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**F/YR25/0124/PIP**

**Applicant: Mr Edmund Selimaj**

**Agent : Morton & Hall Consulting  
Ltd**

**Land North Of 6 Fallow Corner Drove, Manea**

**Permission in principle to erect up to 3 x dwellings**

**Officer recommendation: Refusal**

**Reason for Committee: Number of residential comments in support and objecting to the proposal trigger committee attendance**

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**Government Planning Guarantee**

**Statutory Target Date For Determination: 25 March 2025**

**EOT in Place: Yes**

**EOT Expiry: 7 May 2025**

**Application Fee: £2515**

**Risk Statement:**

**This application must be determined by the 7<sup>th</sup> of May 2025 otherwise it will be out of time and therefore negatively affect the performance figures.**

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**1 EXECUTIVE SUMMARY**

1.1 The proposal is an application for Permission in Principle to develop the site for up to 3 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 assessed. Technical details consent would need to be applied for should this 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 they can form no part of the determination of Stage 1 of the process. Accordingly, matters raised via statutory bodies may not be addressed at this time.

1.3 The site lies to the north of the existing linear form of residential development that is part of the settlement of Manea, located along the northern side of Fallow Corner Drove. The application site forms part of the existing rear garden of 6

Fallow Corner Drove. The site is bordered by hedging and fencing of varying heights along the western boundary and bounded along the northern and eastern boundaries by mature hedges and trees. Agricultural fields are located beyond the northern boundary with residential gardens to the east and west. Beyond the site frontage on the southern side of Fallow Corner Drove is a dog exercise field business.

- 1.4 Policy LP3 states that Manea is classed as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions will be appropriate. The dwelling and part of the rear garden is within the built-up settlement of Manea, with the remainder of the site immediately adjacent.
- 1.5 The site is semi-rural in character with open fields beyond the rear boundary. It is contended that real and actual character harm would arise through the consolidation of backland development and be contrary to the existing linear features within an area which currently serves to mark the gentle transition between the open countryside and the built form of the village. This development is clearly at odds with Policy LP12 of the Fenland Local Plan (2014) and contrary to the aims of Policy LP16(d) which focuses on the need for development to enhance its setting and responded to the character of the local built environment.
- 1.6 The frontage of the site is located in Environment Agency Flood Zones 2 and 3, with Flood Zone 3 being at the highest risk of flooding. Furthermore, insufficient justification has been provided to demonstrate that development of the site is necessary in this instance having regard to national policy which seeks to steer development to the lowest area of flood risk in the first instance. As such, the proposal conflicts with Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework (2024)
- 1.7 Overall, the proposed development is considered to be unacceptable, and the recommendation is one of refusal.

## **2 SITE DESCRIPTION**

- 2.1 The site lies to the north of the existing linear form of residential development that is part of the settlement of Manea, located along the northern side of Fallow Corner Drove. The application site forms part of the existing amenity land of 6 Fallow Corner Drove. The site is bordered by hedging and fencing of varying heights along the western boundary and bounded along the northern and eastern boundaries by mature hedges and trees. Agricultural fields are located beyond the northern boundary with residential gardens to the east and west. Beyond the site frontage on the southern side of Fallow Corner Drove is a dog exercise field business.
- 2.2 The site lies to the south of village centre of Manea and is accessed via Fallow Corner Drove, a mainly single track, unclassified road which serves a number of dwellings and farmsteads. There is an existing access off Fallow Corner Drove for the dwellings which would be utilised for the proposed development.

- 2.3 The dwelling and a small area of the rear garden is within the built-up settlement of Manea, with the remainder of the rear garden, considered to relate more to the open countryside than the built-up settlement.
- 2.4 The frontage of the site is located in Environment Agency Flood Zone 3, with Flood Zone 3 being at the highest risk of flooding. The northern boundary is bordered by a drain and this area is shown as being a high risk surface water flooding area.

### **3 PROPOSAL**

- 3.1 The proposal is an application for Permission in Principle to develop the site for up to 3 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 assessed. Technical details consent would need to be applied for should this application be granted.

