details within 28 days of the bringing into use of the new access.*

### **5.5 Environment Agency**

*Thank you for the consultation dated 07 June 2024. We have reviewed the documents as submitted and have no objection to this proposal as long as you have taken into account the Flood Risk considerations that are your responsibility.*

*Flood Risk*

*Our maps show the application site lies within Flood Zone 3, defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. As per Paragraph 173, footnote 59 of the National Planning Policy Framework (NPPF) a site-specific Flood Risk Assessment (FRA) has been submitted alongside this proposal.*

*Flood Risk Assessment*

*We have reviewed the Flood Risk Assessment (FRA) titled Flood Risk Assessment For Residential Development At Plash Drove, Wisbech St Mary, Final Report Ecl0391-3, Compiled By Swann Edwards Architecture, and dated February 2024.*

*It is highly recommended that the development shall be carried out in accordance with the submitted flood risk assessment and the following mitigation measures it details:*

- o Finished floor levels to be set no lower than 300mm above Ground Level*
- o The development to have at least two storeys*
- o 300mm of Flood resilience and resistance measures to be incorporated into the proposed development as stated in the submitted FRA*

### **5.6 Local Residents/Interested Parties**

*No representations received.*

## **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 December 2024 (NPPF)**

- Chapter 2 - Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- Chapter 6 – Building a strong, competitive economy
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 10 - Supporting high quality communications
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed and beautiful places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment
- Chapter 16 - Conserving and enhancing the historic environment
- Chapter 17 – Facilitating the sustainable use of minerals

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

- Determining a Planning Application

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

- Context
- Identity
- Built Form
- Movement
- Nature
- Homes and Buildings

### **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
- 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 49 of the NPPF, that the policies of this should carry

extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- 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
- LP32: Flood and Water Management

## 7.6 **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

## 7.7 **Cambridgeshire Flood and Water SPD 2016**

## 8 **KEY ISSUES**

- **Principle of Development**
- **Character**
- **Residential Amenity**
- **Flood Risk**
- **Highways Safety and Parking**
- **Biodiversity Net Gain (BNG)**

## 9 **ASSESSMENT**

### **Principle of Development**

- 9.1 The site is located in the open countryside more than 1km south of the settlement of Murrow and more than 500m west of the small village of Tholomas Drove. The site including the business to the east and the farmhouse to the west is surrounded by agricultural land.
- 9.2 Policy LP3 of the Fenland Local Plan 2014 sets out the settlement Hierarchy and the countryside. The policy classifies sites within the countryside as being within an 'Elsewhere' location and states that development in an elsewhere location will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation. Any such development will be subject to a restrictive occupancy condition.
- 9.3 The application seeks a new dwelling to provide security for an existing Furniture business. The business does meet the criteria within policy LP3.
- 9.4 Policy LP12 Part D of the Fenland Local Plan refers to Policy LP3 as being the overarching policy for considering proposals for new dwellings in areas away from the market towns and villages. To aid in the determination of the proposal, and in

accordance with Policy LP12 Part D, the applicant has provided the following supporting evidence to justify the proposal as required by the required criteria, a-f;

(a) The existing functional need for the dwelling

- 9.5 Planning Policy Guidance makes clear the definition of functional need, with Paragraph 10 of the PPG defining a functional need to live on site as being “for instance, where farm animals or agricultural processes require on-site attention 24 hours a day and where otherwise there would be a risk to human or animal health from crime”.
- 9.6 Within the submitted Design and Access Statement it states *that the dwelling is required in connection with the contract furniture manufacturing enterprise as there is an essential need for a worker to live on site for the proper functioning of the business and to provide security. The business has grown and there is existing planning permission to expand on site to the east but this is currently unimplemented.*
- 9.7 Sims Contract Furniture is a family business over 3 generations. The Design and Access statement states that *the proposed dwelling would provide accommodation for Ms Sims, a 50% shareholder in the company (working full time on site running the business). The dwelling would function as a family home for Ms Sims.*
- 9.8 Whilst it is noted that the applicant seeks full time occupation of the site to guard from loss in relation to business stock and equipment due to crime, the risk of such losses, whilst financial, is not a reason for allowing a new dwelling in an elsewhere location. Furthermore, the overall site benefits from an existing residential property housing residents connected to the business who could otherwise provide a degree of security against the risk of crime. Accordingly, the justification provided does not align with the definition of functional need as outlined in planning guidance.
- 9.9 A recent appeal, which was dismissed, APPEAL APP/Y3940/W/24/3337786, is comparable with the current application. The appeal was made by Mr & Mrs Neil & Emma Jarmolinski against the decision of Wiltshire Council. The inspectorate determined that security needs fail to justify dwelling at a tree surgery compound. The erection of a security lodge at a tree surgery business located in rural Wiltshire to provide year-round living accommodation for a staff member has been rejected after an inspector found that there was insufficient functional and financial evidence to satisfactorily demonstrate that the development of a permanent dwelling was essential or required.
- 9.10 Therefore, with due regard for the definition outlined within the PPG and appeal decisions seeking similar development within a comparable business, it is considered that the functional need for a dwelling on the site has not been sufficiently proven in this case.

(b) The number of part time and full-time worker(s) to live in the dwelling.

- 9.11 This development is proposed owing to a perceived need for security of the family business of which multiple generations of the applicant’s family are/have been involved. The application indicated 1x full time worker would live in the dwelling with their family.

(c) The length of time the activity has been established.

9.12 Sims Contract Furniture Limited business has been established since 2012. Although pre-2012, a furniture reupholstering service was run from the site dating back generations.

(d)The financial viability of the enterprise

9.13 The application states that the enterprise has been established on site for 12 years and the owner is investing in the business as shown in the recently permitted application to extend the workshops (F/YR23/0857/F). Financial documents have been submitted to show the last three-year annual turnover and the predicted next 3 years turnover. However, the planning permission to expand the business has not been commenced and anticipated profit has not been evidenced. Therefore, financial viability has not been established.

(e)The availability of other suitable accommodation on site or in the area.

9.14 A member of the family lives in the existing house on site however the application states the business is a multigenerational enterprise. The agent states that a search was undertaken on Rightmove and the closest available property available for sale 0.3km away in the centre of Tholomas Drove. There has been insufficient justification submitted that explains why the existing dwelling on site is not sufficient to provide the security required and why a dwelling 0.3km away could not meet the security need.

(f)How the proposed size of the dwelling relates to the viability of the enterprise.

9.15 The proposal is for a 4-bed dwelling for the part owner's family. Only 1 worker is proposed to live in the dwelling. It is not known exactly how many workers are employed on site or how many live in the existing dwelling. Therefore, insufficient justification/viability information has been supplied as to why a four-bedroom property is required.

9.16 It is considered therefore that insufficient evidence or justification has been submitted to establish Functional need, financial visibility or the size of the dwelling proposed.

9.17 Owing to the above the proposal is considered contrary to policy LP12 of the Fenland Local Plan 2014.

**Character**

9.18 Policy LP16 of the Fenland Local Plan 2014 states that the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area (LP16(d)).

9.19 A dwelling on the proposed site would be located on garden land associated with the existing dwelling and replacing some outbuildings associated with the existing business, in between 'Plash Farmhouse' and 'Sims Contract Furniture Limited'. 'Plash Farmhouse' existing on site is a 2-storey detached dwelling located on a large plot adjacent to Sims Contract Furniture Limited. The property and business are considered to be located in an elsewhere location in the countryside surrounded by agricultural land. The properties along Plash Drove outside the developed footprint of Tholomas Drove are sporadically located on large plots, contributing to the general open and verdant character of the area.

9.20 A dwelling on the proposed site would significantly reduce the plot size of 'Plash Farmhouse' which would not be in character with the sporadic dwellings positioned



on large plots along Plash Drove or the countryside location. The erection of a dwelling on the site would seem cramped in relation to the spacious plot sizes and setting of neighbouring dwellings.

- 9.21 The development of the site would result in unacceptable changes to the area which would fail to enhance its local setting and adversely impacts on the landscape character of the surrounding area contrary to Policy LP16.
- 9.22 The introduction of a new dwelling in the countryside would not be in character with the rural location, of the site and would be contrary to policies LP3, LP12 and LP16 of the Fenland Local Plan 2014.

### **Residential Amenity**

- 9.23 Policy LP16 (e) seeks to ensure that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light.
- 9.24 The proposed dwelling would be located between the existing business and the existing dwelling and, if approved, would be conditioned to remain in association with the business. There would be more than 20m between the proposed dwelling and the existing dwelling and 9m between the proposed dwelling and the closest business building. Other dwellings located sporadically along Plash Drove are located more the 75m away from the site.
- 9.25 Therefore, no significant harm to neighbouring amenity is anticipated and the proposal is considered acceptable in terms of policy LP16 (d) of the Fenland Local Plan 2014.

### **Flood Risk**

- 9.26 Paragraph 165 of the National Planning Policy states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk. In addition, Local Plan Policy LP 14 (Part B) reflects the national approach by adopting a sequential approach to flood risk from all forms of flooding.
- 9.27 The proposed dwelling would be located in an elsewhere location and in Flood Zone 3 (High Risk). It is the responsibility of the LPA to assess Flood Risk and determine whether the Sequential Test and Exception test have been passed. A sequential test should have been carried out to see if there are any sites within Fenland that are sequentially preferable. Within the submitted Flood Risk Assessment no sequential test has been carried out. Therefore, a sequential test has not be passed.
- 9.28 The Exception Test is designed to allow appropriate and safe development to proceed in scenarios where the Sequential Test has been passed. The Sequential test has not been passed however an exception test has been set out in the flood risk assessment. It sets out a number of flood risk mitigation measures as part of the exception test. The dwelling would be 2-storey with all bedrooms located on the first floor therefore giving residents safe have in the event of flood event. However just because the proposed dwelling is 2-storey does not mean the exception test is passed.
- 9.29 North Level IDB and the Environment Agency have considered the proposal and have no objection. Although within the Environment Agency consultation response

they have no objection subject to the LPA having taken account the Flood Risk considerations that are our responsibility.

- 9.30 Owing to the fact the sequential test and exception test have not been passed, the proposal is considered contrary to policy LP15 of the Fenland Local Plan and paragraph 159 of the National Planning Policy Framework

#### **Highway Safety and Parking**

- 9.31 Policy LP15 states that development proposals should demonstrate that they provide well designed, safe and convenient access for all and car and cycle parking appropriate to the amount of development proposed, ensuring that all new development meets the Councils defined parking standards as set out in Appendix A. Appendix A requires dwellings with 4 bedrooms or more to have 3 appropriately sized parking spaces.
- 9.32 Drawing PP1000 Revision D clearly shows 3 appropriately sized parking spaces to the front of the proposed dwelling. The Highway Authority considered the application and have no objection. While details of drainage have not been submitted, the land falls away from Plash Drove, meaning an additional means of access drainage is not required.
- 9.33 Owing to the above the proposal is considered acceptable under policy LP15 of the Fenland Local Plan 2014.

#### **Biodiversity net gain (BNG)**

- 9.34 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.35 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

## **10 CONCLUSIONS**

- 10.1 The application has failed to evidence functional need for a new dwelling in an elsewhere location. Insufficient evidence has been provided to establish financial viability of the business or how the proposed size of the dwelling relates to the viability of the enterprise. There has been insufficient justification submitted that explains why the dwelling existing on site is not sufficient to provide the security required and why a dwelling 0,3km away could not meet the non-essential need. Therefore, the proposal is considered contrary to policy LP12 parts a, d, e, and f of the Fenland Local Plan 2014.
- 10.2 The application is considered as a new dwelling in the countryside. A dwelling on the proposed site would significantly reduce the plot size of 'Plash Farmhouse' which would not be in character with the sporadic dwellings positioned on large

plots along Plash Drove or the countryside location. Therefore, the proposal is considered contrary to policy LP16 (d) of the Fenland Local Plan 2014

10.3 No sequential test has been passed for a new dwelling in Flood Zone 3 in an Elsewhere location. Therefore, the proposal is considered contrary to policy LP14 of the Fenland Local Plan 2014.

10.4 Therefore, the proposal is considered contrary to policies LP3, LP12, LP14 and LP16 of the Fenland Local Plan 2014.

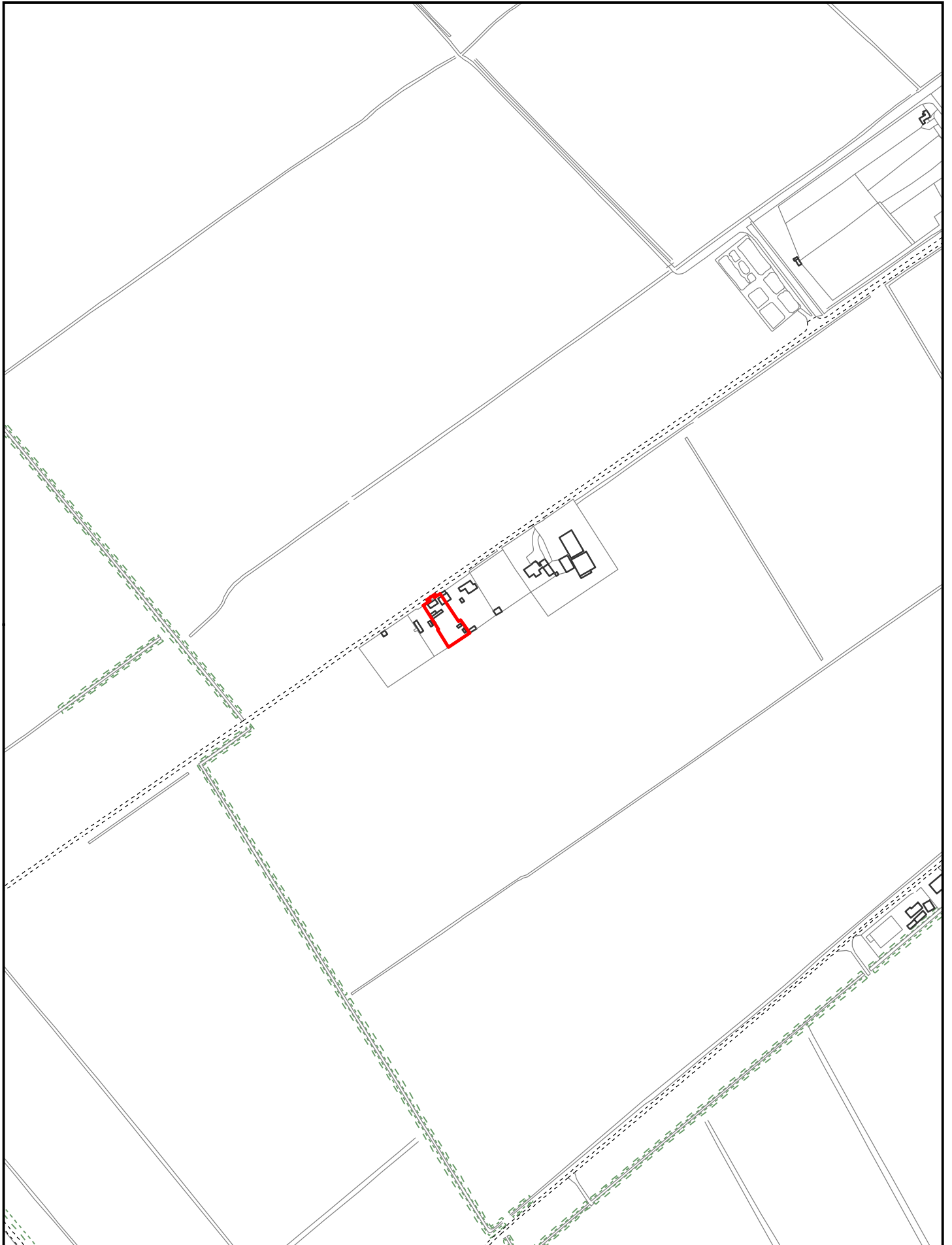
## 11 RECOMMENDATION

### 11.1 REFUSE

Reasons for refusal:

|   |  |
|---|--|
| 1 | <p>Policy LP3 of the Fenland Local Plan (2014) requires development in areas away from market towns and villages to be essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Policy LP12 Part D of the Fenland Local Plan (2014) states proposals for new dwellings in such locations will be supported where the application addresses the functional need for a dwelling in this location and that there is no availability of other suitable accommodation on site or in the area.</p> <p>By virtue that the proposal seeks to create a residential development associated with a rural enterprise in an elsewhere location there is not a demonstrably essential or functional need for accommodation such as the proposed to be provided at the site as there is already a dwelling on the site. Furthermore, there has been no evidence submitted to suggest that the proposal meets any of the exceptions as set out in Paragraph 84 of the NPPF. Thus, the proposal is considered contrary to the above aforementioned local and national planning policies and cannot be supported.</p> |
| 2 | <p>Policy LP14 of the Fenland Local Plan, the NPPF and the PPG, set out the approach to developing land in relation to flood risk, with all documents seeking to steer new development in the first instance towards available land at a lower risk of flooding. This is achieved by means of requiring development proposals to undertake a sequential test to determine if there is land available for development at a lower risk of flooding than the application site, and only resorting to development in higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding.</p> <p>The application site is located partially within flood Zone 3 (High Risk) and the application is not accompanied by the application of a sequential test and insufficient justification has been provided to indicate that it has been passed. Therefore, the proposal fails to accord with the provisions of the NPPF and Policy LP14 of the Fenland Local Plan 2014.</p>   |
| 3 | <p>Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 (d) of the Fenland Local Plan (2014) and Policy DM3 of Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document (2014) require development to</p>   |

|  |
|--|
| <p>deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area. The area is agricultural and verdant in character with sporadic residential development, typically in large spacious plots. The development proposed would result in a more cramped form of development on the site with the ensuing loss of the site's inherent character and a consequent detrimental impact on the wider character and appearance of the area. As such, the proposal would be contrary to the requirements of the Policies LP12, LP16(d) and DM3 (2014).</p> |
|--|



