

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 1 APRIL 2026

1.00 PM

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

Committee Officer: Jo Goodrum
Tel: 01354 622424 (committee only)
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- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 20)

To confirm and sign the minutes from the previous meeting of 4 March 2026.
- 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 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 5 F/YR23/1033/F
Land South Of 88 West Street, Chatteris
Erect 21 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 2 x 2-storey 4-bed) with associated access works, parking and landscaping, and the formation of attenuation ponds, involving the demolition of existing buildings. (Pages 21 - 78)

To determine the application.
- 6 F/YR25/0957/PIP
Land North West Of 16, Westfield Road, Manea
Permission in principle to erect up to 9 x dwellings including the formation of a new access (Pages 79 - 92)

To determine the application.

- 7 F/YR26/0004/PIP
Land Southwest Of Woodbury, Manea Road, Wimblington
Permission in principle to erect up to 3 dwellings (Pages 93 - 104)

To determine the application.

- 8 F/YR25/0907/F
Land North Of Sorrento, Fen Road, Newton-in-the-isle
Change of use of agricultural land to dog exercise paddock, erection of a shelter and 1.8m high boundary fencing, and formation of a car parking area and access (Pages 105 - 124)

To determine the application.

- 9 F/YR25/0925/F
Gaultree Farm, High Road, Guyhirn, Wisbech
Erect 4 x dwellings and the formation of an access involving the demolition of existing dwelling and outbuildings (Pages 125 - 142)

To determine the application.

- 10 F/YR25/0967/O
Land North Of The Chestnuts, Roman Bank, Newton-in-the-isle
Erect of 1x self-build/custom build dwelling (outline with matters committed in respect of access) (Pages 143 - 152)

To determine the application.

- 11 Items which the Chairman has under item 3 deemed urgent

Monday, 23 March 2026

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 M Purser

PLANNING COMMITTEE

WEDNESDAY, 4 MARCH 2026 - 1.00 PM



PRESENT: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor S Imafidon and Councillor M Purser

APOLOGIES: Councillor R Gerstner.

Officers in attendance: Matthew Leigh (Head of Planning), David Rowen (Development Manager), Tom Donnelly (Senior Development Officer), Kimberley Crow (Development Officer), Stephen Turnbull (Legal Officer), Andrew Connolly (Cambridgeshire County Council Transport Assessment Team for P111/25) and Elaine Cooper (Member Services).

P110/25 PREVIOUS MINUTES

The minutes of the meetings of 21 January and 4 February 2026 were approved and signed as an accurate record.

P111/25 F/YR23/0942/F LAND SOUTH OF MARCH TRADING ESTATE, WESTRY AVENUE, MARCH ERECT 5 X INDUSTRIAL UNITS (B2/B8 USE), THE FORMATION A CAR PARK AND CYCLE PARK, AND ASSOCIATED LANDSCAPING

Tom Donnelly presented the report to members.

Members asked questions of officers, including Andrew Connolly from Cambridgeshire County Council's Transport Assessment Team, as follows:

- Councillor Mrs French stated that she was Chairman of MATs at the County Council from 2017 to 2025 where it was discussed for many years about a roundabout at Hostmoor and she also understands that around £350,000 was received from the Aldi site. She made the point that this site is in the middle of an industrial estate and if industrial units cannot be built here where can they be built. Andrew Connolly responded that he is not involved with the MATs scheme, but he does know they have moved away from the roundabout and are now looking for an all-movement signal junction as this requires less land and deals with the issue a bit easier and it is easier for the authority to deliver on the ground.
- Councillor Mrs French asked what is the position with the traffic lights as this has been discussed for 8 years and she understands there is an issue with somebody who owns a strip of land and she does not know if this has been resolved? Andrew Connolly responded that to deliver an improvement here there is third party land that is needed and there would have to be a CPO at some point. He believes the issue currently is regarding funding, there was an initial pot of funding received and that has been spent elsewhere because these two junctions, Hostmoor and Peas Hill, are going to cost £8 million to deliver.
- Councillor Marks asked with regard to the highways is it felt that the issue is traffic coming out of the end of the junction turning left or right or is it more of a bigger problem further along past the Aldi to the A141? Andrew Connolly responded that the issue is vehicles coming out of Hostmoor Avenue onto the A141, at the minute vehicles have to go south, it is not an all-movement junction and this puts a lot of U-turners at the Peas Hill roundabout and U-turners create a lot of capacity issues because they cut off all other arms.
- Councillor Marks questioned that the capacity is there on the Hostmoor/Peas Hill roundabout? Andrew Connolly responded that the capacity is not there, otherwise they would not be objecting and there is a lot of committed development coming forward that

puts a lot of pressure there, Aldi are looking to deliver a set of signals there and it is a very constrained part of the network. He stated that whilst there is a solution, the MATs scheme, that is underfunded currently and it is not known timescale wise when that will be funded.

- Councillor Connor referred to the strip of land mentioned by Councillor Mrs French, which is probably a ransom strip and this issue has been in existence a long time now so asked why a CPO has not been submitted on this piece of land, being proactive rather than reactive? Andrew Connolly responded that he was unable to answer this as it is not a scheme he is involved with as he deals with planning applications rather than projects but would assume it comes down to funding and they would not look to secure third party land until there is adequate funding to deliver the scheme.
- Councillor Connor expressed the view that Andrew Connolly's comments curtail any more development in Hostmoor until such time as improvements can be made? Andrew Connolly confirmed this to be correct. He added in the past there was a roundabout solution, a planning application for Westry which was approved which would have resolved a lot of issues because it allowed all movement on the junction but that is over 10 years old now and has not come forward so the County has had to look at developing its own solution.
- Councillor Mrs French stated that the person who owns the strip of land got the permission for a retail park across the road and he had permission to put a roundabout in. She continued that the argument between the County Council Highways and the owner of this strip of land is the size of the roundabout, he wants to put a bigger one in and County Council do not. Councillor Mrs French stated that what is being talked about is a left hand turn only, it is still no turn right out of this junction and that left hand turn only was put in around 2003. She made the point that Highways have known about the problems on this junction for years, so she feels it is unfair to refuse an application on industrial land because Highways have not undertaken what they are supposed to.
- Councillor Marks requested clarity in whether it is a safety issue or due to capacity? Andrew Connolly responded that it is mainly a capacity issue but if there are lots of vehicles queuing and people getting frustrated it can sometimes lead to safety issues so they would not want to allow something that would potentially cause a safety issue at a later date.

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

- Councillor Marks made the point that this is an industrial area, and Fenland is Open for Business and it now seems to him that it is not open for business because Highways have not got their act together. He continued that it is not the developer that has got the issue, it is Highways that have not got the budget or have not undertaken the work so questioned is development just going to be stopped here and where else would this development be placed? Councillor Marks stated that it is known that industrial units are sought after, with 4-5 recent applications, so this is needed and it is within an industrial area. He referred to it being a capacity issue more than a safety issue and, in his view, this proposal should be approved and then hopefully Highways will get their act together, find some money from somewhere and either put traffic lights or a roundabout at the junction.
- Councillor Benney agreed with the comments of Councillor Marks, if this is turned down County will not do anything about the issues and this will push it up the list, it may be a short-term loss for a long-term gain. He made the point that it is industrial land, and he fully supports the application.
- Councillor Mrs French stated that the capacity issue is not just the junction of Hostmoor but it is Peas Hill roundabout. She continued that when she was Chairman of MATs they decided to pull Peas Hill because it wanted major investment, with the problem here being that most people turn left when they are supposed to and then they go around the roundabout, with this roundabout costing Highways a fortune to repair every couple of months because of the way the lorries are going around to go the opposite way. Councillor Mrs French stated that she agrees with the comments of the other councillors, this is industrial land and the Council needs to be supporting local businesses.
- Councillor Benney stated that he understands that the turn left was a temporary measure. Councillor Mrs French indicated that this was correct. Councillor Benny continued that if this

was the case this should have been resolved and it shows the longer the County Council can put off doing the work the more they will and when it gets to the point when there is a real crunch then the work will be undertaken. He feels it will be better for March if this is approved rather than not.

- Councillor Marks made the point that an Aldi has just been built in this location which they paid towards having the road improved and questioned why at that point did they not pay enough to have traffic lights installed. He expressed the view that it was known this was going to be an issue and thinks it should be approved for Highways to then sort out the road.
- Councillor Mrs French made the point that Aldi did pay £325,000 towards road improvements and there was funding available from the Combined Authority, but it is up to the County Council and the MATs team to reapply for funding, and, in her view, it is not down to local businesses to suffer because of it.
- Councillor Purser stated that approving this shows that Fenland is Open for Business and he is in support of it.
- Councillor Marks made the point that officers have been correct with the recommendation they have put forward but it comes down to County who have tried to be the problem in this application, and, in his view, it looks to be a good proposal.
- Councillor Mrs French asked that, if this is approved, can it be made sure that the developers are aware of the 9 metre strip for access to the dykes around the site. Councillor Connor agreed that it is in the report and the applicant will have to deal with Middle Level Commissioners to make sure that happens.

Proposed by Councillor Mrs French, seconded by Councillor Imafidon and agreed that the application be GRANTED against officer's recommendation, with conditions delegated to the Head of Planning to apply in consultation with the Chairman, including entering into a legal agreement for highway works.

Members do not support officer's recommendation of refusal of planning permission as they feel that the location is industrial land in an industrial area and the Council should be supporting local business.

(Councillors Mrs French and Purser registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they are members of March Town Council but take no part in planning)

**P112/25 F/YR25/0893/F
LAND WEST OF 5 CHURCH GARDENS, WESTRY, MARCH
ERECT 1 X SELF-BUILD/CUSTOM DWELLING**

This item was withdrawn.

**P113/25 F/YR25/0089/F
LAND EAST OF MARCH AIRFIELD, CROSS ROAD, MARCH
ERECT X 1 SELF-BUILD/CUSTOM BUILD DWELLING IN ASSOCIATION WITH A
NEW BUILDERS YARD (SUI GENERIS), INCLUDING THE ERECTION OF A SHED,
AND 2.4M HIGH PALISADE FENCE AND GATES, THE SITING OF 6 X
CONTAINERS, AND THE FORMATION OF AN ACCESS**

Tom Donnelly presented the report to members and drew attention to the update report that had been circulated.

Members received a presentation, in accordance with the public participation procedure, from Nigel Davies, an objector. Mr Davies stated he is the owner of March Airfield and Chief Flying Instructor and whilst he has no objections to the application in principle it is just the location where

the application is being proposed. He referred to a diagram on the presentation screen which shows to the northern end of the application site there is adequate room to put the same proposal without any disturbance, interference or safety risks to the airfield giving them a clear 500-foot safeguarding area which was put in place by the LPA and themselves in 2021.

Mr Davies referred to another diagram on the presentation screen which demonstrates, unlike the previous meeting where someone showed an approach to his airfield in a straight line which is incorrect information and more used by a normal airfield with heavier aircraft, with paragliding they have to come into a circuit off the circuit pattern around the airfield then they have to lose height prior to landing. He continued that as can be seen by the figure of eight diagrams this illustrates where currently they would undertake the figure of eights to lose height prior to landing in the field, making the point that they are a school, not just an airfield, so this happens regularly.

Mr Davies stated there is a predominant wind direction of a westerly direction for the UK so the majority of its flights would come in on this approach and if you take into consideration where the proposal is this is directly overhead of the proposed building, which is why if it is put to the north of the site it would be in a safe area unobstructed to themselves. He referred to the CAA letter that was received prior to the last meeting that will stop any heat or wind turbulence from the proposal being in the exact position it is put currently.

Mr Davies referred to the diagram on the presentation screen showing the circuit pattern around the school so when students take off they then increase height to do a circuit above 500-foot around the airfield prior to yet again coming back on the circuits doing figure of eights to lose height prior to landing, which is why they require the 500-foot safeguarding area. He stated that official Government legislation documents cap 738 of the CAA outlines the regulations and safety guidance that they have to apply to which is the 500-foot rule and this in the aviation industry is known as the 500-foot bubble, it is an area around an airfield, it is safeguarded and they cannot fly below 500-foot unless they take off or land and within that people, obstacles, vehicles or vessels cannot be flown over.

Mr Davies showed on the presentation screen the 500-foot legislation rule, which can also be found in the new SERA document .0005, Section F, which highlights all the new European 500-foot regulations as well. He emphasised that 500-foot is so important to them for safety, they cannot fly within structures, people, vehicles or vessels and by allowing this application in its current location, physically it would make them break the law.

Mr Davies expressed the view that there is plenty of room to the north within the plot to put the proposal and he does not have an issue with the applicant building there but the issue is he has sought planning permission 3 times to build his business over 16 years, which has been granted, but if this is successful in the current location he feels his business will be shut down.

Members asked questions of Mr Davies as follows:

- Councillor Marks stated that he visited the site yesterday and asked if he classed himself as an airfield? Mr Davies responded that they are officially March Airfield and are on all the CAA air charts and maps.
- Councillor Marks stated that some of the reports refer to the CAA referring back to the governing body and asked does Mr Davies' governing body give them the legislation or is it via the CAA? Mr Davies responded that the CAA is their governing body and they fly by the air law.
- Councillor Marks made the point that they have no airfield signs up. Mr Davies responded that aircraft do not drive to his airport, they fly in. Councillor Marks expressed the view that there should be warning for traffic as the last time this was considered Mr Davies said he had to be in control of all and give warnings but there are no signs up on the roadside to say this is an airfield. Mr Davies responded that if you visited Holbeach Fenland Airfield there are not signs there but there are windsocks which are clearly marked. Councillor Marks

stated that this is not directly by the side of the road. Mr Davies responded that the windsocks can be seen from the bypass. Councillor Marks expressed the opinion that if there is an airfield beside the road and it could be a hazard and there are vehicles and lorries going along this road, when last time he said he needed full control, he has not got that control. Mr Davies responded that if it is required, he would put signs up. Councillor Marks made the point that he does require it, but it does say this on the net.

- Councillor Imafidon referred to the figure of eight base leg take-off and landing and understands that they have to come in from a particular direction when they come into land. Mr Davies responded that the diagram shows an example of a westerly take-off and landing. He stated that they can take off in any direction on the compass, but he has shown the predominant wind direction in the UK, which is westerly, but they always have to land into wind and take off in the wind.
- Councillor Imafidon asked if the figure of eight loop has to be in that particular location and can it be moved further backwards or in either direction? Mr Davies responded that the lines of a circuit are take-off, cross wind, downwind, base leg approach and the reason they do a figure of eight close to the airfield is because if they mess it up, remembering these are students, they can still glide safely into the airfield. He added that if they did this in the fields to the east for example and they messed it up they would land in the field next to them and not the airfield. Mr Davies stated that it is always undertaken on a base leg side so the turns and manoeuvres are at a safe height and at any point he could get them to peel off and land because they have made a mistake or are too low. He continued that if it was in a field to the east side it would mean they would land out of the airfield.
- Councillor Benney questioned that if all this space is needed why did he not buy all the land around it? He further questioned how it sits with the CAA in terms of flying over other people's land if that much space is needed and surely the airfield is not big enough? Mr Davies responded that this could be said with any airfield and the problem they have is because they are ultra light aircraft they do not move fast, with the maximum speed being 25mph so they float about a lot longer and they have never had a problem in the 16 years they have been operating so he does not see why they should have a problem now. He made the point that they are one of the biggest schools in the country and draw customers in from all over the country, being recognised by the CAA as a qualified quality safe training school and all they are asking is to stay safe and keep their operation active. Mr Davies made the point that Chatteris Airfield will be lost soon and airfields are really rare currently, with his airfield being a big community gatherer for getting pilots in the air as a training school.
- Councillor Marks stated, from visiting the site, he has a tall green building and a house within the airfield zone and asked how is this safe and why the novice pilots will not hit those buildings instead of a building that is 500 feet away? Mr Davies responded that they do not do circuits over the house or the airfield, but around the airfield and he controls his pilots, they are all on radio and there is no conflict with his property and his buildings with what his pilots do. He feels that members are missing the point that the CAA wrote about the turbulence caused by buildings and having buildings directly on the figure of eight coming into land where they are losing height and can legally fly below 500 feet being affected by heat and turbulence, questioning whether members want the responsibility of somebody's wing collapsing and being impaled on palisade fencing or harmed or killed because it should not be there and his business should be safeguarded, with them being an airfield and there being laws no different to not building a house on a roundabout on a highway. Mr Davies expressed the opinion that you cannot do silly things and interfere with aircraft, with aircraft having more rules in this country than the highways have. Councillor Marks made the point that it has been said that the circuits could be moved and he is control of his pilots and asked why cannot he be in control of the pilots further afield? Mr Davies responded that the pilots need to land in an airfield and to do that they have to circuit and undertake base legs turns as he has illustrated. He stated that the direction can be moved as in around the circumference but not out.

- Councillor Imafidon asked at what height do the pilots come in and do they look before they land? Mr Davies responded that they can come in from any height they want onto a circuit but they would lose height on the circuit to 500-600 foot and then they would start losing height from that point to line up for landing. He made the point that the lower the aircraft is, the more susceptible it is to turbulence and these size buildings and the angles and positions they are placed would be a major hazard to his aircraft, particularly as they are not fixed wings and they are made of fabric, being susceptible to turbulence and heat rotor, which is why they do not fly in the day in the Summer and they fly in the mornings and evenings as it is too thermic and how sensitive the aircraft are. Mr Davies stated he is not being awkward, and he does not want Mr Venni not to develop, it is up to him, but he did say from day one that he needs to be outside his 500-foot area.
- Councillor Connor referred to it being said that the airfield is very busy and people attend from all over the country and asked how many clients he has got in a general working week? Mr Davies responded that this time of year they are quiet because they have had bad weather and currently they have 47 students on the book and if you look at the objections you will see where these come from as far as near Scotland, Wales, London, the East Coast but very few people locally. He expressed the opinion that they get a lot of people because of their reputation for safety with people travelling past 2-3 schools to come to them and they just want to maintain what they do and keep the business strong. Mr Davies stated that the safeguarding was put in place in 2021 and he does not understand why he is faced with this and he does not need this stress in his life.
- Councillor Connor stated that in the past few weeks he has been down this awful road and he has not seen anyone having lessons or flying. Mr Davies responded that this year to date they have had 6 days on the floor training and 4 days flying due to how bad the weather has been.

Members received a presentation, in accordance with the public participation procedure, from Mark Venni, the applicant, and Matthew Hall, the agent. Mr Venni stated that he was asked to go away and find out further information about safety and he contacted the CAA, who never responded to him, and then he contacted the British Hang Gliding and Paragliding Association which are part of the governing body for the CAA and received a letter and report from the Senior Technical Officer. He continued that this officer says on safety the air navigation law is that no aircraft shall fly closer than 500-foot to any vessel, vehicle or structure unless they are landing and taking off and from a legal perspective this specifically allows and appears straightforward to operate a circuit pattern which maintains a safe separation distance from the structures, confirming this is doable.

Mr Venni continued that, in this officer's opinion, the airfield operation should be possible to manage in a way that mitigates any risk to safety and complies with the letter of the law. He added that this officer feels that when taking off to the east circuits towards his land they should be able to bank right, ie turn south after a climb out, which would be doable.

Mr Venni made the point that before he came to committee he spoke to Mr Davies and asked him what would be safe and doable and this proposal is as a result of those discussions, with the agent also speaking to him, with Mr Davies being happy then and now deciding he is not. He stated that the majority of his buildings are over 500-foot away and they are smaller than Mr Davies buildings, with the trees behind his proposed house being much higher than anything around here.

Mr Venni expressed the view that Mr Davies has planning permission for shepherd huts and hardstanding along the side and the back of his airfield, so he is prepared to land over these. He stated that he could change the fence if required and in relation to noise, he has been down to the site quite a lot and seen flying two or three times in the last 8-9 months and you cannot really hear them, and it is nice to see them flying around.

Mr Venni stated he will do what he needs to do but the plans have been produced so they are safe as he does not want anyone to get hurt either.

Mr Hall stated that the applicant is happy to sign the legal agreement for a self-build dwelling, Mr Venni owns the land and will be building the dwelling himself and will live in this occupational dwelling if approved. He referred to October's meeting when the application was deferred for additional information from the CAA, which were contacted and nothing has been received back from them, his understanding was that there were no concerns from members on the other four reasons for refusal, purely the one that the applicant has spoken about.

Mr Hall stated that a flood risk assessment has been submitted and the applicant needs a yard and a shed with this occupational dwelling, with this sort of development not being available in town and space is required. He added that the owner wants Mr Venni's existing yard in Elm Road back, so he has to vacate this yard.

Mr Hall stated that the proposal would be set back 100 metres from Cross Road so it would not be detrimental to the street scene. He referred to the objector's diagram showing the figure of eights but to be clear to members within that 500-feet there are already buildings that Mr Davies owns and he has planning permission for various pods at the end of the runway so there are building well within that 500-foot, which whilst he understands that Mr Davies controls them, they are buildings and structures and they do not move.

Members asked questions of Mr Venni and Mr Hall as follows:

- Councillor Mrs French referred to the mention of pods and asked how many pods are going to be situated there? Mr Hall responded that at the western end there will be 3 and along the northern face there are pitches for touring caravans with an access along that side and bin storage.
- Councillor Mrs French asked what kind of notice has Mr Venni been given for his Elm Road site? Mr Venni responded that he should have already vacated but because of what has happened, the owner is helping him, but he does want his yard back as he wants to develop it so as soon as possible otherwise he will have to find somewhere else to go.
- Councillor Marks referred to the leylandii trees at the back of the site and asked if they will be taller than the properties being suggested? Mr Venni responded in the affirmative.
- Councillor Imafidon referred to containers being stored on the site and asked if they were going to be stacked on top of one another? Mr Venni responded that they would not be.
- Councillor Benney referred to the mention of Mr Venni speaking to Mr Davies before submitting the application and asked if this was a favourable outcome as it seems that an awful lot of trouble has been made for someone to change their mind halfway through. Mr Venni responded that he did speak with Mr Davies, he wanted his building in the corner opposite Mr Davies' property but he said it could interfere with landing so it was moved over and then Mr Hall spoke to Mr Davies and he was happy with that but now Mr Davies does not want to hear someone else's noise.

Members asked questions of officers as follows:

- Councillor Mrs French referred to Mr Davies having planning permission for pods and touring caravans and asked if this was taken into consideration with the CAA when the permission was granted? David Rowen responded that any relevant consultations would have been undertaken at the time of that application, but he cannot personally remember that application.
- Councillor Marks referred to the application the objector put in originally which was for security reasons that was granted not for pods or anything else.
- The Legal Officer drew members attention to the scenario in front of them, whilst there is a general rule that planning authorities cannot be liable for, if they properly grant planning permission, any subsequent events that might occur on that site, his concern having looked at the documents is that the CAA have not objected but they have raised a couple of safety concerns in particular heat coming off buildings and other concerns and the CAA also advised officers to listen to the licence holders views, which members have done today. He

stated that if permission is granted and there is some sort of future incident or personal injury, he could not rule out that the Council might be liable should there be any kind of claim on the basis that the Council has instigated the development of a “hazard” on this site. The Legal Officer made the point that case law is very limited and there is no clear-cut answer it is a small risk that should there be some sort of future incident the Council might well be claimed against for damages.

- Councillor Benney referred to there being a risk, making the point that flying is hazardous activity anyway and there are buildings around the site, which have been approved by the Council, so if anyone crashed into them would the Council be liable for that? He stated that he has also discussed with the Legal Officer about significance and questioned whether it was a significant risk and it is how that significant risk is interpreted. Councillor Benney made the point that the Council could be open to all sorts of claims for all sorts of things and the Council deals with these as they come along and whilst members have been informed of worst case, reiterated is this a significant risk? The Legal Officer responded that in terms of quantifying the risk he would say it is not significant but if it succeeds then it will be. He provided an illustration that there was a case about 20 years ago in the New Forest where the district planning authority approved a footpath which the Highway Authority said would be dangerous and entered into a 106 agreement for it to be built and subsequently he believes a motorcyclist was killed because of the danger of that footpath and the lack of sight lines and the council were held liable because they had been aware of the risk and they still granted planning permission for that development, which he acknowledged is an extreme example of what might occur. He stated that if pushed he would say it is a 10% risk that the Council might be held liable if there was some future incident.
- Councillor Benney made the point that a footpath has been passed in Eastwood End that joins to the A141, which has an element of risk so if somebody got run over on that footpath would the Council be liable there and if looking at it in black and white where does the significance of the level of risk fall? The Legal Officer responded that the Council would not be liable here unless the County were saying this is a severe danger and might result in accidents.
- Councillor Connor made the point that the CAA are not saying it is dangerous or a severe risk, they are just making comments and not giving a judgement one way or the other. The Legal Officer responded that they are raising concerns, but they are not using the language of severe risk. He made the point that they are the proper consultation body, and the Council should take their views seriously.
- Councillor Marks expressed confusion about whether the risk is due to the building causing thermals to make the pilot crash or the pilot is going to crash into the building. He asked, in relation to thermals and buildings, the owner of the airfield has already put up on his property a green shed which he assumes will give thermals and asked if there is any way the committee can say that the proposal is built with materials that should limit the thermals? The Legal Officer advised this is beyond his technical expertise but that is one of the risks the CAA has pointed out. David Rowen added that the comments from the CAA dated March 2025 talk about thermal energy and such energy is known to radiate upwards from surface-based infrastructure such as buildings, roofs, paved surfaces, metallic surfaces, glass surfaces and others so short of building the house out of plastic there really is not much scope to limit the materials.

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

- Councillor Benney stated that when this was considered previously he thought there are two different opposing views and he wanted to get to the bottom of whether this is right and pushed for the deferment because he wanted something from either party to make the right decision and would have liked to have seen something from the CAA that came back and said no this is dangerous and committee has not got this. He made the point that it has been stated that both parties were quite happy and then they are not all of a sudden and looking at the plan all of the aircraft movements are suddenly over this piece of land. Councillor Benney expressed the view that he does not know which side on this is right or

wrong, he pushed for deferment last time when he would have been happy to approve it as it is a builder's yard so why would committee not support it and these applications at committee are supported quite regularly because the Council is Open for Business and he does want to promote business in Fenland, and this is a Fenland business already in existence and it should be supported but equally the airfield is also a business which members supported but when he pushed for the deferment he wanted somebody to come back with some firm documents that said either way and he does not believe that members are any further forward as the deferment did not deliver what he hoped it would.

- Councillor Marks stated listening to both parties and agreeing with Councillor Benney it has not brought back a yes or no and it is still a gray area, with the Legal Officer saying there may be a 10% risk but is not saying definitively there is an issue. He referred to the plan that has been drawn with the figure of eights and feels that if the two parties had previously got together and decided that this was place the house was positioned, why suddenly has this changed and he cannot see the applicant wasting time, money and effort, with him having notice to be out of his current yard, so is confused as to why those plans have been drawn in the way they have been drawn now unless initially there was no problem. Councillor Marks acknowledged that these pilots are in training, but he feels they can move across slightly, with the owner of the airfield applying for permission initially because of security and he has erected a very big green building which must also emit thermals and there are other properties in the vicinity emitting thermals. He expressed concern that committee may be stopping a builder's yard but believes there may be some mitigation and whilst he does not want to affect the airfield's business, Fenland is Open for Business for other businesses as well, questioning that airfields are located all over the place and are there no buildings near them.
- Councillor Connor stated that he visited the site yesterday and he is certain with the information that has been provided by the Legal Officer that a solution could be achieved and believes the figure of eight could be move slightly out so it would have nothing at all to do with the running of the business. He expressed the opinion that both parties could live in harmony and does not know why it has got to this point where the applicant and the objector are at loggerheads when something was previously agreed. Councillor Connor stated that he is leaning towards supporting the application.
- Councillor Imafidon expressed the view that the figure of eight and the flight pattern of the aircraft as they come in is not a perfect line so he feels something could be altered because the buildings on the airfield itself must release thermals and create turbulence, if those do and there is a way for them to circle and land safely he does not see why they cannot do the same with this application.
- Councillor Marks questioned what height the pilots drop to before they actually go onto the airfield as they still need to get onto the airfield so they must still be at some sort of height to get across the road and into the airfield. He referred to the previous application where Highways said 80% was attributed to congestion but 10% was attributed to safety but members still took the view to approve and, in his view, with regard to litigation this is in the 10% category, and he feels he is going to support the proposal.
- Councillor Connor allowed the objector to respond to query of from the figure of eight what height the pilots are when they cross the road to land on the airfield. Mr Davies stated that when they break off the figure of eight they would be approximately 100-75 foot coming in depending upon the wind speed because if there is less wind they sink quicker.
- Councillor Marks made the point that 75 feet is 22.86 metres so the building, against the conifers at the far end, would have a height of no more than 9 metres to the eaves so there would still be a 13 metre gap at worst. Matthew Leigh stated that the concern is not that the aircraft is going to fly into the building but the thermals coming off the building causing health and safety issues. He made the point that he is not an expert on thermals and he does not believe councillors are either so he would not be suggesting undertaking a calculation such as this and it be relied upon.
- Councillor Marks stated that all he was trying to do was work out the height on average when coming into land, how far away these buildings are and the height of the building does

come into this. Matthew Leigh responded that this is not the concern they have raised, it is not about the building being flown into but the thermals that comes from the building.

- Matthew Leigh highlighted that there are five reasons for refusal and the debate has not dealt with any of those other issues.

Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the application be GRANTED against officer's recommendation, with authority delegated to officers to apply conditions and the entering into a unilateral agreement.

Members do not support officer's recommendation of refusal of planning permission as whilst they recognise the site is in an elsewhere location there is a justified and a need for the development to support an existing business that needs to relocate, it would be a struggle to find industrial land that does not lie in Flood Zone 3 and this can be mitigated against, and information has not been submitted to demonstrate that the existing airfield could not continue to operate in a safe and unconstrained manner.

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

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

(Councillor Imafidon declared that he knows the agent, but he is not pre-determined and will consider the application with an open mind)

(Councillor Marks declared that he has been in contact with the agent over a Manea village issue, but is not pre-determined and will consider the application with an open mind)

(Councillor Purser declared that he was not present at the previous meeting when this application was considered and took no part in the discussion and voting thereon)

(All members present registered, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that they had been lobbied on this application by the receipt of additional information from the agent)

**P114/25 F/YR25/0840/O
THE PIGGERIES, FLAGGRASS HILL ROAD, MARCH
ERECT UP TO 4 X DWELLINGS AND THE FORMATION OF AN ACCESS
(OUTLINE APPLICATION WITH
MATTERS COMMITTED IN RESPECT OF ACCESS)**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall stated that members will remember this application which was supported by the committee in 2023 for exactly the same proposal, a small scale development of four bungalows on a site set between existing properties, with it being seen on the Google image that there is a lot of development around it. He stated that he has submitted an ecology report and contamination report and there are no objections, with the site all being within Flood Zone 1.

Mr Hall made the point that the previous application expired mid to late 2025 and there has been a lot of interest in the site. He feels the officer's report sums up the situation well and it is recommended for approval.

Members asked questions of Mr Hall as follows:

- Councillor Mrs French asked if Mr Hall had been to the site recently as she visited the site and thought someone had thrown a bomb in the road. She asked if there are any plans to do something with Flaggrass Hill Road? Mr Hall responded that he was at the site three weeks ago, but this application does not include any improvements to Flaggrass Hill Road.
- Councillor Benney expressed the view that from being down Flaggrass Hill Road in relation to an application at last month's committee to visiting this site for this application the road has deteriorated significantly in the past month and asked if he could find something in the budget to fill the holes in. Councillor Connor interjected that Mr Hall did not have to answer this as it is a highway issue.
- Councillor Purser asked if there is a reason why the site has not been developed within the timeframe? Mr Hall responded that there was a lot of interest in the site and there was, to his knowledge, at least 2 parties, not from this area, who progressed quite a long way and then one dropped away due to not being able to secure the funding and the other just dropped away. He added that one of them wanted the applicant to sign an agreement to stage payments based on profit, which they would not do, with this taking ages and it just expired.

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

- Councillor Mrs French made the point that it has already received planning permission which has unfortunately run out, and she does not see anything different on this application, and it should be approved.
- Councillor Purser agreed.

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

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

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

(Councillor Imafidon declared that he knows the agent, but he is not pre-determined and will consider the application with an open mind)

(Councillor Marks declared that he has been in contact with the agent over a Manea village issue, but is not pre-determined and will consider the application with an open mind)

(Councillor Purser registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of March Town Council but takes no part in planning. He further declared that the agent has undertaken work for him, but he is not pre-determined and will consider the application with an open mind)

**P115/25 F/YR25/0847/LB AND F/YR25/0846/F
27 MARKET PLACE, WISBECH**

F/YR25/0847/LB - EXTERNAL WORKS TO A LISTED BUILDING INCLUDING REPLACEMENT OF EXISTING SHOP FRONT (WITH REPOSITIONED ENTRANCE DOORS) AND INSTALLATION OF INTERNAL AND EXTERNAL SECURITY SHUTTERS, AND DISPLAY OF 1 X NON-ILLUMINATED FASCIA SIGN, 1 X NON-ILLUMINATED PROJECTING SIGN, AND A VINYL (PROPERTY NUMBER ABOVE DOOR) F/YR25/0846/F - REPLACEMENT OF EXISTING SHOP FRONT (WITH REPOSITIONED ENTRANCE DOORS) AND INSTALLATION OF INTERNAL AND EXTERNAL SECURITY SHUTTERS

David Rowen presented the report to members.

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

- Councillor Benney stated that he can see why the business wants to change the frontage, he tried to do this with his shop but it was not favourably looked on by the Council, as if you have the door in the centre from a shop perspective it is a waste of space either side of the door and Savers is also a shop that always put their counters to one side so by moving the door over it will increase the sales area of the shop and it will improve the customer flow around the shop. He added that he knows that people use doorways to sleep in or as a toilet if it is set back and if the door is flat to the front it helps. Councillor Benney expressed the view that this proposal makes perfect sense for the shop, he visited Wisbech and wandered around the Market Place and it is full of empty shops and it looks derelict, the buildings are in a poor state of repair, it is a rundown area and if anyone is going to spend any money to improve it he would be fully supportive. He feels that if more shops or businesses could spend money on their shops it would improve the area, the Market Place has been refurbished but it has a lot of empty shops and a bad feel about it. Councillor Benney stated that although it is a Listed Building he does not feel the proposal will bring any significant harm to the building and businesses need to protect and safeguard their premises so roller shutters are required, when the shop is open the shutters will be up and he thinks it is a good application from a retail point of view, it is in a retail area and the committee should be supporting it.
- Councillor Mrs French stated that she visited the site and had not been to Wisbech for some time being amazed at the number of empty shops. She feels the owners of this shop deserve a medal wanting to invest into the shop rather than shut down and she will be supporting the proposal.
- Councillor Imafidon agreed with the comments of Councillors Benney and Mrs French, he will be supporting the application as he lives in Wisbech and goes into town on a daily basis and he knows the impact that vandalism has on shop fronts, with a number of shops having their windows smashed. He stated that he is Portfolio Holder for Heritage but at the same time the high street needs to be protected by allowing businesses to stay open, with there being too many empty shops in Wisbech and another one should not be encouraged.
- Councillor Purser echoed the comments of the other councillors, businesses should be encouraged, with the proposal cleaning and tidying the shop front up and it encourages people to go in and use the shop so it can only be good for all concerned.
- David Rowen clarified the nature of the application in that the doorway will still be a recessed doorway and will not be flush with the frontage. He stressed that the property is a Listed Building and there is a duty in law to give great weight to protecting that Listed Building.

F/YR25/0847/LB

Proposed by Councillor Benney, seconded by Councillor Imafidon and agreed that the application be GRANTED against the officer's recommendation, with authority delegated to officers to apply conditions.

F/YR25/0846/F

Proposed by Councillor Benney, seconded by Councillor Imafidon and agreed that the application be GRANTED against the officer's recommendation, with authority delegated to officers to apply conditions.

Members do not support officer's recommendation of refusal of planning permission as they feel that there would be no adverse harm to the Listed Building, they are supporting a business which is looking to invest in Wisbech, with there being many empty or boarded up shops in Wisbech that

is detrimental to the area and the shutters are required for security.

(Councillor Imafidon registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Wisbech Town Council but takes no part in planning)

P116/25 **F/YR25/0833/F**
2 SCRIMSHIRES PASSAGE, WISBECH
CHANGE OF USE OF EXISTING RETAIL TO 1NO DWELLING

Kimberley Crow presented the report to members.

Members received a written presentation, in accordance with the public participation procedure, from Alexandra Patrick, the agent, read by Member Services. Ms Patrick stated that she believes the recommendation for refusal on this site is based on a subjective “feeling” rather than a consistent application of policy. She expressed the opinion that the officer’s verdict is that the space is “oppressive”, but quality of life is not defined by a tape measure alone, it is defined by light, layout and functionality.

Ms Patrick expressed the view that the proposal has designed a purposeful, high-quality home intended for a single occupant or a young professional, a demographic that is currently underserved in Wisbech. She disagrees with the “oppressive” label due to the Council’s recent decision at the former wool shop in Wisbech with the Council approving a flat with a nearly identical floor area with the space deemed to provide a high level of amenity.

Ms Patrick referred also to the Hare and Hounds, with the committee recognising that site specific context and clever design often outweigh strict square footage requirements. She added that a shop to residential conversion has also been approved next door, so it is already established that this row is suitable for homes.

Ms Patrick expressed the view that this proposal completes the transition of this building and is consistent with the character of the street and consistent with precedents that have already been set.

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

- Councillor Benney stated that he visited the site, retail is disappearing from people’s way of life and questioned what retail could go into the building as a shop, with there being empty shops all throughout Wisbech and turning the ones on the periphery into accommodation, in his view, makes perfect sense. He added that it pushes the retail there is more into the centre of Wisbech, which he feels would help Wisbech. Councillor Benney acknowledged that it is a small property but made the point that there was a gentleman sleeping in a shop doorway when he visited the area and he is sure he would be grateful for this rather than sleeping in the open air. He made the point that there is a housing problem in Fenland and if this produces a home for somebody, it may not be a perfect home, but it is a stepping stone. Councillor Benney stated that whilst this proposal is not ideal, it is ideal for what is there and he will be supporting the application.
- Councillor Connor stated that he called this into committee as he thought it would be of interest to committee and on Agenda Item No.12 he received some information from Dan Horn, a director at Fenland, saying there are 491 households on the waiting list at Fenland. He acknowledged the proposal is not ideal but feels it would be suitable for a single person and he will be supporting this application as it is an opportunity to convert an empty shop into accommodation.
- Councillor Mrs French agreed with the comments of Councillors Benney and Connor, it is an interesting passageway, there are people sleeping rough in Wisbech and Hill Street is full of empty shops which should be brought back into use. She knows that Wisbech has received £20 million in funding and she would suggest that some of these shops are brought and

refurbished, especially in Hill Street. Councillor Mrs French stated that she will be supporting this application.

- Councillor Imafidon echoed the comments of the other councillors, he will be supporting this application, he knows the street very well and walking down the street and turning left or right into Hill Street there are empty shops everywhere and even the shops that appear to be open he never sees anyone in them. He feels if this application is not approved it is just going to be another empty building in town when it could easily have people living in it.

Proposed by Councillor Imafidon, seconded by Councillor Mrs French and agreed that the application be GRANTED against officer's recommendation, with authority delegated to officers to apply conditions in consultation with the Chairman.

Members do not support the officer's recommendation to refuse planning permission as they feel that residential accommodation in any form is needed in Wisbech.

(Councillor Imafidon registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Wisbech Town Council but takes no part in planning)

**P117/25 TPO01/2026
STATION STREET, CHATTERIS**

Kimberley Crow presented the report to members and stated that Chatteris Town Council have notified the Council that they support the TPO.

Members received a presentation, in accordance with the public participation procedure, from Donna Barwell, an objector to the TPO. Ms Barwell stated that her objection is straightforward, the Eucalyptus tree at 23 Station Street is unsafe, unsuitable for its location and the temporary TPO was issued, in her view, without the necessary evidence or assessment. She expressed the view that the provisional TPO was imposed without an arboricultural inspection, there was no assessment of the tree's structural condition, its risk level, its life expectancy or its suitability for long-term retention.

Ms Barwell expressed the opinion that a TPO should only be confirmed when a tree provides significant public amenity and when it is expedient to protect it and neither requirement has been met. She feels the tree has multiple well-documented structural defects, it has had previous branch failures, it has visible decay and extensive bark loss, it has a pronounced lean of around 45 degrees and its species typically has shallow rooting and brittle wood.

Ms Barwell stated that one of the most important points is the species behaviour of sudden limb drop, with Eucalyptus trees being known for shedding large branches without warning, even in calm weather. She added that following an incident of this nature, which was reported to the Council in June 2025, they were advised to make the tree safe and her concern is, therefore, not theoretical as several branches have already fallen from this tree and it has been fortunate that these have been inside the boundary of her property, as if those should have fallen in the opposite direction it would have landed where children walk to the local primary school and where vehicles regularly pass, which demonstrates a real risk.

Ms Barwell made the point that Eucalyptus trees are not native, they grow very fast and have shallow spreading roots that can affect drains and structures and they are prone to structural failure. She expressed the view that in a confined high traffic urban setting she does not believe this tree is suitable for long-term retention and it also offers limited ecological value compared with native alternatives.

Ms Barwell expressed the opinion that given the tree's condition, its species characteristics and its location, she does not believe it can be reasonably considered suitable for long-term protection.

She feels the TPO was issued reactively following a felling application and not based on evidence, with the statutory test of amenity value or expediency not being observed.

Ms Barwell expressed the view that protecting a hazardous tree in a high-risk location is not in the public interest. She made the point that removing the tree is not in her aesthetic interest as at present this tree screens the properties across the road and its removal would open up that view and she also has other trees on her property that include a Cherry and Laburnum that are currently stunted because of the Eucalyptus' size and dominance and if this tree were removed those trees would finally be able to grow and flourish, improving the long-term character and greenery of the area.

Ms Barwell stated that her position is not about convenience or preference, it is about safety, suitability and responsible management and if deemed appropriate, she would be willing to replace the Eucalyptus with a more appropriate species, subject to guidance, that would provide genuine amenity without posing a risk. She asked members for the reasons she has outlined to withdraw or decline to confirm the TPO.

Members asked questions of officers as follows:

- Councillor Marks asked if the tree officer visited the site to look at the tree? David Rowen responded in the affirmative and that as part of the assessment of the application for works to various trees within the site, which included the felling of the Eucalyptus tree, the Council's Arboricultural Officer has undertaken what is known as a tree valuation method for preservation orders which is an industry standard series of assessments of the tree including its health and general condition, coming to the conclusion that it is worthy of a TPO.

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

- Councillor Marks stated that committee has heard from the objector who obviously owns the tree and one thing she did say was about upkeep and safety but questioned why the tree not been maintained, with safety being of paramount importance through the years. He queried why all of a sudden the tree has become an issue if it has been maintained. Councillor Marks made the point that the Tree Officer has been out to site and members need to support the report of the Tree Officer, who is the professional and, on this occasion, he will be supporting the TPO.
- Councillor Benney made the point that the house has been sold several times, but Eucalyptus trees do grow, the branches do fall off them, and they are not a native species. He feels from listening to the objector she is more than happy to replace this tree with another tree and personally he would prefer to see it replaced with a native UK species. Councillor Benney stated that it is a big tree, trees need management and they do not last forever, it is a lovely garden, and it is very dominant and he can understand why the other trees are not thriving. He expressed the opinion that the Tree Officer by the nature of his job is always going to support trees, but he will not be supporting this TPO.
- Councillor Mrs French questioned how old the tree is? The Chairman allowed Ms Barwell to respond to say she believes it was planted in the 1960s.
- Councillor Purser questioned, with all due respect to the Tree Officer who is obviously the professional, if the tree is getting into a bit of a dangerous state why has it not been pollarded previously. He feels if a TPO is placed on the tree now and it did get into an even more dangerous state and injured or killed someone, would members forgive themselves for allowing it to go forward.
- Matthew Leigh stated that the responsibility of the tree management sits with the owner of the tree, it does not sit with the Council, and the applicant has come into remove the tree, they have not come in with works to reduce it or for any maintenance. He added that the Tree Officer has been on site and undertaken an assessment, with part of the Tempo scoring system being about the long-term health and it takes into account quite a number of different criteria, including the condition and suitability of the tree, remaining longevity, how

visible it is in the public domain and arboricultural features, ie whether it is unusual. Matthew Leigh stated that the Planning Officer's report says in paragraph 4.2 definite merit is level 15 and this scored 16 so the Tree Officer considers it has merit. He referred to a point being made about health and risk in the future, but officers are not saying they would not allow any works as a substantial part of a LPAs caseload is applications for work to trees with TPOs and generally they are allowed if it can be demonstrated there are health issues with the tree, with sometimes management resolving the issue but sometimes they will need to be removed. Matthew Leigh made the point that the only way to require a tree to be replaced is to impose a TPO, which is standard practice if a tree is relatively unhealthy and it is a borderline case to impose a TPO to allow them to remove it so that the harm can be mitigated against for the loss of the tree so even if members say that it adds to the character of the area and has value but are concerned about the principle of this tree his advice would be to still confirm the TPO and then a subsequent application could come in to remove it and to replace it with a different tree, which if members consider to be more appropriate, safer, etc, is the correct way to do this as it is about installing officers with the legal powers to affect it. He added that the tree not being native or ecology issues are not considerations.

- Councillor Benney stated that he had a Horse Chestnut tree at his former home and the Tree Officer came and looked at it as he was looking to get some work undertaken to it as it was getting too tall and dangerous and he agreed with the work saying that it was a healthy specimen of a tree but when the tree surgeon came to undertake the works he said the tree was unsafe, with the Tree Officer advising to take whatever action the tree surgeon recommended but the Tree Officer did not see that the tree was dangerous in parts. Matthew Leigh stated that he would not want to bring any question into the capabilities of the Tree Officer, particularly as it probably is not the same Tree Officer as now and the Council's current Tree Officer is a commercial entity with a lot of experience and this should not be given any weight in the consideration of this proposal. Councillor Benney stated he was not questioning his ability but making the point that until the tree is climbed up it is not always visible what condition it is in.
- Councillor Imafidon expressed the opinion that what is important from his perspective is public safety and whilst the Tree Officer has been out to look at it, the objector lives there and has seen the tree branches fall off. He added that it can be seen from the photos that there is a great lean on it and the root system is shallow so no one knows when that is going to come down and like Councillor Benney said without someone undertaking some work on the tree it would not be known what state of health it is in. Councillor Imafidon expressed the view that he does not think the objector is after just removing the tree as she offered to plant another tree there and he feels personally he is looking at it from a public safety point of view and if the species of this tree is known to shed branches without warning he thinks members should consider the objector's point of view.
- David Rowen stated that there was an application to fell the tree which is why the TPO come around so clearly there is an intention to fell it and branches do fall off trees, even healthy trees. He added that as Matthew Leigh indicated there is a responsibility on the owner of any tree to make sure it is in as safe a condition as possible and just imposing a TPO does not preclude any further work being undertaken to that tree, it just gives a degree of control to the works that are taking place. David Rowen made the point that if members do accept the TPO there is nothing stopping the owner of the tree making an application tomorrow to undertake significant works to the tree and that will be considered on its merits. He continued that while the speaker has indicated that they would be willing to plant a replacement tree the only way to legally ensure that is to place a TPO on the tree as if the Council just accepts the felling of the tree there is no legal requirement to ensure that this tree is replaced, with the only mechanism to do that being the imposition of the TPO.
- Matthew Leigh added that an initial consideration of a tree can be undertaken and it could look healthy or unhealthy and if someone started works it could be worse, but the Council does not have an initial report saying it is unhealthy, it is just anecdotal that occasionally branches fall and it is not known if there is or is not any health risks or issues with the tree. He continued that it is not known if a slight reduction of the tree would mitigate some of the

issues as none of this information is with the Council and all that is known is that sometimes the tree loses branches and they want to remove it, with there being no arboricultural report in front of the Council backing up that this tree needs to be removed for health and safety reasons.

- Councillor Marks acknowledged what Councillor Benney has said as well as officers, he feels that if the route of TPO is followed the tree is safeguarded instead of just removing it, however, if by reducing the size of the tree it is found to be in a poor state and needs to be removed then with advice from the Tree Officer it could be taken down and a replacement tree safeguarded. He added that if it is not in bad condition and it can be pollarded to a safe condition then there is a 60 year old tree still standing there, which, in his view, does add to the street scene. Councillor Marks expressed the view that the objector has made a good presentation and agreed that health and safety has to be of paramount importance but just cutting it down because of health and safety he is uncomfortable about, however, should it be found to be rotten inside then at least the future of a replacement has been safeguarded. He added that the objector may move next week and if that tree is felled there is no guarantee that it will be replaced but at least with a TPO there will be that guarantee.
- Councillor Mrs French thanked to David Rowen for explaining the situation and she feels it makes sense to place a TPO on the tree and then the owner can apply to undertake works, if it is dangerous or in a bad condition a replacement tree can be conditioned.
- Councillor Connor expressed the opinion that the TPO should be placed on the tree, the owner can submit an application for works to the tree and if it found to be unsafe appropriate action can be taken.

Proposed by Councillor Marks, seconded by Councillor Mrs French and agreed that the TPO be confirmed in respect of 1 x Eucalyptus tree.

(Councillor Benney registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council but takes no part in planning)

(Councillor Marks registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he attends meetings of Chatteris Town Council but takes no part in planning)

**P118/25 F/YR25/0088/PLANOB
LAND SOUTH OF 8-59 FAIRBAIRN WAY, CHATTERIS
MODIFICATION OF PLANNING OBLIGATION ATTACHED TO PLANNING
PERMISSION F/YR19/0152/O (ENTERED INTO 03.08.2020) RELATING TO
PROVISION OF 100% AFFORDABLE HOUSING (WITH ASSOCIATED
NOMINATION RIGHTS) AND A REDUCTION IN EDUCATION CONTRIBUTIONS
TO £100,000 (£2000 PER PLOT)**

David Rowen presented the report to members.

Members asked questions of officers as follows:

- Councillor Mrs French asked if there is public open space or play equipment on the site as she is thinking about Pride of Place funding which is coming on board. She referred to Councillor Connor mentioning on a previous application about 491 people being on the waiting list across Fenland, but she believes this to be Chatteris only as there used to be 3,000 for the whole of Fenland and it does say at 1.2 there are 491 registered within the Council in Chatteris. Councillor Connor stated the information provided to him by Dan Horn stated that the numbers fluctuate daily as it is a live database, at the time of writing the report there are 491 households registered with the Council looking for affordable rent with Chatteris as their preference.
- Councillor Imafidon referred to the affordable housing and questioned affordable to whom? Matthew Leigh responded that this is defined in the NPPF. Councillor Imafidon asked if

these homes could be allocated to Fenland residents only. Matthew Leigh responded that they will be let through the allocations policy, so it is normally through a connection. Councillor Connor added that the allocations will be made to the properties through the Council's approved Housing Lettings Policy.