- 3.2 Should this application be successful the applicant would 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.
- 3.3 The applicant is only required to submit minimum information to accompany the application. However, an indicative site plan detailing how the development could be laid out has been submitted showing 3 detached dwellings accessed from the existing vehicular access. This access is to be extended run past the western side elevation of the dwelling and continue along the western side of the rear garden for a further 70 metres access the dwellings.
- 3.4 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

### **4 SITE PLANNING HISTORY**

- 4.1 None

### **5 CONSULTATIONS**

- 5.1 **Manea Parish Council – 18<sup>th</sup> March 2025**

*Object: Backland development, overdevelopment, sets a precedent.*

- 5.2 **Environmental Health – 24<sup>th</sup> February 2025**

*The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to have a detrimental effect on local air quality, be affected by ground contamination or adversely impact the local amenity due to excessive artificial lighting. This service would however welcome a condition on working times due to the close proximity of existing noise sensitive receptors, with the following considered reasonable: No demolition or construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 08:00 hours and 18:00 hours on Monday to Friday, 08:00 hours and 13:00 hours on Saturday and at no time on Sundays, Bank or Public Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.*

### **5.3 Cambridgeshire County Council – Highways Officer – 4<sup>th</sup> March 2025.**

#### *Recommendation*

*This proposal considers the development of 3 dwellings and retention of a single dwelling served from a private road off Fallow Corner Drove, Manea.*

*The site at Fallow Corner Drove already benefits from an existing access. As part of this proposal, the applicant seeks to move this access to a more central position on the site. The visibility splays provided on the proposed plan for this access are acceptable.*

*The internal road at this site would not be suitable for adoption. The Local Highway Authority (LHA) would not seek to adopt estate roads which serve fewer than 6 dwellings and the layout shown on Drawing 02 also does not conform with the LHA's requirements for adoption. These requirements outlined in our General Principles document linked below:*

*<https://www.cambridgeshire.gov.uk/asset-library/highways-development-management-general-principles-for-development-january-2023-amended.pdf>*

*The first 10 metres of internal site road are to be constructed of a bound material for a distance of 5 metres from the carriageway. This is suitable construction for a shared access serving a development of this scale. The applicant has further specified that this area would be constructed to Cambridgeshire County Council specification.*

*Further consideration of the access design, including how the site shall prevent surface water from entering the public highway shall be expected at any future Technical Design Consent Stage. I would further recommend that if this development was to be granted permission in principle, that the LPA should be satisfied that the internal layout of the site meets refuse strategy requirements considering the distance between frontages to dwellings and the proposed bin collection point.*

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

#### **Objectors**

Fifteen residential objections have been received. These communications are from Barkclay Court, Charlemont Drive, East Street, Fallow Corner Drove, Lode Road, Station Road, Teachers Close, Willow Drive and Wimblington Road in

Manea, as well as March Road in Tipps End. They have the following observations:

- The proposal will impact the semi-rural nature of Fallow Corner Drove.
- The proposal will set a precedent for backland development.
- The proposal will be out of keeping with development in the vicinity of the site.
- There are enough houses already under construction in Manea village.
- Lack of infrastructure, services and transport facilities within the village.
- Manea is overpopulated.
- Along with the 28 properties under construction at Lavender Mill this will materially impact Fallow Corner Drove which is a single lane road with no streetlighting.
- Increase in traffic, pedestrian safety concerns
- Further damage to the road surface. Roads are already in poor condition
- Demolition of wildlife habitats.
- Removal of a number of trees and shrubs from the site, including adjacent residential boundaries. Existing trees are deciduous so provide no cover in winter
- Proximity of access road to neighbouring dwelling at Hilltop to west.
- Overlooking, noise
- Higher topography toward rear of site.
- Flooding and drainage concerns
- Profit driven
- The Lavender Mill site is already causing issues
- Loss of view
- Rubbish burning is taking place on site.
- No Section 106 provision.

### **Supporters**

Sixteen residential comments of support have been received from Delilah Close, Fallow Corner Drove, High Street, Kirton Close, Park Road, Teachers Close and West Field, all in Manea. They have the following observations:

- I prefer to see smaller developments
- I want to see more bungalows
- Would help first time buyers get on the housing ladder.
- Would help younger residents to stay within Manea.
- Additional houses and neighbours will benefit the village.

### **Representations**

One representation has been received from a resident at Station Road in Manea, commenting that the owners have good intentions and are conscious of the potential wildlife restrictions.

