

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 21 AUGUST 2024

1.00 PM

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

Committee Officer: Jo Goodrum
Tel: 01354 622285
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- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 20)

To confirm and sign the minutes from the meeting of 24 July, 2024.
- 3 To report additional items for consideration which the Chairman deems urgent by virtue of the special circumstances to be now specified
- 4 To receive Members declarations of any interests under the Local Code of Conduct or any interest under the Local Code of Conduct or any interest under the Code of Conduct on Planning Matters in respect of any item to be discussed at the meeting.
- 5 F/YR23/0696/O
Land South Of Barkers Lane And East Of, Wimblington Road, March
Outline planning permission (all matters reserved, except for access) for up to 425 dwellings (including affordable housing), formation of 2 x accesses, and a dropped kerb (for 38 Wimblington Road), safeguarded land for grass playing fields, public open space, landscaping, community garden, community orchard, children's play areas, sustainable drainage infrastructure, retention of informal parking area, all other associated infrastructure, and demolition of an existing dwelling (40 Wimblington Road) (Pages 21 - 68)

To determine the application.

6 F/YR24/0040/F

The Manor House, 102 Eldernell Lane, Coates

Change of use of existing garage/store and associated land to a venue for ceremonies, including the formation of a car park (part retrospective) (Pages 69 - 88)

To determine the application.

7 F/YR23/1073/F

Land East Of Cirston House, Hockland Road, Tydd St Giles

Erect 1 x dwelling (2-storey 3-bed) and garage, involving the demolition of existing stables (Pages 89 - 104)

To determine the application.

8 Items which the Chairman has under item 3 deemed urgent

CONFIDENTIAL - ITEM COMPRISING EXEMPT INFORMATION

To exclude the public (including the press) from a meeting of a committee it is necessary for the following proposition to be moved and adopted: "that the public be excluded from the meeting for Items which involve the likely disclosure of exempt information as defined in the paragraphs 7 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) as indicated."

9 ENF/006/24/S215

Strathmore House, 169 Fridaybridge Road, Elm (Pages 105 - 112)

To provide members of the Planning Committee an update regarding the site and to determine an appropriate course of action.

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

PLANNING COMMITTEE

WEDNESDAY, 24 JULY 2024 - 1.00 PM



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

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

P13/24 PREVIOUS MINUTES

The minutes of the meeting of 26 June 2024 were signed and agreed as an accurate record.

P14/24 F/YR23/0376/F LAND EAST OF THE WALNUTS, FLAGGRASS HILL ROAD ACCESSED FROM CREEK FEN, MARCH CHANGE OF USE OF AGRICULTURAL LAND TO EQUESTRIAN USE AND THE FORMATION OF AN ACCESS ROAD (PART-RETROSPECTIVE)

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

Members received a presentation, in accordance with the public participation procedure, from Shanna Jackson, on behalf of the agent. Mrs Jackson stated that the application is before committee with a recommendation of approval and it is for the change of use of agricultural land to equestrian use with the formation of an associated access track. She made the point that it is a countryside use within a countryside location, which is supported in principle by Policy LP3 of the Local Plan.

Mrs Jackson stated that the application proposes to change the use of the land to enable the stationing of horses for grazing and as part of the development an access track from Creek Fen is proposed, with works to the track having already commenced and the horses are in situ. She stressed that the proposal is not a commercial enterprise and there is no intention for the land to form a livery, with the situation being that the landowner rents the land to one person who puts a maximum of 4-5 horses on site and this complies with the ACAS recommendations of one horse per 0.5 of an acre.

Mrs Jackson stated that the number of horses accommodated within the site due to its size is restricted by the Animal Welfare Act 2006, with the proposal being entirely domestic in scale and as stated previously there is no intention for a commercial or business use to take place on site and as such the movements to and from the land will be limited. She made the point that the proposal has the support from the local Highway Authority on this basis and it is understood that there are neighbour concerns regarding damage to Creek Fen road, however, this is an adopted highway and this issue would be for the County Council to resolve.

Mrs Jackson expressed the opinion, as per the officer's report, that the proposal is an acceptable form of development which complies with policies of the development plan. She requested that planning permission be granted as per the officer's recommendation.

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

- Councillor Hicks stated that he visited the site and all the questions he had have been answered by the agent so he is happy with the proposal, it will have little impact to the area and he will be supporting it.
- Councillor Imafidon stated that he supports the proposal, he acknowledged that there were fears that it might be a commercial venture but these have been allayed.
- Councillor Connor stated that he also supports the application, he cannot see anything wrong with it, there will only be 3 or 4 horses on the land and as long as it is not a commercial venture and let to one person he is satisfied

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

(Councillor Mrs French declared that she has been involved with enforcement complaints in relation to this site for many years and took no part in the discussion and voting thereon. She further declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council but takes no part in planning)

(Councillor Marks declared that he knows the applicant through business dealings and took no part in the discussion and voting thereon)

(Councillor Hicks declared, in accordance with Paragraph 2 of the Code of Conduct on Planning Matters, that he had been lobbied on this application)

**P15/24 F/YR23/0500/F
NORTH OF 43 - 53 HIGH STREET, DODDINGTON
ERECT 14 X DWELLINGS (2 X SINGLE-STOREY, 2-BED AND 12 X SINGLE-STOREY, 3-BED) WITH ASSOCIATED GARAGES, PARKING AND LANDSCAPING, INVOLVING DEMOLITION OF EXISTING OUTBUILDINGS**

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

Members received a presentation, from Councillor Ruth Hufton, of Doddington Parish Council but also as a local private resident. Councillor Hufton expressed the view that there a number of reasons why this development should be refused, Doddington is designated as a growth village in the current Local Plan and the task was to build an 127 additional homes to reach the 15% target and the village has already achieved 196. She made the point there should be three affordable homes built within this development and lack of viability once again means that these will not be built so questioned whether this is a cop out for developers.

Councillor Hufton expressed the opinion that dirt and noise while the buildings take place will be an issue, access through to the site through Wood Street is narrow and does not allow two vehicles to pass without difficulty, especially when HGVs are involved. She stated that the access onto High Street opens into a Puffin crossing where children cross to and from the village school and there a constant parking problems in both Wood Street and High Street.

Councillor Hufton stated that both the developer and the health impact assessment speak of this development as being perfect for the elderly and downsizing residents, but she feels that the only way that future residents can access the village centre with it shops, pubs, churches, hospital, surgery, bus stops, etc will be by having to walk some 1500 metres through Juniper Close along the length of Wood Street and into High Street, there is no other access. She expressed the view that the demographic of Doddington already shows an imbalance of elderly people and what the village really needs is affordable homes to attract and retain young people into the village and to ensure its future.

Councillor Hufton referred to biodiversity and, in her view, the site is already teeming with wildlife, from Muntjac, Roe Deer, badgers, foxes, hedgehogs, tawny and barn owls, jays, woodpeckers, buzzards, red kite not to mention the more common birds, frogs and toads and a myriad of butterflies, moths and dragonflies and if people do not believe her to come and sit in her garden. She expressed the opinion that there is insufficient evidence to demonstrate that the site of the proposed developer contributions will mitigate against the loss of these, with the intention being to build a wildlife pond questioning who will maintain this when it becomes choked with duckweed and green algae and is a nursery for larvae that will become mosquitos.

Councillor Hufton referred to Anglian Water being concerned that the used water network has not been addressed properly and could pose a risk of flooding and pollution, with the site together with homes at The Larches, Wood Street and in her garden have experienced serious flooding for two years now, something not seen for the 40 years she has lived there. She referred to climate change, with experts saying that these weather events will become the norm in the future.

Councillor Hufton stated that the Grade II Listed Windmill is the only remaining artifact left from that period of the village's history, with the so-called buffer against the windmill by the new plan includes an attenuation pond and the works needed to dig out this pond together with the footings of the new houses will undermine the foundations of the windmill tower. She feels that approval of this application will sever the last link between the Conservation Area and the windmill and their original setting looking out into open countryside.

Councillor Hufton stated that under the terms of her late partner's will the windmill together with other buildings and the land that they stand on will be part of his legacy to form a trust for Doddington village and asked members to take this into account when considering the potential use of this site and its possible value to residents as a green space. She expressed the opinion that no attempt has been made to compensate Doddington through Section 106 contributions, she understands that Lattersey Nature Reserve in Whittlesey will benefit from around £21,000 to help its biodiversity but Doddington takes the pain and this reserve gets the gain, the doctor's surgery already services around 13,000 people, with Doddington residents already having to travel to Ramsey, Manea or Wimblington to obtain an appointment, the Primary School purports to have capacity at present but no account has been taken of the additional number of children who will need places when the development at Bevills Close for 48 homes is built, Doddington still has problems with disposal of sewage and although there have been remedial works taking place at Coneywood these barely cover the current problems and public transport is almost non-existent so, in her view, much more thought needs to be given before the village is asked to take additional housing under the current Local Plan.

Councillor Hufton expressed the opinion that, added to Juniper Close, if this is built this development would amount to a total of 42 houses, the knowledge of which should have been available when the first phase was before the committee.

Members asked questions of Councillor Hufton as follows:

- Councillor Mrs French referred to the Listed Windmill and asked what the plans are going to be as it was said it was going to be a legacy and from visiting the site it looks like it does need some attention. Councillor Hufton responded that it is weatherproof but she does not have any plans to spend any more money on it as it would be too expensive.
- Councillor Imafidon asked when the previous units were constructed did they have any impact on the windmill? Councillor Hufton responded that she is convinced that when the houses were built that there was some form of pile driving, which was denied, but all of the glass in the windows of the Windmill fell out. She stated that officers from Larkfleet came and had a look at it and said that they had not pile driven and the noises that were heard when it actually being built was nothing to do with them.
- Councillor Marks referred to drainage being a concern and for the past 2 years it has been said that flooding has been experienced and asked what she puts this down to? Councillor

Hufton responded that it is due to a site being developed which was always known as being wet before being developed and there is not enough run off from the concrete on the site for it to run off anywhere other than back into the land in The Larches, Wood Street and her garden.

- Councillor Connor stated that he remembers Councillor Mrs Davis coming once to Councillor Hufton's property to see the water ingress on her property. Councillor Hufton responded that it was to such an extent that she has a digester for her sewage and she had to empty it three times that year to get rid of the water whereas normally it would only be emptied once. Councillor Connor expressed the view that Councillor Mrs Davis came to Councillor Hufton's property when they were supposedly not piling but, in his view, they were and saw the glass all out of the windows and asked if Councillor Hufton was inferring that the building of those bungalows down Juniper Close had an adverse effect on the windmill? Councillor Hufton responded that she firmly believes this and she still has the glass in her shed. Councillor Connor expressed the view that if these houses are approved and they have to pile them as it has been suggested the ground is wet and boggy it would have a real adverse effect this time as the development is a lot closer to the windmill and it could result in the loss of a Grade II Listed Building.
- Councillor Sennitt Clough asked what the current use of the land is and whether it is a case of not wanting development on it but someone else is going to come along and does Doddington Parish Council have any plans or know of any plans for the use of the land in the future? Councillor Hufton responded that there are no particular plans for anything to be undertaken at the moment, it is a great place for growing brambles, grass and nettles but the thing she is particularly interested in is the fact that the windmill will be left to the village when anything happens to her through her partner's will and she feels that there could be something useful made from the land that the windmill stands on attached to the green space that is currently being looked at to build upon to make a really interesting site for the middle of Doddington, such as a wildlife park for school children to use.

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

- Councillor Marks stated that he has been to the site twice and he has concerns about flooding, damage to a Listed Windmill heritage asset, the 1500 metre walkway to get into the village itself and overcrowding of the site. He feels if the developer came back with fewer houses away from the windmill he may change his mind but at the present time he thinks officers have got the recommendation correct.
- Councillor Mrs French agreed with the comments of Councillor Marks but stated that the land needs development but not to this extent and if it is not developed it is going to be left as another untidy piece of land. She expressed her concern about the flooding and feels the applicant should reconsider and develop the site with a lesser amount of dwellings.
- Councillor Imafidon stated that he feels the officer's recommendation is correct as there is a heritage and flooding issue with the land. He stated that when he visited the site he noticed the developer has only put a binder course on the previous development, which was built probably 4 years ago, and if they have not finished that to an acceptable standard now, what is the guarantee that when this piece of land is developed that it will be brought up to an adoptable standard and it could be another issue. Councillor Connor made the point that this is a different development and no weight can be given to this.

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

(Councillor Connor declared that he represents Doddington at District and County level)

**NIGHTLAYER LEEK COMPANY LIMITED, DEAN DROVE, CHATTERIS
CHANGE OF USE OF 6 X AGRICULTURAL UNITS TO B2 AND/OR B8 USE
(STORAGE AND DISTRIBUTION)**

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

Members received a presentation, in accordance with the public participation procedure, from Kier Petherick, the applicant. Mr Petherick stated that he has come to answer questions in case there are any outstanding points. He made the point that Chatteris Town Council are in support of the application and the site is a built form and will continue to exist as a functional area which delivers employment, with changing its use delivering a net gain to the Council via the fact it will pay business rates.

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

- Councillor Benney stated as a Chatteris ward councillor he fully supports this application, it is an established use and an established business offering employment to Chatteris for many years and will continue to do so. He feels the proposal is just a simple change of use and understands why it is before committee but does not feel time should be wasted by members and officers debating it and a decision can be made.
- Councillor Mrs French expressed surprise at this application being before committee, it is an established use and as far as the footpath is concerned that is a public footpath and bridle way and it is the County Council's responsibility to upkeep it.
- Councillor Hicks stated that he was impressed with the neatness and tidiness of the site, which is immaculate and everybody could move into the site tomorrow without anything having to be undertaken.
- Councillor Marks stated as a ward councillor also for part of Chatteris he fully supports the application and he knows of a business that was trying to move into the site 12 months ago and had to relocate elsewhere because planning was held up so there are tenants ready to move onto the site. He referred to the pathway, Aerotron employ around 200 people and there is a crossing with the A141/2 and there is not a pathway so why is this being reflected on when there will be lesser people at this site.
- Councillor Connor stated that Fenland is Open for Business and it wants people to bring light industry to Fenland to make the District's aspirations higher.

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

(Councillor Sennitt Clough declared that the applicant rents land that she owns and left the room for the duration of the discussion and voting thereon)

(Councillor Benney declared that he knows the applicant but is not pre-determined and will consider the application with an open mind. He further declared, 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 declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he attends Chatteris Town Council meetings but takes no part in planning)

P17/24 **F/YR23/0819/F**
LAND EAST OF 22 EASTWOOD INDUSTRIAL ESTATE, EASTWOOD END,
WIMBLINGTON
ERECT A STORAGE BUILDING FOR THE STORAGE OF FERTILISERS AND
PROVISION OF HARDSTANDING TO SERVE THE BUILDING (CLASS B8)

This item had been withdrawn.

P18/24 **F/YR24/0051/F**
LAND WEST OF 27 NORFOLK STREET ACCESSED FROM MORLEY WAY,
WIMBLINGTON
ERECT 8 DWELLINGS (2 X SINGLE STOREY, 2 BED AND 6 X SINGLE STOREY,
3 BED) WITH ASSOCIATED GARAGES AND THE FORMATION OF AN
ATTENUATION POND

This item had been withdrawn.

P19/24 **F/YR24/0110/RM**
LAND NORTH OF 1 THE FOLD, COATES
RESERVED MATTERS APPLICATION RELATING TO DETAILED MATTERS OF
ACCESS, APPEARANCE, LANDSCAPING, LAYOUT AND SCALE PURSUANT TO
OUTLINE PERMISSION F/YR21/0829/O TO ERECT 1 X DWELLING (2-STOREY, 3-
BED) INVOLVING DEMOLITION OF EXISTING GARAGE

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

Members received a presentation, in accordance with the public participation procedure, from Shanna Jackson, the agent. Mrs Jackson stated that outline planning permission for a dwelling on this site is established and this proposal seeks approval of Reserved Matters in relation to the construction of a single dwelling, with the proposal being described by officers as a two-storey dwelling, however, from the submitted drawings what is being proposed is a chalet or a single-storey dwelling with rooms in the roof space. She referred to a planning appeal determined in 2018 that she feels is pertinent to this proposal in which the LPA provided comments within its statement which were “the constraints of the site result in limited options for the location of a proposed dwelling as such a single storey dwelling is not considered able to be reasonably accommodated with sufficient private amenity space or reflective of the large bungalows in this area” so in this grounds of appeal the LPA made it very clear that it did not want a bungalow and the appeal was dismissed on the grounds that the proposal was for a house so with this in mind the only option available to them was to provide a chalet dwelling and they are, therefore, disappointed that the scheme before committee is with a recommendation of refusal.

Mrs Jackson made the point that the dwelling has been carefully designed so that no windows overlook the neighbouring properties, sufficient parking and garden space has been provided in accordance with the adopted drawings and the dwelling has been set back from the neighbouring properties. She referred to concerns being raised by officers that the proposal would result in an overbearing impact on the neighbouring property at No.7, however, she reiterated that their hands have been somewhat tied in that the Council has confirmed in the previous submission that the proposal could not be a bungalow.

Mrs Jackson expressed the view that they have carefully considered the impact on No.7 and as a result half hipped the roof in this location where it is closest to the neighbour, which has resulted in a much lower height dwelling and coupled with the distance from the rear boundary and the 1.8 metre high close boarded fencing on this boundary they would argue this is sufficient to alleviate

concerns in relation to an overbearing impact. She made the point that it is clearly not an issue for No.7 and they have not objected to the scheme and she stated that there are no other objections to the proposal other than the seemingly subjective issue with regard to there being an overbearing impact.

Mrs Jackson expressed the opinion that the proposal would be built by a local builder using a local workforce and local materials, which would result in a high quality dwelling within a sustainable location and should be applauded. She expressed the view that the proposal is a sustainable form of development and the relatively low height of the dwelling together with the distance to the boundary and the fencing are all such that there will be no tangible negative impact on the neighbouring dwelling or to the character of the area in general and requested that the Reserved Matters be approved.

Members asked questions of Mrs Jackson as follows:

- Councillor Sennitt Clough appreciated that a lot of effort has gone into the design so there are no windows that are overlooking and the shorter apex part of the building at the rear, however, the height of the building would still overlook the gardens and from visiting the site she does feel there would be an element of loss of light together with traffic and parking pressures. She asked if it would be on-street parking? Mrs Jackson responded that on the site plan there are 2 off-street parking spaces which would be provided for the proposal and that meets the criteria within the Local Plan. Councillor Sennitt Clough asked about the loss of light? Mrs Jackson responded that it is a relatively low height building, it is set back from the neighbouring properties and there is also a 1.8 metre high fence in the way so she believes the most overshadowing is going to come from the fence which is already there and feels it would be difficult to enforce that there would be an overshadowing issue from the proposal given the current situation.

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

- Councillor Mrs French stated that she has visited the site, it is a shame that as they have got their outline planning permission that they did not listen to what officers said on the decision notice. She believes this proposal is too large for the site, it will cast shadows on the neighbour, which is a material consideration and the neighbours are entitled under Human Rights to the enjoyment of their home and if this application is approved it will remove some of this.
- Councillor Marks agreed with the comments of Councillor Mrs French but is a little confused as to why it is felt they cannot still place a bungalow on the site, which may be to do with cost. He also raised concern with the two parking spaces, which means that one way has got to either be reversed in or reversed off the road and he believes that the officer's recommendation is correct.

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

**P20/24 F/YR24/0366/F
113 ELM LOW ROAD, WISBECH
ERECT 2 X DWELLINGS (2-STOREY, 3-BED)**

David Rowen presented the report.

Members received a presentation, in accordance with the public participation procedure, from Councillor Steve Tierney, District Councillor for the area. Councillor Tierney stated that he assumes members have been out and visited the site so will have seen the nature of the site and he would like to challenge that this planning development is in keeping with the street scene, in his view, it is not, it is totally different to the other buildings most of which are lower than this and a completely different structure. He expressed the view that it clearly overdevelopment as it can be

seen what a tight squeeze this proposed development would be on this small piece of land.

Councillor Tierney stated that when the proposal was for just one dwelling he found this acceptable but to then change the land to cram two where previously it was planned for one is greedy and it has been undertaken because it was previously approved and they have decided to try and chance it. He feels it is important that a message is sent because the Council has got to try and let people develop where they can and make places for people to live but there is also showing fairness to people who already live there and not allowing development to be crammed into every available space with the maximum number of dwellings that can be achieved, which is what is going on here and why residents are upset.

Councillor Tierney stated that he is one of three District Councillors for the area but both the other councillors, Councillors Wallwork and Hoy, have echoed his concerns by e-mail to the committee and he has spoke to them today and they have asked him to speak on behalf of them also. He stated that all three councillors oppose this proposal, they think it is the wrong message to be using a small piece of land to cram too bigger a development in and he is also concerned about the potential overlooking that there might be, with the proposal being too much for this piece of land and he hopes committee say no to the proposal so the developer goes back to their one dwelling proposal which he feels was far better.

Members asked questions of Councillor Tierney as follows:

- Councillor Marks stated that the road is a fairly busy road and there was a proposal for one property with a garage which would have turning to stop vehicles reversing in and out and asked how busy is the road as this proposal would mean vehicles reversing in or out onto a highway. Councillor Tierney responded that it is not as busy as the A47 for example but for a residential road it is plenty busy, there are lots of properties in the road together with businesses and there are lots of reasons why people want to access the road and there are already concerns about how vehicles negotiate the area.
- Councillor Imafidon sought clarification that it is a dead-end road and adding more vehicles to that area is going to cause more problems. Councillor Tierney confirmed that it is a dead end road, it is sealed off so you cannot continue on towards Elm, with all the vehicles that use the road having to turn around which is an issue.

Members received a presentation, in accordance with the public participation procedure, from Carole Royal, an objector. Mrs Royal stated that there have been four previous planning applications for this plot, all were for one dwelling which were all approved, and the latest being just last year for one two-storey four-bedroom house. She made the point that the developer purchased the plot with full knowledge of this fact but then only months later wants to split it to squeeze an extra dwelling in and, therefore, in her view, overdevelop the plot, which would be in contradiction of the original planning officer and present day officer who both agreed with one dwelling on the plot.

Mrs Royal stated that the present planning officer felt it would be an incongruous development that would amount to overdevelopment resulting in poor quality amenity for the future occupants contrary to Policy LP16 of the Local Plan and the previous permission for a detached two-storey 4-bedroom dwelling would be more in keeping with surrounding development as opposed to the current application to increase the quantum of dwellings on the site. She continued that the officer further recommended that the applicant withdraws this application and proceeds with the development of the extant detached dwelling as to proceed with the current two dwelling proposal would likely be considered unfavourably by officers, however, the same officer has now made a complete u-turn recommending approval of this proposal and she has to question why.

Mrs Royal stated that the agent acknowledges that the plot already benefits from planning permission for one dwelling offering the following as a reason for changing this; the current property market requires more modest sized family dwellings, but as there is the new Skylark

housing estate not half a mile away to the East of Elm Low Road containing 137 2-3 bedroom family houses not to mention the proposed Heron Road estate extension the same distance to the West of Elm Low Road with 200 plus new homes, in her view, this reasoning does not stand up for this small plot. She expressed her disappointment that Wisbech Town Council approved this application, she believes councillors were going to be advised of residents' objections but this did not happen so they were unaware of this at their meeting, which is why an e-mail was sent to every Wisbech District Councillor of their objections to make sure they were informed.

Mrs Royal expressed the view that the existing telegraph pole and the front boundary hedgerow blocks access to the proposed parking spaces and this would have to be moved by BT but questioned to where. She stated that there has been no mention of a large storm drain and cover in the same verge and asked what happens to that.

Mrs Royal expressed the view that the road already floods here in heavy downpours, pictures have been sent to the County Council in the past who come out when informed and clean out the gullies outside 113, 115 and 117, although this has never solved the problem. She added that they are also aware of the storm drain in the grass verge and traced its direction, with dykes having been filled in on the opposite side of the road because of the Heron Road estate and there is nowhere for this excess rainwater to go anymore and as a result the road in this precise position floods entirely across its width.

Mrs Royal referred to removal of the hedgerow at the front boundary would be at the expense of nesting birds and assorted wildlife and would be, in her view, a detrimental step to take, with the other three plots having retained and cared for their inherited overgrown hedges both front and rear and made this part of the road more aesthetically pleasing, maintaining the grass verges too. She stated that further up and down the road hedgerows have been ripped out for very similar building reasons, this would be yet another one gone forever and made the point that the hedgerow would not have to be removed, the telegraph pole would not have to be moved and the storm drain could also remain if the plot only had one dwelling with a turn around driveway which it has always been envisaged and approved.

Mrs Royal made the point that highway concerns have also been voiced by neighbours, with increased traffic and no footpaths. She stated that not one of the neighbours have ever objected to the previous planning applications for a single dwelling on this remaining plot of 4 and were all happy with the previous application but, in her view, this one would not be in keeping with what has been agreed and approved many times before, with this proposal disregarding what the four plots were originally designed for and how well they would look in the road.

Members received a written presentation, in accordance with the public participation procedure, from Nick Seaton, the agent. Mr Seaton stated that the application is recommended for approval by officers, with the Town Council and Highway Authority also supporting the application and it is front of the committee due to a number of objections received from residents and councillors. He stated that the grounds for these objections include highway safety concerns, lack of supporting infrastructure along Elm Low Road, overdevelopment and it being out of character with the surrounding developments.

Mr Seaton expressed the view that the traffic generated from two 3-bedroom dwellings may be slightly more than from one 4-bedroom dwelling, but the increase would be small, with Highways having no objections. He feels that smaller more affordable family homes are required in this area and this modest increase in density does not undermine or detract from the character of the area, nor is it out of keeping with the local building characteristics.

Mr Seaton expressed the opinion that the need for housing of this size and type is backed up by the latest Strategic Housing Market Assessment, which indicates a greater need for 2 and 3-bedroom properties rather than for 4-bedroom properties within Fenland. He feels there is no

significantly defined character to the design of the properties in the area with a bungalow on one side of the site and a large two storey property on the other, whilst opposite is a 1½ storey dwelling, with there also being a mix of detached, semi-detached and terraced housing in close proximity to the site.

Mr Seaton expressed the view that the mass and area of the proposal remains essentially the same as approved and cannot be considered as cramped or overdeveloped or a justifiable reason to refuse the application on this basis, with a good standard of occupier amenity being provided for both dwellings. He asked that the committee follow the officer's recommendation and approve the application.

Members asked questions of officers as follows:

- Councillor Hicks asked how overdevelopment is assessed? David Rowen responded that it is a case-by-case judgement using professional expertise looking at the size of the development and the site, relationship with surrounding properties and officers have assessed this application as not being overdevelopment, that the two properties can be accommodated with adequate car parking and rear garden space and without having any adverse impacts on the adjacent properties. Councillor Hicks questioned that what is being said is that there is a certain element of subjectivity. David Rowen stated that he would concur to a degree albeit that when it is proposed to have 10 metre front gardens providing adequate car parking and 22 metre rear gardens it does not fall into the territory of being on the cusp of being acceptable or not as the proposal looks acceptable in terms of not being overdevelopment in his professional opinion.

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

- Councillor Marks stated that he has visited the site and he was 50/50 on whether he thought it was a good development or not and having heard from speakers, although he is disappointed that the agent has not attended, he is going in the direction of feeling that he could not support the proposal. He expressed concern regarding vehicles on the front, there was a very good application for one property with a double garage which would have given turning and there is now a situation where there is tarmacked front drives, it has been heard there is flooding issues so where is that water going to go and he feels it almost greed putting two properties on the site when there could be one very nice property.
- Councillor Sennitt Clough agreed with the comments of Councillor Marks particularly in light of the fact that there is a site with 137 homes nearby and another further site with 200 homes and she does not understand why there needs to be 2 homes cramped onto this site.
- Councillor Imafidon referred to the issue of access and vehicles on the road, making the point it is a dead-end road and it is not a very wide road in some sections, it is a mixture of old cottages towards the bottom and newer larger developments as well so he does not believe this proposal is in keeping. He expressed the view that the property to the right of the site is one single unit whilst on the other side it is a bungalow so he feels this site is suitable for a single dwelling rather than two. Councillor Imafidon stated that there are flooding issues as well and he cannot support this proposal.
- Councillor Connor stated that Councillor Marks has summed up the situation, he cannot support the application, it has extant planning permission for one and that is where it should be as two is over intensification of the site as when he visited the site the frontage is not that wide, with the telegraph pole probably having to be moved.
- Councillor Mrs French stated that she has visited the site and her concern is shadowing on the bungalow, with the bungalow she believes having windows on that side. David Rowen responded that he understands that those windows are serving non-habitable rooms. Councillor Mrs French expressed the opinion that it is still going to overshadow and she does not think there is going to be enough amenity space, with three-bedroom homes probably going to have children and there will not be much room to play. She feels that overdevelopment is a matter of interpretation and she does not like this application at all.

- David Rowen acknowledged that the tone of the debate has been negative and he is fully expecting that there will be a proposal to refuse the application, however, this would lead to a possible appeal stage and how the Planning Inspector would view this case. He feels that the starting point for the Inspector would be that there is an extant planning permission on the site for a single dwelling and then they would be assessing what additional harm there is over and above that single dwelling, such as impacts on neighbouring properties, but the built mass is not significantly different to that which has been approved and, therefore, there would not be any significant additional impacts over and above the extant scheme. David Rowen continued that with regard to amenity space, the Council has a policy that a third of the plot should be private amenity space and for the two dwellings this is more than exceeded as it is about a 22 metre rear gardens, which are more than adequate to serve these two dwellings. He added that regarding the impact on the highway with vehicles accessing onto Elm Low Road, an Inspector would be looking at whether there is a significant additional impact over and above the plot that has an extant permission, that development had an on-site turning area but looking at the street view between Weasenhams Lane and this site there must be at least a dozen properties that are also in a situation where they are having to reverse onto or off Elm Low Road and he thinks it would be difficult to sustain a refusal reason on highway safety especially when there is also not an objection from the Highway Authority. David Rowen stated that his advice to committee would be that if the committee wants to refuse the application it is within their gift to do so but any subsequent appeal is going to be somewhat difficult to defend.
- Councillor Marks acknowledged what David Rowen has said but believes that two wrongs do not make a right and just because previously there are people turning in and out and reversing onto Elm Low Road as a committee members need to look at the health and safety and if those have been historic would this proposal not be impacting the problem. He stated that he would happily sit in front of an Inspector and say this is his biggest concern with this proposal where previously there was a turning circle and turning circles are far better than people reversing in and out of the road.
- Councillor Connor stated that it would be interesting to know how old those 12 properties are that have been mentioned and when they obtained planning permission as if it was before 1948 they did not need planning permission and there would not have been the amount of traffic, with Councillor Tierney stating it is a busy no through road. David Rowen responded that he does not have an exact date but looking at the nature of the properties he would be surprised if these are pre-1948, they could be pre-1998 and post 1978 possibly and probably 1970/1980s properties. He referred to Councillor Marks point and what a Council has to be able to demonstrate to an Inspector is that there would be significant additional harm and, in his view, given the number of properties already in a situation where they are reversing onto or off the highway it would be difficult to convince an Inspector that there is a significant additional harm.
- Councillor Marks stated that he understands but as soon as this proposal is agreed the next person who wants to build along here has been set a precedent so that more people are doing the same and at some point a stand needs to be taken. He referred to some of the properties being around since the 1990s and wonders if some of these properties have actually been allowed or whether they have just undertaken it by default as he knows of a few housing estates where people just suddenly tarmac the front drives without any permission so his fear is if this is allowed this time then the floodgates are being opened up for more people along that road.
- Councillor Mrs French reiterated that she does not like this application and, in her opinion, it is overdevelopment but having listened to David Rowen's comments and referring to an application at Upwell Road, March, which could not be defended and committee was told by officers that it could not be defended when it was refused and it was lost at appeal costing the Council money, she does not think there is an option but to approve the application.
- The Legal Officer stated that having listened to what David Rowen has said that whilst it is not a material planning consideration there is a risk in these sorts of cases if the evidence is not produced to back up a refusal there may be an award of costs so the Council has to pay

not just its own costs but also the appellants costs. He gave an example that if members were to refuse on highway grounds without any highways evidence that will inevitably lead to an award of costs.