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

- Councillor Benney expressed his disappointment that the site is not going to be for market housing but recognised there is a need for affordable housing. He stated that his only concern is that priority should be given to local people. David Rowen stated that the nomination rights are set out in paragraph 3.3 of the report so the Council would be receiving nominations rights to all but five of the dwellings.
- Councillor Mrs French stated her main question was on play equipment and there will be a Pride in Place report going to Cabinet in March, with each town being given a set amount of money for play areas and she will speak to Phil Hughes on this as these houses keep being built, with only contributions given. Matthew Leigh stated that paragraph 8.11 states that the open space contribution was secured for off-site improvement or provision of facilities in the area of Chatteris as the site is too small to require anything on site and there is very limited open space in the development, with the reserved matters plan showing there is no play equipment being provided on site, which is why the £38,000 is still seen as necessary to off set the harm from the development.
- Councillor Connor stated that he would have liked to have seen some play equipment on the site itself, there are 50 affordable homes on the site so there is going to be children, and he would press to get equipment on site.
- Councillor Mrs French expressed the view that Pride in Place funding has probably been missed but there is the Inspire! project as well so it does need to be looked at as she does not know Chatteris well so is not aware where the nearest play area is. Councillor Benney responded that the nearest main play area is probably Huntingdon Road.

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

(The Chairman agreed to this item being considered as a matter of urgency to avoid undue delay)

(Councillor Benney registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council but takes no part in planning)

(Councillor Marks registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he attends meetings of Chatteris Town Council but takes no part in planning)

3.55 pm

Chairman

F/YR23/1033/F

**Applicant: Urban Developments
Peterborough Ltd**

**Agent: Ms Kate Wood
Eddisons Barker Storey Matthews**

Land South Of 88 West Street, Chatteris, Cambridgeshire

Erect 21 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 2 x 2-storey 4-bed) with associated access works, parking and landscaping, and the formation of attenuation ponds, involving the demolition of existing buildings.

Officer Recommendation: Grant

Reason for Committee: Amendments to S106 agreement following resolution of Members on 23rd July 2025

1. EXECUTIVE SUMMARY

- 1.1 The application was reported to Planning Committee on 23rd July 2025 (original committee report is provided at appendix 1) whereby Members resolved to grant planning permission subject to completion of a Section 106 Agreement. The original report is appended to this update.
- 1.2 At that time the scheme comprised 21 dwellings on a 1.34 hectare site. The resolution secured:
- 5 affordable housing units on site comprising 4 x 2 bed dwellings and 1 x 3 bed dwelling on Plots 11 to 14 and Plot 21
 - On site open space provision in excess of the 22 percent requirement, albeit with reduced usability due to drainage attenuation features
 - Financial contributions totalling £207, 299.14 requested by statutory consultees. These consisted of:
 - NHS contribution of £18,054.14
 - Cambridgeshire County Council contributions comprising:
 - £32,226 early years
 - £76,749 primary education
 - £77,022 secondary education
 - £3,098 library services

- £150 monitoring fee

1.3 The agent confirmed agreement to these contributions on 20 June 2025.

1.4 Following the Committee resolution, but prior to the signing of the S106 and subsequently a decision notice being issued, the applicant submitted a viability review contending that the scheme is no longer capable of supporting the agreed level of affordable housing and financial contributions.

1.5 The Council commissioned an independent review of the submitted appraisal and following negotiation and further review by a quantity surveyor, given the abnormal costings, it was concluded that the scheme could viably deliver either:

- No affordable housing and £186,500 in financial contributions, or
- 2 affordable units and no financial contributions

1.6 These options materially alter the obligations previously resolved by Members and therefore require reconsideration.

1.7 Since the Committee resolution in July 2025 the Emerging Local Plan has been withdrawn. This does not materially alter the assessment of the proposal which continues to be determined against the adopted 2014 Local Plan. Similarly, the Developer Contributions SPD 2015 has been withdrawn and replaced by the Planning Obligations Interim Guidance Note adopted on 5 March 2026.

1.8 The principle of residential development in this location remains acceptable. The site forms a small extension to an established market town. There were no substantive concerns previously identified in relation to character, design, residential amenity, highways, ecology or drainage

1.9 Part of the site lies within Flood Zones 2 and 3. The majority of built form, excluding parts of turning heads and parking areas, lies within Flood Zone 1. While the application does not fully satisfy the sequential or exceptions tests, it was previously concluded that future residents would not be exposed to unacceptable flood risk and this position remains unchanged.

1.10 County Highways have confirmed that the internal layout and parking provision are acceptable. The realigned legal width of the public right of way was confirmed by a Definitive Map Modification Order dated 24 January 2025.

1.11 The only matter requiring reassessment is the overall planning balance in light of the revised viability evidence.

1.12 The proposal results in a clear shortfall in affordable housing provision and a limited shortfall in infrastructure contributions. These harms attract substantial and moderate negative weight respectively.

1.13 However, the viability evidence has been independently reviewed and demonstrates

that full policy compliance would render the scheme undeliverable. In such circumstances, whereby the principle of development has been accepted, some contribution towards infrastructure is preferable to none. In this instance, securing £186,500 would provide wider and more immediate community benefit than the delivery of 2 affordable units in isolation and without supporting infrastructure.

- 1.14 Taking all matters into account and having regard to the previously accepted merits of the scheme in all other respects, it is considered that the benefits of the development, including the delivery of housing and infrastructure contributions, outweigh the identified harm arising from the reduced planning obligations.
- 1.15 On balance, the proposal is considered acceptable and planning permission can be granted subject to completion of a Section 106 Agreement.

2. UPDATE

- 2.1 Following the Committee resolution of the 23rd July 2025, but prior to the signing of the S106 and subsequently a decision notice being issued, the applicant submitted a viability review contending that the scheme is no longer capable of supporting the agreed level of affordable housing and financial contributions.
- 2.2 The Council commissioned an independent review of the submitted appraisal. The initial independent position concluded that the scheme could viably deliver either:
- 5 affordable units and £125,000 in financial contributions, or
 - 3 affordable units and £207,149 in financial contributions
- 2.3 This conclusion was disputed by the applicant. Abnormal costs and site-specific constraints were further examined by a Quantity Surveyor. Following this additional review, it was concluded that the scheme could viably support either:
- No affordable housing and £186,500 in financial contributions, or
 - 2 affordable units and no financial contributions
- 2.4 These options materially alter the obligations previously resolved by Members and therefore require reconsideration.

Policy Context Since Resolution

- 2.5 Since the Committee resolution in July 2025:
- The Emerging Local Plan has been withdrawn. This does not materially alter the assessment of the proposal which continues to be determined against the adopted 2014 Local Plan.
 - The Developer Contributions SPD 2015 has been withdrawn and replaced by the Planning Obligations Interim Guidance Note adopted on 5 March 2026.

- 2.6 The Interim Guidance Note is based on Policy LP13 and requires 25% affordable housing on schemes over 10 dwellings but does not materially alter the contributions in terms of education or healthcare. This guidance also provides greater clarity in respect of open space contributions.
- 2.7 The principle of residential development in this location remains acceptable. The site forms a small extension to an established market town. There were no substantive concerns previously identified in relation to character, design, residential amenity, highways, ecology or drainage.
- 2.8 Part of the site lies within Flood Zones 2 and 3. The majority of built form, excluding parts of turning heads and parking areas, lies within Flood Zone 1. While the application does not fully satisfy the sequential or exceptions tests, it was previously concluded that future residents would not be exposed to unacceptable flood risk and this position remains unchanged.
- 2.9 County Highways have confirmed that the internal layout and parking provision are acceptable. The realigned legal width of the public right of way was confirmed by a Definitive Map Modification Order dated 24 January 2025.
- 2.10 The only matter requiring reassessment is the overall planning balance in light of the revised viability evidence.

3. CONSULTATIONS

- 3.1 The application is currently undergoing a re-consultation, any consultations received prior to the meeting will be provided via a members update where possible.

4. ASSESSMENT AND CONCLUSIONS

Infrastructure Contributions

- 4.1 Policy LP5 and LP13 of the Local Plan alongside guidance within the National Planning Policy Framework require development to contribute positively to local communities, including through affordable housing and supporting infrastructure.

Affordable Housing

- 4.2 For a scheme of 21 dwellings, policy requires 25 percent on site affordable housing, equating to 5 units.
- 4.3 The revised viability position indicates that the scheme can deliver either:
- 2 affordable units and no financial contributions, or
 - No affordable housing and £186,500 in financial contributions

- 4.4 The absence of policy compliant affordable housing gives rise to identifiable harm. The Council can demonstrate a five-year housing land supply. As such, the delivery of additional market housing attracts limited weight, and the tilted balance is not engaged.
- 4.5 The 2014 Local Plan is informed by the Strategic Housing Market Assessment 2012 which identified a need for 3,527 affordable dwellings over the plan period. Between 1 April 2011 and 31 March 2025, 947 gross affordable dwellings were completed. This equates to approximately 176 per annum and results in a significant historic shortfall.
- 4.6 The Fenland Monitoring Report 2024 to 2025 confirms that 137 affordable homes were completed in the most recent monitoring year. In addition, planning permission was granted on 27 June 2025 for 70 affordable dwellings at land north of 70 West Street, Chatteris under reference F/YR23/0940/F. While this carries limited weight, it demonstrates continued delivery within the District.
- 4.7 If affordable housing were to be secured via a commuted sum, the calculation would be based on:
- 70 percent rented tenure at 55 percent of open market value
 - 30 percent shared ownership at 65 percent of open market value
- 4.8 Based on an agreed open market value, as set out in the viability review, of £357,033 per dwelling, the policy compliant commuted sum for 5 units would equate to £1,053,247.35.
- 4.9 The viability evidence demonstrates that such a sum is not deliverable. The provision of 2 units would also fall short of policy requirements and would conflict with the Local Plan approach that schemes of this scale should secure affordable housing through financial contribution/off-site provision, where fewer than 10 units are provided.
- 4.10 The failure to deliver policy compliant affordable housing attracts substantial negative weight.

Education and Health Contributions

- 4.11 The total requested infrastructure contributions amount to £207,299.14.
- 4.12 The revised viability position indicates that, in the absence of affordable housing, £186,500 could be delivered. This results in a shortfall of £20,799.14 against the requested sum.
- 4.13 On the basis of independently reviewed evidence, it is accepted that the full contributions cannot be viably supported. However, the lack of full mitigation for

additional pressure on local GP practices and education facilities weighs negatively in the planning balance.

- 4.14 It is noted that the recently approved 70 dwelling affordable scheme did not secure education or NHS contributions. While this is of limited direct relevance, it highlights cumulative pressures on local infrastructure.

Open Space

- 4.15 Under the withdrawn Developer Contributions SPD, 22% of the site area was required as open space. The scheme provides on-site open space in excess of this percentage, although its usability is affected by drainage attenuation features. This was previously accepted by Members.
- 4.16 The Planning Obligations Interim Guidance Note now requires financial contributions for sites between 0.5 and 10 hectares delivering more than 15 dwellings.
- 4.17 For this scheme of 21 dwellings comprising 4 x 2 bed, 15 x 3 bed and 2 x 4 bed units, the required contributions would be £35,937, calculated as follows:

	Open Space	Children's Play
2 Bed X 4	£2,432	£2,844
3 Bed X 15	£12,195	£14,250
4+ Bed X 2	£1944	£2,272
Totals	£16,571	£19,366
Total	£35,937	

- 4.18 Appendix B of the Local Plan confirms that open space requirements must be assessed on a site-specific basis. Although the Interim Guidance Note indicates that financial contributions will be sought, the scheme provides onsite open space to a level previously considered acceptable.
- 4.19 Given the viability constraints and the existing on site provision, it is considered reasonable in this instance to secure the on-site open space through the Section 106 Agreement together with arrangements for its long-term maintenance, in lieu of a financial contribution.

Planning Balance

- 4.20 The principle of residential development on this site has previously been accepted by Members and remains unchanged. The proposal represents an extension to an established market town in a sustainable location. There are no outstanding

concerns in respect of design, character, residential amenity, highways, ecology or drainage. Subject to conditions, the development is acceptable in all other material planning respects.

- 4.21 The matter requiring reconsideration is the reduction in planning obligations arising from the updated viability evidence.
- 4.22 As outlined above, when the application was previously reported to Planning Committee it proposed a policy compliant level of contributions, including affordable housing and NHS. A subsequent viability assessment has since been submitted which demonstrates that the scheme is unable to support this level of financial contribution. While the Council accepts the viability constraints identified, this does not remove or automatically outweigh the resulting conflict with the Council's adopted policy.
- 4.23 The scheme would fail to deliver policy compliant affordable housing. Policy requires 5 on site affordable units. The viability evidence indicates that this cannot be achieved and that the realistic options are either 2 units with no infrastructure contributions or no affordable housing with £186,500 in financial contributions.
- 4.24 There is a clear and evidenced need for affordable housing across the district. The failure to secure policy compliant provision attracts substantial negative weight. The Council can demonstrate a five year housing land supply and therefore the delivery of additional market housing attracts moderate weight only.
- 4.25 In addition, the proposal cannot fully meet the requested infrastructure contributions. A shortfall of £20,799.14 would arise if £186,500 were secured in lieu of the full £207,299.14 requested. This would result in partial mitigation only of impacts on local education and health services. That shortfall weighs negatively in the overall balance.
- 4.26 Notwithstanding the above, the scheme would deliver 21 dwellings on previously developed land, in a sustainable location, contributing to housing availability and local economic contributions during both construction and occupation.
- 4.27 Importantly, the independently reviewed viability evidence confirms that the development cannot viably support both affordable housing and full infrastructure contributions.
- 4.28 Therefore, consideration is required as to whether the provision of housing in this location is acceptable without the necessary contributions to mitigate the harm from the development and if so, which option delivers the greater overall public benefit.

Viability Position and Acceptability

- 4.29 It is accepted that viability is a material planning consideration and that the Local Planning Authority must give due regard to robustly assessed evidence demonstrating that full policy compliance would render a scheme undeliverable. However, the reduced level of planning obligations gives rise to clear and identifiable harm and conflict with both adopted policy and Government guidance. In particular, the under provision of contributions towards education and healthcare infrastructure weighs negatively in the planning balance, as does the absence of affordable housing provision in the district, where there is an evidenced and persistent need.
- 4.30 The Council can demonstrate a healthy five year housing land supply. As such, the delivery of additional market housing in this instance attracts only moderate weight and does not engage the tilted balance in national policy. In this context, the failure to secure policy compliant affordable housing and full infrastructure contributions must be afforded substantial weight.
- 4.31 Notwithstanding this, it is recognised that viability constraints are a longstanding and well evidenced issue within Fenland. The Council has historically accepted reduced planning obligations where this has been justified through robust and independently reviewed viability evidence. A consistent approach in this regard is an important material consideration and carries moderate weight in the decision making process.
- 4.32 In addition, the proposal represents the redevelopment of a brownfield site in a sustainable location adjoining an established settlement. Such development is supported by both national and local planning policy objectives. Whilst the under provision of mitigation is regrettable, the reuse of previously developed land and the delivery of housing in a sustainable location weigh in favour of the scheme.
- 4.33 On balance, and having regard to the viability evidence, it is considered that in this instance the reduced level of planning obligations, when compared to the benefits of the scheme, is considered to not result in such harm as to warrant a reason for refusal.

Allocation of Funds

- 4.34 The financial contributions now proposed fall short of meeting the full range of obligations required to make the development acceptable in planning terms. In light of this shortfall, it becomes necessary to consider how the limited funds available can be directed to secure the greatest overall planning benefit. This requires a balanced assessment of which obligations are most critical to mitigating the impacts of the development and ensuring compliance with the Council's adopted policy framework.
- 4.35 In this context, securing £186,500 towards education and healthcare infrastructure would provide direct, tangible and immediate mitigation for a significant percentage of the impacts arising from the development. These contributions would support existing services that will experience additional pressure as a result of population

growth, ensuring that the development integrates more effectively with the existing community and does not place undue strain on local facilities.

- 4.36 By contrast, the provision of two affordable units would fall significantly below the policy requirement for five units and would represent a fragmented and limited contribution towards meeting identified housing need. Furthermore, the financial contribution deemed viable, as discussed in the preceding section, whilst going a fair way in terms of affordable housing, does not even cover the financial contribution towards one dwelling.
- 4.37 Given the scale of affordable housing need across the district, as evidenced in the adopted Local Plan and monitoring data, the delivery of two units in isolation would not materially influence overall supply or address the identified shortfall in any meaningful way. The benefit arising from such limited provision is therefore afforded only modest weight. Furthermore, while the need for affordable housing is recognised as a district wide priority, any financial contribution in lieu of on-site provision could not be guaranteed to deliver affordable homes in close proximity to the application site. As a result, the absence of affordable housing financial contribution within this scheme has a less direct and immediate impact on neighbouring residents than other obligations that relate more specifically to the local area.
- 4.38 In contrast, infrastructure contributions benefit both existing and future residents and align with the requirement for development to mitigate its own impacts in a fair and proportionate manner. The delivery of financial contributions towards education and healthcare is therefore considered to represent a more effective and equitable form of mitigation in this case.
- 4.39 For these reasons, and having regard to the viability constraints, the option of securing £186,500 towards education and healthcare infrastructure (to be split so each receives 90% of the original amounts) is considered to deliver greater overall public benefit than the provision of two affordable units without supporting contributions.

5. CONCLUSION

- 5.1 The proposal results in a clear shortfall in affordable housing provision and a limited shortfall in infrastructure contributions. These harms attract substantial and moderate negative weight respectively.
- 5.2 However, the viability evidence has been independently reviewed and demonstrates that full policy compliance would render the scheme undeliverable. In such circumstances, whereby the principle of development has been accepted, some contribution towards infrastructure is preferable to none. In this instance, securing £186,500 would provide wider and more immediate community benefit than the delivery of 2 affordable units in isolation and without supporting infrastructure.
- 5.3 Taking all matters into account and having regard to the previously accepted merits of the scheme in all other respects, it is considered that the benefits of the

development, including the delivery of housing and infrastructure contributions, outweigh the identified harm arising from the reduced planning obligations.

- 5.4 On balance, the proposal is considered acceptable and planning permission can be granted subject to completion of a Section 106 Agreement.

6. RECOMMENDATION

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 Section 106 legal agreement and planning conditions (proposed draft conditions are included below) to the Head of Planning; and,
2. Following the completion of the Section 106, application F/YR23/1033/F be approved subject to the draft planning conditions set out below,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the Section 106 legal agreement, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

Conditions

1	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roofs are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
3	<p>The first floor side elevation windows in Plots 3, 10, 11 and 15 shall be glazed with obscure glass and so maintained in perpetuity thereafter.</p> <p>Reason - To safeguard the amenities of future residents and the amenity currently</p>

	enjoyed by the occupants of adjoining dwellings.
4	<p>Prior to first occupation of the development hereby permitted the areas of Public Open Space, including footpaths, as shown on the approved plans will be delivered in full and retained in perpetuity and shall be managed and maintained in accordance with details to have previously been submitted to and agreed in writing with the Local Planning Authority.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
5	<p>Prior to the first occupation of the relevant dwelling hereby approved, the associated on-site parking shall be provided in accordance with the approved plans. Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of occupiers for each dwelling of the approved scheme and shall not be used for any other purpose.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
6	<p>Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan 2014.</p>
7	<p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <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 (DLUHC 2023).</p> <p>Informative</p> <p>Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI. A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges.</p>
8	<p>No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-</p> <ul style="list-style-type: none"> a) hard surfacing, other hard landscape features and materials b) existing trees, hedges or other soft features to be retained c) planting plans, including specifications of species, sizes, planting centres number and percentage mix d) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife e) details of siting and timing of all construction activities to avoid harm to all nature conservation features f) location of service runs g) management and maintenance details <p>The approved hard landscaping scheme shall be carried out with regard to the dwelling to which it relates, prior to the occupation of that dwelling and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.</p> <p>Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>

9	<p>Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. A proposed topography plan shall be provided which shows the site topography for the approved site and adjacent neighbouring land. The development shall be constructed and retained in accordance with the details so approved.</p> <p>Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.</p> <p>Reason: To reduce the risk of flooding of the development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 14 of the Fenland Local Plan, 2014 and Section 14 of the National Planning Policy Framework, December 2023.</p>
10	<p>Prior to the first occupation of the relevant dwelling hereby approved, boundary treatment shall be installed in accordance with the approved plan 6343/PL20D and retained in perpetuity.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
11	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:</p> <p>i) the erection of any walls, fences or other means of enclosure to the frontage boundary to all plots (as detailed in Schedule 2, Part 2, Class A).</p> <p>Reasons:</p> <ol style="list-style-type: none"> 1. To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity and character of this part of the area in which it is set in accordance with Policies LP16 and LP18 of the Fenland Local Plan 2014. 2. To prevent the restriction of movement along the West Street public byway at the open frontage of Plots 1 and 2 of the approved development.
12	<p>Notwithstanding the submitted details, no development shall commence until a</p>

	<p>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> <ul 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; g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate; h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways; i) Use of concrete crushers; j) Prohibition of the burning of waste on site during demolition/construction; k) Site artificial lighting including hours of operation, position and impact on neighbouring properties; l) Drainage control measures including the use of settling tanks, oil interceptors and bunds. m) Screening and hoarding details; n) Access and protection arrangements around the site for pedestrians, cyclists and other road users; o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures; p) External safety and information signing and notices; q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures; r) Storage of materials, including soil, in areas of the site liable to flood, and: <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>
13	<p>Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a detailed Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and</p>

	<p>approved in writing by the local planning authority.</p> <p>The CEMP (Biodiversity) shall incorporate recommendations of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech 2023) and Bat Survey Report (Allied Ecology 2023) and must include the following</p> <p>A) Risk assessment of potentially damaging construction activities.</p> <p>B) Identification of "biodiversity protection zones".</p> <p>C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction this may be provided as a set of method statements</p> <p>D) The location and timings of sensitive works to avoid harm to biodiversity features</p> <p>E) The times during which construction when specialist ecologists need to be present on site to oversee works</p> <p>F) Responsible persons and lines of communication</p> <p>G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person</p> <p>H) Use of protective fences, exclusion barriers and warning signs if applicable</p> <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 protect biodiversity in accordance with policies LP16 & LP19 of the Fenland Local Plan 2014.</p>
14	<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 development is occupied.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>
15	<p>Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that foul water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
16	<p>No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those</p>

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 Drainage Strategy prepared by Parsons Consulting Engineers (ref: 21159-001) dated 10th January 2025 and shall also include:

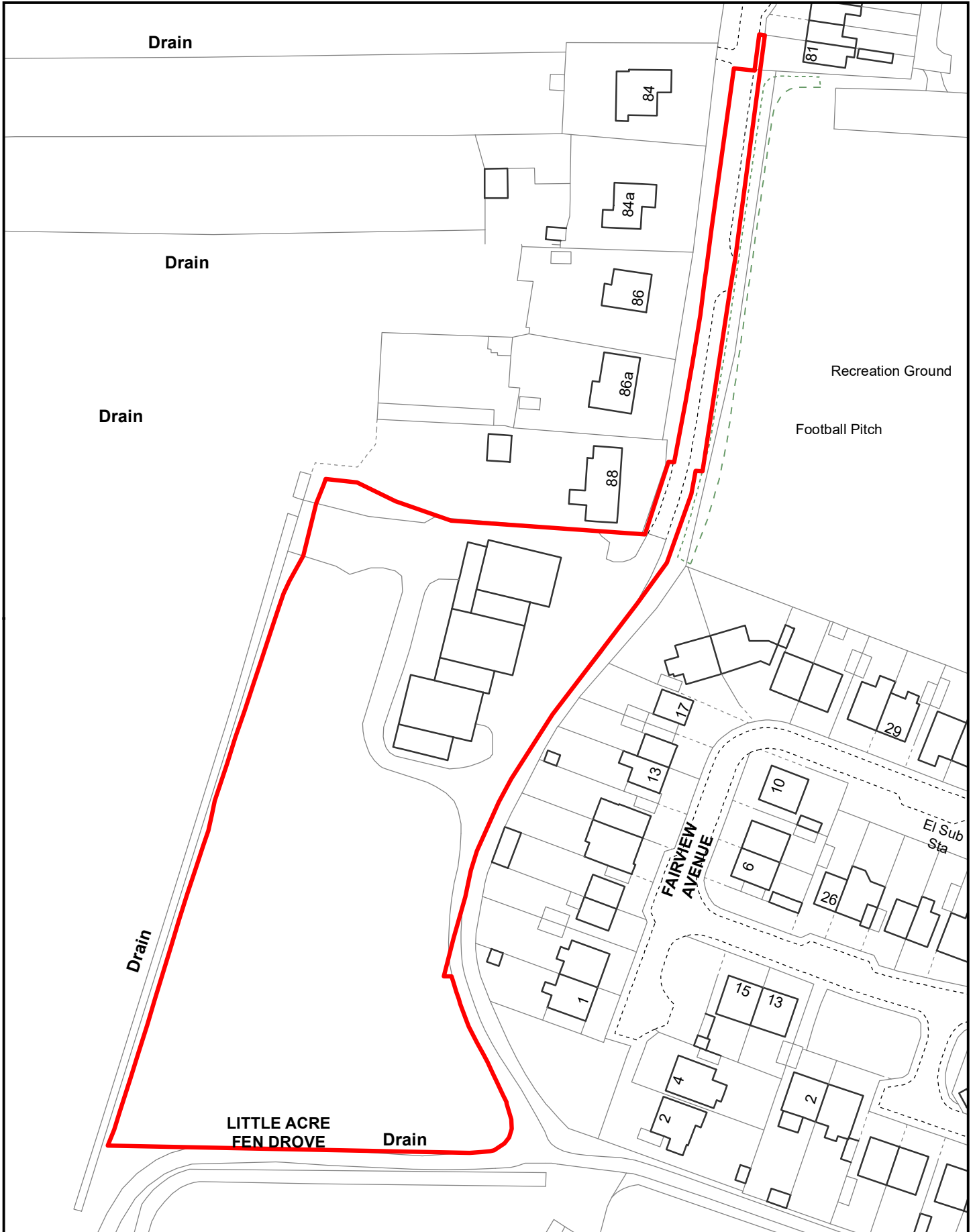
- a) Full calculations detailing the existing surface water runoff rates for the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events;
- b) Full results of the proposed drainage system modelling in the above-referenced storm events (as well as 1% AEP plus climate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

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. This condition is imposed in accordance with Policy LP14 of the Fenland Local Plan, 2014.

17	<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. This condition is imposed in accordance with Policy LP14 of the Fenland Local Plan, 2014.</p>
18	<p>Prior to the first occupation of any dwelling details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall have been 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 under 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. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
19	<p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 6343/PL11D.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
20	<p>No development above slab level shall take place at Plots 1 & 2 until a scheme to secure the highway boundary markers (as referenced on 6343/PL11D Rev D – Site Plan) has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall detail the type and location of boundary markers. The development shall be carried out in accordance with the agreed details prior to occupation of Plots 1 & 2.</p> <p>Reason: For the safe and effective operation of the highway. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
21	<p>Before development commences a timetable for the delivery of the road improvement scheme for West Street, including the byway, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shown on the</p>

	<p>approved plans shall be delivered in accordance with the agreed timetable and shall be retained in perpetuity thereafter.</p> <p>Reason: In the interests of highway safety and to ensure satisfactory access into the site. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
22	<p>Accesses to the public highway as shown on approved plan 6343/PL11B are to be provided before first occupation of the relevant dwelling and should be constructed so as to prevent discharge of water to highway.</p> <p>Reason: For the safe and effective operation of the highway. This condition is imposed in accordance with Policies LP14 and LP16 of the Fenland Local Plan, 2014.</p>
23	<p>Vehicular accesses and driveways shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway.</p> <p>Reason: in the interests of highway safety. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
24	<p>Two 2.0 x 2.0 metres pedestrian visibility splays shall be provided as shown on drawing 6343/PL11D Rev D – Site Plan. This area shall be kept clear of any obstruction to visibility exceeding 600mm high and retained as such throughout the lifetime of the development.</p> <p>Reason: In the interests of highway safety. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
25	<p>The mitigation measures concerning reptiles described in section 5.2 of the Preliminary Ecological Appraisal – Final Report are required to be implemented in full prior to first occupation of the site and retained in perpetuity so that the development will not cause harm to reptiles.</p> <p>Reason: Conservation of protected species. This condition is imposed in accordance with Policy LP19 of the Fenland Local Plan, 2014.</p>
26	<p>No development shall commence until:</p> <p>(a) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority (LPA). The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any</p>

	<p>remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs (b), (c) and (d).</p> <p>In the event that a remediation scheme is required, this should also be conditioned at this stage as follows:</p> <p>(b) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p> <p>(c) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.</p> <p>(d) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in the NPPF and Policies LP2, LP16 and LP19 of the Fenland Local Plan 2014.</p>
27	Approved Plans



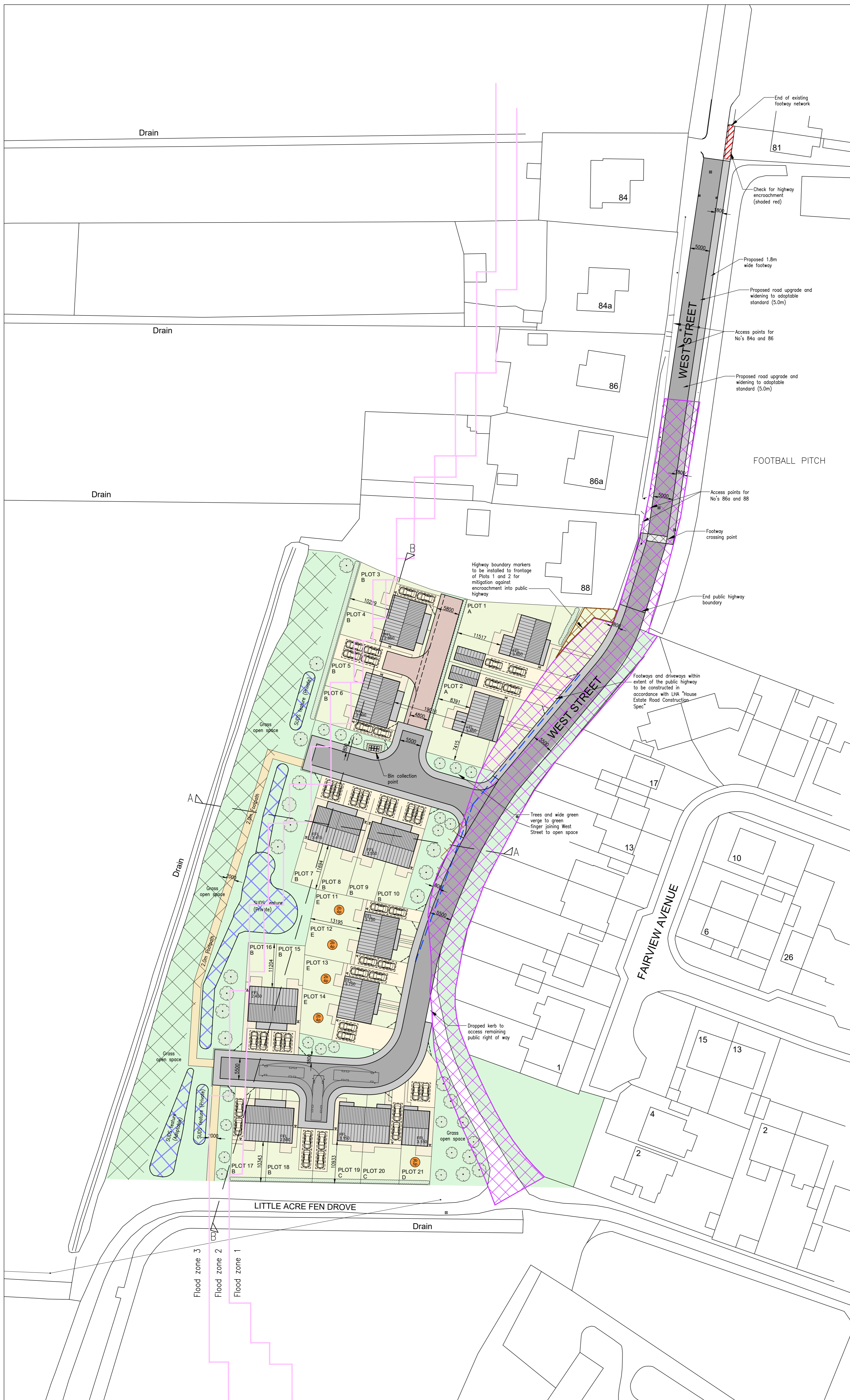
Created on: 10/12/2024

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F/YR23/1033/F

Scale = 1:1,250





KEY

- 5.0m/5.5m Adoptable Access Road
- 1.8m Footways (Where Shown)
- 2.4m x 43m Visibility Splay
- 4.8m Private Drive with 1.0m overrunnable footpath
- Parking Areas
- Paving Slabs (Indicative)
- Private Gardens
- Open Space
- 2.0m Public Footpath
- 9m IDB Maintenance Zone
- Affordable Unit
- Soft Landscaping (Indicative)
- SUDS Features
- Bin Collection Point
- 1.8m Access Gate
- Byway 22 Width
- Unregistered Land

D - 29.01.25 - Amendments following planning consultant comments.
 C - 28.01.25 - Amendments following LHA comments dated 17.01.25.
 B - 13.11.24 - Amendments to access road.
 REVISIONS



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CLIENT
 URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
 PROPOSED DEVELOPMENT

SITE
 LAND SOUTH OF No.88
 WEST STREET
 CHATTERIS
 CAMBS
 PE16 6HR

DRAWING
 PLANNING DRAWING 1 (SITE PLAN)

JOB NO.	PAPER SIZE	DATE
6343/PL11D	A1	OCT 2023

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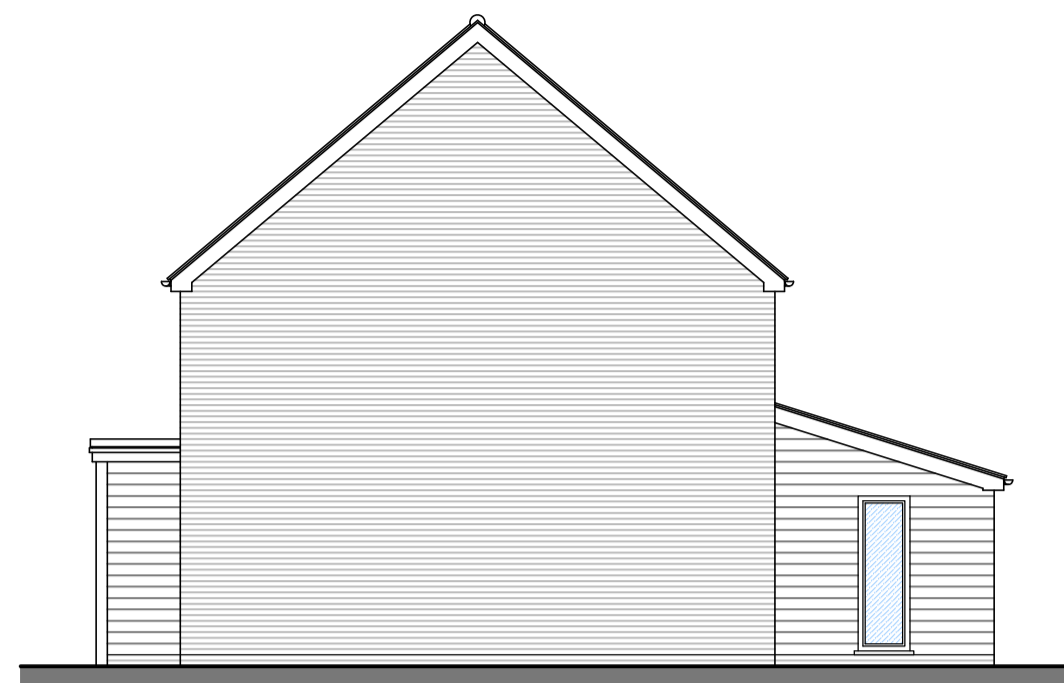
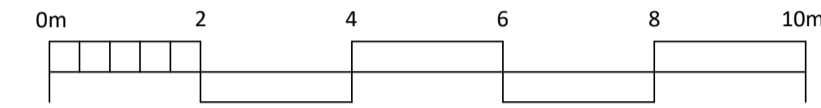
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PROPOSED SITE PLAN 1:500
 0m 10 20 30 40 50m



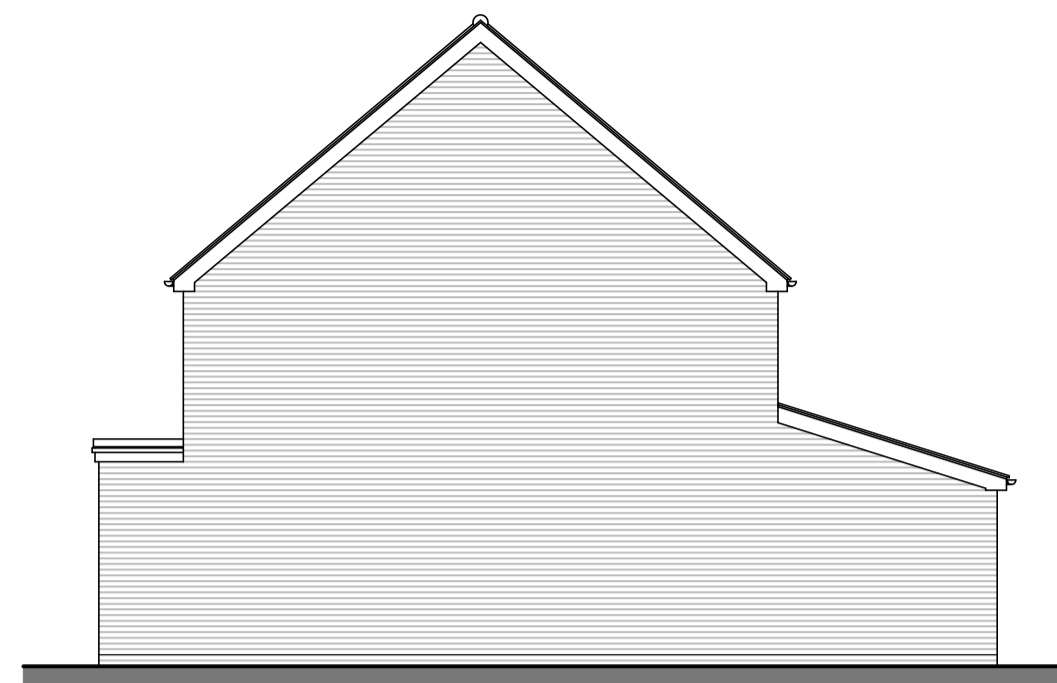
FRONT ELEVATION 1:100



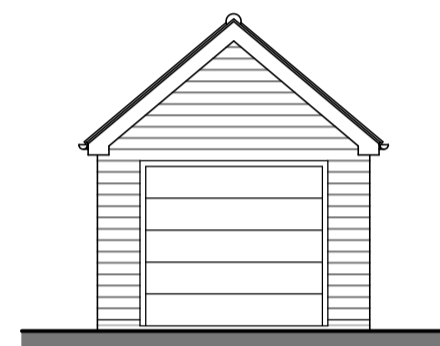
SIDE ELEVATION



REAR ELEVATION



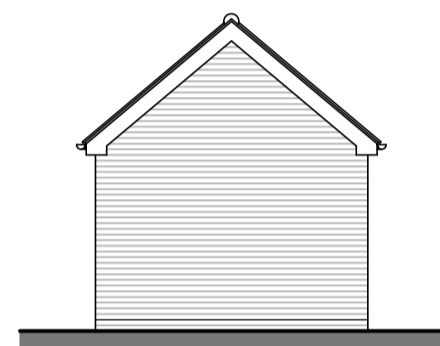
SIDE ELEVATION



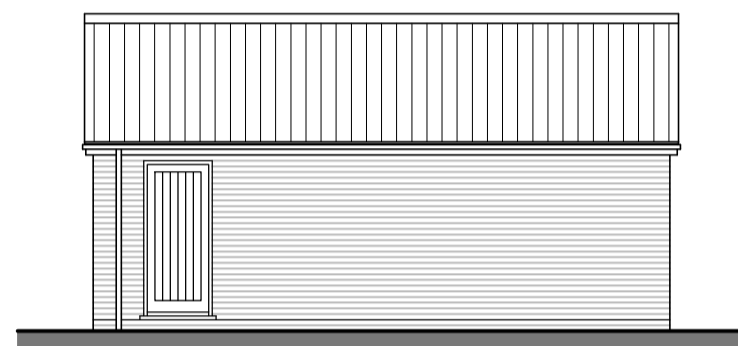
FRONT 1:100



SIDE



REAR



SIDE

Plot Schedule:

As Drawn	Handed
Plots 1 & 2	N/A

Room Schedule:

Ground Floor	
Lounge	5.22m x 4.29m
Kitchen	3.05m x 4.22m
Family / Dining	5.95m x 4.29m
Utility	3.05m x 1.80m
Study	2.95m x 3.87m
WC	1.05m x 1.97m
Cup'd / Plant	1.05m x 1.80m
GIA =	92.87m ² / 999ft ²
First Floor	
Bedroom 1	4.00m x 3.87m
Ensuite	2.70m (1.29m) x 2.05m
Bedroom 2	3.30m x 4.29m
Bedroom 3	3.15m x 3.87m
Bedroom 4	3.15m x 3.14m
Bathroom	2.00m x 3.20m
GIA =	75.63m ² / 813ft ²
GIA TOTAL =	168.50m ² / 1812ft ²

A - 15.05.24 - Type A re-designed.
REVISIONS



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CLIENT
URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.88
WEST STREET
CHATTERIS
CAMBS
PE16 6HR

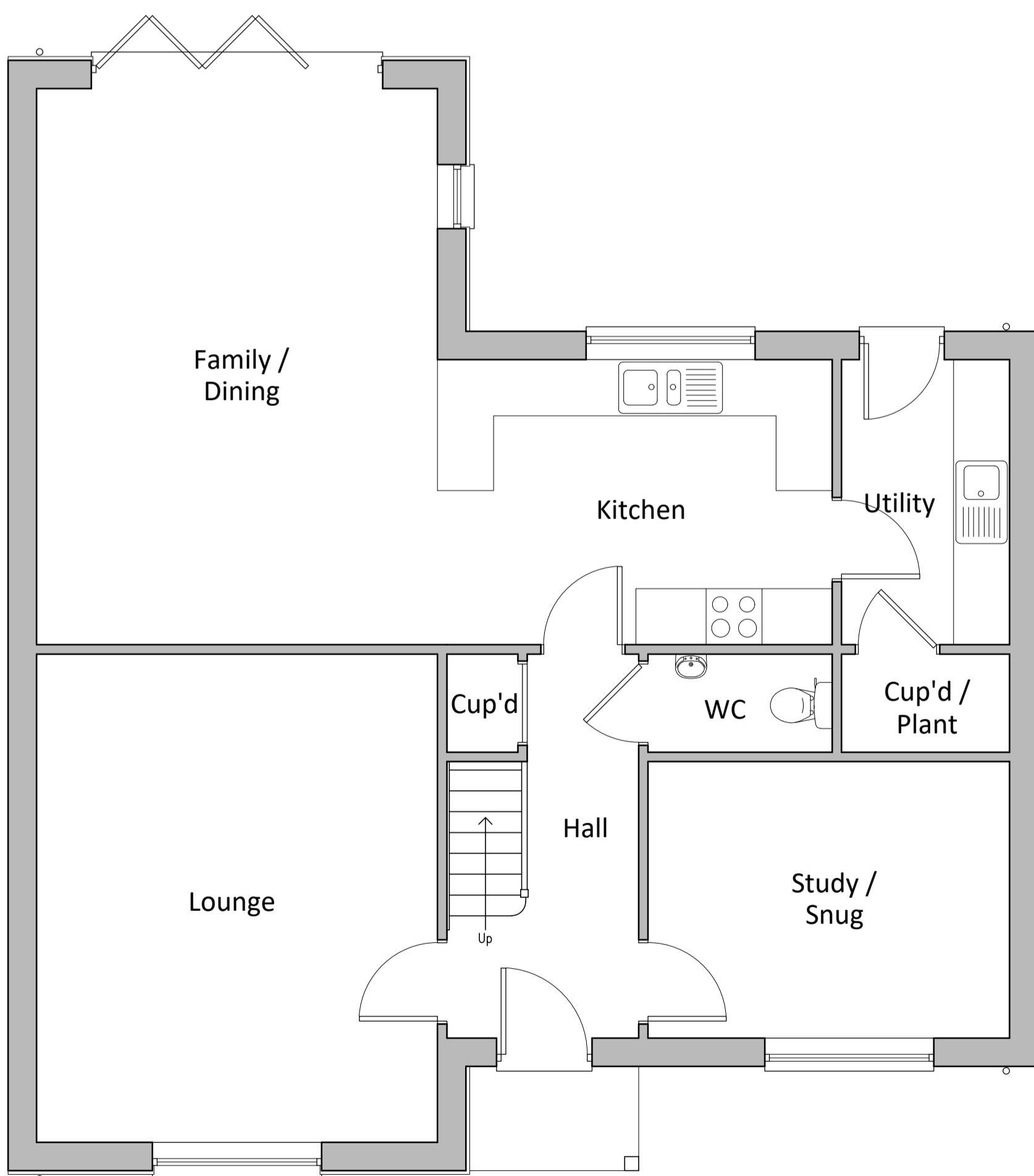
DRAWING
PLANNING DRAWING 2 (TYPE A)

JOB NO.	PAPER SIZE	DATE
6343/PL12A	A1	OCT 2023

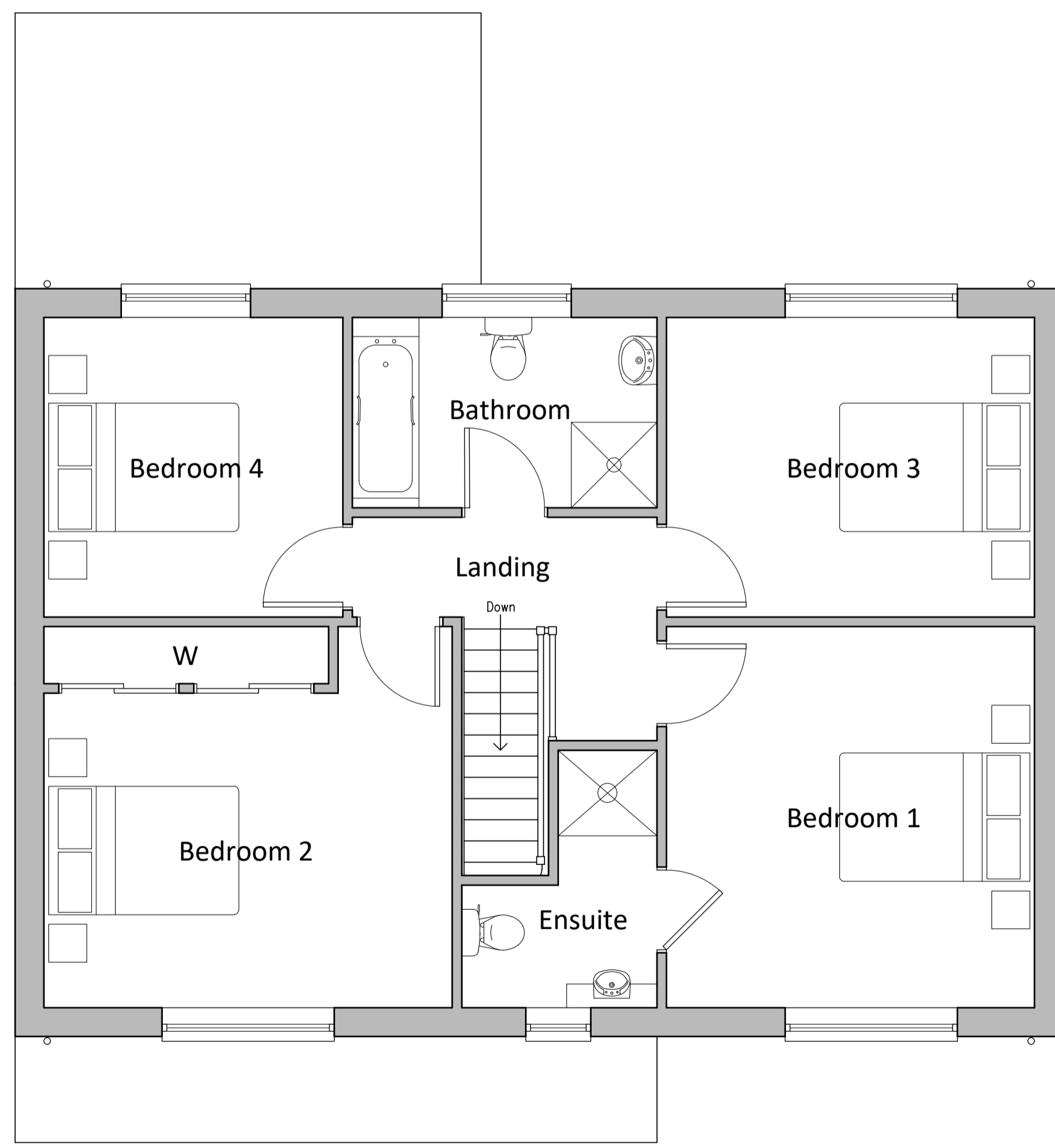
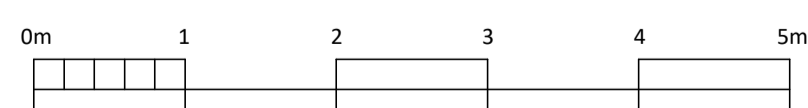
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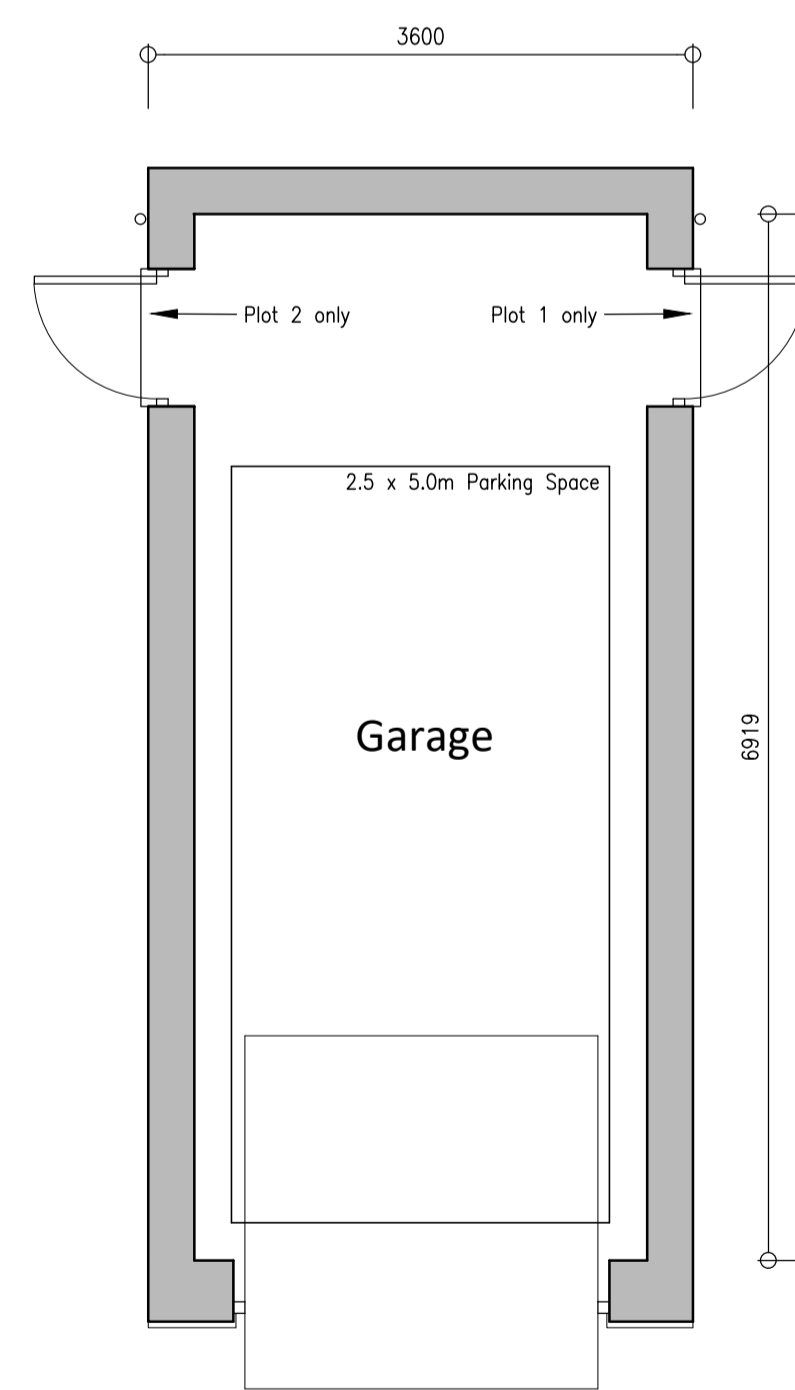
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GROUND FLOOR PLAN 1:50



