

## AGENDA

### PLANNING COMMITTEE

**WEDNESDAY, 25 JUNE 2025**

**1.00 PM**

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

Committee Officer: Jo Goodrum  
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- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 26)  
  
To confirm and sign the minutes from the previous meeting of 28 May 2025.
- 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/YR23/0648/F  
Land South Of 127-141, Coates Road, Coates  
Hybrid application: Full planning permission to erect 18 x dwellings (2 x single-storey 2-bed, 1 x 2-storey 2-bed, 2 x single-storey 3-bed, 4 x 3-storey 3-bed, 7 x 2-storey 4-bed 1 x 2-storey 6-bed and 1 x 3-storey 6-bed) including 2 x self-build dwellings and the formation of 3 x accesses and a pedestrian footpath. Outline application with matters committed in respect of access to erect 2 x self-build dwellings (Pages 27 - 48)  
  
To determine the application.

- 6 F/YR25/0238/O  
North West Of Cherrytree House, Fallow Corner Drove, Manea  
Erect up to 6no dwellings (outline application with all matters reserved) involving the demolition of existing buildings (Pages 49 - 60)

To determine the application.

- 7 F/YR25/0206/F  
Land West Of Cross Road, Knights End Road, March  
Erect 1x self-build/custom build dwelling and detached garage (Pages 61 - 78)

To determine the application.

- 8 F/YR25/0251/PIP  
Land South West Of Woodbury, Manea Road, Wimblington  
Permission in Principle for 5 x dwellings (Pages 79 - 88)

To determine the application.

- 9 F/YR25/0328/F  
108 High Street, March  
Erect 1 x self-build/custom build dwelling involving demolition of shed within a Conservation Area (Pages 89 - 106)

To determine the application.

- 10 F/YR25/0347/F  
20 Nene Parade, March  
Erect 2x self-build/custom build dwellings involving demolition of existing dwelling and garage within a Conservation Area (Pages 107 - 122)

To determine the application.

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

Members: Councillor D Connor (Chairman), Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor R Gerstner, Councillor N Meekins and Councillor E Sennitt Clough,

## PLANNING COMMITTEE



**WEDNESDAY, 28 MAY 2025 - 1.00 PM**

**PRESENT:** Councillor C Marks (Vice-Chairman), Councillor I Benney, Councillor Mrs J French, Councillor R Gerstner and Councillor E Sennitt Clough, Councillor M Purser (Substitute)

**APOLOGIES:** Councillor D Connor (Chairman) and Councillor N Meekins,

Officers in attendance: David Rowen (Development Manager), Alan Davies (Principal Planning Officer), Tom Donnelly (Senior Development Officer), Stephen Turnbull (Legal Officer) and Jo Goodrum (Member Services & Governance Officer)

**P1/25**      **APPOINTMENT OF THE CHAIRMAN OF THE PLANNING COMMITTEE FOR THE MUNICIPAL YEAR 2025/26**

It was proposed by Councillor Mrs French, seconded by Councillor Purser and resolved that Councillor Connor be elected as Chairman of the Planning Committee for the municipal year.

**P2/25**      **APPOINTMENT OF THE VICE CHAIRMAN OF THE PLANNING COMMITTEE FOR THE MUNICIPAL YEAR 2025/26**

It was proposed by Councillor Benney, seconded by Councillor Mrs French and resolved that Councillor Marks be elected as Vice-Chairman of Planning Committee for the municipal year.

**P3/25**      **PREVIOUS MINUTES**

The minutes of the meeting of the 30 April 2025 were signed and agreed as an accurate record.

**P4/25**      **F/YR20/0234/O**  
**LAND NORTH OF 3A-9 BRIDGE LANE, WIMBLINGTON**  
**HYBRID APPLICATION: OUTLINE APPLICATION WITH MATTERS COMMITTED**  
**IN RESPECT OF ACCESS FOR THE ERECTION OF UP TO 16 X DWELLINGS.**  
**FULL APPLICATION FOR THE FORMATION OF AN ACCESS, INTERNAL ROAD,**  
**OPEN SPACE AND DRAINAGE INVOLVING THE DEMOLITION OF EXISTING**  
**DWELLING AND COMMERCIAL BUILDINGS AND PROVISION OF PASSING**  
**BAYS AND A FOOTWAY LINK TO MARCH ROAD.**

Tom Donnelly presented the report to members.

Members asked questions of officers as follows:

- Councillor Mrs French asked why this application has taken 5 years to come before committee? David Rowen responded that it is an application that has quite a lot of different elements within it in terms of the viability side and also the highway works. He continued that whilst officers aim to determine applications quicker than this there have been a number of delays, several of which do rest with the applicant in terms of providing the necessary information.
- Councillor Mrs French stated that she does not see any recommendations or any discussions with any of the drainage boards and there are drains in this vicinity. She asked if it known if the applicant has been in discussion with the drainage boards? David Rowen

responded that Middle Level were consulted but as members are aware it can be selective in the applications that it comments upon and it is not a statutory consultee and as a consequence no representation has been received. Councillor Mrs French stated that she does have a drainage board meeting tomorrow and she will raise this with them. She added that at a meeting last week they are working on a new policy and hopefully working with Fenland's Planning Team to see if some of the issues can be resolved.

- Councillor Sennitt Clough asked about mitigation in terms of the sewage pumping station and the odour coming from this as it is 15 metres away and also an explanation on the covenant that restricts development to 10 dwellings? David Rowen responded that, in terms of the impact of the sewage pumping station, Environmental Health have been consulted and have raised no concerns on any environmental effects, which is set out at 5.5 of the officer's report. He continued that covenants are not a material planning consideration and is a separate legal issue for whoever imposed that covenant to deal with.
- Councillor Gerstner asked for an explanation on how the viability study was carried out and that there is no affordable housing and how the Section 106 money came to that figure? David Rowen responded that the requirements of the legal agreement is set out at 10.37 of the officer's report which is basically to secure a contribution of £300,000 to be split between the NHS receiving £13,755 and towards off-site affordable housing of £186,244. He continued that the application has undertaken a viability assessment and as intimated earlier in the response to Councillor Mrs French's question this is one of the reasons why it has taken so long to get to the determination stage, with the background to this all within the report.
- Councillor Gerstner asked who does the affordable housing money go to? David Rowen responded that this will be put in the 'pot' that the Council has to deliver affordable housing around the District. Councillor Gerstner asked at what stages will that money be paid? David Rowen responded that this will still need to be decided as part of the Section 106 Agreement but the housing units themselves are, at this stage, in outline so a reserved matters detailed scheme would need to be submitted. He continued that he would guess that the triggers would need to be a certain number of units provided on site to deliver the contribution but it will be delivered before the completion of all 16 units.
- Councillor Mrs French asked why it is taking months and months to get Section 106 Agreements signed? David Rowen responded that he did not think that this was a matter relevant to this application and should be a separate enquiry to either himself or the Head of Planning outside of the meeting.

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

- Councillor Mrs French stated that due to the length of time this application has taken to come to a determination, being sure all the details have been worked out, she does not think there is much need for deliberation.
- Councillor Gerstner stated that this is a brownfield site and thinks it is an ideal opportunity to build on it.

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

**P5/25**

**F/YR24/1000/F**

**LAND WEST OF 27 NORFOLK STREET ACCESSED FROM MORLEY WAY,  
WIMBLINGTON**

**ERECT 5 DWELLINGS WITH ASSOCIATED GARAGES AND THE FORMATION  
OF AN ATTENUATION POND**

Tom Donnelly presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Steve Dubois, an objector. Mr Dubois stated that he lives at 31 Norfolk Street, the Listed Building



that borders the proposed development and he opposes the proposal and welcomes the officer's recommendation to refuse. He stated that whether or not committee agree with the heritage assessment, when it comes to evaluating the recommendation, everyone is bound by the same guiding principles in that great weight should be given to the assets conservation, that the Local Planning Authority shall have special regard to the desirability of preserving the building and its settings, and whilst these are a matter for the committee, the NPPF also states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, as is the case with 31 Norfolk Street, this harm should be weighted against the public benefit of the proposal.

Mr Dubois questioned what the benefits of the proposal are, increased housing stock, opportunity to monetize an underdeveloped parcel of land and consideration of the key themes from the 23 letters of support, which need to be weighed against the harm to the Listed Building and the loss of green space. He expressed the opinion that there would an increased fire risk, it is a thatched property, and there would be a loss of privacy and there is a lack of community support as evidenced by the 78 letters of objection.

Mr Dubois stated that he appreciates that the Council is working on a new plan but as a designated growth village Wimblington has reached nearly three times its target set in 2014 and, in his view, there is no economic merit in building a further five homes and there is a significant development in Wimblington and the wider March area to keep much of the local construction industry busy for quite some time. He feels that building in what is an area favoured by older residents has no educational merit and the proposed development would do very little to address the undersubscription of the Thomas Eaton Primary School.

Mr Dubois expressed the view that the proposal also has no social merit, it has no affordable housing and potentially compounds already stretched medical services. He stated that he has lived in the village for 25 years and when he moved this house it could be seen from March Road, hedges were much lower and looking west he could see the big skies and Fen sunsets from his patio and that is the traditional context in which 31 Norfolk Street should be appreciated.

Mr Dubois referred to the presentation screen which shows the growth of housing and the erosion of green spaces within the heart of the village and he showed an aerial view of the proposed site as it stands today, the modern Morley Way development to the west, the green amenity to the north acting as buffer between the old and the new in line with Wimblington and Stonea design guidance and codes which stipulates "new developments in proximity to designated and non-designated heritage assets must propose green screenings to mitigate any unpleasant visual impact whilst also preserving key views". He expressed the opinion that in light of this statement the impact of the proposal need to be considered on 31 Norfolk Street, many letters of support reference the scheme being an extension of Morley Way and there is no disputing that access is from Morley Way but viewed from the air the photo clearly shows it to be a standalone development.

Mr Dubois stated that supporters also place significant weight on having the same developer as Morley Way and when a buffer between old and new is mentioned Construct Reason Ltd were the ones responsible for siting of the green amenity now an asset of community value between Morley Way and the heritage part of the village and that same developer is now proposing to develop a site that is closer to the Listed Building than the very buffer they created some 20 years earlier and, in his view, is incongruous and not a benefit. He continued that supporters of the scheme believe that there is a need for more bungalows in Wimblington, with the proposed development being for five three-bedroom bungalows, however, the Wimblington and Stonea Housing Needs Assessment of January 2023 stated that the village far exceeds the national average for built bungalows and suggests that the greater proportion of dwellings be delivered as two-bedroom dwellings with an emphasis on affordable housing so this is not a benefit.

Mr Dubois made the point that the Fenland Local Plan calls for a presumption in favour of sustainable development, it talks of growth that is not for its own sake and, in his view, the only true benefit of this proposal is the monetization of an undeveloped parcel of land and that is not a public benefit. He expressed the opinion, in line with NPPF guidelines, there is no clear and convincing justification or public benefit that outweighs the harm to the setting of the Listed Building and to draw any other conclusion would be irrational.

Members asked questions of Mr Dubois as follows:

- Councillor Sennitt Clough referred to the word 'harm' being used a lot and everybody has a different interpretation of what harm means and asked if Mr Dubois could state what this term means to him with regard to what he thinks it will mean with this development next to his property? Mr Dubois responded that he is not a planning expert and he would defer that question to the planning experts, the same people who have made a recommendation of refusal. He expressed the opinion that there is a heritage asset and a legacy in that this property has stood there for over 200 years in an open space and this proposal would enclose this space. Mr Dubois stated that there is a connection between his property and the other Listed Building at Addison Road and that is the field that separates them. Councillor Sennitt Clough stated that she appreciates that there is a technical aspect but was asking the question to obtain his own personal experience. Mr Dubois responded that his house has been in existence for 200 years, it is a Listed Building and it does not have the modern amenities in terms of things such as soundproofing, double glazing and it is a one and a half elevation building, with upstairs being plasterboard and thatch so you can hear everything outside. He expressed the view that it is dependent upon its isolation to modern living and it is not conducive to being in an environment with a housing density that you have as part of a modern development.
- Councillor Benney stated that he assumes that Mr Dubois bought this house many years ago and asked if the field was ever part of the land that was associated with that house? Mr Dubois responded that not in his lifetime, it was always part of the farm behind the house but does believe there was a relationship between the land and the house at Addison House. Councillor Benney reiterated was this house ever associated with this house, has somebody sold the land off separately? Mr Dubois responded that it was always a separate piece of land but whilst ownership was different the location has always been in the context of that land.
- Councillor Marks referred to the photo which shows the proposal imposed on the land and asked what distance from his property he believes the new development will be? Mr Dubois responded that the plan is marked up and from memory he believes it is 36 metres.
- Councillor Marks asked if the proximity to the other buildings surrounding his property were at the same distance? Mr Dubois responded that the road to the right is Norfolk Street, formerly the High Street, and the nearest building is about 25 metres away and that is the back of the garage and is probably around 30 metres to Norfolk Street.
- Councillor Marks asked for confirmation that the new proposed buildings would be 36 metres from the back as well? Mr Dubois responded that this is incorrect as 31 Norfolk Street is set back in its plot whereas every other house along Norfolk Street is running adjacent to the street. He stated that the one house that is most effected and nearest to the development is the Listed Building, the thatched property at 31 Norfolk Street. Councillor Marks requested clarification that the existing properties are 25 metres from his property and the new proposed rear of the properties would be 36 metres. Mr Dubois responded that his neighbours to the front of his property are roughly 25 metres in line with the road but this development is at the rear his house and that would be effectively 36 metres. He added that one of the things about having a thatched property is things like Guy Fawkes night are not the greatest time of year and in his insurance they are not allowed to have any incineration or burning within 100 metres and those back gardens will literally be the other side of the hedge and he cannot stop people from having barbecues, setting off fireworks or from incineration and potentially he has two if not three properties that would be incredibly close to his thatched property. Councillor Marks made the point that he also has existing

properties within 25 metres who could also have barbecues or fires so this problem already exists. Mr Dubois agreed and the owners of the land have had bonfires on the land but they have been set much further back than this proposed development and they did have to call the Fire Service on one occasion. He added that it would be incredibly concerning and this proposal is a lot closer than 50 metres away where the owners might have previously had bonfires.

Members received a presentation, in accordance with the public participation procedure, from Amy Richardson, on behalf of the agent. Ms Richardson stated that they have worked closely with the planning officer throughout the planning process and dealt with any issues proactively and as noted within his report the scheme complies with Policy LP3 of the Local Plan, provides a scheme that is in keeping with the surrounding pattern of development in Morley Way and Waggoners Way and does not give rise to any unacceptable amenity impacts in accordance with Policy LP16 and LP12. She made the point that the officer refers to the fact that the plot sizes are generous and avoid a cramped form of development while still making an efficient use of the land.

Ms Richardson expressed the opinion that the main issue is the impact on the Listed Building at 31 Norfolk Street and as members will be aware from the officer report the previous scheme for 8 bungalows was withdrawn to try and address the impact of development on the listed property, with the scheme being reduced to only 5 bungalows with frontage development onto a private road, which will remain private and not be offered for adoption. She expressed the view that all issues around drainage have been addressed and the LLFA have no objections

Ms Richardson expressed the opinion that the original listing of 31 Norfolk Street only referred to 3 windows which face east, the front elevation of the property towards Norfolk Street and part of the original rectangular shaped cottage, with more recent additions having been added to the western side of the property together with a detached garage. She stated that there are no first-floor windows in the Listed Building facing towards the application site and the nearest bungalows are over 36 metres away.

Ms Richardson stated that they have added photos of the Listed Building which confirm there are no windows facing the development, taken from estate agents particulars as the property is currently on the market. She stated that their heritage consultant has tried to address the concerns raised by the Conservation Officer, noting amongst things that the village of Wimblington has significantly changed over the last 100 years from a much smaller village to a growth village, noting there is nothing to suggest that 31 Norfolk Street has had a direct functional connection with the site, such as grazing or farmland, and the site is not known to have ever been grazing land and the asset is not located within the open countryside or on the edge of the village but is surrounded by residential development within the heart of the village.

Ms Richardson expressed the opinion that the grounds of the Listed Building primarily extend to the east towards Norfolk Street where the majority of the bedroom windows face suggesting that the property is clearly orientated towards the east and this has formed its primary amenity space. She feels that Conservation Officer has given undue weight to the contribution the site makes to the setting of the Listed Building and has failed to acknowledge the current setting asset as experienced is one of residential built form.

Ms Richardson stated that the proposed layout was amended to offer a single line of dwellings to the far west of the site and provide greater distances to the Listed Building within the spaces between each dwelling, helping to ensure that the dwellings do not appear as a solid wall of development and with a variety of roofscapes helping to break up the massing. She made the point that the District Council is looking to sell the open space in Morley Way that the applicants provided as part of the original Morley Way development and this will take away the nearby public open space and, in her view, will be subject to residential development removing current green space.

Ms Richardson asked members to look at the benefits of this scheme and what it can provide, with the largely supporting nature of the planning officer's comments and go against the Conservation Officer's recommendations.

Members asked questions of Ms Richardson as follows:

- Councillor Mrs French referred to Anglian Water having concerns and asked if these concerns have been addressed? Ms Richardson responded that they have been addressed and there are no drainage issues.

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

- Councillor Gerstner expressed the view that this is a difficult decision in respect of the heritage site, with it being a greenfield site nearby and he has reservations about the impact on noise and amenity in the questions that Councillor Marks asked the objector. He feels it is a question of where does the committee value heritage as it looks to be a well thought out designed development.
- Councillor Benney acknowledged what the objector has said but if this was any other development the distance between houses is 21 metres and there is 36 metres here. He feels the developer has worked to try and mitigate the harm to the historic building and a historic building should not be a block to development, it is a piece of land and well within the built form of Wimblington. Councillor Benney made the point that it is land usage that committee is looking at and is this land suitable to build on and whilst he does take on board the fire risk comments with a thatched cottage that is a risk that is taken when a thatched cottage is brought. He stated that this piece of land, from what the objector was saying, has no connection to this house and, in his view, this has been well planned out and consideration has been given to keep the distance away from the heritage asset, with other applications having been previously passed which are a lot closer to a heritage asset. Councillor Benney expressed the opinion that there is sufficient green space left to safeguard the heritage asset and provide the homes that Fenland needs.
- Councillor Sennitt Clough agreed with the comments already raised by councillors and acknowledged that it is a difficult decision as she thinks that the bungalows look a very nice design, they are some distance away but questions whether there is a need for more properties to surround this historic building and she keeps coming back to LP18. She reiterated that it is difficult weighing up the value of this thatched building with the need for bungalows and as stated Wimblington is a growth village but its growth has been reached.
- Councillor Gerstner stated that there seems to be a good break between the development and the Listed Building, which, in his view, is acceptable, it does not appear to be overdeveloped and looks to be good planned desirable buildings, with a need for these types of buildings. He added that whether that field was part of the heritage of that building is not known but it does not make much difference.
- Councillor Purser stated that he has visited the site and feels there is a need for the development and a need for bungalows but a lot of the people that live there already are older, retired people and the heavy traffic going through there to access the site could have a detrimental effect to their properties. He added that he believes there is the possibility of a flooding issue in this area so is concerned for the people who already live here.
- Councillor Mrs French expressed the view that what Councillor Purser has just mentioned is not a planning consideration. She asked were English Heritage involved in any discussions? David Rowen responded that English Heritage or Historic England are only consulted on certain applications so development within the setting of a Grade II Listed Building would not be an application that they would be consulted on.
- Councillor Benney expressed the opinion that a proposal on this site could be worse and if it is refused today it could come back full of houses. He feels that this is a compromise, with it having a good fire break and a break for sound and with any other development it would be 21 metres. Councillor Benney acknowledged the objector's point of view but feels these would be nice bungalows and would not be empty long, proving a need and, in his view, it is

an application worthy of support.

- Councillor Marks agreed, he has looked at the application and asked would he want to live there and he would in both properties as he does not think with bungalows there will be any overlooking, they would likely appeal to older people so noise will not be an issue and the likelihood of having fires or bonfires or fireworks is fairly negligible but there is always that risk but there is the same risk with all the other properties in the vicinity. He is leaning more towards supporting this application.
- Councillor Sennitt Clough referred to a comment that was made that if committee refuse it and the future of the site and made the point that members have to stick with the application that is in front of them today.
- David Rowen referred to the separation distances, with some of the separation distances being referenced being amenity standards and amenity is not being looked at here it is the setting of a Listed Building and within the report there is a definition of setting that is given by Historic England and that setting varies from Listed Building to Listed Building so in some instances there will be a new build very close to a Listed Building because that reflects the historic pattern of development but here it is considered that the setting is the open space around that building and that is encroaching into that open space detrimentally impacting upon that setting. He continued that whether that land has been in the ownership of the Listed Building historically is not relevant, land that is in multiple separate ownerships can still form part of the setting of a Listed Building. David Rowen stated that if members are minded to grant the application, he would remind them of the legal duty set out in the officer's report that within the 1990 Listed Building Act that "Local Planning Authority when considering development should pay special attention to preserving a Listed Building or its setting" so the lawful duty on a Council is to give great weight to preserving the setting of a Listed Building. He added that, if members are minded to grant the application, within that context he would advise that any reason for doing that needs to be clearly articulated and set out in respect of the public interest benefit or balance to ensure it is a robust and unchallengeable decision.
- The Legal Officer confirmed that what David Rowen has said is correct, there is a legal duty to pay special attention to preserving the setting of a Listed Building so if members decide that this proposal can proceed notwithstanding some degree of harm to that setting then they must explain whether they think that level of harm is low enough to justify the proposal or whether there is a public benefit to overcome the harm that is involved. He stated that setting is not the same as ownership, with the two being separate concepts so the setting of a building transcends its ownership and ownership is irrelevant.

Proposed by Councillor Sennitt Clough to go with officer's recommendation to refuse the application but no seconder was forthcoming.

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

Members do not support officer's recommendation of refusal of planning permission as they feel it will not detrimentally harm the setting of the Listed Building with there being sufficient space around it, it is relevant land use for this site and houses are needed within Fenland.

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

**P6/25**

**F/YR25/0211/PIP**

**LAND NORTH WEST OF 1C EASTWOOD END, WIMBLINGTON**

**PERMISSION IN PRINCIPLE TO ERECT UP TO 4 X DWELLINGS INCLUDING THE FORMATION OF A NEW ACCESS**

Tom Donnelly presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall stated that this is a Principle in Planning (PIP) application and he is pleased to see it recommended for approval. He referred to the points that the objectors have raised, where they are saying that trees are being removed but there are no trees being removed as part of this application, all the trees that can be seen in the photos surrounding the site are not even owned by this applicant and are owned by someone completely different.

Mr Hall expressed the view that the site is not in the open countryside, there are various built out and approved residential developments abutting this site and when he visited the site on Friday 23 May the new footpath that has been approved is being set at the moment linking in to the bypass. He referred to the plan on the presentation screen, which shows the site and other sites that have been approved or built out in the vicinity, making the point that the character of the area is changing all the time.

Mr Hall stated that he has submitted an indicative drawing to give members an idea of what might be proposed at the next stage if this application is approved, which shows low density development similar to the other sites at Eastwood End. He feels the officer's report sums up the application very well, with good service being received from the officer and it is being recommended for approval and other applications in Eastwood End have been supported, in some instances by officers and some by members.

Mr Hall stated that the site lies in Flood Zone 1 and there is an existing access, which they are proposing to widen and improve, with the applicant owning the house immediately adjacent the access so it can be carried out, with there being no highway objection or other technical objections.

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

- Councillor Mrs French expressed the view that this is a good application, others have been approved in this vicinity and this will probably be the last piece to complete that whole area. She stated that she supports it.
- Councillor Gerstner stated that he agrees with Councillor Mrs French, it is an on-going building out of the area, with this application just a PIP so there will more details come along which can be discussed at a further planning meeting if it comes to the committee.
- Councillor Benney agreed, stating this is a PIP application, it is not known what the details will be and this will come forward in a later application and others have been passed in the area.

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

*(Councillor Marks declared that the applicant is a customer of a business that he is director of and took no part in the discussion and voting thereon. Councillor Benney chaired this application)*

*(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 Purser declared that the agent is undertaking work for him, but he is not pre-determined and will consider the application with an open mind)*

**P7/25**

**F/YR24/0970/FDC**

**LAND TO THE SOUTH OF 8 CROWN AVENUE, CHRISTCHURCH**  
**ERECT 1X DWELLING**

Members agreed to defer this application for further information to be submitted and considered.

**P8/25**

**F/YR25/0001/F**

**SHELTERED HOUSING ACCOMMODATION, ROMAN COURT, LEVERINGTON  
ERECT 4 X SINGLE-STOREY EXTENSIONS TO FLATS 3, 12, 13 AND 14**

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

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

- Councillor Benney stated that this is a policy complaint application, it is a good solid proposal, with officers undertaking a good job working to get the conclusion before members today. He feels it does not need much debate.
- Councillor Purser agreed, sheltered housing is needed, it is nice and tidy and harming nothing.

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

**P9/25**

**F/YR25/0072/F**

**5 ROBINGOODFELLOWS LANE, MARCH**

**CHANGE OF USE FROM DRINKING ESTABLISHMENT/CLUB TO 3NO FLATS  
INVOLVING THE REMOVAL OF EXTERNAL STAIRCASE**

Alan Davies presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall stated that the officer's report highlights that there had been a previous approval for the conversion of the first floor to a residential flat and the proposal before the committee also includes that as well. He made the point that the application site is located in a built-up residential area and, in his opinion, that it will be classed as a town centre location.

Mr Hall explained that when he submitted the application as part of the submission, he included a list of public houses and clubs within March, and there are 14 other drinking establishments and clubs with Wetherspoons probably being the largest one which is located 170 metres away from the application site, with the business which used to operate from the application site having been closed for 12 months. He stated that he has reviewed some of the comments made by the local residents as the site is surrounded by residential properties and the site it is located right next door to people's gardens.

Mr Hall explained that the existing parking space will be utilized as there is a space available and the Highway Authority have not raised any objection and the existing bin storage will be kept and there have been no concerns highlighted. He referred to the first floor windows and the ground floor windows located to the front of the property where concerns have been raised are already in place and on the rear elevation there is a staircase and a door and the proposal plans to remove that due to the fact that when you stand on the staircase then you can see into three of the surrounding gardens.

Mr Hall stated that the former landlady is in support of the proposal, who was the landlady of the business for 14 years, and as stated in the officer's report she has confirmed that the business closed as it was not viable to continue and was closed down prior to the applicant purchasing the building. He explained that there are no technical objections to the proposal from any of the consultees to the application and within the officer's report it makes reference to space standards, but stated that the application is for a conversion and, therefore, he will be working with the existing structure and has no plans for it to be extended as there is very limited room, making the

point that he intends to keep the outside of the building as it is.

Mr Hall stated that the officer has pointed out that flat one and flat three are satisfactory but flat two is below standard and referred to another application for three flats in Norfolk Street in Wisbech from 2019 which was recommended for approval and was supported by members of the committee, with that proposal being for three new flats and flat one was 38 metre squared which was below standards. He explained that flat 2 was 41m squared which was 2 bedrooms and was below standard and flat 3 was 46 metres squared and was also below standards and he stated that all areas on the current proposal are all in excess.

Mr Hall expressed the opinion that the site it is not in a rural location, it is located in the middle of the town centre and surrounded by residential properties. He expressed the view that he believes that there some benefit to residents as opposed to what is there now as there is an external staircase which currently abuts neighbouring amenity for three properties and overlooks their gardens as well as an external door and he explained that this staircase will be removed.

Mr Hall added that by changing the premises to residential will mean that there is less of a noise issue in a built-up area and the officer report states that it does not have an overbearing impact, and it is very detailed with regards to the openings on all elevations. He expressed the opinion that by converting the building from a closed drinking establishment to residential usage it will mean that it will match in with the character of the area and, therefore, be residential development all round.

Members asked Mr Hall the following questions:

- Councillor Mrs French asked why the commercial business has not been advertised for sale? Mr Hall explained that he has spoken to the applicant who has advised him that the site was advertised for six months with Maxey Grounds before he purchased it. He added that he has not advertised the building since as the business has been closed and it was not felt that it was viable to reopen the business and, therefore, a marketing exercise was not undertaken.
- Councillor Gerstner questioned that when the building was trading as a drinking establishment was a trade waste collection in operation? Mr Hall stated that there does appear to be a large commercial sized bin at the site as well as a brown bin and anticipates that they will be kept or there will be separate bins for residents if the application is approved. Councillor Gerstner stated that as the proposal is for three flats there is the possibility of there being three bins for each flat along with food waste. Mr Hall explained that when it was a drinking establishment, they did also serve food which would have resulted in food waste. He added that he would look to ascertain advice from the Council's refuse and recycling team with regards to waste collections and bin requirements. Councillor Gerstner made the point that there is the potential for all bins to be placed out on the pavement on collection days. Mr Hall confirmed this to be correct.
- Councillor Mrs French stated that there will not be three brown bins at the site as the properties will not have gardens.
- Councillor Benney stated that the point had been made that the property had been marketed by Maxey Grounds for six months and he asked whether that had been prior to the applicant purchasing the building or was it marketed after that for six months? Mr Hall stated that it is his understanding that it was prior to the applicant purchasing the site.
- Councillor Mrs French asked whether the site is still on the market? Mr Hall confirmed that it is not.
- Councillor Marks stated that it is being referred to as a drinking establishment but to him it sounds more like a club, rather than a walk in off the street pub and he asked whether it was a member only club meaning that the members have now gone elsewhere? Mr Hall explained that it is his understanding that the premises was used for events including quiz nights, pool and darts where it was members only. He added that prior to its closure, people could just walk in off of the street, but there were some instances where it was for members



only.