## **6 STATUTORY DUTY**

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

Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

## **7 POLICY FRAMEWORK**

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

Chapter 2 - Achieving sustainable development  
Chapter 5 – Delivering a sufficient supply of homes  
Chapter 8 – Promoting healthy and safe communities  
Chapter 9 – Promoting sustainable transport  
Chapter 11 – Making effective use of land  
Chapter 12 – Achieving well-designed places  
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

### **National Design Guide 2021**

Context  
Identity  
Built Form  
Movement  
Nature  
Uses  
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  
LP17 – Community Safety  
LP19 – The Natural Environment

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

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area  
DM6 – Mitigating Against Harmful Effects

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

### **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan.

Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP4: Securing Fenland's Future
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP32: Flood and Water Management
- LP34: Air Quality

## **8 KEY ISSUES**

- 8.1 This application is made pursuant to the Town and Country Planning (Permission in Principle) Order 2017 (as amended) (PIP regulations) that provides opportunity for an applicant to apply as to whether 'Permission in Principle' is acceptable for a site, having regard to specific legislative requirements and, in accordance with the NPPG, as to whether the location, land use and amount of development proposed is acceptable.
- 8.2 The permission in principle (PiP) consent route is an alternative way of obtaining planning permission for housing led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The approval of PiP alone does not constitute the grant of planning permission.
- 8.3 The PiP consent route has 2 stages: the first stage (or Permission in Principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.
- 8.4 PiP establishes that a particular scale of housing-led development on a defined site is acceptable. The aim is for a PiP to minimise the upfront and at-risk work of applicants.

## **9 BACKGROUND**

No previous site history.

## 10 ASSESSMENT

### Location, Land Use and Amount

- 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. In this policy, Manea is classed as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions where appropriate. The dwelling and part of the rear garden is within the built-up settlement of Manea, with the remainder of the site immediately adjacent. The principle of developing this site for additional residential dwellings is in accordance with Policy LP3 of the Fenland Local Plan.
- 10.2 Further to LP3, Policy LP12 (Part A) supports development in villages subject to compliance with 11 criteria (a to k), providing the site is in or adjacent to the existing developed footprint of the village, does not result in coalescence with any neighbouring village, and does not have an adverse impact on the character and appearance of the surrounding countryside. 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 in danger from identified risks.
- 10.3 In addition, Policy LP16(d) seeks to ensure that development makes a positive contribution to the distinctiveness and character of the area, enhances its local setting, reinforces local identity and does not adversely impact, either in design or scale terms, on the streetscene, settlement pattern or landscape character of the surrounding area.
- 10.4 The proposal seeks to erect up to 3 dwellings on land set to the rear of the host dwelling, 6 Fallow Corner Drove. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and linear built form of development that is present in this part of Fallow Corner Drove.
- 10.5 Residential concerns have been expressed regarding the location of the dwellings and the issues this generates. There are concerns with overlooking due to the location of the dwellings relative to neighbouring properties and their proximity to the eastern and western boundaries. There are also concerns that the proposal would set a precedent for backland development in the vicinity of the site. The location also generates concerns with regard to the lack of infrastructure in Manea and the proximity to public transport provision. The location of the access road adjacent to Hilltop to the west also generates noise and vibration concerns. Other comments, positive and negative have been raised which are considered to be material, however, they can only be assessed at the Technical Details application stage of the planning process. Concerns such as the loss of a view, burning on site and disturbance due to works to the west at the Lavender Mill Bungalow site do not carry planning weight when assessing this application.
- 10.6 Development encroaching into backland would be to the detriment of the character and appearance of the area and would arguably create a precedent for further backland development at sites with similar geometry. Backland



development such as this would be detrimental to the rural character of Fallow Corner Drove which is bounded by swathes of agricultural land and would be at odds with the existing pattern of linear frontage development.

- 10.7 As such, it is considered the proposed location of the development is contrary to the requirements of Policy LP12 and Policy LP16(d) and therefore cannot be supported.
- 10.8 The quantum of development proposed (max. 3 dwellings) would introduce a tighter knit form of development than is currently found in the locality and would result in harm to the character and settlement pattern of the area.
- 10.9 The Highways Officer has raised no objections to the proposal; however, they have remarked upon the need to provide drainage for the access road and the requirement to walk over a minimum distance of 95 metres to a bin collection point at the front of the site.
- 10.10 It is noted that the application seeks PiP for up to 3 dwellings and consideration pertaining to visual and residential amenity impacts, highway safety and flood risk mitigation of the development would ultimately be considered at the technical details stage. However, a reduction in dwelling numbers or scale may be deemed necessary to address any identified risk pertaining to these issues.
- 10.11 In summary, the location, use and amount of development proposed would not be consistent with the character of the area and is therefore not supported.