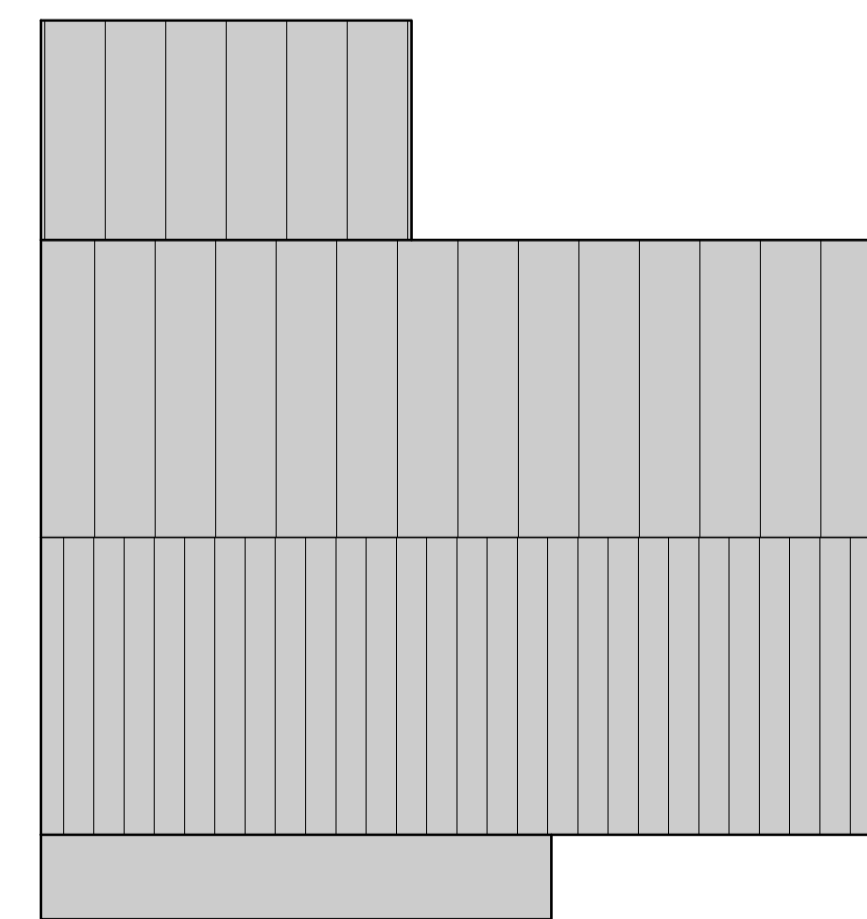
FIRST FLOOR PLAN 1:50



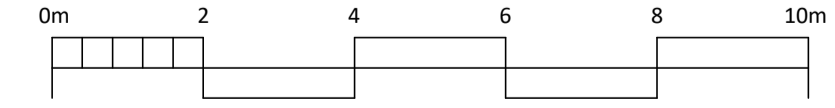
GARAGE PLAN 1:50

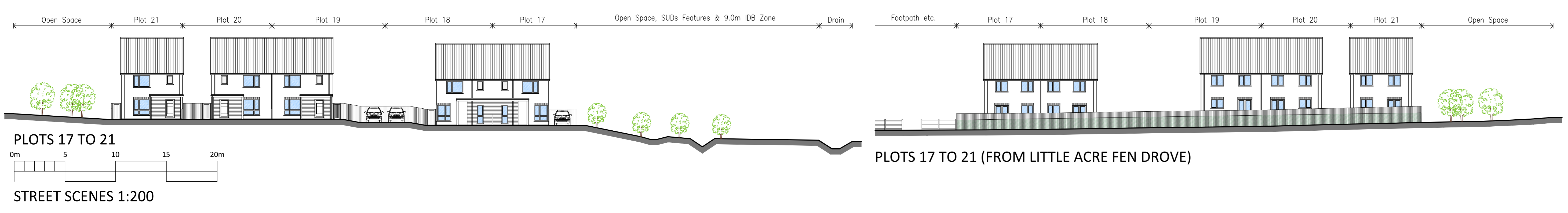
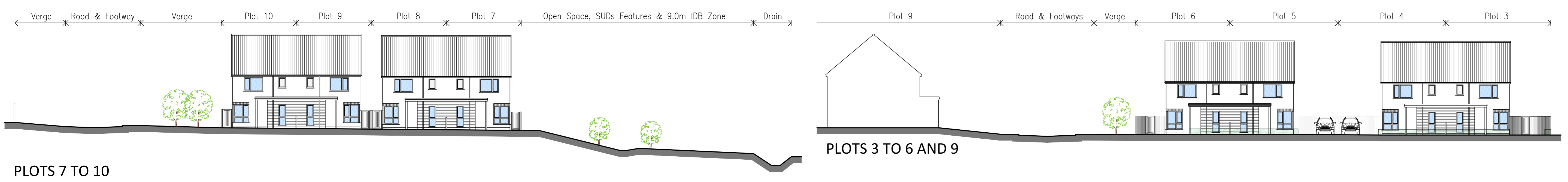
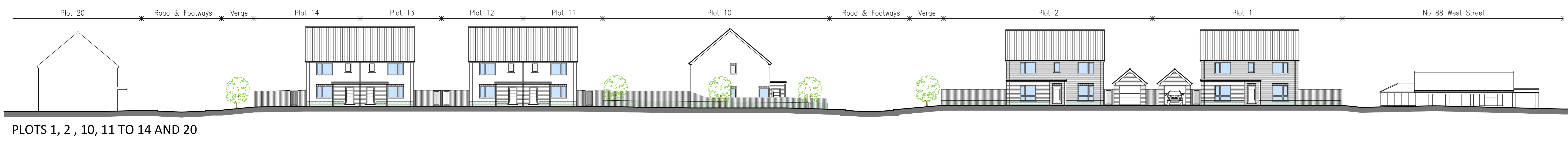
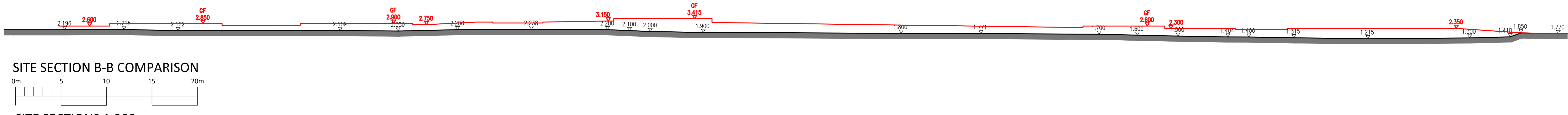
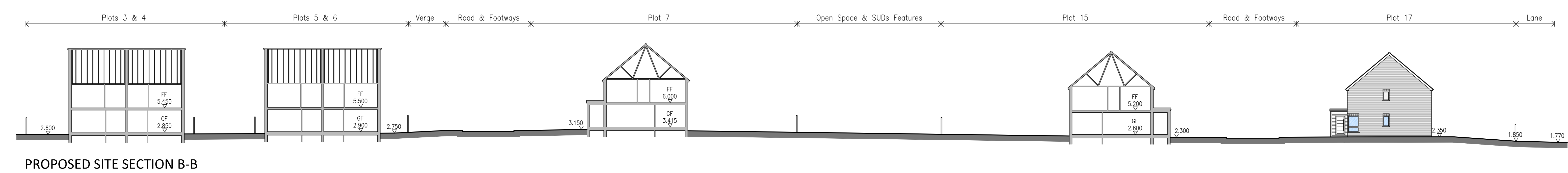
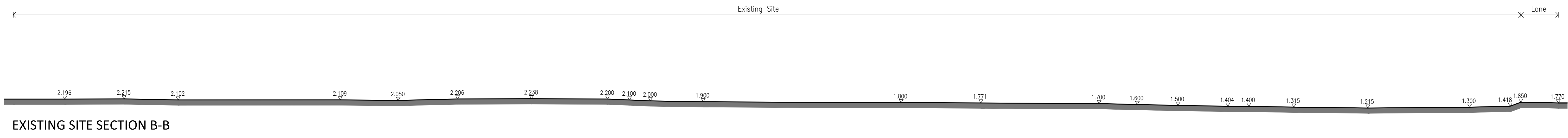
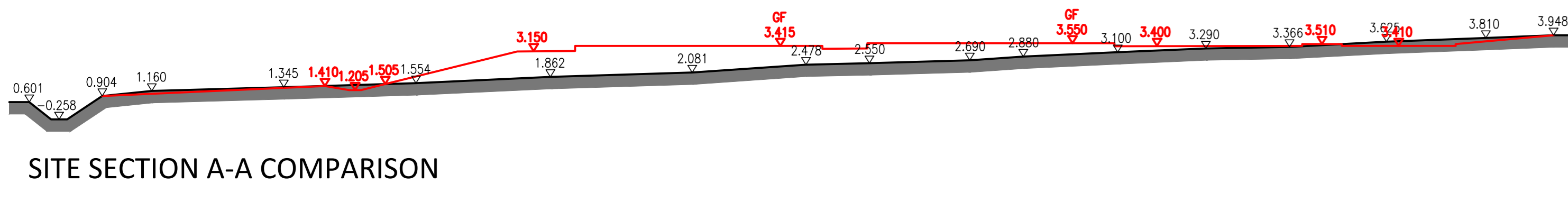
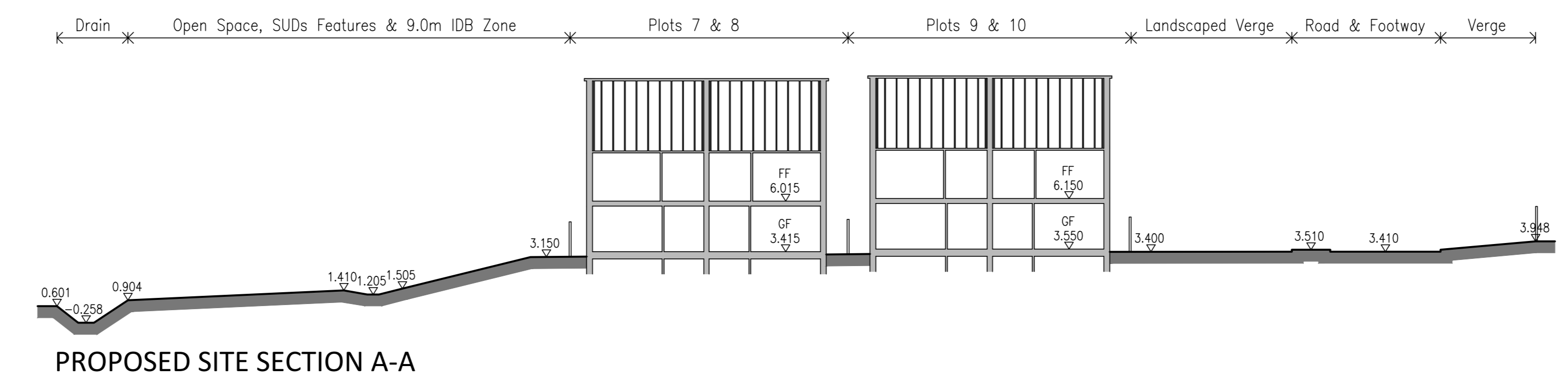
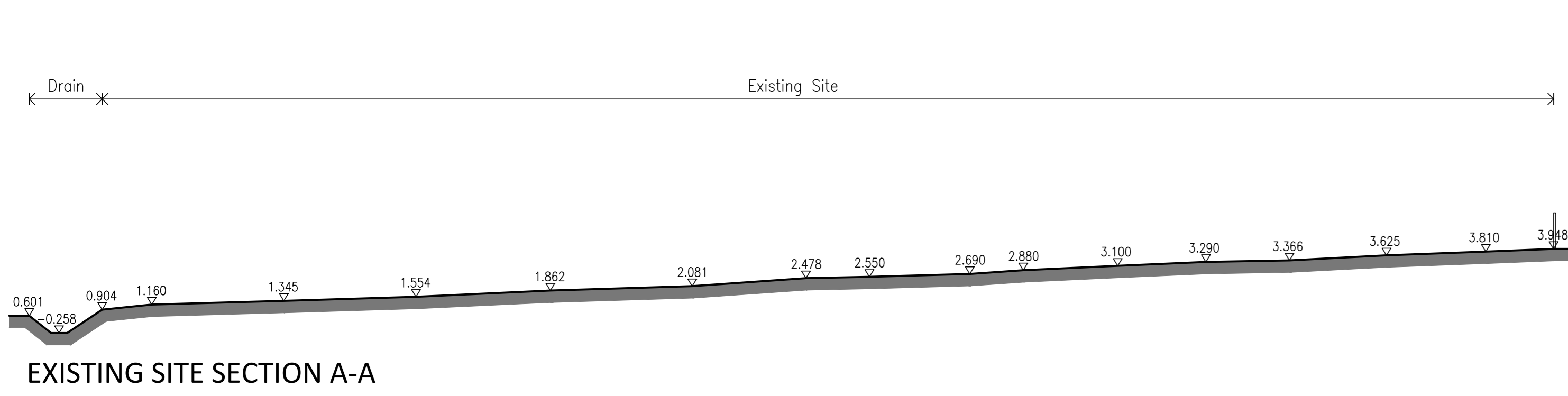


ROOF PLAN 1:100



ROOF PLAN 1:100





A - 10.09.24 - Amendments following site layout revisions.
REVISIONS

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CLIENT
URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.88 WEST STREET
CHATTERIS CAMBS
PET16 6HR

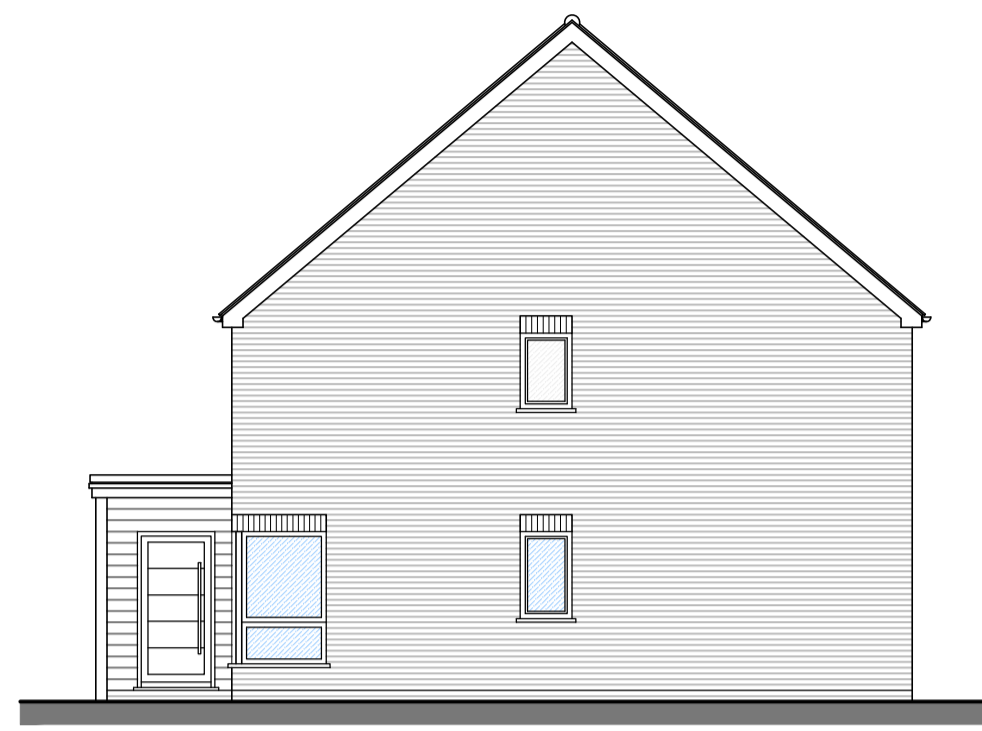
DRAWING
PLANNING DRAWING 9 (STREET SCENES AND SITE SECTIONS)

JOB NO. 6343/PL19A	PAPER SIZE A0	DATE OCT 2023
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The Construction (Design and Management) Regulations 2016.
Peter Humphrey Associates' term of appointment with the client confers upon the agent its appointment as Designer or Principal Designer under these regulations. Nevertheless, the design process has been agreed with the client in collaboration for the safety during construction, occupation and maintenance of the finished project. No unnecessary hazards or risks were identified outside of the routine construction operations that would not already be apparent to a competent contractor.



FRONT ELEVATION 1:100



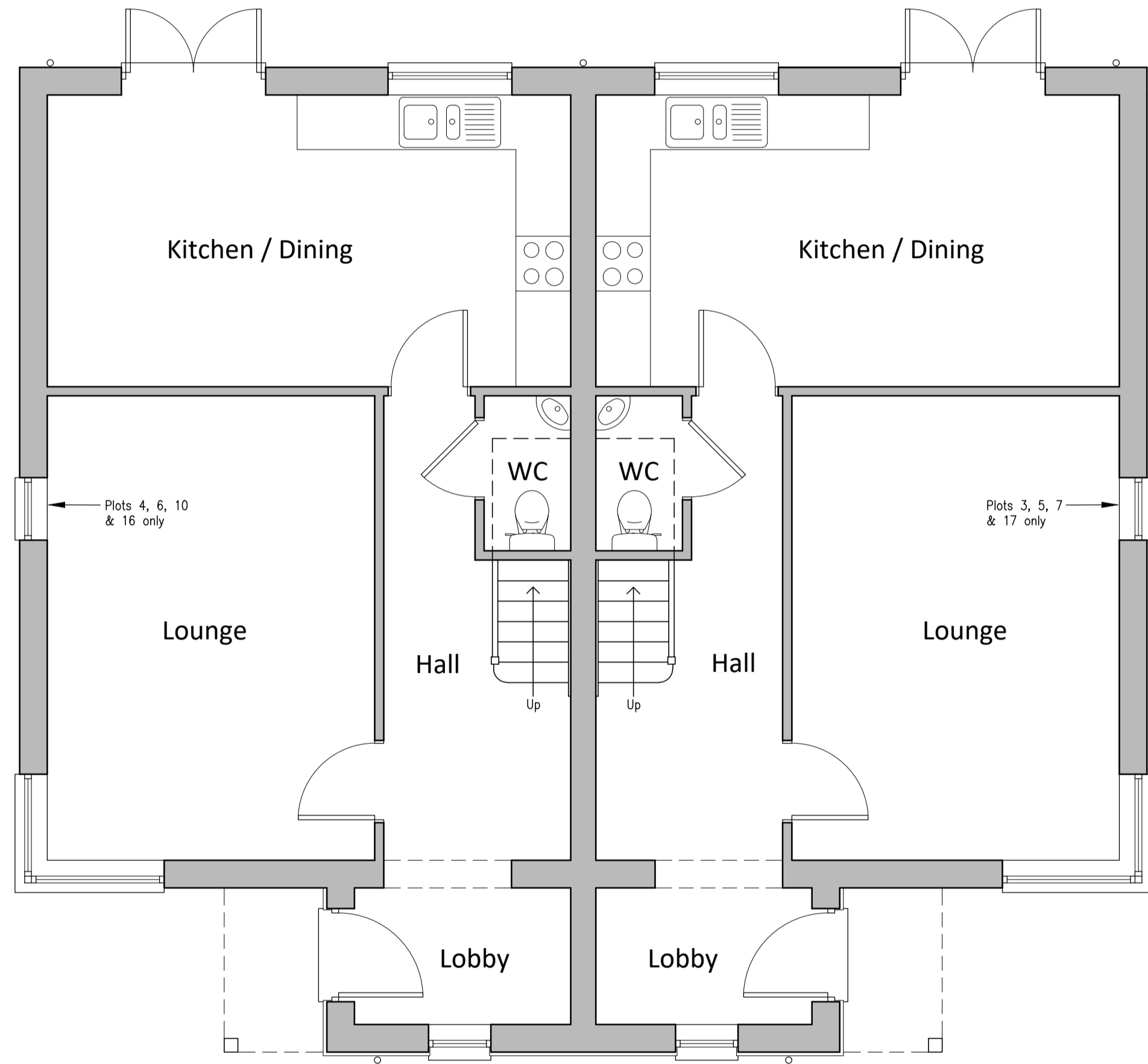
SIDE ELEVATION



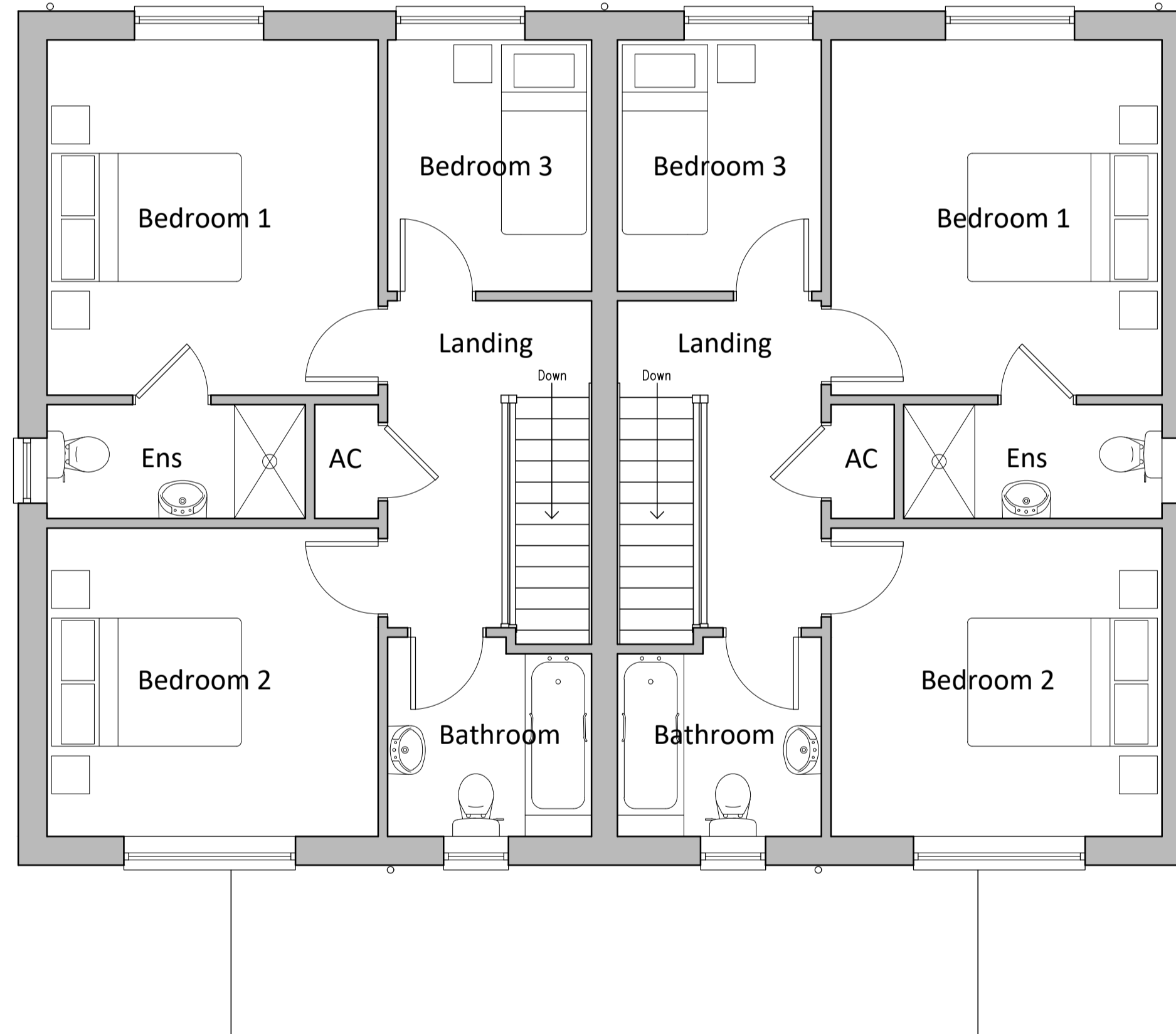
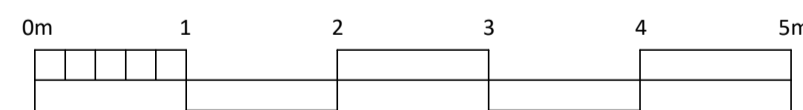
REAR ELEVATION



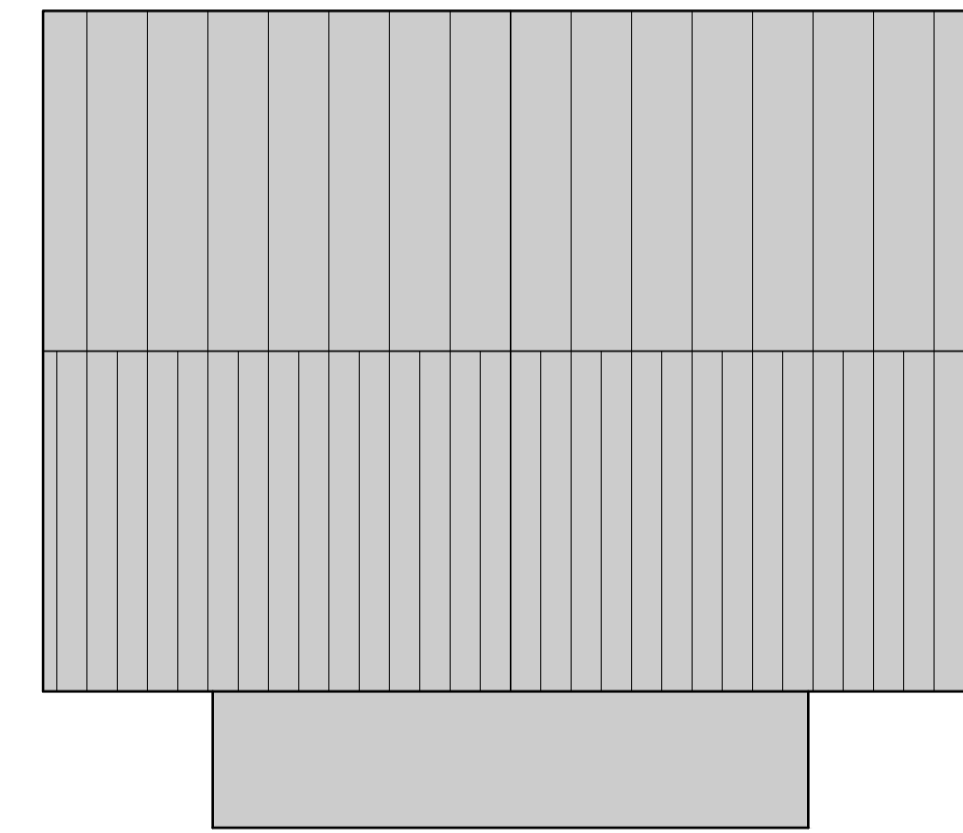
SIDE ELEVATION



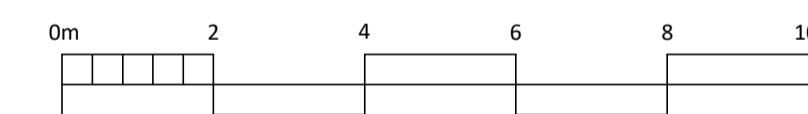
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



ROOF PLAN 1:100



Plot Schedule:

As Drawn Plots 3 to 10 & 15 to 18	Handed N/A
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Room Schedule:

Ground Floor	
Lounge	5.09m x 3.59m
Kitchen / Dining	3.20m x 5.74m
WC	1.70m x 0.95m
GIA =	52.46m ² / 564ft ²
First Floor	
Bedroom 1	3.74m x 3.49m
Ensuite	1.20m x 2.72m
Bedroom 2	3.25m x 3.49m
Bedroom 3	2.65m x 2.15m
Bathroom	2.10m x 2.15m
GIA =	48.19m ² / 518ft ²
GIA TOTAL =	96.87m ² / 1082ft ²

A - 15.05.24 - Amendments following site layout revisions.
REVISIONS



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CLIENT
URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.88
WEST STREET
CHATTERIS
CAMBS
PE16 6HR

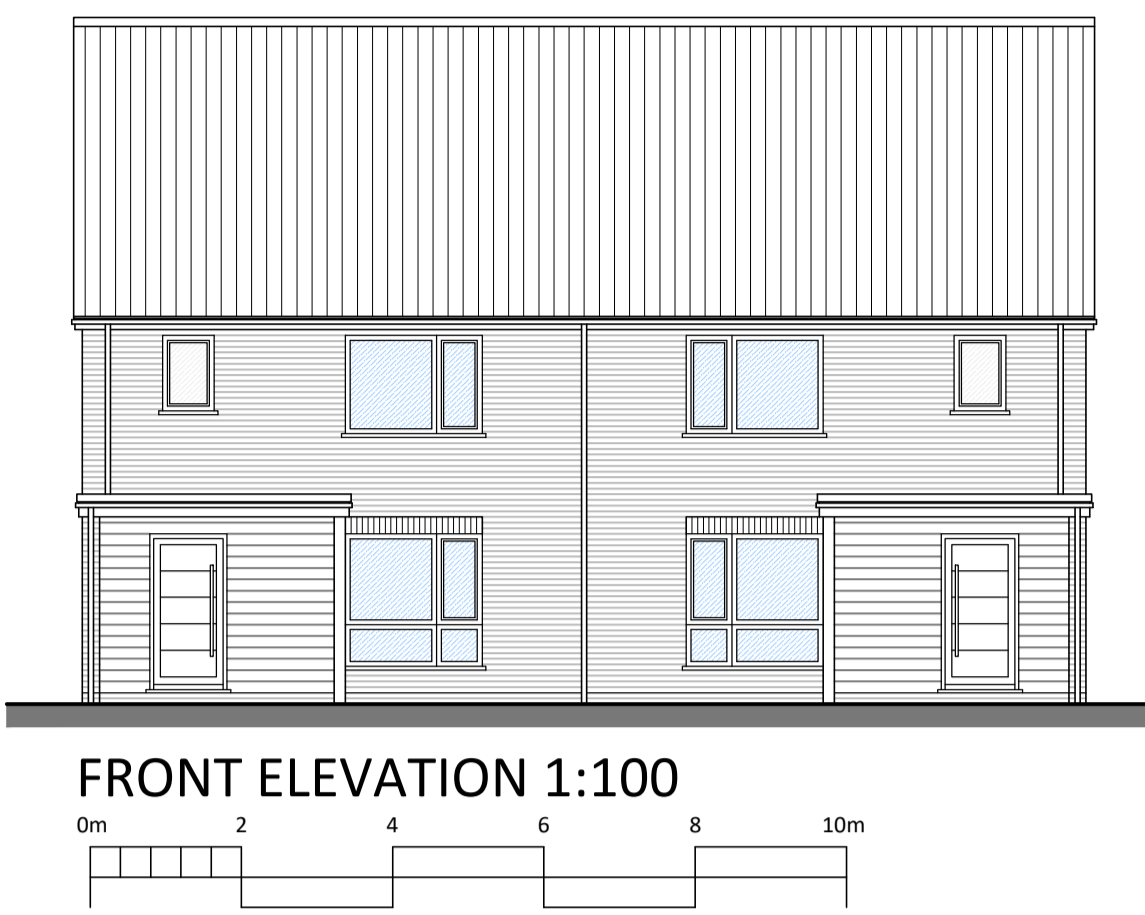
DRAWING
PLANNING DRAWING 3 (TYPE B)

JOB NO. 6343/PL13A	PAPER SIZE A1	DATE OCT 2023
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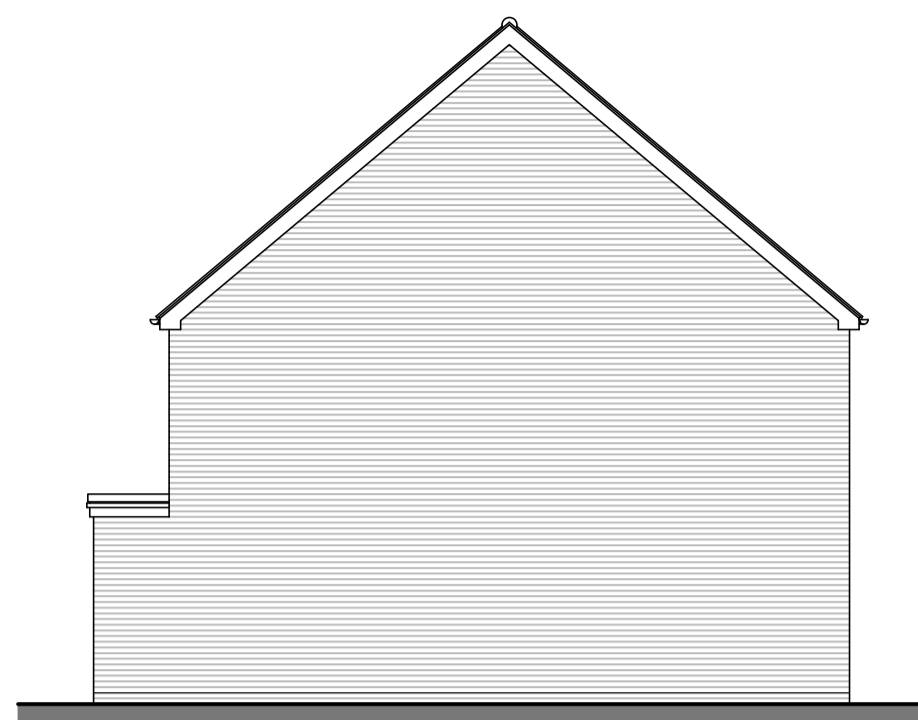
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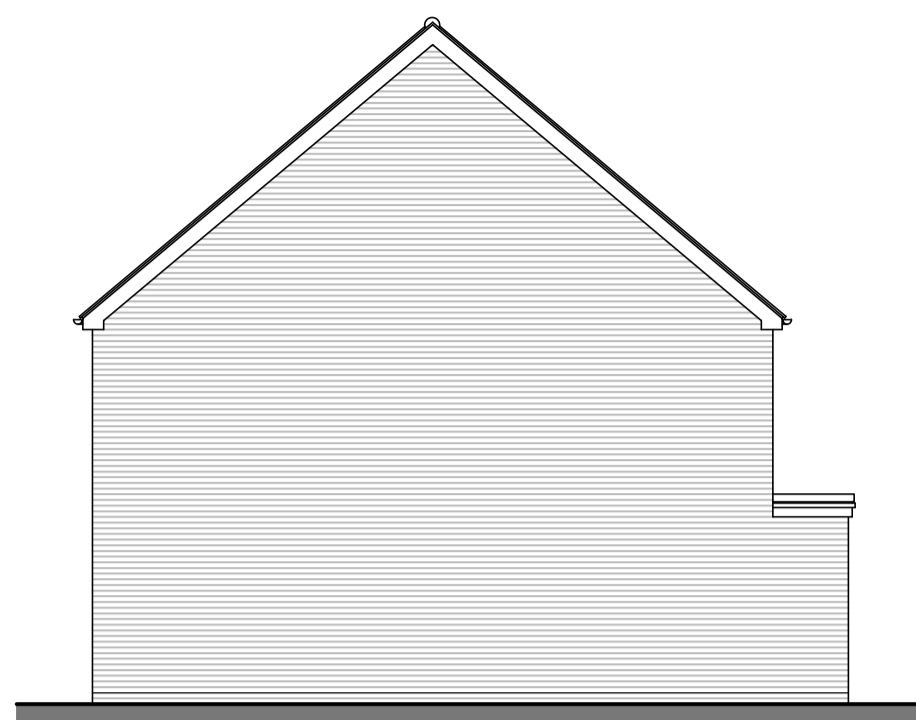
FRONT ELEVATION 1:100



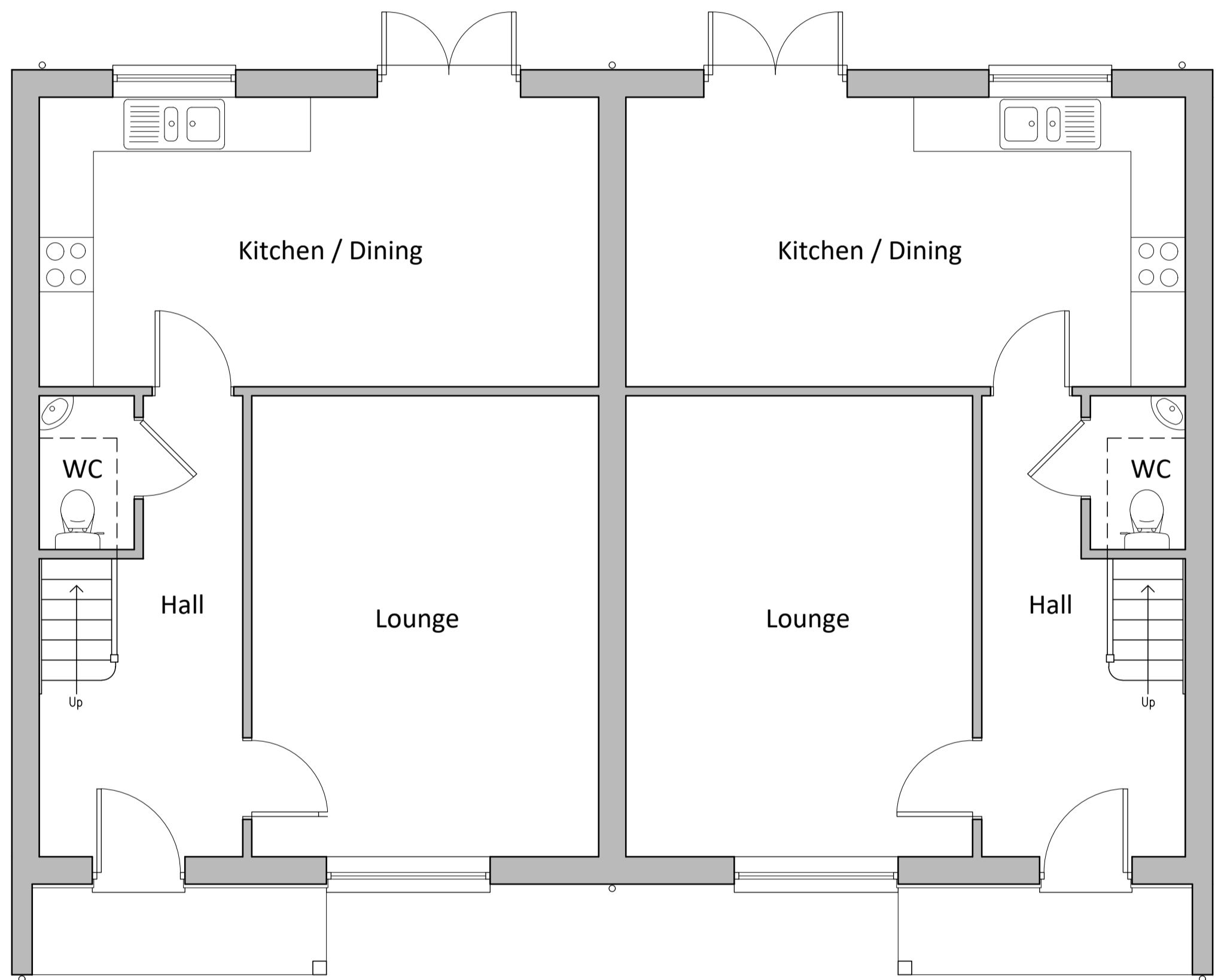
SIDE ELEVATION



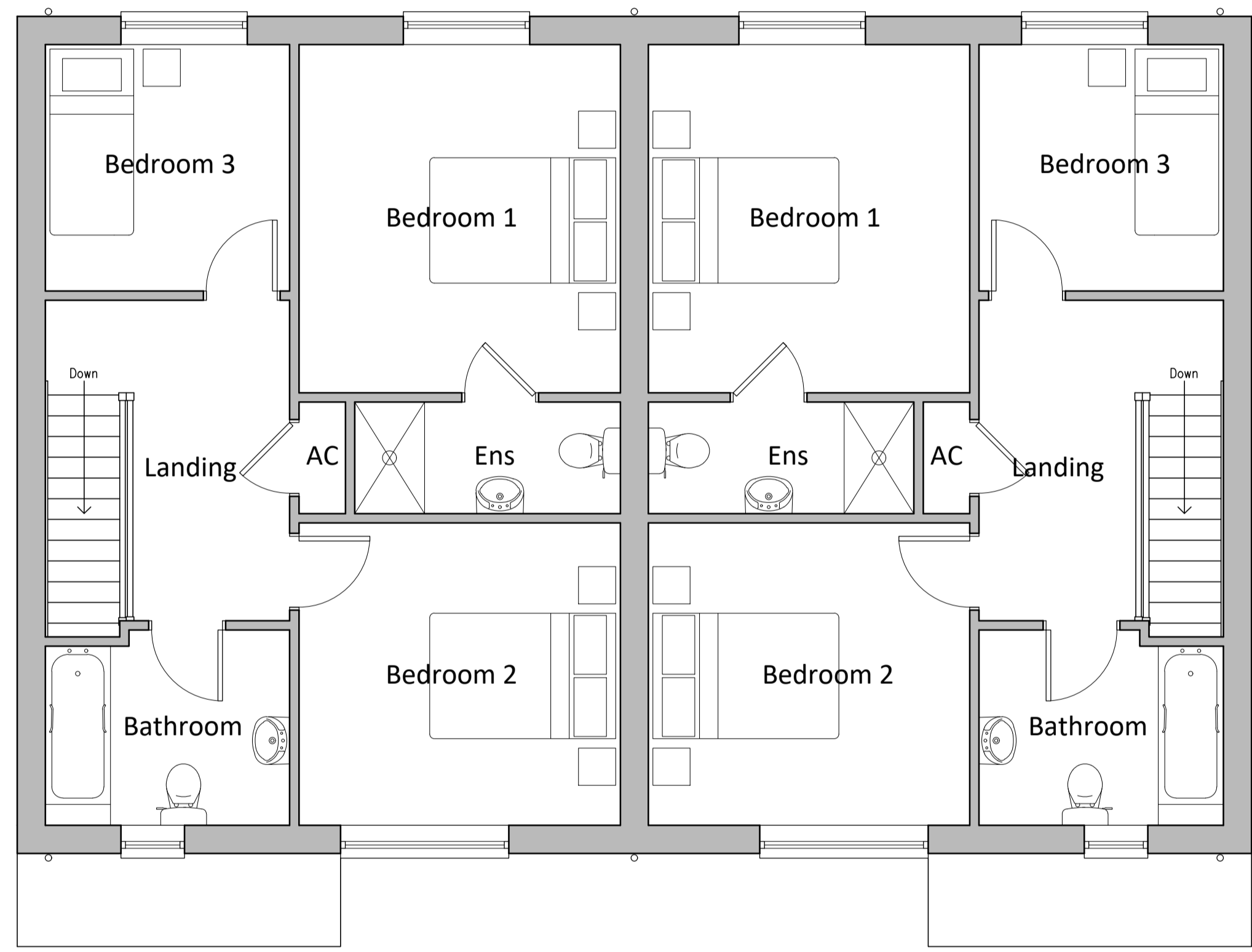
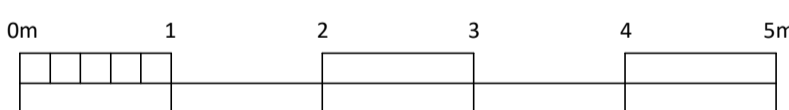
REAR ELEVATION



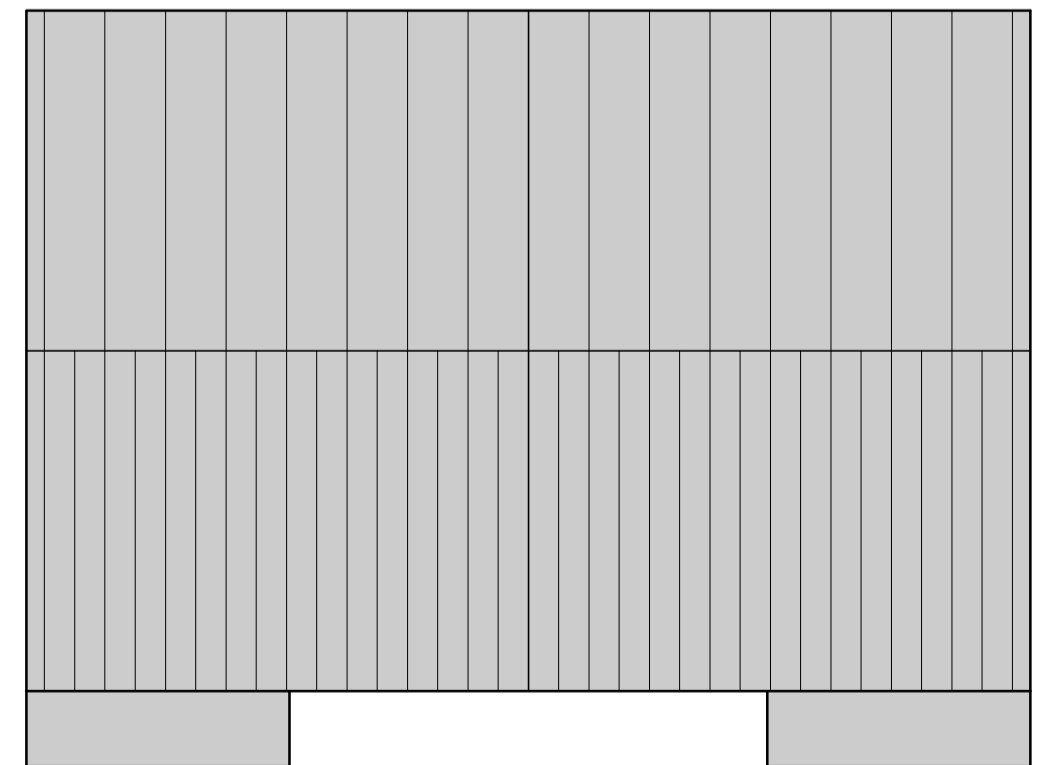
SIDE ELEVATION



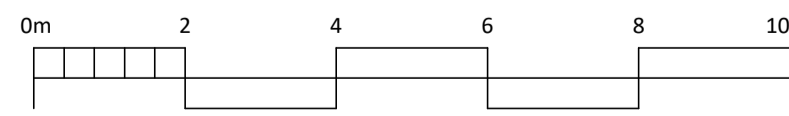
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



ROOF PLAN 1:100



Plot Schedule:

As Drawn	Handed
Plots 19 & 20	N/A

Room Schedule:

Ground Floor	
Lounge	5.09m x 3.83m
Kitchen / Dining	3.20m x 6.18m
WC	1.70m x 1.05m
GIA =	51.91m ² / 558R ²
First Floor	
Bedroom 1	3.74m x 3.45m
Ensuite	1.20m x 2.84m
Bedroom 2	3.25m x 3.45m
Bedroom 3	2.65m x 2.62m
Bathroom	2.10m x 2.62m
GIA =	51.91m ² / 558R ²
GIA TOTAL =	103.82m ² / 1116R ²

A - 15.05.24 - Amendments following site layout revisions.
REVISIONS:



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CLIENT
URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.88
WEST STREET
CHATTERIS
CAMBS
PE16 6HR

DRAWING
PLANNING DRAWING 4 (TYPE C)

JOB NO. 6343/PL14A	PAPER SIZE A1	DATE OCT 2023
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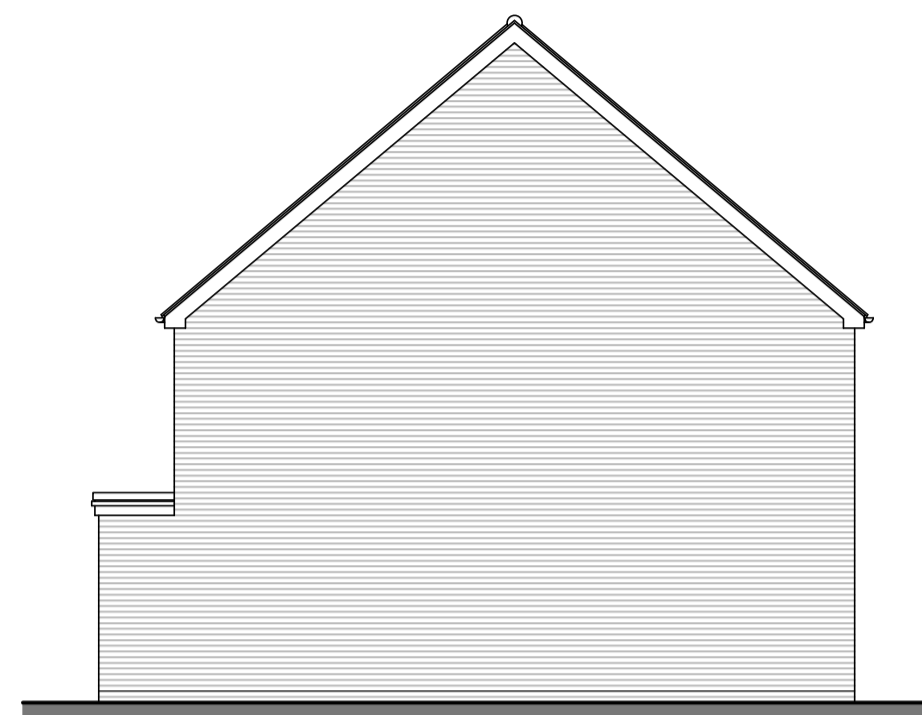
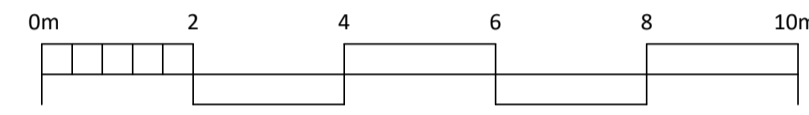
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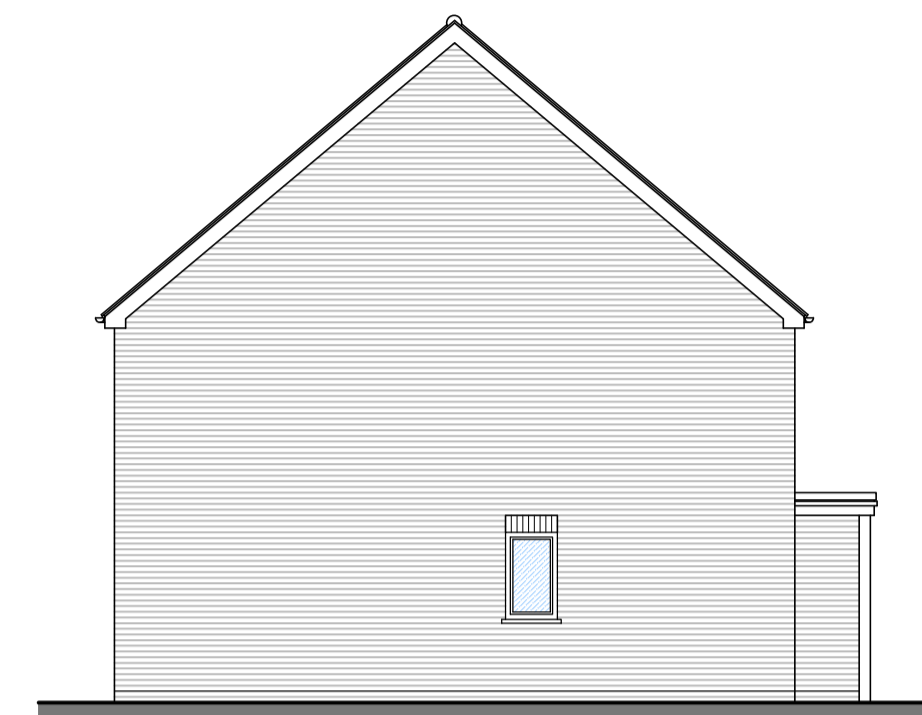
FRONT ELEVATION 1:100