- Councillor Sennitt Clough referred to the floor space of the flats and the fact that one of the flats does not meet the required standard and another which does not have any storage area. She asked whether it was just the internal design of the building which was not followed through without changing it drastically? Mr Hall stated that he would agree and added that he has tried to work around the existing structure that is there, with two out of the three flats complying, and one does not.
- Councillor Marks asked for clarification as he was under the impression that it was two flats which were not compliant? Alan Davies explained that there is one flat which does not comply in terms of overall space standards (flat two) and flat three complies with the overall requirement but does not have any built-in storage space, with nationally described space standards having two elements, one being the overall floor space and the other being the storage. He explained that officers would give more consideration to the overall floor space and flat three does not have built in storage space but that could be rectified because the floor space for flat three, which is a first-floor flat, is more than sufficient in terms of combined space standards of overall space.
- Councillor Marks asked for the square meterage of the flat which does not meet the space standards? Mr Hall explained that it is just over 58 square metres.

Members asked officers the following questions:

- Councillor Sennitt Clough asked, with regards to the flat which does not have adequate floor space, what are the legal and safety implications of that? Alan Davies explained that when considering the national described space standards, there is a requirement to ensure that all future residential development has a minimum floor space, it is not legislation but is national guidance and, therefore, it is incumbent on each local authority to adopt the guidance. He added that the Council have not adopted it as a policy, but it is generally used as guidance to determine planning applications to ensure that future occupants of any residential scheme have sufficient amenity space. Alan Davies continued that with regards to fire and building regulations they are all separate matters.
- Councillor Purser stated that there is only one parking space for the three flats and it is his understanding that it is not a requirement to provide any parking spaces, but he asked for clarification. Alan Davies stated that the application is for three flats, the actual parking standards are 1.25 parking spaces per dwelling which is far more than what is currently provided. He added that as part of the application the Highways Authority have been consulted, and they are happy with the one parking space and have raised no objection. Alan Davies made the point that the site is in the town centre and, therefore, there are facilities within a walkable distance, as well as connections to sustainable transport and, therefore, there are no concerns with regards to the under provision of parking spaces.

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

- Councillor Mrs French stated that it is a town centre location and at the top of the road there are 15 car parking spaces which belong to the Council and 72 car parking spaces in Darthill Road. She added that she does have concerns over the size of the flats as there is a lack of compliance and she added that it is a shame that the application is not just for two flats as it would have had amenity space.
- Councillor Marks stated that the committee has in the past approved temporary accommodation in Wisbech which are containers. He added that Mr Hall has explained that the flat which does not accord with national space standards is of a size of 58 square metres, however, a shipping container is 14.86 metres is a lot smaller and that is still being used to house people.
- Councillor Benney stated that, with regards to the non-marketing, whilst he accepts that there is policy, it is the duty of the committee to look at applications and if it is felt that there is benefit in any way policies can be worked around to reach a satisfactory solution. He added that he has visited the site and, in his opinion, the building is a mess and is a blot on the landscape. Councillor Benney added that it has been marketed for six months and now

somebody has purchased it which, in his view, should be welcomed and he feels that the site is never going to open as a pub or a club again as it would never work as a commercial enterprise again and it is an ex commercial premises in the middle of a residential area, which, in his opinion, is crying out for renovation. He explained that he looked at the floor plans and if it was changed into two flats it would never be viable and it would end up being another building in another market town that sits there until it becomes dilapidated, referring to a site in Chatteris which has suffered from a building collapse and questioned whether the residents of March want the same thing to happen to this site. Councillor Benney stated that the application is positive and will bring three flats forward which will provide homes which are in very short supply and whilst he appreciates that they are small flats there are many people who do not want expensive houses to rent, and they just want somewhere to live, and the application will provide that. He stated the fact that it was on the market for six months and eventually found somebody to purchase it is, in his opinion, excellent.

Councillor Benney referred to an application in Orange Grove in Wisbech in 2021 which was developed in the back of a public house in Wisbech and fronted onto the A47, with it being a three-storey building and a new build which, in his opinion, was one of the worst applications he has seen come before the committee. He expressed the view that it appeared to be cramped, and he would not wish to live there but the officer recommendation was for one of approval and it was not up to the same standard as the application being determined now. Councillor Benney referred to the national space standards, making the point that they are only guidelines and do not have to be adhered to and, in his view, not to pass this application would be remiss of the committee and they would be missing an ideal opportunity to bring a building back into use. He made the point that planning is about land usage, and it is an unattractive building, but he questioned what else it could be used for and it could become a blot on the landscape. Councillor Benney stated that the site was marketed, somebody bought it after 6 months who has decided not for it to be a pub but for it to be converted to flats and that is what the building lends itself to and he can see no reason why it should be refused.

- Councillor Mrs French stated that the benefit to the wider community needs to be considered and by removing the external staircase it will restore privacy to the three individual properties who have suffered from overlooking. She added that the Buffs Club was there for many years, and does not know how the external staircase was ever allowed, and she does feel that the application will be of a benefit to the community.
- Councillor Marks stated that he agrees and the benefit to the community is also not having a building which is going to stand empty for a long period of time as it could encourage squatters and become at risk of arson attacks. He added that there have been other premises empty for a period of time such as the George Public House which has been empty for seven years and although it has been marketed nobody has chosen to purchase the site. Councillor Marks added that the benefit to the community will be for the premises to be changed to flats rather than in its current state.
- Councillor Purser stated that by turning the empty building into flats will be a far better viable proposition although he would have preferred to see it converted into two flats rather than three.
- Councillor Gerstner stated that he wholeheartedly agrees that the building should be converted into flats which will be of benefit to the community. He added that he would prefer to see the building converted into two flats rather than three and made the point that whilst he does not know the details concerning the viability or how much the building has cost the applicant or how much the conversion is going to cost, the applicant will know that himself. Councillor Gerstner stated that the application is recommended for refusal by officers and should the application be refused and come back to the committee for two flats then he would fully support that, but in its current format for three flats he cannot support it.
- Councillor Benney stated that to convert the building into two flats would mean that they would be larger but for anybody to do anything to a property does mean that they need to make money out of it and if they do not make money then it does not come to fruition. He expressed the opinion that if this application is not approved then the building will end up

falling down and nothing will happen with the site and why should something positive be refused which will bring a building back into use. Councillor Benney added that the building is not a new build, and the applicant is working with the existing constraints and there is no possibility to add an extension to bring the building up to the national space standards as it would not work. He questioned whether members want to see another blot on the landscape in March which is what will happen should the application not be approved, with there being a need for housing and the need to bring this type of building back into use. Councillor Benney added that if the application is refused then the town of March will suffer.

- Councillor Marks stated that Collingwoods is located just around the corner, and it is scruffy, making the point that when considering the significant investment which has been spent on the rest of the town when you compare the Collingwoods corner which has a dilapidated building and is going to rack and ruin, it lets down the town. He made the point that he is pleased to see that the George Public House has been purchased and will tidy that end of town up and he agrees with Councillor Benney that if something is not done with the application site then it will end up being a blot on the landscape if something is not done with it very soon. Councillor Marks also reiterated the point that Fenland is also short of houses and homes for young people to afford to live.
- Councillor Sennitt Clough added that she did have concerns over the floor space but the application before the committee needs to be determined and, in her view, the good far outweighs the harm and she will support the proposal.
- David Rowen stated that planning is an evidential process and part of the problem with this application from an officer's perspective is that the lack of evidence which has been provided to officers. He explained that it has been stated during the agent's presentation that the building has been marketed, but nothing has been submitted as part of the application. David Rowen added that members have debated the issue of two flats as opposed to three but there has been no information submitted and, in his view, officers are working in the dark and to a degree the committee are as well. He stated that speculation about the condition of the building and what may or may not happen to it in the future is not material to the determination of the application and the building has only been vacant for a year and does not appear to be in any sort of structural disrepair. David Rowen made the point that given the evidence that policy requires which would justify the lessening of the space standards then ultimately it might have led to a different officer's recommendation.
- David Rowen stated that with regards to comparisons made to other sites, applications are dealt with on a case-by-case basis, and added that reference has been made to Orange Grove in Wisbech from 2019 which was a vacant site within a Conservation Area and weight was given to developing what was an eyesore. He added that members have also referred to the size of homeless accommodation in Wisbech and explained that the containers were very much units which were for people whose only option was to live on the streets, and they were interim accommodation as opposed to potentially longer-term accommodation as the application before the committee today. David Rowen expressed the view that there are distinct differences between the current application and some of the other cases that have been highlighted, making the point that there has been no evidence provided to support a lot of the issues that have been raised by members as justification for granting the application.
- Councillor Benney stated that he understands the points made by David Rowen as officers are guided by the Local Plan and the National Planning Policy Framework, however, he added that the committee are in place to look at the overall proposal and to consider the community benefit in parts of this which is the softer side of planning. He added that he fully understands the decision which officers have made with the application, but whilst he appreciates that there are policies, there also has to be an element of common sense and there is compassion within planning and this is the compassion being considered in this case where the building can be saved from going into disrepair and from being a blot on the landscape.

**Proposed by Councillor Benney, seconded by Councillor Sennitt Clough and agreed that**

**the application be GRANTED against officer's recommendation, with authority delegated to officers to apply conditions.**

Members do not support officer's recommendation of refusal of planning permission as they feel by bringing the building back into use there will be a community benefit and it will provide much needed housing and the National Space Standards are only a guideline, and other applications have been approved previously which are smaller, with the Council having a duty to provide housing.

*(All members present declared that the applicant is a fellow councillor, but they do not socialise with him and will consider the application with an open mind)*

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

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

*(Councillor Purser declared that the agent is undertaking work for him, but he is not pre-determined and will consider the application with an open mind)*

**P10/25**

**F/YR25/0156/F**

**SHARMAN FABRICATIONS, GAUL FARM, GAUL ROAD, MARCH**  
**ERECT 1 X SELF-BUILD/CUSTOM BUILD DWELLING AND ERECT 1 X STORAGE**  
**SHED INVOLVING DEMOLITION OF EXISTING SHED AND STABLE (B2)**

Alan Davies presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the agent. Mr Hall explained that the proposal at the site is for a shed to expand the existing business and an occupational on-site dwelling, which is not a separate residential dwelling but is a dwelling tied to the existing business which has been at the current location since 2004. He stated that originally the business was located off of Gaul Road at a Council depot which was sold and the business relocated to its current site, being a fabrication business which makes and repairs various steelwork products which are predominantly play equipment, gates and structural steelwork and the business also works with local businesses to carry out repairs to vans, lorries and trailers.

Mr Hall made the point that out of hours working does take place and on HGV repairs and trailers which can often be an emergency repair at any time, with the work being usually UK based for the play equipment, structural steelwork and gates with the occasional component sent abroad. He explained that the HGV and trailer repair work is generally local work for local businesses.

Mr Hall stated that the application is for an occupational dwelling tied to the existing building and they wish to remain at the same location as it is established at this site rather than move the entire business which is why other sites have not been looked at. He made the point that there are no technical objections and no local objections to the application and there has been support from local businesses including Fen View Motors, Rutterford Construction and Griffin Roses.

Mr Hall referred to the presentation screen and highlighted the application site which is located on the edge of the bypass along with an application he was involved with in 2013 which was for a dwelling in conjunction with an existing HGV repair business which has been built out and is located in Flood Zone 3. He explained that there is also a site on the map which was approved in

2020 by the committee and the agent for the application had advised members that it was for persons to live on site in conjunction with the existing business and that was also located in Flood Zone 3.

Mr Hall referred to the screen and stated that the site located at the south of the map was given approval by officers in 2024 and was for an occupational dwelling in conjunction with the existing rose business. He explained that all of the areas that he has highlighted to members are located on the fringes of the bypass and added that there are no objections to the application and the business wishes to expand further by introducing the shed and also to allow a person to live on the site as an occupational dwelling rather than off site and to allow an office on the site.

Mr Hall expressed the opinion that the dwelling will help to secure the business by allowing persons to live on the site as well as out of hours working including emergency call outs which is carried out at the moment.

Members asked Mr Hall the following questions:

- Councillor Sennitt Clough questioned why it was now felt necessary to build a dwelling considering that the business has been on site for twenty-one years? Mr Hall explained that there are three family members working for the business, Mr George Sharman who started the business is future proofing his business in order that one of his sons can live on the site.
- Councillor Gerstner asked for confirmation that one of the employees of the business will be looking to live on the site? Mr Hall confirmed that it will be one of the sons who will reside in the dwelling and is employed by the business.

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

- Councillor Sennitt Clough stated that she can see the need for one of the family members to live on the site and she would like to think that the Council supports local businesses. She made the point that throughout Fenland there are properties which are located in isolation, however, she stated that she does have questions with regards to this self-build custom design and whether or not there are any restrictions associated with that.
- Councillor Benney stated that he would like to have seen something included in the application which demonstrates that there is a need on site, there is already a workshop on the site and if there is another workshop then that means that there is going to be more work coming. He added that workplace homes have been passed previously for people who are out in the countryside and this application is located on the other side of the March bypass, with the committee having considered applications in the past and the issue of rural security which is a very valid reason for anybody who has a business and the need for having somebody residing on the site is there. Councillor Benney questioned whether it is a self-build property and added that the building needs to be tied in some way to the business and although the workshop shed is being erected there have been previous applications where there was no justification, and the committee just took the proposal at face value. He questioned whether the business is a genuine family March business which is expanding as there is no evidence to support that fact and he would be happy to support the application if the missing information could be provided.
- Councillor Mrs French confirmed that it is a genuine business and has been in existence and operating for 21 years. She added that she has not seen the sequential test and she would like to see further information so would be happy to see the application deferred for further information.
- Councillor Marks stated that he agrees, and he would also like to see the application deferred as there is not enough information included with the application to make a decision.
- Councillor Purser stated that he totally disagrees with the statement made earlier that the application is an out of character development. He added that he knows some of the family members although he has not seen them for many years and he added that they are a very hardworking family. Councillor Purser added that there have been other applications

approved previously where security has been one of the reasons members have passed applications, with, in his view, it being very important to have a dwelling on site and he will be supporting the application.

- Councillor Marks added that the committee have approved an application in New Road at the Flying Club where livestock were also on the site.
- Councillor Gertsner stated that there have been several applications similar to the current proposal and to be consistent, he believes that further information would have been beneficial, but feels that the applicant has put forward a strong enough case.
- Councillor Benney stated that he does not know the business but if this is a genuine business and you want to erect a shed which is double the size then that could mean that the business could be at risk of more thefts. He added that by having a dwelling on site it will help as a deterrent and with regards to the sequential test there is already a business on the site and, in his view, it is an application with need and a deferment for further information to be provided to the committee would be the best course of action. Councillor Benney added that it is not a self-build, and, in his view, it is a workplace home that should have justification, however, there is not enough information which has been provided to the committee for them to make a decision.
- Councillor Marks asked Councillor Benney whether he was proposing a deferment. Councillor Benney stated that he would like to see the application deferred in order for further information to be provided to enable the committee to decide whether it is a proper business. He added that the application at Wisbech St Mary did not require any financial information, but some further information would provide the committee with some assurance that they are making the correct decision as at the current time there is nothing to support the application.
- Councillor Mrs French added that there is no such thing as a policy for workplace homes as it was removed in 2009.
- David Rowen stated that in the design and access statement there is no mention at all of the issue of security or any evidence to support that concern but the issue of whether the business is genuine or whether the employees are hardworking is not a material planning consideration. He explained that there is no real information contained as part of the application which sets out why a dwelling is required on site, why somebody needs to live on site and why it is essential that somebody lives on site. David Rowen added the application does not contain any details with regards to how the building has operated for 20 years and why it is now necessary to have a dwelling and it does not contain any information with regards to the financial viability of the business. He made the point that effectively officers and the committee are determining an application with minimal details and added that, whilst the committee may have made similar decisions elsewhere, there are examples of dwellings that have been granted tied to businesses but applications need to be considered on a case by case basis given that the ethos behind this area of planning is to respond to the needs of the specific business. David Rowen expressed the opinion that the application before the committee has very limited information on which to base any kind of positive decision.
- Councillor Mrs French agreed that there is a lack of information, and she stated that the committee approved an application which was recommended for refusal and at that time the applicant was present at the committee and was able to respond to members questions. She added that in this case it is a shame that the applicant is not present to answer members questions, and she would like to see the application deferred.
- Councillor Benney stated that in terms of security he feels that the application could be supported, and he added that he agrees with Councillor Purser that the application is not a blot on the landscape and the applicant is looking to expand his business. He added that he would like to see some kind of information around the business, including a business plan which shows that they are going to expand the business with the extra shed. Councillor Benney explained that the way the business operates does mean that by living on the premises they would be able to respond to the customer's needs, and due to the nature of the business you would not want to see it located next to a house or in the middle of a

housing estate. He added that it is in the right place if the criteria around it is correct which is why he would like to see further information.

- David Rowen stated that an economy statement has been submitted as part of the application which does indicate that there will be no additional jobs created as part of the proposal. He added that there have been other instances where the committee have made decisions due to lack of information being submitted as part of the application process and ultimately it is the responsibility of the agent or applicant to provide that information. David Rowen added that he does have concerns that the committee are effectively giving applications that are lacking in information a second chance rather than incentivizing people to get it right the first time with the information.
- Councillor Mrs French stated that there are several dykes and ditches near the application site, and she attended a March Third Internal Drainage Board which is the drainage board for this area and, therefore, she does have concerns.
- Councillor Mrs French stated that the committee are asking for additional information, the application submitted is not incomplete but requires additional information and the committee are justified to defer the application if they want to.
- Councillor Benney stated that it would be very difficult to put every single possibility of information in an application as it does cost money and sometimes officers approve applications where some of the information provided is not required, however, it has cost the applicant money to obtain it. He questioned how much information an applicant has to pay for to satisfy every aspect of the application form and he suggested that maybe feedback be provided to applicants before an application comes before the committee, which could alleviate some of those issues.
- Councillor Marks stated that the extra information will help him to inform his decision.
- David Rowen stated that planning policy is quite clear on the tests which need to be undertaken to demonstrate that such a dwelling is acceptable and that is set out in the Local Plan and the NPPF. He added that this is not a new issue, or a new area of legislation and the tests have been established for quite some time and because of that it really is incumbent on agents and their applicants to submit the relevant information. David Rowen explained that the information provided does not comply with any of the policy boxes and, in his view, it does need highlighting.

**Proposed by Councillor Benney, seconded by Councillor Mrs French and agreed that the application be DEFERRED for further information to be provided to demonstrate the operating model of the business, including details of the expansion, to prove that the business is viable and to substantiate the need for the dwelling on the site including evidence to prove that the employees listed as working there actually do.**

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

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

*(Councillor Purser declared that he knows of the applicants and the agent is undertaking work for him, but he is not pre-determined and will consider the application with an open mind)*

**P11/25**

**F/YR25/0260/F**

**7 WEST PARK STREET, CHATTERIS**

**ERECT A SINGLE-STOREY REAR EXTENSION INVOLVING DEMOLITION OF EXISTING CONSERVATORY**

**F/YR25/0261/LB**

**7 WEST PARK STREET, CHATTERIS**

**EXTERNAL AND INTERNAL WORKS TO A LISTED BUILDING: SINGLE STOREY REAR EXTENSION INVOLVING DEMOLITION OF EXISTING CONSERVATORY, INSTALLATION OF NEW GATES AND AIR SOURCE HEAT PUMP TO SIDE OF DWELLING AND REPLACEMENT OF EXISTING SASH WINDOWS WITH NEW TIMBER SASH WINDOWS**

Alan Davies presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Duncan and Sarah Worsley, the applicants. Mrs Worsley stated that the applications are similar to previous applications which have been made in 2024 which were due to come before the committee, however, due to some confusion the 2024 applications were declined in March 2025. She explained that in July 2024 she met with Sam Falco, the Conservation Officer, with the principles of the extension being discussed as well as reviewing the historic fabric of the house and various options were discussed with an extension on the left-hand side being discarded due to the requirements to leave a one metre gap between the neighbour's extension and a lack of natural light in that area.

Mrs Worsley explained that at that time everyone's preferred option is what has formed the application and is on the right-hand side of the house, with the current applications including more historic fabric being retained such as keeping the existing door in its current location and a smaller opening created into the new kitchen area. She explained that there are no local objections to the scheme from people who live close to the proposed extension and alterations and Chatteris Town Council have not objected to the proposal.

Mrs Worsley referred to the presentation screen which shows the scullery, and she added that the Conservation Officer report of 25 April 2025 states that the room has not had a 20<sup>th</sup> century makeover yet. She explained that the ground floor shower room was approved by the Council and two thirds of the space was converted into a ground floor shower room back into 2016 and the work was completed, with the remains of the scullery no longer being fit for purpose, it is a damp dark space accessed via the shower room and it is not currently being used to the full benefit of the house due to its distance from the current kitchen.

Mrs Worsley explained that it has a modern portioned wall which splits the existing sash window and the window into the scullery bathroom cannot open. She explained that the next slide outlines the front elevation and that the extension will not be seen from the street and the rear elevation which demonstrates a mismatch of materials containing a mixture of brickwork, plastic casement windows and a poorly constructed conservatory and all of these aspects will be significantly improved by the proposed extension with the brickwork being repaired, windows replaced with in keeping sash timber windows and the conservatory will be removed.

Mrs Worsley explained that the next slide shows the proximity of the neighbours extension at 9 West Park Street which was approved in May 2022. She made the point that with the position of existing services and making better use of the existing floor plan, the proposed extension works appear to work better on the right-hand side of the rear elevation.

Mrs Worsley explained that the next slide depicts a street sketch view which shows how the proposed extension will be viewed when walking south along West Park Street and, in her opinion, with existing fencing and vegetation to the front of 5 West Park Street the impact will be minimal, and views of the rear garage block and the old dove cote will still be maintained. She made the point that the proposed extension will be flat roofed and the existing stained-glass window at the stair landing will be retained.

Mrs Worsley explained that a simple coping stone to the parapet will run around the extension and will offer a sympathetic detail and with brickwork chosen to match the existing brickwork on the



main dwelling. She explained that a sympathetic roof lantern will provide additional light into the new space, and the proposed extension and alterations will be sympathetic to the house and will improve the existing dwelling which will provide accommodation fit for a modern family and offer a positive addition to the Listed Building which will be of public benefit when viewed from West Park Street.

Mrs Worsley made reference to section 10 of the officer's report where it states that the single storey extension would result in lesser substantial harm to the significance of the Listed Building and its setting, adding that there is a small section of the existing fabric which is being removed, however, in her view, that must be viewed against the wider benefit of adapting the house to modern living standards. She stated that she does not believe that this has a significant detrimental impact on the Listed Building and asking members to consider the benefits of the scheme along with the largely supporting nature of the Planning Officer's comments and go against the Conservation Officer's recommendations, with the scheme being a sustainable development and according with the development plan as a whole.

Members asked Mr and Mrs Worsley the following questions:

- Councillor Marks stated that Mrs Worsley had referred to 'everyone' being in agreement and asked whether that included the Conservation Officer? Mr Worsley stated that it did. Councillor Marks asked why they think that the Conservation Officer has now changed their mind? Mr Worsley stated that he believes that the next-door neighbours' extension is somewhat out of keeping and he believes that the Conservation Officer wants them to hide it and that is the only reason that they can think of which would make the officer change his mind.
- Councillor Marks asked what the plans are for the scullery and will it be removed or are there plans to reuse it? Mr Worsley explained that the floor in the shower room is above the scullery floor and the floor will be kept and the scullery will be turned into a kitchen. He added that they had proposed to have a drop down to the kitchen to keep it, but the proposal now is to use the brick that will be removed. Mr Worsley stated that it will be fixed as best as it can be and the modern PVC windows will be taken out and replaced with wooden sash windows and, therefore, that side of the house would be restored whilst perhaps doing a small bit of damage to the other side.
- Councillor Benney stated that some people purchase Listed Buildings without knowing what type of property they are taking on and there are other people who purchase Listed Buildings because they like that type of property and they are aware of the additional excessive costs which are associated with that type of property. He added that residents who own Listed Buildings appreciate the value of having a Listed Building or a building with historic value to it, with the applicants changing the brickwork and recycling the brickwork which is being removed. Councillor Benney asked Mr and Mrs Worsley whether they have owned a Listed Building before, and did they realise what they were purchasing or was it purchased as a project with a view to reinvigorate the house when it was purchased? Mr Worsley explained that it is the first Listed Building which they have owned and initially it was not the plan to buy it to add an extension onto it. He made the point that they fell in love with the property, and they like the area which is why they moved and then they considered what they wanted to do with the property by involving their agents who instructed an architect. Mr Worsley explained that they then engaged with the Conservation Officer to gain an understanding of what would be deemed acceptable, and they decided that they would only undertake what works they were allowed to do. He stated that the conservatory is ugly, and they want to have it removed and they wish to keep as much character of the dwelling as possible including the fixing of the scarring and replacement of the windows. Mr Worsley explained that he is looking to restore as much as they can and the scullery is a downstairs bathroom at the moment which is not required as they already have two bathrooms upstairs at the moment and it was added before for an elderly lady who could no longer use the stairs. He stated that consideration has been given with regards to what could be done with that room as it is only usable as it is at the current time as a bathroom

and, therefore, they have decided that it could be used as a larger dining area and kitchen and build an extension out. Mr Worsley added that there was never the intention to rip a Listed Building down and the plan was to restore it as best as possible and try to make use of it as a modern family, especially when nobody has a useable scullery anymore. Mrs Worsley stated that it is their first Listed Building, but they have owned old properties before and have undertaken painting before but not large extensions. She added that they love their home but just want to make it more usable and the current kitchen will be changed into a utility room, with it currently being a very dark kitchen requiring the lights to be on most of the time. Mrs Worsley stated that to build a bigger darker extension there was discussed with the architect and the Conservation Officer but it was seen to be impractical by extending an already dark room into an even darker room.

- Councillor Sennitt Clough asked for confirmation that as applicants they have undertaken the right course of action and have sought advice as well as having a site visit with the Conservation Officer before receiving an officer recommendation of refusal. Mr Worsley stated that is correct and clarified that the officer recommendation was for refusal and was due to come to planning committee, however, it was his understanding that the Chairman wished to undertake a site visit but was unable to do so and because of that the application went to default refusal which cannot be undone and he added that as a result the application has had to be resubmitted.

Members asked officers the following questions:

- Councillor Mrs French referred to the officer's report where it refers to Government planning guarantee, and asked officers to explain what that statement means? She added that she would also like an explanation with regards to the application being refused on the 12 March 2025, however, a period has lapsed, and the application is back before the committee. David Rowen explained that the Government planning guarantee now appears on the majority of committee reports as a response to the issues of 12 months ago and the proximity of designation that the Council was facing in terms of performance on planning applications. He added that with regards to applications that come before the committee that are either due to expire or where the Council are due to give the fee back, the statement is provided for information purposes for members. He stated that with regards to the previous applications which were refused back in March, they were determined entirely in accordance with the scheme of delegation at the time, with one being determined as a straightforward delegated decision and the other was referred to the Chairman and then ultimately determined through the correct paths. David Rowen explained that in terms of the applications coming to committee there was never a guarantee of that happening and they were determined entirely in accordance with the scheme of delegation. He added that now the applications have been returned within a number of weeks and one of the changes is that there are now six letters of support which triggers the applications coming to the planning committee under the scheme of delegation.
- Councillor Mrs French stated that if officers refused the applications that should have been the end of the matter, and she questioned why the applications have come back to the committee ten weeks later. David Rowen stated that a further applications have been submitted, and it has been progressed and due to the scheme of delegation and the fact that there are six letters of support it has to be determined in front of the committee.
- Councillor Mrs French stated that she finds that explanation quite surprising, making the point that the first application determined this afternoon took 5 years to come before the committee due to the significant amount of information involved and questioned how an application can be submitted for the exact same thing and be brought before the committee within such a brief period, having been refused on 12 March. David Rowen stated that the theory the application is a house extension which as members are aware officers have 8 weeks to determine and the application which took 5 years was an application for sixteen dwellings with a number of technical issues and there is no comparison.