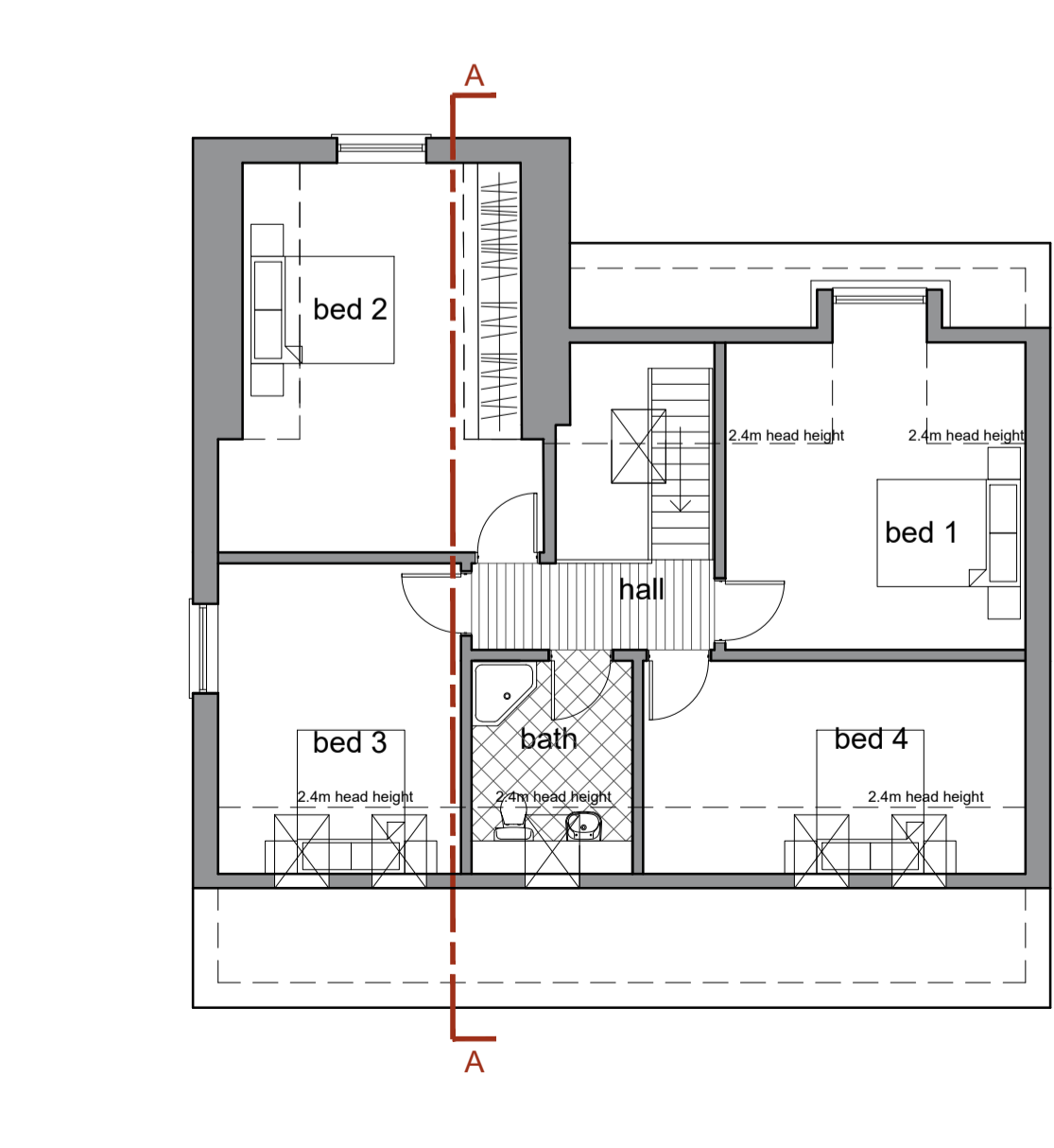
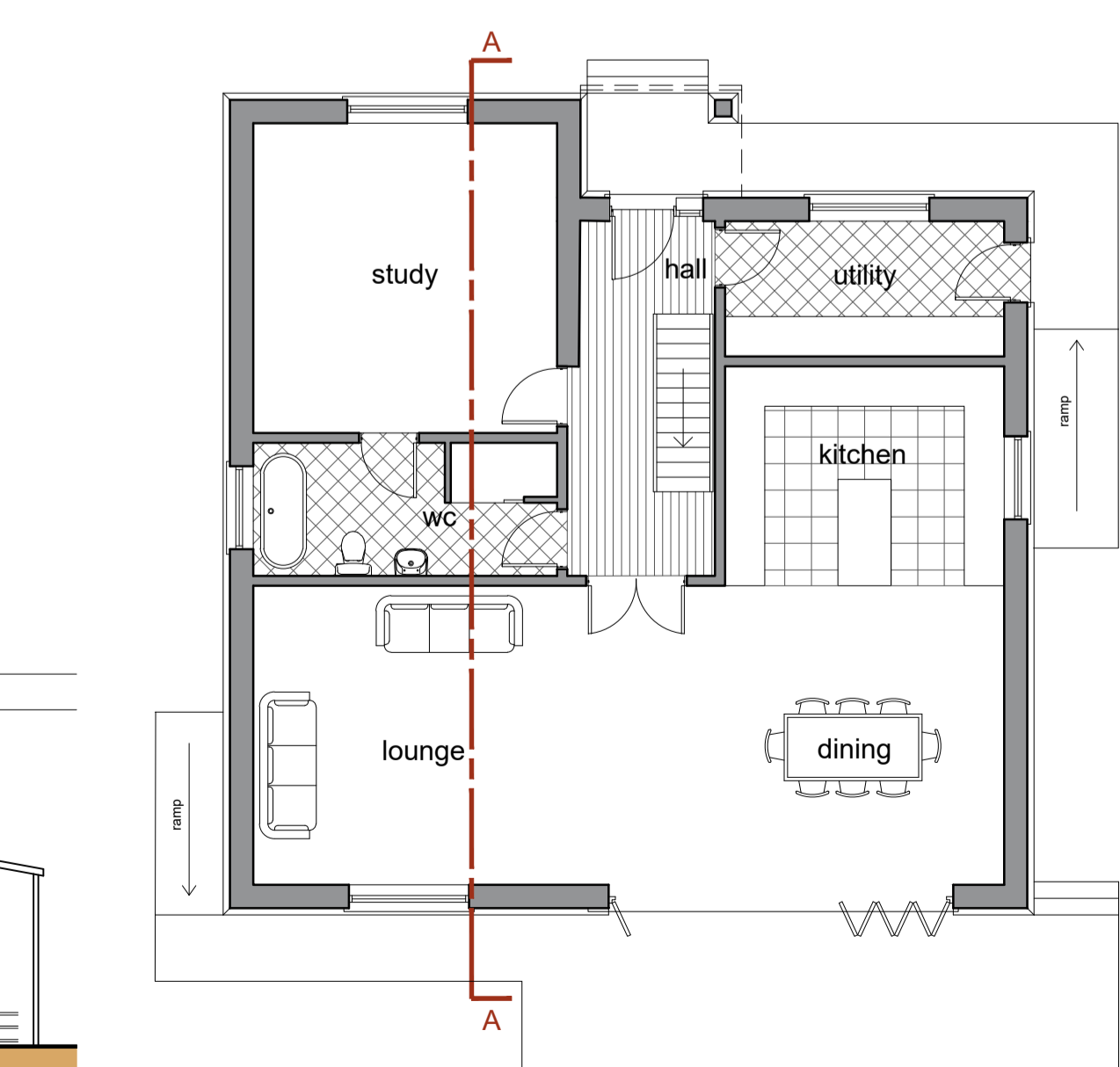
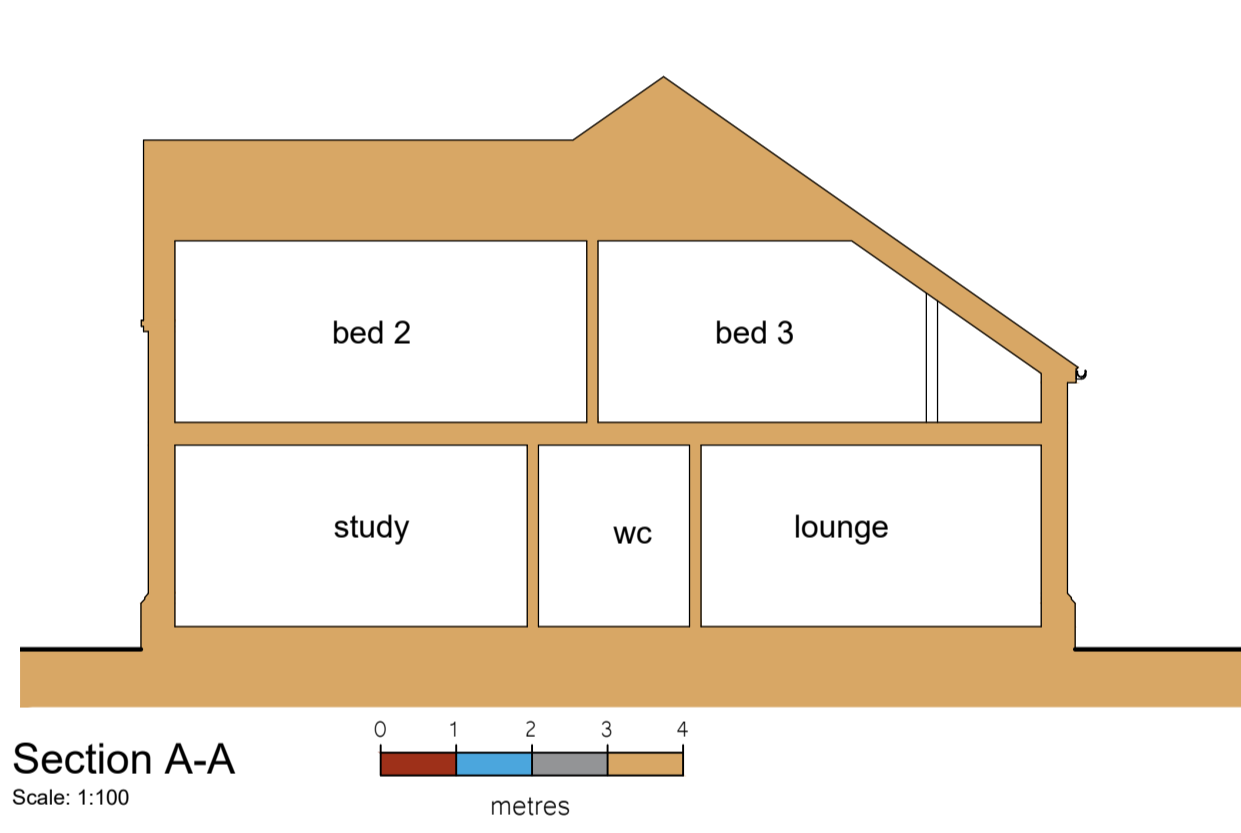
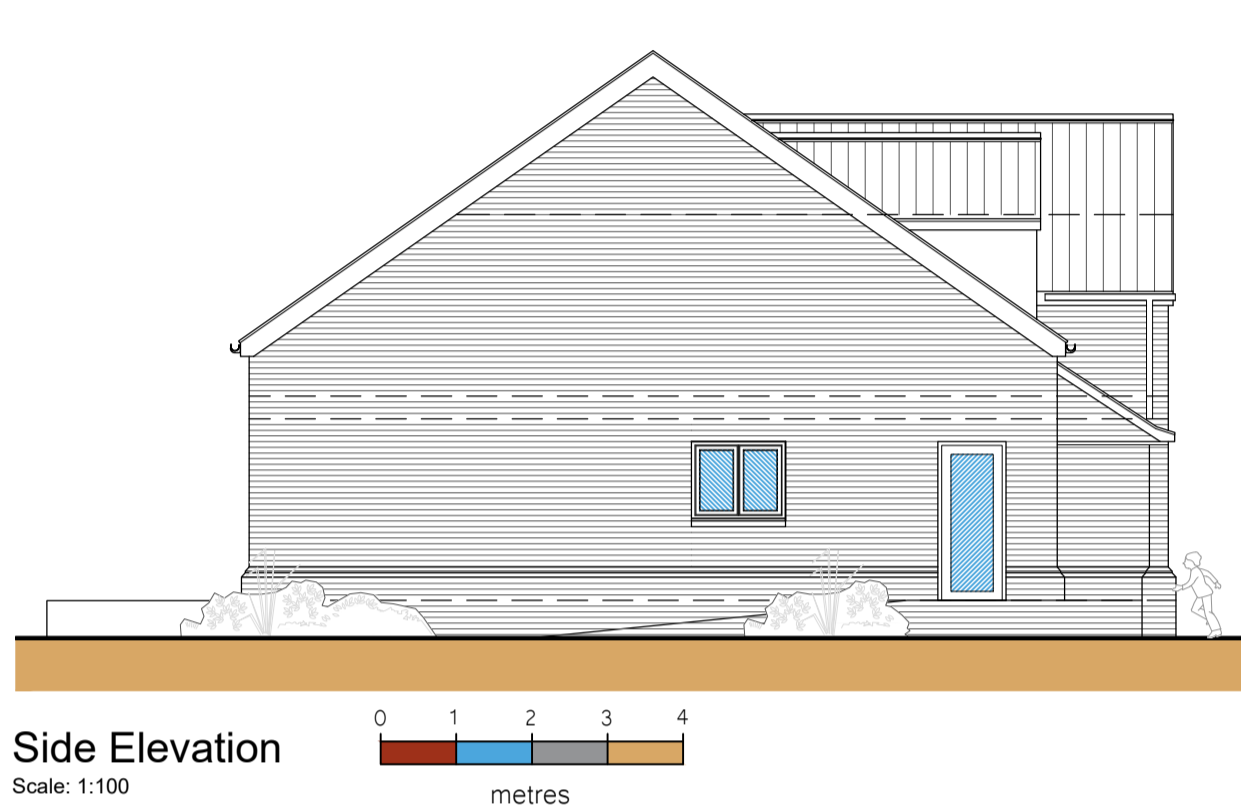
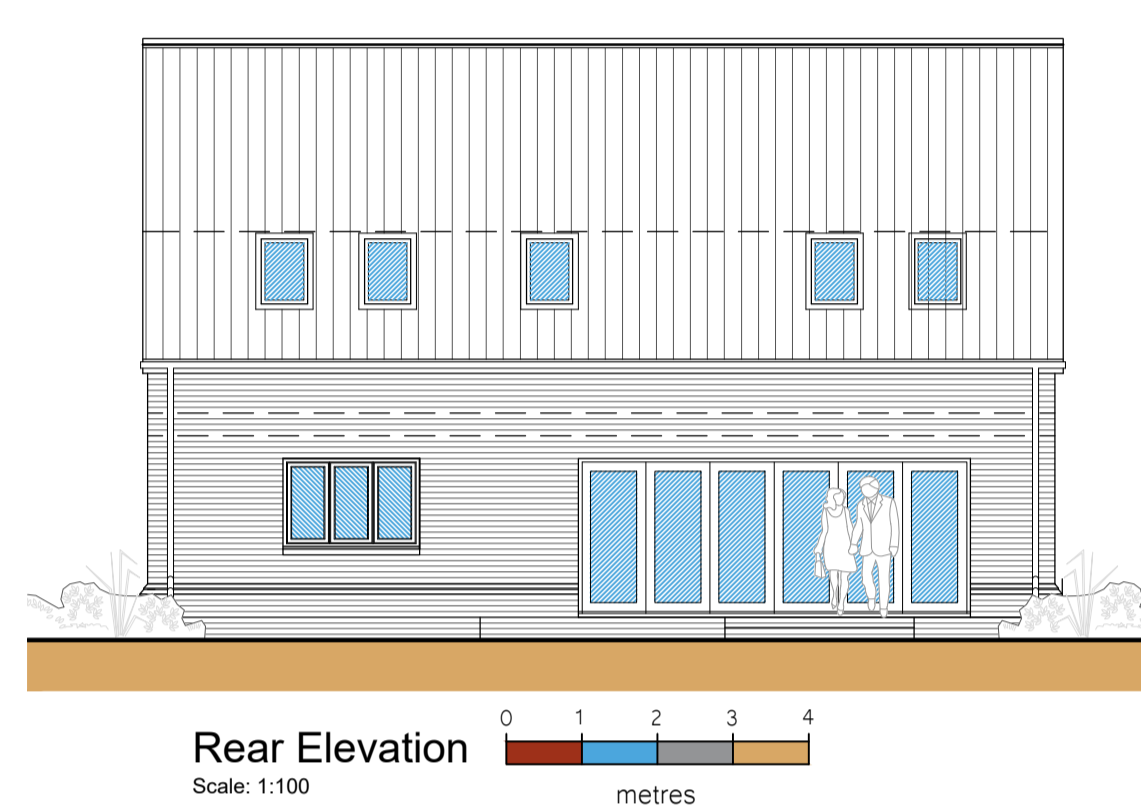
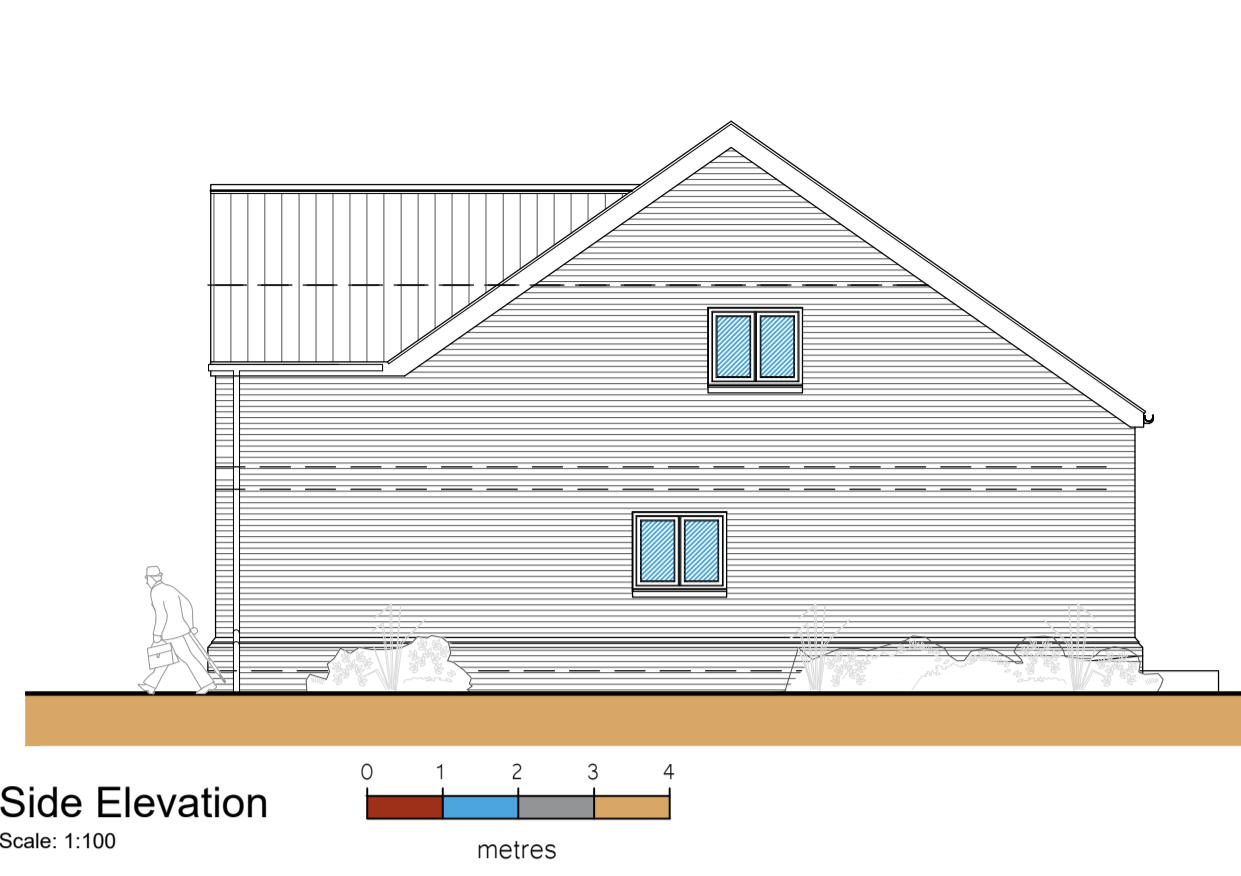
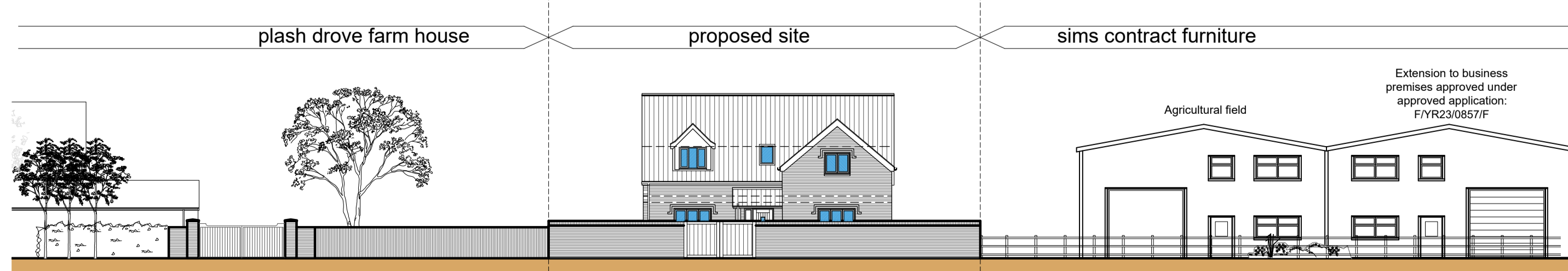
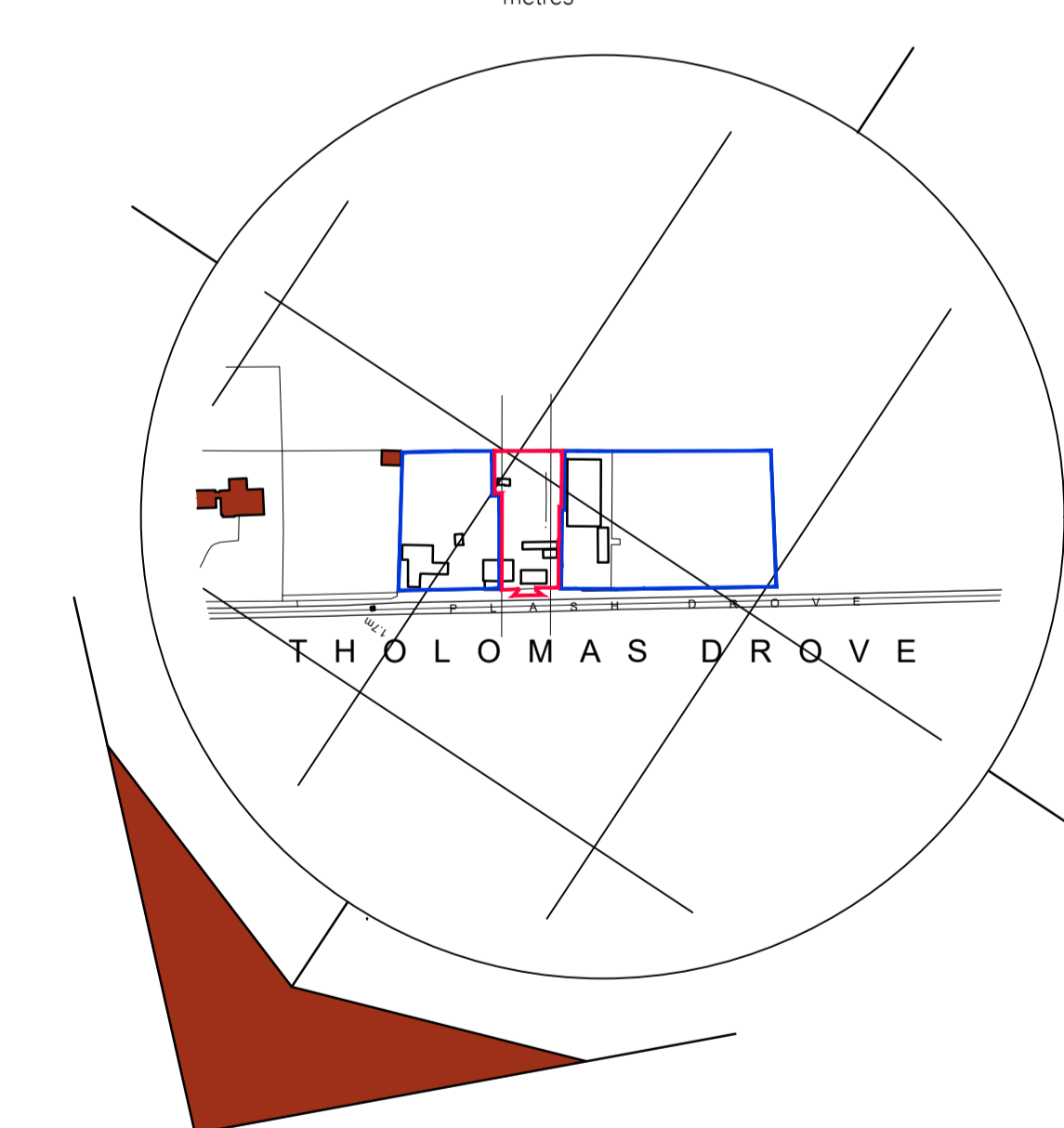
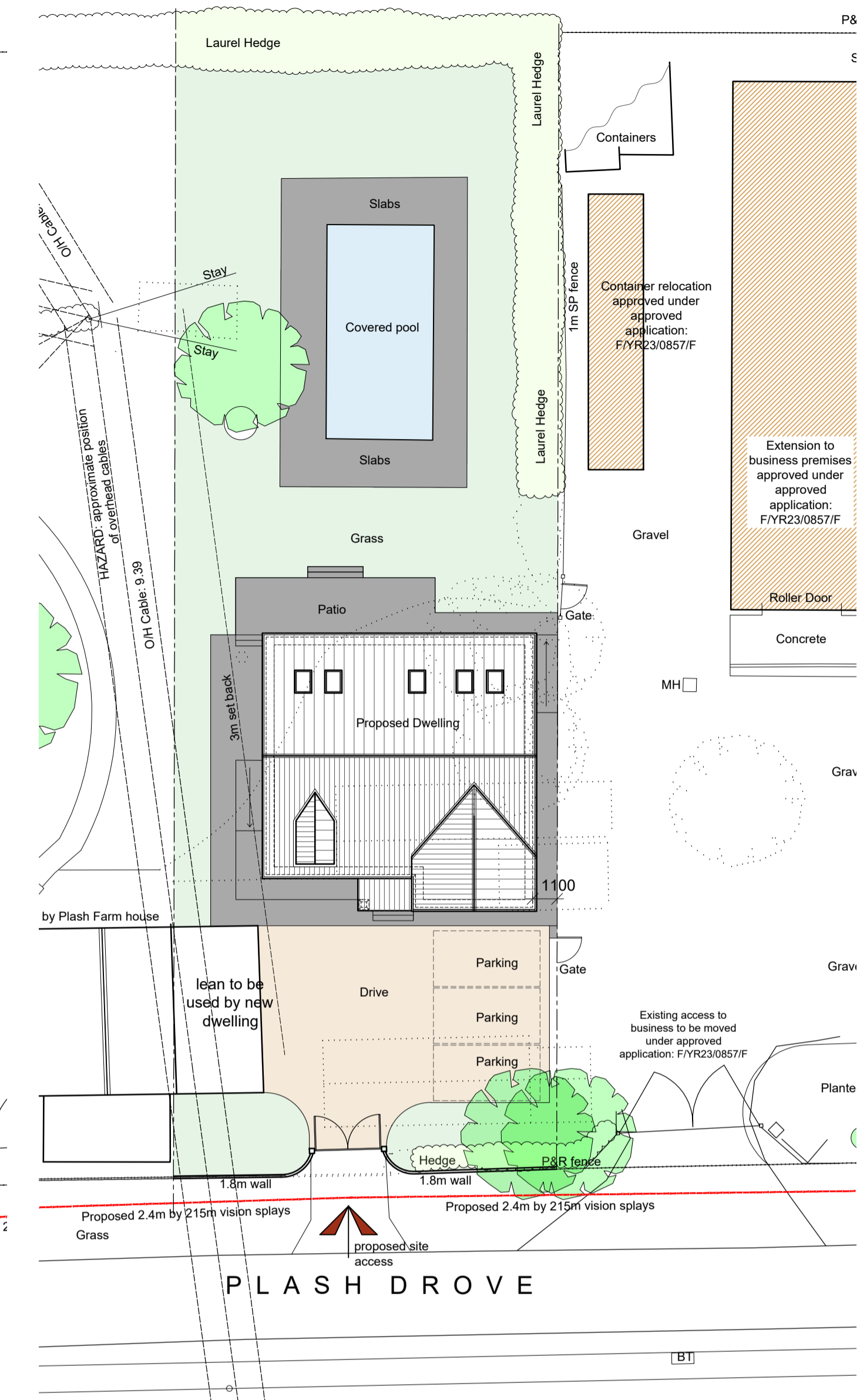
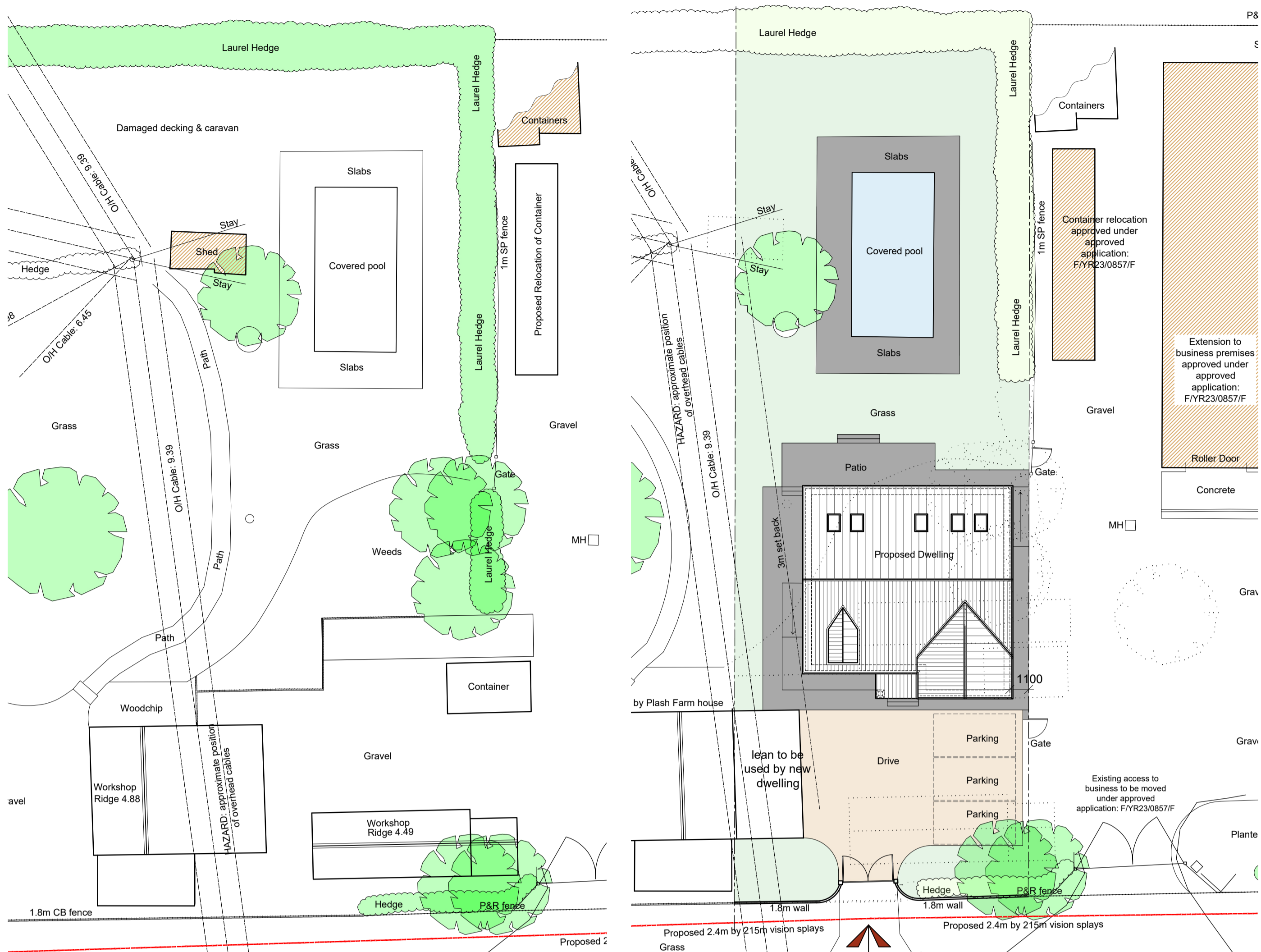
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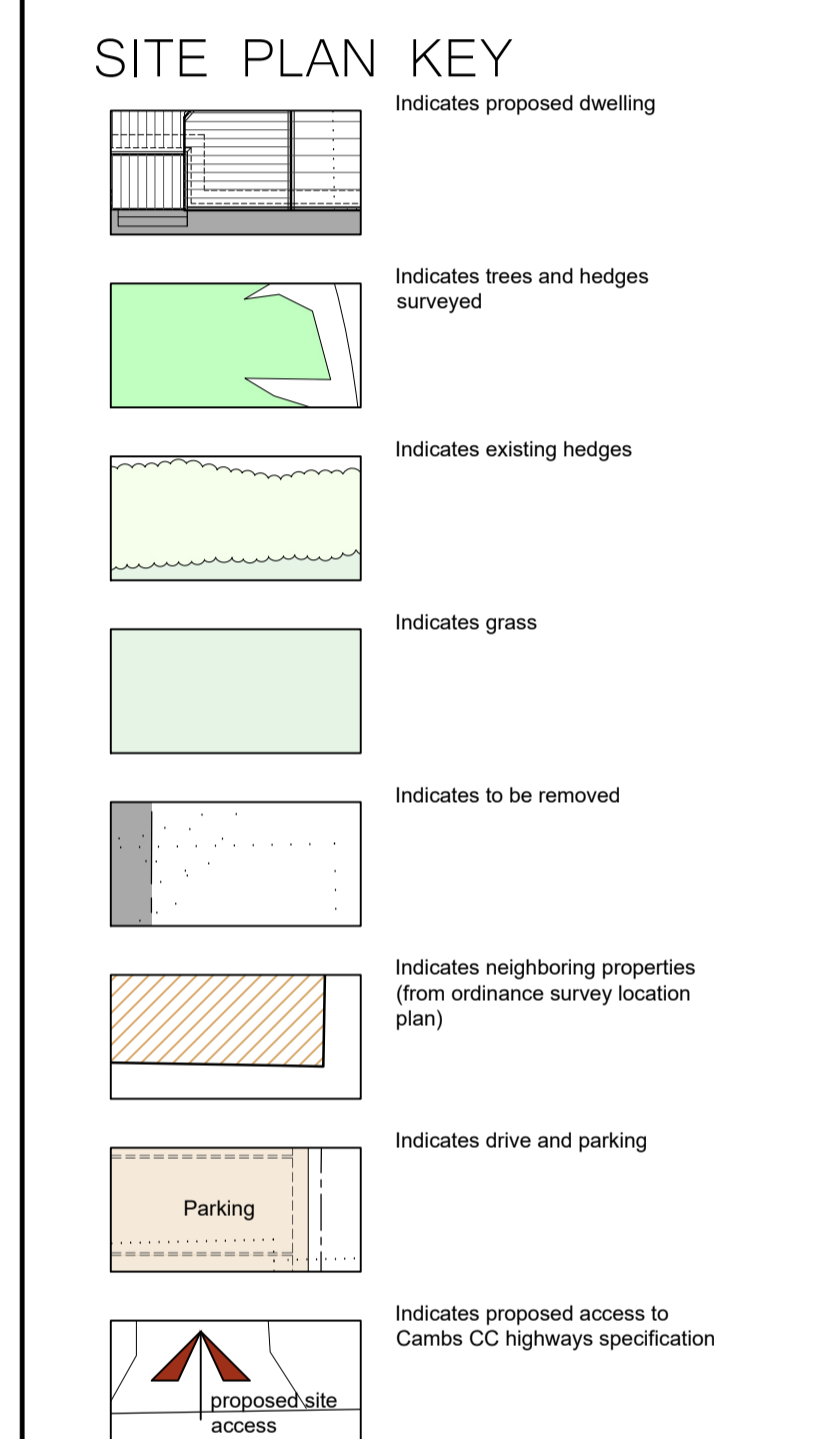
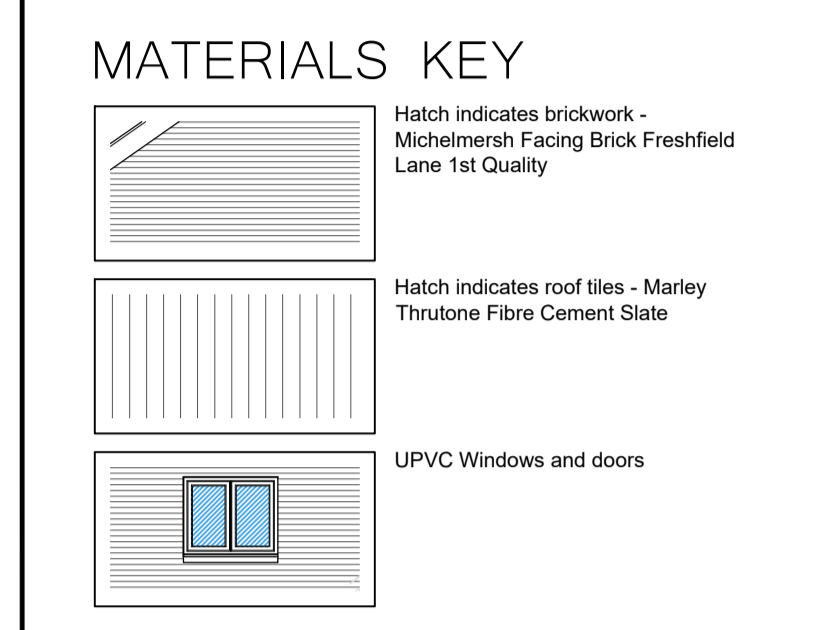
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**General Notes**  
 1. All dimensions are shown in 'mm' unless otherwise stated.  
 2. The contractor, sub-contractors and suppliers must verify all dimensions on-site prior to the commencement of any work.  
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.  
 4. Any discrepancies are to be brought to the designers attention.



**Revisions**

|   |            |                            |
|---|------------|----------------------------|
| A | Feb 2024   | amended to show ramps      |
| B | Feb 2024   | Amended to show FRA levels |
| C | Feb 2024   | Site Plan amended          |
| D | March 2024 | General amendments         |

**FOR APPROVAL**

**SWANN EDWARDS ARCHITECTURE**  
 Swann Edwards Architecture Limited, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA.  
 t 01945 450694 e info@swannedwards.co.uk www.swannedwards.co.uk

|  |                |            |
|--|----------------|------------|
| Job Title                                      | Date           | Drawn by   |
| Proposed Dwelling                              | January 2023   | AK         |
| Sims Contract Furniture                        |                | Checked by |
| Plash Drive, Tholomas Drove                    |                | GE         |
| Wisbech, Cambs, PE13 4SP                       |                |            |
| Drawing Title                                  | Job No.        | Sheet Size |
| Planning Drawings                              | SE:2046        | A1         |
| Location, Site, and Floor Plans and Elevations | Dwg No. PP1000 | Revision D |

F/YR24/0339/O

**Applicant: Mr & Mrs Jerrom**

**Agent : Mr Liam Lunn-Towler  
Peter Humphrey Associates Ltd**

**12 School Lane, Manea, March, Cambridgeshire PE15 0JN**

**Erect up to 2 dwellings (outline application with matters committed in respect of access) involving demolition of existing outbuilding and part of existing dwelling**

**Officer recommendation: REFUSE**

**Reason for Committee: Number of representations contrary to officer recommendation.**

---

### **Government Planning Guarantee**

**Statutory Target Date for Determination: 15 May 2024**

**EOT in Place: Yes**

**EOT Expiry: 13 January 2025**

**Application Fee: £1156**

**Risk Statement:**

**This application must be determined by 13/01/24 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- |   |
|---|
| <p>1.1 The application seeks outline planning permission for the erection of up to 2 dwellings (outline application with matters committed in respect of access) involving demolition of an existing outbuilding and part of existing dwelling.</p> <p>1.2 Policies LP2, LP12, LP15 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 135 NPPF 2024 and Chapters C1, I1, I2 and M3 of the National Design Guide 2021 seek to ensure that developments avoid adverse impacts, create high quality environments, which provide a positive contribution to local distinctiveness, are informed by the settlement pattern and local built environment and provide well designed car parking appropriate to the amount of development proposed. Given the constraints of the site it is not considered that the submitted information adequately demonstrates that 2 additional dwellings could be accommodated without creating significant detrimental impacts in respect of the character of the area and the residential amenity of existing and proposed dwellings.</p> <p>1.3 As such the recommendation is to refuse outline planning permission.</p> |
|---|

## **2 SITE DESCRIPTION**

- 2.1 The application site forms part of a substantial plot on the northern side of School Lane, Manea. The site currently comprises of a modest detached 2-storey cottage finished in white painted brickwork and pantile roof, with a mono-pitched and linked single-storey element to the rear, there is a detached outbuilding to the west and dilapidated outbuilding to the north of the site. The existing access point is to the west of the existing cottage and leads to a gravelled parking and turning area to the front, leading past the cottage and wrapping around it to the rear. To the rear there is a large lawned and landscaped garden (including pond) with numerous mature shrubs and trees, along with a kitchen garden which runs alongside the cottage, and to the front a smaller lawned and landscaped garden with a hedge forming the site boundary.
  