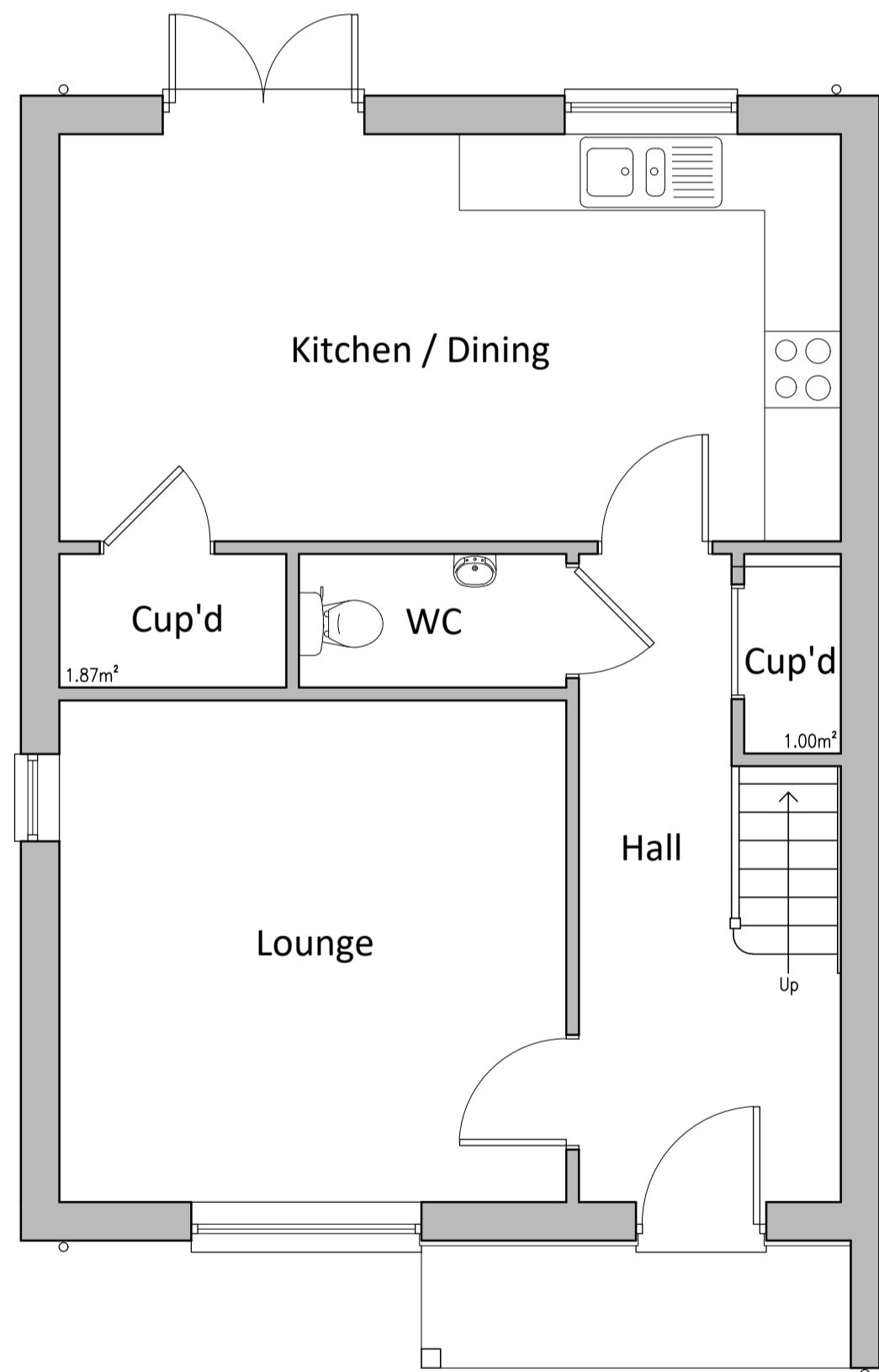
SIDE ELEVATION



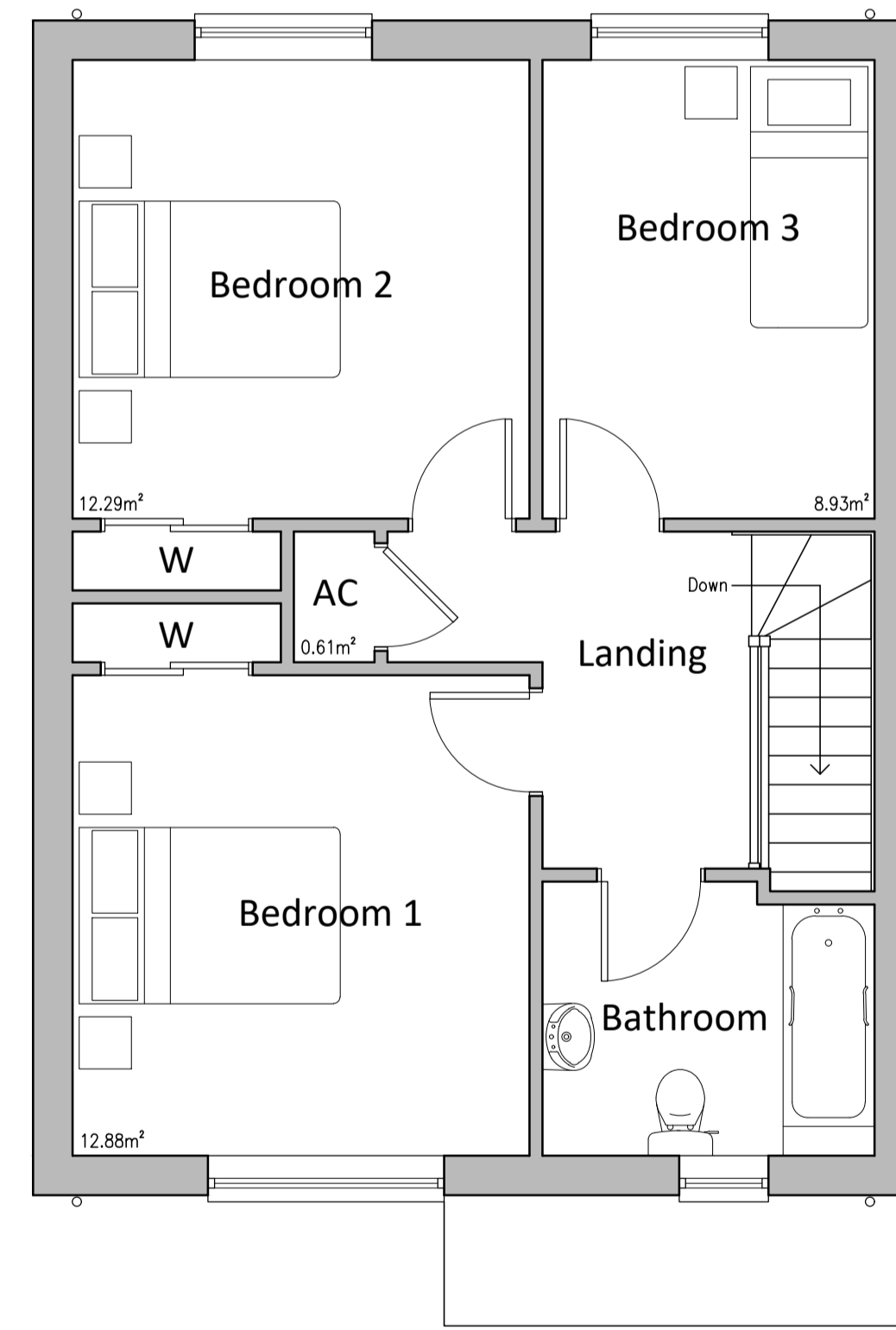
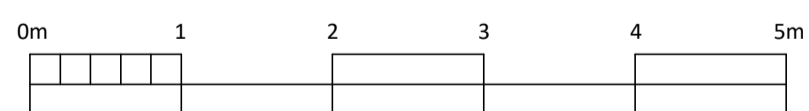
REAR ELEVATION



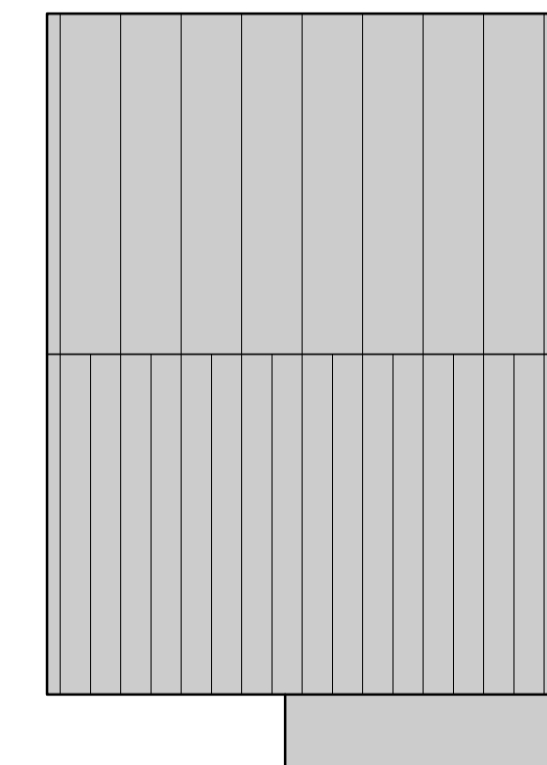
SIDE ELEVATION



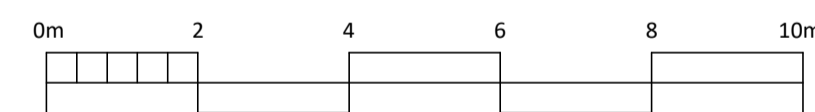
GROUND FLOOR PLAN 1:50



FIRST FLOOR PLAN 1:50



ROOF PLAN 1:100



Plot Schedule:	
As Drawn	Handed
Plot 21	N/A

Room Schedule:	
Ground Floor	
Lounge	3.94m x 3.94m
Kitchen / Dining	3.20m x 6.14m
WC	1.05m x 2.10m
Storage =	2.87m ² / 30ft ²
GIA =	51.57m ² / 554ft ²
First Floor	
Bedroom 1	3.68m x 3.50m
Bedroom 2	3.51m x 3.50m
Bedroom 3	2.51m x 2.54m
Bathroom	2.10m x 2.54m
Storage =	0.61m ² / 6ft ²
GIA =	51.57m ² / 554ft ²
Storage TOTAL =	3.48m ² / 36ft ²
GIA TOTAL =	103.14m ² / 1108ft ²

A - 15.05.24 - Type D re-designed.
REVISIONS



PETER HUMPHREY ASSOCIATES

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CLIENT
URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.88
WEST STREET
CHATTERIS
CAMBS
PE16 6HR

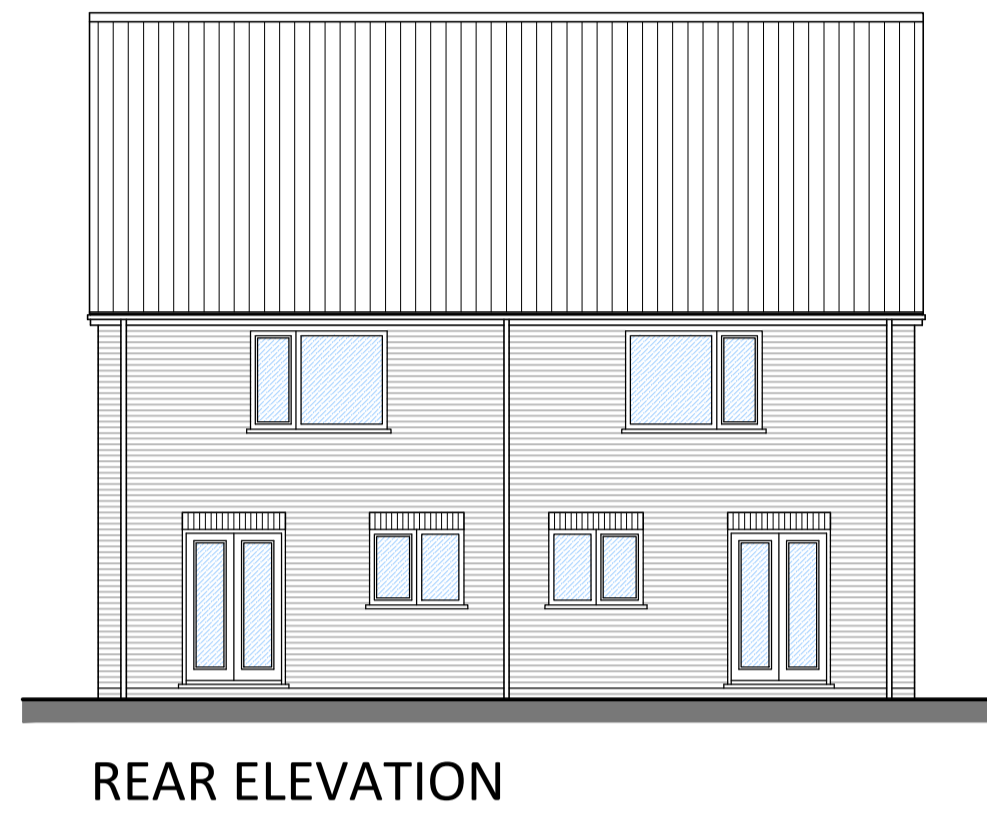
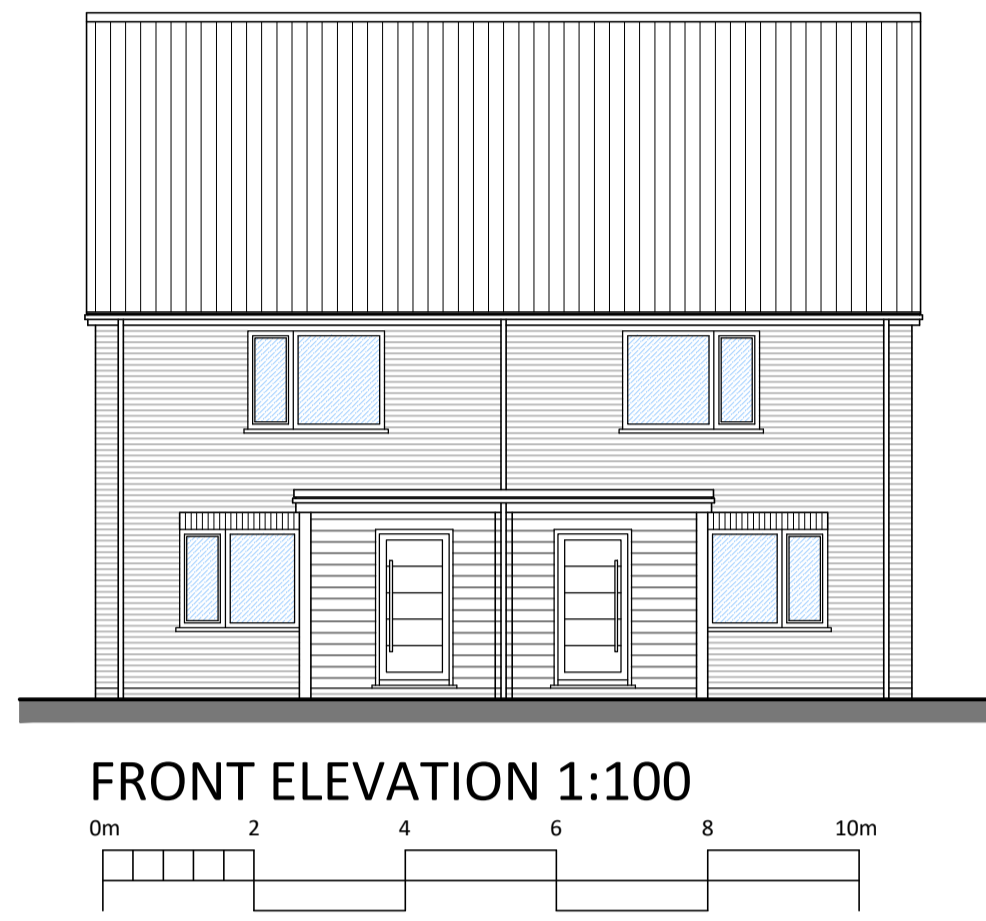
DRAWING
PLANNING DRAWING 6 (TYPE D)

JOB NO.	PAPER SIZE	DATE
6343/PL16A	A1	OCT 2023

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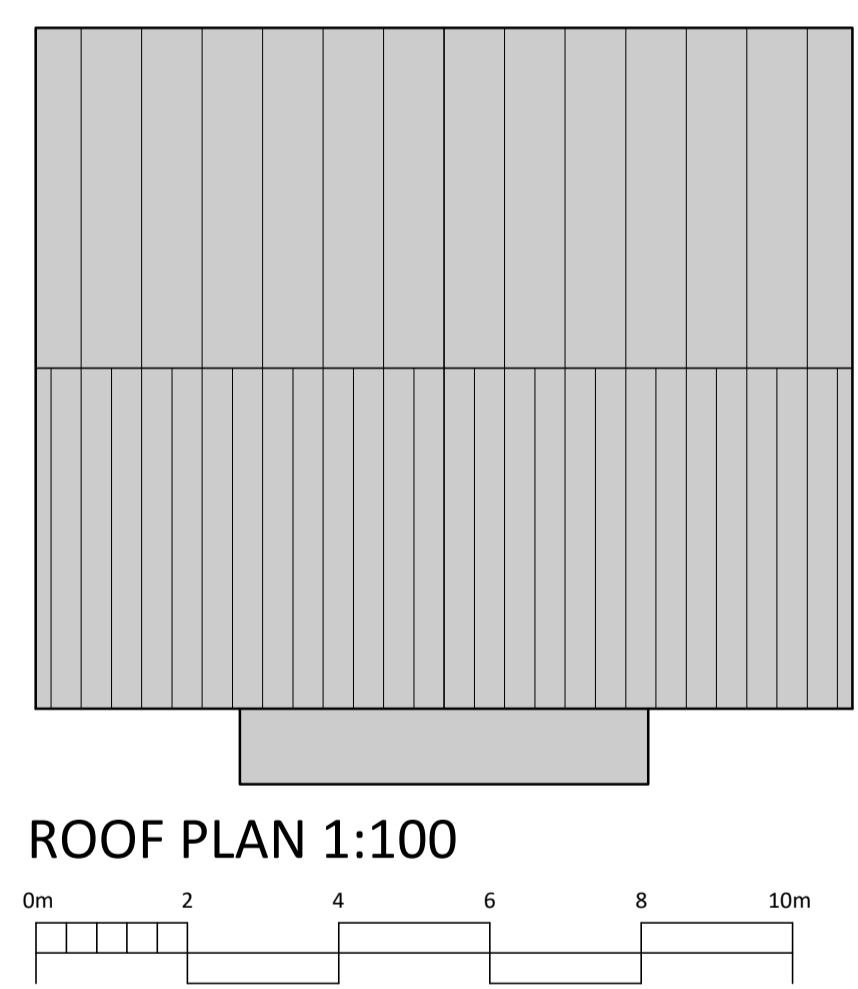
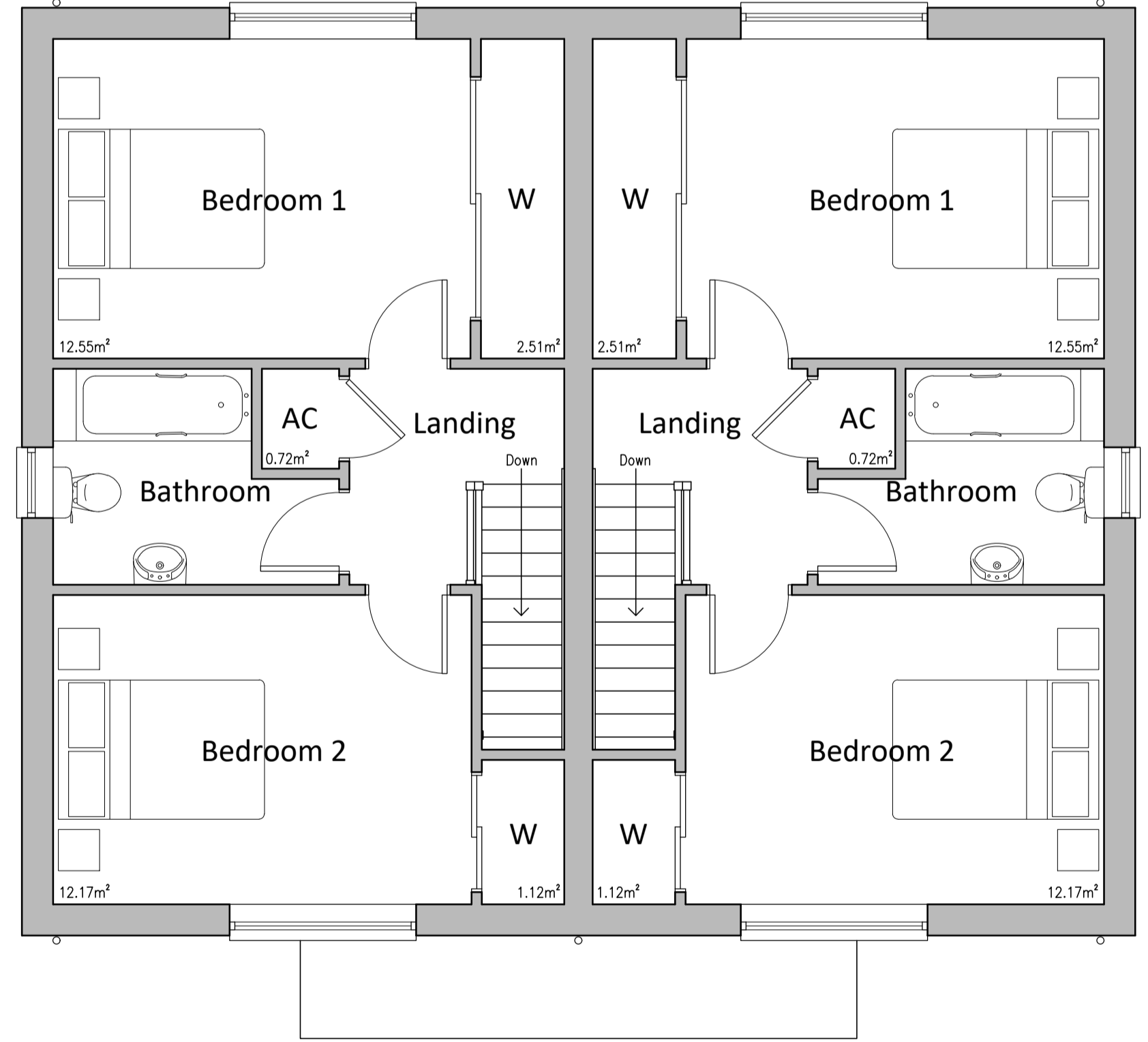
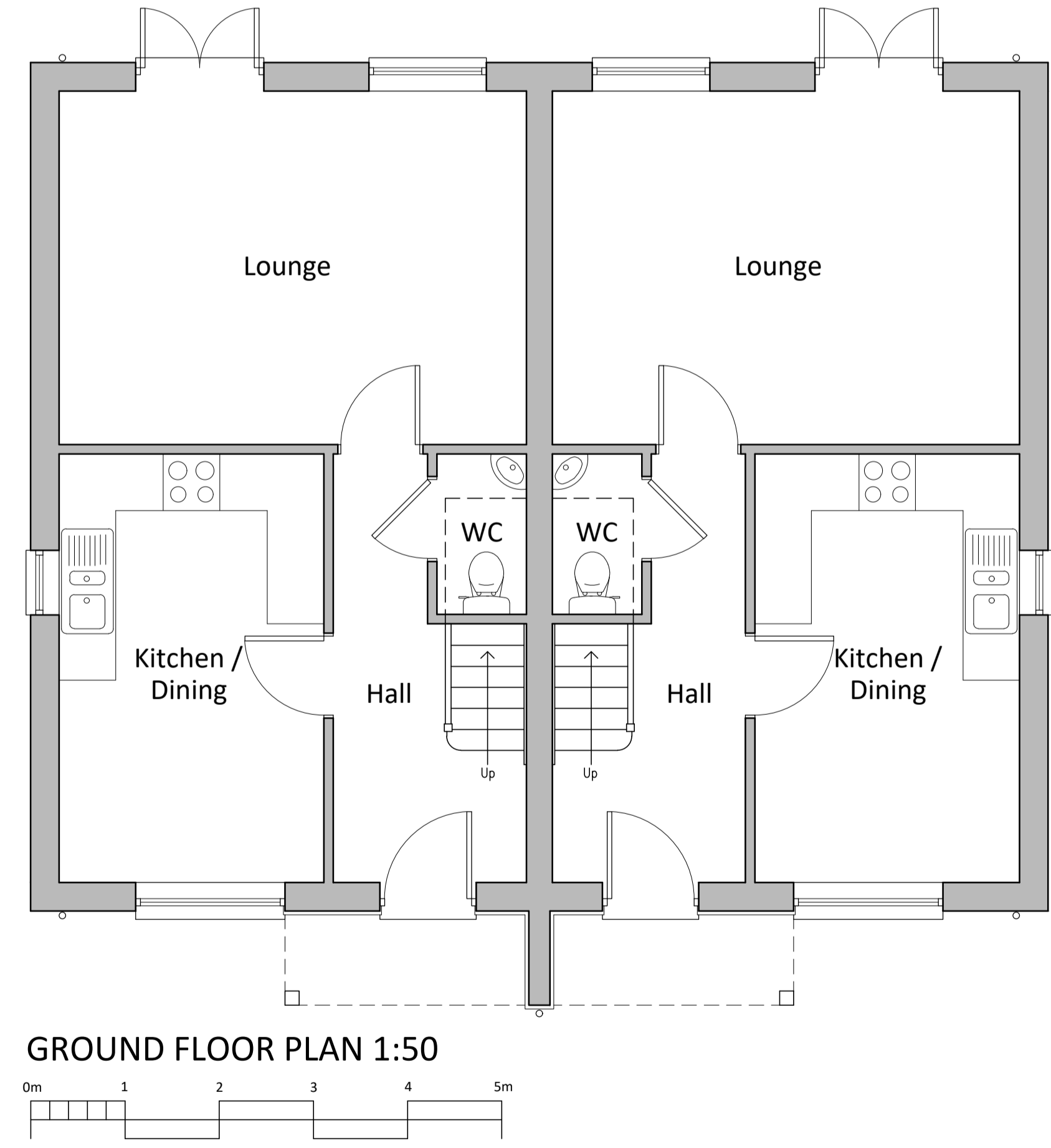


Plot Schedule:

As Drawn	Handed
Plots 11 to 14	N/A

Room Schedule:

Ground Floor	
Lounge	3.75m x 4.95m
Kitchen / Dining	4.54m x 2.80m
WC	1.70m x 0.95m
GIA =	41.63m ² / 447ft ²
First Floor	
Bedroom 1	3.10m x 4.04m
Bedroom 2	3.00m x 4.04m
Bathroom	2.09m x 1.92m
Storage =	4.35m ² / 46ft ²
GIA =	41.63m ² / 447ft ²
Storage TOTAL =	4.35m ² / 46ft ²
GIA TOTAL =	83.26m ² / 894ft ²



A - 15.05.24 - Amendments following site layout revisions.
REVISIONS



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CLIENT
URBAN DEVELOPMENTS PETERBOROUGH LTD

PROJECT
PROPOSED DEVELOPMENT

SITE
LAND SOUTH OF No.88
WEST STREET
CHATTERIS
CAMBS
PE16 6HR

DRAWING
PLANNING DRAWING 7 (TYPE E)

JOB NO. 6343/PL17A	PAPER SIZE A1	DATE OCT 2023
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F/YR23/1033/F

**Applicant: Urban Developments
Peterborough Ltd**

**Agent: Ms Kate Wood
Eddisons Barker Storey Matthews**

Land South Of 88 West Street, Chatteris, Cambridgeshire

Erect 21 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 2 x 2-storey 4-bed) with associated access works, parking and landscaping, and the formation of attenuation ponds, involving the demolition of existing buildings.

Officer Recommendation: Grant

Reason for Committee: Town Council comments and number of representations contrary to Officer recommendation.

1 EXECUTIVE SUMMARY

- 1.1 The application seeks full planning permission for 21 x 2-storey dwellings, works are proposed to upgrade West Street with a footpath being provided and a pedestrian link is also provided through the site. The development also involves the formation of attenuation ponds and the demolition of existing buildings. The principle of development is considered to be acceptable in this location as the proposal constitutes a small extension to an established market town. A previous application for this site and a similar form of development under reference F/YR22/0381/F was refused with the sole reason for refusal being the uncertainty regarding the width of the Right of Way and therefore the uncertainty of the delivery of the necessary highway improvement works. The previous refusal reason has now been satisfied and there is not considered to be a material character or amenity impact from the proposed layout and design of the site in the context of this previous decision.
- 1.2 There are no significant issues in relation to flood risk, drainage for the development site, or ecology, subject to suitable conditions. Part of the site is in Flood Zones 2 and 3, yet the majority of the built form, excluding parts of the turning areas and car parking are in Flood Zone 1. It is not considered that this would expose the future residents to unacceptable flood risk and on balance would be acceptable despite the failure of the application to adequately address the sequential or exceptions tests.
- 1.3 There are no significant issues in relation to the residential amenity of future residents or the existing dwellings in the vicinity. The submitted plans show acceptable separation distances to existing properties and fenestration is appropriately sited to prevent material overlooking. As such the proposal would not result in a significant detrimental impact to the residential amenity of future residents or the existing dwellings in the vicinity.
- 1.4 County Highways are content that the internal layout is acceptable, and the

required parking provision is provided for each property. The realigned legal width of the public right of way was confirmed with a Definitive Map Modification Order (DMMO) on the 24th January 2025.

- 1.5 There are not considered to be any further technical or other issues which cannot be addressed either via a condition or within the Section 106 document and consequently the recommendation is to grant planning permission.

2 SITE DESCRIPTION

- 2.1 The application site is located on the western side of West Street adjacent to the built-up settlement of Chatteris. The rear of the properties on Fairview Avenue are located on the opposite side of the road, and the site is accessed via a byway that links West Street and Blackmill Road. The route of the byway of West Street has been modified via a Definitive Map Modification Order which was confirmed on the 24th of January 2025. This byway then becomes a public footpath leading to Little Acre Fen Pocket Park and out of the town. The current access road is narrow and partially unmade.
- 2.2 The site consists of 3 large commercial type buildings constructed in block and what appears to be asbestos with lean-tos linking the buildings, in front of which is a gravel and concrete hardstanding area and to the rear and side an area of informal storage. The remainder of the site is paddock type land which does not appear to be actively farmed and contains a desire line to Little Acre Fen Drove, cutting off the corner (though it is acknowledged that this is private land). The site slopes down from east to west and there is a drain forming the western boundary of the site.
- 2.3 The eastern side of the site is located in Environment Agency Flood Zone 1, sloping west into Flood Zones 2 and 3. Areas of high, medium and low surface water flood risk are located along the drain to the western boundary, with a further area to the front of the existing buildings of site, adjacent to the public byway.

3 PROPOSAL

- 3.1 This application seeks to erect 21 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 2 x 2-storey 4-bed) with associated works. These works include access, parking and landscaping and the formation of attenuation ponds, involving the demolition of existing buildings. The development will comprise a mix of detached and semi-detached two-storey dwellings, with 5 of the 21 dwellings to provide affordable housing.
- 3.2 Works are proposed to upgrade West Street to facilitate access to the development, with works proposed both within the adopted highway to the north of the development and to the public right of way running adjacent to the site.
- 3.3 The development involves alterations to site levels (the main site will be raised by up to 1.5m, whilst the access will be raised by a slightly lower level), the formation of attenuation ponds and the demolition of existing buildings. A strip of land

Appendix1

adjacent to the western edge of the site would be utilised as open space and the footpath link and attenuation ponds are located within this.

- 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

Reference	Description	Decision
F/YR22/0381/F	Erect 22 x dwellings (4 x 2-storey 2-bed, 15 x 2-storey 3-bed & 3 x 2-storey 4-bed) with associated parking and landscaping, and the formation of attenuation ponds, involving the demolition of existing buildings.	Refused – 17 th November 2022

5 CONSULTATIONS

5.1 Chatteris Town Council – 25th September 2024

Recommend Refusal. This application is premature as the width of the byway has still not been agreed. As it stands the application fails to overcome access problems as there is still no guarantee that the road shown can be delivered. Have other options to access the site been considered? There are also concerns about the impact of more cars on West Street which has existing traffic problems.

5.2 Fenland District Council – Housing Strategy – 19th September 2024

I note that there has been a reduction on the number of affordable units from the original 6.....to 5,Whilst I am disappointed to see this reduction, 5 affordable units would still be inline with policy. The tenure split I would expect to see on 5 dwellings would be 4 affordable rent and 1 shared ownership.

Further discussion with Housing Strategy on the 1st of July 2025 confirmed that there may be difficulties for the developer in securing a Registered Provider (RP) for this number of units and that an alternate form of affordable provision in the form of rent to buy or First Homes may be appropriate.

5.3 Cambridgeshire County Council – Planning and Sustainable Growth Service – 23rd June 2025 (Summary table of S106 contribution request)

	Contribution	Project	Indexation date	Trigger
Early Years	£32,226	New 1FE primary school, with 2FE core and purpose-build early years accommodation.	1Q2022	100% prior to occupation of 50% of the development
Primary	£76,749	New 1FE expansion of Cromwell Community College primary school phase.	1Q2022	
Secondary	£77,022	1FE expansion to Cromwell Community	1Q2022	

Appendix 1

		College		
Libraries	£3,098	Remodel Chatteris Library to increasing the floor space available to the community.	1Q2019	100% prior to occupation of 50% of the development
Monitoring	£150			

5.4 Cambridgeshire County Council – Archaeology – 11th December 2024

No objections but request a pre-commencement condition securing a programme of archaeological work.

5.5 Fenland District Council – Environmental Health – 12th December 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.

Comments received on the 17th of December 2023 set out no objections but requested conditions regarding contaminated land, asbestos removal, construction and delivery hours, complaints procedure, vibration impact assessment, and a lighting scheme.

5.6 Cambridgeshire Constabulary – Designing Out Crime Officer – 12th December 2024

Thank you for the opportunity to comment on this revised planning proposal. Having viewed the documents my previous comments still stand dated 3rd October 2024. I currently have no additional comments.

The comments from the 3rd of October 2024 stated that the scheme is an acceptable layout in relation to crime prevention and the fear of crime. The Officer requests a cycle storage condition and a lighting condition.

5.7 Cambridgeshire Fire & Rescue – 17th December 2024

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. They also provide guidance on fire service access and building 11 metres or greater in height.

5.8 National Health Service – 17th December 2024

Further to the revision of a reduction in number of dwellings to 21, our revised mitigation is as follows:

The development of 21 dwellings would see an increase patient pressure circa 50 new residents.

CAPICS calculates the level of contribution required, in this instance to be £18,054.14 (3.456 sqm at £5224/m²)

5.9 Middle Level Commissioners Internal Drainage Board – 18th December 2024

Please be advised that neither the Middle Level Commissioners nor our associated Boards are, in planning terms, statutory consultees and, therefore, do not actually have to provide a response to the planning authority and receive no external funding to do so. However, it is considered that a response is provided due to the location of the development.

Following the Board's meeting in July 2024, the Board issued the following statement regarding the disposal of surface water from developments in this location:

** The above development is within the rateable area of the Board's system, close to the Washways Pumping Station.*

** In a high rainfall event, water from the highland area near the villages of Warboys and Pidley can take 12 hours to reach the Washways Pumping Station, which then runs at capacity to discharge the water to the Middle Level system. Please see the map below showing the Board's system and the position of the development site.*

** As the above development is close to the Washways Pumping Station, the Board feel that it would cause less of a flood risk to the system, if the water from the development could reach the pumping station before the 12-hour peak, when the station could better cope with the discharge. This would require a discharge higher than the proposed attenuated rate.*

** As a rule, the Board request discharges from new developments to be at greenfield rates, but for the above reasons, an exception could be made in this case. * This would not set a precedent for discharges over greenfield rate, but the Board may consider a similar solution if further development were proposed in this area south of Chatteris.*

** The receiving ditch may need improvement to accept the discharge to enable it to meet the Board's system. These works would be consented as part of the discharge and byelaw consent applications and separate agreements would also need to be made between the developer and landowner.*

** The proposed attenuation pond would not be reduced in size, but the Hydro-brake flow control diameter could be enlarged to increase the discharge rate to be agreed.*

** Any discharge of surface water over the greenfield rate will require Discharge Consent from the Warboys, Somersham & Pidley IDB * Any discharge of treated foul water via the Chatteris WRC will require Discharge Consent from Nightlayers IDB*

*Extract from Board's District Plan, development shown
Parsons' dwg 21159-001 Rev P11 has been considered, and the following points are noted:*

** The receiving ditch to the west of the development is not a Board's drain, although it is considered that a maintenance strip should be included next to any*

Appendix 1

watercourse. The receiving ditch meets the Board's system at the SW corner of the site, at point 23 on the plan above.

** There is very little room allowed around the attenuation pond for maintenance, particularly close to the fencing around the back gardens.*

** A freeboard of 150mm for the attenuation pond is not considered to be sufficient. Although the agent's Technical Response to the LLFA dated 9th December advises that 150mm will be added to the freeboard, only 150mm is shown on dwg 21159-001 Rev P11.*

5.10 Anglian Water – 21st December 2024

A condition is requested with regard to development close to Anglian Water assets. Comment is made that Nightlayer Fen water recycling centre can accommodate the flows from this development.

Conditions and informatives are recommended in relation to further details of surface water disposal, a sewer diversion application and impact on Anglian Water assets.

5.11 Environment Agency – 23rd December 2024

We have reviewed the submitted site plan dated October 2023 and wish to make the following additional comments:

Although the site plan indicates that the proposed dwellings are located within Flood Zone 1, parts of the development, including some garden areas, access roads and SUDS features, are shown to be located within Flood Zones 2 and 3. As such, we consider that the Sequential Test should be applied to this development, in line with paragraph 175 of the NPPF.

Previous comments from the 4th of January 2024 stated:

We do note that the proposals have been designed to avoid the areas of flood risk onsite and that the flood risk in the area is reduced due to the presence of defences along the River Nene and The Great Ouse. There is some uncertainty over the risk of flooding from the adjacent IDB drain, although none of the available mapping indicates that there is a risk associated with this. The IDB may hold more information on the standard of protection their drains are designed for.

5.12 Fenland District Council – Trees Consultant – 31st December 2024

No objection.

5.13 Cambridgeshire County Council – Lead Local Flood Authority – 22nd January 2025

As Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development.

Further comments from the LLFA consider that surface water can be adequately managed through the suggested details. They request a detailed surface water

Appendix 1

scheme condition to be submitted, agreed and implemented, including the future maintenance and management of the scheme. They also request technical informatives.

5.14 Cambridgeshire County Council – Highways Officer – 24th February 2025

No Objection, but recommends conditions related to street management, highway boundary markers, construction of West Street where it traverses the byway, construction of vehicular accesses and driveways, the first 5 metres of driveways, visibility splays, planting adjacent the highway and the provision of temporary facilities. They also request an informative concerning works in the public highway.

5.15 Fenland District Council – Ecology – 4th March 2025

In relation to my previous comments on the above planning application I have now been provided with a reptile survey of the site by the applicant (attached). While the survey is a little dated (2021), I am prepared to accept the survey results as sufficiently up-to-date to inform the current application. The survey did not record any common lizards, although a single grass snake was recorded on one occasion at the periphery of the site. I would advise that, providing the mitigation measures described in section 5.2 of the Reptile Survey Report are required to be implemented in full by Condition, the development will not cause harm to reptiles.

Reason for Condition – conservation of protected species

Biodiversity Net Gain

I would accept that the proposals could achieve a meaningful Gain in Biodiversity, given the current character of the site and the planned new landscaping. The long-term management of the new landscaping (the biodiversity gain) should be secured by a Condition placed on any permission granted to the proposals. The Condition should require the preparation of a long-term Landscape Management Plan for the development

5.16 Cambridgeshire County Council – Definitive Map Team – 19th June 2025

I am writing to confirm that as Public Byway 22, Chatteris now has an established legal width, we withdraw our objection.

They have requested various informative notes be included with any permission.

5.17 Local Residents/Interested Parties

Objectors

11 individual objections and a 167-person petition of objection have been received. The individual objections are from various addresses close to the site. One objection from Blackthorn Close, eight objections from Fairview Avenue, one from Fairview Gardens and one from West Street raising the following issues:

- Impact on road network from additional traffic, large vehicles, on-street parking and damage to the road surface on narrow road
- Lack of amenities and services in Chatteris

- Flood risk
- Lack of sewage capacity
- Loss of open space and consequent impact on ecology and environment
- Loss of open space used as public recreation facility
- Outside built form of settlement and out of character with the area
- Amenity issues including overlooking
- Over development with adverse visual impact
- Light pollution
- Loss of agricultural land
- No material change from previous decision
- Ecology surveys outside breeding season
- Cumulative impact
- Loss of employment land
- Housing targets already achieved
- Impact during construction, including health impacts
- Property devaluation
- Loss of views

Supporters

One communication of support has been received from London Road in Chatteris on the following grounds:

- Existing buildings are unsightly.
- The development will contribute positively to the local area.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 5 – Delivering a sufficient supply of homes

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement
Nature
Homes and Buildings

Fenland Local Plan 2014

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP4 – Housing
- LP5 – Meeting Housing Need
- LP6 – Employment, Tourism, Community Facilities and Retail
- 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

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

Developer Contributions SPD 2015

Cambridgeshire Flood and Water SPD 2016

Emerging Local Plan

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

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP11: Community Safety
- LP12: Meeting Housing Needs
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP21: Public Rights of Way
- LP22: Parking Provision
- LP24: Natural Environment
- LP27: Trees and Planting
- LP28: Landscape

- LP31: Open Space and Recreational Facilities
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination

8 KEY ISSUES

- Principle of Development
- Layout and Design
- Impact on Residential Amenity / Land Users
- Highway Safety and Parking
- Flood Risk and Drainage
- Developer Contributions
- Other Matters for Consideration
- Biodiversity Net Gain (BNG)

9 BACKGROUND

- 9.1 A previous application for 22 dwellings on this site was submitted under F/YR22/0381/F. This application was reported to Planning Committee on the 16th of November 2022 with three recommended reasons for refusal. The sole reason for refusal accepted by the Committee is shown below with other proposed reasons for refusal concerning rural character and amenity concerns arising from alterations to land levels not being accepted:

Policy LP2 and LP15 of the Fenland Local Plan 2014 and para 110 of the NPPF 2021 seek to achieve a safe, suitable and sustainable access for all users. The legal width of the Byway is unknown and as such there is no guarantee that it could be improved as indicated. As such, it has not been demonstrated that a well-designed, safe and sustainable access can be achieved, contrary to the aforementioned policies.

- 9.2 Planning permission was granted in June 2025 for 70 dwellings to the north of the site (F/YR23/0940/F) accessed between 74 and 84 West Street.

10 ASSESSMENT

Principle of Development

- 10.1 Chatteris is identified within the Settlement Hierarchy as a Market Town; Market Towns are identified within Policy LP3 of the Fenland Local Plan 2014 as the focus for housing growth as the most sustainable locations within the District. The proposal is for 21 dwellings, which for the purposes of Policy LP4 is a small scale (less than 250 dwellings) housing proposal. Therefore, in the broad terms set out in these policies, the proposal would be acceptable in principle. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of residential or visual amenity, design, parking, highways, flood risk or ecology.
- 10.2 The National Planning Policy Framework (2024) outlines, within paragraph 61, that "To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come

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forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area's identified housing need, including with an appropriate mix of housing types for the local community".

- 10.3 Paragraph 73 of the NPPF also emphasises the importance that the contribution of small to medium sized sites can make in meeting the housing requirements. ("Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, are essential for Small and Medium Enterprise housebuilders to deliver new homes and are often built out relatively quickly"). This policy seeks to ensure that there is a sufficient supply of homes and advises that sites of all sizes make a contribution to the housing requirement of an area.
- 10.4 Part of the application site encompasses three linked commercial buildings which the applicant's agent advise have been in use by an engineering company for the past 10 years and as such would be in B2 (general industrial) use.
- 10.5 Policy LP6 states that the Council will seek to retain for continued use high quality land and premises currently in use for B2 employment purposes. Information submitted with the application sets out that the company are currently in the process of relocating, hence the business will not be lost, and it has also been stated that the buildings are in poor condition and nearing the end of their useful life. This information was also submitted with the previous application F/YR22/0381/F. This was not refused on LP6 issues and therefore the position regarding the loss of a business in this location is accepted.
- 10.6 To this end paragraph 125 of the NPPF 2024 states that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and other identified needs. The site of the current buildings would be considered brownfield or previously developed land as defined in the NPPF. Furthermore, the site is located on the edge of the settlement. As such, on balance, the redevelopment of this area of the site for housing is appropriate and potentially more compatible with the adjoining residential use, subject to other policy considerations including the appropriateness of the design, sustainability of the site and suitability of access.

Layout and Design

- 10.7 The application proposes to create an extension to the existing highway of West Street. This will provide the main access road for the development along the alignment of the byway running south from West Street with Plots 1 and 2 directly fronting this. An access road is proposed to run east-west into the wider site from this to serve plots 3-10. South of this access road the main access road continues before diverging from the public right of way to turn into the site on an east-west alignment with the public right of way remaining, linking to Blackmill Drove. This southern part of the access road would serve the remaining plots with Plots 11-14 fronting onto the main access road on its north-south element. To the west of the housing development is the open space, incorporating the SUDs features as well as a footpath which would link the two east-west roads and then link to Little Acre Fen Drove. The affordable housing is shown in two pairs of semi-detached dwellings and a detached unit in the southeastern part of the site.

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- 10.8 This area of West Street to the north features a linear development of 5 detached, single-storey dwellings on good sized plots with views of the open countryside beyond afforded between dwellings. The properties on Fairview Avenue to the east are a mix of 2-storey and single-storey dwellings, with single-storey dwellings at Fairview Avenue to the south, and dwellings with ancillary buildings to the west separating the main built form from the open countryside. There are then 2 large, detached properties on substantial plots to the south of the Fairview estate off the Blackmill Road Byway, hence there is a looser knit, more spacious form of development as the settlement is exited marking the transition between the town and the countryside.
- 10.9 The West Street properties are served by an adopted highway up until the southern boundary of No.88 and this then becomes a byway of tarmac construction which is in poor repair, and which is proposed to be incorporated into the access road for the development, and then becomes a narrower gravelled track with grass verge linking to a public footpath which leads to Little Acre Fen Pocket Park. There is also a Bridleway to the west of the site, hence the area is prominently visible by users of the rights of way around the site.
- 10.10 As part of the consideration of application F/YR22/0381/F concerns were raised regarding the impact of the development upon the character of the area given this loose knit, 'edge of settlement' character and the visual prominence of the site. As that application was not refused on this basis, it would be unreasonable to introduce this as a reason for refusal now.
- 10.11 When considering the design and appearance of the development itself, the application proposes 2-storey development at between 8.6m and 9m in height, compared with the single-storey dwelling of 88 West Street (as can be seen on the submitted street scene) and the 2-storey dwellings on Fairview Avenue at around 7.2m in height (measurement taken from application F/YR21/1508/F) which it would be seen against. The proposed dwellings are of a design of a similar design to the 2-storey dwellings on Fairview Avenue though of a more modern appearance and the materials proposed are as follows: Plots 1-11 Vandersanden Woodland Mix Bricks Horizontal Fibre Cement Board in Slate Grey Sandtoft 20/20 Flat Interlocking Clay Plain Tile in Antique Slate Plots 12-22 Vandersanden Corum Bricks Horizontal Fibre Cement Board in Light Grey Marley Edgemere Interlocking Concrete Slate in smooth Grey 9.14 The properties on Fairview Avenue are mix of buff, gold and red brick with grey pantile roofs. The properties along West Street closest to the site are constructed in red brick with grey tile roofs. Given the variety of materials in the area those proposed are considered to be acceptable. The surrounding area is characterised by modest, detached dwellings of varying styles, but generally simple and unassuming in architectural appearance. The proposed properties are not considered to be visually incongruous when assessed against the built character of dwellings to the north, east and south-east of the site and the previous decision on the site did not reference this as being an area of concern.

Impact on Residential Amenity / Land Users

- 10.12 Policy 16(h) of the Local Plan requires that one-third of any new residential plot is devoted to private amenity space. All of the properties meet this requirement, save for the affordable dwelling at Plot 21 in the south-east corner of the site which is approximately 1.5 sqm below the necessary area. This is considered to be such a negligible shortfall in provision as to render the policy complied with.

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- 10.13 When assessing the relationships between the proposed dwellings it is considered that there is no unacceptable overlooking between the properties, and it is considered that there is appropriate separation distances to ensure that there is no undue overshadowing or limitation of light. A condition relating to obscure glazing the first floor window in the side elevation of some of the plots could be imposed to address the potential overlooking from this.
- 10.14 The application proposes the raising of land levels; previously this raised concerns in terms of the possible relationship between the dwellings adjacent to the northern boundary of the site and the neighbouring dwelling, 88 West Street. This was not a reason for refusal previously, as the land levels now proposed are the same there is a greater separation between 88 and its nearest neighbour the proposal is considered to be acceptable. As above a condition could be imposed to secure the obscure glazing of the first-floor side window in Plot 3 facing the rear garden of 88.
- 10.15 The slope toward the existing drain at the western boundary will be less pronounced and land will be raised in the areas of the site within Flood Zone 1. The land will then slope away to the proposed attenuation ponds and public open space toward the western extent of the site, upon which no dwellings are to be sited. The areas of the site where land will be raised by approximately 1 metre near to Flood Zone 2 are not in close proximity to existing dwellings and will provide a greater uniformity to the height of the proposed two storey dwellings on site. Notwithstanding the above considerations, a detailed analysis of the impact of raised site levels cannot be made as a proposed topography plan showing site levels and adjacent site levels has not been provided. To address this matter a condition requiring full details of existing and proposed site levels could be imposed on any permission.
- 10.16 With regard to the dwellings at Fairview Avenue, the closest separation distance to a dwelling is 35 metres, which is an acceptable distance to mitigate any harm. The rear boundaries of Fairview Avenue are bordered by a 1.8 metre high timber fence. The properties on Fairview Avenue will experience a change in outlook and some loss of privacy as a result of the development, however the distances are such that this would not be considered significantly detrimental to their residential amenity.
- 10.17 As detailed above, the scale and design of the proposal is considered to be such that there would be no significant or unacceptable impact on the residential amenities of future residents or the occupiers of adjacent properties. As such, the proposal is considered to accord with the provisions of Section 12 of the National Planning Policy Framework (2024), and Policy LP16 of the Fenland Local Plan (2014).

