

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 30 OCTOBER 2024

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 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 3 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.
- 4 F/YR23/0370/O
Land To The South Of, Barkers Lane, March
Erect up to 130no dwellings (outline application with matters committed in respect of access) (Pages 5 - 56)

To determine the application.
- 5 F/YR24/0509/RM
Land South Of 73-81, Upwell Road, March
Reserved Matters application relating to detailed matters appearance, landscaping, layout and scale pursuant to outline permission APP/D0515/W/23/3327578, relating to application F/YR22/0062/O to erect 110 x dwellings (3 x 1-bed flats, 3 x 2-bed flats, 32 x 2-storey 2-bed, 4 x 3-storey 3-bed, 55 x 2-storey 3-bed and 13 x 2-storey 4-bed)

(Pages 57 - 78)

To determine the application.

- 6 F/YR24/0562/F
2 Doddington Road, Chatteris
Erect 14 dwellings (2-storey, 4 x 2-bed, 10 x 3-bed) with associated garages and parking and formation of a new access involving demolition of existing dwelling and storage building (Pages 79 - 102)

To determine the application.

- 7 F/YR24/0471/O
Land South of 59 Peas Hill Road, March
Erect up to 9 x dwellings (outline application with matters committed in respect of access) (Pages 103 - 120)

To determine the application.

- 8 F/YR24/0304/F
Land East of Fern House, Birds Drove, Gorefield
Change of use of land to gypsy traveller's plot involving the siting of 2 x residential mobile homes and 2 x touring caravans, the formation of hardstanding, in-filling of ditch (to create vehicular access) and erection of 1.8m high fencing and a gate with 2.15m high brick piers (retrospective) (Pages 121 - 134)

To determine the application.

- 9 F/YR24/0590/PIP
Land South West of Woodbury, Manea Road, Wimblington
Permission in Principle for 7 x dwellings (Pages 135 - 146)

To determine the application.

- 10 F/YR22/1416/O
Land to the East of 114 Main Road, Parson Drove
Erect up to 4 x dwellings involving the formation of a new access (outline application with matters committed in respect of access) (Pages 147 - 166)

To determine the application.

- 11 Adoption of Local Validation List (Pages 167 - 198)

To consider revisions to the Council's Local Validation List.

- 12 Items which the Chairman has under item 2 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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F/YR23/0370/O

**Applicant: Mr Tony Byrne
March East Developments Limited**

**Agent : Mr Leslie Short
Artisan PPS Ltd**

Land To The South Of, Barkers Lane, March, Cambridgeshire

Erect up to 130no dwellings (outline application with matters committed in respect of access)

Officer recommendation: Grant

Reason for Committee: Number of representations received and Town Council's recommendation contrary to officer recommendation.

Government Planning Guarantee

Statutory Target Date For Determination: 27 July 2023

EOT in Place: Yes

EOT Expiry: 01.11.2024

Application Fee: £17366

Risk Statement:

This application must be determined by 1st November 2024 otherwise it will be out of time and therefore negatively affect the performance figures and poses a risk to an appeal against non-determination of the application.

1 EXECUTIVE SUMMARY

- 1.1 The site comprises approximately 6.7 hectares of agricultural land located at the south east of March and forms part of the south east March strategic allocation, identified through policy LP9 of the Fenland Local Plan (2014) which seeks to deliver around 600 dwellings and supporting infrastructure.
- 1.2 Policy LP7 sets out that a Broad Concept Plan (BCP) for allocations must be agreed and for future proposals within the site conforming to the BCP. Policy H1 of the March Neighbourhood Plan aligns with Local Plan, identifying this area of March as allocated housing land. A BCP for this site allocation was approved by the Council in June 2023.
- 1.3 The application has undergone several revisions following discussions with consultees to address matters mainly in respect of transport impacts and mitigation, drainage and biodiversity.
- 1.4 Whilst detailed matters of layout, scale, appearance and landscaping are reserved for future consideration, an indicative layout plan is provided which

denotes that the development site would rely on Barker's Lane for vehicular access, with pedestrian/ cycle connectivity to the wider allocation.

- 1.5 It is recognised that the development will result in some unavoidable landscape harm, however this is localised and inevitable given the development plan allocation. In addition, the character of Barker's Lane will change through the amendments to this road to accommodate vehicular access to and from the application site, and through the introduction of a dedicated 3m wide footway/ cycleway. Whilst this will, to a degree set to partially erode the rural character of this part of Barker's Lane through both an intensified use for motor vehicles and the general appearance to this lane, the approved BCP does broadly identify this infrastructure improvement to support the wider site allocation.
- 1.6 In order to ensure that traffic through Barkers Lane is limited however, the proposal is to restrict vehicular permeability through the wider allocation i.e., only pedestrian, cycle and emergency vehicle access from and to the site from the wider allocation would be permitted and would be expected to be secured under future reserved matters.
- 1.7 A package of mitigation has been agreed by the applicant, with a mixture of financial contributions and direct delivery of transport infrastructure. Full financial contributions are not possible due to the Council's known viability constraints.
- 1.8 However, the applicant has provided substantial evidence to indicate that the site will provide for 100% affordable homes, with a recognised registered provider and house builder confirming their involvement in this scheme. Having regard to the Council's historic inability to meet affordable housing targets, the benefits of this is afforded significant weight (subject to final confirmation of the affordable housing offer) and completion of a S106 agreement. Notwithstanding, the application confirms it will achieve a minimum of 20% affordable housing.
- 1.9 As such, whilst some harm will ensue to the open and rural character of the site and, in part, to the rural qualities of the first 120m of Barker's Lane, and in acknowledging the general lack of vehicular connection to the wider allocation, it is considered that the proposal, in taking into account the weight afforded to the benefits of the scheme – in particular the affordable housing offer 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.
- 1.10 The application is therefore recommended for approval.

2 SITE DESCRIPTION

- 2.1 The site comprises approximately 6.7Ha of agricultural land located at the south east of March and forms part of the south east March strategic allocation, identified through policy LP9 of the Fenland Local Plan (2014).

- 2.2 Three other parcels of land (outside of the scope of this application) fall within the allocation area (See planning history section below).
- 2.3 To the north the site's boundary is formed, in the main by Barker's Lane (Public Right of Way), beyond which lies the Neale-Wade Academy and existing residential development which back onto Barker's Lane. Barkers Lane has a number of established trees and hedges that provide part boundaries to both the residential and the school. There is a secondary gated access to the school. Apart from the school entrance the Lane is of rural lane character.
- 2.4 To the west, in the main, the site is adjacent to the rear gardens of existing dwellings which front Wimblington Road.
- 2.5 The main part of the site is relatively flat (the topography shows an area slightly lower with ground rising slightly to the east/south-east but then falling again in the south-eastern corner. There are hedgerow and a ditch on the eastern and southern boundaries (The ditch on the eastern boundary is just outside the site).

3 PROPOSAL

- 3.1 The application is in outline form for the use of land for residential development of up to 130 dwellings with only the detail of the access for approval at this time. Matters of Layout, Scale, Appearance and Landscaping are reserved for future consideration.

Access

- 3.2 The General Arrangement Plan (DR-C-0103: P02) shows the committed access off Barkers Lane. The proposed amendments to Barker's Lane have been modified during negotiation of the scheme, to reduce its initially proposed urban appearance and to cater for 20mph speeds in view of its wider use being connected to a public Byway. The site access spurs from Barkers Lane via a spine road which leads through the site. The spine road is also served by a continuous pedestrian/ cycle path which connects to and extends along Barker's Lane, cutting behind a group of established trees at the junction with Wimblington Road, to tie into the wider Wimblington Road network. An access into the Byway is maintained and would cater for agricultural vehicles, as well as maintaining access for pedestrians, cyclists and equestrian.

Indicative Layout

- 3.3 An outline Masterplan (4405-03K) indicates how the quantum of development and associated infrastructure could be arranged across the site and essentially comprises the main spine road serving secondary, shared-surface streets and tertiary private roads serving pockets of dwellings. The primary road through the site shows two connecting points to link to the adjacent land within the allocation to the east and south, to parcels of land outside of the applicant's control. These are proposed to be prioritised for pedestrian and cycle movements, with drop-bollards preventing general vehicular access, except for emergency vehicles. In essence therefore, the scheme is designed to allow only motorised traffic from the application site onto Barker's Lane, but with continuous pedestrian and cycle links throughout the site, connecting to the wider allocation and Barker's Lane.
- 3.4 The main areas of open space and landscaping are located at the north of the site, including an area of land reserved for future sports pitch provision for the Neale Wade Academy, should the school require this land for expansion in the future. A large area of surface water attenuation is also proposed at the north of

the site, with further SuDS features located along the eastern and western boundaries.

Housing

- 3.5 The proposal initially is for the scheme to deliver a minimum of 20% affordable housing. The approach has recently been amended suggests a scheme of 100% affordable housing is now anticipated, to be delivered by a recognised registered housing provider. The precise mix of affordable dwellings is to be agreed but is anticipated to comprise a mix of social rented and shared ownership dwellings.
- 3.6 The application is supported by the following key documents and plans;
- Location plan: 4405-01 H
 - Masterplan: 4405-03 K
 - Planning/ Design and Access Statement
 - Flood Risk Assessment and Drainage Strategy
 - Access General Arrangement Plan: 22354-MA-XX-XX-DR-C-0103: P02
 - Isle of Ely Way mitigation: 22354-MA-XX-XX-DR-C-0102 P01
 - Transport Technical Note (Including Mill Hill Roundabout mitigation): TN06
 - Transport Assessment 22354: TA01 REV B
 - Arboricultural report/ tree protection plan LS2002-11
 - Landscape Proposal LS2002-22A
 - Contaminated Land Report
 - Ecology Report and baseline habitats
 - Biodiversity Net Gain report
 - Health Impact Assessment
- 3.7 Full submitted 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/YR16/0345/SC	Screening Opinion:- Residential Development (up to 600 dwellings)	Not EIA development. Unlikely to result in significant environmental impacts.
F/YR12/0123/SC	Screening Opinion:- Residential Development (400 dwellings approx)	Determined not EIA development
F/YR10/0021/SC	Screening Opinion:- Residential (up to 960 dwellings) with associated landscaping, sports pitches, open space and infrastructure	Determined not EIA development
<i>Other relevant applications</i>		
F/YR23/0696/O	Outline planning permission (all matters reserved, except for access) for up to 425 dwellings (including affordable housing), formation of 2 x accesses, and a dropped kerb (for 38 Wimblington Road), safeguarded land for grass playing fields, public open space, landscaping, community garden, community orchard, children's play areas, sustainable drainage infrastructure, retention of informal parking area, all other associated infrastructure, and demolition of an existing dwelling (40 Wimblington Road).	Planning Committee resolution to grant subject to completion of S106 agreement and finalising planning conditions. 21.08.2024
F/YR23/0426/F	The formation of 2 x accesses at Wimblington Road/Lambs Hill Drove junction and land at 40 Wimblington Road and associated highways works, and relocation of an access involving the formation of a dropped kerb at 38 Wimblington Road	Application withdrawn 18.08.2023
F/YR23/0461/F	Formation of an access and associated highway works	Pending Consideration
F/YR24/0456/O	Erect up to 50 x dwellings involving the demolition of existing dwelling and outbuildings (Outline application with all matters reserved)	Pending Consideration

5 CONSULTATIONS (summarised)

5.1 **March Town Council - 3 Oct 2023**
 Recommends refusal on highway grounds

5.2 **March Town Council – 16 May 2023**

Objection: Concerns raised over flooding and drainage; safety of users of Barkers Lane (notes that Barratt & David Wilson Homes adjacent ruled out using Barkers Lane; archaeological requirements must be observed and implemented.

5.3 **CCC Highways (Development Management) – 16 Oct 2024**

The revised site access works along Barker's Lane as shown on the drawing 22354-MA-XX-XX-DR-C-0103 GA Revision P02 are acceptable, provided that there is no motor vehicle link between this development site for up to 130 dwellings and the remainder of the local plan allocation, bar emergency vehicle connections. Pedestrian and cycle connectivity between parcels is essential as it will allow pedestrians and cyclists from this development to travel southwards towards Wimblington via the neighbouring development site. I would recommend that any access and movement parameters are updated accordingly.

Should vehicular connectivity to the full allocation site be desirable, the carriageway will need to widen to 5.5m with further widening around the bend, as per previous iterations of the highway design.

As previously stated, part of these highway works include widening of Barker's Lane into land currently outside of the highway boundary. The LPA need to be satisfied that this land is included in the redline boundary and appropriate notice has been served on the impacted landowners.

The proposed mitigation works at the junction of the A141 Isle of Ely Way and B1101 Wimblington Road / March Road as shown on 22354-MA-XX-XX-DR-C-0102 GA Revision P01 are also acceptable in highway safety terms.

Recommends Conditions and Informatives, to include;

- Adoptable Standards
- Construction Facilities
- Wheel Wash Facilities

5.4 **CCC Highways (Development Management) - 12 Aug 2024**

[Following further amendments to the red line boundary to include additional land for Barkers Lane infrastructure]

No further comments to make beyond those in response dated 23rd May 2023 or by CCC Transport Team. Considers the proposals, including the offsite mitigation, to be acceptable.

5.5 **CCC Highways (Development Management) - 3 Oct 2023**

[Following amended access details]

The proposed site access as shown on the drawing 22354-MA-XX-XX-DR_C-0100 GA Revision P08 is acceptable in principle and has been produced by the applicant in direct dialogue with the LHA.

Some works are reliant on land to the north of Barkers Lane which sits outside of the application boundary, and which will need to be dedicated to CCC; an obligation for the dedication will need to be written into the S106.

Surfacing detail to be addressed post planning as part of a detailed design exercise (S38 Agreement).

The location of the shared use path will result in the loss of some mature highway trees. While this does not constitute an objection, the LPA may wish to consider amenity implications. It is recommended that the ecology strategy for the site take the loss into account and provide suitable mitigation.

Drainage of the widened paved highway along Barkers Lane requires thought. While the drainage of the highway can be considered as part of a subsequent S278 Agreement, an acceptable solution may impact upon scheme viability and should therefore be considered by the applicant at this stage. An acceptable solution may involve disposing of highway water within their development site if a suitable alternative, which aligns with CCC specifications, cannot be accommodated. This scenario does not appear to have been considered as part of the FRA.

Recommends Conditions and Informatives, to include.

- Adoptable Standards
- Construction Facilities
- Wheel Wash Facilities

5.6 **CCC Highways (Development Management) – 24 May 2023**

Objection: The proposed development is unacceptable in highway safety terms. Insufficient width of carriageway and pedestrian/ cycle infrastructure proposed. Possibly insufficient land to accommodate adequate upgrades.

The applicant needs to demonstrate how the walking and cycle proposals for Barker's Lane tie into those on the B1101 Wimblington Road. Comprehensive vehicle tracking required, to demonstrate that safe access to the site can be achieved but also access to Neale Wade Academy can be maintained in such a way that does not disadvantage other road users.

5.7 **CCC Highways (Transport Team) - 6 Aug 2024**

[Following submission of a mitigation scheme for the Mill Hill roundabout]

Notes that the Mill Hill mitigation is an identical scheme put forward by application F/YR23/0696/O. Recommends that up to 225 dwellings could be built across the whole allocation before any mitigation is delivered at the Mill Hill roundabout. No objection subject to conditions and/ or S106 to mitigate the development.

5.8 **CCC Highways (Transport Team) - 11 Jul 2024**

[Following submission of an updated Transport Assessment dated 27 June 2024]

The allocation is for 650 dwelling and there are two live applications for 130 and 425 dwellings. This leaves 95 dwellings unaccounted for, therefore the model produced by the applicant will be slightly underestimating impacts on the network. Queries over Mill Hill Roundabout assessment (eastern arm already over capacity). The applicant will need to design a mitigation scheme for this roundabout.

Mitigation: The following mitigation is needed to support the proposals;

The proposed site access junction with a 3 metre wide shared foot/cycleway as shown in principle on drawing 22354-MA-XX-XX-DR-C-0100 GA – P17 will need to be provided.

A contribution of £1,500 per dwellings toward improvements at the St Peters Road signal junction, A141 junction with Knights End Road, Peas Hill Roundabout and the Hostmoor Avenue junction with A141.

A contribution of £96,000 towards bus service improvements to serve the site. The two closest bus stops to the site need to be provided with RTP1 if they do not have them already, this will also include a commuted sum.

Each dwelling shall be provided with welcome packs which shall include free bus travel for all new residents.

Other comments: The committed development flow diagrams have not been provided for each development, therefore it's not possible to check them.

Conclusion: Addressing the above concerns will still show the development has a severe impact on the highway network that needs addressing through mitigation measures.

5.9 **CCC Highways (Transport Team) - 18 Jun 2024**

[Following submission of a highways Technical note dated 24 May 2024]

Plans and modelling need to be dimensioned correctly and updated

Conclusion: The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development. Were the above issues addressed the Highway Authority would reconsider the application. CCC therefore requests that this application not be determined until such time as the additional information above has been submitted and reviewed.

5.10 **CCC Highways (Transport Team) - 23 May 2024**

[Following submission of a highways Technical note dated 18 April 2024]

Local Bus Service: Were the Highway Authority to be in a position to recommend approval, a condition would be applied to upgrade the existing bus stops closest to the site. It should be noted that it may be necessary to remove the bus layby in order to provide a shelters on the ground.

Access: Given this is a new residential development, there are no reasons why it should not be complying with national and local policy on walking and cycling. There is an existing shared use route along Wimblington Road and therefore this development should be connecting into this. Any planning application which only proposed a 2 metre wide footway on one side of the access road would receive a recommendation of objection from the Highway Authority.

Proposed Trip Generation: Agreed.

Scope of Assessment: Flow diagrams need to be provided for review. Dimensioned drawings need to be submitted for each junction showing the inputs into Junctions9.

Mitigation: The development will be expected to contribute towards highway impacts the whole allocation will have on the highway network.

Conclusion: The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development.

5.11 **CCC Highways (Transport Team) – 13 Jun 2023**

Site Location

The nearest bus stops to the site are around 400 metres away, these stops are served by a limited bus service. There is little in the way of infrastructure at these stops, the applicant should look to provide improvements.

Local Highway Network: The first 140 metres of Bakers Lane is adopted highways, after that it turns into a byway. The applicant needs to demonstrate that they can access the site from public highway without going over the byway.

Access

The proposed layout of Bakers Lane to serve the development is not acceptable. There is inadequate road width and inadequate provision for pedestrians and cyclists,

pedestrians and cyclists should be segregated from vehicles.

the designs needs to be as follows –

- 5.5m wide carriageway
- 2m footway on one side
- 3m shared foot/cycleway on the other side

Proposed Trip Generation Evidence/ data not agreed

Scope of Assessment

The study area is acceptable. The count data needs to be submitted for review. Dimensioned drawings need to be submitted showing the inputs into Junctions9.

Conclusion

The application as submitted does not include sufficient information to properly determine the highway impact of the proposed development.

5.12 **CCC Definitive Mapping Team – 4 May 2023**

Public Byway no. 24, March, runs to the north of the proposed development site. To view the location of the Byway please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>. Whilst the Definitive Map Team has no objection to this proposal, the Byway must remain open and unobstructed at all times. Whilst there is existing shrubbery on the northern boundary, we remind developers that any fast-growing or new hedge or tree planting should have an off-set distance of 2m from the public right of way. This can be found in our guidance for developers: Public Rights of Way - Guidance for Planners and Developers v4 (cambridgeshire.gov.uk)

5.13 **CCC Growth & Economy – 28 Nov 2023**

Amended summary table provided (School land is still required as before)

Table 1 - S106 contributions – summary table

	Contribution	Project	Indexation date	Trigger
Early Years	£326,610* *see Table 9	New early years facility serving March	1Q2022	50% prior to 1st occupation and 50% prior to 20 th occupation
Primary	£1,132,248* *see Table 10	New primary facilities serving March	1Q2020	
Secondary	£833,349* *see Table 11	Expansion of Neale Wade Academy	1Q2020	
Libraries	£29,575	Enhancement of buildings and facilities at March library	1Q2019	100% prior to occupation of 50% of the development
Strategic Waste	N/A			

5.14 **CCC Growth & Economy – 21 Jun 2023**

Summary table provided

Table 1 - S106 contributions – summary table

	Contribution	Project	Indexation date	Trigger
Early Years	£20,713 x 15 places = £310,695	New early years facility serving March	1Q2020	50% prior to 1st occupation and 50% prior to 20 th occupation
Primary	£20,713x 52 places = £1,077,076	New primary facilities serving March	1Q2020	
Secondary	£24,014 x 33 places = £792,462	Expansion of Neale Wade Academy	1Q2020	
Libraries	£29,575	Enhancement of buildings and facilities at March library	1Q2019	100% prior to occupation of 50% of the development
Strategic Waste	N/A			

School land

The County Council has made separate representations to the applicant regarding the provision of additional land to enable the expansion of Neale Wade.

The school site is currently approximately 10.4 hectares. For 1,850 places the BB103 recommended range is 10.15 to 12.76 hectares. Due to the site analysis being high level it is currently unknown whether the school currently has the appropriate breakdown of external play areas and it is also unknown at this stage how feasible it would be to expand the site. The provision of additional capacity would require a building with a significant footprint and additional external areas and parking. Therefore, the Council would look to seek 2.36 hectares as this would mean Neale Wade's site would meet the maximum range of 12.76 hectares.

5.15 CCC Archaeology – 27 Sep 2023

Recommend that an archaeology condition be placed on any outline planning consent.

5.16 CCC Archaeology – 9 May 2023

Recommend that an archaeology condition be placed on any outline planning consent.

5.17 CCC Minerals & Waste Planning Group - 19 Oct 2023

No objection. Confirms that while the site falls partly within a Sand and Gravel Mineral Safeguarding Area, it is exempt the requirement of Policy 5 of the Cambridgeshire and Peterborough Minerals and Waste Local Plan (July 2021) given its Local Plan allocation status.

Request that the applicant is encouraged to make best use of any sand and gravel that may be incidentally extracted as part of the development (requested to be advised through an informative).

5.18 CCC Lead Local Flood Authority - 16 Nov 2023

Reviewed the following documents:

- Flood Risk Assessment and Drainage Strategy, MJ, Ref: A001-004, Rev: B, Dated: 8th April 2023
- Response to LLFA, MJ, Ref: A001-003, Dated: 24th July 2023
- Response to LLFA, MJ, Ref: A001-004, Dated: 2nd November 2023

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of a combination of swales, attenuation basins and attenuation crates, restricting surface water discharge to 0.94, 1.63, 1.48 and 1.23l/s at the four respective outfalls which amounts to a total discharge of 5.28l/s which the LLFA deems as acceptable. The flooding that occurs at SW4-4 during the 1 in 100 year +40% climate change allowance is stated to be contained without effecting any dwellings. Water quality has been adequately addressed when assessed against the Simple Index Approach outlined in the CIRIA SuDS Manual.

Conditions

1. Surface Water Scheme required to be submitted via a pre-commencement condition.
2. Construction drainage scheme
3. Survey and report on SuDS features

5.19 **CCC Lead Local Flood Authority – 11 Oct 2023**

Thank you for your re-consultation which we received on the 27th September 2023. At present we object to the grant of planning permission for the following reasons:

1. Flood Exceedance Routing

The modelling shows flooding occurring at node SW4-4 in the 1 in 100 year +40% Climate change allowance storm event. The applicant must demonstrate how the 3.137m³ of water will be contained without impacting any dwellings both on and off the proposed development.

5.20 **CCC Lead Local Flood Authority – 25 May 2023**

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

1. Hydraulic Calculations Hydraulic calculations should be submitted for the 100%, 3.3% and 1% Annual Exceedance Probability (AEP) storm events, including a suitable allowance for climate change and urban creep. As the site lies within the Old Bedford and Middle Level management catchment these allowances should be 35% and 40% for the 3.3% and 1% AEP respectively. There should be no surcharging in the 100% AEP storm and no water outside the system in the 3.3% AEP storm event. Hydraulic calculations should be carried out using FSR rainfall data for the 15 and 30 minute storms and FEH rainfall data for 60 minute onwards.

2. IDB Consent Part or all of your proposed development area falls within the Middle Level Commissioners (MLC) catchment and that of the March East IDB whose consents are managed by the MLC. All increased discharges proposed to enter watercourses directly or indirectly or any works affecting watercourses or access to or along them for maintenance if the site is within the Board's district will require MLC/IDB consent. It is therefore required that you contact the MLC to discuss their requirements. Further information is available at: <https://middlelevel.gov.uk/>

5.21 **CCC Ecology**

[following submission of aerial tree assessment for bats]
No comments received

5.22 **CCC Ecology - 19 Apr 2024**

Seeks information re; aerial tree assessment for bats.
Proposes a Condition covering EDS (including the bat assessments)
Licence where protected species identified

5.23 **CCC Ecology - 18 Apr 2024**

Insufficient information has been provided to enable the LPA to determine the impact of the scheme on bats, which are a European protected species. It is therefore not possible for the LPA to discharge its duty to conserve European Protected Species (bats) under the Conservation of Habitats and Species Regulations and protect biodiversity under Fenland Local Plan policies LP16& LP19. We therefore recommend the application is refused until the following surveys (recommended in the Ecology Report) have been completed and submitted to the LPA: - Ariel surveys of trees T10, T11 and T13 (as well as assessment of tree T1) - Further bat emergence surveys may be required (should any evidence of roosting bats or potential niches be recorded)

5.24 **Natural England**

No comments received

5.25 **Environment Agency**

No comments received

5.26 **Middle Level Commissioners IDB - 25 Mar 2024**

Questions why a the IDB hasn't been requested to attend a meeting to discuss the site. Considers that a multi-agency meeting would have been beneficial enabling the many RMA involved to advise on its respective position thus providing comprehensive input to the proposal.

Considers that some fundamental aspects of the proposal do not meet either the Boards requirements or current guidance. Considers it appropriate to oppose both this planning application and others within the drainage sub-catchment served by Latches Fen Pumping Station until a suitable situation, that meets the Boards requirements, has been reached.

Comments provided are generally in respect of current and future evidence gathering to understand the impacts of developments within their respective catchments and in respect of general further growth of March. The Board advises that any new development must not increase flood risk or detrimentally affect or endanger people, properties, infrastructure and the aquatic environment and associated corridors.

Advises that Town End Pits and Barkers Lane has a history of flooding and for this reason is within a "wet spot" and what has been designated as an "acute drainage area". The application site is designated as an "area of concern" where collaborative working, care and diligence will be required by all parties including the District Council if adverse impacts including flooding and poor drainage are to be avoided.

Other Watercourses – Strategic Issues

Open watercourses within the site extents should be retained and provided with suitable maintenance access strip, at least 5.0m wide, to enable them to be maintained in perpetuity by an appropriate body, such as a maintenance company. These watercourses are primarily designed to provide a Standard of Protection (SoP) to serve the needs of agriculture. In the absence of any hydraulic modelling, it is considered that whilst these systems may be adequate for its current agricultural use it is unlikely to be suitable to accommodate flows from this and other developments in the area.

Any works that restricts the flow within a watercourse requires prior written approval under Section 23 of the Land Drainage Act (LDA) either by the LLFA or the Board.

The piping and filling of long lengths of open watercourses are contrary to national, local and the Boards policy.

Where the piping and filling of watercourses is permitted it will be subject to conditions which will require suitable mitigation to be provided to replace/enhance the natural environment and any storage that may be lost.

Ecology/Biodiversity

The submitted Arboricultural, Ecology, Biodiversity Net Gain and other related reports have not yet been considered by the IDB. Nutrient Neutrality is also a consideration.

On Site Water Level and Flood Risk Management Systems

The Commissioners and associated Boards would prefer and encourage more holistic solutions (to individual site drainage strategies) and it is considered that there is a suitable opportunity for the various landowners/developers to work collaboratively to provide a single facility which serves the entire area covered by the South East March (Stow Fen Meadows) Broad Concept Plan (BCP).

Hydraulic modelling and Drainage Strategy

A detailed hydraulic model together with a robust Drainage Strategy will be required as a minimum to advise whether the downstream systems have the capacity to accept increased volumes or rates of surface water run-off to ensure that it provides a suitable Standard of Protection (SoP). The Strategy must advise on whether channel improvement works are required and include details of potential solutions.

Accommodation Works

Both the current Government and also the Boards policy is that the developer pays for any accommodation works such as channel improvement. This policy is to disincentivise planning authorities from approving development in areas of flood risk and avoiding the adverse impacts on the public purse.

SuDS

Concerns have been raised about the inadequacy of SUDS systems that serve new developments and the potential impacts on their systems in the long term.

Design related issues

Concern is also raised about the insufficient consideration given to the following:

- i. The detrimental effects of surface water run-off and overland flows from the site adversely impacting neighbouring properties or other locations which may be affected by the proposed ground raising/re-shaping operations.
- ii. The layout of the development, which should be designed to facilitate access by routine maintenance access machinery to the on site water level and flood risk management systems, particularly to the attenuation ponds.
- iii. In view of the potential impermeable area created, it is suggested that the attenuation facilities shown are inappropriate, unmaintainable and in the wrong location.

- iv. The construction, design, shape, dimensions and location of the attenuation facilities are a key consideration.
- v. The integrity of the connecting watercourses between the site and the ability to transfer flows for the lifetime of the development.
- vi. The whole life funding, management and maintenance of the associated water level and flood risk management systems serving the site.

The Board will require that adequate provisions are made for the long-term ownership funding, management and maintenance arrangements for the upkeep of any water level and flood risk management system, whether on or off site, in perpetuity. These requirements may be in addition to those imposed by planning conditions or required by the LLFA and that details of the works to be carried out by the occupier/land owner, adopting authority, the Management Company or other responsible person/authority, together with the costs attached, are included in the "Owners Pack" and the Deed of Sale.

The failure to deal with these issues will increase the risk of flooding in the area endangering local residents, including adverse impacts on people's wellbeing and mental health; damage to property and infrastructure; wasteful expenditure at the public's expense to undertake remedial works and/or cause unacceptable detriment to the environment.

Funding future flood infrastructure.

Planning authorities need to consider, how developers contribute to future flood infrastructure costs associated with the complex system in the Fens that provides the development with flood benefit. This is different from a developer contribution towards management of a site's surface water discharge.

5.27 Middle Level Commissioners IDB – Consultation issued 4 May 2023

No comments received

5.28 Middle Level Commissioners IDB – Consultation issued 27 September 2023

No comments received

5.29 Anglian Water Services - 10 Sep 2024

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. Anglian Water would ask that the following text be included within your Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

Wastewater Treatment

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

Used Water Network

Anglian Water is aware of concerns regarding flooding in Barkers Lane and Knights End Pumping station. Since the issues with Knights end station during the winter the station has had a full wet well clean, non-return valves have been replaced and pumps checked and replaced. A flow meter and a pressure monitor have also been installed.

Anglian Water has liaised with the applicant to establish a sustainable point of connection for the proposed development site. The required foul network connection point is manhole 5303 in The Avenue. This will avoid the constrained network in Barkers Lane and the knights end pumping station catchment. In order for the site to reach this connection point they would ideally connect into the new sewer network laid as part of the BDWH site. Whilst we appreciate delivery timeframes may not entirely align, the laying of one new main would allow for more effective maintenance in the future. We request the following foul drainage condition is applied if permission is granted:

Recommended Planning Condition: No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water. This strategy should identify the connection point to the 300mm sewer network in The Avenue. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme. Reason: To reduce the impacts of flooding and potential pollution risk

Surface Water Disposal

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Design Strategic Assessment (PDSA).

We note the applicants submitted document "Statement from applicant re planning benefits". Whilst we support the principle of betterment we cannot comment on the proposed strategy. A catchment wide understanding of surface water would need to be undertaken and analysed to fully understand if the proposal would provide betterment. As such we have no comments to make on this.

5.30 Anglian Water Services - 09 Apr 2024

If the developer wishes to approach Anglian Water for a possibility of Anglian Water to adopt their SuDS features, we strongly recommend that the applicant contacts us directly

5.31 Anglian Water Services – 2 Oct 2023

No objections. Capacity confirmed. Advice provided in respect of;
Assets affected
Wastewater Treatment
Used Water Network
Surface Water Disposal

5.32 Anglian Water Services - 6 May 2023

No objections. Capacity confirmed. Advice provided in respect of;

- Assets affected
- Wastewater Treatment
- Used Water Network
- Surface Water Disposal

5.33 Active Travel England

No comments received

5.34 Sport England

No comments received

5.35 NHS Estates – 17 May 2023

The proposed development is likely to have an impact on the services of the 2 x GP Practices operating within the vicinity of the application: Cornerstone Practice and Merchford House Surgery. Neither of these practices have capacity to take on additional patients and this development of 130 dwellings would see an increase patient pressure of circa 298 new residents which would require additional Whole Time Equivalent GP/Nurse /(Admin support) workforce to support increase in appointments as follows: GP = 0.15 / Nurse = 0.10 and Admin = 0.29 with a resulting increase on estate demand of 20.41 sqm net internal area.

The ICB has sought advice from its NHS partner, NHS Property Services Ltd, on recent costs benchmarks for healthcare developments for a single storey extension to an existing premises and refurbishment. This equates to £5,224 per m² (once adjusted for professional fees, fit out and contingency). Having rebased this cost to Fenland using BCIS Tender Price Index, the cost remains the same at £5,224 per m².

*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 **£106,621.84** (20.41sqm at £5224 per sqm).*

Payment sought prior to commencement.

Summary: no objection subject to securing contributions as set out.

5.36 East of England Ambulance Service NHS Trust – 6 Dec 2023

This application for up to 130 home development will generate another 312 residents (assuming 2.4 persons per dwelling) and will generate an anticipated additional 69 calls per annum on already constrained ambulance services which will require premises reconfiguration, extension, or re-location, need for additional ambulance vehicle provision and clinical capacity to deliver timely emergency ambulance services.

For these reasons, in order to make this development acceptable it is requested a contribution is made towards the provision Emergency Ambulance Service Infrastructure including the nearest Hub and local ambulance stations with population catchment area.

Capital Cost calculation of additional health services arising from the development proposal

<i>No Dwellings</i>	<i>Infrastructure Cost*</i>	<i>Total</i>
130	£371	£48,230

** Adjusted pro-rata for 2.4 persons per dwelling as submitted to IDP*

[Subsequently confirmed with the officer that the financial contribution is intended for upgrades and enhancements to Peterborough Hub e.g., EV charging points and associated infrastructure and/ or new ambulances.

5.37 Cambridgeshire Fire & Rescue Service – 9 May 2023

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

5.38 Cambs Police - Designing Out Crime 11 Oct 2023

Please refer to my previous comments, I have nothing further to add at this stage.

5.39 Cambs Police - Designing Out Crime 5 May 2023

Considers the proposed location and surrounding streets to be an area of low risk to the vulnerability to crime. Raises no objection and will reserve further comment until reserved matters is reviewed, but provides advice on the following matters;

- External Lighting
- Bin storage
- Cycle Storage
- Boundary Treatments
- Footpaths (Rear access)
- Landscaping
- Parking (surveillance)

5.40 Historic England

No comments received

5.41 FDC Conservation Officer

Much of the existing development surrounding the site dates from the mid to late C20. The map below shows limited development beyond the Town End core surrounding the GI listed St Wendreda's Church at the turn of the C20 with the area laid out to agricultural fields. Other than C20 ribbon development along Wimblington Road, the countryside views of Town End and St Wendreda's Church are largely unaltered from the late C19.

All efforts should be made to tie up the access with the adjacent site, using Lambs Hill Drove, which is far less sensitive in its character and would result in substantially less impact to the positive streetscape around the Town End Green and St Wendreda's

I come to the same conclusion as I did for the adjacent site in that the development will result in less than substantial harm (lower end of the spectrum) on the setting of the GI listed St Wendreda's Church. In accordance with heritage sections of the NPPF, development that has any harm (less than substantial or otherwise), should lead to a presumption for refusal, unless there are public benefits that outweigh the harm. Whilst there are heritage concerns in relation to the considered less than substantial harm, the Case Officer will need to weigh this into the planning balance of any deemed public benefits of the development.

St Wendreda's is an historic landmark and wayfinding feature of an historic settlement. It is positive to see that building frontages will address the open countryside with landscaping forming the site countryside boundary rather than the rear of dwellings and the associated close boarded fencing often proposed on edge of development sites.

From the indicatives, there appears to have been some consideration given to respecting the character of Barkers Lane, in that the development is shown to have an area of green open space with attenuation ponds and playing field, with all properties substantially set back from Barkers Lane. This is positive and in combination with the retention of the vegetation that lines the south side of Barkers Lane will retain the positive rural character of the Lane.

What is particularly objectionable in this instance is the proposal to use the first section of Barkers Lane as the main site access, with substantial junction and road widening which would substantially erode its verdant lane character. Barkers Lane has a particularly positive character that benefits the historic area around the Town End Green and the GI Listed St Wendreda's Church, depicted below.

Recommendation: objection

- Less than substantial harm on setting of GI listed Building
- Considerable detraction on the traditional lane character of Barkers Lane by way of using this as the principal access into the site.

5.42 FDC Tree Officer – 27 November 2023

The loss of the mature group on the corner is significant, they are a prominent group of high value. Whilst their arboricultural report lists them as category B, they have been assessed as individuals and I consider their group value is higher.

The hedge (G2) is mature and unmanaged but is of landscape value and will provide both nesting and foraging opportunities as well as screening to the school. The proposed landscaping as mitigation for the losses is fair but it will take 40 years to get to a similar stage to the existing trees.

I note that the proposed hedges are to be maintained and the hedge that replaces the existing hedge (G2) will be maintained as a high hedge, is there a guarantee that this will be carried out or who takes on the responsibility for this work.

[Following this response the applicant amended the access to a separate cycleway which retained the trees concerned.]

5.43 FDC Tree Officer – 6 Nov 2023

Whilst it is possible to construct a path using a cellular confinement system, this has to be set above the highest root height so they will need to demonstrate that this is possible with the existing levels and trial excavation by air spade.

The proposed access from Barkers Lane is via an existing field access and the impact on the tree group would seem to be minimal.

To the south the proposed access is not a major impact on the groups, although if it were moved further west it would avoid the Category B trees (G3) that are in better condition than group G4.

In addition, looking at the proposed landscaping a number of trees are proposed which is welcome, however, as usual no street trees are proposed despite it being within the NPPF; a development this size should be encouraging street planting.

5.44 FDC Housing – 11 May 2023

Affordable Housing required - 70% affordable rented tenure and 30% shared ownership. If the applicant chooses to provide a financial contribution rather than seek an RP partner to deliver the on-site affordable housing, the affordable housing financial contribution will be calculated in accordance with the mechanism provided in the Local Plan.

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

On sites of	Level of affordable housing
<i>Minor developments</i>	<i>Nil affordable</i>
<i>Major developments</i>	<i>25% affordable housing</i>
<i>Tenure Mix</i>	<i>70% Affordable rent 30% shared ownership</i>

The Fenland Viability Report (March 2020)

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

This report concluded that viability in Fenland is marginal and varies between localities in the district. The assessment indicates that 20% affordable housing is likely to be the maximum level of provision that can be achieved through planning obligations. In response to the report, the Council has confirmed that finding of the viability assessment will be taken into account when determining planning applications from May 2020 onwards. Consequently, while the Council aims to deliver policy compliant 25% affordable Housing provision on qualifying schemes where possible, it is acknowledged that a reduced percentage of affordable housing via planning obligations to a maximum of 20%, will be achievable in most instances

*Since this planning application proposes the provision of 130 number of dwellings, our policy seeks to secure a contribution of 25% affordable housing which equates to 33 affordable dwellings in this instance. Based on the provision of 20% affordable housing **26 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 23 affordable rented homes and 10 shared ownership based on the provision of 25% affordable housing or 18 affordable rented homes and 8 shared ownership based on the provision of 20% affordable housing.*

5.45 FDC Environmental Health Services - 10 Apr 2024

I do not think that the noise impact from this additional traffic accessing the site along Barkers Lane, given that ultimately further access to the site will be provided at other locations, merits the requirement for the applicant to be required by condition to submit a noise assessment.

Based on the assumption of a two-way vehicle journey for each of the 130 dwellings per day this would equate to a total traffic flow of 260 vehicles at the specific access point. Traffic flows below 1000 per 18-hour period fall outside the parameters of the Calculation of Road Traffic Noise methodology.

5.46 FDC Environmental Health Services - 5 Oct 2023

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

Recommends that a number of issues are addressed from an environmental health standpoint by way of imposing conditions addressing the following.

- i) Working times restriction
- ii) Construction Environmental Management Plan (CEMP)
- ii) Unsuspected contamination

5.47 FDC Environmental Health Services – 31 May 2023

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal. This service would however recommend that the following two conditions be applied in the interests of protecting the amenity of existing nearby residential properties from noise and dust associated;

- i) Working times restriction
- ii) Construction Environmental Management Plan (CEMP)

5.48 FDC Open Spaces & Leisure

No comments received

5.49 FDC Assets & Major Projects

No comments received

Local Residents/Interested Parties

5.50 Objectors

Objections received from 19 residents of 16 nearby properties raising the following summarised matters:

- Flooding concerns including surface water issues
- Foul drainage issues including historic flooding and discharge of raw sewage onto Barkers Lane
- The application should be considered along with the BDWH application due to its joint impact on the public sewer issue.
- Concern of impact on ecology, concern of wild deer that frequent the site,
- Highway safety concern of speeding cars with existing junctions failing, visibility splays being compromised, creation of effectively a crossroads,

concerns of congestion during school pick-up and drop off times, made worse by the school with its staff car park accessed off Barkers Lane,

- Pedestrian safety of school children
- Insufficient buses with public transport overloaded,
- Objections to the amended access details not improving the highway issues raised.
- Impact on servicing lorries to the school,
- Access will not be wide enough to operate effectively and provide a footway,
- Consideration of what will happen if vehicles park on Barkers Lane
- Access is a blind bend increasing risk of accidents, access should be at Lambs Hill Drove (away from objector's properties),
- Concerns of overloaded infrastructure,
- Loss of quiet amenity area impacting upon mental health, an objection to the principle of development,
- No demand for development
- Noise and air pollution of increased heavy construction traffic and impact on quality of life,
- Overlooking and loss of light and privacy of properties on Sherbrooke Close, blocking of vehicular access to Sherbrooke Close,
- Overdevelopment of March,
- A previous application for caravan storage was refused for detriment to the rural character of the area,
- Unable to assess due to the application being in outline form,
- Harm to the wider character of the area, in the wrong end of the town, should build to the west of the bypass,
- The proposal is excluded from the emerging Local Plan,
- The site is too far for a sustainable commute via the train station,
- There is no need for school playing fields
- The loss of good quality agricultural land,
- The loss of trees and hedges required to enable the access to be implemented,
- Increased crime and anti-social behaviour,
- Boundary change effecting light to residents of Sherbrook Close, concern part of the green area near the pond will be lost and concern the site needs land from the school.
- Land required for Barkers Lane alterations in third party ownership

5.51 **Supporters**

One letter of support from an individual outside of Fenland district referring to the following:

- The scheme aligns with Local Development Goals, increased local employment during construction,
- It will result in improvement of the local environment,
- Likely to improve flooding concerns by introduction of drainage infrastructure and improve traffic via highway network infrastructure mitigation measures.

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 Cambridgeshire and Peterborough Minerals and Waste 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
- LP6 – Employment, Tourism, Community Facilities and Retail
- LP7 – Urban Extensions
- LP8 – Wisbech
- LP9 – March
- LP10 – Chatteris
- LP11 – Whittlesey
- LP12 – Rural Areas Development Policy
- LP13 – Supporting and Managing the Impact of a Growing District
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP17 – Community Safety
- LP18 – The Historic Environment
- LP19 – The Natural Environment

7.2 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

- Policy 5: Mineral Safeguarding Areas
- Policy 14: Waste Management Needs
- Policy 16: Consultation Areas
- Policy 20: Biodiversity and Geodiversity

7.3 March Neighbourhood Plan 2017

- H1 – Large Development Sites
- H3 – Local Housing Need
- OS1 – Open Space

7.4 National Planning Policy Framework (NPPF)

- Chapter 2 - Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 5 – Delivering a sufficient supply of homes
- 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 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

7.5 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.6 National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

7.7 Emerging Fenland 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

LP17: Culture, Leisure, Tourism and Community Facilities

LP19: Strategic Infrastructure

LP20: Accessibility and Transport

LP21: Public Rights of Way

LP23: Historic Environment

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

LP33: Development on Land Affected by Contamination

LP34: Air Quality

LP39: Site allocations for March

7.8 Supplementary Planning Documents

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

7.9 Other documents of material relevance

March South East Broad Concept Plan: Vision Document Ref:P22-0602_14B

8 KEY ISSUES

- **Principle of Development**
- **Access, Highways and Transport impacts**
- **Landscape & Character impacts**
- **Heritage Impacts**
- **Flood risk and drainage**
- **Residential amenity**
- **Biodiversity & Ecology**
- **Community Infrastructure & Planning Obligations**

9 BACKGROUND

EIA

9.1 The strategic allocation has previously been screened for significant environmental effects under the framework of the Environmental Impact Assessment regulations, the most recent screening being in 2016. At no time was the development considered to constitute EIA development.

9.2 This latest application falls below the threshold set out for screening. Notwithstanding, in view of its relationship to the wider strategic allocation and potential for cumulative impacts, this application has been considered, nonetheless. It is concluded that while the development may result in localised impacts to the settlement, the development would not result in significant environmental effects for the purposes of EIA development.

10 ASSESSMENT

Principle of Development

10.1 The site is located within the Market Town of March, whereby market towns form the main focus for growth, as set out in the Council's settlement hierarchy and under Policy LP3 and through policy LP4 targets March as delivering around 4,200 new homes within the plan period. Furthermore, Local Plan policy LP9 identifies the site as forming part of the Council's allocated housing growth land, with around 600 dwellings anticipated in this location, along with supporting infrastructure including land reserved for potential sports pitches for Neale Wade Academy, surface water attenuation and pedestrian and cycle infrastructure. Policy LP7 sets out that a Broad Concept Plan (BCP) for allocations must be agreed and for future proposals within the site conforming to the BCP. Policy H1

of the March Neighbourhood Plan aligns with Local Plan, identifying this area of March as allocated housing land.

- 10.2 A BCP produced by Barratt David Wilson Homes ('BDWH') for this site allocation was approved by the Council in June 2023 (Broad Concept Plan: Vision Document Ref:P22-0602_14B). The submitted Masterplan and supporting information sets out an intention to safeguard a proportionate amount of land for potential sports pitch provision for Neale Wade Academy, located at the far north of the site and adjacent to land subject to a separate planning application by BDWH (F/YR23/0696/O) – but which also reserves a section of land for the same. Cumulatively, these parcels would provide for around 2.1Ha of land safeguarded for future sports pitch expansion for the school.