- 2.2 To the east, south and west of the site are a range of detached and semi-detached dwellings on School Lane, of a variety of eras and materials, predominately modest in scale, and to the north the open space serving Scholars Close.

## **3 PROPOSAL**

- 3.1 The application seeks outline planning permission for up to 2 dwellings involving demolition of existing outbuilding and part of existing dwelling, with matters committed in relation to access only.
  
- 3.2 The existing cottage is proposed to remain with an area of garden to the rear, and a single point of access is proposed to serve the existing and up to 2 proposed dwellings. It should be noted that whilst a site plan and street scene have been provided these are purely indicative, as only the point of access is being considered at this stage.

Full plans and associated documents for this application can be found at:

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



#### 4 SITE PLANNING HISTORY

##### 4.1 Pertinent planning history listed below:

| Application        | Description  | Decision                  |
|--------------------|--|---------------------------|
| F/YR23/0522/O      | Erect up to 2 dwellings (outline application with matters committed in respect of access) involving demolition of existing outbuilding and part of existing dwelling   | Refused<br>23 Feb<br>2024 |
| F/YR21/0549/O      | Erect up to 8no dwellings (outline application with all matters reserved) involving demolition of existing dwellings and outbuildings  | Withdrawn                 |
| F/YR11/0149/NONMAT | Non - material amendment - Plot 7 change 2no patio doors to 2no windows with panelling beneath ( relating to F/YR08/0340/F - Erection of 12 dwellings comprising of 2 x 4-bed detached houses, 1 x 3-bed detached bungalow, 1 x 3-bed detached bungalow with detached single garage, 4 x 3-bed semi-detached houses and 3 x 3-bed and 1 x 2-bed linked bungalows with associated garages, parking and access road involving demolition of existing dwellings and outbuildings) | Approved<br>7/3/11        |
| F/YR08/0340/F      | Erection of 12 dwellings comprising of 2 x 4-bed detached houses, 1 x 3-bed detached bungalow, 1 x 3-bed detached bungalow with detached single garage, 4 x 3-bed semi-detached houses and 3 x 3-bed and 1 x 2-bed linked bungalows with associated garages, parking and access road involving demolition of existing dwellings and outbuildings   | Granted<br>13/7/09        |
| F/YR07/0667/F      | Erection of 12 dwellings comprising; 2 x 2-bed semi-detached houses, 2 x 4-bed detached houses with integral garage, 3 x 2-bed detached bungalows with detached garages, 2 x 2-bed detached bungalows with attached garages, 1 x 3-bed detached bungalow with detached garage and 2 x 3-bed detached bungalows with integral garage, with associated parking and access road involving demolition of existing dwelling and outbuildings  | Refused<br>23/8/07        |

#### 5 CONSULTATIONS

##### 5.1 Manea Parish Council

*OBJECT. Insufficient parking, Inadequate drainage provision, Over shadowing  
Block paving no permeable.*

##### 5.2 Environmental Health (FDC) (02/05/24)

*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.*

*Due to the demolition of existing structures and close proximity of noise sensitive receptors, it is recommended that conditions are imposed in the event that planning permission is granted.*

**5.3 Cambridgeshire County Council Highways (29/05/24)**

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

*The development benefits from an existing access with the highway. The applicant proposes this access is widened to 5m and hardened for the first 5m into the curtilage of the property. This is acceptable to the LHA as it is suitable for shared use. They have also included pedestrian visibility splays. There also appears to be enough room for up to 6 vehicles to park and turn, so as to enter the highway in a forward gear. The applicant has also provided evidence in the form of a speed survey to demonstrate that speeds are low enough in the area to reduce the visibility splays in line with the national guidance used by the LHA. Given the above I have no objection to this proposal. One condition recommended and one informative.*

**5.4 Arboricultural Officer (FDC)**

*Informal comments received from the Council's Arboricultural Officer did not raise any objections, advising that he did not consider the trees within the site would merit a TPO. Further comments were sought regarding the mature trees to the rear of the site:*

*I have reviewed the attached ecological report and note the presence of mature trees along the rear boundary.*

*The proposed development aims to retain these trees and existing boundary treatments. However, it is noted that demolition of outbuildings is to take place and appear to be within the root protection areas of retained mature trees.*

*Whilst the outbuilding (B3 in Ecological Report) is shown to be dilapidated and of timber and corrugated metal construction, the operation of plant within this area could lead to soil compaction and the removal of any hard surfacing within the shed may lead to root damage.*

*We therefore require a method statement to confirm what measure will be taken to protect the retained trees.*

**5.5 Ecology 15/05/24**

*Thank you for your consultation letter received 24 April 2024 regarding the above application.*

*The application provides insufficient evidence to demonstrate:  
-the level of impact of the scheme on biodiversity particularly protected species (e.g. bats)*

*It is not possible to determine if the scheme accords with Fenland Local Plan 2014 policies LP16 & LP19 which seek to conserve enhance and promote the*

*biodiversity interest. Nor whether the LPA will meet its statutory duties to conserve biodiversity (Section 40 Natural Environment and Rural Communities Act 2006) and European protected species (Conservation of Habitats and Species Regulations 2017).*

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

*-Preliminary Ecological Appraisal & Preliminary Roost Assessment for bats*

#### **5.6 Ecology (Reconsult) 07/10/24**

*Thank you for your email providing the File Note and PEA Addendum – Badger walk-over, which addresses previous concerns regarding incomplete assessment for badger (subject to suitably worded condition). Concern regarding bats has not been resolved.*

*Please find further information below*

##### *Badger*

*We are satisfied that a comprehensive survey and assessment for badgers has been completed, with it unlikely that an active sett is present at the Application Site. The File Note and PEA Addendum – Badger Walk-over report sets out a precautionary working method (for badgers) during construction. If permission is granted, these measures (along with those set out in the Preliminary Ecological Appraisal) implemented in full, and secured through a suitably worded (compliance) condition.*

##### *Bats*

*In our previous consultation response, we recommend refusal, unless the following information was provided prior to determination: - Bat emergence survey(s) We cannot find any submitted information which addresses this matter, and therefore, it remains unresolved.*

#### **Local Residents/Interested Parties**

#### **5.8 Supporters**

7 letters of support received (2 from Station Road Manea, 3 from Westfield Road Manea, 1 from School Lane Manea and 1 from Stoke-on Trent). Letters of support mention:

- Larger developments in the village have been permitted
- Two more houses would not cause significant traffic pollution
- Houses would be in a central location close to public amenities
- Applicants are pillars of the community
- Close to train station
- Provide needed housing
- No significant increase in traffic
- Development would be in keeping with the character of the village

#### **5.9 Objectors**

2 objections have been received (from School Lane, Manea), in relation to the following:

- Access/vehicle movements onto School Lane
- Harm to Wildlife corridor.
- Shed/asbestos roof

- Roof height out of character
- Inaccurate speed surveys

## **6 STATUTORY DUTY**

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

## **7 POLICY FRAMEWORK**

### **7.1 National Planning Policy Framework December 2024 (NPPF)**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

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

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

### **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

LP4 – Housing

LP5 – Meeting Housing Need

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

DM2 – Natural Features and Landscaping Schemes

## 7.6 Cambridgeshire Flood and Water SPD 2016

### 7.7 Emerging Local Plan

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP12: Meeting Housing Needs
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP27: Trees and Planting
- LP32: Flood and Water Management

## 8 KEY ISSUES

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

## 9 Background

- 9.1 A very similar application for two dwellings has recently been refused as set out in the planning history section above. The current application shows the dwellings in slightly different positions, at slightly different heights and with different architectural designs and altered car parking layout. The plans are indicative as only matters in respect of access are committed. Nonetheless, the indicative plans are proposed to demonstrate how two dwellings could be accommodated on the site and due regard is therefore given to the indicative plans.

## 10 ASSESSMENT

### **Principle of Development**

- 10.1 The site is located within the settlement of Manea which is identified within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as being a 'growth village'. For these settlements, development and new service provision within the existing urban area or as small village extensions will be appropriate.

- 10.2 Policy LP12 advises that for villages new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide-open character of the countryside; the proposal is considered to be within the developed footprint of the village.
- 10.3 This policy also advises that if a proposal is within or on the edge of a village, in conjunction with other development built since 2011 and committed to be built (i.e. with planning permission) increases the number of dwellings in a growth village by 15% or more then the proposal should have demonstrable evidence of clear local community support for the scheme. Manea has already exceeded its 15% threshold. However, an appeal decision received in respect of an application that was refused purely on this basis (F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in an otherwise acceptable scheme being refused and against this backdrop the absence of community support does not render the scheme unacceptable in planning terms.
- 10.4 As such the principle of this development is considered to be supported by Policies LP3 and LP12 of the Fenland Local Plan 2014. This is however subject to compliance with all other relevant planning policies and material considerations.

**Design considerations and visual amenity of area**

- 10.7 Policies LP2, LP12 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 135 NPPF 2024 and Chapters C1, I1 and I2 of the National Design Guide 2021 seek to ensure that developments avoid adverse impacts, create high quality environments, which provide a positive contribution to local distinctiveness and are informed by the settlement pattern and local built environment.
- 10.8 School Lane is comprised of detached and semi-detached dwellings in the main (and in particular on the northern side) of linear frontage development and predominately modest form. There are a number of dwellings that are sited on, or close to, the back edge of the footpath and those that are set back from the highway some distance, such as the host dwelling and 8-10 School Lane to the east. Where dwellings are set back, boundary treatments in the vicinity comprise in the main low-level walls and hedges, though there are some higher treatments.
- 10.9 The indicative site plan submitted shows 2 detached dwellings of a similar footprint to the host dwelling which sit alongside this. The building line in the immediate vicinity is varied, with 8-10 School Lane set back a considerable distance from the road, 14-16 at the back edge of the footpath and the host dwelling No.12 between these, forming a staggered frontage and the spacious nature of the plot mitigating the impact of this. The introduction of the proposal infills the space between the host and neighbouring dwellings, eroding the current open character to its detriment. It is likely that some form of varied build line will be required for the proposed dwellings to mitigate the impact on the character of the area, given these dwellings would be in much closer proximity to those surrounding and as such the varied siting would appear more prominent.
- 10.10 A portion of the existing boundary hedge to the front is indicated as being removed along with 2 trees in the front garden which would result in the loss of some verdant character. There are a number of other trees on site which are due to be retained, however it is acknowledged that these are not protected and are

not considered worthy of a TPO by the Council's Arboricultural Officer. Given that the application is in outline form, with only access being committed, a condition could be imposed in relation to the submission of the reserved matters, to identify existing trees that are to be retained (in particular the mature trees to the rear), and how these are to be protected.

- 10.11 Notwithstanding this, a parking dominated frontage would be necessitated in order for sufficient space for parking and turning to be achieved. It is indicated that this could be softened by a landscaped buffer, however in all likelihood such opportunities would be limited due to the need to achieve a workable parking and turning arrangement, which is not currently considered to be the case and as such, the application fails to demonstrate that a parking dominated frontage of this nature could be adequately mitigated.
- 10.12 The indicative street scene puts forward a scheme which is considered unacceptable, the design and scale of the dwellings is clearly inappropriate, would not respect the existing dwellings surrounding, appear discordant and have a significant detrimental impact on the character of the area.

### **Highways and parking**

- 10.13 Aside from the principle of development, access is the only matter being committed as part of this application; a single 5m x 5m central access point to Highways specification is proposed (the existing access point would be closed), with visibility splays of 2.4 x 35m west and 2.4 x 33m east, it is acknowledged that this is below the required standard, however has been informed by speed survey data and considered acceptable to the Local Highways Authority (LHA). It is acknowledged that comments regarding the accuracy of the speed survey have been put forward by local residents, in particular in relation to parking in the vicinity, however there are no restrictions in relation to on street parking in the area and insufficient evidence has been provided to justify invalidity of the data put forward, as such this is accepted.
- 10.14 The LHA recommend a condition is imposed securing visibility splays. A condition would also be imposed to ensure the closure of the existing access.
- 10.15 Parking and turning areas are indicated, with four shown to the front of plot 2 and two to the front of plot 1. Two of the parking spaces to the front of plot 2 would be used for vehicles associated with the remaining host dwelling. Therefore, the arrangement put forward would result in the necessity of all vehicles manoeuvring directly in front of the host dwelling to enable turning within the site, likely to the detriment of the occupant's residential amenity.

### **Residential Amenity/Health and wellbeing**

- 10.16 The application does result in the demolition of part of the existing dwelling, albeit an attached store which is only externally accessible. The existing dwelling does feature 2 ground floor windows and 1 first floor window in the side elevations which would face onto the proposed development in some form given the need to respect the slightly staggered building line, at ground floor level these are not the only windows in the room which they serve, the precise situation at first floor is unknown. Similarly, any detailed scheme would need to take into consideration impacts from and conversely to, the existing neighbouring dwellings to ensure that an acceptable proposal is achieved in respect of residential amenity.

- 10.17 Environmental Health have no objections to the application, however request that an unsuspected contamination condition be imposed. They also request a condition regarding working times, however it is not considered necessary to impose such a condition on a development of this scale. Notwithstanding this, the granting of planning permission would not indemnify against statutory nuisance action being taken, in the event the Environmental Health department receive substantiated complaints in respect of noise.
- 10.18 As noted above, the main area of concern is the proposal to place a large shared parking area across the frontage of the dwellings, which given the increase in car movements, which in particular would be occurring directly in front of the host dwelling, would likely result in disturbance for future occupiers. In the absence of an indicative layout to demonstrate otherwise, the proposal would fail to secure high levels of amenity for future occupiers of the development contrary to Local Plan policies LP2 and LP16.

### **Flood Risk and Drainage**

- 10.19 The application site falls within Flood Zone 1 (low risk) and has a low risk of surface water flooding, as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly, there are no issues to address in respect of Policy LP14.

### **Ecology**

- 10.20 The previous application (F/YR23/0522/O) was accompanied by a Preliminary Ecology Appraisal (PEA) undertaken in November 2023 which provides a detailed evaluation of potential impacts on protected species,. During the course of the application further detail was requested with regards badgers and bats surveys. Details of a comprehensive survey and assessment for badgers has been submitted and while it has concluded that it is unlikely that there are badger sets on site, it has set out precautionary working methods during construction should permission be granted.
- 10.21 Whilst no further bat emergence surveys have been provided, the conclusions of the PEA are that further surveys would be disproportionate given the low likelihood of any of the structures proposed for demolition being an attractive opportunity for roosting bats. Instead, the report recommends that a bat mitigation strategy can be reasonably secured via planning condition and would inform further works at the site to ensure, as a precautionary approach, that consideration for potential bats is observed during any demolition/ construction works, albeit the likelihood of bats impacts would be low.
- 10.22 In conclusion, subject to appropriate conditions, the requirements of Local Plan policies LP16 and LP19 and the requirements of paragraph 187 of the NPPF which amongst other things, seeks to minimise impacts on sites of biodiversity would be met.

### **Biodiversity Net Gain (BNG)**

- 10.23 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a



primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

10.24 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

## 11 CONCLUSIONS

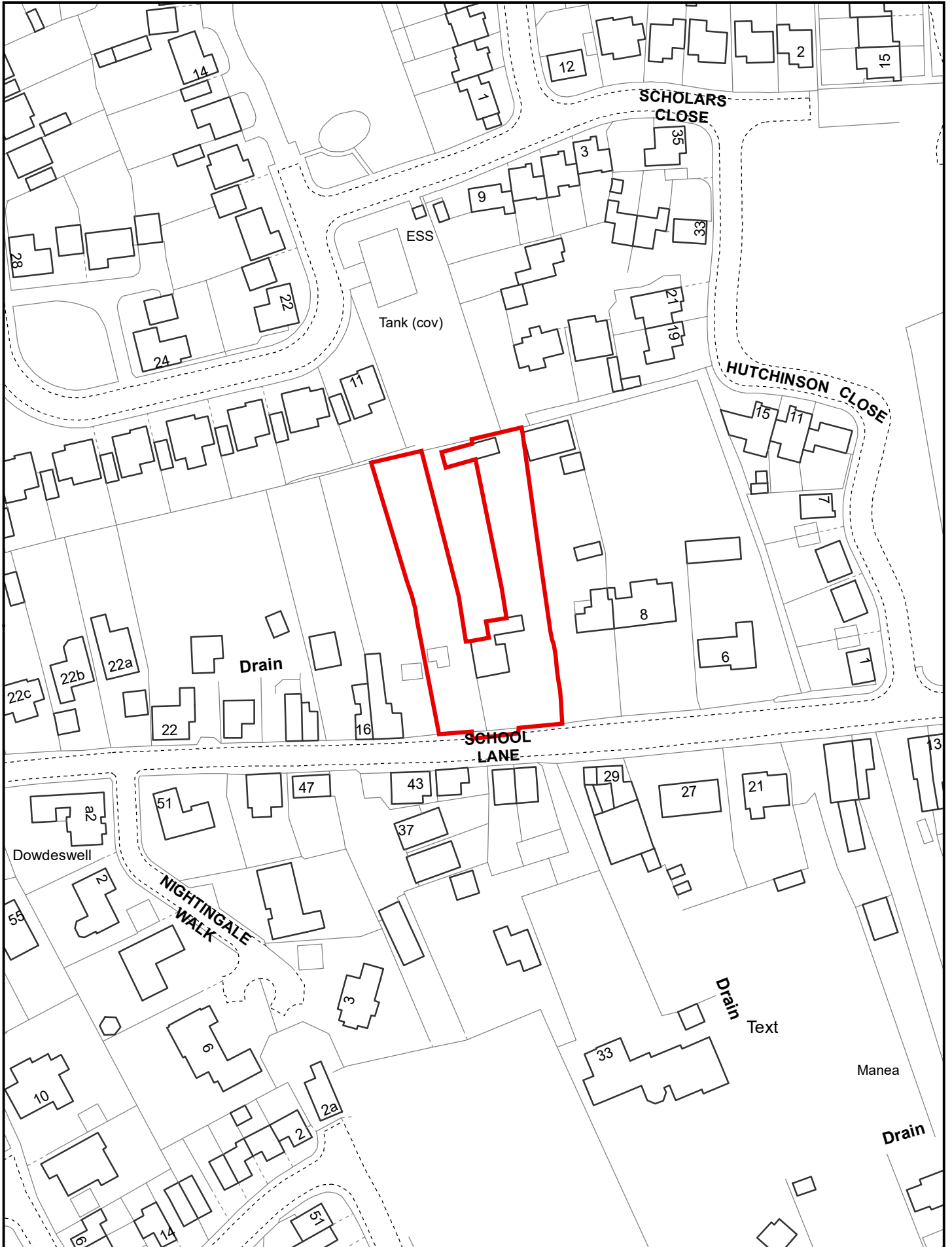
11.1 The previous application was refused on the basis that the application failed to demonstrate that it would not result in harm to the character of the area and residential amenity of future occupiers. Whilst this latest application has made slight amendments to the indicate design, these are deemed insufficient to satisfactorily address previous concerns.

11.2 Whilst the development is in outline form with matters only committed in respect of access, it is necessary to demonstrate that the site is suitable for the development proposed. Given the constraints of the site, again it is not considered that the submitted information adequately demonstrates that two additional dwellings could be accommodated without creating significant detrimental impacts in respect of the character of the area and the residential amenity of existing and proposed dwellings. There are no material considerations that are considered sufficient enough to outweigh the conflict with Local Plan.

## 12 RECOMMENDATION

**Refuse for the following reason.**

|    |  |
|----|--|
| 1. | <p>Policies LP2, LP12, LP15 and LP16 of the Fenland Local Plan 2014, DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014, para 135 NPPF 2024 and Chapters C1, I1, I2 and M3 of the National Design Guide 2021 seek to ensure that developments avoid adverse impacts, create high quality environments, which provide a positive contribution to local distinctiveness, are informed by the settlement pattern and local built environment and provide well designed car parking appropriate to the amount of development proposed.</p> <p>Given the constraints of the site it is not considered that the submitted information adequately demonstrates that two additional dwellings could be accommodated without creating significant detrimental impacts on the character of the area and the residential amenity of existing and proposed dwellings. As such, the development is contrary to the aforementioned policies.</p> |
|----|--|



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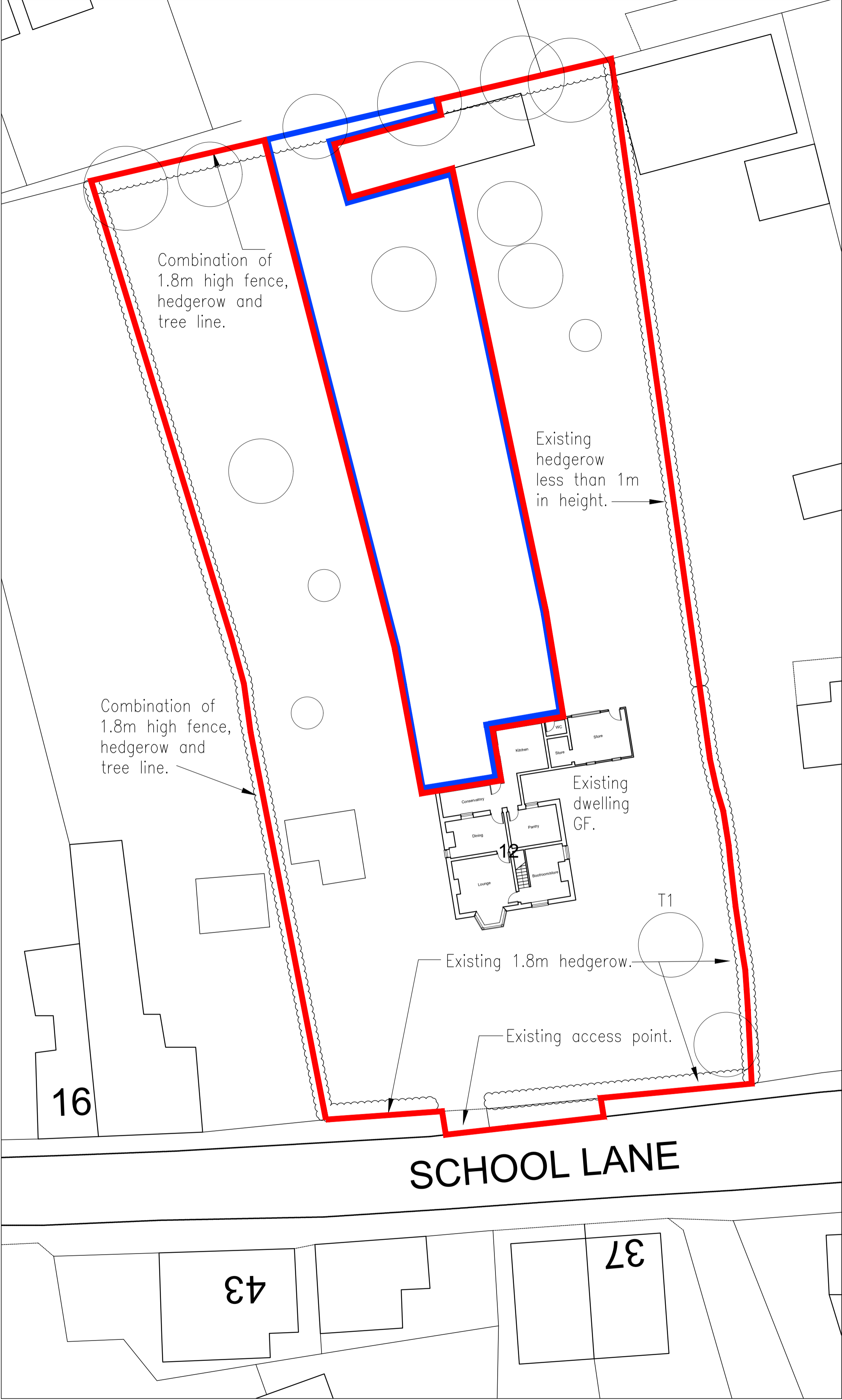
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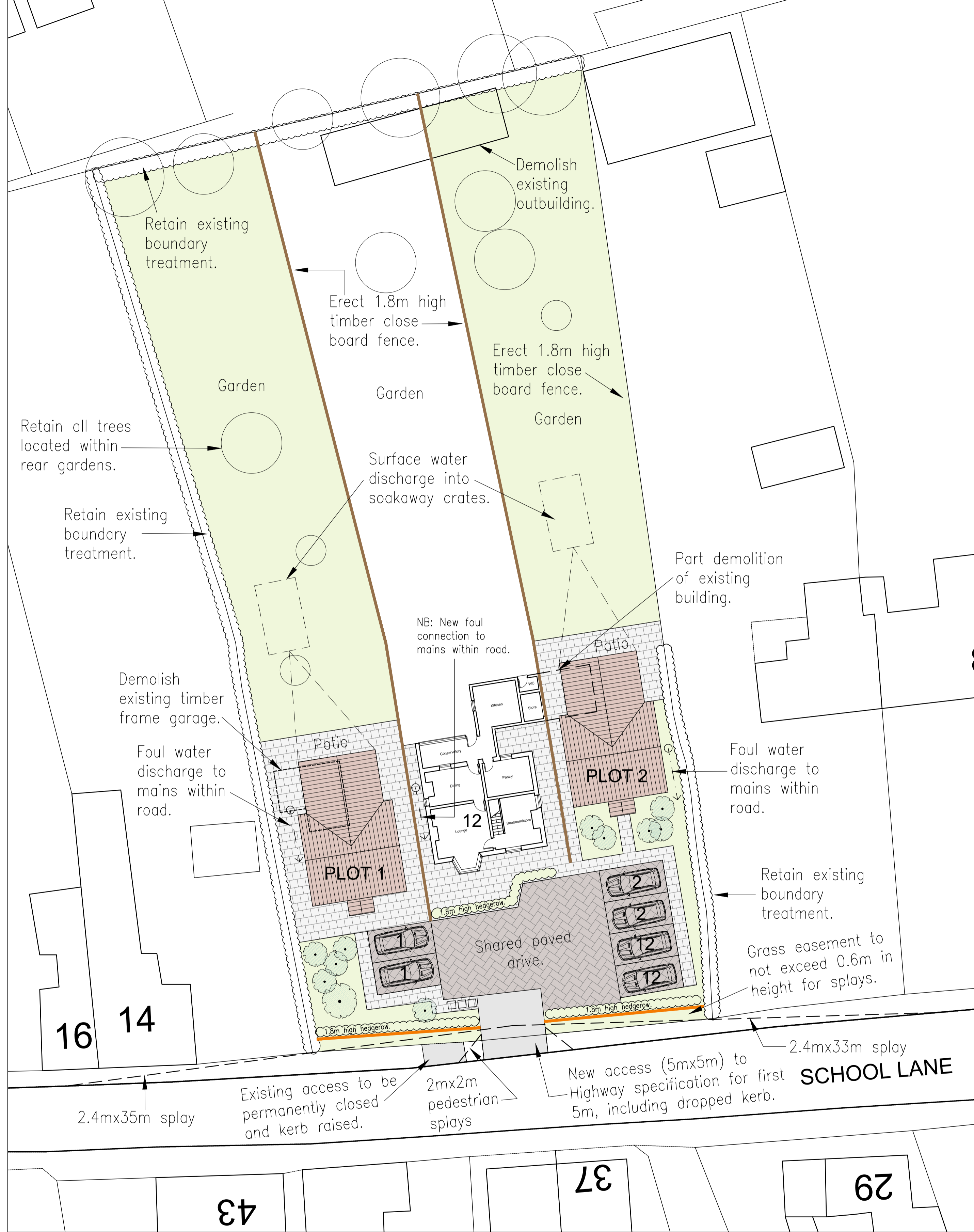
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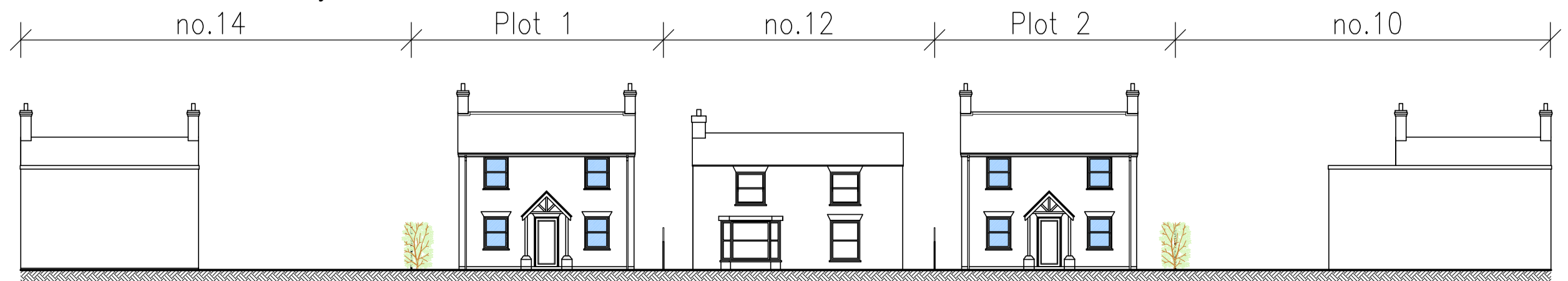