- Councillor Marks stated that evidence is one thing but common sense is something he believes is in very short supply these days and it is known that reversing off a highway or onto a highway can cause problems and by allowing this proposal it is exacerbating those problems. He reiterated that there is an approved application for this site which showed a turning circle and whilst he understands the comments of David Rowen he feels there are times where you need to stand up and say this is wrong, it is a bad application and he cannot support it.
- Councillor Benney asked what the estimated costs would be if it went to appeal and the Council lost? David Rowen stated it is a very difficult question to answer given that it is very dependent upon the actual route the appeal goes down, what the decision level is and to some extent how much the appellant asks for in costs. He would reiterate what the Legal Officer said that cost is not a material planning consideration in relation to the determination of an application.
- Matthew Leigh clarified that the Highway Authority has raised no objection to this application in relation to highways so it is not a case of struggling to evidence it, evidence would have to be found that goes against the Highway Authority's position if this application was refused. He understands Councillor Marks comments in relation to common sense but this is planning and not how it works and it needs to be demonstrated and evidenced the reasons for refusal and it is a dangerous stance to take if you go against statutory consultees as the Council could be trying to find a highway expert that was willing to say that there was substantial harm from this development. Matthew Leigh added that whilst the other scheme had a turning circle, the Council is not here to say which they prefer but to assess the application and take the previous permission as a material consideration.
- Councillor Connor stated the reasons for refusal would determine the cost factor of it if it was lost on appeal, committee can obviously refuse the application but there needs to be good reasons. He expressed the view that Councillor Marks is correct that common sense does not prevail but he feels that as Chairman on the evidence of what officers have said he would try and steer the committee to approving this application as he thinks an appeal would be lost and there would be costs involved.
- Councillor Benney made the point that costs are not a material planning reason and not the overriding part of a decision-making process. He feels listening to what has been said, members are saying that the proposal is not right and if all that is going to be done is rubber stamp and not use committee's discretion which is its purpose there may be costs but the costs are only the cost of the appeal and sometimes you have to do what you think is right. Councillor Benney appreciates what David Rowen is saying but equally members may probably want to vote against this application but cost should not be the only reason for going against it there are reasons for refusing it and if those reasons were worded strongly enough and a good reason put forward those costs could be minimal.
- Matthew Leigh stated that Councillor Benney is correct that committee members are not here to rubber stamp officer's recommendations but what members are here to do, as in all decision-making in the planning process, is determine applications in accordance with the Development Plan unless material considerations indicate otherwise. He added that the starting point should always be what does the Council's policy say, which does not say that you cannot reverse from a site onto the road and that you cannot put in an application and then come back and change it. Matthew Leigh stated that committee is looking at the application in front of it and is able to give different weight to the different material considerations and he feels that the consideration that carries a lot of weight is the response of the Highway Authority, which is professional advice compared to his planning layman's opinion on highways or members opinion, and if this is not reflected it is a dangerous route to take. He agreed that costs should not be a material consideration but the reason for this is applications should only be refused where there is a reasonable success of failure as the starting point is the Local Plan.

- Councillor Mrs French stated it is up to the committee what they decide but she will not be supporting refusal as if it went to appeal she would be very surprised if two reasons could be found to defend it on. She feels it is disappointing that Highways have not really commented on the application but they obviously see it is not an issue, it is an old established road and is a dead end at the bottom. Councillor Mrs French stated that she does not like the application but will be supporting the officer's recommendation as it cannot be refused for highway reasons and she does not know what other reason for refusal there is.
- Councillor Marks stated the other issue that does seem to have been slightly forgotten is flooding and he has looked quickly for a drainage plan and members have heard from the speaker that there has been flooding so this should be materially taken into consideration as well as does the interpretation of what members think of the design. He feels that there are three issues that were raised and whilst focusing on traffic the other two seems to have been lost so with a combination of the three he feels there is a good solid case to refuse this application. David Rowen responded that the site lies in Flood Zone 1 and looking at the Environment Agency's Flood Map there is nothing on there that indicates that the site is at risk of surface water flooding and without knowing more about what the flooding issue was, if it is the case that the existing drainage infrastructure in the vicinity is substandard then there is a requirement there for the statutory undertaker to be doing that now to serve the existing properties and not necessarily an issue for the proposed development to address. He made the point that there is an extant planning permission in place for a building on the site of a similar footprint and mass to what is proposed now and to some extent whether that is one house or two houses from a drainage perspective is not really going to make a great deal of difference.
- Councillor Mrs French stated that she sits on the Flood Flow at Cambridgeshire County Council and many areas are discussed but this is one that has never been brought up so she cannot say there is a flooding issue, there probably is but it might be the drains and dykes need clearing out but she does not think this could be defended as a reason for refusal as it has not been proven through the County Council.

Proposed by Councillor Mrs French, seconded by Councillor Hicks to GRANT the application as per officer's recommendation, which was not supported on the vote by members.

Proposed by Councillor Marks, seconded by Councillor Benney and agreed that the application be REFUSED against officer's recommendation.

Members do not support officer's recommendation of grant of planning permission as they feel the proposal is contrary to Policy LP16(d) of the Local Plan as it does not make a positive contribution to the local distinctiveness and character of the area, does not improve the character of the local built environment as it is out of keeping with the rest of the street, adversely impacts the street scene in terms of its design and scale as it is crammed in and does not reflect the character and street scene with there being no other development similar to this proposal in the area and it will create overshadowing to the neighbouring property.

(Councillor Imafidon declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Wisbech Town Council and this site used to be in his old ward, but he takes no part in planning and remains impartial)

**P21/24 F/YR24/0367/F
LINWOOD FARM, LINWOOD LANE, MARCH
CHANGE OF USE OF THE LAND FROM AGRICULTURAL TO RESIDENTIAL
LAND INVOLVING THE ERECTION OF AN ANNEXE ANCILLARY TO THE
EXISTING DWELLING.**

David Rowen presented the report.

Members received a presentation, in accordance with the public participation procedure, from Councillor Tim Taylor, a District Councillor. Councillor Taylor stated that this proposal is a 2-bed annexe for the retired age of the farming family and farmers live in a rural location all their lives and have got farming running through their veins. He expressed the view that there are no drainage issues because the site is on its own sewage treatment plant.

Councillor Taylor asked members to imagine retiring and having this little annexe built to open your curtains in the morning to look out onto your open fields that you have built, designed and created, looking out over the cows feeding or calving or the sheep grazing and lambing. He expressed the view that what better way to retire than to the life you have become accustomed to and used to all your life.

Councillor Taylor stated that he visited a friend in Peterborough and he could not stand being in his house any more than 20 minutes as he could not cope with the noise and he said that when he visits him he is exactly the same as his home's location is too quiet. He made the point that it is what people have been used to and feels there are two choices, it is a farm in the middle of nowhere, it has no public view and it is not going to be seen unless people are walking down a bridleway so the application can either be refused and the people have to live elsewhere or is it a case of saying they have lived all their life on the farm, employed local people, supported local communities, fed the nation so have a happy long retirement looking out of this little annexe onto the land, farm and industries that they have created and still feel part of the countryside and part of that farm.

Councillor Taylor stated that the family is still going to live in the main house, with the annexe being 10-15 yards away but if you are in the annexe that is not connected to the main house the person has the feeling of independence and is not tied to the main house but close enough to shout for help if required. He expressed the view that this type of project is something the Farming Committee and Planning Committee should be working together on across the District.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall expressed the view that the principle is acceptable but it appears that the position and the scale are of concern and he has submitted some private medical evidence to show that this is for a family member and for future generations. He stated that the proposal is for a 2-bedroom annexe, with the second bedroom being, as and when required, for a live in carer and it has also been designed at one level, with the design, in his view, being quite reasonable.

Mr Hall referred to the plan on the presentation screen and stated that one key point with this application is it is about 450 metres from the A141 March Bypass, it cannot be seen from the highway. He expressed the view that the annexe has been positioned at the side of the existing property, it has been looked at being positioned in other places, such as the north-east within the curtilage of the property but it would have been further away from the main residence and it could block their view, with that residence having been there about 30 years, if it had been positioned to the south-west it would block the houses view of their own farmland and it would also have been further away from the main residence and it cannot be positioned to the north-west as there are major farm buildings and a business in this location so there is no room.

Mr Hall stated that the applicants own approximately 800 acres of land split between this site, which is about 270 acres, and the rest at Doddington, with the proposal site being around quarter of an acre of land. He made the point that the annexe will use the same parking and the same access as the main residence, with the site being ideally located within Flood Zone 1.

Mr Hall advised that the applicants at this site have invested in solar panels that produce approximately 330 KW and this proposed annexe would be powered by these as there is no gas at

the location. He added that they have also recently installed a 50,000 litre rainwater recycling tanks and these are the same applicants who between March and Chatteris have just planted 10,000 trees, therefore, in his opinion, the site will be well screened even more than it is now with hedging and that can be agreed with officers if this application is approved.

Mr Hall stated that the applicants are fully aware that there will be, if approved, a planning occupancy condition to ensure that this is an annexe subservient to the existing property. He made the point that there are no technical objections, there are no objections from anybody in the community, medical evidence has been submitted to state its need and the application has the support from March Town Council and Councillor Taylor.

Members asked questions of Mr Hall as follows:

- Councillor Connor confirmed that members of the Planning Committee have seen no medical details of the applicant or their relations who may or may not live on site if the application gets approved. Mr Hall responded that he did submit 3 pages of medical evidence and he just assumed that members had seen it.
- Councillor Mrs French stated that there have been similar circumstances before but it has been included in the written report, with some of the information being confidential, and she feels something should have been included in this report and feels that the application should be deferred.
- Councillor Hicks referred to Councillor Taylor saying that the residents of this annexe would be looking over open fields but he feels that this is not his recollection and believes the property is surrounded by trees, asking who is correct? Mr Hall responded that the existing property, which has been there 30 years, is surrounded by trees and the proposed annexe on the right-hand side juts out and he has said that hedging and trees could be planted but it is all open field going back towards Wimblington. He clarified that the existing property is screened and he would want to put some planting around the annexe, but, in his view, it would have some field views.
- Councillor Sennitt Clough referred to distances, if it was in the garden of the property at the top right on the plan closer to the road it would be too far from the main residence and if this is a concern why does it have to be a separate annexe and not an annexe that is joined onto the property as there does appear to be room for that with no other buildings directly around the main house. Mr Hall responded that looking at the map to the top right-hand corner that is all part of the curtilage to this property and if it was positioned there it would be further away from the existing property and they do not really want to place it in the south facing garden of the existing property as it would block the view. He stated that the proposal is about 13-14 metres away from the existing property, it is not joined and, in his view, it is ideal where it is positioned rather than joining it to the existing property which would then look overly large, with the existing dwelling being 2-storey and this proposal needs to be at one level for possible future use. Councillor Sennitt Clough stated that she is trying to ascertain if distance is an issue and the annexe could be joined onto the house then either distance is an issue or it is not. Mr Hall expressed the opinion that they do not want to disrupt the existing curtilage to the existing property, which is why is located just to the side. Councillor Sennitt Clough questioned that can she conclude that distance is not the top priority. Mr Hall confirmed it was not.
- Councillor Benney stated that he assumes seeing as the application is for an annexe it is for relatives. Mr Hall confirmed that was correct, it is for one of the applicant's father and evidence has been submitted to show his condition is deteriorating. Councillor Benney stated that he does not know the applicants but he knows of them and referred to his father's property in York Road that had an annexe for which planning permission was granted for his grandmother to live in and that was a separate annexe, which worked very well until his Nan deteriorated and went into a home so the fact that it is not connected, in his view, is not necessary to provide a continuity of care and asked if this is the kind of similar use that this annexe would be used for? Mr Hall confirmed it would be and the reason for two bedrooms is for a live in carer, both bedrooms have en-suites or wet rooms.

He added that it is separate, it is single storey and, in his opinion, if it was joined onto the existing property that would make this property 25 metres wide and far too big.

- Councillor Hicks asked what is going to happen in the long-term for this annexe? Mr Hall responded that the proposal is for an 85 year old at the moment and the applicants he believes are mid-50s who live in the main residence, they have children, one who is undertaking a university degree in agriculture, they are a long established farming family and, in his view, in future family members would move into the annexe out of the main residence and the younger generation who will slowly be taking on the farm will be in the main residence.

Members asked questions of officers as follows:

- Councillor Mrs French stated that having listened to Mr Hall saying that he had submitted medical evidence normally this information is within the report and asked why it has not been included? David Rowen responded that personal circumstances are addressed at 10.17 of the officer's report where it indicates that it is required to meet care needs of a family member and whilst it is acknowledged it is considered the annexe is excessive in size and scale outside the established curtilage and does not overcome the harm that is identified. He stated that officers have acknowledged the personal circumstances and given weight to it and if members wish to give different weight and wish to see the evidence as confidential papers members could request a deferral for it to be brought back to the next meeting. Councillor Mrs French stated that if this is possible and the committee agrees she would like this.
- Councillor Hicks stated that he is happy with report as it is and think there is enough information to make a decision.

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

- Councillor Marks stated that 3-4 years ago the then Planning Committee considered an application for an annexe which was delayed and unfortunately the person passed away during the delay so he is mindful of waiting for reports to come through. He feels it is for a farming community and family and there will be generations going through so it will be a hand-me-down property and whilst it sits out into a field, it is an annexe and does not need to be against the property and there is no set distance away from a property. Councillor Marks stated that having had an elderly relative live in his garden in a bungalow they had the security of knowing they were up and about as their curtains were open so he fully supports the justification for this annexe and feels it should be supported now. He made the point that it is also keeping somebody in their own home, which is a saving to the community whilst the family are prepared to look after an elderly relative and the Council should support it.
- Councillor Benney agreed with the comments of Councillor Marks, he looked after his parents for many years and he knows the strain it puts on a family when you have to go and visit them every day and he would have loved for his parents to have brought the bungalow next to him, which would not be joined to the house but a hole could be put in the fence, which is the situation with this application, and this would have saved him hours driving backwards and forwards to their house. He feels that anybody that is prepared to look after their parents and family, their family will live longer because they will receive better care and a better quality of care than in a home and it is highly commendable, being the best outcome for any older person to be looked after by family. Councillor Benney referred to the site being in the open countryside and made the point that all of Chatteris is the open countryside, the district is surrounded by countryside and as much as he understands the elements of the policy this is the purpose of this committee to look at an application and ask if it brings benefit in some way, is this a case of where you the policy is not one size fits all, this is a case where the policy fails the very people who are helping themselves and circumstances should be given more weight to other areas where the policies do not. He expressed the opinion that this annexe needs to be built, the applicants own 800 acres of land which is a big farm and only a tiny piece of this is being taken to build a home for

somebody who has been part of this community for years and it would be a travesty if this was not approved.

- Councillor Connor reminded the committee that 18 months ago there was a similar application at Wisbech St Mary which was supported by the committee so members need to be consistent.
- Councillor Hicks expressed the view that there is a bigger picture to consider, with the fact that this is going to help protect for years to come that farm and there will be a lot of benefit for a lot of years. He made the point that the site is surrounded by trees so nobody is going to see it or know that it is there.
- David Rowen expressed caution regarding how the application is being considered as it has been applied for as an annexe and he is concerned that members are giving certain weight to the need for this as a dwelling in connection with the farm, which is not what the application is for.
- Councillor Benney asked that if due to these concerns would it be possible to put a condition that it could only be used in conjunction with the owners of the farm as if what committee is being told it would have no bearing or effect on what they are doing and could alleviate the concern of it being used for farm workers? David Rowen responded that if the committee's decision is to grant the application that sort of condition could be imposed but how realistic this would be or how effective that would be into the future is questionable. Councillor Benney stated that if that helps alleviate the officer's concerns and would assist with making a happier situation adding a condition such as this, but it is the same with any condition that is put on that do not always get implemented and no one can predict the future.
- Councillor Marks referred to the comment that members have to be mindful that it is a farm, if this was annexe in the middle of Chatteris for example would committee still be sitting here debating it and is it just purely as it is in a rural location. David Rowen responded that a different annexe in a different location with a different set of circumstances may get a different recommendation.
- Councillor Connor stated that this proposal is for an older person living close by their relations so they can keep an eye on them and as Councillor Benney says if members feel to go forward with the application that a condition needs adding for it to be used by family members only.
- Councillor Mrs French referred to the reasons for refusal, it is in the open countryside but it is surrounded by trees and due to special circumstances she thinks these reasons for refusal can be overturned.

Proposed by Councillor Benney, seconded by Councillor Mrs French and agreed that the application be GRANTED, against officer's recommendation, with authority delegated to officers to apply relevant conditions including that occupancy be tied to the main residence.

Members did not support officer's recommendation of refusal of planning permission as they feel that the benefits to the farm and the family outweigh Policy LP3 in term of harm of building in the open countryside and there is a need for this proposal within the family.

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

(Councillor Marks declared that he believes the applicant is a member of a Drainage Board that he is a member of, but he is not pre-determined and will consider the application with an open mind)

(Councillor Mrs French declared, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of March Town Council, but takes not part in planning)

P22/24 **CONFIDENTIAL -PREVIOUS MINUTES**

The confidential minutes of the meeting of 26 June 2024 were signed and agreed as an accurate record.

(Members resolved to exclude the public from the meeting for this item of business should it need to be discussed on the grounds that it involved the disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972)

3.43 pm

Chairman

F/YR23/0696/O

**Applicant: Barratt David Wilson Homes
Cambridgeshire**

**Agent : Mr Andrew Hodgson
Pegasus Group**

**Land South Of Barkers Lane And East Of, Wimblington Road, March,
Cambridgeshire**

Outline planning permission (all matters reserved, except for access) for up to 425 dwellings (including affordable housing), formation of 2 x accesses, and a dropped kerb (for 38 Wimblington Road), safeguarded land for grass playing fields, public open space, landscaping, community garden, community orchard, children's play areas, sustainable drainage infrastructure, retention of informal parking area, all other associated infrastructure, and demolition of an existing dwelling (40 Wimblington Road).

Officer 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 S.106 legal agreement and planning conditions to the Head of Planning; and,
2. Following the completion of the S.106, application F/YR23/0696/O be approved subject to the planning conditions set out in principle at section Appendix 1 below; or,
3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the S106 legal agreement or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

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

Government Planning Guarantee

Statutory Target Date For Determination: 14 November 2023

EOT in Place: Yes/No

EOT Expiry: 31 August 2024

Application Fee: £39170

Risk Statement:

This application must be determined by 31 August 2024 otherwise it will be out of time and therefore negatively affect the performance figures and poses a risk to an appeal against non-determination of the application.

1 EXECUTIVE SUMMARY

- 1.1 The site comprises an irregular parcel of land (approx. 22.5ha) located to the south east of March and forms a substantial area (approx. 65%) of the south east March strategic allocation, identified through policy LP9 of the Fenland Local Plan (2014) which seeks to deliver around 600 dwellings and supporting infrastructure.
- 1.2 Policy LP7 sets out that a Broad Concept Plan (BCP) for allocations must be agreed and for future proposals within the site conforming to the BCP. Policy H1 of the March Neighbourhood Plan aligns with Local Plan, identifying this area of March as allocated housing land. A BCP for this site allocation was approved by the Council in June 2023.
- 1.3 The application has undergone several revisions following discussions with consultees to address matters mainly in respect of transport impacts and mitigation, drainage and biodiversity.
- 1.4 Whilst detailed matters of layout, scale, appearance and landscaping are reserved for future consideration, the outline Framework Plan, Parameter Plans and access details are considered to accord with the vision and growth ambitions of the approved BCP and Local Plan policy LP9 respectively.
- 1.5 A comprehensive package of mitigation has been agreed by the applicant, with a mixture of financial contributions and direct delivery of affordable housing and transport infrastructure.
- 1.6 It is recognised that the development will result in some unavoidable landscape harm, however this is localised and inevitable given the development plan allocation. Furthermore, due to known viability constraints with the district, the full amount of infrastructure contributions cannot be secured.
- 1.7 However, it is considered that the proposal would, on balance, amount to sustainable development and would accord with the development plan taken as a whole. There are no material considerations worthy of sufficient weight that indicate that a decision should be made other than in accordance with the development plan.
- 1.8 The recommendation is to approve the application.

2 SITE DESCRIPTION

- 2.1 The site comprises an irregular parcel of land (approx. 22.5ha) located to the south east of March and forms a substantial area (approx. 65%) of the south east March strategic allocation, identified through policy LP9 of the Fenland Local Plan (2014).
- 2.2 Three other parcels of land (outside of the scope of this application) fall within the allocation area (See planning history section below).
- 2.3 To the north the site's boundary is formed, in the main by Barker's Lane (Public Right of Way), beyond which lies the Neale-Wade Academy and existing residential development which back onto Barker's Lane. To the west, in the main,

the site is adjacent to the rear gardens of existing dwellings which front Wimblington Road.

- 2.4 To the south the site is bounded by a minor road known as Lambs Hill Drove, beyond which lies open countryside. To the east the site's boundary is formed by vegetation which lies immediately adjacent to a former railway which is used as a recreation route. The south eastern corner of the site is straddled by an area of hardstanding which is currently used informally for car parking.

3 PROPOSAL

- 3.1 The application seeks outline planning permission for residential development of the site comprising up to 425 dwellings (including affordable housing), formation of 2 x accesses, and a dropped kerb (for 38 Wimblington Road), safeguarded land for grass playing fields/ school pitches, public open space, landscaping, community garden, community orchard, children's play areas, sustainable drainage infrastructure, retention of informal parking area, all other associated infrastructure, and demolition of an existing dwelling (40 Wimblington Road).
- 3.2 Access details are committed, with details of Layout, Scale, Appearance and Landscaping reserved for future submission.

Access

- 3.3 The development proposes 2 main points of access to the site, both are located along Wimblington Road, one at 40 Wimblington Road and the other at Lambs Hill Drove (give locations relative to house numbers etc. – south of No.38 Wimblington Rd and south of no.72), providing 2-way traffic into the wider site. The accesses are also served by cycle and pedestrian paths to tie into the Wimblington Road network.

Indicative Layout

- 3.4 A Framework plan Rev X and Parameter Plans (within the Design & Access Statement) accompany the application to indicate how the quantum of development and associated infrastructure could be arranged across the site and essentially comprises 2 main parcels of housing; north and south, with areas of open space and natural greenspace interspersed and a NEAP (neighbourhood equipped area of play) located centrally. The network of pedestrian and cycle paths permeates throughout the development and also leads out north onto Barker's Lane, adjacent to an area of land reserved for future sports pitch provision for the Neale Wade Academy, should the school require this land for expansion in the future. A neighbourhood park, LEAP (locally equipped area of play) and community orchard and garden is also proposed at the north east corner of the site, with a corridor of greenspace leading along the western boundary which also incorporates SuDs attenuation features, providing drainage for the development
- 3.5 The layout also denotes connection points in the wider allocation, to parcels of land outside of the applicant's control.
- 3.6 The application is supported by the following key documents and plans;
- Framework Plan Rev X
 - Design and Access Statement ('DAS') including indicative parameter plans
 - Health Impact Assessment
 - Heritage & Archaeology Statement
 - Landscape Visual Impact Assessment (including Illustrative Landscape Masterplan)

- Transport Assessment (Including the committed Access Plans)
- Travel Plan
- Affordable Housing Statement and Draft Heads of Terms (within this Statement)
- Economic Benefits Statement
- Flood Risk Assessment and Drainage Strategy
- Ecological Assessment (and Suite of Surveys & Biodiversity Net Gain information)
- BNG Metric
- Biodiversity Checklist
- Ground Conditions Report
- Noise Assessment
- Air Quality Assessment
- Tree Survey and AIA
- Statement of Community Involvement
- Lambs Hill Drove access - 19196-WIMB-5-101 REV C
- Wimblington Road Access - 19196-WIMB-5-102 REV C

Reference	Description	Decision
F/YR16/0345/SC	Screening Opinion:- Residential Development (up to 600 dwellings)	Not EIA development. Unlikely to result in significant environmental impacts.
F/YR12/0123/SC	Screening Opinion:- Residential Development (400 dwellings approx)	Determined not EIA development
F/YR10/0021/SC	Screening Opinion:- Residential (up to 960 dwellings) with associated landscaping, sports pitches, open space and infrastructure	Determined not EIA development
<i>Other relevant applications</i>		
F/YR23/0370/O	Erect up to 130no dwellings (outline application with matters committed in respect of access)	Pending Consideration
F/YR23/0426/F	The formation of 2 x accesses at Wimblington Road/Lambs Hill Drove junction and land at 40 Wimblington Road and associated highways works, and relocation of an access involving the formation of a dropped kerb at 38 Wimblington Road	Application withdrawn 18.08.2023
F/YR23/0461/F	Formation of an access and associated highway works	Pending Consideration
F/YR24/0456/O	Erect up to 50 x dwellings involving the demolition of existing dwelling and outbuildings (Outline application with all matters reserved)	Pending Consideration

5 CONSULTATIONS (summarised)

5.1 March Town Council – 14 May 2024

Recommendation; Refusal – serious flooding and drainage concerns.

5.2 March Town Council – 6 February 2024

Objects on the grounds of - Flooding and drainage concerns, conservation and unsatisfactory active travel findings.

5.3 March Town Council – 5 September 2023

Recommended approval subject to all access roads being substantial and effective traffic calming measures being put in place. Any archaeology comments/ recommendations to be observed/ implemented.

5.4 CCC Highways (Development Management) – 6 August 2024

Requested Conditions;

- Temporary Construction Facilities
- Management of Estate Roads
- Wheel Wash Facilities

5.5 CCC Highways (Development Management) - 21 June 2024

[Following the requested amendment to the Framework Plan]

Thank you for the provision of the revised Framework plan. I can confirm that this addresses my final outstanding comment.

5.6 CCC Highways (Development Management) - 02 June 2024 (summary)

Confirmed agreement to the site accesses (and works to bus stops) as shown on the drawings 19196-WIMB-5-101 Rev B and 19196-WIMB-5-102 Rev C and addressed previous concerns.

Recommended that the development framework plan is updated to include a 3m wide shared footway / cycleway on the west side of the road opposite the NEAP, to provide comprehensive cycle connectivity across the whole allocated development site and integrate the land being considered under the application F/YR23/0370/O.

5.7 CCC Highways (Development Management) – 08 February 2024 (summary)

Access at no. 40 Wimblington Road and Lambs Hill Drove

- Requested 3m wide shared use footway/ cycleway to both sides of accesses and continuing along the distributor road
- Notes accesses are not suitable for commercial bus use, should it be needed

Wimblington Road off-site works

Indicative traffic calming proposals are shown on the drawings 19196-WIMB-5-105 where the applicant is proposing a new gateway feature with 30mph roundels and the removal of three existing bus stop laybys. No objection to the removal of the bus stop laybys as a bus can safely stop in carriageway when needed and is generally preferred by bus operators on the basis that it is easier for vehicles to safely re-join the traffic flow. Notes the works are not necessary to make the development acceptable, so the provision is at the developer's discretion and that of the LPA. If the bus stop laybys are to be removed, there is opportunity to include Real Time Passenger Information and bus shelter which would improve the attractiveness of the bus services. The 30mph roundels will need to be omitted. Any traffic calming proposals must consider the entire length of impacted highway and single features in isolation can be detrimental. In any case, this is not required.

5.8 CCC Highways (Development Management) – 18 September 2023

Requests further details in respect of access locations at 40 Wimblington Road and Lambs Hill Drove geometry and visibility. Also requests details in respect of vehicle tracking to account for different vehicle types/ lengths. Provides advice on achieving tree-lined streets and requirements in respect of cycle/ pedestrian infrastructure shown on the Framework Plan.

5.9 CCC Highways (Transport Team) – 6 August 2024

The applicant has submitted a mitigation scheme for the Mill Hill roundabout, which has gone through the safety audit process and has been deemed acceptable by the development management team.

There are 3 live planning applications for this allocation. No occupation of the 75th dwelling would therefore mean that up to 225 dwellings could be built across the whole allocation before any mitigation is delivered at the Mill Hill roundabout.

The Highway Authority does not wish to object to the planning application subject to the [Conditions or S106 agreement securing Mill Hill roundabout mitigation, bus stop improvements/ provision/ maintenance contribution and Travel Plan].

5.10 CCC Highways (Transport Team) – 11 June 2024

[Following the response to CCC's 14th May 2024 Highways Consultation Response]

A contribution of £313,846 towards bus service improvements is acceptable.

The modelling is acceptable.

The Signals Team have reviewed the LinSig model and are happy with it.

Mitigation

Mill Hill Roundabout

Further design and safety information required.

Peas Hill Roundabout

The Highway Authority would accept a contribution of £637,500 (£1,500 x 425 dwellings).

Given a lot of the capacity issues at the Peas Hill Roundabout are linked to the Hostmoor Avenue junction, any wording in an agreement would be that the money could be spent towards improvements at either junction.

Bus Infrastructure

If a recommendation of approval is given, a condition will be applied for a bus stop with infrastructure to be provided within the site.

The applicant is proposed to upgrade 4 existing bus stops on Wimblington Road and remove the laybys. The purpose of removing the laybys is to enable a shelter to be installed. If a recommendation of approval is given, a condition will be applied to this affect.

A contribution of £313,846 towards bus service improvements is acceptable.

5.11 CCC Highways (Transport team) – 16 May 2024

Further information requested over: the Transport Assessment modelling, key junctions and access modelling, lack of appropriate pedestrian/ cycle/ bus infrastructure.

5.12 CCC Highways (Transport team) – 29 February 2024 [summarised]

Further information requested over: Traffic calming, bus strategy, forecast growth, committed development, TRIP generation and distribution and consequential highway impacts.

5.13 CCC Highways (Transport team) – 12 September 2023

Further information requested over: The study area of the Transport Assessment, proximity to local services, walking and cyclist route availability, public transport, highway network review, background traffic flows, collision analysis, Traffic calming, bus strategy, railway station parking capacity, forecast growth, committed development, TRIP generation and distribution and consequential highway impacts.