### **Flood Risk & Drainage**

- 10.12 The frontage of the site and the intended access location lies in Flood Zone 3 and is therefore at the highest 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). Policy LP14 requires applicants to demonstrate this through the application of the sequential test. 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.
- 10.13 A very brief section within the submitted Design & Access Statement seeks to address flood risk. The entirety of the text states: *On reviewing the Environment Agency Flood Risk Extract Map, all of the dwellings, garden area, parking area and swale are located within a Flood Zone 1 area. Where there is an existing access off Fallow Corner Drove, this is located within Flood Zone 2 & 3. The map further advises that there is no flooding at the site from reservoirs. Flooding from rivers and the sea is confined to the front section of the site where there is an existing access, which is to be amended for the proposal.*
- 10.14 Resident consultation respondents have expressed concerns with regarding to flood risk and drainage. They refer to foul water capacity issues in Manea, the site being partially located in Flood Zone 3, and recent flooding in the vicinity of the site to the south of Fallow Corner Drove and beyond the rear boundary to the north.
- 10.15 A separate Flood Risk Assessment document has not been provided, nor has a Sequential Test been undertaken. In accordance with current national guidance,

the presence of flood mitigation measures does not negate the requirement for the Sequential Test to be undertaken.

- 10.16 Due to the lack of a Flood Risk Assessment and a Sequential Test there is considered to be insufficient information about the explicit benefit/ necessity in developing this site out over other sites in lower flood risk areas within Manea. It is considered that having regard to the numerous permissions granted in Manea which has seen the greatest growth of any village in the plan period, that there is likely to be a site or sites reasonably available to accommodate the development which are in lower areas of flood risk.
- 10.17 Consequently, the application fails to demonstrate that there are no alternative reasonably available sites with a lower probability of flooding to accommodate the development. The proposal would therefore place people and property at an increased risk of flooding without justification contrary to Policy LP14 of the Fenland Local Plan (2014), Section 4 of the Cambridgeshire Flood & Water Supplementary Planning Document (2016) and Chapter 14 of the National Planning Policy Framework (2024).

## **11 CONCLUSIONS**

- 11.1 This application seeks to confirm whether 'Permission in Principle' is acceptable for 6 Fallow Corner Drove. The scope of permission in principle is limited to location, land use and amount of development.
- 11.2 The proposed development for up to three dwellings located on land to the rear of frontage residential development along Fallow Corner Drove, Manea. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and 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.
- 11.3 Furthermore, the site lies in an area at high risk of flooding and insufficient justification has been provided to demonstrate that development of the site is necessary. In this instance, having regard to national policy which seeks to steer development to the lowest area of flood risk in the first instance. As such, the proposal conflicts with Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the National Planning Policy Framework (2024).
- 11.4 Having regard to the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004, Officers consider there are no overriding material considerations to indicate a departure from the development plan is warranted in this instance.