The BCP

- 10.3 The adopted Broad Concept Plan ('BCP') vision document indicates 2 primary points of access into the allocation directly from Wimblington Road which leads to a spine road through the site, connecting to parcels of housing land and supporting infrastructure. Across the site, a network of pedestrian and cycle paths permeate through and lead up to Barker's Lane, a road identified to facilitate enhanced pedestrian and cycle infrastructure, as well as maintaining vehicular access to existing dwellings, the school overflow car park and the public Byway to the east.
- 10.4 This latest planning application was submitted prior to the adoption of the BCP. Notwithstanding, Section 4.8 of the adopted BCP also refers to a potential site access point along Barkers Lane and which forms part of an access strategy put forward by the applicant of this latest application, thereby acknowledging a potential access subject to a separate planning application and which would need to be delivered by the landowner /applicant of this parcel. Therefore, whilst the earlier October 2022 BCP vision document produced by BDWH at section 4.7 refers to the discounting of Barkers Lane as a point of access (as referred to by March Town Council in their comments above), this was superseded in the adopted version, with reference made to a potential access to serve the northern parcel. As such, the principle of using Barkers Lane for an access is acknowledged albeit not identified as a primary point of access for the wider allocation in the adopted BCP.
- 10.5 The Masterplan also indicates an area of open space at the northern end of the parcel, incorporating community space, attenuation features and other areas of open space, with further SuDs features located around the site perimeters and links to the wider allocation.
- 10.6 It is considered that the proposal closely follows the BCP vision. In this regard, the principle of the development is acceptable as it aligns with the ambitions of the relevant allocations policies and the adopted BCP for this site, subject to detailed assessments of impacts etc.

Access, Highways and Transport impacts

- 10.7 Access is the only committed detail of this application. The application is also supported by a Transport Assessment. The applicant has undertaken detailed discussion with the County Council's Transport and Highways Development Management teams, with amendments to the access arrangements, highways mitigation and transport assessment agreed during the life of this application.

Access

- 10.8 Some concerns are raised regarding the proposed access and this has been raised within a number of objections by local residents, with a focus on capacity/ congestion, highway safety and visual impacts. As noted above, the adopted BCP does denote potential for an access onto Barkers Lane, albeit not one that is proposed to serve the wider allocation i.e., not a 'primary access point' as those proposed along Wimblington Road. The quantum of development that it could serve is also not defined in the BCP and therefore is to be assessed on its merits as part of this application.
- 10.9 The whole 130-dwelling scheme is proposed to rely on Barkers Lane as its sole vehicular access point, but with pedestrian and cycle links to the wider allocation and onto Barkers Lane, where a dedicated 3m wide pedestrian/ cycle way is proposed along the northern side of Barkers Lane, to link with the existing infrastructure along Wimblington Road, or into the public Byway to the east. Some widening works to Barkers Lane will be required in order to accommodate the pedestrian/cycle way and Local Highway Authority has advised that 3m is the minimum required width for this. As such, the applicant has secured a narrow section of land from the school site to achieve this having held discussions with the County Council as landowner regarding the purchase/transfer of this strip of land to highway land and the replacement planting required in the school side of the boundary. Furthermore, the proposed Barkers Lane works have been recently amended by the applicant in discussion with the LHA and is designed for a 20mph zone to reduce traffic speeds and also to reduce the need for any further widening of this road, acknowledging its secondary road and rural characteristics.
- 10.10 The Highways Authority are satisfied that the access arrangements can both achieve safe and suitable access to development, taking into account the quantum of development, accommodating sufficient visibility and encouraging non-car modes of travel by incorporating connectivity to the wider pedestrian/ cycle network along Wimblington Road and the wider allocation.
- 10.11 Whilst residents are concerned over the amount of additional traffic this development of 130 dwellings may generate, taking current Highway standards into account, the development would likely yield an additional 2 to 3 car movements per minute at peak times, which is not deemed significant. This is notwithstanding that significant pedestrian and cycle infrastructure would also be delivered which would seek to encourage non-car modes of travel. Furthermore, the BDWH adjacent has agreed to fund at least 3 years' worth of on demand bus service for the allocation which would offer further sustainable travel options for residents. The LHA has also requested a financial contribution of £96,000 to assist with the financing which, cumulatively with other contributions is aimed at securing the service for at least 5 years.
- 10.12 Concerns have also been raised about how this may affect others wishing to access Barkers Lane, with particular reference to delivery vehicles visiting the Neale Wade school and potential congestion issues this may cause. It is important to note that the proposed Barkers Lane arrangement is intended to maintain an access for all manner of traffic, including larger vehicles acknowledging that the Byway has historically been used by Agricultural vehicles and that the school must maintain access for deliveries etc. The LHA has worked with the applicant to devise a scheme for Barkers Lane and are satisfied with the general arrangement. In the absence of any objection from the LHA therefore, refusal on this basis would be unlikely to be sustainable.

10.13 As regards the impact of the highway works to Barkers Lane on existing natural features, the access shows a scheme with a separate 3-metre-wide cycleway which cuts across a triangular piece of ground on the north side of Wimblington Road which therefore avoids the group of trees near the corner of Barkers Lane/Wimblington Road. This would include a 1.5m wide footway built with tree root protection measures. The applicant has submitted a landscaping scheme which includes new hedge and tree planting on land within the school's ownership infilling between retained trees. The LHA considers the proposal to be acceptable having no highway safety concerns. A condition securing precise details of how trees and hedgerow will be protected during construction works and what replacement planting shall be undertaken can be reasonably secured via planning condition.

10.14 The LHA have responded to matters raised by the objectors stating the following:

- The junction with Wimblington Road can achieve the necessary visibility and is of acceptable geometry / layout.
- A 5.5m carriageway is acceptable for residential access provided it is not intended for commercial bus use. If the carriageway were too wide, it would help encourage faster vehicle speeds.
- All visibility splays are achievable within the highway / prospective highway.
- Crossroads should generally be avoided, but Barker's Lane and Job's Lane have an offset of approximately 17m (centreline to centreline). In light of the direction of offset, this is likely acceptable but there is merit in requesting east-west tracking for two large cars passing simultaneously to ensure the movement can be safely accommodated.
- concerns of congestion during school pick-up and drop off times, made worse by the school with its staff car park accessed off Barkers Lane; this is a matter of convenience / amenity rather than safety. Should a safety issue arise, parking can be managed through traffic regulation orders.
- Access should be a round-a-bout being impossible to emerge from Barkers Lane and turn right. Such a proposal has not been put forward by the applicant and the current proposals are acceptable.
- Highway concern increased due to approved scheme for 48 dwellings across Wimblington Road This is not relevant. The two sites won't impede on each other.
- Access is a blind bend increasing risk of accidents, access should be at lambs Hill Drove I understand that access via Lambs Hill Drove isn't an option for this site.

Other infrastructure

10.15 The proposal and the allocation as a whole has also been considered in respect of its impacts on the wider transport network around March. It is known that Peas Hill roundabout (circa 3km north west of the site) is already at or over capacity and the LHA, through the March Area Transport Study (MATS), has identified a strategic project to increase capacity. The contributions toward this have been set at £1,500 per dwelling which would be pooled toward the capital project and would be used across improvements to the St Peters Road signal junction; the A141 junction with Knights End Road; Peas Hill Roundabout; and, the Hostmoor Avenue junction with the A141. It is understood that this levy is to be applied to all major strategic allocation developments in the March area.

- 10.16 Notwithstanding this, through the adjacent scheme for 425 dwellings, it has also identified that improvements to Mill Hill roundabout (circa 1.3km south west of the site) at the north of Wimblington is required and design proposals have put forward to directly deliver this in the absence of a capital project, which would result in a widening of the approaching northbound arm, to reduce lane starvation for those turning right and into March. The LHA has suggested that the improvements should be delivered prior to 225 occupations of the wider strategic allocation. They have also agreed that the cost of delivering this scheme can be offset against the £1,500 per dwelling levy. It is considered that, given the financial contributions sought associated with transport mitigation and enhancement, the above measures are best secured via a S106 agreement, as there are other parcels within the allocation (e.g., BDWH) who may look to deliver some of the mitigation and or/ may ultimately, in combination with this application site meet the triggers requiring delivery of the mitigation. As such, a holistic approach to said mitigation is required, which is best captured in a legal agreement(s).
- 10.17 In addition, the applicant has agreed, to provide Real Time Passenger Information ('RTPI') boards to two bus stop along Wimblington Road, again subject to these not being delivered by an alternative developer. Furthermore, each property would be provided with a welcome pack (details to be agreed) which would provide advice and incentives to utilise public transport and/ or encourage sustainable travel modes.
- 10.18 Given the LHA position, it is considered there are no concerns regarding highway safety or cumulative transport impacts that would support a reason to refuse the proposal on transport grounds. In conclusion, the development demonstrates that it would be served by safe and suitable accesses and the wider development would broadly encourage and facilitate non-car modes of travel, taking into account the intention to secure a network of interlinking cycle and pedestrian infrastructure and bus infrastructure. Furthermore, projects have been identified to mitigate the transport impacts of the development which the applicant has agreed to contribute toward or deliver directly. As such, as far as transport related matters is concerned and subject to delivering the above measures, the development broadly complies with the transport sustainability aims of policy LP15 of the Fenland Local Plan, the March Neighbourhood Plan and Chapter 9 of the NPPF.
- 10.19 Notwithstanding the above, it must be acknowledged however that the scheme would be isolated from the wider allocation in respect of access via motorised vehicles, with only access for pedestrians, cycles and emergency vehicles proposed. Indeed, it is not considered that it would be appropriate to enable the wider allocation to access and egress via Barkers Lane. In general terms, this, segregation of a single aspect of the wider allocation, is not deemed to be good planning and will not provide a mixed community. Furthermore, it must be noted that this partial lack of connectivity spurs from the applicant's desire to use Barkers Lane as a sole point of access for the application site. The applicant has advised that this approach is due to their need to deliver the housing quickly and to avoid the risk of delays which may result if they were to rely on third parties to deliver the Wimblington Road access roads. To support this, they have indicated that they would be happy with a reduced timescale requirement to secure future reserved matters details, setting out a 2-year requirement, rather than the 5-year as proposed for the adjacent BDWH site. Whilst this is acknowledged and would encourage quicker delivery, and it is also recognised that the scheme would

maintain a focus for pedestrian/ cycle travel in-line with the aims of Local Plan policy LP15 and Chapter 9 of the NPPF, particularly paragraph 114 the lack of motorised vehicle connectivity to the wider allocation does weigh against the scheme.

- 10.20 The issue of the impact on the character of the area is considered below. In transport terms however, the proposal is considered to accord with Policy LP15 of the Fenland Local Plan (2014).

Landscape & Character impacts

- 10.21 Whilst detailed matters of layout, scale, appearance and landscaping are reserved for future consideration, the Master Plan and access details are considered to accord with the vision and growth ambitions of the approved BCP and Local Plan policy LP9 respectively. The application results in a density of around 20 dwellings per hectare (dph), normally considered a low density in suburban areas). However, the application proposes a large area of public open space and Suds feature which if subtracted would leave a density of around 25 dph. This would represent a generally efficient use of the land to be developed.
- 10.22 Policy LP16 requires developments to make positive contributions to the local distinctiveness and character of the area, enhancing local setting and responding to the character of the local built environment. Schemes should not adversely impact, either in design or scale, upon the street scene, settlement pattern of the landscape character of the surrounding area.
- 10.23 Maintaining Fenland landscapes forms a key part of the Council's Local Plan objective (in particular, policies LP3, LP12 and LP16). The Plan seeks to preserve landscapes which are designated or locally valued and retain the distinctive character of Fenland's landscapes. That said, it is inevitable that some of the district's landscape will alter within the plan period, in order to meet the Council's growth aspirations including housing delivery requirements and therefore that some character harm will occur.
- 10.24 Notwithstanding and in respect of the proposed development, given the site would ultimately sit adjacent to existing residential development along its western boundary and new development as part of the allocation along the eastern and southern boundaries, the scheme is not anticipated to have a significant adverse impact upon the surrounding landscape. Furthermore, development at the northern part of the site, will be mostly set back, owing to the area of reserved land for school sports pitches, formal and informal open space which are proposed to occupy the northern section of the development site. As with conclusions drawn on the adjacent BDWH scheme, in the longer term, once planting is established and matured, the impacts of the development is likely to be minor at a local scale and negligible at a wider scale.
- 10.25 Whilst the local and wider landscape impacts of the main developable area of the site are considered to be minor to negligible, clearly the immediate character and appearance of Barkers Lane will alter. It is recognised that Barkers Lane currently has a semi-rural character to it, incorporating a relatively narrow carriageway by today's standards with a verdant appearance gained from the continuation of trees and hedgerow along the northern side. Furthermore, due to it currently serving only a small number of properties, the school overflow car park and linking to the rural Byway, it is in itself generally quiet in acoustic character, notwithstanding its proximity to Wimblington Road.

- 10.26 It could be argued that the proposal to widen Barkers Lane and the resulting character change is unwarranted given that two main priority access points along Wimblington Road are proposed to serve the strategic allocation and could also ultimately serve this development once delivered and capable of linking to the application site at the south.
- 10.27 As noted above, a vision of the BCP is to secure a pedestrian/ cycle route from the strategic allocation to Barkers Lane, linking to the existing network. Given that Barkers Lane is an adopted highway, maintaining this for use by motor vehicles is necessary, as is ensuring that pedestrian/ cycle conflict with motor vehicle is avoided as far as possible. As such, the provision of a dedicated pedestrian/ cycle infrastructure along Barkers Lane is inevitable and as such, reconfiguration involving some widening of Barkers Lane must follow, in order to meet the BCP aspirations. This is notwithstanding that the BCP also accepted the principle of a vehicular access onto Barkers Lane, albeit this wasn't explicitly defined.
- 10.28 As also noted above, the general arrangement scheme for Barkers Lane has been amended through discussion with officers, the LHA and the applicant in an effort to reduce the impact of the works on the character of the lane. This has ultimately resulted in less widening of Barkers Lane in comparison to the initial scheme and in one area, a narrowing to reduce traffic speeds. The proposal inevitably requires some removal/ cutting back of trees and hedges on the northern side to facilitate the road/footway/cycleway. The application is supported by an Arboricultural survey which sets out protection measures, to ensure key trees, including those protected by a group TPO, are not adversely affected by the works. Furthermore, the LHA are aware that through the provision of the infrastructure, methods to protect tree roots would need to be employed and precise details of this would need to be agreed through the S278 process. In addition, a detailed soft landscaping scheme, including long-term management strategy will be required to ensure that the impact of these works is mitigated by appropriate planting, albeit this would take some time to establish.
- 10.29 The use of Barkers Lane would intensify as a result of the development – both in respect of additional car movements; predicted to be 2-3 per minute at peak times greater than currently experienced, and through the use of the pedestrian/ cycle network which would feed the wider allocation. As such, the character would change through the introduction of the application site and the wider allocation. The development would therefore trigger a change to the character of Barkers Lane, resulting a more urban character and appearance, with more activity than is currently experienced which does, to a degree weigh negatively against the scheme, particularly given that the site could in theory be served by the agreed accesses onto Wimblington Road once delivered. This disbenefit is to be weighed in the planning balance.
- 10.30 In summary, the development site would have a limited impact on the wider landscape character of the area, particularly once the wider allocation comes forward. It must be noted that the Council, when allocating the site for housing accepted that the nature of the site would significantly change as it would be developed. This harm was considered acceptable in principle due to the benefits of providing the housing that the District needs. However, there would be some localised harm to the rural appearance and character of Barkers Lane, through the upgrade to support multi-modes of travel and the intensification of its use which carries negative weight and would be partially avoidable were the

development to rely on the accesses along Wimblington Road for vehicular traffic. This was not explicitly required through the allocation of the site. Notwithstanding this, the minor harm is considered to be outweighed by the planning benefits outlined above.

Heritage Impacts

- 10.31 The site lies on to the south-east of March and has a semi-rural, edge of settlement position forming the transition between a settlement and the open countryside. Much of the development surrounding the site dates from the mid to late C20. The map below shows limited development beyond the Town End core surrounding the GI listed St Wendendra's Church at the turn of the C20 with the area laid out to agricultural fields. Other than C20 ribbon development along Wimblington Road, the views of Town End and St Wendedra's Church are largely unaltered from the late C19.
- 10.32 The applicant's Planning Statement identifies that the March Conservation area is over 0.6 miles to the north of the site or listed buildings within close proximity. However, the BCP vision document identifies St.Wendreda's Church approximately 270 metres to the west, and due to the height of the church spire some views from the site will be available. This was included in the Opportunities and Constraints plan in the BCP vision document. Although only indicative, the Masterplan excludes any development that will impact on the lines of potential visibility of the church.
- 10.33 The Council's Conservation Officer's considers that the development will result in less than substantial harm to the historic environment, wherein such harm is to be weighed against public benefits that would accrue from the development as set out in the NPPF.
- 10.34 In this regard, the development would result in the delivery of a site allocation for housing which would assist in the district's vision for housing growth which in turn would yield social and economic benefits, helping to support local facilities and services aiding the vitality and viability of March and the wider district. Notwithstanding, the housing is proposed to include affordable dwellings (likely to be 100% affordable units) which will provide significant benefits in aiding with addressing an historic shortfall in affordable housing delivery. These benefits are deemed to outweigh the less than substantial harm to the identified heritage assets in their own right. This is subject to a final design and layout which responds positively to the wider character of the area.
- 10.35 The Council's Conservation officer has raised objection to the character harm to Barkers Lane as discussed above. Whilst this is given consideration in the overall balance, it is recognised that the objection is not based on and significant harm to the historic environment and would therefore be considered in context with the relevant design policies i.e., LP16 and H1.
- 10.36 The Archaeology team at the County Council have assessed the site location and consider it necessary to secure a written scheme of investigation to ensure that the site is fully evaluated for potential historic value prior to intrusive ground works commencing. This can be reasonably secured via planning condition.

10.37 In summary, it is considered the proposal will not have any significantly detrimental impact on the historic environment and is considered to accord with Local Plan policies LP16 and LP18 in this regard. Furthermore, the proposal raises no conflict with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Flood risk and drainage

10.38 The entire site lies in an area at low flood risk from fluvial flooding (Flood Zone 1) and generally at low risk of surface water flooding, having regard to the Environment Agency's latest flood maps.

Surface Water drainage

10.39 The application is supported by a flood Risk Assessment (FRA) and site-wide drainage strategy which details the approach taken to reducing on and off-site flood risk in accordance with the requirements of the NPPF and local policy. In summary; surface water will be attenuated on site via SuDS before discharging to the on-site ditch network, ultimately discharging at a greenfield run-off rate.

10.40 Cambridgeshire County Council's Lead Local Flood Authority (LLFA) has considered the site wide drainage strategy for the development and following points of clarification and amendment are content that the principles as set out in the strategy can achieve sustainable drainage for the development and would not result in increased flood risks elsewhere, achieving greenfield run-off to essentially mimic the current drainage characteristics of the site. A condition requiring a detailed design for the surface water would be necessary and for this detail to be submitted along with the future reserved matters.

10.41 Middle Level Commissioners Internal Drainage Board ('IDB') have been consulted on the application and the applicant, the LLFA and officers met with the IDB to discuss their concerns raised. Their concerns mainly relate to wider development implications and capacity issues along their networks. More localised to the development, their concerns generally relate to capacity/discharge rates and future management and maintenance. The LLFA are content that the modelling provided and the proposed levels of on-site attenuation demonstrates that the discharge of surface water in the drainage system will be no greater in volume or flow rate than is currently experienced through the undeveloped site i.e., mimicking greenfield run-off. This is in-line with Ciria guidance and should be sufficient to address IDB concerns. The applicant also confirmed the process of seeking adoption by Anglian Water of the SuDS has commenced.

10.42 There appears to be a difference between the IDB requirements of access to maintain SuDS and that of Anglian Water. The application includes planning conditions recommended by the LLFA which have been circulated to the IDB for consideration and an offer extended to include any specific requirements they may feel necessary into this condition, but nothing further has been received. Notwithstanding, the IDB would be consulted on the final drainage scheme(s) secured via planning conditions and it is hoped that further detail on their specific requirements will be forthcoming in due course.

10.43 In summary however, given the layout is indicative only at this time and that the LLFA are satisfied with the initial proposals, subject to conditions securing detailed design, the surface water drainage strategy appears to be acceptable in principle.

Foul drainage

10.44 Anglian Water has been consulted on the application and have advise that they are satisfied that they can accommodate flows from this development. Through discussions, the applicant is proposing to install and or utilise a new foul drainage infrastructure along Barker's Lane which has been previously proposed and agreed under the BDWH scheme. The new infrastructure would head west into Wimblington Road, which will by-pass the existing infrastructure where there are known existing issues with surcharging and flooding and will instead direct flows away from this area. Anglian water has requested that the discharge point to the north at the Avenue is used. Anglian Water has sought to secure this detail via condition and subsequent consents would be required for any connection to Anglian Water's network. Further details can therefore be reasonably secured via condition and this detail would be expected to be received at reserved matters stages, once layout and any possible phasing arrangements have been agreed.

10.45 In conclusion, whilst a detailed drainage scheme is yet to be agreed, the in-principle strategy put forward by the applicant has raised no technical objections by statutory consultees and it is anticipated that a robust drainage scheme can be delivered which would adequately manage flows from the development and would not increase flooding elsewhere in accordance with Local Plan policy LP14. A detailed drainage scheme to come forward with future reserved matters can be reasonably secured via planning condition.

Residential Amenity

10.46 The detailed layout of the development is not submitted for consideration. An indicative layout is submitted seeking to demonstrate that up to 130 dwellings could be accommodated in the site.

10.47 Existing properties that abut the application site are orientated side-on to the development. The indicative Masterplan does however suggest new hedge planting and a swale on the eastern edge of the site separating the sides or rear gardens of the existing housing from the rear or side garden boundaries of proposed houses. This would give a separation from side boundary to side or rear boundary of approximately 15 metres (indicatively). Whilst Fenland has no defined separation standards, it is accepted that rear gardens should aim to be around 10 metres deep resulting in rear-to-rear separation of around 20 metres acknowledged to safeguard appropriate two-storey rear to rear separation and therefore acceptable impact on privacy. Rear to side can be less, subject to detailed concerns. In bringing reserved matters forward the applicant should be aware of this general approach. Particular concern should be given to the impact of new dwellings on their relationship with the existing adjacent dwellings to the western boundary. In terms of layout to be submitted, the applicant should be aware of maintenance buffers required to the SuDS which may ultimately impact on the residential layout and separation distances in any case.

10.48 The retention and reinforcement of existing hedgerows (again particular on the western edge of the site will be welcomed at the detailed stage which will assist in safeguarding privacy and separation concerns.

- 10.49 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. Nonetheless, local residents may observe a degree of change to the visual and acoustic character of the area as a result of the development. However, the site is allocated in the Local Plan to deliver a substantial amount of housing and therefore this change in character is inevitable, albeit it is not anticipated to result in any significant adverse impacts to existing residents.
- 10.50 Some residents have raised concerns over loss of views, however it is an established position that a private right to a view is not a material planning consideration, notwithstanding the aforementioned inevitable character change to the site that would occur as a result of the development. Matters of scale and any potential visual dominance/ overbearing would however be matters of be addressed through detailed design.
- 10.51 As regards the issue of traffic noise, officers sought advice from the Council's Environmental Health team, however they considered that that the noise impact from this additional traffic accessing the site along Barkers Lane, given that ultimately further access to the site will be provided at other locations, does not merit the requirement for a noise assessment. Therefore, the issue of noise is not considered to result in significant harm to the amenity of existing neighbours.
- 10.52 Concerns have also been raised over potential crime and fear of crime, resulting from the development. The police's designing out crime team has considered the application and concluded that the site falls within an area with low risk of crime and has offered advice in respect of tackling potential risks of crime through design. However there appears to be no obvious issues in respect of crime risk that cannot otherwise be addressed through detailed design
- 10.53 In summary, the development raises no immediate concerns over potential harm to residential amenity and subject to detailed design has potential to deliver a high-quality living environment for both future occupiers and existing residents. The proposal therefore complies with policy LP16(e).

Biodiversity & Ecology

- 10.54 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. It also sets out that permission should be refused for development that would cause demonstrable harm to a protected habitat or species, unless the need for and public benefits of the development clearly outweigh the harm and mitigation and/or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity.
- 10.55 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.

- 10.56 The application is supported by a preliminary ecological appraisal (PEA) and biodiversity net gain assessment. The Council's Ecologist latest comments, raises no objection to the proposal and in further discussion has set out the requirement for a site-wide Ecological Design Strategy (EDS). The ecologist also sought to understand whether some of the trees along Barkers Lane may present roosting opportunity for bats, thereby seeking an aerial tree assessment. The applicant has since provided this information via their ecologist which concludes no bats or evidence of roosting bats was found in any potential roosting niches in the trees.
- 10.57 In conclusion, adequate protection/ mitigation measures will be required during the construction phase to ensure the necessary protection of species. In addition, mitigation and enhance for biodiversity should be secured through the detailed design, including built environment (e.g. bird/bat boxes, hedgehog fencing), hard/soft landscape scheme, long-term management and sensitive lighting scheme, informed by a site-wide Ecological Design Strategy (EDS), with a Biodiversity Management Plan provided to provide an update of the ecological survey work and demonstrate compliance with the EDS. The Council's Ecologist has provided planning conditions to address these matters.

Biodiversity Net Gain

- 10.58 The applicant considers that around 11% biodiversity net gain could be achieved through the development. It is not disputed that opportunities to secure net gain exists through this development and the development, will not result in biodiversity net loss overall, subject to securing an appropriate EDS scheme and long-term management arrangements. As such, the development in this regard accords with aims of the NPPF and Local policy.
- 10.59 The applicant has subsequently updated their net gain assumptions which has been lowered to accord with the advice provided, although the applicant has indicated their commitment to secure between 3% and 11% biodiversity net gain. The scheme, due to its timing of submission pre-dates the requirement for statutory 10% biodiversity net gain. Notwithstanding, it is generally agreed that opportunities to secure net gain exists through this development and the development overall will not result in net loss, subject to securing an appropriate scheme and long-term management arrangements. As such, the development in this regard accords with aims of the NPPF and Local policy.
- 10.60 The Council's Ecologist has set out planning conditions to address the future detailed design of the site and these are considered appropriate and will ensure broad compliance with Local Plan policies LP16 and LP19 and the aims of NPPF Chapter 15.

Community Infrastructure & Planning Obligations

- 10.61 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.

10.62 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.

10.63 Having regard to the scale and nature of the proposal and further to consultation with statutory bodies to establish infrastructure requirement, in summary the following is sought through this development;

- Affordable Housing
- Healthcare
- Education & Libraries
- Sports Pitches
- Open Space
- Transport Infrastructure

Viability

10.64 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. In applying this approach, the scheme for 130 dwellings would be seeking to secure £260,000 in financial contributions plus 20% affordable housing.

10.65 The applicant has confirmed their agreement to this provision in principle – but as noted above is now anticipating this scheme to secure 100% affordable housing.

Affordable Housing

10.66 As set out by the Council's Housing Team, based on the quantum proposed, an on-site affordable housing scheme for 26 dwellings would be expected to be secured and would provide 70% (18no.) affordable rented units and 30% (8no.) shared ownership units which would align with the Council's current housing tenure demands. The specific mix would be expected to be secured as part of the agreed scheme for the development. Subject to this, the scheme would accord with the requirements of Local Plan policy LP5.

10.67 However, the Applicant has indicated that the scheme has the potential to now come forward as 100% affordable housing which would yield significantly greater affordable units than policy LP5 would otherwise secure.

- 10.68 The Council's Housing team has confirmed that currently there are a total of 845 persons on the waiting list for affordable properties, 524 of which have a local connection, with the remainder with a preference for March. Whilst there are other schemes being built which will provide for affordable units, it is considered that cumulatively, these developments will not meet with the current demand. As such, significant weight is afforded to the proposal given the positive impact it will have in addressing this need.
- 10.69 The applicant has requested that the specific mix and tenure is not sought, as this is yet to be considered alongside site viabilities etc. it would be expected as a minimum however that the scheme would secure the equivalent of 70% affordable rent and 30% intermediate housing proportionate to total affordable offering, in order to comply with policy LP5 and current housing demand. The remainder (where greater than 20% affordables are secured) would however be negotiated having regard to the current housing need at that time, with the housing register forming a basis for this. Currently, there is a key demand for 1, 2 and 3-bedroom units. Such an approach is considered to be acceptable as the policy requirement for affordable housing would be in line with the Policy position.
- 10.70 Notwithstanding the above, due to the way funding is arranged through Homes England in supporting housing providers in bringing forward purely affordable housing developments, it is not possible to secure the requirement for 100% affordable housing explicitly in the s106 agreement. Instead, the legal agreement would be expected to set out that no less than 20% affordable housing is secured. This results in an awkward scenario where if significant weight is applied the provision of fully affordable housing schemes, no mechanism is available through the S106 to ensure that this is secured, only a compliant level of affordable units.
- 10.71 As such, the Council's Assistant Director, Mr Horn has liaised with the Housing provider and has confirmed that having had sight of the proposed schedule of accommodation at Barkers Lane, which confirms a 100% affordable scheme which intends to deliver 76 affordable rent homes and 54 shared ownership homes. Mr Horn has set out he is confident that the scheme would not come forward as anything other than 100% affordable. As such, there is a substantial degree of confidence that the scheme would be fully affordable at this time and therefore reasonable to apply significant weight to this. Alternatively, this positive weight would be tempered slightly should the scheme ultimately only realise 20% of affordable housing – but nonetheless substantial weight would be afforded to this in any case.

Healthcare

- 10.72 Requests for financial contributions have been received from both NHS and East of England Ambulance service, to provide upgraded surgery facilities (total £561,364) and enhancements to Peterborough ambulance hub (£138,975) respectively.

Education & Libraries

- 10.73 Cambridgeshire County Council as the education and libraries authority seek contributions towards;
- Early Years (£326,610),
 - Primary school (£1,132,248),
 - Secondary school (£833,349) and,

- Libraries (£29,575)

School Land

10.74 In addition, due to the anticipated need to extend the existing secondary school provision at Neale Wade Academy, the expansion would result in the loss of around 2.36Ha of existing sports pitch. As such CCC are requesting that land within the development area is reserved to offset this loss of sports pitch. The applicant is proposing to set aside 0.49Ha of land at the north of the site, which is calculated on a pro rata basis with the rest of the allocation. The adjacent BDWH parcel proposes to set aside an area of land around 1.59Ha immediately adjacent to this, meaning a total of around 2.1ha is proposed to be safeguarded. This is considered to broadly meet CCC requirements, with final details to be secured through reserved matters submission and S106 agreement. Due to the nature of the site allocation, it is not considered appropriate for each parcel of land to look to deliver land for sports pitches. This would be for reasons including remoteness from the school, practicality of managing various parcels of land and the need for the land to be able to accommodate sports provision. Therefore, it is reasonable for certain aspects to provide a greater degree of land. However, it is therefore, also reasonable for the financial contribution for these sites, towards Secondary School Education, should be at least partially offset against the overprovision of land.

Open Space

10.75 The scheme will be expected to provide a variety of formal and informal open spaces throughout the site. The Council is not currently seeking to adopt such areas and it would therefore be expected that unless the Town Council wish to take on future management of these spaces, a long-term management and maintenance scheme would be provided by the developer. Given the scale of the site and the ability to deliver a wide range of open spaces, including equipped areas of play, it is not considered necessary to seek off-site contributions in this instance. The precise details of open space and future management/maintenance would be secured at reserved matters.

Transport Infrastructure

10.76 The application has undergone significant discussion with regards to transport mitigation and general requirements. The following key infrastructure is agreed to be secured;

- Financial contribution of £1,500 per dwelling for MATS scheme mitigation (£195,000)
- RTP1 signs at 2 bus stops along Wimblington Road
- Delivery of scheme to improve Mill Hill roundabout (costs to be offset against MATS scheme contribution if delivered)
- Contribution of £96,000 towards a new demand responsive bus service

10.77 The Transport financial contributions equate to £291,00 plus the cost of direct delivery works (Mill Hill roundabout costs to be deducted from the MATS contribution if delivered). The applicant has agreed to meet these costs which cumulatively would exceed the nominal £2,000 per dwelling the council would usually seek to secure, having regard to the HDH local plan viability position.

10.78 Notwithstanding, this does still leave the aforementioned education, libraries and healthcare mitigation to resolve and the applicant has advised that the total pot of £291,000 is the limit of their offer. Furthermore, Section 4.2 of the Developer

Contributions SPD sets out that for affordable housing schemes, planning obligations will not normally be sought, other than for the provision of affordable homes themselves. In other words, the SPD indicates that financial contributions will not normally be sought against affordable housing schemes of this nature. This must be balanced through against the S.106 will not definitely ensure that the scheme is affordable housing led.

- 10.79 In respect of the obligations proposed by the applicant therefore, the offer to mitigate transport impacts by providing £1,500 per dwelling toward the MATS scheme is welcomed and is considered necessary to mitigate the transport impacts of the development. The £96,000 proposed for bus service contribution is also considered necessary in order to support the strategic allocation's bus service. The monies proposed so far by the BDWH scheme would likely fund the bus provision for around 3 years and the extra proposed here would extend that provision. However, it is noted that the site sits relatively closely to existing bus stop infrastructure along Wimblington Road, with the nearest stops around 400m from the centre of the site and would not therefore be overly burdensome for residents to walk to these, particularly those residing at the northern half of the site and who may prefer to walk to these stops rather than heading south to the proposed stops in the wider site allocation.
- 10.80 It is recognised that due to viability constraints across many development sites in Fenland, there is often a shortfall in healthcare contributions. Through this application there has been a clear, identified need to expand existing healthcare facilities within March and it is felt prudent in this instance to allocate the £96,000 otherwise proposed for the bus service, in order to ensure that this development at least partially mitigates its healthcare impacts. Whilst this would then leave the matter of education, libraries and ambulance infrastructure contributions, the proposal nonetheless does offer land for school expansion (if required) and a proportionate amount of the £96,000 could be secured for the ambulance service if deemed appropriate. This is all considered in the backdrop of the developer contributions SPD which nominally would not seek to secure any such contributions on an affordable housing led scheme.
- 10.81 It is acknowledged that the scheme will not meet the whole needs of these services, however viability is a material consideration in decision making. It is an accepted point that the District has issues regarding viability and that this constraint has resulted in other sites, that have been granted planning permission, providing limited financial contributions. The shortfall in financial contributions will result in an additional burden on the existing facilities. However, the site is allocated within the current local plan and bringing forward the site results in benefits including the delivery of a significant number of affordable housing units.
- 10.82 In summary, it is concluded that the above infrastructure requirements are necessary to make the development acceptable and would meet the tests of CIL regulations in that they are, i) necessary to make the development acceptable in planning terms; ii) directly related to the development; and, iii) fairly and reasonably related in scale and kind to the development.
- 10.83 The affordable housing, financial contributions and transport infrastructure can be reasonably secured through S106 agreement and planning conditions where appropriate. If all these issues are met the application will be considered to accord with Local Plan Policy LP13.

11 SUMMARY & CONCLUSIONS

- 11.1 The policies in the NPPF when taken as a whole constitute the Government's view of what sustainable development means. Paragraph 8 of the NPPF lists the three dimensions to sustainable development; the economic, social and environment objectives, and sets out that these roles should not be undertaken in isolation. Therefore, to achieve sustainable development a proposed development should jointly and simultaneously deliver net gains across each of these key objectives.
- 11.2 To be sustainable, development must strike a satisfactory balance between the applicable economic, environmental and the social considerations.
- 11.3 Due to known viability constraints within the district, the full amount of infrastructure contributions cannot be secured. These matters are afforded moderate negative weight.
- 11.3 It is recognised that the development will result in some unavoidable landscape harm, however this is localised and inevitable given the development plan allocation. Furthermore, there will be some localised harm to the rural character of Barkers Lane, through the upgrade works necessary to support the pedestrian/cycle lane and to accommodate additional traffic from the application site. Furthermore, due the need to limit traffic flows along Barkers Lane to only the application site and existing properties, it would be necessary to restrict vehicular traffic through the site into the wider allocation. This is generally recognised as poor planning and together with the aforementioned harms carries substantial negative weight against the scheme.
- 11.4 However, in considering the positive aspects of the scheme, subject to the satisfactory completion of a S106 agreement, to ensure necessary infrastructure is secured to support this development, it is considered that:
- the principle of development is acceptable in this location and broadly compliant with the Development Plan and the NPPF,
 - the proposed parameters of development are acceptable and demonstrate the site can appropriately accommodate the development as described,
 - the proposed development will contribute to the creation of a mixed community across the strategic allocation, including potentially a full provision of 130 affordable homes, or at least an expected level of affordable dwellings where there is currently a significant unmet need, and with a commitment to accelerate the delivery of this through a shortened reserved matters timescale,
 - it will promote healthy, active lifestyle through green space and recreation facilities,
 - it will maximise opportunities for use of public transport, walking and cycling
 - it will minimise pollution,
 - it will manage flood risk and drainage effectively,
 - it will result in no significant harm to heritage assets, with public benefits of the scheme outweighing the less than substantial harm identified.
 - it will have no significant adverse impacts on features of landscape or ecological value,
 - the loss of agricultural land is limited and justified in this instance

- it will provide some mitigation and infrastructure to meet the needs generated by the development.
- 11.5 In weighing the identified harm of the scheme against the identified benefits, it is considered that, on balance, the proposal, outweighs the disbenefits of this development.
- 11.6 In conclusion therefore, and having regard to national and local planning policies, and all comments received, and subject to the resolution of the S106 agreement, it is considered that the proposal would 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 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 S.106 legal agreement and planning conditions to the Head of Planning; and,
 2. Following the completion of the S.106, application F/YR23/0696/O be approved subject to the draft planning conditions set out Appendix 1; 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 S106 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

1	<p><i>Reserved Matters</i> Approval of the details of:</p> <ul style="list-style-type: none"> i. the layout of the site ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the landscaping <p>(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p><i>Reserved Matters timing</i> Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 2 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>

3	<p><i>Commencement</i></p> <p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p><i>Quantum</i></p> <p>The residential elements of the development shall not exceed 130 dwellings (Use Class C3).</p> <p>Reason - For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5	<p><i>Barkers Lane Access – Arboricultural method statement</i></p> <p>The access works as detailed on plan ‘Site Access – General Arrangement Plan’ reference 22354-MA-XX-XX-DR-C-0103: P02 (hereinafter referred to as ‘the access works area’) shall not commence until an arboricultural method statement has been submitted to and approved in writing by the local planning authority. The scheme shall include but shall not be limited to the following information;</p> <ul style="list-style-type: none"> i) An updated arboricultural and impact assessment for existing trees and hedgerow within the access works area including details of any removal and pruning ii) Details of tree protection measures iii) Details of any intrusive groundworks in and around any root protection areas including methods of any ground-breaking iv) Details of any replacement planting to mitigate the loss of any vegetation with the access works area. v) Details of long-term management and maintenance of any retained, replaced or new planting with the access works area. <p>Reason: In the interests of visual amenity and biodiversity protection in accordance with policies LP16 of the Fenland Local Plan, 2014.</p>
6	<p><i>Conformity</i></p> <p>The reserved matters required under condition 1 shall be in broad conformity with the Master Plan (Drawing No. 4405-03 K), save for minor variations where such variations do not substantially deviate from these details.</p> <p>Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.</p>
7	<p><i>Archaeology</i></p> <p>No development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, 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 development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ul style="list-style-type: none"> a. the statement of significance and research objectives; b. The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; c. The timetable for the field investigation as part of the development programme; d. The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives. <p>Reason: To safeguard archaeological assets within the approved development</p>

	<p>boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2019).</p>
8	<p><i>Surface Water Strategy</i></p> <p>The reserved matters as required under condition 1 shall include a detailed design of the surface water drainage of the site. 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 Flood Risk Assessment and Drainage Strategy, MJ, Ref: A001-004, Rev: B, Dated: 8th April 2023 and shall also include:</p> <ul style="list-style-type: none"> a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events; b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate change), 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 <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 in accordance with Policy LP14 of the Local Plan.</p>
9	<p><i>Construction Drainage</i></p> <p>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 having regard to Policy LP14 of the Local Plan.</p>

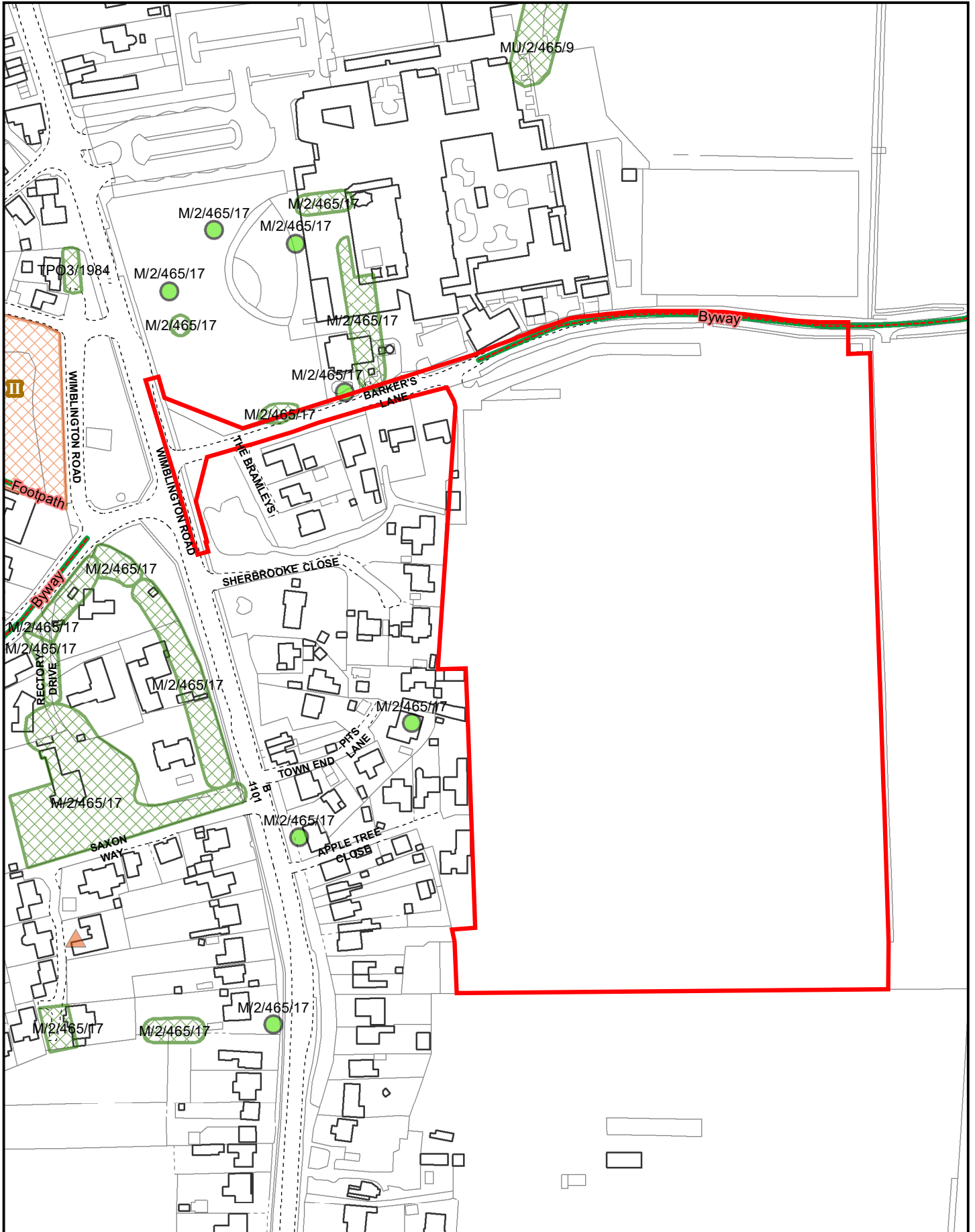
10	<p><i>Drainage Completion</i></p> <p>Upon completion of the surface water drainage system, including any attenuation ponds and swales, and prior to their adoption by a statutory undertaker or management company; a survey and report from an independent surveyor shall be submitted to and approved in writing by the Local Planning Authority. The survey and report shall be carried out by an appropriately qualified Chartered Surveyor or Chartered Engineer and demonstrate that the surface water drainage system 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 in accordance with Policy LP14 of the Local Plan.</p>
11	<p><i>Foul Drainage</i></p> <p>The reserved matters as required under condition 1 shall include a strategic foul water strategy. This strategy should identify the connection point to the 300mm sewer network in The Avenue. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.</p> <p>Reason: To prevent environmental and amenity problems arising from flooding and to provide a satisfactory means of sanitation in accordance with Policies LP2, LP14 and LP16 of the Fenland Local Plan, 2014.</p>
12	<p><i>EDS</i></p> <p>No development shall take place until a site wide ecological design strategy ('EDS') addressing mitigation, compensation, enhancements and restoration for (breeding bird, badger, reptiles and habitat loss) has been submitted to and approved in writing by the local planning authority.</p> <p>The EDS shall include the following (unless otherwise agreed in writing by the Local planning Authority):</p> <ol style="list-style-type: none"> a) Purpose and conservation objectives for the proposed works. b) Review of site potential and constraints. c) Detailed design(s) and/or working method(s) to achieve stated objectives. d) Extent and location/area of proposed works on appropriate scale maps and plans. e) Type and source of materials to be used where appropriate, e.g. native species of local provenance f) Delivery of measurable Biodiversity Net Gain, (including Biodiversity Gains Plan and Habitat Mitigation and Monitoring Plan). f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development g) Persons responsible for implementing the works, such as Ecological Clerk of Works h) Details of initial aftercare and long-term maintenance i) Details for monitoring and remedial measures. j) Details for disposal of any wastes arising from works. <p>The EDS must include off-site compensation measures (if required). The EDS 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>
<p>13</p>	<p><i>CEMP</i></p> <p>No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The CEMP shall incorporate recommendations of the Ecological Impact assessment and must include the following:</p> <ul style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities. b) Identification of 'biodiversity protection zones'. c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) d) The location and timings of sensitive works to avoid harm to biodiversity features. e) The times during which construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs if applicable. <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: To ensure biodiversity is protected in accordance with policies LP16 of the Fenland Local Plan, 2014.</p>
<p>14</p>	<p><i>LEMP</i></p> <p>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. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives (including biodiversity net gain). e) Prescriptions for management actions f) Preparation of the work schedule (including an annual work plan capable of being rolled forward over a 30-year period and BNG audit) g) Details of the body or organisation responsible for implementation of the plan h) Ongoing monitoring and remedial measures <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.</p> <p>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 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>
15	<p><i>Lighting</i></p> <p>Each reserved matters submission shall be supported by a "lighting design strategy for biodiversity" in accordance with ILP Publications' "Guidance Note 8 Bats and artificial lighting" to be approved in writing by the Local Planning Authority.</p> <p>The strategy shall:</p> <ol style="list-style-type: none"> a. identify those areas /features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and, b. show how and where external lighting will be installed (through the provisions of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.</p> <p>Reason: To ensure biodiversity is protected in accordance with policies LP16 of the Fenland Local Plan, 2014.</p>
16	<p><i>CMP</i></p> <p>No development shall commence until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the consideration of the following aspects of construction:</p> <ol style="list-style-type: none"> a) Construction programme; 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; c) Details of a temporary facilities area clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction; d) Details of restricted Construction hours; e) Details of restricted Delivery times and collections; 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; h) 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; i) 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; j) Use of concrete crushers; k) Prohibition of the burning of waste on site during demolition/construction; l) Site artificial lighting including hours of operation, position and impact on neighbouring properties; m) Drainage control measures including the use of settling tanks, oil interceptors and bunds.