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

- Councillor Benney stated that has been in the yard of the property previously as he knew somebody who used to own it, with front in the Conservation Area being a lovely building, and worthy of conservation and keeping in good order, however, the back of the property is, in his view, a mess. He made the point that the applicants wish to remove the conservatory and replace it with a modern room and in doing so they will reuse the bricks to change the awful bricks which have been used and he assumes that they will use lime and plaster so that it all fits back in and if it is done nicely that is how conservation should be done. Councillor Benney stated that it is going to change the property from the street scene but it is at the back of the house and although it can be seen it is a very minor part and there is nothing to say that it is not going to enhance the street scene. He added that it is dependent on whether it is seen as a positive change, referring to the presentation screen and expressing the view that he can see nothing wrong with the proposal. Councillor Benney expressed the opinion that the building does have protection and does have historic use to it but people do need to reside here and when considering public benefit there are two members of the public who live there and they should be able to have a modern house within a Listed Building, with this being a case of where conservation and a modern building go hand in hand. He stated that you read architecture, with the old building being at the front and you read the back of that building and in 50 years' time you should not be able to tell from the style of the architecture when the changes were undertaken. Councillor Benney referred to a building in Doddington where there is an old building with a contemporary part on the back and that is a lovely building as it the house before the committee. He added that you can tie a Listed Building and put it into a modern context for a modern home and that is what the application does. Councillor Benney explained that some of the back wall is being repaired, and the bricks are being recycled into the fabric of the building. He reiterated that people need to live in the dwelling and the public benefit should be that the people who live there actually end up with a genuinely nice house to live in and not have restraints forced on them by planning applications and planning policy which is more concerned with bricks than it is with people. Councillor Benney expressed the view that this application is a good application, and the changes will enhance the building. He referred to the architecture at the front of the building including the soffits and other features and made the point that those are the things that should be conserved, to take some bricks out of a wall and cover them up with a conservatory should not be seen as detrimental to damaging the fabric of the building, in his opinion, and it is enhancing the building so that in 50 years' time someone will read the architecture of the building. Councillor Benney stated that he sees nothing wrong with the application whatsoever.
- Councillor Mrs French referred to the presentation screen and expressed the view that she finds the conservatory to be appalling. She made the point that she is more concerned with the neighbours and questioned whether the extension at the neighbouring property received planning permission or was it permitted development. Councillor Mrs French asked whether the house next door is Listed, and officer confirmed that it was not Listed. She added that if the house next door obtained planning permission it detracts from a Listed Building and, in her view, it should be looked at as well.
- Councillor Sennitt Clough stated that she concurs with the points made by Councillors Benney and Mrs French, and added that the applicants have abided by the rules, sought advice and did everything that they could, and it was refused. She added that she now sees an opportunity like other members have suggested to put things right.
- Councillor Benney stated that this makes a mockery of the earlier application with regards to the setting of a Listed Building. He added that, in this case, the extension is located right next door to a Listed Building and questioned where is the consistency because that is the setting of a Listed Building and he questioned whether it enhances the Listed Building which is being looked at because he does not think so. Councillor Benney made the point that the people who purchased the house knew the extension next door was in place and are content with it and the residents who built the extension are happy with it. He questioned how the extension can be passed and agreed that as it is within the setting of a Listed Building it does not work in his view. He added that he knows each application must be

considered on its own merits, but it is very subjective.

- Councillor Marks stated that he agrees with Councillor Benney with the point he made concerning the house in Doddington where the new element and the old really does work together. He added that whatever works are undertaken on this house by taking down the plastic conservatory and adding something nicer it will all match in over a period of time and he cannot see any reason not to support the applications.
- Councillor Purser referred to the adjacent property and added that it is not known whether the house has received planning permission for their extension.
- David Rowen stated that planning permission was granted for the house next door, and he made the point that each application has to be considered on its own merits and each Listed Building has its own setting, and the setting of this Listed Building is very much a residential environment where you would expect buildings in close proximity to one another. He added that some of the criticism of that decision from members is somewhat unjustified. David Rowen stated that with regards to improving the Listed Building there are improvements proposed which the Conservation Officer does support, and he added that the removal of the conservatory and the replacement of the brickwork could actually be done without necessarily needing the extension of the building. He explained that the loss of the historic fabric of the building in terms of the creation of the extension is what the reason for refusal is based on, it is nothing to do with the street scene or front elevation, it is the loss of his historic fabric through the removal of the scullery and through the internal works to create that area. David Rowen referred to the earlier application in relation to a Listed Building and the issue of giving special regard to preserving a Listed Building or a setting, he explained that consideration is being given to works to the fabric of the Listed Building which would, in the view of officers, detrimentally impact upon the historic significance of that building through the loss of that historic fabric and that is the issue. He stated that in terms of public benefit there is no wider public benefit and whilst he appreciates that applicants may get a slightly better standard of living accommodation that is not a public benefit it is a private benefit to those individuals.
- The Legal Officer stated that he wished to remind members that the Planning Code of Conduct requires a development which has been previously refused and if a member wishes to propose approval then that members must explain the change in planning circumstances. He added that as there was a refusal in March 2025 then it is incumbent on the member who proposes approval to explain the change in circumstances and the fact that the previous decision was under officer delegation is not a change in circumstances.
- Councillor Mrs French asked whether the original extension had planning permission? David Rowen stated that as far as he is aware that predates any planning requirements.
- Councillor Mrs French stated that she has considered what the Legal Officer has stated and she cannot come up with the justification to go against the officer's recommendation.
- Councillor Benney stated the issues need to be addressed with regards to what the difference is and he agrees with Councillor Mrs French to a certain extent, but he has not looked at the previous application to see what the differences are and, therefore, if there is not a significant difference then that is down to the agent not undertaking their role correctly. He added that the agent should know that there has to be significant changes so that members do not go against their own code of conduct. Councillor Benney added that he does not know what the previous application was to be able to say what is different.
- David Rowen explained that the at paragraph 9.2 of the report it states that the amendments made to the current submission include reducing the opening in the kitchen and the retention of the existing rear door from the hallway which are quite minor changes in the overall scheme.
- Councillor Benney stated that if it was a like for like application then it would have to be refused but by reducing an opening is a change.
- The Legal Officer stated that the Code of Conduct requires a member to point out what significant change in planning circumstances justifies approval.
- Councillor Benney stated that if the committee feel that the change at the opening is significant enough then in their view it is, however, it comes down to how people define

significant. He expressed the view he feels it is significant enough of a change to grant approval.

- The Legal Officer stated that the Code does not define what is significant and it is a matter for members to determine provided that they act rationally and if members decide that something is significant then that is down to them.
- David Rowen referred to the presentation screen and indicated to members that the doorway which is proposed was originally going to be a double door and it is now going to be a single door and that is the only change.
- Councillor Marks stated that this is changing the fabric of the building which is the old building. Alan Davies stated that is correct as it is the historic fabric which forms part of the rear elevation.
- Councillor Mrs French stated that the discussion appears to be focussing on what and what is not significant, and, in her view, she does not think that it is a significant change to warrant an approval. She added that it is a shame, but it is a Listed Building, and she does not feel that the changes are significant.
- Councillor Sennitt Clough stated that she feels that the changes that are proposed bring with them the potential for long term sustainability of the building and there is no damage to the structural integrity, and it creates resilience to the building and is reversable. She added that for those reasons she will support the application.

#### **F/YR25/0260/F**

Proposed by Councillor Mrs French to agree the officer's recommendation but no seconder was forthcoming.

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

#### **F/YR25/0261/LB**

Proposed by Councillor Mrs French, seconded by Councillor Gerstner to agree the officer's recommendation, which was not supported on a vote by members.

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

Members do not support officer's recommendation of refusal of planning permission as they feel that the changes made in making the opening smaller are significant enough to be different to a previous refusal making this a different application and the removal of the conservatory, reuse of the bricks and replacement of the windows to be more in keeping will enhance the Listed Building, bring benefit to the building and will not have a detrimental effect.

*(Councillor Benney 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 meetings of Chatteris Town Council but takes no part in planning)*

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**F/YR23/0648/F**

**Applicant: Mr Brent Warner  
Postland Developments**

**Agent : Mr Gordon Smith  
Matrix Planning Ltd**

**Land South Of 127-141, Coates Road, Coates, Cambridgeshire**

**Hybrid application: Full planning permission to erect 18 x dwellings (2 x single-storey 2-bed, 1 x 2-storey 2-bed, 2 x single-storey 3-bed, 4 x 3-storey 3-bed, 7 x 2-storey 4-bed 1 x 2-storey 6-bed and 1 x 3-storey 6-bed) including 2 x self-build dwellings and the formation of 3 x accesses and a pedestrian footpath. Outline application with matters committed in respect of access to erect 2 x self-build dwellings**

**Officer recommendation: Grant**

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

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## **1 EXECUTIVE SUMMARY**

- 1.1. The proposal is a hybrid application with full planning permission sought for the erection of 18no. dwellings. The outline element is for the erection of 2no. self-build dwellings with access the only matter committed.
- 1.2. The application is considered to be acceptable in principle by virtue of an extant outline planning permission on site, granted under F/YR20/0441/O for the same quantum of development proposed under this application.
- 1.3. The detailed scheme as submitted is considered to be acceptable in terms of its character and appearance, amenity impact, flood risk and drainage, and highway safety impact; with no objections received from statutory consultees on these grounds.
- 1.4. The objections received from Natural England in respect of insufficient information to determine the impact on protected sites. However, regard has been given to the extant permission on site that could be built out without the submission of further information in this regard. As such, it is considered in terms of the planning balance that the proposal is acceptable in this regard, when having regard to these material considerations.
- 1.5. Whilst the applicant is unable to meet the financial contributions requested as part of the consultation process of this application due to a demonstrated lack of viability, it is considered that the proposal provides sufficient contributions to mitigate against its impacts on healthcare, education and affordable housing, in exceeding the position applied by the LPA to applications submitted prior to November 2024 in requesting a contribution of £2,000 per plot.
- 1.6. As such, in the overall planning balance, it is considered that the proposal is acceptable in planning terms and is accordingly recommended for approval, subject to conditions and the completion of the necessary legal agreement.

## 2 SITE DESCRIPTION

- 2.1. The application site is located at Land South of 127-141 Coates Road in Coates. The site comprises an agricultural field measuring approximately 1.18 hectares in size.
- 2.2. The site is currently screened from Coates Road due to the presence of an established hedgerow that runs along the frontage of the site.
- 2.3. The site is situated on the eastern end of the built form of the settlement of Coates but is also in close proximity to the settlement of Eastrea. There is residential development located to the north and east of the site, with undeveloped agricultural fields to the west and south of the site.
- 2.4. The site falls within Flood Zone 1, meaning that it is at low risk of flooding, and is also at very low risk of surface water flooding.

## 3 PROPOSAL

- 3.1. The proposal is a hybrid application with full planning permission sought for the erection of 18no. dwellings. The outline element is for the erection of 2no. self-build dwellings with access the only matter committed.
- 3.2. The housing mix proposed in the full element is as follows:
  - 2 x single-storey, 2-bed
  - 1 x two-storey, 2-bed
  - 2 x single-storey, 3-bed
  - 4 x three-storey, 3-bed
  - 7 x two-storey, 4-bed
  - 1 x two-storey, 6-bed
  - 1 x three-storey, 6-bed
- 3.3. The proposal includes the creation of 3no. access points and a pedestrian footpath along Coates Road.
- 3.4. Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

## 4 SITE PLANNING HISTORY

F/YR18/0405/O	Erection of up to 21no. dwellings (outline application with all matters reserved)	Refused 25.10.18
F/YR20/0441/O	Erect up to 20no. dwellings (outline application with all matters reserved) including 4no. self-build dwellings	Granted 04.10.24

## 5 CONSULTATIONS

### 5.1. Lead Local Flood Authority – 25.02.25

No objection in principle to the proposed development, subject to conditions to secure the following:



- Detailed Surface Water Drainage Scheme
- Scheme for managing surface water run-off during construction

**5.2. Natural England – 06.09.24**

Insufficient information submitted in respect of the Nene Washes SPA and Ouse Washes SPA Functional Land IRZ, particularly in relation to geese and swans.

Natural England object on this basis.

**5.3. East of England Ambulance Service – 04.07.24**

No objection subject to contribution of £6,540 towards the Ambulance Service

**5.4. Whittlesey Town Council – 30.08.23**

*The Town Council recommend refusal under policy LP12 purely because we wish to retain the green space instead of it being developed.*

**5.5. CCC Highways – 11.06.24**

Following the submission of information in relation to the width of the junction at 5m, the Highway Authority have no objections subject to conditions securing the following:

- Highways drainage to prevent surface water run-off
- The provision of off-site highway works in terms of the provision of a footpath along the frontage of the site

**5.6. Designing out Crime – 11.06.24**

No objections. Would welcome conditions relating to:

- External lighting plan
- Plans of cycle sheds
- Fencing/Boundary Treatments

**5.7. Environmental Health – 22.08.23**

No objection subject to condition securing submission of Construction Environment Management Plan (CEMP) and unexpected contamination condition.

**5.8. Anglian Water - 06.06.24**

No objection

**5.9. Cambs Fire Service – 03.06.24**

No objection subject to Section 106 obligation or condition securing adequate provision of fire hydrants.

**5.10. CCC Archaeology – 29.05.24**

No objection subject to condition securing protection and enhancement of the Whitecross Stone.

**5.11. FDC Tree Officer – 16.10.23**

No objection

#### **5.12. CCC Education – 01.09.23**

The following S106 contributions should be secured:

- Early Years Provision: £43,548
- Primary Provision: £174,192
- Secondary Provision: £131,830

#### **5.13. NHS England – 30.08.23**

S106 contribution of £14,783.92 required.

#### **5.14. FDC Housing – 16.08.23**

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

*Since this planning application proposes the provision of 20 number of dwellings, our policy seeks to secure a contribution of 25% affordable housing which equates to 5 affordable dwellings in this instance. Based on the provision of 20% affordable housing 4 affordable dwellings would be required in this instance.*

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

*If the applicant chooses to provide a financial contribution rather than seek an 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 policy and as follows:*

- *The applicant should submit the necessary open market values of homes which would otherwise have been affordable housing to FDC.*
- *FDC will assume that RPs would usually pay 55% of OMV for a rented dwelling and 65% of OMV for a shared ownership dwelling.*
- *FDC will assume that 70% of all affordable homes will be rented tenure and 30% will be shared ownership tenure.*

#### **5.15. Local Residents/Interested Parties**

##### **Objectors**

A total of 16 letters of objection were received from residents of Coates, Eastrea and Whittlesey on the application, with the nearest representations received from Coates Road & Minuet Paddocks. The following points were raised:

- Loss of defined boundary between Coates and Eastrea
- 3-storey dwellings out of keeping
- Loss of wildlife habitat
- Local services and facilities inadequate to accommodate new development
- Creation of 3no. access points excessive

- Highway network inadequate
- Overlooking from 3-storey properties fronting onto Coates Road
- Disturbance on properties opposite from headlights at access
- Inadequate pedestrian facilities
- Noise and pollution disturbance
- Phase 1 development (Minuet Paddocks) not complete
- Poor drainage

### **Supporters**

A total of 10 letters of support were received from residents of Coates, Eastrea and Whittlesey on the application, raising the following points:

- Development reflects local housing needs
- Good landscaping scheme and informal open space
- First phase of Postland Development housing on Minuet Paddocks completed to high standard
- General plot and amenity space
- Creation of new habitats

### **Representations**

A total of 2 letters of representation were received on the application, raising the following points:

- The site is in Eastrea, Not Coates
- Another application in Coates for 3no. dwellings was refused as village threshold was exceeded

## **6 STATUTORY DUTY**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the Whittlesey Neighbourhood Plan (2023).

## **7 POLICY FRAMEWORK**

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

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

Chapter 16 - Conserving and enhancing the historic environment

Chapter 17 – Facilitating the sustainable use of minerals

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

Determining a Planning Application

## **National Design Guide 2021**

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

## **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

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

LP18 – The Historic Environment

LP19 – The Natural Environment

## **Whittlesey Neighbourhood Plan 2021-2040**

Policy 1 – Spatial Planning

Policy 2 – Local Housing Need

Policy 7 – Design Quality

Policy 9 – Coalescence of Villages

Policy 10 – Delivering Sustainable Transport

Policy 11 – Adapting to and Mitigating Climate Change

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

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

## **Developer Contributions SPD 2015**

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

### **Emerging Local Plan**

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

LP1: Settlement Hierarchy

LP2: Spatial Strategy for the Location of Residential Development

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP12: Meeting Housing Needs

LP13: Custom and Self Build  
 LP18: Development in the Countryside  
 LP20: Accessibility and Transport  
 LP22: Parking Provision  
 LP23: Historic Environment  
 LP24: Natural Environment  
 LP25: Biodiversity Net Gain  
 LP27: Trees and Planting  
 LP28: Landscape  
 LP31: Open Space and Recreational Facilities  
 LP32: Flood and Water Management

## 8 KEY ISSUES

- **Principle of Development**
- **Character and appearance**
- **Amenity Impact**
- **Landscape and Ecology**
- **Parking Provision and Highway Safety**
- **Flood Risk and Drainage**
- **Viability/Section 106 Contributions**
- **Biodiversity Net Gain (BNG)**

## 9 BACKGROUND

- 9.1. The site currently benefits from extant planning permission granted under F/YR20/0442/O, which sought outline permission for the erection of 20no. dwellings, with permission granted on the 4<sup>th</sup> of October 2024 following the completion of a legal agreement.

## 10 ASSESSMENT

### **Principle of Development**

- 10.1. The application site is located adjacent to the settlement of Coates, which is defined as a Limited Growth Village in the Fenland Local Plan under Policy LP3. This Policy states that for 'Limited Growth Villages', a small amount of development and service provision will be encouraged and permitted, and that such development may be appropriate as a small village extension. As such, there is a degree of support for the proposals in accordance with Local Planning Policy LP3 of the Fenland Local Plan (2014).
- 10.2. Further, as stated in paragraph 9.1 of this report, the application site benefits from extant outline planning permission for the erection of 20no. dwellings, thereby establishing the principle of the residential development of the site.
- 10.3. Given that the outline consent is extant and could be built out, subject to the approval of an acceptable Reserved Matters scheme, the principle of development is considered to be acceptable in this instance.

### **Housing Mix**

- 10.4. The proposed housing mix is as follows:

House Size	Number
2 bed bungalows	3

3 bed houses	6
4 bed houses	7
5/6 bed houses	2
Not yet known (Plots 4 & 5 are in outline)	2
	<b>20 total</b>

- 10.5. The proposed mix demonstrates a good distribution of house types, sizes and scales, which will provide housing for a variety of family types and sizes.
- 10.6. The proposal will also contribute a total of 4no. self-build dwellings towards the Council's supply of such units.
- 10.7. Policy 2 of the Whittlesey Neighbourhood Plan requires that development proposals contribute towards the needs identified in the Whittlesey Town Council Housing Needs Assessment (2017). This found that there was a need for smaller dwellings – namely 2 and 3 bed properties. Notwithstanding this, the report also concluded that there will be a future need for larger family-sized homes in the future.
- 10.8. As such, the housing mix set out above would contribute towards the supply of both of these needs. Therefore, it is considered that the proposal has appropriate regard to Policy 2 of the Whittlesey Neighbourhood Plan and Policy LP5, Part C of the Fenland Local Plan in respect of proposed housing mix.

### **Character and appearance**

- 10.9. On the basis that outline planning permission has been granted for the erection of 20no. dwellings, it has been established that the development of the site for residential purposes is acceptable in principle having regard to Policy LP12 in respect of its impact on the landscape character.
- 10.10. This is to say that the development of the site would not result in the coalescence of settlements – Eastrea and Coates in this instance – and would be in keeping with the core shape and form of the settlement, without extending linear features or resulting in ribbon development.
- 10.11. Policy LP9 of the Whittlesey Neighbourhood Plan offers detail in this respect. It seeks to ensure that a distinct separation is retained between Eastrea and Coates. This separation is sought through the inclusion of a buffer zone as set out on 'Map 8' of the Whittlesey Neighbourhood Plan. The site appears to be located outside of the identified buffer zone and it is therefore considered that the proposal is in compliance with Policy LP9 of the Whittlesey Neighbourhood Plan in terms of avoiding the coalescence of settlements.
- 10.12. Whilst this proposal does not seek approval of Reserved Matters following the grant of outline planning permission and instead seeks the granting of a new planning permission, it is noted that the quantum of development remains the same as that approved at outline stage. Therefore, it is not considered that there are any further issues to be addressed in respect of Policy LP12 of the Fenland Local Plan.
- 10.13. The submitted site layout plan (Dwg No. D(--)10M) identifies the creation of 3no. access points onto Coates Road, with the central access point serving the majority

of the development – 14no. dwellings – with two further access points created on either side of this to serve the remaining 6no. dwellings.

- 10.14. The proposed layout is similar to that on the adjacent site to the east which was built out by the same developer. The depth of built form matches that of the site adjacent, albeit with residential gardens of plots 7-11 extending further south - and will therefore be in keeping with the form of development seen in the locality without resulting in any further, significant encroachment into the open countryside.
- 10.15. Further to this, the house types proposed tend to be similar in appearance to those on the adjacent site – Minuet Meadows. As such, the general design approach of the proposal is generally consistent with the character and appearance of the dwellings seen in the locality.
- 10.16. A precise palette of materials is not provided in support of the application. However, it is considered likely that these will be similar to the materials used on the adjacent development – Minuet Paddocks – which was built out by the same applicant. It is recommended that a condition is imposed requiring precise details of materials to be submitted to ensure that these are sympathetic to the character of the area and provide an appropriate mix of external appearances across the site, in accordance with Policy LP16 of the Fenland Local Plan (2014).
- 10.17. The site layout plan identifies a relatively low density of development of 17 dwellings per hectare. It is considered that this density of development is appropriate in an edge of village setting, and avoids a cramped form of development, with all plots benefitting from suitable private amenity space provision.
- 10.18. It is also noted that 'Site Levels Plans' have been submitted alongside the application which state a 'Finished Floor Level' of 5.000 for the plots fronting onto Coates Road. This remains generally consistent throughout the site, with the rearmost plots having a 'FFL' of 4.550, therefore suggesting a slight decline in height from the front of the site to the rear. However, the levels plans also identify the frontmost plots of the development to the east as having FFL's of 5.2. Therefore, the levels on the site are considered to be acceptable and would not result in a form of development that would be out of keeping in this regard.
- 10.19. The proposal is overall considered to be in accordance with Policy LP16 of the Fenland Local Plan (2014) in respect of its character and appearance.

### **Amenity Impact**

- 10.20. The submitted site layout plan identifies that each of the plots will benefit from a suitable level of private amenity space provision, proportionate to the size of the dwelling. The smallest plot measures approximately 150m<sup>2</sup>, which is a two and a half storey dwelling; and the largest measuring approximately 655m<sup>2</sup>, which is to serve a self-build plot.
- 10.21. The generous plot sizes ensure appropriate private amenity space provision and also ensure that there will be no loss of amenity arising from overlooking or over-dominance in terms of the intra-dwelling relationships.
- 10.22. The properties adjacent to the eastern boundary of the site with, which borders existing residential development, is set approximately 12.4m away from the boundary of the site. This separation distance will ensure that no unacceptable overlooking occurs from any first floor or higher windows onto the existing properties to the east.

- 10.23. The proposals include an area of informal open space along the western boundary of the site. However, due to its narrow width - 5.5m at its narrowest and 8.75m at its widest - it is considered that its functional contribution towards the amenities of occupiers would be limited.
- 10.24. Notwithstanding this, it is considered that the site layout, plot sizes and private amenity space provision offer a good level of residential amenity for the occupiers of the site. The proposal is therefore considered to be in accordance with Policy LP16 of the Fenland Local Plan (2014) in this regard.

### **Landscape and Ecology**

- 10.25. It is noted that there is an outstanding objection from Natural England in respect of the absence of information relating to the impact of the development on the Nene Washes SPA and Ouse Washes SPA Functional Land IRZ, particularly in relation to geese and swans.
- 10.26. Regard has been given to the extant outline planning permission that exists on site that could be built out following approval of an appropriate Reserved Matters scheme. The previous application was not subject to a request for information in this respect and therefore could proceed without the submission of such information at Reserved Matters stage. As such, it is considered unreasonable in this instance to request information as part of this application.
- 10.27. The Ecological Appraisal submitted in support of the application concludes that the impacts of the scheme on protected species or habitats on site can be suitably mitigated against through the inclusion mitigation and safeguarding measures during construction, along with further enhancement measures to provide an uplift in biodiversity on-site.
- 10.28. The comments from the Council Ecologist and Natural England do not raise objections to the scheme in respect of its impact on protected species and habitats on-site.
- 10.29. Therefore, it is considered on balance that the proposal is acceptable in terms of its biodiversity impact, having regard to Policy LP19 of the Fenland Local Plan (2014).
- 10.30. Furthermore, no objections were made by the Tree Officer in respect of the impact of the development on existing soft landscaping features on site that may be impacted by the development.
- 10.31. It is recommended that a condition is imposed requiring the submission of a detailed Arboricultural Impact Assessment (AIA) and Method Statement prior to the commencement of works on site to ensure that the trees shown for retention are not damaged or lost during the development. It is further recommended that a condition requiring the submission of a landscaping scheme is imposed to ensure that completed development is acceptable in this regard.
- 10.32. It is therefore considered that the proposal is acceptable in terms of its impact on trees and landscaping, having regard to Policy LP19 of the Fenland Local Plan (2014).

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

- 10.33. The Highway Authority have considered the proposal and have raised no objections to the development, subject to conditions securing adequate highway



drainage measures and the provision of the off-site highways works as shown on the submitted drawings.

- 10.34. Due to the geometry of Coates Road, each of the proposed access points benefit from good visibility in each direction, allowing for safe access and egress of the site. This is further supported by the site including sufficient space for vehicles to turn on-site, thereby allowing them to exit the site in forward gear.
- 10.35. Appendix A of the Fenland Local Plan (2014) sets out the parking standards that are required for new development. This specifies that any properties of up to 3 bedrooms require the provision of 2 spaces, and dwellings with 4+ bedrooms requiring the provision of 3no. parking spaces.
- 10.36. These standards are met with each plot being provided with the appropriate amount number of parking spaces, with additional garages provided for most plots. It is therefore considered that the parking provision on site is in accordance with Appendix A of the Fenland Local Plan (2014).
- 10.37. The comments received in respect of the surrounding highway network are noted. However, the Highway Authority have raised no objections in respect of the impact of the development on the wider highway network. It is considered unlikely that the traffic movements generated by 20no. additional dwellings would result in a severe impact on the highway network that would justify the refusal of the application on this basis.
- 10.38. The proposal is therefore considered to satisfy the requirements of Policy LP15 of the Fenland Local Plan (2014) in respect of its parking provision and highway safety impact.

### **Flood Risk and Drainage**

- 10.39. The application site is within Flood Zone 1 and is at very low risk of surface water flooding. As such, it is considered that there are no issues to address in respect of flood risk and drainage in relation to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).
- 10.40. It should also be noted that the LLFA have raised no objection to the scheme subject to a condition securing a detailed surface water drainage scheme, and a scheme to manage surface water run-off during the construction period.

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

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

## **Viability/Section 106 Contributions**

10.43. The scheme attracts the following financial contributions towards mitigation of its impacts on healthcare and education, with each figure calculated on the basis of a quantum of development of 20 dwellings:

- East of England Ambulance Service – £6,540
- Cambridgeshire County Council Education – £349,570 total, split as follows:
  - o Early Years Provision: £43,548
  - o Primary Provision: £174,192
  - o Secondary Provision: £131,830
  - o NHS England – £14,783.92

10.44. These figures represent an overall total of £370,803.92.

10.45. The proposed off-site highway works, necessary to meet the highway impacts of the development are also recommended to be captured in a Section 106 agreement.

10.46. Policy LP5 sets out that for sites of 10 or more dwellings, there is a requirement to provide 25% affordable housing, rounded to the nearest whole dwelling. In this case, that would equate to the provision of 4no. dwellings. The Council's own HDH district-wide viability appraisal suggests that 20% affordable plus a financial contribution of £2000 per dwelling (£40,000 total) is generally a realistic sum, unless a bespoke site viability assessment indicates otherwise. While the HDH appraisal is considered to be somewhat out of date, given it is now over 5 years old, the council is still treating this as a material planning consideration in relation to those application submitted prior to November 2024.

10.47. A S106 agreement was completed in relation to application F/YR20/0441/O on the 4th of October 2024. This would have attracted a total financial contribution of approximately £350,000, based on the current housing mix proposed as part of this application in relation to affordable housing and education.

10.48. Essentially the current application seeks to secure a lower level of contribution and as such a viability appraisal (White Land Strategies LTD – December 2024) has been submitted in support of the application. The appraisal concluded that the scheme was not viable and it should therefore not be made to meet the full financial contributions as set out above. The report concluded that a global financial contribution of £66,000 was achievable.

10.49. The applicant's position on viability has been assessed by the Council's appointed viability assessor (CPV) and a number of discussions and appraisals have been undertaken, considering matters of differences in market values, plot costs, garage costs, profit and debt interest.

10.50. Through ongoing discussion and testing, the Council's assessor has concluded that a total cash contribution of £133,000 can viably be provided by the development.

10.51. This position has been considered by the applicant, who has subsequently agreed to a global financial contribution of £133,000 to be made via a S106

agreement, to be put towards healthcare mitigation, education and a commuted sum for affordable housing.

- 10.52. Clearly this figure represents a shortfall relative to the requested contributions and also a reduction from the previously agreed contributions. However this has been independently verified in terms of viability and notwithstanding the shortfall identified, the proposed contribution of £133,000 is significantly greater than the amount that would be achieved based on the position applied by the LPA of £2,000 per plot, a position applied on applications pre-dating November 2024.
- 10.53. As such, it is considered on balance that the proposed financial contribution meets the tests as set out by current CIL regulations and provides sufficient mitigation to meet the requirements of Local Plan Policies LP5 and LP13 in respect of its developers' contributions.