Existing Site Plan 1:200



Proposed Site Plan with indicative layout 1:200



Indicative Street Scene 1:200



Location Plan 1:1250

**BOUNDARY TREATMENT KEY**

- 1.8m Close Boarded Fencing
- 1.2m Post and Rail Fencing

**TREE SCHEDULE**

| No. | Tree Species | Action |
|-----|--------------|--------|
| T1  | Polar        | Remove |

A- REVISIONS



**PETER HUMPHREY ASSOCIATES**  
 ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.  
 TELEPHONE: 01945 466966  
 E-MAIL: info@peterhumphrey.co.uk  
 WEB: www.peterhumphrey.co.uk

CLIENT  
 MR & MRS JERROM

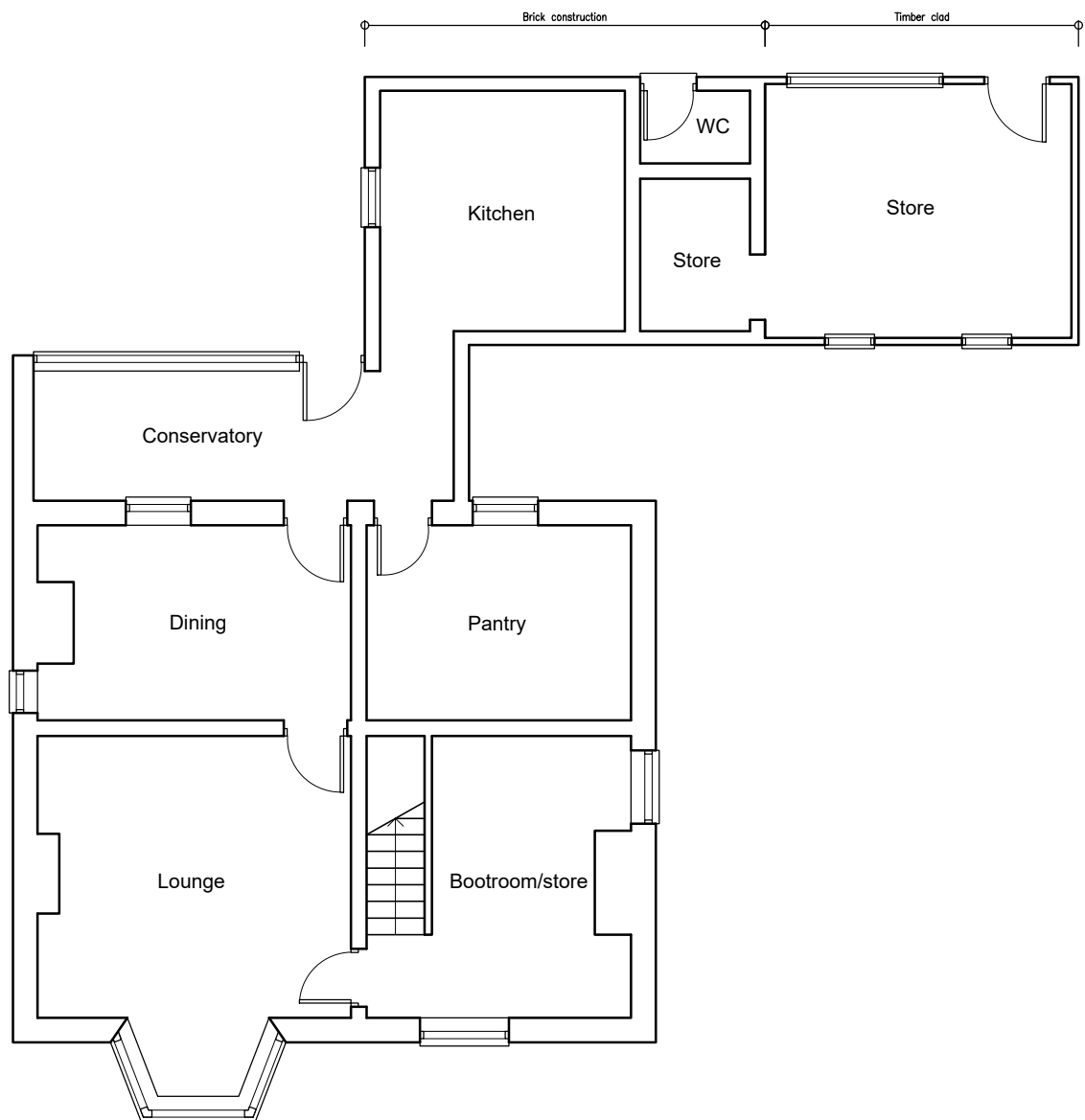
PROJECT  
 ERECTION OF 2NO DWELLINGHOUSES

SITE  
 12 SCHOOL LANE  
 MANEA  
 CAMBS.  
 PE15 0JN

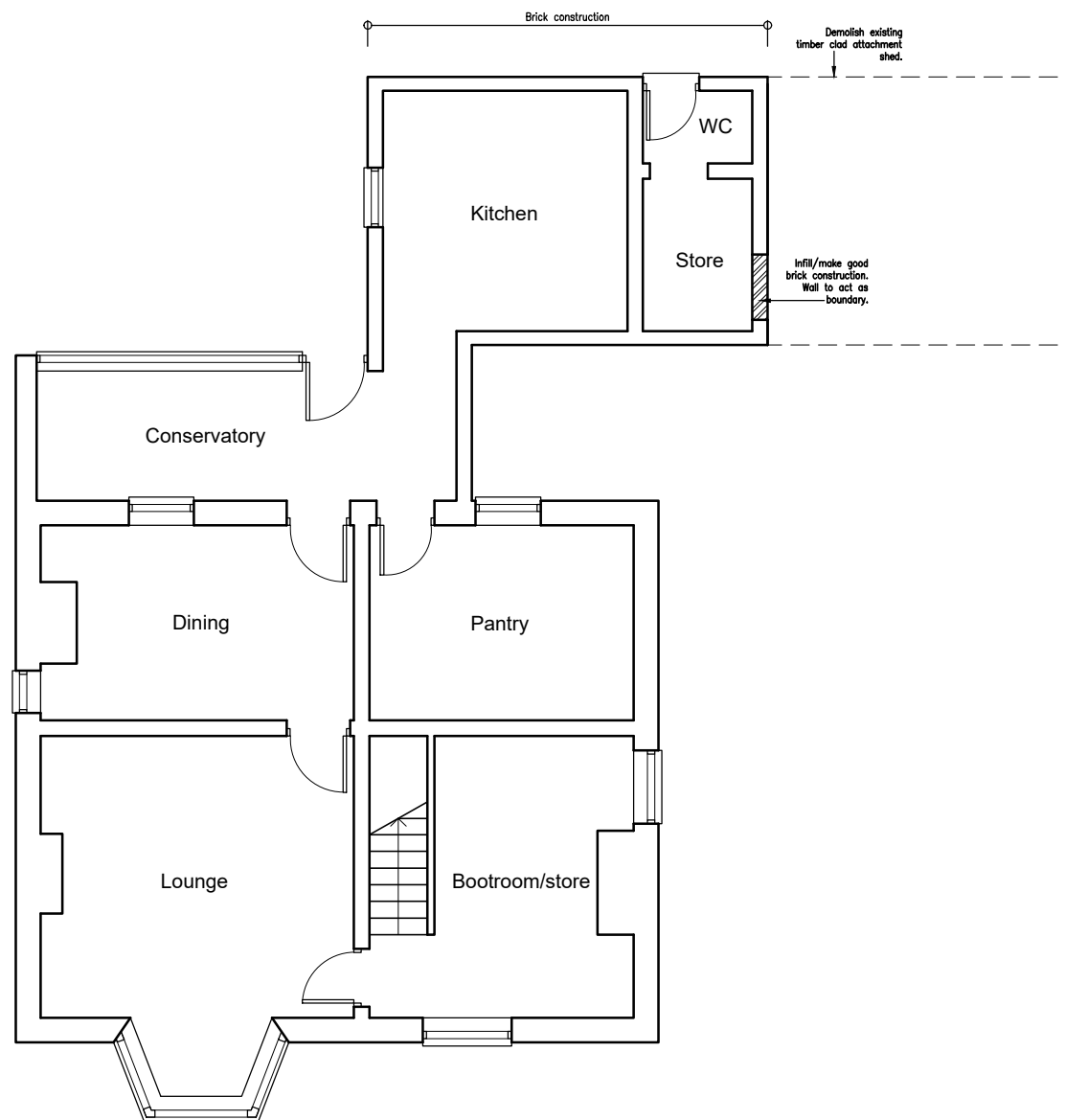
DRAWING  
 Existing & Proposed Drawings

| JOB NO.    | PAPER SIZE | DATE     |
|------------|------------|----------|
| 6499/PL01G | A1         | MAR 2024 |

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Existing Ground Floor Plan 1:100



Indicative Ground Floor Plan 1:100

A -  
REVISIONS



**PETER HUMPHREY ASSOCIATES**

ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.

TELEPHONE: 01945 466966  
E-MAIL: info@peterhumphrey.co.uk  
WEB: www.peterhumphrey.co.uk

CLIENT

MR & MRS JERROM

PROJECT

ERECTION OF 2NO DWELLINGHOUSES

SITE

12 SCHOOL LANE  
MANEA  
CAMBS.  
PE15 0JN

DRAWING

Existing & Indicative Drawings

| JOB NO.   | PAPER SIZE | DATE     |
|-----------|------------|----------|
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**The Construction (Design and Management) Regulations 2015:** Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already been apparent to a competent contractor.

F/YR24/0813/O

**Applicant: Mr B Aistrup**

**Agent : Mr R Swann  
Swann Edwards Architecture Limited**

**Land East Of, 64 - 72 Sutton Road, Leverington, Cambridgeshire**

**Erect 1 self-build dwelling (outline application with all matters reserved)**

**Officer recommendation: REFUSE**

**Reason for Committee: Number of representations against officer recommendation**

## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks outline planning permission for the erection of one dwelling (outline application with all matters reserved).
- 1.2 Policy LP14 of the Fenland Local Plan 2014 and Section 14 of the National Planning Policy Framework state that all development should adopt a sequential approach to flood risk from all forms of flooding. The Sequential test is a risk-based approach so as to avoid, where possible, flood risk to people and property. The site is located within Flood Zone 3 and whilst a flood risk assessment has been submitted the sequential test has not been accurately addressed and is not considered passed. Therefore, the proposal is considered contrary to policy LP14 of the Fenland Local Plan 2014.
- 1.3 As such the recommendation is to refuse planning permission.

## **2 SITE DESCRIPTION**

- 2.1 The site is set back from the road along a private track, to the rear of linear development fronting Sutton Road. The site is within Leverington parish. There is a strong building line evident along the eastern side of Sutton Road, however, there is a mix of detached and semi-detached dwellings and 2-storey and single-storey dwellings. The application site is currently laid to grass with some evidence of old wooden structures used for storage.
- 2.2 The site is enclosed by a mixture of fencing and vegetation. To the north, east and west of the site are residential dwellings and to the south another small field/paddock.
- 2.3 The site lies within Flood Zone 3 (High Risk).

## **3 PROPOSAL**

- 3.1 The application seeks outline planning permission for the erection of 1x dwelling (outline application with all matters reserved). No indicative plans have been submitted.

3.2 Full plans and associated documents for this application can be found at:

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

#### 4 SITE PLANNING HISTORY

4.1 Pertinent planning history listed below:

| Application   | Description   | Decision                       | Date           |
|---------------|---|--------------------------------|----------------|
| F/YR24/0230/F | Erect 1 x dwelling (2-storey, 3-bed)<br>(Land East Of 82 Sutton Road)   | Granted                        | 04 Jul<br>2024 |
| F/YR22/0563/O | Erect 1 x dwelling (outline application<br>with matters committed in respect of<br>access)<br>(Land East Of 82 Sutton Road)   | Granted                        | 24 Oct<br>2022 |
| F/YR20/0883/F | Erect 1 x dwelling (3-bed, 2-storey)<br>involving demolition of existing<br>outbuildings<br>(Land East Of 50 Sutton Road)   | Granted                        | 17 Nov<br>2020 |
| F/YR19/0944/O | Erection of up to 33no dwellings (outline<br>application with matters committed in<br>respect of access)<br>(Land West Of 85-111 Sutton Road)   | Refused                        | 20 Sep<br>2024 |
| F/YR17/0304/F | Erection of 221 dwellings, consisting of<br>4 x 3-storey 4-bed, 44 x 2-storey 4-bed,<br>103 x 2-storey 3-bed, 61 x 2-storey 2-<br>bed, 4 x 2-storey 1-bed, 4 x 1 bed flat<br>and 1 x 2-bed flat with raised level of<br>land to 4.75m AOD (FFL), associated<br>garages, parking and landscaping<br>involving the demolition of existing<br>dwelling and other buildings including<br>raising ground level to 4.75m AOD<br>(Land East Of 88 Sutton Road) | Granted                        | 02 Dec<br>2019 |
| F/YR13/0848/O | Erection of 4 dwellings<br>(Land East Of 50 - 52A Sutton Road)  | Refused<br>Appeal<br>dismissed | 08 Jan<br>2014 |

#### 5 CONSULTATIONS

##### 5.1 Leverington Parish Council

*It is impossible to comment on an application that does not contain a drawing of proposed property, Also nothing to show actual width of access road, plus proposed visual splay at its junction with A1101 Drawings included contain no measurements*

##### 5.2 North Level Internal Drainage Board

*Please note that North Level District Internal Drainage Board have no objections in principle to the above planning application.*

##### 5.3 Cambridgeshire County Council Highways Authority

*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 proposed development of a single dwelling will not result in a detrimental impact on the operation of the local highway network. The site benefits from an existing access track which also facilitates access to the adjacent dwellings and collection of adhoc buildings. The access is not considered adequate in its current form in terms of width, however, formalising the track to 5m in width for 10m, with a 1m by 1m visibility splay on the southern extent this will be deemed acceptable to serve the proposed single dwelling.*

*In the event that the LPA are mindful to approve the application, please append the following*

*Conditions and Informatives to any consent granted:*

**Conditions**

*Prior to the commencement of the development full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:*

*a) The layout of the site, including roads, buildings, parking provision and surface water*

*drainage.*

*b) The siting of the building(s) and means of access thereto.*

*c) Visibility to pedestrian visibility splay.*

*d) Turning and parking provision*

*Prior to the occupation of the dwelling, the vehicular access shall be constructed to include*

*the provision of a metalled/sealed surface with a width of 5m for a minimum length of 10m from the existing carriageway edge.*

*Reason: for the safe and effective operation of the highway*

*The proposed vehicular driveway shall be constructed so that its falls and levels are such that no private surface water from the site drains across or onto the adopted public highway. Please note that the use of permeable paving does not give the Local Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.*

*Reason: for the safe and effective operation of the highway*

*Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, amending or re-enacting that order), no gates or other means of enclosure shall be erected across the vehicular access unless approved in writing by the Highway Authority.*

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

**Informatives**

*Works in the Public Highway*

*This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.*

**5.4 Environment Agency**

*Thank you for your consultation dated 11 October 2024. We have reviewed the*

documents as submitted and we have no objection to this planning application. Please find further information on flood risk and water resources below.

### **Flood Risk**

We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA), by Swann Edwards Architecture, dated August 2024, are adhered to:

- o 2 storey property with a minimum finished floor level of 1m above existing ground levels or 4.8m AOD.
- o A minimum of 300mm of flood resilient construction above finished floor level.

### **Sequential and Exception Tests**

The requirement to apply the Sequential Test is set out in Paragraph 167 of the National Planning Policy Framework. The Exception Test is set out in paragraph 170. These tests are your responsibility and should be completed before the application is determined. Additional guidance is also provided on Defra's website and in the Planning Practice Guidance.

## **Local Residents/Interested Parties**

### **5.5 Objectors**

One letter of objection has been received from a resident of Delamore Drive Leverington. The reason given for the objection was that there were no plans showing where the property would be located including detail of the property size etc.

### **5.6 Supporters**

Eleven letters of support received.

Seven received from residents of Leverington:

- 2 from residents of leverington common,
- 1 from a resident of Roman Bank,
- 1 from a resident of Seafields,
- 1 from Church End, 1 from Chaucer Road
- 1 from Sutton Road.

Four responses were received from outside the ward:

- 1 from Barton Road Wisbech,
- 1 from Lakenheath,
- 1 from Spalding
- 1 from Thetford.

Reasons given for support include:

- Support self-build
- Utilising redundant land
- Houses all around it
- Keeping locals local
- Attracts professionals to the area
- Benefits to local community
- National property shortage

### **5.7 Representations**

One representation received neither in objection or support requesting detail of the proposed dwelling, location within the site, scale etc.



## **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 December 2024 (NPPF)**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 7 – Ensuring the vitality of town centres

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP8 – Wisbech

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP19 – The Natural Environment

### **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

DM2 – Natural Features and Landscaping Schemes

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

### **Cambridgeshire Flood and Water SPD 2016**

## **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP13: Custom and Self Build
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination
- LP56: Residential site allocations in Leverington

## **8 KEY ISSUES**

- **Principle of Development**
- **Self-Build**
- **Visual Impact**
- **Access and Parking**
- **Impact on residential amenity**
- **Flooding**
- **Biodiversity Net Gain (BNG)**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1 Policy LP3 of the Fenland Local Plan sets out the spatial strategy and settlement hierarchy within Fenland. The overall strategy is for sustainable growth, including new housing and job creation, in order to facilitate the health and wellbeing of Fenland's residents. The focus for the majority of growth is in and around the four market towns. Development should create strong, sustainable, cohesive and inclusive communities, making the most effective use of previously developed land (except where that land is of high environmental value), and enabling a larger number of people to access jobs, services and facilities locally.
- 9.2 The site was previously used as paddock land. However, it is considered to relate more to the built form along Sutton Road than the countryside. This is owing to new development to the north and east of the site and existing residential properties to the west along Sutton Road meaning the site is enclosed on 3 sides by residential dwellings.

9.3 The site is in the Parish of Leverington, however it has a closer spatial relationship with Wisbech a Market Town in the hierarchy. 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. The site is broadly considered infill as it has residential dwellings to the north, east and west.

9.4 Therefore, the principal of locating a dwelling on the site is considered acceptable.

### **Self-Build**

9.5 Policy LP5 Part C sets out how Fenland District Council proposes to meet the Wider Housing Need. Working in partnership with developers, housebuilders, registered social landlords and other stakeholders, the Council will seek, and developers are expected to provide in appropriate circumstances, housing solutions that meet market expectations, including executive homes and self-build homes. To be considered a self-build dwelling the applicant must be involved in building or managing the construction of their home from beginning to end or can commission their home to be built but they must have been involved in making key design and layout decisions.

9.6 The application is for a single self-build dwelling. Whether the proposal is self-build or not has implications for the consideration of the proposals as self-build proposals do not require Biodiversity Net Gain to be set out. The applicant has supplied a formal statement specifying that the proposal would be self-build in line with policy LP5 part C of the Fenland Local Plan 2014. The submitted self-build statement also specifies that the applicant agrees to enter into a legal agreement with the Local Planning Authority to guarantee the proposed dwelling is a self-build dwelling should the application be permitted.

9.7 Owing to the above the proposal is considered acceptable under policy LP5 (c) of the Fenland Local Plan 2014.

### **Flooding**

9.8 NPPF and Policy LP14 of the Fenland Local Plan state that development should be avoided in areas of high flood risk however where development is necessary it should be safe from flood risk for its lifetime without increasing flood risk elsewhere. The proposed development is in Flood Zone 3 identified as an area of high risk of flooding.

9.9 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.'

9.10 About one half of Wisbech currently falls within flood zones 2 and 3. For the re-development of sites for residential purposes (Use Class C3) within these areas it is not always possible to pass the Sequential Test. The need to prevent widespread areas suffering blight from flood risk restrictions is recognised, and the district council seeks to ensure that Wisbech retains its constituency and vibrancy. FDC have adopted specific guidance relating to the sequential test within Wisbech

which allows for a bespoke approach to applying the sequential test. However, the current scheme would not fall within this guidance as the land is existing paddock land with just a small wooden shack on. It is not classified as developed land and not in use under use classes A, B, C or D.

- 9.11 There are known sites that have planning permission that are sequentially preferable in flood risk terms within Wisbech. 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 Zones 1 and 2. Planning applications are under consideration for parts of the strategic allocation.
- 9.12 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 within Wisbech. Therefore, on flood risk grounds, there is no overriding reason to grant permission for this proposal given Section 14 of the NPPF, the advice within the NPPG and Part B of Local Plan Policy LP14.

### **Visual Impact**

- 9.13 LP16 (d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area. The surrounding dwellings are mainly 2-storey dwellings.
- 9.14 This is an outline application for a single dwelling on a large plot. Detailed plans will be submitted at Reserved Matters stage, should outline permission be granted and at that time a detailed assessment of design and visual impact would need to be undertaken.

### **Access and Parking**

- 9.15 Policy LP15 of the Fenland Local Plan 2014 states that proposals should provide well designed safe access for all. Policy LP15 of the Fenland Local Plan 2014 also states that development schemes should provide well designed car parking appropriate to the amount of development proposed, ensuring that all new development meets the councils defined parking standards as set out in Appendix A.
- 9.16 This is an outline application for a single dwelling on a large plot. Detailed plans will be submitted at Reserved Matters stage, should outline permission be granted, and at that time a detailed assessment of access and parking would need to be undertaken. Although details regarding access have not been committed at outline stage it is understood that the existing access to the site and garages to the rear of neighbouring properties would be utilised. The Highway Authority were consulted on the outline application and have no objection. However, they have requested a number of conditions.
- 9.17 The plot size is considered large and whether one dwelling on site would be a good use of the land was considered but it was determined that because of the narrow single lane access directly off of a main road and future vehicle movements more than one dwelling would not be appropriate in this instance.

### **Impact on residential amenity**

- 9.18 It is considered that the proposal could likely be built to ensure that good levels of amenity are retained for neighbouring occupiers. Although, care should be taken with the detailed design of the dwellings to avoid overlooking and dominance.
- 9.19 Matters of refuse collection will need to be addressed at detailed design stage and a refuse collection strategy should be secured for the site, noting that the bin travel distances will exceed the recommendations of the RECAP Waste Guidance (recommendation is no more than 30m).
- 9.20 As such the proposal is likely to comply with Policy LP16 of the Local Plan in this regard and matters of the detailed design at Reserved Matters stage.

**Biodiversity Net Gain (BNG)**

- 9.21 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.22 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the nature of the development being self / custom build is exempt from statutory net gain.

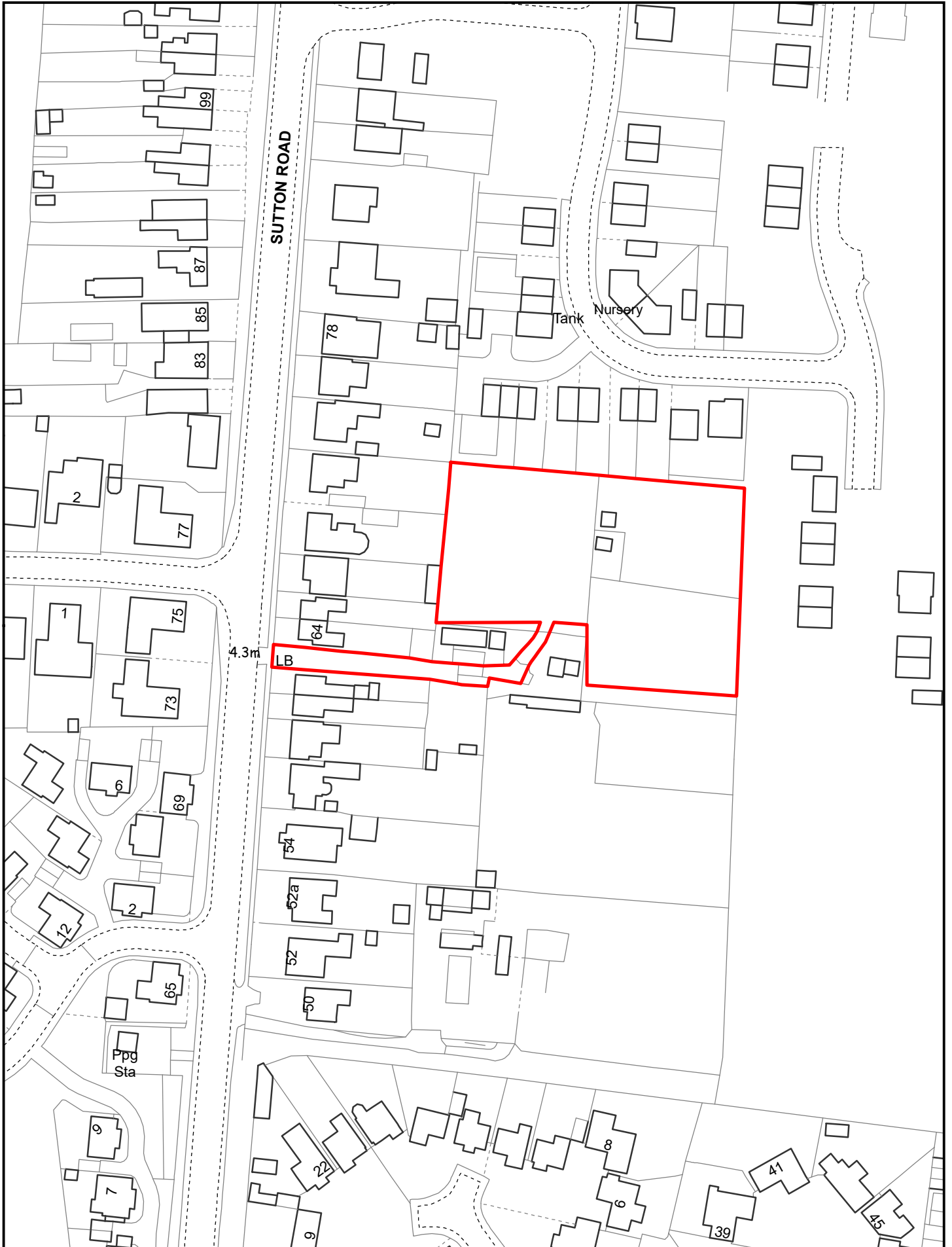
**10 CONCLUSIONS**

- 10.1 The broad principle of the development is considered acceptable, and no adverse character or amenity impacts have been identified. However, the sequential test has not been passed. A risk based sequential test approach is applied so as to avoid, where possible, flood risk to people and property. Therefore, the proposal is considered unacceptable under policy LP14 of the Fenland Local Plan 2014 and chapter 14 of the National Planning Policy Framework 2024.

**11 RECOMMENDATION**

**Refuse;** for the following reason:

|   |   |
|---|---|
| 1 | <p>Policy LP14 of the Fenland Local Plan 2014 and Section 14 of the National Planning Policy Framework state that all development should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a sequential test and exception test as necessary. The sequential test has not been passed. It has not been demonstrated that there are no alternative sites within Wisbech with a lower probability of flooding. Consequently the proposal would place people and property n an unwarranted risk of flooding, contrary to the requirements of Policy LP14 of the Fenland Local Plan 2014, Section 14 of the National Planning Policy Framework and the Cambridgeshire Flood and Water Supplementary Planning Document.</p> |
|---|---|



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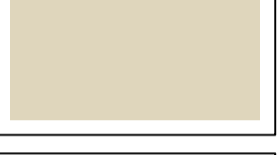

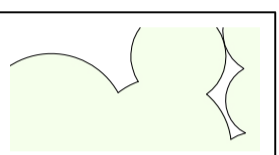
**F/YR24/0813/O**

Scale = 1:1,250



- General Notes
1. All dimensions are shown in "mm" unless otherwise stated.
  2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
  3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
  4. Any discrepancies are to be brought to the designers attention.