	<p>n) Screening and hoarding details; o) Access and protection arrangements around the site for pedestrians, cyclists and other road users; p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures; q) External safety and information signing and notices; r) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures; and</p> <p>The approved CMP shall be adhered to throughout the construction period and must demonstrate the adoption of best practice.</p> <p>Reason: In the interests of protecting highway safety and residential amenity in accordance with policies LP2, LP15 and LP16 of the Fenland Local Plan, 2014.</p>
17	<p><i>Fire Hydrants</i> No development above slab level 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 is occupied.</p> <p>Reason - To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>
18	<p><i>Contaminated Land</i> 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 for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with policies LP2, LP14 and LP16 of the Fenland Local Plan, 2014.</p>
19	<p><i>Management of Estate Roads</i> Prior to the occupation of the first dwelling, full details of the proposed arrangements for future management and maintenance of the proposed streets shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.</p> <p>Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014.</p>
20	<p><i>Travel Plan</i> Prior to first occupation, the developer shall be responsible for the provision and implementation of a Travel Plan to be agreed in writing with the Local Planning Authority. The Travel Plan shall include suitable measures and incentives inclusive of bus vouchers and/or active travel vouchers to promote sustainable travel. The Travel Plan is to be monitored annually with all measures reviewed to ensure targets are met. The travel plan should be active for a year post occupation of the last dwelling.</p> <p>Reason: To encourage sustainable modes of travel in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>

19	<p><i>Welcome Pack</i></p> <p>Prior to the first occupation of any dwelling, a welcome pack detailing sustainable travel for each dwelling shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The welcome pack shall include the following unless otherwise agreed in writing by the Local Planning Authority;</p> <ul style="list-style-type: none"> i) bus vouchers for use with the relevant local public transport operator, ii) Bike vouchers, iii) Other such incentives for sustainable travel where evidence supports this. <p>The approved welcome packs shall be issued to occupiers upon occupation of each dwelling.</p> <p>Reason: To encourage sustainable modes of travel in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
20	<p><i>Approved Plans</i></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p> <ul style="list-style-type: none"> • Site Location Plan 4405-01H • Site Access – General Arrangement Plan 22354-MA-XX-XX-DR-C-0103: P02 • General Arrangement Lambs Hill Drove 22354-MA-XX-XX-DR-C-7060 P01 • General Arrangement Wimblington Road 22354-MA-XX-XX-DR-C-0102 P01 • Tree Survey & AIA March 2024 5426 (Rev F) • Flood Risk Assessment and Drainage Strategy (Rev E) (29.11.23 update)



Created on: 21/10/2024

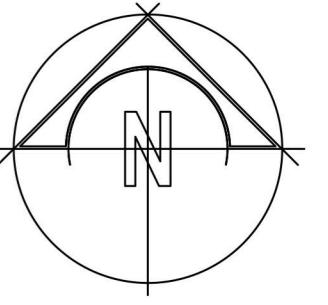
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Scale = 1:2,500



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 Use only figured dimensions. If in doubt, ask.
 All dimensions are to be checked on site.
 Any discrepancies should be reported immediately to the Architect.



Key

- 1 Potential LEAP neighbourhood park
 - 2 Proposed new vehicle access to site - See supporting highways engineers drawings for all details relating to highways and pedestrian cycle routes etc.
 - 3 Potential onward connection to any future development.
- Visibility Splay (as per Highways engineers drawings)



Key

- Application site boundary
- Existing Surrounding Buildings
- Private Rear Garden Area
- Public Open / Green Space
- Principal Highway / Road
- Secondary Highway / Road
- Private Drive
- Car Parking Spaces
- Pedestrian Footpaths
- Existing Tree Planting (indicative only)
- 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)
- Primary Site Access

Housetypes

- A 2 Bedroom Semi-Detached House
- A 2 Bedroom Mid-Terraced House
- B 3 Bedroom Semi-Detached House
- B 3 Bedroom Mid-Terraced House
- C 3 Bedroom Semi-Detached House
- C 3 Bedroom Mid-Terraced House
- D 3 Bedroom Detached House

Number

- 40
- 07
- 14
- 04
- 18
- 01
- 06

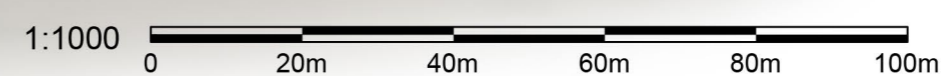
Housetypes

- E 3 Bedroom Detached House
- F 4 Bedroom Semi-Detached House
- G 4 Bedroom Detached House
- H 4 Bedroom Detached House
- J 2 Bedroom Bungalow
- K 2 Bedroom M4(3) Bungalow
- L 1 Bedroom Maisonette

Number

- 04
- 06
- 04
- 04
- 08
- 02
- 12

130 Units



DATE	REV	DESCRIPTION	DRAWN
22.05.24	K	Indicative layout amended	JK
27.03.24	J	BNG amendments	JK
16.01.24	I	Highways amendment	JK
05.10.23	H	Pump station amended	JK
24.08.23	G	Highways amendment	AG
01.08.23	F	Red line amended	AG
26.04.23	E	Notes Amended	AG
24.03.23	D	House Types added	AG
01.03.23	C	Drainage info from consultant added	AG
22.12.22	B	Visibility Splay added	AG
21.12.22	A	Minor amendments to notes	AG

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Project
 Proposed Residential Development at:
 Land off Bakers Lane,
 March, Cambs

Client
 March East Developments Ltd

Drawing Title
 Proposed Masterplan - Indicative Layout

Drawing Status
 Planning

Scale 1:1000 Paper Size A1 Date Dec 2022 Drawn /
 Drawing Number 4405-03 Drawing Rev K

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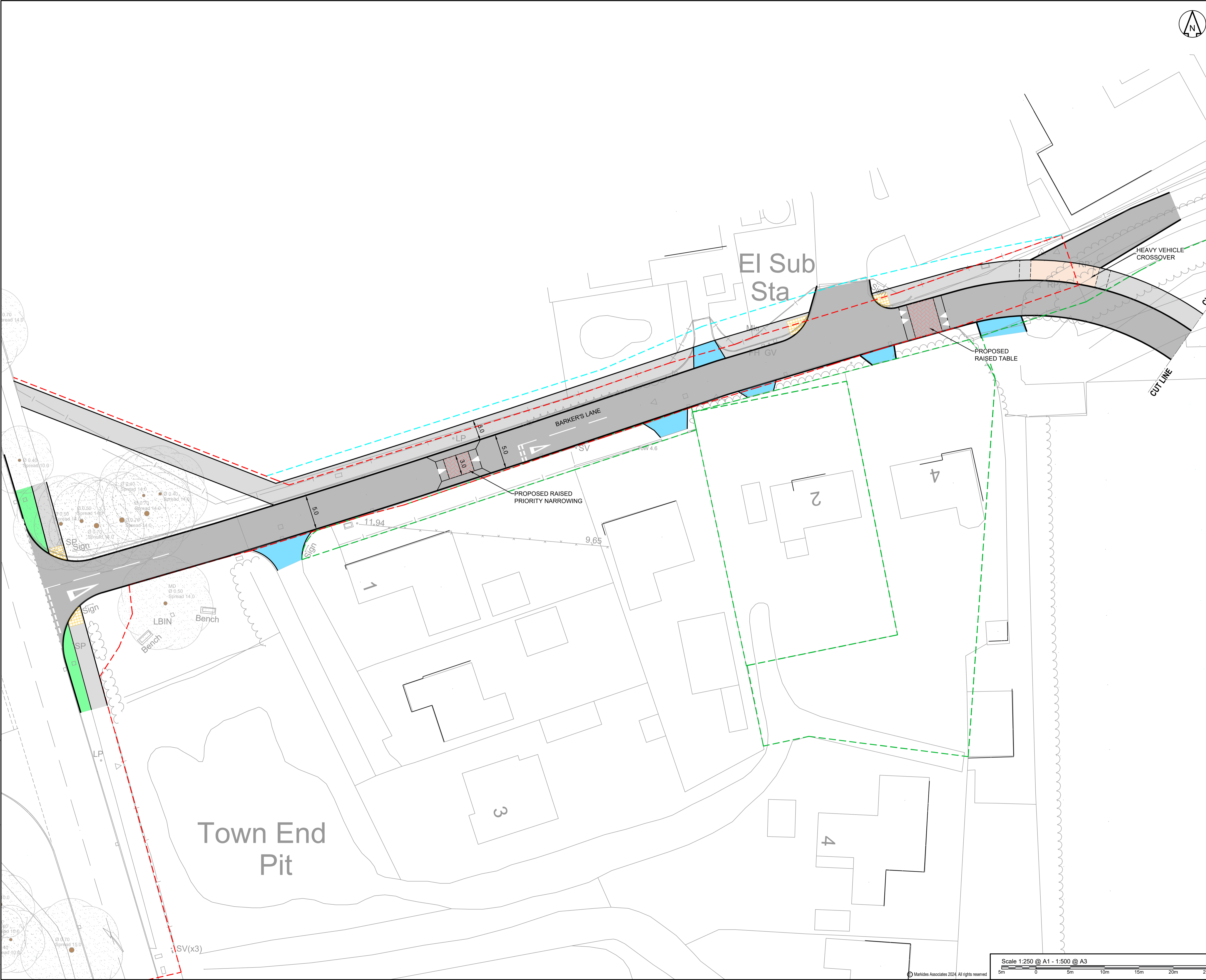


NOTES

1. This drawing is indicative and subject to discussions with local & national highway authorities. This design is also subject to confirmation of land ownership, topography, location of statutory services, detailed design and traffic modelling.
2. This drawing is based upon drawing number XXX supplied by XXX and Markides Associates shall not be liable for any inaccuracies or deficiencies.
3. Markides Associates accept no responsibility for any unauthorised amendments to this drawing. Do not rely on dimensions scaled from this plan.
4. Highway boundary information has been provided by XXX County Council on XXX and has been transcribed by Markides Associates onto an Ordnance Survey base. Markides Associates accepts no liability for the accuracy of the data provided and the highway boundary information shown is subject to checks by a licensed conveyancer.
5. Any swept path analysis has been undertaken using Autodesk vehicle tracking software (AutoTRACK) and Markides Associates shall not be liable for any inaccuracies or deficiencies.

KEY:

- - - Highway Boundary
- - - Third Party Land Boundary
- - - Highway Boundary Extension (1)
- Proposed Carriageway
- Proposed Footway
- Proposed Crossover
- Proposed construction strip / verge
- Dropped Kerb
- Proposed Kerb Alignment
- Proposed Road Marking
- Tactile Paving (blister)



Revision History					
Rev	Comment	By	Chkd	Appr	Date
P02	FOR INFORMATION	NB	DT	DT	27.09.24
P01	FOR INFORMATION	NB	DT	DT	23.09.24
Rev	Comment	By	Chkd	Appr	Date
Current Revision					
P02	FOR INFORMATION	NB	DT	DT	27.09.24
Rev	Comment	By	Chkd	Appr	Date

PRELIMINARY

MARCH EAST DEVELOPMENTS LTD



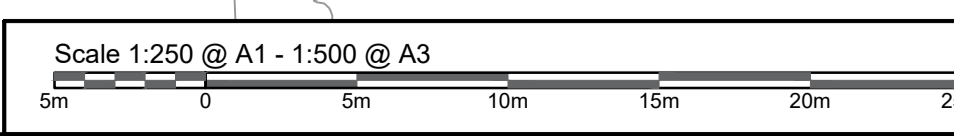
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TRANSPORT PLANNING AND ENGINEERING

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Project:
LAND AT MARCH

Drawing Title:
**GENERAL ARRANGEMENT
20MPH DESIGN SPEED**

Markides Associates reference: 22354 1:250 @ A1
22354-MA-XX-DR-C-0103 - P02



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F/YR24/0509/RM

Applicant: Mr George Wilkinson
Allison Homes East

Agent :

Land South Of 73-81, Upwell Road, March, Cambridgeshire

Reserved Matters application relating to detailed matters appearance, landscaping, layout and scale pursuant to outline permission APP/D0515/W/23/3327578, relating to application F/YR22/0062/O to erect 110 x dwellings (3 x 1-bed flats, 3 x 2-bed flats, 32 x 2-storey 2-bed, 4 x 3-storey 3-bed, 55 x 2-storey 3-bed and 13 x 2-storey 4-bed)

Officer recommendation: Grant subject to conditions

Reason for Committee: Number of representations submitted which conflict with the Officer recommendation including March Town Council

Government Planning Guarantee

Statutory Target Date For Determination: 17 September 2024

EOT in Place: Yes

EOT Expiry: 6th November 2024

Application Fee: £42,020

Risk Statement: This application must be determined by 6th November 2024 otherwise it will be out of time and therefore negatively affect the performance figures and poses a risk to an appeal against non-determination of the application.

1 EXECUTIVE SUMMARY

- 1.1 Outline permission was granted on Appeal on the 31st January 2024 for up to 110 dwellings subject to conditions and a Section 106 agreement. Thus, the principle of the development is not a matter for consideration in this application.
- 1.2 This application seeks approval of details of appearance, landscaping, layout and scale only. Certain elements of the layout were formulated as part of the outline permission.
- 1.3 As well the reserved matters, two of the conditions attached to the Appeal decision require the submission of further details to be submitted concurrently with the submission of reserved matters as required by the first condition. These being in relation to external lighting (including Light Impact Assessment) and regarding details of a non-vehicular access for emergency services separate from the access off Upwell Road .
- 1.4 Through amendments the original details submitted, it is considered the application proposes a policy compliant scheme in relation to the reserved matters under consideration

1.5 The recommendation is therefore to grant approval of reserved matters subject to conditions. Conditions 6 and 16 can also be discharged as the details submitted are also considered to be acceptable.

2 SITE DESCRIPTION

- 2.1 The site is approximately 3.9 hectares located on the south-eastern side of March to the south of Upwell Road and the dwellings fronting this. It is a flat agricultural field with some hedgerows and trees existing on the site boundaries. Residential areas of Cavalry Drive, Clydesdale Close and Cleveland Bay form the site's western boundary alongside the permissive footpath (Woodman's Way) which links to a Public Right of Way (156/8) located along the site's southern border. Cavalry Primary School is located approximately 400 meters from the site. The nearest bus stop is approximately 400 metres away.
- 2.2 The site is located with Flood Zone 1.

3 PROPOSAL

- 3.1 The planning application is submitted seeking approval of reserved matters in respect of appearance, layout, landscaping and scale pursuant to outline planning permission reference F/YR22/0062/O for the construction of 110 dwellings. Although the Parameters Plan submitted as part of the outline application was not approved, it established some fundamental principles which have been taken into account during the designing of the layout. This includes:
- The creation of a vehicular access off Upwell Road.
 - A 3 metre wide easement along the ditch forming the eastern boundary of the site
 - A surface water attenuation ponds located in the southeastern corner as this is the lowest point of the site.
 - Open frontage into the site off Upwell Road.
 - Play space provision
 - Outward-facing properties along the southern boundary.
 - Public footpath provision along the southern boundary.
- 3.2 The layout has built upon the principles established in the Parameters Plan, with a main primary road coming down from Upwell Road off which are a number of secondary streets and driveways. The proposed layout including areas of open space throughout, including an open frontage coming into the site with dwellings looking onto the public open space. The public open space on the west of the site includes a LEAP provision to allow for play space enhancements for this area of March.
- 3.3 Soft and Hard Landscaping plans have been submitted as part of this application, including:
- Strong front entrance with enhanced planting along the main primary road coming into site, with POS at the front allowing for an open site entrance;
 - Usage of street trees along the primary and secondary roads to enhance biodiversity and enhance the public realm;

- Attenuation pond planting to allow for biodiversity enhancements, as well as improving the outlook from nearby properties onto this area; and
- Frontage planting to include shrubs and ornamental planting to create a variation in the street scene through the use of a wide variety of species.

3.4 As regards connectivity to the wider area, the Bridleway will be improved along the western boundary running north to south, along with the PRoW running west to east along the southern boundary of the site, inside of the application boundary. A sum has been secured in the Section 106 agreement for Bridleway improvements along the western boundary, with the PRoW along the southern boundary improved as part of this application which links to a footpath joining Cavalry Drive to the west and with the wider countryside to the east. Footpath connectivity throughout the site is provided by the primary street, allowing for safe walking routes to the LEAP provided on site, along with further connectivity to the public footpaths.

3.5 As secured by the Section 106 agreement, the site is to provide 20% affordable units, split 70:30 in favour of affordable rent. On the site the layout shows, 7 shared ownership units are provided, along with 15 affordable rented units, and therefore, the scheme is in compliance with the parameters established in the Section 106. A variety of dwelling sizes is proposed, with 14% being 1 beds, 27% being 2 beds, 45% being 3 beds, and 14% being 4 bed units on site. All house types meet or exceed Nationally Described Space Standards (NDSS). Affordable units are pepper-potted around the development to avoid large affordable clusters.

3.6 With regard to open market properties, there would be 88 in total, comprising: 3% of 1 Bed; 33% of 2 Bed; 53% of 3 Bed 11% of 4+ Bed. The applicant states that the mix has been influenced from local market demand based on sales and interest in nearby developments. Most properties are 2-storey, with some 2 ½ storey being used.

3.7 The materials are detailed in drawings and propose to use three types of bricks to be used for different properties across the site. Roofing would be provided as either red or grey tiles. There would be a variety of house types provided and within the scheme mixed although that there is a consistency of appearance across the scheme within the range of materials. Sustainability features include electric charging points as well as solar panels in all plots.

3.8 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

Reference	Description	Decision
F/YR22/0062/O	Erect up to 110no dwellings (outline application with matters committed in respect of access) Land South Of 73-81 Upwell Road March Cambridgeshire.	Refused 22.06.2023. Allowed on Appeal dated 31.01.2024 (APP/D0515/W/23/3327578)

5 CONSULTATIONS

5.1 March Town Council - 17.09.2024 - latest response

Recommendation; Refusal – The Town Council considers that in terms of layout, the provision for emergency access is wholly inadequate for this development.

20.08.2024 - reconsultation response

Recommendation Refusal - The applicant has failed to address/comply with at least 6 conditions within the Planning Inspectorate's decision; namely, 6(b) (lighting), 19 (ground levels), 26 (assessment in accordance with the National Design Guide), 27 (landscaping layout) and, crucially, 21 (layout to include access for emergency vehicles). There is no emergency access provided for.

02.07.2024 - initial response

Recommendation: Refusal – the developer has not submitted documents/information required by the Planning Inspectorate.

5.2 CCC Historic Environment Team - 19.08.2024 - latest response

We have reviewed the amended documentation and can confirm they do not alter the advice given by this office previously. Namely that we would advise that the archaeological work should be undertaken as secured by the archaeological condition applied (15) applied to outline application (F/YR22/0062/O) following appeal (reference APP/D0515/W/23/3327578). We therefore have no further comment or recommendation for the application.

27.11.2023 - initial response

We have reviewed the application and would advise that advised the archaeological work should be undertaken as secured by the archaeological condition applied (15) applied to outline application (F/YR22/0062/O) following appeal (reference APP/D0515/W/23/3327578). We therefore have no further comment or recommendation for the application.

5.3 FDC Environmental Health Team 29.08.2024 - latest response

The Environmental Health Team note and accept the information submitted in respect of the above re-consultation and have 'No Objections' to the latest content.

03.07.2024 - initial response

The Environmental Health Team note and accept the submitted information in respect of the above reserved matters application and have 'No Objections' to the proposals.

5.4 Designing Out Crime Officer 21.08.2024 - latest response

I have viewed the documents and note the changes, however I do have the following comments.

Lighting: - The lighting appears acceptable; however, I do have concerns that there is limited/no coverage of the following plots/parking.....Plot 1/2, 33/34, 46/47, 66-72, and 94-97.

Boundary Treatments: - Plot 4, 7 and 109, fence/wall should be dropped to 1.5m with 300mm trellis above, as there is limited surveillance over private vehicles. Plot 4/5 – the plan doesn't show a gate providing access to plot 5/6.

Attenuation pond – What are the proposals to enclose the pond?

Gable Ends: - I have concerns on the following plots 4 and 109, there are what appear to be gable ends with small or no windows, having viewed the layout I have

concerns that these plots provide no/limited surveillance, I would recommend that windows are installed on these two properties within active rooms to improve the surveillance.

Pumping Station: - Having viewed the details for the pumping station and security This appears to be acceptable, I would ask that the gates are fitted with a keypad lock for staff access.

I would encourage the applicant considers submitting a “Secured by Design” (SBD) residential 2024 application as I believe this development could attain accreditation with consultation.

I currently have no other comments.

27.06.2024 - initial response

This appears to be a well thought out development, where in the main security and safety appears to have been considered. Having viewed the documents I note my previous comments dated 11th February 2022 some of which still stand, relating to sheds/cycle storage if being provided also the below concerns regarding lighting and gates to rear footpaths mid terraced houses.

Advice then set out on lighting and gates arrangements then given in detail.

5.5 Cambridgeshire Fire and Rescue Service 08.07.2024 - initial response

With regard to the above application, 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. The position of fire hydrants are generally agreed upon when the Water Authority submits plans to: Water & Planning Manager Community Fire Safety Group

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

The number and location of Fire Hydrants will be determined following Risk Assessment and with reference to guidance contained within the “National Guidance Document on the Provision of Water for Fire Fighting” 3rd Edition, published January 2007.

Access and facilities for the Fire Service should also be provided in accordance with the Building Regulations Approved Document B5 Vehicle Access. Dwellings Section 13 and/or Vol 2. Buildings other than dwellings Section 15 Vehicle Access.

5.6 Anglian Water 06.09.2024 - latest response

ASSETS

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. Anglian Water would ask that the following text be included within your Notice should permission be granted.

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of

apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

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.

When assessing the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom we take an average flow over the past 5 years to take account of changing weather patterns. Where the average exceeds the WRC's permitted allowance, we also take account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" – this must include non-compliance from the last annual data return. Based on the above assessment March WRC is within the acceptance parameters and can accommodate the flows from the proposed growth

Section 3 - Used Water Network

We have reviewed the applicant's submitted Drainage Strategy Plan RACE-AH-UPM-ENG-002-PRELIMINARY DRAINAGE STRATEGY- REV D and consider that the impacts on the public foul sewerage network are acceptable to Anglian Water at this stage.

Section 4 - Surface Water Disposal

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

We have reviewed the applicant's submitted surface water drainage information Drainage Strategy Plan RACE-AH-UPM-ENG-002-PRELIMINARY DRAINAGE STRATEGY- REV D and have found that the proposed method of surface water discharge does not relate to an Anglian Water owned asset. As such, it is outside of our jurisdiction and we are unable to provide comments on the suitability of the surface water discharge. The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board. The Environment Agency should be consulted if the drainage system directly or indirectly involves the discharge of water into a watercourse. Should the proposed method of surface water management change to include interaction with Anglian Water operated assets, we would wish to be re-consulted to ensure that an effective surface water drainage strategy is prepared and implemented. A connection to the public surface water sewer may only be permitted once the requirements of the surface water hierarchy as detailed in Building Regulations Part H have been satisfied. This will include evidence of the percolation test logs and investigations in to discharging the flows to a watercourse proven to be unfeasible.

17.09.2024 - initial response

Same response as latest response reproduced above.

5.7 CCC Local Lead Flood Authority 28.08.2024 - latest response

We have reviewed the following documents:

- *Technical Note – LLFA Comments, prepared by RACE, ref: RACE/ AH / URM / TN001, dated August 2024.*
- *Drainage Strategy Plan, prepared by RACE, ref: ENG_002, rev: D, dated 13th August 2024.*
- *Proposed Pond Cross Section, prepared by RACE, ref: ENG_300, rev: B, dated 13th August 2024.*
- *Level and Drainage Concept, prepared by RACE, ref: ENG_010, rev: D, dated 13th August 2024.*

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the reserved matters application.

The applicant proposes to discharge to an ordinary watercourse at a rate of 4.1 l/s for all events up to a 1% Annual Exceedance Probability (AEP) storm event, with an appropriate allowance for climate change. Proposed SuDS include geo-cellular crates, permeable paving and an attenuation pond. The LLFA is supportive of the use of permeable paving as an addition to controlling the rate of surface water leaving the site as it also provides water quality treatment in particularly when discharging to a watercourse. The applicant has clarified that a 3.0m easement is provided along the existing ditch allowing a management company to have access for maintenance within the site boundary.

A number of informatives are then set out in the response.

03.07.2024 - initial response

State that at this time, the LLFA are unable to support approval of reserved matters and details these in their response.

5.8 CCC Highways Development Management 01.10.2024 - latest response 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 revised layout as shown on the drawing 1353-004 E has addressed my previous comments. Provided that it is constructed in line with Cambridgeshire County Council's Housing Estate Road Construction Specification, the internal roads are in principle suitable for adoption.

3 conditions are then recommended relating to Binder Course, Management of Estate Roads and Wheel Wash Facilities

03.09.2024 - initial response

Response notes that whilst the Local Highway Authority consider the proposed development is acceptable, a number of points will need to be addressed if the applicant wishes to pursue adoption of the internal roads by Cambridgeshire County Council. The response notes that a present, the site will not be considered for adoption.

5.9 CCC Definitive Map Team – 22.08 2024 – latest response

Public Footpath, Number 8, March, runs along the southern boundary of the planning application site. In response to the Further details letter dated 13 August

2024, we would like to thank the applicant for highlighting Condition 11 from the Planning Inspectorate. Considering this, we withdraw our objection. Ideally, we would want planners to do what they can to increase connectivity and access to the public rights of way network for all non motorised users, including equestrians. As there is an intention to upgrade the footpath and change the surface, I would like to draw the applicant's attention to Cambridgeshire County Council's Change of Surface policy: Definitive Map and Statement.

A number of informatives are then set out in the response.

15.07.2024 - initial response

The Definitive Map team objects to the proposed development on the following grounds: In the plans, the section of Public Footpath, Number 8, March as it runs along the southern boundary is designated to be upgraded to a shared use path. A "shared use path" is not a classification of Public Right of Way. We would request that the route is designated as a Public Bridleway which would allow pedestrians, cyclists, and equestrians to use the route. This would provide connectivity between the Woodmans' Way permissive footpath as it runs along the western boundary, and which according to the plans is to be upgraded to a bridleway, and Public Byway, Number 24, March. We warmly welcome and support the proposed upgrade of Woodmans' Way.

5.10 FDC Environmental Services Operations Manager – 26.06.2024 - initial response

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

- From the plans and design statement the extent of the roadways to be adopted is not clear. Should access be required onto unadopted roads, these would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from landowners or future management company against any potential damage to the road surface etc. which may be caused during vehicle operations.

- Shared Bin collection point for plots 1-4 (BCP 1) would need to be within 10m of the public highway so requires moving. All other shared bin collection points for properties served by private access driveways are OK.

- Swept path plan indicates vehicle could access and turn on site without issue. - New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.

- Refuse and recycling bins will be required to be provided as an integral part of the development.

5.11 FDC Housing Strategy & Enabling Officer – 23.07.2024 - initial response

Confirm that they are happy with the proposed mix of tenure and dwelling sizes as this meets what was requested at outline stage under F/YR22/0062/O and reflects the local demand on the housing register.

5.12 FDC appointed Consultant Tree Officer – latest response – 10.09.2024

I have no objections with the amendments.

17.08.2024 - initial response

I suggest some minor changes to the landscape plans are made to consider the following to prevent future conflict and ensure trees are not removed or harshly pruned by residents:

Adjacent to plot 61 & 81 it shows a Gleditsia tree to be planted, the growth potential of this tree could become unsuitable for this location, so an alternative species with a more compact crown habit would be more suitable. The location of tree species in relation to their growth potential and future management needs to be considered to ensure they do not become a problem for future residents where harsh pruning or removal could occur.

A number of locations show Malus Tribulata e.g. adjacent to parking space 52 & 59, the fruit drop from these trees could present a slip hazard and nuisance resulting in removal of the trees by future residents. An alternative species which does not produce fruits would be more suitable in areas where canopies will overhang paths, drives etc. Trees with fruits are more suitable to areas where when they drop they fall on grass or flower beds where this nuisance is less likely to become an issue.

Around the play area there is space where a couple of trees such as Beech, Hornbeam and Oak could be installed, where they have the space to develop unhindered and become future landscape features where minimal management would be required. The species shown in this location is mainly ornamental tree species which have growth potentials and limited life expectancies, to offer more long term and wider visual amenity. Other locations where longer lived trees that have growth potentials to be large, prominent specimens with space to develop should be explored as well.

5.13 Natural England – 03.09.2024 - latest response

Natural England has no comments to make on this reserved matters application. Natural England has not assessed this application for impacts on protected species. Natural England has published Standing Advice which you can use to assess impacts on protected species or you may wish to consult your own ecology services for advice.

Natural England and the Forestry Commission have also published standing advice on ancient woodland, ancient and veteran trees which you can use to assess any impacts on ancient woodland or trees.

The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes. It is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment. Other bodies and individuals may be able to provide information and advice on the environmental value of this site and the impacts of the proposal to assist the decision making process. We advise local planning authorities to obtain specialist ecological or other environmental advice when determining the environmental impacts of development.

11.07.2024 - initial response

Same response as latest response reproduced above.

5.14 CCC Ecology Officer

No response received despite several requests for comments to be made.

5.15 Local Residents/Interested Parties

Objectors

16 responses have been received with the main concerns summarised are as follows:

- Loss of greenspace/agricultural land and impact on landscape;
- Flooding in area that will be made worse and foul drainage issues already exist;
- Increased congestion and highways safety concerns,
- Lack of existing infrastructure which is already at capacity and new required, such as schools, doctors, dentists,
- Overdevelopment, out of character of existing area, some buildings too high, no bungalows;
- Environmental impact from construction – noise and light pollution;
- Impact on wildlife including protected species; and
- Negative impact on house values.

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) and the March Neighbourhood Plan (2017).

7 POLICY FRAMEWORK – please delete as appropriate

7.1 National Planning Policy Framework (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

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

Public Spaces

Uses

Homes and Buildings

Resources
Lifespan

7.4 **Fenland Local Plan 2014**

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP4 – Housing
- LP5 – Meeting Housing Need I
- LP7 – Urban Extensions
- LP9 – March
- LP12 – Rural Areas Development Policy
- LP13 – Supporting and Managing the Impact of a Growing District
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP17 – Community Safety
- LP18 – The Historic Environment
- LP19 – The Natural Environment

7.5 **March Neighbourhood Plan 2017**

- H1 – Large Development Sites
- H2 – Windfall Development
- H3 – Local Housing Need
- TC1 – Primary Shopping Frontages
- TC2 – Regeneration Sites
- OS1 – Open Space

7.6 **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)

7.7 **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

7.8 **Developer Contributions SPD 2015**

7.9 **Cambridgeshire Flood and Water SPD 2016**

7.10 **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:

LP4: Securing Fenland's Future
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP11: Community Safety
LP18: Development in the Countryside
LP19: Strategic Infrastructure
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
LP30: Local Green Spaces and Other Existing Open Spaces
LP31: Open Space and Recreational Facilities
LP32: Flood and Water Management
LP34: Air Quality

8 KEY ISSUES

- **Principle of Development**
- **Consideration of the Layout of the proposals**
- **Consideration of the Scale of the proposals**
- **Consideration of the Appearance of the proposals**
- **Consideration of the Landscaping of the proposals**
- **Other conditions required to be submitted concurrently with the reserved matters**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

- 9.1 The outline planning application was allowed on appeal on the 31st January 2024 and the decision was subject to 19 planning conditions, the first of which requires that details of the appearance, landscaping, layout, and scale, (called "the reserved matters") should be submitted to and approved in writing by the Local Planning Authority.
- 9.2 Two further conditions require the submission of further details to be submitted concurrently with the submission of reserved matters as required by the first condition. The first relevant condition is number 6, where a scheme for the provision of external lighting together with a light impact assessment is required. The second is condition number 16, where details of a non-vehicular access for emergency services separate from the access off Upwell Road are also required.
- 9.3 The remaining conditions attached to the outline consent are a mixture of those requiring further details for approval – to be considered outside of this reserved matters application and relate to the following:

- Condition 4 – Construction Management Plan
- Condition 8 - Design and management and maintenance strategy of the surface water drainage of the site
- Condition 9 - Measures to avoid surface water during construction
- Condition 11 - Rights of Way upgrade details
- Condition 12 - Off site highways improvement details
- Condition 15 – Programme of archaeological works
- Condition 17 – Noise mitigation scheme relating to properties on Upwell Road
- Condition 18 – Travel Plan submission
- Condition 19 - Construction Environmental Management Plan

9.4 These details would be expected to come forward in due course, post approval of the reserved matters. The only conditions which can be imposed when a reserved matters application is approved, are conditions which directly relate to those reserved matters. Conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted.

9.5 Following the comments made on the original plans and details as submitted during the initial consultation period, further updates, revisions and information have been supplied from the applicant. These form the basis of the application details under consideration in this report.

10 ASSESSMENT

Principle of Development

10.1 The principle of a residential development for up to 110 dwellings was established under the outline permission F/YR22/0062/O which was allowed on Appeal on the 31st January 2024. The outline permission also approved the detailed vehicular access into the site from Upwell Road to the north.

10.2 The outline application assessed the transport impacts of the development for up to 110 dwellings and was considered to be acceptable by the Planning Inspector, subject to conditions. Furthermore, the Inspector reported that other matters relating to infrastructure provision, visual impact and the loss of agricultural land, flooding and foul water provision as well as the living conditions of occupiers were all considered to be satisfactory, subject to conditions.

10.3 As such, whilst the concerns raised by some residents through this reserved matters submission are noted, many of these matters were explored at the outline stage and found to be acceptable or not material in the decision made by the Planning Inspector. As such, it is not appropriate to re-visit the principle of development. This application seeks to agree the reserved matters relating to the development in more detail regarding layout, scale, appearance and landscaping with many other matters such as drainage, for example, still to be dealt with by details to be submitted via conditions.

Consideration of the Layout of the proposals

10.4 The definition of 'Layout' means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development. The application as

submitted and revised includes the following drawings and documents relating to the Layout of the site:

- Layout Plan;
- Public Open Space Landscaping and Play Area plans;
- Parking Statement;
- Electric charging points Plan;
- Connectivity Plan;
- Design Compliance document,
- Building Healthy Life Assessment
- Refuse Plan
- Non vehicular Emergency Access Plan
- Existing and proposed levels and final floor level plan; and
- Highways General Arrangement Drawings.

- 10.5 Although the Parameters Plan submitted as part of the outline planning application was not an approved Plan as part of the Appeal decision, it nevertheless established some fundamental principles which have been taken into account during the designing of the layout. This included:
- The creation of a vehicular access off Upwell Road.
 - A 3 metre wide easement along the ditch forming the eastern boundary of the site
 - A surface water attenuation ponds located in the southeastern corner as this is the lowest point of the site.
 - Open frontage into the site off Upwell Road.
 - Play space provision
 - Outward-facing properties along the southern boundary.
 - Public footpath provision along the southern boundary.
- 10.6 The layout has built upon the principles described above which results in a blended mix of 1, 2, 3, and 4-bed properties on site, with all properties meeting 100% NDSS. Affordable units are pepper-potted around the development to avoid large affordable clusters.
- 10.7 Access to the proposed properties would be via a main primary road coming down from Upwell Road off which are a number of secondary streets and driveways. The primary street has street trees where possible, with shared surfaces having different materials and therefore distinguishing the difference between the road and streets on the development. The inclusion of shared surfaces with block paving around the site, balancing the movement of vehicles and pedestrians around the site. This encourages the shared use of roads and slower moving traffic. The Local Highways Authority raise no objection to the proposed layout and comment that the internal roads are in principle suitable for adoption.
- 10.8 Dual elevation units are also placed on street corners to address multiple viewing aspects and overall, the Designing Out Crime Officer does not object to the proposals and initial comments have been incorporated into updated plans. Notwithstanding this, the Officer recommends a few other design features which require attention, and these can be secured via condition.
- 10.9 Tandem parking is used along the majority of the main primary street, allowing for a strong frontage that is not dominated by frontage parking. Car parking is in compliance with Fenland Parking Guidance, with 1 beds having 1 space, 2 & 3 beds have 2 spaces, and 4 beds having 3 spaces. Plots are also set back slightly further, allowing for more room for threshold planting to the front of plots.

- 10.10 Waste/bin storage are located in the rear gardens and will be presented during collection times. Although slightly more inconvenient for owners, this is not an unacceptable arrangement, is less unsightly and avoids a reduction in the size of the plot frontages. The location of the bins have been revised to account for the comment made by FDC Environmental Services.
- 10.11 The Layout show the proposals including pockets of open space including an area as the primary street comes into the site and an area on the western side in the middle of the site as well other open areas around the attenuation pond. With regards to all these areas the front elevation of proposed dwellings look out over them, thus allowing a positive degree of surveillance that would assist in making these areas appear safer and reduce the likelihood of anti social activities. The public open space in the middle of the site includes a LEAP provision of 405 square metres, well above the required level of provision in the Local Plan to allow for play provision enhancements for this area of March. It is positioned so all residents can access it, as well as existing residents off Cavalry Drive.
- 10.12 In respect of connectivity, the Bridleway will be improved along the western boundary running north to south, along with the PRoW running west to east along the southern boundary. A financial contribution has been secured in the Section 106 agreement for Bridleway improvements along the western boundary, with the PRoW along the southern boundary improved as part of this Reserved Matters application. A 3m footpath formalises the currently trodden footpath and joins Cavalry Drive with the wider countryside to the east. Footpath connectivity throughout the site is provided by the primary street, allowing for safe walking routes to the LEAP provided on site, along with further connectivity to the public footpaths.
- 10.13 Overall, the aspects relating to 'Layout' within the development are considered to be acceptable and accords with Policy LP16 of the Local Plan and Policy H2 of the March Neighbourhood Plan.

Consideration of the Scale of the proposals

- 10.14 The definition of 'Scale' means the height, width and length of each building proposed within the development in relation to its surroundings. The application as submitted and revised includes the following drawings and documents relating to the Scale of the proposed buildings:
- Storey Heights Plan;
 - House type and elevation plans, sub station and pumping station plans;
 - Existing and proposed levels and final floor level plan; and
 - Design Compliance document.
- 10.15 All but four properties are 2-storey in height, and whilst there are a number of single storey bungalows in the surrounding area there are 2-storey dwellings on Upwell Road to the north and Cavalry Drive to the west. Therefore, 2-storey dwellings are in scale with the existing properties in the vicinity of the site. A pair of the 2 ½ storey dwellings are located on a key vistas when entering the site from Upwell Road to enhance the street scene. The other pair of 2 ½ storey dwellings are located towards the centre of the site to reduce amenity impact on nearby residents along Cavalry Drive. On this basis the minimal inclusion of 2 ½ storey dwellings is considered acceptable and introduces a subtle variance to the majority of 2 storey dwellings. The width and length of the dwellings result in shaped rectangular dwellings of a size that would be expected for the various bedrooms each property has. In conclusion, the development is not anticipated to result in any severe amenity

impacts on existing residents and would provide a high standard of amenity for future occupiers. Overall, the aspects relating to 'Scale' within the development in relation to its surroundings and the layout are considered to be acceptable and accord with Policy LP16 of the Local Plan and Policy H2 of the March Neighbourhood Plan.

Consideration of the Appearance of the proposals

- 10.16 The definition of 'Appearance' means the aspects of a building or place within the development which determines the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture. The application as submitted and revised includes the following drawings and documents relating to the Appearance of the proposals:
- House type and elevation plans, sub-station and pumping station plans;
 - Materials Plan;
 - Materials Statement;
 - Lighting Plan;
 - Surfacing Plan; and
 - Design Compliance document.
- 10.17 The plans provided illustrate that would be a variety of house types provided but with some commonality of appearance across the scheme to ensure that a sense of place is established.
- 10.18 The materials proposed are detailed in the Materials Plan showing three types of bricks to be used for different properties across the site. Roofing would be provided in a rustic or light grey colour. Materials and house types are reflective of local character on new build developments throughout March. The mixture of bricks would replicate the local character on Upwell Road and Cavalry Drive.
- 10.19 Windows on site will be of a traditional white colour to blend in with the local characteristics of east March, creating a more traditional looking new build. Horizontal bars will be used on all properties to enhance the detailing of the windows to be in keeping with the local area. All front elevational windows will have brick cills and headers to treat the elevations. This adds detailing whilst being subtle through providing the cills and headers in the same/similar coloured brick.
- 10.20 It is considered that the materials proposed are suitable for the dwellings proposed in this locality and therefore the aspects relating to 'Appearance' within the development are considered to be acceptable and accord with Policy LP16 of the Local Plan. and Policy H2 of the March Neighbourhood Plan.

Consideration of the Landscaping of the proposals

- 10.21 The definition of 'Landscaping' means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated. The application as submitted and revised includes the following drawings and documents relating to the Landscaping of the land:
- Public Open Space Landscaping Plans;
 - Landscape and Ecological Management Plan;
 - Boundaries Plan;
 - Surfacing Plan;
 - Existing and proposed levels and final floor level plan; and
 - Design Compliance document.

- 10.22 As an agricultural field, the site has limited landscaping features but does have large trees/hedgerows along the western boundary which are to be retained and enhanced through the landscaping scheme. The landscaping scheme has been developed to provide a wide variety of habitats for a range of flora and fauna and includes planting details for the areas of open space and the attenuation feature showing the provision of trees, specimen shrubs, hedgerows planting, other shrubs as turf and grassland seeding. The planting details have been updated following comments of the Tree consultant who has reviewed them. A Landscape & Ecological Management Plan has been prepared and this document provides a comprehensive schedule of maintenance for annual operations and long-term management plan for the proposed open spaces.
- 10.23 The primary street has a number street trees, with shared surfaces having different materials and therefore distinguishing the difference between the road and streets within the development. Defensible threshold planting has been included to the front of plots, with a variety of species of planting. Larger front gardens along the primary road allow for residents to personalise the front of their homes.
- 10.24 A mixture of close-board fencing, brick walls, and metal estate railing are proposed throughout the site. This now includes brick walls along the primary street where fencing would have been too exposed. The brick walls will match the adjoining property to allow for continuity in the street scene. Close-board fencing separates properties and provides security for future residents. Minimal fencing will be seen from the street scene along the primary street, and most private drives abutting open space have been separated using 1.2m metal estate railing.
- 10.25 The proposed land levels broadly reflect the existing ground levels in order to facilitate the layout proposed. A retaining wall ranging between 0.5 and 1.5 metres is proposed along the edge of the properties next to the 3 metre drainage easement strip where ground levels begin to fall away towards the ditch that will allow that strip to be traversed for its intended purpose.
- 10.26 Overall, the It is considered that the details submitted protect and enhance the amenities of the site and the area in which it is situated and therefore the aspects relating to 'Landscape' within the development are considered to be acceptable and accord with Policy LP16 of the Local Plan and Policy H2 of the March Neighbourhood Plan.

Other conditions required to be submitted concurrently with the reserved matters

- 10.27 Two of the conditions attached to the Appeal permission require the submission of further details to be submitted concurrently with the submission of reserved matters as required by the first condition. The first relevant condition is number 6, where a scheme for the provision of external lighting together with a light impact assessment is required. In this respect the required details have been submitted as part of the application. In the absence of comments from the County Council's Ecologist it is considered that the assessment report has been undertaken by a specialist consultant who is a Member of the Institution of Lighting Professionals and that the street lighting design has be undertaken in accordance with the standards and guidance documents expected of such an assessment. The assessment concludes that proposed street lighting has been designed to reduce any adverse impacts on the surrounding environment which could have been caused by poorly designed

lighting, as per recommendations of ILP Guidance Note 08/23: Bats and artificial lighting in the UK and, ILP Guidance Note 01/21: The Reduction of Obtrusive Light.

- 10.28 As such it is concluded that subject to the implementation of the design measures the proposed street lighting design, with a dark corridor being maintained across the western boundary (where bats were positively identified during the survey) can be discharged as part of this reserved matters application.
- 10.29 The other relevant condition (number 16), requires details of a non-vehicular access for emergency services separate from the access off Upwell Road. In this respect, a plan has been submitted showing a 2-metre wide tarmacked non-vehicular emergency access from the new footpath proposed within the site in the south western corner of this through to Cavalry Drive to the west of the site. The implementation of the works shown on this plan is considered to provide an adequate arrangement for non-vehicular access to the site for emergency services should the main access into the site from Upwell Road become unpassable in an emergency.

Biodiversity Net Gain (BNG)

- 10.30 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.
- 10.31 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 because the approval of reserved matters for outline planning permissions is not subject to the biodiversity gain condition (as it is not a grant of planning permission).