## **11 CONCLUSIONS**

- 11.1. The proposal is a hybrid application with full planning permission sought for the erection of 18no. dwellings. The outline element is for the erection of 2no. self-build dwellings with access the only matter committed.
- 11.2. The application is considered to be acceptable in principle by virtue of an extant outline planning permission on site, granted under F/YR20/0441/O for the same quantum of development proposed under this application.
- 11.3. The detailed scheme as submitted is considered to be acceptable in terms of its character and appearance, amenity impact, flood risk and drainage, and highway safety impact; with no objections received from statutory consultees on these grounds.
- 11.4. The objections received from Natural England in respect of insufficient information to determine the impact on protected sites. However, regard has been given to the extant permission on site that could be built out without the submission of further information in this regard. As such, it is considered in terms of the planning balance that the proposal is acceptable in this regard, when having regard to these material considerations.
- 11.5. Whilst the applicant is unable to meet the financial contributions requested as part of the consultation process of this application due to a demonstrated lack of viability, it is considered on balance that the proposal provides sufficient contributions to mitigate against its impacts on healthcare, education and affordable housing, when considering the position applied by the LPA prior to November 2024 in requesting a contribution of £2,000 per plot.
- 11.6. As such, in the overall planning balance, it is considered that the proposal is acceptable in planning terms and is accordingly recommended for approval, subject to conditions.

## **12 RECOMMENDATION**

Members are recommended to APPROVE the application in accordance with the following terms;

1. The Committee delegates authority to finalise the terms and completion of the S.106 legal agreement and planning conditions to the Head of Planning; and,

2. Following the completion of the S.106, application F/YR23/00648/F be approved subject to the draft planning conditions set out 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, or that the applicant is unwilling to agree to any necessary pre-commencement conditions associated with the FULL element of the permission, as per the requirements of S100ZA of the Act.

### **Draft Conditions**

1.	<p>The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>Approval of the details of:</p> <ul style="list-style-type: none"><li>(i) the layout of the site (including road construction details)</li><li>(ii) the scale of the building(s);</li><li>(iii) the external appearance of the building(s);</li><li>(iv) the landscaping (including boundary treatment details)</li></ul> <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 to control the details of the development hereby permitted and to ensure the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.</p>
3.	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
4.	<p>The development of the self-build dwellings 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>
5.	<p>The dwellings shown on plots 4-7 shall only be developed in accordance with the definition of self and custom build housing contained within the Self Build and Custom Housebuilding Act 2015 (as amended).</p> <p>Reason: The permission is granted without the requirement for provision of affordable housing on the site or other infrastructure contributions due to the nature of the proposal to provide plots for those people building or</p>

	<p>commissioning their own properties in line with paragraph 64 of the National Planning Policy Framework (2019). Development of the site by a business or commercial organisation would therefore require the consideration of such provision and the need for a legal agreement securing any agreed contributions.</p>
6.	<p>Prior to the commencement of development, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development 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 for their adoption has been entered into under Section 38 of the Highways Act 1980.</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>
7.	<p>Prior to the commencement of development a detailed scheme for the construction of estate road(s), associated footway(s) and cycleway(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved detailed scheme shall be constructed to at least binder course surfacing level to the adjoining highway; prior to the first occupation of any dwelling served by the estate road.</p> <p>Reason: In the interests of highway safety and the amenities of occupiers in accordance with Policies LP15 and LP16 of the Fenland Local Plan (2014).</p>
8.	<p>Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters in accordance with the National Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that foul water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
9.	<p>Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.</p> <p>Reason: To ensure a satisfactory method of surface water drainage and to prevent the increased risk of flooding in accordance with the National</p>

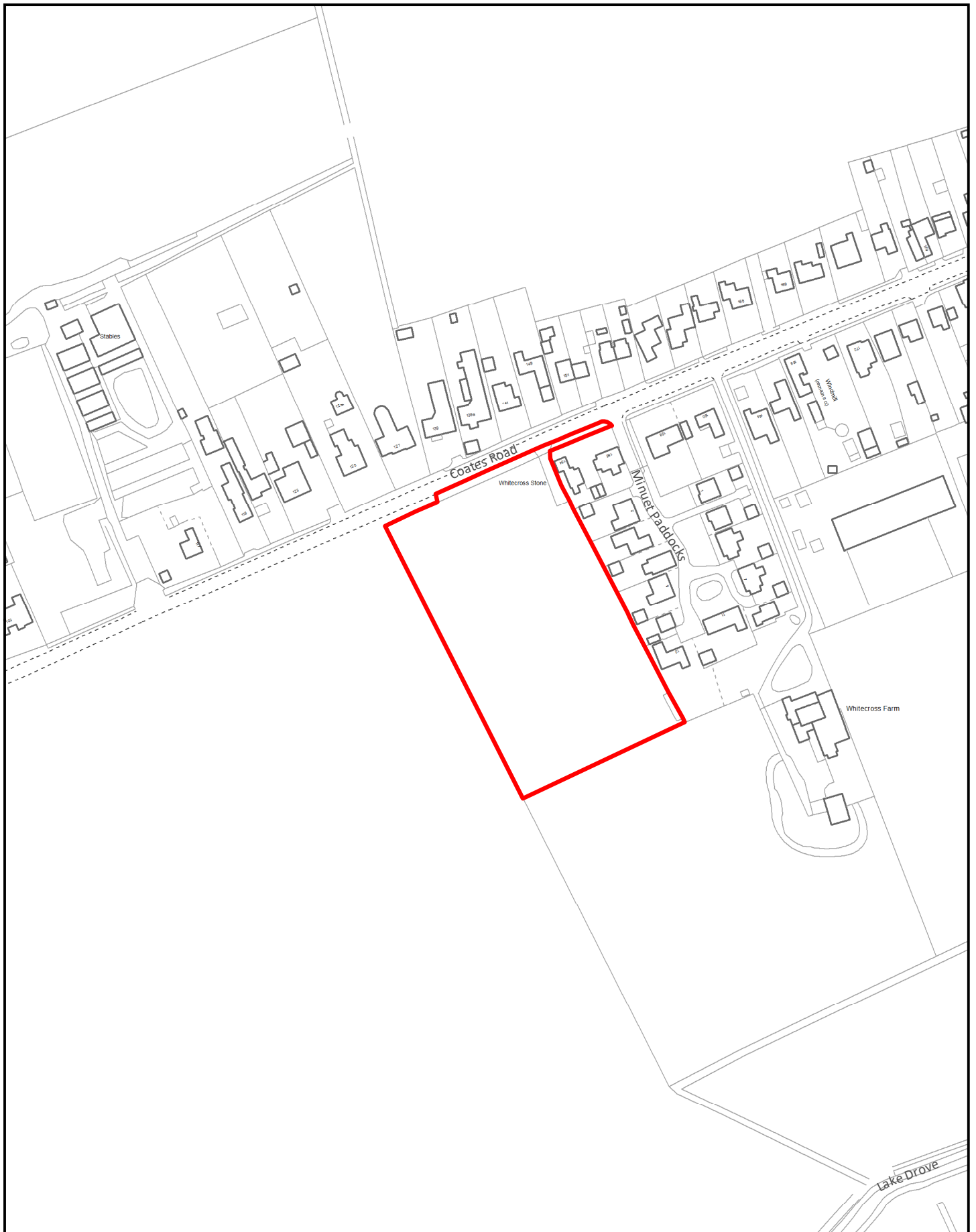
	<p>Planning Policy Framework and Policy LP14 of the Fenland Local Plan 2014.</p> <p>A pre-commencement condition is necessary in order to ensure that surface water drainage is adequately dealt with and thereafter retained in perpetuity.</p>
10.	<p>No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts in accordance with Policy LP14 of the Fenland Local Plan (2014).</p>
11.	<p>Prior to any work commencing on the site a Construction Environmental Management Plan (CEMP) shall be submitted to, and agreed in writing by, the Local Planning Authority. The CEMP shall include, but shall not be limited to, mitigation measures for noise, dust and lighting during the construction phase. The CEMP shall be adhered to at all times.</p> <p>Reason: To mitigate environmental and amenity impacts during the construction phase of the proposed development, in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014. The condition is pre-commencement as it would be unreasonable to require applicants to undertake this work prior to consent being granted.</p>
12.	<p>Prior to the commencement of development, the developer should provide a management plan for the protection and enhancement of the Whitecross Stone. Development shall only be carried out in accordance with the agreed details.</p> <p>Reason: To preserve an area of archaeological/historical importance, in accordance with Policy LP18 of the Fenland Local Plan (2014).</p>
13.	<p>Prior to the commencement of any works on site, an Arboricultural Impact Assessment and Method Statement, including a timetable for delivery, shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.</p> <p>Reason: To protect the trees on site during construction, in accordance with Policy LP19 of the Fenland Local Plan (2014).</p>
14.	<p>No works shall take place until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall</p>

	<p>include the following:</p> <ul style="list-style-type: none"> <li>a) Summary of potentially damaging activities</li> <li>b) Identification of biodiversity protection zones</li> <li>c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements) include a pre-works check for non-native species undertaken by a suitably qualified ecologist and any additional measures required to manage and control any invasive species present.</li> <li>d) The location and timing of sensitive works to avoid harm to biodiversity features</li> <li>e) The times during construction when specialist ecologists need to be present on site to oversee works</li> <li>f) Responsible persons and lines of communication</li> <li>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</li> <li>h) Use of protective fences, exclusion barriers and warning signs.</li> </ul> <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 meet the requirements of para.180(d) of the National Planning Policy Framework (NPPF) and Chapter 19 of the Fenland Local Plan (2014).</p>
15.	<p>No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
16.	<p>No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
17.	<p>No part of the development hereby approved shall be occupied until such time as a refuse collection strategy has been submitted to and approved in writing by the Local Planning Authority. The agreed strategy shall be adhered to thereafter in perpetuity.</p> <p>Reason: To ensure a satisfactory form of refuse collection in accordance</p>

	with Policy LP16 of the Fenland Local Plan 2014.
18.	<p>Prior to the first occupation of the development hereby approved, the proposed on-site parking area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking area, surfacing and drainage shall thereafter be retained as such in perpetuity.</p> <p>Reason: In order to ensure adequate parking provision and in the interests of highway safety, in accordance with policies LP15 and LP16 of the Fenland Local Plan 2014.</p>
19.	<p>Prior to first occupation of the development hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.</p>
20.	<p>Prior to the first occupation of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling.</p> <p>Reason: In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
21.	<p>The development shall not be occupied/brought into use until all of the works have been completed in accordance with the approved details shown on Drawing Number 4528-D(--)-10-M (Site Layout).</p> <p>Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.</p> <p>This is a pre-commencement condition because the off-site highway works are required to make the development acceptable and in addition to planning approval will require permission from the Highway Authority under the Highways Act.</p>
22.	<p>The approved access and all hardstanding within the site shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway and retained in perpetuity.</p> <p>Reason: To prevent surface water discharging to the highway in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014</p>
23.	If during development, contamination not previously identified, is found



	<p>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.</p> <p>Reason: To protect the amenities of future occupiers of the site in accordance with Policy LP16 of the Fenland Local Plan (2014).</p>
24.	The development shall be carried out in accordance with the approved plans.



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**F/YR25/0238/O**

**Applicant: Mr Fred Simpson  
F J S Services**

**Agent : Swann Edwards  
Swann Edwards Architecture Limited**

**North West Of Cherrytree House, Fallow Corner Drove, Manea,**

**Erect up to 6no dwellings (outline application with all matters reserved) involving the demolition of existing buildings**

**Officer recommendation: Refuse**

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

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## **1 EXECUTIVE SUMMARY**

- 1.1. The proposal seeks outline planning permission with all matters reserved for the erection of 6no. dwellings following the demolition of existing buildings on site.
- 1.2. The proposal is considered to be acceptable in terms of the broad principle of development, amenity impact, highway safety impact, and biodiversity impact, in accordance with local and national planning policy.
- 1.3. However, the backland form of development that would arise from the re-development of the site, along with the density of development, would be at odds with the prevailing pattern of development on the northern side of Fallow Corner Drove, resulting in landscape and character harm contrary to Policies LP12 and LP16 of the Fenland Local Plan (2014).
- 1.4. Further to this, the proposal is considered to be unacceptable in flood risk terms by virtue of the site predominantly falling with Flood Zone 3 and failing to satisfy the sequential and exception test, contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).
- 1.5. The proposal is therefore considered to be unacceptable in planning terms and it is accordingly recommended that planning permission is refused in this instance.

## **2 SITE DESCRIPTION**

- 2.1. The application site is located on land North West of Cherrytree House, Fallow Corner Drove in Manea. The site is currently occupied by a company known as 'FJS Services', who provide agricultural engineering services.
- 2.2. The front of the site is covered in hardstanding with various items of agricultural machinery stationed on it. To the rear of the site is a large barn with a further area of hardstanding to the rear.

- 2.3. The site is adjoined on both sides by residential development. The site falls predominantly within Flood Zones 2 & 3 and is at very low risk of surface water flooding.

### 3 PROPOSAL

- 3.1. The application seeks outline planning permission with all matters reserved for the erection of 6no. dwellings following the demolition of existing buildings on site.
- 3.2. The application is supported by an indicative site layout plan showing a tandem form of backland development served by a spine road off the existing access point, with two plots fronting onto Fallow Corner Drove.
- 3.3. Full plans and associated documents for this application can be found at:

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

### 4 SITE PLANNING HISTORY

F/YR12/0879/F	Change of use of building from general purpose agricultural to agricultural engineering (B2)	Granted 25.01.13
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### 5 CONSULTATIONS

#### 5.1. Manea Parish Council – 29.04.25

*No Objection*

#### 5.2. FDC Ecology – 03.04.2025

*I would raise no objections to the above application on Ecology grounds –*

*The application site does not support any semi-natural habitat, and has only very low potential to support any notable species.*

*Although the Ouse Washes is within 1.5km of the site, the nature and scale of development planned will not affect the special nature conservation interest of the Washes.*

*The development proposal will involve the creation of new areas of greenspace, including gardens, tree planting and a pond, and therefore could achieve an overall enhancement in local biodiversity.*

*I would advise that, if permission is to be granted to the application,*

*A Construction Environmental Method Statement should be required to be prepared, giving details of how any water pollution is to be avoided during the course of any development (there is a drain immediately to the north of the site).*

*A tree protection method statement should be required to be prepared, to ensure that trees adjacent to the site are suitably protected during the course of any works.*

#### 5.3. CCC Highways – 04.04.2025

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

*This application is for an “All Matters Reserved” approval. Therefore my comments are based on the principal of the development and not the shown arrangement. The development site benefit from an existing access with the highway that has good visibility in either direction. Any access to this number of dwellings should be a minimum of 5m in width.*

#### **5.4. Environmental Health – 06.04.2025**

*Although I can find no indication of an industrial legacy, with the consequential potential for contaminated land, the current use as agricultural engineers and machinery yard does raise the issue of potential contamination and its effect on the intended end user warrants consideration. Therefore, in the interests of protecting those who will reside at the property should prior approval be granted, this service recommends that the full contaminated land condition is imposed*

#### **5.5. Environment Agency – 22.04.2025**

*We have no objection to the proposed development, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) prepared by Ellingham Consulting Ltd, dated August 2024, are adhered to.*

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

No letters of representation were received on the application.

### **6 STATUTORY DUTY**

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

### **7 POLICY FRAMEWORK – please delete as appropriate**

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

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 6 – Building a strong, competitive economy

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

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

Determining a Planning Application

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

Context  
Identity  
Built Form  
Movement  
Uses  
Homes and Buildings

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

LP1 – A Presumption in Favour of Sustainable Development  
LP2 – Facilitating Health and Wellbeing of Fenland Residents  
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside  
LP4 – Housing  
LP5 – Meeting Housing Need  
LP6 – Employment, Tourism, Community Facilities and Retail  
LP12 – Rural Areas Development Policy  
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland  
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District  
LP19 – The Natural Environment

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

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

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

##### **Emerging Local Plan**

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

LP1: Settlement Hierarchy  
LP2: Spatial Strategy for the Location of Residential Development  
LP7: Design  
LP8: Amenity Provision  
LP12: Meeting Housing Needs  
LP13: Custom and Self Build  
LP18: Development in the Countryside  
LP22: Parking Provision  
LP24: Natural Environment  
LP25: Biodiversity Net Gain  
LP27: Trees and Planting  
LP28: Landscape  
LP32: Flood and Water Management  
LP33: Development on Land Affected by Contamination



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

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1. Policy LP3 of the Fenland Local Plan sets out the settlement hierarchy for development within the district, grouping settlements into categories based on the level of services available, their sustainability and their capacity to accept further development. In this policy, Manea is classed as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions where appropriate. The site is considered to fall within the built-up settlement of Manea. The broad principle of the re-development of this site for residential purposes is therefore considered to be in accordance with Policy LP3 of the Fenland Local Plan.
- 9.2. The proposal will result in the loss of Employment Land, and therefore Policy LP6 of the Fenland Local Plan is relevant to the principle of development in this instance.
- 9.3. The policy seeks to retain premises currently or last used for B1/B2/B8 purposes, unless it can be demonstrated through a marketing exercise that there is no reasonable prospect for the site being used for these purposes.
- 9.4. The submission detail is silent on this matter, with no information provided to demonstrate that the site is no longer viable for employment development. Whilst it has not been demonstrated that this policy has been complied with, it is noted that the development in the surrounding area is largely residential in nature. Further, the site is not considered to be in a high-quality location for employment development given that it is on the edge of the settlement.
- 9.5. Therefore, whilst the development would result in the loss of employment land and fails to satisfy the requirements of Policy LP6, it is considered that this would be difficult to substantiate as a reason for refusal in this instance especially given the support for the re-development of brownfield sites in paragraphs 124 & 125 of the NPPF (2024).

### **Character and Appearance**

- 9.6. Policy LP12 (Part A) supports development in villages subject compliance with 11 criteria (a to k), providing the site is in or adjacent to the existing developed footprint of the village, does not result in coalescence with any neighbouring village, and does not have an adverse impact on the character and appearance of the surrounding countryside. Similarly, the proposal must be in keeping with the core shape and form of the settlement, without resulting in the extension of linear features or create ribbon development, and must retain natural boundaries, respect ecological features, important spaces etc. Finally, the proposal must be served by sustainable infrastructure and must not put people in danger from identified risks.

- 9.7. In addition, Policy LP16(d) seeks to ensure that development makes a positive contribution to the distinctiveness and character of the area, enhances its local setting, reinforces local identity and does not adversely impact, either in design or scale terms, on the streetscene, settlement pattern or landscape character of the surrounding area.
- 9.8. The proposal seeks outline planning permission for the erection of 6 dwellings on land currently occupied by an agricultural engineering business – a site that extends north, away from the public highway. Whilst the indicative site layout plan identifies two dwellings fronting onto Fallow Corner Drove, 4no. dwellings are shown as ‘backland’ development. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and linear built form of development that is present on the northern side of Fallow Corner Drove. It is further considered that the proposal is at odds with the prevailing character of Fallow Corner Drove in the vicinity of the site, which is characterised by dwellings set back from the public highway and in large plots. This conflict is further highlighted by Plots 1 & 2 shown to be located immediately adjacent the highway – a type of development completely at odds with the surrounding area.
- 9.9. Consideration is also given to a recent refusal under F/YR25/0124/PIP to the west, along Fallow Drove Corner. The circumstances of the site were similar in as much as the site extended away from the highway and would constitute backland development, contrary to the existing core shape of development in the locality. It is considered that the conclusions made in respect of this application, particularly given its relative close proximity to the current application site, would also apply to the current application with the same harm arising in terms of conflict with the existing core shape of development and character harm arising from the proposals.
- 9.10. It is not considered that the brownfield nature of the site, and the support afforded to re-development of such sites within the NPPF, is sufficient to outweigh the character harm that would arise from the development of the site.
- 9.11. The indicative site layout plan identifies small plot sizes in relative terms to the plots seen in the surrounding area. It is therefore also considered that the density of development would appear cramped and at odds with the general density of development along Fallow Corner Drove, where dwellings generally benefit from generous plot sizes.
- 9.12. It is therefore considered that the proposal would inherently result in landscape character harm, and a form of development contrary to the prevailing pattern of development in the locality in terms of layout and density, contrary to Policies LP12 and LP16 of the Fenland Local Plan (2014).
- 9.13. It is noted that the adjacent site to the east was granted Permission in Principle for up to 5no. dwellings under reference number F/YR23/0939/PIP. However, no application for technical details consent has yet to be made. As such, it is considered that the PIP approval would carry limited weight in the determination of this application in terms of the character and appearance impact of backland development.

### **Amenity Impact**

- 9.14. The submitted indicative site layout plan identifies that the site would be capable of accommodating the proposed development, whilst providing an adequate level of private amenity space provision. It is considered that a suitably designed detailed scheme could be provided at Reserved Matters stage that would avoid any undue

impacts arising from overlooking or overbearing impacts in respect of the inter-dwelling relationships both on-site and with existing dwellings off-site.

- 9.15. It is therefore considered that the proposal is acceptable in respect of its amenity impact, having regard to Policy LP16 of the Fenland Local Plan (2014).

### **Flood Risk and Drainage**

- 9.16. A large part of the site, including the frontage and site access, falls within Flood Zones 2 & 3, and is therefore at a far higher risk of flooding. National and Local Planning Policies set out strict tests to the approach to flood risk, aiming to locate development in the first instance to areas at lowest risk of flooding (Flood Zone 1). Policy LP14 requires applicants to demonstrate this through the application of the sequential test. In order to justify the development in Flood Zone 3, the sequential test would be expected to demonstrate that there are no reasonably available sites in areas of lower flood risk that could accommodate the development.
- 9.17. The application is supported by a Flood Risk Assessment which states that the sequential test is passed on the basis that the site is protected by the Middle Level Barrier Bank, which it states was not considered in the preparation of the Environment Agency Flood Maps. It concludes, on the basis of the “actual probability of flooding and the footprint of the proposed dwellings being within Flood Zone 1”, that the sequential test is passed.
- 9.18. Whilst the Environment Agency have raised no objections to the proposal on Flood Risk grounds, it is disagreed that the footprint of the proposed dwellings would be in Flood Zone 1. Whilst no overlay of the flood zone has been provided with the indicative site plan, it is considered extremely unlikely that a suitable detailed scheme could be provided whereby the entirety of the built form would be located in Flood Zone 1. Certainly, on the indicative site layout plan, the entirety of the built footprint would appear to fall within Flood Zone 3.
- 9.19. A further Sequential & Exception Test document has been provided which explores alternative sites that have had planning permission granted for residential development. These have, however, been dismissed as unsuitable and unavailable for the following reasons:
- Site located in Flood Zone 3
  - Development already commenced
  - Development for self-build plots
  - Quantum of development too small
- 9.20. The report goes on to state that the exception test is passed by virtue of the site currently comprising a high level of hardstanding that would be removed, resulting in an improvement in the permeability and drainage capabilities of the site.
- 9.21. It is considered that the sequential test submitted incorrectly discounts a number of sites which would, individually and cumulatively be classed as reasonably available and that consequently would be sequentially preferable. Therefore, the sequential test is not considered to be passed in this instance.
- 9.22. With regards to the exception test this contains two elements which must both be satisfied:

- a) Development to demonstrate that it achieves wider community sustainability benefits having regard to the district's sustainability objectives, and
- b) That it can be made safe for its lifetime and will not increase flood risk elsewhere ('flood risk management')

The FRA concludes that the overriding sustainability benefits are met through the contribution of the development towards the housing target in Fenland. However, it is not considered that the benefit of 6no. new dwellings would be sufficient to outweigh the risk arising from flooding on the site, and indeed the SPD discounts the provision of housing in itself as being a sustainability benefit. With regards to the development being made safe from flooding this is considered to be achievable, however would not render the exception test as being passed.

- 9.23. It is therefore considered that the application fails to satisfy the sequential and exception test in respect of flood risk, and the proposal is therefore considered to be contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024) in this regard.

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

- 9.24. The Highway Authority have considered that the proposal and have raised no objection to the principle of development in terms of its impact on highway safety. It is noted, however, that the access should be a minimum width of 5m, which could be provided at Reserved Matters stage.
- 9.25. The indicative site layout provided identifies that the site is capable of providing ample parking and turning provision on site for the dwellings proposed.
- 9.26. It is therefore considered that the proposal is acceptable in principle in terms of parking provision and highway safety, and that a suitable detailed scheme can be provided at Reserved Matters stage, in accordance with Policy LP15 of the Fenland Local Plan (2014).

### **Biodiversity Impact**

- 9.27. The Council Ecologist has considered the proposal and has raised no objections to the scheme, subject to conditions in relation to the submission of a Construction Environmental Method Statement and a Tree Protection Method Statement.
- 9.28. It is not considered that the site as existing supports any semi-natural habitat and has low potential to support notable species. Further, the re-development of the site will result in an uplift in green space creation, thereby offering opportunities for enhancements in terms of local biodiversity.
- 9.29. It is therefore considered that the proposal satisfies the requirements of Policy LP19 of the Fenland Local Plan (2014) in terms of its biodiversity impact.

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

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

9.31. There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the development is de-minimis for the purposes of BNG.

## 10 CONCLUSIONS

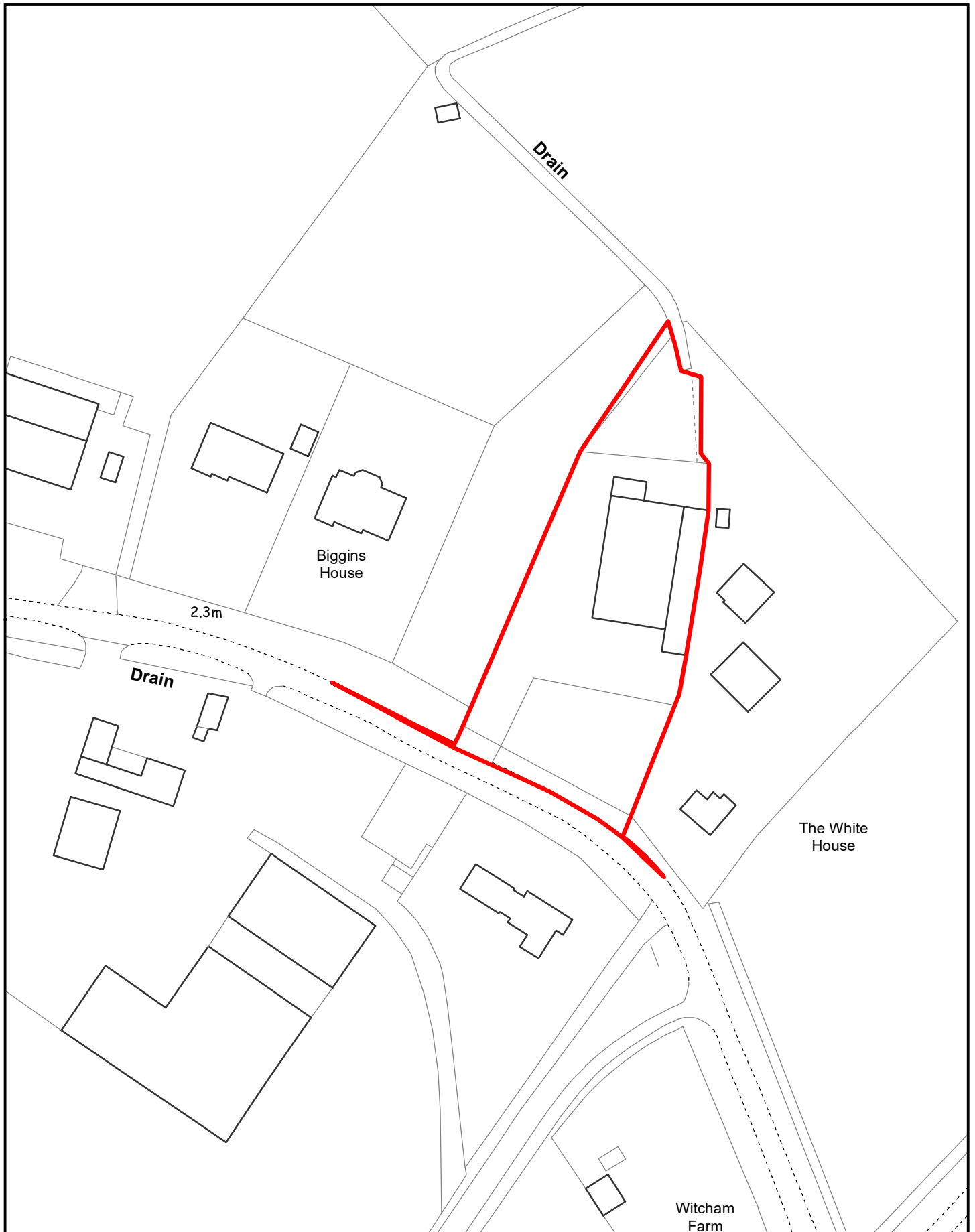
- 10.1. The proposal seeks outline planning permission with all matters reserved for the erection of 6no. dwellings following the demolition of existing buildings on site.
- 10.2. The proposal is considered to be acceptable in terms of the principle of development, amenity impact, highway safety impact, and biodiversity impact, in accordance with local and national planning policy and that the loss of the site for employment would not be a sustainable reason for refusal.
- 10.3. However, the backland form of development that would arise from the re-development of the site, along with the density of development, would be at odds with the prevailing pattern of development on the northern side of Fallow Corner Drove, resulting in landscape and character harm contrary to Policies LP12 and LP16 of the Fenland Local Plan (2014).
- 10.4. Further to this, the proposal is considered to be unacceptable in flood risk terms by virtue of the site predominantly falling within Flood Zone 3 and failing to satisfy the sequential and exception test, contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).
- 10.5. In terms of the overall planning balance of the scheme, it is considered that there would be economic and social benefits arising from the creation of 6no. dwellings, however these would be relatively modest and therefore insufficient to outweigh the aforementioned harm arising from the development. Also, it is recognised that the re-use of brownfield land should be given weight. However, again, it is not considered that this would outweigh the harm arising from the development.
- 10.6. Therefore, the proposal is therefore considered to be unacceptable in planning terms, and it is accordingly recommended that planning permission is refused in this instance.