SITE PLAN KEY

-  Indicates surrounding buildings - from OS Location Plan
-  Indicates approved building plot for the erection of 1 no. 2 storey, 3-bed dwelling. Ref: FV/R24/0230/F
-  Indicates development of 88 new dwellings under construction. Ref: FV/R17/0304/F
-  Indicates approved building plot for the erection of 1 no. 2 storey, 3-bed dwelling. Ref: FV/R20/0853/F
-  Indicates site boundary
-  Indicates approximate location of existing trees



Site Plan  
Scale: 1:500



Location Plan  
Scale: 1:1250

Revisions

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |

Status  
**PLANNING**

**SWANN EDWARDS**  
ARCHITECTURE

Swann Edwards Architecture Limited, Black Barn, Fen Road, Guyhim, Wisbech, Cambs. PE 13 4AA  
t 01945 450894 e info@swannedwards.co.uk w www.swannedwards.co.uk

|   |                        |                  |
|---|------------------------|------------------|
| Job Title<br>Proposed Residential Development<br>Land to the Rear of<br>64 Sutton Road, Leverington | Date<br>August<br>2024 | Drawn by<br>RS   |
| Drawing Title<br>Planning Drawing<br>Site and Location Plans  | Job No.<br>SE-2163     | Sheet Size<br>A1 |
|   | Dwg No.<br>PP1000      | Revision<br>A    |

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F/YR24/0211/O

**Applicant: Mr Saxby  
MJS Investments (March) Ltd**

**Agent : Mr Marcus Vanner  
TMV Architects**

**Land North Of, 35 Whittlesey Road, March, Cambridgeshire**

**Erect of up to 19 x dwellings involving culverting the drain for access (outline application with matters committed in respect of access)**

**Officer recommendation: Refuse**

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

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## **Government Planning Guarantee**

**Statutory Target Date for Determination: 6 June 2024**

**EOT in Place: Yes**

**EOT Expiry: 10<sup>th</sup> January 2025**

**Application Fee: £4992**

**Risk Statement: This application must be determined by 10<sup>th</sup> January 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks outline planning permission for the development of the site for up to 19 dwellings. Matters of access are committed, with matters of layout, scale, appearance and landscaping reserved for future consideration.
- 1.2 The site comprises approximately 0.8 Ha of undeveloped windfall land set to the west of March.
- 1.3 The proposal would bring about development of currently unused land and would provide a modest stock of housing against a national drive to significantly boost housing delivery.
- 1.4 However, the site is outside of the built framework of March (contrary to the spatial policies of the Development Plan LP3, LP12 and H2) and is generally considered to be unsustainably linked, placing heavy reliance on private motor vehicle to access basic services.
- 1.5 The proposal highlights significant constraints with delivering 19 homes, relying on a layout which would appear discordant to the pattern of housing development in this area contrary to Development Plan policies LP16 and H2.
- 1.6 The site lies within Flood Zone 3 and without sufficient justification to demonstrate that the development is necessary, contrary to policies LP14 and H2.

- 1.7 The proposal is unable to achieve any level of affordable housing and proposes only a minimal financial contribution toward mitigating the impacts of this development. No planning obligation has been provided contrary to Local Plan policy LP13.
- 1.8 In applying the planning balance it is considered that the modest benefits of this proposal and other material considerations do not outweigh the significant policy conflicts and associated disbenefits.
- 1.9 As such, the proposal does not warrant a decision otherwise than in accordance with the development plan and the application should be refused.

## **2 SITE DESCRIPTION**

- 2.1 The site comprises approximately 0.8 Ha of open land set to the west of March. It is understood that the northern part of the site was occupied by a public house until its demolition and clearance in around 1995. A grouping of trees at the north of the site have recently been felled. The site comprises scrub land at present with no defining features.
- 2.2 A linear pattern of housing extends off the north-eastern corner of the site and also from the south west corner, including some commercial uses to the south. A short linear pattern of dwellings can be found on land opposite.
- 2.3 The site lies in flood zone 3 and in a flood warning area. A continuous drain runs along its frontage. The adjacent highway is a classified C road with national speed limit. The topographical survey submitted indicates the site sits around an average of 1.2m lower than the adjacent highway.

## **3 PROPOSAL**

- 3.1 The application seeks outline planning permission for the development of the site for up to 19 dwellings. Matters of access are committed, with matters of layout, scale, appearance and landscaping reserved for future consideration.
- 3.2 The access is proposed to be located at the south-western corner of the site, with a culvert necessary owing to the open drain along the site perimeter. The access is proposed to be 6m to 5m in width and slopes down into the site by around 1.2m due to the differences in site levels versus the highway.
- 3.3 An indicative layout has been provided to provide an indication as to how the quantum of development could be arranged within the site. It denotes a spine road through the centre of the site with dwellings fronting onto this – with rear gardens along the eastern and western boundaries. Two dwellings at the north of the site follow the established frontage character. A footpath is proposed to extend northwards, connecting to the existing footpath infrastructure at the north-east corner of the site.
- 3.4 The application is accompanied by the following key documents and plans;
  - Location Plan
  - Design & Access Statement
  - Indicative Layout Plan
  - S278 Highways Plan

- Culvert details
- Topographical survey
- Flood Risk Assessment and Drainage Strategy
- Water Vole Survey
- Health Impact assessment
- Financial Viability Appraisal

3.5 The application has undergone a number of revisions to address matters of highways, drainage and ecology.

3.6 Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

#### 4 SITE PLANNING HISTORY

| Reference     | Description   | Decision              |
|---------------|---|-----------------------|
| F/YR20/0330/O | Erect up to 2160 sq m of B1, B2 and B8 floorspace and the formation of a new access (outline application with matters committed in respect of access) | Application withdrawn |
| F/YR12/0689/O | Erection of 18 dwellings  | Refused 11.03.2013    |
| F/YR12/0189/O | Erection of 21 dwellings  | Application Withdrawn |

#### 5 CONSULTATIONS

##### 5.1 March Town Council – 19 March 2024

Recommendation; Refusal – concerns re flooding, no provision for affordable dwellings (Neighbourhood Plan H3), does not appear to have been any community consultation (as per 3.9), concerns over pedestrian access.

##### 5.2 CCC Local Highways Authority – 11 November 2024

[Following the case officers suggested conditions to overcome concerns raised in the LHA's response of 28 August]

I am happy with the condition as you have worded it below. I am also content that it addresses my previous concerns. Additional conditions requested in respect of;

- i) Removal of Permitted development rights for gated accesses
- ii) Provision of drainage to hardstanding areas

##### 5.3 CCC Local Highways Authority – 28 August 2024

No objection in principle to the proposal. Updated information in respect of the pedestrian footpath to the north addresses earlier concerns.

Raises concerns over the access arrangement in respect of the culvert and headwall positioning and the red line boundary shown will need to be amended to suit the current highway boundary in the area.

##### 5.4 CCC Local Highways Authority ('LHA') – 4 April 2024

No objection in principle to the proposals. Requires amendments to the address the following;

- The red line boundary shown will need to be amended to suit the current highway boundary in the area.
- Details of the road construction will need to align with the CCC Highways Estate Road Construction Specification. For example, the camber of the proposed road will need to fall at a gradient of 1:36 not the 1:50 as currently stipulated.
- A speed survey will also need to be undertaken to ascertain the 85th%tile speeds of the vehicles travelling along Whittlesey Road.
- Footpath to the north of the site requires amendments.
- Internal roads will be private (unadoptable) based on current design
- The culvert headwalls shown on this plan will need to be moved to ensure they are 2m back from the carriageway edge.

#### 5.5 **CCC Lead Local Flood Authority ('LLFA') – 10 July 2024**

[Following receipt of updated Flood Risk Assessment and drainage strategy]

At present we object to the grant of planning permission for the following reasons:

##### 1. *Existing Flood Risk*

The flood risk mapping for surface water shows that there are multiple areas on site is at medium and low risk from flooding, additionally the entire site lies within Flood Zone 3. Insufficient evidence has been provided to adequately demonstrate that the development is safe from flooding particularly in relation the medium surface water flood risk areas. The sequential test is also required as the site lies within Flood Zone 3. It may be the case that this site lies within a protected flood zone and in this case the applicant should clarify this detail.

It is strongly recommended to consult with the Environment Agency as they are the responsible authority for commenting on flood risk from the rivers and sea.

#### 5.6 **CCC Lead Local Flood Authority ('LLFA') – 4 April 2024**

Objected to the grant of planning permission due to lack of Surface Water Strategy.

#### 5.7 **CCC Growth & Development – 11 April 2024**

Summarised as follows;

**Table 1 - S106 contributions – summary table**

|                        | <b>Contribution</b>        | <b>Project</b>   | <b>Indexation date</b> | <b>Trigger</b>   |
|------------------------|----------------------------|--|------------------------|--|
| <b>Early Years</b>     | £65,271*<br>*see Table 9   | New early years facility serving March                   | 1Q2024                 | 50% prior to 1st occupation and 50% prior to 10 <sup>th</sup> occupation |
| <b>Primary</b>         | £174,056*<br>*see Table 10 | New primary facilities serving March                     | 1Q2024                 |  |
| <b>Secondary</b>       | £238,288*<br>*see Table 11 | Expansion of Neale Wade Academy                          | 1Q2024                 |  |
| <b>Libraries</b>       | £4,368                     | Enhancement of buildings and facilities at March library | 1Q2019                 | 100% prior to occupation of 50% of the development                       |
| <b>Strategic Waste</b> | N/A                        |  |                        |  |

**5.8 CCC Ecology – consulted 14.08.2024**

[Following receipt of water voles survey]  
No comments received

**5.9 CCC Ecology – 23 April 2024**

Recommend refusal. Insufficient information provided in respect of;

- The level of impact of the scheme on protected species, namely water voles.
- ‘No net loss’, and ideally net gains, in biodiversity value (Biodiversity Net Gain).

The following information is required;

- Completion of further survey work (water voles) recommended in the Preliminary Ecological Appraisal (PEA).
- Biodiversity Net Gain assessment.

**5.10 CCC Archaeology – 18 March 2024**

Do not object to development from proceeding in this location. Considers that the site should be subject to a programme of archaeological investigation secured through the inclusion of a pre-commencement condition.

**5.11 Environment Agency – 2 April 2024**

No objection to this proposal.

*Flood Risk*

Considers that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals. In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

*NPPF Flood Risk Sequential Test*

In accordance with the National Planning Policy Framework (paragraph 162), development should not be permitted if there are reasonably available sites

appropriate for the proposed development in areas with a lower probability of flooding. It is for the Local Planning Authority to determine if the sequential test needs to be applied and whether there are other sites available at lower flood risk.

[Advice for the applicant in respect of Flood resilience measures, water resource sustainability].

#### **5.12 Anglian Water – 20 March 2024**

No objection

##### *Section 1 – Assets affected*

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Therefore the site layout should take this into account, or sewers diverted under licence.

##### *Section 2- - Wastewater Treatment*

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

##### *Section 3 - Used Water Network*

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.

##### *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. Please note that Anglian Water has no designated surface water sewers in the area of the proposed development. The proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments in the suitability of the surface water management.

#### **5.13 Cambs Fire & Rescue – 20 March 2024**

Asks that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition.

[Further advice on design and submission provided]

#### **5.14 Cambs Police (Designing Out Crime Team) - 25 March 2024**

Considers the location to be an area of medium to high risk to the vulnerability to crime (figures provided)

Provides advice on;

- Layout and natural surveillance
- External lighting
- Cycle Storage
- Boundary Treatments
- Doorsets
- Residents parking
- Public Open Spaces & footpaths

#### **5.15 FDC Environmental Health – 31 March 2024**

No objections subject to conditions securing a Contaminated Land assessment

#### **5.16 FDC Housing – 18 March 2024**

Sets out Fenland Local Plan Policy LP5 Requirements, taking into account HDH viability report which suggests 20% affordable housing should be secured and assumes that 70% of all affordable homes will be rented tenure and 30% will be shared ownership.

**5.17 FDC Arboricultural Officer**

No comments received.

**5.18 Middle Level Commissioners Internal Drainage Board – 2 March 2024**

Notes the development appears to involve development near to the Board's 9m byelaw strip. During the decision-making process both the applicant and Council must acknowledge the close proximity of important watercourses and/or associated maintenance access strips to the application site. These watercourses are protected by Byelaws made in accordance with the Land Drainage Act.

Development within, over, or under a Board-maintained watercourse, or within the Board's maintenance strip, requires the Board's prior written consent.

Advises that a more detailed response concerning other relevant Conservation, Environmental, Biodiversity Enhancement and Net Gain Issues; Navigation (where appropriate); Water level and flood risk management matters may be issued to supplement this reply and better inform the parties concerned. [No further comments received].

Urges the applicant to contact them to discuss the proposed works via the post-application consultation process as a matter of urgency.

**5.19 NHS: Cambridgeshire & Peterborough ICS - 22 March 2024**

The proposed development is likely to have an impact on the services of the 3 x GP Practices operating within the vicinity of the application: Cornerstone Practice, Mercheford Practice and Riverside Practice.

A developer contribution will therefore be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required, in this instance to be £16,334.70 (3.12 sqm at £5224 per sqm).

[Further information provided to justify the request and triggers for payment]

**5.20 Local Residents/Interested Parties**

**Objectors**

5 letters of objection received from residents at;  
Whittlesey Rd, March x 2,  
Whitemoor Road, March x 1,  
Green Park, Chatteris x 2

-raising the following concerns;

- Will double the number of homes in this area
- Pedestrian safety risks – no safe pedestrian access into town/ schools/ parks
- Out of character
- No foul water facility
- Surface water flood risks
- Highway safety/ access issues

- Site has recently been cleared – loss of wildlife
- Birds nesting on site
- High risk subsidence area
- Over development/ high density
- Most of the supportive comments are from people who do not live in the area

### **Supporters**

13 letters of support received from residents at;

March x 2,  
 Wimblington x 1,  
 Doddington x 1,  
 Chatteris x 1,  
 Wisbech x 2,  
 Peterborough x 2,  
 Market Deeping x 1,  
 Holbeach x 1,  
 Spalding x 1,  
 Greatford x 1

Raising the following matters;

- Good use of land
- Improves the area
- Accessible – close to shops and schools
- Will provide much needed homes
- Not out of character
- Employment opportunities

## **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), the March Neighbourhood Plan 2017 and the Peterborough and Cambridgeshire Waste and Minerals Local Plan 2021.

## **7 POLICY FRAMEWORK**

### **7.1 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  
 LP19: The Natural Environment



## 7.2 **March Neighbourhood Plan 2017**

H2 – Windfall Development

H3 – Local Housing Need

## 7.3 **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

Policy 14: Waste management needs arising from residential and commercial development

## 7.4 **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP4: Securing Fenland's Future

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP11: Community Safety

LP12: Meeting Housing Needs

LP18: Development in the Countryside

LP19: Strategic Infrastructure

LP20: Accessibility and Transport

LP24: Natural Environment

LP25: Biodiversity Net Gain

LP27: Trees and Planting

LP28: Landscape

LP32: Flood and Water Management

LP33: Development on Land Affected by Contamination

LP34: Air Quality

LP45: An aspirational community

## 7.5 **National Planning Policy Framework December 2024 (NPPF)**

2. Achieving sustainable development

4. Decision-making

5. Delivering a sufficient supply of homes

8. Promoting healthy and safe communities

9. Promoting sustainable transport

11. Making effective use of land

12. Achieving well-designed and beautiful places

14. Meeting the challenge of climate change, flooding and coastal change

15. Conserving and enhancing the natural environment

## 7.6 **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

## 7.7 **National Design Guide 2021**

Context

Identity

Built Form  
Movement  
Nature  
Uses  
Homes and Buildings

## 7.8 Adopted Supplementary Planning Documents ('SPD')

*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

*Developer Contributions SPD 2015*

*Cambridgeshire Flood and Water SPD 2016*

## 8 KEY ISSUES

- Principle of Development
- Flood Risk
- Access and Highways
- Character & Appearance
- Drainage
- Biodiversity & Ecology
- Infrastructure Contributions

## 9 ASSESSMENT

### Principle of Development

- 9.1 Local Plan policy LP3 sets out a settlement hierarchy, directing a majority of intended development within Fenland's market towns, then cascading to the larger villages, smaller villages and so on. Development outside of these settlements is intended to be strictly controlled having regard for the need to protect the open nature and character of the countryside, as well as to ensure developments are linked via sustainable transport means, ensuring that non-car modes of travel are encouraged where possible.
- 9.2 Having regard to the location of the application site relative to the main built form of March, it is considered to fall outside of the developed envelope of March, due largely to its severance by the A141 and Peas Hill Roundabout. Whilst the site is set amongst a number of dwellings and commercial units, this is considered to form an outlier or satellite settlement from March. This assessment is consistent with conclusion of previous planning applications for this site and the intended direction of future development through the March settlement boundary of the emerging Fenland Local Plan (albeit only limited weight is afforded to this latter element).
- 9.3 As such, the site is considered to comprise a windfall development (land not allocated through any development plan) located outside the main urban framework of March and is therefore in conflict with the spatial strategy aims of policy LP3. Development outside of settlements is identified as 'elsewhere' development which is only permitted where it meets the exceptions as set out under Local Plan policy LP3 and LP12 e.g., rural land-based development.

- 9.4 Notwithstanding, given the development is windfall development, the requirements of policy H2 of the March Neighbourhood Plan apply whereby a community consultation exercise is required to be undertaken by the applicant, prior to submission. The application provides no evidence of this having been undertaken and as such, there is therefore also conflict with Neighbourhood Plan policy H2.
- 9.5 Furthermore, the site lies on the western side of the A141 with generally poor connectivity to the core of March (for non-car modes of travel) – with the need for pedestrians and cyclists to cross the A141 to access any facilities and services. This renders the site generally unsustainable in transport terms, likely forcing future occupiers to use private motor vehicle to access the most basic services and facilities and certainly not an attractive site for school children to make their daily trips to school on foot or cycle. This reinforces the general conflicts with the spatial policies of the development plan.
- 9.6 Given the Council is currently able to demonstrate an adequate supply of housing land and annual delivery of housing units, it is not considered that this site would be necessary or desirable to bring forward at this time, with other allocated and windfall sites more sustainably located to deliver the housing stock required within Fenland and particularly, in March. The Council is able to show a good current and future delivery of housing across March.
- 9.7 In summary, the site is located outside of continuous built-up frontage of March and is generally unsustainable in spatial terms. As such, the principle of the development is not supported by the relevant policies of the Fenland Local Plan or March Neighbourhood Plan.

#### **Flood Risk and Drainage**

- 9.8 In accordance with the Environment Agency's Flood maps for Planning, the site lies in Flood Zone 3 – therefore at high risk of flooding, with main sources of potential flooding considered to be from existing watercourses under IDB control i.e., not from rivers and seas. The applicant's Flood Risk Assessment considers the site falls within a medium risk of flooding (not taking into account climate change) and has provided a surface water flood map to confirm this. Developments proposed in areas of high (zone 3) and medium (zone 2) risk of flooding and at high/ medium risk of surface water flooding are required to pass the sequential test for flooding – which is an evidence-based exercise to demonstrate that there are no areas at a lower risk of flooding which are reasonably available and capable of accommodating the nature and quantum of development. This is a national requirement (NPPF Chapter 14) which imposes a strict test for such developments and is echoed through development plan policies LP14 and H2.
- 9.9 The application, whilst supported by a flood risk assessment does not attempt to address the sequential test and therefore there is clear conflict with Local Plan policy LP14 (including the guidance contained with the supporting Flood and Water SPD) and NPPF. Whilst the applicant has failed to undertake this, Officers are nonetheless confident that through strategic allocations (and even windfall sites) across the built framework of March, there would be reasonably available sites (either individually or a combination of sites) to accommodate the development at a lower risk of flooding. March itself has seen and continues to see a good, continuous supply of housing and housing land – most of which is located in areas at far lower risk of flooding.

- 9.10 As the application has failed to pass the sequential test, it is an established approach that consideration of the exception test is not required, as this is secondary only to developments having first passed the sequential test. Notwithstanding, in order to pass the exception test, the development must demonstrate that it;
- a) yields wider community benefits which outweigh flood risk, and
  - b) that the site can be made safe for its lifetime without increasing flood risk elsewhere
- 9.11 In respect of the latter (b); there is no dispute that the development can be safeguarded from flooding during its lifetime and without increased flooding elsewhere.
- 9.12 In respect of a); As noted above, the Council has a sufficient supply of housing delivery land and, particularly in the March area, is meeting its housing delivery requirement as demonstrated through recent housing delivery test results. As such, the provision of a further 19 market dwellings would make only a very modest contribution toward housing need, of which there is no indication that this is currently required i.e., housing delivery in the March area is not so critically low that it would be rational or proportionate to purposely place people and property at risk of flooding.
- 9.13 It is important to note that notwithstanding this observation, the 'tilted balance' as set out in the footnote to para. 11 of the NPPF (where Councils are unable to demonstrate a sufficient supply of housing) specifically excludes development in high flood risk areas from any presumption in favour of development. This clearly indicates the government's rigid objective of avoiding development in areas of flood risk, unless demonstrably necessary. Notwithstanding this, it is noted that the scheme is for all market dwellings, with no affordable units and a limited contribution toward mitigation impacts on community infrastructure. Therefore, it is challenging to identify any specific benefits to the wider community in this regard.
- 9.14 In summary the site lies in a medium and high-risk area for flooding and the application fails to demonstrate that development of this site is necessary, or that the benefits accrued would outweigh the flood risk. Development of the site would therefore place people and property in an unwarranted risk of flooding for which there is a strong presumption against both through policies of the development plan and national planning policy. The proposal is in direct conflict with local policies LP14 and H2 and NPPF.
- 9.15 In respect of drainage, the proposal is to discharge foul drainage to existing sewer and for surface water to be discharged to the drainage network at consented rates. No objections are raised to the principle of this approach and it would therefore be reasonable to secure a detailed strategy via planning condition.

### **Access and Highways**

- 9.16 The development is proposed to be accessed via a single point of access along its western boundary. The access will need to drop down into the site and the Local Highway Authority (LHA) has set out their requirements in this regard, to ensure that any inclines are not excessive. Furthermore, the LHA has requested are imposed to the grant of any planning permission, to ensure that more precise details of the headwall positioning relative to the access is provided. Notwithstanding, the LHA are content that safe and suitable access is achievable in accordance with policy LP15 and the NPPF.

9.17 The LHA has also requested that a footway linking to the site to the section of existing footway at the north of the site is secured, including widening of this footway to 2m. Furthermore, at the request of the LHA the applicant has agreed to undertake works to the crossing at Peas Hill roundabout comprising a widened crossing point with tactile paving. Sufficient detail has been provided in this regard and it is reasonable to secure delivery of this via planning condition. Whilst these works are deemed necessary by the LHA to make the development acceptable in highway terms, Officers do not consider that these works necessarily address the overall sustainability concerns of the site location, with there still being a requirement for occupiers and visitors to cross the A141 via an uncontrolled crossing point to access basic services.

### **Character & Appearance**

9.18 Policy LP16 (d) of the Local Plan requires development proposals to make a positive contribution to the local distinctiveness and character of the area, enhance the local setting, respond to and improve the character of the local built environment, reinforce local identity and not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.

9.19 The site is effectively sandwiched by frontage development to the north east and south east. The indicative layout denotes a row of dwellings backing onto the highway along the western and arguably most notable section of the site which is uncharacteristic to the streetscene in general and would fail to positively contribute to the urban environment, likely resulting in continuous runs of fencing/ walls adjacent to the highway in order to secure adequate private amenity for future occupiers. Given that land levels are much lower than the adjacent highway, views down from the road into rear garden and rear of properties would likely be achievable, thereby compromising amenity unless high boundary treatments are employed, which again would be out of character and visually harmful.

9.20 Whilst an alternative arrangement could likely be secured which would result in outward facing frontages in accordance with the prevailing character of the area, it is uncertain whether the quantum being proposed could ultimately be achieved with a more appropriate, reconfigured layout. This is compounded somewhat by the need to safeguard the IDB easement which runs along the western and part northern boundary which naturally send the developer deeper into the site. As such, the proposal, based on the quantum sought, currently fails to demonstrate that it could be achieved without severe harm to the character and appearance of the area contrary to Fenland Local Plan policy LP16 and the broad aims of the March Neighbourhood Plan.

### **Residential amenity**

9.21 Policy LP2 of the Local Plan requires development proposals to promote high levels of residential amenity. In addition, policy LP16 (e) of the Local Plan states that development will only be permitted if it can be demonstrated that the proposal does not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.

9.22 Given the nature of the development it is not anticipated that it would result in any severe amenity harm e.g., by way of overlooking, overbearing or overshadowing impacts. These aspects would be considered at detailed design stages through reserved matters.

- 9.23 The proposed access point does run relatively close alongside the northern boundary of No. 35 Whittlesey Road and it may be necessary therefore to ensure that adequate screening is secured, to ensure that no views into the ground floor window on this northern flank wall are achievable.
- 9.24 In summary, the general residential use of the land is not anticipated to result in significant acoustic changes once completed, with the use compatible with surrounding uses. The detailed design elements of future reserved matters will ensure that matters of lighting impacts, overlooking, overbearing and overshadowing are carefully considered, in-line with local policies.

### **Biodiversity & Ecology**

- 9.25 Local Plan Policy LP16 seeks to protect and enhance biodiversity on and surrounding the proposal site and seeks to retain and incorporate natural and historic features of the site such as trees, hedgerows, field patterns, drains and water bodies. Policy LP19 seeks to take opportunities to incorporate beneficial features for biodiversity in new developments, including, where possible, the creation of new habitats that will contribute to a viable ecological network extending beyond the District into the rest of Cambridgeshire and Peterborough, and other adjoining areas. Chapter 15 of the NPPF amongst other things, broadly sets out that development should seek to take opportunities for secure net gain in biodiversity and as a minimum should not result in net loss. This approach has changed in recent months with the introduction of statutory 10% biodiversity net gain, however for this application which was submitted prior to this change, the baseline aim is in essence to achieve biodiversity net gain where possible.
- 9.26 The application was initially supported by very limited ecology information. Further to comments from the Council's ecologist, the applicant commissioned a water vole survey, undertaken in July 2024. This survey confirmed evidence of a low-population of water voles and therefore sets out proposed mitigation measures, generally requiring that the retention of a 5m buffer from the top of the eastern ditch bank along the entire length where the ditch runs parallel to the western site boundary. The only exception will be the proposed new culverted access onto the site from Whittlesey Road. The culvert would need to be extended by no more than c.15m in total, including landscaping either side and entrance splay. This is considered to be a minor disruption to water voles within a very short section of the existing ditch and likely possible to complete under a water vole class licence.
- 9.27 A planning condition to secure a water vole mitigation strategy can be reasonably imposed, to ensure appropriate water vole mitigation is designed for the approved final scheme layout. Furthermore, a long-term management plan with additional targeted habitat for water voles could be considered to provide increased benefits to the wider terrestrial habitats adjoining the ditch, such as the protected buffer strip between the site and ditch. It could include fencing to reduce interaction between water voles and people and pets.

### *Biodiversity Net gain*

- 9.28 Whilst a statutory minimum 10% biodiversity net gain is not required for this development, given its timing submission, national policy is clear that all developments should aim to seek opportunities for net gain and as a minimum achieve no net loss to biodiversity. In order to establish this, it would be necessary to secure an assessment of the pre-development biodiversity value of the site, to establish what loss would be likely through the development and how no net loss would therefore be achieved, either through on-site or off-site intervention. Whilst no such data has yet been provided, a planning condition requiring details of how

opportunities for biodiversity net gain has been sought (based on an evidenced baseline) can be secured via planning condition. This would also include details of any trees proposed to be lost and any replanting proposed and the associated values of doing so.

- 9.29 In this regard it is noted that two trees are proposed to be removed to accommodate the development. Whilst the indicative layout denotes that replating would take place on site, this is indicated to be within the IDB easement strip which is unlikely to be acceptable to the IDB for operational reasons. Nonetheless it is considered likely that opportunities elsewhere in the site would exist to ensure any tree loss is offset within the development area.
- 9.30 In summary, the proposal raises no significant conflicts with policies concerning the natural environment, subject to suitably worded planning conditions as outlined above.

### **Infrastructure Contributions**

- 9.31 Local Plan policy LP13 sets out that planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development. Conditions or a planning obligation are likely to be required for many proposals to ensure that new development meets this principle. Developers will either make direct provision or will contribute towards the provision of local and strategic infrastructure required by the development either alone or cumulatively with other developments. Where a planning obligation is required, in order to meet the above principles of infrastructure provision, this will be negotiated on a site-by-site basis. This will be required in addition to the affordable housing requirement as set out in Policy LP5.
- 9.32 Statutory tests set out in the Community Infrastructure Regulations 2010 (Regulation 122) requires that S106 planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind to the development. S106 obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.
- 9.33 The following contributions and infrastructure is sought through this proposal (based on 19 dwellings) and are considered to be CIL compliant;
- 20% Affordable Housing – to be provided on site in the first instance
  - Education – around £477,600 subject to final type and tenure
  - Libraries –£4,368
  - NHS –£16,334.70
  - Open Space – On site provision
- 9.34 The Council's own Local Plan & CIL Viability Assessment (HDH, December 2019) sets out expectations of viability for sites across the district. For sites south of the A47 highway, the conclusions advise that schemes should be able to achieve 20% affordable housing and £2,000 per dwelling in financial contributions. Whilst this is lower than set out in Local Plan policy LP5 (affordable housing) it is a material consideration which the Council has previously given significant weight to, and which has been used to set the viability expectations for many other developments in the district. This application was submitted prior to the Council's clarification that the HDH viability position is now out of date and should not be relied upon for fresh development proposals.