11 CONCLUSIONS

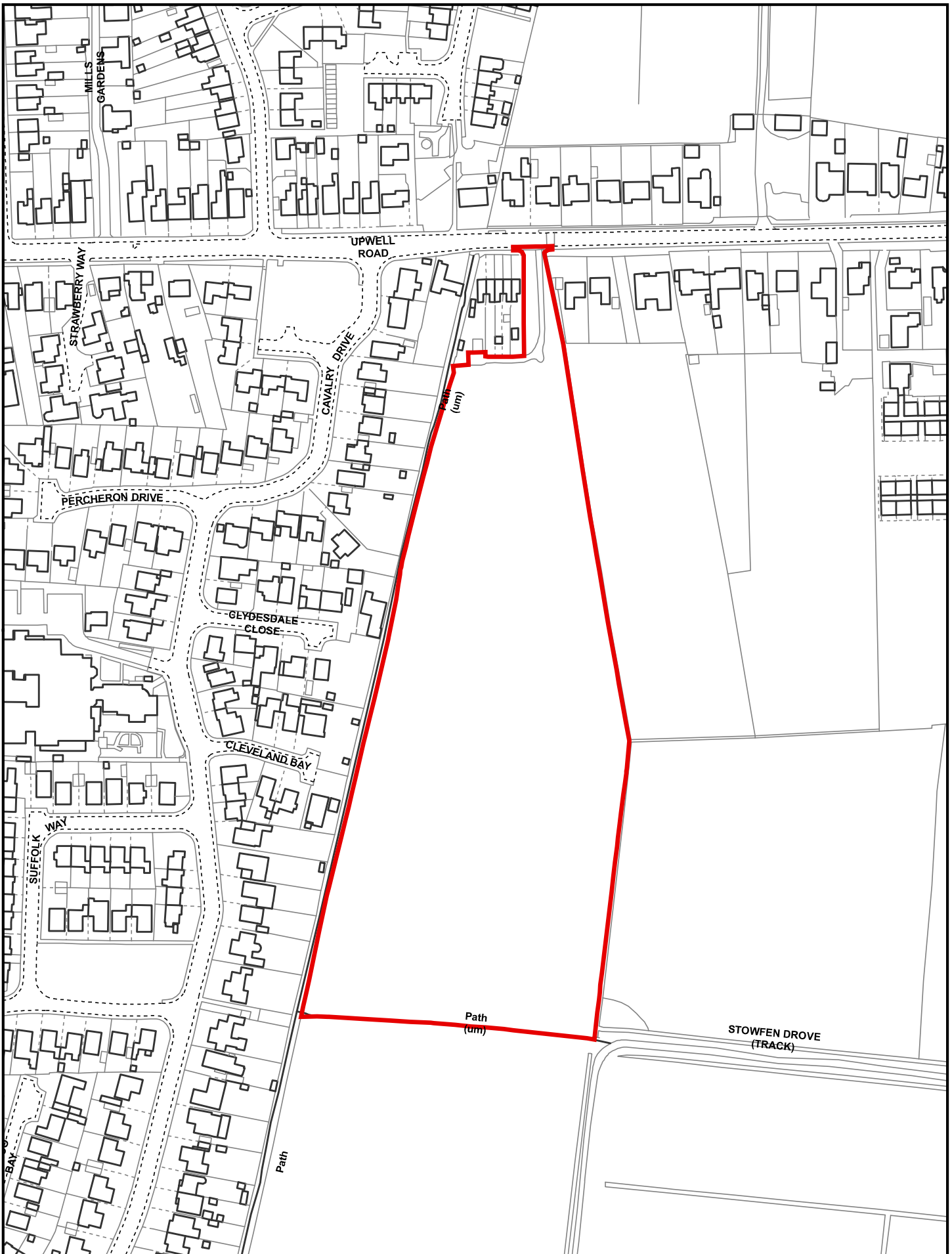
- 11.1 As set out within the above Assessment of key issues, it is considered that the submitted details in respect of the layout, scale, appearance and landscaping of the proposed development are acceptable and accord with adopted Local Plan Policies. The application is therefore recommended for approval subject to recommended conditions. Details required to be submitted in line with conditions 6 and 16 of the outline permission are also acceptable and therefore can also be approved as part of a decision.

12 RECOMMENDATION

- 12.1 **Approve subject to the following conditions;**

1.	<ul style="list-style-type: none">• Notwithstanding the plans submitted no development above slab level shall take place until further details in respect of securing appropriate surveillance and/ or crime prevention measures have been submitted to and approved in writing with the Local Planning Authority to in relating to the following:
----	--

	<ul style="list-style-type: none"> • Lighting at plots 1/2, 33/34, 46/47, 66-72, and 94-97; • Boundary treatment to plots 4-7 and 109; and • Gable end treatments of properties on plots 4 and 109. <p>Details as approved shall thereafter be implemented as part of the development.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 and Policy LP17 of the Local Plan.</p>
2.	<p><i>Solar panels</i></p> <p>No development above slab level shall take place until details of the location, amount and type of solar panels to placed on the roof of each dwelling shall be submitted to and approved in writing with the Local Planning Authority and thereafter implemented prior to the occupation of each dwelling.</p> <p>Reason: To ensure the details of solar panels are delivered as put forward in the application in line with part A of Local Plan policy LP14 and in the interests of visual amenity in accordance with Policy LP16 of the same.</p>
3.	<p><i>Fire Hydrants</i></p> <p>No development above slab level 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>
4.	<p><i>Landscaping implementation</i></p> <p>All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
5.	<p><i>Approved plans and documents to be implemented</i></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents submitted with the application:</p>



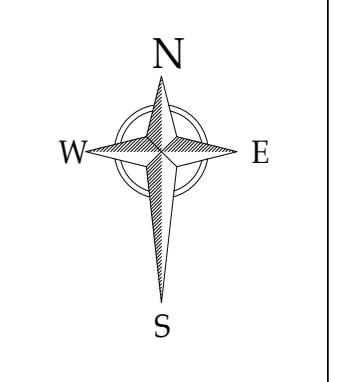
Created on: 21/06/2024

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F/YR24/0509/RM

Scale = 1:2,500





key

- SITE BOUNDARY
- EXISTING PROW
- R AFFORDABLE RENT
- SO SHARED OWNERSHIP
- INDICATIVE TREE PLANTING

house type schedule

Type	Beds	Storey	Size	No
S106				
AP1336	1	2	590sq.ft	3
AP1328	2	2	746	3
P855	2	2	855	3
P1001	3	2	1001	9
P1001C	3	2	1001	1
P1165	4	2	1165	3
TOTAL				22
PRIVATE				
P855	2	2	855	28
P1001	3	2	1001	35
P1001C	3	2	1001	7
C309	3	2.5	1116	4
C307	3	2	979.5	4
P1165	4	2	1165	10
TOTAL				88
GRAND TOTAL				110units
SITE GROSS AREA			3.9 ha	
NET AREA			2.87ha	
DENSITY			38dph	

Revisions:

Rev E: Build outs added to shared surface, ped vs plays added.	18.9.24
Rev D: Updated in line with Highway comments.	17.9.24
Rev C: Eastern drainage easement updated.	12.8.24
Rev B: Southern PROW widened to 3m.	8.8.24
Rev A: Attenuation area amended.	5.8.24

NW DESIGN

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PROJECT: UPWELL ROAD, MARCH, CAMBS

TITLE: PLANNING LAYOUT

CLIENT: ALLISON HOMES EAST
FLEET HOUSE
CYGNET ROAD
HAMPTON
PETERBOROUGH
PE7 8FD

SCALE: 1:500 @ A1 DATE: JULY 2024 DRAWN: NAW REVISION: E

DRAWING NUMBER: 1353-004

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F/YR24/0562/F

Applicant: Mr S Howard

**Agent : Mr Lee Bevens
L Bevens Associates Architects Ltd**

2 Doddington Road, Chatteris, Cambridgeshire, PE16 6UA

Erect 14 dwellings (2-storey, 4 x 2-bed, 10 x 3-bed) with associated garages and parking and formation of a new access involving demolition of existing dwelling and storage building

Officer recommendation: Refuse

Reason for Committee: Town Council and local resident representations contrary to officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 8 October 2024

EOT in Place: Yes

EOT Expiry: 1 November 2024

Application Fee: £8736

Risk Statement:

This application must be determined by 1 November 2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- 1.1 Outline planning permission, with all matters reserved, was previously granted for 9No. dwellings on the site on 7th January 2022 (planning permission reference: F/YR21/0842/O).
- 1.2 The current planning application seeks full planning permission to erect 14No. two-storey dwellings, with associated garages and parking, formation of a new access, and demolition of an existing dwelling and storage building.
- 1.3 Due to its prominent position and visibility, its substantial massing of a predominantly blank brick wall elevation with no fenestration features or visual interest, the north elevation of the proposed dwelling of Plot 1 results in a poor standard of design and public realm within the development; failing to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment and reinforce local identity, contrary to policy LP16 of the Fenland Local Plan 2014.
- 1.4 Due to the proposed dwellings of plots 13 and 14 resulting in significant

overlooking impacts and loss of privacy to the private outdoor amenity space serving No.4B Doddington Road; the private outdoor amenity spaces of plots 2 and 9 significantly overlooking other dwellings within the proposed development; and the siting of the proposed parking spaces for Plot 3 resulting in a poor standard of outlook and amenity for occupiers of Plot 4, the proposed development would result in significant harm to the residential amenity of one existing neighbouring property and it would provide a poor standard of residential amenity to future occupiers of three of the proposed dwellings, contrary to policies LP2 and LP16 of the Fenland Local Plan 2014.

1.5 The application is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site contains a detached two-storey dwelling (No.2 Doddington Road) and a vehicular access along the south-east side of the dwelling, leading to a parking area, a detached outbuilding, a static caravan and grass land to the rear of the residential curtilage of No.2 Doddington Road. The application site is surrounded by close boarded fencing (circa 1.8-2 metres high) and there are some trees located within the site adjacent to the south-west boundary. The application site measures 0.46 hectares in area.
- 2.2 The site is located approximately 65 metres to the north-west of the roundabout junction of the A141 and A142 to the north of Chatteris.
- 2.3 The site is located on the south-west side of the Doddington Road, with the access into the car park of the Green Welly Café, Motel and Garden Centre situated to the south-east and residential properties located to the north-east, north-west and south-west. There are trees located on neighbouring land adjacent to the south-east boundary of the application site.

3 PROPOSAL

- 3.1 The application seeks full planning permission to erect 14No. two-storey dwellings, with associated garages and parking, formation of a new access, and demolition of an existing dwelling and storage building.
- 3.2 The proposed dwellings would comprise:
- 4No. 2-bedroom semi-detached dwellings (measuring 11 metres in width, 9.6 metres in depth, 9 metres at the ridge and 5.3 metres at the eaves – excluding garages).
 - 8No. 3-bedroom semi-detached dwellings (measuring 11 metres in width, 9.6 metres in depth, 9 metres at the ridge and 5.3 metres at the eaves – excluding garages).
 - 2No. 3-bedroom detached dwellings (measuring 6.6 metres in width, 8.75 metres in depth, 9 metres at the ridge and 5.4 metres at the eaves – excluding garages).
- 3.3 The external surfaces of the dwellings and garages are proposed to be finished with facing brick walls, and slate and tile roofs, with specific details to be agreed with the Local Planning Authority.
- 3.4 Full plans and associated documents for this application can be found at:

4 SITE PLANNING HISTORY

4.1

Reference	Description	Decision
F/YR21/0842/O	Erect up to 9no. dwellings (outline application with all matters reserved) involving demolition of existing dwelling	Granted 7 th January 2022
F/YR05/0114/O	Residential development (0.42ha) Land south-west of 4 Doddington Road	Refused 21.03.2005 APP/DO515/A/05/1179132 - Appeal allowed 24.04.2006

5 CONSULTATIONS (SUMMARISED)

5.1 Chatteris Town Council

Support. Previous approved application stipulated some trees should be protected and those trees have been removed; request those trees are replaced. Another survey to test soil for contamination should be required. If application is granted request Section 106 contribution of £2,000 per dwelling for facilities in Chatteris.

5.2 CCC Local Highway Authority

Recommendation

Consider the proposed development is acceptable.

Comments

This development site received Outline Planning Permission for 9 dwellings under application number F/YR21/0842/O. Although this was for less dwellings and was an all matters reserved application, do not believe the addition of 5 more dwellings will have a material impact on the safety of the junction with the highway.

It is not clear of the internal road will be offered for adoption at this stage but have the following comments should the applicant wish to do so:

- Plot 9 is too close to the shown maintenance strip and would need to be relocated to make the road acceptable for adoption.
- No private surface water will be permitted to enter the highway.
- Allocated parking is not permitted in the highway. Plot 14 parking would therefore not be adoptable and must be drained independently from the highway's surface water system.
- Trees within 5m of the highway will need to be planted in tree pits.

5.3 Lead Local Flood Authority

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

1. Discharge Location

The proposals are to discharge surface water into the ground, however, no infiltration testing has been completed. It is noted that the proposals are to discharge into a foul sewer if infiltration were to fail, however this is not a viable point of discharge on the drainage hierarchy. Until infiltration testing in line with BRE365 has been undertaken to demonstrate that infiltration is viable, or a suitable alternative in the event infiltration testing fails, we are unable to support this application.

5.4 **Anglian Water**

ASSETS

Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

WASTEWATER SERVICES

Section 2 - Wastewater Treatment

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.

Section 3 – Used Water Network

This response has been based on the following submitted documents: Flood Risk Assessment and drainage strategy 3325 – FRA & DS– July 2024. The sewerage system at present has available capacity for these flows.

Section 4 - Surface Water Disposal

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

The Flood Risk Assessment and drainage strategy 3325 – FRA & DS– July 2024 submitted with the planning application indicates that the surface water from the proposed site should be discharge via infiltration systems however it also quotes that in the unlikely event percolation testing reveals insufficient infiltration rates, the only viable discharge option will be the existing foul sewer along Doddington Road.

Anglian Water needs to ensure the surface water hierarchy has been followed and will not agree, even in principle, to a surface water connection into the designated foul network until all other options have been proven unfeasible.

A surface water connection into the Anglian Water designated foul sewer has the potential to have unacceptable risk downstream. Further assessment is required to establish whether network reinforcement is required. This assessment and any necessary reinforcement work will be at the developers cost.

Request a condition be applied if permission is granted. The purpose of the planning system is to achieve sustainable development. This includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy. It is appreciated that surface water disposal can be dealt with, in part, via Part H of the Building Regulations, it is felt that it is too late at this stage to manage any potential adverse effect. Drainage systems are an early activity in the construction process and it is in the interest of all that this is dealt with early on in the development process.

Section 5 - Suggested Planning Conditions

Anglian Water would therefore recommend the following planning condition if the Local Planning Authority is mindful to grant planning approval.

- No development shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the strategy.

5.5 Cambridgeshire Fire and Rescue

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

5.6 FDC Environmental Health

Whilst no objection to this application, notes that this development will be subject to noise from nearby road traffic on Doddington Road and the A141, and from the nearby commercial operations including a salvage yard. Therefore recommends a noise condition.

Also notes that the application involves demolition work and the construction of 14 houses in close proximity to other residential property. Therefore recommends a Construction Environment Management Plan condition.

Finally, a previous Phase 1 Ground Assessment carried out in support of a previous application for nine houses on this site identified the potential isolated contamination within shallow soils as a result of previous uses of the application site. While the report states the site is generally suitable for the proposed development, it recommends that a further more intrusive investigation be undertaken with regards to the potential for contamination on site that could be to the detriment to future users of the site and advises that sampling will be required that will determine the extent of the contamination. Therefore, recommends a contamination condition.

5.7 NHS Cambridgeshire and Peterborough Integrated Care System

The proposed development is likely to have an impact on the services of the 1 x GP Practices operating within the vicinity of the application: George Clare Surgery. This practice does not have capacity to take on additional patients and this development of number of dwellings would see an increase patient pressure of circa 33 of new residents which would require additional workforce and result in an increase on estate demand.

A developer contribution will be required to mitigate the impacts of this proposal. CAPICS calculates the level of contribution required to be £12,036.10.

CAPICS requests that this sum be secured through a Section 106 planning obligation – with the proposal that the sum be used to fund a project which increases clinical capacity at one of the GP Practices in the vicinity of the development, or any project at an alternative premises in the vicinity of the Practices/development which increases primary healthcare capacity.

CAPICS has identified that the development will give rise to a need for additional primary healthcare provision to mitigate impacts arising from the development. The capital required through developer contribution would form a proportion of the required funding for the provision of capacity to absorb the patient growth generated by this development. Assuming the above is considered in conjunction with the current application process, CAPICS would not wish to raise an objection to the proposed development. Otherwise, the Local Planning Authority may wish to review the development's sustainability if such impacts are not satisfactorily mitigated.

5.8 FDC Environmental Services (Waste)

To allow access the private road (shared surface street) would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from landowners or future management company against any potential damage to the road surface etc. which may be caused during vehicle operations.

A swept path plan would be required to demonstrate that a refuse vehicle could access the site turn and leave the site in a forward direction.

New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.

Refuse and recycling bins will be required to be provided as an integral part of the development

5.9 NHS East of England Ambulance Service

This development will affect March and St Ives ambulance stations and Ely, Peterborough Hub and ambulance stations which respond to emergency incidents within the local area as well as impact on the regional call centres.

In order to make this development acceptable it is requested a capital contribution from developers is made towards the provision Emergency Ambulance Service Infrastructure which may be the nearest Hub, local ambulance station(s), provision of additional ambulance vehicles to support the population growth from this development.

This development will generate another 29 residents who are likely to need emergency ambulance services at least 7 times per annum on already constrained emergency ambulance services. Expansion at March, Ely and St Ives are not available (March and Ely were built in 1970 and St Ives in 1980s)

The capital required to create additional ambulance services to support the population arising from the proposed development is calculated to be £3,900 and are for the impact of this development only.

The capital required would provide financial resources for EEAST to absorb the additional patient demand generated by this development on emergency ambulance health services. New developments place additional demand on our existing infrastructure without any direct associated funding.

This additional capital funding would be allocated, in agreement with the local council, to support:

- Creation of an additional ambulance station/response post in a more suitable location to meet the increased local demand arising from this housing development.

5.10 Housing Strategy & Enabling Officer

Policy LP5 of the Fenland Local Plan seeks 25% affordable housing on developments where 10 or more homes will be provided.

The Fenland Viability Report (March 2020) indicates that 20% affordable housing is likely to be the maximum level of provision that can be achieved through planning obligations.

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

Based on the provision of 20% affordable housing 3 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 2 affordable rented homes and 1 shared ownership based on the provision of 20% affordable housing.

Fenland's current approach is to agree that sites that yield less than 10 (i.e. 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision.

If the applicant chooses to provide a financial contribution rather than seek an Registered Provider to deliver the on-site affordable housing, the affordable housing financial contribution will be calculated in accordance with the mechanism provided in the Local Plan policy.

5.11 Cambs Police - Designing Out Crime Team

Considers the proposed location to be an area of low to medium risk to the vulnerability to crime.

The site layout plan looks acceptable.

Recommends any active frontages are overlooking the public realm and open spaces to maximise surveillance across the development, which should encourage some level of territoriality amongst residents. The parking layout indicates vehicles to the front of each dwelling and most appear to be overlooked by the resident or neighbouring properties to increase natural surveillance.

Provides recommendations in respect of external lighting, doorsets, windows and openings, boundary treatments, rear footpaths, cycle storage, landscaping, solar panels and EV charging points.

Encourages the applicant to consider submitting a “Secured by Design” (SBD) Homes Guide 2024 application. Believes the development could attain this award with consultation.

5.12 Local Residents/Interested Parties

Objection

Nine representations of objection have been received from local residents. The views expressed within those representations are summarised below:

- Overdevelopment of the site – too many dwellings.
- Trees have been felled within the site, causing habitat loss. The baseline on-site habitat has been incorrectly applied for Biodiversity Net Gain, as it does not account for the trees felled since 30th January 2020.
- The revised Preliminary Ecological Appraisal with BNG report states the baseline on-site habitat value is 3.17 habitat units, however the BNG Metric states it is 0.69 habitat units.
- Loss of light to 19, 25 and 27 Fillenham Way.
- Insufficient parking provision.
- Detrimental highway safety and traffic congestion impacts.
- The proposed road would block safe access to 4 Doddington Road.
- Planning permission F/YR19/0834/O has a condition requiring widening of the Doddington Road footway to 2 metres wide between the Doddington Road access and the A141 roundabout. The design of the proposed access should not hinder this.
- Doctors surgeries do not have capacity to take on additional patients.
- No new doctors or schools will be built to accommodate the additional residents.
- Noise and light pollution to neighbouring properties.
- Surface water drainage impacts.
- The proposed access road and adjacent trees would result in 4 Doddington Road being more vulnerable to crime.

Support

55 representations of support / no objection have been received from local residents. The views expressed within those representations are summarised below:

- New homes are needed in Chatteris.
- There is a national housing shortage and the Government wants houses to be built.
- It mirrors the adjacent Abbot Walk (Persimmon) development.
- The proposed dwellings would be more suitable and provide more benefit than the 9 larger dwellings previously approved on the site.
- Provides smaller affordable homes for the younger generation (potentially rental).

- Perfect location with access to shops.
- Would provide substantial landscaping and tree planting, which would ensure privacy and provide nice living spaces for future occupiers, a would create habitat for wildlife.
- Would be an asset to the town and good for the community.
- There is vast space down Doddington Road and the area is not overcrowded.
- Great design.
- Do not anticipate the proposal would return traffic levels, or noise, to that which existed when the Green Welly Café operated as an overnight truck stop.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (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 and beautiful places

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

Chapter 15 – Conserving and enhancing the natural 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

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

- LP4 – Housing
- LP5 – Meeting Housing Need
- LP10 – Chatteris
- 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

7.5 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021
Policy 5 - Mineral Safeguarding Areas

- 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
 - DM4 – Waste and Recycling Facilities
 - DM6 – Mitigating Against Harmful Effects

7.7 Developer Contributions SPD 2015

7.8 Cambridgeshire Flood and Water SPD 2016

7.9 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
- 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
- LP31: Open Space and Recreational Facilities
- LP32: Flood and Water Management

8 KEY ISSUES

- Principle of development
- Housing mix
- Flood risk and drainage
- Visual amenity
- Residential amenity
- Highway safety and parking provision
- Minerals safeguarding
- Community Infrastructure and Planning Obligations
- Biodiversity Net Gain (BNG)

9 BACKGROUND

- 9.1 Outline planning permission, with all matters reserved, was granted for 9No. dwellings on the site on 7th January 2022 (planning permission reference: F/YR21/0842/O). No reserved matters application has currently been submitted.

10 ASSESSMENT

Principle of development

- 10.1 Policy LP3 of the Local Plan states that the focus for the majority of growth is in and around the four market towns.
- 10.2 Policy LP4 of the Local Plan supports the principle of housing development of up to 249 dwellings on the edge of market towns.
- 10.3 The proposed development is for 14 dwellings adjoining the edge of Chatteris, which is one of Fenland's four market towns. The location of the proposed development therefore complies with policies LP3 and LP4 of the Local Plan.
- 10.4 The planning history of the site is also a material planning consideration relevant to the determination of the current planning application. Therefore, it is relevant to note that the principle of residential development on the site has already been established (albeit for a smaller quantum of development) by extant planning permission F/YR21/0842/O.

Housing mix

- 10.5 Policy LP3 of the Local Plan states that development should provide the scale and mix of housing types that will meet the identified need for Fenland (as informed by an up-to-date Cambridge Sub Region Housing Market Assessment (SHMA)) and a range of new job opportunities in order to secure balanced communities.
- 10.6 The latest SHMA suggests the following mix of homes size by tenure as a strategic mix for Fenland for the 2020-2040 period.

Size	Market	Affordable homes to buy	Affordable homes to rent
1 bedroom	0-10%	20-25%	35-45%
2 bedrooms	20-30%	35-45%	35-45%
3 bedrooms	40-50%	25-35%	10-20%
4+ bedrooms	20-30%	5-10%	0-10%

- 10.7 The application proposes the following housing mix:
- 4No. 2-bedroom dwellings (combined mix of market and affordable dwellings - 29%)
 - 10No. 3-bedroom dwellings (combined mix of market and affordable dwellings - 71%)

10.8 Although the proposal does not include any 1 bedroom or 4+ bedroom dwellings, due to the small-scale of the proposed development, viability considerations and the proposed mix meeting an identified need, on balance, the proposed housing mix is considered to be acceptable.

Flood risk and drainage

- 10.9 The application site is located within Flood Zone 1 (low probability of flooding from rivers and sea) and within an area at low and very low risk of flooding from all other sources.
- 10.10 Policy LP14 of the Local Plan requires all applications for relevant developments to include a drainage strategy to demonstrate that suitable consideration has been given to surface water drainage.
- 10.10 Policy LP16 of the Local Plan requires proposals for all new development to demonstrate that the site is suitable for its proposed use with layout and drainage taking account of ground conditions, with no significant surface water impacts.
- 10.11 Paragraph 175 of the National Planning Policy Framework states that major developments should incorporate sustainable drainage systems, unless there is clear evidence that this would be inappropriate, and that the systems used should take account of advice from the Lead Local Flood Authority.
- 10.12 The Cambridgeshire Flood and Water Supplementary Planning Document states that British Geological Society mapping only serves as a high-level indication of broad geological areas and is not to be used as a substitute for a comprehensive site investigation and soakage testing (paragraph 6.2.5). In addition, the Cambridgeshire Flood and Water SPD states that a comprehensive investigation should be carried out at the earliest stage of the planning process to establish ground conditions (paragraph 6.2.4); that the potential for infiltration measures on a site should be considered at the outset (paragraph 6.3.18); and that *infiltration should be assessed on-site using infiltration tests that follow the detailed SuDS design principles covered in BRE365/CIRIA 156 procedure* (paragraph 6.3.20).
- 10.13 Figure 6.8 of the Cambridgeshire Flood and Water SPD provides a surface water drainage hierarchy, which is consistent with the surface water drainage hierarchy

contained within National Planning Practice Guidance. Figure 6.8 of the Cambridgeshire Flood and Water SPD states that rainwater shall discharge to the following, listed in order of priority:

1. To ground in an adequate soakaway or some other adequate infiltration system; or where that is not reasonably practicable
2. A watercourse; or where that is not reasonably practicable
3. A surface water sewer, highway drain or other drainage system; or where that is not reasonably practicable
4. A combined sewer.

10.14 British Geological Survey mapping indicates that the site is underlain by a bedrock geology of the West Walton formation and Ampthill Clay Formation, Mudstone, which is a low permeability geology. However, there are superficial deposits of sand and gravel (March Gravels Member) also present in the vicinity of the application site, which is a more permeable geology. The original Flood Risk Assessment & Sustainable Drainage Strategy stated that infiltration into the March Gravels Member layer could be feasible, depending on percolation testing which would occur before the detailed design phase.

10.15 The original Flood Risk Assessment & Sustainable Drainage Strategy proposed to discharge surface water via ground infiltration, which is the first preference for surface water disposal specified within the surface water drainage hierarchy. However, at the time of the Lead Local Flood Authority's consultation comments being received, no infiltration (percolation) testing had been completed within the application site to demonstrate whether ground infiltration was feasible. The Lead Local Flood Authority therefore objected to the application and stated that they are unable to support it until infiltration testing, in line with BRE365, has been undertaken to demonstrate that infiltration is viable; or that, in an event of infiltration testing failing, a suitable alternative method of surface water disposal is proposed.

10.16 More recently, a revised Flood Risk Assessment & Sustainable Drainage Strategy (Rev A) has been received which states that infiltration testing on site failed, meaning that the site drainage rates of the tests (to CIRIA standards) were not plausible to discharge via on-site infiltration. Following demonstration that infiltration is not possible, the revised Flood Risk Assessment & Sustainable Drainage Strategy proposes to discharge surface water into an existing watercourse located to the north-east of the site, adjacent to the Slade End roundabout. Whilst there has been insufficient time in advance of publishing this report to obtain Lead Local Flood Authority advice on the latest Flood Risk Assessment & Sustainable Drainage Strategy, the revised drainage strategy follows the surface water drainage hierarchy, thereby addressing the initial concerns of the Lead Local Flood Authority. Should this method of surface water disposal prove to be unfeasible at a later stage, the development would be required to explore other drainage options following the surface water drainage hierarchy. On the basis of the information submitted, it is considered that a suitable, detailed surface water drainage strategy could be reasonably secured by a planning condition in any event of planning permission being granted. This detail would be required prior to the commencement of any development.

10.17 It is therefore considered that the application broadly demonstrates that the layout and drainage of the proposed development takes account of the ground conditions and, subject to a planning condition, would have acceptable surface

water impacts, in accordance with policies LP14 and LP16 of the Local Plan and guidance contained within the Cambridgeshire Flood and Water SPD.

Visual amenity

- 10.18 Policy LP16 of the Local Plan requires that development proposals make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment, reinforces 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.
- 10.19 The proposed development would project to the rear of the existing frontage development located along Doddington Road, in a similar manner to other residential developments to the north-west of the application site. The layout and density of the proposed development is in keeping with the character with the area, most notably the adjacent Abbot Walk development which bounds the north-west and south-west boundaries of the application site; it is therefore considered that the proposal does not result in an overdevelopment of the site. In addition, the proposed dwellings are of a height, scale and design which is generally in keeping with the adjacent Abbot Walk development.
- 10.20 The north elevation of the proposed dwelling for Plot 1 would be a very prominent elevation within the proposed development, due to its siting which would face the new road serving the development. This elevation comprises a predominantly blank brick wall, with the exception of one small en-suite window which is the only fenestration feature within it. Due to its prominent position and visibility, its substantial massing of a predominantly blank brick wall elevation with no fenestration features or visual interest, the north elevation of the proposed dwelling of Plot 1 results in a poor standard of design and public realm within the development; failing to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment and reinforce local identity, contrary to policy LP16 of the Fenland Local Plan 2014.

Residential amenity

- 10.21 Policy LP2 of the Local Plan states that development proposals should positively contribute to creating a healthy, safe and equitable living environment by promoting high levels of residential amenity and avoiding adverse impacts. In addition, policy LP16 of the Local Plan requires that development proposals do not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.
- 10.22 The proposed dwellings of plots 1-2 would be located a substantial distance from any existing residential properties. With consideration given to the substantial separation distances of the proposed dwellings of plots 1-2, from neighbouring dwellings, it is considered that the physical relationship between these dwellings would not result in any significant overlooking, overbearing or overshadowing impacts.
- 10.23 The proposed dwellings of plots 3-8 would have back-to-back distances of approximately 20 metres, or in excess of 20 metres, with the neighbouring dwellings to the south-west of the site (Wheatfields). In addition, the proposed dwellings of plots 3-8 would be located approximately 9.5 metres, and in excess of 9.5 metres, from the rear boundaries of those neighbouring properties. In

addition, there are similar relationships between the proposed dwellings of plots 9-12 and the neighbouring properties to the north-west (Fillenham Way). The northern side elevation of the proposed dwelling of plot 8 would be located 12 metres from the rear elevations of No's.25 and 27 Fillenham Way, which is an acceptable distance for a rear elevation to side elevation relationship given that plot 8 would only have an en-suite window at first-floor level. With consideration given to the separation distances of the proposed dwellings of plots 3-12, from the neighbouring properties to the north-west (Fillenham Way) and south-west (Wheatfields), it is considered that the physical relationship between these dwellings would not result in any significant overlooking, overbearing or overshadowing impacts.

- 10.24 The proposed dwellings of plots 13 and 14 would be located only 8 metres from the private rear amenity space of No.4B Doddington Road. The rear elevations of these proposed dwellings would contain first-floor bedroom windows facing towards this neighbouring private amenity space. Although there is sufficient distance between the proposed dwellings of plots 13 and 14, from neighbouring properties to prevent any significant overbearing or overshadowing impacts, it is considered that the creation of first-floor windows at a distance of only 8 metres from the private amenity space of No.4B Doddington Road would result in significant overlooking impacts and loss of privacy to this neighbouring property, contrary to policies LP2 and LP16 of the Local Plan.
- 10.25 In addition to the residential amenity impacts of the proposed dwellings on existing neighbouring properties, it is also necessary for the proposed dwellings to be designed in a way which ensure future occupiers of them are provided with a high standard of residential amenity. It is considered that plots 1, 3, 5-8 and 10-14 would all have a high standard of residential amenity; however, plots 2, 4 and 9 would have a poor standard of residential amenity for the reasons set out below.
- 10.26 The south-west elevation of plot 1 would be located only 8.5 metres from the side boundary of the private outdoor amenity space of plot 2 and would contain first-floor bedroom windows resulting in significant overlooking impacts to that amenity space. In addition, the north-east elevation of plot 8 would be located only 9 metres from the side boundary of the private outdoor amenity space of plot 9 and would contain first-floor bedroom windows resulting in significant overlooking impacts to that amenity space.
- 10.27 The proposed parking spaces for Plot 3 are sited only 0.4 metres from the front elevation of Plot 4, which contains a kitchen window at ground-floor level. This would provide a poor standard of outlook and amenity for occupiers of Plot 4, due to the close proximity of parking for neighbouring vehicles.
- 10.28 The proposed road serving the proposed development would be located adjacent to the south-east boundary of No.4 Doddington Road. It is proposed that there would be a 2.5 metre wide landscape strip between the proposed road and the south-east boundary of No.4 Doddington Road. In addition, there is an existing close boarded fence (circa 1.8 metres high) along this boundary, between the application site and No.4 Doddington Road. The area of residential curtilage to the south-east of the dwelling of No.4 Doddington Road, and adjacent to the proposed road, is used as a driveway to No.4 Doddington Road and therefore is of low sensitivity to residential amenity harm arising from noise and light impacts resulting from the proposed road. With consideration given to the separation between the proposed road and No.4 Doddington Road, the presence of a solid

boundary treatment between them, and the low sensitivity of the driveway use adjacent to this boundary, it is considered that the proposed road would not result in any significant noise or light impacts that would cause any significant harm to the residential amenity of No.4 Doddington Road. The proposed residential use of the remainder of the site is also not a use which would result in any significant noise or light impacts to neighbouring dwellings.

10.29 There is no evidence to suggest that the proposed road would result in any significant increase in the susceptibility of No.4 Doddington Road to being impacted by crime. The planting of trees adjacent to the boundary of No.4 Doddington Road is not development and does not require planning permission.

10.30 The Council's Environmental Health department recommend that acceptable noise mitigation from surrounding uses can be achieved via a planning condition. With consideration to the recommendation of the Environmental Health department and the extant planning permission on the site demonstrating that noise impacts would be acceptable, it is considered that acceptable noise levels can be reasonably achieved for the proposed development.

10.31 In summary, it is considered that:

- Plot 1 would cause significant overlooking of Plot 2 (8.5 metres distance between first-floor windows and garden / patio).
- Plot 8 would cause significant overlooking of Plot 9 (9 metres distance between first-floor windows and garden / patio).
- Plots 13 and 14 would cause significant overlooking of No.4B Doddington Road (8 metres distance from rear garden).
- Parking for Plot 3, directly in front of Plot 4, would provide a poor standard of outlook and amenity for Plot 4.

10.32 It is therefore considered that the proposed development would cause significant harm to the residential amenity of one existing neighbouring property and would provide a poor standard of residential amenity to future occupiers of three of the proposed dwellings, contrary to policies LP2 and LP16 of the Local Plan and paragraph 135 of the National Planning Policy Framework.

Highway safety and parking provision

10.33 The site is currently served by an access and driveway serving a single residential property. The proposed development would result in a new access replacing the existing one, and a 6-metre wide shared surface road being created, running from north-east to south-west from Doddington Road.

10.34 The width of the proposed road is sufficient to enable two vehicles to pass each other safely and the application has demonstrated that there is adequate turning space within the site for refuse vehicles. Although the proposed access is located near to other accesses to residential properties and streets, commercial uses and the A141 roundabout, the Local Highway Authority has not raised any highway safety or congestion concerns regarding the proposed development.

10.35 The Local Highway Authority considers the proposed development to be acceptable and state that they do not believe the proposed development will have a material impact on the safety of the junction with the highway.

- 10.36 The Local Highway Authority has raised some issues which would prevent adoption of the proposed road. However, it is not a planning requirement that a road has to be adopted by the Local Highway Authority and a condition could be appended to the planning permission requiring details of management and maintenance of the proposed road to be agreed with the Local Planning Authority.
- 10.37 The proposal includes external and garage parking spaces. The proposed garages would provide sufficient space internally to be counted as parking spaces, in accordance with the Local Plan requirements. The proposed development would therefore provide two car parking spaces per dwelling, in accordance with the Council's parking standards specified within Appendix A of the Local Plan.
- 10.38 Planning permission F/YR19/0834/O includes a condition requiring widening of the Doddington Road footway to 2 metres wide between the Doddington Road access and the A141 roundabout. This condition does not preclude any other development taking place which may affect that footway, subject to relevant permissions being obtained from the relevant authorities.
- 10.39 It is therefore considered that the proposed development would have acceptable highway safety impacts and would provide adequate parking provision, in accordance with policy LP15 and Appendix A of the Local Plan.

Minerals safeguarding

- 10.40 The application site is located within a Sand and Gravel Minerals Safeguarding Area, as designated within the Cambridgeshire and Peterborough Minerals and Waste Local Plan.
- 10.41 Policy 5 of the Minerals and Waste Local Plan specifies that the Mineral Planning Authority do not need to be consulted on development proposals that fall within a settlement boundary. Notwithstanding this, the Minerals and Waste Planning Authority have been consulted on this planning application and have not provided a consultation response.
- 10.42 The Minerals and Waste Local Plan does not preclude development within a minerals safeguarding area where the location of the development is within a settlement boundary.
- 10.43 As the proposed development is surrounded on all sides by other development and is considered to be within the existing built form of the settlement, the proposed development is unlikely to prejudice any future mineral extraction as it is high unlikely to take place within the application site.
- 10.44 It is therefore considered that the proposal has acceptable minerals safeguarding impacts, in accordance with policy 5 the Minerals and Waste Local Plan.

Community Infrastructure and Planning Obligations

- 10.45 Policy LP13 of the Local Plan 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 of the Local Plan.

10.46 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.

10.47 Having regard to the scale and nature of the proposal, and further to consultation with statutory bodies to establish infrastructure requirement, in summary, the following is sought through this development:

- Affordable Housing
- Healthcare

Affordable housing

10.48 Policy LP5 of the Local Plan states that, on sites of 10 or more dwellings, the Council will seek the provision of 25% of the dwellings to be affordable houses (rounded to the nearest whole dwelling). Notwithstanding policy LP5 of the Local Plan, the Council's 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. Whilst this is lower than set out in policy LP5 of the Local Plan, 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.

10.49 In addition, policy LP5 of the Local Plan states that affordable housing shall be provided on-site, unless the developer can demonstrate exceptional circumstances which necessitate provision on another site, or the payment of a financial contribution (of broadly equivalent value) to the Council to enable some housing need to be met elsewhere. However, Fenland's current approach is to agree that sites that yield less than 10 (i.e. 9 or fewer) affordable homes through planning obligations can be discharged by way of a financial contribution rather than on-site provision. A financial contribution would need to be provided for 3 affordable houses in this case.

10.50 The application is accompanied by a Heads of Terms agreeing to a financial contribution in lieu of 3No. affordable houses (equating to 20% of the development, rounded to the nearest whole dwelling).

10.51 In any event of planning permission being granted, it is recommended that the grant of planning permission is subject to a legal agreement to secure financial contributions in lieu of 3No. affordable houses, in order to ensure compliance with the Council's current affordable housing requirements.

Healthcare and infrastructure contributions

10.52 The Council's Local Plan & CIL Viability Assessment (HDH, December 2019) sets out that, in addition to providing 20% affordable housing provision for sites south of the A47 highway, schemes should be able to provide £2,000 per dwelling. The

Heads of Terms accompanying the planning application includes agreement to pay an infrastructure contribution of £2,000 per dwelling.

- 10.53 Requests for financial contributions totalling £15,936.10 have been received from NHS Cambridgeshire and Peterborough Integrated Care System (£12,036.10) and East of England Ambulance Service (£3,900). These contributions would be covered by the £2,000 per plot infrastructure payment which is specified within the Heads of Terms accompanying this planning application and accords with the Council's Local Plan & CIL Viability Assessment (2019) and Viability Note (2022). No education contributions have been requested from Cambridgeshire County Council. The proposed development would therefore appropriate mitigate the infrastructure impacts arising from the proposed development.
- 10.54 In summary, it is concluded that the above infrastructure requirements are necessary to make the development acceptable and would meet the tests of CIL regulations in that they are, i) necessary to make the development acceptable in planning terms; ii) directly related to the development; and, iii) fairly and reasonably related in scale and kind to the development.

Biodiversity Net Gain (BNG)

- 10.55 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.
- 10.56 Representations have been received from local residents during the course of the application stating that trees have been felled within the site prior to the submission of this planning application and that the BNG baseline on-site habitat value originally specified within the application was incorrect, as it did not account for the trees felled since 30th January 2020. However, the Local Planning Authority raised this issue with the applicants' agent during the course of the application and revised BNG information has since been received which includes a higher baseline on-site habitat value taking account of all relevant trees which have been felled on the site since 30th January 2020.
- 10.57 In this instance a Biodiversity Gain Condition is required to be approved before development is begun.

11 CONCLUSIONS

- 11.1 The proposed development would provide the benefits of 14No. dwellings, including an acceptable housing mix and a financial contribution in lieu of 3No. affordable houses, located within a sustainable location within a market town. The proposed development would boost the supply and mix of housing within the district and provide benefits to the local economy. This carries positive weight.
- 11.2 The proposed development would also be required to achieve Biodiversity Net Gain. In addition, the application is accompanied by a Heads of Terms agreeing to pay a £2,000 per plot infrastructure contribution, which would cover the financial contributions requested by the NHS Cambridgeshire and Peterborough Integrated Care System and the NHS East of England Ambulance Service to mitigate the healthcare impacts of the proposed development. It is considered

that these are required to make the development acceptable in planning terms and therefore carry neutral weight in the overall planning balance.

11.3 However, for the reasons set out within this report, the proposed development:

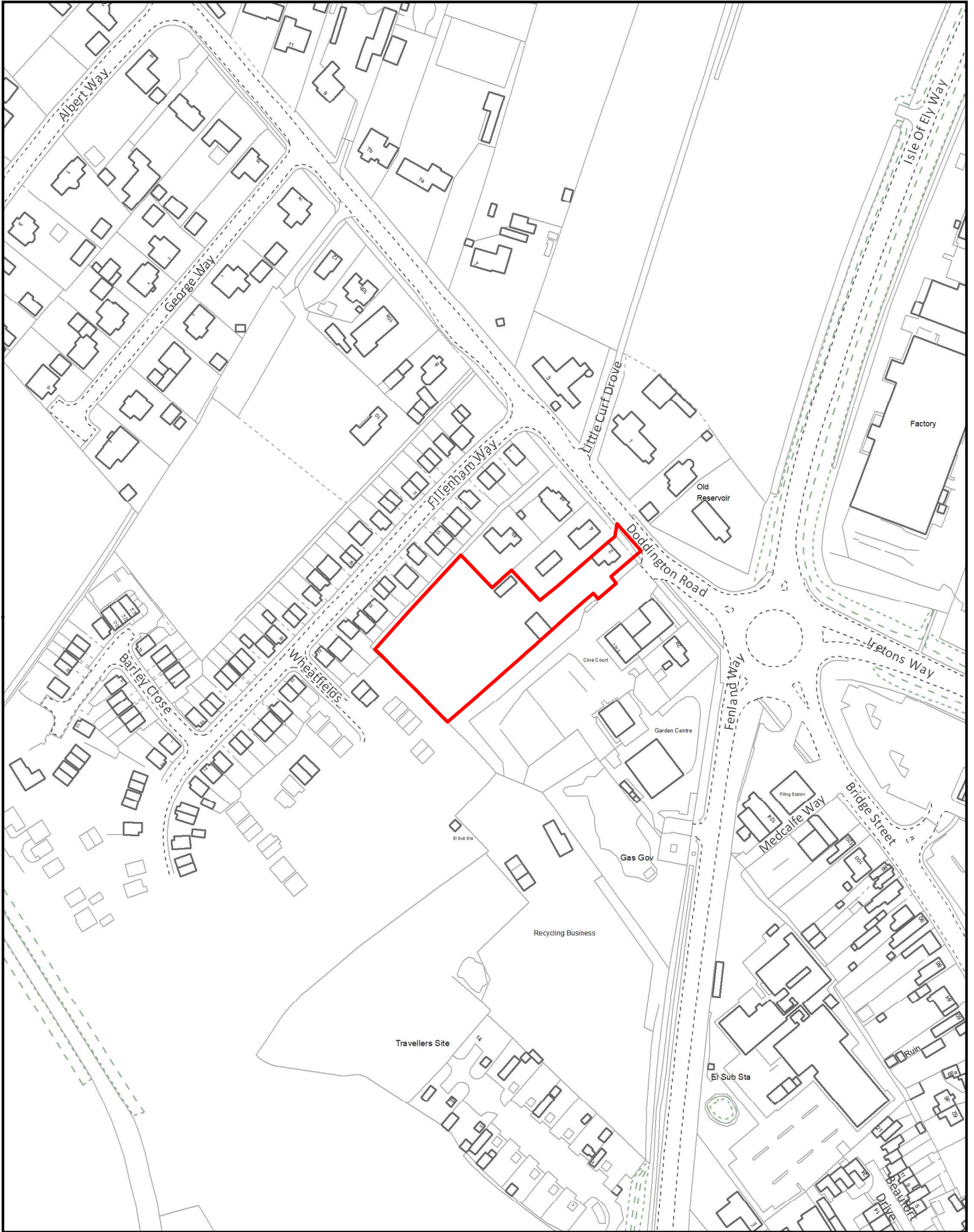
- fails to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment and reinforce local identity, contrary to policy LP16 of the Fenland Local Plan 2014.
- results in significant harm to the residential amenity of one existing neighbouring property and it would provide a poor standard of residential amenity to future occupiers of three of the proposed dwellings, contrary to policies LP2 and LP16 of the Fenland Local Plan 2014.

11.3 On balance, it is considered that the identified benefits of the scheme do not outweigh the harm and conflicts with the development plan. The application is therefore recommended for refusal.

12 RECOMMENDATION

12.1 **REFUSE**; for the following reasons:

1.	Due to its prominent position and visibility, its substantial massing of a predominantly blank brick wall elevation with no fenestration features or visual interest, the north elevation of the proposed dwelling of Plot 1 results in a poor standard of design and public realm within the development; failing to make a positive contribution to the local distinctiveness and character of the area, enhance its local setting, respond to and improve the character of the local built environment and reinforce local identity, contrary to policy LP16 of the Fenland Local Plan 2014.
2.	Due to the proposed dwellings of plots 13 and 14 resulting in significant overlooking impacts and loss of privacy to the private outdoor amenity space serving No.4B Doddington Road; the private outdoor amenity spaces of plots 2 and 9 significantly overlooking other dwellings within the proposed development; and the siting of the proposed parking spaces for Plot 3 resulting in a poor standard of outlook and amenity for occupiers of Plot 4, the proposed development would result in significant harm to the residential amenity of one existing neighbouring property and would provide a poor standard of residential amenity to future occupiers of three of the proposed dwellings, contrary to policies LP2 and LP16 of the Fenland Local Plan 2014 and paragraph 135 of the National Planning Policy Framework.