5.14 CCC Definitive Map Team – 30 Jan 2024

Public Byway No. 24, March runs to the north of the site. To view the location of the Byway please view our interactive map online which can be found at <http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

Whilst the Definitive Map Team has no objection to this proposal, the Byway must remain open and unobstructed at all times.

5.15 CCC Definitive Map Team – 8 Sept 2023

Sets out that there is no legally defined and recorded width for Public Footpath Byway 24, March and therefore are not able to advise what the width would be. As the dimensions are not known, cannot guarantee that the applicant would not be encroaching upon the highway. The applicant therefore would proceed with any development that might affect the highway at their own risk. With regards to the multiple entrance points for pedestrians and cyclists, please be mindful that any proposed change of surface to of any part of a public right of way in Cambridgeshire are now required to follow an authorisation process. No objection noting that the Byway must remain open and unobstructed at all times.

5.16 CCC Growth & Economy - 19 Mar 2024

I can confirm that the education and library contributions are as we have previously requested. We are also seeking land from this development and the adjacent site towards the expansion of the Neale Wade academy.

5.17 CCC Growth & Economy – 19 Oct 2023 [summarised]

Table 1 - S106 contributions – summary table

	Contribution	Project	Indexation date	Trigger
Early Years	£1,023,378* *see Table 9	New early years facility serving March	1Q2020	50% prior to 1st occupation and 50% prior to 20 th occupation
Primary	£3,701,580* *see Table 10	New primary facilities serving March	1Q2020	
Secondary	£2,676,818* *see Table 11	Expansion of Neale Wade Academy	1Q2020	
Libraries	£96,733	Enhancement of buildings and facilities at March library	1Q2019	100% prior to occupation of 50% of the development
Strategic Waste	N/A			

The County Council has made separate representations to the applicant regarding the provision of additional land to enable the expansion of Neale Wade. Please refer to the separate note: “Evidence of demand for additional sports pitch land from the South 10 East March allocation to allow for the expansion of Neale-Wade Academy, March”, dated 19th June 2023.

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

5.18 **CCC Archaeology – 31 Jan 2024**

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

5.19 **CCC Archaeology – 04 Sept 2023**

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

5.20 **CCC Lead Local Flood Authority – 01 May 2024**

We have reviewed the following documents:

- Flood Risk Assessment and Drainage Strategy, Woods Hardwick, 19196/FRA and DS/RevE, November 2023
- Illustrative Master Plan, Pegasus Group, P22-0602_EN_21 RevE, March 2024

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development. While an updated flood risk assessment has not been provided, the latest illustrative master plan shows no notable changes in layout that could impact previous flood risk and drainage proposals. As such, our previous recommendation is still applicable, which has been reiterated below.

The above documents demonstrate that surface water from the proposed development can be managed through the use of multiple attenuation basins, restricting surface water discharge to the Qbar greenfield runoff rate for proposed impermeable areas.

Surface Water Scheme required to be submitted via a pre-commencement condition.

5.21 **CCC Lead Local Flood Authority – 13 March 2024**

We have reviewed the following documents:

- Flood Risk Assessment and Drainage Strategy, Woods Hardwick, 19196/FRA and DS/Rev E, November 2023

Based on these, as Lead Local Flood Authority (LLFA) we have no objection in principle to the proposed development. The above documents demonstrate that surface water from the proposed development can be managed through the use of multiple attenuation basins, restricting surface water discharge to the Qbar greenfield runoff rate for proposed impermeable areas.

Surface Water Scheme required to be submitted via a pre-commencement condition.

5.22 **CCC Lead Local Flood Authority – 12 Sept 2023**

Objects on the following grounds;

- third party landowners consent has not been provided.
- Requires that the applicant attempts to discharge as much surface water runoff via gravity as possible.
- exceedance flow flood plan requires clarification
- Storm modelling requires amended
- Further capacity detail of storage structures required
- Hydraulic calculations and network calculations to be revised
- Drainage layout to align with hydraulic model
- Clarification on levels detail required.

5.23 CCC Minerals & Waste Planning Group – 19 Oct 2023

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

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

5.24 CCC Ecology – 12 Aug 2024

We welcome the additional information submitted regarding peat soils / lowland fen and BNG assessment, which has adequately addressed our previous concerns and therefore, we remove our previous recommendations for refusal.

As such, the proposal is acceptable on ecology grounds, providing that the biodiversity compensation / mitigation measures and enhancements recommended within the Ecological Impact Assessment are secured through a suitable worded condition(s) to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:

We recommend the following planning conditions:

1. Site-wide
 - a. Ecological Design Strategy, to include a BNG strategy
 - b. Construction Ecological Management Plan (CEcMP)
2. Phase / parcel:
 - a. Updated ecology surveys
 - b. Construction Ecological Management Plan, demonstrating compliance with site-wide CEcMP
 - c. Biodiversity Net Gain Plan, demonstrating compliance with EDS BNG Strategy
 - d. Detailed lighting scheme sensitively designed for wildlife, demonstrating delivery of EDS
 - e. Detailed landscape and biodiversity enhancement scheme, demonstrating compliance with EDS (beyond BNG), including highways and building design

Peat soils / Lowland Fen

We welcome the submission of the Land Research Associates (2024) Agricultural Quality report which confirms there is no peat present at the site and addresses our previous concerns. It should be noted that agricultural assessments are not our specialism and therefore, have assumed the results to be accurate.

We are satisfied that lowland fen will not be impacted by the proposals.

BNG assessment

We welcome the submission of the updated Biodiversity Metric 4.0 to reflect our position and the Wildlife Trust's position that it is more realistic that "other neutral grassland" of "moderate" condition, rather than good condition, can be delivered as part of the scheme. The updated BNG calculations suggests the development has the potential to deliver 11% Biodiversity Net Gain.

If permission is granted, it will be important that a detailed BNG assessment based on the detailed landscape plans be submitted and a BNG Plan is secured for each reserved matters application to demonstrate how each phase / parcel will contribute to the delivery of proposed BNG.

5.25 CCC Ecology – 18 Apr 2024

We have reviewed the applicant's response in relation to our concerns regarding Biodiversity Net Gain assessment, as well as the updated BNG calculations and consultation responses from Natural England and Wildlife Trust.

We recommend refusal of the planning application until further information is provided to demonstrate the impact of the scheme on irreplaceable habitat, to ensure compliance with National Planning Policy Framework paragraph 180 and Fenland Local Plan policies LP16 & LP19. This information shall include:

- Soil assessment of Lowland Fen habitat to confirm whether or not it's irreplaceable Habitat
- Update of ecological assessment (if Lowland Fen has been identified)
- Update of BNG assessment to take account of Lowland Fen (irreplaceable habitat) In addition, prior to determination, the BNG assessment should be updated to show 'moderate' condition of other neutral grassland habitat.

Irreplaceable Habitat

Natural England have raised concerned that the scheme may impact Irreplaceable Habitat – Lowland Fen.

The impact of a development scheme on irreplaceable habitat is a material consideration in the planning process and could be a recommendation for refusal. It is therefore important that Natural England's concerns are addressed to confirm the presence / absence of Lowland Peat. We recommend that the soil surveys are set out in Catherine Duerden email of 15 March (1:51pm to Mark Russell).

If Lowland Fen is found to be presence at the site, it should be mapped and an Ecological Impact Assessment completed to consider the impact of the scheme on Lowland Fen. This should include assessment of loss and degradation of the scheme, with detailed hydrological assessment and consideration of the impacts of both the built environment and creation of 'dry' grassland habitats at the site. Retention of the Lowland Fen habitat will need to consider how the Lowland Fen will be restored and adequately 'wettered' as part of the scheme.

Biodiversity Net Gain

If Lowland Fen – Irreplaceable Habitat is recorded on the site, then it's presence should be mapped and the BNG assessment / calculations must be updated to reflect these results.

Other Neutral Grassland

We welcome further information provided regarding the rationale for classifying 'other neutral grassland' as good condition. However, no soil sampling or technical evidence from a landscape specialist, no outline strategic for removing soil nutrients, or consideration of influence of nitrogen deposition (from agricultural) on the grassland's ability to maintain a low nutrient threshold throughout the 30 years, has been provided to satisfy our concerns.

As a general principle, the BNG assessment typically looks to enhance a habitat condition by 1 category (e.g. poor to medium) through the 30-year term. Given the existing 'other neutral grassland' habitat present has been identified as 'poor' condition, it seems reasonable that the newly created 'other neutral grassland' will only be elevated to a 'moderate' condition. It would take substantial effort, and therefore high-level of risk, to create 'other neutral grassland' of 'good condition'. This is further reflected by the lack of grasslands of high biodiversity value within Fenland (e.g. County Wildlife Sites).

We are in agreement with Wildlife Trust, that it is unlikely that 'good' condition grassland will be delivered as part of this scheme. Therefore, our previous position still stands, that the BNG assessment should be revised to show habitat of moderate condition.

5.26 CCC Ecology – 27 November 2023

Concerns over how 10% BNG has been calculated. Recommends further information provided. Planning conditions recommended in the event the application is approved.

5.27 Natural England – 1 May 2024

[Following submission of a land quality assessment, updated biodiversity metric and response to NE's advice]

Natural England has previously advised on this proposal and made comments to the authority in our responses dated 08 February 2024 (ref 464723) and 15 March 2024 (ref 468218).

We do not wish to provide further comment and leave it to your Authority to decide whether sufficient soil sampling points have been undertaken within the potential peat area to inform your decisions. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again. Before sending us the amended consultation, please assess whether the changes proposed will materially affect any of the advice we have previously offered. If they are unlikely to do so, please do not re-consult us.

5.28 Natural England – 15 Mar 2024

Provides follow-up advice on the definition of peat and where this constitutes irreplaceable habitat.

5.29 Natural England – 9 Feb 2024

As submitted, the application could have potentially significant effects on the Fenland peat carbon sink. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required:

- LPA decision about the presence of 'Lowland Fen' Irreplaceable Habitat, and amendment of the BNG Metric if required.
- Accurate mapping of peat in the proposal area.
- Alteration of site and habitat plans to avoid development and inappropriate land use on peat, and consideration of measures to enhance the peat resource.
- Agricultural Land Classification (ALC) survey report to inform a soil management plan.

Without this information, Natural England may need to object to the proposal.

5.30 Natural England – 20 Oct 2023

Advises NE has no comments to make on the application.

5.31 The Wildlife Trust – 22 Mar 2024

Considers that that a more realistic precautionary approach needs to be taken with the BNG assessment and that the predicted condition for the Neutral Grassland post development should be set as Moderate. The overall BNG should therefore be recorded as only 3%, but as correctly noted by CSA this would still accord with

Fenland DC planning policy requirements at the time of submission of this application.

5.32 The Wildlife Trust – 6 Sept 2023

Advises that the submitted Ecological Impact Assessment (EclA) should be fully reviewed by the Fenland DC Ecological Advisor. Considers the application includes a good proportion of green infrastructure, around 40% of the application area, around half of which is natural greenspace. The Wildlife Trust welcomes and supports this amount of green infrastructure.

Considers that that a more realistic precautionary approach needs to be taken with the BNG assessment and that the predicted condition for the Neutral Grassland post development should be set as Moderate. The overall BNG should therefore be recorded as only around 3%, but as correctly noted by CSA this would still accord with Fenland DC planning policy requirements at the time of submission of this application.

The Wildlife Trust requested that the submitted Defra Biodiversity Metric is revised to show a net gain of +3.30%.

5.33 Environment Agency - 5 Feb 2024

Advises they have no further comments.

5.34 Environment Agency – 7 Sept 2023

We have reviewed the submitted Flood Risk Assessment (FRA) with regard to tidal and designated main river flood risk sources only.

We have reviewed the submitted documentation including the FRA which shows that all development is taking place in Flood Zone 1, with only water compatible development proposed within Flood Zones 2 and 3.

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds. However, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

5.35 Middle Level Commissioners IDB - 06 March 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, due to the size and location of the development, a response is currently being prepared, which it is hoped will be provided shortly.

5.36 Anglian Water Services Ltd – 27 Jan 2024

No further advice from that of 11 September 2023

5.37 Anglian Water Services Ltd – 11 Sept 2023

Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that the following text be included within your

Notice should permission be granted. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement.

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

Wastewater Treatment

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

Used Water Network

This response has been based on the following submitted documents: Flood risk assessment and drainage strategy part 1 and part 2 There are capacity constraints within the network in Bakers Lane. Consequently, the full development may lead to an unacceptable risk of flooding and/or pollution. Anglian Water is working with the applicant to established a suitable point of connection for the proposed site and to ensure any infrastructure improvements are delivered in line with the development. Anglian Water may need to/planning to/are currently monitor(ing) the network. Further analysis will be required to establish the extent of network reinforcement that may be required to accommodate the full development. We are engaging with the applicant throughout this process to understand timescales. We therefore request a condition requiring phasing plan and/or an on-site drainage strategy.

Section 4 - Surface Water Disposal

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

The applicant has indicated on their application form that their method of surface water drainage is via SuDS. If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Design Strategic Assessment (PDSA). The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals.

Suggested Planning Conditions

Used Water Sewerage Network

Condition Prior to construction above damp-proof course a Phasing Plan setting out the details of the phasing of the development shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan. Reason To ensure the development is phased to avoid an adverse impact on drainage infrastructure.

Condition: Prior to construction above damp proof course a Phasing Plan setting out the details of the phasing of the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in complete accordance with the approved Phasing Plan. Reason: To ensure the development is phased to avoid an adverse impact on drainage infrastructure.

Desktop analysis has suggested that the proposed development will lead to an unacceptable risk of flooding downstream. We therefore highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy.

5.39 Active Travel England – 13 May 2024

Conditional approval: ATE recommends approval of the application, subject to the agreement and implementation of planning conditions and/or obligations

Summary:

ATE notes the improvements that have been made over the course of the application to the quality of the active travel routes within the site, with the permeability of the network of pedestrian and cycle routes having been significantly improved. ATE notes the applicant's comments on the use of shared use paths for pedestrians and cyclists and while the interpretation of LTN 1/20 is still disputed, it is noted that this approach has been preferred by the local highway authority and if designed well these paths could be positive features.

ATE's primary concern remains the active travel routes from the site to the nearest primary school. The distance and the route is likely to discourage a significant number of parents from walking with children to school; the informal shorter route via Monte Long Close is not guaranteed and would exclude certain pedestrians and cyclists. On this matter ATE's comments have not been addressed and concern remains that this could result in a low active mode share among primary school trips from this development. ATE recognises that the principle of this site is agreed with the local authority, and that the land is outside of the boundary of the site and not within the ownership of the applicant or local authority.

With all of the above in mind, ATE does not wish to object to the application, however it is recommended that the application contribute towards enhancing or delivering a school travel plan at Cavalry Primary School and the local authority should investigate and consider what powers they may have to deliver a formal connection to Monte Long Close.

5.40 Active Travel England – 1 Feb 2024

Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue.

ATE recommend that the Local Planning and Highway Authority considers the following points to discuss with the applicant:

- Removal of shared footways/cycleways on the 'Distributor Road' and 'Major Access Road', to be replaced by an approach compliant with guidance contained within LTN 1/20.
- A qualitative assessment of routes from the development to the nearest primary school(s) remains outstanding, which should provide a more thorough understanding of the potential for primary school pupils living at the development to walk, wheel or cycle to school.
- Consideration to amendments to the Framework Plan to show the formal pedestrian and cycle route having priority where it crosses over the primary

street, and the submission of cross sections of this route to show segregation of pedestrians and cyclists.

5.41 Active Travel England – 11 Sept 2023

Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue.

Summary

While ATE acknowledges that much of this application is currently at outline stage, there is a need for the application to provide confirmation that active travel journeys to the nearest primary school will be a realistic and attractive option for all. There is also potential for it to contribute more towards encouraging active travel within the site and from the site to nearby amenities and March town centre. ATE would strongly encourage these principles to be agreed at outline stage to ensure walking, wheeling and cycling is given priority, as is required by the National Planning Policy Framework (NPPF), and would recommend that this application should not be determined until further information has been submitted and reviewed to address these concerns.

5.42 Active Travel England – 21 Aug 2023

Deferral: ATE is not currently in a position to support this application and requests further assessment, evidence, revisions and/or dialogue.

- Limited assessment of routes to the nearest primary school(s), with potential deficiencies on the route to Cavalry Primary School identified by ATE
- The use of shared footways/cycleways
- Improvements to the north-south active travel routes
- Recommended the addition of public/visitor cycle parking

5.43 Sport England – 09 May 2024

The additional information submitted confirms that the safeguarded land for sports pitches is to provide potential replacement playing field provision if the Neale Ward Academy's future expansion plans were to involve building on existing playing field. As such, this safeguarded provision would not be new provision but replacement provision. There is also no certainty at this stage that the land would be subject to a community use agreement.

As discussed in Sport England's consultation response dated 25 January 2024, the Planning Statement submitted with the application confirms that there is a policy requirement for 1.8 hectares of land for outdoor sports to be provided on the site. The letter from Andrew Hodgson and the amended Illustrative Landscape Masterplan both confirm that no land for outdoor community sports provision would be provided as part of the proposal. Based on this information, the proposal would not meet Sport England's planning objective of 'provide' – to provide new opportunities for sport to meet the needs of current and future generations or paragraphs 102 and 103 of the NPPF which require that new provision of sport and recreation facilities should be provided where a need has been identified by a robust and up-to-date assessment. The findings of the PPS and the comments made by the Football Foundation and the Rugby Football Union (in letter dated 25 January 2024) confirm that there is a deficiency of playing pitches in the area and this deficiency would be exacerbated by the increase in population in March as proposed by this residential scheme.

In light of the additional information submitted by the agent which confirms that no land for outdoor community sports provision would be provided as part of the proposal, Sport England is unable to support this application. We are concerned that the proposal does not provide any new provision for sport and recreation

facilities as required by Policy LP7 in the Fenland Local Plan (2014) and fails to meet Sport England's objective of providing new opportunities for sport to meet the needs of current and future generations. The proposal would also fail to meet the requirements of paragraphs 102 and 103 of the NPPF which requires that new provision of sport and recreation facilities are provided where there is an identified need.

5.44 Sport England – 25 Jan 2024

Objects to the development on the basis that the sports pitches would not be reserved for community use and therefore does not provide any new provision for sport and recreation facilities as required by Policy LP7 in the Fenland Local Plan (2014) and fails to meet Sport England's objective of providing new opportunities for sport to meet the needs of current and future generations. The proposal would also fail to meet the requirements of paragraphs 102 and 103 of the NPPF which requires that new provision of sport and recreation facilities are provided where there is an identified need.

5.45 Sport England – 8 Sep 2023

Potential for the pitches to be used for rugby union. Require a condition requiring the submission of a scheme for the implementation of an approved scheme for implementing the playing fields. The proposal could help address established playing pitch deficiencies, the proposal would meet objective 3, and therefore Sport England supports this application in principle.

Recommends that a ground conditions assessment is undertaken by a sports turf specialist/agronomist who can recommend a scheme for preparing the playing fields to the required specification. The recommended scheme should then be implemented.

5.46 NHS Estates – 13 Sept 2023

Joint response on behalf of Cambridge and Peterborough Integrated Care System (C&PICS) as local primary healthcare commissioners on the position of Primary Health Care provision

The ICB has identified that the development is most likely to impact on the 3 services of Cornerstone & Mercheford Practice: Mercheford House Surgery, Cornerstone & Mercheford Practice: Cornerstone Practice and Riverside Practice

C&P ICS note that the S106 contribution secured from this development would fund the development of a new healthcare facility that would serve the future residents of this development

The site-specific capital cost required to deliver the needed additional floorspace via new built premises (build cost of £6,700/sqm) within the locality...which identifies the need for a capital contribution of £561,364.

5.47 East Of England Ambulance Service NHS Trust – 29 July 2024

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

Travel times from March Ambulance Station in rush hour traffic to the development location are circa 10 minutes and 30 minutes from other nearby ambulance stations and Peterborough Hub (Reference ShapeAtlas) (NB this is a standard reference point and does not mean ambulances come from these locations in

order to respond to calls nor does it take into consideration responses will be made under blue light conditions).

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

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

No. Dwellings	Infrastructure Cost*	Total
425	£327	£138,975

* Adjusted pro-rata for 2.4 person per dwelling. EEASTs baseline infrastructure cost* calculation of £300 is based on 2.2 persons per dwelling as submitted to Fenland IDP Regulation 18 consultation October 2022

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

5.48 East Of England Ambulance Service NHS Trust – 5 Jan 2024

Advises the development will affect March Ambulance station and mitigation required.

5.49 Cambridgeshire Fire & Rescue Service – 22 Jan 2024

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

5.50 Cambridgeshire Fire & Rescue Service – 23 Aug 2023

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

5.51 Cambs Police - Designing Out Crime Officers – 19 Jan 2024

I have viewed the documents and note my previous comments dated 7th September 2023, these comments still stand. I withhold further comment for full planning or reserved matters application.

5.52 Cambs Police - Designing Out Crime Officers – 7 Sept 2024

Advises that based on crime and incident systems covering March Ward for the last 2 years a two-year period, considers this to be an area of medium risk to the vulnerability to crime at present.

Would like further details of;

- External lighting
- Cycle sheds
- Window positions i.e., surveillance
- Footpath/Open Space/ Landscaping

Would encourage the applicant considers submitting a “Secured By Design” (SBD) residential 2023 application.

5.53 Historic England – 23 Jan 2024

Does not wish to offer any comments. Suggest seeking the views of the Council's specialist conservation and archaeological advisers.

5.54 Historic England – 13 Sep 2023

Suggest seeking the views of the Council's specialist conservation and archaeological advisers.

5.55 FDC Conservation Officer – 23 Jan 2024

The map below shows limited development beyond the Town End core surrounding the GI listed St Wendendra's Church at the turn of the C20 with the area laid out to agricultural fields. Other than C20 ribbon development along Wimblington Road, the views of Town End and St Wendendra's Church are largely unaltered from the late C19. It should be noted that the former railway line that bounds the east of the site is now a positive tree lined PROW and is a heritage asset in its own right.

Owing to the edge of countryside nature of this development, it is imperative that considerations are given to the long distant views towards the site. All efforts should be made to retain the existing vegetation and trees along the boundaries of the site and add to them substantially where possible. There should be no presence of hard boundary treatments on the edges of the site. Dwellings should either face outward, addressing the open countryside, or where side and rear elevations are unavoidable, soft landscaping used rather than hard and unrelieved fencing. This will ensure that views towards the site from the open countryside are softened and do not result in incongruous hard landscaping features on the edges of the site. The presence of good planting will also act to screen generic modern development, lacking in local distinctiveness that this site will invariably possess. From the indicatives, there appears to have been some consideration given to respecting the character of Barkers Lane, Lambs Hill Drove and the Railway Line Footpath, in that the development is shown to have landscaped buffer areas on the edges of the site.

There are distant views across the site of the spire of the GI listed St Wendendra's across the Fenland agrarian landscape. This is an historic landmark and wayfinding feature of an historic settlement. These are positive views and whilst some will be retained, every effort should be made to soften the transition from built to rural with high quality planting and landscaping of the boundaries to preserve the character of the retained views.

I come to the same conclusion as the author of the HIA in that the development will result in less than substantial harm (lower end of the spectrum).

5.56 FDC Conservation Officer – 19 Oct 2023

Objects on the basis of less than substantial harm (lower end of the spectrum) on the wider setting and views of the GI listed St Wendendra's Church. Case Officer needs to consider whether the harm is outweighed by deemed public benefits of the development. The advice and considerations above need to be taken into consideration at later stages.

5.57 FDC Trees Officer – 23 Oct 2023

I have reviewed the submitted AIA and have no objections to the classification and condition assessment of the trees on or adjacent to the site. I note that it is planned to retain much of the boundary vegetation with the majority of the losses for the access to the site. The illustrative masterplan shows substantial planting and green infrastructure and this is welcomed particularly the street tree planting.

Details of species selection and long-term management can be dealt with at a later date and should include screening to existing residential properties

5.58 FDC Housing – 16 Feb 2024

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

5.59 FDC Environment & Health Services – 20 May 2024

Accepts the findings of the ground investigation report GRM Phase II Appraisal (P10224/PIISAR.1) dated April 2024, subject to the measures set out in the Summary of Recommendations being applied in full.

5.60 FDC Environment & Health Services – 4 Oct 2023

Accepts the findings of the air quality assessment, noise assessment and the Phase 1 Site Appraisal Desk Study and recommend the following conditions be imposed in the event that planning permission is granted.

- 1 Construction Environmental Management Plan
- 2 Construction Hours Condition
- 3 Contaminated Land
- 4 Unexpected Contamination

5.61 FDC Open Spaces & Leisure – 3 Jan 2024

Identifies that there is a need for Rugby pitches in the March area.

5.62 FDC Assets & Major Projects – 24 Oct 2023

Advises no comments to make and that they “now have a proposal for CPCA funding to bring the disused railway / footpath up to a useable standard which we will explore further”

Local Residents/Interested Parties

5.63 Objectors

26 objections received all from residents within March at;

- Wimblington Road
- Barkers Lane
- Elwyn Court
- Sherbrooke Close
- Cavalry Drive
- Robingoodfellows Lane
- Berryfield
- Fairfax Way
- Fleetwood Close
- Atlantic Close

with the following comments (summarised);

- Surface Water drainage/ flooding
- Foul drainage issues
- Insufficient capacity for schools, doctors, elderly support, public amenities

- Transport infrastructure inadequate/ congestion
- Loss of green space/ rambling areas
- Higher quality homes should be provided to attract a wealthier demographic
- Environmental harm
- Harm/ loss to wildlife/ biodiversity/ habitat
- Highways safety
- Requirement to protect privacy and right to light
- Informal car park on Lambs Hill Drive is being maintained
- Pollution during construction
- Pollution from the development e.g., noise, air quality, light
- Unsustainably located
- Crime
- Overdevelopment
- Impact on the school
- Loss of tranquility
- Loss of views
- Loss of trees
- Out of character/ harm to the character of Town End
- Loss of agricultural land
- The proposed sports pitches will take revenue from Neale Wade school
- Other sites available at lower risk of flooding
- Will not provide economic benefits
- Housing not required
- Land outside applicant's ownership
- Removal of bus laybys will cause congestion

5.64 **Supporters**

One resident (two representations) in support of the scheme with the following comments (summarised);

- Fits with the Local Plan
- Will bring vital development to the town
- Increased population will help rejuvenate the town's economy/ will bring diversity

5.65 **Other Representations**

Two representations received neither supporting nor objecting but with the following comments (summarised).

- Need to consider infrastructure demands e.g., schools, healthcare, water and electricity.
- Provides stats for housebuilding in Peterborough in comparison to March
- Flooding needs to be considered and existing sewage issues

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 Fenland Local Plan 2014

- LP1 – A Presumption in Favour of Sustainable Development
- LP2 – Facilitating Health and Wellbeing of Fenland Residents
- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP4 – Housing
- LP5 – Meeting Housing Need
- LP6 – Employment, Tourism, Community Facilities and Retail
- LP7 – Urban Extensions
- LP8 – Wisbech
- LP9 – March
- LP10 – Chatteris
- LP11 – Whittlesey
- LP12 – Rural Areas Development Policy
- LP13 – Supporting and Managing the Impact of a Growing District
- LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
- LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
- LP16 – Delivering and Protecting High Quality Environments across the District
- LP17 – Community Safety
- LP18 – The Historic Environment
- LP19 – The Natural Environment

7.2 Cambridgeshire and Peterborough Minerals and Waste Local Plan 2021

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

7.3 March Neighbourhood Plan 2017

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

7.4 National Planning Policy Framework (NPPF)

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

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

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

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

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

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

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

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

7.5 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.6 National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Public Spaces

Uses

Homes and Buildings

Resources

Lifespan

7.7 Emerging Local Plan

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

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP4: Securing Fenland's Future

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP11: Community Safety

LP12: Meeting Housing Needs

LP17: Culture, Leisure, Tourism and Community Facilities

LP19: Strategic Infrastructure

LP20: Accessibility and Transport

LP21: Public Rights of Way

LP23: Historic Environment

LP24: Natural Environment

LP25: Biodiversity Net Gain

- LP27: Trees and Planting
- LP28: Landscape
- LP29: Green Infrastructure
- LP30: Local Green Spaces and Other Existing Open Spaces
- LP31: Open Space and Recreational Facilities
- LP32: Flood and Water Management
- LP33: Development on Land Affected by Contamination
- LP34: Air Quality
- LP39: Site allocations for March

7.8 Supplementary Planning Documents

Delivering and Protecting High Quality Environments in Fenland SPD 2014

- DM2 – Natural Features and Landscaping Schemes
- DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area
- DM4 – Waste and Recycling Facilities
- DM6 – Mitigating Against Harmful Effects

Developer Contributions SPD 2015

Cambridgeshire Flood and Water SPD 2016

7.9 Other documents of material relevance

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

8 KEY ISSUES

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

9 BACKGROUND

EIA

- 9.1 As set out in the history section, the application has previously been screened for significant environmental effects under the framework of the Environmental Impact Assessment regulations, the most recent screening being in 2016. At no time was the development considered to constitute EIA development.
- 9.2 This latest application has also been screened under the latest 2017 Regulations. Again, it is considered that while the development may result in localised impacts to the settlement, the development would not result in significant environmental effects for the purposes of EIA developments.

10 ASSESSMENT

Principle of Development

- 10.1 The site is located within the Market Town of March, whereby market towns form the main focus for growth, as set out in the Council's settlement hierarchy and under Policy LP3 and through policy LP4 targets March as delivering around 4,200 new homes within the plan period. Furthermore, Local Plan policy LP9 identifies the site as forming part of the Council's allocated housing growth land, with around 600 dwellings anticipated in this location, along with supporting infrastructure including land reserved for potential sports pitches for Neale Wade Academy, surface water attenuation and pedestrian and cycle infrastructure. Policy LP7 sets out that a Broad Concept Plan (BCP) for allocations must be agreed and for future proposals within the site conforming to the BCP. Policy H1 of the March Neighbourhood Plan aligns with Local Plan, identifying this area of March as allocated housing land.
- 10.2 A BCP for this site allocation was approved by the Council in June 2023. The submitted Framework Plan and supporting information sets out an intention to safeguard a proportionate amount of land for potential sports pitch provision for Neale Wade Academy, located at the far north of the site and adjacent to land subject to separate planning application (F/YR23/0370/O) – but which also reserves a section of land for the same. Cumulatively, these parcels would provide for around 2.1Ha of land safeguarded for future sports pitch expansion for the school.

The BCP

- 10.3 The adopted Broad Concept Plan ('BCP') vision document indicates 2 primary points of access into the allocation directly from Wimblington Road which leads to a spine road through the site, connecting to parcels of housing land and supporting infrastructure. Across the site, a network of pedestrian and cycle paths permeate through and lead up to Barker's Lane Byway. The BCP also denotes potential for links to the disused railway track along the eastern boundary (subject to input from Highways). Also along the eastern boundary is an area of continuous greenspace incorporating indicative locations of SuDs attenuation basins.
- 10.4 The framework plan, parameter plan and supporting information submitted with the application closely follows the BCP vision. In this regard, the principle of the development is acceptable as it aligns with the ambitions of the relevant allocations policies and the adopted BCP for this site.