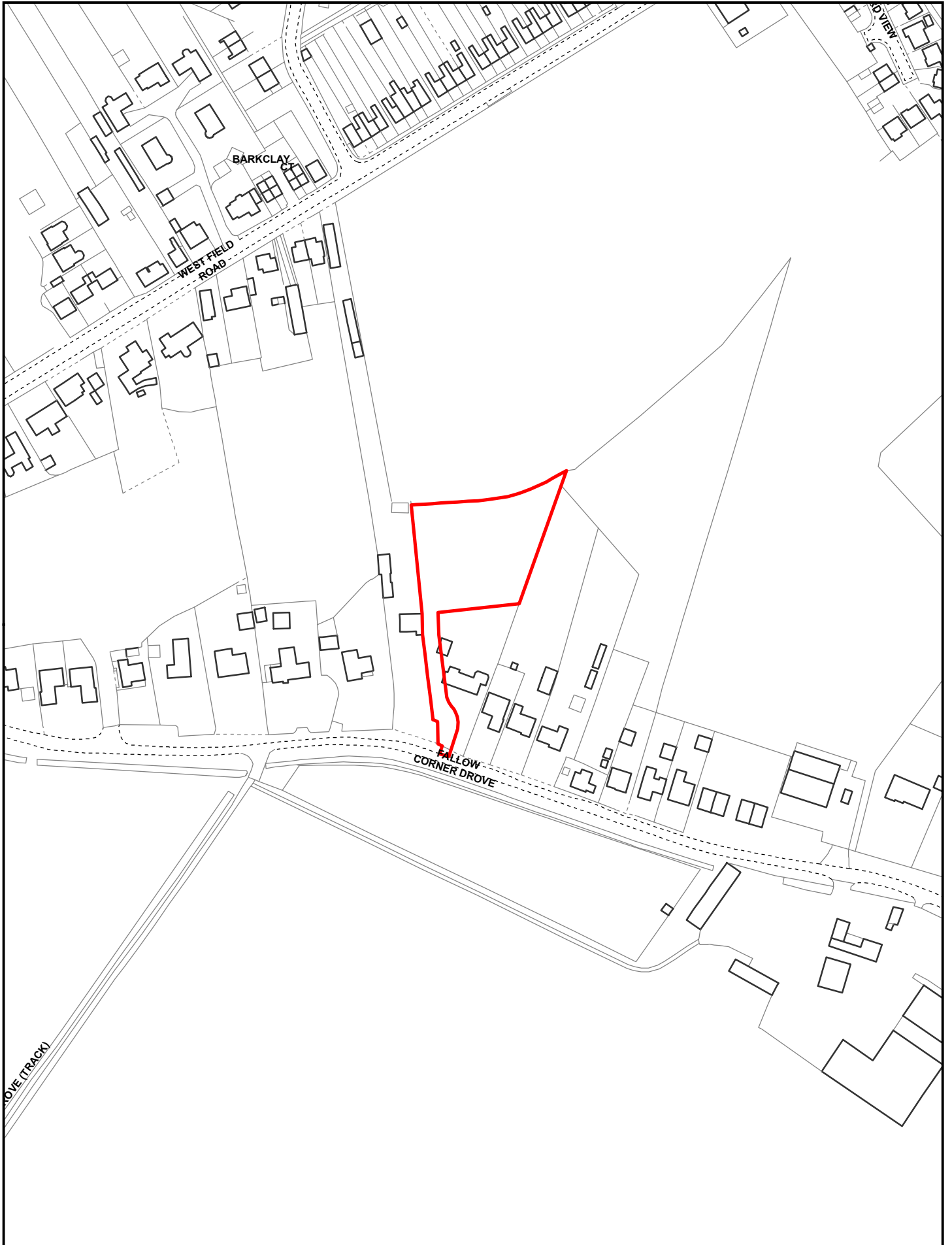
## **12 RECOMMENDATION**

- 12.1 Refusal. For the reasons set out below:

### **Reasons for refusal:**

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
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	<p>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 three dwellings located on land to the rear of frontage residential development along Fallow Corner Drove, Manea. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and built form of the development along Fallow Corner Drove 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>The site is partially located within Flood Zone 3 where there is a high probability of flooding. A Flood Risk Assessment or Sequential Test has not been submitted for assessment to the Local Planning Authority. Consequently, the application fails to demonstrate that there are no alternative sites to accommodate the development which are reasonably available and with a lower probability of flooding. The proposal would therefore place people and property at an increased risk of flooding without justification contrary to Policy LP14 of the Fenland Local Plan (2014), Section 4 of the Cambridgeshire Flood &amp; Water Supplementary Planning Document (2016) and Chapter 14 of the National Planning Policy Framework (2024).</p>