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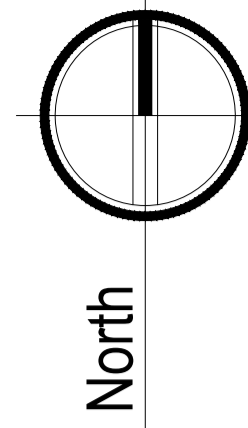


Plot Schedule

- Plot 1 - 3 Bedroom Detached House
- Plot 2 - 3 Bedroom Detached house
- Plot 3 - 3 Bedroom Semi-Detached House
- Plot 4 - 3 Bedroom Semi-Detached House
- Plot 5 - 3 Bedroom Semi-Detached House
- Plot 6 - 3 Bedroom Semi-Detached House
- Plot 7 - 2 Bedroom Semi-Detached House
- Plot 8 - 2 Bedroom Semi-Detached House
- Plot 9 - 3 Bedroom Semi-Detached House
- Plot 10 - 3 Bedroom Semi-Detached House
- Plot 11 - 3 Bedroom Semi-Detached House
- Plot 12 - 3 Bedroom Semi-Detached House
- Plot 13 - 2 Bedroom Semi-Detached House
- Plot 14 - 2 Bedroom Semi-Detached House

Existing development by Persimmon Homes at Fillenham Way

Existing development by Persimmon Homes at Fillenham Way



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ALL MEASUREMENTS SHOULD BE CHECKED ON SITE AND ANY DISCREPANCIES SHOULD BE REPORTED TO THE ORIGINATOR.

ALL WORKS TO COMPLY WITH CURRENT COM REGULATIONS AS APPROPRIATE. IT IS THE CLIENT'S RESPONSIBILITY TO FULLY COMPLY WITH THE COM 2015 REGULATIONS INCLUDING APPOINTING A PRINCIPAL DESIGNER AND PRINCIPAL CONTRACTOR FOR PROJECTS WITH MORE THAN ONE CONTRACTOR ON SITE.

NO WORKS TO COMMENCE ON SITE UNTIL ALL APPROVALS ARE CONFIRMED IN WRITING. L BEVENS ASSOCIATES LTD ACCEPTS NO LIABILITY IF THIS IS BREACHED.

IT IS THE CONTRACTORS RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

2.4m x 40m visibility splays to entrance with Doddington Road



Ecology Enhancements

(To be read in conjunction with Samsara Ecology PEA)

- Bird box to be situated on west facing elevation on 4 No. houses. (Bird)
- Bat box to be situated on south or east facing elevation on 4 No. houses. (BAT)
- Hedgehog Home located in rear gardens on 4 No. houses together with 130mm x 130mm holes in rear fences. (HH)
- Bee bricks to be integrated into rear wall of proposed garages (Bee)

DESCRIPTION KEY

- Root Protection Zones
- Concrete paving to footpaths and patio areas
- Existing trees to be retained
- Shared Surface to be block paving Charcon 'Europa' or equal and approved. Colour to be Burnt Oker.
- Existing buildings to be removed shown dotted for clarity
- 1.8m high timber close boarded fence
- 2m x 2m pedestrian visibility splays
- 1.8m close boarded fencing and personnel gate
- Tarmac surface to driveways
- Indicative tree planting
- 1.1m high Estate railing

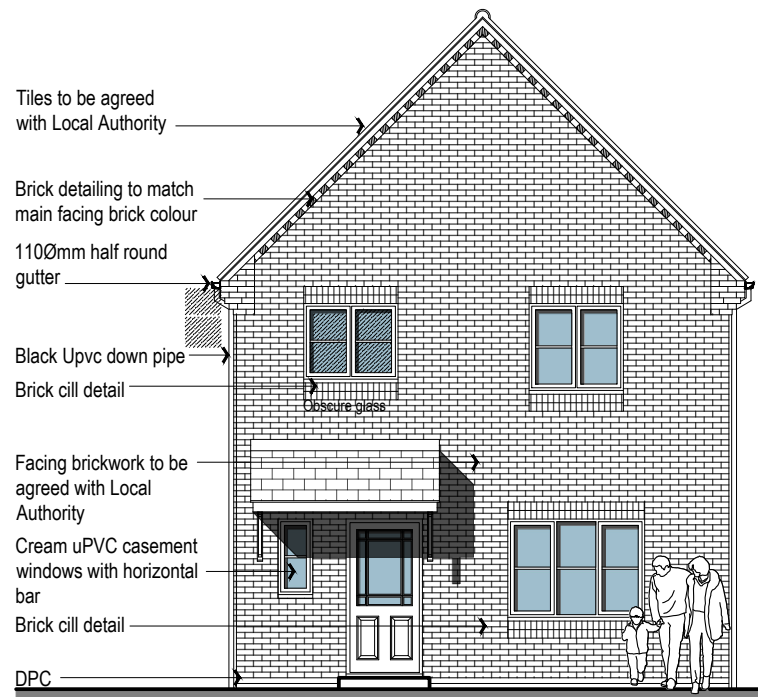
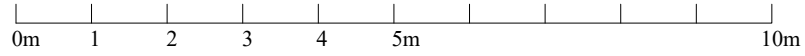
Rev B May 24 Amendments to road, indicative landscaping and fencing details added.

Rev A May 24 Plots 1 & 2 revised to suit root protection areas and plots 3-6 position amended.

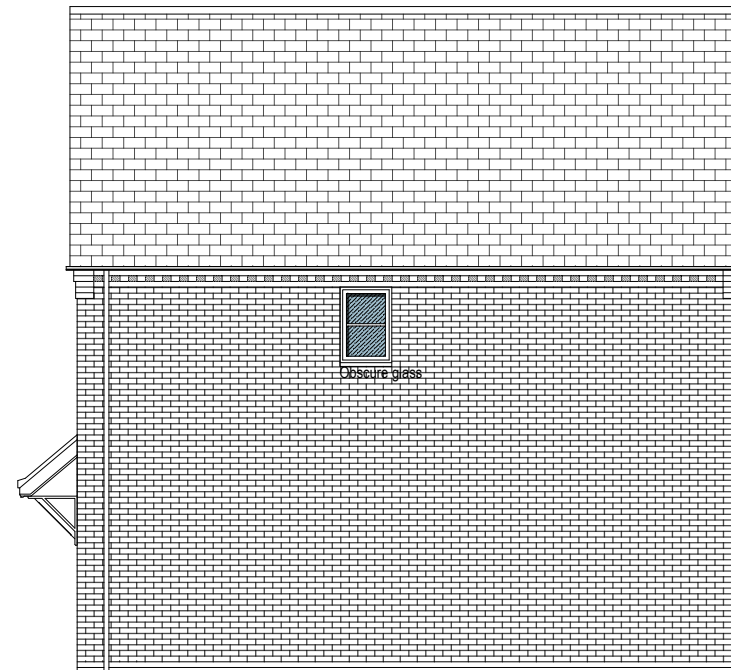


DRAWING STATUS	PRELIMINARY	PLANNING	CONSTRUCTION	FILE COPY
CLIENT	Howard Renovations Ltd			
PROJECT	Land at 2 Doddington Road, Chatteris, Cambridgeshire.			
DRAWING TITLE	Proposed Planning Layout			
SCALE	DATE	DRAWN	CHECKED	
1:200 @ A1	April 2024	LB		
DRAWING NUMBER	CH23/LBA/651/FP-1-101			REVISION
				B

Scale: 1:100



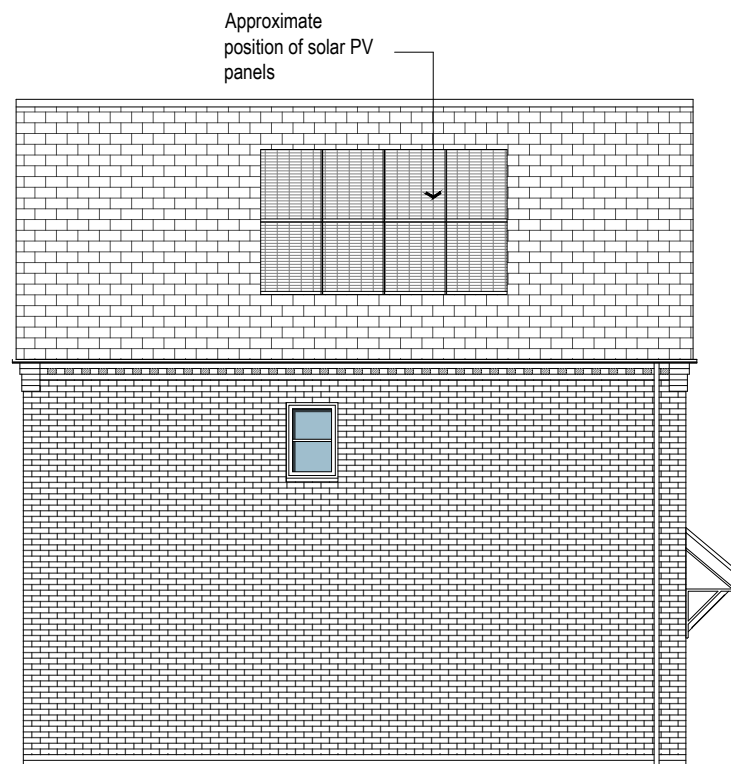
Front Elevation



Side Elevation



Rear Elevation



Side Elevation

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IT IS THE CONTRACTOR'S RESPONSIBILITY TO ACCURATELY LOCATE EXISTING SERVICES PRIOR TO WORKS COMMENCING.

Rev A May 24 En-suite window added to side elevation.



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Web: www.lbevens-associatesltd.co.uk

DRAWING STATUS: PRELIMINARY CONSTRUCTION
PLANNING FILE COPY

CLIENT: Howard Renovations Ltd

PROJECT: Land at 2 Doddington Road, Chatteris, Cambridgeshire.

DRAWING TITLE: Proposed Elevations
3 Bedroom Detached
Plot 1

SCALE: 1:100 @ A3 DATE: May 2024 DRAWN: LB CHECKED:

DRAWING NUMBER: CH23/LBA/651/FP-1-103 REVISION: A

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F/YR24/0471/O

Applicant: L Smith

**Agent: Swann Edwards
Architecture Limited**

Land South Of, 59 Peas Hill Road, March, Cambridgeshire

Erect up to 9 x dwellings (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 31 July 2024

EOT in Place: Yes

EOT Expiry: 8 November 2024

Application Fee: £5616

Risk Statement:

This application must be determined by 8 November 2024 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 matters committed in respect of access only, for the erection of up to nine dwellings on undeveloped paddock land adjacent to the A141, south of 59 Peas Hill Road, March.</p> <p>1.2. Development on this undeveloped site would detrimentally impact the overall openness and character of the area given the quantum of development proposed along with the prominence of the development along the A141, contrary to Policy LP16 and Policy DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014.</p> <p>1.3. Owing to the proximity of the site to the A141, occupants of the proposed scheme have potential to experience a significant level of noise and disturbance. On the basis of a lack of evidence with respect to the likely noise disturbance and any potential mitigation measures proposed, the scheme is considered contrary to Policies LP2 and LP16 of the Fenland Local Plan and Policy H2 (a) of the March Neighbourhood Plan owing to the clear noise intrusion that would be evident at the site.</p> |
|--|

1.4. The proposed introduction of more vulnerable development within Flood Zone 3 requires the completion of the Sequential Test. The application includes insufficient evidence to satisfy the Sequential Test and thus is contrary to Policy LP14 of the Fenland Local Plan, Section 14 of the National Planning Policy Framework (2019), Cambridgeshire Flood and Water Supplementary Planning Document (2016) and Policy H2 (c) of the March Neighbourhood Plan (2017).

1.5. Therefore, given the assessment outlined below, the application is recommended for refusal.

2 SITE DESCRIPTION

2.1. The application site is an area of undeveloped paddock land with a small, roughly constructed structure situated between West End and the A141 on the western edge of March in an area known as Peas Hill.

2.2. The site is bounded to the north by Peas Hill Road, with vehicular access terminating just to the northeast of the site (further access is pedestrian only linking to the A141). No60. Peas Hill Road sits to the immediate northeast, with Nos.57 & 59 opposite. To the east is West End footpath, with residential dwellings fronting the footpath with a hedgerow forming its western edge with the application site beyond. Amenity spaces associated with some of the dwellings fronting West End abut part of the site to the east. To the west of the site is the A141 Isle of Ely Way, separated from the site by a shallow drain and highway verge with mature trees/hedging.

2.3. The River Nene runs approximately 70m from the southern end of the site, passing east to west under a road bridge formed by the A141. The site is located within Flood Zone 3.

3 PROPOSAL

3.1 The application is outline in nature, with matters committed in respect of access only. The scheme includes an indicative scheme of up to nine dwellings, with garages, parking/turning areas and associated garden spaces. Whilst an illustrative layout has been submitted this is not committed.

3.2 The committed access is proposed to link to Peas Hill Road and run north to south along the western fringe of the site with dwellings to the east. Three visitor parking spaces are shown parallel to the access road at the northern end of the access, with a turning head shown towards the southern end.

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

4 **SITE PLANNING HISTORY**

F/95/0915/F	Erection of poly-tunnel Land South Of, 59 Peas Hill Road, March, Cambridgeshire	Granted 17.04.1996
F/0065/79/O	Erection of a dwelling Peas Hill Road March (South Of By-Pass) Os 2323	Refused 09.05.1979

5 **CONSULTATIONS**

5.1 **March Town Council**

Recommendation: Refusal.

Loss of agricultural land. Flooding and drainage concerns.

5.2 **Environment Agency**

This application falls down to advice note 6 of our local flood risk standing advice and as such we have provided the following advice:

We consider that the main source of flood risk at this site is associated with watercourse 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. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

5.3 **Middle Level Commissioners – Consultation issued 11 June 2024**

No comments received

5.4 **Highways Authority (CCC)**

Recommendation

On the basis of the information submitted, from the perspective of the Local Highway Authority, I have no objection in principle to the proposals. However, the below comments require attention to make the development acceptable in highway terms. If the applicant is unwilling or unable to amend the application or provide additional information in response to the below comments, please advise me so I may consider making further recommendations.

Comments

Whilst I have reservations regarding the use of Peas Hill Road as the intended access point for this proposed development. Due to the material intensification that will occur as part of these proposals. If the following recommendations

are implemented, the proposals could be considered acceptable from a highway perspective. Please review the attached sketch of a possible turning head arrangement and add a similar arrangement to a standalone access drawing, including dimensions. Such plan should clearly show the application boundary and highway boundary. If highway boundary information is required, please contact the CCC Highway Searches team.

5.5 Senior Archaeologist (CCC)

I am writing to you regarding the above referenced planning application. The proposed development is located in an area of archaeological potential towards to the north west of March. The proposed development is located on the very edge of the deeper fen stretching away to the west and the higher ground on which most of March is located to the east. This makes it a prime location for past exploitation by peoples occupying the 'Fen Islands' and using the fen resources. To the east of the proposed development evaluations in 2015 (Cambridgeshire Historic Environment Record ECB4373) and 2019 (CHER ECB6093) found medieval and post medieval pits. Archaeological investigations to the south east found further evidence of post medieval activity but also a number of Bronze age features including pits and post holes (CHER MCB19815).

Whilst we do not object to development from proceeding in this location, we consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

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).

5.6 Environment & Health Services (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' in principle to the outline application.

Noise, Dust and Vibration:

There are certain aspects that need to be considered given the nature and scale of the proposed development, with the issues of primary concern to this service during the construction phase being the potential for noise, dust and possible vibration to adversely impact on the amenity of the occupiers at the nearest residential properties.

Therefore, this service would welcome a condition requiring the submission of a robust Construction Environmental Management Plan (CEMP) that shall include working time restrictions in line with the template for developers, now available on Fenland District Council's website at: Construction Environmental Management Plan: A template for development sites (fenland.gov.uk) In the interests of respect for the locally amenity, a submitted CEMP shall be required to include working time restrictions in line with those covered within the aforementioned template.

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

As stated above, it is not believed that there are grounds to raise an outright objection and this service is mindful of an application for a dwelling being granted planning permission at a similar location nearby on the opposite side of the A141. However, due the close proximity of the A141 itself, a robust noise impact assessment should be undertaken by a suitably qualified acoustic consultant to establish to what extent passing vehicle noise is likely to have at the proposed development site, and what mitigation measures will therefore be necessary to protect both external and internal amenity areas in accordance with recognised standards including the World Health Organisation (WHO): 1999: Guidelines for Community Noise and BS 8233:2014 Guidance on sound insulation and noise reduction for buildings.

Contamination:

Although there are no obvious concerns or indications from available mapping systems that the land presents a risk to the intended end user, it would however be prudent to include the following condition in the event that planning permission is granted:

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

Method Statement detailing how this unsuspected contamination shall be dealt with.

5.7 **Local Residents/Interested Parties**

Objectors

The LPA have received 56 letters of objection from 53 addresses within March; including West End, Peas Hill Road, Fishermans Drive, The Windsors, and Mallet Close. The majority of the above letters were submitted on a pro-forma template, signed and addressed by occupants of the individual addresses, however some individual comments were also received. The reasons for objection to the scheme from the objections received can be summarised as:

- The submitted proposal is deemed as a non-essential residential development in open countryside.
- Concerns over noise pollution to future occupiers and a ‘funnelling effect’ by virtue of the proposed dwellings location and spacing to result in elevated noise for existing dwellings. No substantial fencing or natural soundproofing can be sensibly applied owing to constraints of the site.
- Concerns over flooding and drainage, site susceptible to surface water flooding; infiltration not likely feasible; foul water treatment packages unfeasible;
- Concerns over archaeological impact of the site;
- Concerns over access and traffic generation; limited access for emergency services;
- Proximity and amenity concerns particularly at southern end where dwellings are not sufficiently spaced from existing;
- Development would detract from the rural appearance and character of the area;
- Letters of support are from residents not near the site (and therefore will not be impacted);

Supporters

The LPA have received 12 letters of support from 10 addresses within March; including Bluebell Way, Chestnut Crescent, Badgeney Road, Brewin Avenue, St. Peter’s Road, Foxglove Way, Grounds Avenue, Mallard Way, and Whittlesey Road. The reasons for supporting the scheme from the letters received can be summarised as;

- More houses would benefit the community;
- Jobs would be created during construction;
- Improved character as land is unkempt;
- Noise pollution would not be an issue;
- Privacy could be maintained;
- Development would blend in with surrounding area;

Representations

One additional representation was received from a resident of West End (also an objector), noting that the submission of letters of support after the closing date for consultation responses is disrespectful to planning procedure.

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) and the March Neighbourhood Plan (2017).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (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

7.2 National Planning Practice Guidance (NPPG)

- Determining a Planning Application

7.3 National Design Guide 2021

- Context
- Identity
- Built Form
- Nature
- Uses
- Homes and Buildings
- Resources
- Lifespan

9.1 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
- LP14 – Responding to Climate Change and Managing the Risk of Flooding
- LP15 – Facilitating the Creation of a More Sustainable Transport Network
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP19 – The Natural Environment

9.1 March Neighbourhood Plan 2017

- H2 – Windfall Development

9.1 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

- Policy 5 – Mineral Safeguarding Areas
- Policy 14 – Waste management needs arising from residential and commercial Development

Policy 16 – Consultation Areas (CAS)

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

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

DM4 – Waste and Recycling Facilities

DM6 – Mitigating Against Harmful Effects

9.1 **Cambridgeshire Flood and Water SPD 2016**

9.1 **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

LP22: Parking Provision

LP24: Natural Environment

LP27: Trees and Planting

LP28: Landscape

LP32: Flood and Water Management

8 **KEY ISSUES**

- **Principle of Development**
- **Character and Appearance**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Highway Safety**
- **Ecology and Biodiversity Net Gain (BNG)**

9 **ASSESSMENT**

Principle of Development

- 9.1 The application site is located within the built framework of March, which is identified within the Settlement Hierarchy as a 'Market Town', where, according to Policy LP3, the majority of the district's new housing should take place. It should be noted that in the Emerging Local Plan, the application site is located outside the defined settlement boundary for March, however in the context of the current adopted Fenland Local Plan (2014) the A141 provides a definitive settlement boundary of the western edge of March. Accordingly, there is a presumption in favour of development within this location with respect to the current adopted policy.

- 9.2 Notwithstanding, the point of general principle is subject to broader planning policy and other material considerations which are discussed in more detail below.

Character and Appearance

- 9.3 The application is for outline planning permission with all matters reserved, apart from access. As such detailed design matters in respect of layout and appearance cannot be considered at this stage. Consideration however must be paid to the overall impact that development of the application would have on the character and appearance of the area generally taking into account the nature and quantum of development proposed. In this regard, the applicant has provided an indicative site layout plan.
- 9.4 Policy LP16 (d) of the Fenland Local Plan seeks to ensure development 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 local built environment, provides resilience to climate change, reinforces local identity 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.
- 9.5 To the western edge of the application site is the A141 March bypass, a well trafficked and often busy road, particularly just to the north of the application site at the roundabout where the A141, Wisbech Road, and Whittlesey Road converge.
- 9.6 The application site is an area of undeveloped paddock land bounded by hedgerow and trees that forms a buffer between the existing development along West End and the A141. It creates a natural corridor that aids in protecting the residential dwellings on West End from noise and pollution potential from the highly trafficked A141 local to the area (impacts to residential amenity are discussed in more detail below). With respect to character and amenity, the application site reflects the open or undeveloped land opposite which cumulatively contributes to the visual quality and openness of this area.
- 9.7 The indicative site plan suggests the scheme would see the introduction of up to nine large, detached dwellings with associated infrastructure and garages that would create a significant urbanisation of this natural corridor, creating a feeling of enclosure and encroachment of the settlement toward the A141.
- 9.8 Development of up to nine dwellings on this site would result in a significant detrimental impact on the character and visual amenity of the area, which would be particularly exacerbated by the site's prominent position on the A141, contrary to Policy LP16 (d) of the Fenland Local Plan 2014, Policy H2 of the March Neighbourhood Plan and DM3 of Delivering and Protecting High Quality Environments in Fenland SPD 2014.

Residential Amenity

- 9.9 Policy LP2 states that development proposals should contribute to the Council's goal of health of Fenland's residents, inter alia, promoting high

levels of residential amenity whilst Policy LP16 states that development should not adversely impact on the amenity of occupier or neighbouring amenity from impacts such as noise, light pollution, loss of privacy and loss of light. In addition, Policy H2 (a) of the March Neighbourhood Plan seeks to ensure proposals will not result in unacceptable impact on levels of light, privacy and private amenity space for the occupants of the proposed dwellings as assessed against Policy LP16 of the FLP.

- 9.10 The application is for outline planning permission with all matters, apart from access, reserved. As such the full impact of residential amenity cannot be considered at this stage. However, noting the linear constraints of the site, there are limited opportunities for variations in layout beyond the indicative plan provided, thus likely relationships between the proposed and existing dwellings can be considered as a 'best guess' with respect to the likely layout at reserved matters stage. The indicative layout suggests that rear to front relationships will vary between the proposed dwellings and existing dwellings along West End will include separations ranging between approximately 36m to the north of the site and 18.5m to the south, which are generally acceptable.
- 9.11 It is noted that land levels within the site are comparatively low relative to the existing development levels on West End. Accordingly, notwithstanding the separation there may be some impact related to overlooking of the intended dwellings from the existing ones given their higher vantage point. In addition, there may be opportunity for overlooking from vehicles passing on the A141 into the intended properties. However, the full impact of this cannot be ascertained at this stage.
- 9.12 Again, owing to the linear constraint of the site, variations will also occur with respect to private amenity spaces proposed for the development, however the indicative layout suggests there is scope to provide acceptable relationships between the proposal and surrounding dwellings and to provide a minimum of a third of the plot for private amenity space as required by Policy LP16 (h).
- 9.13 The proposed development will see the erection of up to nine dwellings in close proximity to the A141, with potential to experience a level of noise and disturbance. Environmental Health have advised that the proposal should be designed and constructed to ensure a high-quality sound and well-insulated environment is achieved, noting that an outright objection on their part cannot be substantiated given that they are mindful that an application for a dwelling was granted planning permission at a similar location nearby on the opposite side of the A141 (F/YR20/1103/O). A noise impact assessment, incorporating necessary mitigation measures, would usually be required as part of the application, to evidence that a suitable scheme can be achieved, such evidence was not provided within the current application.
- 9.14 However, notwithstanding the comments made by Environmental Health, Officers consider that the circumstances of the current application site differ greatly from that of the individual dwelling approval on a site to the northwest owing to the quantum and expanse of development proposed. Localised mitigation was considered acceptable during consideration of the subsequent reserved matters application for F/YR20/1103/O (F/YR21/1488/RM), that,

along with internal noise mitigation measures, proposed an acoustic fence be erected for a limited distance behind an existing mature and established hedgerow that was due to remain (and would provide active screening of the erected fencing). Contrastingly, the current application proposal seeks development of up to 9 dwellings on a site that stretches approximately 250m and immediately fronts the A141, and the application includes no evidence to address the obvious noise intrusion from the A141 to the proposed dwellings or amenity spaces.

- 9.15 Notwithstanding any internal mitigation measures to limit noise disturbance within the dwellings themselves, consideration must also be paid to the impact of traffic noise on external private amenity spaces within the proposed development, noting that, dependent on the findings of a noise impact assessment, mitigation such as an acoustic fence, for example, installed along the frontage of the site to deflect noise from the A141 may result in an unacceptably high and long fence to be required. Such a measure may result in unacceptable feelings of enclosure or overbearing to occupants of the site, particularly given the c250m frontage of the site along the A141 to which any acoustic fencing would likely be erected and given the likely arrangement of dwellings with their primary vantage point facing the A141. Thus it is considered that, on the basis of a lack of evidence with respect to noise disturbance and the potential mitigation measures proposed, there is sufficient justification to warrant a recommendation of refusal on the basis of Policies LP2 and LP16 of the Fenland Local Plan and Policy H2 (a) of the March Neighbourhood Plan owing to the clear noise intrusion that would be evident at the site owing to the A141 in such close proximity.
- 9.16 In addition, unlike the approved dwelling site opposite, the site is currently relatively open to view, with sporadic hedging and trees along the boundary with the A141 which would not provide active screening of any erected acoustic fencing to soften its likely stark and prominent appearance within the streetscene, further cementing the likely detrimental impact that the overall scheme would have on the character of the area as discussed above.

Flood Risk and Drainage

- 9.17 Policy LP14 of the Fenland Local Plan and section 14 of the National Planning Policy Framework deal with the matter of flooding and flood risk, and the siting of dwellings on land at the risk of flooding. Policy H2 (c) of the March Neighbourhood Plan requires Development within flood zones 2 and 3 will only be considered where appropriate sequential and exception tests have been met.
- 9.18 The site falls in Flood Zone 3. Matters of foul and surface water drainage, as noted within received representations opposing the development, would be considered at Reserved Matters stage.
- 9.19 Notwithstanding, Policy LP14 requires development proposals to adopt a sequential approach to flood risk from all forms of flooding, and states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test (where necessary), and the demonstration that the proposal meets an identified need and appropriate flood risk management.

- 9.20 It is for the applicant to demonstrate through an assessment that the sequential test has been met. In February 2018, the Council amended the approach to agreeing the scope of the sequential test to a settlement by settlement basis, instead of the entire district as set out in the SPD. As such, the settlement of March is the area of search for the sequential test for this application.
- 9.21 The application is accompanied by a Flood Risk Assessment that does not include consideration of the Sequential and Exception Tests, incorrectly asserting that as the site is within a defended area it should be classified as low risk. The Flood and Water SPD is explicit in setting out that the existence of defences should be disregarded in undertaking the sequential test.
- 9.22 A significant area of March is located in Flood Zone 1 and is a preferred settlement for development with respect to the Settlement Hierarchy and thus a number of residential development schemes within March have been recently approved that could reasonably accommodate a scale and quantum of development as proposed within the current scheme. It is therefore concluded that the scheme has no potential to satisfy the sequential test. It is further identified in the updated NPPG (August 2022) that even where a flood risk assessment shows that development can be made safe for its lifetime the sequential test still needs to be satisfied, i.e. flood risk safety measures do not overcome locational issues. This is also notwithstanding that the wider public benefits test, also required as part of the exception test may also be likely to fail given that the scheme is only for 9 market dwellings.
- 9.23 As such, the proposal fails to accord with the necessary requirements of Policy LP14, the SPD and the NPPF, and as such, should be refused on the basis of a lack of demonstrable evidence that the scheme would be acceptable in respect of flood risk.

Highway Safety

- 9.24 Policy LP15 of the Fenland Local Plan 2014 seeks to ensure safe and convenient access for all within the district, which is supplemented by Policy H2 (d) of the March Neighbourhood Plan 2017.
- 9.25 The application includes the creation of a shared access off Peas Hill Road, illustratively leading to a separate parking/turning areas for each proposed dwelling. The driveways are shown as leading to garages, with additional parking to the front of each dwelling. The shared vehicular access is intended as 5.5m wide. There is sufficient turning space shown to allow vehicles to enter and exit in a forward gear, and it is likely that the parking areas will offer sufficient parking in line with the parking provision requirements set out in Appendix A of Policy LP15. Notwithstanding, the exact parking requirement is unknown as details of layout and scale are reserved for later approval.
- 9.26 Comments from the Highway Authority had no objection in principle to the proposed access arrangements, noting that some minor changes where it meets Peas Hill Road may be required. However, given the exact layout of the site is at this time not committed, it was considered unwarranted to require

amendments to the access to reflect the Highway's suggestion as a revised layout may give rise to revised access geometry. Accordingly, given the principle was acceptable, it is considered that full details can be secured by condition to ensure the scheme complies with the aforementioned Policies.

Ecology & Biodiversity Net Gain (BNG)

- 9.27 Local Plan policies LP16 and LP19 outline a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat with respect to development within Fenland.
- 9.28 Noting the presence of a drainage ditches surrounding the site, and in accordance with the requirements of the Biodiversity Checklist, the applicant submitted an informal assessment by a qualified ecologist that concluded that the site overall was of low suitability for protected species, and after assessing the ditches to the north, west and south of the site it is highly unlikely that priority species such as water voles are present on site, providing recommendations to limit any impacts to mammals during construction.
- 9.29 It is considered that this is an appropriate assessment of the site's ecological potential, and matters relating to ecology can be secured by condition.
- 9.30 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.
- 9.31 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 statutory BNG for minor developments coming into force.

10 CONCLUSIONS

- 10.1 On the basis of consideration of the issues of this application, conflict arises with respect to the overall impact of the proposal on the character of the area. Development on this undeveloped site, that contributes to the open character of the area, would detrimentally impact the overall openness and character given the quantum and prominence of the development adjacent to the A141, contrary to Policy LP16.
- 10.2 By virtue of the proximity of the proposed development to the A141, concern arises with respect to the occupier amenity of the site owing to noise impact. The application is silent on this matter and does not include appropriate evidence to satisfy that a high-quality living environment can be achieved, contrary to Policies LP2 & LP16.
- 10.3 Furthermore, by virtue of the proposed introduction of more vulnerable development within Flood Zone 3, the application includes insufficient

evidence to satisfy the Sequential Test, with respect to Policy LP14 of the Fenland Local Plan, Section 14 of the National Planning Policy Framework (2019), Cambridgeshire Flood and Water Supplementary Planning Document (2016) and Policy H2 (c) of the March Neighbourhood Plan (2017).

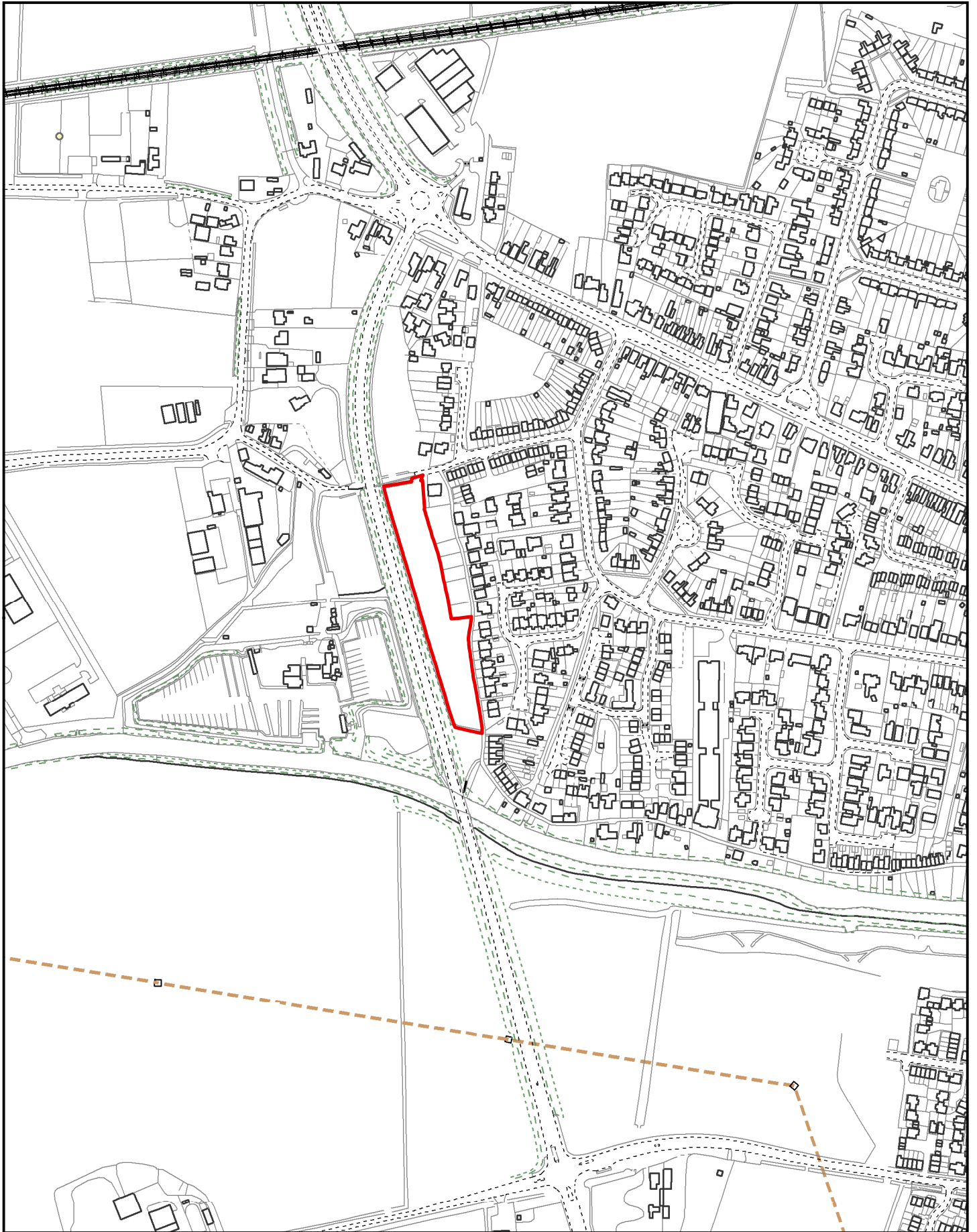
- 10.4 Therefore, given the above assessment, the application is recommended for refusal.

11 RECOMMENDATION

Refuse, for the following reasons;

1	<p>Policy LP16 (d) of the Fenland Local Plan 2014 and Policy DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014 seek to ensure that development makes a positive contribution to the local distinctiveness and character of the area, that the character of the landscape, local built environment and settlement pattern inform the layout and scale and that proposals do not adversely impact the streetscene or landscape character of the surrounding area.</p> <p>The site together with the adjoining fields and open space either side of the bypass provide a contribution to the visual quality and openness of this area, creating a natural green corridor either side of the A141. Any development on this site would diminish its open and undeveloped nature, exacerbated by the proposed dominance exerted by the development by virtue of its prominent position on the A141.</p> <p>This would result in a significant detrimental impact on the character and visual amenity of the area, contrary to Policy LP16 (d) of the Fenland Local Plan and Policy DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014.</p>
2	<p>Policy LP2 of the Fenland Local Plan 2014 states that development proposals should promote high levels of residential amenity whilst Policy LP16 of the Fenland Local Plan 2014 states that development should not adversely impact on the amenity of occupier or neighbouring amenity from impacts such as noise, light pollution, loss of privacy and loss of light. In addition Policy H2 (a) of the March Neighbourhood Plan 2017 seeks to ensure proposals will not result in unacceptable impacts for the occupants of the proposed dwellings as assessed against Policy LP16 of the FLP.</p> <p>In the absence of evidence to the contrary, it is considered that it does not appear achievable to provide appropriate noise mitigation measures at the site to ensure high levels of residential amenity owing to the clear noise intrusion that would be evident at the site owing to the proximity of the A141. Thus, the scheme is contrary to the aforementioned Policies as it has not been substantiated that suitable noise mitigation can be provided.</p>

3	<p>Policy LP14 of the Fenland Local Plan, Section 14 of the National Planning Policy Framework (2019), Cambridgeshire Flood and Water Supplementary Planning Document (2016) and Policy H2 (c) of the March Neighbourhood Plan (2017) require development proposals to adopt a sequential approach to flood risk from all forms of flooding, and Policy LP14 states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, and Exception Test (where appropriate), and the demonstration that the proposal meets an identified need and appropriate flood risk management.</p> <p>The application does not include any evidence in respect of the sequential or exception tests and therefore fails to provide demonstrable evidence that the scheme would be acceptable in respect of flood risk. The proposal is therefore contrary to policy LP14 of the Fenland Local Plan (2014), Section 14 of the National Planning Policy Framework (2019), Cambridgeshire Flood and Water Supplementary Planning Document (2016) and Policy H2 (c) of the March Neighbourhood Plan (2017).</p>
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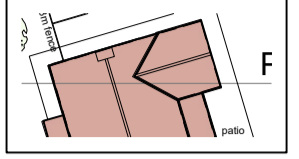
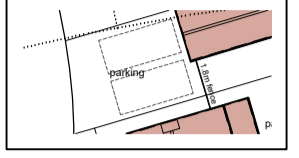
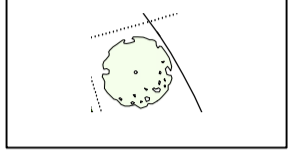
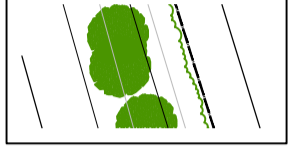
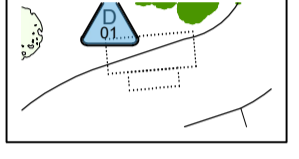
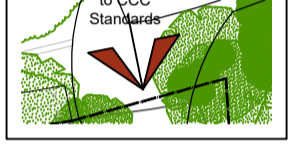

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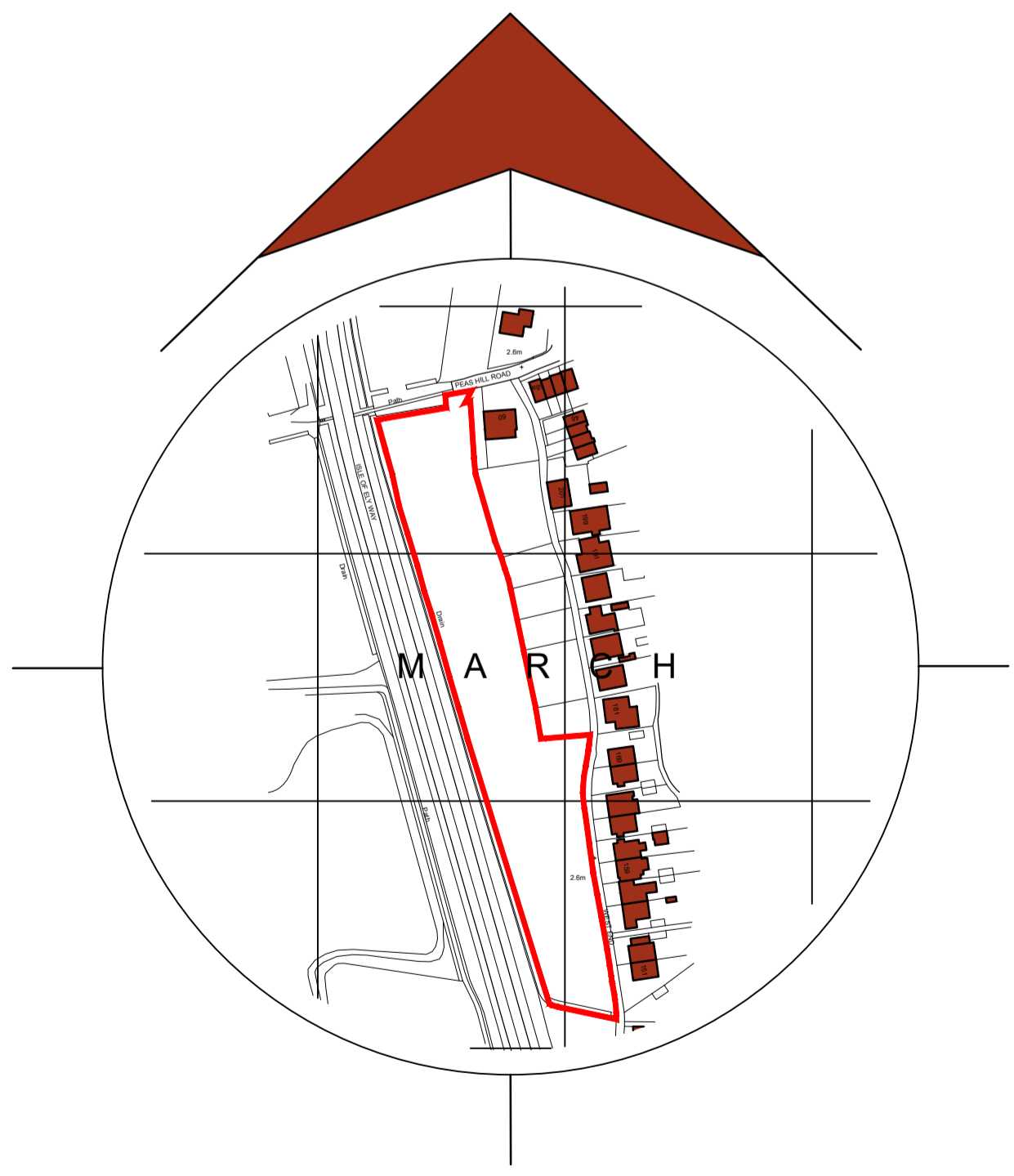
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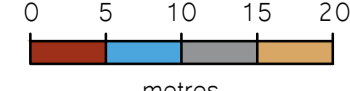


SITE PLAN KEY

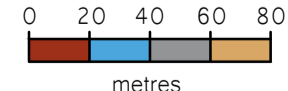
-  Indicates proposed dwellings
-  Indicates proposed parking
-  Indicates proposed trees
-  Indicates approximate position of surveyed trees & hedges
-  Indicates features to be demolished
-  Indicates site access
-  Indicates buildings taken from OS map



Indicative Site Plan
Scale: 1:500



Location Plan
Scale: 1:2500



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.

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

D01	Demolition of the stable		
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Revisions

A	May 2024	Notes amended
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Status
PLANNING



SWANN EDWARDS ARCHITECTURE
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Job Title Proposed Development at Land off Peas Hill Road March, Cambs, PE15 8HE	Date November 2023	Drawn by AK
Drawing Title Outline Application Drawing Site and Location Plan	Job No. SE:2035	Checked by GE
	Dwg No. PP1100	Sheet Size A1
		Revision A

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F/YR24/0304/F

Applicant: Mr S Taylor

**Agent : Mrs Alex Patrick
Alexandra Design**

Land East Of Fern House, Birds Drove, Gorefield, Cambridgeshire

Change of use of land to gypsy traveller's plot involving the siting of 2 x residential mobile homes and 2 x touring caravan, the formation of hardstanding, in-filling of ditch (to create vehicular access) and erection of 1.8m high fencing and a gate with 2.15m high brick piers (retrospective)

Officer recommendation: Grant

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

Government Planning Guarantee

Statutory Target Date for Determination: 6 June 2024

EOT in Place: Yes/No

EOT Expiry: 6 November 2024

Application Fee: £578

Risk Statement:

This application must be determined by 6 November 2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- 1.1 The application seeks retrospective planning permission for the change of use of the site for Gypsy & Traveller plots, the siting of 2no. mobile residential homes, 2no. touring caravans, the creation of associated hardstanding and access, and the erection of a 1.8m close-boarded fence and 2.15m brick piers.
- 1.2 The proposal engages the tilted balance on the basis of a lack of 5-year land supply for Gypsy & Traveller pitches in the district. It is considered that the proposal is acceptable in principle, on balance, by contributing towards achieving the required supply.
- 1.3 It is acknowledged that there is a policy conflict in respect of flood risk and drainage by virtue of the sites location in flood zone 3. However, it is considered that this is sufficiently mitigated by the existing flood defences and mitigation measures set out in the submitted Flood Risk Assessment.
- 1.4 The proposal is considered to be acceptable in terms of the overall planning balance and it is therefore recommended that permission is granted in this instance.

2 SITE DESCRIPTION

- 2.1 The application site is located on the southern side of Bird's Drove in Gorefield. The site has not been subject to any previous planning applications and as such, the authorised use of the land is as an undeveloped agricultural field.
- 2.2 Notwithstanding this, the site has been subject to the unauthorised development as listed above, and now consists of 2no. residential mobile homes, 2no. touring caravans, associated hardstanding, creation of an access and erection of a 1.8m close-boarded fence and 2.15m high brick piers.
- 2.3 The wider context of the surrounding area is largely rural and agricultural in nature, with sporadic pockets of development also present. There are no properties immediately adjacent to any boundary of the site, with the nearest property approximately 100m away.
- 2.4 The site is located in Flood Zone 3 but is at very low risk of surface water flooding.

3 PROPOSAL

- 3.1 The proposal seeks retrospective planning permission for the change of use of land to gypsy traveller's plot involving the siting of 2 x residential mobile homes and 2 x touring caravan, the formation of hardstanding, in-filling of ditch (to create vehicular access) and erection of 1.8m high fencing and a gate with 2.15m high brick piers.
- 3.2 The development has already been carried out in its entirety.

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 There is no relevant planning history on the site.

5 CONSULTATIONS

5.1 Gorefield Parish Council

Gorefield Parish Council does not support this application. It is development in the open countryside with no justification.

5.2 North Level Internal Drainage Board

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

5.3 Cambridgeshire County Council Highways Authority

I can confirm that the revised details are acceptable to the Local Highway Authority. Whilst we may retain reservations in relation to the suitability of the local highway network to cater for additional development, the scale and impact of the

proposal when considered on its own merits is not sufficient to justify a recommendation of the refusal in the context of Para 115 of the NPPF.

5.4 Environment Agency

We object to the proposed development as it falls within a flood risk vulnerability category that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the National Planning Policy Framework (NPPF) and planning practice guidance (PPG). We recommend that planning permission is refused on this basis.