Access, Highways and Transport impacts

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

Access

- 10.6 The Highways Authority are satisfied that the primary accesses can both achieve safe and suitable access to the wider allocation, accommodating sufficient visibility and encouraging non-car modes of travel by incorporating connectivity to the wider pedestrian/ cycle network along Wimblington Road. Furthermore, the framework plan shows that sustainable travel is also encouraged throughout the site and northwards onto Barker's Lane, which follows the BCP approach and is

acceptable in principle, with detailed matters of this expected to come forward at future detailed layout stages.

- 10.7 The site access strategy proposed by this application is capable of serving all land parcels in the allocation area and the Framework Plan shows indicatively highway connections which the applicant is expected to deliver up to their site boundaries.

Bus Infrastructure

- 10.8 The applicant has undertaken detailed discussion about the supporting travel plan, in particular securing a new demand-responsive bus service. The cost of delivering this service has been confirmed as £96,000 per year by the Cambridgeshire and Peterborough Combined Authority (CPCA). A proposed contribution of £313,846 has been calculated at pro-rata rate based on the capacity of the approved Southeast March Broad Concept Plan and the number of dwellings proposed by this planning application (425 out of the 600-650 envisaged for the allocation). The contribution covers a five-year period at the pro-rata rate i.e., if combined with proportionate contributions gained from other development parcels within the allocation. This contribution is also capable of delivering the bus service on its own for just over three years.
- 10.9 A new bus stop for this service would also be provided by the applicant within the site including a maintenance contribution, with details to be agreed. In addition, the applicant has agreed, as a minimum to provide Real Time Passenger Information ('RTPI') boards to each stop and, subject to confirmation that bus shelters will be adopted by an appropriate body, to reconfigure four existing bus stops along Wimblington Road, closest to the accesses. This would involve removing the bus laybys so that drivers would not have to pull in and pull out of the stops. The reconfigured bus stops whilst providing general enhancement are considered necessary here in view of the uncertainty over the longer-term provision of the on-site bus stop usage and given the limitations associated with only being able to confirm a three-year service at this time.
- 10.10 Concerns have been raised by a resident that removal of the lay-bys will cause congestion. Whilst these works are not yet fixed (as they are subject to long-term bus shelter adoption yet to be secured), they have been proposed at the request of the LHA who have identified that bus service providers find lay-bys inefficient to their service. No concerns have been raised by the LHA in respect of congestion issues arising through the bus stop reconfiguration.
- 10.11 The proposal and the allocation as a whole has also been considered in respect of its impacts on the wider transport network around March. It is known that Peas Hill roundabout (circa 3km north west of the site) is already at or over capacity and the LHA, through the March Area Transport Study (MATS), has identified a strategic project to increase capacity. The contributions toward this have been set at £1,500 per dwelling which would be pooled toward the capital project and would be used across either Peas Hill roundabout improvements and/ or Hostmoor Avenue improvements. It is understood that this levy is to be applied to all major strategic allocation developments in the March area.
- 10.12 Notwithstanding this, the applicant's transport assessment has also identified that improvements to Mill Hill roundabout (circa 1.3km south west of the site) at the north of Wimblington is required and design proposals have put forward to directly deliver this in the absence of a capital project, which would result in a

widening of the approaching northbound arm, to reduce lane starvation for those turning right and into March.

- 10.13 The improvement scheme has been safety audited and checked by the county Council's transport team and the County Council has suggested that the improvements should be delivered prior to 225 occupations of the wider strategic allocation. They have also agreed that the cost of delivering this scheme can be offset against the £1,500 per dwelling levy. It is considered that, given the financial contributions sought associated with transport mitigation and enhancement, the above measures are best secured via a S106 agreement, as there are other parcels within the allocation which may also chose to deliver some of the mitigation and or/ may ultimately, in combination with this application site meet the triggers requiring delivery of the mitigation. As such, a holistic approach to said mitigation is required, which is best captured in a legal agreement(s).

Active Travel England ('ATE')

- 10.14 ATE has noted that the improvements that have been made over the course of the application to the quality of the active travel routes within the site, with the permeability of the network of pedestrian and cycle routes having been significantly improved. ATE notes the applicant's comments on the use of shared use paths for pedestrians and cyclists and while the interpretation of LTN 1/20 (cycleway design) is still disputed, it is noted that this approach has been preferred by the local highway authority and if designed well these paths could be positive features.
- 10.15 ATE's primary concern remains the active travel routes from the site to the nearest primary school (Cavalry Park). The distance and the route is likely to discourage a significant number of parents from walking with children to school; the informal shorter route via Monte Long Close is not guaranteed and would exclude certain pedestrians and cyclists.
- 10.16 ATE's concerns are noted and it is acknowledged that opportunities at this time to encourage sustainable travel means to local schools is somewhat constrained, due mainly to the distance of the site from the nearest primary school and land ownership issues in respect of forging better links. However, and as ATE recognises, the principle of this site is agreed and has formed a strategic allocation since the adoption of the Local Plan, with such constraints existing at that time. As such, it has to be acknowledged that current circumstances are not optimum. However, opportunities may exist to encourage cycle use, for example through bike vouchers as part of a Travel Plan. Notwithstanding, having regard to the vision and requirements of the West March allocation, up to two new primary schools are envisioned here, with the first school anticipated to be delivered fairly early on in the phasing. This school would likely to be closer than Cavalry School and would therefore likely be the preferred catchment school in time.
- 10.17 Furthermore, the Council may wish to look at what opportunities exist to connect Barker's Lane to Monte Long Close. However, at present there is no evidence to indicate this is possible and therefore this application should be determined giving very little weight to this option.
- 10.18 In conclusion, the development demonstrates that it would be served by safe and suitable accesses and the wider development would broadly encourage and

facilitate non-car modes of travel, taking into account the intention to secure a network of interlinking cycle and pedestrian infrastructure and bus infrastructure. Furthermore, projects have been identified to mitigate the transport impacts of the development which the applicant has agreed to contribute toward or deliver directly. As such, as far as transport related matters is concerned and subject to delivering the above measures, the development broadly complies with the transport sustainability aims of policy LP15 of the Fenland Local Plan, the March Neighbourhood Plan and the NPPF.

Landscape & Character impacts

- 10.19 Whilst detailed matters of layout, scale, appearance and landscaping are reserved for future consideration, the Framework Plan, Parameter Plans and access details are considered to accord with the vision and growth ambitions of the approved BCP and Local Plan policy LP9 respectively.
- 10.20 Policy LP16 requires developments to make positive contributions to the local distinctiveness and character of the area, enhancing local setting and responding to the character of the local built environment. Schemes should not adversely impact, either in design or scale, upon the street scene, settlement pattern of the landscape character of the surrounding area.
- 10.21 Maintaining Fenland landscapes forms a key part of the Council's Local Plan objective (in particular, policies LP3, LP12 and LP16). The Plan seeks to preserve landscapes which are designated or locally valued and retain the distinctive character of Fenland's landscapes. That said, it is inevitable that some of the district's landscape will alter within the plan period, in order to meet the Council's growth aspirations including housing delivery requirements and therefore that some character harm will occur. Notwithstanding and in respect of the proposed development, the framework plan sets out that a key feature is to retain the natural boundaries currently found along the eastern boundary, where the development would transition to open countryside and the disused railway track and that along this boundary development will mainly comprise pockets of open space, SuDS features and footway and this would therefore limit any hard urban edges and aid with the rural transition. Furthermore, development at the northern part of the site will also be mostly set back, owing to the area of reserved land for school sports pitches, formal and informal open space which are proposed to occupy the northern section of the development site. In addition, the indicative densities and storey-heights plan (within the DAS) denotes that housing will be less dense and at a lower scale at the edges of the development which again will soften its impact on the south east rural edge of March. Maximum dwellings heights are proposed to be 2 to 3-storey – but with a majority being 2-storey.
- 10.22 The application is supported by a Landscape and Visual Impact Assessment (LVIA) which demonstrates that the scheme will not have a significant adverse impact upon the surrounding landscape. The LVIA considers the development to have an overall negligible effect on the Fens National Character Area. At the county level, it is considered that landscape effects upon the Fenlands would be no worse than minor adverse at a local scale and negligible at a wider scale. In the longer term, once planting is established and matured, providing some minor beneficial effects for the area and helping to offset the adverse effects of the change of use, the magnitude of change is judged to be low-negligible (at a local scale) with effects assessed as Minor Adverse-Negligible at a local scale and negligible at a wider scale.

- 10.23 In respect of visual amenity; a limited number of the visual receptors in close proximity to the site will experience major to moderate impacts, which is to be expected given the change of use. Over time it is anticipated that the maturing of the perimeter landscaping and structure planting will assist in assimilating the proposed development with the existing surrounding landscape setting and that overall landscape and visual effects would be reduced. The Framework Plan provides around 30m of landscape buffer to the site's southern boundary to allow the delivery of a new defensible edge to the town. The detailed landscape treatment of this area would come forward at the Reserved Matters stage.
- 10.24 In conclusion, despite the inevitable adverse effects of built development upon the local landscape character and on a limited number of visual receptors immediately adjacent or overlooking the site, it is considered that there would be no unacceptable adverse effects that should preclude a sensitively designed proposed development in landscape and visual terms. The proposals are therefore in accordance with development plan policies LP16 and H1.

Flood Risk and Drainage

- 10.25 The majority of the site lies in an area at low flood risk from fluvial flooding (Flood Zone 1) and generally at low risk of surface water flooding, having regard to the Environment Agency's latest flood maps. The eastern edge of the site is affected by Flood Zone 2 & 3 designations. Accordingly, the Framework Plan locates new homes away from these areas. The areas of the site located within Flood Zone 2 & 3 form part of the proposed public open space provision, which is an acceptable land use for a Flood Zone, given its allocation status.

Surface Water drainage

- 10.26 The application is supported by a flood Risk Assessment (FRA) and site-wide drainage strategy which details the approach taken to reducing on and off-site flood risk in accordance with the requirements of the NPPF and local policy. In summary; surface water will be attenuated on site via SuDS before discharging to the on-site ditch network, running to the north east corner of the site adjacent to Barker's Lane before joining March East IDB drain further east, and the ditch that runs alongside the old railway embankment to the east which joins a March East IDB drain further south. Surface water runoff will be discharged within the site via two outfalls, ultimately discharging onto the March East IDB network at a greenfield run-off rate.
- 10.27 Cambridgeshire County Council's Lead Local Flood Authority (LLFA) has considered the site wide drainage strategy for the development and following points of clarification and amendment are content that the principles as set out in the strategy can achieve sustainable drainage for the development and would not result in increased flood risks elsewhere, achieving greenfield run-off to essentially mimic the current drainage characteristics of the site. A condition requiring a detailed design for the surface water would be necessary and for this detail to be submitted along with the future reserved matters.
- 10.28 Whilst the Middle Level Commissioners Internal Drainage Board ('IDB') have been consulted on the application and indicated that they would be providing advice, at this time no further comments have been received. Utilising IDB drains to ultimately manage surface water drainage would require consent from the IDB and the applicant has advised that they are engaging with the IDB and will aim to accommodate their requirements into the final drainage designs for the development. Notwithstanding, it is anticipated that any run-off into these drains would mimic current greenfield run-off rates and would not increase volumes.

Foul drainage

- 10.29 Anglian Water has been consulted on the application and have advise that they are satisfied that they can accommodate flows from this development. Through discussions, the applicant is proposing to install new foul drainage infrastructure along Barker's Lane, heading west into Wimblington Road, which will by-pass the existing infrastructure where there are known existing issues with surcharging and flooding and will instead direct flows away from this area. Discussions with Anglian Water are currently on going to confirm the most suitable discharge point for the development. Anglian Water has sought to secure this detail via condition and subsequent consents would be required for any connection to Anglian Water's network. Further details can therefore be reasonably secured via condition and this detail would be expected to be received at reserved matters stages, once layout and phasing arrangements have been agreed.
- 10.30 In conclusion, whilst a detailed drainage scheme is yet to be agreed, the in-principle strategy put forward by the applicant has raised no technical objections by statutory consultees and it is anticipated that a robust drainage scheme can be delivered which would adequately manage flows from the development and would not increase flooding elsewhere in accordance with Local Plan policy LP14. A detailed drainage scheme and phasing plan to come forward with future reserved matters can be reasonably secured via planning condition.

Heritage impacts

- 10.31 The site lies on to the south-east of March and has a semi-rural, edge of settlement position forming the transition between a settlement and the open countryside. Much of the development surrounding the site dates from the mid to late C20. The map below shows limited development beyond the Town End core surrounding the GI listed St Wendendra's Church at the turn of the C20 with the area laid out to agricultural fields. Other than C20 ribbon development along Wimblington Road, the views of Town End and St Wendendra's Church are largely unaltered from the late C19. The former railway line that bounds the east of the site is now a positive tree lined PROW and is considered by the Council's heritage officer as a heritage asset in its own right.
- 10.32 As noted above, the application is supported by a Landscape Visual Impact Assessment which considers the impact of the development on the wider Fenland landscape but also considers St Wendendra's Church. In this regard, the recommendation in the LVIA to ensure additional landscape buffer at the north, in the interests of preserving views of the church has been translated in the indicative site plans. The Council's Conservation Officer's considers that the development will result in less than substantial harm to the historic environment, wherein such harm is to be weighed against public benefits that would accrue from the development as set out in the NPPF.
- 10.33 In this regard, the development would result in the delivery of a site allocation for housing which would assist in the district's vision for housing growth which in turn would yield social and economic benefits, helping to support local facilities and services aiding the vitality and viability of March and the wider district. The scheme would also yield benefits in terms of improved bus infrastructure and the provision of affordable housing. These benefits are deemed to outweigh the less than substantial harm to the identified heritage assets. This is subject to a final design and layout which responds positively to the LVIA recommendations.

10.34 The Archaeology team at the County Council have assessed the site location and consider it necessary to secure a written scheme of investigation to ensure that the site is fully evaluated for potential historic value prior to intrusive ground works commencing. This can be reasonably secured via planning condition.

Residential amenity

10.35 Local Plan Policies LP2 and LP16 seek to secure high quality living environments for both future users and existing residents, avoiding adverse impacts such as loss of light, overbearing and loss of privacy.

10.36 Whilst the scheme is in outline only, with matters of layout, scale and appearance yet to be considered, some concerns have been raised as to the potential impacts on residential amenity. These include general concerns over pollution e.g., noise, light, odour and construction nuisance. In this regard, the Council's Environmental Health team has requested that a construction management Plan is submitted prior to works commencing. Furthermore, the local Highway Authority has sought to secure road sweeping and temporary construction facilities details. These matters can be reasonably secured through Construction Management Plans which would follow phasing arrangements for the development., with a phasing plan to be secured at the initial stage i.e., with the first reserved matters application.

10.37 The general residential use of the land is not anticipated to result in significant acoustic changes once completed, with the use compatible with surrounding uses. The detailed design elements of future reserved matters will ensure that matters of lighting impacts, overlooking, overbearing and overshadowing are carefully considered, in-line with local policies. Nonetheless, local residents may observe a degree of change to the visual and acoustic character of the area as a result of the development. However, the site is allocated in the Local Plan to deliver a substantial amount of housing and therefore this change in character is inevitable, albeit it is not anticipated to result in any significant adverse impacts to existing residents.

10.38 Concerns have also been raised over potential crime and fear of crime, with the area of existing car parking along Lambs Hill Drive being identified as a potential area of ASB. The police's designing out crime team has considered the application and conclude that the site falls within an area with moderate risk of crime and has offered advice in respect of tackling potential risks of crime through design. The Lambs Hill Drive parking area has not been identified as a problem area by the police and it would be expected that, through the introduction of housing at the south east of the site, resulting in more movement and potentially greater natural surveillance, this may assuage any intensification of ASB in this location.

10.39 Some residents have raised concerns over loss of views, however it is an established position that a private right to a view is not a material planning consideration, notwithstanding the aforementioned inevitable character change to the site that would occur as a result of the development. Matters of scale and any potential visual dominance/ overbearing would however be matters of be addressed through detailed design.

10.40 In summary, the development raises no immediate concerns over potential harm to residential amenity and subject to detailed design has potential to deliver a high quality living environment for both future occupiers and existing residents.

Biodiversity & Ecology

- 10.41 Local Plan Policy LP16 seeks to protect and enhance biodiversity on and surrounding the proposal site and seeks to retain and incorporate natural and historic features of the site such as trees, hedgerows, field patterns, drains and water bodies. Policy LP19 seeks to take opportunities to incorporate beneficial features for biodiversity in new developments, including, where possible, the creation of new habitats that will contribute to a viable ecological network extending beyond the District into the rest of Cambridgeshire and Peterborough, and other adjoining areas. It also sets out that permission should be refused for development that would cause demonstrable harm to a protected habitat or species, unless the need for and public benefits of the development clearly outweigh the harm and mitigation and/or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity.
- 10.42 Chapter 15 of the NPPF amongst other things, broadly sets out that development should seek to take opportunities for secure net gain in biodiversity and as a minimum should not result in net loss. This approach has changed in recent months with the introduction of statutory 10% biodiversity net gain, however for this application which was submitted prior to this change, the baseline aim is in essence to achieve biodiversity net gain where possible.

Biodiversity Net Gain

- 10.43 The application is supported by a preliminary ecological appraisal (PEA) and biodiversity net gain assessment. The Council's Ecologist has confirmed that the site supports nesting birds, foraging / dispersing badger and reptiles were recorded in nearby locations and therefore advises that adequate mitigation measures will be required during the construction phase to protect these species. In addition, mitigation and enhance for biodiversity should be secured through the detailed design, including built environment (e.g. bird/bat boxes, hedgehog fencing), hard/soft landscape scheme, long-term management and sensitive lighting scheme, informed by a site-wide Ecological Design Strategy (EDS), with a Biodiversity Management Plan provided for each phase of the development to provide an update of the ecological survey work and demonstrate compliance with the EDS. The Council's Ecologist has provided planning conditions to address these matters.
- 10.44 Throughout the assessment of this application, advice from the Wildlife Trust and The Council's Ecologist has been that the net gain envisioned through the development is likely to be lower than set out by the applicant. The applicant originally asserted that over 10% could be achieved, whereas consultees advise that this ought to be revised down to around 3%. This is primarily due to how the value of grassland is interpreted, which the Wildlife Trust asserts is at the lower end of value, as these are mainly found in gardens or useable open space where higher value cannot be controlled in the longer term and generally yield lower value than, for example unmanaged grassland.
- 10.45 The applicant has subsequently updated their net gain assumptions which has been lowered to accord with the advice provided, although the applicant has indicated their commitment to secure between 3% and 11% biodiversity net gain. Notwithstanding, it is generally agreed that opportunities to secure net gain exists through this development and the development overall will not result in net loss, subject to securing an appropriate scheme and long-term management arrangements. As such, the development in this regard accords with aims of the NPPF and Local policy.

Lowland Peat

- 10.46 Natural England, whilst initially raising no objections to the proposal subsequently raised concerns that the development may impact on 'irreplaceable habitat' through the loss of Lowland Peat. Natural England requested that further surveys were undertaken to assess the presence and scale of peat across the site, in order to evaluate the impact of the scheme. The value of soils is a material consideration and Natural England advised they are keen to ensure that significant areas of high-value soils are managed appropriately. This prompted a further objection from the Council's Ecology consultant, as the loss of lowland peat may directly impact on the aforementioned BNG assumptions.
- 10.47 The applicant subsequently undertook further field surveys (an intrusive Phase II Ground Investigation; and an Agricultural Land Classification Survey (ALC)). The conclusions of the ALC report found that no peat soils were present and the phase II ground investigation found a small pocket of 'friable, black gravelly clayey amorphous peat', but ultimately concluded that there is no 'Lowland Fen' Irreplaceable Habitat at the application site. The ALC found that 71% of the site (c15.5ha) was Subgrade 3b agricultural land, with the remaining 29% (c6.3ha) being Subgrade 3a. Only the Subgrade 3a land would be classed as falling with the Best and Most Versatile definition as set out in the NPPF (2024). As such, the applicant has set out that they do not feel that a soil management plan is warranted in this instance and that the loss of c6.3ha of the Subgrade 3a land would be weighed up against the benefits of the scheme, noting that the Council have allocated this site for development through the adopted Local Plan
- 10.48 Natural England has been consulted on these findings but advises that they do not wish to comment further, leaving it to the LPA to determine whether they are satisfied with the findings and proposals.
- 10.49 The Council's ecologist has confirmed that they are satisfied with the update to BNG assumptions and lowland peat considerations raised by Natural England. Natural England no longer maintain an objection on the basis of the ground investigations evidence, and the applicant has revised their BNG assumptions which in any case met with national and local policy in respect of providing opportunities for net gain. In this regard it can reasonably be concluded that these matters have been resolved.
- 10.50 The Council's Ecologist has set out planning conditions to address the future detailed design of the site and these are considered appropriate and will ensure broad compliance with Local Plan policies LP16 and LP19 and the aims of NPPF Chapter 15.

Community Infrastructure & Planning Obligations

- 10.51 Local Plan policy LP13 sets out that planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the requirements arising from the proposed development. Conditions or a planning obligation are likely to be required for many proposals to ensure that new development meets this principle. Developers will either make direct provision or will contribute towards the provision of local and strategic infrastructure required by the development either alone or cumulatively with other developments. Where a planning obligation is required, in order to meet the above principles of infrastructure provision, this will be negotiated on a site-by-site basis. This will be required in addition to the affordable housing requirement as set out in Policy LP5.

10.52 Statutory tests set out in the Community Infrastructure Regulations 2010 (Regulation 122) requires that S106 planning obligations must be necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonable related in scale and kind to the development. S106 obligations are intended to make development acceptable which would otherwise be unacceptable in planning terms.

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

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

10.54 The Council's own Local Plan & CIL Viability Assessment (HDH, December 2019) sets out expectations of viability for sites across the district. For sites south of the A47 highway, the conclusions advise that schemes should be able to achieve 20% affordable housing and £2,000 per dwelling in financial contributions. Whilst this is lower than set out in Local Plan policy LP5 (affordable housing) it is a material consideration which the Council has previously given significant weight to, and which has been used to set the viability expectations for many other developments in the district. The applicant has confirmed their agreement to this provision.

Affordable Housing

10.55 As set out by the Council's Housing Team, based on the quantum proposed, an on-site affordable housing scheme for 85 dwellings would be expected to be secured and would provide 70% (60no.) affordable rented units and 30% (25no.) shared ownership units which would align with the Council's current housing tenure demands. The specific mix would be expected to be secured as part of the agreed scheme and phasing of the development. Subject to this, the scheme would accord with the requirements of Local Plan policy LP5.

10.56 *Healthcare*

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

10.57 *Education & Libraries*

Cambridgeshire County Council as the education and libraries authority seek contributions towards;

- Early Years (£1,023,378),
- Primary school (£3,701,580),
- Secondary school (£2,676,818) and,
- Libraries (£96,733)

10.58 In addition, due to the anticipated need to extend the existing secondary school provision at Neale Wade Academy, the expansion would result in the loss of

around 2.36Ha of existing sports pitch. As such CCC are requesting that land within the development area is reserved to offset this loss of sports pitch. The applicant is proposing to set aside 1.59Ha of land at the north of the site. The adjacent parcel currently under consideration proposes to set aside an area of land around 0.5Ha immediately adjacent to this, meaning a total of around 2.1ha is proposed to be safeguarded. This is considered to broadly meet CCC requirements, with final details to be secured through reserved matters submission and S106 agreement.

Sports Pitches

10.59 Sport England have raised an objection to the development as it does not propose to provide formal sports pitches and need for pitches has been identified, in particular with rugby ground provision. At this time, it is unknown exactly how the pitches proposed for Neale Wade will function i.e., whether these will be multi-use, open for public use outside of school times or ultimately whether they will be required to support the school in the longer term.

10.60 The adopted Broad Concept Plan for South East March did not make provision for formal sport pitches, with policy LP9 identifying the South East March allocation to provision for new sports pitches for Neale Wade Academy, if required. As such, whilst Sport England object on the basis that sports pitches other than those for Neale Wade will not be provided, there is no specific policy relating to this allocation which indicates it should. Notwithstanding this, the adopted Development Contribution SPD (2016) sets out that Outdoor Sports provision should be secured through developments of this scale and as such, notwithstanding that land is reserved for school use, should it not be required by the school, then an option to use it for alternative sports recreation can be considered. This detail can be secured in a S106 agreement.

10.61 In summary, whilst Sport England's concerns are noted, the proposal to offer land for school sports pitches broadly accords with the specific policy of the development plan for this strategic allocation. However, opportunities may exist in the future to address these concerns should the school ultimately not wish to take the reserved land.

Open Space

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

Transport Infrastructure

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

- Financial contribution of £1,500 per dwelling for MATS scheme mitigation
- RTP1 signs at 4 bus stops along Wimblington Road
- Four new bus shelters on Wimblington Road with associated removal of existing bus laybys (subject of confirmation of adoption of shelters).

- Delivery of scheme to improve Mill Hill roundabout (costs to be offset against MATS scheme contribution if delivered)
- Provision of 1 on-site bus stop
- Contribution of £313,846 towards a new demand responsive bus service

10.64 The Transport financial contributions equate to £951,346 plus the cost of direct delivery works (Mill Hill roundabout costs to be deducted from the MATS contribution if delivered). The applicant has agreed to meet these costs in addition to the wider £2,000 per dwelling contribution which itself totals up to £850,000.

10.65 It is proposed to share the circa £850,000 across the education and healthcare requirements (which total £8,198,848) on a proportionate, pro-rata basis, which would work out as follows, based on a quantum of 425 dwellings;

Provider	% of Total contributions	Amount proposed based on 425 dwellings (£850,000)
NHS Estates	6.85	£58,225
EEAST (Ambulance)	1.7	£14,450
Early Years	12.47	£105,995
Primary school	45.15	£383,775
Secondary school	32.65	£277,525
Libraries	1.18	£10,030

10.66 It is acknowledged that this will not meet the whole needs of these services, however viability is a material consideration in decision making. It is an accepted point that the District has issues regarding viability and that this constraint has resulted in other sites, that have been granted planning permission, providing limited financial contributions. The shortfall in financial contributions will result in an additional burden on the existing facilities. However, the site is allocated within the current local plan and bringing forward the site results in benefits including the delivery of housing, including a significant proportion of affordable housing units.

10.67 In summary, it is concluded that the above infrastructure requirements are necessary to make the development acceptable and would meet the tests of CIL regulations in that they are, i) necessary to make the development acceptable in planning terms; ii) directly related to the development; and, iii) fairly and reasonably related in scale and kind to the development.

Other Matters

10.68 One resident has suggested that higher quality homes should be provided to attract a wealthier demographic. In this regard, one aim of the development plan and guidance contained within the NPPF is to provide mixed communities and housing that caters for a range of incomes. The application proposes a mix of affordable and market homes, the quality of which is required to be of a high standard as set out in national and local policy.

11 SUMMARY & CONCLUSIONS

11.1 The policies in the NPPF when taken as a whole constitute the Government's view of what sustainable development means. Paragraph 8 of the NPPF lists the three dimensions to sustainable development; the economic, social and environment objectives, and sets out that these roles should not be undertaken in

isolation. Therefore, to achieve sustainable development a proposed development should jointly and simultaneously deliver net gains across each of these key objectives.

- 11.2 To be sustainable, development must strike a satisfactory balance between the applicable economic, environmental and the social considerations.
- 11.3 It is recognised that the development will result in some unavoidable landscape harm, however this is localised and inevitable given the development plan allocation. Furthermore, due to known viability constraints with the district, the full amount of infrastructure contributions cannot be secured. These matters are afforded moderate negative weight.
- 11.4 However, subject to the satisfactory completion of a S106 agreement, to ensure necessary infrastructure is secured to support this development, it is considered that:
- the principle of development is acceptable in this location and compliant with the Development Plan and the NPPF,
 - the proposed parameters of development are acceptable and demonstrate the site can appropriately accommodate the development as described,
 - the proposed development will contribute to the creation of a mixed community including affordable homes and integrating homes and facilities,
 - it will promote healthy, active lifestyle through green space and recreation facilities,
 - it will maximise opportunities for use of public transport, walking and cycling
 - it will minimise pollution,
 - it will manage flood risk and drainage effectively,
 - it will result in no significant harm to heritage assets,
 - it will have no significant adverse impacts on features of landscape or ecological value,
 - the loss of high grade agricultural land is limited and justified in this instance
 - it will provide appropriate infrastructure to meet the needs generated by the development.
- 11.5 Having regard to national and local planning policies, and all comments received, and subject to the resolution of the S106 agreement, it is considered that the proposal would amount to sustainable development and would accord with the development plan taken as a whole. There are no material considerations worthy of sufficient weight that indicate that a decision should be made other than in accordance with the development plan. Accordingly, the development should be approved.

12 RECOMMENDATION

- 12.1 Members are recommended to APPROVE the application in accordance with the following terms;
1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement and planning conditions to the Head of Planning; and,
 2. Following the completion of the S.106, application F/YR23/0696/O be approved subject to the draft planning conditions set out Appendix 1; or,

3. The Committee delegates authority to refuse the application in the event that the Applicant does not agree any necessary extensions to the determination period to enable the completion of the S106 legal agreement or on the grounds that the applicant is unwilling to complete the obligation necessary to make the development acceptable.