## 11 RECOMMENDATION

**Refuse;** for the following reasons:

1.	Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district; Policy LP12 details a range of criteria against which development within the villages will be assessed and Policy LP16 seeks to ensure that proposed development responds to and improves the character of the local built environment. The application site proposes the construction of up to six dwellings located on land extending north, away from Fallow Corner Drove, Manea. By virtue of its backland nature, and introduction of development close to the frontage of the public highway, the proposed development would be discordant with the existing core shape and built form of the development along Fallow Corner Drove to the detriment of the character and appearance of the area
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	and would create a precedent for further backland development at sites with similar geometry. Thus, the proposal would therefore fail to comply with the requirements of Policy LP12 and Policy LP16 (d) of the Fenland Local Plan (2014).
2.	The site is located largely within Flood Zones 2 & 3 where there is a high probability of flooding. Due to insufficient information, the application fails to demonstrate that there are no alternative sites to accommodate the development which are reasonably available and with a lower probability of flooding. The proposal would therefore place people and property at an increased risk of flooding without justification contrary to Policy LP14 of the Fenland Local Plan (2014), Section 4 of the Cambridgeshire Flood & Water Supplementary Planning Document (2016) and Chapter 14 of the National Planning Policy Framework (2024).



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**F/YR25/0238/O**

Scale = 1:1,250





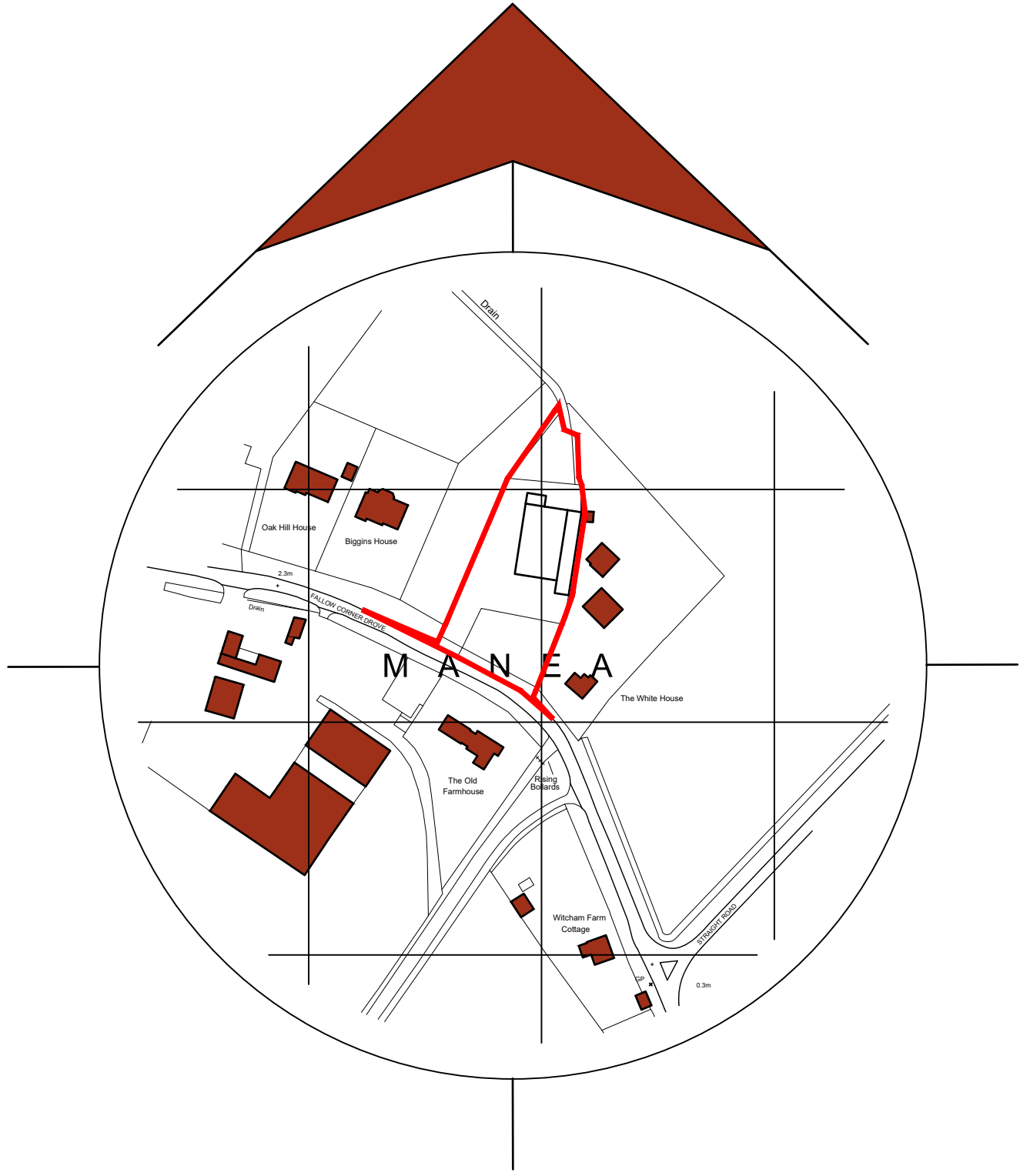
General Notes  
1. All dimensions are shown in 'mm' unless otherwise stated.  
2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.  
3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors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



Existing Site Plan  
Scale: 1:500



Indicative Proposed Site Plan  
Scale: 1:500



Location Plan  
Scale: 1:2500

SITE PLAN KEY

	Indicates position of un-surveyed buildings taken from OS maps		Indicates proposed grass areas		Indicates proposed tarmac private access road		Indicates surveyed trees / hedging		Indicates features to be demolished
	Proposed dwellings		Indicates proposed hard surfacing on driveways		Indicates proposed pond		Indicates site levels taken from datum		Indicates existing 1.8m high timber panel fence
	Indicates position of surveyed buildings on site		Indicates proposed paving		Indicates proposed trees / hedging		Indicates site access		Indicates proposed 1.8m high timber panel fence

PLANNING

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

Proposed Residential Development Land at Fallow Corner Drive, Manea, PE15 0LT For: Mr F Simpson	Job Title	Date	Drawn by
	Planning Drawing	Sep 2024	BR
	Job No.	SE-2144	Checked by
	Dwg No.	PP1000	IG
		Sheet Size	Revision
		A1	



**F/YR25/0206/F**

**Applicant: Mr M Graham**

**Agent : Mr Rory Canham  
Peter Humphrey Associates Ltd**

**Land West Of Cross Road, Knights End Road, March, Cambridgeshire**

**Erect 1x self-build/custom build dwelling and detached garage**

**Officer recommendation: Refuse**

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

## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks permission to build a four-bedroom self-build home and detached garage on land off Knights End Road, March. The site is currently used as paddocks and stables, with an access already in place.
- 1.2 The site lies within open countryside, in Flood Zone 3, outside the built-up area of March. It is classified as being in an 'Elsewhere' location under local policy, where development is tightly restricted.
- 1.3 The location is not supported for new residential development under local and national policy unless essential to rural activities. The information provided for on-site accommodation (linked to animal welfare and security) is considered insufficient.
- 1.4 There are no concerns in terms of the design of the house in isolation. However, the construction of a dwelling and introduction of residential paraphernalia in this location is considered to undermine the rural character of the area by introducing domestic features into open countryside.
- 1.5 The site lies in a high flood risk area (Zone 3). The sequential test was not adequately satisfied, and there is insufficient evidence that the development provides wider sustainability benefits to pass the required Exception Test.
- 1.6 The proposal includes sufficient parking and safe access. No objections were raised on these grounds. Similarly, no adverse impact is expected on neighbouring properties, and ample private amenity space is proposed.
- 1.7 The proposal conflicts with key planning policies due to its unsustainable location, landscape harm, flood risk, and insufficient ecological evidence. The limited benefits do not outweigh these harms
- 1.8 The application is subsequently recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1 The application site sits to the northern side of Knights End Road, March, to the west of the A141, in proximity to Cross Drove, and currently consists of open paddocks, with some hardstanding, directly to the north of the site as outlined in red are stables, with further agricultural buildings along the eastern boundary.
- 2.2 The site benefits from an existing access off Knights End Road, to serve the existing stables and paddock area, alongside entrance gates. The surrounding area predominately consists of open countryside and agricultural land with associated agricultural buildings. To the eastern end of Knights End Road are commercial uses and the Crematorium.
- 2.3 The site sits within Flood Zone 3.

### 3 PROPOSAL

- 3.1 Planning permission is sought for the construction of a four-bedroom, self-build dwelling which would have a maximum height of 8.5 metres with an eaves height of 5.55 metres, a maximum width of 14.65 metres (including the single storey mono-pitched roof section to eastern side elevation) and a maximum depth of 12.25 metres. The dwelling would benefit from a central gable feature to the front elevation, with a larger gable projection to the rear.
- 3.2 The proposal also includes the construction of a detached garage to the east of the proposed dwelling. This would have a maximum height of 4.65 metres with an eaves height of 2.8 metres, a width of 5.55 metres and a depth of 5.55 metres.
- 3.3 These would have a brick finish (Vandersanden Flemish Antique) with slate effect solar roof tiles in grey and timber joinery. (as per the application form and Plan 7078/04C)
- 3.4 The proposal would utilise the existing access to the site and would create a new entrance point to the western side of this to serve the proposed dwelling, a gravel drive would be provided with three vehicular parking spaces. Other works include the planting of native hedging to the sites southern, western and northern boundaries with new post and rail timber fence to the northern and western boundaries. A bin store will be provided adjacent to the proposed garage.
- 3.5 It is advised within the supporting Design and Access Statement by Peter Humphrey Associates that the dwelling is required to allow for the family to live on site and assist with the daily running of their paddocks and stable blocks.
- 3.6 Full plans and associated documents for this application can be found at:

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

### 4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR08/0554/F	Change of use of land to paddocks involving erection of a stable block comprising of 4 stables, hay store, formation of poultry and fruit cages, and	Approved 19 August 2008

	raised planting beds	
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## **5 CONSULTATIONS**

### **5.1 March Town Council**

Recommend Approval

### **5.2 Environment Agency**

No objection on flood risk grounds – the site is at low risk of flooding in respect of tidal and main river flood sources. Main source of flood risk is associated with watercourses under jurisdiction of IDB.

A number of recommendations and advice are offered to the Applicant.

### **5.3 CCC Highways**

The proposed development is acceptable. Note the inclusion of a gravel driveway, the vehicular access should not be gravelled for 5m from the existing carriageway

### **5.4 FDC Environmental Health**

No objections

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

Six letters of support have been received from residents on The Avenue, Whittlesey Road, Knights End Road, Wisbech Road, Burrowmoor Road and Wimblington Road, March these are summarised below:

- Enhancements to site since applicants took it on with tree and hedge planting and associated ecological and environmental benefits.
- Primary objective is to allow the owners of the land to live on land they own whilst providing dedicated care for the animals under their ownership, implementing environmental improvements and providing security.
- Installation of bee boxes and bird boxes / biodiversity and ecological enhancements
- The proposed dwelling is of a suitable design and scale for this plot.
- The proposed dwelling would not result in a loss of privacy to neighbouring properties.
- The property would not detract from the countryside; views will be across the open countryside as is for the two neighbouring properties.

## **6 STATUTORY DUTY**

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

## **7 POLICY FRAMEWORK**

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

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment  
of minerals

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

Determining a Planning Application

### **National Design Guide 2021**

Context

Identity

Built Form

Homes and Buildings

### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP9 – March

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

LP19 – The Natural Environment

### **March Neighbourhood Plan 2017**

H2 – Windfall Development

H3 – Local Housing Need

### **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

### **Emerging Local Plan**

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

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

LP1: Settlement Hierarchy  
 P2: Spatial Strategy for the Location of Residential Development  
 LP7: Design  
 LP8: Amenity Provision  
 LP12: Meeting Housing Needs  
 LP13: Custom and Self Build  
 LP18: Development in the Countryside  
 LP20: Accessibility and Transport  
 LP22: Parking Provision  
 LP24: Natural Environment  
 LP25: Biodiversity Net Gain  
 LP28: Landscape  
 LP32: Flood and Water Management  
 LP39: Site allocations for March

## 8 KEY ISSUES

- **Principle of Development**
- **Design and Impact on Character and Appearance of the Site and Surrounding Area**
- **Ecology**
- **Flood Risk**

## 9 ASSESSMENT

### **Principle of Development**

- 9.1 Policy LP1 overarching policy supporting a presumption in favour of sustainable development, planning applications that accord with the policies within the LDP will be approved without delay unless material considerations indicate otherwise. Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy. Furthermore, Policy LP9 confirms that March is a focus for housing, employment and retail growth. The application site is located to the west of the March bypass, beyond the built up parts of the settlement. For planning policy purposes this is defined as an 'Elsewhere' location. This stance is supported in Policy H2 of the March Neighbourhood Plan.
- 9.2 Policy LP5 sets out the housing targets for the District and the Council has undertaken a full assessment of the Five Year Housing Land Supply in the District and has concluded that the Council is able to demonstrate a supply of specific deliverable sites sufficient to provide for more than Five Years' worth of housing against the Council's identified requirements. This is material consideration and means that any application for new development must be determined in accordance with the development plan unless material considerations indicate otherwise. Similarly, Policy H3 of the March Local Plan requires all housing proposals to contribute towards meeting local housing need, which includes starter homes, family homes, executive homes and self-build homes; and mixed tenure that will result in a diverse community, where this is reasonably achievable.
- 9.3 Policy LP3 advises that development will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services and to minerals or waste development. It is noted within the supporting Design and Access Statement that

some justification has been provided to demonstrate the proposed need for the development, namely, to improve the safety of the site following multiple incidents of burglary, theft and robbery over the last 5 years and animal care and welfare.

- 9.4 Whilst these points are noted, the application is not supported by any further evidence in regard to the specific welfare and care needs of the animals on site and therefore, it is considered insufficient information has been provided to demonstrate the need for accommodation on site in this respect. Furthermore, in regard to the security of the site, whilst the provision of a dwelling and occupants on site would deter any anti-social behaviour, this in isolation is not considered to overcome the resultant harm from the provision of a dwelling in an 'Elsewhere' location
- 9.5 Paragraph 83 of the NPPF states that in order "to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities".
- 9.6 The proposed dwelling would be located approximately 2 kilometres (as the crow flies) from the facilities offered within the built up area of March, which can be accessed via Cross Road and Burrowmoor Road or Isle of Ely Way, Knights End Road and the B1101. However, neither Cross Road, Burrowmoor Road or Knights End Road benefit from formalised footpaths or lighting, and therefore, does not promote pedestrian access, especially, in inclement weather. The closest bus stop to the site sits within March which offers regular services to surrounding amenities and services however, as assessed above, this is not accessible by foot or sustainable means of transport. It is considered that the site's Elsewhere location would result in an unacceptable form of residential development, contrary to the above mentioned policies.
- 9.7 Taking into account the above assessment, it is not considered that the principle of providing a dwelling, in this location is accepted. The proposal would be contrary to policies LP1 and LP3 of the Fenland Local Development Plan and Policies H2 and H3 of the March Neighbourhood plan. Other material considerations are discussed below.

#### Self-Build and Custom Housing

- 9.8 Policy LP5 of the Local Plan also seeks to ensure that housing solutions are provided which meet market expectations, this included self-build homes. This stance is reflected by Policy H3 of the March Neighbourhood Plan. Under section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of that Act to have regard to this and to give enough suitable development permissions to meet the identified demand.
- 9.9 As set out in the Regulations, Part 1 of a register comprises those people and organisations who meet all the eligibility criteria, including the local connection test. Part 2 comprises those people and organisations who meet most, but not necessarily all, the eligibility criteria. The Council has a duty to 'give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area' (i.e. to meet the demand for the number of applicants on Part 1 of their register) within a 3 year period, post the end of the base period.

- 9.10 The permissions granted demonstrate that the demand for self-build and custom housing (as identified by the register) is comfortably being met in Fenland. Therefore, no weight will be given to the delivery of self/ custom build housing at this time.

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

- 9.11 Policies LP12 and LP16 of the Fenland Local Plan, sets out a number of criteria in which proposals are required to meet, to ensure that high quality environments are provided and protected. Policy LP12 focuses on development in rural areas with Policy LP16 focusing specifically on design criterion. This stance is also supported by Policy H2 of the March Neighbourhood Plan
- 9.12 Further guidance is provided within the Delivering and Protecting High Quality Developments SPD.
- 9.13 The proposed provision of a dwelling on the site, will result in the inherent domestication of the site. Despite the presence of other agricultural, commercial and limited residential development to the eastern end of Knights End Road and Cross Road, the site is considered to be open and rural in nature, representing the visual transition to open countryside as you travel westward along Knights End Road, this is a major contributing factor to the overall character of the area. Policy LP12 (d) requires development to be in keeping with the core shape and form of the settlement. The provision of a dwelling would erode this openness, to the detriment of the character and appearance of the site and surrounding area.
- 9.14 It should be noted that there are no objections to the design, scale and form of the proposed dwelling in itself. However, for the above reason, it is not considered that the proposal would be characteristic of the area by way of the inherent domestication of open countryside and it is therefore considered that the proposal would be contrary to policy LP16 of the LDP and H2 of the March Neighbourhood Plan.

### **Residential Amenity**

- 9.15 Policy LP2 of the Fenland Local Plan seeks to promote high levels of residential amenity. Similarly, Policy LP16 requires development proposals to not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.
- 9.16 Given the spacious nature of the site, the closest neighbouring properties sit over 150 metres to the east of the site. It is therefore considered that the proposal would not have a detrimental impact on neighbouring occupiers amenity.
- 9.17 Similarly, given the spacious nature of the site, the proposed dwelling would benefit from a spacious high-quality, usable amenity space in excess of the standard required by Policy LP16 of the LDP. Therefore, there are no objections to the proposal on these grounds.

### **Landscaping and Ecology**

- 9.18 Policy LP16 requires all development to contribute to high quality environments; in respect of landscaping criterion c) and d) requires proposals to retain and incorporate nature and historic features of the site, such as trees, hedgerow and

field patterns, to retain and preserve landscape character and settlement pattern of the surrounding area.

- 9.19 From the plans provided, all existing hedges on site are to be retained, with supplementary soft planting and landscaping proposed, as to mitigate the impact of the proposed new rear boundaries will be 1.8m high close boarded timber fence, with a range of native tree plantings to front, side & rear of site. Whilst the supplementary planting is a welcomed enhancement, and would mitigate some impacts of the proposal, in terms of reducing the visual impact of the residential paraphernalia to be constructed as part of the proposal, this alone is not considered to overcome, the identified harm of the proposal identified above.
- 9.20 Policy LP12 (g) requires development proposals to ensure that the site retains and respects ecological, heritage and biodiversity features. Furthermore, policy LP19 requires development proposals to conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland. The Biodiversity Checklist has been completed and submitted in support of this application, which does not raise any concerns in terms of presence of protected species or priority habitat.
- 9.21 It is noted that representations have been received which reference the installation of bat boxes and other ecology enhancements to the site. However, no reference to this is made within the supporting documentation and plans and therefore, does not form part of the proposal.

### **Parking, Access and Highway Safety**

- 9.22 Policy LP15 requires all new development proposals to contribute to the delivery of the sustainable transport network by providing well designed, safe, convenient access for all. Development proposals should provide well designed car and cycle parking appropriate to the amount of development proposed, ensuring parking provision is provided in accordance with the standards. Appendix A sets out that parking provision for two vehicles is required for three+ bedroom dwelling. Appendix A also sets out that a garage can be counted as a parking space provided the size of the garage exceeds 7.0m x 3.0m (internal dimensions).
- 9.23 Sufficient space is provided to the front of the dwelling to accommodate adequate parking provision for a minimum of two vehicles. Furthermore, the driveway area is of a sufficient size to enable vehicles to manoeuvre safely and therefore, enter and exit the site in forward gear. It is noted that a garage is also proposed as part of this application however, the internal dimensions fall short of the requirements as outlined within Appendix A of the LDP and therefore, would not contribute to usable parking provision on site, in policy terms. Notwithstanding this, there is no objection to the proposal on highway and parking grounds. Furthermore, Cambridgeshire County Council Highways have raised no objection to the proposal on highways grounds, subject to conditions should the application be approved.

### **Flood Risk**

- 9.24 Policy LP14 of the Fenland Local Plan and paragraphs 170-182 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk, with both documents steering development in the first instance towards land at a lower risk of flooding. This is achieved by means of requiring



development proposals to undertake a sequential test to determine if there is land available for development at a lower risk of flooding than the application site and only resorting to development in those higher flood risk areas if it can be demonstrated that there are no reasonably available sites at a lower risk of flooding. Similarly, Policy H2 of the March Neighbourhood Plan requires residential development to be located in areas at lower risk of flooding.

- 9.25 Sequential testing has been undertaken by Ellingham Associates Ltd which states that around the towns of March and Chatteris, given the location between the River Nene and River Great Ouse lie in Flood Zone 3 and therefore, opportunities for development at an alternative site with a lower flood risk are limited.
- 9.26 This stance is considered to be insufficient, especially as the area to the east of the site along Knights End Road and the A141 does not fall within Flood Zone 2 or 3 and therefore, is less susceptible to flooding than the application site. It is therefore considered that more detailed testing could have been undertaken in this respect as such, the application fails to satisfy the first key test for residential-led development in areas liable to flooding.
- 9.27 Notwithstanding the above, the NPPF confirms that where it is not possible to locate development in zones of lower flood risk, the Exception Test may be applied. This test provides a framework for assessing whether development can proceed safely, whilst recognising the wider sustainability needs of a community.
- 9.28 The Exception Test comprises two elements, both of which must be satisfied:
- a) Development to demonstrate that it achieves wider community sustainability benefits having regard to the district's sustainability objectives, and
  - b) That it can be made safe for its lifetime and will not increase flood risk elsewhere ('flood risk management')
- 9.29 The first limb of the Exception Test requires that the development provides wider sustainability benefits to the community that clearly outweigh the flood risk. The second limb requires that the development will be safe for its lifetime, taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible, reducing overall flood risk. Whilst it is ordinarily the applicant's responsibility to demonstrate compliance with both elements, the Local Planning Authority must still make its own objective assessment of the evidence and reach a reasoned conclusion on whether both parts of the test are met
- a) Wider community sustainability benefits
- 9.30 Given the proposal is to provide one dwelling, in an elsewhere location it is not considered that the proposal achieves a wider community sustainability benefit, as discussed in the previous sections of this report, the proposal would not contribute to the Districts sustainability objectives and therefore, it is not considered the proposal would satisfy this limb of the exceptions test.
- b) That it can be made safe for its lifetime and will not increase flood risk elsewhere ('flood risk management')

- 9.31 Section 5 of the accompanying Flood Risk Assessment sets out flood mitigation measure and the management of the residual risks, concludes that the proposed development would be safe and not increase flood risk elsewhere with the following mitigation proposed:
- The floor level of the dwelling is 0.3m above ground level with 0.3m of flood resilient construction above finished floor level.
  - The occupier of the dwelling should register to receive flood warnings.
  - Surface water run-off is managed so that stormwater from the development will not affect any adjoining properties or increase the flood risk elsewhere
- 9.32 It is considered that subject to suitably worded conditions, the above would be sufficient to ensure the development would not increase flood risk elsewhere and would therefore, satisfy this limb of the exceptions test.
- 9.33 Notwithstanding the above, based on the information submitted, insufficient information has been submitted to adequately satisfy the sequential test. Furthermore, the Applicant has failed to demonstrate any further public benefit of the proposal and has not satisfied part 1 of the exceptions test. Whilst the LPA have been proactive and undertaken their own assessment in this respect and found the proposal does satisfy part b, given the lack of information and clarity surrounding the matter, it is not considered that the proposal satisfies both parts of the exceptions test. Whilst it is noted that the Lead Local Flood Authority has raised no objection to the proposal, the LPA has a duty to undertake their own assessment in applying the sequential and exception test and it is deemed that the proposed benefits of the scheme do not overcome the identified harm. The proposal is therefore contrary to policy LP14 of the LDP, policy H2 of the March Neighbourhood Plan and the guidance contained within the NPPF.

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

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

### **Other Matters**

#### Sustainability

- 9.36 It is advised within section 4.0 of the accompanying Design and Access Statement that the proposed dwelling will feature high levels of thermal insulation, low air tightness targets, renewable energy systems, and car charging facilities. Whilst this would result in better living conditions and costs savings for future occupants of the

proposed dwelling, this is considered to be of a limited benefit, that would not outweigh other identified harm.

#### Waste Collection

- 9.37 Section 7.0 of the Design and Access Statement advises that bin collection has been allocated at the entrance, for collection of waste by the local authority, including recyclable waste in accordance with the local authority's policy. There are no objections to this aspect of the proposal.

#### Drainage

- 9.38 Section 8.0 of the Design and Access Statement advises that Surface water from the new dwelling will discharge to new soakaways in the rear garden, to be designed as part of the building regulation application. Foul water will discharge to a treatment plant located in the rear garden which will be connected to an existing private drainage system. Further details of this could be secured via condition should the application be approved, to ensure flood risk is not increased elsewhere in accordance with policy LP14 of the LDP.

#### Interested Party Comments

- 9.39 It is noted that a number of supporting comments have been received in relation to the ecological enhancements and supplementary planting that has taken place on site to date, whilst this is a positive enhancement to the site, this does not form a material consideration in the determination of this planning application.

#### **Planning Balance**

- 9.40 In terms of sustainability the National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objective; economic, social and environmental which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)
- 9.41 This stance is supported by Local Plan Policy LP1. In respect of the first of these, the current proposal would provide economic benefits, for example in respect of employment during the construction phase, as well as support for existing and future businesses, services, and facilities by introducing additional residents that would make use of them and provide future spend in the local economy. However, given this relates to the provision of a single self-build dwelling, this is considered to be negligible.
- 9.42 In respect of the social objective, it is noted that a number of minor benefits would be provided, including improving the security of the site and providing a house for the Applicants to improve animal welfare, however, these benefits do not extend to the wider community and therefore, this is not considered to weigh in favour of the scheme.
- 9.43 Lastly, in terms of the environmental objective, whilst the proposal would include the potential for some enhancements and supplementary landscaping, alongside increased measures in terms of thermal insulation, low air tightness targets, renewable energy systems, and car charging facilities; the proposal would result in

the inherent domestication of what, in policy terms is considered open countryside, this is considered to result in a detrimental impact on the character and appearance of the site and surrounding area. Furthermore, given the 'Elsewhere' location of the site, it is considered that the future occupants of the dwelling, would be dependent on private motor vehicle to access everyday services and facilities, exacerbating the identified harm above. This is considered to heavily weigh against the scheme, with the above mentioned benefits insufficient to overcome this harm. It is therefore, considered that the proposal is contrary to policies LP2, LP3, LP14 and LP16 of the Fenland Local Plan and Policies H2 and H3 of the March Neighbourhood Plan and the NPPF.