5.5 Natural England

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

5.6 CCC Ecology

The application provides insufficient evidence to demonstrate:

- the level of impact of the scheme on protected species, namely bats, nesting birds and water vole*
- 'no net loss', and ideally net gains, in biodiversity value*

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:

- Protected Species surveys (water vole) recommended in the Water Vole Appraisal*
- Preliminary Ecological Appraisal (to include consideration of removal of trees), and any further survey work recommended in the PEA*

5.7 Environment & Health Services (FDC)

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

5.8 FDC Traveller And Diversity Manager

I would confirm that the family are ethnic Gypsies.

5.9 Local Residents/Interested Parties

Objectors

A total of 6 letters of objection were received from residents of Wisbech, Leverington, Gorefield and Chatham. The representations raised the following material planning considerations:

- Noise disturbance from a generator being run on site*
- Increased flooding to neighbouring property*

- Lack of public transport links
- All roads are unlit without footways
- Significant visual impact on landscape
- Site within flood zone 3
- Unknown need for pitches in the district area
- Insufficient infrastructure (doctors surgeries, schools, etc.)
- Narrow highway with no passing places and in poor condition

Supporters

A total of 18 letters of support were received from residents of Gorefield, Wisbech, Claremorris, March, Hunstanton, Chatteris, Norwich, Sutton Bridge, Hinckley and Westport. The representations raised the following material planning considerations:

- The development has improved the visual amenity of the site
- The applicant has carried out repairs to the ditch in front of the site to improve drainage

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).

6.2 The Council has a duty Under the Equality Act 2010, Section 149, to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 8 – Promoting healthy and safe communities

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
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
LP5 – Meeting Housing Need
LP6 – Employment, Tourism, Community Facilities and Retail
LP12 – Rural Areas Development Policy
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP19 – The Natural Environment

7.5 **Cambridgeshire Flood and Water SPD 2016**

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

LP1: Settlement Hierarchy
LP2: Spatial Strategy for the Location of Residential Development
LP5: Health and Wellbeing
LP7: Design
LP8: Amenity Provision
LP12: Meeting Housing Needs
LP14: Gypsies and Travellers and Travelling Showpeople
LP18: Development in the Countryside
LP22: Parking Provision
LP24: Natural Environment
LP25: Biodiversity Net Gain
LP32: Flood and Water Management

8 **KEY ISSUES**

- **Principle of Development**
- **Character and appearance impact**
- **Impact on amenities**
- **Flood Risk and Drainage**
- **Biodiversity Impact**
- **Parking provision and highway safety**
- **Biodiversity Net Gain (BNG)**

9 ASSESSMENT

Principle of Development

- 9.1 The application seeks retrospective planning permission for the change of use of the site for Gypsy & Traveller plots, the siting of 2no. mobile residential homes, 2no. touring caravans, the creation of associated hardstanding and access, and the erection of a 1.8m close-boarded fence and 2.15m brick piers.
- 9.2 Whilst the site is located within the parish limits of Gorefield, it is situated outside of the continuous built area of the settlement. As such, the application should be considered as Rural/Open Countryside development under Policy LP12 of the Fenland Local Plan, rather than the village specific policy LP3.
- 9.3 Notwithstanding the requirements of Policy LP12, it is recognised that many traveller pitches will be located outside of settlements and in rural locations such as this.
- 9.4 Furthermore, Policy LP5 concerns meeting housing needs in the district. Part D of this policy is particularly relevant to the consideration of this application, as it relates to the assessment of development proposals for Gypsy and Travellers and Travelling Showpeople.
- 9.5 Due regard has also been given to Planning Appeal APP/D0515/W/23/3332133 (F/YR22/1029/F – Land North of the Spinney, Gall's Drove, Guyhirn), which was allowed in March 2024 for the use of land for the stationing of caravans for residential purposes and dayroom ancillary to that use.
- 9.6 This appeal found that the Council are unable to identify and demonstrate the current need for Gypsy & Traveller plots within the district. As such, the Inspector concluded that the Council were unable to demonstrate a five-year land supply in this regard. In the absence of an adequate supply, significant weight in favour of the proposal must be given as a means of helping to meet the need in the district.
- 9.7 When having due regard to the outcome of this appeal, the provision of additional Gypsy & Traveller plots in this development proposal weighs in favour of the application, notwithstanding any harm identified and conflict with Fenland Local Plan policies arising from the location of the site.
- 9.8 Therefore, when considering the principle of development in this instance, it is considered to be acceptable when having regard to the Council's lack of evidence to identify the need for Gypsy & Traveller pitches in the district and acknowledging that this development would offer a small contribution towards meeting this.

Character and appearance impact

- 9.9 The site is located in a rural area with a flat topography and fairly open views, particularly when looking North and West from the site. It is acknowledged that there is a degree of visual impact from the development when viewing the site from these directions. However, when looking to the East and South, there is a band of trees that restricts any wider visual impacts of the development in these directions.
- 9.10 Whilst noting the generally rural character of the surrounding area, there is still a presence of pockets of development. It is considered that these pockets of development result in some visual impact on the landscape, meaning that the

development in question is not alien nor incongruous on the landscape character of the area.

- 9.11 It is not considered that the scale of development on site, the provision of 2no mobile residential homes and 2no touring caravans, would be out of keeping with the scale of development seen on nearby sites.
- 9.12 When considered on balance, it is acknowledged that the development is visible on the landscape when viewed from certain vantage points. However, it is not considered that this impact is significant when considered in the overall context of the wider landscape. As such, it is considered that the proposal, on balance, complies with Policy LP of the Fenland Local Plan (2014) in terms of character and appearance impact.

Impact on amenities

- 9.13 When considering the impact of the development on residential amenities, it is important to note that the site is approximately 100m from the nearest property.
- 9.14 It is not considered that the use of the site for residential purposes would generate significant levels of noise that would result in disturbance to the nearest neighbours, particularly when considering that the nearest property to the east is located immediately south, and in far closer proximity, to a site which appears to benefit from a planning permission for the storage, repair and servicing of tipper lorries (F/YR01/0072/F). Notwithstanding, the proposal is for a residential use which would be generally compatible with adjacent residential uses.
- 9.15 Further to this, it is noted that the Environmental Health Team have raised no objections to the proposal on the basis of the arising impacts. Whilst concerns have been raised about the use of generators, the frequency of this is unknown. Notwithstanding, the Council's Environmental Health teams has powers under the Environmental Protection Act to intervene should statutory noise nuisance (or other nuisances) occur.
- 9.16 Due to the separation distance from the application site to any neighbouring properties, and the modest scale of development proposed, it is not considered that the development would result in any adverse impacts on residential amenity.
- 9.17 Residents have raised concerns over the impact on local services and facilities through this development, or rather a lack of sufficient services and public transport to support it. In this regard, the scale of the development and likely number of occupiers will be low and therefore unlikely to place significant burdens upon local services. Furthermore, whilst the lack of public transport is noted, this is not an uncommon situation where countryside development occurs and where justified. As such, refusal on these grounds is unwarranted in this instance.
- 9.18 Therefore, the proposal is considered to comply with Policy LP16 of the Fenland Local Plan (2014) in this regard.

Flood Risk and Drainage

- 9.19 The application site is located within Flood Zone 3 but is immediately adjacent to Flood Zones 2 & 1. It is also noted that the site is located to the North of areas benefitting from flood defences and a water storage area, as shown on the Environment Agency maps.
- 9.20 In terms of surface water flood risk, the site is located in an area considered to be of very low risk.

- 9.21 Due to the location of the site within an area of higher flood risk, there is a conflict with Policy LP14 of the Local Plan. This weighs against the proposal.
- 9.22 Consideration has been given as to whether the proposal passes the sequential and exception test in this regard. It is considered that the sequential test is met in this instance as the Council are unable to identify any sites at a lower risk of flooding that could accommodate the development. As such, the sequential test is met and it is necessary therefore to consider whether the application passes both parts of the exception test, which are; a) that the development provides wider community benefits which outweigh the flood risk and; b) that the development can be made safe for its lifetime without increasing flood risk.
- 9.23 In respect of a); the site will provide accommodation for a specific community group where there are no other sites available and the Council are unable to confirm that sites will come forward in the immediate future. The development would therefore provide wider benefit in securing accommodation against an unmet need.
- 9.24 In respect of b) Whilst there is an objection from the Environment Agency on the basis that the site is located within Flood Zone 3, their comments do highlight that their hazard maps do not have this area at risk, should a breach of the flood defences occur. Further to this, it is noted that there is no objection from the Internal Drainage Board.
- 9.25 It is noted, as highlighted in the aforementioned appeal decision (APP/D0515/W/23/3332133), where flood risk was also a key issue, that the Environment Agency mapping is only a guide and reflects a worst-case scenario that does not take into account flood defences in the area.
- 9.26 Notwithstanding this, the Flood Risk Assessment submitted alongside the application sets out a number of mitigation measures that can be implemented to improve the resilience of the site in the event that flooding occurs. The Environment Agency has confirmed that they are satisfied with the measures, when considering the additional protection afforded to the site by the existing flood defences and water storage areas nearby.
- 9.27 As such, it is considered that through the identified mitigation, the development can be made safe for its lifetime and would not increase flood risk elsewhere. Therefore, both parts of the exception test are considered to have been met.
- 9.28 As such, whilst it is acknowledged that there is a policy conflict in this regard, it is not considered that the harm arising from this conflict would warrant the refusal of the application when having regard to the lack of supply of Gypsy & Traveller pitches and the flood mitigation measures proposed in this instance.
- 9.29 On balance, therefore, the proposal is considered to be acceptable in planning terms, having due regard to Policy LP14 of the Fenland Local Plan.

Biodiversity Impact

- 9.30 Given that the development has already been implemented, it must be accepted that any biodiversity impact has already occurred. Notwithstanding this, the initial comments received from the County Ecologist raised an objection on the basis of insufficient information relating to biodiversity impact – particularly protected species surveys for water voles.

- 9.31 Further information has been submitted and re-consulted on in this regard. However, comments have not been forthcoming from the Ecologist on this information.
- 9.32 An ecological appraisal has been submitted that includes information about two water vole surveys that were carried out on ditches and near to the site in April and July 2024. These surveys identified no evidence of water voles, although this may have been due to the clearance work undertaken on site.
- 9.33 Whilst it cannot be confirmed whether and implementation of the development resulted in any biodiversity impact, and what the extent of this impact may have been, it is not considered that the development will result in any ongoing or further harm in biodiversity terms.
- 9.34 Notwithstanding this, it is considered necessary that the site provide a scheme of biodiversity mitigation and enhancement measures to offset any harm that may have occurred. As such, it is recommended that a condition being included requiring the submission of such a scheme within 3 months of the date of decision. The approved scheme should be implemented within 6 months of its approval.
- 9.35 As such, it is considered on balance that the proposal can accord with Policy LP19 of the Fenland Local Plan if appropriate mitigation and enhancement can be provided post decision.

Parking Provision and Highway Safety

- 9.36 The highway authority has raised concerns with the scheme due to the narrowness of the highway and lack of passing provision available. There were also concerns about the capability of the site to provide adequate turning space to allow vehicles to enter the highway in forward gear.
- 9.37 Following the submission of additional information, including vehicle tracking plans, the highway authority do maintain some reservations with the scheme, but do not consider that there are sufficient grounds to maintain a formal objection when considering paragraph 115 of the NPPF.
- 9.38 It is considered that the proposal provides sufficient parking provision for the number of units proposed, along with sufficient turning provision on site. Whilst it is noted that the public highway is narrow, it is not considered that the scale of development proposed would result in a severe impact on the highway network due to its modest nature.
- 9.39 As such, it is considered on balance that the proposals are acceptable in terms of parking provision and highway safety, having regard to Paragraph 115 of the NPPF.

Biodiversity Net Gain (BNG)

- 9.40 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.
- 9.41 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 retrospective, is exempt from statutory net gain.

10 CONCLUSIONS

- 10.1 The application seeks retrospective planning permission for the change of use of the site for Gypsy & Traveller plots, the siting of 2no. mobile residential homes, 2no. touring caravans, the creation of associated hardstanding and access, and the erection of a 1.8m close-boarded fence and 2.15m brick piers.
- 10.2 The proposal engages the tilted balance on the basis of a lack of 5-year land supply for Gypsy & Traveller pitches in the district. It is considered that the proposal is acceptable in principle, on balance, by contributing towards achieving the required supply.
- 10.3 It is acknowledged that there is a policy conflict in respect of flood risk and drainage by virtue of the sites location in flood zone 3. However, it is considered that this is sufficiently mitigated by the existing flood defences and mitigation measures set out in the submitted Flood Risk Assessment.
- 10.4 The proposal is considered to be acceptable in terms of the overall planning balance and it is therefore recommended that permission is granted in this instance.

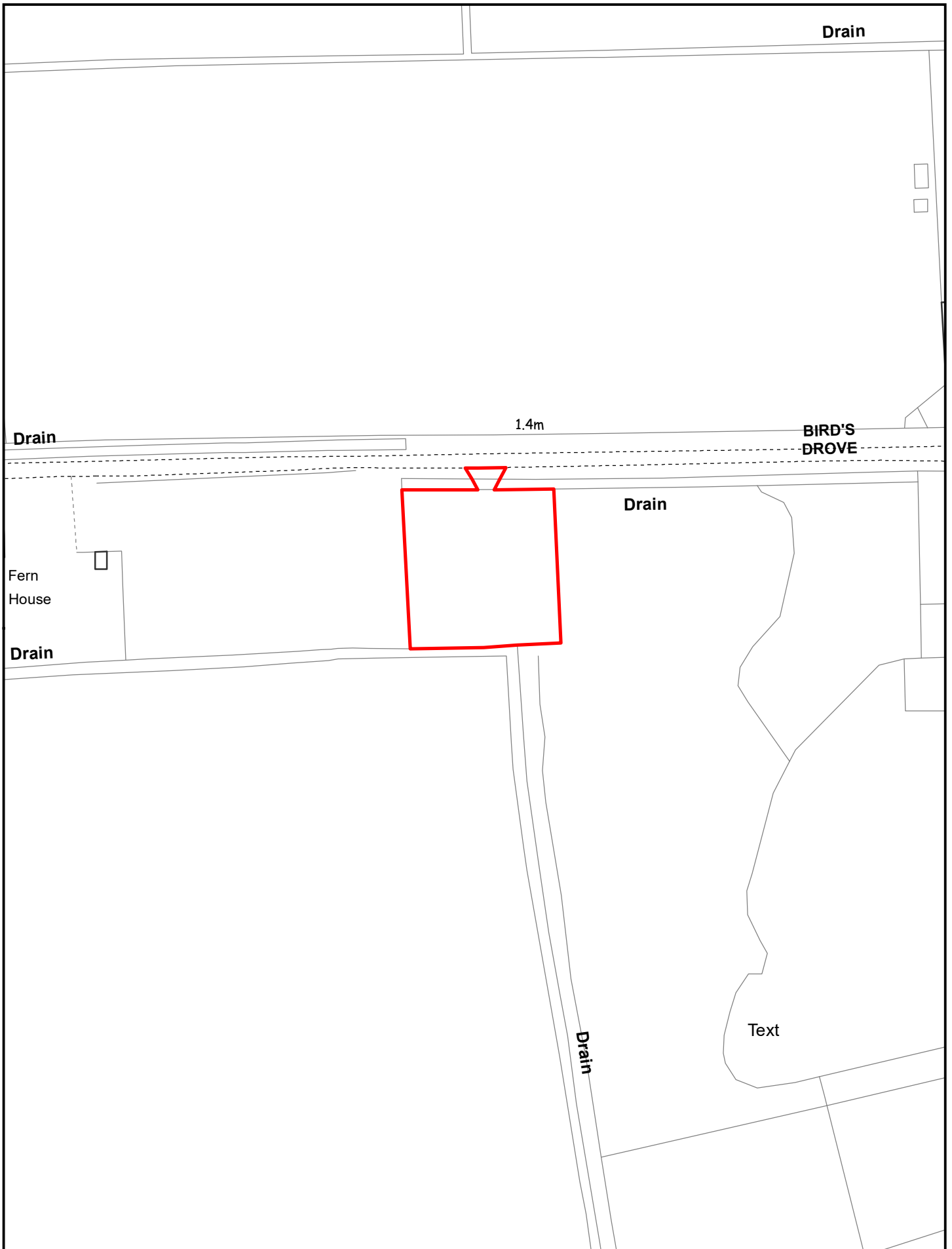
11 RECOMMENDATION

- 11.1 **Grant;** subject to the following conditions:

1.	<p>The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1: Glossary of Planning Policy for Traveller Sites (or its equivalent in replacement national policy).</p> <p>Reason – The site is in an area where residential development other than in particular circumstances would be contrary to policies of the Council’s adopted development plan. Planning permission has only been granted in order to provide accommodation for occupation by gypsies and travellers having regard to the specific policies or development of this nature in place at this time.</p>
2.	<p>No more than 4 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended (of which no more than 2 shall be a static caravan) shall be stationed on the site at any time.</p> <p>Reason – In order that the Local Planning Authority can control the impact of the use of the site on the locality, in accordance with Policy LP2, LP15 and LP16 of the Fenland Local Plan 2014.</p>
3.	<p>The use hereby permitted shall cease and all caravans, structures, equipment and materials brought onto the land for the purposes of such use shall be removed within 90 days of the date of failure to meet any one of the requirements set out below:</p>

	<p>i) Within 3 months of the date of this decision, a scheme for ecological enhancements measures shall be submitted to, and approved in writing by, the Local Planning Authority. Any such scheme shall be implemented within 6 months of its approval and maintained in perpetuity.</p> <p>ii) Within three months of the date of this permission a scheme for foul and surface water drainage, to include implementation, serving the site shall be submitted to the Local Planning Authority for approval.</p> <p>iii) Within 2 months of the date of this decision, the Flood Risk mitigation measures set out in the Flood Risk Assessment (February 2024) prepared by Ellingham Consulting Limited, shall be implemented and maintained in perpetuity.</p> <p>iv) If within 9 months of the date of this decision the Local Planning Authority refuse to approve the scheme or fail to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;</p> <p>v) If an appeal is made in pursuance of iv) above, that appeal shall have been finally determined and the submitted schemes shall have been approved by the Secretary of State.</p> <p>vi) The approved scheme shall have been carried out and completed in accordance with the approved timetable.</p> <p>Upon implementation of the approved scheme specified in this condition, that scheme shall thereafter be retained and maintained in accordance with the approved details.</p> <p>Reason – In the interests of the health and wellbeing of occupants in view of the risk of flooding, and in the interests of biodiversity in accordance with Policies LP2, LP14, LP16 and LP19 of the Fenland Local Plan 2014.</p>
4.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any other order revoking and re-enacting that order with or without modifications), no walls, fences or other means of enclosure, other than those shown on the approved plans shall be erected on the site and no areas of hard surfacing installed, other than as hereby permitted.</p> <p>Reason – To protect the general amenity and character of the area in accordance with Policy LP16 of the Fenland Local Plan, 2014 and Policy B and H of the Planning Policy for Traveller Sites, 2015.</p>
5.	<p>No commercial activities, the storage of commercial materials, or the siting of vehicles over 3.5 tonnes, shall take place on the land.</p> <p>Reason – In the interests of the visual appearance of the area in accordance with Policies LP12 and LP16 of the Fenland Local Plan 2014.</p>

6.	<p>No external lighting shall be erected on the land other than in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason – In the interests of the visual appearance of the area in accordance with Policies LP12 and LP16 of the Fenland Local Plan 2014</p>
7.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <ul style="list-style-type: none"> - 181/PL01 C – Location Plan, Site Plans and Proposed Elevations - Design and Access Statement by Alexandra Design - Flood Risk Assessment (February 2024) by Ellingham Consulting LTD - Ecology Report (August 2024) by Wild Frontier Ecology <p>Reason – For the avoidance of doubt and in the interest of proper planning.</p>



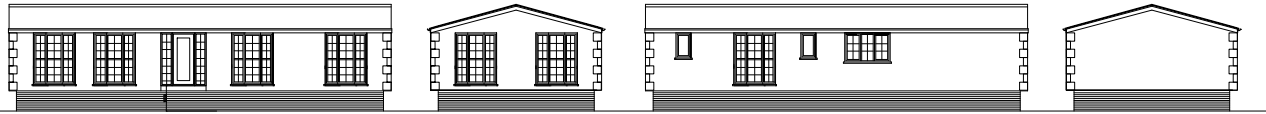
Created on: 24/04/2024

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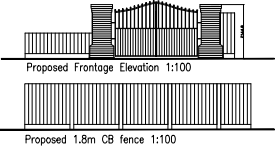
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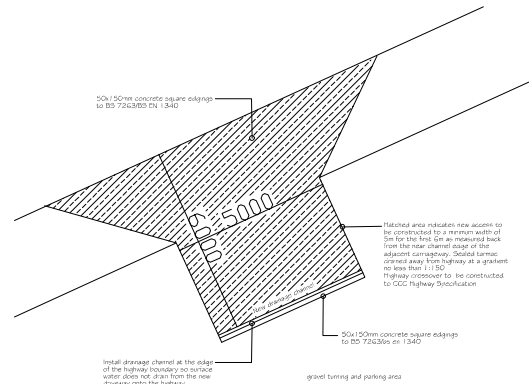




Example of mobile home style, all prefabricated by manufacturer

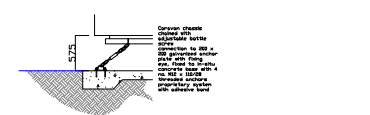
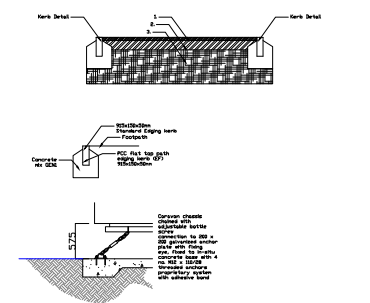


Proposed 1.8m CB fence 1:100

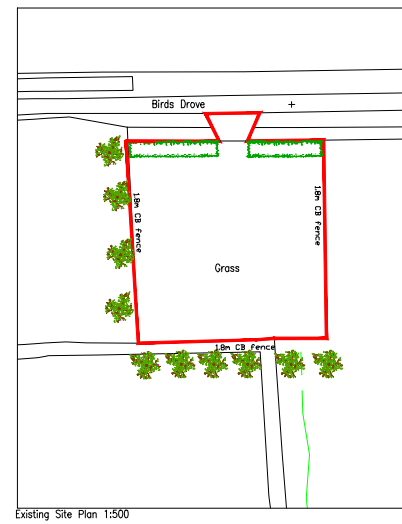


Asphalt Access Area Section Detail 1:20

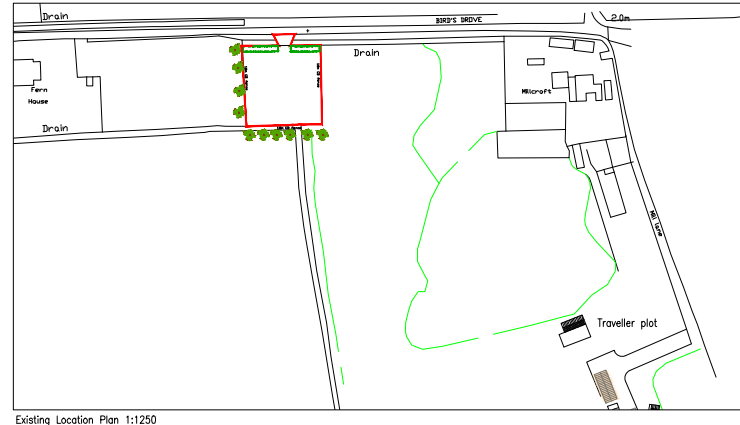
LAYER	SPECIFICATION	THICKNESS
1. surface course	SMA 6 surf 40/60 to section D3 of PD 6691(4)(5)(11), min PSV50 to give texture depth of 0.6-0.1 SHW clause 921 table 9/3. (measured by sand patch method)	25mm
2. binder course	AC 20 dense bin to BSEN13108-1 and PD6691 with 50 pen binder.	90mm
3. sub-base	Granular sub-base type 1 to clause 803(1) certified as nonfrost susceptible, spread evenly on the foundation and compacted, compact to clause 802(1) to achieve a min CBR value of 30%. formation to be treated with an approved weed killer prior to laying sub-base.	368mm



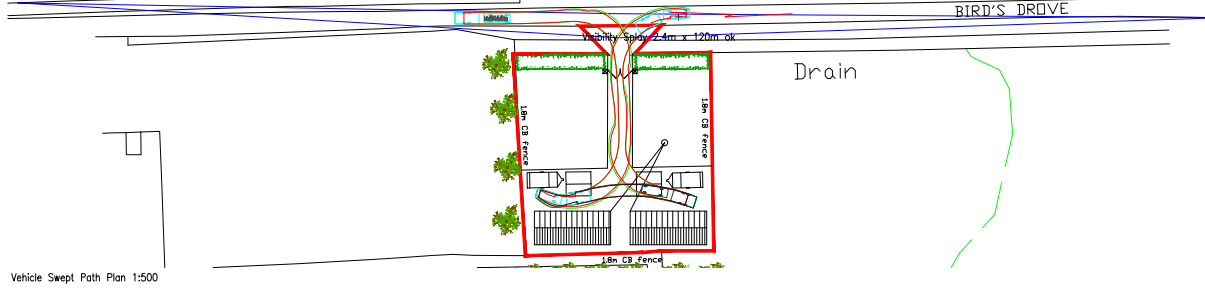
Page 134



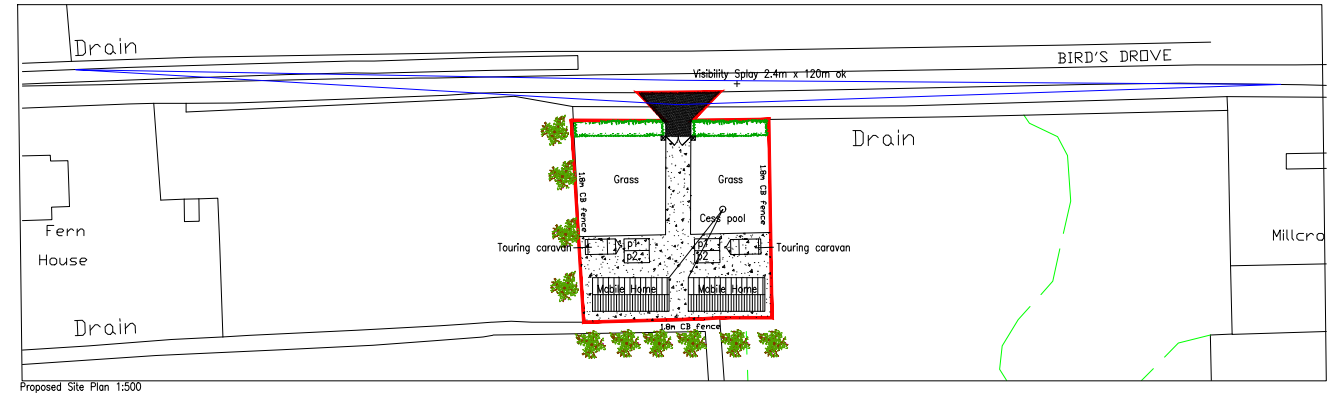
Existing Site Plan 1:500



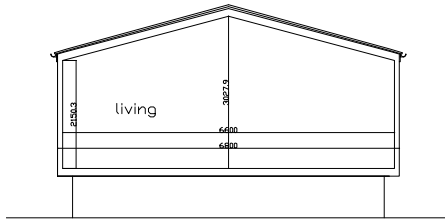
Existing Location Plan 1:1250



Vehicle Swept Path Plan 1:500



Proposed Site Plan 1:500



Example of mobile home style, all prefabricated by manufacturer 1:50



General Notes:
 -Dimensions on all drawings are shown in "mm".
 -The contractor, sub-contractor and supplies must verify all dimensions before commencement of any works on site.
 -This drawing is to be read in conjunction with any relevant engineers and specialist sub-contractor drawings and specifications.

Landscaping Key (hard and soft)

- Lawn area
- Driveway/Parking/Courtyard permeable loose gravel or similar to aid
- Native hedgerow retention
- Hedgerow planted with a balanced mix of:
 - Black thorn

- Asphalt Access Area construction detail**
- Refer to BS EN 13108-1 for material spec for asphalt concrete.
 - Refer to BS EN 13108-4 for material spec for hot rolled asphalt.
 - Refer to BS EN 13108-5 for material spec for stone mastic asphalt.
 - Refer to BS 594987 for transport/laying and compaction of all asphalts.
 - Bond coats to be used in accordance (no.4) to be applied on all kerb and edging faces along with gully and cover frames. Bond coats to be applied on top of base and binder courses. Joints in binder and base course to be over banded.
 - Construction thicknesses based on CBR value. CBR testing must be undertaken.
 - If CBR value is less than 2.5% special engineer measurements will be required.
 - If sub-grade is deemed to be frost susceptible sub-base thickness to be thickened to provide min. construction depth of 450mm.
 - Footpath sub-base to be thickened to 150mm under vehicular crossings.
 - SMA 1 to be gritted whilst material is hot-1-2kg per m² applied by roller mounted hopper.

Revisions:

Reference:	181/PL01/C	Pages:	1
Scale:	as shown		

Project:
Proposed Traveller Plot

Site Address:
Land adjacent Mill Croft
Birds Drive
Corefield
Wisbech

Client:
Mr S Taylor
Birds Drive
Corefield
Wisbech



Southfork Farm
Seadyke Bank
Murray
Cambridgeshire
PE13 4SD

T: 07891175649
E: info.alexandradesign@gmail.com

F/YR24/0590/PIP

Applicant: Mr M Joyce

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

Land South West Of Woodbury, Manea Road, Wimblington, Cambridgeshire

Permission in Principle for 7 x dwellings

Officer recommendation: Refusal

Reason for Committee: Number of representations contrary to Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 19 August 2024

EOT in Place: No

EOT Expiry:

Application Fee: £2515

Risk Statement:

This application must be determined by the 12th of January 2025 otherwise the Council is required to refund the fee of £2,515

1 EXECUTIVE SUMMARY

1.1 The proposal is an application for Permission in Principle to develop the site for up to 5 dwellings. The Permission in Principle route has 2 stages: the first stage (or Permission in Principle Stage) establishes whether the site is suitable in principle and assesses the principle issues namely:

- (1) Location
- (2) Use, and
- (3) Amount of development proposed

And the second (Technical Details Consent) stage is when the detailed development proposals are addressed. Technical details consent would need to be applied for should the application be granted.

1.2 Evaluation of a PIP must be restricted to the issues highlighted above; even if technical issues are apparent from the outset these can form no part of the determination of Stage 1 of the process, Accordingly, some matters raised via statutory bodies may not be addressed at this time.

1.3 The application site comprises previously developed land. Wimblington is a 'Growth Village' where development and new service provision either within the existing urban area or as small village extensions will be appropriate albeit of a

considerably more limited scale than that appropriate to the Market Towns.

1.4 The application site is separated from the main part of the settlement of Wimblington by the A141 Isle of Ely Way. It is considered that the development site is too disjointed from the main part of the settlement of Wimblington, and therefore outside of the built envelope, to be a suitable site for new residential development.

1.5 The recommendation is therefore to refuse permission in principle.

2 SITE DESCRIPTION

- 2.1 The application site is located outside of the settlement footprint of Wimblington. The site is situated to the east of the A141 Isle of Ely Way and is therefore divorced from the main residential area to the west of the highway. The site has a dwelling named Woodbury at the northern boundary, with low level timber fencing and trees along the frontage. This dwelling fronts Manea Road close to the T-junction with the A141. Established lines of trees approximately 8 metres high are located along the eastern and western boundaries. Trees and a field access are located along the southern boundary. The Grade II Listed St Peters Church is located 70 metres to the north-west of the site, adjacent to the western side of the A141.
- 2.2 There is a residential dwelling, known as 'Limes' opposite the site entrance. Neighbouring the site to the east and to the northeast on the opposite side of Manea Road are large commercial warehouse buildings. The site is located within Flood Zone 1 (low risk).
- 2.3 The site is currently used for a dog grooming and kennelling business to the rear of the dwelling, which was granted planning permission under reference F/YR18/0087/F. There is also a family member living beyond the residential curtilage on site in a static caravan which does not benefit from planning permission. Additionally, the site is being used for the storage of work vehicles and materials in connection with the applicant's groundworks business. Planning permission has not been granted for the storage of work vehicles and materials.

3 PROPOSAL

- 3.1 A location plan, existing site plan and indicative site layout (although not a requirement of a PiP application) at scales of 1:500 accompany this submission. These indicate the removal of the existing buildings on the site and the provision of seven detached dwellings with associated parking and landscaping together with the provision of an access road utilising the existing site access. Amendments to the proposed site layout and access were registered on the 29th of August 2024.
- 3.2 The current proposal is the first part of the Permission in Principle application; this 'first stage' establishes whether a site is suitable in principle only, and assesses the 'principle' issues, namely;
- (1) Location
 - (2) Use, and
 - (3) Amount of development proposed.

- 3.3 Should this application be successful the applicant will have to submit a Technical details application covering all the other detailed material planning considerations. The approval of Permission in Principle does not constitute the grant of planning permission.
- 3.4 The applicant is only required to submit a completed application form, a plan which identifies the land to which the application relates (drawn to scale and with a north point) and the application fee.

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/YR22/1217/PIP	Permission in Principle for up to 5 x dwellings, involving the demolition of existing buildings	Application withdrawn 6th November 2023
F/YR18/0087/F	Erection of 2 kennel blocks including outdoor runs for a maximum of 20 dogs –	Approved – 6th April 2018.
F/YR17/1235/CERTP	Certificate of Lawful Use (Proposed): Siting of a caravan ancillary to the main dwelling	Permission required – 13th February 2018.
F/YR09/0205/F	Change of use of outbuildings from domestic workshops to commercial workshops for racing car manufacture, repair & servicing (retrospective)	Refused – 29th May 2009.
F/YR08/0891/F	Change of use of outbuildings from domestic workshops to commercial workshops for racing car manufacture, repair & servicing (retrospective) –	Refused – 18th November 2008.
F/94/0843/F	Construct vehicular access	Approved – 24 th March 1995.

5 CONSULTATIONS

5.1 Wimblington Parish Council – 11th September 2024.

Further to last night's Parish Council meeting, Councillors wish to object to the above application as follows:

(Reference - F/YR22/1217/PIP - Withdrawn)

With reference to the above application revised layout for the 6 m private road and provision of adequate turning and entering the site for a bin lorry. Wimblington Parish Council still strongly object to this development. The revised road layout appears only to have extended the private 5m road leading around to plot 7 and straightened the bend of the main 6m private road through the other plots. This does not provide a turn area for larger vehicles which will have to reverse to turn around and exit the site.

This revised layout will not alleviate the possible traffic congestion out on the B1093 Manea Road and the very busy A141(as raised by Highways - 3rd February 2023 - F/YR22/1217/PIP)

A Permission in Principle is to establish whether a site is suitable in principle and assess the principle issues, namely:

(1) Location - this development is not in a suitable location, it is too close to the junction with the A141, the access point will cause traffic problems at a busy junction, there is no safe pedestrian crossing from the access point, larger vehicles entering/exiting the proposed site will cause more of a hazard on the B1093 Manea Road that already has a large number of industrial businesses and heavy goods vehicles (as mentioned by EH - 23rd July 2024). There is already an ongoing traffic issue being addressed by CCC regarding the business almost opposite the proposed site. The revised layout does nothing to address these problems.

(2) Use - at present the site consists of one dwelling that operates as a small business which involves vehicles entering and exiting at different points. Changing the use of this site to a business plus 7 dwellings exiting from one access is not viable, this is going to exacerbate traffic at a busy junction causing a serious hazard. The revised layout does not alleviate this issue.

(3) Amount of development proposed - there is no further requirement for housing in the village of Wimblington, this amount of development is considered to be fundamentally unacceptable on the basis that it would result in encroachment into the countryside and out of the linear line of the present line of dwellings as well as cause a traffic hazard at its access point. The revised layout does not address this problem.

So, even with the revised layout of the 6m access and 6m private road, the Wimblington Parish Council still object to this proposal.

5.2 Wimblington Parish Council – 14th August 2024

Further to our recent Parish Council meeting, Councillors wish to object on the following grounds: Object Close proximity to junction of Manea Road and the A141. 7 homes plus the kennel and grooming business using the same entrance will see far too many vehicles exiting almost at the traffic lights.

Please note description of access in the Justification Statement is misleading. The drive at the property is a large in and out sweeping drive. Entrants to the Grooming business normally enter through the furthest entrance from the A141 and exist from that part nearest the A141. The broad statement that traffic will be slowing down to accommodate the road junction should be investigated further.

Business has not yet started from Knowles development opposite the application site and it is already anticipated that this will cause many issues. Whilst we recognise this is a planning in principle application the matter of refuse collection and how larger vehicles exist and enter the site has still not been addressed in this new application.

This application for 7 dwellings to be built, accessed off of a busy road connecting closely to the junction off of the main A141, a major highway for transportation of both agricultural, commercial and industrial goods. The Manea Road has a number

of these types of large businesses (as highlighted by Environmental Health) involving constant regular vehicle, more predominantly heavy goods vehicle, movements daily.

At present consultation is ongoing with regard to the speed limit, congestions and the dangers of vehicles exiting/accessing properties/businesses close to the junction on the A141 and Manea Road, access to the proposed site is almost level to this junction. Pedestrian safety will also be paramount when crossing the Manea Road at such a busy junction. Canvassed support for this application has taken little consideration of the safety aspect of this proposal and the fact that a possible increase of 14 vehicles, existing/accessing the proposed site at peak times, on to the Manea Road at this busy junction will be hazardous as well as causing further congestion.

Supporters have also not considered the Housing Needs Assessment, adopted by the Parish Council and held by FDC planning department, that clearly states Wimblington already has a larger percentage of bungalows than elsewhere in Fenland and the need is for more affordable housing not bungalows. Residents off of the Manea Road in Froggs Abbey Lane and Workhouse Drove have long ongoing problems with flooding of local ditches and their properties. The site is only just south east of the historic, heritage listed building St Peter's Church which is experiencing major problems with flooding, as are other areas in close proximity to the site. This proposal will only exacerbate the ongoing issue with flooding as the local infrastructure is already struggling to cope with surface/run off water.

The 7 dwellings will detract from the open views across the fens, are not in keeping with the linear lines present along the Manea Road and is extending out of the built settlement boundaries. The parking facilities for two vehicles per dwelling would involve reversing onto or off of the private access road as there is no way of parking using forward gear only, this poses a hazard especially for delivery and emergency vehicles.

Please also note the comment from Highways response to this new application "Therefore, whilst access has shown to be achieved the shown layout is not correct for a development of this size and in this location. I would further note that it still has not been demonstrated how the refuse will be safely collected from this site"

Policies LP2 LP12 LP16 apply.

5.3 Cambridgeshire County Council – Highways Development – 12th September 2024

Recommendation

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

Comments

Further to the Local Highway Authority's comments dated 12th August 2024, the amended site layout is noted. The applicant has indicated that the internal layout will not be offered for adoption by the Local Highway Authority. Fenland's refuse collection service should be consulted to confirm their position on refuse collection arrangements for this site.

Further information will be required at the technical consent stage including, but not limited to, the design and layout of the site access, details of the proposed arrangements for future management and maintenance of the proposed streets within the development and a review of street lighting requirements at the site access junction.

5.4 Cambridgeshire County Council – Highways Development – 14th August 2024

Recommendation

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

Comments

By and large the applicant has addressed the comments previously made by the LHA under withdrawn planning application number F/YR22/1217/PIP.

I would however note at this stage in the planning process that this application is for permission in principal. Therefore, whilst access has shown to be achieved the shown layout is not correct for a development of this size and in this location.

I would further note that it still has not been demonstrated how the refuse will be safely collected from this site.

5.5 Environmental Health – 7th September 2024

The Environmental Health Team note and accept the information submitted in respect of the above re-consultation and have 'No Objections' to the latest content.

Notwithstanding the above, previous comments from this service on 23.07.24 still apply.

5.6 Environmental Health – 23rd July 2024

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

Should Permission in Principle (PIP) be granted, due to the proximity of several large businesses, namely LM Groundworks, LFF Potatoes and the Knowles Logistics premises on the opposite side of Manea Road, the applicant shall be required to employ the services of a suitably qualified acoustic consultant to undertake a robust noise impact assessment. The follow-up report will then need to be submitted in support of any future application and demonstrate to what extent noise breakout from the existing businesses will affect both external and internal amenity areas of the proposed dwellings, and what mitigation measures will be required to ensure that parameters of relevant nationally recognised standards can be met, and in doing so, ensure adequate protection for any future residents.

Similarly, vehicle noise levels from the adjacent A141 Isle of Ely Way must be incorporated into the noise impact assessment, and again with appropriate mitigation measures to ensure compliance with relevant standards.

5.6 Local Residents/Interested Parties

Objectors

Three letters of objection have been received. Two letters are from Eastwood End in Wimblington, and another is from Doddington Road in Wimblington. They object on the following grounds:

- 1 - Not in keeping with the character of the surrounding area.
- 2 - Dwelling numbers for Wimblington already exceeded number set in the 2014 Fenland Local Plan.
- 3 - The site is too close to a busy main junction. Possible increase of 14 vehicles adding to existing traffic.
- 4 - The infrastructure in Wimblington can no longer sustain further development.
- 5 - Impact on pedestrian safety.
- 6 - The Housing Needs Assessment, adopted by the Parish Council and held by FDC planning department, that clearly states Wimblington already has a larger percentage of bungalows than elsewhere in Fenland and the need is for more affordable housing not bungalows.
- 7 - Impact on Grade II Listed St Peters Church.
- 8 - Increased surface run off flooding impact.
- 9 - Not linear development.
- 10 - Poor manoeuvrability on road.
- 11 - Site is in breach of planning law as is the building opposite.

Supporters

Ten letters of support have been received. Eight letters have a Wimblington address and are from Manea Road x 2, Blue Lane x 2, Doddington Road, Salix Road, Lily Avenue and Morton Way. Other letters of support are from Hospital Road, Doddington, and Meadow Way, March. They support the application on the following grounds:

- 1 - The houses will not be visible from the main road.
- 2 - The proposal does not require the loss of agricultural land.
- 3 - Will aid the government drive to build more housing.
- 4 - No difficulty accessing the site due to the traffic management system already in place on Manea Road.
- 5 - Not experienced any delays during my daily use of Manea Road
- 6 - No obstruction to existing footpath leading into Wimblington Village.
- 7 - The site is not a conservation area site or a listed building.
- 8 - The development already has an access and services.
- 9 - A lot of applications have been approved on the other side of the bypass and can be seen from the road.
- 10 - Larger building developments are being authorised in the village and are already completed or in progress.
- 11 - The transport company in the village is extending its current site.
- 12 - Access into the village centre is a few minutes walk.
- 13 - The dwellings will create a growth in revenue for all local businesses and job creation.

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 – please delete as appropriate

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Context Paragraph: 012 (Reference ID: 58-012-20180615). The scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission but can advise applicants on the decision notice, where Permission in Principle is granted, what they would expect to see at Technical Details stage.

National Design Guide 2021

Fenland Local Plan 2014

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP4 – Housing
- LP5 – Meeting Housing Need
- LP12 – Rural Areas Development Policy
- LP13 – Supporting and Managing the Impact of a Growing District
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP19 – The Natural Environment

Emerging Local Plan

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

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP4: Securing Fenland’s Future
- LP5: Health and Wellbeing

- LP7: Design
- LP8: Amenity Provision
- LP12: Meeting Housing Needs
- LP18: Development in the Countryside
- LP19: Strategic Infrastructure
- LP20: Accessibility and Transport
- LP22: Parking Provision

8 KEY ISSUES

- **Location**
- **Use**
- **Amount**
- **Matters Raised During Consultation**

9 ASSESSMENT

Location

- 9.1 Policy LP3 of the Fenland Local Plan (2014) identifies Wimblington as being a 'Growth Village'. For these settlements, development and new service provision either within the existing urban area or as a small village extension will be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns.
- 9.2 Policy LP12 identifies that to receive support, the site must be in or adjacent to the existing developed footprint of the village, defined as the continuous built form of the village and excludes individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement. The Local Plan does not rely on defined settlement boundaries but rather requires a physical assessment to be made to determine whether or not a site is within a village for the purposes of Policy LP12. This results in a situation where a site could be considered in general terms to be part of the village but not be in the village for the purposes of the spatial strategy.
- 9.3 It is apparent, that in the case of the application site, it is clearly detached from the remainder of Wimblington by the major road of the A141 and thus outside the continuous built form of the settlement. Adjacent development consists of only two residential dwellings and commercial development, with areas to the east rural in nature. As such the proposal would constitute development in an 'Elsewhere' location as defined under LP3 which seeks to restrict that to essential rural based development. The proposal is therefore in conflict with Policies LP3 and LP12.

Use

- 9.4 The site is situated close to the edge of the settlement, however as stated above, it will be contrary to Policy LP12 – Rural Areas Development Policy and Policy LP16 – Delivering and Protecting High Quality Environments across the District. It is therefore considered that the site is not acceptable to use for new dwellings.

- 9.5 In addition, whilst perhaps being a matter more appropriate for consideration at Technical Consent stage, the location of the site between commercial activity and the A141 does raise potential issues around noise and whether a high quality residential environment would ultimately be created.

Amount of Development Proposed

- 9.6 The application seeks Permission in Principle for up to 7 dwellings on a site of 0.32ha which will equate to a density of approximately 21 dwellings per hectare. This is low density and could comfortably be accommodated on-site without being considered an overdevelopment of the site. However, the detailed layout and design will be for consideration at the Technical details stage. In terms of consideration of amount, the proposal is acceptable.

Highways

- 9.7 The Highway Authority initially expressed concern with the site layout regarding manoeuvrability. Amended plans were submitted to demonstrate how vehicles could manoeuvre around the site and enter Manea Road in a forward gear. The access point differs from the previously withdrawn application under F/YR22/1217/PIP as it has been moved further east, albeit with a higher proposed volume of vehicular traffic. Highways concerns are now considered to have been adequately addressed.

Matters Raised During Consultation

- 9.8 Matters other than location, use and amount of development proposed will be for consideration at the Technical Details Stage.