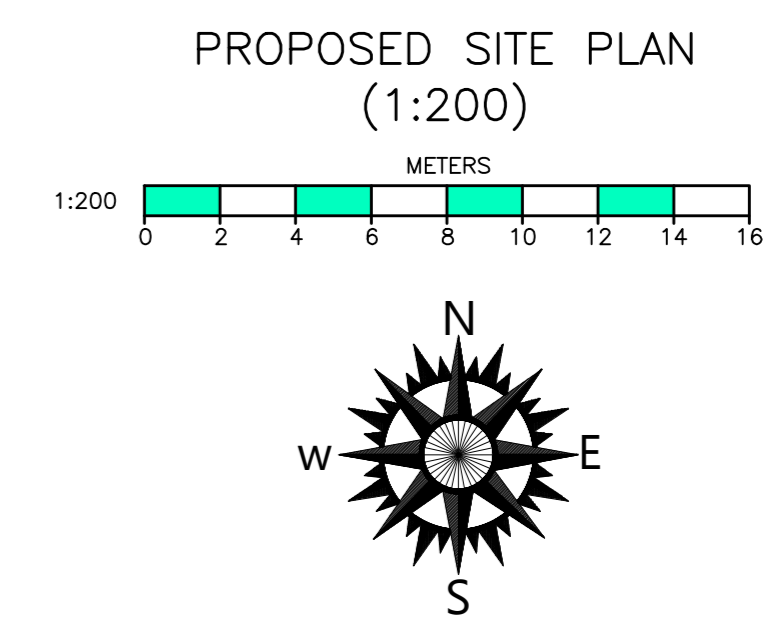
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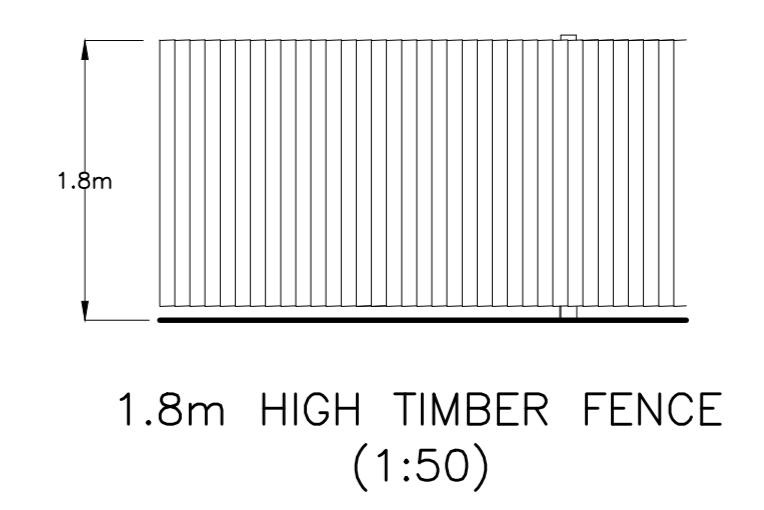
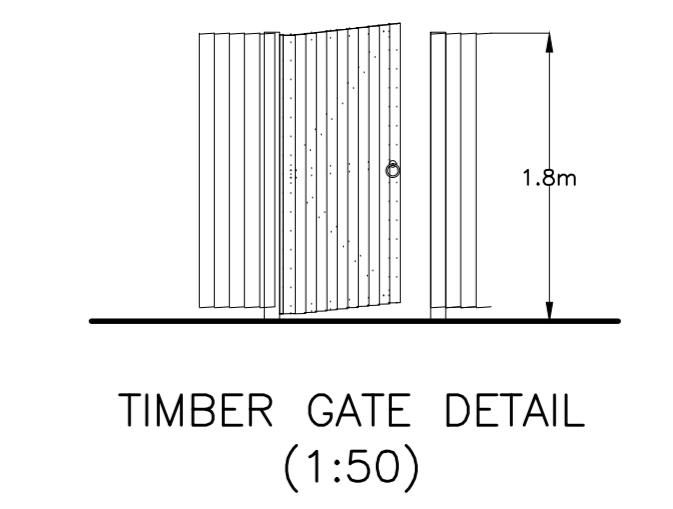
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Contractor to check all dimensions on site before work starts or materials are ordered. Do not scale, if in doubt ask. All dimensions are in mm unless stated otherwise.  
Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specifications. 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 CEN 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 BCU (or MHC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.

- LEGEND**
- GRASS
  - GRAVEL
  - NON SLIP BUFF PAVING
  - WHEELIE BINS



FIRST 10m TO BE SPECIFIED BY CAMBRIDGESHIRE COUNTY COUNCIL HIGHWAYS DEPARTMENT. ENSURE THIS IS SEALED AND DRAINED AS PER CCC HIGHWAYS SPECIFICATION

REVISIONS	DATE
<p><b>MORTON &amp; HALL CONSULTING LIMITED</b> CONSULTING STRUCTURAL ENGINEERS</p> <p>1 Gordon Avenue, March, Cambridgeshire, PE15 8AU Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonandhall.co.uk</p> <p>Fenland District Council Building Design Awards Building Excellence in Fenland</p>	
Mr E Selimaj	
6 Fallow Corner Drive Manea Cambs PE15 0LT	
Proposed Site Plan	
Drawn: R.Pogworth	Scale: 1:200
Date: Jan 2025	Sheet: 1 of 1
As Shown	H10090/02