## 10 CONCLUSIONS

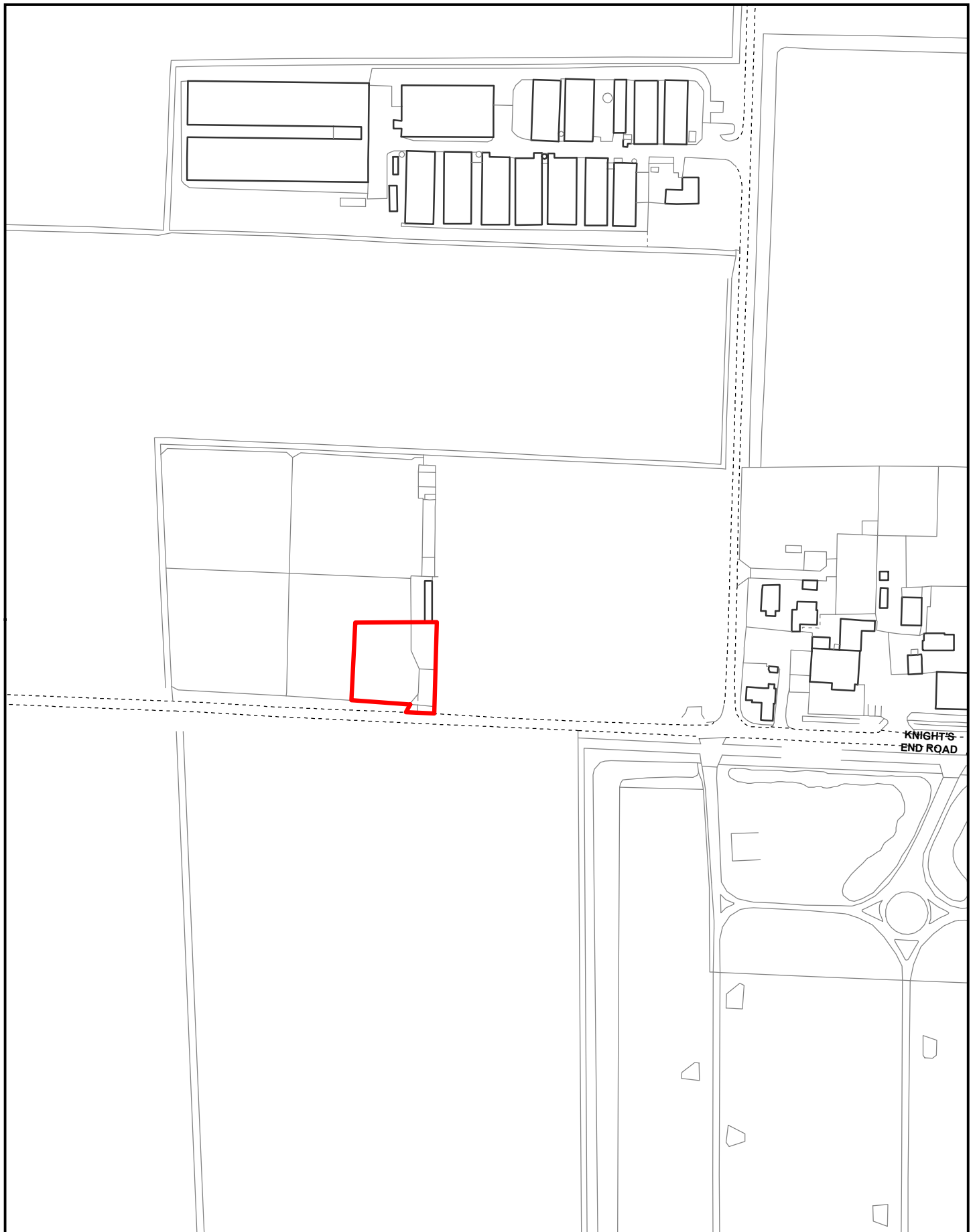
- 10.1 Taking into account the above assessment, the proposed development does not represent sustainable development and can therefore not be supported in principle. Furthermore, the proposal, is considered to result in the inherent domestication, of what in policy terms, is open countryside, resulting in detrimental harm to the character and appearance of the site and surrounding area. Insufficient information has been provided in order for the Local Authority to adequately assess the impact of the proposal in terms of its ecological impact.
- 10.2 The application site is located entirely within Flood Zone 3 and fails to meet the sequential test by virtue of alternative sites being available elsewhere in the district to accommodate the development that are at lower risk of flooding. Furthermore, the proposal fails to meet the first limb of the exceptions test, in that there is no wider public sustainability from the proposal. The proposal is therefore considered to be contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF

## 11 RECOMMENDATION

**Refuse**, for the following reasons:

1.	The application site is located in an 'Elsewhere' location as identified in Policy LP3, where development is restricted to that which is essential for agriculture, or other uses requiring a rural location. The proposal is supported by insufficient justification to demonstrate that there is an essential need for the development as required by Policy LP12 of the Fenland Local Plan (2014) and Paragraph 84(a) of the NPPF 2024. The proposal would therefore result in unwarranted development in an unsustainable rural location contrary to the aforementioned policies.
2.	The proposal, by virtue of the inherent domestication of an open site in a rural location, would be harmful to the character of the open countryside, contrary to Policies LP12 and LP16 of the Fenland Local Plan.
3.	The application site is located within Flood Zone 3 and fails to fully satisfy the sequential or exception test. It is considered that the proposal is at an unacceptable risk of flooding without sufficient justification. The proposal is therefore considered to be contrary to Policy LP14 of the Fenland Local Plan (2014) and Chapter 14 of the NPPF (2024).





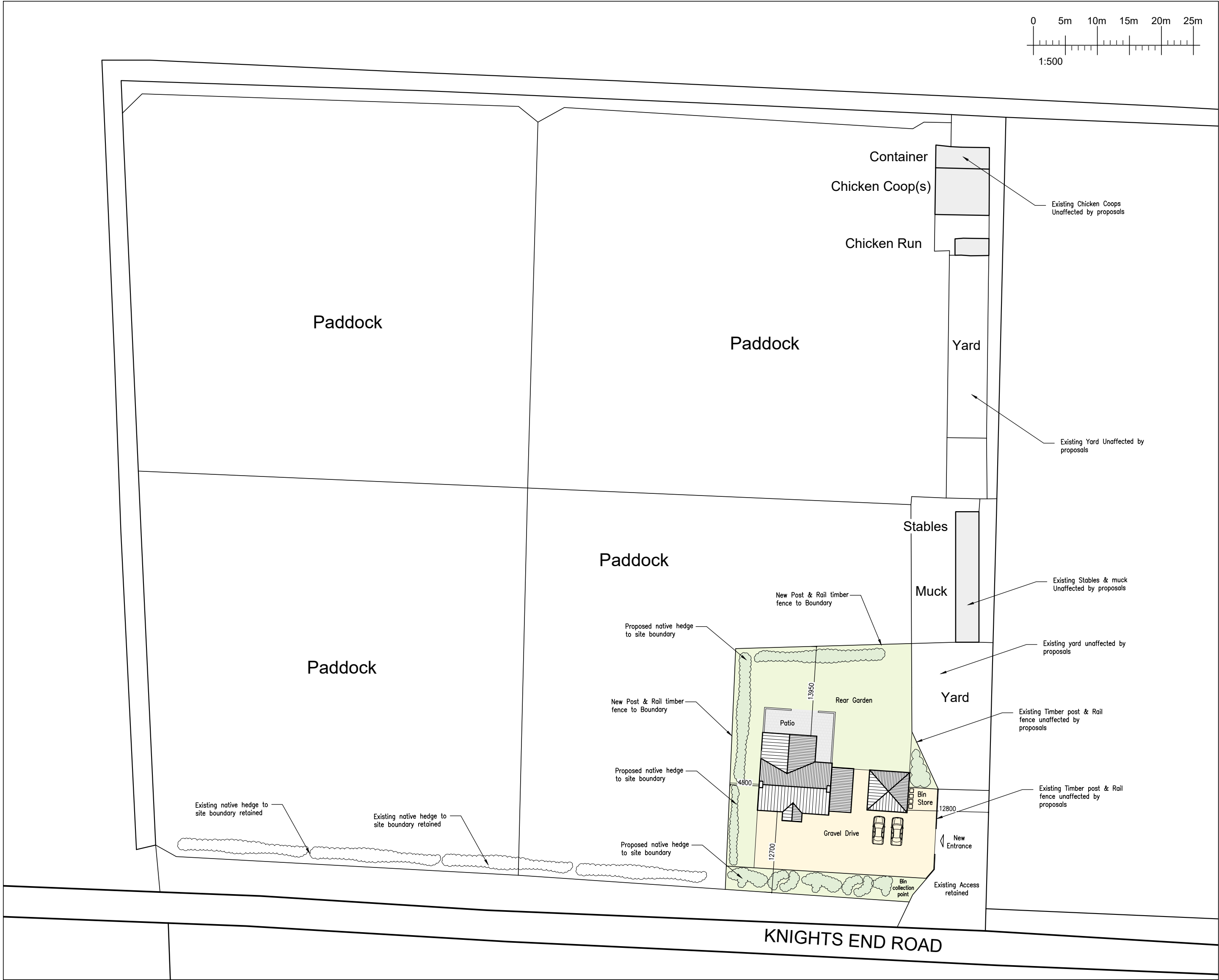
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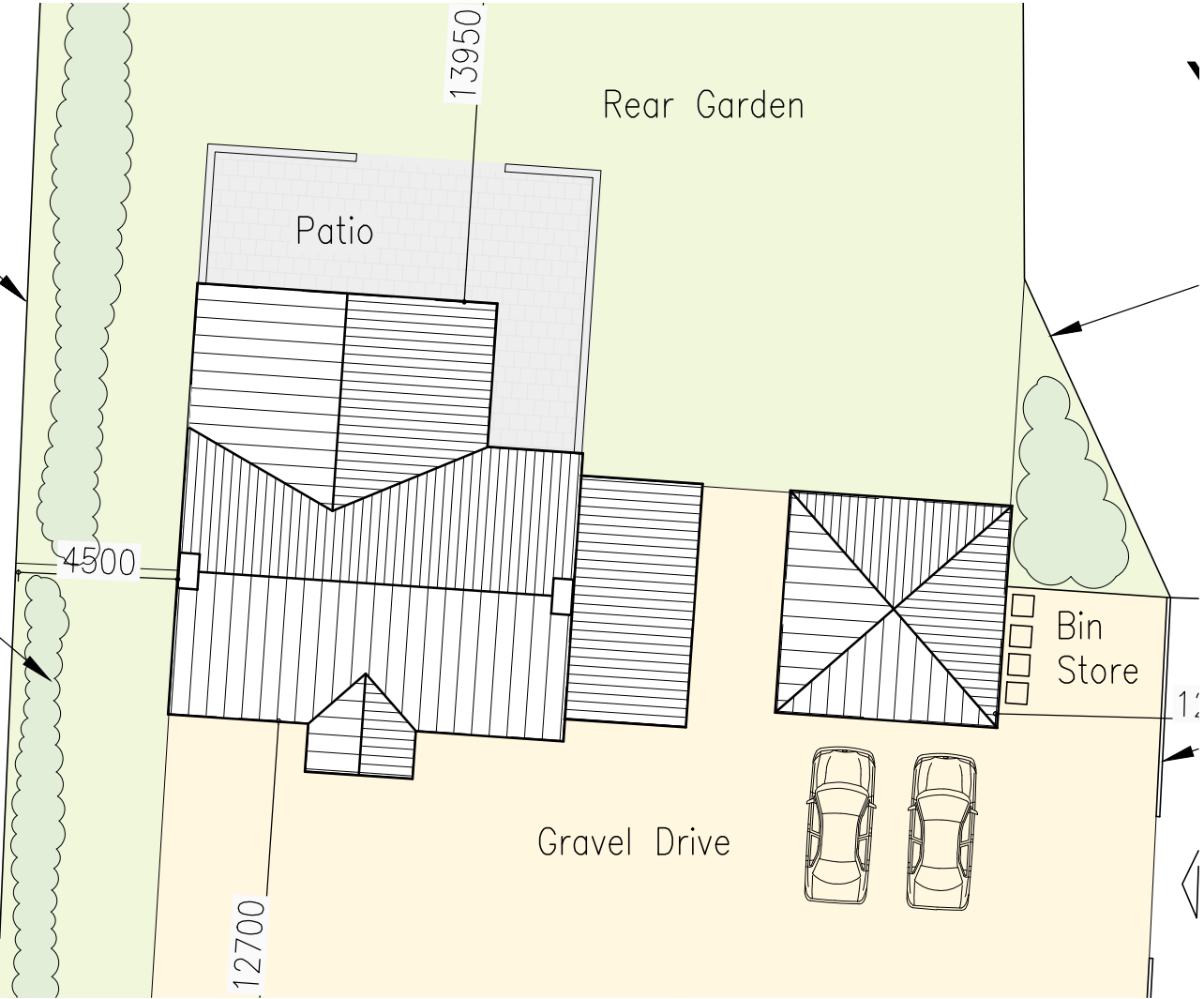
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Scale = 1:2,500





**PROPOSED SITE BLOCK PLAN**  
SCALE 1:500



**PROPOSED ROOF PLAN**  
SCALE 1:200

B - Amended ahead of formal planning submission (05.02.2025)  
A - Roof plan updated, following client request. (14.01.2025)  
REVISIONS



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**CLIENT**  
MR M GRAHAM

**PROJECT**  
PROPOSED NEW SELF BUILD DWELLING

**SITE**  
LAND AT KNIGHTS END ROAD  
MARCH  
CAMBS  
PE15 0YR

**DRAWING**  
PROPOSED SITE BLOCK PLAN

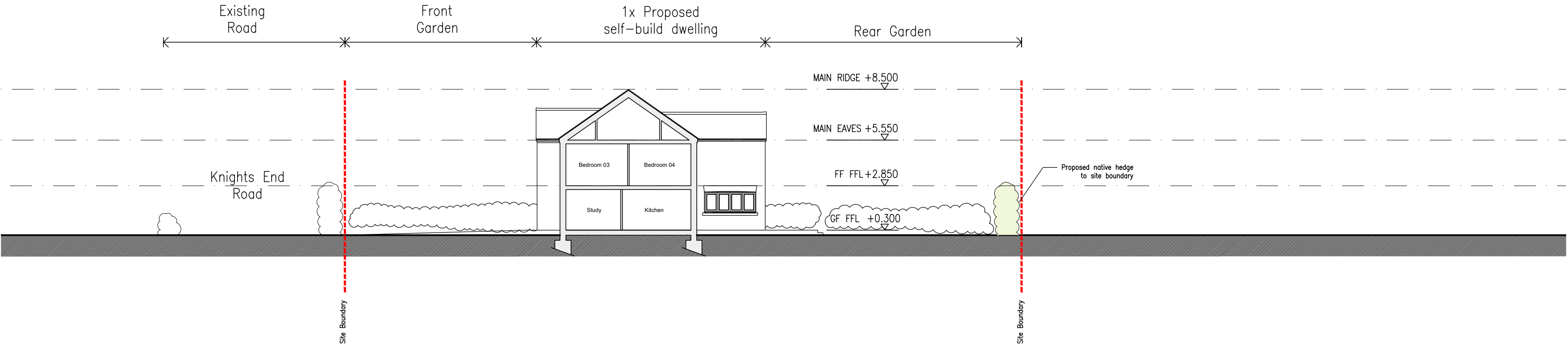
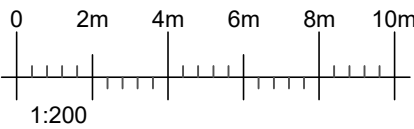
JOB NO.	PAPER SIZE	DATE
7078/003B	A2	DEC 2024

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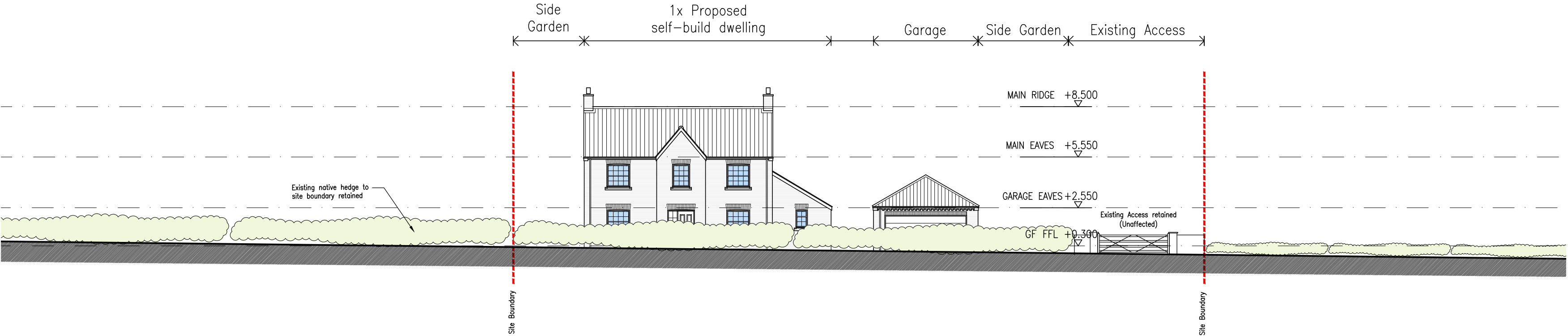
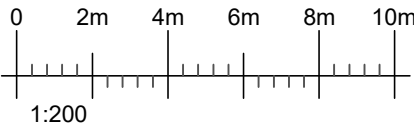
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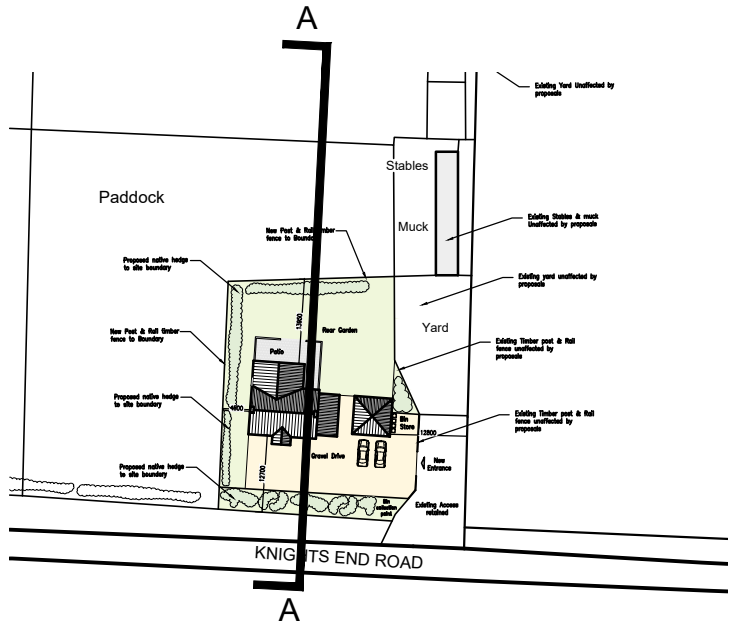
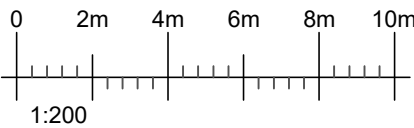
EXISTING SITE SECTION A/A  
SCALE 1:200



PROPOSED SITE SECTION A/A  
SCALE 1:200



PROPOSED STREET SCENE  
SCALE 1:200



SITE SECTION KEY  
SCALE 1:1250

- FLOOD RISK PREVENTION:-
- Dwelling to be constructed in accordance with Ellingham Consulting Flood Risk Assessment, which recommends that the finished floor level of the new dwelling is set 0.3m above existing ground level.
- The flood resilient measures at the dwelling will include:
- Water and electricity meters to be located above predicted flood level.
  - Position light switches , plugs, TV sockets etc to be between 450mm and 1200mm above floor level, and consumer units to be mounted between 1350mm and 1450mm above floor level.
  - Provision of underfloor heating in joint less plastic pipes.
  - Provision of fittings that are not affected by flooding and easily cleaned.
  - The occupiers of the building should also register with the governments floodline warning direct system to ensure they receive up to date information regarding possibility of flooding.

A - Amended for validation comments (13.03.2025)  
REVISIONS



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CLIENT  
MR M GRAHAM

PROJECT  
PROPOSED NEW SELF BUILD DWELLING

SITE  
LAND AT KNIGHTS END ROAD  
MARCH  
CAMBS  
PE15 0YR

DRAWING  
SITE SECTION(S) & STREET SCENE(S)

JOB NO.	PAPER SIZE	DATE
7078/006A	A2	DEC 2024

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PROPOSED FRONT ELEVATION  
SCALE 1:100



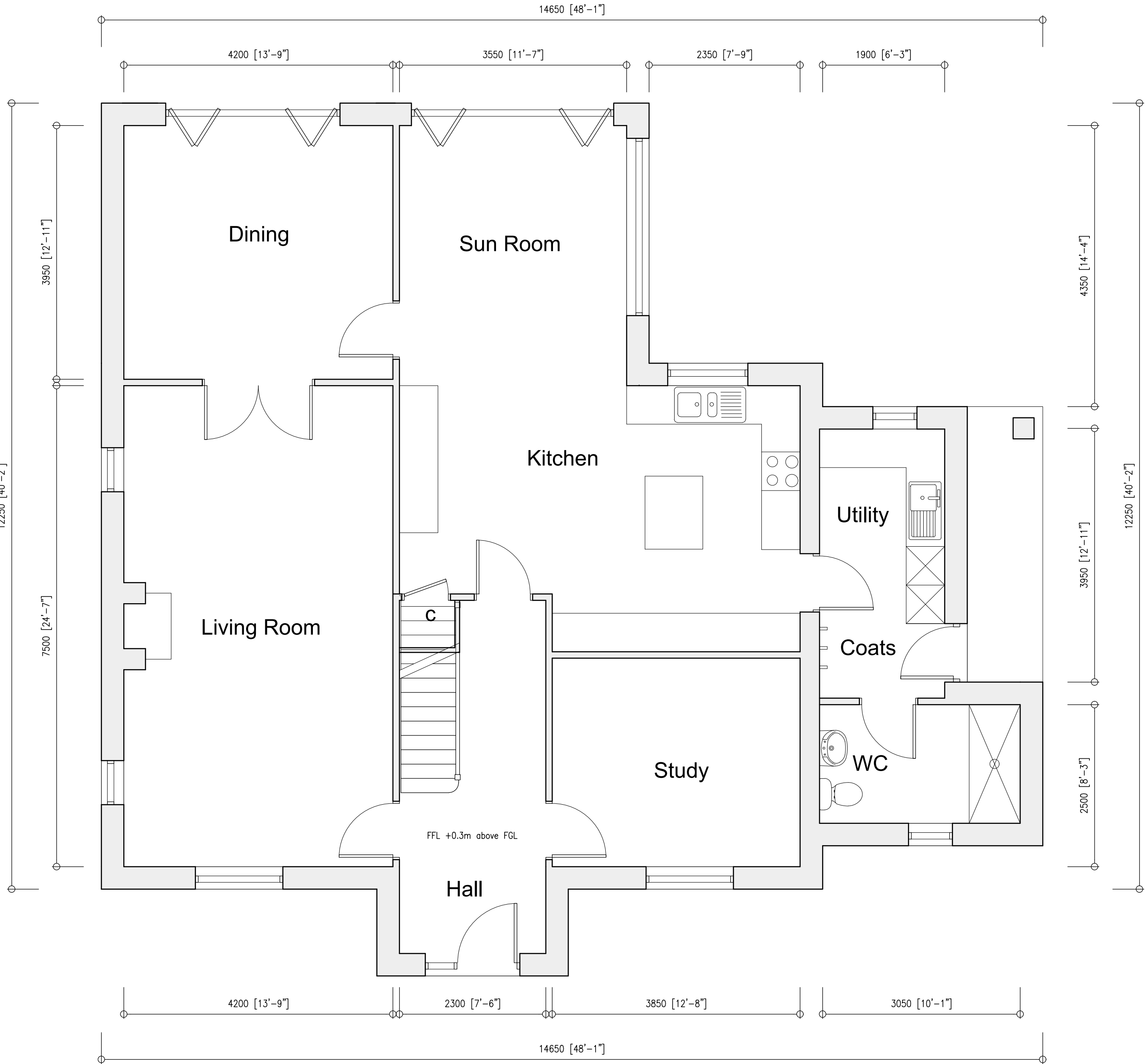
PROPOSED SIDE ELEVATION  
SCALE 1:100



PROPOSED REAR ELEVATION  
SCALE 1:100



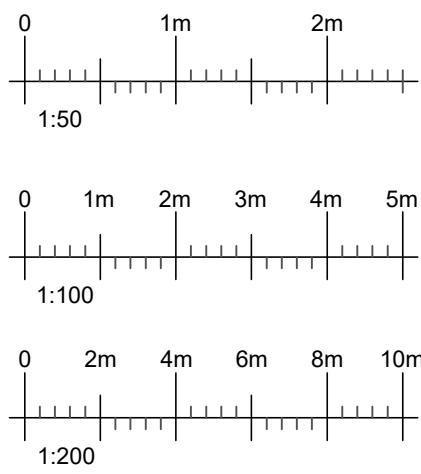
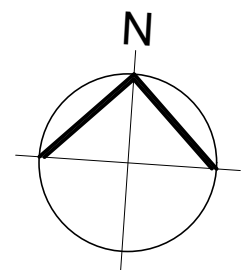
PROPOSED SIDE ELEVATION  
SCALE 1:100



PROPOSED GROUND FLOOR PLAN  
SCALE 1:50



PROPOSED FIRST FLOOR PLAN  
SCALE 1:50



C - Amended for validation comments (13.03.2025)  
B - Amended ahead of formal planning submission (05.03.2025)  
A - Revised Layout following client feedback (15.01.2024)

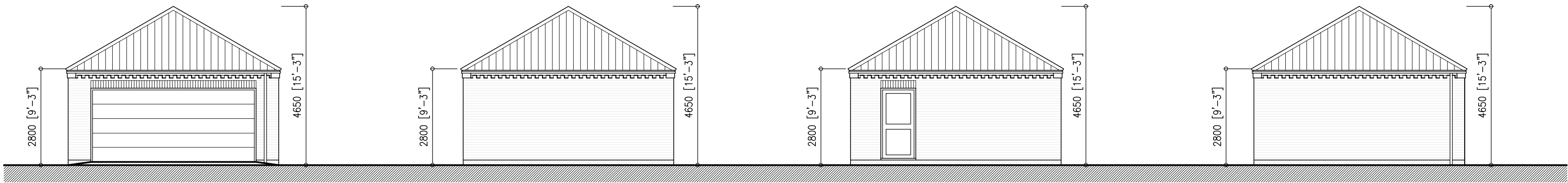
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CLIENT  
MR M GRAHAM  
PROJECT  
PROPOSED NEW SELF BUILD DWELLING  
SITE  
LAND AT KNIGHTS END ROAD  
MARCH  
CAMBS  
PE15 0YR  
DRAWING  
PROPOSED PLANS & ELEVATIONS

**MATERIAL SCHEDULE:-**  
Walls: Vandersanden Flemish Antique facing bricks.  
Roof: Smooth grey Slate effect Solar tiles  
Windows: Timber Joinery.  
Main door: Timber Joinery.  
Rainwater goods: Black UPVC.  
**DRAINAGE:-**  
Foul water = Discharge to treatment plant located in rear garden.  
Surface water = Discharge to soakways in rear garden.  
Time scales = Both will be installed and operation before occupation.  
**FLOOD RISK PREVENTION:-**  
Dwelling to be constructed in accordance with Ellingham Consulting Flood Risk Assessment, which recommends that the finished floor level of the new dwelling is set 0.3m above existing ground level.  
The flood resilient measures at the dwelling will include:  
- Water and electricity meters to be located above predicted flood level.  
- Position light switches, plugs, TV sockets etc to be between 450mm and 1200mm above floor level, and consumer units to be mounted between 1300mm and 1450mm above floor level.  
- Provision of underfloor heating in joint less plastic pipes.  
- Provision of fittings that are not affected by flooding and easily cleaned.  
- The occupiers of the building should also register with the government's floodlines warning direct system to ensure they receive up to date information regarding possibility of flooding.