- 9.35 The application is supported by a viability assessment which sets out that the development can provide £2,000 per plot in contributions but is not viable to provide any on-site affordable housing or contribution in lieu of this (unless taken from the £2,000 per plot contribution). The total contribution (£38,000) equates to around 8% of the total contributions sought for the scheme (notwithstanding affordable housing) and therefore falls significantly short being able to mitigate its impacts on community infrastructure.
- 9.36 The NPPF is clear in that viability is a material consideration to be given weight. In this instance, whilst the viability constraints are acknowledged, the site is windfall development and therefore, by its very nature, not strictly necessary to fulfil the district's housing ambitions and would instead place additional burdens on services with very limited mitigation. As such, the viability position and subsequent shortfall in infrastructure/ affordable housing contributions weighs negatively against the proposal. This is to be considered in the overall planning balance.

## **10 PLANNING BALANCE AND CONCLUSIONS**

- 10.1 The proposal would bring about development of currently unused land and would provide a modest stock of housing against a national drive to significantly boost housing delivery. Furthermore, there are short-term benefits during the build out, with the possibility of local businesses providing trade and materials. Modest long-term benefits would accrue from future occupiers accessing local services and facilities and through local spend. This carries moderate positive weight based on the quantum proposed.
- 10.2 However, the site is outside of the built framework of March (contrary to the spatial policies of the Development Plan) and is generally considered to be unsustainably linked by virtue of Peas Hill roundabout and the A141. This is likely to discourage non-car modes of travel, rendering most basic trips to local services and facilities a difficult task on foot or cycle, with particular consideration for trips to school. In essence, due to poor pedestrian and cycle infrastructure the site location is generally not deemed to be a good area to encourage housing growth. This carries substantial negative weight.
- 10.3 Notwithstanding, the proposal identifies significant constraints with delivery of 19 homes, relying on a layout which would appear discordant to the pattern of housing development in this area. As such the proposal fails to satisfactorily set out how the quantum of development proposed can be appropriately laid out without resulting in character harm. This also weighs substantially against the proposal.
- 10.4 The site lies within an area identified as high risk of flooding and without sufficient justification advanced to demonstrate that the development is necessary. This directly conflicts with the aims of both national and local policy of avoiding placing development in areas of highest risk of flooding unless demonstrably necessary. This carries significant negative weight.
- 10.5 Finally, the proposal is unable to achieve any level of affordable housing and proposes only a minimal financial contribution toward mitigating the impacts of this development. This carries moderate negative weight.
- 10.6 There are significant conflicts with policies of the development plan as follows; LP3 and LP12 in respect of spatial location; LP16 in respect of character harm; LP14 in respect of flood risk; H2 in respect of the failure to undertake a community



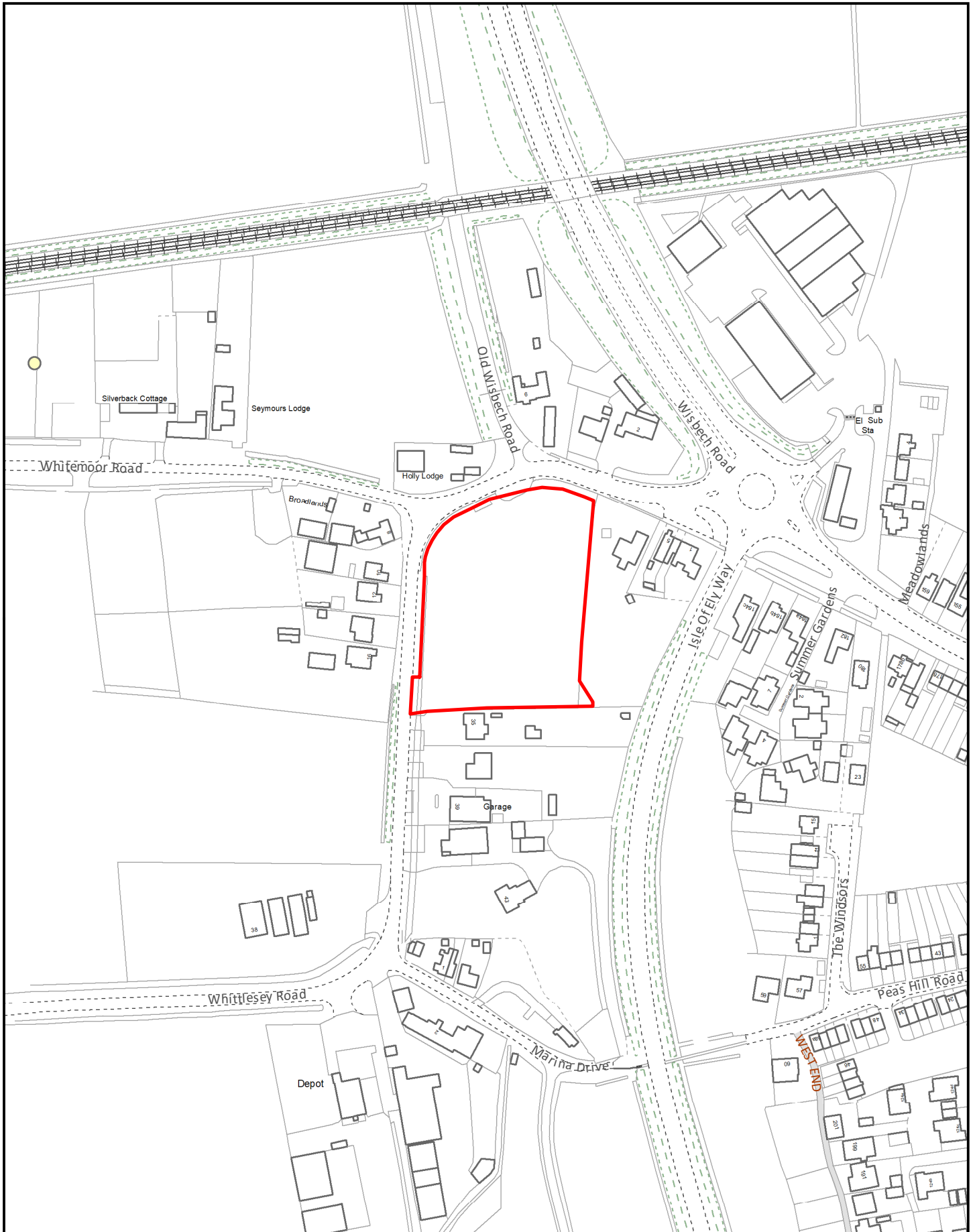
consultation; and, LP13 in respect of a lack of planning obligation to secure the proposed planning contributions (not sought by officers due to the general policy issues identified).

- 10.7 In applying the planning balance and having regard to general housing delivery success in March to date, and the ongoing and proven appetite for developers to bring forward strategic and other windfall sites in more sustainable locations in March (often with better viability outcomes), it is considered that the modest benefits of this proposal and other material considerations do not outweigh do not outweigh the significant policy conflicts and associated disbenefits set out above.
- 10.8 As such, in accordance with the statutory duty under Section 38(6) of the Planning and Compulsory Purchase Act 2004 the proposal does not warrant a decision otherwise than in accordance with the development plan and the application should be refused.

## 11 RECOMMENDATION

### 11.1 Refuse; for the following reasons:

|   |  |
|---|--|
| 1 | <p><i>Spatial location</i></p> <p>The site is located outside the continuous built-up form of March and is poorly connected to the wider settlement by virtue of the severance created by the A141 main highway and would likely place a reliance on private motor car to undertake most journeys. As such, the development fails to accord with policies LP3 and LP12 of the Fenland Local Plan and H2 of the March Neighbourhood Plan.</p>   |
| 2 | <p><i>Flood Risk</i></p> <p>The site lies in an area at high risk of flooding and fails to successfully demonstrate through the application of the sequential test that the development could not be located elsewhere in a location at a lower risk of flooding. Consequently, the development would place people and property at an unwarranted risk of flooding contrary to policy LP14 of the Fenland Local plan (2014) policy H2 of the March Neighbourhood Plan (2017) and the flood risk avoidance requirements of the NPPF.</p>  |
| 3 | <p><i>Character harm</i></p> <p>The indicative layout denotes a row of dwellings backing onto the highway which is uncharacteristic to the streetscene in general and would fail to positively contribute to the urban environment, likely resulting in continuous runs of fencing/ walls adjacent to the highway in order to secure adequate private amenity for future occupiers. As such, the proposal, based on the quantum sought, fails to demonstrate that it could be achieved without severe harm to the character and appearance of the area contrary to policy LP16 of the Fenland Local Plan (2014) and the broad aims of the March Neighbourhood Plan (2017).</p> |
| 4 | <p><i>Infrastructure</i></p> <p>Notwithstanding refusal reasons 1 to 3, the application is not accompanied by any signed planning obligation to secure the necessary infrastructure contributions to mitigate the impacts of the development, contrary to policy LP13 of the Fenland Local Plan (2014).</p>  |



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**F/YR24/0211/O**

Scale = 1:2,500





Area Schedule

|         |   |
|---------|---|
| Plot 1  | 134 m <sup>2</sup> / 1442 ft <sup>2</sup> |
| Plot 2  | 134 m <sup>2</sup> / 1442 ft <sup>2</sup> |
| Plot 3  | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 4  | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 5  | 68 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 6  | 68 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 7  | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 8  | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 9  | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 10 | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 11 | 136 m <sup>2</sup> / 1463 ft <sup>2</sup> |
| Plot 12 | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 13 | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 14 | 68 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 15 | 68 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 16 | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 17 | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 18 | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |
| Plot 19 | 80 m <sup>2</sup> / 861 ft <sup>2</sup>   |

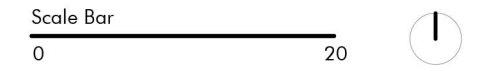


**TMV Architects**  
 The Repeater Station  
 London Road  
 Norman Cross  
 Peterborough PE7 3TB  
 info@tmvarchitects.co.uk  
 01733 794 795  
 tmvarchitects.co.uk

**Note**  
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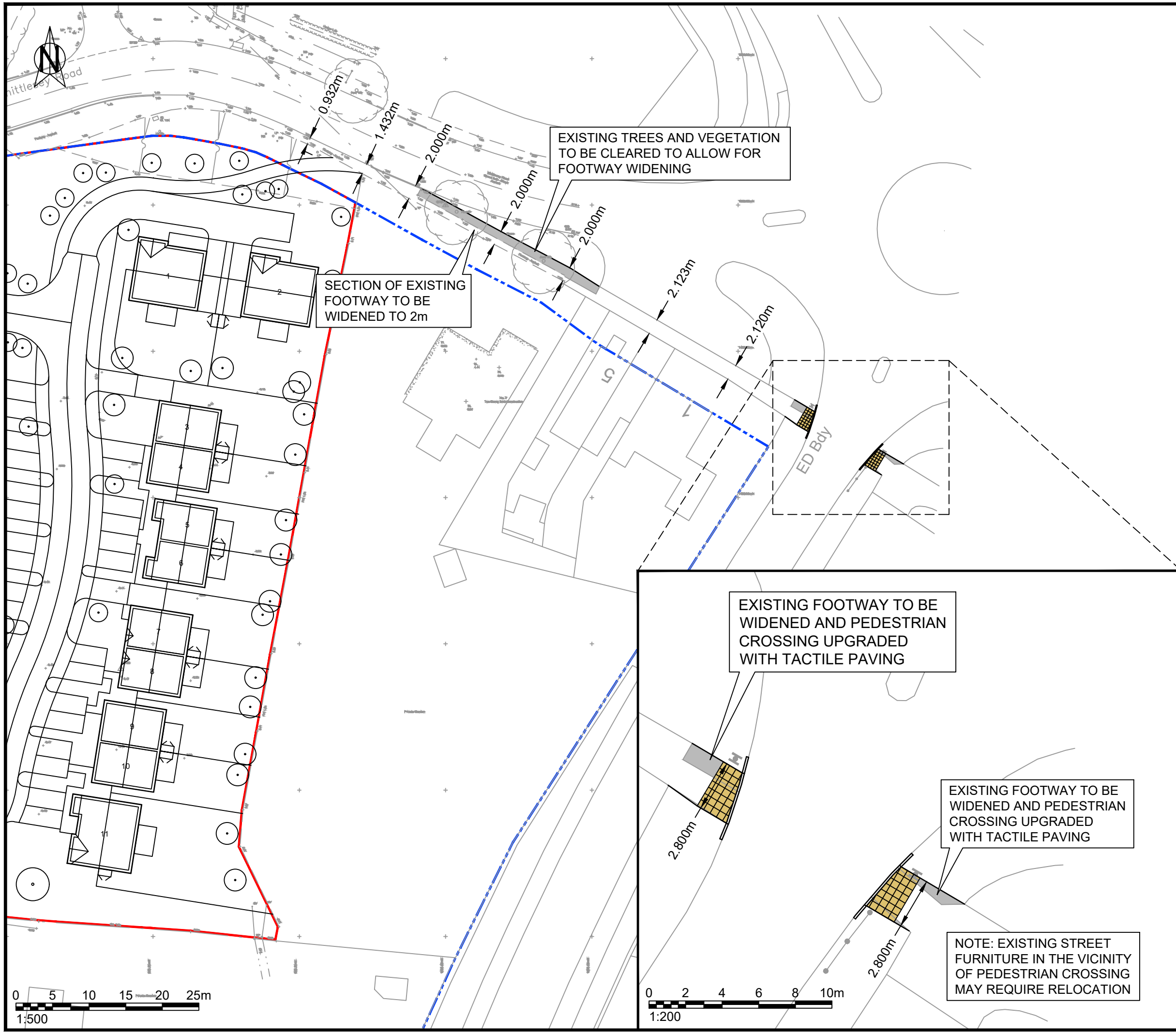


| Rev. | Date     | Details                   |
|------|----------|---------------------------|
| A    | 30.07.24 | Red line boundary amended |

**Feasibility**

**Drawing Name**  
 Proposed Site Plan with Indicative Layout

|  |                            |                            |
|--|----------------------------|----------------------------|
| <b>Project Name</b><br>Land North of Whittlesey Road,<br>March | <b>Project No.</b><br>1000 | <b>Dwg No.</b><br>101      |
|  | <b>Rev.</b><br>A           | <b>Scale</b><br>1:500 @ A3 |
| <b>Drawn</b><br>MV   |                            | <b>Date</b><br>30.05.23    |



- NOTES:**
1. (C) This drawing is copyright.
  2. All dimensions to be checked on site.
  3. Do not scale from this drawing; only figured dimensions are to be worked from.
  4. Any discrepancies must be reported immediately before proceeding.
  5. This drawing to be read & printed in colour.

**KEY:**

|  |                               |
|--|-------------------------------|
|  | HIGHWAY BOUNDARY              |
|  | APPLICATION RED LINE BOUNDARY |

|     |            |  |     |      |      |
|-----|------------|--|-----|------|------|
| REV | DATE       | DESCRIPTION  | DRN | CHKD | APRD |
| A   | 01.08.2024 | Site layout updated and existing pedestrian crossing upgraded. | DW  | DS   | KMcM |

Issue Status

|   |   |
|---|---|
| <input type="checkbox"/> CONCEPT                | <input type="checkbox"/> CONSTRUCTION   |
| <input checked="" type="checkbox"/> PRELIMINARY | <input type="checkbox"/> AS BUILT       |
| <input type="checkbox"/> TENDER                 | <input type="checkbox"/> H&S FILE ISSUE |

Client  
MJS Construction (March) Ltd

Project  
Whittlesey Road, March

Drawing Title  
Proposed Footway Widening

|               |      |      |      |            |
|---------------|------|------|------|------------|
| Scale @ A3    | Drwn | DW   | Chkd | DS         |
| 1:500 / 1:200 | Aprd | KMcM | Date | 22.07.2024 |

|                |     |
|----------------|-----|
| Drawing Ref    | Rev |
| KMC24054 / 003 | A   |



**NOTES**

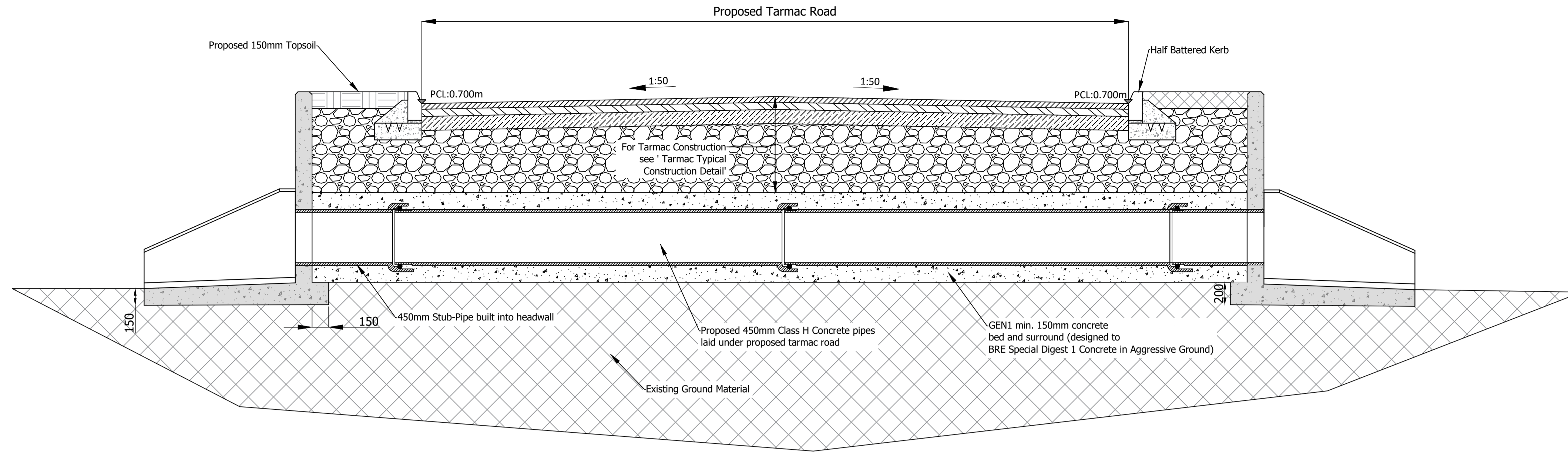
1. All dimensions are in millimetres unless stated otherwise.
2. This drawing to be read in conjunction with all other relevant drawings and specifications.
3. All proprietary items to be installed in strict compliance with manufacturers instructions and recommendations.

**HIGHWAY WORKS NOTES**

1. All works within the existing highway shall be carried out fully in accordance with the New Roads and Street Works Act 1991 and to Chapter 8 of the Traffic Signs Manual. The contractor shall provide, erect, maintain and remove upon completion all temporary signing required for works carried out within the highway. The contractor shall liaise with the Highways Authority with regard to agreeing appropriate methods of traffic management.
2. The reinstatement of the highway shall be carried out fully in accordance with the HAUC 'Specification for the Reinstatement of Openings in Highways'. Reinstatement shall be permanent (on first visit).
3. The contractor shall submit to the street works coordinator and utility companies the appropriate notices under the New Roads and Street Works Act 1991 and the Traffic Management Act. Upon completion of the works the contractor shall submit to the street works coordinator the appropriate completion notices.
5. All construction works to comply with current the Highways Authority's specifications.
6. New road markings to comply with TSRGD and the Highways Authority's specifications.
7. All works are to be carried out to Cambridgeshire County Councils specification as per the Housing Estate Road Construction Specification April 2023.

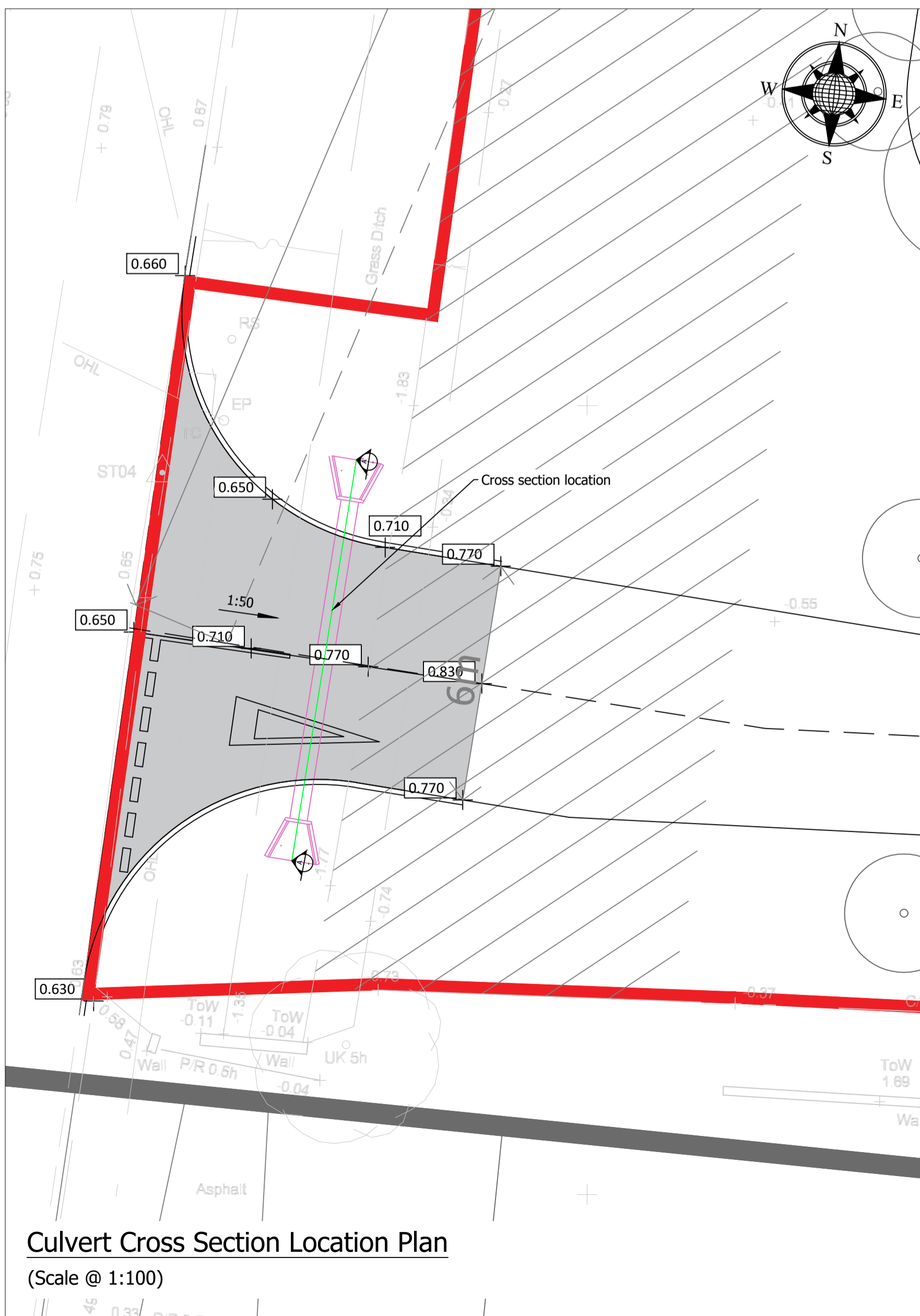
**STANDARD ROADS / FOOTPATH NOTES:**

1. Existing structures to be broken out to minimum 450mm below top of finished surface level. Existing footpath to be broken out and rubble and existing subbase to be removed off-site.
2. Subgrade to be proof rolled with one pass of a smooth-wheeled roller having a mass per M-width of roll of not less than 2,100-kg or a Vibrating Roller having a mass per M-width of roll of not less than 700-kg or a Vibrating Plate Compactor having a mass per m2 of not less than 1400-kg. Any soft spots shall be removed and replaced with Type 1 compacted in layers not exceeding 150mm thickness.
3. All formations are to be treated with an approved herbicide before placing sub-base material on a geotextile separation membrane (Terram 1000 or similar approved)
4. All sub-base material is to be non-frost-susceptible. All concrete to be sulphate resisting



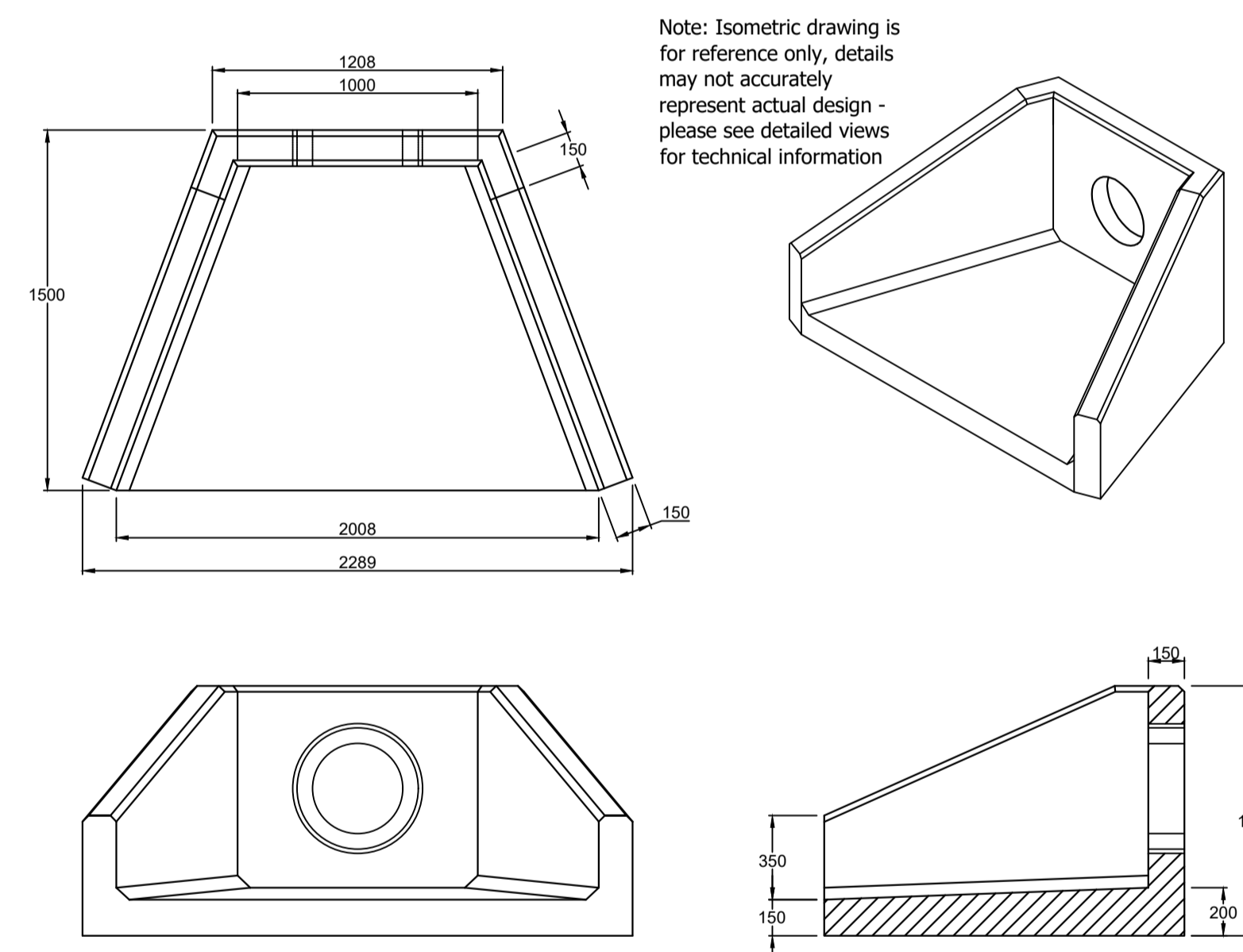
**Culvert Cross Section Detail**

(Scale @ 1:25)



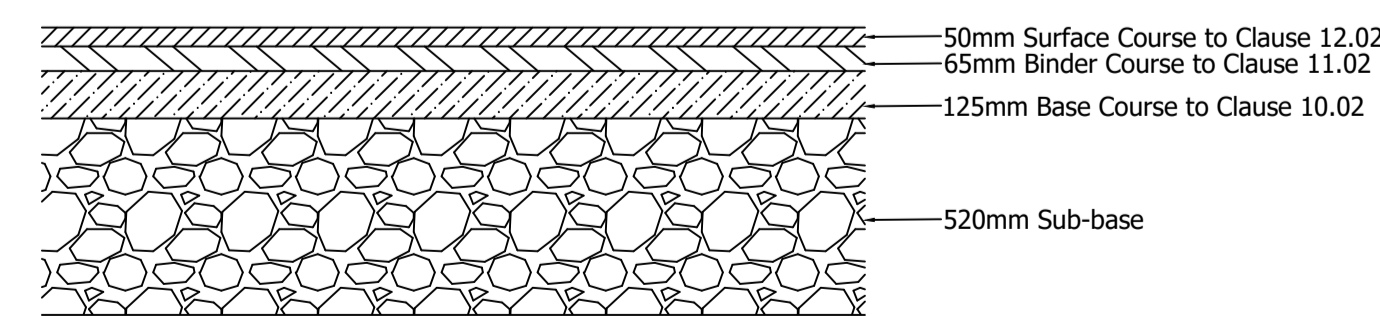
**Culvert Cross Section Location Plan**

(Scale @ 1:100)



**Headwall details - ( Model : SAF10B or Similar)**

(Scale @ 1:25)



**Typical tarmac construction detail**

(Scale @ 1:20)

**NOTES**

1. Unless in situ testing has been agreed by the Engineer the CBR for the site will be assumed to be <2% the depth of the Type 1 or Cams. HER (Clause 9.0) Sub-base may be reduced in line with the following if suitable test results are provided.

| Measured CBR Values | Required depth of Type 1 or HER sub-base |
|---------------------|--|
| CBR > 5%            | 260mm±10mm (minimum thickness)           |
| CBR 5%              | 280mm±10mm                               |
| CBR 4%              | 315mm±10mm                               |
| CBR 3%              | 375mm±10mm                               |
| CBR 2%              | 450mm±10mm                               |
| CBR less than 2%    | 520mm±10mm                               |

2. If Plasticity Index values are not available from the soil survey and test data for the proposed site, a CBR of less than 2 (<2) must be assumed for the design. A separating membrane will be required where the design CBR is less than 5% (Clause 7.03).
3. The total carriageway thickness must be at least 490mm (inclusive of sub-base).
4. The combined thickness of the bound layers as shown above shall be regarded as the minimum overall thickness for the bound materials.
5. If the 40 years life design traffic exceeds 1.0 msa a special design shall be submitted for the Engineer's approval.