Highway Safety and Parking

- 10.18 The adopted highway of West Street stops just north of the application site and to facilitate the development improvements are proposed to this section of road to the north. For approximately 100m West Street will be widened to 5 metres and a new 1.8 metre wide footpath added to the highway. These works will alternate between the east and west side of West Street and will link to the existing footway network. This road will then continue beyond the extent of the adopted highway

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within the byway and following the alignment of this before diverging into the wider site with the public right of way continuing on its current alignment south-east.

- 10.19 The previous application was refused as the legal width of the byway was unknown and consequently there was no certainty that the highway scheme shown could be delivered:

Policy LP2 and LP15 of the Fenland Local Plan 2014 and para 110 of the NPPF 2021 seek to achieve a safe, suitable and sustainable access for all users.

The legal width of the Byway is unknown and as such there is no guarantee that it could be improved as indicated. As such, it has not been demonstrated that a well-designed, safe and sustainable access can be achieved, contrary to the aforementioned policies.

- 10.20 The applicant subsequently applied to the County Council for a Definitive Map Modification Order which has been made by the County Council, and which has had the effect of confirming the legal width of the byway. This has demonstrated that the works to the byway to facilitate the road to serve the development can be delivered within its legal width. As such the previous reason for refusal is considered to have been addressed.
- 10.21 Information submitted with the application advises that the estate roads would be built to an adoptable standard, although there is an area of road serving Plots 3-6 which does not appear to be of an adoptable nature. The submitted plans demonstrate that a refuse vehicle can enter and turn within the site for collection. A suitable bin collection area is detailed near the turning head to serve Plots 3-6 as these are accessed via a private drive. All units have separate rear access so that bins and bicycles can be moved from rear gardens to the front of the property without having to move through the house.
- 10.22 The Highway Authority have commented on the application and raised no objections subject to the imposition of conditions.
- 10.23 It is considered that the development proposed allows continued connectivity via the byway to Blackmill Drove to the southeast of the site and also provides pedestrian routes through the development and connecting to Little Acre Fen Drove to the south of the site.
- 10.24 Each dwelling meets the minimum of two off road parking provision for the two- and three-bedroom dwellings, with the four-bedroom dwellings at Plots 1 and 2 meeting the minimum requirement of three off road parking spaces. This accords with Appendix A of the Fenland Local Plan. The provision of on-site parking to all units also facilitates convenient access for disabled car users. Adequate parking space dimensions are provided for each dwelling on site.
- 10.25 The Fire Authority have requested adequate provision be made for fire hydrants on site which will be secured by condition.
- 10.26 The application is therefore considered to be acceptable with regards to matters pertaining to highways and would not have an unacceptable impact on highway

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safety in accordance with Local Plan Policies LP2 and LP15, as well as Section 9 of the National Planning Policy Framework (2024).

Flood Risk and Drainage

- 10.27 National planning policy does not prohibit the granting of planning permission for developments in areas at high risk of flooding. While guidance exists to ensure that flood risk is appropriately assessed and mitigated, there are no absolute legal restrictions preventing development in such locations. The central and eastern area of the proposal site is located in Environment Agency Flood Zone 1. The western side of the site is located in Flood Zones 2 and 3 and is therefore considered to be at a high probability of fluvial flooding.
- 10.28 Policy LP14 of the Local Plan as well as Paragraph 175 of the NPPF seek new developments to adopt a sequential approach to flood risk, where new developments are steered to areas with the lowest possibility of flooding. The Sequential Test is based on flood risk vulnerability and land availability within a defined search area. It is a site-based and policy-driven test.
- 10.29 The Planning Practice Guidance (PPG) advises that a Sequential Test is required for planning applications in areas at risk from flooding from any source. In the case of river and sea flooding, this specifically includes land within Flood Zones 2 and 3. The fundamental objective of the Sequential Test is to steer new development to areas with the lowest risk of flooding (i.e. Flood Zone 1), in line with the risk-based approach advocated by paragraph 172 of the National Planning Policy Framework (2024).
- 10.30 The western side of the application site lies within an area of identified flood risk and, as such, the application site is at risk of flooding. While it is acknowledged that the majority of built development is located outside of Flood Zones 2 and 3 this does not, in itself, disapply the requirement to undertake the Sequential Test. A Sequential Test has been submitted by the Applicant in support of the application.
- 10.31 The Courts have confirmed that whilst it is generally accepted that the siting of development, in relation to flooding, should be lead through a sequential risk-based approach there may be times when it is acceptable to not take such an approach. However, this will need to be for very special circumstances and would be the exception rather than the norm.
- 10.32 In accordance with the national flood risk guidance, a sequential test has been submitted by the applicant assessing potential alternative sites within Chatteris. Within the report, the Applicant has provided some reasoning behind the parameters that they have based the Sequential Test upon. It states that *“In the context of this sequential sites assessment the developer and Applicant (Urban Developments Peterborough Limited) is a company which does not build new homes at large scale (i.e. not akin with large scale national house builders). Their business model succeeds on developing smaller scale proposals with this proposal for 21 dwellings reflecting the upper limit of their business model.”*
- 10.33 The report goes on to state:
“It is also worth noting here that the Applicant does not hold any land interests within Chatteris, March, Whittlesey nor Wisbech other than at the Application

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Site. The Application Site has a site area of 1.34 hectares. For robustness this assessment considers land areas with the range of 0.75 to 1.5 hectares which is considered to be a reasonable range of site areas for a scheme of up to 21 dwellings. For example, the density of a 21 dwelling scheme on a land area of 0.75 hectare would be 15.75 dwellings per hectare. “

- 10.34 It is considered that the basis for the parameters assigned by the agent is flawed and does not reflect relevant guidance or case law. The approach suggested would materially limit the number of sites available which could accommodate the comparable quantum of housing through the provision of a larger development located entirely with Flood Zone 1 in or adjacent to built-up settlements.
- 10.35 When applying the Sequential Test under the NPPF, the key principle is that the test should be undertaken objectively, based on flood risk and the suitability of alternative sites for the proposed use. It should not be tailored to reflect the applicant's individual circumstances. In this case, the Sequential Test submitted places weight on matters such as the applicant's business model, specifically, the size of developments typically pursued, and their lack of control over other land holdings. These factors are not relevant to the application of the Sequential Test as set out in national policy and guidance.
- 10.36 The Sequential Test must be applied in accordance with national policy and should be based on an objective assessment of site availability and flood risk. The Applicant's personal, financial, or operational circumstances, including land ownership, business model, or site preferences, are not considered valid reasons to bypass or fail the test.
- 10.37 On this basis, it is concluded that the submitted Sequential Test is not robust and does not comply with national policy or the expectations established through case law. It must also be noted that the submission demonstrates that there are other sites in preferable locations that are and can deliver housing. As such, it is not considered that the proposal has passed the Sequential Test.
- 10.38 The NPPF confirms that where it is not possible to locate development in zones of lower flood risk, the Exception Test may be applied. This test provides a framework for assessing whether development can proceed safely, whilst recognising the wider sustainability needs of a community.
- 10.39 Whilst the proposal is not acceptable in principle, it is considered that the exception test should still be considered in the interests of completeness. The Exception Test comprises two elements, both of which must be satisfied:
- a) Development to demonstrate that it achieves wider community sustainability benefits having regard to the district's sustainability objectives, and
 - b) That it can be made safe for its lifetime and will not increase flood risk elsewhere ('flood risk management')
- 10.40 (a) Wider community sustainability benefits
The first limb of the Exception Test requires that the development provides wider sustainability benefits to the community that clearly outweigh the flood risk. In this case, the proposal would make a direct contribution to meeting housing targets for the district on an area of partially brownfield land, immediately adjacent to the built-up settlement of Chatteris. However, this must be considered in the context of the Council being able to demonstrate a deliverable five-year housing land

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supply, alongside a consistent pattern of windfall development significantly exceeding Local Plan expectations. While it is acknowledged that the five-year supply represents a minimum requirement rather than a cap on development, it is not considered that the provision of additional housing in this location, within an area at risk of flooding, would deliver sufficient community benefit to outweigh the identified harm and policy conflict, or to justify a departure from national policy and the adopted development plan.

10.41 (b) Flood safety

The second limb requires that the development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, reducing overall flood risk. There is a small amount of built development within Flood Zones 2 and 3. This consists of a parking area between Plots 4 and 5, paved areas to Plots 3 to 7, as well as Plots 16 to 17. The parking areas for Plots 7, 16 and 17 are also in Flood Zone 2. Additionally, the end of the two estate road spurs are to be located in Flood Zones 2 and 3.

10.42 These areas of flood development do not lead to further development within Flood Zones 2 and 3 and are at the periphery of the flood risk classification lines. Due to the topography of the site, it is not considered that the areas of built development will retain water in the event of heavy rainfall. The topography of the site gently slopes in a westward direction passing through the parking areas and estate roads to the attenuation ponds and drain beyond via soakaways and natural drainage. The areas to the front of every property are located in Flood Zone 1. Additionally, the parking areas and estate road spurs do not lead to further development with Flood Zones 2 and 3. All of the dwellings on site are located in the Flood Zone 1 and the estate road connecting to West Street to the north does not pass through any other areas within Flood Zones 2 and 3.

10.43 For the reasons given above, it is considered that these areas of built development do not increase the vulnerability of the occupants of the site and do not increase flood risk elsewhere. It is therefore considered that the second limb of the Exceptions Test has been satisfactorily addressed.

Lack of an adequate Sequential Test

10.44 Case law has established that there may be circumstances in which a decision-maker can lawfully grant planning permission notwithstanding a failure to satisfy, or undertake, the Sequential Test. Such circumstances may include situations where the proposed development is supported by a wider strategic context—such as regeneration priorities or site-specific allocations within the Local Plan—where it addresses an identified and justified need, or where other material considerations are judged to outweigh the policy conflict.

10.45 In this instance it must be noted that a similar scheme was submitted to the Council (reference F/YR22/0381/F) at this site. Whilst this application was refused by the Council, flooding and the associated risk did not form a reason for refusal. Given that the site boundary has not been altered and the application is assessed against the same Fenland Local Plan (2014), and a largely unaltered NPPF, in relation to flooding, the previous determination of the Council weighs heavily in favour of this application.

Foul and surface water drainage

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- 10.46 It is proposed to filter runoff from private driveways parking spaces through a filter media within permeable surfacing and discharge to the existing Drain / Watercourse at the western side of the site. Runoff from proposed residential properties shall be collected with rainwater pipes which will also be filtered through the silt traps upstream of attenuation features. Final filtration will be conducted via forebays connected to adoptable swales. Attenuated water shall be stored in a combination of Swales, Ponds and Type 3 Subbase located underneath the private parking spaces.
- 10.47 With regard to drainage, Middle Level Commissioners (MLC) have provided guidance as to discharge rates. MLC have considered that whilst the drain to the western boundary is not maintained by them, a maintenance strip should be included. MLC also observe that there is little room for attenuation pond maintenance, in particular close to the residential boundaries. With regard to the freeboard for the attenuation pond, MLC state that a freeboard of 150mm is not sufficient, although the agent's response to the LLFA states that the freeboard will be 300mm. This is not considered to be a substantive concern and can be addressed within the further drainage details to be confirmed by condition. The Lead Local Flood Authority has no objections to the submitted drainage strategy.
- 10.48 Foul sewerage is to be addressed by a mains sewer. A proposed new manhole along the eastern section of the access road will connect to the existing system and be the start point of a sewer diversion to an area beyond the western boundary. It is considered that the proposed surface water and foul water drainage details are acceptable, and no objections have been received from standard drainage consultees. Further details of foul and surface water drainage will be addressed by condition.

Conclusion to flood risk and drainage

- 10.49 Having regard to the planning history of the site, the limited and contained nature of the existing built form within Flood Zones 2 and 3, and the limited benefits arising from the delivery of dwellings on previously developed land, it is considered that, subject to the imposition of appropriate conditions, the material considerations in favour of the proposal outweigh the identified harm and policy conflict.

Developer Contributions

- 10.50 A 25% affordable housing provision required under Policy LP5 Part A for a development of this scale. Five affordable units are proposed, consisting of 4 x 2-bed dwellings and 1 x 3-bed dwellings as detailed on Plots 11 to 14, and Plot 21. This level of provision is considered to be policy compliant.
- 10.51 The Council's preference would be that these are provided as a 4:1 split between affordable rent and shared ownership and this will be included within a Section106 legal agreement should planning permission be granted. However, it is acknowledged by the Council's Housing Strategy Team that there are difficulties in securing a Registered Provider (RP) to take on the affordable units where there are less than 10 on a development. As such they suggest that the affordable units could be provided as 'rent to buy' as an alternative model of delivery. This option can be built into any legal agreement. As this is not a

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regularly used option by the Council for delivery of affordable housing it is recommended that an alternative fallback option of a financial contribution in lieu of on-site delivery could also be included in the agreement.

- 10.52 In addition to the above the Developer Contributions SPD 2015 sets out that 22% of a development site area should make provision for open space. In this case due to the size of the site this would usually be an off-site contribution, however due to the constraints of the site an area of open space is provided on site, this is in excess of 22% though its usability is reduced due to the presence of drainage attenuation features, however it does provide some benefit/provision and due to the level of contributions put forward Officers are not seeking anything further in this regard.
- 10.53 Further contributions have been requested from the National Health Service and Cambridgeshire County Council for education purposes. The NHS request a contribution of £18,054.14 to cater for circa 50 new residents. Cambridgeshire County Council request a £32,226 contribution for early years provision, a primary contribution of £76,749, a secondary contribution of £77,022, library contribution of £3,098 and a monitoring fee of £150. These contributions are to be secured through a Section 106 Agreement.
- 10.54 The agent has agreed to the proposed financial contribution requests on the 20th of June 2025.

Other Matters for Consideration

- 10.55 While the majority of issues raised within the responses received from members of the public have been addressed elsewhere within this report there are several issues which still need to be considered.
- 10.56 Concerns have been raised about disturbance during construction. A Construction Management Plan has been submitted which is not considered to be fully adequate and a condition requiring a further CMP to be submitted will be secured. Notwithstanding this, disturbance during construction will be controlled through this condition and therefore it is considered that this should assist in safeguarding amenities during the build period.
- 10.57 A number of objectors have expressed concerns with regard to the need for the development. Need is not a matter which carries material planning weight. Concerns have also been expressed about a loss of view. People do not have the right to view of land outside of their ownership; therefore, this concern does not carry material planning weight.
- 10.58 Finally, the loss of a pedestrian access from a gate in a rear boundary fence at Fairview Avenue as a result of the highways works is not a material planning concern. The properties in Fairview Avenue which border the eastern site boundary have access to the east facing frontages of their property, so there is not considered to be a material loss of access to a dwelling if a rear gate is lost as a result of the proposal.

Biodiversity Net Gain (BNG)

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- 10.59 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.
- 10.60 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

11 CONCLUSIONS

- 11.1 The principle of developing the site for 21 dwellings is considered acceptable given the site's location adjacent to the built form of Chatteris and in accordance with the settlement hierarchy of the Local Plan.
- 11.2 The previous decision of the Council regarding the development of the site for 22 dwellings under reference F/YR22/0381/F, is considered to be a significant material consideration. Given that the decision on this application raised no issues regarding the visual or wider character impact of development in this location or nor did it raise any amenity it is considered that the current application for 21 dwellings it is considered that the current application should also be found acceptable on these grounds. This is as there have been no changes to planning policy or the site context that would outweigh the weight given to this material consideration.
- 11.3 The previous reason for refusal regarding the lack of certainty of delivery of the necessary highway infrastructure within the public byway has been resolved and no objections from the Highway Authority were raised to the application. With this in mind it is considered that the previous reason for refusal has fallen away.
- 11.4 Whilst it is acknowledged that the application fails to satisfy the requirements of the sequential test as set out in national policy, it is considered, having regard to the site's specific points highlighted above, that a reason for refusal on this basis alone would be unlikely to be sustained at appeal.
- 11.5 The design and appearance of the development is considered to be in keeping with the character and appearance of the area. Furthermore, the dwellings would provide an acceptable level of amenity for existing and future residents.
- 11.6 There are no other outstanding technical issues which cannot be addressed via condition or the proposed Section 106 legal agreement.
- 11.7 For the above reasons this application is considered to be in accordance with Policies LP1, LP2, LP3, LP4, LP5, LP6, LP10, LP13, LP14, LP15, LP16, LP17 and LP19 of the Fenland Local Plan (2014), as well as Chapters 2, 5, 12, 14 and 15 of the National Planning Policy Framework (2024).

12 RECOMMENDATION

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 Section 106 legal agreement and planning conditions (proposed draft conditions are included below) to the Head of Planning; and,
2. Following the completion of the Section 106, application F/YR23/1033/F be approved subject to the draft planning conditions set out below,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the Section 106 legal agreement, or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

Case Officer: David Grant	Team Leader: Alan Davies
Date: 10 th July 2025	Date: 14 th July 2025

Conditions

1	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roofs are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
3	<p>The first floor side elevation windows in Plots 3, 10, 11 and 15 shall be glazed with obscure glass and so maintained in perpetuity thereafter.</p> <p>Reason - To safeguard the amenities of future residents and the amenity currently enjoyed by the occupants of adjoining dwellings.</p>
4	<p>Prior to first occupation of the development hereby permitted the areas of Public Open Space, including footpaths, as shown on the approved plans will be delivered</p>

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	<p>in full and retained in perpetuity and shall be managed and maintained in accordance with details to have previously been submitted to and agreed in writing with the Local Planning Authority.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
5	<p>Prior to the first occupation of the relevant dwelling hereby approved, the associated on-site parking shall be provided in accordance with the approved plans. Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of occupiers for each dwelling of the approved scheme and shall not be used for any other purpose.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan (2014).</p>
6	<p>Prior to the first occupation of the development hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan 2014.</p>
7	<p>No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no demolition/development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <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 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).</p> <p>Informative</p>

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	<p>Partial discharge of the condition can be applied for once the fieldwork at Part c) has been completed to enable the commencement of development. Part d) of the condition shall not be discharged until all elements have been fulfilled in accordance with the programme set out in the WSI. A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges.</p>
8	<p>No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-</p> <ul style="list-style-type: none"> a) hard surfacing, other hard landscape features and materials b) existing trees, hedges or other soft features to be retained c) planting plans, including specifications of species, sizes, planting centres number and percentage mix d) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife e) details of siting and timing of all construction activities to avoid harm to all nature conservation features f) location of service runs g) management and maintenance details <p>The approved hard landscaping scheme shall be carried out with regard to the dwelling to which it relates, prior to the occupation of that dwelling and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.</p> <p>Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
9	<p>Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings, hard surfaced areas and garden/amenity areas, including any mitigation measures arising as a consequence (for example increased height of boundary treatment), shall be submitted to and approved in writing by the Local Planning Authority. A proposed topography plan shall be provided which shows the site topography for the approved site and adjacent neighbouring land. The development shall be constructed and retained in accordance with the details so approved.</p> <p>Note: Site levels and finished floor levels have not been approved. Where levels are raised above existing ground levels, the submission shall be supported by</p>

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	<p>cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.</p> <p>Reason: To reduce the risk of flooding of the development. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policy 14 of the Fenland Local Plan, 2014 and Section 14 of the National Planning Policy Framework, December 2023.</p>
10	<p>Prior to the first occupation of the relevant dwelling hereby approved, boundary treatment shall be installed in accordance with the approved plan 6343/PL20D and retained in perpetuity.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
11	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order), planning permission shall be required for the following developments or alterations:</p> <p style="padding-left: 40px;">i) the erection of any walls, fences or other means of enclosure to the frontage boundary to all plots (as detailed in Schedule 2, Part 2, Class A).</p> <p>Reasons:</p> <ol style="list-style-type: none"> 1. To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity and character of this part of the area in which it is set in accordance with Policies LP16 and LP18 of the Fenland Local Plan 2014. 2. To prevent the restriction of movement along the West Street public byway at the open frontage of Plots 1 and 2 of the approved development.
12	<p>Notwithstanding the submitted details, 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;

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	<p>g) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate;</p> <p>h) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways;</p> <p>i) Use of concrete crushers;</p> <p>j) Prohibition of the burning of waste on site during demolition/construction;</p> <p>k) Site artificial lighting including hours of operation, position and impact on neighbouring properties;</p> <p>l) Drainage control measures including the use of settling tanks, oil interceptors and bunds.</p> <p>m) Screening and hoarding details;</p> <p>n) Access and protection arrangements around the site for pedestrians, cyclists and other road users;</p> <p>o) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures;</p> <p>p) External safety and information signing and notices;</p> <p>q) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures;</p> <p>r) Storage of materials, including soil, in areas of the site liable to flood, 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>
13	<p>Notwithstanding the submitted details, no development shall take place (including demolition, ground works and vegetation clearance) until a detailed Construction Ecological Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority.</p> <p>The CEMP (Biodiversity) shall incorporate recommendations of the Preliminary Ecological Appraisal and Preliminary Roost Assessment (Arbtech 2023) and Bat Survey Report (Allied Ecology 2023) and must include the following</p> <p>A) Risk assessment of potentially damaging construction activities.</p> <p>B) Identification of "biodiversity protection zones".</p> <p>C) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction this may be provided as a set of method statements</p> <p>D) The location and timings of sensitive works to avoid harm to biodiversity features</p> <p>E) The times during which construction when specialist ecologists need to be present on site to oversee works</p> <p>F) Responsible persons and lines of communication</p> <p>G) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person</p> <p>H) Use of protective fences, exclusion barriers and warning signs if applicable</p> <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless</p>

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	<p>otherwise agreed in writing by the local planning authority</p> <p>Reason: To protect biodiversity in accordance with policies LP16 & LP19 of the Fenland Local Plan 2014.</p>
14	<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 development is occupied.</p> <p>Reason: To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>
15	<p>Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that foul water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
16	<p>No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.</p> <p>The scheme shall be based upon the principles within the agreed Drainage Strategy prepared by Parsons Consulting Engineers (ref: 21159-001) dated 10th January 2025 and shall also include:</p> <p>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;</p> <p>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;</p> <p>c) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);</p> <p>d) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</p>

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	<p>e) Site Investigation and test results to confirm infiltration rates;</p> <p>f) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</p> <p>g) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;</p> <p>h) Full details of the maintenance/adoption of the surface water drainage system;</p> <p>i) Permissions to connect to a receiving watercourse or sewer;</p> <p>j) Measures taken to prevent pollution of the receiving groundwater and/or surface water</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts. This condition is imposed in accordance with Policy LP14 of the Fenland Local Plan, 2014.</p>
17	<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. This condition is imposed in accordance with Policy LP14 of the Fenland Local Plan, 2014.</p>
18	<p>Prior to the first occupation of any dwelling details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall have been 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 under 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. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>

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19	<p>Prior to the first occupation of any dwelling the road(s), footway(s) and cycleway(s) required to access that dwelling shall be constructed to at least binder course surfacing level from the dwelling to the adjoining County road in accordance with the details approved on 6343/PL11D.</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
20	<p>No development above slab level shall take place at Plots 1 & 2 until a scheme to secure the highway boundary markers (as referenced on 6343/PL11D Rev D – Site Plan) has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall detail the type and location of boundary markers. The development shall be carried out in accordance with the agreed details prior to occupation of Plots 1 & 2.</p> <p>Reason: For the safe and effective operation of the highway. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
21	<p>Before development commences a timetable for the delivery of the road improvement scheme for West Street, including the byway, shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shown on the approved plans shall be delivered in accordance with the agreed timetable and shall be retained in perpetuity thereafter.</p> <p>Reason: In the interests of highway safety and to ensure satisfactory access into the site. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
22	<p>Accesses to the public highway as shown on approved plan 6343/PL11B are to be provided before first occupation of the relevant dwelling and should be constructed so as to prevent discharge of water to highway.</p> <p>Reason: For the safe and effective operation of the highway. This condition is imposed in accordance with Policies LP14 and LP16 of the Fenland Local Plan, 2014.</p>
23	<p>Vehicular accesses and driveways shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway.</p> <p>Reason: in the interests of highway safety. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
24	<p>Two 2.0 x 2.0 metres pedestrian visibility splays shall be provided as shown on drawing 6343/PL11D Rev D – Site Plan. This area shall be kept clear of any obstruction to visibility exceeding 600mm high and retained as such throughout the lifetime of the development.</p> <p>Reason: In the interests of highway safety. This condition is imposed in accordance with Policy LP16 of the Fenland Local Plan, 2014.</p>
25	<p>The mitigation measures concerning reptiles described in section 5.2 of the</p>

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	<p>Preliminary Ecological Appraisal – Final Report are required to be implemented in full prior to first occupation of the site and retained in perpetuity so that the development will not cause harm to reptiles.</p> <p>Reason: Conservation of protected species. This condition is imposed in accordance with Policy LP19 of the Fenland Local Plan, 2014.</p>
26	<p>No development shall commence until:</p> <p>(a) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the Local Planning Authority (LPA). The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters. No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs (b), (c) and (d).</p> <p>In the event that a remediation scheme is required, this should also be conditioned at this stage as follows:</p> <p>(b) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p> <p>(c) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.</p> <p>(d) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason: To ensure that the risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecosystems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in the NPPF and Policies LP2, LP16 and LP19 of the Fenland Local Plan 2014.</p>
27	Approved Plans

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F/YR25/0957/PIP

**Applicant: Mr Jamie West
Marco West Homes**

**Agent : Mr James Burrows
Morton & Hall Consulting Ltd**

Land North West Of 16, Westfield Road, Manea, Cambridgeshire

Permission in principle to erect up to 9 x dwellings including the formation of a new access

Officer recommendation: Approve

Reason for Committee: Parish Council comments contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks Permission in Principle for up to nine dwellings on an undeveloped backland site on the northern side of Westfield Road within the built up area of Manea. The assessment is limited to the principle issues of location, use and amount, with detailed matters to be considered at the Technical Details stage.
- 1.2 Manea is identified as a Growth Village and the site is considered to be in a sustainable location with access to village services. Residential use is acceptable in principle and there is established precedent for backland development along Westfield Road. The proposed quantum represents a low density form of development that is comparable with other permissions in the area.
- 1.3 On balance, the proposal is considered acceptable in principle in terms of location, use and amount of development.

2 SITE DESCRIPTION

- 2.1. The application site is located on the northern side of Westfield Road and comprises a backland plot that appears to have previously been used for agricultural purposes. The site is currently undeveloped and lies adjacent to the built-up area of Manea.
- 2.2. The area of the site to be developed is not subject to any planning constraints. However, it should be noted that the small rectangular section to the north-west lies within Flood Zones 2 and 3. The remainder of the site, as outlined in red on the submitted plans, is situated within Flood Zone 1.

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 provision of up to nine detached dwellings with associated parking and landscaping together with the provision of an access road.

- 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

- 4.1 The site as outlined in red does not benefit from any recent relevant planning history. However, the below table denotes the planning history of adjacent sites for similar development:

Reference	Proposal	Decision
F/YR22/0495/O	Erection of 9 x self-build/custom dwellings with associated garages and parking involving demolition of existing shed (outline application with matters committed in respect of access) Land to the rear of 36 Westfield Road, Manea	Granted
F/YR23/0275/F	Erect 6 x dwellings (4 x 2-storey 2-bed and 2 x single-storey 3-bed) and formation of a new access involving demolition of existing dwelling and shed 18 Westfield Road, Manea	Granted
F/YR24/0633/F	Erect 8no dwellings (4 x single-storey, 3-bed and 4 x 2 storey, 2-bed) and formation of a new access and swale involving demolition of existing dwelling and buildings 18 Westfield Road, Manea	Granted

5 CONSULTATIONS

5.1 Manea Parish Council

The Parish Council object to the proposal for the following reasons:

- Back land development
- Over development
- Inadequate access and splays
- Inadequate drainage

- No details of sewage
- Precedent If FDC is minded to approve

The Parish have also advised that they would request £2000 per dwelling for community projects.

Internal Consultees

5.2 FDC Environmental Services – Refuse

No objection and make a number of recommendations to be considered as part of the technical details stage in regards to suitable access and provision for refuse and recycling facilities.

External Consultees

5.3 CCC Highways

No objection

5.4 CCC Archaeology

No objection, whilst this site lies in an area of archaeological interest at this stage, specific recommendations cannot be made, without sight of a finalised site layout plan and an understanding of the scale and impacts of the proposed development. We are content that no works are required prior to determination of an application. Request to be consulted on any future planning application for development within the redline area

5.6 Environment Agency

No objection.

5.7 Anglian Water

The site is within the catchment of Manea-Town Lots WRC which lacks capacity for the additional flows however, this is included within the AW Business Plan for improvements between 2025-2030.

5.8 Middle Level Commissioners

No objection.

5.9 Local Residents/Interested Parties – 07.01.2026

One letter of objection has been received from a residents on Westfield Road, Manea. It is noted that another letter was registered as an objection. However, following review of the content, it provides supporting comments and is therefore summarised in the following section. The objecting comments are summarised below:

Objecting Comments	Officer Response
Cumulatively this is excessive for a limited growth village	Comments noted and discussed in the below report.
Application contains very little information, unable to comment re	Comments noted and as discussed above, due to the nature of the

impact on neighbouring amenity etc...	application, this is the only information required. Detailed information will be required at the Technical details stage
Further pressure on facilities including drainage.	Comments noted and discussed in the below report.
Flooding issues	Comments noted and discussed in the below report.
Ecology impacts	Comments noted and should the application be approved, this is something to be considered and appropriately mitigated at the Technical Details stage.
Adjoins another site by the same builder but being considered separately	Comments noted and discussed in the below report.

Eight letters of support have been received from residents on Westfield Road, School Lane, Station Road, High Street, Manea. These are summarised below:

Supporting Comments	Officer Response
Provides much needed housing	Comments noted and discussed below.
Effective use of land	Comments noted and discussed below.
Suitably located for access to the village	Comments noted and discussed below.
Well sized including green space	Comments noted and discussed below.
Adequate garden sizes	Comments noted and discussed below.
Adequate parking	Comments noted and discussed below.
Supports the community	Comments noted and discussed below.

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) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

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

DM2 – Natural Features and Landscaping Schemes

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

DM4 – Waste and Recycling Facilities

DM6 – Mitigating Against Harmful Effects

Developer Contributions SPD 2015

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- Location
- Use
- Amount

9 BACKGROUND

- 9.1 The proposal is an application for Permission in Principle to develop the site for up to Nine 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.

- 9.2 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.
- 9.3 As shown within the History section above, a number of backland residential schemes, have been granted in recent years along Westfield Road.

10 ASSESSMENT

Location

- 10.1 Policy LP3 of the Fenland Local Plan (2014) identifies Manea 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.
- 10.2 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. Given the site sits to the rear of the built up area of the village, with a number of recent planning approvals for backland development within the vicinity, it is considered that the application site would be adjacent to the built form and would therefore constitute a small village extension consistent with Policy LP3 of the Local Plan.
- 10.3 Policy LP5 sets out the housing targets for the District and the Council has undertaken a full assessment of the Five Year Housing Land Supply. In June 2025, Fenland District Council published a new Five Year Housing Land Supply report (for the five-year period between 1st April 2025 and 31st March 2030) which concludes that the Council can demonstrate a 6.6 years supply of housing land. As the Council can demonstrate a robust supply of housing land which is well in excess of five years supply, substantial weight is given to the Fenland Settlement Hierarchy as specified within the Local Plan. This is a material consideration and means that any application for new development must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.4 Policy LP12 advises that for villages new development will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. This policy also advises that if a proposal within

or on the edge of a village, in conjunction with other development built since 2011 and committed to be built (i.e. with planning permission) increases the number of dwellings in a growth village by 15% or more then the proposal should have demonstrable evidence of clear local community support for the scheme.

- 10.5 Manea has already exceeded its 15% threshold. However, an appeal decision received in respect of an application that was refused purely on this basis (F/YR14/0838/O) indicates that the threshold considerations and requirement for community support should not result in an otherwise acceptable scheme being refused and against this backdrop the absence of community support does not render the scheme unacceptable in planning terms.
- 10.6 The development of the site, as outlined in red, would constitute backland development, which is not historically characteristic or prominent within the immediate surrounding area. That said, the planning history of the locality demonstrates that the principle of in-depth development extending northwards along West Field Road has already been established. As such, the site is considered to represent a suitable location for development.
- 10.7 It is pertinent to note that the majority of the village's services and facilities; such as the village hall, doctor's surgery, skate park, village shop, and bus stops, are situated towards the eastern end of Manea. However, these amenities are accessible via the existing footpath network and lie approximately 700 metres (around a 15-minute walk) from the site. Therefore, in terms of accessibility and location, the site is considered acceptable, particularly when taking into account the LPA's previous decisions within the immediate area, as well as the availability of sustainable transport options and proximity to local services and facilities.

Use

- 10.8 As discussed above, and when giving appropriate weight to recent planning decisions within the immediate vicinity of the site, it is considered that the proposed use of this parcel of land for residential development is acceptable in principle. The established pattern of in-depth development along West Field Road demonstrates a clear precedent for backland residential schemes in this location. Furthermore, the site benefits from reasonable access to key village services and facilities, all of which are within walking distance via existing footpath connections. In this context, the proposed development aligns with the broader objectives of promoting sustainable, well-located growth within defined village envelopes, and as such, the site represents a logical and appropriate location for residential accommodation.

Amount of Development Proposed

- 10.9 The application seeks Permission in Principle for the development of up to nine dwellings on a site measuring approximately 0.93 hectares, resulting in a development density of approximately 9.6 dwellings per hectare. This density is not considered to constitute overdevelopment and could be comfortably accommodated within the site. Whilst this density is relatively low, particularly when set against other permissions granted locally, it nonetheless reflects a scale and form of development that would sit appropriately within the character of its surroundings.

For example:

- F/YR22/1156/O permitted 26 dwellings on a site of 1.53 ha, achieving a density of approximately 17 dwellings per hectare.
 - F/YR23/0275/F achieved a notably higher density of 35.5 dwellings per hectare with 6 dwellings on a site of 0.169 ha.
 - F/YR24/0633/F permitted 8 dwellings on a site of 0.43 ha, achieving a density of approximately 18 dwellings per hectare.
 - F/YR25/0561/PIP permitted up to 7 dwellings on a site of approx. 0.96ha, achieving a density of approximately 8 dwellings per hectare
 - By contrast, F/YR22/0495/O permitted 9 dwellings on 1.5 ha, equating to just 6 dwellings per hectare, a similarly low figure.
- 10.10 When considered against these comparators, it is clear the proposal sits at the lower end of the density range. However, there is established precedent within the locality for permissions of similar or even lower density, and therefore the proposed quantum cannot be considered out of keeping. The average density across comparable schemes is approximately 13.5 dwellings per hectare, but there remains a clear case for accepting a scheme of lower density where it achieves a good relationship with the site and its surroundings.
- 10.11 It is acknowledged that Manea has experienced a number of piecemeal developments, typically of fewer than nine dwellings, which collectively have some cumulative effect on local services and infrastructure. However, this proposal is not solely responsible for such pressure, and whilst it would contribute to the broader pattern of fragmented growth, this alone is not considered to warrant the refusal of the application.
- 10.12 The site is located within an area where in-depth and backland development is emerging, and it is recognised that the site could potentially support a higher density without adverse impact. Nevertheless, the modest scale now proposed provides an appropriate balance, offering sustainable growth while ensuring that the character and appearance of the area are not compromised.
- 10.13 Detailed matters of layout, scale, and design will be addressed at the Technical Details Consent stage. At this stage it is sufficient to confirm that the quantum proposed is capable of being delivered in a manner that makes effective use of the land whilst safeguarding local character.
- 10.14 Although the proposal sits below the density of some nearby schemes, it is nonetheless a form of development that can be assimilated into the area without harm. Given sufficient weight to similar schemes within the immediate vicinity, it is therefore considered acceptable in principle.

Matters Raised During Consultation

- 10.15 The majority of the application site, as outlined in red, lies within Flood Zone 1. However, the red line boundary also includes a narrow strip of land extending north-westwards to adjoin the swale, which is situated within Flood Zone 3. It is understood that the inclusion of this area is a requirement of the Internal Drainage Board (IDB), and while the detailed design of this element will be addressed at the Technical Details stage, its inclusion within the red line boundary is necessary at this stage. While ordinarily a PiP application should not be deemed acceptable if it contains land at risk of flooding, in this instance given that this narrow strip of land would not be suitable for development, it is considered that it would be unreasonable to refuse the application on these grounds.

Drainage

- 10.16 Given the nature of the application, limited detailed information have been submitted in respect of foul/waste water drainage and surface water drainage. It is considered these matters alongside the comments made by AW could be dealt with at the Technical Details stage should the application be approved. Similarly, it is noted that neighbouring comments have been received regarding the lack of detail in this respect, again this is something that would be secured at the Technical Details stage, should the application be approved.

Access

- 10.17 It is noted that a new access is proposed to serve the development from the northern side of Westfield Road. The supporting statement accompanying the application advises that adequate on-site parking provision will be provided in accordance with Fenland District Council's parking standards. It is also confirmed that visibility splays of 2.4m x 43m can be achieved in both directions. The internal access road is proposed as a 6-metre-wide shared surface, to be constructed using permeable block paving or permeable tarmac, contributing to sustainable drainage objectives. Furthermore, the proposed access would integrate with the existing footway network, thereby supporting pedestrian connectivity.
- 10.18 The Local Highway Authority have not raised any objections to the proposal at this stage and advise that the required visibility splays can be achieved, this alongside suitable internal access, parking and highway safety matters can be addressed at the Technical Details stage.

Contributions

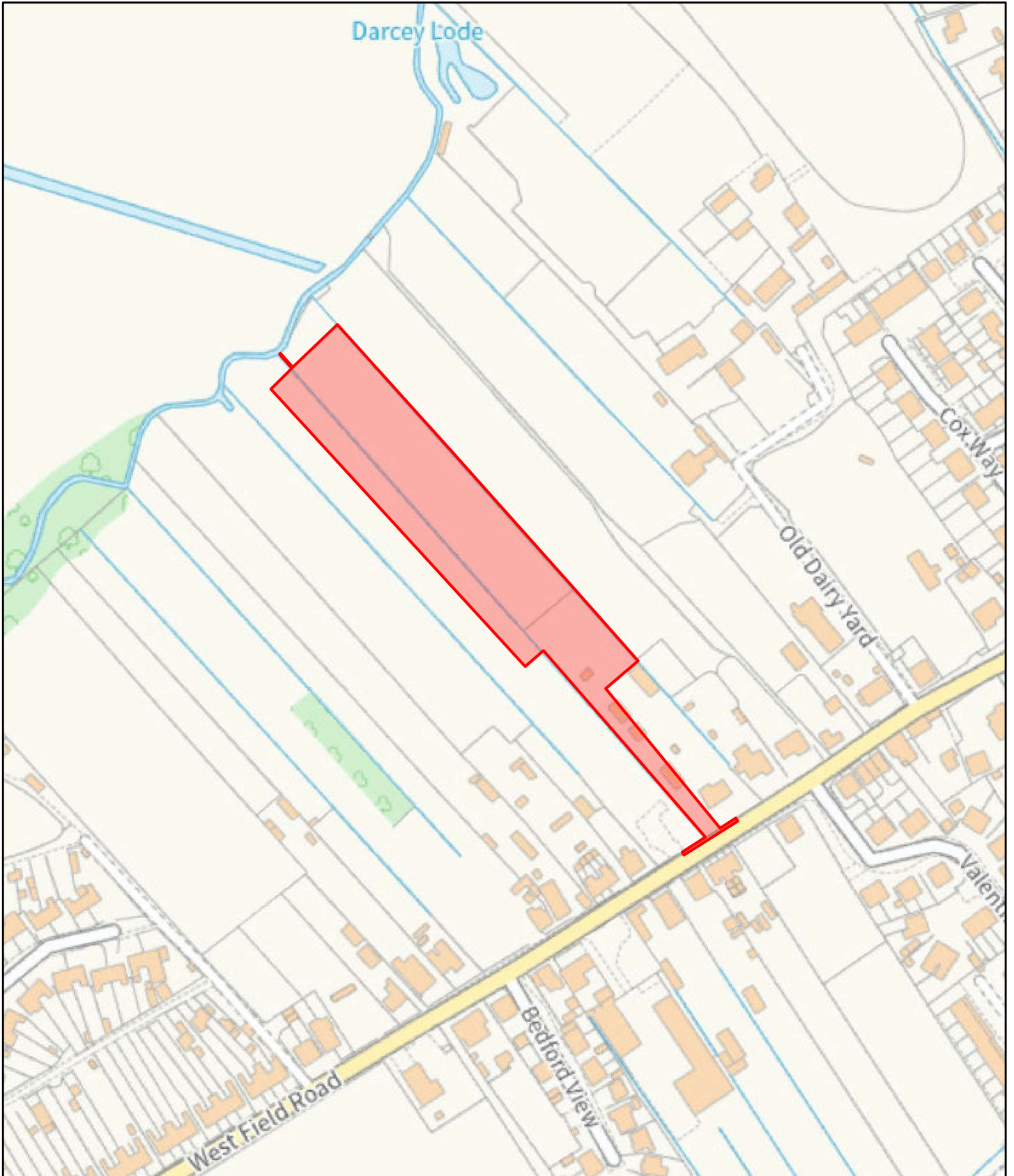
- 10.19 It is noted that the application site and adjoining land to the west which benefits from permission under the terms of application F/YR24/0633/F for Eight dwellings fall within the same ownership by Mr West. Policy LP5 (Part B) requires that where separate but clearly linked development schemes together deliver 5 or more dwellings, affordable housing provision must be applied cumulatively. If the first scheme alone did not trigger the affordable housing threshold, but a subsequent related scheme (brought forward while the first permission remains extant or within 5 years of its completion) increases the total to 5 or more dwellings, the affordable housing requirement will be applied retrospectively to cover both schemes.
- 10.20 The previously approved eight dwellings, together with the nine proposed through this application, create a cumulative total of seventeen dwellings that triggers the requirement for affordable housing and infrastructure contributions. The application is not supported by a legal agreement to secure the required affordable housing provision, and no viability evidence has been submitted to justify its omission. However, as this is a Permission in Principle application and such mechanisms cannot be secured at this stage, the Applicant will be advised that such evidence or mechanism to secure contributions will be required at the technical details stage. It is also pertinent to note that the Parish requests £2000 per dwelling for community projects, it is not appropriate to discuss the reasonableness of this at this stage of the process and this matter could be discussed further, with both parties, at the detailed design stage.

11 CONCLUSIONS

- 11.1 In conclusion, the proposed development for up to nine dwellings, on balance is acceptable in principle. Giving appropriate weight to similar schemes within the immediate vicinity of the site, the proposal is considered acceptable in terms of location, use and amount. While the amount of development reflects a relatively low density compared with some nearby schemes, it is consistent with permissions of a similar scale and sits comfortably within the local context.

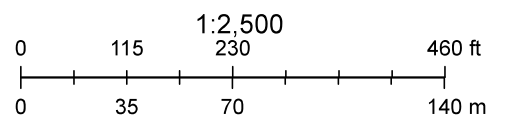
12 RECOMMENDATION

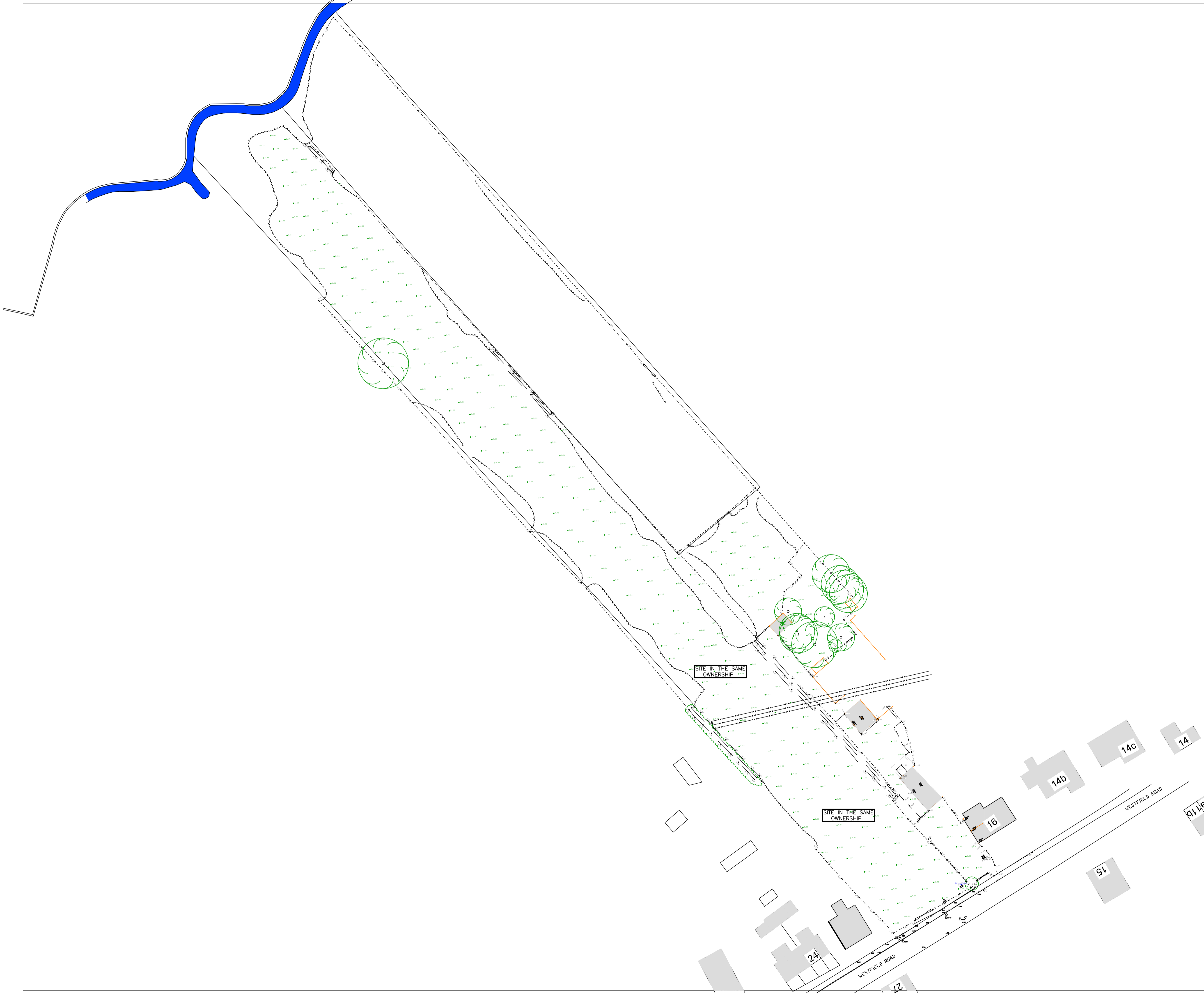
Grant; Permission in Principle



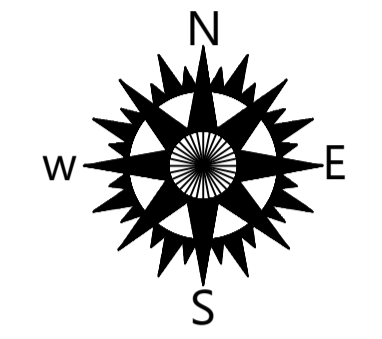
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 Fenland District Boundary

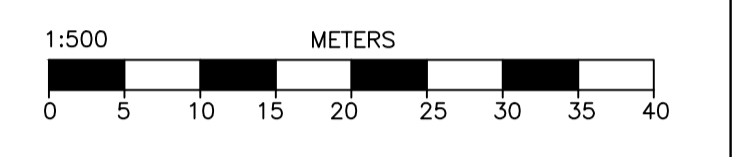




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 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details



TOPOGRAPHICAL SURVEY 1:500



REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED

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Fenland District Council
 Building Design Awards
 winner
 Building Excellence in Fenland

CLIENT
 J M Building Developments Ltd

PROJECT
 Proposed Development at 16/18 Westfield Road
 Manea
 Cambridgeshire PE15 0LN

TITLE
 Topographical Survey/
 Existing Site Plan

DRAWN MH	DATE OF ISSUE
CHECKED	
DATE October 2024	DRAWING NUMBER H9412/02
SCALE 1:500 AT A1	



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 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 IMBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.

LEGEND:

- EXISTING DWELLINGS
- PAVEMENT
- GRASS
- TARMAC
- GRAVEL
- SLAB PAVING
- WHEELIE BINS
- HEDGING
- VEGETATION
- MARSHALLS BRINDLE BLOCK PAVING
- MARSHALLS CHARCOAL BLOCK PAVING

8	INTERNAL ALTERATION	JULY 25
4	MISC COMMENTS	JUNE 25
	REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED
 CONSULTING STRUCTURAL ENGINEERS

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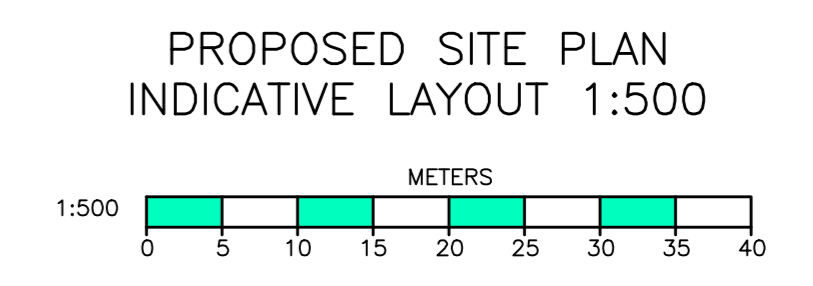
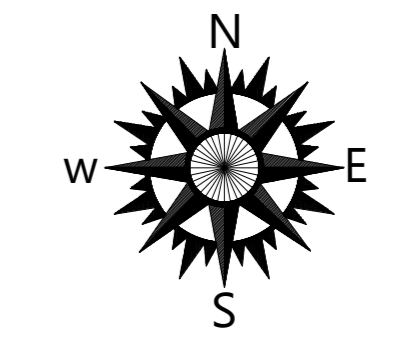
Fenland District Council
 Building Design Awards
 Building Excellence in Fenland

Client: JM Building Developments Ltd

Proposed Deelopment at
 16/18 Westfield Road
 Manea
 Cambridgeshire PE15 0LN

Proposed Site Plan
 INDICATIVE LAYOUT

Drawn: MH	Scale of Plot:
Date: October 2024	Project Number: H9412/04
Plot: AG AT 1:500	



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F/YR26/0004/PIP

Applicant: Mr M Joyce

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

Land Southwest Of Woodbury, Manea Road, Wimblington, Cambridgeshire

Permission in principle to erect up to 3 dwellings

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This application seeks Permission in Principle (PiP) for the development of up to three dwellings on land to the east of the A141, outside the developed footprint of Wimblington. The proposal follows the refusal of a previous application (F/YR24/0590/PIP) for seven dwellings and a withdrawn application (F/YR25/0251/PIP), reduced to three in this submission, in an attempt to address earlier concerns.
- 1.2 Under Policies LP3 and LP12 of the Fenland Local Plan, the site is considered to be in an 'Elsewhere' location, where new housing is only supported if it is demonstrably essential to a rural-based enterprise. No such justification has been provided. The development would therefore be in direct conflict with the settlement hierarchy and spatial strategy of the Local Plan.
- 1.3 While the number of proposed dwellings has been reduced, the site remains visually and physically detached from the main settlement and would result in the domestication of open countryside, with associated harm to rural character. The proposal would introduce residential use into a location affected by both noise from adjacent commercial uses and traffic on the A141, raising further concern about residential amenity.
- 1.4 Although the density of development proposed is low and could be accommodated physically on the site, this does not overcome the fundamental policy objections regarding location and use. Other technical details, including highway safety, would be addressed at the second stage (Technical Details Consent), though no objections have been raised by the highways authority at this stage.
- 1.5 Therefore, the proposed development fails to comply with the Local Plan's spatial strategy. The revised scheme does not overcome the reasons for refusal of the previous application, and the site's location remains unsuitable for residential development in principle.
- 1.6 Accordingly, this application is recommended for refusal.