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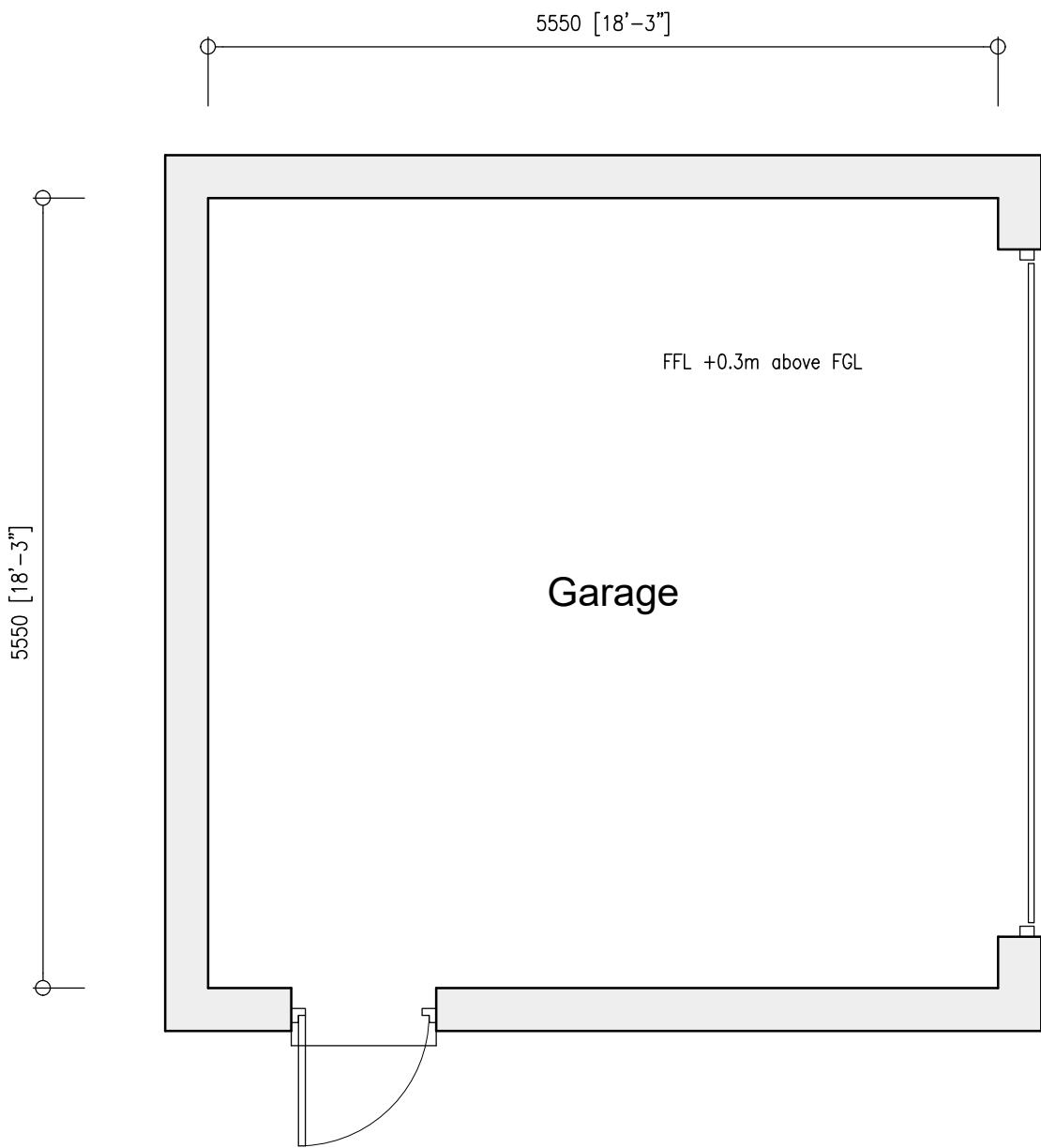


**PROPOSED FRONT ELEVATION**  
SCALE 1:100

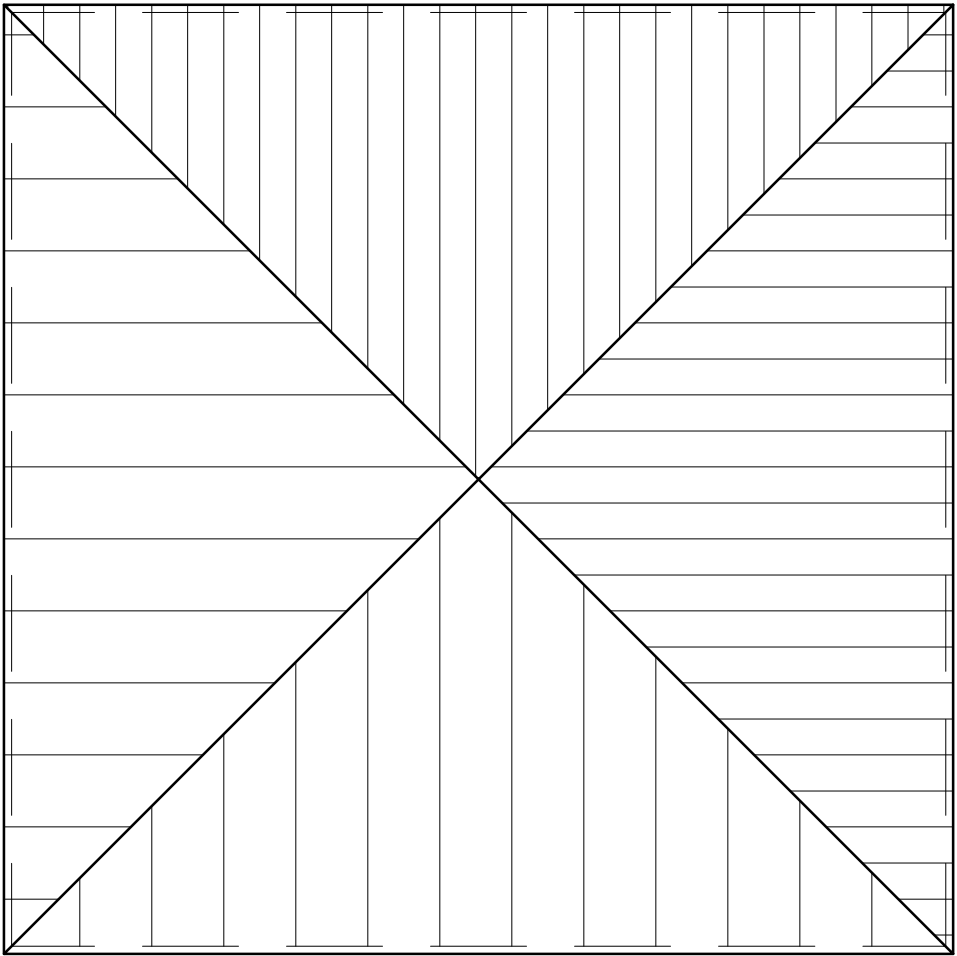
**PROPOSED SIDE ELEVATION**  
SCALE 1:100

**PROPOSED SIDE ELEVATION**  
SCALE 1:100

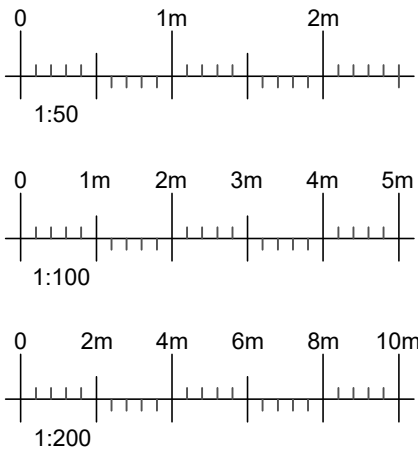
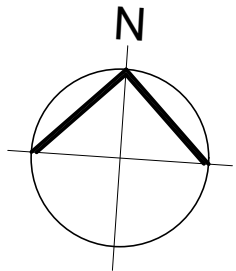
**PROPOSED REAR ELEVATION**  
SCALE 1:100



**PROPOSED GROUND FLOOR**  
SCALE 1:50



**PROPOSED ROOF PLAN**  
SCALE 1:50



A - Amended ahead of formal planning submission (05.02.2025)

REVISIONS



**PETER HUMPHREY  
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CLIENT

**MR M GRAHAM**

PROJECT

**PROPOSED NEW SELF BUILD DWELLING**

SITE

**LAND AT KNIGHTS END ROAD  
MARCH  
CAMBS  
PE15 0YR**

DRAWING

**PROPOSED GARAGE**

JOB NO.	PAPER SIZE	DATE
7078/005A	A2	DEC 2024

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

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

**F/YR25/0251/PIP**

**Applicant: Mr M Joyce**

**Agent: Mr J Scotcher  
Morton & Hall Consulting Ltd**

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

**Permission in Principle for 5 x dwellings**

**Officer recommendation: Refuse**

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

## **1 EXECUTIVE SUMMARY**

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

## 2 SITE DESCRIPTION

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

## 3 PROPOSAL

- 3.1 A location plan, existing site plan and indicative site layout (although not a requirement of a PiP application) at scales of 1:500 accompany this submission. These indicate the removal of the existing buildings on the site and the provision of five detached dwellings with associated parking and landscaping together with the provision of an access road utilising the existing site access.
- 3.2 The current proposal is the first part of the Permission in Principle application; this 'first stage' establishes whether a site is suitable in principle only, and assesses the 'principle' issues, namely; (1) Location (2) Use, and (3) Amount of development proposed
- 3.3 Should this application be successful the applicant will have to submit a Technical details application covering all the other detailed material planning considerations. The approval of Permission in Principle does not constitute the grant of planning permission.
- 3.4 The applicant is only required to submit a completed application form, a plan which identifies the land to which the application relates (drawn to scale and with a north point) and the application fee.
- 3.5 This application is a re-submission of a previously refused application F/YR24/0590/PIP, which was refused for the following reason:

*'The application site constitutes an area of land located outside the developed footprint of Wimblington. The development proposal will be in an 'elsewhere' location contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014). As such any residential development on this site will be contrary to the above policy*

*considerations and thus, in terms of location and use, the Planning in Principle application fails.'*

3.6 The amendments proposed as part of this scheme relate to the reduction in the number of units to be provided from 7 to 5 and a minor alteration to the red line boundary which now removes land from the northwestern corner and the host dwelling known as Woodbury.

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

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

## 4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR24/0590/PIP	Permission in Principle for 7 x dwellings	Refused 1 November 2024
F/YR22/1217/PIP	Permission in Principle for up to 5 x dwellings, involving the demolition of existing buildings	Application withdrawn 6th November 2023
F/YR18/0087/F	Erection of 2 kennel blocks including outdoor runs for a maximum of 20 dogs	Approved – 6th April 2018
F/YR17/1235/CERTP	Certificate of Lawful Use (Proposed): Siting of a caravan ancillary to the main dwelling	Permission required – 13th February 2018.
F/YR09/0205/F	Change of use of outbuildings from domestic workshops to commercial workshops for racing car manufacture, repair & servicing (retrospective)	Refused – 29th May 2009
F/YR08/0891/F	Change of use of outbuildings from domestic workshops to commercial workshops for racing car manufacture, repair & servicing (retrospective)	Refused – 18th November 2008.
F/94/0843/F	Construct vehicular access	Approved – 24th March 1995.

## 5 CONSULTATIONS

### 5.1 Wimblington Parish Council

Object to the proposal on the following grounds:

- High quality residential environmental design would be compromised

- Congestion and high impacts on the junction
- Not meeting housing needs
- Outside the village Settlement area

## **5.2 CCC Highways**

The proposed development is acceptable, subject to additional details at the technical consent/future planning consent relating to design and layout of the site access, details of future management and maintenance of the streets and a review of street lighting requirements at the site access junction

## **5.3 FDC Environmental Health**

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

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

Nine letters of support have been received from residents on Manea Road (x3), Eastwood End, Blue Lane, King Street, Norfolk Street and Hospital Road, Doddington these are summarised below:

- Will not create any additional highway impacts
- Good addition to the local area
- Retention of existing vegetation and screening is commendable
- Small-scale private projects are more suitable for the area than large corporate house building schemes
- Certainly, a need for more local housing and this proposal is in line with the growth of the area
- Efficient use of land
- Does not encroach on anyone and will not be visible to existing residents
- Larger building developments have been authorised in the Village
- The transport company is extending its current site
- Continuous growth of the area whereby sufficient infrastructure to cope
- Need to balance the space and tranquillity with encouraging local expenditure.
- Site is more than adequate with an immediate link to the village (including school and village shop)

One letter of offering comments on the application have been received from a resident on Morton Way this is summarised below:

- Buildings are going up along the bypass and Eastwood End – if the access is safe this isn't going to cause a problem

## **6 STATUTORY DUTY**

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

## **7 POLICY FRAMEWORK**

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

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment  
of minerals

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

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

## **National Design Guide 2021**

Context

Identity

Built Form

Homes and Buildings

## **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP5 – Meeting Housing Need

LP12 – Rural Areas Development Policy

LP13 – Supporting and Managing the Impact of a Growing District

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

## **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in



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

LP1: Settlement Hierarchy  
LP2: Spatial Strategy for the Location of Residential Development  
LP4: Securing Fenland's Future  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP12: Meeting Housing Needs  
LP18: Development in the Countryside  
LP19: Strategic Infrastructure  
LP20: Accessibility and Transport  
LP22: Parking Provision

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

Wimblington & Stonea Parish Council has carried out a pre-submission consultation on the draft plan, as required by Regulation 14 of the Neighbourhood Planning (General) Regulations 2012. The draft plan has not yet been submitted for examination. Given the very early stage which the draft plan is therefore at, it is considered, in accordance with Paragraph 49 of the NPPF, that the policies of this should carry very limited weight in decision making. Of relevance to this application are policies:

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

DM2 – Natural Features and Landscaping Schemes

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

## **8 KEY ISSUES**

- **Location**
- **Use**
- **Amount**

## **9 BACKGROUND**

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

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

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



- 9.2 Evaluation of a PIP must be restricted to the issues highlighted above; even if technical issues are apparent from the outset these can form no part of the determination of Stage 1 of the process, Accordingly, some matters raised via statutory bodies may not be addressed at this time.
- 9.3 It is pertinent to note that this application is a re-submission of a previously refused application F/YR24/0590/PIP, which was presented to Planning Committee on 30<sup>th</sup> October 2024. The application was refused for the following reason:

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

- 9.4 The amendments proposed as part of this scheme relate to the reduction in the number of units to be provided from 7 to 5 and a minor alteration to the red line boundary which now removes land from the northwestern corner and the host dwelling known as Woodbury.

## **10 ASSESSMENT**

### **Location**

- 10.1 Policy LP3 of the Fenland Local Plan (2014) identifies Wimblington as being a 'Growth Village'. For these settlements, development and new service provision either within the existing urban area or as a small village extension will be appropriate albeit of a considerably more limited scale than that appropriate to the Market Towns.
- 10.2 Policy LP12 identifies that to receive support, the site must be in or adjacent to the existing developed footprint of the village, defined as the continuous built form of the village and excludes individual buildings and groups of dispersed, or intermittent buildings, that are clearly detached from the continuous built-up area of the settlement. The Local Plan does not rely on defined settlement boundaries but rather requires a physical assessment to be made to determine whether or not a site is within a village for the purposes of Policy LP12. This results in a situation where a site could be considered in general terms to be part of the village but not be in the village for the purposes of the spatial strategy.
- 10.3 Policy LP5 sets out the housing targets for the District and the Council has undertaken a full assessment of the Five Year Housing Land Supply in the District and has concluded that the Council is able to demonstrate a supply of specific deliverable sites sufficient to provide for more than Five Years' worth of housing against the Council's identified requirements. This is a material consideration and means that any application for new development must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.4 It is apparent, that in the case of the application site, it is clearly detached from the remainder of Wimblington by the major road of the A141 and thus outside the continuous built form of the settlement. Adjacent development consists of only two residential dwellings and commercial development, with areas to the east rural in

nature. As such the proposal would constitute development in an 'Elsewhere' location as defined under LP3 which seeks to restrict that to essential rural based development. The proposal is therefore in conflict with Policies LP3 and LP12.

- 10.5 It is noted that the services and facilities within the Village would be accessible by utilising the footpath, and that a number of local residents have supported the application on this basis. This is not considered sufficient to overcome the harm identified by providing five residential units, in what is considered a countryside location, whereby there is no demonstrable need.
- 10.6 Similarly, it is noted that the Agent has advised of other residential developments having been approved at Eastwood End, which is also east of the A141. Each application must be determined on its own merits. Notwithstanding this basic principle, it is considered that the sites are materially different in that the character of the area at Eastwood End features existing residential development and does not benefit from larger commercial uses. Furthermore, these sites are set back further within the main settlement, whereas the site the subject of this application is within open countryside, which represents the visual transition into countryside as travelling along the A141, whereby the eastern side of the road is relatively free from residential development, when travelling in a southerly direction towards Chatteris.

### **Use**

- 10.7 The site is situated close to the edge of the settlement, however as stated above, it will be contrary to Policy LP12 – Rural Areas Development Policy and Policy LP16 – Delivering and Protecting High Quality Environments across the District. The introduction of residential units and associated paraphernalia is considered to erode the character and appearance of the open countryside. It is therefore considered that the site is not acceptable to use for new dwellings.
- 10.8 In addition, whilst perhaps being a matter more appropriate for consideration at Technical Consent stage, the location of the site between commercial activity and the A141 does raise potential issues around noise and whether a high quality residential environment would ultimately be created.

### **Amount of Development Proposed**

- 10.9 The application seeks Permission in Principle for up to five dwellings on a site of 0.38ha which will equate to a density of approximately 14 dwellings per hectare. This is low density and could comfortably be accommodated on-site without being considered an overdevelopment of the site. However, the detailed layout and design will be for consideration at the Technical details stage. In terms of consideration of amount, the proposal is acceptable.

### **Matters Raised During Consultation**

- 10.10 It should be noted that a number of supporting letters have commented noting that the provision of five dwellings will not impact on highway safety or increase congestion. These comments are noted, and this does form a material consideration as part of this assessment, but as discussed above there are no concerns, in respect of highway matters to the amount of development proposed.

- 10.11 It is also noted that the Parish Council have raised concerns in terms of congestion and the associated Highways impact of the proposal, however, Cambridgeshire County Highways have raised no concerns at this stage, with any additional details being secured at the Technical Details or subject of a subsequent application. Further given that the proposal relates to Five dwellings this quantum of development, is unlikely to result in sufficient harm, to justify the refusal of the application contrary to the Highway Authority's recommendation.

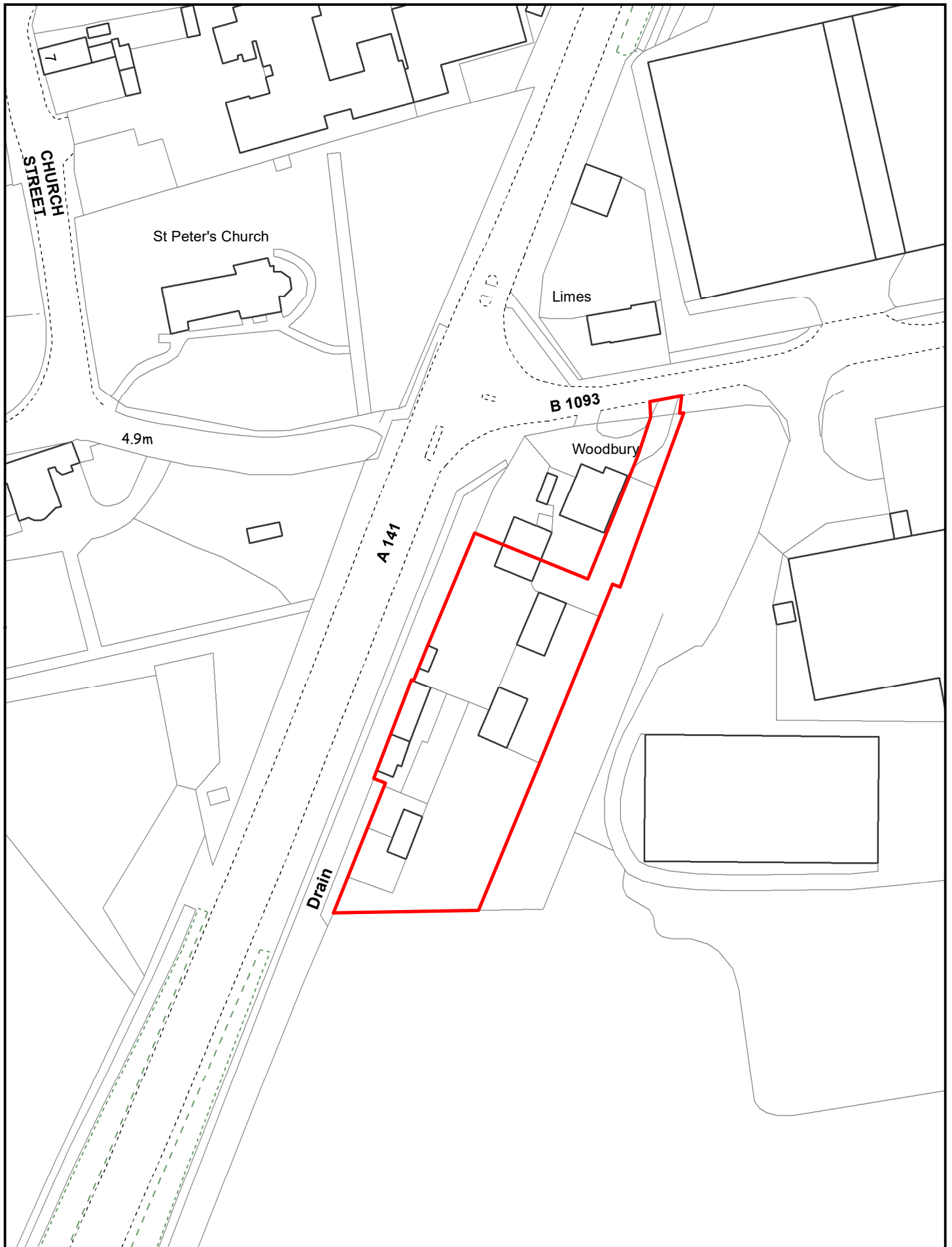
## 11 CONCLUSIONS

- 11.1 As indicated above it is only location, use and amount of development that may be considered at the first 'permission in principle stage' and it is considered that the location and use of the site for residential development is unacceptable due to the conflict with the settlement hierarchy of the Local Plan. The amendments proposed to this scheme (reduction in the number of units to be provided) are not considered to overcome the harm identified previously and therefore, the application remains unacceptable in principle.

## 12 RECOMMENDATION

**Refuse;** Permission in Principle for the following reason:

1.	The application site constitutes an area of land located outside the developed footprint of Wimblington. The development proposal will be in an 'elsewhere' location contrary to Policies LP3 and LP12 of the Fenland Local Plan (2014). As such any residential development on this site will be contrary to the above policy considerations and thus, in terms of location and use, the Planning in Principle application fails.
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F/YR25/0251/PIP

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**F/YR25/0328/F**

**Applicant: Mr John Clark**

**Agent : Mr R Papworth  
Morton & Hall Consulting Ltd**

**108 High Street, March, Cambridgeshire, PE15 9LP**

**Erect 1 x self-build/custom build dwelling involving demolition of shed within a Conservation Area**

**Officer recommendation: Refuse**

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

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## **1 EXECUTIVE SUMMARY**

- 1.1 The application seeks full permission for the erection of one self-build/custom build dwelling involving demolition of shed within a Conservation Area.
- 1.2 The proposed development would result in the subdivision of the existing curtilage of No. 108, which forms the setting of the Grade II Listed Building. The carving up of the plot would introduce harm to this setting and to the Conservation Area, exacerbated by the unsympathetic appearance of the proposed dwelling. The application does not include clear or convincing justification to justify the harm introduced, nor does the development provide any public benefit. The development is therefore considered contrary to Policy H2 of the March Neighbourhood Plan 2017, Policies LP16 and LP18 of the Fenland Local Plan and Paragraphs 213 and 215 of the NPPF.
- 1.3 The proposed development would also utilise the existing access associated with No. 108. The access drive itself is of limited width, as little as 2.9 metres at the narrowest point. The increase in traffic proposed as a result of the application, combined with the narrowness of the access road would result in an access drive that fails to meet the requirements of Policy H2 of the March Neighbourhood Plan 2017 and Policy LP15 of the Fenland Local Plan 2014.
- 1.4 The Council can demonstrate that the number of permissions for self/custom builds currently exceeds identified demand. The Council can also demonstrate an excess of a five-year supply of available housing land. Very limited weight should therefore be given to these factors when considering the planning balance.
- 1.5 As such, the application is recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1 The application site is situated on the eastern side of High Street, within the market town of March. The site is also situated within March Conservation Area.

The dwelling to the front of the site is a Grade II Listed Building and adjacent Grade II and Grade II\* Listed Buildings are situated to south of the application site.

- 2.2 The Maze (108 High Street) was listed on 16<sup>th</sup> December 1974. The dwelling on site is a mid C18 and C19 2-storey, L shaped dwelling constructed of a narrow gault brick.
- 2.3 To the rear of the dwelling is a long linear rear garden, with an existing summer house situated adjacent to the northern boundary of the site. An existing shed is situated adjacent to the southern boundary of the site. The rear garden of the site is enclosed by a mixture of brick built walls and close boarded fencing. There is an existing 14 metre high (approx) tree within the rear garden.
- 2.4 The application site is situated within Flood Zone 1.

### **3 PROPOSAL**

- 3.1 This application seeks to erect one dwelling, including the demolition of the existing shed.
- 3.2 The proposed dwelling would be a 3 bedroom, U-shaped dwelling. The dwelling would have a width of 14.9 metres and a maximum depth of 16 metres. The roof proposed would be dual-pitched with an eaves height of 2.6 metres and a ridge height of 5 metres.
- 3.3 The materials proposed to the dwelling include a Traditional Brick and Stone Cambourne Buff Brick, Photovoltaic Tiles/Slate Tiles, Cream uPVC joinery and Black Cast Aluminium Gutters and Downpipes.
- 3.4 Access to the site would be via the existing access serving No. 108, with parking and turning detailed on the proposed site plan. 2 parking spaces are also detailed to the front of the proposed dwelling. Private amenity space would be situated to the rear of the proposed dwelling.
- 3.5 Full plans and associated documents for this application can be found at:  
<https://www.publicaccess.fenland.gov.uk/publicaccess/>

### **4 SITE PLANNING HISTORY**

Reference	Description	Decision
24/0050/PREAPP	Erect 1x dwelling	Unfavourable

### **5 CONSULTATIONS**

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

*Recommendation: Approval.*

#### **5.2 CCC Highways**

*The highways authority objects to this application and would recommend refusal for the following reasons:*

- *The existing vehicle access with the highway is not sufficiently wide enough to allow two vehicles to pass simultaneously. The current accepted standard access width by the highway authority is 5m for a min of 6m in to the curtilage of the property. If approved vehicles will have to stop and manoeuvre on the highway to allow others vehicles entering/leaving the property. This would likely therefore lead to the detriment of safety for users of the highway and highways safety.*

### **5.3 CCC Archaeology**

*No comment or requirement for the scheme.*

### **5.4 FDC Conservation Officer**

Raised an objection to the scheme and recommended that the application be refused. The Conservation Officer highlighted that the proposed development would erode the long linear curtilage, which forms the setting of the Grade II Listed Building, thus resulting in harm to the setting of the Listed Building and setting a precedent for further development.

The Conservation Officer also raised concerns regarding the substantial reduction in curtilage and the awkward development layout and noted that the design of the development does not respect or reflect the setting of the host Listed Building.

Within their comments, the Conservation Officer acknowledges that whilst most of the application site is shielded from public view, the impact upon setting of private areas is also a factor for consideration when assessing the impact of a development upon the Conservation Area. The linear curtilage of the application site and neighbouring sites is an important historic feature. The development is also considered to therefore cause harm to the character and historic settlement form of the Conservation Area.

### **5.5 FDC Environmental Health**

No objections to the scheme, however, have recommended a working times condition due to close proximity of existing noise sensitive receptors.

### **5.6 FDC Ecology**

No objections to the application. Suggested informatives regarding vegetation clearance and bats.

### **5.7 FDC Tree Consultant**

Raised no objections to the scheme, however acknowledged that no arboricultural assessment had been submitted. Recommended a pre-commencement condition be secured requiring an Arboricultural Impact Assessment and Tree Protection Plan to be submitted.

### **5.8 Historic England**

No advice provided. Suggest seeking views of specialist conservation and archaeological advisors.

## 5.9 Environment Agency

*No objection to the proposed development on flood risk grounds.*

## 5.10 Local Residents/Interested Parties

14 letters of support were received with regard to this application (three from Jobs Lane and High Street, two from Station Road and one each from The Causeway, Binnimoor Road, The Avenue, Elwyndene Road, Stonecross Way and St Peters Road, March). The reasons for support are summarised as follows:

- Ideal site for development
- Would not introduce overlooking
- Character
- Flooding
- Private amenity space
- Proximity to Town Centre

## 6 STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the March Neighbourhood Plan (2017).
- 6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

## 7 POLICY FRAMEWORK

- 7.1 **National Planning Policy Framework (NPPF) 2024**  
Chapter 2 - Achieving sustainable development  
Chapter 4 – Decision-making  
Chapter 12 – Achieving well-designed places  
Chapter 14 – Meeting the challenge of climate change, flooding and coastal change  
Chapter 15 – Conserving and enhancing the natural environment  
Chapter 16 - Conserving and enhancing the historic environment
- 7.2 **National Planning Practice Guidance (NPPG)**  
Determining a Planning Application
- 7.3 **National Design Guide 2021**  
Context  
Identity  
Built Form
- 7.4 **Fenland Local Plan 2014**  
LP1 – A Presumption in Favour of Sustainable Development  
LP2 – Facilitating Health and Wellbeing of Fenland Residents



- LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP4 – Housing
- 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

## **7.5 March Neighbourhood Plan 2017**

- H2 – Windfall Development

## **7.6 Emerging Local Plan**

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

- LP1: Settlement Hierarchy
- LP2: Spatial Strategy for the Location of Residential Development
- LP5: Health and Wellbeing
- LP7: Design
- LP8: Amenity Provision
- LP22: Parking Provision
- LP23: Historic Environment
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP32: Flood and Water Management

## **8 KEY ISSUES**

- **Principle of Development**
- **Self-build and Five-Year Land Supply**
- **Design, Appearance and Impact on Historic Environment**
- **Residential Amenity**
- **Access and Parking**
- **Flood Risk**
- **Ecology and Trees**
- **Biodiversity Net Gain (BNG)**

## **9 BACKGROUND**

- 9.1 Pre-application advice was sought in August 2024, for the erection of a dwelling within the rear garden of 104 High Street. The design and layout of the proposed development under this application differ from that submitted under the pre-app.
- 9.2 Notwithstanding this, the advice provided within this pre-application noted that the subdivision of the site would result in harm to the setting of the Listed Building due to the substantial erosion of historic linear curtilage, as well as setting a precedent for further development within the gardens of the adjacent Listed Buildings.

- 9.3 Additionally, in the interests of transparency it should be noted that the applicant is an elected Member of Fenland District Council.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The application site is located within the settlement of March which is identified within the Settlement Hierarchy as a Market Town. Market Towns are identified within Policy LP3 as the focus for housing growth, therefore, the principle of residential development is considered acceptable, in view of planning policy. Policy H2 of the March Neighbourhood Plan 2017 supports the provision of residential development.
- 10.2 It should be noted that this point of general principle is subject to broader planning policy and other material considerations which are discussed in more detail in the following sections.

### **Self-build and Five-Year Land Supply**

- 10.3 Policy LP5, Part C of the Fenland Local Plan seeks to provide, in appropriate circumstances, housing solutions that meet market expectations including self build homes, which is supported by para 62 of the NPPF. Under Section 1 of the Self Build and Custom Housebuilding Act 2015, local authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under sections 2 and 2A of the Act to have regard to this and to give enough suitable development permissions to meet the identified demand. Weight would therefore be given to this, the amount dependant on identified demand. The proposal is for a self/custom build dwelling, however the Council can currently demonstrate that the number of permissions given for self/custom builds exceeds identified demand, and as such very limited weight can be afforded to this.
- 10.4 Additionally, at present the Council can demonstrate in excess of a five-year supply of available housing land and therefore very limited weight can be afforded to the delivery of housing when considering the planning balance.

### **Design, Appearance and Impact on Historic Environment**

- 10.5 Policy LP16 and LP18 of the Fenland Local Plan support the principle of development subject to development respecting and enhancing the character and identity of the surrounding area and that the development does not have any adverse impacts on the surrounding Conservation Area or introduce harm to the setting of Listed Buildings.
- 10.6 Policy H2(f) of the March Neighbourhood Plan 2017 requires developments to be of a high standard of design.
- 10.7 Paragraph 213 of the NPPF states that '*Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification*'.