Appendix 1 - Proposed Draft Conditions

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"> i. the layout of the site ii. the scale of the building(s); iii. the external appearance of the building(s); iv. the landscaping <p>(hereinafter called "the Reserved Matters") shall be obtained from the Local Planning Authority prior to the commencement of development.</p> <p>Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.</p>
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 5 years from the date of this permission.</p> <p>Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p><i>Quantum</i></p> <p>The residential elements of the development shall not exceed 425 dwellings (Use Class C3).</p> <p>Reason - For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5	<p><i>Phasing Plan</i></p> <p>With the exception of the approved accesses, the development shall be undertaken in phases in accordance with a phasing plan to be submitted to and approved in writing by the Local Planning Authority prior to or concurrently with the submission of the first reserved matters. The phasing plan will need to demonstrate through supporting evidence that the phasing approach proposed will not result in severe harm in highway, amenity, drainage and biodiversity terms. With the exception of the approved accesses, development shall not commence on each development phase until all reserved matters for that phase have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason - For the avoidance of doubt and to allow development to be undertaken and conditions to be discharged on a phased basis.</p>
6	<p><i>Conformity</i></p> <p>Development shall be in broad conformity with the Development Framework Plan (Drawing No. P22-0602_01 REV X), and the spatial principles of the Parameter Plans submitted within the Design and Access Statement (P22-0602_23C), save for minor</p>

	<p>variations where such variations do not substantially deviate from these details.</p> <p>Reason: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.</p>
7	<p><i>Archaeology</i></p> <p>No development shall commence in any phase until the applicant, or their agents or successors in title, has implemented a programme of archaeological work for that phase, that has been secured in accordance with a Written Scheme of Investigation (WSI) that has been submitted to and approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ol style="list-style-type: none"> the statement of significance and research objectives; The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; The timetable for the field investigation as part of the development programme; 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 (MHCLG 2019).</p>
8	<p><i>Phase drainage</i></p> <p>Concurrently with the submission of the each reserved matters development phase application a detailed design of the surface water drainage of that development phase shall be 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 Flood Risk Assessment and Drainage Strategy prepared by Woods Hardwick (ref: 19196/FRA and DS/RevE) dated 29 November 2023 and shall also include:</p> <ol style="list-style-type: none"> 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; 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; 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); Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections); Site Investigation and test results to confirm infiltration rates; Temporary storage facilities if the development is to be phased; A timetable for implementation if the development is to be phased; 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; Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems; Full details of the maintenance/adoption of the surface water drainage system; Measures taken to prevent pollution of the receiving groundwater and/or surface water. Demonstration of how the drainage strategy for the development phase relates to

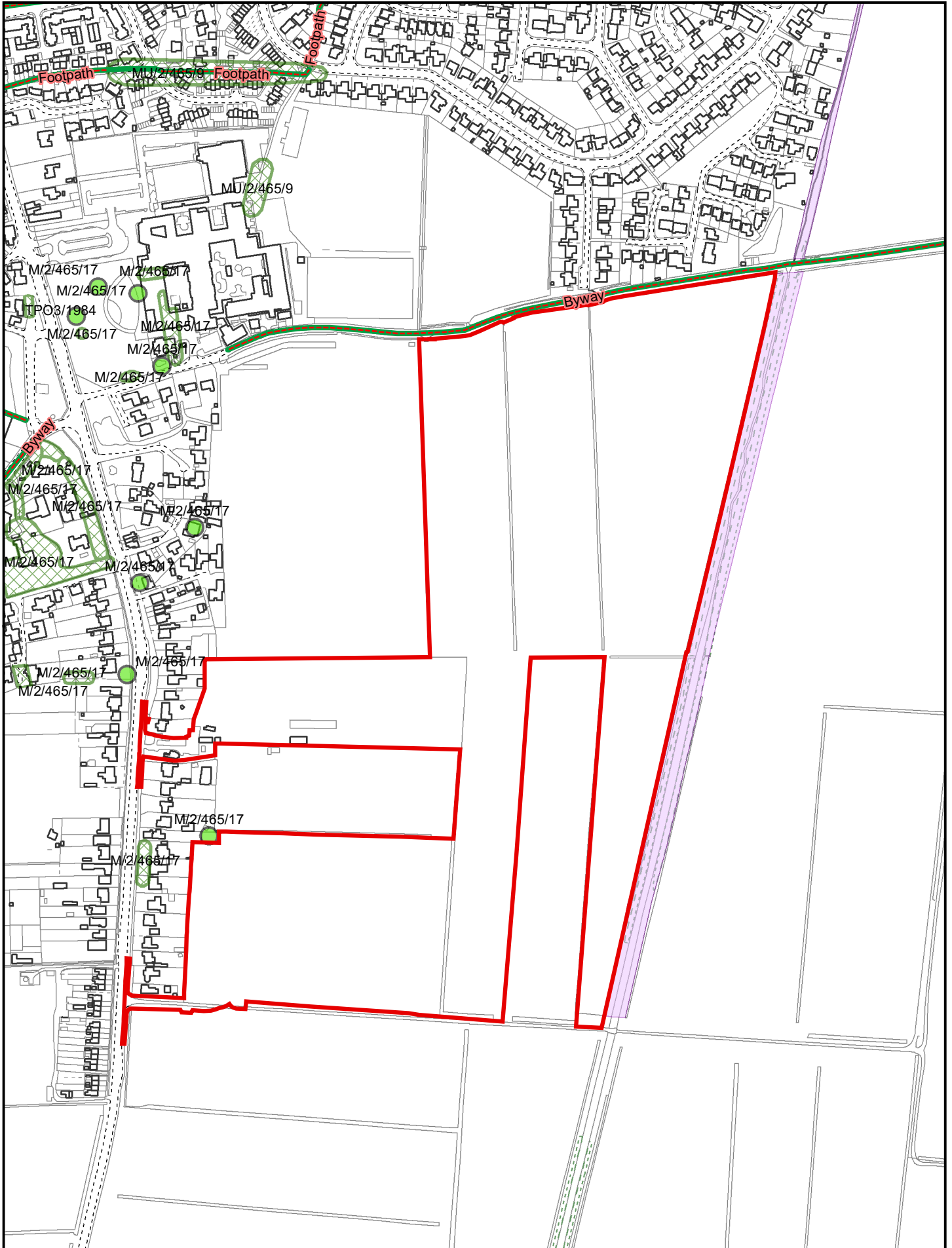
	<p>other development phases within the application site.</p> <p>The drainage scheme must adhere to the hierarchy of drainage options as outlined in the NPPF PPG.</p> <p>The scheme shall be fully implemented in accordance with the approved details and subsequently maintained, in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed in writing by the Local Planning Authority.</p> <p>Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with Policy LP14 of the Local Plan.</p>
9	<p><i>Foul Drainage</i></p> <p>Prior to the commencement of development in each phase, a scheme and timetable for the provision and implementation of foul water drainage for that phase shall be submitted and approved in writing by the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and thereafter retained in perpetuity.</p> <p>Reason: To prevent environmental and amenity problems arising from flooding and to provide a satisfactory means of sanitation in accordance with Policies LP2, LP14 and LP16 of the Fenland Local Plan, 2014.</p>
10	<p><i>EDS</i></p> <p>No development shall take place until a site wide ecological design strategy ('EDS') addressing mitigation, compensation, enhancements and restoration for (breeding bird, badger, reptiles and habitat loss) has been submitted to and approved in writing by the local planning authority.</p> <p>The EDS shall include the following (unless otherwise agreed in writing by the Local planning Authority):</p> <ol style="list-style-type: none"> a) Purpose and conservation objectives for the proposed works. b) Review of site potential and constraints. c) Detailed design(s) and/or working method(s) to achieve stated objectives. d) Extent and location/area of proposed works on appropriate scale maps and plans. e) Type and source of materials to be used where appropriate, e.g. native species of local provenance f) Delivery of measurable Biodiversity Net Gain, (including Biodiversity Gains Plan and Habitat Mitigation and Monitoring Plan). f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development g) Persons responsible for implementing the works, such as Ecological Clerk of Works h) Details of initial aftercare and long-term maintenance i) Details for monitoring and remedial measures. j) Details for disposal of any wastes arising from works. <p>The EDS must include off-site compensation measures (if required). The EDS shall be implemented in accordance with the approved details and all features shall be retained in the manner thereafter in perpetuity.</p> <p>Reason: To ensure biodiversity is protected and enhanced in accordance with policies LP16 and LP19 of the Fenland Local Plan, 2014.</p>
11	<p><i>CEMP</i></p> <p>No development shall take place (including demolition, ground works and vegetation clearance) until a Construction Ecological Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The CEMP shall incorporate recommendations of the Ecological Impact assessment</p>

	<p>and must include the following:</p> <ul style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities. b) Identification of 'biodiversity protection zones'. c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements) d) The location and timings of sensitive works to avoid harm to biodiversity features. e) The times during which construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs if applicable. <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: To ensure biodiversity is protected in accordance with policies LP16 of the Fenland Local Plan, 2014.</p>
12	<p><i>LEMP</i></p> <p>A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority prior development proceeding above slab level for each development phase. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives (including biodiversity net gain). e) Prescriptions for management actions f) Preparation of the work schedule (including an annual work plan capable of being rolled forward over a 30-year period and BNG audit) g) Details of the body or organisation responsible for implementation of the plan h) Ongoing monitoring and remedial measures <p>The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the development with the management body(ies) responsible for its delivery.</p> <p>The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.</p> <p>A 5 yearly report shall be submitted to the LPA confirming the progress of the LEMP and results of any monitoring work.</p> <p>The LEMP shall be implemented in accordance with the approved details and all features shall be retained in the manner thereafter in perpetuity.</p> <p>Reason: To ensure biodiversity is protected and enhanced in accordance with policies LP16 and LP19 of the Fenland Local Plan, 2014.</p>
13	<p><i>Lighting</i></p> <p>Each reserved matters submission shall be supported by a "lighting design strategy for biodiversity" in accordance with ILP Publications' "Guidance Note 8 Bats and artificial lighting" to be approved in writing by the Local Planning Authority.</p>

	<p>The strategy shall:</p> <ol style="list-style-type: none"> a. identify those areas /features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and, b. show how and where external lighting will be installed (through the provisions of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places. <p>All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.</p> <p>Reason: To ensure biodiversity is protected in accordance with policies LP16 of the Fenland Local Plan, 2014.</p>
14	<p><i>CMP</i></p> <p>No development shall commence in each phase until a Construction Management Plan (CMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CMP shall include the consideration of the following aspects of construction:</p> <ol style="list-style-type: none"> a) Construction programme; b) Contractors' access arrangements for vehicles, plant and personnel including the location of construction traffic routes to, from and within the site, details of their signing, monitoring and enforcement measures; c) Details of a temporary facilities area clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction; d) Details of restricted Construction hours; e) Details of restricted Delivery times and collections; f) Noise impact assessment methodology, mitigation measures, noise monitoring and recording statements in accordance with the provisions of BS 5228-1:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites; h) Vibration impact assessment methodology, mitigation measures, monitoring and recording statements in accordance with the provisions of BS 5228-2:2009+A1:2014 Code of Practice for noise and vibration control on construction and open sites. Details of any piling construction methods / options, as appropriate; i) Dust mitigation, management / monitoring and wheel washing measures in accordance with the provisions of Control of dust and emissions during construction and demolition, and road sweepers to address depositing of mud on immediate highways; j) Use of concrete crushers; k) Prohibition of the burning of waste on site during demolition/construction; l) Site artificial lighting including hours of operation, position and impact on neighbouring properties; m) Drainage control measures including the use of settling tanks, oil interceptors and bunds. n) Screening and hoarding details; o) Access and protection arrangements around the site for pedestrians, cyclists and other road users; p) Procedures for interference with public highways, including permanent and temporary realignment, diversions and road closures; q) External safety and information signing and notices; r) Implementation of a Stakeholder Engagement/Residents Communication Plan, Complaints procedures, including complaints response procedures; and <p>The approved CMP shall be adhered to throughout the construction period and must</p>

	<p>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>
15	<p><i>Fire Hydrants</i></p> <p>No development above slab level within a development phase shall take place until details for the provision of fire hydrants has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before any dwelling within the respective development phase is occupied.</p> <p>Reason - To ensure a satisfactory form of development and in accordance with Policy LP16 of the Local Plan.</p>
16	<p><i>Contaminated Land</i></p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with policies LP2, LP14 and LP16 of the Fenland Local Plan, 2014.</p>
17	<p><i>Management of Estate Roads</i></p> <p>Prior to the occupation of the first dwelling within each phase, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development phase shall be submitted to and approved in writing by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established.</p> <p>Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014.</p>
18	<p><i>Travel Plan</i></p> <p>Prior to the first occupation of any dwelling within each development phase, a Travel Plan detailing suitable measures and incentives inclusive of bus vouchers and/or active travel vouchers to promote sustainable travel shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The Travel Plan for each development phase shall thereafter be monitored annually with all measures reviewed to ensure targets are met. The travel plan shall be active for a year post occupation of the last dwelling of that development phase.</p> <p>Reason: To encourage sustainable modes of travel in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
19	<p><i>Welcome Pack</i></p> <p>Prior to the first occupation of any dwelling within each phase, a welcome pack detailing sustainable travel for each dwelling within that phase shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The welcome pack shall include the following unless otherwise agreed in writing by the Local Planning Authority;</p>

	<p>i) bus vouchers for use with the relevant local public transport operator, ii) Bike vouchers, iii) Other such incentives for sustainable travel where evidence supports this.</p> <p>The approved welcome packs shall be issued to occupiers upon occupation of each dwelling within the relevant phase.</p> <p>Reason: To encourage sustainable modes of travel in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
20	<p><i>Approved Plans</i></p> <p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p> <ul style="list-style-type: none"> • Site Location Plan P22-602_02 05 Rev F • General Arrangement Lambs Hill Drove 19196-WIMB-5-101 Rev C • General Arrangement Wimblington Road 19196-WIMB-5-102 Rev C • Framework Masterplan P22-0602_01 Rev X • Tree Survey & AIA March 2024 5426 (Rev F) • Flood Risk Assessment and Drainage Strategy (Rev E) (29.11.23 update)



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F/YR23/0696/O

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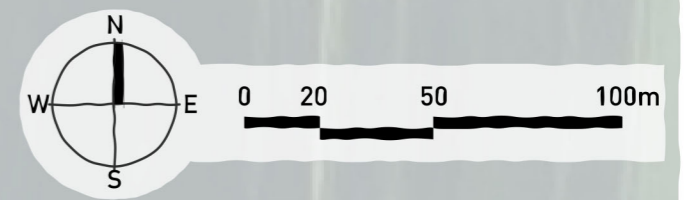




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KEY

SITE LOCATION (22.51HA)	INDICATIVE PROPOSED FORMAL EQUIPPED CHILDREN'S PLAY AREA (NEAP)	EXTENT OF FLOOD ZONE 2 AND 3 (AS IN THE ENVIRONMENT AGENCY FLOOD MAP)	PROPOSED FORMAL CYCLE AND PEDESTRIAN ROUTE	VEHICULAR ACCESS POINT (SUBJECT TO DETAILED PLANNING APPLICATION)
INDICATIVE RESIDENTIAL AREA	INDICATIVE COMMUNITY GARDEN AND COMMUNITY ORCHARD	RETAINED / DIVERTED DITCHES SUBJECT TO SPECIALIST INPUT	PROPOSED FORMAL PEDESTRIAN ROUTE	POTENTIAL PEDESTRIAN AND CYCLE ACCESS
INDICATIVE PUBLIC OPEN SPACE - INCLUDING PLAY AREAS, STRATEGIC LANDSCAPE BUFFERS, DRAINAGE ATTENUATION AND OTHER FORMS OF ACTIVE AND PASSIVE RECREATION	INDICATIVE ATTENUATION BASINS (SUBJECT TO SPECIALIST INPUT)	EXISTING FOOTPATH (DISUSED RAIL TRACK)	PROPOSED RECREATIONAL CYCLE AND PEDESTRIAN ROUTE	INDICATIVE LOCATION FOR LANDMARK BUILDING
INDICATIVE PRIMARY ROUTE (TREE LINED WITH GREEN VERGES; A SHARED CYCLE/FOOTPATH ON ONE OR BOTH SIDES)	EXISTING VEGETATION (SUBJECT TO SURVEY)	EXISTING PUBLIC RIGHT OF WAY (BARKER'S LANE BRIDLEWAY)		



STOW FEN MEADOWS - LAND AT SE MARCH, MARCH, CAMBRIDGESHIRE - FRAMEWORK PLAN

Pegasus
Design

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SAFETY, HEALTH AND ENVIRONMENTAL

In addition to the hazards, risks normally associated with the type of work detailed on this drawing, note the following significant risks and information.

- Construction:**
- Existing overhead and underground services and utilities.
- For information relating to end use, maintenance, demolition, see the health and safety file.
- It is assumed that all works will be carried out by a competent Contractor, where appropriate, to an approved method statement.

KEY

- Existing Highway Boundary
- Proposed Development Boundary
- Proposed Carriageway
- Proposed Footway
- Proposed or adjusted Vehicular Crossing
- Proposed Verge
- Refer to AIA and Tree Survey for details of removals
- 2.0m x 2.0m Pedestrian Visibility Splay

C	DEVELOPMENT BOUNDARY LINE AMENDED	DSH	GBR	17.06.24	
B	BUS STOP ARRANGEMENTS AMENDED	DSH	GBR	16.04.24	
A	BUS SHELTER LOCATIONS SHOWN	DSH	GBR	15.04.24	
REV	DESCRIPTION	DRN	CHD	DATE	
	PRELIMINARY		INFORMATION		TENDER
	CONSTRUCTION		AS BUILT		

SCALE 1:500 @ A1 DATE NOVEMBER 2023

DRAWN DSH CHK SD

DRAWING NO. 19196-WIMB-5-101 REV C

TITLE
MARCH EAST
LAMBS HILL DROVE

DETAILS
GENERAL ARRANGEMENT
LAMBS HILL DROVE (PLANNING)

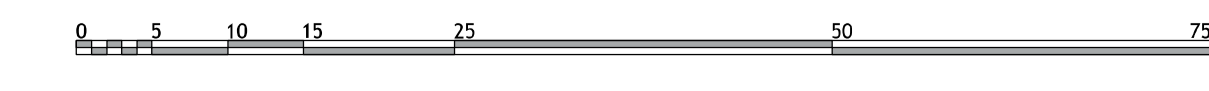
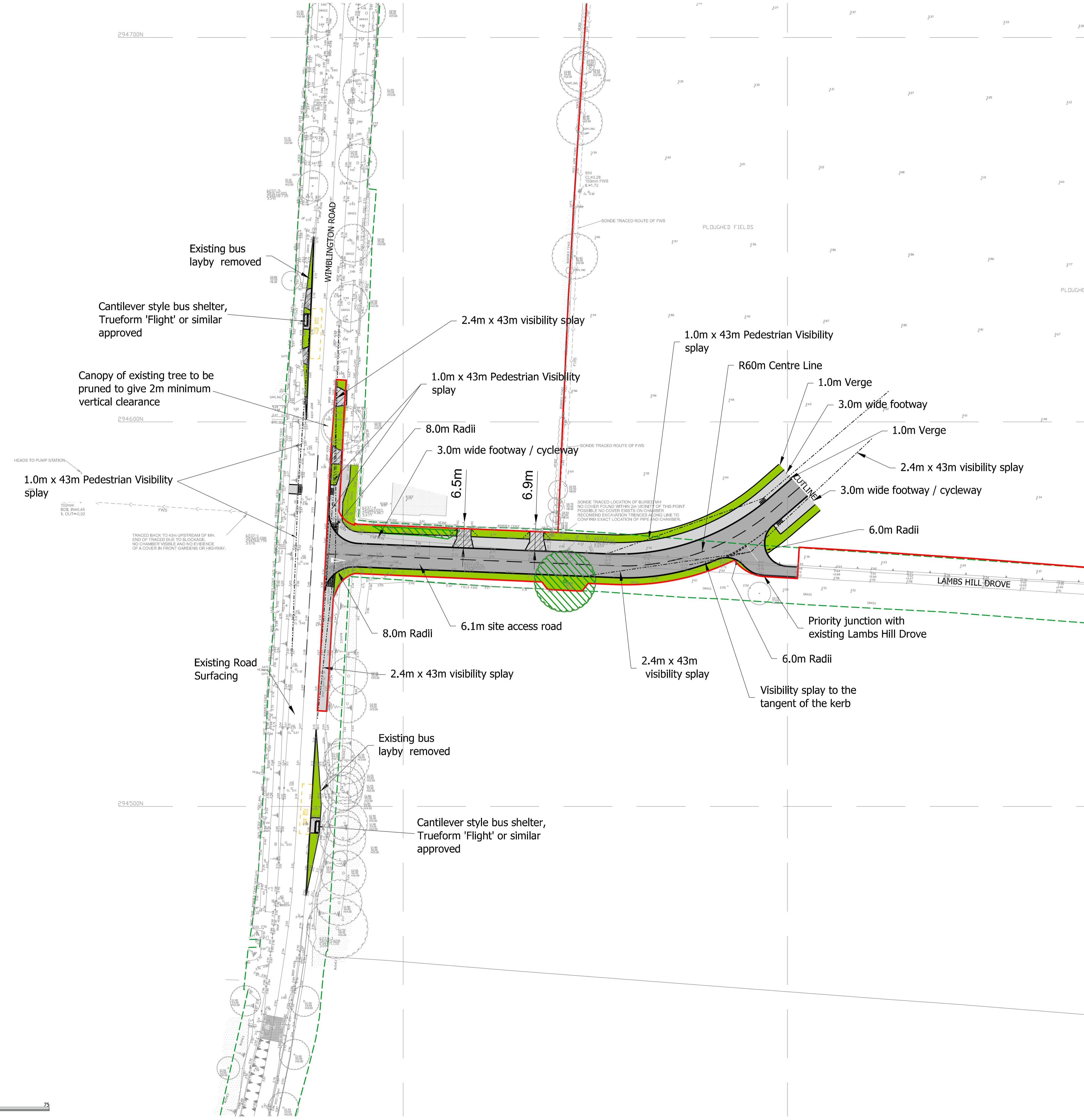
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4. Initial technical approval has been obtained from the relevant authority. The Contractor shall be responsible for obtaining all necessary approvals. Should the Contractor commence site work prior to approval being given it is entirely at their own risk.

SAFETY, HEALTH AND ENVIRONMENTAL

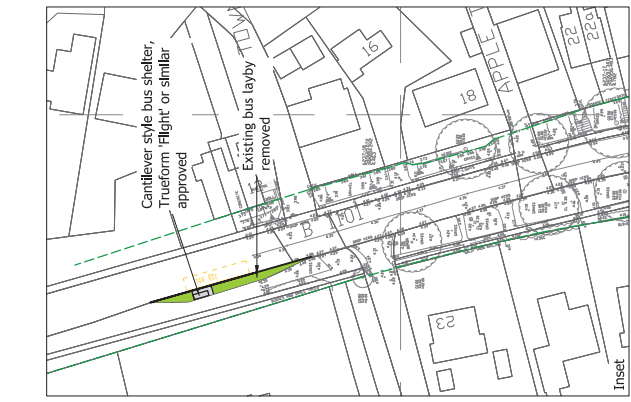
In addition to the hazards, risks normally associated with the type of work detailed on this drawing, note the following significant risks and information.

Construction:

1. Existing overhead and underground services and utilities. For information relating to end use, maintenance, demolition, see the Health and Safety File.
- It is assumed that all works will be carried out by a competent Contractor, where appropriate, in an approved method statement.

KEY

- Existing Highway Boundary
- Proposed Development Boundary
- Proposed Carriageway
- Proposed Footway
- Proposed or adjusted Vehicular Crossing
- Proposed Verges
- Refer to AIA and Tree Survey for details of removals
- Existing vehicular crossing to be removed



C	BUS STOP ARRANGEMENTS AGREED	DSH	GR	16.04.24	
B	BUS SHELTER LOCATION SHOWN	DSH	GR	15.04.24	
A	PROPOSED LAYOUT REVISIONS TO SH	DSH	GR	20.03.24	
REV	DESCRIPTION	BY	CHK	DATE	
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<input type="checkbox"/>	CONSTRUCTION	<input type="checkbox"/>	AS BUILT	<input type="checkbox"/>	

SCALE	1:500 @ A1	DATE	NOVEMBER 2023
DRAWN	DSH	CHK	SD
DRAWING NO.	19196-WIMB-5-102	REV	C

TITLE
MARCH SOUTH-EAST
WIMBLINGTON ROAD

DETAILS
GENERAL ARRANGEMENT
WIMBLINGTON ROAD (PLANNING)

Woods Hardwick
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REFERENCE NO F/YR23/0696/O

SITE ADDRESS Land South of Barkers Lane and East of, Wimblington Road, March.

PROPOSAL: Outline planning permission (all matters reserved, except for access) for up to 425 dwellings (including affordable housing), formation of 2 x accesses, and a dropped kerb (for 38 Wimblington Road), safeguarded land for grass playing fields, public open space, landscaping, community garden, community orchard, children's play areas, sustainable drainage infrastructure, retention of informal parking area, all other associated infrastructure, and demolition of an existing dwelling (40 Wimblington Road).

UPDATE:

1. Foul Drainage

1.1 Anglian Water have provided an update (received 18 August 2024) to their previous comments, in summary setting out the following key updates.

- The foul drainage from this development is in the catchment of March Water Recycling Centre (WRC) that will have available capacity for these flows.
- Anglian Water is aware of concerns regarding flooding in Barkers Lane and Knights End Pumping station. Since the issues with Knights end station during the winter the station has had a full wet well clean, non-return valves have been replaced and pumps checked and replaced. A flow meter and a pressure monitor have also been installed.
- Anglian Water has worked with the applicant to establish a sustainable point of connection for the proposed development site. The required foul network connection point is manhole 5303 in The Avenue. This will avoid the constrained network in Barkers Lane and the Knights End pumping station.
- Recommended Planning Condition:
No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the Local Planning Authority, in consultation with Anglian Water. This strategy should identify the connection point to the 300mm sewer network in The Avenue. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To reduce the impacts of flooding and potential pollution risk.

1.2 The applicant has provided a non-technical summary note of foul drainage and a plan denoting the proposed point of connection (ref; 19196/FWD/NTSV2) which follows discussion with Anglian Water.

1.3 Officer Response: Anglian Water's latest response does not raise any fresh concerns

in respect of foul drainage of this development and it is considered that a suitable design can be achieved subject to securing this via planning condition. As confirmed by Anglian Water, the foul drainage strategy will avoid the existing constrained network in Barkers Lane and the Knights End pumping station. As such, it is recommended to amend condition proposed Condition 9 as set out in Appendix 1 of the officer's report, in order to reflect the above amended condition wording.

2. Further comments

- 2.1 Two further objections have been received from residents at Cavalry Drive, March raising the following concerns: *GP surgeries already overwhelmed, schools already struggling for places, roads in and out of town already very busy especially at peak times. Shops and banks closing down in the town centre. 425 dwellings is a lot – suggests an initial phase of one hundred dwellings to allow for infrastructure enhancements.*
- 2.2 Officer Response: As set out in the officer's report, contributions are proposed for upgrades, enhancement or expansion towards education and healthcare facilities. Furthermore, the housing growth is anticipated to assist with the vitality and viability of the town. It is considered therefore that these matters are sufficiently addressed through the proposal. Furthermore, the quantum of development aligns with the growth ambitions of the Local Plan and this allocated site and therefore a smaller phasing is not warranted.

3. Corrections and clarifications

3.1 Heritage Impacts

Further to the officer's report (section 10.31-10.34) and in accordance with paragraph 208 of the NPPF, the public benefits which would arise from this development e.g., through increased housing stock for the district, local spending thereby supporting local economy and helping to improve the overall vitality and viability of the town are cumulatively considered to outweigh the 'less than substantial harm' to heritage assets in the locality, with this harm in any case considered to be at the 'lower end of the spectrum' according to both the council's and applicant's heritage consultants.. As such, it is considered that the development would accord with both the NPPF and Local Plan policies LP16 and LP18.

3.2 Bus Service

Section 10.8 of the officer's report refers to a contribution being secured to fund a new demand-responsive bus service. In correction, the contribution is to fund an extension to an existing bus service serving the locality.

3.3 Affordable Housing

Section 10.55 of the officer's report refers to the development securing eighty-five affordable dwellings. Please note that this would be based on a quantum of 425 dwellings and therefore, as the proposal is 'up to' 425 dwellings (meaning the final development could be less dwellings) the affordable housing quantum is also 'up to' 85 dwellings – but nonetheless 20% of the total quantum is proposed to be affordable housing.

3.4 Proposed Conditions

The proposed planning conditions are set out at Appendix 1 of the officer's report. Through further negotiation, it may be necessary to amend, add or remove some of these conditions, for example, where they may otherwise be captured in the S106 agreement, or where amendments to conditions are necessary to refine their requirements. As such, and in accordance with the recommendation at section 12 of the officer's report, delegated authority to the Head of Planning is sought to finalise the schedule of planning conditions with this application and the S106 agreement.

- 3.5 Notwithstanding, The Framework Plan (revision X) noted in the list of approved plans under condition 20 is recommended to be removed, in view of the terms of proposed Condition 6, which seeks future phases to be in 'broad' compliance with the Framework Plan. Due to the high-level nature of this plan, it is not appropriate to secure this under Condition 20, as a degree flexibility may be required on some layout aspects. Nonetheless, future reserved matters parcels will be expected to broadly comply with the Framework Plan (as per condition 6) and will be assessed against this document.

Recommendation:

Grant as per the recommendation at section 12 of the officer's report and subject to amendments to proposed condition 9 and 20, notwithstanding the recommendation to delegate authority to the Head of Planning to finalise the schedule of planning conditions and the S106 agreement.

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F/YR24/0040/F

Applicant: Mr & Mrs Anker

**Agent: Mr Chris Walford
Peter Humphrey Associates Ltd**

**The Manor House, 102 Eldernell Lane, Coates, Peterborough Cambridgeshire
PE7 2DD**

**Change of use of existing garage/store and associated land to a venue for
ceremonies, including the formation of a car park (part retrospective)**

Officer recommendation: Grant

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

Government Planning Guarantee

Statutory Target Date For Determination: 18 April 2024

EOT in Place: Yes

EOT Expiry: 30 August 2024

Application Fee: £586

Risk Statement:

**This application must be determined by 30 August 2024 otherwise it will be out
of time and therefore negatively affect the performance figures and may attract
a risk of appeal against non-determination.**

1 EXECUTIVE SUMMARY

- | |
|--|
| <p>1.1. The application seeks part-retrospective planning permission for the change of use of an existing outbuilding and associated land to a venue for ceremonies, including the formation of a car park at The Manor House, 102 Eldernell Lane, Coates.</p> <p>1.2. There are no matters pertaining to highway safety, residential amenity, character, safety, flooding or ecology that are considered to result in significant harm, sufficient enough to warrant refusal of the scheme. Furthermore, no technical objections on these matters have been received. Notwithstanding, where appropriate, to mitigate any limited residual impacts, conditions have been recommended.</p> <p>1.3. The application is therefore recommended for approval, subject to compliance with appropriate conditions.</p> |
|--|

2 SITE DESCRIPTION

- 2.1. The application site refers to an outbuilding, previously in use as a garage/store building with an existing part-domestic/ part-agricultural use. The wider site includes the host dwelling at No.102 Eldernell Lane, with an expansive driveway and parking/turning areas. Additionally, within land owned by the applicant is an agricultural building, set to the north, along with another dwelling No.88 with gardens and agricultural buildings set to the south west.
- 2.2. The site is accessed via a shared private single-track roadway (approximately 800m long) that links to Eldernell Lane to the southwest of the site.

3 PROPOSAL

- 3.1. The application seeks planning permission for the existing outbuilding to be used as a venue for ceremonies. Wider land surrounding the outbuilding is also intended to be used as ceremonial space (during scheduled events only). To facilitate the change of use, an existing area of grassland to the front of the building is intended to be resurfaced with compacted stone and repurposed as parking. No external changes are proposed to the outbuilding to facilitate the change of use.
- 3.2. The application is part retrospective in nature, as the site has already been used as a venue for a number of ceremonies.
- 3.3. Full plans and associated documents for this application can be found at: [F/YR24/0040/F | Change of use of existing garage/store and associated land to a venue for ceremonies, including the formation of a car park \(part retrospective\) | The Manor House 102 Eldernell Lane Coates Peterborough Cambridgeshire PE7 2DD \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

F/YR17/0162/F	Retention of a stable block with storage and 1.2 metre high post and rail fence Land North West Of 110 Eldernell Lane	Granted 20.04.2017
F/YR14/0506/F	Erection of a 3-storey 3-bed dwelling with detached agricultural outbuilding and change of use of land to extend domestic curtilage (part retrospective)	Granted 01.09.2014
F/YR13/0199/F	Erection of a 2-storey 3-bed dwelling	Granted 21.05.2013
F/YR12/3112/COND	Details reserved by condition 3 of planning permission F/YR12/0755/F (Erection of a 2-storey 4-bed dwelling with photovoltaic cells to roof, and detached double garage)	Approved 29.04.2013
F/YR12/0755/F	Erection of a 2-storey 4-bed dwelling with photovoltaic cells to roof, and detached double garage	Granted 22.11.2012

F/YR10/0349/F	Formation of pitched roof over enclosed patio/store area 88 Eldernell Lane Coates	Granted 02.07.2010
F/YR08/0318/F	Erection of a 4-bed detached house and detached double garage involving demolition of existing dwelling	Granted 12.05.2008

5 CONSULTATIONS

5.1 Whittlesey Town Council

The Town Council recommend refusal on the following grounds. The application is not in keeping with the quiet, rural setting and will adversely affect the setting of two Listed Buildings on Eldernell Lane.