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 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 The 'Permission in Principle' (PiP) application is for residential development of up to three dwellings. The current proposal is the first part of the permission in principle application, which only assesses the principle issues namely:
 - (1) location,
 - (2) use; and
 - (3) amount of development proposed,
- 3.2 This seeks to establish whether the site is suitable in principle. Should this application be successful, the applicant would have to submit a Technical Details application covering all other detailed material planning considerations. The approval of PiP alone does not constitute the grant of planning permission.
- 3.3 A location plan, existing site plan and indicative site layout (although not a requirement of a PiP application) accompany this submission. These indicate the removal of the existing buildings on the site and the provision of three detached dwellings with associated parking and landscaping together with the provision of an access road utilising the existing site access.
- 3.4 This application is a re-submission of a previously refused application F/YR24/0590/PIP, which was refused for the following reason:

'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.'

- 3.5 The amendments proposed as part of this scheme relate to the reduction in the number of units to be provided from 7 to 3 and an alteration to the red line boundary which now removes land from the northwestern corner and the host dwelling known as Woodbury and a parcel from the south, which is shown in blue on the Location Plan provided.

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/YR25/0251/PIP	Permission in Principle for 5 x dwellings	Withdrawn
F/YR24/0590/PIP	Permission in Principle for 7 x dwellings	Refused 1 November 2024
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 – 24th March 1995.

5 CONSULTATIONS

5.1 Wimblington Parish Council

Object due to highway concerns as a result of additional vehicular movements and potential access conflict with other commercial premises. Also concerns regarding pedestrian safety due to lack of footpath and countryside location. The Parish note the comments made in support of the application.

5.2 CCC Highways

The proposed development is acceptable, subject to additional details at the technical consent/future planning consent.

5.3 FDC Environmental Health

No objection. However, should permission be granted a robust noise assessment will be required at the Technical Details Stage

5.4 Local Residents/Interested Parties – 2nd Feb.

Eight letters of support have been received from residents of Breton Avenue, Wimblington Road (March), Norfolk Street, King Street, Greenwood Way, Manea Road, Eastwood End (Wimblington), Beech Avenue (Doddington) these are summarised below:

Supporting Comments	Officer Response
Will not create any additional highway impacts	Comments noted and discussed below.
Good addition to the local area	Comments noted and discussed below.
Retention of existing vegetation and screening is commendable	Comments noted and discussed below.
Site is more than adequate with an immediate link to the village (including school and village shop)	Comments noted and discussed below.
Certainly, a need for more local housing and this proposal is in line with the growth of the area	Comments noted and discussed below.
No impact on neighbours	Comments noted and discussed below.
A number of planning applications have been approved in the area.	Comments noted and discussed below.
The proposal will contribute positively to appearance of surrounding area.	Comments noted and discussed below.

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 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

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
of minerals

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

Context

Identity

Built Form

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

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

Wimblington and Stonea Neighbourhood Plan (Pre-Submission Draft October 2024)

Wimblington & Stonea Parish Council has carried out a pre-submission consultation on the draft plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The draft plan has not yet been submitted for examination. Given the very early stage which the draft plan is therefore at, it is

considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry very limited weight in decision making. Of relevance to this application are policies:

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

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 (58-012-20180615) as to whether the location, land use and amount of development proposed is acceptable. 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.
- 8.2 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.
- 8.3 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 by consultees may not be addressed at this time.

9 BACKGROUND

- 9.1. It is pertinent to note that this application is a re-submission of a previously refused application F/YR24/0590/PIP, which was presented to Planning Committee on 30th October 2024. The application was refused for the following reason:

'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'

- 9.2 The amendments proposed as part of this scheme relate to the reduction in the number of units to be provided from 7 to 3 and alterations to the red line boundary which now removes land from the northwestern corner and the host dwelling known as Woodbury alongside a parcel to the south.

10 ASSESSMENT

Location

- 10.1 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.
- 10.2 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.
- 10.3 Policy LP5 sets out the housing targets for the District and the Council has undertaken a full assessment of the Five Year Housing Land Supply in the District and has concluded that the Council is able to demonstrate a supply of specific deliverable sites sufficient to provide for more than Five Years' worth of housing against the Council's identified requirements. This is a material consideration and means that any application for new development must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.4 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.
- 10.5 It is noted that the services and facilities within the Village would be accessible by utilising the footpath, and that a number of local residents have supported the application on this basis. This is not considered sufficient to overcome the harm identified by providing three residential units, in what is considered a countryside location, whereby there is no demonstrable need.
- 10.6 Similarly, it is noted that the Agent and local residents have referred to other residential developments having been approved at Eastwood End, which is also east of the A141. Each application must be determined on its own merits. Notwithstanding this basic principle, it is considered that the sites are materially different in that the character of the area at Eastwood End features existing residential development and does not benefit from larger commercial uses. Furthermore, these sites are set back further within the main settlement, whereas the site the subject of this application is within open countryside, which represents the visual transition into countryside as travelling along the A141, whereby the eastern side of the road is relatively free from residential development, when travelling in a southerly direction towards Chatteris.

Land Use

- 10.7 The site is situated close to the edge of the settlement, however as stated above, it will be contrary to Policy LP12 and Policy LP16. The introduction of residential units and associated paraphernalia is considered to erode the character and appearance of the open countryside. It is therefore considered that the site is not acceptable to use for new dwellings.
- 10.8 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

- 10.9 The application seeks Permission in Principle for up to three dwellings on a site of 0.28ha which will equate to a density of approximately 11 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.

Other matters

- 10.10 It should be noted that a number of supporting letters have commented noting that the provision of three dwellings will not impact on highway safety or increase congestion. These comments are noted, and this does form a material consideration as part of this assessment, but as discussed above there are no concerns, in respect of highway matters to the amount of development proposed.
- 10.11 It is also noted that the Parish Council have raised concerns in terms of congestion and the associated Highways impact of the proposal, however, Cambridgeshire County Highways have raised no concerns at this stage, with any additional details being secured at the Technical Details or subject of a subsequent application. Further given that the proposal relates to three dwellings this quantum of development, is unlikely to result in sufficient harm, to justify the refusal of the application contrary to the Highway Authority's recommendation.
- 10.12 The LPA duty under Section 40 of the Natural Environment and Rural Communities Act 2006 as amended, has been considered. In other application types such as outline and full applications, an ecological survey and if necessary further species surveys would be needed up front to accompany the application. This application if successful, would not be granting planning permission. Ecological information should be submitted at the Technical Details stage (if this first stage were successful) and taken into account then, consulted upon and the decision, including potential refusal or conditions, should be based upon the findings of said ecological information. If this PiP were successful, it would not prevent proper consideration of ecological issues at the next stage and it would not alter duties of landowners/developers to comply with other legislation such as the Wildlife and Countryside Act in the meantime. The grant of permission in principle is not within the scope of biodiversity net gain (as it is not a grant of planning permission), but the subsequent technical details consent (as a grant of planning permission) would be subject to the biodiversity gain condition.

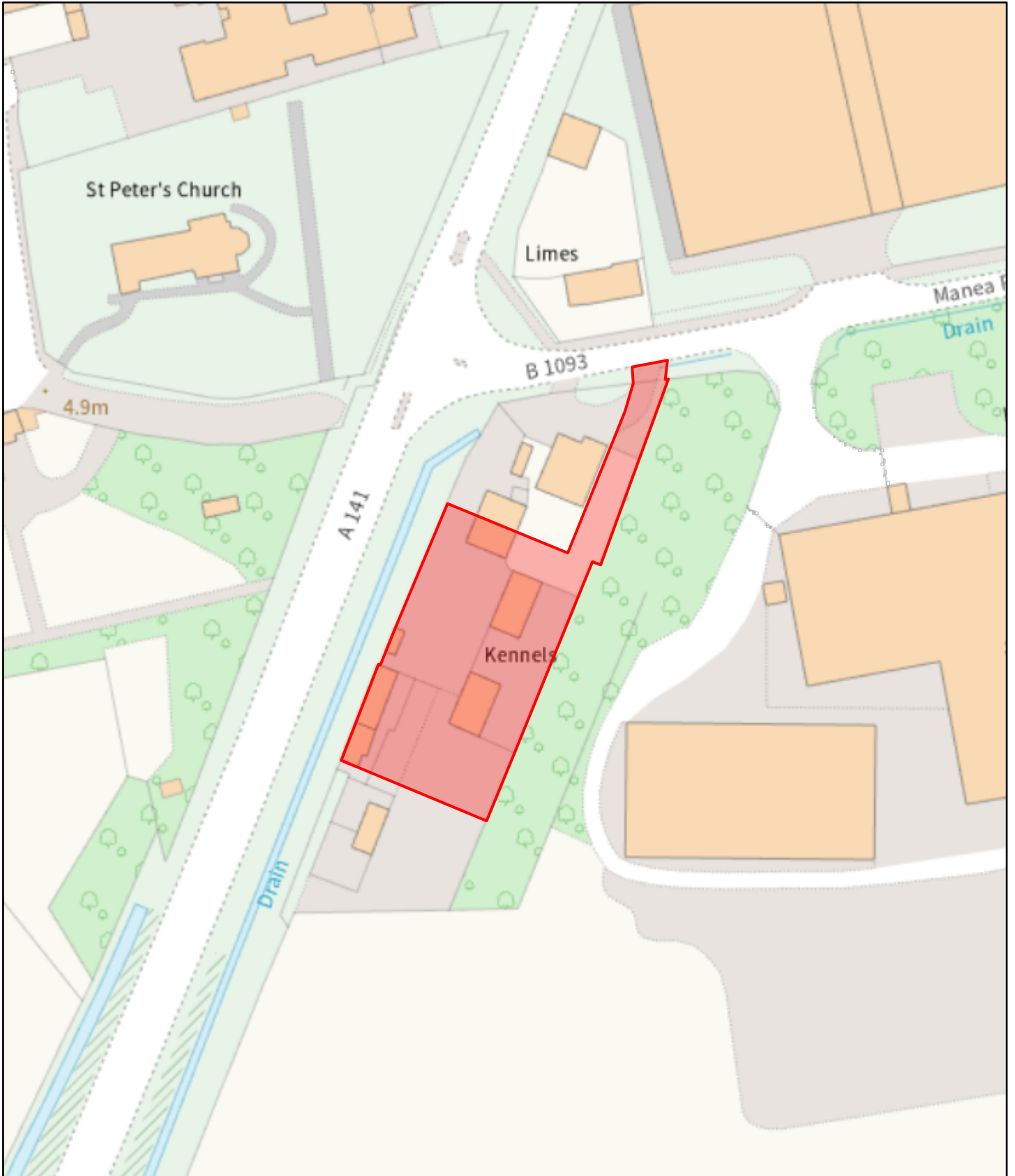
11 CONCLUSIONS

- 11.1 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. The amendments proposed to this scheme (reduction in the number of units to be provided) are not considered to overcome the harm identified previously and therefore, the application remains unacceptable in principle.

12 RECOMMENDATION

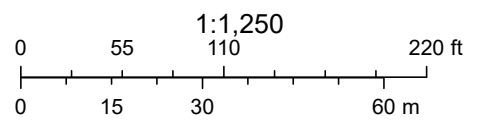
Refuse; Permission in Principle for the following reason:

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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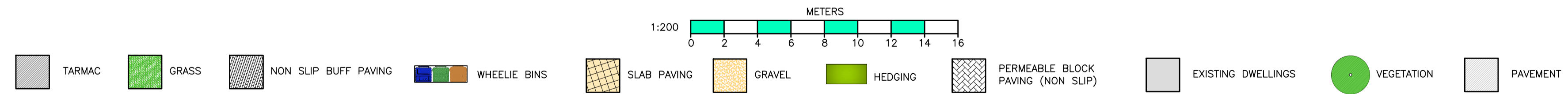
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 Fenland District Boundary





EXISTING SITE PLAN (1:500)



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 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

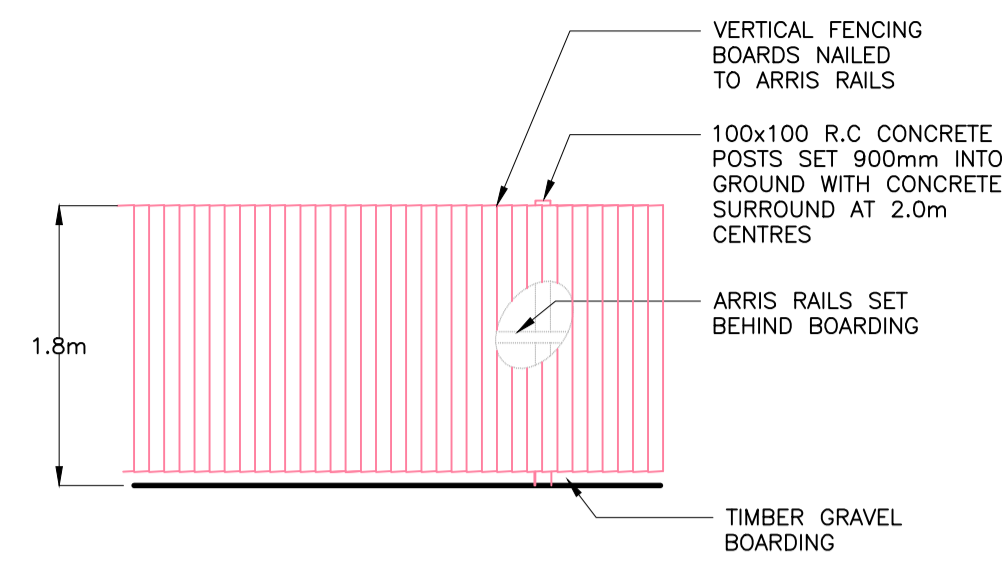
C	LAYOUT AMENDED	OCT 2025
B	LAYOUT AMENDED	JUN 2024
A	PLANNERS COMMENTS	OCT 2022
REVISIONS	COMMENTS	DATE

MORTON & HALL CONSULTING LIMITED
 CONSULTING STRUCTURAL ENGINEERS

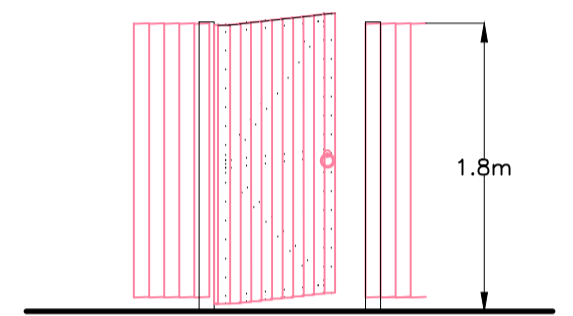
1 Gordon Avenue, March, Cambridgeshire, PE15 8AJ
 Tel: 01354 655454, Fax: 01354 660467, Email: info@mortonandhall.co.uk, Website: www.mortonconsultingengineers.co.uk

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

CLIENT	
Mr M Joyce	
PROJECT	
Woodbury, Manea Road, Wimblington, Cambs, PE15 0PA	
TITLE	
Existing Site Plan & Site Images	
DRAWN	DATE OF ISSUE
J.Scotcher	
CHECKED	
DATE	DRAWING NUMBER
Sep 2022	H7323_02c
SCALE	
As Shown	

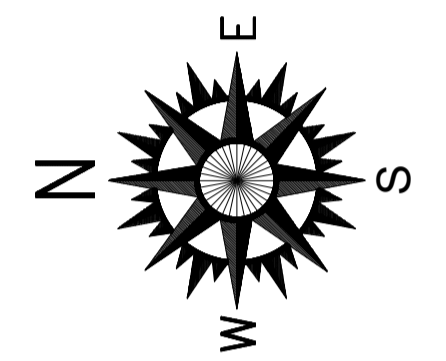
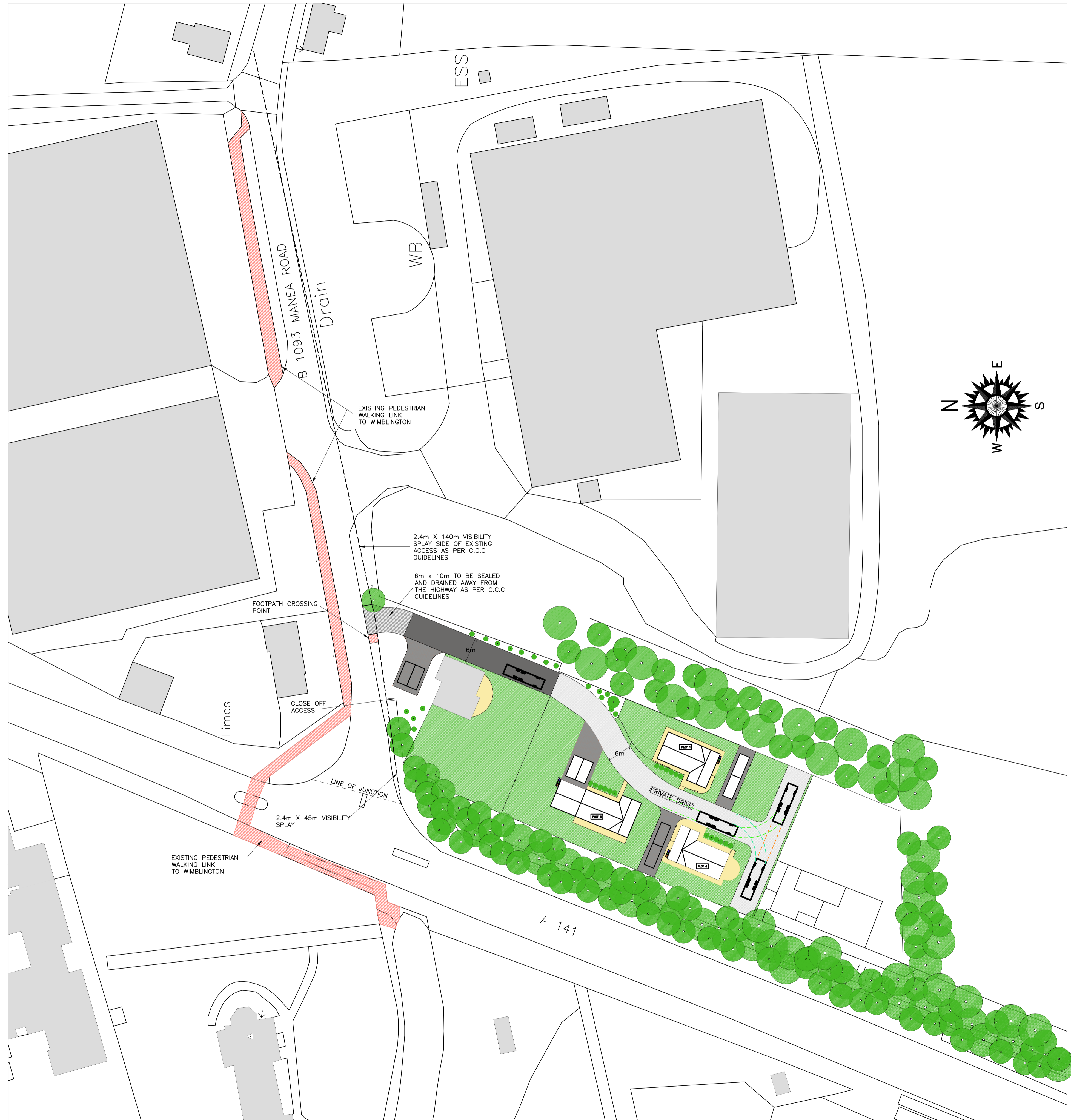


1.8m HIGH FENCE DETAIL (1:50)

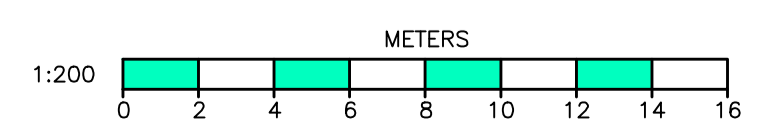


GATE DETAIL (1:50)

- TARMAC
- GRASS
- NON SLIP BUFF PAVING
- GRAVEL
- SLAB PAVING
- WHEELIE BINS
- PERMEABLE BLOCK PAVING (NON SLIP)
- EXISTING BUILDINGS
- HEDGING
- VEGETATION
- PAVEMENT
- INDICATIVE OF 1.8m HIGH FENCE



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

REVISIONS	DATE
F SCHEME REDUCED	OCT 2025
E SCHEME REDUCED	FEB 2025
D HIGHWAYS COMMENTS	AUG 2024
C LAYOUT AMENDED	JUN 2024
B LAYOUT AMENDED	SEPT 2023
A PLANNERS COMMENTS	OCT 2022

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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_03F
SCALE As Shown	

F/YR25/0907/F

**Applicant: Mr D Hoyles
G H Hoyles Ltd**

**Agent: Mrs Sharon Brown
Robert Doughty Consultancy Ltd**

Land North Of Sorrento, Fen Road, Newton-in-the-isle, Cambridgeshire

Change of use of agricultural land to dog exercise paddock, erection of a shelter and 1.8m high boundary fencing, and formation of a car parking area and access

Officer recommendation: Grant

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

1 EXECUTIVE SUMMARY

- | |
|--|
| <ol style="list-style-type: none">1.1. The application seeks permission for the change of use of agricultural land to a dog exercise area with associated parking, fencing and a modest field shelter at Fen Road, Newton-in-the-isle. As a form of outdoor recreation, the development is considered acceptable in principle within this 'Elsewhere' location under Fenland Local Plan Policy LP3.1.2. The proposal would result in the loss of Best and Most Versatile (BMV) agricultural land, which weighs against the development in line with the National Planning Policy Framework and Fenland Local Plan Policy LP12. However, the land appears unused and unmanaged, reducing the weight of harm that can be attributed in this case.1.3. The development would introduce fencing, a small field shelter and parking area into an open rural site. Due to their modest scale and limited visibility, and subject to landscaping, impacts on rural character are considered, on balance, acceptable in accordance with Fenland Local Plan Policy LP16.1.4. Separation distances to nearby dwellings, together with the nature of the use, mean significant noise or disturbance is unlikely. The proposal raises no objection from Environmental Health and accords with Fenland Local Plan Policy LP2 and Fenland Local Plan Policy LP16.1.5. The development would utilise an existing access onto Fen Road with appropriate parking and turning provision. The Highway Authority raises no objection, and the proposal complies with Fenland Local Plan Policy LP15.1.6. The site lies within Flood Zone 3, but the use is water-compatible and acceptable under Fenland Local Plan Policy LP14, and as such there are no matters to reconcile in respect of flood risk.1.7. No significant ecological harm has been identified, and biodiversity net gain |
|--|

will be secured by condition in accordance with Fenland Local Plan Policy LP19 and the Environment Act 2021.

- 1.8. Overall, the limited harms identified are outweighed by the acceptability of the outdoor recreational use, and the proposal is recommended for approval subject to conditions.

2 SITE DESCRIPTION

- 2.1. The application site comprises 1.55ha of agricultural land situated to the north of Fen Road, Newton-in-the-isle. The site is currently open land, bounded to the east and south by drainage ditches.
- 2.2. Fen Road is characterised to the east with a number of residential dwellings (set approximately 80m from the site) that lead into the built form of Newton-in-the-isle. Opposite the site, a residential dwelling known as Sorrento is affiliated with an agricultural commercial property, known as the Nursery; which includes a number of agricultural buildings and a hardstanding yard area. To the west development becomes significantly more sporadic, with open countryside and agricultural dwellings.
- 2.3. The site is located in Flood Zone 3.

3 PROPOSAL

- 3.1. The application seeks full planning permission for the change of use of the agricultural land to a dog exercise area. The scheme includes installation of permanent 1.8m high secure fencing, erection of a 4m x 3m field shelter, and formation of a car parking area, facilitated by the creation of an upgraded vehicular access.
- 3.2. Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

25/0014/PREAPP	Change of use of agricultural land to a dog exercise paddock, with car park, fencing and landscaping <i>Land North Of Sorrento Fen Road Newton-in-the-isle</i>	Favourable 13.05.2025
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5 CONSULTATIONS

5.1. Newton in the Isle Parish Council

The Parish Council's Planning Committee considered this application at their recent meeting.

Members were broadly in support of an enclosed dog exercise area in the village but expressed concern regarding the proposed location. They noted that the decision notice of application F/YR23/0403/F from the same applicant at a different location nearby stated that "Ferry Lane is considered

inadequate to serve the development proposed by reason of its restricted width and lack of passing places..." which can also be said of Fen Lane. Furthermore, the same notice stated "Policy LP12 states that proposals should not harm the wide open character of the countryside and in particular part (c) considers that development proposal should not have an adverse impact on the character and appearance of the surrounding countryside and farmland, and part (i) seeks to retain high quality agricultural land unless comprehensive evidence is provided to justify the loss. Fenland is generally characterised by low lying mostly flat landscape. This means when out in the countryside there are vast views across the Fen. Ferry Lane is typical of this and characterised by the open countryside with agricultural fields surrounding it, sporadic dwellings and occasional agricultural storage buildings. The proposed enclosure of a large area of current agricultural land enclosed by fencing, with a gravelled parking area and gates is not considered in keeping with open country landscape and the loss of existing agricultural land has not been justified and the proposal is therefore considered contrary to policy LP12 (c & i) of the Fenland Local Plan 2014." The same issues arise with the current proposal.

On balance, Members resolved not to support the application.

5.2. Cambridgeshire County Council Highways Authority Recommendation

Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, no significant adverse effect upon the public highway should result from this proposal, should it gain benefit of planning permission.

Comments

Whilst visibility splays have not been provided it appears that visibility splays for a derestricted road within the highway are possible.

Parking and turning space for customers will be provided to enable vehicles to exit the site in a forward gear.

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

Conditions

The proposed vehicular access shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway.

Reason: in the interests of highway safety.

Access Road Details: Prior to the commencement of the use hereby approved the access road shall be constructed to a minimum width of 5 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.

Gates: Prior to the commencement of the use hereby approved any gate or gates to the vehicular access shall be set back 5 metres from the near edge of the highway carriageway, hung to open inwards, and retained in perpetuity thereafter.

Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

5.3. Environment & Health Services (FDC)

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 that states the business operating hours shall be in accordance with those in the application: 06:00hrs - 22:00hrs Monday to Sunday and Bank Holidays

The content of the Planning, Design and Access Statement (Ref: 1622 2/DAS) is acknowledged and it would be prudent in the interests of amenity protection and should planning permission be granted, to impose a condition whereby the "Dog Park Noise Control and Complaints Management Plan - November 2025" within Appendix B must be adhered to.

I trust that the above confirms the stance of this service.

5.4. Environment Agency

Thank you for your consultation dated 08 December 2025. We have reviewed the documents as submitted and we have no objection to this planning application.

5.5. CCC (Lead Local Flood Authority)

Thank you for your consultation which we received on 8 December 2025. The increase in impermeable area is negligible and therefore the application does not have any surface water flood risk or drainage implications.

We have no further comments to make.

5.6. Anglian Water Services Ltd

We have no asset encroachment concerns and there are no foul proposals for the development.

Regarding surface water, from the details submitted to support the planning application within the Flood Risk Assessment REV 1 October 2025, the proposed method of surface water management does not relate to Anglian Water operated assets. As such, we are unable to provide comments on the suitability of the surface water management. [...]

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.

5.7. North Level Internal Drainage Board

My Board has no objections in principle to this development.

The Boards Blackdyke Drain runs along Fen Road. As in Drawing SP03 a 9-metre easement is shown. Therefore, the Boards byelaws apply. In particular Byelaw no.10, which states that "no person without the previous consent of the Board shall erect any building or structure whether temporary or permanent within 9 metres of the drain".

5.8. Arboricultural Officer (FDC)

I have no objections.

I would suggest that if space allows and it does not interfere with the usage of the site, that tree planting is considered where they can develop to offer shade and amenity.

5.9. Local Residents/Interested Parties

Objectors

The LPA received one letter of objection from a nearby residential property at Fen Road in respect of the proposed development:

Objecting Comments	Officer Response
Condition of the highway	Matters relating to highway safety are considered in the below assessment
Drainage	Flooding and Drainage are discussed in the below assessment
Ecology/Environmental Implications	BNG and Ecology implications are discussed in the below assessment
Amenity concerns – loss of view, concerns over antisocial behaving owing to a lack of welfare facilities, noise	The loss of view, and the inappropriate behaviour of users of the site owing to a lack of welfare facilities are not material planning considerations and as such is not considered below. However, where material, matters relating to residential amenity and environmental health are discussed in the below assessment

Supporters

One letter of support was received from a resident of Church Lane, Wisbech:

Supporting Comments	Officer Response
Beneficial addition to the village	Amenity impacts are discussed in the below assessment.

Limited highway impact	Matters relating to highway safety are considered in the below assessment
Minimal character or amenity impacts	Matters relating to design and character are discussed in the below assessment

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) 2024

- Chapter 2 - Achieving sustainable development
- Chapter 4 – Decision-making
- Chapter 6 – Building a strong, competitive economy
- Chapter 7 – Ensuring the vitality of town centres
- Chapter 8 – Promoting healthy and safe communities
- Chapter 9 – Promoting sustainable transport
- Chapter 11 – Making effective use of land
- Chapter 12 – Achieving well-designed places
- Chapter 14 – Meeting the challenge of climate change, flooding and coastal change
- Chapter 15 – Conserving and enhancing the natural environment

7.2. National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3. National Design Guide 2021

7.4. Fenland Local Plan 2014

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

7.5. Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

7.6. Delivering and Protecting High Quality Environments SPD 2014

7.7. Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- Principle of Development
- BMV Land
- Visual amenity
- Residential amenity and environmental health
- Highway safety
- Flood risk and drainage
- Ecology and Biodiversity Net Gain

9 BACKGROUND

- 9.1. This application was preceded in May 2025 by a Pre-Application enquiry seeking advice regarding the proposed development, described as the “Change of use of agricultural land to a dog exercise paddock, with car park, fencing and landscaping”. Officers considered that providing the scheme would comply with the necessary policies of the Fenland Local Plan, and where no statutory objections were received that could not be overcome, the proposal may be considered favourably.

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. The application site is located on the edge of Newton-in-the-isle and relates more to the open countryside than the built-up area of the settlement. and as such is considered to fall within an ‘Elsewhere’ location, as set out within the Settlement Hierarchy in Policy LP3. Policy LP3 supports proposals where development will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. It is considered that the proposed development will likely comply with Policy LP3 by way of outdoor recreation.
- 10.3. The principle of the development is therefore considered acceptable subject to the policy considerations set out below.

BMV Land

- 10.4. The National Planning Policy Framework (NPPF) states in paragraph 174 that planning policies and decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile (BMV) agricultural land. Policy LP12 states that proposals should not harm the wide-open character of the countryside and in part (i) seeks to retain high quality agricultural land unless comprehensive evidence

is provided to justify the loss.

- 10.5. National and local planning policies and guidance indicate that consideration should be given to loss of BMV land; however, they do not prohibit loss of BMV land. The appropriateness of utilising BMV land is a matter of planning judgement on a case-by-case basis.
- 10.6. Natural England's East Region Agricultural Land Classification Map classifies the application site as Grade 1 (Excellent) agricultural land, and thus it is accepted that the entirety of the application site comprises BMV land and the proposed development would result in loss of this land being available for arable production for the lifetime of the development, which would weigh negatively against the scheme. Notwithstanding, it is noted that the proposed use of the land as a dog park would not necessarily constitute a permanent loss of the land; there is scope for the land to be brought back into production in the future should the proposed fencing and timber field shelter be removed, and as such the level of weight that can be attributed to a 'permanent' loss of BMV land in this case should be reduced.
- 10.7. The application site does not appear to have been actively farmed for some time, with the site characterised by unmaintained modified grassland and scrub, as noted during a recent site inspection.
- 10.8. Thus, whilst it is accepted that the application will see some loss of BMV land for the proposed change of use to a dog exercise area, which weighs negatively towards the scheme, this loss cannot be considered as a permanent, irreversible loss, by virtue that the land could be brought back into production should the use of the land as a dog park cease. In addition, the lack of apparent evidence of recent active farming on the land further reduces the level of weight that can be given to this matter. As such, it is considered that the loss of BMV land must be given only limited negative weight in this case.

Visual amenity

- 10.9. Policy LP12 sets out that proposals for development in 'Elsewhere' locations, will be supported where the application does not cause demonstrable harm to the open countryside. Furthermore, Policy LP16 requires proposals for new development 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, reinforce local identity and not adversely impacts, either in design or scale terms, on the street scene, settlement pattern or landscape character of the surrounding area. In addition, LP16 requires proposals to provide well designed hard and soft landscaping.
- 10.10. In terms of buildings on the site, the proposed dog exercise area will include the erection on an enclosed timber field shelter set approximately 125m into the site on the eastern boundary. The 4m x 3m shelter will include a pitched roof, reaching approximately 1.9m to the eaves and 2.4m to the maximum ridge. The shelter is intended to be set well into the site which will result in negligible impact to the character of the area, particularly given that it is modest in scale and will not appear incongruous within the countryside

setting.

- 10.11. The scheme will also include erection of new 1.8m timber post and wire mesh fence to bound the site. The parking area will be enclosed by similar fencing with gates providing access to ensure dogs are safely enclosed from moving vehicles or other visitors on entry/exit. It is inevitable there would be some appearance of enclosure to bound the currently open land with fencing, however given its permeable appearance will not unduly restrict long range views across the landscape. As such, it is considered that the overall visual impact of the newly installed fence will be limited within the existing streetscene and have only minor impacts on character.
- 10.12. The most impactful change will be from the creation of the car park area to the front of the site, as this will result in an element of hard landscaping not currently present. However, given the overall scale of the parking area relative to the remaining exercise area, it is considered that whilst it will be apparent within the streetscene, the parking area will not result in a significant urbanisation of the area generally, particularly in the context of the nearby residential and commercial development. As such, it is considered that the creation of the car park area will only result in limited impact to character, not significant enough to warrant refusal of the scheme.
- 10.13. No substantive landscaping details were included within the current application, and it is noted that the submitted site plan considers the inclusion of modified grassland to bound the access and eastern and northern boundaries of the site. Whilst this is considered acceptable in principle, in the context of the wider landscape, details of the intended landscaping should be secured by condition, to ensure native planting is used and to ensure, where applicable, appropriate screening of the scheme.
- 10.14. Accordingly, the proposal is considered acceptable, on balance, with respect to Policies LP12 and LP16 of the Fenland Local Plan in terms of visual impact.

Residential amenity and environmental health

- 10.15. Policy LP2 seeks to promote high levels of residential amenity and Policy LP16 seeks to ensure development causes no undue harm to neighbouring amenity, particularly with respect to noise, light pollution, loss of privacy and loss of light. In addition, Policy LP16 seeks to ensure risks from noise, pollution, odour and waste are appropriately managed and mitigated where necessary.
- 10.16. The nearest residential properties to the site include 'Stepping Stones', located approximately 68m east, and 'Sorrento', set approximately 83m southwest, of the access for the proposed site. A number of additional dwellings are positioned to the east of the site, as part of the built form of Newton, along with more sporadic residential development to the west and south.
- 10.17. The use of the site as a dog exercise area may increase noise in respect of vehicle movements and/or dog barking. However, it is considered that the impact of disturbance will likely be limited.

- 10.18. The submitted application form and planning statement includes proposed opening hours of 7am to 10pm 7-days a week including Bank Holidays, which is acceptable in respect of the proximity to residential dwellings and can be secured by condition.
- 10.19. Although no lighting is expressly indicated to be erected within the current scheme, with the scheme proposed to be open during daylight hours only, any light overspill from any intended illumination can be limited through the use of conditions requiring a lighting scheme to be submitted for approval prior to (and in case of) the erection of any lighting, if intended in the future.
- 10.20. In addition, it should be noted that upon consultation with Environmental Health no amenity concerns have been raised from the intended change of use in respect of noise or any other environmental health concerns such as odour or waste. Notwithstanding, it should be noted that any grant of planning consent does not indemnify against statutory nuisance action being taken under the Environmental Protection Act 1990 in the event that the Environmental Health Team receive substantiated environmental health complaints with respect to this development.
- 10.21. Furthermore, details from the applicant regarding their intended management of the site with respect to bookings have been submitted and are considered acceptable.
- 10.22. It is noted from the submitted planning statement that "*Clients will be required to clean up after their dogs and deposit any waste in bins provided on site which will then be emptied by the management team*". However, specific details of waste management were not expressly included within the application. Accordingly, it is pertinent, to safeguard amenity, that a robust waste management strategy is secured by condition prior to the first use of the development.
- 10.23. Therefore, the proposal is considered acceptable in respect of Policies LP2 and LP16, subject to appropriate conditions.

Highway Safety

- 10.24. Policy LP15 of the Fenland Local Plan 2014 seeks to ensure safe and convenient access for all within the district.
- 10.25. The development proposes an upgraded access off Fen Road into the site leading to a gravel car parking/turning area for seven vehicles.
- 10.26. There are no specified standards within Policy LP15 in respect of parking provision requirements for developments such as this. Notwithstanding, given the submitted planning statement emphasises a maximum of 6 dogs per booking, this will allow for an assumed maximum of 6 vehicles at any one time. Thus, the proposed parking/turning area is considered acceptable, allowing for 7 vehicles at once. In respect of the likely numbers at any one time however, the submitted planning statement highlights that this scenario is infrequent, on the basis of experience with other similar schemes managed by the applicant elsewhere. Most often, it is considered that the

site will mostly be attended by a maximum of two vehicles, with some overlap.

- 10.27. The Highway Authority have reviewed the current application proposals and confirmed they had no concerns regarding visibility or geometry of the access or parking and raised no objection to the scheme, subject to conditions. Noting that the proposal will be unlikely to result in unacceptable impacts to the public highway. Accordingly, it is considered the scheme complies with Policy LP15.

Flood Risk and Drainage

- 10.28. Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework set out the policy approach towards development in areas of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding.
- 10.29. The application site lies within Flood Zone 3. Considering guidance within paragraph 4.4.2(ii) of the Cambridgeshire Flood and Water SPD, as the proposal is for change of use, a sequential test and exception test are not required in this case. Furthermore, the Flood Risk Vulnerability Classification in Table 4.2 of the Cambridgeshire Flood and Water SPD set out that areas of outdoor recreation are classified as “Water Compatible”, with Table 4.3 stating that such uses may be appropriate in Flood Zone 3.
- 10.30. The application was supported by a Flood Risk Assessment and Drainage Strategy, concluding that surface water discharge will mimic the existing pre-development regime, and the proposal will not result in an increase of flood risk to others.
- 10.31. Statutory consultations were undertaken with the EA, LLFA, Anglian Water and North Level IDB, resulting in no objections from any on flood risk or drainage grounds.
- 10.32. Representations were received noting that Fen Road struggles with standing water during rainfall events. The scheme proposes no alterations to the public highway, save for upgrading the existing access where it meets the highway, which has been considered by the Highway Authority and is acceptable subject to conditions as discussed above. No concerns were raised by the Highway Authority with respect to drainage of the site and/or access, nor in respect of the suitability of Fen Road to serve the site. Furthermore, drainage proposals for within the site have been considered acceptable by the necessary statutory consultees, noting that the proposals will not result in unacceptable levels of run-off. As such, whilst drainage concerns are noted, the scheme is considered to be acceptable with regard to drainage and will not exacerbate any localised surface water flooding concerns and thus refusal of the scheme on these grounds is unreasonable.
- 10.33. Consequently, in light of the fact that the change of use will not result in any additional flood risk than what is existing on site, it is considered reasonable to determine that the proposal is acceptable in terms of flood risk and there are no issues to address in respect of Policy LP14, subject to conditions.

Ecology and Biodiversity Net Gain (BNG)

- 10.34. The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.35. The application was supported by appropriate ecological assessment, noting that the risk of harm from the proposed development to protected species or habitat is negligible.
- 10.36. Notwithstanding, a Biodiversity Gain Condition is required to be approved before development is begun, to secure an appropriate BNG scheme and a Habitat Management and Monitoring Plan to ensure the site is appropriately managed to achieve Biodiversity Net Gain in perpetuity and ensure the scheme complies with Policies LP16, LP19 and the Environment Act 2021.

Parish Council Comments

- 10.37. The Parish Council comments received directly compared the current application to a previously refused application at Ferry Farm for a similar development (F/YR23/0403/F), noting the similarity of the schemes on the grounds of the loss of agricultural land, character impact and highway safety. In respect of the matters raised, Officers would respond as follows:

Loss of agricultural land

- 10.38. At the time of consideration of F/YR23/0403/F, the Ferry Farm site was observed to be in active agricultural use. Contrastingly, on recent inspection, it appears that the current application site at Fen Road is not in active agricultural production. Accordingly, whilst the classification of the land and the general proposal is the same in both cases, there was clear evidence of active agricultural use at the Ferry Lane site, which is not apparent at the current application site. Thus, the weight that can be attributed with regard to the loss of agricultural land is significantly reduced in this case, as discussed above.

Character impact

- 10.39. The Ferry Lane proposal included similar 1.8m wire mesh fencing to create the intended dog exercise field. However, the geometry of the Ferry Lane proposal was such that it encompassed a significantly wide area relative to the roadside by which the intended enclosure of the site would appear more prominent and incongruous within the open landscape.
- 10.40. However, as discussed above, whilst it is accepted that there will be some visual impact from enclosure of the current site, the geometry of the application site (longer than it is wide) will result in a comparatively less impactful fenceline when viewed from the highway, with the eastern and westerly fencing stretching away from the highway; Thus the overall visual impact of the fencing will appear less prominent the further you look from the highway, by virtue of natural perspective relative to the site geometry.

10.41. Accordingly, it is considered that the overall visual impact of the current application site, when compared to the Ferry Lane site, will be significantly less prominent and the negative impact on the countryside character will not result in harm significant enough to warrant refusal of the scheme in this case.

Highway Safety

10.42. Parish Council comments regarding the unsuitability of Fen Road for access to the site were received. Whilst some comparisons can be drawn, the most notable contrast is that the Ferry Lane application was recommended for refusal by the Highway Authority on the basis of unresolved matters such as inappropriate parking, turning, visibility and restricted widths, noting that Ferry Lane is an unclassified single-track no through road; which is not the case with current the application. As considered above, no objections have been received in respect of the current application from Highways, and as such there is no justification for refusal on highway safety grounds in this case.

10.43. Thus, whilst the Parish council concerns are noted, each application must be considered on its own merits. Given the above, it is considered that the contrasting circumstances between the Ferry Lane site and the current application site are such that they cannot be directly compared for the reasons detailed above.

11 PLANNING BALANCE and CONCLUSIONS

11.1. The proposed development seeks planning permission for the change of use of land to a dog exercise area with associated parking, fencing and a modest field shelter. The site is located within an 'Elsewhere' location in the settlement hierarchy defined by Fenland Local Plan Policy LP3, where development is generally restricted to that which is demonstrably essential to rural uses such as agriculture, outdoor recreation or similar activities. The proposal represents a form of outdoor recreation and is therefore considered to accord with the broad principle of development within this location.

11.2. The development would result in the loss of land classified as Best and Most Versatile agricultural land. This matter weighs negatively against the proposal in accordance with the guidance contained within the National Planning Policy Framework and Fenland Local Plan Policy LP12. However, it is noted that the site does not appear to have been actively farmed for some time and is currently characterised by unmanaged grassland and scrub. As such, while the loss of BMV land is acknowledged, the weight attributed to this harm is reduced in the planning balance.

11.3. In terms of landscape and visual impact, the proposed development would introduce fencing, a small field shelter and a parking area into a currently open parcel of land. Whilst these elements would alter the appearance of the site to some degree, the scale and design of the proposed structures are modest and are considered unlikely to result in significant harm to the wider rural character. The geometry of the site also limits the prominence of the fencing when viewed from the highway. Subject to appropriate landscaping

secured by condition, the development is considered to comply with the design and character objectives of Fenland Local Plan Policy LP16.

- 11.4. With regard to residential amenity, the separation distances to the nearest dwellings and the nature of the proposed use are such that unacceptable impacts from noise, disturbance, light or general activity are unlikely to arise. Environmental Health have raised no objection, and the use can be appropriately controlled through conditions relating to hours of operation, lighting and waste management. As such, the proposal is considered consistent with the amenity requirements of Fenland Local Plan Policy LP2 and Policy LP16.
- 11.5. The proposal would utilise an existing access onto Fen Road, with improvements proposed and a parking/turning area capable of accommodating the anticipated level of use. The Highway Authority has raised no objection subject to conditions, and the development is not expected to result in unacceptable impacts on highway safety or the operation of the local road network, in accordance with Fenland Local Plan Policy LP15.
- 11.6. The site lies within Flood Zone 3; however, the proposed use is classified as water-compatible development. Supporting flood risk information confirms that the development will not increase flood risk on or off the site, and no objections have been received from relevant statutory consultees. The proposal is therefore considered acceptable in respect of flood risk and drainage in accordance with Fenland Local Plan Policy LP14.
- 11.7. Ecological matters have been appropriately assessed, and the proposal is considered unlikely to result in harm to protected species or habitats. The development will be subject to a biodiversity net gain condition, ensuring that ecological enhancements and long-term habitat management are secured in accordance with Fenland Local Plan Policy LP19 and the Environment Act 2021.
- 11.8. Overall, whilst the proposal would result in the loss of Best and Most Versatile agricultural land and introduce limited built form and enclosure into the countryside, these impacts are considered to be relatively minor and are outweighed by the acceptability of the outdoor recreational use, the limited visual impact, the absence of significant amenity or highway concerns, and the ability to secure biodiversity enhancements.
- 11.9. Accordingly, having regard to the development plan as a whole and all other material considerations, the proposal is considered to represent sustainable development and is recommended for approval, subject to the imposition of appropriate planning conditions.

12 RECOMMENDATION

Grant, subject to the following conditions;

Conditions

1	<p>Start Date The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>Access construction Prior to the commencement of the use hereby approved, the access shall be constructed using a bound material, for the first 5 metres from the boundary of the public highway into the site, to prevent debris spreading onto the public highway and thereafter maintained in perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
3	<p>Access geometry Prior to the commencement of the use hereby approved, the access shall be constructed a minimum width of 5 metres for a minimum distance of 10 metres measured from the near edge of the highway carriageway and thereafter maintained in perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
4	<p>Access drainage Prior to the commencement of the use hereby approved, 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.</p> <p>Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan 2014.</p>
5	<p>Gates Prior to the commencement of the use hereby approved, any gate or gates installed shall be set back a minimum of 5 metres from the near edge of the highway carriageway, hung to open inwards, and retained in perpetuity thereafter.</p> <p>Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan 2014.</p>
6	<p>Parking/Turning Prior to the commencement of the use hereby approved, the on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in</p>

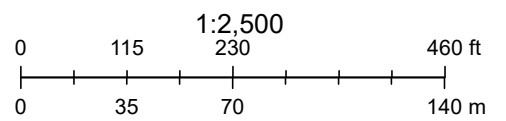
	<p>perpetuity.</p> <p>Reason: In the interests of highway safety and in accordance with Policy LP15 of the Fenland Local Plan 2014.</p>
7	<p>Drainage</p> <p>Prior to the commencement of the use hereby approved, the surface water drainage scheme shall be constructed and maintained thereafter in full accordance with the Flood Risk Assessment, RM Associates, October 2025 (Version 1).</p> <p>Reason: To ensure surface water is managed appropriately so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself in accordance with the NPPF and Policy LP14 of the Fenland Local Plan (2014).</p>
8	<p>Operating Hours</p> <p>The dog exercise area hereby approved shall only be used between the hours of 07:00 to 22:00 Monday to Sunday, inclusive of Bank Holidays.</p> <p>Reason: In the interest of residential amenity in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
9	<p>Site Management</p> <p>The management of the site will be in strict accordance with the details as set out within the “Dog Park Noise Control and Complaints Management Plan, November 2025” as set out within Appendix B of the approved Planning, Design and Access Statement (Ref: 1622 2/DAS).</p> <p>Reason: In the interest of residential amenity in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
10	<p>External Lighting</p> <p>No external lighting shall be erected on the site without the submission of full details to, and written approval of the Local Planning Authority. Any security/floodlighting shall be installed and retained strictly in accordance with the approved details.</p> <p>Reason: To safeguard amenities of adjoining occupiers as per Policy LP16 of the Fenland Local Plan 2014.</p>
11	<p>Waste management</p> <p>Prior to the commencement of the use hereby approved, a waste management strategy shall be submitted to and approved in writing by the Local Planning Authority. The waste management shall accord with the agreed details and thereafter be retained in perpetuity, unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of waste management in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>

12	<p>Landscaping</p> <p>No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority, the scheme should include, as a minimum:</p> <ul style="list-style-type: none"> a) hard surfacing, other hard landscape features and materials b) existing trees, hedges or other soft features to be retained c) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife, including specifications of species, sizes, planting centres number and percentage mix d) landscaping management and maintenance details. <p>The approved landscaping scheme shall be carried out within the first available planting season following completion of the development or prior to first use (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.</p> <p>Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014, adopted May 2014.</p>
13	<p>BNG</p> <p>The development shall not commence until a Biodiversity Gain plan is submitted to and approved in writing by the Local Planning Authority;</p> <p>The Biodiversity Gain plan shall deliver a minimum of 10% biodiversity net gain and will include as a minimum, where applicable:</p> <ul style="list-style-type: none"> a) Details regarding how the biodiversity gain hierarchy has been applied; b) Details regarding proposed on-site biodiversity enhancements; and/or; c) Details regarding proposed off-site biodiversity gains; and d) A completed pre and post development biodiversity metric calculation; and e) A Habitat management and monitoring plan for both on and off-site improvements. <p>The approved plan will be implemented within 1 year of the approval and so maintained for at least 30 years after the development is completed.</p> <p>Reason: To ensure compliance with Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021).</p>
14	<p>Approved Plans</p>



12/8/2025, 3:50:46 PM

 Fenland District Boundary





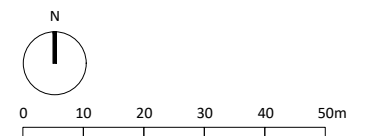
Notes

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Dimensions
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CDM 2015
 This drawing is for illustrative purposes and/or obtaining the relevant planning permission only. It should not be used for construction and accordingly, risk identification under the Construction (Design & Management) Regulations 2015 has not been undertaken.