**CONSTRUCTION DESIGN AND MANAGEMENT REGULATIONS 2015**

THE CONTRACTORS ATTENTION IS DRAWN TO THE ABNORMAL RISKS IDENTIFIED BELOW, ANNOTATED ON THE DRAWING AND EXPLAINED IN THE ASSOCIATED DESIGN RISK REGISTERS

**LEGEND**

- YOU MUST NOT DO
- HAZARD OR DANGER
- YOU MUST DO
- CAUTION

ABNORMAL RISKS IDENTIFIED:

| Rev    | Amendments | Rev'd by | Date |
|--------|------------|----------|------|
| Client |            |          |      |

**MJ Construction**

Project  
**Land North of Whittlesey Road, March**

Title  
**Culvert Details**

Job No **23077**

Drawing No **23077-201** **P1**

Status **Preliminary** Rev

Scale **@A1** Date **07-03-24**

Project Engineer **TBP** Drawn By **KS**

Checked By **AJP** Approved By



4 Angel House, Eastgate, Whittlesey  
Peterborough, PE7 1SE  
07961 783625

[www.parsonsengeers.co.uk](http://www.parsonsengeers.co.uk)

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F/YR24/0557/F

**Applicant:** Mr J Doran

**Agent :** Mr Nigel Lowe  
Peter Humphrey Associates Ltd

**Land South Of Swan Cottage Benwick Road Accessed From, Dykemoor Drove, Doddington, Cambridgeshire**

**Erect a hay store, 1.5m high weld mesh and 1.8m high close board boundary fencing (retrospective)**

**Officer recommendation: Refuse**

**Reason for Committee: Referred by Head of Planning on advice of Committee Chairman**

---

## **Government Planning Guarantee**

**Statutory Target Date For Determination:** 3 September 2024

**EOT in Place:** Yes

**EOT Expiry:** 17 January 2025

**Application Fee:** £578

### **Risk Statement:**

**This application must be determined by 17<sup>th</sup> January 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- 1.1 This application seeks retrospective planning permission for the erection of a hay store, 1.5m high weld mesh and 1.8m high close boarded fence.
- 1.2 The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character.
- 1.3 As such, the application is considered to be contrary to Policy LP16 of the Fenland Local Plan and is therefore recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1 The application site is situated on the eastern side of Dykemoor Drove, which is situated to the south-west of the built-up settlement of Doddington.

- 2.2 The site is currently enclosed by a 1.8m high close board boundary fence along the boundary of the site adjacent to Dykemoor Drove, with a hay store currently in situ.
- 2.3 To the north-east of the site is an existing dwelling, as well as a site with extant permission for the erection of a dwelling which appears to be in the early stages of development.
- 2.4 The application site is situated within Flood Zone 3.

### 3 PROPOSAL

- 3.1 This application seeks retrospective planning permission for the erection of a hay store, 1.5m high weld mesh and 1.8m high close board boundary fencing. The application form states that development commenced on the 20th May 2024.
- 3.2 The hay store is situated to the north-east of the site. The maximum height of the hay store is approximately 4.8 metres, with a footprint of 10.2 x 7.3 metres approx. The hay store is finished in a white metal cladding.
- 3.3 The 1.8m high close board boundary fence is situated on the north-east, south-west and north-west of the site and the 1.5m high weld mesh is situated on the south-east boundary of the site.
- 3.4 The Hay Store is proposed to be used to store Hay to feed horses in an adjacent field.
- 3.5 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

### 4 SITE PLANNING HISTORY

| Reference     | Description  | Decision              |
|---------------|--|-----------------------|
| F/YR23/0886/F | Erect a dwelling (2-storey 5-bed) with detached 2-storey triple garage involving demolition of existing dwelling<br><br>(Swan Cottage, Benwick Road, Doddington) | Granted<br>21/12/2023 |

### 5 CONSULTATIONS

#### 5.1 Doddington Parish Council

*Doddington Parish Council at its meeting last night supported the above planning application but would like a caveat included in any approval that the hay store would at no time in the future be converted or used for residential accommodation.*

#### 5.2 FDC Environment & Health Services



*I refer to the above application for consideration and make the following observations.*

*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, the noise climate or be affected by ground contamination.*

### **5.3 CCC Archaeology**

*As the pill box is no longer extant, we would have no comment or objection for the scheme. I will ensure our records of the pillbox are also updated to reflect this change*

### **5.4 Local Residents/Interested Parties**

No comments received.

## **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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK**

### **7.1 National Planning Policy Framework 2024 (NPPF)**

Chapter 2 - Achieving sustainable development  
Chapter 4 – Decision-making  
Chapter 12 – Achieving well-designed and beautiful places

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

Determining a Planning Application

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

Context  
Identity  
Built Form

### **7.4 Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development  
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside  
LP12 – Rural Areas Development Policy  
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District  
LP19 – The Natural Environment

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

LP1: Settlement Hierarchy  
LP7: Design  
LP18: Development in the Countryside  
LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP32: Flood and Water Management

## **8 KEY ISSUES**

- **Principle of Development**
- **Design and Visual Amenity of the Area**
- **Residential Amenity**
- **Flood Risk**
- **Biodiversity Net Gain (BNG)**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1 This application seeks retrospective planning consent for the erection of a hay store, 1.5m high weld mesh and 1.8m high close board boundary fencing. Policy LP3 of the Fenland Local Plan denotes the site as an 'Elsewhere' location as it does not fall within any of the Town or Village categories detailed within the settlement hierarchy. Development in such locations will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services; and to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents (LDDs).
- 9.2 The proposed use of the site for a hay store is considered to fall within the remit of local agriculture.

### **Design and Visual Amenity of the Area**

- 9.3 Policy LP16 of the Fenland Local Plan requires development to 'make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area'.
- 9.4 Dykemoor Drove is predominantly characterised by agricultural fields, with few sporadic dwellings therefore presenting a strong open countryside character. The proposed hay store is situated in close proximity to Dykemoor Drove and therefore is significantly visible from the street scene given this proximity and the height of the Hay Store at 4.8 metres. The Hay Store is also finished in a white metal

cladding and does not reflect the design of a traditional agricultural building. The proposed Hay Store therefore is considered to create an incongruous, highly visible feature within the street scene given its location, scale and materials used and is therefore considered to be unacceptable in such a countryside location.

- 9.5 The scheme also includes the provision of a 1.8m high close boarded boundary fencing, which encloses the majority of the site. As aforementioned, Dykemoor Drove has a strong open countryside character. The dwelling to the north of the site has an open frontage to Dykemoor Drove and the extant permission F/YR23/0886/F does not include the provision of any boundary treatments adjacent to Dykemoor Drove. The introduction of the expanse of close-boarded fencing creates a significant incongruous feature within the streetscene, extending into the countryside which appears intrusive and unsympathetic to the surrounding countryside. The proposed close-boarded fencing is therefore considered to be out of character with the existing countryside character and is therefore considered to be unacceptable in this location due to the impact upon the character of the open countryside.
- 9.6 The 1.5-metre-high weld mesh fencing on the south-east boundary of the site is currently predominantly obscured from view by the expanse of close-boarded fencing. However, it is not considered that the weld mesh fencing significantly impacts upon the character of the area.
- 9.7 The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character. As such, the scheme is considered to be contrary to Policy LP16 of the Fenland Local Plan in this regard.

### **Residential Amenity**

- 9.8 The closest neighbouring properties are situated to the north-east and south-east of the application site. However, there is sufficient distance between these properties and the Hay Store. The view of the Hay Store is also partially obscured by existing vegetation on site. As such, it is unlikely that the scheme would detrimentally impact on adjacent neighbouring amenity.

### **Flood Risk**

- 9.9 The site is situated within Flood Zone 3, the highest level of flood risk. As agricultural development, the proposal is categorised as being less vulnerable in terms of flood risk vulnerability and as such is appropriate within this location.

### **Biodiversity Net Gain (BNG)**

- 9.10 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

- 9.11 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application is a retrospective planning permission.
- 9.12 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 9.13 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

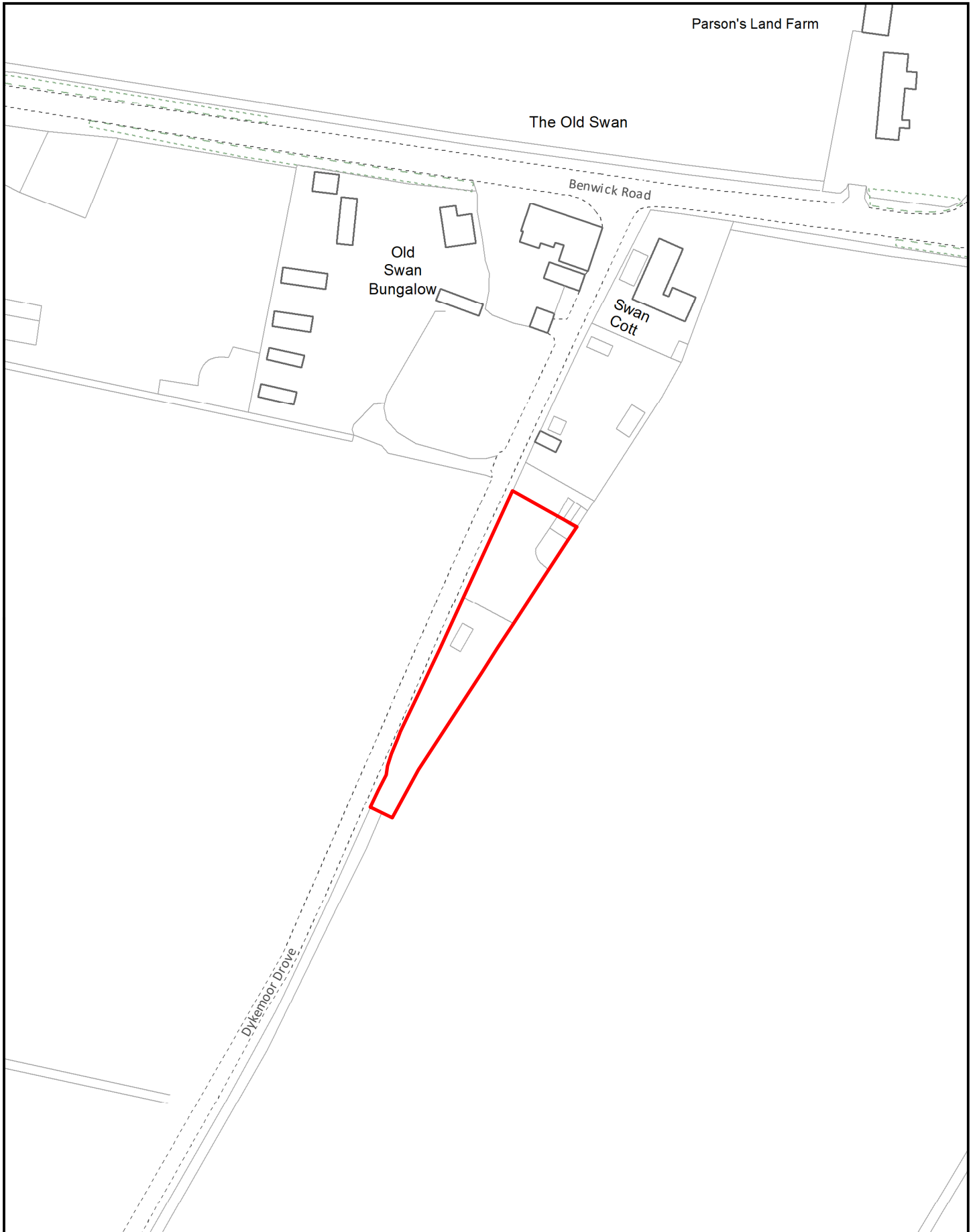
**10 CONCLUSIONS**

- 10.1 This application seeks retrospective planning consent for the erection of a hay store, 1.5m high weld mesh and 1.8m high close board boundary fencing. The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character. As such, the scheme is considered to be contrary to Policy LP16 of the Fenland Local Plan in this regard.

**11 RECOMMENDATION**

- 11.1 **Refuse;** for the following reason:

|   |   |
|---|---|
| 1 | <p>Policy LP16 of the Fenland Local Plan requires development to ‘make a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment, providing resilience to climate change, reinforcing local identity and not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area’.</p> <p>The proposal by its very nature and location would detract from the relationship between Dykemoor Drove and its rural and undeveloped surroundings. Both the Hay Store and 1.8m close boarded fencing create significant incongruous features within the streetscene detracting from the open countryside character. As such, the scheme is considered to be contrary to Policy LP16 of the Fenland Local Plan in this regard.</p> |
|---|---|



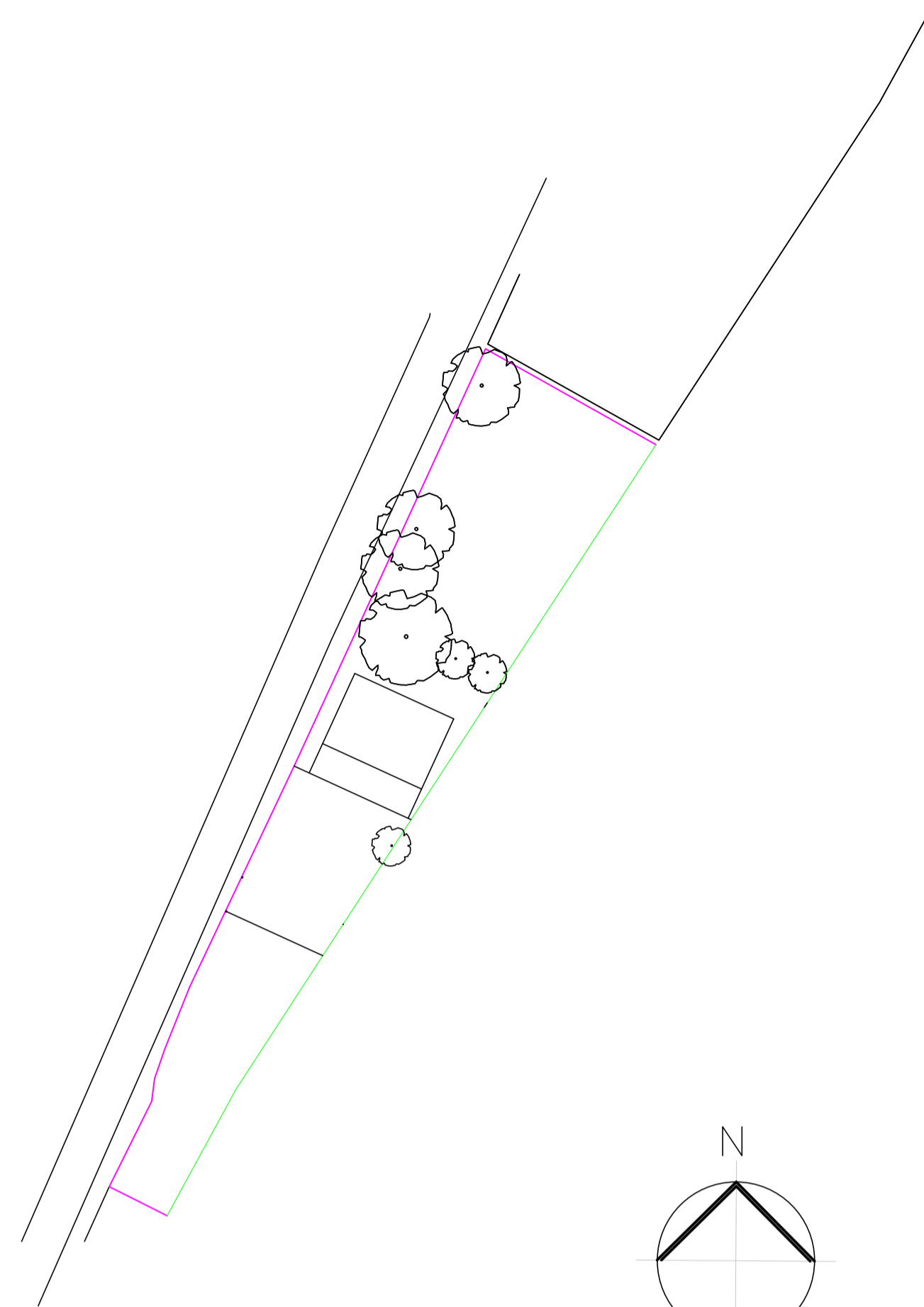
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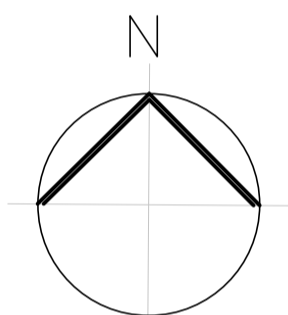
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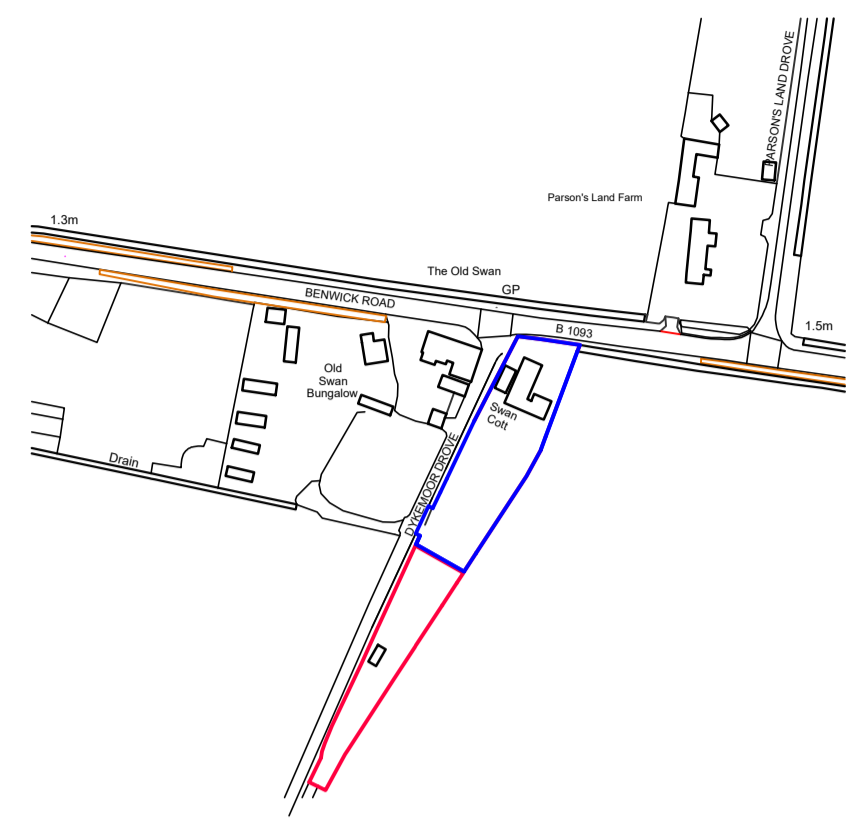
Fencing Site Plan 1:500



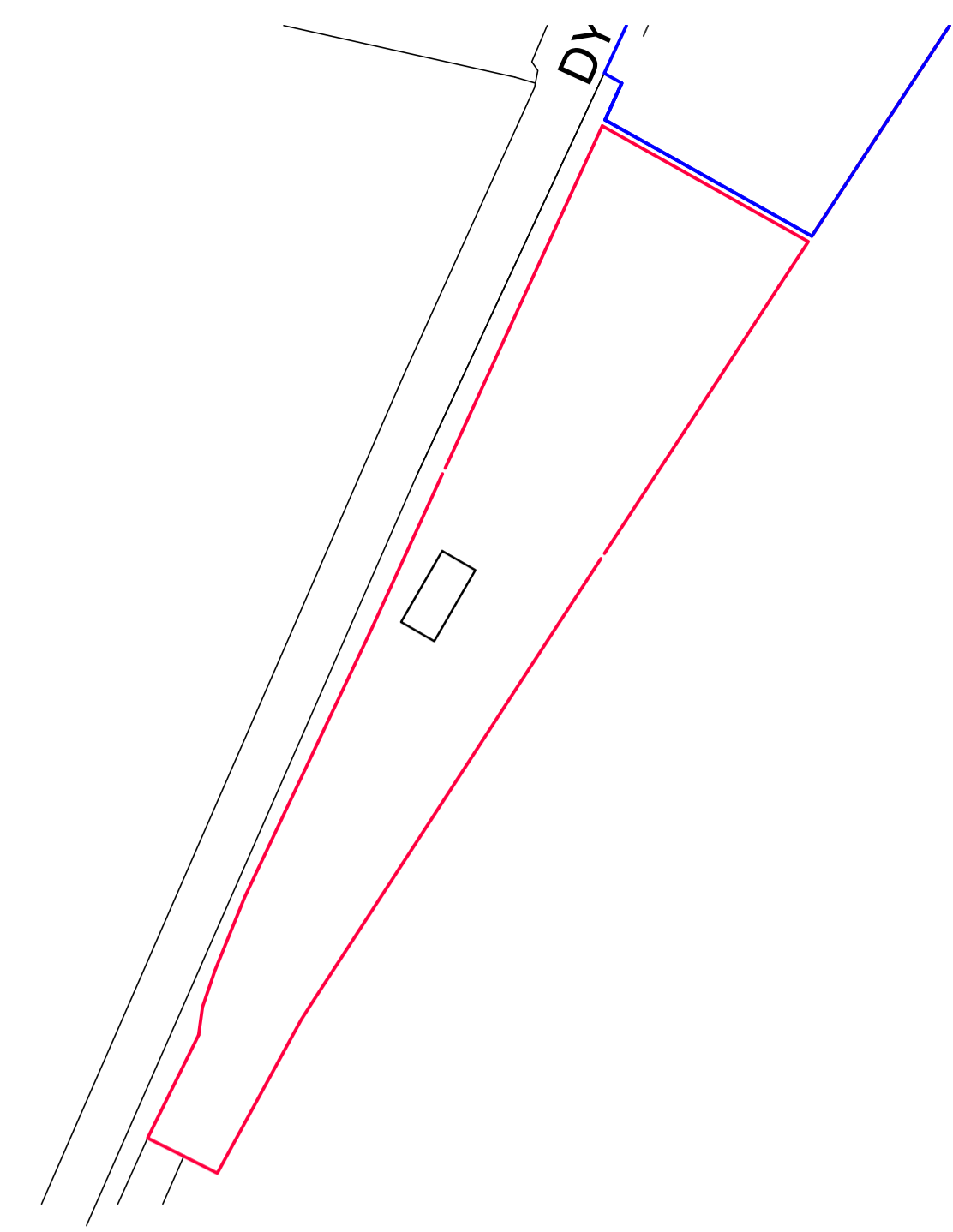
Green denotes weld mesh fence 1.500m



Pink denotes close boarded fence 1.800m



Location Plan 1:2500



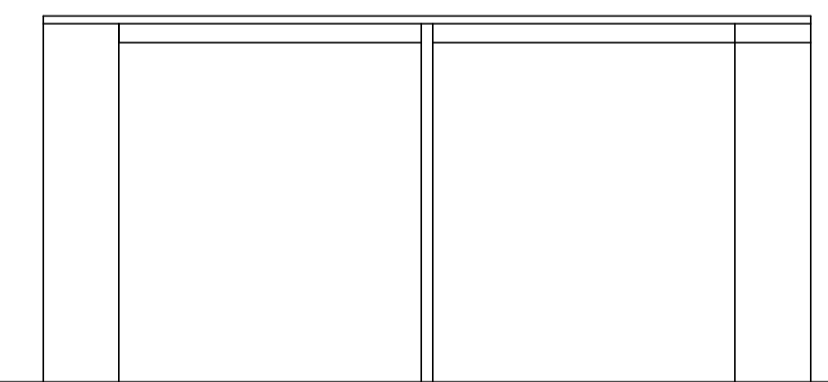
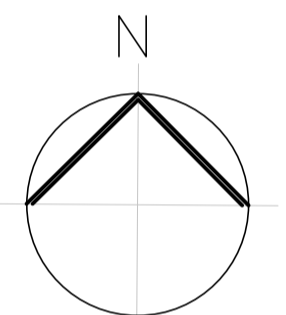
Existing Site Plan 1:500



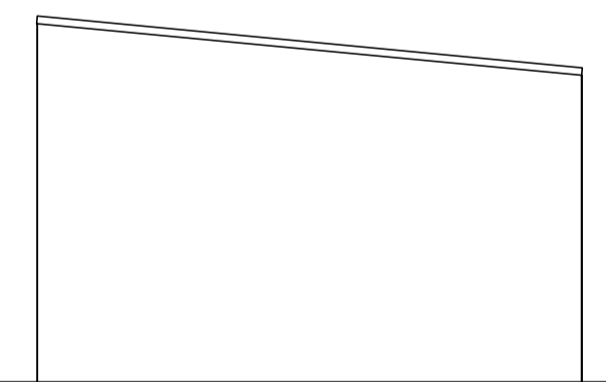
Hay Store



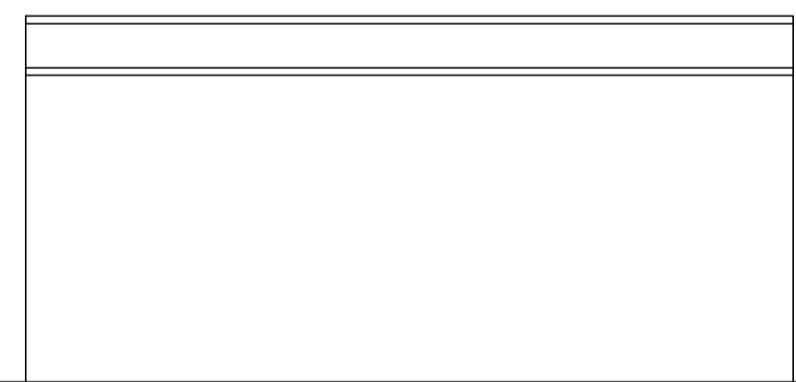
Proposed Site Plan 1:500



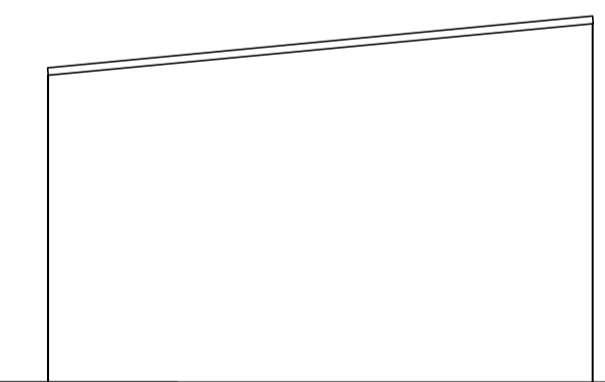
Front Elevation 1:100



Side Elevation 1:100



Rear Elevation 1:100



Side Elevation 1:100



Floor Plan 1:100



STREET SCENE 1:200

Existing ground levels to remain the same



REVISIONS



**PETER HUMPHREY ASSOCIATES**

ADDRESS: 2 CHAPEL ROAD, WISBECH, CAMBS, PE13 1RG.  
 TELEPHONE: 01945 466966  
 E-MAIL: info@peterhumphrey.co.uk  
 WEB: www.peterhumphrey.co.uk

CLIENT  
 MR DORAN

PROJECT  
 Retrospective Hay Store and fence

SITE  
 LAND REAR OF SWAN COTTAGE  
 BENWICK ROAD  
 DODDINGTON  
 PE15 0TY

DRAWING  
 PLANNING

| JOB NO.   | PAPER SIZE | DATE      |
|-----------|------------|-----------|
| 7013-PL01 | A1         | JUNE 2024 |

Notes:  
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All dimensions shown on the drawing are in millimeters unless stated otherwise. If the drawing is received electronically (PDF) it is the recipient's responsibility to ensure it is printed to the correct paper size. All dimensions to be checked on site prior to commencing work and any discrepancies to be highlighted immediately.

The Construction (Design and Management) Regulations 2015:  
 Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the safety during construction, occupation and maintenance of the finished project. No extraordinary hazards or risks were identified outside of the routine construction operations that would not already be apparent to a competent contractor.