*In addition, the application is in contravention of the following policies:
Fenland Local Plan policies LP2, LP3, LP6, LP12, LP14, LP15, LP16 and LP19
National Planning Policy Framework (December 2023) paragraphs 89, 114, 117, 180 & 191.*

In addition there is serious risk of disruption to local residents due to late night traffic, noise and light disturbance. The section of Eldernell Lane that branches off from the north/south section to run easterly towards the property is 800m long, single track with no passing places. As such it is totally unsuitable for the amount of two-way traffic that can be expected from a venue such as the applicant proposes. proposed refusal unanimous.

5.2. CCC (Lead Local Flood Authority)

Initially, the LLFA objected to the development on the grounds of insufficient information being submitted regarding existing and proposed surface water drainage. Further to revisions by the applicant and additional information being provided, the following comments were received:

We have reviewed the following documents:

Surface Water Drainage Strategy, Peter Humphrey Associates, Ref: 6772/SWS/A, Dated: March 2024

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

The above documents demonstrate that the site is not at risk of surface water flooding and betterment is provided with regard to reductions in traffic movements of agricultural machinery as the proposals include a change of use to include a gravel carpark. The applicant has outlined maintenance activities to avoid compaction.

5.3. Environment Agency

Thank you for your consultation dated 05 February 2024. We have reviewed the documents submitted and we have no objections to the proposed development but have some concerns over the quality of the FRA.

5.4. **Anglian Water Services Ltd**

Thank you for your consultation. Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments.

5.5. **Cambridgeshire County Council Highways Authority**

Initial concerns by the Highway Authority in respect of insufficient information regarding trip generation and intensification of the use of the access were discussed at length with the applicant. Further to additional information and evidence submitted by the applicant to address these concerns, the following comments were received:

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

Comments - *I have reviewed the supplementary transport information provided by the applicant and in consideration of the site history, and other conditions that the case officer is minded to append relating to restricted hours of use, I consider that the impact of the proposed development will be no greater than that associated with other consented uses of the site.*

Conditions - *Non-standard condition: Prior to the commencement of use of the development hereby approved, the use of coaches or buses greater in length than 9m shall be prohibited for use during ceremonies.*

Reason: In the interest of highway safety.

5.6. **Environment & Health Services (FDC)**

Whilst initially the Environmental Health team did not object to the development in principle, they raised concerns that given the relative proximity of residential properties in a quiet rural location there was a potential for noise and light nuisance from activities associated with the change of use, recommending conditions to mitigate.

Artificial Lighting (external)

No building or use hereby permitted shall be occupied of use commenced until a report detailing the lighting scheme and predicted light levels at neighbouring residential properties has been submitted to and been approved in writing by the Local Planning Authority. Artificial lighting to the development must conform to requirements to meet the Obtrusive Light Limitations for Exterior Lighting Installations for Environmental Zone - E2 Rural areas contained within Table 1 of the Institute of Light Engineers Guidance Note for the Reduction of Obtrusive Light, 2021

Reason: In order to safeguard the amenities of adjoining residential occupiers

In response to concerns over noise, the applicant undertook an independent noise impact assessment, which was ultimately reviewed by the EH team, and the following comments received:

I've reviewed the Peak Acoustics Noise Impact Assessment (Ref: 2002245NR) dated 24th April 2024 drafted in response to the potential for

noise nuisance associated with the above COU and accept the findings of the report.

In order to control the risk of complaints arising from noise associated with events planned at this location I support the use of the full set of recommendations (see below) as set out in part 15 of the report, to condition this application:

- 1 Noisy activities during a wedding event should not continue after 23:00. Where the event is to end at 23:30, the final 30 minutes should be used to reduce music levels.*
- 2 No noise generating activities should take place in areas other than those considered within this report.*
- 3 Ensure that noise levels do not exceed the sound level assumptions as described in this assessment by utilising a Class 2 sound level meter. Measurements of the steady noise levels within the venue should be recorded along with the person performing, the date/time and the measurement locations used. The steady noise level should not exceed 90dBA at any time within the Venue. A level of 66dBA should not be exceeded within the external area.*
- 4 Records should be stored so as to allow them to be made available to the Local Authority upon request. This should apply for events featuring live bands or amplified music that may risk breaching the recommended limit.*
- 5 It is advisable to provide a contact number for neighbouring dwellings to contact should noise levels reach an unacceptable level.*
- 6 The controls of any sound system shall be out of view of attendees to minimise the risk of changes to systems settings.*
- 7 Where complaints are received, noise levels within the venue should be reduced*

5.7. Designing Out Crime Officers

I have searched the Constabulary crime and incident systems covering Benwick, Coates and Eastrea Ward for the last 2 years, I would consider this to be an area of low/medium risk to the vulnerability to crime at present. [...]

Having read the documents and taking into consideration the changes being made please see the below for consideration.

External Lighting

Our recommendation is that access roads, footpaths, car parking, and loading areas/service yards should be lit by columns designed to BS5489?1:2020 or BS EN 12464?2:2014 (there are now back shields that can reduce light spill these are ecologically friendly). There should be LED dusk to dawn wall mounted lights above each entrance/exit doors and around the building line (these can be on an increased illumination when activated).

Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting.

All roads and footpaths must comply with BS 5489- 1:2020. However, if this requirement conflicts with local conditions such as in a conservation area or where there is a dark sky policy, the implications should be discussed with the

DOCO and the local lighting authority. A variable lighting system, which increases and decreases lighting levels in accordance with local circumstances, is preferred to any total switch off policy employed to reduce CO2 emissions. The Institution of Lighting Professionals does not encourage switch off unless a full risk assessment has been carried out and, in any case, it should never be implemented purely on the grounds of cost savings. Doors and windows standards and certification.

Entrance Doors

All door-sets allowing direct access, e.g., front, and rear entrance door sets, server rooms, plant rooms and fire doors will be certificated to [appropriate] standards [...]

Landscaping

Any landscaping within the boundary of the development should ensure the following,

- *hedges and low planting should be kept down to 1m - 1.2m and*
- *tree crowns and tree span raised to minimum 2m to ensure surveillance across the site.*

A landscape management plan should be in place to ensure that this is followed. Care should be taken to ensure that there is no conflict between lighting, trees/landscaping, and or CCTV.

5.8. The Wildlife Trust

The Wildlife Trust has been alerted to the above application. Following a brief review of the submitted documentation, I am concerned regarding some of the answers in the Biodiversity Checklist. The buildings may have potential for bats to be present and the application site is also within a few hundred metres of the Nene Washes SPA / SSSI. However, no ecological assessment has been undertaken, not even a Preliminary Ecological Appraisal. It is essential that a Preliminary Ecological Appraisal is undertaken to identify any potential impacts on protected sites or species. If this finds potential for ecological impacts on nature sites, habitats and species, any further surveys recommended must be carried out at the appropriate time of year and a full ecological impact assessment undertaken.

5.9. Royal Society For Protection Of Birds

The RSPB does not have a strong opinion on the merits of this application. However, it is c400m from the boundary of the Nene Washes RSPB Reserve and Site of Special Scientific Interest, Special Protection Area and Ramsar site, designated for its internationally important breeding wader and wintering wildfowl populations.

If Fenland District Council were minded to grant consent, we request that the following issues are dealt with via conditions to ensure no risk of significant effect on the designated site:-

- 1 *Any outside lighting is appropriately cowled. This is to ensure that car park lighting etc.. does not increase light pollution near to the designated site, which could cause disturbance to the designated features (roosting breeding & wintering birds).*

- 2 *Any music associated with events is confined to the venue buildings, as outlined in the applicant's design statement. This is to ensure there is no risk of significant effect from noise disturbance to the designated features of the site (roosting breeding & wintering birds).*

5.10. Historic England

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers.

5.11. Senior Archaeologist (CCC)

Thank you for the consultation with regards to the archaeological implications of the above referenced planning application. The proposed development is located in an area of archaeological potential to the northeast of Coates which is itself on top of a 'fen island'. To the north east lidar images show the complex network of Roddons; ancient silted river channels that form areas of slightly raised firm ground in the fen that are known to have been heavily exploited in the prehistoric and Roman periods. There are a number of findspots in the area including a Bronze age axe and axe hammer just to the northeast (CHER 07732, 03752). Significant numbers of field walking finds from just to the north west indicate a Roman site (CHER 01728).

Despite this the level of development proposed here will have minimal sub surface impact and therefore we make no objections or recommendations. We would however like to be consulted regarding further applications at this site due to the high archaeological potential of the area.

5.12. Local Residents/Interested Parties

The scheme garnered 16 letters of objection from 12 address points including, London, Stoke-on-Trent, Spalding, and Glinton; with three letters from addresses in Whittlesey, including Viking Way, Gracious Street and Eastrea Road, and seven letters received from four addresses on Eldernell Lane.

The reasons for objection can be summarised as:

- Increased traffic concerns, narrow private roadway with no passing places, lighting or footpath;
- Concerns over increased noise;
- Light pollution;
- Wildlife impact;
- Residential amenity impacts;
- Security and anti-social behaviour concerns;

The LPA also received 58 letters of support for the proposal from 49 address points including: La Villedieu, France; Peterborough; Holbeach St Marks; Eye; Yaxley; Ashwell; Cambourne; March; Turves; Cambridge; Kings Lynn; Pondersbridge; Barking; Twickenham; Byfleet; Thorney; London; and Doddington. Locally, 11 letters were received from 10 addresses within

Whittlesey, including Lapwing Drive, Daisy Drive, Godwit Close, Station Road, Snoots Road, Bens Close, Stonald Road, and Eastrea Road with 4 letters received from 4 addresses on Eldernell Lane.

The reasons for support can be summarised as:

- Will generate much needed jobs;
- Previous and existing activities and businesses at the site offer no issue of noise, traffic or disturbance;
- Will help a local business grow and thrive;
- Little environmental impact will be felt;
- Proprietors live on site, so will be able to manage operations and control activities;
- The lane is used by many types of traffic and vehicles, with no issue;
- Will improve the local economy; local services can contribute to the change of use through offering complementary services;
- Proposed change will see an overall decrease in the number of vehicle movements, traffic, and disruption;
- Venue separated from local residents, so limited noise or light impacts;
- Use of the venue for varied events will bring a sense of inclusion and community to the local area;
- Will encourage visitors to the area helping local businesses;
- No adverse impacts from noise, pollution or disturbance to local residents;
- Ample space on site for parking;
- Management are very particular and professional at ensuring no outside disturbance to residents from noise or traffic;
- No concerns regarding noise;
- Safety and security if of paramount concern to operatives;

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 Whittlesey Neighbourhood Plan 2021-2040.

7 POLICY FRAMEWORK

7.1. National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration in planning decisions.

Para. 11: presumption in favour of sustainable development

Para 85: Significant weight should be placed on the need to support economic growth and productivity.

Para 87: Recognise and address specific locational requirements of different sectors.

Para 88(a): Enable sustainable growth and expansion of rural businesses through conversion of existing buildings,

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

Para 123: Promote effective use of land
Para 124: Opportunities and benefits of the reuse of land
Para 135: Well-designed development
Chapter 14: Meeting the challenge of climate change, flooding and coastal change
Para 180: Conserving and enhancing the natural environment;

National Planning Practice Guidance (NPPG)

7.2. 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. **Emerging Local Plan**

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

LP1: Settlement Hierarchy
LP3: Spatial Strategy for Employment Development
LP5: Health and Wellbeing
LP7: Design
LP11: Community Safety
LP12: Meeting Housing Needs
LP15: Employment
LP17: Culture, Leisure, Tourism and Community Facilities
LP18: Development in the Countryside
LP20: Accessibility and Transport
LP22: Parking Provision
LP24: Natural Environment
LP32: Flood and Water Management

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

DM3 – Making a Positive Contribution to Local Distinctiveness and character

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

7.8. Whittlesey Neighbourhood Plan 2021-2040

Policy 1 – Spatial Planning

Policy 7 – Design Quality

8 BACKGROUND

- 8.1. The applicant held pre-application meetings with officers which followed an enforcement complaint regarding the unauthorised use. This planning application therefore seeks to regularise the use.

9 KEY ISSUES

- Principle of Development
- Economic Growth
- Highways, Access and Parking
- Residential Amenity
- Character and Visual Amenity
- Community Safety
- Flood Risk and Drainage
- Ecology

10 ASSESSMENT

Principle of Development

- 10.1. The application site is located outside the built framework of Coates, within the open countryside. Accordingly, LP3 limits development in Elsewhere locations to be demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, etc. As such, the proposed change of use to a venue for ceremonies would not be strictly in accordance with this policy. However, LP6 seeks to support a rural economy, providing proposals meet the criteria as set out in Policy LP12. LP12 seeks to ensure development proposals do not harm the wide open character of the countryside, and contributes to the sustainability of the settlement.
- 10.2. The application seeks to formalise use of the site as a venue for ceremonies. In addition, there are no substantive changes proposed to the site to facilitate this change of use. Accordingly, it is considered that the proposal complies with the general principles of supporting a rural economy in accordance with Policies LP6 and LP12. Thus, the proposal is considered acceptable in principle, subject to the scheme's compliance with the remaining relevant policies of the Fenland Local Plan 2014.

Economic Growth

- 10.3. Policy LP6 broadly supports the growth of businesses within the district and it is noted that the proposed change of use may offer employment opportunities for staff and/or complementary local services in conjunction with the undertaking of events in accordance with the growth aims of this policy.

Highways, Access and Parking

- 10.4. A significant concern raised in representations received related to the potential for undue traffic and highway safety issues owing to the access being via a long, single track private roadway.

- 10.5. Throughout the course of the application, evidence was provided by the applicant to clarify the likely traffic generation and vehicle movements that may result from the proposed change of use, including details of the numbers of vehicles attending previously held events and the historic uses of the site to address officer queries and concerns.
- 10.6. Noting the existing use of the access track, the Highways Authority has reviewed this information and concluded that providing appropriate control conditions are imposed, the proposed change of use will result in a neutral impact to the highway. This aligns with the paragraph 115 of the NPPF (Dec 2023), which states that development should only be refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impact on the road network would be severe. Accordingly, there is no justifiable reason to refuse the scheme on highway safety grounds in accordance with Policy LP15.
- 10.7. Policy LP15 Appendix A sets out that uses such as the proposed should supply 1 parking space per 5m² of public floor space, equating to a requirement for 57 spaces for the proposed venue. The proposed site plan depicts in excess of 57 spaces to be provided on the site, with overflow car parking available in other areas of the site where necessary, and as such accords with the parking provision requirement.
- 10.8. As such, given the above, the scheme is considered acceptable in respect of Policy LP15, subject to conditions.

Residential Amenity

- 10.9. Policy LP2 seeks to ensure that development does not result in harm to the amenity of the area or the environment in general. Policy LP16 supports development subject to the significance of, and the likely impact on, the amenity of neighbouring properties and users.
- 10.10. Concerns were raised regarding the impact of the proposed change of use to residential amenity in respect of noise and disturbance as a result of loud music and/or the traffic resulting from the proposed use.
- 10.11. With respect to traffic disturbance, it is considered that, in the main, vehicle movements will likely be 'tidal'; in that the bulk of traffic movements will be limited to the periods just before or after the start and end times of the events being held. In this respect, it is noted that there may be a limited window of disturbance to neighbouring residents owing to the cumulative impact of numerous vehicles accessing and egressing the site "en masse" around scheduled events, notwithstanding any outlier access or egress that may occur (which, when considered individually, is unlikely to cause unacceptable amenity impacts significant enough to warrant refusal of the scheme).
- 10.12. Notwithstanding, it is considered that through the imposition of appropriate conditions limiting the frequency and start and finish times that events can be scheduled, and limitations to the size of vehicles able to access the site, impacts with respect to the majority of vehicle movements associated with scheduled events can be minimised.

- 10.13. Noise generation from the eminence of high-volume music or other broadcast was highlighted as a potential residential amenity impact. It should be noted that the nearest residential dwelling (not in ownership by the applicant) is located at No.94, approximately 250m southwest of the proposed venue.
- 10.14. Evidence was provided by the applicant, by way of a Noise Impact Assessment that noise levels from events would either be below criteria limit noise levels or could be mitigated through appropriate noise control measures. The Environmental Health team reviewed the impact assessment and agreed with its findings and recommendations, subject to appropriate conditions.
- 10.15. Conditions in respect of residential amenity concerns were discussed with the applicant and agreed, balancing the need for safeguarding amenity and effective operation of the business to ensure the proposal complies with Policies LP2 and LP16 of the Fenland Local Plan. 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.

Character and Visual Amenity

- 10.16. The scheme proposes no external changes to the building. With the only notable change to the overall site being that of an area of grass to the front of the venue building being repurposed as hardstanding parking for patrons to the venue. In the context of the wider site, this surface change is considered immaterial to the overall character and amenity of the area and as such the scheme accords with Policies LP12 and LP16 given its negligible impact on character.

Community Safety

- 10.17. Matters of community safety and site security were noted in representations received. Consultation with Cambridgeshire Constabulary outlined that the ward is an area of low/medium risk to the vulnerability to crime.
- 10.18. It is noted that the proposal does not include the provision of any additional external lighting, noting the balance to be struck with the rural nature of the site and the impact of artificial lighting on ecology. However, Cambridgeshire Constabulary offered no objection to the scheme as proposed, instead providing recommendations regarding external lighting, doors and windows and landscaping where appropriate to minimise the risk of crime.
- 10.19. As such, whilst matters of anti-social behaviour as highlighted within some received representations are noted, there is no evidence to justify a refusal of the scheme on community safety grounds.

Flood Risk and Drainage

- 10.20. The site is located in Flood Zone 3. The application seeks a change of use to an existing building, accordingly, the sequential test does not need to be applied. The Environment Agency offered no objection to the scheme in principle but noted that the proposed change of use from a garage/store to a

venue for ceremonies would increase the flood risk vulnerability to patrons of the site, categorised as a 'more vulnerable' development.

- 10.21. Mitigation measures such as the raising of finished floor levels are unable to realistically be imposed given this is a change of use application. In addition, it is noted that the proposal does not seek to include any sleeping accommodation and that events at the site will be limited in duration, thus limiting overall risk. Notwithstanding, it is considered pertinent to safeguard staff and patrons attending events that, as a minimum, a flood evacuation plan be submitted to ensure occupants can remain safe in the unlikely event of a flood occurring during an event, noting the presence of flood zone 1 land to the west of the intended venue that is within the applicant's ownership.
- 10.22. Surface water drainage for the site was considered by the LLFA, in respect of the increased hardstanding proposed by virtue of the new car parking area. The applicant submitted an appropriate surface water drainage strategy, that demonstrated that the site is not at risk of surface water flooding. Accordingly, the LLFA offered no objection to the scheme.
- 10.23. As such, subject to appropriate conditions with respect to flood evacuation, it is considered that the proposed change of use will not be at unacceptable flood risk, nor increase flood risk elsewhere, in accordance with Policy LP14.

Ecology

- 10.24. The scheme proposes no external changes to the building, gardens, or surrounding woodland as a result of the intended change of use. It is noted that the existing building, as denoted on the submitted biodiversity checklist with the application, is proposed to be modified to accommodate the change of use, and as such has been indicated as potentially impacting bats.
- 10.25. However, in early pre-application discussions, and following the details submitted with this application, it is noted that works proposed are entirely internal; no substantive changes to the roof, openings, or external landscaping proposed that may result in detrimental impacts and/or loss of habitat for protected species. Accordingly, it was considered that the need for additional surveys on the basis of the submitted biodiversity checklist were unreasonable given the limited, if any, impacts that may result. Limits to any additional external lighting that may disturb amenity or wildlife in the area can be controlled by planning condition. In addition, the proposed change from grass to gravel car parking to the front of the site would be unlikely to result in any detrimental impacts to habitats or species that may be found at the site. As such, there are no issues to reconcile with respect to Policy LP19.
- 10.26. Notwithstanding, wildlife in this country is afforded protection under the Wildlife and Countryside Act 1981 as amended by the Countryside and Rights of Way Act 2000 and it is a matter for the applicant to ensure that any operations that may cause disturbance on site are subject to advice from an ecologist to ensure an offence is not committed.

11 CONCLUSIONS

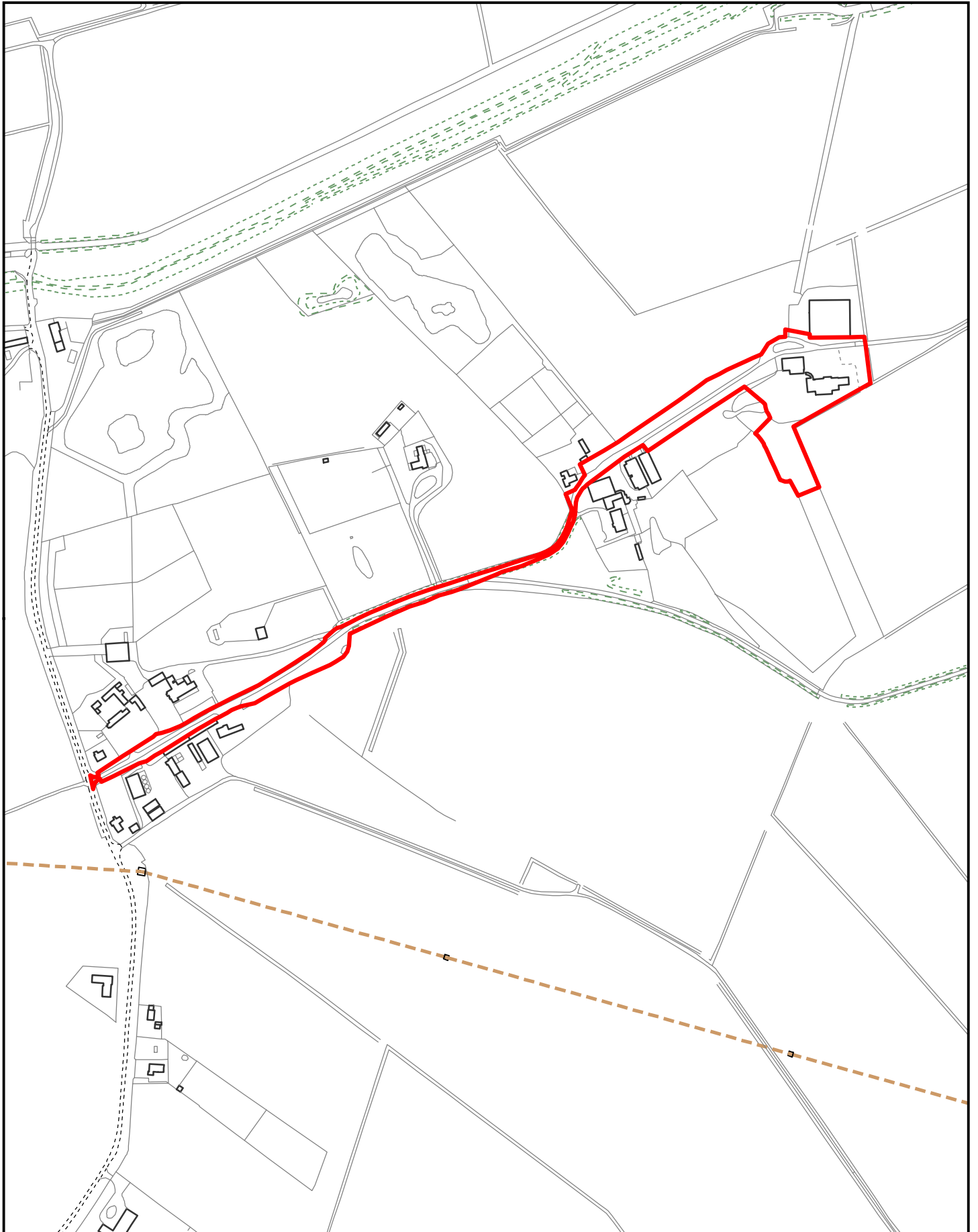
11.1. The proposal is considered acceptable and accords with Local and National Planning Policies, as it represents no adverse harm in terms of the material planning considerations discussed above. Amenity concerns in respect of traffic disturbance and noise generation can be mitigated through the use of appropriate planning conditions, as can matters relating to the safe egress from the site during flood events. Accordingly, a favourable recommendation is forthcoming.

12 RECOMMENDATION

Grant, subject to the following conditions;

1	<p>Operational Hours The use hereby permitted shall only operate between the hours of:</p> <p>12:00 – 23:00 Wednesday and Thursday; 12:00 – 23:30 Friday and Saturday; and 12:00 – 22:00 Sunday</p> <p>and not at all on Sundays or Public Holidays. Events shall be strictly timed to start and end within the above periods.</p> <p>Reason: To safeguard the amenities currently enjoyed by the occupants of nearby dwellings in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
2	<p>Number of events The use hereby permitted shall only accommodate a maximum of 52 events per calendar year, with no more than two events scheduled in any one week.</p> <p>Reason: To safeguard the amenities currently enjoyed by the occupants of nearby dwellings in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
3	<p>Vehicle limits The use of coaches or buses greater than 9m in length for the carriage of passengers shall be prohibited from use during any events. Vehicles accessing the site for deliveries or servicing shall be limited to 7.5 Tonnes.</p> <p>Reason: To minimise interference with the free flow and safety of traffic and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p>

4	<p>Register</p> <p>The operators of the site shall maintain an up to date register of the event dates, start and finish times, along with internal and external sound meter readings for each event held at the site (following the method set out in condition 5), and shall make this register available at all reasonable times to officers of the Local Planning Authority.</p> <p>Reason: The site is in an area where the frequency of events and noise generated by events should be strictly controlled in the interests of safeguarding the amenities currently enjoyed by the occupants of nearby dwellings in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
5	<p>Noise</p> <p>Measurements of the steady noise levels emitted during events, measured within the venue and at external points along the site boundary, shall be recorded by utilising a Class 2 sound level meter. Records should include details of the person performing, the date/time of the measurements and the measurement locations used. The level of noise emitted from the site shall not exceed 90dBA within the venue building, or 66dBA as measured at any external point on the site boundary, between the operational hours indicated in Condition 1.</p> <p>Reason: To safeguard the residential amenity of neighbouring occupiers, in accordance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
6	<p>External Lighting</p> <p>No additional external lights shall be erected within the site (either freestanding or building-mounted) without prior written approval by the Local Planning Authority.</p> <p>Reason: To safeguard the amenities currently enjoyed by the occupants of nearby dwellings in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014 and to protect the visual amenity and biodiversity value of the surrounding landscape in accordance with Policies LP16 and LP19 of the Fenland Local Plan 2014.</p>
7	<p>Flood Evacuation Plan</p> <p>Within 3 months of the date of this decision, the applicant shall submit details of flood evacuation plan for safe access and egress, including for wheel chair access which shall be approved in writing by the LPA. The agreed details will be implemented in all respects in accordance with the agreed details and maintained as such thereafter.</p> <p>Reason: In the interest of safety and to accord with Local Plan Policy LP14 and Paragraph 173 (e) of the National Planning Policy Framework.</p>
8	<p>Approved Plans</p>



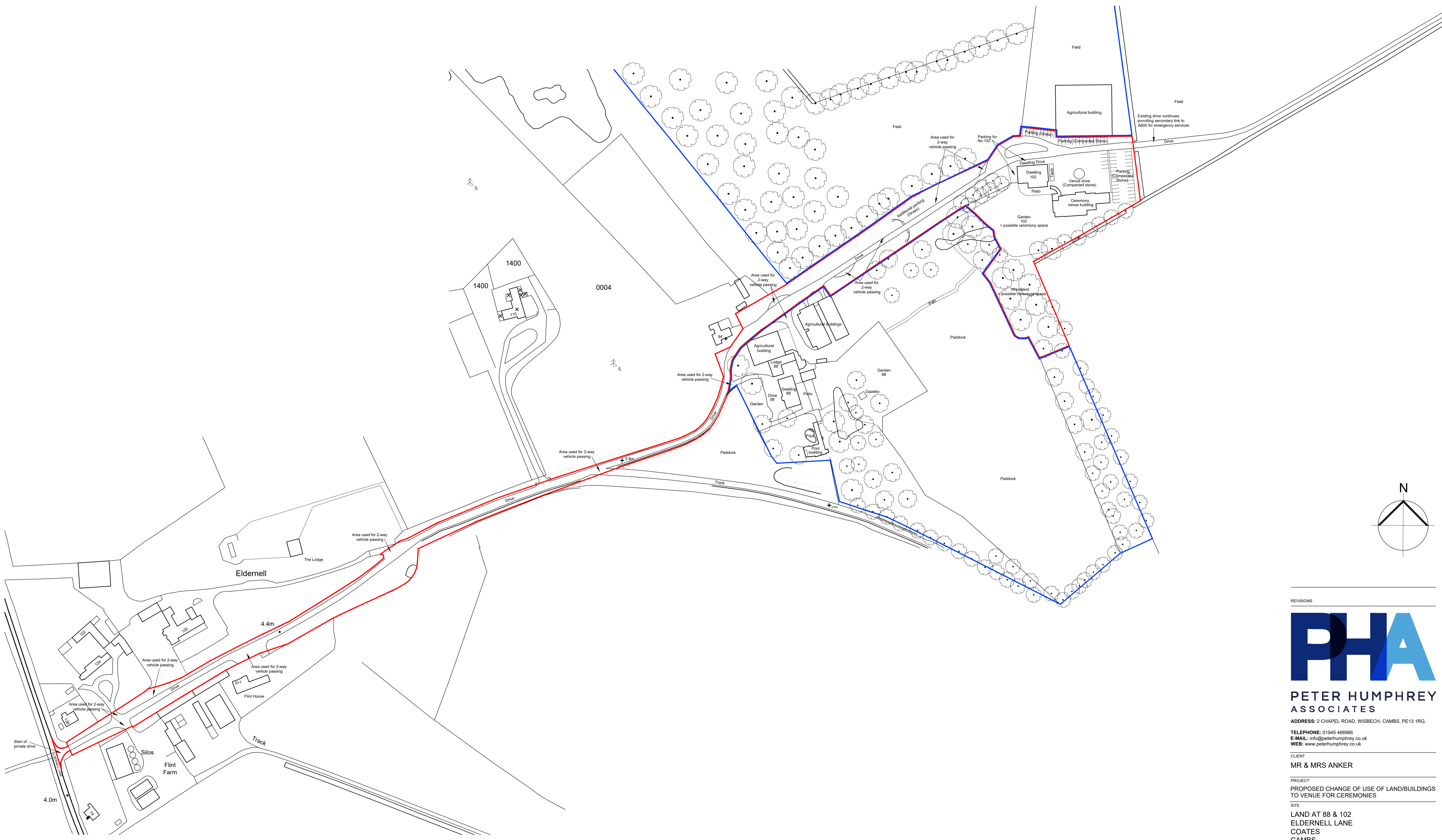
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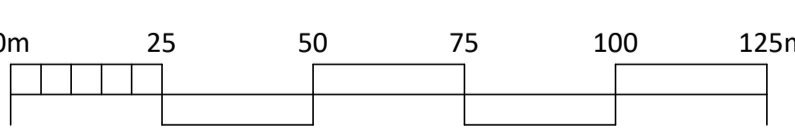
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PROPOSED SITE PLAN 1:1250