Rev	By	Description	Date
-	-	-	-

Current revision checked by: -

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 Email: admin@rdc-landplan.co.uk
 Web: www.rdc-landplan.co.uk

Client
 GH Hoyles Ltd

Project
 Dog exercise paddock
 Newton in the Isle

Drawing
 Proposed Site Plan

Scale @ A3 1: 1250	Date 07/10/25
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Drawn By WW	Checked By -
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Job Number 1622-2	Status FP	Purpose of Issue Planning
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Drawing No. 1622-2_FP_SP102	Rev -
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Post development BNG figures

Habitat type	Area (m2)
Red line area	15,255
(1) Developed land, sealed surface	85
(2) Modified grass	82
(3) Artificial unvegetated, unsealed surface	216
(4) Artificial unvegetated, unsealed surface	156
(5) Modified grass	480
(6) Modified grass	12,652
(7) Modified grass	58
(8) Modified grass	1,514
(9) Building	12
Total	15,255

Dashed line denotes extent of Local Nature Recovery Strategy Habitat falling within the application red line (south of dashed line)

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F/YR25/0925/F

**Applicant: Mr D Burgess
Fern Homes**

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

Gaultree Farm, High Road, Guyhirn, Wisbech Cambridgeshire PE13 4EA

Erect 4 x dwellings and the formation of an access involving the demolition of existing dwelling and outbuildings

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. The proposal seeks full planning permission to erect four dwellings in Guyhirn and is considered acceptable in principle as infill development under Policy LP3.
- 1.2. The proposal would provide substandard living conditions for future occupiers, with dwellings providing insufficient private amenity space, contrary to Policies LP2 and LP16.
- 1.3. There is an unresolved objection from the Environment Agency due to insufficient flood risk information, and it has not been demonstrated that the development would be safe over its lifetime, contrary to Policy LP14.
- 1.4. The scheme is acceptable in terms of design and character, highway safety and parking, and ecological impacts can be addressed through conditions.
- 1.5. Overall, the identified harms significantly outweigh the benefits, and the proposal is contrary to the development plan; refusal is therefore recommended.

2 SITE DESCRIPTION

- 2.1. The application site is located on the west side of High Road in Guyhirn. The 0.14ha site includes an existing dwelling known as Gaultree Farm, along with outbuildings, and an area of undeveloped scrubland/ paddock land bounded by mature vegetation. The existing dwelling is separated from the adjacent development to the south by 1.8m close boarded timber fencing. Residential development is situated to the north and south of the site, with the immediate dwellings known as Gaultree Cottage and River Rise house, respectively. To the east, on the opposite side of High Road from the site, is the River Nene, bounded by the existing tidal defences embankment.

- 2.2. The site falls within Flood Zone 1, save for the fringe of the site to the northwest (rear) that falls within Flood Zone 3.

3 PROPOSAL

- 3.1. The application proposes the erection of four dwellings and the formation of a new access, involving the demolition of existing dwelling and outbuildings at the site.
- 3.2. The development proposal comprises 4no. 3-storey, detached dwellings (plots 1 – 4) set in a linear arrangement fronting the highway. Parking for 4 vehicles is proposed either side of the site frontage, with additional parking for a further eight vehicles, with a turning head are set to the rear of the site, accessed via a central shared driveway leading from High Road.
- 3.3. The dwellings are proposed to be constructed of Vandersanden Flemish Antique brickwork with Marley Modern Smooth Grey roof tile. Each dwelling will include its own private amenity area.
- 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

F/YR24/0276/F	Erect 7 x dwellings (4 x 3-storey 4-bed and 3 x 2-storey 3-bed) and the formation of a new access, involving the demolition of existing dwelling and outbuildings	Refused 22.10.2024
F/YR09/0375/O	Erection of a dwelling involving demolition of existing outbuildings	Grant 21.07.2009

5 CONSULTATIONS

5.1. Wisbech St Mary Parish Council

Approval. Councillors felt this proposal was much more suitable and noted better parking and design.

5.2. Environment & Health Services (FDC)

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

- Noise
- Air pollution
- Contaminated land
- Artificial light

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

5.3. Cambridgeshire County Council Highways Authority

Recommendation

On behalf of the Local Highway Authority, I raise no objections to the proposed development.

Comments

The development benefits from an existing dropped kerb with the highway. There is good visibility in either direction of the proposed access. The applicant has included what appears to be an adequate turning facility within the site so vehicle can enter the highway in a forward gear. However, the dimensions / size of the vehicle shown (presumed standard FDC refuse vehicle) is not shown. Therefore, I would recommend that the planning authority are satisfied that this facility is adequate for FDC refuse vehicles prior to the determination of this application.

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

Conditions and Informatives to any consent granted

Parking/Turning Area: Prior to the first occupation of the development the proposed onsite parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part 1, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).

Informatives

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

5.4. **Natural England** **NO OBJECTION**

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.

5.5. **FDC Ecology**

Impact on designated sites

The application site is within 500m of the Nene Washes SPA, SAC, SSSI and Ramsar nationally designated sites. However, given the size, scale and type of development planned I would not consider that the proposals will have any effects on the integrity of these nationally designated sites.

Impact on notable habitats

I would accept that the proposals will not affect any priority or notable habitats.

Impact on protected and notable species

I would accept that the development will not affect any specially protected or

notable species.

Biodiversity Net Gain

The development will result in a loss in Biodiversity, contrary to the statutory requirement for the development to achieve an overall gain in Biodiversity of at least 10%. Off-site habitat creation and/or enhancement will need to be provided in order to meet the BNG requirement. I would advise:

- That a Biodiversity Gain Plan (BGP) will be required to be provided pre-commencement by the statutory Biodiversity Gain Condition which will apply to any permission which may be granted to the proposals,
- That the BGP should include full details of how and where the off-site habitat gains will be provided.

General Biodiversity Enhancements

In addition to the BNG requirement, the development could benefit from other enhancements for biodiversity, including the installation of bird nesting and bat roosting boxes on the site, post-completion.

I would advise that a biodiversity enhancement plan should be required to be provided by Condition. The landscaping and biodiversity enhancement details to be submitted should include:

- a) Details of boundary fencing, noting that all new garden fencing should be designed to allow hedgehogs to be able to pass through the fencing.
- b) Details of bird and bat boxes to be installed on the site (including elevation drawings)
- c) Details of a landscaping scheme for the site, including planting plans, species to be introduced and planting densities.

The approved landscape and biodiversity enhancement schemes shall be maintained thereafter in perpetuity.

Reason: Policies LP16 & LP19 (to protect and enhance biodiversity).

Protection of nesting birds

No vegetation clearance required to facilitate the proposals should be undertaken during the optimum time of year for bird nesting (March to August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person. All nesting birds, their eggs and young are legally protected under the terms of the Wildlife and Countryside Act 1981 (as amended).

5.6. **Environment Agency**

Thank you for your consultation dated 03 February 2026. Following further discussions in relation to the proposed development, we are maintaining our objection to this planning application. Further information on our position can be found in the flood risk section below.

Flood Risk

In our previous letter referenced AC/2026/133273/01, dated 21 January 2026, we recommended that finished floor levels of the development should

be 1.3m above ground level unless a more detailed analysis into the ground levels and maximum depths is carried out. This recommendation was based on the Fenland Level 2011 SFRA which requires a finished floor level 300mm above the modelled depths.

We acknowledge that the request for 1.3m finished floor levels in our previous response was based on information that is now outdated and was replaced by the 2022 SFRA. Whilst the 1.3m floor level requirement was linked to the 2011 SFRA, it should be noted that the underlying flood risk concerns in relation to a possible breach of the flood defences remain relevant.

Aside from our reference to the outdated SFRA, our previous objection based on the lack of a site-specific breach analysis submitted with this planning application remains. This is because the proposed development would be affected in the event of a breach, and this risk should be understood and appropriately managed. Our main concern in the event of a breach would be fast-flowing water directly out falling into the site. The development must therefore include appropriate mitigation measures to address the specific breach impacts and we are pleased to see the inclusion of 2-storeys and no ground-floor sleeping accommodation incorporated into the development plans.

Mitigation measures should be informed by the result of a site-specific breach analysis as requested in our previous letter. It is our view that flood mitigation will need to include raised finished ground floor levels.

If raised finished floor levels are deemed not achievable due to other material constraints, such as ridge heights, the application must include detailed reasoning as to why that is the case. It would then be your responsibility as the Local Planning Authority to determine if these factors outweigh the flood risk on site.

We note that other developments in the surrounding area have proposed finished floor levels in the region of 600mm to 1m above ground level, no ground floor sleeping accommodation and a minimum of 2 storeys to account for breach scenarios.

Overcoming our Objection

To overcome our objection, the applicant should submit a revised FRA which addresses the points highlighted above.

If this cannot be achieved, we are likely to maintain our objection.

5.7. North Level Internal Drainage Board

The Board has no objections in principle to the above planning application.

It has been noted that soakaways are indicated as the preferred method of surface water disposal and the applicant is asked to show that soakaway drainage would be a suitable method of surface water disposal for this site.

5.8. Local Residents/Interested Parties

The LPA received seven letters of support for the scheme, all from addresses within Guyhirn. One letter received was from the host property, Gaultree Farm. One letter received included no reasons for support. The other reasons noted for supporting the scheme are outlined in the below table:

Supporting Comments	Officer Response
Development will improve the overall appearance of the site.	Matters relating to character and appearance are discussed in the below assessment.
Positive improvement in the streetscene	
Design reflects local character	
Development will benefit the village as there is a lack of homes.	The Principle of Development is discussed in more detail below.
Provision of more affordable homes	The application seeks 'market housing' and the proposed dwellings do not fall into the NPPF definition of Affordable Housing. Thus, this is not a material consideration of this application.

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) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 8 – Promoting healthy and safe communities

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed 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

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
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
LP19 – The Natural Environment

7.5. **Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021**

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

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

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

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

8 KEY ISSUES

- **Principle of Development**
- **Design and Character**
- **Residential Amenity and Servicing**
- **Highway Safety & Parking**
- **Flood Risk**
- **Ecology, Landscaping and Biodiversity Net Gain (BNG)**

9 BACKGROUND

9.1. This application was preceded by a previously refused application to erect 7 dwellings at the site, form an access and demolish the existing dwellings and outbuildings (F/YR24/0276/F). This application was recommended for refusal on the following grounds:

1. Contrary to Policy LP3 – by virtue of the introduction of backland development the scheme was determined to not be considered infill;
2. Contrary to Policy LP16 – by virtue of the introduction of backland development that would be discordant with the core shape of development within the vicinity of the site;
3. Contrary to Policy LP2 and LP16 – by virtue of overdevelopment and low-quality overall amenity;
4. Contrary to Policy LP15 – by virtue of the inappropriate parking arrangements;
5. Contrary to Policy LP14 – by virtue of an inappropriate sequential and exception tests.

Members considered the application at their meeting of 16th October 2024 and resolved to uphold the officer recommendation and refuse planning permission. Subsequently, the current application was received, seeking to address reasons for refusal by way of a reduced quantum of development in a frontage arrangement only.

- 9.2. With regard to the current scheme, on the basis of consultee comments received from the Environment Agency and noting officer concerns regarding overdevelopment, overall character impact, concerns over scale and amenity, an unacceptable Flood Risk Assessment, Officers approached the applicant to make amendments to the scheme and address these matters, in the interest of pro-active working to negotiate an improved development proposal.
- 9.3. The applicant's flood risk consultant liaised with the Environment Agency to address matters such as breach analysis and mitigation measures, which are discussed in more detail within the Flood Risk section below. In respect of concerns regarding the design of the scheme by officers however, the applicant opted not to make any changes to the submitted scheme highlighting the Parish Council's acceptance of the proposal.

10 ASSESSMENT

Principle of Development

- 10.1. Policy LP3 of the Fenland Local Plan (FLP) identifies Guyhirn as a 'small village', in which development will be considered on its merits, normally limited in scale to residential infilling or a small business opportunity.
- 10.2. The application site includes a residential dwelling that is proposed to be demolished. Existing frontage residential development is situated to the north and south of the site, with the immediate dwellings known as Gaultree Cottage and River Rise House, respectively.
- 10.3. The current proposal includes 4 frontage plots, which, given the immediate development to the north and south can be considered as infill development and thus accords with Policy LP3 in this regard.
- 10.4. Notwithstanding, the site-specific impacts of any proposal must be considered in relation to the other relevant policies of the FLP, particularly with respect to flood risk (LP14), highway safety and parking (LP15) and design character (LP16) to ensure the overall acceptability of the scheme.

Design and Character

- 10.5. In line with policy LP16, high quality environments will be delivered and protected throughout the district. Proposals for all new development will only be permitted if it can be demonstrated that the proposal meets, *inter alia* criterion d) by making 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.

- 10.6. The proposal seeks to include 4 frontage detached dwellings, which would largely be appropriate in terms of their position when considered against the adjacent built form.
- 10.7. The dwellings are intended to be detached 3-storey dwellings, with the 2nd floor set within the roof space and will appear as two pairs within the streetscene, separated by a central 5m wide access drive. Encompassing merely 5.5m wide by 12.4m deep, the dwellings will be decidedly narrow in appearance, with limited separation of approximately 1.4m between the dwellings.
- 10.8. It is, however, accepted that the dwellings have been largely designed to reflect characteristics of adjacent development (such as through the inclusion of gable rooflines, chimneys, and cross gable front projections) and will use appropriate materials, and will therefore not result in a marked incongruence when viewed against the backdrop of adjacent development and are therefore considered, on balance, acceptable with regard to Policy LP16.

Residential Amenity and Servicing

- 10.9. Policy LP2 states that development proposals should contribute to the Council's goal 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 neighbouring users such as noise, light pollution, loss of privacy and loss of light.
- 10.10. When considering the amenity of existing dwellings to the north and south of the development site, there are no significant concerns regarding direct overlooking from the development to any adjacent dwellings. The proposed dwellings are considered to have standard linear relationships with each other and adjacent development to the north and south. There will be some views possible over the neighbouring gardens however these will be towards the part of the gardens furthest from the dwellings themselves, and similar in nature and extent to those already available from the host property. On that basis, any views from the rear of the proposed dwelling are not sufficient to require refusal of the scheme on the basis of its impact on neighbouring privacy.
- 10.11. Notwithstanding satisfactory neighbouring amenity impacts, consideration of future occupier amenity is also required;
- 10.12. The dwellings are intended as 3 storey, 4-bedroom dwellings, and as indicated on the submitted plans include 3no. double bedrooms and 1no. single bedroom, totalling a possible occupancy of 7 persons per dwelling. Guidance within the "*Technical housing standards – nationally described space standard*" (2015) sets out the minimum recommended requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, as follows:
- *Single bedroom - Min Floor area 7.5m², Min Width 2.15m*
 - *Double bedroom - Min Floor area 11.5m², Min Width (first double room) 2.75m, Min Width (subsequent double rooms) 2.55m*

- 3-storey 4-Bed 7-Person dwelling - Minimum Gross Internal Floor Area 121m²

10.13. The proposed dwellings offer the following in respect of the guidance minimums:

	Min width (m)	Floor Area (m ²)	Compliant
Bedroom 1 (1 st double)	3.698	17.18	Yes
Bedroom 2 (2 nd double)	2.762	12.84	Yes
Bedroom 3 (3rd double)	2.762	7.60	No
Bedroom 4 (Single)	1.930	5.45	No
GF Floor Area		53.31	
FF Floor Area		43.69	
SF Floor Area		26.63	
Total Gross Floor Area		123.63	Yes

10.14. Accordingly, it can be seen that two of the bedrooms within each dwelling are below the recommended minimum space standards, and as such would result in a cramped living arrangement for future occupants within the dwellings.

10.15. In addition, concerns relate to the overall amenity quality of the development. Policy LP16 (h) requires new development schemes to set aside a minimum of a third (33%) of the plot curtilage as private amenity space. The current proposal underdelivers for each plot, with useable amenity space (i.e. the main garden areas) calculated as follows:

Plot	Plot Curtilage (m ²)	Useable amenity space (m ²)	Percentage of total plot (%)
1	261.68	76.13	29
2	201.17	61.84	28
3	221.21	57.78	29
4	261.31	64.60	26

Accordingly, the proposed garden spaces are undersized for the intended dwellings.

10.16. Furthermore, the scheme includes both front and rear parking areas, which will dominate the outlook for both pairs to the streetscene, but will be particularly notable from the main habitable living rooms of plots 2 & 3.

10.17. Thus, given all of these elements, it is considered that the scheme will provide sub-standard accommodation both internally and externally and as such does not comply with the requirements of Policies LP2 and LP16.

Highway Safety & Parking

10.18. Fenland Local Plan Policy LP15 states that new development will only be permitted if, among other things, it can be demonstrated that safe and convenient access to and from the public highway as well as adequate space for vehicle parking, turning and servicing would be achieved. In addition,

appropriate levels of parking provision should be provided in accordance with the Council's defined parking standards as set out in Appendix A of the Local Plan.

- 10.19. The submitted layout plan shows that dwellings will be accessed by a central shared access driveway leading to parking for each dwelling and a shared turning area. The scheme also indicates provision for parking of 2 cars within the rear parking areas, with an additional space per dwelling provided to the front. As such, notwithstanding the position of parking considered above that may affect outlook, the scheme offers an appropriate quantum parking which is consistent with the required provision within the Fenland Parking Standards for 4-bedroom dwellings.
- 10.20. The development has been considered by the CCC Highway Authority, and no objections have been raised subject to the imposition of relevant conditions.
- 10.21. As such, the scheme is considered acceptable, on balance, with respect to Policy LP15, subject to conditions.

Flood Risk

- 10.22. Policy LP14 of the Fenland Local Plan (2014) and chapter 14 of the National Planning Policy Framework set out the policy approach towards development in areas of flood risk. Both of these policies seek to encourage development first within areas of lower flood risk, before considering development in areas at higher risk of flooding.
- 10.23. The application site lies predominately within Flood Zone 1, and accordingly does not require the submission of a Sequential Test. However, the location of the site in close proximity to the River Nene necessitated the need for a Flood Risk Assessment for the site, with particular regard to the likely risk posed to the site in the event of a breach in the embankment of the river near the site.
- 10.24. The submitted FRA did consider the risk of flooding at the site in the event of a breach, using the EA's Flood Hazard Mapping, which concluded the maximum flood depth that could occur within the site should a breach occur would be between 0.5m and 1.0m. Accordingly, based upon this modelling, the FRA recommended that the finished floor level of the dwellings is not less than +2.2m OD (a minimum of 0.3m above ground level) and that there should be flood resilient construction up to 1m above ground level, by virtue that the dwellings were not single storey.
- 10.25. However, it should be noted that the depths quoted were based on a breach occurring approximately 230m northeast of the application site. In correspondence with the applicant, and noting their earlier comments on this matter, the EA objected to the FRA and requested that it was improved to include a site-specific breach analysis to ensure that the risk was clearly understood and properly mitigated and the flood depths quoted could be much higher at the site should a more localised breach occur.
- 10.26. Notwithstanding this objection by the Environment Agency, the applicant opted not to undertake a site-specific breach analysis to fully consider the potential

risk and properly inform the mitigation measures that may be required. Accordingly, the EA maintained their objection to the scheme.

- 10.27. Thus, given the evidence submitted it cannot be confirmed if the measures proposed would be appropriate to mitigate flood risk in the event of a flood on the basis of an appropriate breach hazard analysis being undertaken to satisfy the Environment Agency.
- 10.28. As such, whilst it is acknowledged that mitigation in the event of a breach may be possible, the actual circumstances regarding hazard depths are unknown should a more localised breach occur. Therefore, it is considered that the application was supported by insufficient evidence to satisfy that future users of the development will not be placed in danger from flood hazards throughout its lifetime, and as such is contrary to Policy LP14.

Ecology, Landscaping and Biodiversity Net Gain (BNG)

- 10.29. 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 offsetting. 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.
- 10.30. In accordance with statutory guidelines, the application was supported by an Ecological Impact Assessment and a Biodiversity Net Gain Metric and Assessment. The Ecology Report concluded that there will be no impacts to protected species or habitats, with recommendations for enhancement where appropriate, which can be secured by condition. No objections were raised to the submitted assessments by the FDC Ecology Team, subject to conditions.
- 10.31. The Biodiversity Assessment concluded that the development would result in a loss in biodiversity, contrary to the statutory requirement for the development to achieve an overall gain in biodiversity of at least 10%. As such, off-site habitat creation and/or enhancement will need to be provided in order to meet the statutory BNG requirement. As such, it is necessary to impose the standard Biodiversity Net Gain condition to ensure the scheme complies with Policies LP16, LP19 and the Environment Act 2021.
- 10.32. Given the above, subject to conditions, the scheme will be capable of compliance with Policies LP16 and LP19.

11 PLANNING BALANCE and CONCLUSIONS

- 11.1. The proposed development comprises four frontage dwellings within the village of Guyhirn, which is identified under Policy LP3 of the Fenland Local Plan as a small village where development will normally be limited in scale and considered on its merits. In principle, the siting of four dwellings between existing residential properties to the north and south is capable of being regarded as infill development and therefore aligns with the overarching spatial strategy of Policy LP3.

- 11.2. However, the acceptability of the scheme must be determined through a full assessment against all relevant Local Plan policies and material considerations. In this regard, the proposal raises significant concerns.
- 11.3. Whilst the scheme is broadly acceptable in terms of design and character in accordance with Policy LP16, highway safety and parking provision in accordance with Policy LP15, and ecological impacts can be appropriately mitigated and enhanced through conditions to accord with Policies LP16 and LP19, these benefits attract only moderate weight in favour of the development.
- 11.4. In contrast, substantial harm has been identified in several key areas. The proposal would provide substandard living conditions for future occupiers. Internal accommodation falls below the minimum room sizes as set out within the nationally described space standards guidance, and external amenity provision falls below the policy requirement, resulting in a poor-quality living environment. These deficiencies conflict with Policies LP2 and LP16 and carry significant weight against the proposal.
- 11.5. In addition, the application fails to adequately address flood risk concerns. In the absence of a robust, site-specific breach analysis, it has not been demonstrated that future occupiers would be safe from flood hazards over the lifetime of the development. The sustained objection from the Environment Agency and the lack of sufficient evidence to support appropriate mitigation measures results in clear conflict with Policy LP14. This matter carries substantial weight against the proposal.
- 11.6. When considered in the round, although the principle of development is acceptable and there are no overriding concerns in respect of design and character, highways or ecology (subject to conditions), these benefits are clearly outweighed by the identified harms relating to poor residential amenity, and unresolved flood risk.
- 11.7. Accordingly, the proposal is not considered to represent sustainable development and is contrary to the development plan as a whole. It is therefore recommended that planning permission be refused.

12 RECOMMENDATION

Refuse, for the following reasons;

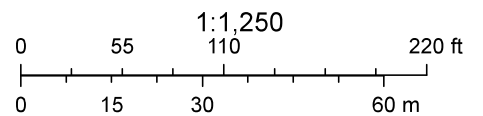
Reasons

1	<p>Policies LP2 and LP16 of the Fenland Local Plan (2014) require development to deliver high quality environments by promoting high levels of residential amenity. The proposed dwellings would provide a poor standard of accommodation for future occupiers. The internal layout and floorspace of the dwellings would result in a cramped living arrangement, and the level of private amenity space provided is inadequate. These deficiencies would result in a substandard living environment, harmful to the residential amenity of future occupants. The proposal is therefore contrary to Policies LP2 and LP16 of the Fenland Local Plan.</p>
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2	<p>Policy LP14 of the Fenland Local Plan, Section 14 of the National Planning Policy Framework (2019) and Cambridgeshire Flood and Water Supplementary Planning Document (2016) require development proposals to evidence they will be safe for the lifetime of the development and criterion (d) requires the submission of a site specific flood risk assessment, demonstrating appropriate flood risk management and safety measures and a positive approach to reducing flood risk overall, and without reliance on emergency services. The application fails to demonstrate, through a robust and site-specific flood risk assessment and breach analysis, that the development would be safe for its lifetime, without increasing flood risk elsewhere. In the absence of sufficient information and having regard to the sustained objection from the Environment Agency, it has not been satisfactorily demonstrated that future occupiers would be safe from flood hazards or that appropriate mitigation measures can be secured. The proposal is therefore contrary to Policy LP14 of the Fenland Local Plan and national planning guidance relating to flood risk.</p>
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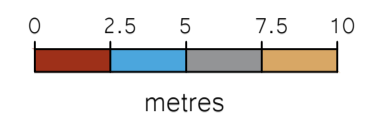


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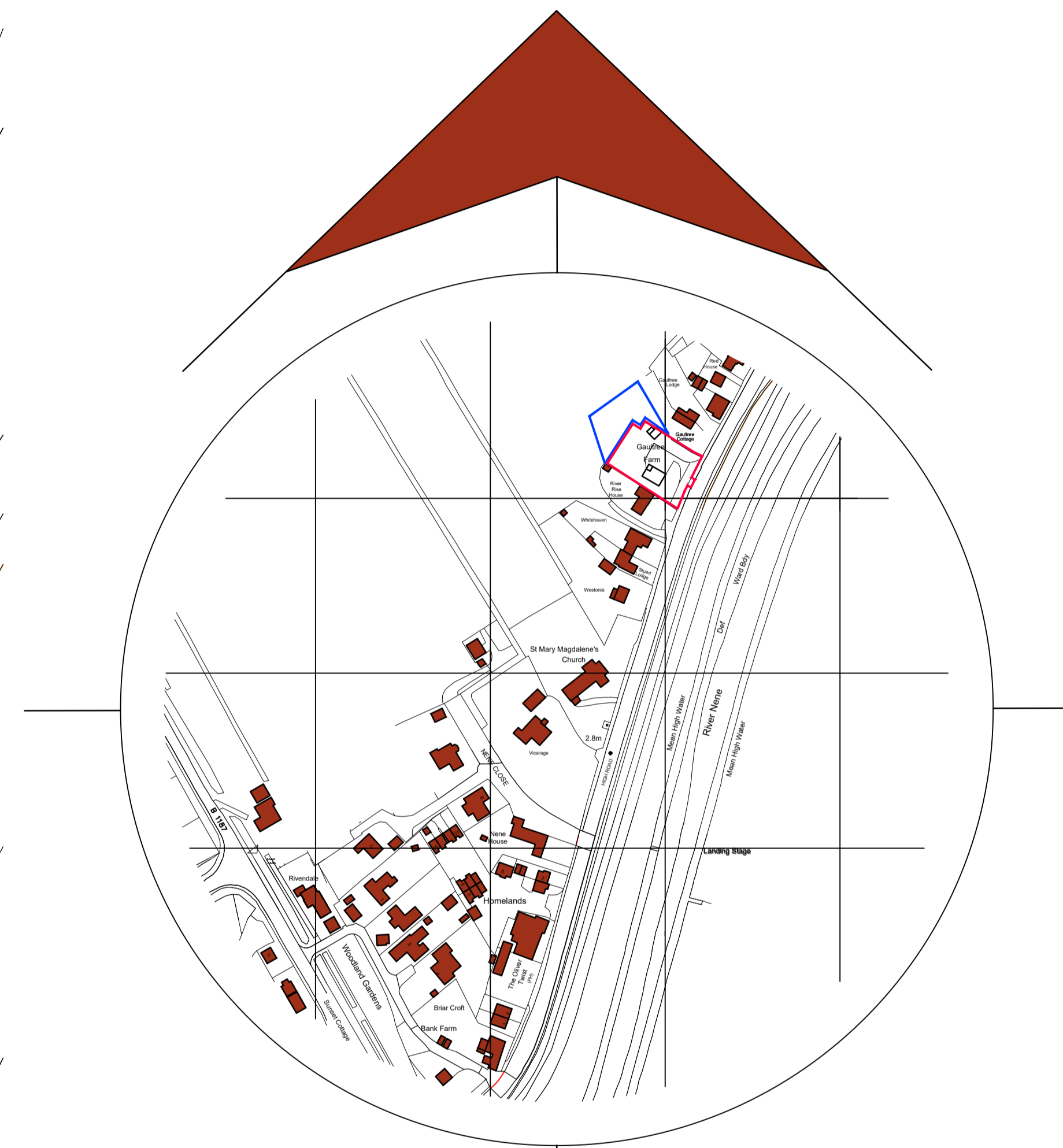
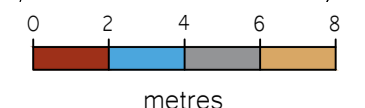




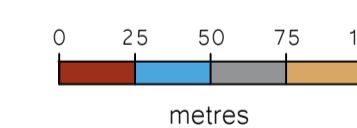
Proposed Street Scene
Scale: 1:250



Site Plan
Scale: 1:200



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.

SITE PLAN KEY

- Indicates proposed buildings
- Indicates un-surveyed buildings taken from OS Map
- Indicates site access to Cambs CC Highways specification
- Indicates existing surveyed trees and hedges
- Indicates proposed trees and hedges
- Indicates proposed grass area
- Indicates proposed hard surface area with fire appliance turning
- Indicates proposed patio area
- Indicates features to be demolished
- Indicates temporary Heras fencing during the construction period with hand digging within root areas

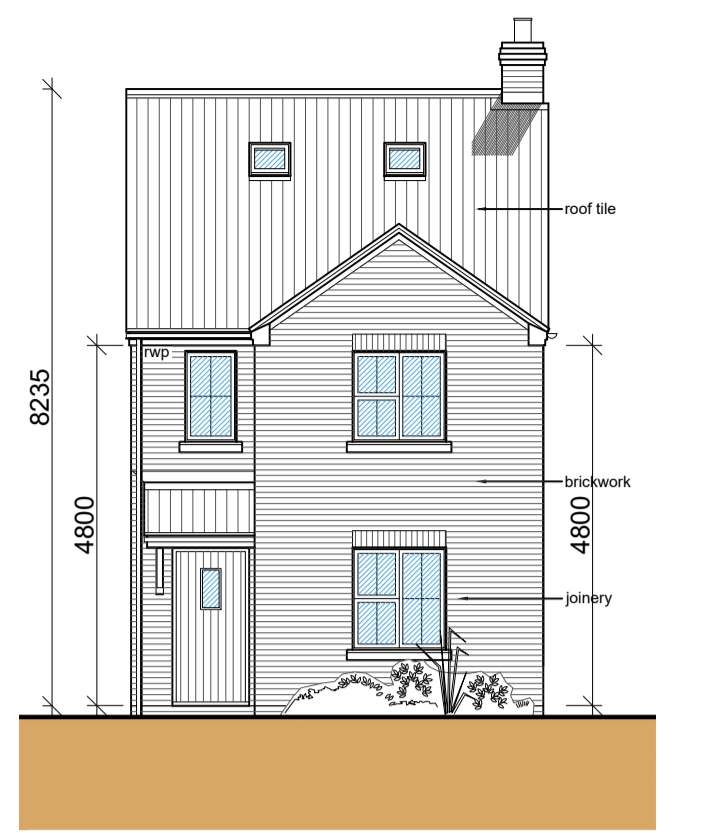
Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

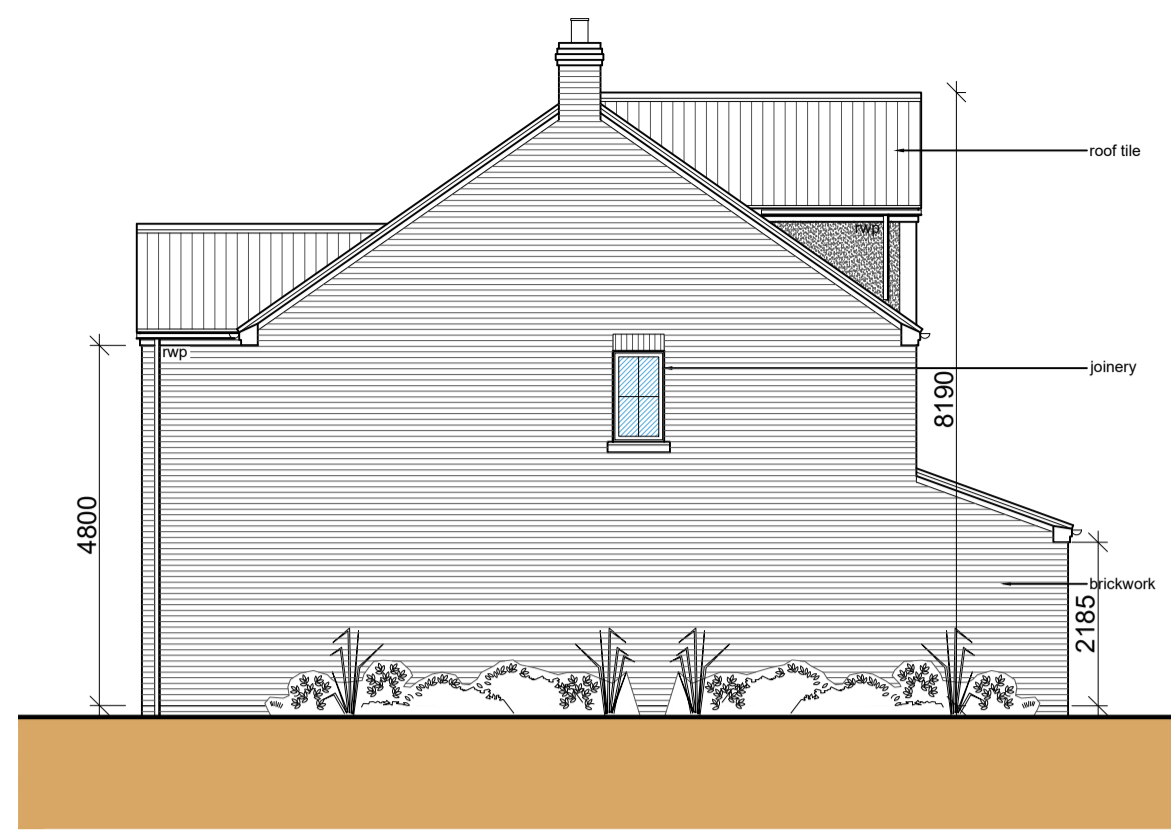
Swann Edwards Architecture Limited, Swann Edwards Architecture,
Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title Proposed 4No. Dwellings Gaul Tree Farm, High Road Guyhirn, Wisbech, Cambs For: Fern Homes Ltd.	Date August 2023	Drawn by GT Checked by GE
Drawing Title Planning Drawing Site & Location Plan	Job No. SE-1831 Dwg No. PP1000	Sheet Size A1 Revision H

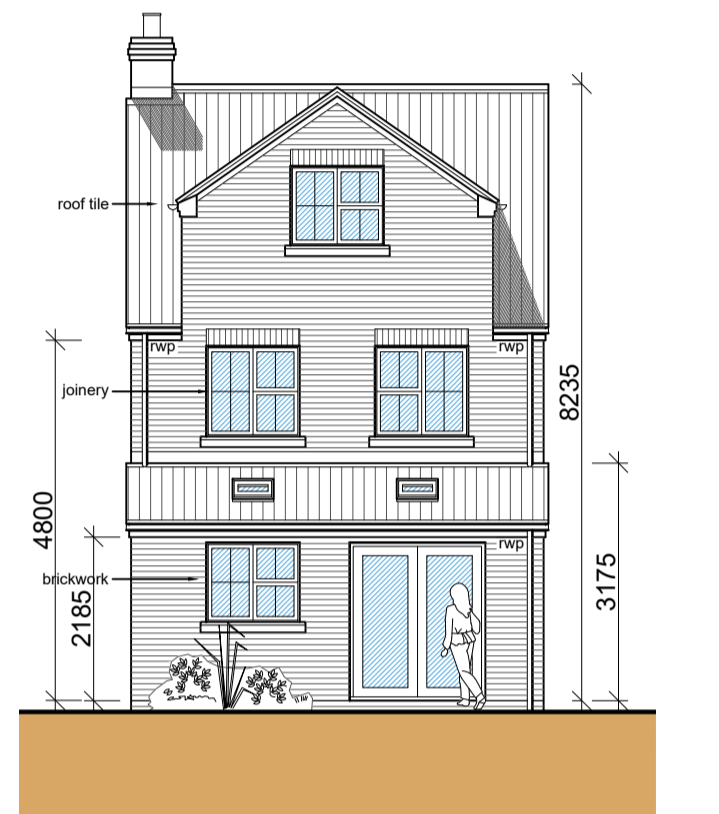
nitehaven



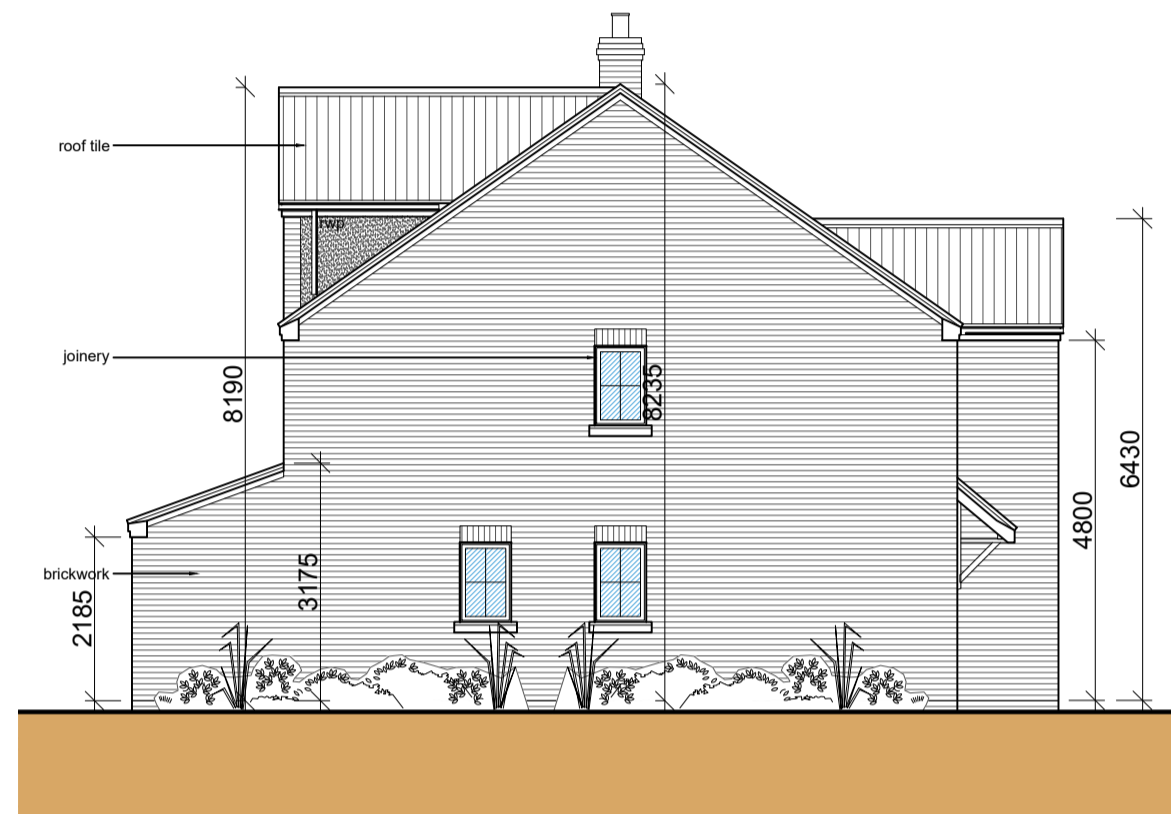
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Plots 183 - Scale: 1:100



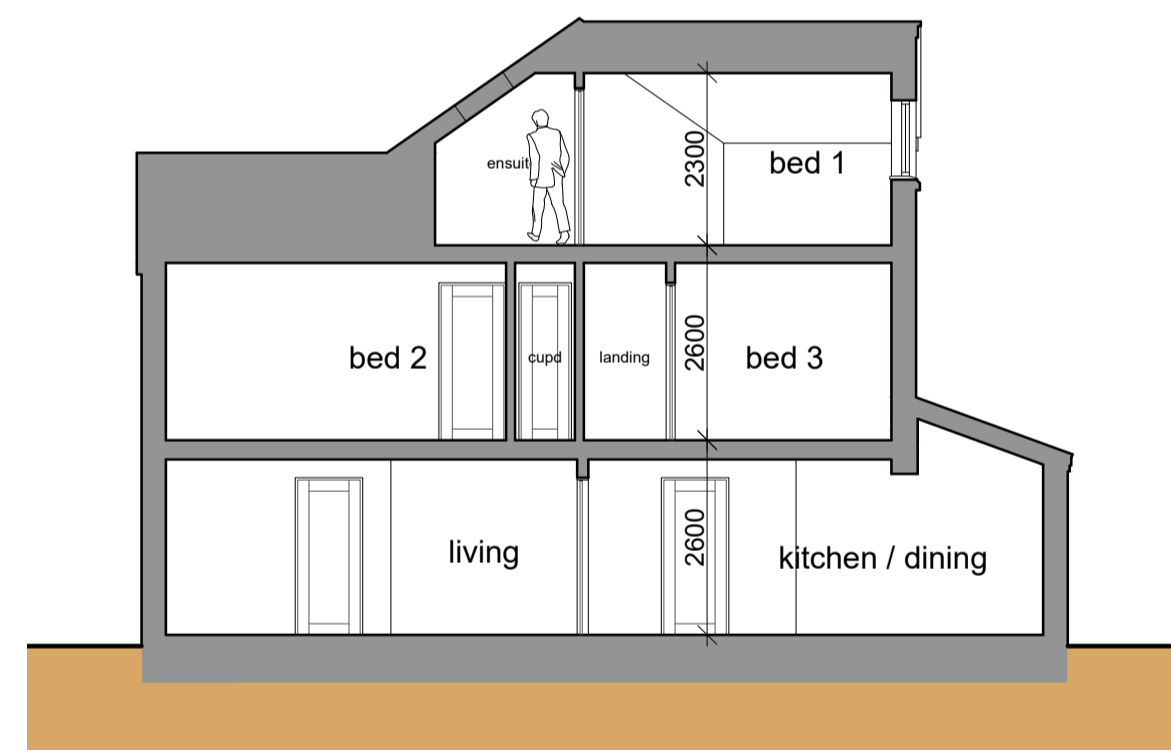
Side Elevation
Plots 183 - Scale: 1:100



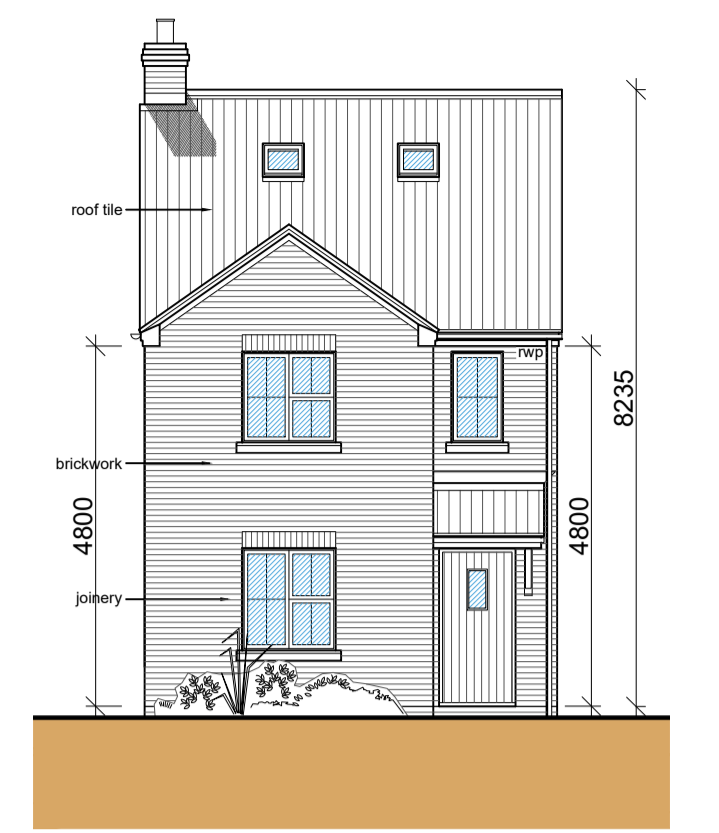
Rear Elevation
Plots 183 - Scale: 1:100



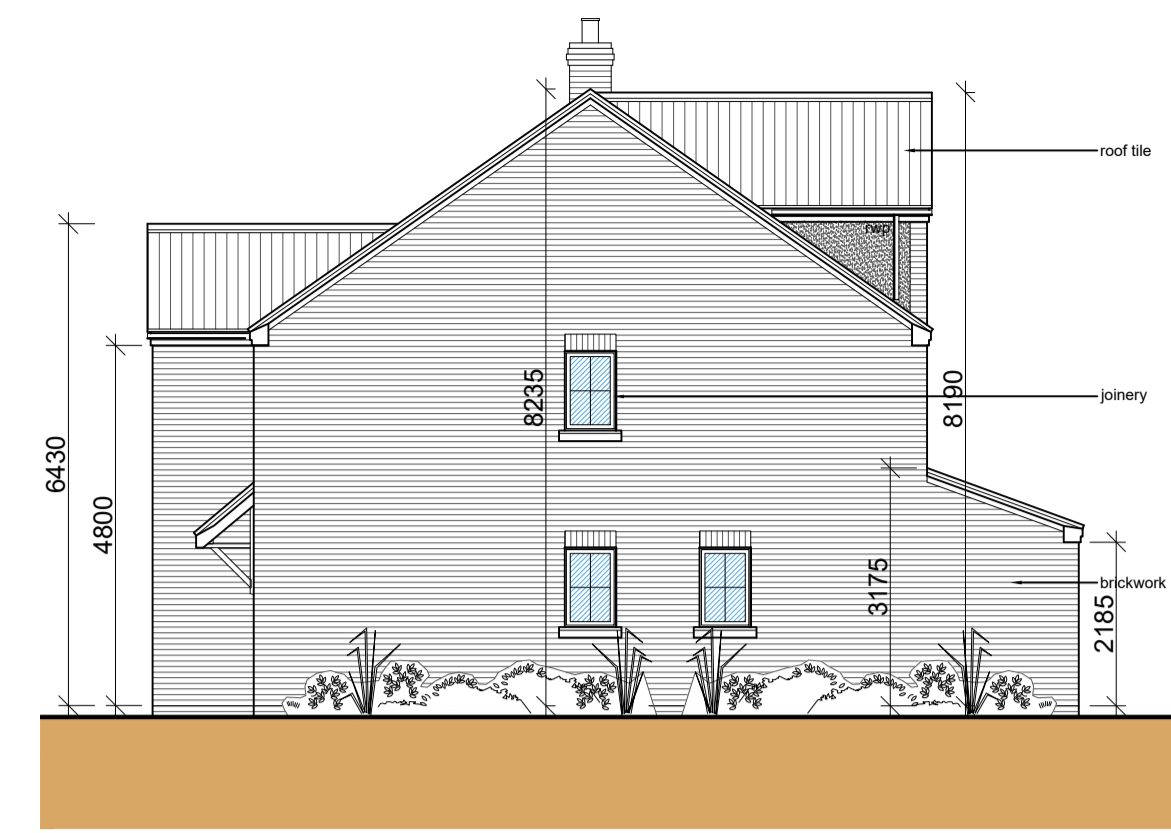
Side Elevation
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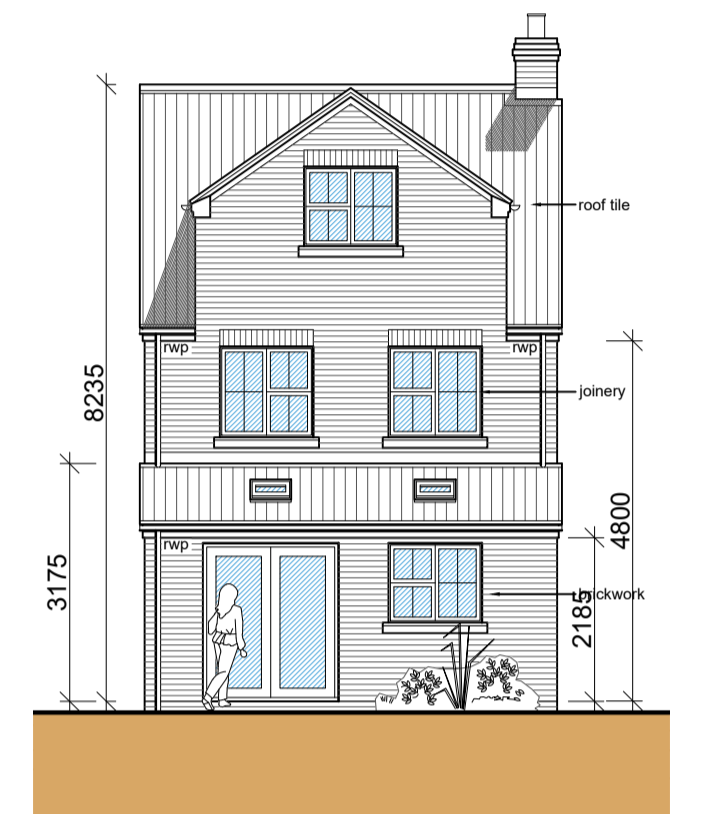
Section A-A
Plots 183 - Scale: 1:100



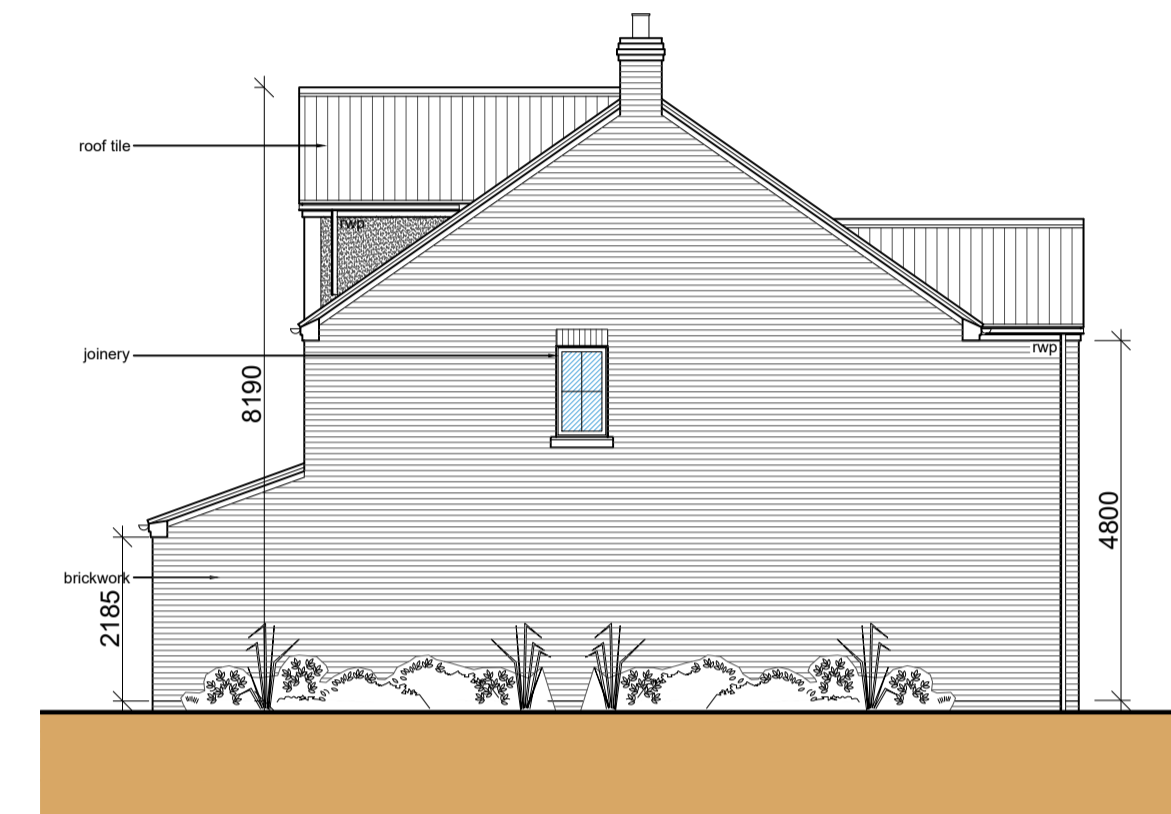
Front Elevation
Plots 284 - Scale: 1:100