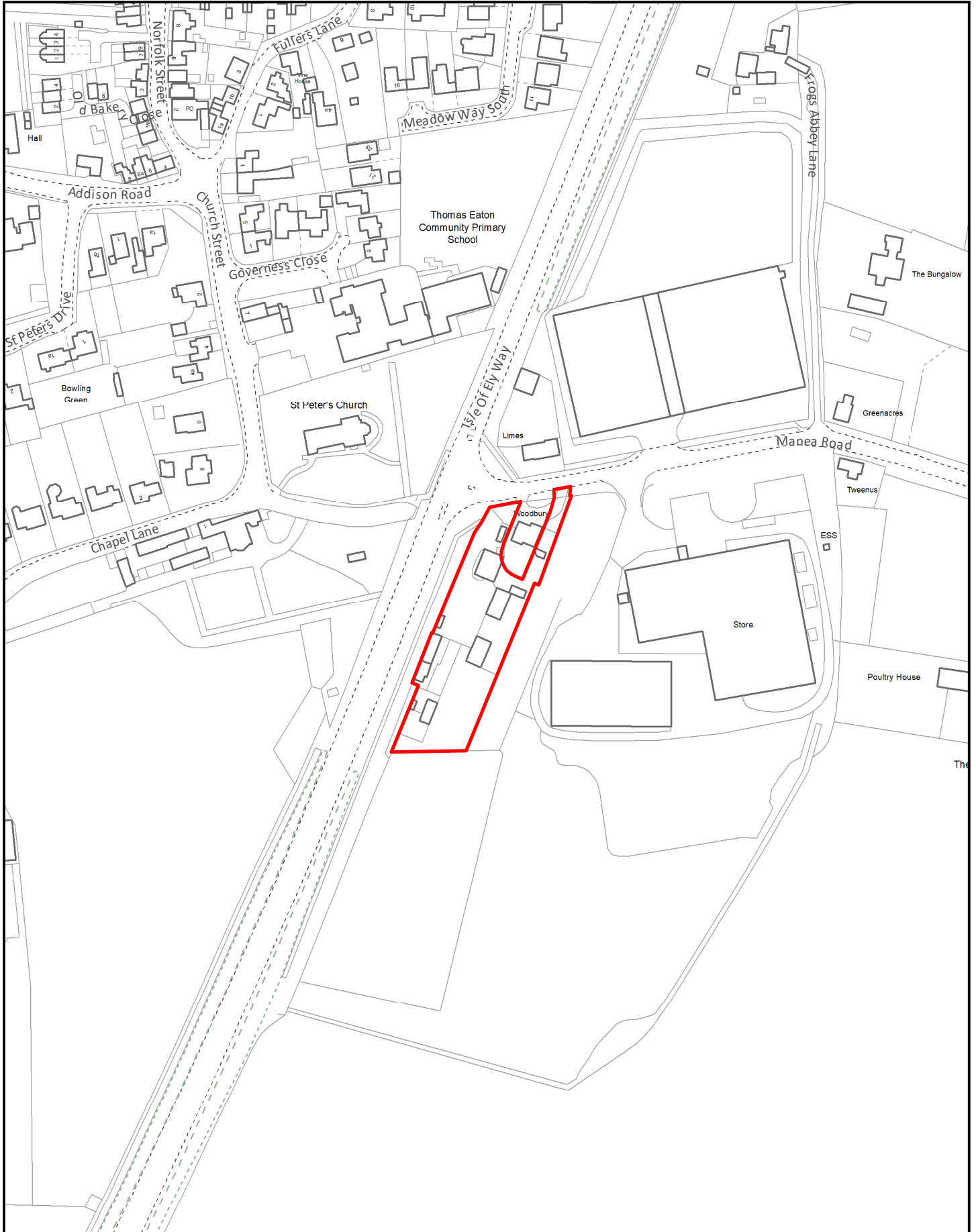
10 CONCLUSIONS

- 10.1 As indicated above it is only location, use and amount of development that may be considered at the first 'permission in principle stage' and it is considered that the location and use of the site for residential development is unacceptable due to the conflict with the settlement hierarchy of the Local Plan and also the proximity of the site to the junction of the A141 and Manea Road, and the consequent impact of intensification of traffic using the site on highway safety.

11 RECOMMENDATION

Refuse; Permission in Principle for the following reason:

1.	The application site constitutes an area of land located outside the developed footprint of Wimblington. The development proposal will be in an 'elsewhere' location contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014). As such any residential development on this site will be contrary to the above policy considerations and thus, in terms of location and use, the Planning in Principle application fails.
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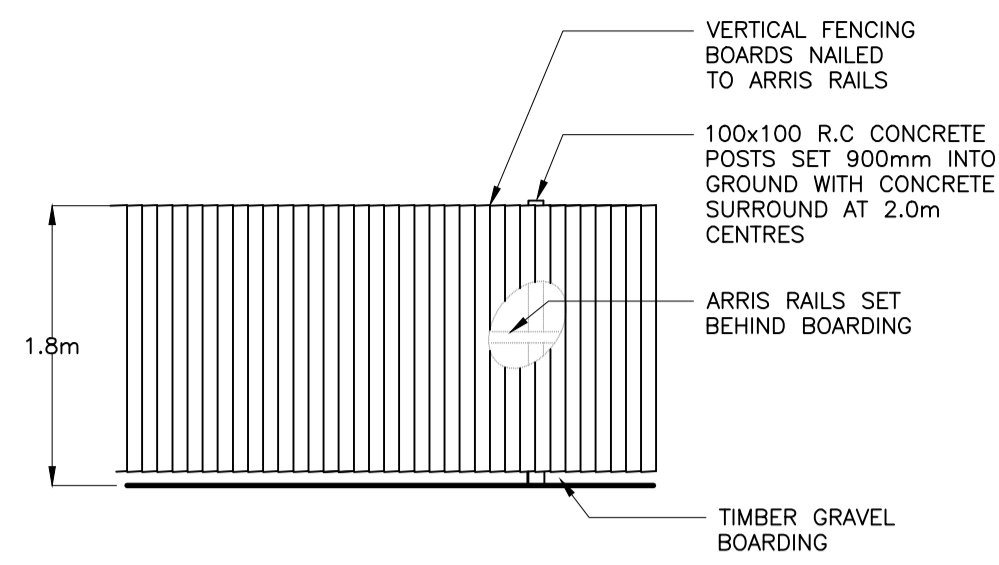
Created on: 22/07/2024

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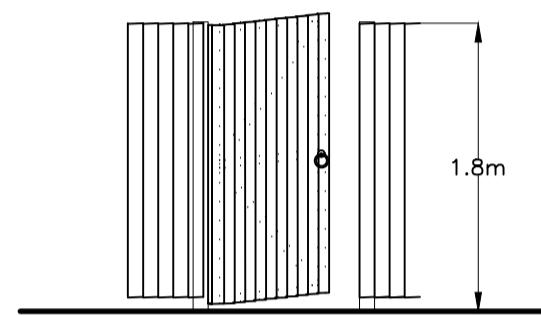
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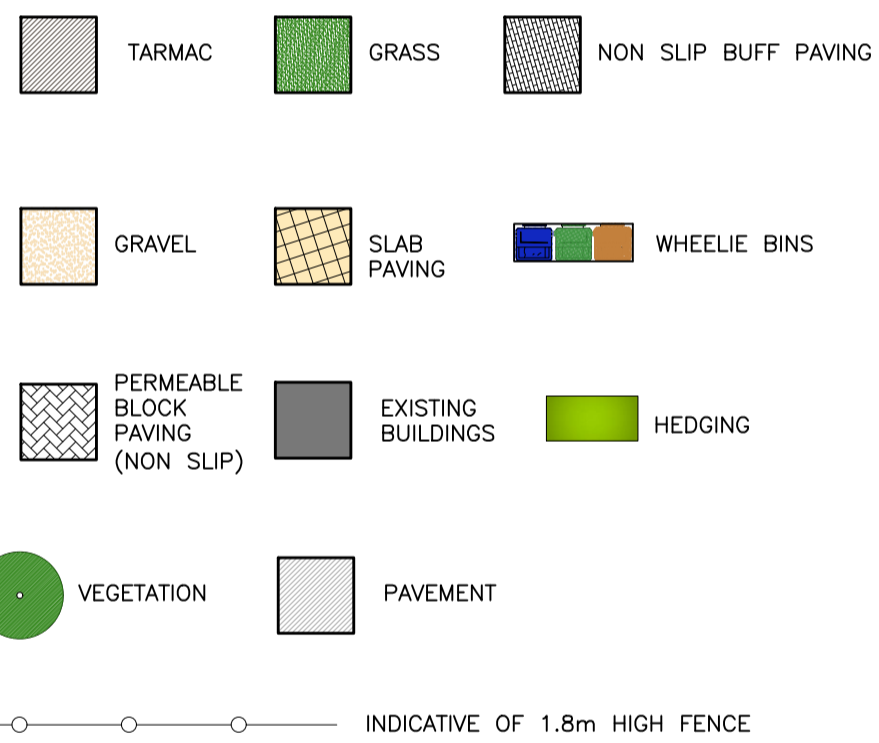




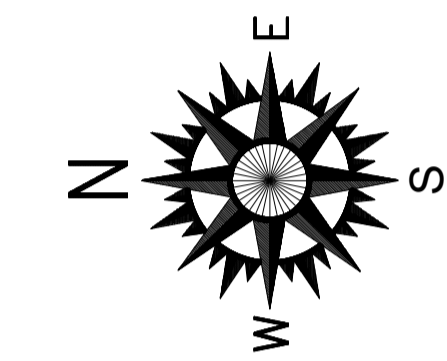
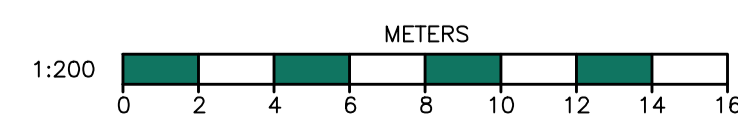
1.8m HIGH FENCE DETAIL
(1:50)



GATE DETAIL
(1:50)



PROPOSED SITE PLAN (1:500)



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

D HIGHWAYS COMMENTS	AUG 2024
C LAYOUT AMENDED	JUN 2024
B LAYOUT AMENDED	SEPT 2023
A PLANNERS COMMENTS	OCT 2022
REVISIONS	DATE

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LABC Building Excellence Awards Winner
Fenland District Council Building Design Awards Winner
Building Excellence in Fenland

CLIENT
Mr M Joyce

PROJECT
Woodbury, Manea Road, Wimblington, Cambs, PE15 0PA

TITLE
Proposed Indicative Plan

DRAWN J.Scotcher	DATE OF ISSUE
CHECKED	
DATE Sep 2022	DRAWING NUMBER H7323_03D
SCALE As Shown	

F/YR22/1416/O

Applicant: Mrs P McCarter

Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited

Land To The East Of 114, Main Road, Parson Drove, Cambridgeshire

Erect up to 4 x dwellings involving the formation of a new access (outline application with matters committed in respect of access)

Officer recommendation: REFUSE

Reason for Committee: Referral back to Committee further to non-completion of Section 106 legal agreement

1 EXECUTIVE SUMMARY

- 1.1 This application was recommended for approval by the planning committee, contrary to officer recommendation on 15th November 2023. This recommendation was subject to the signing of a Section 106 Agreement to secure third party land to secure the visibility splays deemed necessary to overcome highway safety concerns.
- 1.2 The LPA have no power nor authority to enforce a s106 agreement against anyone other than the developer, therefore the original decision to grant the application subject to the completion of a S106 agreement cannot work unless all the properties to be affected were to join in the agreement.
- 1.3 Despite regular communication with the applicant's agent and solicitor, there has been no evidence that they have entered into any discussions with the third party and, as a consequence, no draft S106 agreement has been submitted to the LPA.
- 1.4 Officers consider that the applicant has been given reasonable time for this to have been processed and, therefore, the application is referred back to the Planning Committee with a recommendation that the application is refused for the reasons as set out in the original officer report.

2 UPDATE AND ASSESSMENT

- 2.1 The application was originally reported to Committee in August 2023 (Appendix 1 contains the original report and Appendix 2 the update report presented) with Members resolving to defer the application for further clarification of highway matters. The application was further reported and resolved to be approved by the Planning Committee, contrary to officer recommendation on 15th November 2023 (Planning committee minutes at Appendix 3). This resolution was subject to a S106 being entered into by the applicant to secure third party land in order to provide the visibility splays necessary to address the highway safety concerns raised.
- 2.2 The Local Planning Authority has no power nor authority to enforce a S106 agreement against anyone other than the developer, therefore the original decision to grant the application subject to the completion of a S106 agreement cannot work unless all the properties/ third parties to be affected were to join in the agreement.
- 2.3 Despite regular communication with the applicant's agent and solicitor, there has been no evidence submitted that demonstrates that they have entered into any discussions

with the third party to move this forward and therefore no S106 agreement has been produced.

- 2.4 The agent, however has advised they are considering another option which is to apply for a reduction in the speed limit through this part of the village. In turn, this would reduce the visibility splays required and that they would ensure these would then either fall within the applicants or highways ownership.
- 2.5 An indicative plan demonstrating the reduced visibility splays was submitted for comment. In communication with Cambridgeshire County Council's Highways Engineer, concern was raised as the visibility is still insufficient with a 30mph speed as it would still cross third-party land. If the visibility splay was contained fully to the highway, the achievable visibility would still be substantially below the requirement for a 30mph speed limit. Notwithstanding this, there is no guarantee that the TRO would be approved.
- 2.6 In order for this to happen, a TRO would have to be applied for which falls within a different legislative process but one which requires public consultation with no certainty that it would be approved. A Grampian style condition has been suggested by the agent, however, as there is a possibility this would not be deliverable, a planning condition would be unreasonable at this time.
- 2.6 The question surrounding third party land prompted the agent to submit a land registry extract for which it was purported that the applicant owned a large proportion of land surrounding the site. The plan is merely hatched in a block colour with no reference as to who owns the land hatched. As such, officers cannot be certain that this is sufficient to address highways concerns.
- 2.7 Given this, the application is referred back to the Committee with a recommendation that, the application is refused as per the original grounds set out in the committee report (Appendix 1).

3 CONSULTATIONS

3.1 County Solicitor

The problem we have is that we have no power nor authority to enforce a s.106 agreement against anyone other than the developer.

Thus, the original decision to grant the application subject to the completion of a s.106 agreement cannot work unless all the properties to be affected were to join in the agreement. In practice this will most likely be impossible.

As a consequence the application should be referred back to the Committee with a recommendation that, in the event that they do not wish to follow officer recommendation to refuse on policy grounds (presumably), a requirement for a s.106 agreement be omitted from the decision on the basis that the applicant would have no means of enforcing others who might have an interest in the property, to join in the agreement.

4. CONCLUSION

- 4.1 Despite regular requests, the LPA have not received any evidence from the applicant/agent to demonstrate that they have communicated with the third party and therefore no draft s106 has been entered into or completed within a reasonable period of time.
- 4.2 As it does not alter or overcome the previously asserted failure to comply with the relevant policies in relation to refusal reasons 1, 2 & 3, and as such the conclusions and recommendations in Appendix 1 remain unchanged in this regard and, notwithstanding

the view expressed by Members previously, the Officer recommendation for refusal on these grounds remains.

5. RECOMMENDATION

- 5.1 Whilst noting that Planning Committee did not accept refusal reasons 1 & 3, these are included in order to be consistent with the previous recommendation.

Refuse; for the following reasons:

1	Policy LP12 of the Fenland Local Plan (2014) details a range of criteria against which development within the villages will be assessed and Policy LP16 seeks to ensure that proposed development responds to and improves the character of the local built environment. The application site proposes the construction of up to four dwellings located on land to the rear of frontage residential development along Main Road. By virtue of its backland nature, the proposed development - 5 - would be discordant with the existing linear built form of the development along Main Road to the detriment of the character and appearance of the area and would create a precedent for further backland development at sites with similar geometry. Thus, the proposal would therefore fail to comply with the requirements of Policy LP12 and Policy LP16 (d) of the Fenland Local Plan (2014
2	Insufficient information is provided to demonstrate that suitable visibility splays can be provided for the required access to Main Road. The application materials have therefore not demonstrated that suitable and safe access will be available to the proposed development, contrary to Policy LP15 of the Fenland Local Plan (2014) which aims to provide safe transport networks.
3	Policy LP16(f) states that a development should 'provide adequate, well designed facilities for the storage, sorting and collection of waste that are user friendly and appropriate to the amount and type of development proposed (including taking account of any district or county Supplementary Planning Documents which are in force at the time of the proposal)'. County RECAP Guidance states that 'any designated storage area within the boundaries of the property should not be more than 25m distance from the collection point'. The access road would be a private road and therefore unadopted with the refuse bins and waste having to be moved to the adopted highway for collection. In this instance, the development would be contrary to policy LP16 (f) and guidance contained in the County RECAP Waste Management Design Guide Supplementary Planning Document, 2012

F/YR22/1416/O

Applicant: Mrs P McCarter

Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited

Land To The East Of 114, Main Road, Parson Drove, Cambridgeshire

Erect up to 4 x dwellings involving the formation of a new access (outline application with matters committed in respect of access)

Officer recommendation: Refuse

Reason for committee: Parish Council comments contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. The application seeks outline planning permission for up to 4no dwellings with all matters reserved save for access, which is indicated as being from a private drive connecting to Main Road.
- 1.2. Parson Drove is identified within the Fenland Local Plan as a Limited Growth Village, and policy LP3 notes that for such settlements, "a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability, but less than would be appropriate in a Growth Village. Such development may be appropriate as a small village extension". The site lies adjacent to the built form of the settlement and is therefore deemed to be classed as a small village extension with the proposal therefore in compliance with Local Plan Policy LP3.
- 1.3. The proposed development would be constructed to the rear of an existing frontage development and accessed by a long vehicular access to the west of the site. The development would represent a tandem or backland form of development which would conflict with and undermine the prevailing form of linear frontage development along Main Road.
- 1.4. As the application proposes a level of development that is consistent with that envisaged for Parson Drove within the settlement hierarchy of the Local Plan, it is considered that the area of search for the Sequential Test can be restricted to the limited growth village of Parson Drove. A Flood Risk Assessment including Sequential Test and Exceptions Test has been submitted. This demonstrates that there are no other sequential preferable sites within the village with the exceptions test having been met. The proposal therefore complies with the Cambridgeshire Flood and Water SPD 2016, Policies LP12A(j); LP14 of the Fenland Local Plan 2014 and paragraphs 159-167 of the NPPF'
- 1.5. County RECAP Guidance states that 'any designated storage area within the boundaries of the property should not be more than 25m distance from the collection point'. The access road would be a private road and therefore unadopted with the refuse bins and waste having to be moved to the adopted highway for collection. In this instance, the development would be contrary to policy LP16 (f) and guidance contained in the County RECAP Waste Management Design Guide Supplementary Planning Document, 2012.

1.6. Consequently, the recommendation is to refuse the application.

2 SITE DESCRIPTION

- 2.1 The application site comprises 5090 sq m of open grade 1/2 agricultural land to the south of Main Road and sitting to the west of Silver's Lane, Parson Drove.
- 2.2 The land directly to the north of the site has planning permission for up to five dwellings (ref: F/YR19/0971/O), however four dwellings have gained reserved matters approval on the land and are currently being built out. (ref: F/YR21/0820/RM, F/YR21/1026/RM, F/YR21/1250/RM, F/YR21/1516/RM).
- 2.3 The site is flat throughout and is within flood zones 2/3 of the Environment Agency Flood Maps for Planning.

3 PROPOSAL

- 3.1 The application is seeking outline permission for the erection of up to 4no. dwellings and confirmed on the application form as being for market housing. The application is in outline form with all matters reserved save for access. Matters of layout, appearance, scale and landscaping will be reserved for future consideration should the application be approved.
- 3.2 An indicative plan shows that each of the four plots would have their own access points from an elongated private road, which runs along the west of the site and bends round to the southern edge of the site.
- 3.3 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=RLJHTZHE06P00>

4 SITE PLANNING HISTORY

- 4.1 There is no planning history for the application site itself.

5 CONSULTATIONS

5.1 Parson Drove Parish Council

The Council considered application F/YR22/1416/O Erect up to 4 x dwellings involving the formation of a new access (outline application with matters committed in respect of access) Land To The East Of 114 Main Road Parson Drove Cambridgeshire and a discussion ensued. It was noted that there were no comments on the application from members of the public, nor did any make personal representations to any councillors, as well as being within the local plan. The Council agreed to recommend for approval.

5.2 Environment Agency

Thank you for your consultation dated 05 January 2023 for the above application. We have no objection to this planning application, providing that you have taken into account the Flood Risk considerations which are your responsibility. We have provided additional information below.

Flood Risk

The site is located within flood zone 3 as defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. We have no objection to this application, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) undertaken by Geoff Beel

Consultancy (dated: July 2022 ref: GCB/Swann Edwards) and the following mitigation measures it details:

- Finished floor levels set at a minimum of 2.0m ODN.
- Flood resilient construction to a height of 300mm above the finished floor level are fully implemented and retained for the life of the development.

5.3 Environmental Health

I refer to the above planning application and make the following observations.

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 and the noise climate or be affected by ground contamination.

5.4 North Level District Internal Drainage Board

Please note that North Level District Internal Drainage Board have no comment with regard to the above application.

5.5 Highways

Please add visibility splay for 40mph for the access to the proposed development. Also, can you please indicate the width of the private access to the development. The width will need to be suitable to enable 2-way traffic and emergency vehicular access.

Neighbour responses:

- 5.6 One objection to the proposal from a resident of Parson Drove:

Policy 3 of the Parson Drove Village Development Plan, which forms part of Fenland's planning regulations states that Proposals involving 4 or more dwellings will require clear justification of why the benefits of the proposal outweigh the impacts and should be accompanied by demonstrable evidence of clear local community support, through a proportionate preapplication community consultation that has been ratified by the Parish Council. There is no evidence that this has been carried out and until local support has been demonstrated this application should not proceed. At the very least it seems to me that the owners of the four properties fronting Main Road should be consulted and should show support for this application to be approved

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2021

Context

Identity

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
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

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:

Policy LP1: Settlement Hierarchy
Policy LP2: Spatial Strategy for the Location of Residential Development
Policy LP4: Securing Fenland's Future
Policy LP5: Health and Wellbeing
Policy LP7: Design
Policy LP8: Amenity Provision
Policy LP11: Community Safety
Policy LP12: Meeting Housing Needs
Policy LP20: Accessibility and Transport
Policy LP22: Parking Provision
Policy LP32: Flood and Water Management

Parson Drove Neighbourhood Plan 2020

Policy 1 – Housing Growth
Policy 2 – Scale of Housing Development
Policy 4 - Maintaining Separation Between Parson Drove and Church End
Policy 5 – Road and Pedestrian Safety

8 KEY ISSUES

- **Principle of Development**
- **Compliance with the Neighbourhood Plan**
- **Highways Safety**
- **Character of the area**
- **Flood Risk**
- **Residential Amenity**

9 BACKGROUND

9.1 Whilst there is no site history for the application site itself, the site directly to the north is currently being built out. Application F/YR19/0971/O was granted to erect up to 5 dwellings (outline application with matters committed in respect of access). This site lies to the direct north of the application site and fronts Main Road itself. Separate reserved matters applications have been brought forward for four of the plots.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 of the Fenland Local Plan sets out the settlement hierarchy for development within the district, grouping settlements into categories based on the level of services available, their sustainability and their capacity to accept further development.
- 10.2 Parson Drove is identified within the Fenland Local Plan as a Limited Growth Village, and policy LP3 notes that for such settlements, "a small amount of development and new service provision will be encouraged and permitted in order to support their continued

sustainability, but less than would be appropriate in a Growth Village. Such development may be appropriate as a small village extension”.

- 10.3 There is no defined settlement boundary for Parson Drove within the Local Plan with the application site lying behind the existing residential linear form of development that fronts the southern side of Main Road. Notwithstanding this, and, whilst there is no specific definition surrounding what is classed as a small village extension, the site immediately adjoins the built form of the settlement and, on this basis, it is concluded that this would be considered as a small village extension and would therefore accord with the provisions of the policy.
- 10.4 With regard to the consultation draft of the emerging Local Plan, which carries extremely limited weight as this time, given that consultation has only recently commenced, the site is outside of the defined settlement boundary of Parson Drove. The agent has contested this and referenced the site allocation, LP57.01, which lies beyond the west of the site with LP57.03 directly to the north of the application site which is currently being built out.
- 10.5 The proposed development is considered to be a small village extension of Parson Drove and, therefore, in terms of policy LP3 is considered acceptable in principle. Application of policy LP12 will be assessed in ‘character and appearance’

Agricultural Land

- 10.6 Policy LP12 ((i) states that development should not result in the loss of high grade agricultural land or if so comprehensive evidence is provided to justify the loss.
- 10.7 Paragraph 174 of the NPPF states that decisions should recognise the intrinsic character and beauty of the countryside...including the economic benefits of the best and most versatile agricultural land. Grades 1, 2 and 3a agricultural land fall within this category.
- 10.8 A large proportion of agricultural land in Fenland District is best and most versatile land. There is insufficient information upon which to assess whether the loss the land might mean loss of best and most versatile agricultural land. However, the Council has rarely refused applications for this reason, given the quantity of such land within the District, and it is not considered that this issue could therefore be used as a reason for refusal in this instance.

Compliance with the Neighbourhood Plan

- 10.9 Paragraph 12 of the NPPF states that ‘Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted’.
- 10.10 Paragraph 14 of the National Planning Policy Framework (2021) makes it clear that the adverse impact of allowing a development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh its benefits, provided that neighbourhood plan is up to date, contains policies to allow the settlement to meet its identified housing requirement, has a 3-year supply of deliverable sites and housing delivery is at least 45% of that required over a 3-year period.
- 10.11 With regard to the scale of development noted above, the Parson Drove Neighbourhood Plan (2019) states at Policy 2: Scale of Housing Development, that “sites proposing 5 or more dwellings may be considered appropriate where: the proposal is accompanied by clear demonstrable evidence of positive community support for the scheme generated via a thorough and proportionate pre-application community consultation exercise; and it is supported by the Parish Council”.
- 10.12 The Parish Council have reviewed the application and have given a recommendation in support of the development. In relation to the neighbourhood plan, the application is in

line with the policies 1, 2, 4 and 5. Policy 4 of the Neighbourhood plan states that there should be no development other than permitted development between Parsons Drove and Church End from the east side of Sealeys Lane and Silvers Lane up to the existing dwellings at the end of Church End to allow for an appropriate separation of the villages. As this development is on the western side of Silvers Lane, it is considered appropriate and complies with the policies within the Neighbourhood Plan. It is to be noted that a neighbour objection was received that stated the proposal is contrary to Policy 3 of the Parson Drove Neighbourhood Plan. As referenced above, Policy 3 refers to site proposing 5 or more dwellings. In this instance, the proposal is for 4 dwellings and therefore no evidence is required.

- 10.13 On the basis of the above, the principle of the proposal is not opposed by the relevant policies of the Development Plan, and consideration must be given to the specific impacts as detailed below.

Character of area

- 10.14 Local Plan Policy LP16 identifies that proposals for new development will only be permitted if it can be demonstrated that the proposal, *inter alia 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 local built environment, provides resilience to climate change, reinforces local identity 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.*
- 10.15 Whilst acknowledging that the site is considered to be a small village extension and therefore is acceptable in principle, it must also comply with the requirements of Part A of policy LP12. This states that development can be supported where it does not harm the wide open character of the countryside and provides further guidance as to the restriction of such development to ensure that it has an acceptable impact on the settlement and its character. The Policy requires development to meet certain criteria in order to be supported. The site must be in or adjacent to the existing developed footprint of the village, it must not result in coalescence with any neighbouring village, and 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.
- 10.16 Further to the above-mentioned policies, Policy DM3(d) of the 'Making a Positive Contribution to Local Distinctiveness and Character of the Area' SPD sets out that the character of the landscape, local built environment and settlement pattern should inform the layout, density, proportions, scale, orientation, materials and features of the proposed development, which should aim to improve and reinforce positive features of local identity.
- 10.17 Details of appearance, landscaping, layout and scale are to be submitted at Reserved Matters stage, however the Council must be satisfied that an appropriate design can be brought forward through any subsequent reserved matters application before granting planning permission. An indicative proposed block plan has been provided showing four plots set to the rear of the built form under construction that front Main Road. Each plot is to have a separate access from a private drive to the west of the site.
- 10.18 Parson Drove is of a distinctive linear character. There are only limited exceptions to this character. The development to the north of the site is arranged in a linear form fronting Main Road with the southern boundary creating a strong boundary with the countryside for the present extent of the village. The proposed development would be conflicting with the existing core shape and built form of the development fronting Main Road which is primarily linear in form. The encroachment of the built form of the village into the

agricultural landscape to the south of the settlement in this location would have a detrimental impact on the appearance and character of the settlement in this regard, introducing a domestic appearance and features into what is currently a comparatively open aspect dominated by agricultural land.

- 10.19 The topography is relatively flat with limited visual screening with the site and surroundings to the south, west and east open in nature with any additional built form considered to create a substantial degree of prominence in the wider landscape. Cumulatively, the extension beyond the established pattern of development in conjunction with a substantial degree of prominence within the landscape would cause harmful erosion to the character and appearance of the open countryside. To approve such a scheme would see the countryside, incrementally, being eroded to the detriment of the wider area, and would set a precedent for additional in depth piecemeal development; urbanisation and loss of openness with even more significant cumulative impacts.
- 10.20 In character terms, the proposal is located on a backland site, which is located beyond a recent development that fronts Main Road itself. Whilst the policies of the Local Plan do not preclude backland development *per-se*, Parson Drove is particularly distinctive within the immediate vicinity and within the wider setting of the district as a settlement with extremely limited backland development and a very strong character of linear, frontage development along Main Road, for which the site to the north forms part.
- 10.21 The indicative site location plan shows the construction of up to four dwellings located on land to the rear of frontage residential development along Main Road. By virtue of its tandem nature, the proposed development would be discordant with the existing linear built form of the development along the frontage, exacerbated by it also presenting a 'side-on' aspect to the rural Silvers Lane, to the detriment of the character and appearance of the area and would create a precedent for further backland development at sites with similar geometry.
- 10.22 Whilst it cannot be contested that up to 4no dwellings could be reasonably accommodated within the plot without causing a cramped appearance and with little detrimental impact upon the street scene, these do not outweigh the fact that the open character of the area at this point would be disrupted by the mere physical presence of additional dwellings and would set an undesirable precedent. Thus, the proposal would therefore fail to comply with the requirements of Policy LP12 and Policy LP16 (d) of the Fenland Local Plan (2014).

Residential Amenity

- 10.23 Policy LP2 states that development proposals should contribute to the Council's goal of Fenland's residents, including promoting high levels of residential amenity whilst Policy LP16 states that development should not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light. It also identifies that proposals should identify, manage and mitigate against any existing or proposed risks from sources of noise, emissions, pollution, contamination, odour and dust, vibration, landfill gas and protects from water body deterioration.
- 10.24 With regards to impacts of the proposed development on neighbouring properties, it is considered that the dwellings could be designed, with the appropriate orientation, window layout and landscaping to limit any adverse overlooking and could also be designed to limit any overbearing and shadowing.
- 10.25 If this application is supported, the impact on residential amenity in terms of overlooking and loss of privacy would be re-visited at the reserved matters stage once the scale and appearance of the dwellings can be fully assessed and, upon which, neighbours would have further opportunity to comment.

Highway Safety

- 10.26 As access is being considered within this application, County Highways were consulted on the application. Comments were received requesting *visibility splay for 40mph for the access to the proposed development along with requesting details of the width of the private access to the development.*
- 10.27 The agent has been made aware of the requirements, however, to date, no plans have been received. Insufficient information has therefore been provided to demonstrate that suitable visibility splays for the required access to Main Road can be provided along with a suitable width for the access road. Although this application is for outline planning permission, this is to include access with the information regarding visibility splays required to demonstrate the proposed development could be accessed safely. This information has not been provided despite the agent being made aware of the requirements. It has not therefore been demonstrated that suitable and safe access will be available to the proposed development, contrary to Policy LP15 which aim to provide safe transport networks.

Refuse collection

- 10.28 Policy LP16(f) states that a development should 'provide adequate, well-designed facilities for the storage, sorting and collection of waste that are user friendly and appropriate to the amount and type of development proposed (including taking account of any district or county Supplementary Planning Documents which are in force at the time of the proposal)'.
- 10.29 County RECAP Guidance also states that 'any designated storage area within the boundaries of the property should not be more than 25m distance from the collection point'. The access road would be a private road and therefore unadopted with the refuse bins and waste having to be moved to the adopted highway for collection. In this instance, the development would be contrary to policy requirements and guidance contained in the RECAP Waste Management Design Guide Supplementary Planning Document, 2012.

Flood Risk

- 10.30 Paragraph 162 of the NPPF states 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 allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.'
- 10.31 The site lies within Flood Zones 2 & 3 and therefore at moderate to high risk of flooding. National and Local planning policies set out strict tests to the approach to flood risk, aiming to locate development in the first instance to areas at lowest risk of flooding, Flood Zone 1.
- 10.32 Policy LP14 of the Fenland Local Plan and the NPPF seeks to steer developments to areas of lowest risk of flooding and requires developments, such as this application, to pass the Sequential Test and the Exceptions Test, should the Sequential Test be passed. In order to justify the development in Flood Zone 3, the sequential test would be expected to demonstrate that there are no reasonably available sites in Flood Zones 1 and then in Zone 2 which could accommodate the development.
- 10.33 A Flood Risk Assessment was submitted with the application. This indicated that in light of the flood risk considerations, floor levels of the proposed dwellings will be at 2.00m AOD with a further 300mm of flood resilient construction above finished floor level. Neither the Environment Agency or North Level District Internal Drainage Board have any objections to the scheme, with the Environment Agency stating that they strongly

recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) undertaken by Geoff Beel Consultancy (dated: July 2022 ref: GCB/Swann Edwards) and the following mitigation measures it details:

- Finished floor levels set at a minimum of 2.0m ODN.
- Flood resilient construction to a height of 300mm above the finished floor level.

10.34 In communication with the agent, they were made aware that the submitted FRA failed to include a sequential test and exceptions test. A 'Sequential and Exception test' was subsequently received. Within this, the agent states that the sequential test area 'is to be restricted to the village of Parsons Drove'. It further states that 'this approach is consistent with the NPPF and the NPPG which states that the sequential test should be applied to the catchment area'. As the application proposes a level of development that is consistent with that envisaged for Parson Drove within the settlement hierarchy of the Local Plan, it is considered that the area of search for the Sequential Test can be restricted to the limited growth village of Parson Drove. A Flood Risk Assessment including Sequential Test and Exceptions Test has been submitted. This demonstrates that there are no other sequential preferable sites within the village with the exceptions test having been met. The proposal is therefore considered to comply with the Cambridgeshire Flood and Water SPD 2016, Policies LP12A(j); LP14 of the Fenland Local Plan 2014 and paragraphs 159-167 of the NPPF'

11 CONCLUSIONS

- 11.1 Parson Drove is identified within the Fenland Local Plan as a Limited Growth Village, and policy LP3 notes that for such settlements, "a small amount of development and new service provision will be encouraged and permitted in order to support their continued sustainability, but less than would be appropriate in a Growth Village. Such development may be appropriate as a small village extension". The site lies adjacent to the built form of the settlement and is therefore deemed to be classed as a small village exception with the proposal therefore in compliance with Local Plan Policy LP3
- 11.2 The proposed development would be constructed to the rear of an existing frontage development and accessed by a long vehicular access to the west of the site. The development would represent a tandem or backland form of development which would conflict with and undermine the prevailing form of linear frontage development along Main Road.
- 11.3 As the application proposes a level of development that is consistent with that envisaged for Parson Drove within the settlement hierarchy of the Local Plan, it is considered that the area of search for the Sequential Test can be restricted to the limited growth village of Parson Drove. A Flood Risk Assessment including Sequential Test and Exceptions Test has been submitted. This demonstrates that there are no other sequential preferable sites within the village with the exceptions test having been met. The proposal therefore complies with the Cambridgeshire Flood and Water SPD 2016, Policies LP12A(j); LP14 of the Fenland Local Plan 2014 and paragraphs 159-167 of the NPPF'
- 11.4 County RECAP Guidance states that 'any designated storage area within the boundaries of the property should not be more than 25m distance from the collection point'. The access road would be a private road and therefore unadopted with the refuse bins and waste having to be moved to the adopted highway for collection. In this instance, the development would be contrary to policy LP16 (f) and guidance contained in the County RECAP Waste Management Design Guide Supplementary Planning Document, 2012.

12 RECOMMENDATION:

Refuse; for the following reasons:

1	<p>Policy LP12 of the Fenland Local Plan (2014) details a range of criteria against which development within the villages will be assessed and Policy LP16 seeks to ensure that proposed development responds to and improves the character of the local built environment. The application site proposes the construction of up to four dwellings located on land to the rear of frontage residential development along Main Road. By virtue of its backland nature, the proposed development would be discordant with the existing linear built form of the development along Main Road to the detriment of the character and appearance of the area and would create a precedent for further backland development at sites with similar geometry. Thus, the proposal would therefore fail to comply with the requirements of Policy LP12 and Policy LP16 (d) of the Fenland Local Plan (2014).</p>
2	<p>Insufficient information is provided to demonstrate that suitable visibility splays can be provided for the required access to Main Road. The application materials have therefore not demonstrated that suitable and safe access will be available to the proposed development, contrary to Policy LP15 of the Fenland Local Plan (2014) which aims to provide safe transport networks.</p>
3	<p>Policy LP16(f) states that a development should 'provide adequate, well designed facilities for the storage, sorting and collection of waste that are user friendly and appropriate to the amount and type of development proposed (including taking account of any district or county Supplementary Planning Documents which are in force at the time of the proposal)'. County RECAP Guidance states that 'any designated storage area within the boundaries of the property should not be more than 25m distance from the collection point'. The access road would be a private road and therefore unadopted with the refuse bins and waste having to be moved to the adopted highway for collection. In this instance, the development would be contrary to policy LP16 (f) and guidance contained in the County RECAP Waste Management Design Guide Supplementary Planning Document, 2012.</p>

PLANNING COMMITTEE DATE: 23rd August 2023

APPLICATION NO: F/YR22/1416/O

SITE LOCATION: Land East of 114 Main Road, Parson Drove

UPDATE

Email received from Agent dated 16th August

An email was received from the agent in respect of the concerns raised by the Highways Authority;

Further to your email I attach the revised drawing which is showing the 2.4 x 120m vision splay as requested by highways, also as you will see on the drawing the access road is 5.5m wide which is the standard width for an estate road so allows for two vehicles to pass.

Highway safety

The agent submitted a plan demonstrating the visibility splays and indicated the width of the access road to address the concerns raised by the Highways Authority.

(18/8/23) County Highways commented that the 2.4m x 120m inter-vehicular visibility splay has been shown, which is commensurate with the stopping sight distance for a 40mph road. This visibility, however, does not appear to be fully contained within the application boundary and / or the highway boundary and is thus reliant upon land outside of the applicant's control. However, this is based on ordnance survey mapping without the highway boundary overlaid, so it is difficult to say with any certainty as the portion of the splay which may overspill into third-party land is very minor. For the avoidance of doubt, while there are many single driveways onto Main Road, a shared access for four dwellings will be more intensely used and therefore requires greater conspicuity.

The application seems to be reliant upon the permission F/YR19/0971/O which is to provide a 1.8m footway (Condition 6 of F/YR19/00971/O, later varied under F/YR21/1348/VOC). While this footway is shown on the submission drawings, the application is also reliant upon it so provision of a footway which connects to the existing footway to the west should also be conditioned in a similar manner.

Given the 'in-principle' and fundamental locational issues forming other reasons for refusal, it is considered that this plan should be disregarded at this stage of determination as mentioned above, it cannot be confirmed at this late stage that the access changes would address the additional highways reason for refusal.

Recommendation: REFUSAL – The above update does not alter the original recommendation as set out on page 136 of the agenda.

APPENDIX 2 (PREVIOUS UPDATE TO COMMITTEE ON 15th NOVEMBER 2023)

F/YR22/1416/O

Applicant: Mrs P McCarter

Agent : Mr Gareth Edwards
Swann Edwards Architecture Limited

Land To The East Of 114, Main Road, Parson Drove, Cambridgeshire

Erect up to 4 x dwellings involving the formation of a new access (outline application with matters committed in respect of access)

Officer recommendation: REFUSE

Reason for Committee: Deferred by Committee at its meeting in August 2023 in order to obtain clarification regarding highway matters.

2 EXECUTIVE SUMMARY

- 3.1 This application has previously been referred to the Planning Committee for determination on 23rd August 2023 where it was agreed that the determination of the application be deferred to address the highway concerns in relation to visibility splays and provision of a footpath.
- 3.2 Following deferral, the case officer has been in correspondence with the agent to secure an amended site edged red to include the visibility splays along with the correct Certificate and notice to owners served on the owner of the land. Given the alterations required, a period of 21 days had to be observed.
- 3.3 The additional information submitted is not considered to overcome refusal reason 2 in relation to highway safety. Further to this, it does not alter or overcome the previously asserted recommended refusal reason 1 (backland development at odds with the local character).
- 3.4 Consequently, the recommendation is to refuse the application, consistent with the previous recommendation.

4 UPDATE

- 2.1 This application has previously been referred to the Planning Committee for determination on 23rd August 2023 where it was agreed that the determination of the application be deferred, to obtain updated plans and information surrounding the provision of visibility splays; land ownership and the width of the access road.
- 2.2 The Government provides advice on validity requirements in the Planning Practice Guidance (PPG). The PPG stipulates that: "The application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings). A blue line

should be drawn around any other land owned by the applicant, close to or adjoining the application site.” Since deferral, an amended site edged red plan, SE-1565-PP1000E was received which includes the land that would be required to provide the adequate visibility splays albeit that these would involve land not in ownership of the applicant. Subsequent to this, the correct certificate was duly completed with the requisite ‘Notice to Owners’ served and a copy submitted to the LPA. Given the changes, County Highways were further consulted and comments received are quoted below.

- 2.3 Contained within Appendix A is the original Officer’s committee report along with the ‘Update Report’

5 CONSULTATIONS

3.1 County Highways (10/10/23)

Further to correspondence dated 27th September 2023, I note that additional information has been provided, but not published on the planning website which indicates that there is a covenant on the land to the east requiring adjacent footway to remain free of obstruction. Providing the Local Planning Authority is satisfied that this is sufficient to maintain the visibility splay shown on plan PP1000 F, then I would have no objections in this regard.

I had previously indicated that a section of footway linking the proposed shared access to the existing footway network to the west be included as part of this application. Whilst I still consider this to be essential, on reflection I note that the section of private footway to the west of the access shown on plan PP1000 F is located in land outside of the redline boundary, which may prohibit delivered by the applicant. It appears likely however that a suitable 2m wide footway link could be provided within the public highway. This would however require construction of kerbing at the road edge which would obstructing the existing overedge drainage. The applicant will therefore need to provide an appropriate drainage solution. While ideally the applicant should be invited to provide additional plans to resolve this matter prior to determination of this application, I recognise that with ongoing construction of the adjacent site an appropriate footway may exist before commencement of this site and to prevent any unnecessary construction work, it would be acceptable on this occasion to manage this by inclusion of an appropriate condition.

Overcoming the drainage issues may not however be straight forward and I would therefore recommend that the applicant be required to obtain approval of detailed design of the footway link prior to commencement of any works, which must then be implemented prior to occupation of any dwelling on site.

Please append the following conditions and informative to any permission granted:

Access Road Details: *Prior to the commencement of the use hereby approved the access road shall be constructed to a minimum width of 5m metres for a minimum distance of 10 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.*

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

Construction Facilities: *Prior to the commencement of the development hereby approved adequate temporary facilities area (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.*

Reason: To minimise interference with the free flow and safety of traffic on the

adjoining public highway in accordance with Policy LP15 of the Fenland Local Plan 2014.

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

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

Gates/Enclosure/Access Restriction: 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 hereby approved;

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

Visibility Splays: 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 120 metres measured along respectively the edge of the carriageway.

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

Visibility Splays: 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 2.0 metres x 2.0 metres measured along respectively the edge of the access and the back of the footway.

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

Off-Site Highway Works: No development shall take place until details of works to construct a 2m wide footway linking the new access to the existing public footway to the west has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied/brought into use until all of the works have been completed in accordance with the approved details.

Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014. This is a pre-commencement condition because the off-site highway works are required to make the development acceptable and in addition to planning approval will require permission from the Highway Authority under the Highways Act.

Informative:

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.