**F/YR24/0783/O**

**Applicant: Mr & Mrs B Morley**

**Agent : Mr Gareth Edwards  
Swann Edwards Architecture Limited**

**Land North East Of Highfield Lodge, Doddington Road, Chatteris, Cambridgeshire**

**Erect up to 2 x dwellings (outline application with all matters reserved)**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations received contrary to Officer Recommendation**

---

## **Government Planning Guarantee**

**Statutory Target Date For Determination: 25 November 2024**

**EOT in Place: Yes**

**EOT Expiry: 22 January 2025**

**Application Fee: £1734**

**Risk Statement:**

**This application must be determined by 22<sup>nd</sup> January 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

---

## **1 EXECUTIVE SUMMARY**

- |  |
|--|
| <p>1.1 This application seeks outline planning approval, with all matters reserved for the erection of up to 2 dwellings on Land North East of Highfield Lodge.</p> <p>1.2 The site sits within the open countryside outside the existing built form of Chatteris. It is closely associated with the undeveloped rural landscape for the reasons given above. Given the existing characteristics of the site, the proposal would change the overall character of the area to its detriment. The introduction of two dwellings (illustrated in a linear orientation) either side of the existing access to Highfield Lodge would diminish the openness and rural nature of the area and would set an unacceptable precedent within the area and would consequently represent urban sprawl in this particular location. This would be contrary to Policy LP12 and Policy LP16 (d) of the Fenland Local Plan 2014 and DM3 of the High Quality Environments SPD.</p> <p>1.3 Accordingly, the application is recommended for refusal.</p> |
|--|

## **2 SITE DESCRIPTION**

- 2.1 The application site comprises 2 parcels of paddock land either side of the access road which serves Highfield Lodge.

- 2.2 The southernmost plot is enclosed via post and rail fencing, with sporadic vegetation on the front boundary adjacent to Doddington Road. The southern boundary features more dense vegetation.
- 2.3 The northernmost plot is also enclosed via post and rail fencing, with dense vegetation on the front boundary adjacent to Doddington Road.
- 2.4 The application site is situated within Flood Zone 1. The frontage of the site is situated within an area of medium and high risk for surface water flooding, which runs parallel to the highway.

### 3 PROPOSAL

- 3.1 The proposal is in outline for the erection of 2 dwellings with all matters reserved. The illustrative layout and design and access statement submitted indicates the provision of 2-storey dwellings with detached garages. Indicative parking and turning has also been detailed.
- 3.2 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

### 4 SITE PLANNING HISTORY

| Reference     | Description  | Decision              |
|---------------|--|-----------------------|
| F/YR23/0730/O | Erect up to 6 x dwellings and the formation of 2 x accesses (outline application with matters committed in respect of access) at Land South East Of Highfield Lodge, Doddington Road | Granted<br>21/11/2023 |

### 5 CONSULTATIONS

#### 5.1 Chatteris Town Council

*Rec Refusal, development is an encroachment into the countryside, there are no paths proposed and no infrastructure. There are also concerns about more vehicles using the access on to a busy, fast road.*

#### 5.2 FDC Environmental Health

*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 or be affected by ground contamination.*

*Due to the close proximity of noise sensitive receptors including those approved under a 2023 scheme, it is recommended that the following condition is imposed in the event that planning permission is granted:*

#### **WORKING TIMES**

*No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 08:00 hours and 18:00 hours on Monday to Friday, 08:00 hours and 13:00 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.*



### 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*

*Whilst it is accepted that the proposals seek outline planning consent, with all matters reserved, a review has been undertaken of the access arrangements from Doddington Road and within the site. The proposals seek to achieve access through the improvement of the existing access arrangements, as part of the full planning consent, full details will be required of the internal carriageway width and materials, junction radii and visibility splays.*

*Visibility splays of 2.4m by 215m will be required either side of the access arrangement, which are required to be free from any obstruction over a height of 600mm. The inter vehicles visibility splays must be within the existing adopted public highway or land under the control of the applicant. The requirement for 2.4m x 215m inter-vehicle visibility splays may be overcome if the applicant were to provide empirical data in the form of a speed survey and volume count so that the Y distance of the inter-vehicle visibility splays can be interpolated in relationship to the measure 85%tile speeds.*

*The applicant has not demonstrated that the site can be sustainably accessed by pedestrians as there is no connectivity between the proposed site and existing / consented footway links along Doddington Road. It is therefore considered that a pedestrian footway along Doddington Road is to be provided as part of the full planning submissions to link with committed infrastructure. It is unclear how the footway link may be provided with due regard to the drains adjacent to the existing verge / carriageway which will not form part of the public highway, further information will be required in this respect.*

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

#### *Conditions*

*Prior to the commencement of the development full details (in the form of scaled plans and/or written specifications) shall be submitted to and approved in writing by the Local Planning Authority to illustrate the following:*

- a) The layout of the site, including roads, footways, cycleways, buildings, visibility splays, parking provision and surface water drainage.*
- b) The siting of the building(s) and means of access thereto.*
- c) Visibility splays*
- d) Parking provision*
- e) Turning Area(s)*

*Prior to commencement of the use/or first occupation of the development hereby approved, visibility splays shall be provided on both sides of the new vehicular access and shall be maintained free from any obstruction over a height of 600 mm*

*within an area of 2.4 metres x 215 metres measured along the edge of the carriageway*

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

*Subject to confirmation as required above:*

*Prior to the first occupation of the development hereby permitted a footway of a minimum width of 2 metres shall be provided along the western side of Doddington Road, in accordance with a detailed engineering scheme to be submitted to and approved in writing by the Local Planning Authority.*

*Reason: To ensure that the highway network is adequate to cater for the development proposed.*

#### *Informatives*

##### *Works in the Public Highway*

*This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.*

##### *Watercourse Management*

*If you are planning to undertake works within a watercourse within the UK, you need permission to do so by law. It is essential that anyone who intends to carry out works in, over, under or near a watercourse, contacts the relevant flood risk management authority to obtain the necessary consent before starting work.*

*Please refer to this web page for further information;*

*<https://www.cambridgeshire.gov.uk/business/planning-and-development/flood-and-water/watercourse-management/>*

##### *Ecological Impacts of Highway Works*

*The proposed works to the public highway which are required as part of the highway mitigation, will result in a material loss of established vegetation and / or damage to existing ecosystems (including potentially both habitats and protected species) within existing highway or adjoining land. Notwithstanding any consent granted under the Town and Country Planning Act, it is the responsibility of the applicant to ensure that their works comply with relevant legislation and that any supplementary permits or permissions are secured prior to undertaking the highway works.*

#### **5.4 CCC Archaeology**

*I am writing in regards to the archaeological potential of the above referenced planning application.*

*Our records indicate that the development lies in an area of archaeological potential, on the northern fen edge of Chatteris, an area of higher ground often exploited prior to fen drainage. Cropmarks are known to the adjacent south of the*

development area which show a yet undated series of linear features (Cambridge Historic Environment Record reference 09670). Although the cropmarks are undated, find spots of Roman pottery have been recovered in the Doddington Road area, in particular an imitation Samian ware vessel dating to the 3rd to 4th centuries AD, indicating a Roman presence in the area (CHER ref. 01513). A possible medieval moated site has been identified through cropmarks to the north-west (CHER ref. 09671). Later activity is known from the route of the 18th century toll road which the site abuts to the east (CHER ref. MCB31386). Archaeological investigations have taken place along the route of the toll road to the south, medieval to post-medieval activity was recorded indicating gravel extraction took place within the area (CHER ref. CB15314).

Due to the archaeological potential of the site a programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

#### *Archaeology Condition*

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

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

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

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

8 letters of support have been received with regard to this application. The letters were received from address points in Chatteris at Cricketers Way, Fenton Way,

Blackthorn Close, Hunters Close, London Road and Horseway. The remaining 2 letters were received from address points in Doddington at address points at Eastalls Close and Dykemoore Drove. The reasons for support are summarised as follows:

- Improve the aesthetic approach from Doddington Road
- Executive housing
- Reservoir development
- Desirable location
- Enough land to accommodate both dwellings
- Access
- No overlooking

Whilst one letter of objection has been recorded as having been received (from a registered supporter of the proposal), the contents of the comments appear to provide further support for the scheme and it appears therefore that this letter may have been submitted in error.

## **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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

## **7 POLICY FRAMEWORK**

### **7.1 National Planning Policy Framework 2024 (NPPF)**

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 12 – Achieving well-designed and beautiful places

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

Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

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

Context

Identity

Built Form

### **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

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 **Supplementary Planning Documents/ Guidance**

Delivering & Protecting High Quality Environments in Fenland SPD (2014)

## 7.6 **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP18: Development in the Countryside

LP20: Accessibility and Transport

LP22: Parking Provision

LP24: Natural Environment

LP25: Biodiversity Net Gain

LP27: Trees and Planting

LP32: Flood and Water Management

## 8 **KEY ISSUES**

- **Principle of Development**
- **Impact on the Character and Appearance of the Area**
- **Access & Highway Safety**
- **Flood Risk and Drainage**
- **Biodiversity Net Gain (BNG)**

## 9 **BACKGROUND**

9.1 The application site is situated immediately north-west to extant planning permission F/YR23/0730/O which is an outline application for the erection of 6 dwellings with matters committed in respect of access. This application was overturned and granted at planning committee on 15<sup>th</sup> November 2023. No subsequent planning applications e.g., reserved matters applications, have been received further to this.

9.2 Officers recommended the above application for refusal for the following reasons:

*1 Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 of the Fenland Local Plan, 2014 requires that proposals for new development should deliver and protect high quality environments which respond to and improve the character of the local built form and respond to the street scene and existing settlement patterns. The proposal is*

*for the construction of up to six new dwellings with a new access on currently undeveloped grassland with a close relationship to the wider open countryside. Development on this land would be to the detriment of the character and appearance of the rural area through increased urbanisation, representing urban sprawl in this location, directly contradicting the current settlement pattern and arguably creating a precedent for further development into the countryside, contrary to the requirements of Policy LP12 and Policy LP16(d) of the Fenland Local Plan 2014 and DM3 of the High-Quality Environments SPD.*

*2 Policy LP15 seeks to support proposals that provide safe and convenient access for all. In the absence of evidence to the contrary, it is unknown if this is achievable to provide the necessary visibility splays relative to the speed of the road within the highway boundary and / or application boundary, to ensure safe vehicular access to the site. Furthermore, the justification for the proposed pedestrian footpath links appears to be unclear. Therefore, the scheme is contrary to Policy LP15 as it has not been evidenced that a suitable and safe access to the development can be provided.*

- 9.3 Members did not support officer's recommendation of refusal of planning permission as they felt that the proposal would not harm the character of the countryside, and that it would enhance and make a positive contribution of the distinctiveness of the area upon entry into Chatteris.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 Policy LP3 of the Fenland Local Plan 2014 defines Chatteris as a Market Town where (along with the other market towns) the majority of the district's new housing growth should take place. Although Policy LP3 identifies Chatteris as being a suitable location for housing growth, Policy LP10 states that new development should contribute to retaining its character. The site sits at the transition between the existing built form of Chatteris and the open countryside beyond.
- 10.2 The adjacent six plots approved by committee (F/YR23/0730/O) are regarded as being different in terms of their context as the current application proposes two dwellings to the front of Highfield Lodge which is farm, which would extend residential development past the existing farm. Given that the farm itself is within the national speed limit (60mph) and the paddocks to the front of the site, the site is clearly regarded as being within the open countryside, forming a buffer to the built form of development to the northeast of the town. This is all the more apparent given the lack of development opposite and the sporadic nature of very limited development as you travel north out of Chatteris along Doddington Road.
- 10.3 The application site is therefore considered to be more closely associated with the undeveloped rural landscape, a matter which has not changed since the earlier refusal. As such, given the existing characteristics of the site, the principle of development in this location is not considered to be acceptable.

### **Impact on the Character and Appearance of the Area**

- 10.4 Policy LP12 of the Local Plan provides guidance as to the restriction of rural areas development to ensure that it has an acceptable impact on the settlement and its character.
- 10.5 Policy LP12 requires development to meet certain criteria in order to be supported. The site must not have an adverse impact on the character and appearance of the surrounding countryside and farmland. Similarly, the proposal must be in keeping with the core shape and form of the settlement, without resulting in the extension of linear features or create ribbon development, and must retain natural boundaries, respect ecological features, important spaces etc. Finally, the proposal must be served by sustainable infrastructure and must not put people or property in danger from identified risks.
- 10.6 The proposed development would extend the existing linear feature of the developed footprint of the settlement, by adding a further two dwellings to a line of ribbon development along Doddington Road, beyond an existing farm which forms a distinct and natural demarcation between the developed built form of Chatteris and the countryside beyond.
- 10.7 Development encroaching into this land would be to the detriment of the character and appearance of the area. Further development to the 6 already approved would perpetuate a damaging precedent of advancing ribbon development along Doddington Road, yet further eroding the rural character, contrary to the requirements of policy LP12.
- 10.8 Policy LP16 seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area. Whilst the northernmost plot features dense vegetation to the front of the site, there are clear views across the site from the southernmost plot. Therefore, the impact of the development of up to two dwellings on the character and appearance of the current paddock area would be significant.
- 10.9 Given the above, it is considered that the submitted application remains in clear conflict with policies LP12 and LP16 of the adopted Local Plan in terms of its impact on character.

### **Access and Highway Safety**

- 10.10 Policy LP15 of the Fenland Local Plan 2014 seeks to ensure safe and convenient access for all within the district.
- 10.11 The indicative site plan suggests that there would be sufficient parking/turning room available to service the dwellings.
- 10.12 The proposed dwellings would be accessed via the existing access which serves Highfield Lodge. Upon consultation with CCC Highways, no objections have been raised to the scheme, subject to access upgrade details to be submitted at reserved matters stage.
- 10.13 The comments provided by CCC Highways do note that the applicant has not demonstrated that the site can be sustainably accessed by pedestrians as there is no connectivity between the proposed site and existing footway links along Doddington Road. Therefore, should permission be granted full details of pedestrian footway would be required at reserved matters stage.

10.15 Notwithstanding this, the physical distance of the site to nearest services is of concern, with an evident and incremental regression away from core facilities within Chatteris caused through this piecemeal approach to developments. For example, walking distances to the nearest primary school would be around 2km; the nearest shop (Apple Green service station) nearly 1km away and the Secondary School around 2.5km from the site. These are considerable distances which would discourage sustainable travel and is generally considered poor planning, particularly in the backdrop of the strategic and windfall housing development sites permitted in Chatteris, which continue to provide a sufficient supply of homes in better proximity to key services. The need for 2 homes in this location is simply not justified in this regard.

10.14 In summary, the scheme could likely be served by safe and suitable access and raises no concerns in respect of highway safety in-line with policy LP15, although its sustainable transport options appear to be severely limited due its location away from the settlement, again reinforcing its spatial location conflicts.

### **Flood Risk and Drainage**

10.15 The application site is situated within Flood Zone 1 (low risk). The frontage of the site is situated within an area of medium and high risk for surface water flooding, which runs parallel to the highway, which appears to be a localised drainage issue. Should permission be granted, a condition would be secured to ensure any potential drainage issues are adequately addressed.

### **Biodiversity Net Gain (BNG)**

10.16 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.

10.17 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

## **11 CONCLUSIONS**

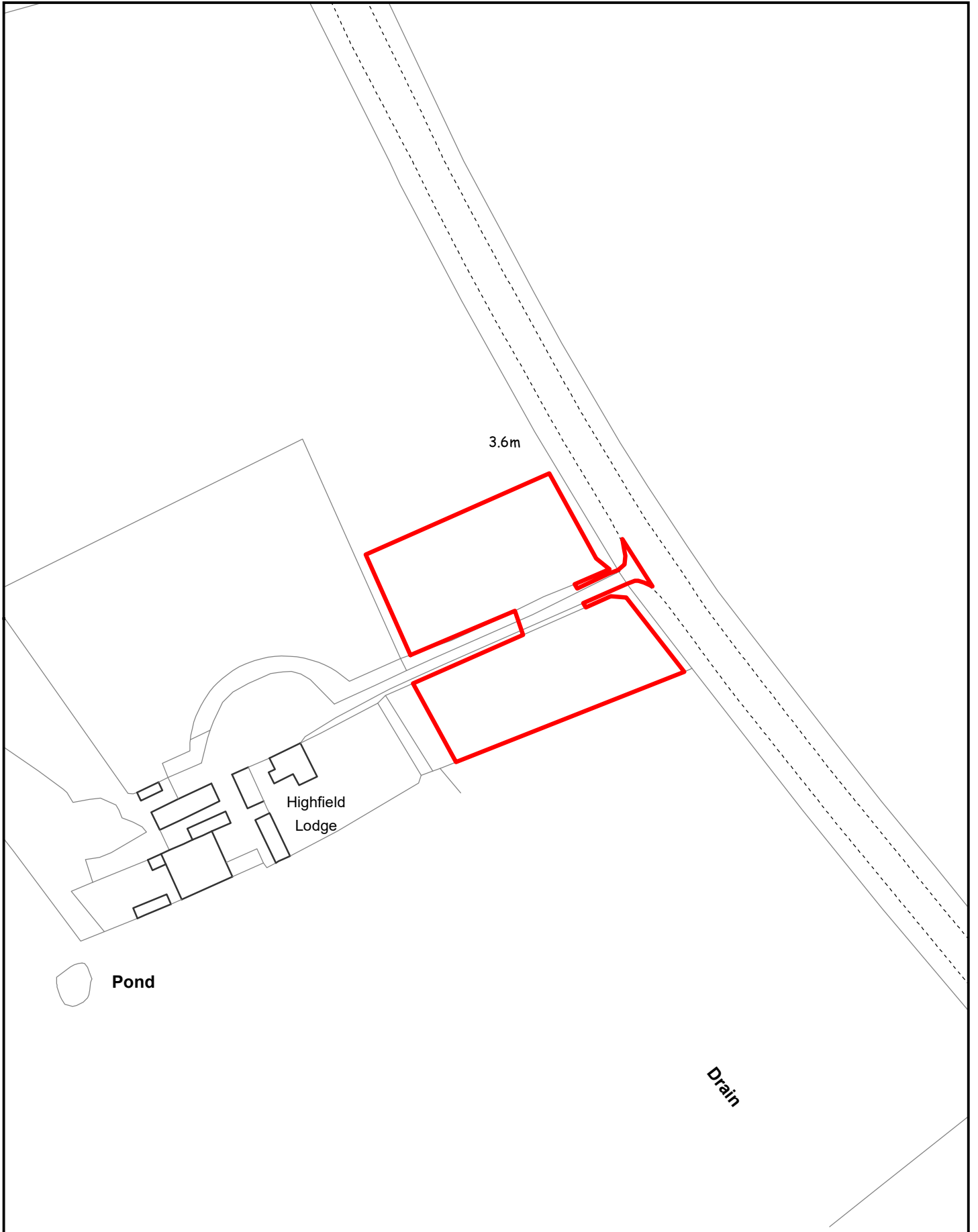
11.1 The site sits within the open countryside outside the existing built form of Chatteris. It is closely associated with the undeveloped rural landscape for the reasons given above. Given the existing characteristics of the site, the proposal would change the overall character of the area to its detriment. The introduction of two dwellings (illustrated in a linear orientation) either side of the existing access to Highfield Lodge would diminish the openness and rural nature of the area and would set an unacceptable precedent within the area and would consequently represent urban sprawl in this particular location. This would be contrary to Policy LP12 and Policy LP16 (d) of the Fenland Local Plan 2014 and DM3 of the High Quality Environments SPD.

## **12 RECOMMENDATION**

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



|   |  |
|---|--|
| 1 | <p>Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 of the Fenland Local Plan, 2014 requires that proposals for new development should deliver and protect high quality environments which respond to and improve the character of the local built form and respond to the street scene and existing settlement patterns.</p> <p>The proposal is for the construction of up to two new dwellings on existing paddock land with a close relationship to the wider open countryside. Development on this land would be to the detriment of the character and appearance of the rural area through increased urbanisation, representing urban sprawl in this location, directly contradicting the current settlement pattern and arguably creating a precedent for further development into the countryside, contrary to the requirements of Policy LP12 and Policy LP16(d) of the Fenland Local Plan 2014 and DM3 of the High-Quality Environments SPD.</p> |
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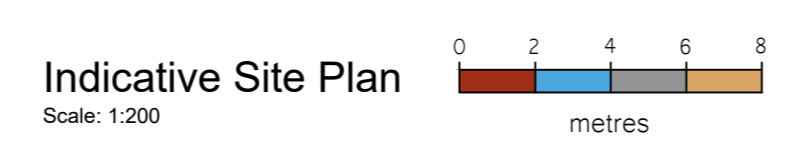
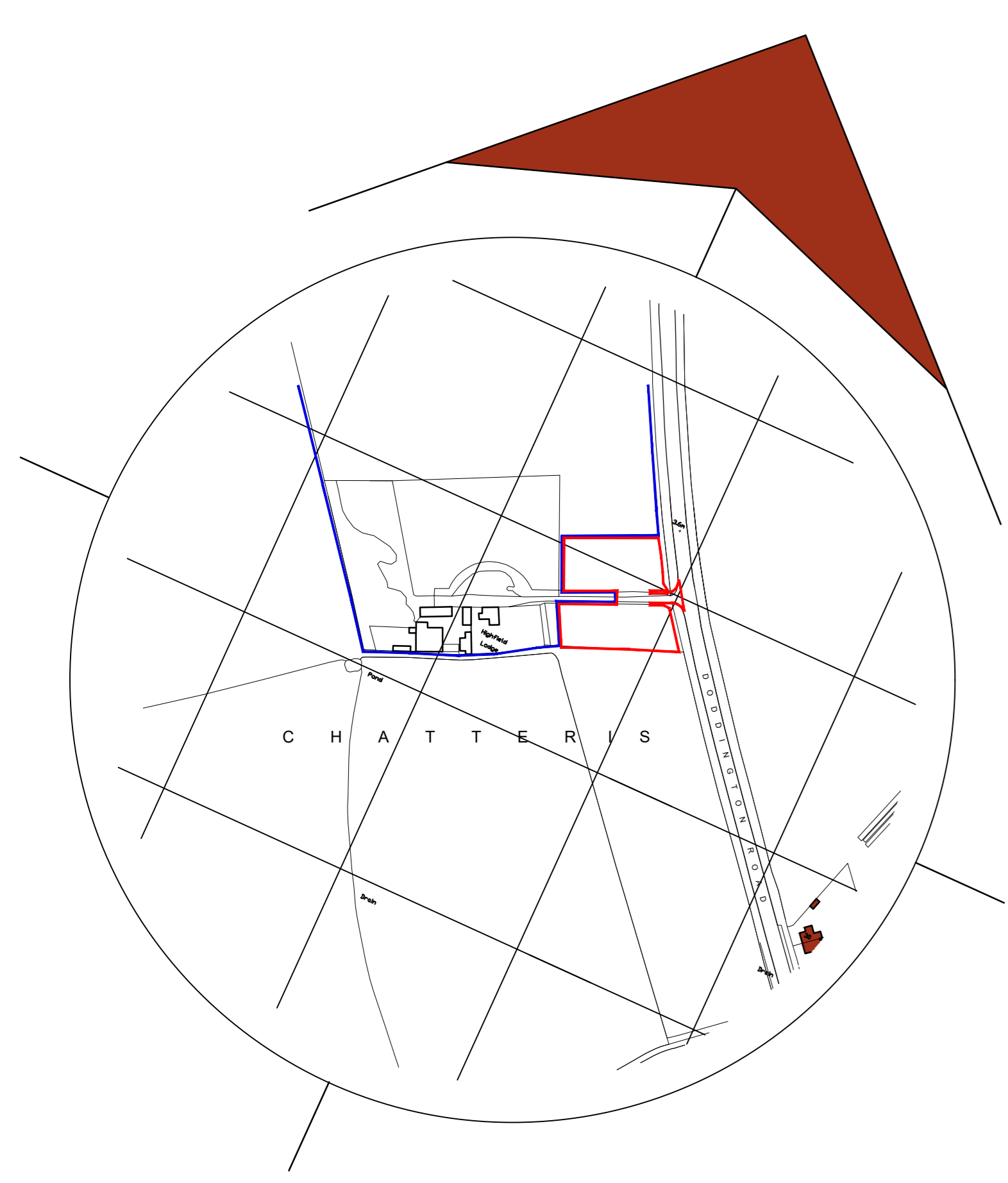
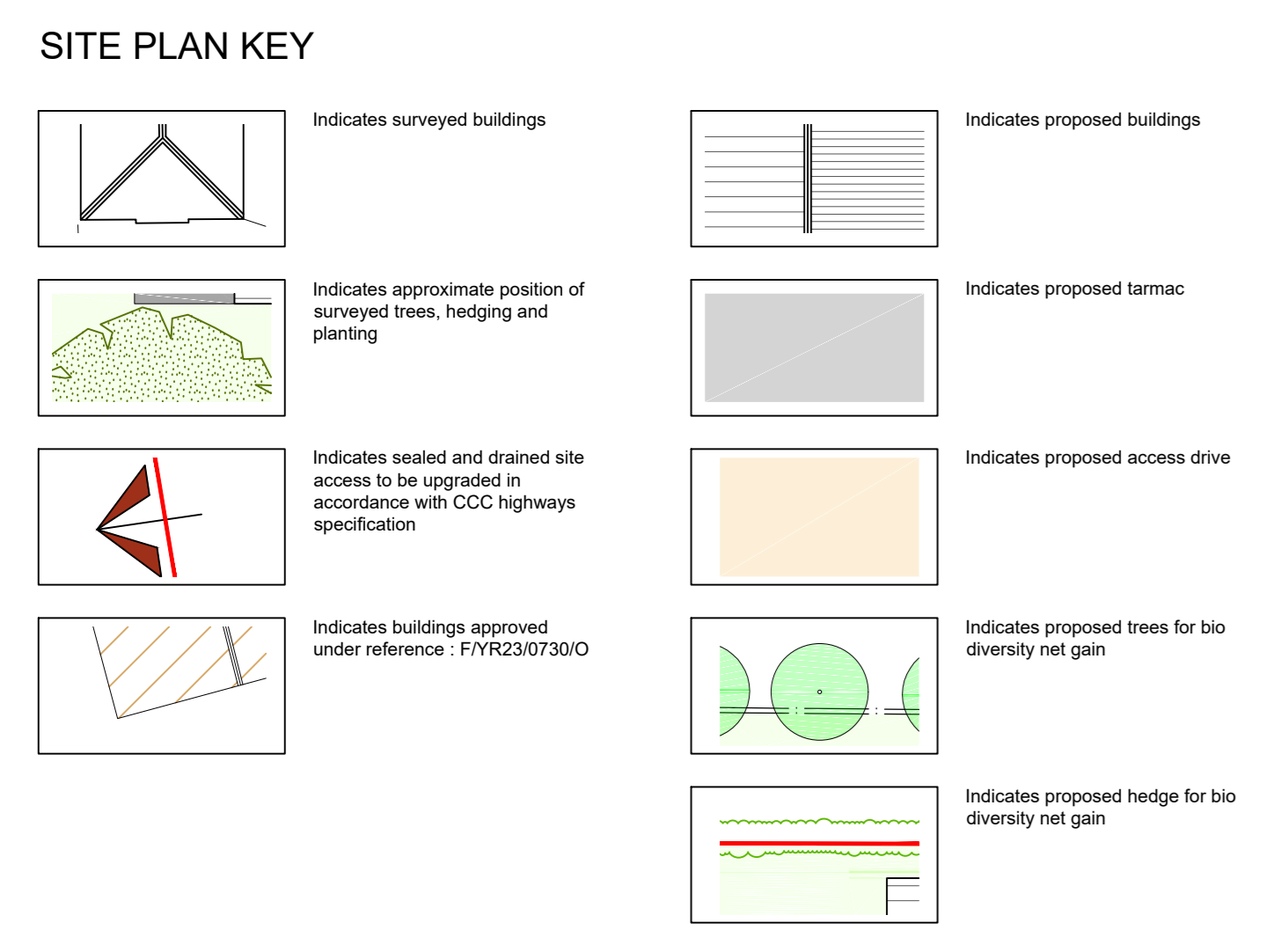
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**F/YR24/0783/O**

Scale = 1:1,250



General Notes  
 1. All dimensions are shown in 'mm' unless otherwise stated.  
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.  
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.  
 4. Any discrepancies are to be brought to the designers attention.



**SITE RISK NOTIFICATION KEY**  
 To be used with reference to the accompanying Project Risk Register

|     |                |     |                  |
|-----|----------------|-----|------------------|
| S01 | Private Access | S02 | Unknown Services |
|-----|----------------|-----|------------------|

FOR APPROVAL

**SWANN EDWARDS ARCHITECTURE**  
 Swann Edwards Architecture Limited, Black Barn, Fen Road, Sullym, Wisbech, Cambs, PE13 4AA  
 01954 452694 • info@swannedwards.co.uk • www.swannedwards.co.uk

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|--|---------------------|------------------|
| Job Title<br>Proposed 2 No. Dwellings<br>Highfield Lodge, Doddington Road,<br>Chatters, PE16 6UE<br>For: Mr & Mrs Morley | Date<br>May<br>2024 | Drawn by<br>CW   |
| Drawing Title<br>Planning Drawing<br>Site & Location Plan  | App No.<br>SE-2093  | Checked by<br>GE |
| Dwg No.<br>PP1000  | Revision<br>B       | Sheet Size<br>A0 |

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