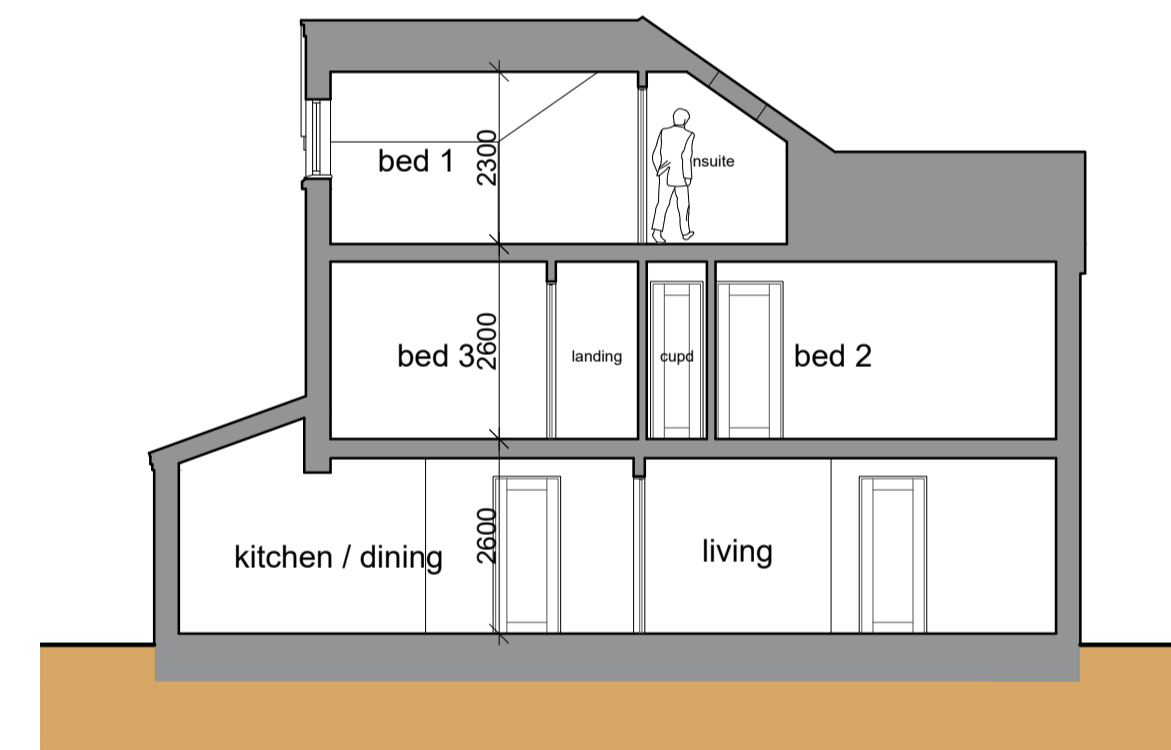
Side Elevation
Plots 284 - Scale: 1:100



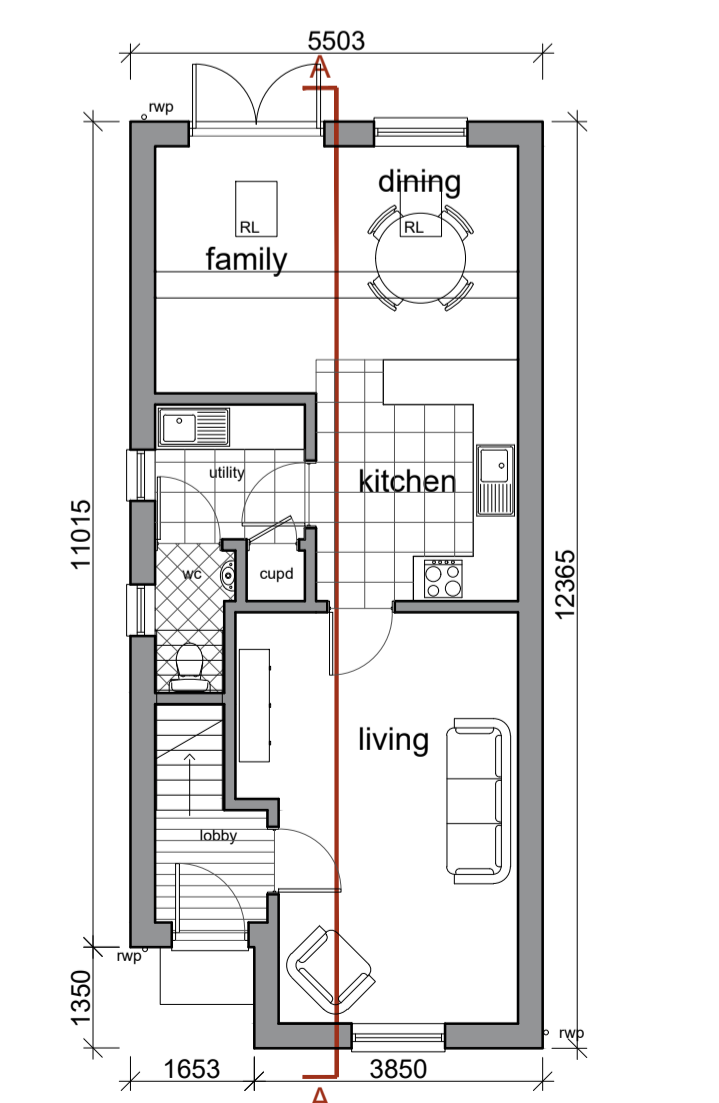
Rear Elevation
Plots 284 - Scale: 1:100



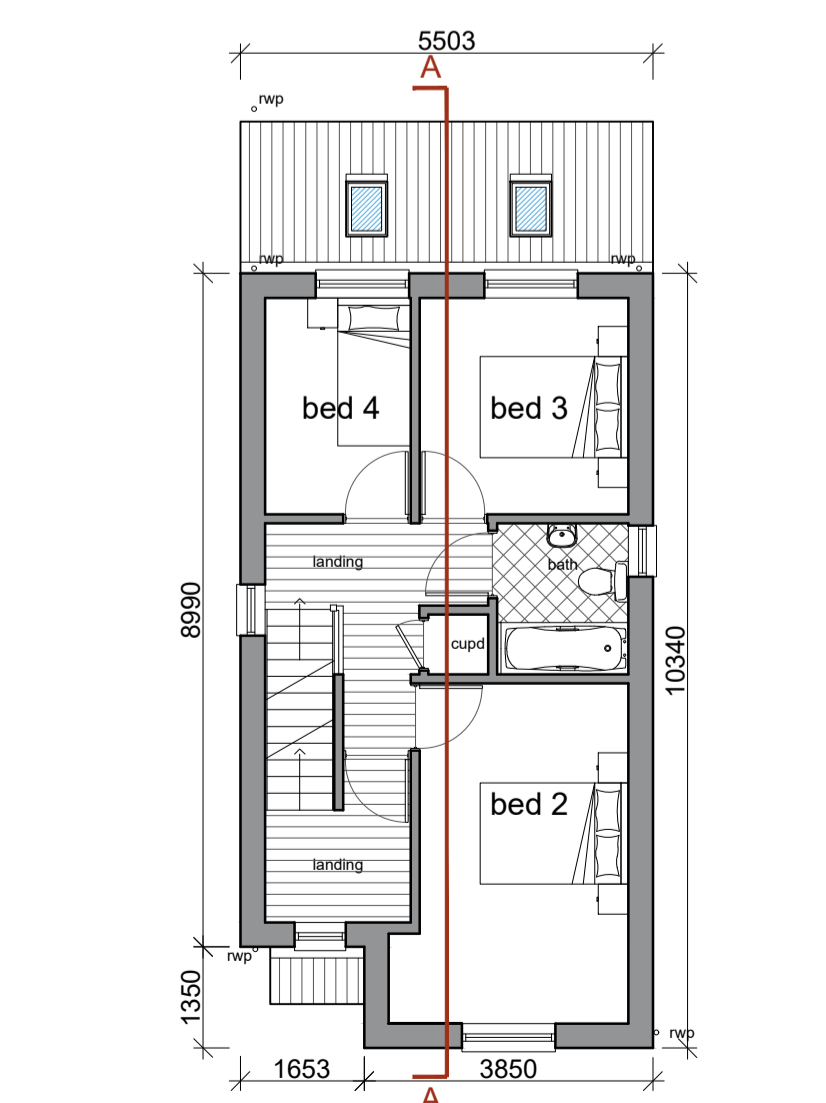
Side Elevation
Plots 284 - Scale: 1:100



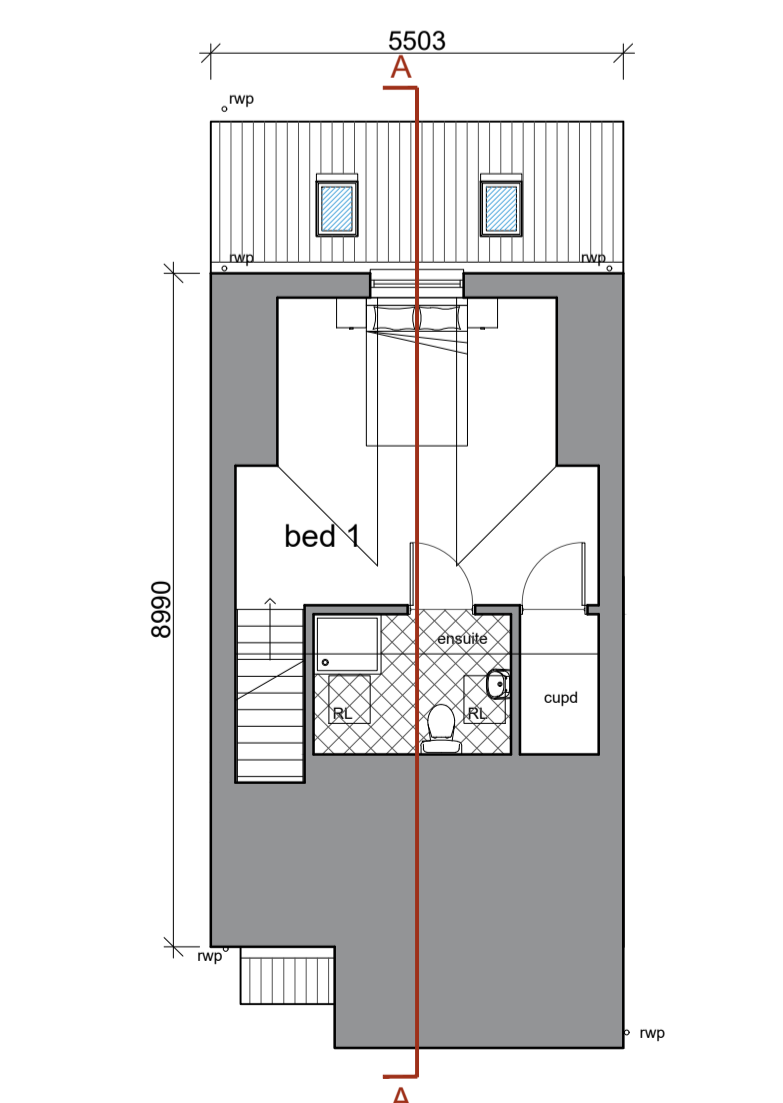
Section B-B
Plots 284 - Scale: 1:100



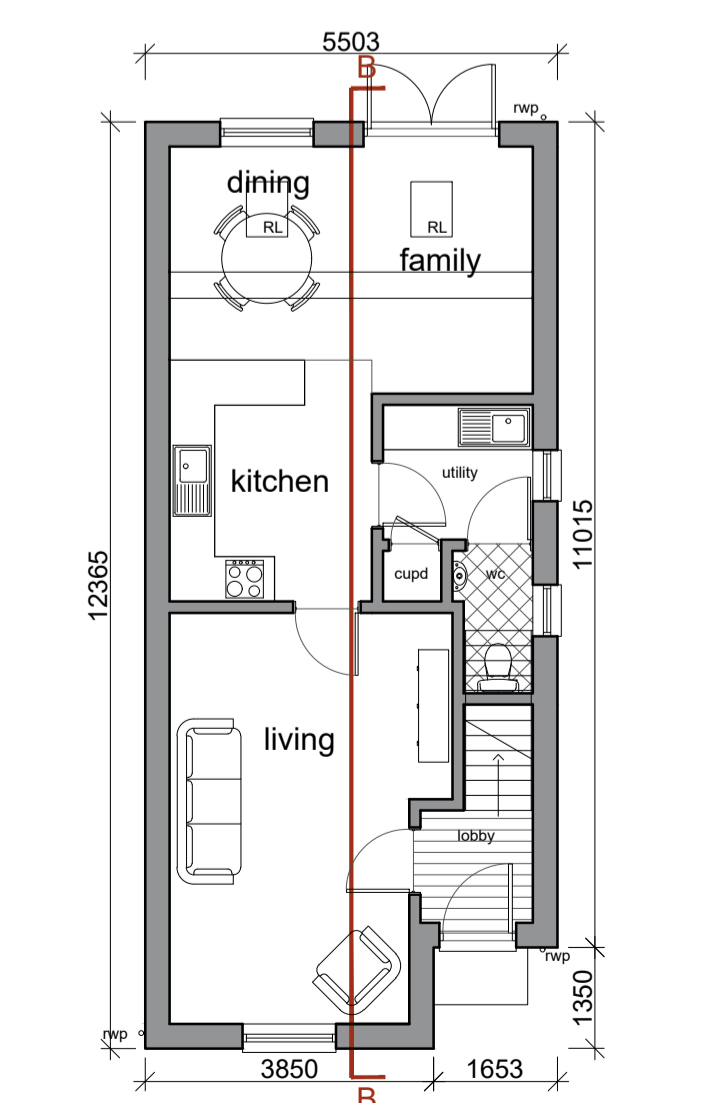
Ground Floor Plan
Plots 183 - Scale: 1:100



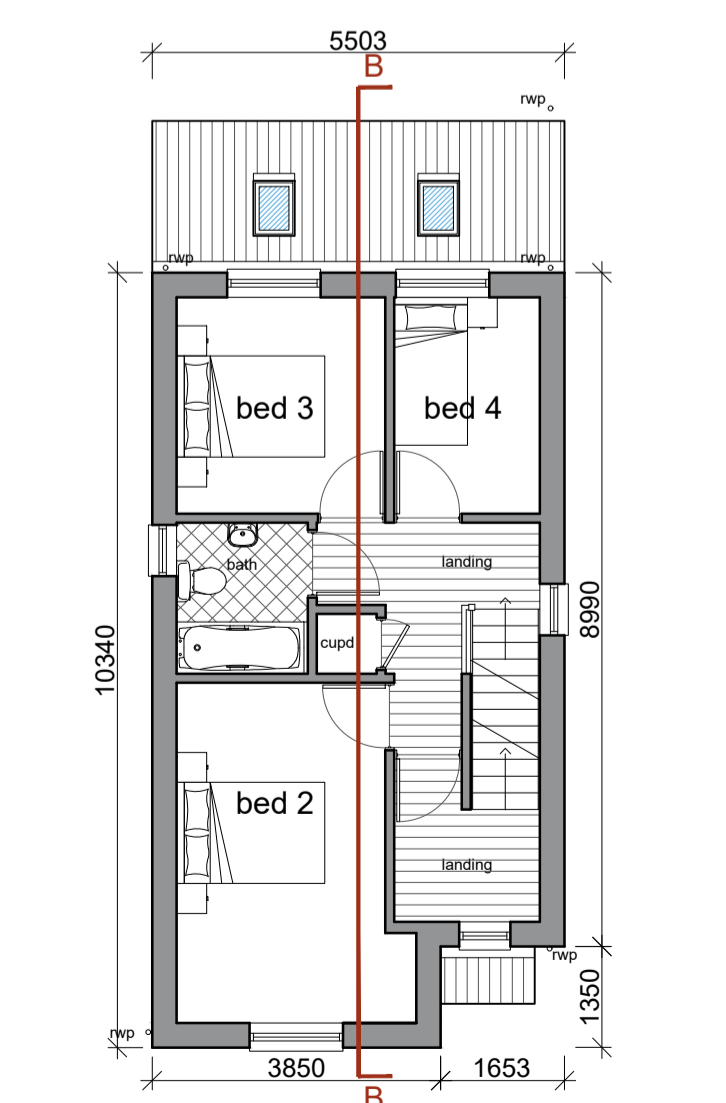
First Floor Plan
Plots 183 - Scale: 1:100



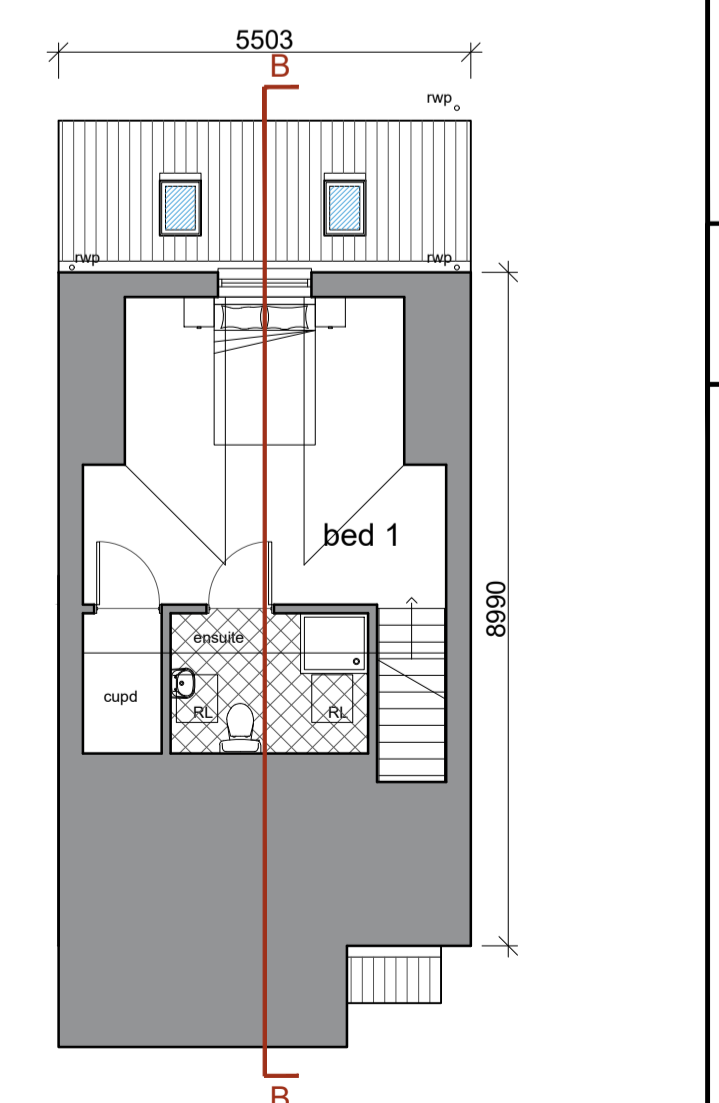
Second Floor Plan
Plots 183 - Scale: 1:100



Ground Floor Plan
Plots 284 - Scale: 1:100

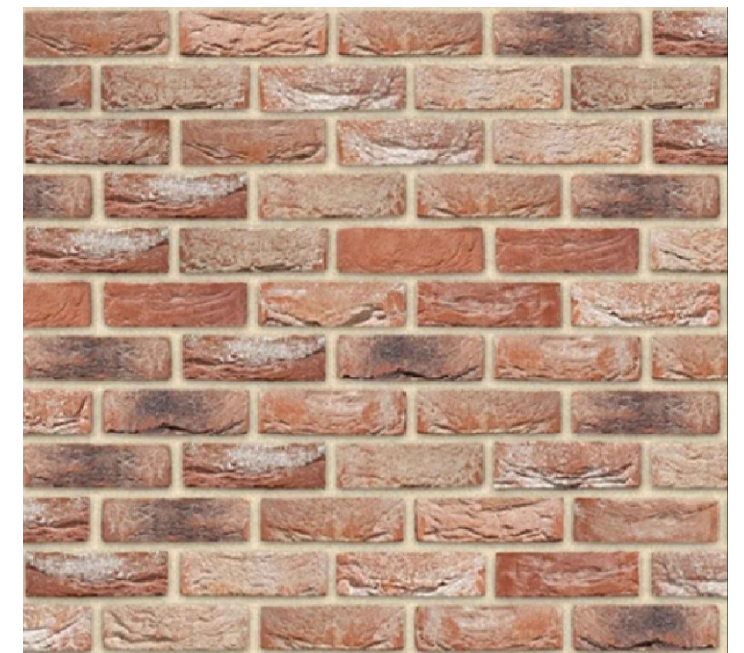


First Floor Plan
Plots 284 - Scale: 1:100



Second Floor Plan
Plots 284 - Scale: 1:100

- General Notes**
1. All dimensions are shown in 'mm' unless otherwise stated.
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 4. Any discrepancies are to be brought to the designers attention.



Vandersanden - Flemish Antique



Marley - Modern Roofing Tile - Smooth Grey

FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
t: 01945 450634 e: info@swannedwards.co.uk w: www.swannedwards.co.uk

Job Title Proposed 4No. Dwellings Gaul Tree Farm, High Road Guyhirn, Wisbech, Cambs For: Fern Homes Ltd.	Date January 2023	Drawn by GT Checked by GE
Drawing Title Planning Drawing Floor Plans, Elevations & Sections	Job No. SE-1831	Sheet Size A1
	Dwg No. PP1100	Revision C

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F/YR25/0967/O

Applicant: Mr M Missin

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

Land North Of The Chestnuts, Roman Bank, Newton-in-the-isle, Cambridgeshire

Erect of 1x self-build/custom build dwelling (outline with matters committed in respect of access)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. The application seeks outline planning permission, with only access committed, for the erection of 1 x self-build dwelling.
- 1.2. The site is located in an 'Elsewhere' location with no identified need for the dwelling for the essential operation of local, rural enterprise. Therefore, the proposal is in conflict with Policy LP3 of the Fenland Local Plan (2014) and is therefore unacceptable in principle. Whilst there was an approval for a residential dwelling immediately to the south of the site in 2017, this was at a time that the LPA were unable to demonstrate a 5-year housing land supply, and therefore the policies in the Local Plan were considered out of date. There has since been a change in circumstances due to the LPA now being able to demonstrate a 5-year housing land supply. Therefore, the proposal should be determined in accordance with the development plan.
- 1.3. The application is proposed as 'self-build' however given the plentiful supply of such sites in the District it is not considered that this should carry any significant weight. A reason for refusal regarding the associated unilateral undertaking is recommended to allow this matter to be addressed at any appeal.
- 1.4. While there is existing development in the vicinity of the site it is considered that the introduction of further built form would further urbanise this elsewhere location to the detriment of the character and appearance of the area.
- 1.5. The proposal is, however, considered to be acceptable in respect of amenity impact, flood risk and drainage, and highway safety.
- 1.6. It is therefore considered that the proposal is in conflict with local and national planning policy and is therefore recommended for refusal on that basis.

2 SITE DESCRIPTION

- 2.1. The application site is located on Land North of The Chestnuts, Roman Bank, outside the main built form of Newton-in-the-isle.

- 2.2. The site is currently generally undeveloped but has some domestic paraphernalia on it. The site lies within in between existing residential dwellings on each side, with close boarded timber fencing on the northern and southern boundary. The boundary of the site fronting onto Roman Bank currently has heras fencing along it. Further south of the site are some industrial/commercial buildings.
- 2.3. The wider area surrounding the site is generally characterised by undeveloped, agricultural land.
- 2.4. The site lies within Flood Zone 1 and is at very low risk of surface water flooding.
- 2.5. The land immediately south of the site was previously subject to planning permission for a residential dwelling under reference number F/YR17/1167/O and subsequent Reserved Matters F/YR19/0226/RM. The current application site partly overlaps with the original red line boundary.

3 PROPOSAL

- 3.1. The application seeks outline planning permission with only access committed for the erection of 1 x self-build dwelling.
- 3.2. An indicative site layout plan has been provided that shows that the site will be accessed via a new access point onto Roman Bank that was previously approved under F/YR19/0226/RM.
- 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/YR17/0365/O	Erection of a dwelling (outline application with all matters reserved)	Refused 19.06.17
F/YR17/1167/O	Erection of a dwelling (outline application with all matters reserved)	Grant 26.04.18
F/YR19/0226/RM	Reserved Matters relating to access, appearance, landscaping, layout and scale pursuant to F/YR17/1167/O	Approved 27.09.19

5 CONSULTATIONS

5.1. **Newton-in-the-Isle Parish Council – 11.01.26**

No objection

5.2. **CCC Highways – 23.12.25**

No objection subject to conditions securing satisfactory construction of access, although do raise issues regarding on-site manoeuvring and recognise that the visibility is below the standards set in guidance but is acceptable for a single dwelling in this setting.

5.3. **Environmental Health – 28.12.25**

No objection subject to condition relating to construction times

5.4. **CCC Archaeology – 05.01.26**

No objection subject to condition securing scheme of archaeological work

5.5 National Gas Transmission – 06.01.26

Site is outside the High Risk zone and can proceed.

5.6 North Level Drainage Board – 08.01.26

No objection

5.7 Local Residents/Interested Parties

A total of 6no. letters of support were received on the application from residents of Newton and Leverington. The following points were raised:

Supporting Comments	Officer Response
Site between existing properties	See 'Principle of development' section
New residents will have a positive impact on local businesses	See 'Principle of development' section
Will have little impact on the open countryside	See 'Character and appearance' section

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

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

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

8 KEY ISSUES

- **Principle of Development**
- **Character and appearance**
- **Amenity Impact**
- **Flood Risk and Drainage**
- **Parking Provision and Highway Safety**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

9.1. As set out in the 'Site History' section of this report, Outline Planning Permission and subsequent Reserved Matters approval were granted for the erection of a dwelling in 2017 and 2019 respectively, for a dwelling immediately to the south of the application site. This issue will be considered further in the following 'Assessment' section.

10 ASSESSMENT

Principle of Development

- 10.1. The application site is located in a rural and isolated location that is approximately 750m to the settlement of Newton to the North, and 1.4km to the settlement of Leverington to the south.
- 10.2. Whilst the site lies within a cluster of development comprising residential and commercial uses, and is bound immediately to the north and south by residential properties, the rural nature of the site and significant distance to any services and facilities would therefore render the site as lying within an 'Elsewhere' Location, as set out in Policy LP3 of the Fenland Local Plan (2014).
- 10.3. Development in locations identified as 'Elsewhere' will be restricted to that which is essential for the effective operation of local, rural enterprise. The submission detail offers no justification in this respect and rather relies on the previous outline approval that was granted in 2017.
- 10.4. In the absence of any identified need for the dwelling in this location, the proposal would be contrary to Policy LP3 of the Fenland Local Plan (2014) and therefore unacceptable in principle.
- 10.5. In respect of the outline approval granted under F/YR17/1167/O, this came at a

time that the LPA were unable to demonstrate a 5-year housing land supply. In such instances, the relevant local plan policies were considered to be out of date, and development proposals were to be assessed against the overarching objectives of Sustainable Development as set out in Paragraph 8 of the NPPF, with a tilted balance in favour of sustainable development and where the adverse impacts of the development would have to significantly and demonstrably outweigh the benefits of granting permission.

- 10.6. However, given that there has been a material change in policy circumstances, i.e. that the LPA can now demonstrate a 5-year housing land supply (6.06 years as of June 2025), the policies as set out in the Local Plan are considered to be relevant, and the development should therefore be determined in accordance with the development plan.

Self-Build

- 10.7. In addition, the application comes forward as a 'self-build' dwelling, with the relevant declaration submitted. A draft Unilateral Undertaking has also been submitted.
- 10.8. Policy LP5 of the Local Plan seeks to ensure that housing solutions are provided which meet market expectations, including self-build homes. Under Section 1 of the Self-Build and Custom Housebuilding Act (2015), Local Authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under Sections 2 and 2A of that Act to have regard to this and to give enough suitable development permission to meet the identified demands.
- 10.9. As set out in the Regulations, Part 1 of a register comprises those people and organisations who meet all the eligibility criteria, including the local connection test. Part 2 comprises those people and organisations who meet most, but not necessarily all, the eligibility criteria. The Council has a duty to 'give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area' (i.e. to meet the demand for the number of applicants on Part 1 of their register) within a 3-year period, post the end of the base period.
- 10.10. The permissions granted demonstrate that the demand for self-build and custom housing (as identified by the register) is currently being met in Fenland. Therefore, no weight will be given to the delivery of self/custom build housing at this time.
- 10.11. While the application is accompanied by a suitable Unilateral Undertaking, given the 'in principle' objections to the scheme and other issues identified later within the report it is considered, in line with best practice, that a reason for refusal relating to the non-completion of this undertaking be included. This will have the effect, should any appeal be submitted against a refusal, of allowing the Planning Inspector to consider this issue as part of their determination of the appeal.
- 10.12. As set out in the preceding paragraphs, the principle of development is therefore considered contrary to the policies in the Local Plan, with no material considerations to dictate otherwise, and the development therefore remains unacceptable in principle.

Character and Appearance

- 10.13. Policy LP16 of the Fenland Local Plan, sets out the criteria which proposals are

required to meet, to ensure that high quality environments are provided and protected. Most relevant to the proposal are:

(d) 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.

- 10.14. Further guidance is provided within the Delivering and Protecting High Quality Developments SPD.
- 10.15. The site is located in an area that is generally rural and undeveloped but lies within a small cluster of development comprising of residential and commercial uses and is adjoined immediately on both sides by residential development. Notwithstanding this adjacent development, it is considered that the introduction of a further dwelling on this plot would result in an increase in the built form resulting in the further urbanisation of this elsewhere location to the detriment of the character and appearance of the area.
- 10.16. While an appropriately designed dwelling may be achievable at the Reserved Matters stage, this does not address the 'in-principle' character issues which would arise from the further development of built form in this location.
- 10.17. It is therefore considered that the proposal would result in an adverse character impact, and a suitably designed detail could be provided at Reserved Matters stage. The proposal is therefore not considered to accord with Policy LP16 of the Fenland Local Plan (2014).

Amenity Impact

- 10.18. Policy LP2 of the Fenland Local Plan seeks to promote high levels of residential amenity. Similarly, Policy LP16 seeks to ensure development proposals result in high quality environments.
- 10.19. The application site is sufficient in size that a suitable detailed design could be provided at Reserved Matters stage to afford sufficient private amenity space to the proposed dwelling.
- 10.20. Further, there are sufficient separation distances to the dwellings to the north and south of the site that a detailed design could be provided at Reserved Matters stage to avoid any unacceptable impacts in respect of overlooking and over-dominance.
- 10.21. It is therefore considered that the principle of developing the site for residential purposes in respect of residential amenity provision and impacts is acceptable in accordance with Policy LP16 of the Fenland Local Plan (2014).

Flood Risk and Drainage

- 10.22. The site is located in Flood Zone 1 and is at very low risk of surface water flooding. As such, it is considered that there are no issues to address in respect of flood risk, having regard to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).

Parking Provision and Highway Safety

- 10.23. It is proposed that the development is served via an access point off the public highway of Roman Bank. The proposed access was previously considered and approved under the Reserved Matters application F/YR19/0226/RM.
- 10.24. The Highway Authority have considered the proposal and have raised no objections on Highway Safety grounds, subject to conditions to ensure suitable construction of the access.
- 10.25. The site plan identifies that the access point will be shared with the dwelling immediately to the south of the site, with improvements and widening proposed to allow two-way traffic movements if necessary. The Highway Authority have raised that the visibility is below that set out within the guidance 'Design Manual for Roads and Bridges' produced by National Highways but consider that this is acceptable in this setting.
- 10.26. Two parking spaces are shown to serve the proposed dwelling on the submitted site plan, which is sufficient to accord with the parking standards as set out in Appendix A of the Fenland Local Plan (2014). The Highway Authority do raise a concern over the manoeuvring space associated with these, however layout is not a committed matter and as such this matter could potentially be addressed at Reserved Matters.
- 10.27. It is therefore considered that the proposal will be acceptable in respect of parking provision and highway safety, having regard to Policy LP15 of the Fenland Local Plan (2014) and the NPPF (2024).

Biodiversity Net Gain (BNG)

- 10.28. 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.
- 10.29. There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions/ transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the nature of the development being self / custom build is exempt from statutory net gain.

11 CONCLUSIONS

- 11.1 The proposal seeks outline planning permission with only access committed for the erection of 1 x self-build dwelling.
- 11.2 Whilst the area immediately south of the site was previously subject to an approved outline application for a residential dwelling in 2017, this was at a time that the LPA were unable to demonstrate a 5-year housing land supply, and therefore the policies in the Local Plan were considered out of date. There has since been a change in circumstances due to the LPA now being able to demonstrate a 5-year housing land supply. Therefore, the proposal should be determined in accordance with the development plan.
- 11.3 The site is located in an 'Elsewhere' location with no identified need for the dwelling for the essential operation of local, rural enterprise. Therefore, the

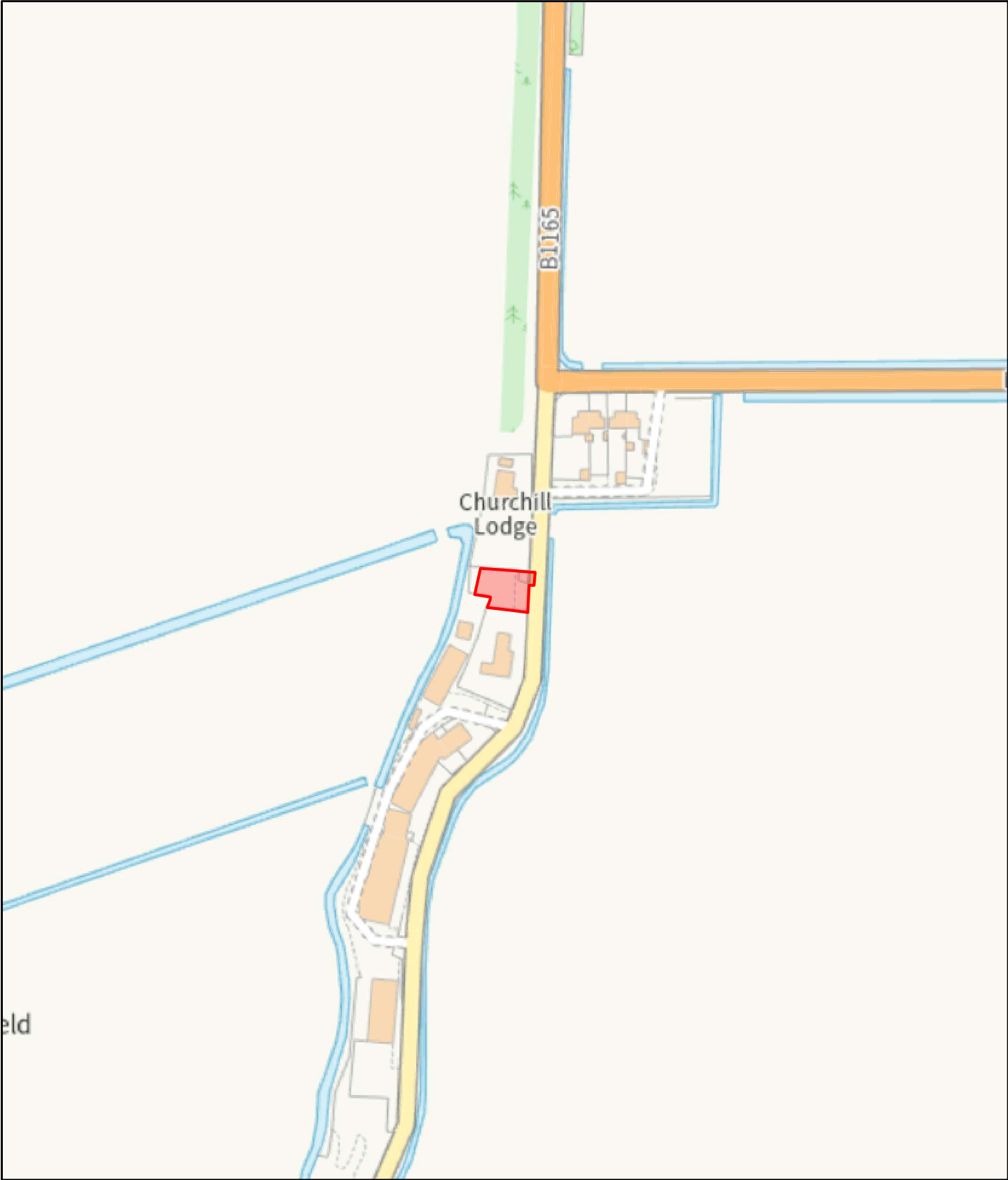
proposal is in conflict with Policy LP3 of the Fenland Local Plan (2014) and is therefore unacceptable in principle.

- 11.4 The development is put forward as being self-build, however the Council can demonstrate a plentiful supply of such sites and as such this issue is considered to carry limited weight.
- 11.5 The proposal is, however, considered to be acceptable in respect of character impact, amenity impact, flood risk and drainage, and highway safety. It would also deliver some social benefits in terms of the contribution to the District's housing supply and economic benefits during the construction period, plus post occupation. However, given the scale of development and its location these are considered to be very limited and would not outweigh the harm identified above.
- 11.6 It is therefore considered that the proposal is in conflict with local and national planning policy and is therefore recommended for refusal on this basis.

12 RECOMMENDATION

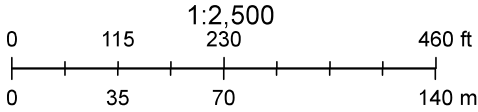
Refuse; for the following reasons:

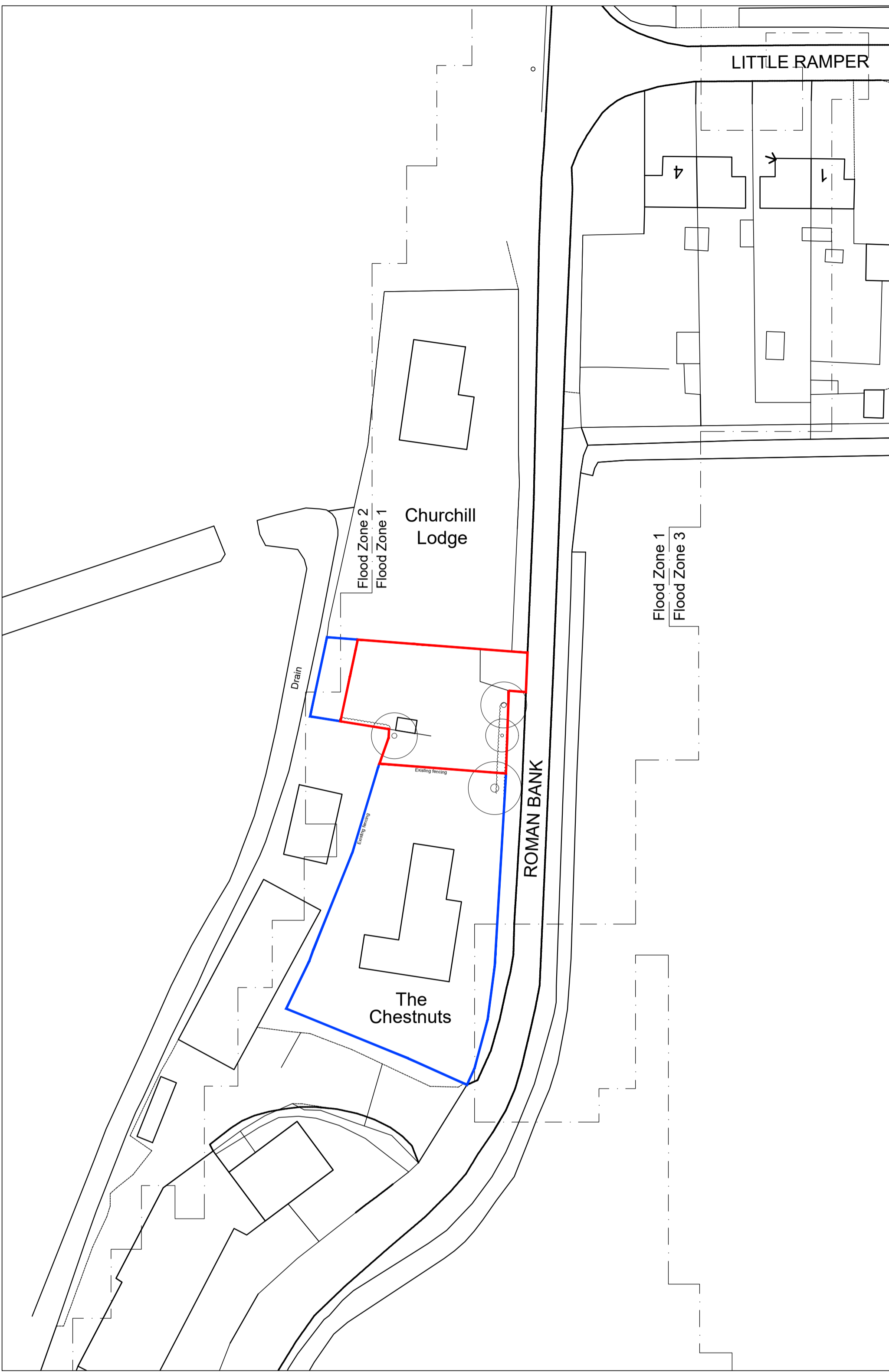
1.	Policy LP3 of the adopted Fenland Local Plan 2014 sets out the settlement hierarchy within the district, setting out the scale of development considered appropriate to each level of the hierarchy. The application site is located outside any defined settlement and is therefore classed as being located in an 'Elsewhere' location as defined under Policies LP3 and LP12. In such rural locations development is to be limited to specific uses only within a countryside location. The proposal is for the construction of an unjustified new residential property, not associated with any of the specified criteria and the proposal would therefore be contrary to Policies LP3 and LP12 of the Fenland Local Plan 2014.
2.	Policy LP16 of the Fenland Local Plan 2014 requires new development to deliver and protect high quality environments and make a positive contribution to the character of an area. The siting of an additional dwelling in this location would create further built form resulting in the increased urbanisation of this Elsewhere location to the detriment of the character and appearance of the area. If permitted the development would be contrary to the above policy of the Local Plan.
3.	In the absence of a completed legal agreement or other enforceable mechanism to secure the delivery and occupation of the proposed dwelling as a self-build unit, the development fails to meet the definition and requirements of self-build housing as set out in the Self-Build and Custom Housebuilding Act 2015 (as amended).



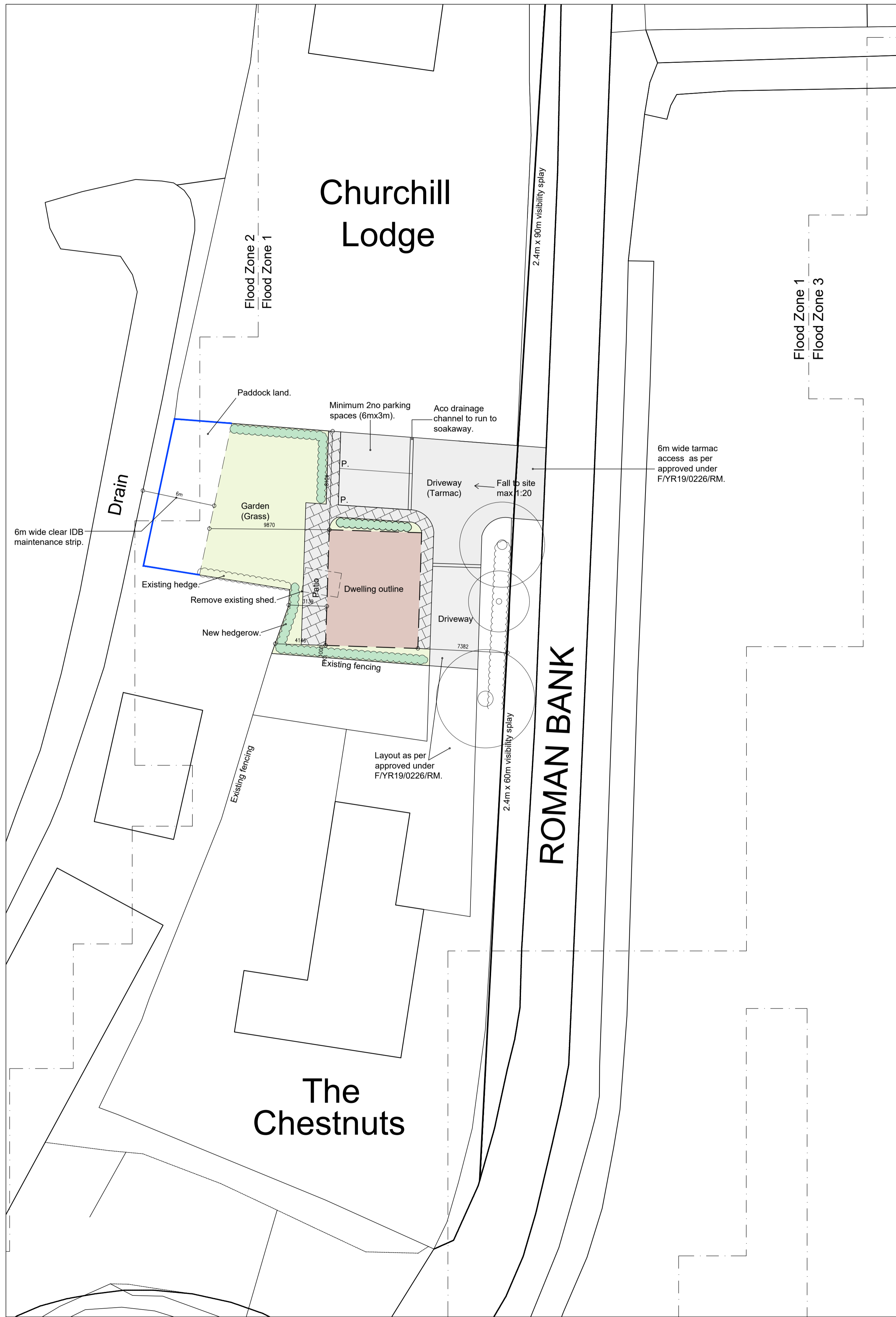
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 Fenland District Boundary

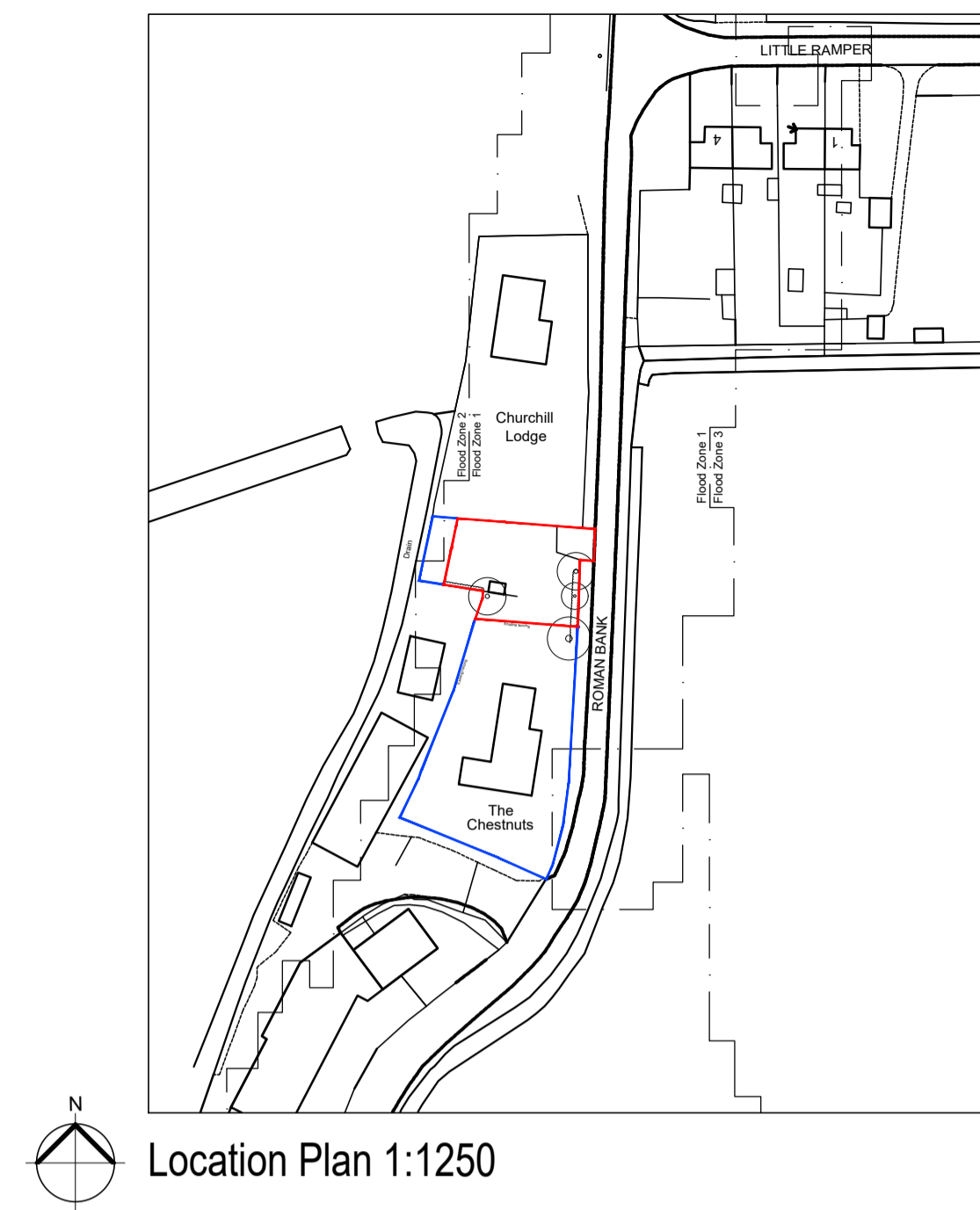




Existing Site Plan 1:500



Indicative layout with proposed access Site Plan 1:200



Location Plan 1:1250

A - REVISIONS



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CLIENT
 MR MISSIN

PROJECT
 OUTLINE DWELLING

SITE
 LAND NORTH OF THE CHESTNUTS
 ROMAN BANK
 NEWTON-IN-THE-ISLE
 PE13 5ER

DRAWING
 Existing & Proposed combination drawing

JOB NO.	PAPER SIZE	DATE
6969/PL01A	A1	DEC 2025

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