REVISIONS



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CLIENT
 MR & MRS ANKER

PROJECT
 PROPOSED CHANGE OF USE OF LAND/BUILDINGS TO VENUE FOR CEREMONIES

SITE
 LAND AT 88 & 102
 ELDERNELL LANE
 COATES
 CAMBS
 PE7 2DD

DRAWING
 PROPOSED SITE PLAN

JOB NO.	PAPER SIZE	DATE
6772/02F	A1	JULY 2023

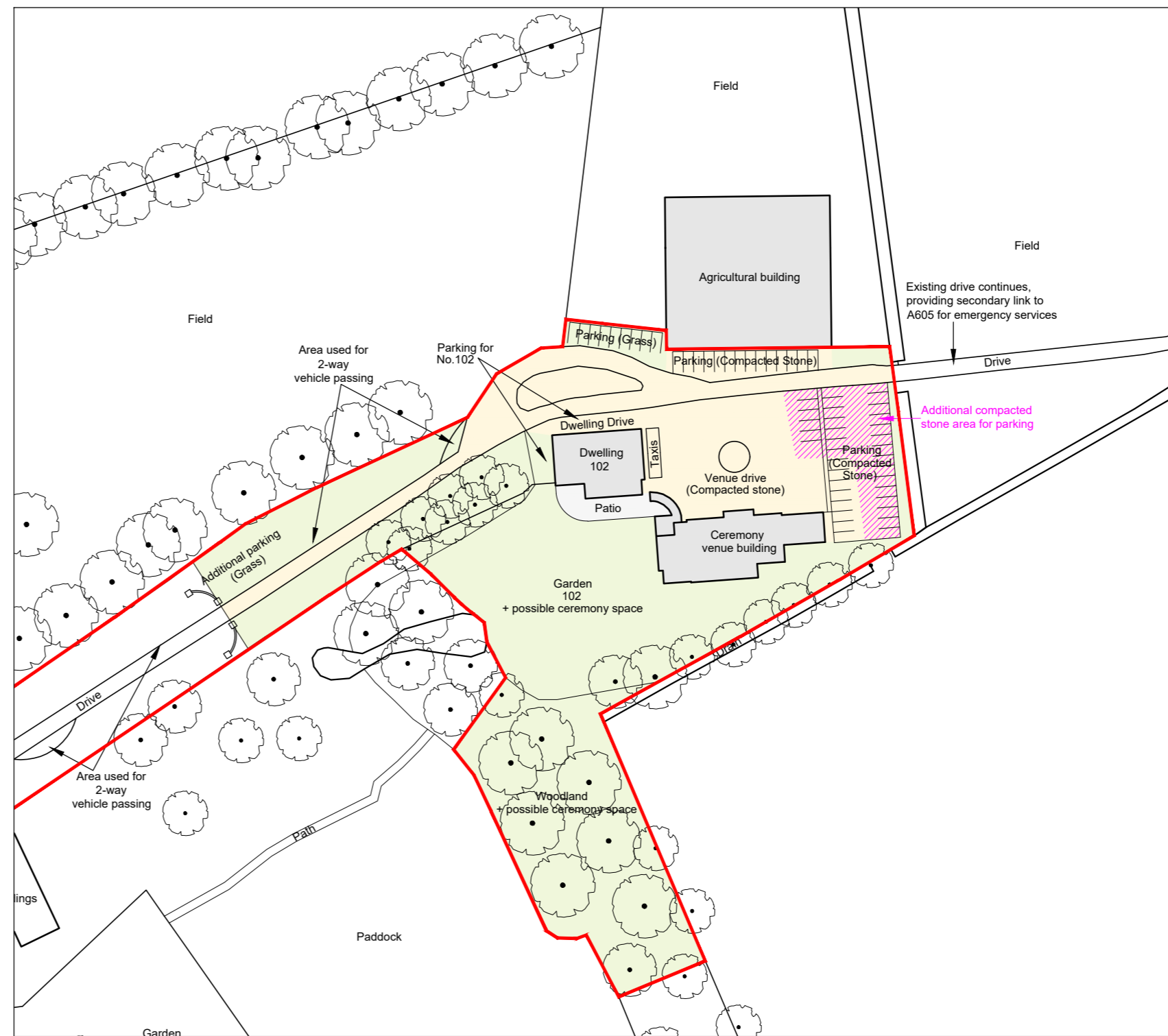
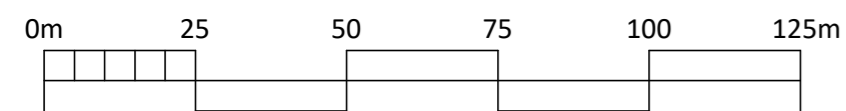
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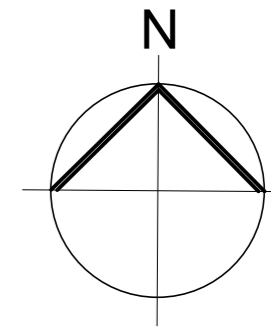
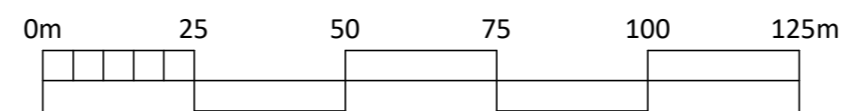
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EXISTING SITE PLAN (SHOWING SITE SURFACES) 1:1250



PROPOSED SITE PLAN (SHOWING SITE SURFACES) 1:1250



REVISIONS



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CLIENT

MR & MRS ANKER

PROJECT

PROPOSED CHANGE OF USE OF LAND/BUILDINGS TO VENUE FOR CEREMONIES

SITE

LAND AT 88 & 102
 ELDERNELL LANE
 COATES
 CAMBS
 PE7 2DD

DRAWING

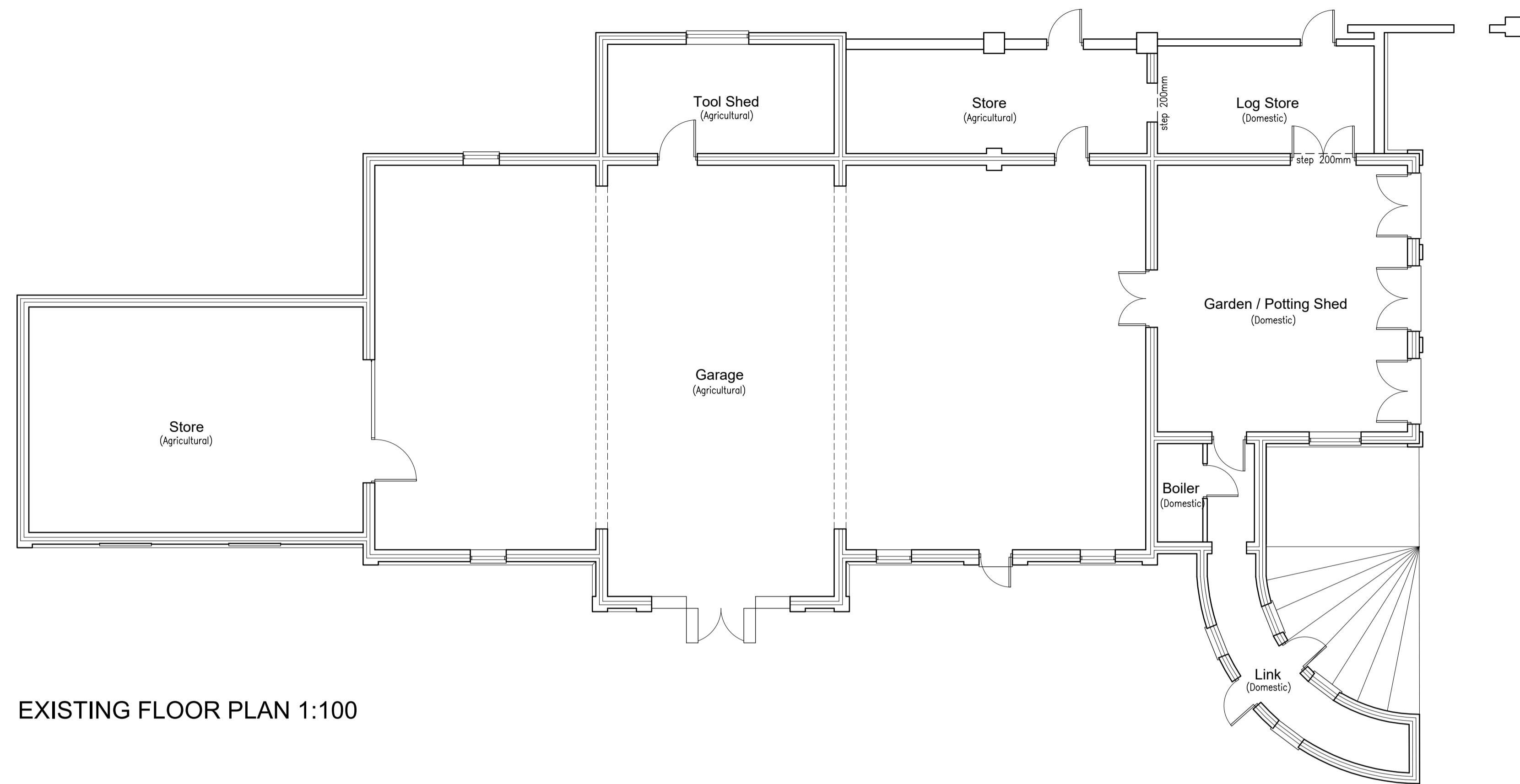
SITE SURFACES PLAN

JOB NO.	PAPER SIZE	DATE
6772/05	A2	MARCH 2024

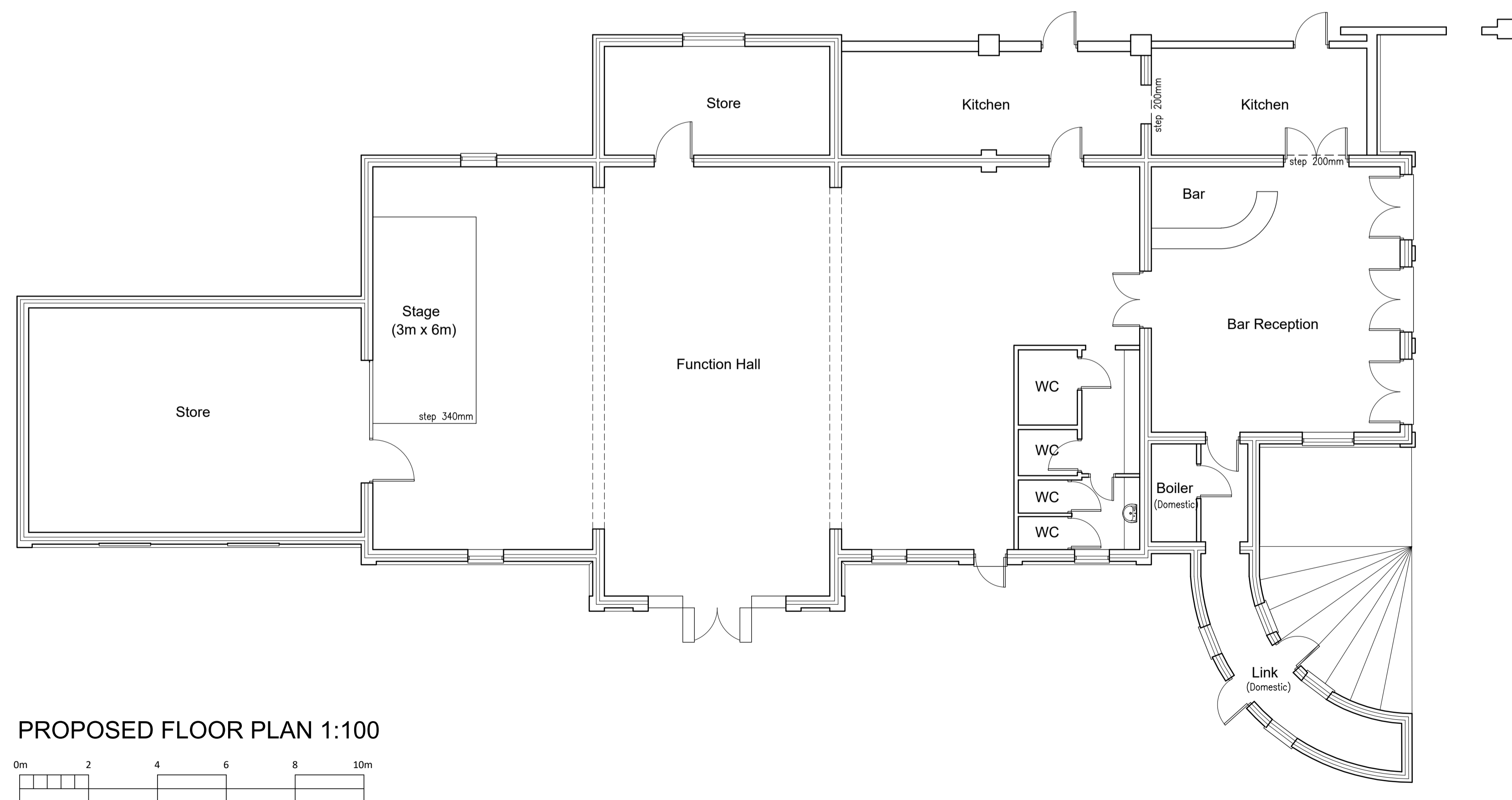
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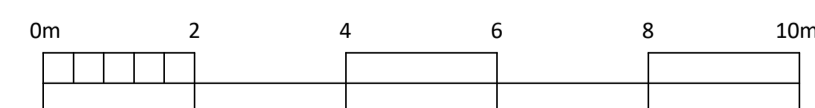
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 Peter Humphrey Associates' form of appointment with the client confirms whether the agent is appointed as 'Designer' or 'Principal Designer' under these regulations. Nevertheless, the design phase has been carried out with due consideration for the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



EXISTING FLOOR PLAN 1:100



PROPOSED FLOOR PLAN 1:100



REVISIONS



PETER HUMPHREY ASSOCIATES

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CLIENT
 MR & MRS ANKER

PROJECT
 PROPOSED CHANGE OF USE OF LAND/BUILDINGS TO VENUE FOR CEREMONIES

SITE
 LAND AT 88 & 102 ELDERNELL LANE COATES CAMBS PE7 2DD

DRAWING
 EXISTING / PROPOSED FLOOR PLAN

JOB NO.	PAPER SIZE	DATE
6772/03A	A1	JULY 2023

Notes:
 This drawing is the permission of Peter Humphrey Associates Ltd. and may not be reissued, loaned or copied in whole or part without written consent.

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

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

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PLANNING COMMITTEE DATE: 21 August 2024

Agenda No: 6

REFERENCE NO F/YR24/0040/F

SITE ADDRESS The Manor House, 102 Eldernell Lane, Coates, Peterborough
Cambridgeshire PE7 2DD

PROPOSAL: Change of use of existing garage/store and associated land to a venue for ceremonies, including the formation of a car park (part retrospective)

UPDATE:

1. Further Comments

1.1 One further objection has been received from a resident at Eldernell Lane raising the following concerns;

- Advises that gates can be erected on a private road and locked, with one key provided to each household. Anyone at No.102 refusing a key would exacerbate problems with access or egress.
- No.102 was historically a farm workers cottage derelict for years and divorced from the working and social activities referred to at the adjacent No.88. It would be totally inconsiderate to transpose historic traffic movements from one address to another exiting late at night.
- There are hardworking younger families in Eldernell with children whose rest and relaxation are more important than providing social activities for people from e.g., Camborne and Barking.

1.2 Officer Response: The matter of access gates and sharing of would be a civil matter. The County Council's highway team has considered traffic movements of the site on a like-for-like basis with the agricultural operations. Such operations are not restricted and therefore evening agricultural operations would be possible. Having regard to the Council's Environmental Health team's comments, the proposal would not lead to severe amenity harm, notwithstanding that operations are proposed to be moderated via planning condition.

2. Proposed amendments to Planning Conditions

2.1 Further to a review of the draft conditions by the applicant, queries were to Officers raised with respect of the following:

Condition 1

2.2 The applicant sought a relaxation in the exclusion of operation on public holidays given that a number of events are often requested to be scheduled on public holidays. Given the operational hours exclude Mondays, it was considered that given only a limited number of the remaining public holidays (such as Good Friday, or Easter Sunday, or during the Christmas period) fall on days other than a Monday, the exclusion of public holidays was unnecessary in this case. As such, Condition 1 is

proposed to be altered to read:

1. Operational Hours

The use hereby permitted shall only operate between the hours of:

12:00 - 23:00 Wednesday and Thursday;

12:00 - 23:30 Friday and Saturday; and

12:00 - 22:00 Sunday

Events shall be strictly timed to start and end within the above periods.

Reason: To safeguard the amenities currently enjoyed by the occupants of nearby dwellings in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.

Condition 3

- 2.3 The applicant was, in the main, accepting of this condition. However, they requested that it explicitly stipulate that vehicle weight limits were restricted with respect to vehicles accessing the site for events only. Officers considered that a given the nature of this application specific to a change of use, the restriction on vehicle weight limits for events only was appropriate. Accordingly, Condition 3 is proposed to be altered to read (emphasis added):

3. Vehicle Limits

*The use of coaches or buses greater than 9m in length for the carriage of passengers shall be prohibited from use during any events. Vehicles accessing the site for deliveries or servicing **for any events** shall be limited to 7.5T.*

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

Recommendation:

GRANT – The above update does not alter the original recommendation as set out on page 82 of the agenda, however the relevant conditions are recommended to be altered as detailed above. The remainder of the conditions are to remain unchanged.

F/YR23/1073/F

Applicant: Mrs Stewart

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

Land East Of Cirston House, Hockland Road, Tydd St Giles, Cambridgeshire

Erect 1 x dwelling (2-storey 3-bed) and garage, involving the demolition of existing stables

Officer recommendation: REFUSE

Reason for Committee: Representations against officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 9 February 2024

EOT in Place: Yes

EOT Expiry: 27 August 2024

Application Fee: £578

Risk Statement:

This application must be determined by 27/08/24 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

- | |
|--|
| <p>1.1 The application seeks full planning permission for the erection of a dwelling (2-storey 3-bed) and garage, involving the demolition of existing stables.</p> <p>1.2 The site has previously been refused planning permission for a 2-storey 4-bed dwelling owing to the encroachment into the countryside policy LP3 & LP12, character LP16 and flood risk/sequential test LP14. This application has altered the red line boundary, number of bedrooms and architectural design of the proposal to overcome the reasons for refusal.</p> <p>1.3 The site is located within Flood Zone 3 and whilst a flood risk assessment has been submitted the sequential test is not considered passed. Therefore, the proposal is considered contrary to policy LP14 of the Fenland Local Plan 2014.</p> <p>1.4 As such, the recommendation is to refuse the planning permission.</p> |
|--|

2 SITE DESCRIPTION

- 2.1 The site lies to the north of frontage properties along Hockland Road; with the southern boundary of the site addressing the rear garden of Sunnyside. The site currently consists of stables. The access to the site lies between Amberley and Sunnyside.

2.2 The site is located partially within Flood Zone 2 (Medium risk) along the access/driveway and then Flood Zone 3 (High Risk). The site is also located within the Flood Warning area.

2.3 The site is located in a Great Crested Newt Amber Zone.

3 PROPOSAL

3.1 The application seeks full planning permission to erect 1 x dwelling (2-storey 3-bed) and garage, involving the demolition of existing stables.

3.2 The dwelling would measure approximately:

- 12.6m max width
- 7m max depth
- 7.5m max ridge height

3.3 The proposed detached single garage would measure approximately:

- 7.3m length
- 3.3m width
- 3.9m max roof ridge height

3.4 The proposed materials are:

- Walls – Vandersanden Flemish antique
- Roof – Marley Mendip old English dark red
- Windows – UPVC anthracite grey

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

<https://www.publicaccess.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

4.1 Pertinent planning history listed below:

Application	Description	Decision	Date
F/YR23/0439/F	Erect a dwelling (2-storey 4-bed) and detached garage, involving demolition of existing stables	Refused	04 Sep 2023
F/YR17/0145/F	Erection of a 2-storey 4-bed dwelling with detached double garage	Granted	13 Apr 2017
F/YR12/0956/F	Erection of a 2-storey 4-bed dwelling with detached double garage	Refused (Granted at appeal APP/D0515/A/13/2196865)	20 Mar 2013 11 Sep 2013
F/YR12/0512/F	Erection of 3 x 2-storey 4-bed dwellings with detached double garages and stables	Refused	24 Sep 2012

		(Dismissed at appeal APP/D0515/A/13/2195101	11 Sep 2013
F/YR11/0611/F	Erection of 5 x 2-storey 4- bed dwellings with detached double garages	Refused	23 Sep 2011

5 CONSULTATIONS

5.1 Tydd St Giles Parish Council

The Parish Council's Planning Committee considered this application at last night's meeting. The applicant outlined the changes made since the previous application under reference F/YR23/0439/F to address the issues set out in the decision notice to refuse that application. Several members of the public spoke against the application, highlighting concerns regarding access and flooding.

The Members of the Council discussed the revised proposal and agreed that the changes did not amount to material considerations. They resolved not to support the application.

5.2 North Level Internal Drainage Board

Please note that North Level District Internal Drainage Board have no objections to this application.

5.3 Cambridgeshire County Council Highways Authority

I have no objection to the above application from the highways perspective.

Comments

The proposed development's site access is from Hockland Road. The access appears to have appropriate visibility for the speed limit on Hockland Road linked to access which to scale 5m wide would appear to be appropriate for the shared use private driveway.

Ideally, the submitted plans submitted by the applicant should be dimensioned for clarity. That said it appears to be sufficient area set aside within the plot for parking and turning manoeuvres within the site.

An ACO drain is shown crossing the driveway, however it is unclear how this relates to the fall of adjacent surfaces. The applicant would be expected to ensure that water from private surfaces do not drain to the adjacent public highway. If the LPA are mindful to approve the application, please append the following Conditions to any consent granted.

CONDITIONS

Highway Drainage:

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

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

Gates Restriction:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, amending or re-enacting that order): No gates or other means of enclosure shall be erected across the vehicular access hereby approved;

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

Parking/Turning Area:

Prior to the first occupation of the development the proposed on-site 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).

5.4 Environment Agency

Thank you for consulting us on the above consultation. We have reviewed the documents as submitted and can confirm that we have no objection to the proposed development as long as you have considered Flood Risk fully. We have provided further details in the Flood Risk section below.

Flood Risk

The site is located within flood zone 3 as defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a high probability of flooding. You should ensure that you have checked that the proposed development passes the sequential and exception test.

We have reviewed the submitted Flood Risk Assessment (ref: FINAL REPORT ECL1020a/PETER HUMPHREY ASSOCIATES, DECEMBER 2023) with regard to flood risk sources and consider that the site is at low risk of flooding from these sources. As such, we have no objection to the proposed development on flood risk grounds. We strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) are adhered to. In particular, the FRA recommends that:

- o Finished floor levels to be set no lower than 300mm above Ordnance Datum (AOD) Plus 300mm of flood resilient construction.*
- o The development to have at least two storeys.*
- o Flood resilience and resistance measures to be incorporated into the proposed development as stated in the submitted FRA (ref: FINAL REPORT ECL1020a/PETER HUMPHREY ASSOCIATES, DECEMBER 2023)*

Flood Warnings

We support the suggestion in the FRA that future occupants sign up to Floodline Warnings Direct to receive advance warning of flooding. This can be done online at <https://www.gov.uk/sign-up-for-flood-warnings> or by phoning Floodline Warnings Direct on 0345 988 1188.

Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood warnings can also save lives and enable the emergency services to prepare and help communities. For practical advice on preparing for a flood, visit <https://www.gov.uk/prepare-for-flooding>. To get help during a flood, visit

<https://www.gov.uk/help-during-flood>. For advice on what do after a flood, visit <https://www.gov.uk/after-flood>.

5.5 Environment & Health Services (FDC)

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

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

UNSUSPECTED CONTAMINATION

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

WORKING TIMES

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

5.6 CCC Ecology (26/04/24)

It is not possible to determine if the scheme accords with Fenland Local Plan 2014 policies LP16 & LP19 which seek to conserve, enhance and promote the biodiversity interest. Nor, whether the LPA will meet its statutory duties to conserve biodiversity (Section 40, Natural Environment and Rural Communities Act 2006) and European protected species (Conservation of Habitats and Species Regulations 2017).

We are particularly concerned that the scheme may result in the loss of bat roosts, if present within the buildings proposed to be demolished.

Great Crested Newts

A Great Crested Newt Assessment (Philip Parker Associates, 2024) has been submitted to the LPA to solely consider the impact of the scheme on Great Crested Newts.

The assessment has confirmed that the scheme is unlikely to impact Great Crested Newts.

Section 8.3 & 8.4 recommend mitigation measures to protect amphibians and small mammals during construction. If permission is granted, these mitigation measures should be secured through suitably worded planning condition (or part of a Conservation Ecological Management Plan (CEMP: Biodiversity)

CCC Ecology (03/05/24)

We welcome the submission of the Preliminary Ecological Appraisal, which recommends further bat survey work due to the proposed demolition of a structure (stables) that has potential to support roosting bats. The survey work has not been completed and therefore, the LPA cannot determine the level of impact of the scheme on a European protected species (bats).

CCC Ecology (01/08/24)

We welcome the submission of the Phase 2 Bat Survey Report.

The proposal is acceptable on ecology grounds, providing that the biodiversity compensation / mitigation measures and enhancements recommended within the Preliminary Ecological Appraisal and the Phase 2 Bat Survey Report are secured through a suitable worded condition(s) to ensure compliance with Fenland Local Plan 2014 policies LP16 and LP19 that seek to conserve, enhance and protect biodiversity through the planning process:

- 1. Landscape and Biodiversity Enhancement Plan demonstrating how mitigation / enhancement measures set out in the Preliminary Ecological Appraisal and Phase 2 Bat Survey Report will be implemented*
- 2. Lighting scheme sensitively designed for wildlife*
- 3. Time limit until update ecological surveys required*

Conditions requested

5.6 Local Residents/Interested Parties

Objectors

Seventeen letters of objection have been received, 10 letters from residents of Tydd St Giles and 7 letters from outside the District. The objection raised the following concerns:

- Flood Risk/sequential test not passed
- Inadequate Access
- Residential Amenity (Overlooking/noise)
- Ecological/Environmental Impacts
- No pedestrian access
- Sets precedence
- Refuge collection/bin storage
- Tydd St Giles village threshold number already breached
- No neighbourhood plan
- Not a robust consultation
- Character harm
- Backland development
- Emergency vehicle access (Fire/Ambulance)

Supporters

Fifteen letters of support received, 5 letters from residents of Tydd St Giles, 1 letter from Newton on the Isle, 1 from Leverington, 2 from Gorefield and 6 from outside the district. Letters of support state:

- Good Design
- No overlooking
- In village boundary
- Housing stock
- Family home
- Application addressed previous reasons for refusal
- Highway Authority confirmed access suitable
- Progressive in thermal efficiency
- Replacement of a substantial stable block
- Dwelling not visible from Hockland Road

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

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

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

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

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

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

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

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

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

C1 – Context –How well does the proposal relate to the site and its wider context
I1, 2 & 3 – Identity Well-designed, high-quality places that fit with local character
H1 & H2 – Homes and Buildings healthy, comfortable and safe places well related to external amenity space

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

- 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
- LP18 – The Historic Environment
- LP19 – The Natural Environment

Emerging Local Plan

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

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP32: Flood and Water Management
- LP63: Residential site allocations in Tydd St Giles

Delivering and Protecting High Quality Environments in Fenland SPD 2014

- DM2 – Natural Features and Landscaping Schemes
- DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

Cambridgeshire Flood and Water SPD 2016

8 KEY ISSUES

- **Principle of Development**
- **Character and Street Scene**
- **Residential Amenity**
- **Flood Risk and Drainage**
- **Highways Safety, Access and Parking**
- **Other Considerations**
 - **Ecology and Biodiversity**
 - **Bin Storage and Refuse Collection**
 - **Planning Consultations**

9 BACKGROUND

- 9.1 An application for a dwelling on site was refused in September 2023. The current application has had slight amendments to the architectural design, siting of the

dwelling and the red line area. The reasons for refusal of the 2023 application were:

Reason 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 situated on existing paddock land on the edge of the settlement and beyond 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.

Reason 2

Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals are required to demonstrate that they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The proposal is for the construction of a new dwelling on currently paddock land with a close relationship to the wider open countryside. The site is also classed as being backland development.

The result would be a development that results in harm to the existing distinctiveness and open character of the area which would be contrary to policy LP16 of the Fenland Local Plan (2014).

Reason 3

Policy LP14 of the Fenland Local Plan 2014 and paragraph 161 of the National Planning Policy Framework state that all development should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a sequential test and exception test as necessary. The sequential test has not been passed. It has not been demonstrated that there are no alternative sites within Fenland with a lower probability of flooding. As such the proposal would be contrary to the requirements of Policy LP14 of the Fenland Local Plan 2014, Paragraph 161 of the National Planning Policy Framework and the Cambridgeshire Flood and Water Supplementary Planning Document.

10 ASSESSMENT

Principle of Development

10.1 The foot notes of policy LP12 of the Fenland Local Plan 2014 define the developed footprint of a settlement:

*The developed footprint of the village is defined as the continuous built form of the settlement and **excludes**:

(b)gardens, paddocks, and other undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built-up area of the settlement.”

- 10.2 The site currently consists of a stable block on the edge the existing built form of Tydd St Giles. The red line boundary of the site now follows the existing rear boundary of Cirston House and dwellings to the west of the site and does not extend into the open land beyond this. The proposed dwelling would be located almost directly east of Cirston House. Therefore, the site is now considered to relate more to the built form of the settlement than the countryside beyond the settlement.
- 10.3 Policy LP3 of the Fenland Local Plan sets out the District’s strategy for sustainable development, the spatial strategy and the settlement hierarchy. The focus of the majority of growth is in and around the four market towns. Tydd St Giles is a small village where development will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling or a small business opportunity.
- 10.4 Owing to the red line area of the site now following the existing rear line of the development of the village and the existing positioning of Cirston House the principle of development in this location is considered acceptable subject to further policies being considered below.