Local Interested Parties/neighbours

- 3.2 One received stating: *The revised site/access plan makes no difference to this application as it still ignores the requirements of the Parson Drove Local Development Plan to show local support for this application. It is important to note that just issuing consultation letters is not sufficient and positive support must be demonstrated to be compliant with these requirements.*

6 ASSESSMENT AND CONCLUSIONS

Highway Safety:

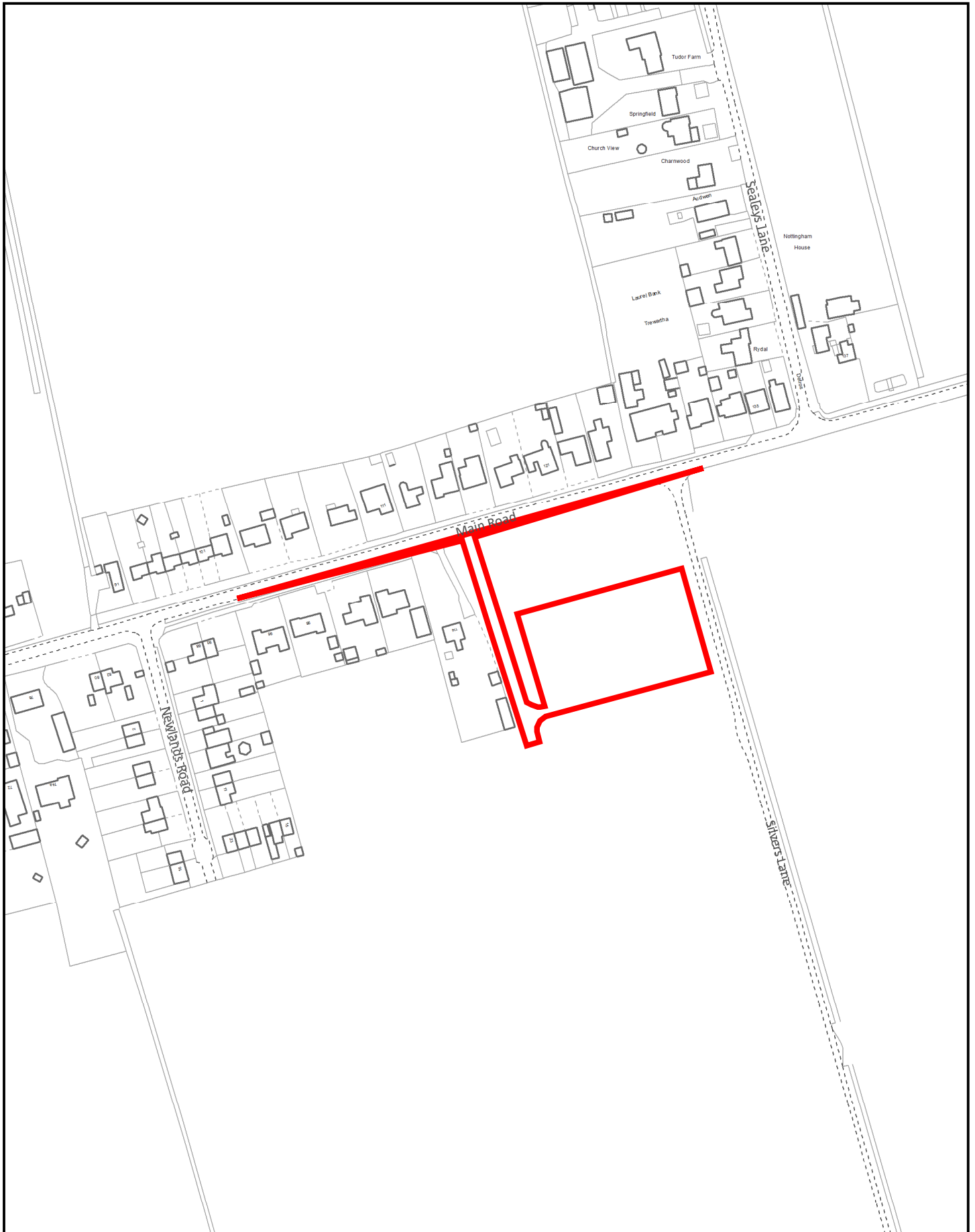
- 6.1 As access is being considered within this outline application, County Highways were consulted on the original submission. They requested the requisite visibility splays to be provided along with the width of the access road. This was conveyed to the agent on 28th July 2023 in an email. However, no information was immediately forthcoming.
- 6.2 Following publication of the agenda for 23rd August committee, and a few days before the committee meeting, the agent submitted a plan demonstrating the visibility splays and indicated the width of the access road. County Highways commented on 18th August 2023 and, in summary, confirmed that the splays provided were considered to be commensurate with the stopping sight distance, however, that these were reliant upon land outside of the applicant's control. Given the locational issues forming another reason for refusal, the plan was disregarded as it could not be confirmed that the details provided would categorically address the highways reason for refusal.
- 4.3 Following deferral of the application at committee, and as referenced above, the agent provided an updated site edged red plan including the visibility splays along with the requisite certificate and notice to owners. Further notification and consultation was carried out. County Highways reassessed the application with all up-to-date information provided and state that there is a covenant on the land to the east '*...requiring the adjacent footway to remain free of obstruction. Providing the Local Planning Authority is satisfied that this is sufficient to maintain the visibility splay shown on plan PP1000 F, then I would have no objections in this regard*'. The presence of a restrictive covenant is not a consideration material to the grant of planning permission and the two are entirely independent of one another. Nonetheless, the covenant requires the footway to be kept free from obstruction so wouldn't hinder the visibility splays. The LPA cannot therefore confirm if this would be a suitable arrangement as a covenant cannot be enforced through the planning process, as such, it cannot be considered there is no objection.

Conclusion

The additional information submitted is not considered to overcome refusal reason 2 in relation to highway safety issues. As it does not alter or overcome the previously asserted failure to comply with the relevant policies in relation to refusal reasons 1 and 2 and as such the conclusions and recommendations in Appendix A remain unchanged in this regard and, notwithstanding the view expressed by Members previously, the Officer recommendation for refusal on these grounds remains.

RECOMMENDATION

Whilst noting that Planning Committee did not accept refusal reasons 1, Officers have included them in order to be consistent with our previous recommendation.



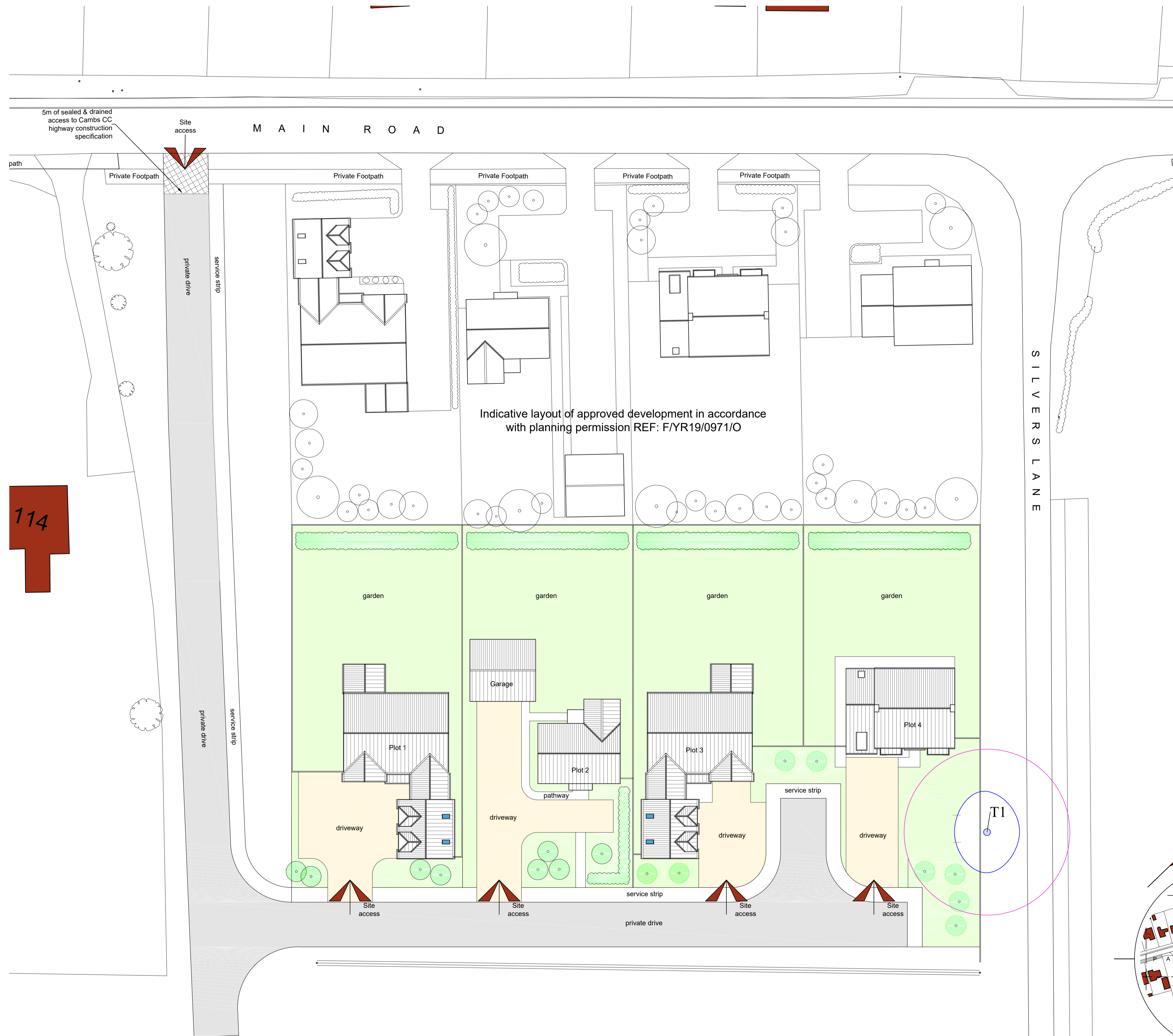
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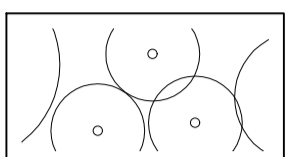
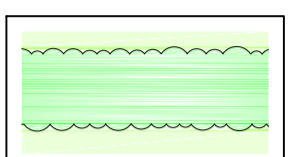
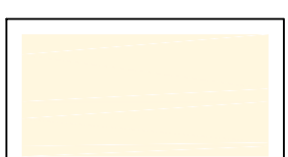
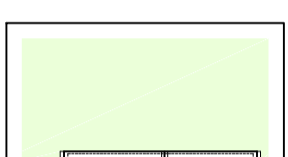
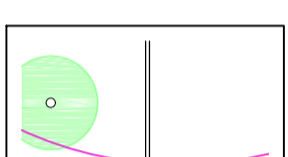
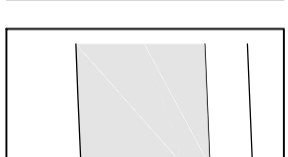
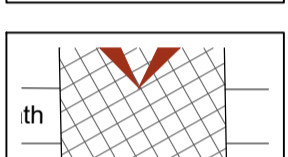
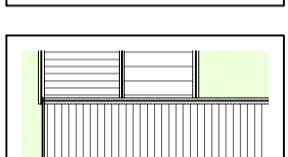
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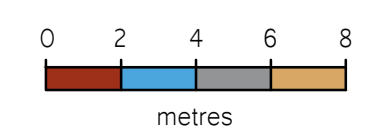


- General Notes
1. All dimensions are shown in "mm" unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors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

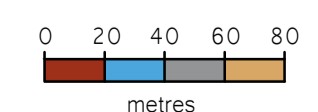
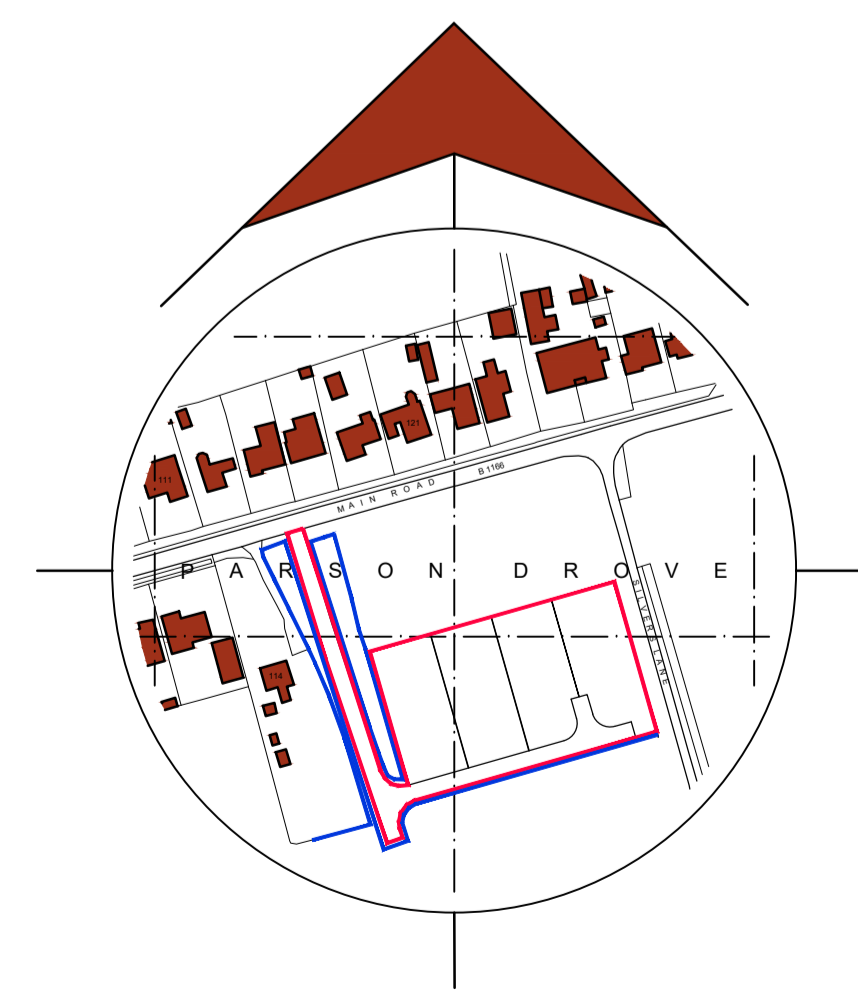
SITE PLAN KEY

-  Un-surveyed OS buildings
-  Existing vegetation
-  Proposed vegetation
-  Proposed gravelled areas
-  Proposed grassed areas
-  Proposed fencing
-  Proposed Private Drive to Adoptable Standard
-  5m of sealed & drained access to Cambs CC highways construction specification
-  Proposed indicative dwellings

Indicative Site Plan
Scale: 1:200




Location Plan
Scale: 1:2500



Status
FOR APPROVAL



Job Title Proposed Development Main Road, Parson Drive, Wisbech, Cambs For: Mrs McCarter	Date February 2022	Drawn by CW Checked by GE
Drawing Title Outline Planning Drawing Indicative Site Plan and Location Plan	Job No. SE-1565 Dwg No. PP1000	Sheet Size A1 Revision B

Agenda Item No:	11	
Committee:	Planning Committee	
Date:	30 October 2024	
Report Title:	Adoption of Local Validation List	

Cover sheet:

1 Purpose / Summary

The purpose of this report is to consider revisions to the Council's Local Validation List for Planning Applications.

2 Key issues

- The Council has undertaken a consultation process for a new Local Validation List. The key issues relate to the consideration of comments received following the consultation exercise.

3 Recommendations

- The recommendation is to adopt the new Local Validation List (attached as Appendix 1) with effect from 1st November 2024.

Wards Affected	All	
Forward Plan Reference	N/A	
Portfolio Holder(s)	Cllr Mrs D Laws	
Report Originator(s)	Matthew Leigh	
Contact Officer(s)	Matthew Leigh - Head of Planning mleigh@fenland.gov.uk	
Background Paper(s)	N/A	

4 Background / introduction

- 4.1 Under the National Planning Policy Guidance (NPPG), Local Planning Authorities (LPAs) are required to publish a comprehensive list of the information that applicants must provide in order for their planning applications to be considered valid. This document, referred to as the Local Validation List (LVL), serves to clarify the specific requirements that must accompany a planning application within the jurisdiction of each LPA.
- 4.2 The Local Validation List is distinct from the national validation requirements, which apply uniformly across England. While the national requirements form the basic foundation, the local list is tailored by the LPA to reflect the unique planning challenges, policies, and site-specific considerations within their area. This approach allows each LPA to request additional information that is necessary to thoroughly assess development proposals in accordance with local planning policies and the character of the area.
- 4.3 The preparation of the Local Validation List is a crucial element of the planning process. It ensures that applicants are aware from the outset of what information is needed to enable the LPA to validate and assess their application. By providing clarity and transparency, the LVL helps to streamline the planning process and avoid delays that can result from incomplete or insufficient applications.
- 4.4 The requirement to publish a Local Validation List is embedded within the broader framework of national planning policy, specifically the Town and Country Planning (Development Management Procedure) (England) Order 2015. This legislation sets out the statutory minimum information required for a planning application to be considered valid. However, it also empowers LPAs to adopt local validation criteria that reflect the specific circumstances of their area.
- 4.5 The Local Validation List must be reviewed and updated regularly, typically every two years, to ensure it remains relevant and reflective of any changes in national or local planning policy. It is also important for the LPA to consult with key stakeholders, including developers, agents, and consultees, when updating the list to ensure it meets both regulatory requirements and practical needs.
- 4.6 As Members are aware, the Council has historically faced a significant challenge with a high percentage of planning applications being deemed invalid upon receipt. This situation places an unnecessary burden on the Local Planning Authority (LPA), requiring additional administrative work to rectify the issues before the application can proceed through the planning process. Furthermore, invalid applications cause delays, not only for applicants but also for the wider planning system, as time and resources are diverted to address these avoidable errors.
- 4.7 When an application is submitted without the necessary supporting documents or with incorrect or incomplete information, it cannot be formally validated. This triggers a back-and-forth between the applicant and the planning officers, prolonging the application's assessment and delaying the overall decision-making process. These delays undermine the efficiency of the planning service and can also affect the Council's performance in meeting statutory timescales for determining applications. In addition, the need to address invalid applications increases the workload on the Planning.
- 4.8 Recognising the inefficiencies created by invalid applications, the Council has previously explored various measures to improve the quality of submissions. One approach that was considered involved publishing a league table on the Council's website, ranking planning agents based on the percentage of valid submissions. This was intended to incentivise better quality submissions by providing transparency and encouraging agents to improve their application standards in order to avoid appearing unfavourably in the rankings.

- 4.9 Additionally, the Council explored the possibility of introducing a fee for handling invalid applications. This measure would shift some of the financial burden associated with dealing with incomplete submissions onto the applicant or agent responsible. By charging a fee, the Council aimed to encourage applicants to carefully check their submissions against the Local Validation List, ensuring all required documents and information are included from the outset. Such a fee could also help offset the administrative costs incurred by the LPA in processing invalid applications.
- 4.10 As part of the ongoing effort to reduce the number of invalid planning applications received by the LPA, it was deemed necessary to review and update the LVL. Historically, the LPA maintained several different lists, which, while tailored to specific types of applications, created potential confusion for applicants and agents. In response, the decision was made to consolidate these into a single, unified LVL.
- 4.11 This new, consolidated list has been carefully revised to provide clearer guidance on the specific documents and information required for a valid planning application. The aim of this revision is to enhance clarity and transparency, ensuring that applicants can more easily understand what is expected of them and where they can find relevant guidance. This, in turn, will help to streamline the submission process and reduce the occurrence of invalid applications, which can cause delays and create additional workload for both the LPA and applicants.
- 4.12 Furthermore, recognizing that many local planning agents operate across multiple authorities, including Fenland and adjoining areas, we have sought to align our validation requirements with those of neighbouring authorities where appropriate. This more consistent approach across local boundaries is intended to simplify the application process for agents who frequently submit applications across different jurisdictions. By harmonising our validation requirements, we aim to reduce confusion and improve the efficiency of the submission process, benefiting both applicants and the LPA.
- 4.13 This updated Local Validation List reflects our commitment to improving service delivery, enhancing the clarity of the planning process, and ensuring that applicants and agents have the necessary resources to submit complete and accurate applications. We believe these changes will contribute significantly to a more efficient and effective planning system.

5 Considerations

- 5.1 A public consultation was conducted over a 21-day period, from 23rd September to 14th October 2024. During this time, the proposed changes were made available on the Fenland District Council website, ensuring accessible public engagement. Additionally, the consultation details were circulated via email to members of the Developer Forum and other key agents involved in the planning process.
- 5.2 Stakeholders, including developers, planning agents, and the general public, were invited to provide their feedback on the proposed changes. Comments were welcomed either by email or in writing, giving all parties an opportunity to contribute their views and inform the final decisions. This approach aimed to gather a broad range of opinions and insights to ensure the updated policies reflect the needs of the community and the industry.
- 5.3 A total of eleven responses were received during the consultation period, representing feedback from a range of Consultees, Planning Agents, and Parish Councils. The table below provides a summary of the comments specifically related to the proposed changes, along with the corresponding officer responses.
- 5.4 It is important to note that comments addressing topics outside the scope of the consultation, such as existing validation requirements, national planning policies, and general service provision, have not been included in this summary. The focus remains on feedback directly relevant to the proposed amendments to ensure a targeted and meaningful review of the changes under consideration.

Consultation Response	Officer Comment
Further surveys, for Biodiversity, may be needed that are seasonal in nature and do not align with the planning timescales needed.	The quality and comprehensiveness of the initial submission are not factors that influence whether an application is validated; validation is strictly based on whether the required information has been provided in accordance with the LVL.
Viability Assessments are likely to be based upon what is requested by Commuted Sums, Affordable requirements, often not a case of reading a policy document to derive at the answer.	It is acknowledged that certain requirements may depend on financial contributions requested by consultees. However, in most cases, any viability constraints of a development are identified early in the process. The Viability Report serves as a comprehensive assessment, offering a detailed evaluation of the financial viability of the proposed development.
All plans to be accurately drawn and fully surveyed	As long as the drawings are accurate, legible, and provide the necessary level of detail required for the application's validation and assessment, the method by which they are produced—whether freehand or otherwise—is not the determining factor. The key consideration is that the submitted drawings clearly convey the scope and details of the proposed development in line with the relevant planning standards and guidelines.
Concerns regarding the restrictive use of the term 'block plan'	Amended to allow greater flexibility.
Should explicitly state that certain plans or documents are not necessary in some instances.	It is not agreed that this is necessary.
The request for a Fire Statement is unusual.	This is only required when the height of the development is 18m or more or 7 or more storeys. These requirements were introduced as part of the UK government's response to the Grenfell Tower tragedy, aiming to ensure that fire safety is considered at an early stage of the planning process.
Parking and Access Arrangements should be split into two sections	It is not deemed appropriate to separate these two sections, as certain details will still be required even at the outline planning application stage. Splitting these sections may result in the omission

	of critical details necessary for evaluating key aspects of the proposal at this early stage. Therefore, maintaining both sections together ensures a more comprehensive submission, facilitating a smoother planning process.
It should state that within the Recycling/Waste Strategy that details of recycling and waste collection and storage are only required to support full applications or Reserved Matters applications for layout, scale, landscaping and appearance.	The document imposes a stipulation to provide a strategy. The specific content and scope of the strategy will depend on the nature and complexity of the application being considered.
The document field in the list should read Transport Assessment or Transport Statement	Has been amended.
Cambridgeshire County Council update their Surface Water Guidance Document fairly regularly. A more appropriate approach would be to link the document the Developers part of the LLFA webpages, which is where the most up to date document will always be available.	Acknowledged and change made.
The FRA and Drainage Strategy section are separate. Part of the detail required under the FRA section may also be required under the Drainage Strategy.	Many applications will only require one or other of these and therefore, it is considered appropriate to keep them separate.
This ecology report row is well-worded I believe but it would be helpful to amend the second paragraph "Where protected and priority species..." to "Where protected and priority species, including building-dependent species,..." to make clear that bats and birds which roost and nest in buildings also need to be considered, as these are often overlooked despite their long-term use of traditional nest sites in buildings.	Acknowledged and change made.
Concerns regarding the introduction of a invalid fee	The introduction of a fee has been formally approved by the Council and has been communicated to Planning Agents during several meetings of the Developer Forum. It is important to note that this fee is not intended to generate profit or additional income for the Council; rather, it is designed to operate on a cost-recovery basis. To reflect this objective, the initial fee will be set at a modest level.

	<p>This figure will be subject to review once the new LVL has been implemented and had sufficient time to take effect. At that point, a revised fee structure will be proposed to ensure that it adequately covers the costs incurred by the Council in processing invalid planning applications. This approach aims to balance financial sustainability with the goal of maintaining an efficient planning process.</p>
<p>Detail on adjoining sites may be difficult to gather accurately in all instances.</p>	<p>It is acknowledged that obtaining exact measurements and figures can sometimes be challenging. However, this should not exempt applicants from fulfilling the relevant requirements. Where precise data is unavailable, it is essential to utilize best practice tools and methodologies to ensure that submissions accurately reflect the existing conditions on site. By employing appropriate techniques and resources, applicants can provide a reliable representation of the current situation on adjoining sites.</p>
<p>FRA – Householder flood matrix, the EA don't use that form anymore.</p>	<p>The PPG is clear that an FRA is needed for all sites in Flood Zone 2 or Flood Zone 3. The Householder flood matrix is considered to be a propitiate requirement for the scale of development.</p>
<p>Biodiversity Supporting statement and statutory metric calculation should state that this only applies to new Outline and Full applications submitted after February 2024 when BNG became mandatory.</p>	<p>This is not considered necessary.</p>

5.5 It is positive to have seen active engagement by so many third parties. As highlighted above a number of the comments have resulted in changes and amendments to the LVL.

6 Effect on corporate objectives

6.1 The grant of planning permissions supports the following stated objectives:

- a) Attract new businesses, jobs and opportunities whilst supporting our existing businesses in Fenland
- b) Promote and enable housing growth, economic growth and regeneration across Fenland

7 Community impact

- 7.1 The proposed changes look to ensure that the burden of the cost of submitting an invalid planning applications sits with the Applicant. Furthermore, the amendments to the layout, single list and guidance should ensure that the ability to submit a valid planning application is easier.

8 Conclusions

- 8.1 The LVL have been revised to align with current legislation and in a proactive attempt to improve the customer experience. A consultation process has been conducted, during which feedback was solicited and carefully considered. These updates ensure that the LVL is not only compliant with regulatory standards but also responsive to stakeholder input, thereby enhancing their effectiveness in the planning process.
- 8.2 It is recommended that Planning Committee approves the adoption of the updated Local Validation Lists (attached as Appendix 1) from 1st November 2024.

Document	Applications that require this information	Information Required	Where to look for further assistance	Policy Driver
Completed application form	All applications (except applications for hazardous substance consent)	It is recommended that applications are submitted through the Planning Portal	Planning Application Forms	The Town and Country (Development Management Procedure) (England) Order 2015 (as amended)
The appropriate fee	Please see the Guide to the Fees for Planning Applications in England for the relevant fee	If the application is submitted through the Planning Portal the payment will also be made through the Planning Portal. Other payments can be made via the Council's website: https://www.fenland.gov.uk/pay	Planning Fee Calculator Guide to the Fees for Planning Applications in England	The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)
Notice(s) of Ownership	All applications where there are owners of the application site other than the applicant (Certificate B, C or D) Ownership certificates can be found contained within the application form	Should be served in accordance with The Town and Country (Development Management Procedure) (England) Order 2015 (as amended)	National Planning Practice Guidance The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)	The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (as amended)
Invalid planning application charge fee	From 1 November 2024, we will apply an extra administrative charge for applications that are invalid on submission. If your application is invalid	Payments can be made via the Council's website: https://www.fenland.gov.uk/pay	Fenland District Council's website	

	when you submit it to us, then you will need to pay this charge before we begin to process your application.			
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Document	Applications that require this information	Information Required	Where to look for further assistance	Policy Driver
Design and Access Statement	<p>All major planning applications</p> <p>Applications for one or more dwellinghouses in a Conservation Area</p> <p>Applications for the provision of a building or buildings where the floor space created by the development is 100 square metres or more within a Conservation Area including householder applications</p> <p>All Listed Building Consent applications</p>	<p>Report to accompany and justify the proposal in a structured way. The level of detail required will depend on the scale and complexity of the application. The design and access statement should cover:</p> <ul style="list-style-type: none"> • the design principles and concepts that have been applied to the development • how the proposed development's context has influenced the design • the approach to access and how relevant Local Plan policies have been taken into account • any consultation undertaken in relation to access issues, 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p> <p>National Planning Practice Guidance</p>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p> <p>The Planning (Listed Buildings and Conservation Areas) Regulations 1990 (as amended)</p>

		<p>and how the outcome of this consultation has informed the proposed development</p> <ul style="list-style-type: none"> • how any specific issues which might affect access to the proposed development have been addressed 		
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Document	Applications that require this information	Information Required	Where to look for further assistance	Policy Driver
Location Plan	All applications	<ul style="list-style-type: none"> • Recognised Scale (metric) (e.g. 1:1,250 or 1:2500) • Sufficient named roads to identify the exact location of the site (wherever possible at least two) • All the surrounding buildings, roads and footpaths on land adjoining the site • A red line around all land required for the development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking) 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p> <p>Planning Portal</p>	<p>The Town and Country (Development Management Procedure) (England) Order 2015 (as amended)</p>

		<p>and open areas around buildings)</p> <ul style="list-style-type: none"> • A blue line around all other land owned by the applicant close to or adjoining the application site • The proposal should not be shown on the location plan • The direction of north • Written scale and/or a scale bar 		
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Document	Applications that require this information	Information Required	Where to look for further assistance	Policy Driver
Block Plan/Site Plan	All applications	<ul style="list-style-type: none"> • Recognised Scale (metric) (e.g. 1:200 or 1:500) • The direction of north • Written scale and/or a scale bar • Unique drawing number • The proposed development in relation to the site boundaries and other 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p> <p>Planning Portal</p>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p>

Note: all drawings should be suitable for scanning and display electronically for the application to be valid

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		<p>existing buildings on the site with written dimensions including those to the boundaries</p> <ul style="list-style-type: none"> • All buildings, roads and footpaths on land adjoining the site including access arrangements • All public rights of way crossing or adjoining the site • The position of all trees on the site and adjacent land • The extent and type of any hard surfacing 		
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Document	Applications that require this information	Information Required	Where to look for further assistance	Policy Driver
Full Elevations: Existing and proposed, or original and existing where permission is sought for a development which is already complete or has begun	All applications proposing operational development including Listed Building Consent	<ul style="list-style-type: none"> • Recognised Scale (metric) (1:50 or 1:100) and should clearly show the proposed works in relation to what is already there • A written scale and/or a scale bar and written dimensions to show overall 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p> <p>Planning Portal</p>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p>

		<p>size of any new buildings or extensions</p> <ul style="list-style-type: none"> • A unique drawing number. • All sides of the proposal • Where a proposed elevation adjoins or is in close proximity to another building, drawings should clearly show the relationship between the buildings and detail positions of the openings on each property 		
<p>Full Floor Plans: Existing and Proposed or original and existing where permission is sought for a development which is already complete or has begun</p>	<p>Applications proposing new or amended floor space and/or proposals to alter existing buildings</p>	<ul style="list-style-type: none"> • Recognised Scale (metric) (1:50 or 1:100) • A written scale and/or a scale bar and written dimensions to show overall size of any new buildings or extensions. • A unique drawing number. • Where existing buildings or walls are to be demolished (if applicable) • Details of the layout of existing building(s) as well as those for the proposed development. 	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p> <p>Planning Portal</p>	<p>The Town and Country (Development Management Procedure) (England) Order 2015 (as amended)</p>

Document	Applications that require this information	Information Required	Where to look for further assistance	Policy Driver
Site Sections: Existing and Proposed and finished floor and site levels or original and existing where permission is sought for a development which is already complete or has begun	All applications which involve a change in ground levels or are on sloping sites or where ground levels are a critical issue in terms of the design	<ul style="list-style-type: none"> • Recognised Scale (metric) • A written scale and/or a scale bar • A unique drawing number. • Full information should be submitted to demonstrate how proposed buildings relate to existing site levels and neighbouring development (with levels related to a fixed datum point off site) • Details of existing and proposed foundations and eaves where a change is proposed and how encroachment onto adjoining land is to be avoided 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Planning Portal	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)
Roof Plans: Existing and Proposed or original and existing where permission is sought for a development which is already complete or has begun	All applications for development where a roof would be created or altered	<ul style="list-style-type: none"> • Recognised Scale (metric) (1:50 or 1:100) • A written scale and/or a scale bar • A unique drawing number. 	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) Planning Portal	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)

Note: all drawings should be suitable for scanning and display electronically for the application to be valid

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		Roof Plan to show shape of the roof, its location, and any features such as chimney positions or windows.		
Street scene Elevations	Applications for operational development fronting a highway	<ul style="list-style-type: none"> Recognised Scale (metric) (1:100 or 1:200) with a minimum of 30 metres, or two dwellings either side of the proposed development, whichever is less . A written scale and/or a scale bar 	Planning Portal	The Town and Country Planning Act (1990) (as amended)

Document	Applications that require this information	Information Required	Where to look for further assistance	Policy Driver
Affordable Housing Statement	<p>Where an element of affordable housing is required as part of the scheme, i.e. where 10 or more dwellings are proposed or 1000sqm or greater of residential floor space is proposed.</p> <p>If Affordable Housing is not going to be provided, or the contributions do not meet the requirements set out in the Fenland</p>	<p>The statement should set out:</p> <ul style="list-style-type: none"> The number, size (number of bedrooms) and type and their proposed location Details of size of each type (square metre) Details of future management and tenure Contact details for the chosen Registered Provider <p>or</p>		National Planning Policy Framework

	<p>Local Plan 2014, due to financial viability reasons, then a Viability Assessment should be submitted justifying the contributions or lack of.</p> <p>All viability assessments will be reviewed by the an independent external assessors. A fee will be charged to the Applicant to cover this cost. A statement confirming the acceptance to meet the reasonable cost of the assessment must be provided as part of the for the validation of any planning application.</p> <p>Fees will vary according to the size of the application .</p>	<ul style="list-style-type: none"> • Confirmation of the agreement for the financial contribution when requested <p>May be contained within the Planning Statement</p>		
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<p>Agricultural Appraisal</p>	<p>Required for all applications proposing new agricultural workers dwellings and all planning applications for removal of agricultural occupancy conditions on existing dwellings</p>	<p>Should include both functional and financial evidence to demonstrate that there is an agricultural need for a permanent dwelling and that there are no suitable dwellings available in the locality in accordance with the requirements of Policy LP12 (Part D) of the Fenland Local Plan 2014</p> <p>For removal of condition applications evidence should be submitted to show there is no long-term need for an agricultural workers dwelling in the locality. This should include evidence to show that the property has been publicised for sale and let to other relevant interests in the locality.</p>	<p>Fenland Local Plan 2014</p>	<p>National Planning Policy Framework</p>
<p>Air Quality Impact Assessment</p>	<p>Developments that may introduce a significant impact on air quality i.e. >50 dwellings, industrial emissions, bio mass burners or major construction projects</p> <p>Any developments within a designated Air</p>	<p>An assessment of potential impacts of the development on local air quality</p> <p>Should outline the proposed mitigation measures where necessary</p>	<p>National Planning Practice Guidance</p> <p>Land-Use Planning & Development Control: Planning For Air Quality</p>	<p>National Planning Policy Framework</p>

	Quality Management Areas that generate additional traffic movements or introduce new receptors			
Amendment Statement	Revised applications following the approval, refusal or withdrawal of a previous scheme	A statement which details and explains the changes to the previously submitted plans. This can be part of the Design and Access Statement if one is required		
Arboricultural / Tree Survey	<p>Where there are trees or hedges, within or adjacent to the application site that could influence or be affected by proposed development (e.g. trees or any part of a tree including canopy and root protection area within 10 metres of the proposed development)</p> <p>For major development sites</p> <p>Applications for works to a tree protected by a Tree Preservation Order</p>	<p>The level of detail required will depend on the scale of the proposed development and potential conflicts between the development and trees and hedges. It should contain:</p> <ul style="list-style-type: none"> • Details of the protected tree • A comprehensive survey of all the existing trees and hedges • Details of proposed works to existing trees and hedges • Details of replacements where applicable • Details of how retained trees and hedges are to be protected during development <p>Where an application is for works to a tree</p>	BS5837:2012 is - Trees in relation to design, demolition and construction - Recommendations	National Planning Policy Framework

	Applications for works to a tree within a Conservation Area	protected by a Tree Preservation Order due to their condition or it is alleged that they are causing structural damage, a report from an appropriate expert will be required		
Biodiversity Supporting statement and statutory metric calculation		As set out in paragraph 11 of the Biodiversity Net Gain Planning Practice Guidance	National Planning Policy Guidance	National Planning Policy Framework
Biodiversity Check List/Report	All applications with an accompanying ecology report if required as indicated on the checklist	As a minimum a Preliminary Ecological Appraisal survey and report should provide an assessment of the impact of the proposed development on wildlife with proposals for mitigation or compensation measures including the protection of habitats, and provision of new habitats. For all sites, account should be taken of the timing of both surveys and site work, particularly in relation to nesting birds, priority species and habitats. Where protected and priority species, including building-dependent species, are known or have the potential to be present an Extended Phase 1	Fenland District Council Website National Planning Policy Guidance	National Planning Policy Framework

		<p>Habitat Survey should be carried out. Depending on the results of the initial survey, further protected species surveys may be required.</p> <p>The information submitted should also be capable of assessment under the requirements of the Habitat Regulations</p>		
Drainage Strategy	For all major applications	Should demonstrate the suitability of the proposed drainage system	Surface Water Drainage Guidance for Developers Cambridgeshire Flood and Water Supplementary Planning Document	National Planning Policy Framework
Economic Statement	Where the proposal involves regeneration i.e. job creation and other community benefits	<p>Should include information on the regeneration benefits of the proposal including:</p> <ul style="list-style-type: none"> • New jobs created • Relative floor space for each use • Community benefits • Links to known regeneration strategies 		National Planning Policy Framework

Environmental Impact Statement	<p>Required in connection with all development identified within Schedule 1 or 2 of the Regulations and which in accordance with Schedule 3 would constitute EIA development</p>	<p>Prior to making an application, applicants are encouraged to apply for a screening opinion to determine whether the proposed development requires an Environmental Statement</p> <p>An application for a Scoping Opinion can be made to determine the content and scope of the Environmental Statement</p> <p>Where required an Environmental Statement in the form set out in Schedule 4 of the regulations should be provided</p>	<p>The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015</p>	<p>The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015</p> <p>National Planning Policy Framework</p>
Fire Statements	<p>Required for two or more dwellings or educational accommodation and meets the height condition: 18m or more in height, or 7 or more storeys</p>		<p>Fire statement forms</p>	<p>The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)</p>
Flood Risk Assessment	<p>Required where indicated on the Environment Agency flood risk matrix, including Sites of more than one hectare in Flood Zone 1 and all new development</p>	<p>The FRA should:</p> <ul style="list-style-type: none"> • Assess the existing situation • Assess whether the proposal is likely to be affected by current or future flooding from any source 	<p>Environment Agency</p> <p>Lead Local Flood Authority</p> <p>Cambridgeshire County Council</p>	

	<p>within Flood Zone 2 and 3</p>	<ul style="list-style-type: none"> • Satisfy the LPA that the development is safe and where possible reduces flood risk overall • State whether it will increase flood risk elsewhere and identify opportunities to reduce the probability and consequences of flooding • Include proposed mitigating measures to be undertaken to deal with the effects and risks of flooding, taking climate change into account <p>The FRA should include the design of surface water management systems including Sustainable Drainage (SUDS) and address the requirement for safe access to and from the development in areas at risk of flooding. The FRA should provide evidence that demonstrates, where required, the Sequential and Exception Test of NPPF have been met. Householder applications in flood zone 2 or 3 should complete the Environment</p>	<p>DEFRA: Flood risk assessment in flood zone 1 and critical drainage areas</p>	
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		Agencies Householder and other minor extensions in Flood Zones 2 and 3 matrix.		
Health Impact Assessment	Required for all residential developments of 50 or more units and non-residential development in excess of 1000 square metres	<p>Health Impact Assessment should:</p> <ul style="list-style-type: none"> • Identify the potential health consequences of the proposed development • Identify measures proposed to encourage healthy activities such as walking and cycling • Identify how the positive health benefits have been maximised and potential adverse impacts on health have been minimised <p>It should also connect with other statements such as the Environmental Impact Assessment and Transport Assessment where appropriate</p>	Health Impact Assessment Guidance Document	The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 National Planning Policy Framework
Heritage Statement	<p>Applications which are likely to affect:</p> <ul style="list-style-type: none"> • Designated heritage assets 	<p>Should:</p> <ul style="list-style-type: none"> • Identify the significance of the archaeology, history and character of the building/structure or area 	Heritage Statements - Fenland District Council Historic Environment Practice Guide	National Planning Policy Framework

	<ul style="list-style-type: none"> • Non-designated heritage assets such as non-scheduled archaeological sites and Buildings on the Register of Buildings of Local Value • Applications for Listed Building Consent 	<ul style="list-style-type: none"> • Justify and outline the principles of the proposed works and their impact on its special character • Include a detailed schedule of the proposed work • Include a structural survey, if required 		
Land Contamination Assessment	<p>Where contamination is known or suspected, i.e. potentially contaminative former use such as industrial or commercial. If the applicant does not consider a Contaminated Land Assessment is necessary for the site a full justification of reasons should be submitted i.e. site has only ever been a residential garden</p>	<p>A Land Contamination Assessment should be carried out by or under the direction of a suitably qualified competent person in accordance with relevant guidance including:</p> <p><u>Guidelines for Environmental Risk Assessment and Management - Green Leaves III</u> (<u>publishing.service.gov.uk</u>)</p> <p><u>Land contamination risk management (LCRM) - GOV.UK</u> (<u>www.gov.uk</u>)</p> <p>BS 5930:2015+A1:2020 <i>Code of Practice for Site Investigations</i></p> <p>BS 10175:2011+A2:2017 <i>Code of Practice for the investigation of potentially contaminated land.</i></p> <p>BS 8576:2013 Guidance on investigations for ground gas –</p>	<u>Fenland District Council Website</u>	<u>National Planning Policy Framework</u>

		Permanent gases and Volatile Organic Compounds (VOCs)		
Lighting Assessment	All applications where it is proposed to incorporate external flood lighting	The assessment should include a layout plan with beam orientation and lighting spill	Guidance Notes for The Reduction Of Obtrusive Light	
Loss of Employment Land Justification	Applications where the development proposes the loss of an existing commercial or employment use	<ul style="list-style-type: none"> • An explanation as to why the existing employment use or an alternative employment use is no longer viable • Details of the number of jobs lost or relocate • Evidence that the site has been actively marketed for an employment use for a substantial period of time 		National Planning Policy Framework
Noise Impact Assessment / Acoustic Report	<p>Where noise nuisance on residential amenity may be a consideration i.e.</p> <ul style="list-style-type: none"> • Where it is proposed to introduce residential development to a noisy environment • Where it is proposed to introduce noisy uses/processes which are likely to impact on existing residential development 	<p>A Noise Impact Assessment prepared by a suitably qualified acoustician in accordance with industry standards relevant to the scenario e.g.</p> <p>BS 4142:2014+A1:2019 <i>Methods for rating and assessing industrial and commercial sound</i></p> <p>BS 8233:2014 <i>Guidance on sound insulation and noise reduction for buildings</i></p>	National Planning Practice Guidance	National Planning Policy Framework

Parking and Access Arrangements	All applications likely to result in a loss or gain in parking provision	Existing and proposed arrangements for: <ul style="list-style-type: none"> • parking and cycle storage • access and turning arrangements for vehicles and pedestrians May be shown on the Block Plan	Fenland Local Plan 2014 Appendix A – Parking Standards	The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended)
Planning Obligations - Draft Heads of Terms	All major developments requiring planning obligations (including all major residential developments) unless otherwise agreed If Heads of Terms are not going to be submitted, or the contributions do not meet the requirements set out in the Fenland Local Plan 2014 and the Infrastructure Delivery Plan, due to financial viability reasons, then a Viability Assessment should be submitted justifying the contributions or lack of.	The draft heads of terms agreement should include contributions which are: <ul style="list-style-type: none"> • Necessary to make the development acceptable in planning terms; • Directly related to the development, and • Fairly and reasonably related in scale and kind to the development An undertaking shall also be provided that the applicant will meet the reasonable Section 106 legal costs on behalf of the Council. At validation stage it is not necessary for exact figures to be provided. The Local Planning Authority would however expect to see what	Fenland Local Plan 2014	The Town and Country Planning Act (1990) (as amended)

		<p>type of contributions will be proposed, i.e. highways, affordable housing, education etc.</p> <p>May be contained within the Planning Statement.</p>		
Planning Statement	<p>Applications for 10 or more dwellings, or 0.5 hectares if is not known how many dwellings are proposed</p> <p>Applications for a building or buildings where the floor space to be created by the development is 1,000 square metres</p> <p>Application on a site having an area of 1 hectare or more</p>	<p>Statements should:</p> <ul style="list-style-type: none"> • Include a full explanation of the proposal including any relevant background or site history • Identify the context and need for the proposed development including justifications for proposed change of use where appropriate • Include an overview of how the proposal accords with the Local Plan and other relevant documents • Details of any consultation undertaken with statutory consultees and the local community 		<p>National Planning Policy Framework</p> <p>National Planning Practice Guidance</p>
Plot Schedule	<p>Required for major residential developments</p>	<p>Summary of the relationship between the plot number of the house type proposed.</p> <p>i.e. Plot 1 – house type B Plot 2 – House type A</p>		<p>National Planning Policy Framework</p>

<p>Renewable Energy Statement</p> <p>(*see separate requirements for wind turbines below)</p>	<p>All applications for:</p> <ul style="list-style-type: none"> • Air source heat pumps • Solar photovoltaic or solar thermal panels • Biomass plants, district/community heating and CHP plants <p>(Note: An Environmental Impact Assessment may be required for biomass plants, district/community heating and CHP plants. Please seek advice from Planning Services)</p>	<p>Specification including noise levels and total Capacity</p> <p>A Landscape and Visual Impact Assessment may also be required</p>		<p>National Planning Policy Framework</p>
<p>Retail or Leisure Impact Assessment</p>	<p>Retail and leisure developments over 2500 square metres.</p> <p>Smaller retail and leisure developments likely to have a significant impact on smaller centres.</p> <p>Applications for other main town centre uses</p>	<p>Should include details of the sequential test process that supports the chosen site location.</p>		<p>National Planning Policy Framework</p>

	when they are an edge of centre or out of centre location; and not in accordance with the Development Plan			
Recycling / Waste Strategy	New residential developments for flats or Houses in Multiple Occupation (HMOs)	<p>Strategy will need to demonstrate:</p> <ul style="list-style-type: none"> • How refuse and recycling will be stored and collected • That the proposal will meet the current waste and recycling requirements and is flexible enough to adapt to future needs 		National Planning Policy Framework
Structural Survey	Applications involving barn conversions or re-use of existing rural buildings	<p>A structural survey should be carried out by a structural engineer or a suitably qualified person</p> <p>Where alteration/demolition is proposed, this should be clearly shown on the floor plans and elevations of the proposal and be cross referenced to the structural survey</p>		
Telecommunications Development	Required for all applications for mast and antenna development in accordance with the	The area of search, details of any consultation undertaken, details of the proposed structure, and technical	Codes of Practice Mobile Network Operators Mobile UK	National Planning Policy Framework

	Code of Practice on Mobile Network Development 2016	<p>justification and information about the proposal</p> <p>Requires a signed declaration that the equipment and installation has been designed to be in full compliance with the requirements of the radio frequency public exposure guidelines of the International Commission on Non-Ionizing Radiation Protection</p>		
Transport Assessment/Transport Statement	All developments which are likely to generate significant amount of vehicle movement i.e. major developments	<p>Should include details as set out in the Guidance on Transport Assessments. Likely to include:</p> <ul style="list-style-type: none"> • the existing conditions • development details • predicted person trip generation and mode splits • predicted residual vehicular trip generation based on proposed travel plan measures • distribution of residual vehicular trips • junction capacity assessments 	<p>Cambridgeshire County Council website</p> <p>National Planning Policy Guidance</p>	National Planning Policy Framework

		<ul style="list-style-type: none"> • merge / diverge assessments at opening year and ten years after registration of application • details of the proposed mitigation measures 		
Travel Plan	As required by the Cambridgeshire Country Council Transport Assessment Requirements	The Travel Plan should set out how the reliance on the private motor car will be reduced	Cambridgeshire Country Council Transport Assessment Requirements National Planning Policy Guidance	National Planning Policy Framework
Wind Turbine Statement	<p>All applications for wind turbines</p> <p>(Note: An Environmental Impact Assessment may be required if the application is for more than two turbines or the hub height will exceed 15m. In such cases the applicant should seek a screening opinion from the Council)</p>	<p>Statement should include the following:</p> <ul style="list-style-type: none"> • Specification, including dimensions, maximum capacity and noise assessment at different wind speeds • Background noise readings at different times of the day and week • Landscape and visual impact assessment • Ecological survey 	Guidelines for landscape and Visual Impact assessment, 3rd Edition	National Planning Policy Framework

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