Character and Street Scene

- 10.5 Policy LP16 (d) states the proposal should demonstrate that it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the built environment and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.6 The proposal is for a dwelling to the rear (north) of Sunnyside and east of Cirston House. The site is not under the ownership of residents at Sunnyside. Sunnyside is a 400-year-old traditional pink cottage with a grey slate roof and is of a modest scale comparative to more modern 2-storey dwellings. The ridge height of the proposed dwelling is shown in the submitted street scene as appearing higher than the ridge line of Sunnyside and above the height of the existing conifers located along the boundary between Sunnyside and the application site. However, given the distance which the new dwelling would be set back from Hockland Road this visual impact is not considered to be unacceptable.
- 10.7 To the southwest of the site is Amberley which is a 1.5 storey dwelling with dormers set into the roof. There is a house opposite the site to the rear of Amberley (Cirston House) which is a detached 2-storey white rendered property. The proposed dwelling is 2-storeys albeit with the height limited through having half-dormer windows and utilising the roof space. The proposed dwelling is of a more traditional architectural design than the property opposite at Cirston and sits on a smaller plot than properties surrounding with a smaller garden space. The proposed dwelling materials would be Marley Mendip Old English Dark Red, Anthracite UPVC windows and Vandersanden Flemish Antique Brick. Owing to the mix of materials visible surrounding the site the materials are not considered to harm the character of the area.
- 10.8 The proposed dwelling would be set back from the road more than 60m. And is considered back land development. Cirston House opposite is also considered

backland development and was permitted on appeal. Consequently, it would be difficult to argue that the principle of another backland dwelling in this location would be unacceptable

- 10.9 The rear garden of Sunnyside has large established conifer trees/hedging along the north and west boundary which would mostly screen the proposed dwelling from the road. Back land development in the area is not always considered appropriate however the principle has been established by the granting of the house to the rear of Amberley at appeal (Cirston House).
- 10.10 Due to the variation in architectural design and scale of surrounding dwellings, as well as the lack of views from the public domain of the site, the proposed dwelling is not considered to significantly adversely harm the character of the area.

Residential Amenity

- 10.11 Policy LP16 (e) seeks to ensure that development does not adversely impact on the amenity of neighbours through significant increased noise, light pollution, loss of privacy or loss of light.
- 10.12 Policy LP16 (h) states that development should provide sufficient private amenity space, suitable to the type and amount of development proposed; for dwellings other than flats, as a guide and depending on the local character of the area, this means a minimum of a third of the plot curtilage should be set aside as private amenity space. The proposed development meets this requirement.
- 10.13 The Council's Environmental Health team have considered the application and have no objections. They stated that the increased traffic of 1 or 2 cars would not be considered to pose significant harm to neighbouring amenity in terms of noise or air pollution. Representations have raised concerns over noise during construction however this is considered to be a temporary impact and not one which is material to the determination of the application.
- 10.14 The rear garden of Sunnyside has large established Conifer trees/hedging along the north and west boundary (approx 5.8m high) which would largely prevent overlooking from the proposed dwelling. The proposed dwelling would be approximately 48m away from the rear elevation of Sunnyside which is considered a significant distance and even without the presence of the conifers the distance would limit the chance of overlooking from the proposed dwelling into the rear of Sunnyside. If the conifers were to be removed there may some risk of overlooking of the rear garden of Sunnyside however given the overall length of this garden this is not considered to cause significant demonstrable harm and would not warrant refusal of the application.
- 10.15 Cirston House to the west would be approximately 18m away from the western elevation of the proposed dwelling. There are no windows proposed on the western elevation of the proposed dwelling.
- 10.16 The proposed dwelling would face onto the conifers to the rear of Sunnyside. The Conifers would be approximately 3.7m away from the windows in the front elevation of the proposed dwelling and approximately 5.8m in height. Therefore, owing to the position of the dwelling it is not considered that there would be significant overshadowing or loss of light into the proposed dwelling that would harm the amenity of future occupiers. The site is approximately 440msq and the amenity space available would be approximately 156msq which works out at more than 1/3 of the plot.

10.17 Owing to the position of the proposed dwelling, the distance between properties, window positions and existing boundary treatments, no significant harm to residential amenity is anticipated in terms of overlooking, loss of light, noise or overshadowing. Therefore, the proposal is considered acceptable under policy LP16 (e) and (h) of the Fenland Local Plan 2014.

Flood Risk and Drainage

10.18 Planning policy LP14 (B) states that all development should adopt a sequential approach to development on sites that are considered at risk of flooding, development on these sites will only be permitted following the successful completion of a sequential test, and where necessary an exception test. The proposal should demonstrate the need for the development. A Flood Risk Assessment should be submitted to include flood risk management detail and appropriate safety measures and a positive approach to reducing flood risk overall.

10.19 The proposal is located within Flood Zone 2 (Access) and 3 (Main dwelling) and the application has been accompanied by a Flood Risk Assessment. The NPPF and Cambridgeshire Flood and Water SPD requires that in high-risk flood zones a site-specific flood risk assessment is also required and that the proposed mitigation measures can protect against flooding. The submitted sequential test within the Flood Risk Assessment clearly identifies relevant applications for new dwellings in the parish and then goes on to say whether work has commenced or been completed. The sequential test identifies 4 sites available for development that have not commenced but has stated they are at a 'similar' level of flood risk. All of these sites would be sequentially preferable given permission are already in place.

10.20 Additionally, application F/YR22/0674/O is one of the permissions granted that the sequential test states is of a similar flood risk level however on looking at the documents submitted with that application that site is located within Flood Zones 1 and 2. Therefore, it is clear from the submitted information that there are sequentially preferable sites available and the sequential test has not been passed.

10.21 The determination of the application has been delayed owing to additional information being requested by statutory consultees. Subsequent to the application and sequential test being submitted, application F/YR24/0034/O has been granted permission and represents a further sequentially preferable site.

10.22 The Environment Agency Surface Water Flood Risk Maps indicate no recognised surface water flood issues at the site. It is recognised that there are drainage issues at Sunnyside but these are considered to be a localised issue. Should planning permission be granted for a new dwelling then a condition requiring a surface water drainage strategy could be imposed.

10.23 The Cambridgeshire Flood and Water SPD states what should be considered under the exception test. The SPD states that the assessment of wider sustainability benefits should refer to the Local Plans' Sustainability Appraisals, which identify key sustainability issues and objectives for each district. The Flood Risk Assessment states that the proposal meets the Exception test by meeting the demand for rural housing and by obtaining a high-grade dwelling with triple glazing, solar panels and an air source heat pump and by detailing flood mitigation measures. Whilst triple glazing, solar panels and an air source heat pump contribute to the sustainability goals set out in the Fenland Local Plan they are relatively commonplace in modern development and not considered an exception

to the rule. The flood mitigation measure stated are: a first floor for safe haven, all bedrooms on the first floor, occupants should sign up to the flood warning system run by the Environment Agency and finished floor levels proposed to be 0.3m above surrounding ground level with flood resilient construction 0.3m above finished floor levels. Demand for additional housing is not relevant when assessing the Exception test.

- 10.24 The sequential and exception tests are not considered passed and therefore the proposal is considered contrary to policy LP14 of the Fenland Local Plan 2014.

Highways Safety and Parking

- 10.25 Policy LP15 states that development schemes should provide well designed, safe and convenient access for all.
- 10.26 Policy LP15 of the Fenland Local Plan 2014 states that development schemes should provide well designed car parking appropriate to the amount of development proposed, ensuring that all new development meets the councils defined parking standards as set out in Appendix A. The Fenland Local Plan 2014 Parking Standards require dwellings with up to 3 bedrooms to have 2 appropriately sized parking spaces available which may include a garage.
- 10.27 The submitted plan shows an appropriately sized garage for 1 parking space and sufficient room to the front of the garage for a second parking space. There is an area to the front of the property set for vehicles to be able to turn on site and leave in a forward gear.
- 10.28 A number of representations received objecting to the proposals raised concerns over the safety of the access to the site. The Highway Authority were consulted on the proposal and have no objections, stating: "The access appears to have appropriate visibility for the speed limit on Hockland Road linked to access which to scale 5m wide would appear to be appropriate for the shared use private driveway".
- 10.29 Therefore, the proposal is considered acceptable in terms of LP15 and Appendix A of the Fenland Local Plan 2014.

Other Considerations

Ecology and Biodiversity

- 10.30 Policy LP19 of the Fenland Local Plan 2014 states that the council will work to conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland. Permission should be refused when it is considered that the proposal would cause demonstrable harm to a protected habitat or species, unless the need for and public benefits of the development clearly outweighs the harm and mitigation and/or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity.
- 10.31 The site is located in a Great Crested Newt amber zone. The first Ecology consultation response states that the proposed amphibian and small mammal mitigation measure are acceptable and should be conditioned. The proposal includes the demolition of an existing stable block. The ecologist requested a PEA and Bat survey which were submitted. The Ecologist has no remaining objections as no significant harm is anticipated and mitigation measures are considered appropriate and should be conditioned.

10.32 The proposal is therefore considered acceptable under policy LP19 of the Fenland Local Plan 2014.

Bin Storage and Refuse Collection

10.33 The submitted plans show bin storage for the site located along the private driveway close to the entrance from Hockland Road and to the front of Amberley. This is not considered ideal however it mirrors the arrangements for Cirston House and as such is not considered unacceptable.

Planning Consultations

10.34 Adjoining neighbours were notified of the application, and a site notice erected in line with the relevant statutory requirements.

11 CONCLUSIONS

11.1 The broad principle of the development is considered acceptable, and no adverse character or amenity impacts have been identified. However, the sequential test and exception test have not been passed. Therefore, the proposal is considered unacceptable under policy LP14 of the Fenland Local Plan 2014.

12 RECOMMENDATION

Refuse; for the following reason:

1	Policy LP14 of the Fenland Local Plan 2014 and paragraph 167 of the National Planning Policy Framework state that all development should adopt a sequential approach to flood risk from all forms of flooding. Development in areas known to be at risk of flooding will only be permitted following the successful completion of a sequential test and exception test as necessary. The sequential test has not been passed. It has not been demonstrated that there are no alternative sites within Tydd St Giles with a lower probability of flooding. Additionally, no acceptable measures have been submitted which would render the Exception Test as being passed either. As such the proposal would be contrary to the requirements of Policy LP14 of the Fenland Local Plan 2014, Paragraph 167 of the National Planning Policy Framework and the Cambridgeshire Flood and Water Supplementary Planning Document.
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Created on: 11/01/2024

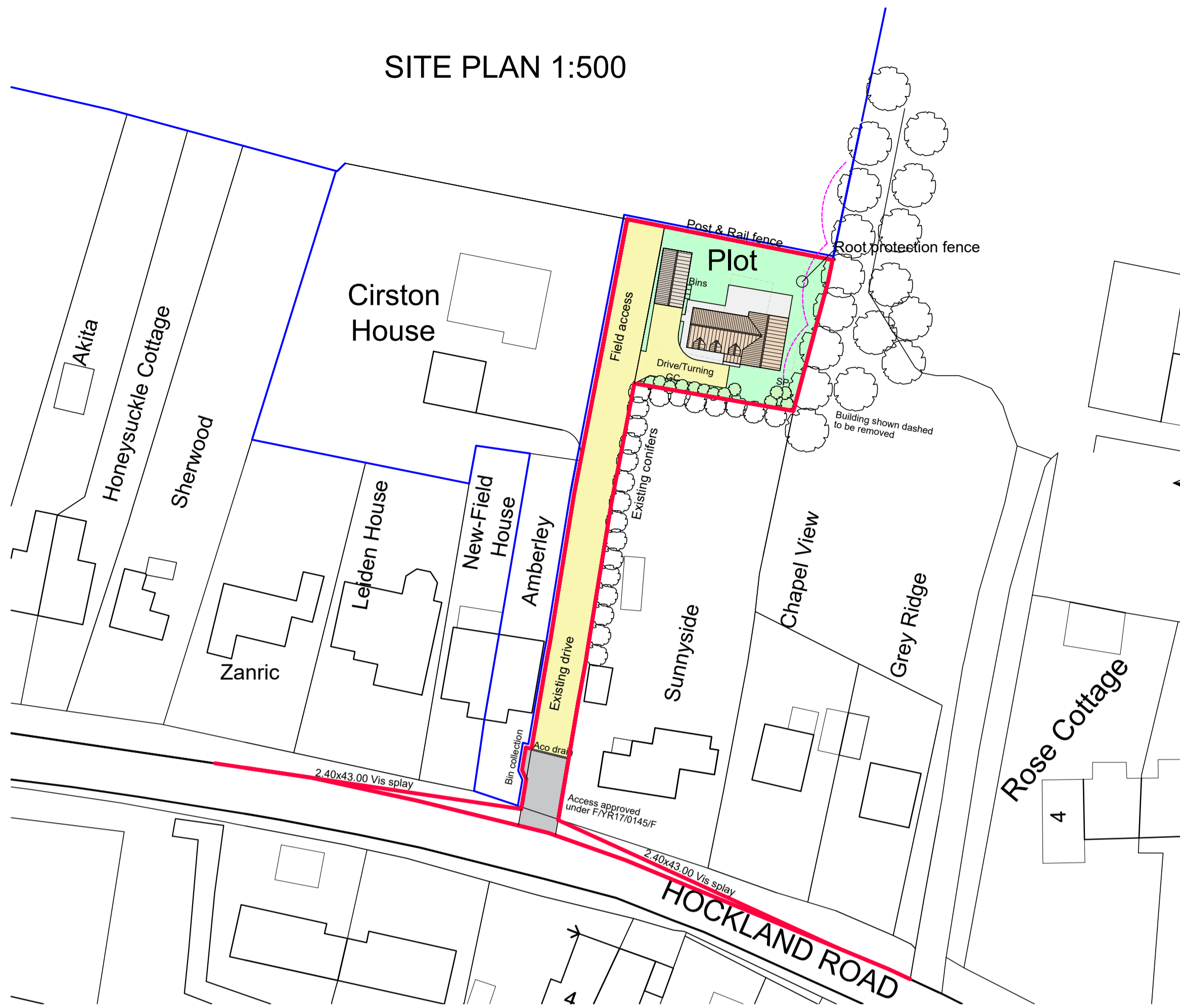
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F/YR23/1073/F

Scale = 1:1,250



SITE PLAN 1:500



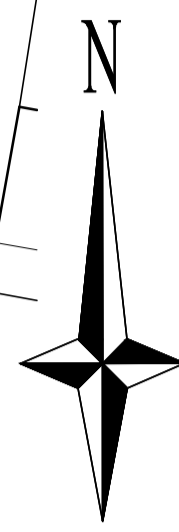
Beaumaris Woodstone Bat box
South East Elevation



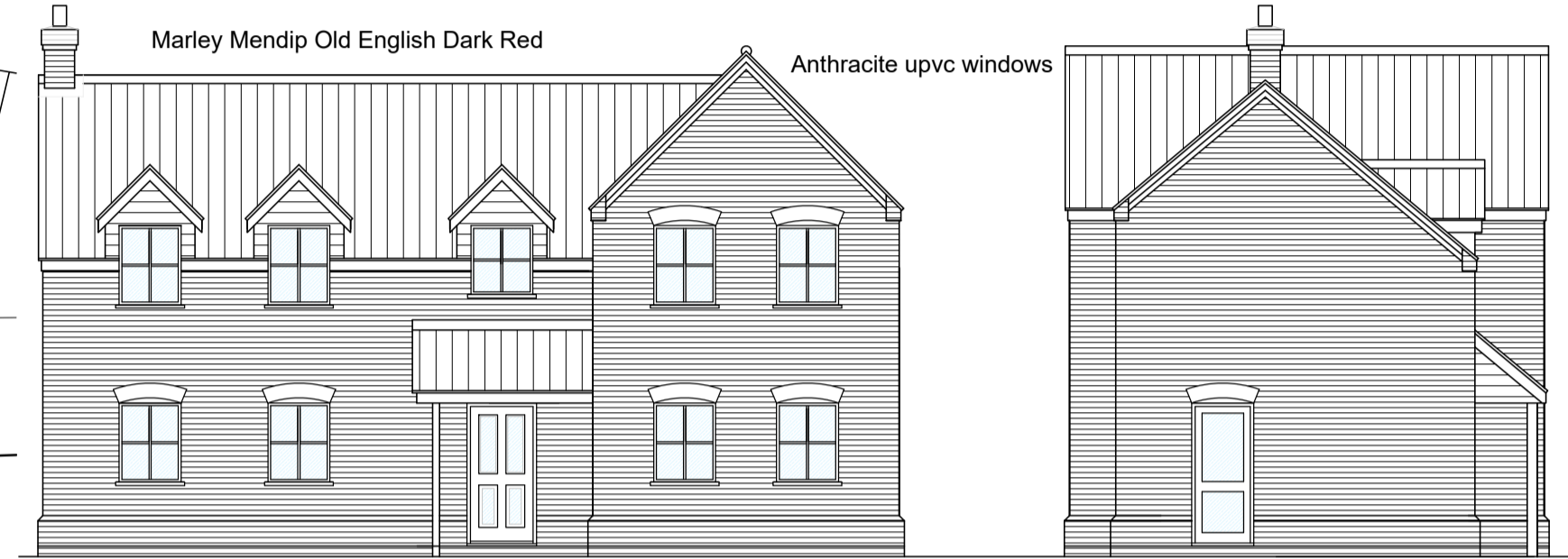
Schwegler triple cavity swift box
East elevation



Boundary fence to have 1 hedgehog gravel board to each boundary



LOCATION PLAN 1:1250



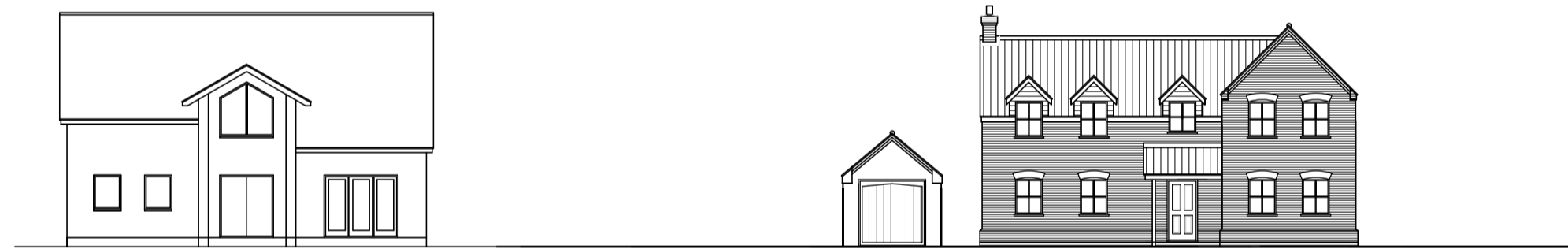
FRONT ELEVATION
SCALE 1:100

SIDE ELEVATION
SCALE 1:100

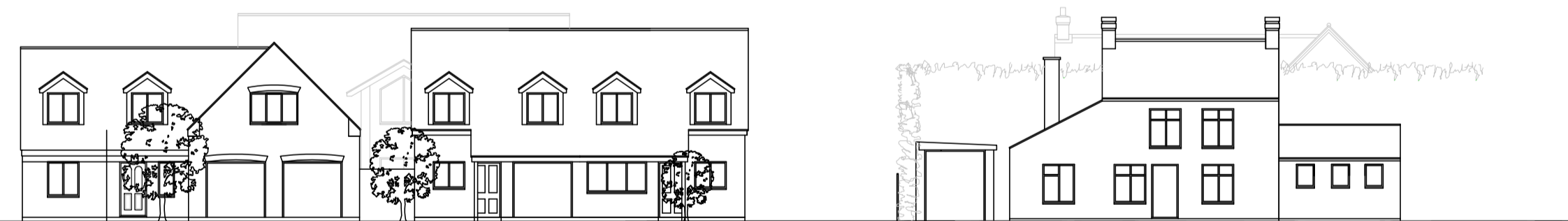


REAR ELEVATION
SCALE 1:100

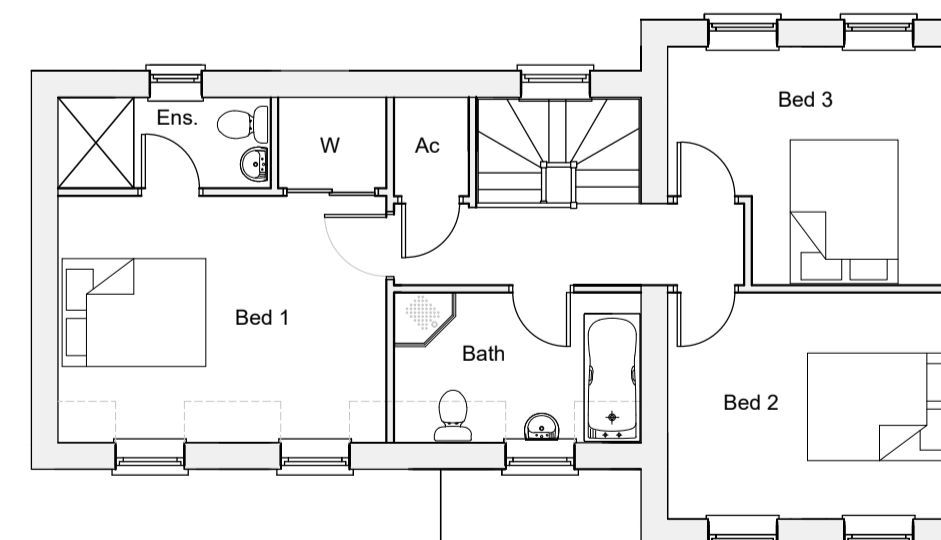
SIDE ELEVATION
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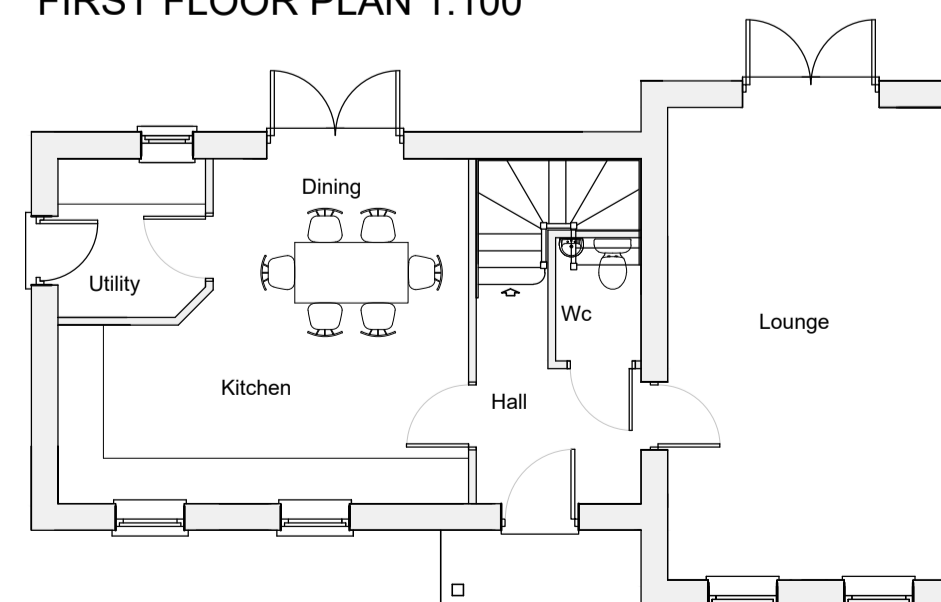
INTERNAL STREET SCENE
SCALE 1:200



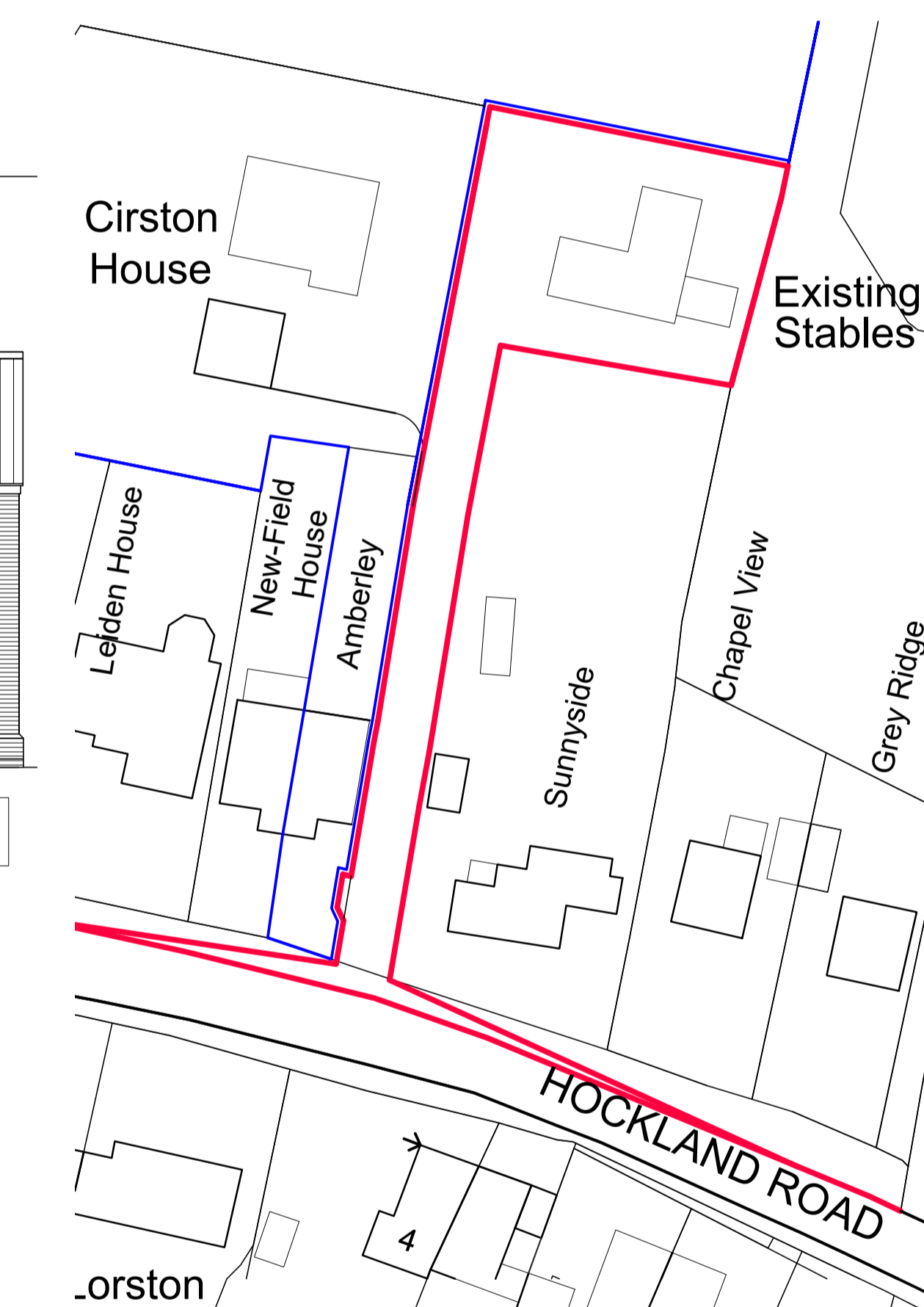
Hockland Road street scene
SCALE 1:200



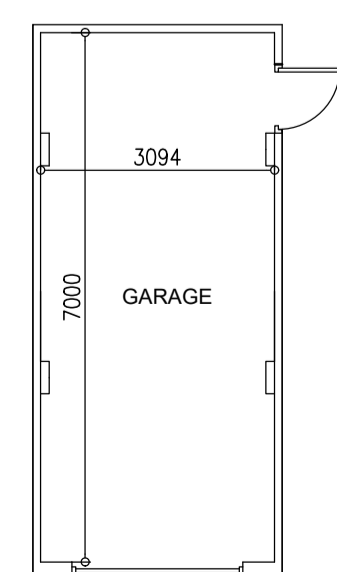
FIRST FLOOR PLAN 1:100



GROUND FLOOR PLAN 1:100



EXISTING SITE PLAN 1:500



Floor Plan 1:100

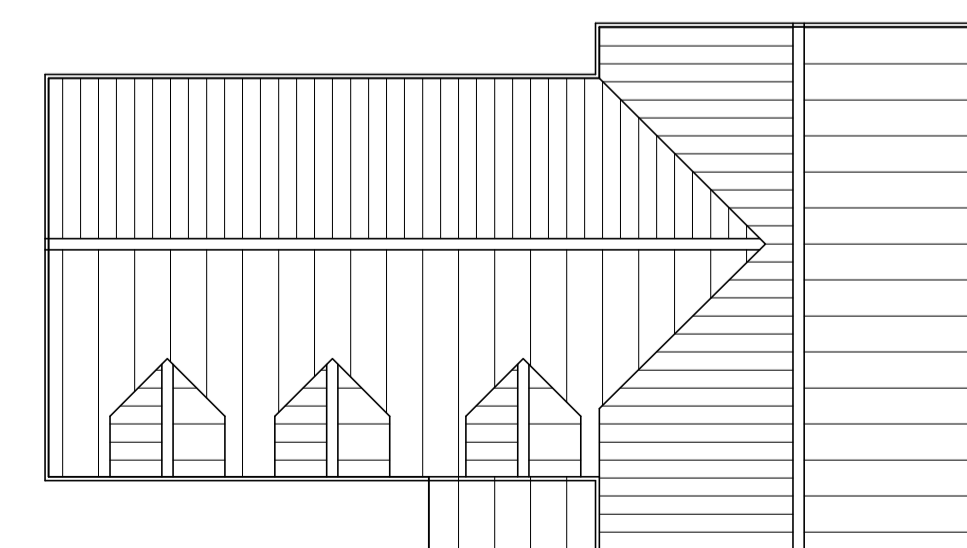


Front Elevation 1:100

Side Elevation 1:100

Rear Elevation 1:100

Side Elevation 1:100



ROOF PLAN 1:100

SP SHRUB PLANTING TO INCLUDE
 BARBERY (BERBERIS) GUELDER ROSE (VIBURNUM)
 BUDDLEIA DAVIDI (FORSYTHIA X INTERMEDIA LYNWOOD)
 MOCK ORANGE (PHILADELPHUS) SNOWY MESPILUS (AMELANCHIER)
 C3 POT SIZE
 PLANTING SIZE 40-60cm
 PLANTED AT 750mm cts

GC GROUND COVER PLANTS
 COTONEASTER HORIZONTALIS,
 HEDERA HELIX, LAVANDULA SPICA
 6 PLANTS PER METRE SQ.

PLANTING SIZE 1.200m height
 Planted at 450mm cts in a staggered double
 row 450mm apart

REVISIONS



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CLIENT

MRS STEWART

PROJECT

PROPOSED DWELLING

SITE

EAST OF CIRSTON HOUSE
 HOCKLAND ROAD
 TYDD ST GILES
 PE13 5LF

DRAWING

PLANNING

JOB NO.

6759-PL02

PAPER SIZE

A1

DATE

NOV 2023

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 the finished project. No extraordinary hazards or risks were identified outside of
 the routine construction operations that would not already be apparent to a
 competent contractor.

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

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