- 10.8 Paragraph 215 of the NPPF states that *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*
- 10.9 Setting of a heritage asset is defined within the NPPF as *'The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.'*
- 10.10 The setting of a Listed Building encompasses the surrounding environment in which the building is experienced and appreciated, including both its visual and physical context. The application site is situated within existing garden land, associated with a Grade II Listed Building, 108 High Street. The proposed development would therefore be situated within the setting of this Listed Building.
- 10.11 The proposed development within the garden land of No. 108, including the erection of fencing and creation of a driveway would carve up the existing plot, removing a substantial amount of private amenity space and eroding the long linear curtilage, which forms part of the setting of the Grade II Listed Building.
- 10.12 Whilst it is acknowledged that the original setting of the listed building has been truncated during the mid to late C20, with the construction of the modern housing estate to the rear of the site, in comparison to the adjacent Listed Buildings at No 110 and 112, the proposed development would be the furthest incursion into the curtilage of these Listed Buildings. The loss of the long linear curtilage associated with the dwelling is therefore considered to introduce harm to the setting of the Listed Building.
- 10.13 The proposed development would be somewhat obscured from view from the wider public realm, when considering the impact upon the Conservation Area, both public views and the impact on the setting of private areas are factors to be considered. Consideration should be given to the morphology of the built form of the Conservation Area. In this case, the linear curtilage of the application site and neighbouring sites is an important historic feature. It is therefore also considered that the development would introduce harm to the character and historic settlement form of the March Conservation Area.
- 10.14 In terms of the design of the dwelling, the proposed development would be a modern bungalow, with cladded gables which does not respect or reflect the design of the host Listed Building. As such, the unsympathetic design of the proposal is considered to introduce further harm to the setting of the Listed Building.
- 10.15 Where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, as set out within Paragraph 215 of the NPPF. The application is for a self-build/custom dwelling for the applicants to live in, this is not considered to be clear or convincing justification to justify the harm introduced to the significance of the Listed Building. The private occupation of the development does also not provide any public benefit which would justify the harm introduced.

10.16 As such, the proposed backland development, which would introduce a modern style dwelling, is considered to significantly erode what is left of the historic linear curtilage of the Listed Building to the detriment to historic layout and setting, introducing harm to the setting of the Listed Building and the character of the March Conservation Area. The development is therefore considered to be contrary to Policy H2(f) of the March Neighbourhood Plan 2017, Policies LP16 and LP18 of the Fenland Local Plan and Paragraphs 213 and 215 of the NPPF.

### **Residential Amenity**

10.17 Policy H2(a) of the March Neighbourhood Plan 2017 requires developments to consider levels of light, privacy and private amenity space for the occupants of the proposed dwellings.

10.18 Policies LP2 and LP16 of the Fenland Local Plan seek to ensure that development does not detrimentally impact upon the residential amenity of neighbouring or future occupiers.

10.19 Neighbouring buildings are situated to the north, east, south-east, south and west of the application site. To the north of the site is the Three Lions Sports Bar & Restaurant. The proposed dwelling would not adversely impact upon this neighbouring property.

10.20 To the east of the site is private amenity space, which appears to be associated with No. 46 Elwyndene Road. The proposed development would retain a clearance of approximately 10 metres between the rear elevation of the dwelling, and the eastern boundary of the site. Due to the single-storey nature of the dwelling, the retained clearance and the presence of a 1.8 metre high close boarded fence, it is unlikely that the proposed development would introduce any adverse overbearing, overshadowing or overlooking impacts upon this neighbouring amenity space.

10.21 The dwelling to the south-east of the site, 38 Stonecross Way, would be situated approximately 7.6 metres from the proposed dwelling. Whilst the proposed development would be somewhat visible to this neighbouring property, it is unlikely to introduce any adverse overbearing, overshadowing or overlooking impacts due to the single-storey nature of development and existing boundary treatments.

10.22 With regard to the dwelling to the south of the development, the proposed dwelling would be situated adjacent to private amenity space associated with this dwelling. Similarly, given the existing 2.7m high brick wall separating the sites and the single-storey nature of development, it is unlikely that any adverse overbearing, overshadowing or overlooking impacts would be introduced.

10.23 The host dwelling to the west of the site, 108 High Street, would be situated approximately 61 metres from the proposed dwelling and therefore it is unlikely that this dwelling would be adversely affected.

10.24 With regard to bin collection, it is acknowledged that bin storage will be in excess of the recommended 30m drag distance between storage and collection areas. However, given that this arrangement has been accepted for other dwellings along High Street, it would in part, be inconsistent to raise issue with this aspect. It does however have to be acknowledged that this element carries negative weight to be applied in the planning balance.

10.25 The scheme is therefore considered to be compliant with Policy H2 of the March Neighbourhood Plan 2017 and Policies LP2 and LP16 of the Fenland Local Plan 2014 in this regard.

### **Access and Parking**

10.26 Policy H2(d) of the March Neighbourhood Plan 2017 requires development to include a safe and vehicular access that would not result in severe impacts on the road network.

10.27 Policy LP15 of the Fenland Local Plan 2014 requires development to provide well designed, safe and convenient access for all and well-designed car parking in accordance with Appendix A.

10.28 The submitted site plan indicates the provision of 2 parking spaces and turning space for both the proposed dwelling and the host dwelling on site. This is considered to be acceptable.

10.29 The proposed development would utilise the existing access to No. 108, including the provision of a driveway to the new dwelling. The existing access at its narrowest point measures approximately 2.9 metres.

10.30 CCC Highways have been consulted on this application and have raised an objection to the scheme on the basis that the access is not wide enough to allow two vehicles to pass simultaneously. If approved the Highway Authority have concerns that “vehicles will have to stop and manoeuvre on the highway to allow others vehicles entering/leaving the property. This would likely therefore lead to the detriment of safety for users of the highway and highways safety”.

10.31 The applicant has submitted a statement in response to these comments, essentially highlighting the number of similar constrained accesses in the vicinity as well as planning permission which have been granted. These permissions appear to be based on somewhat historic decisions, pre-dating the current local plan. Notwithstanding this, each application should be considered on its own merits, it is considered that allowing further potentially unsafe accesses to proliferate in this location is not acceptable, especially given the highway authority’s concerns regarding this proposal.

10.32 As such, the intensification of the narrow access through the provision of an additional dwelling would exacerbate the potential for conflict between vehicles using the access. As such, the application has failed to demonstrate that it is able to provide convenient and safe access for the proposed dwelling and is therefore considered contrary to Policy H2(d) of the March Neighbourhood Plan 2017 and Policy LP15 of the Fenland Local Plan 2014.

### **Flood Risk**

10.33 The proposal is located within Flood Zone 1 and issues of surface water disposal will be considered under Building Regulations

### **Ecology and Trees**

10.34 The application is accompanied by a Preliminary Ecological Appraisal Report. The report concludes that the habitats on site are of low conservation value and that no further surveys are required. Mitigation measures are suggested which could

be conditioned should permission be granted. Consultation was undertaken with the FDC Ecology Officer who raised no objections to the application, subject to suggested informatives and a condition requiring biodiversity enhancement.

10.35 Consultation was also undertaken with the FDC Tree Officer who confirmed that the proposed development could be implemented without detriment to the retained trees, however this would be subject to pre commencement conditions should permission be granted to ensure an Arboricultural Impact Assessment and Tree Protection Plan are submitted and approved by the LPA.

10.36 As such, there are no issues to address with regard to Policy LP19 in this regard.

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

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

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

## **11 CONCLUSIONS**

11.1 The application seeks full permission for the erection of one self-build/custom build dwelling involving demolition of shed within a Conservation Area.

11.2 The Council can demonstrate that the number of permissions for self/custom builds currently exceeds identified demand. The Council can also demonstrate an excess of a five-year supply of available housing land. Very limited weight should therefore be given to these factors when considering the planning balance.

11.3 Whilst the proposed development accords with the settlement hierarchy of Policy LP3 of the Local Plan, both the unsympathetic design and the subdivision of the existing curtilage of No. 108, would introduce harm to the setting of the Grade II Listed Building and the character of the March Conservation Area. The application does not include clear or convincing justification to justify the harm introduced, nor does the development provide any public benefit to outweigh that harm and is therefore considered to be contrary to Policy H2 of the March Neighbourhood Plan 2017, Policies LP16 and LP18 of the Fenland Local Plan and Paragraphs 213 and 215 of the NPPF.

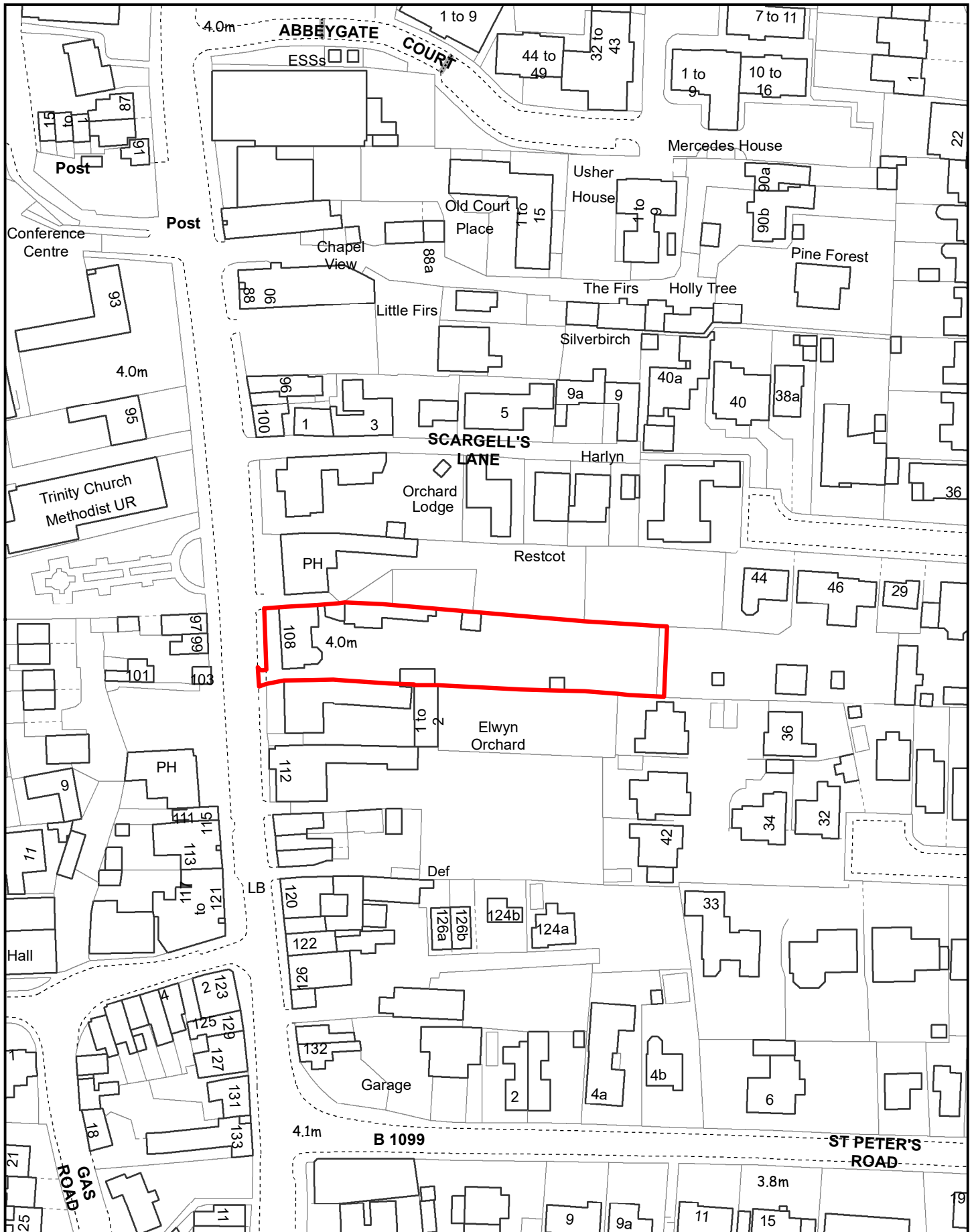
11.4 In addition to the above, the proposed utilisation of the existing access is considered unacceptable due to the increase of traffic proposed and the narrowness of the existing access road which would result in unacceptable highway safety impacts. While the development would provide some economic and social benefits through the delivery of a single dwelling in a largely sustainable location these would inherently be limited given the scale of

development and would not outweigh the harm identified to heritage and highway safety. The application is therefore considered to be contrary to Policy H2 of the March Neighbourhood Plan 2017 and Policy LP15 of the Fenland Local Plan 2014.

## 12 RECOMMENDATION

12. **Refuse;** for the following reasons:

1	<p>The application would result in development within the setting of a Grade II listed building, 108 High Street, and would result in less than substantial harm to this setting and the Conservation Area, by virtue of introducing built form into currently undeveloped open land forming the historic context to the listed building, separating the Listed Building from its historic curtilage, without adequate justification, and without any public benefits outweighing this harm. The linear curtilage of the site is an important historic feature and its loss would also introduce harm to the character and historic settlement of the Conservation Area. This harm is exacerbated by the modern design of the proposed dwelling, which does not seek to respect or reflect the design of the host Listed Building</p> <p>As such, if permitted, the development would be contrary to Policy H2 of the March Neighbourhood Plan 2017, Policy LP16 and LP18 of the Fenland Local Plan 2014 as well as Paragraphs 213 and 215 of the National Planning Policy Framework.</p>
2	<p>Policy LP15 of the Fenland Local Plan (2014) requires that developments provide "well designed, safe and convenient access for all". The access drive itself is of limited width, as little as 2.9 metres at the narrowest point. The increase in traffic proposed as a result of the application, combined with the narrowness of the access road would result in an access drive that fails to meet the above requirements of policy H2 of the March Neighbourhood Plan 2017 or Policy LP15 of the Fenland Local Plan (2014).</p>



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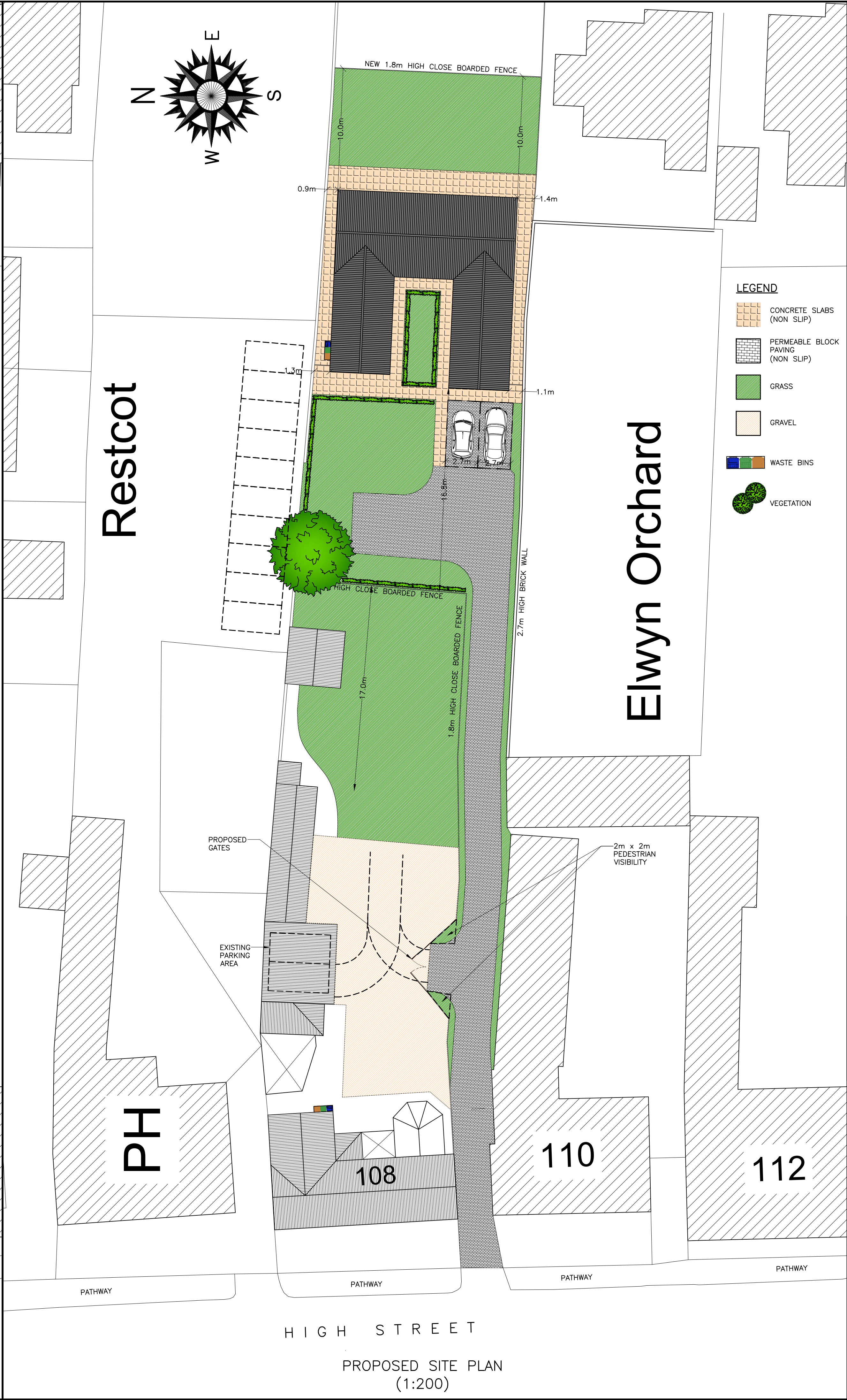
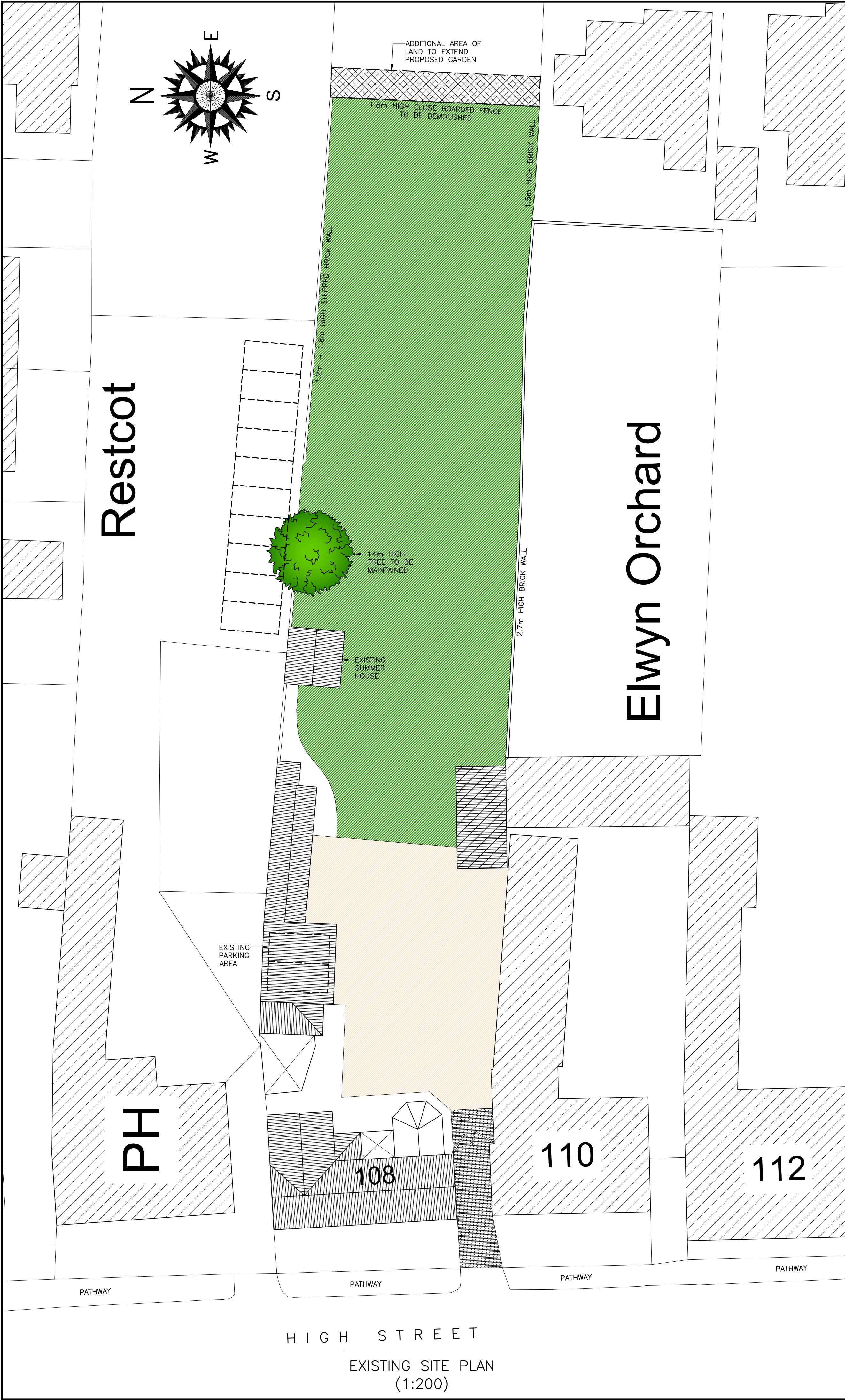
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**LEGEND**

- CONCRETE SLABS (NON SLIP)
- PERMEABLE BLOCK PAVING (NON SLIP)
- GRASS
- GRAVEL
- WASTE BINS
- VEGETATION

**LOCATION PLAN (1:1250)**  
LICENCE NUMBER 100022432

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Website: www.mortonconsultingengineers.co.uk

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

**CLIENT**  
Mr J Clark

**PROJECT**  
The Maze  
108 High Street  
March  
Cams, PE15 9LP

**TITLE**  
Existing & Proposed Site Plans

**DRAWN**  
R.Papworth

**CHECKED**

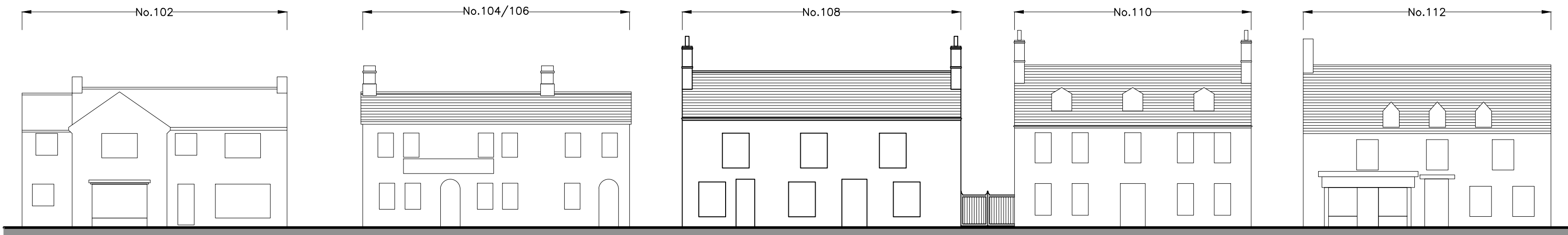
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**DATE OF ISSUE**

**DRAWING NUMBER**  
H10261/00b

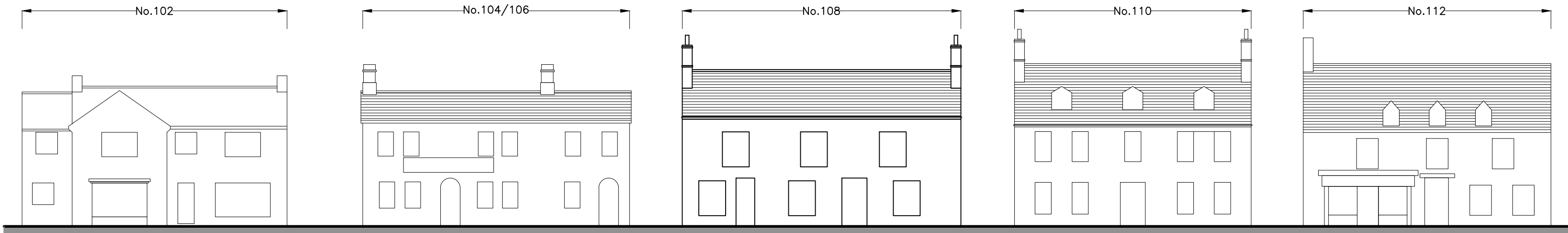




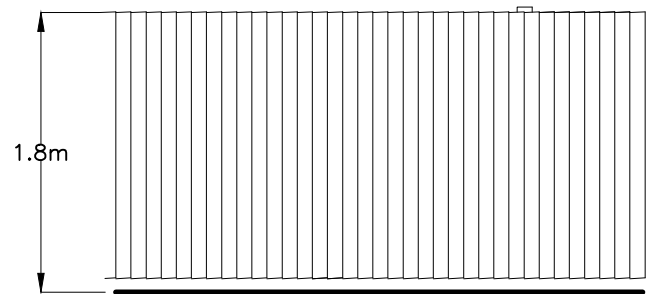
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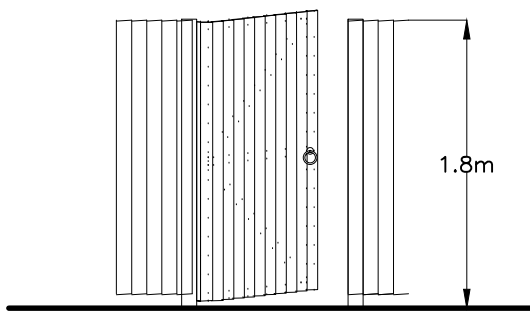
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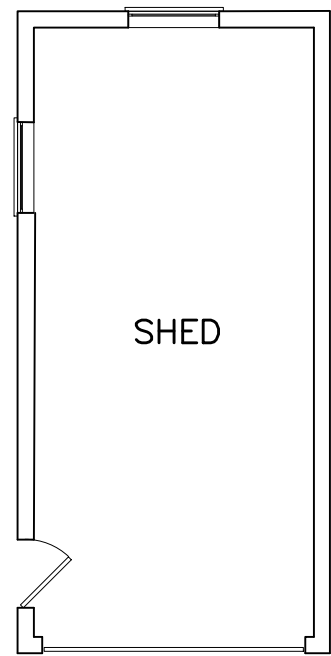
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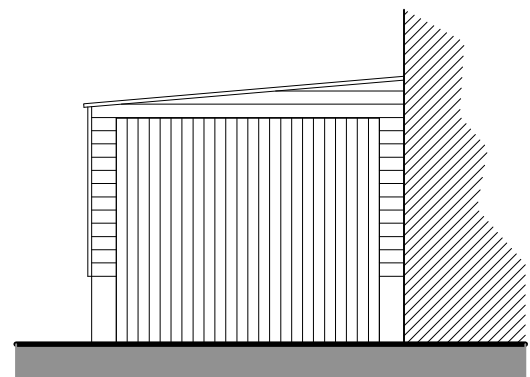
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TIMBER FENCE DETAIL  
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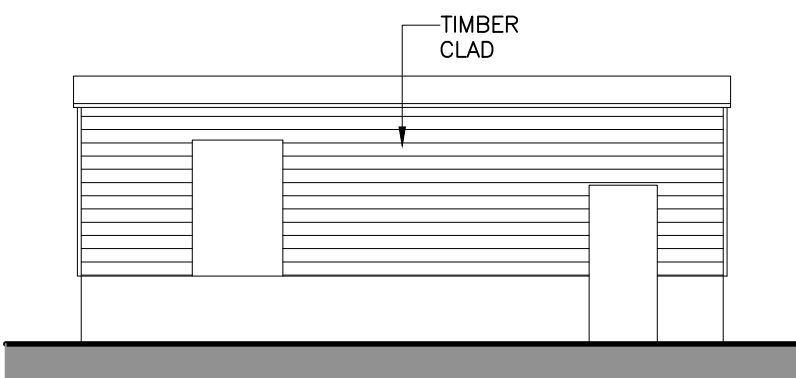
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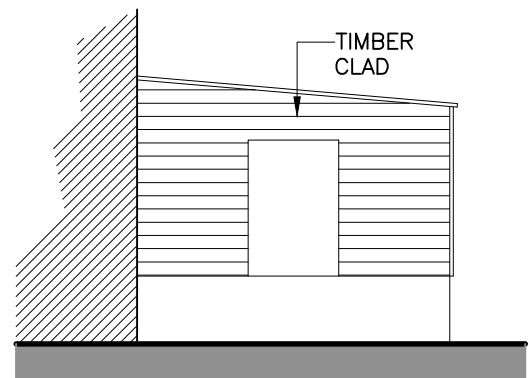
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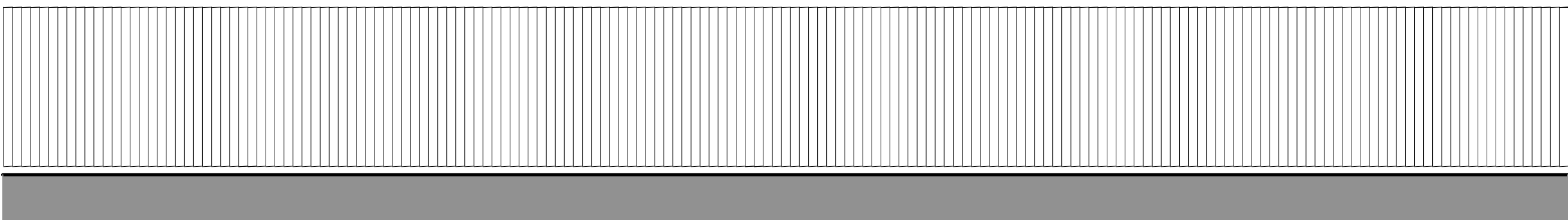
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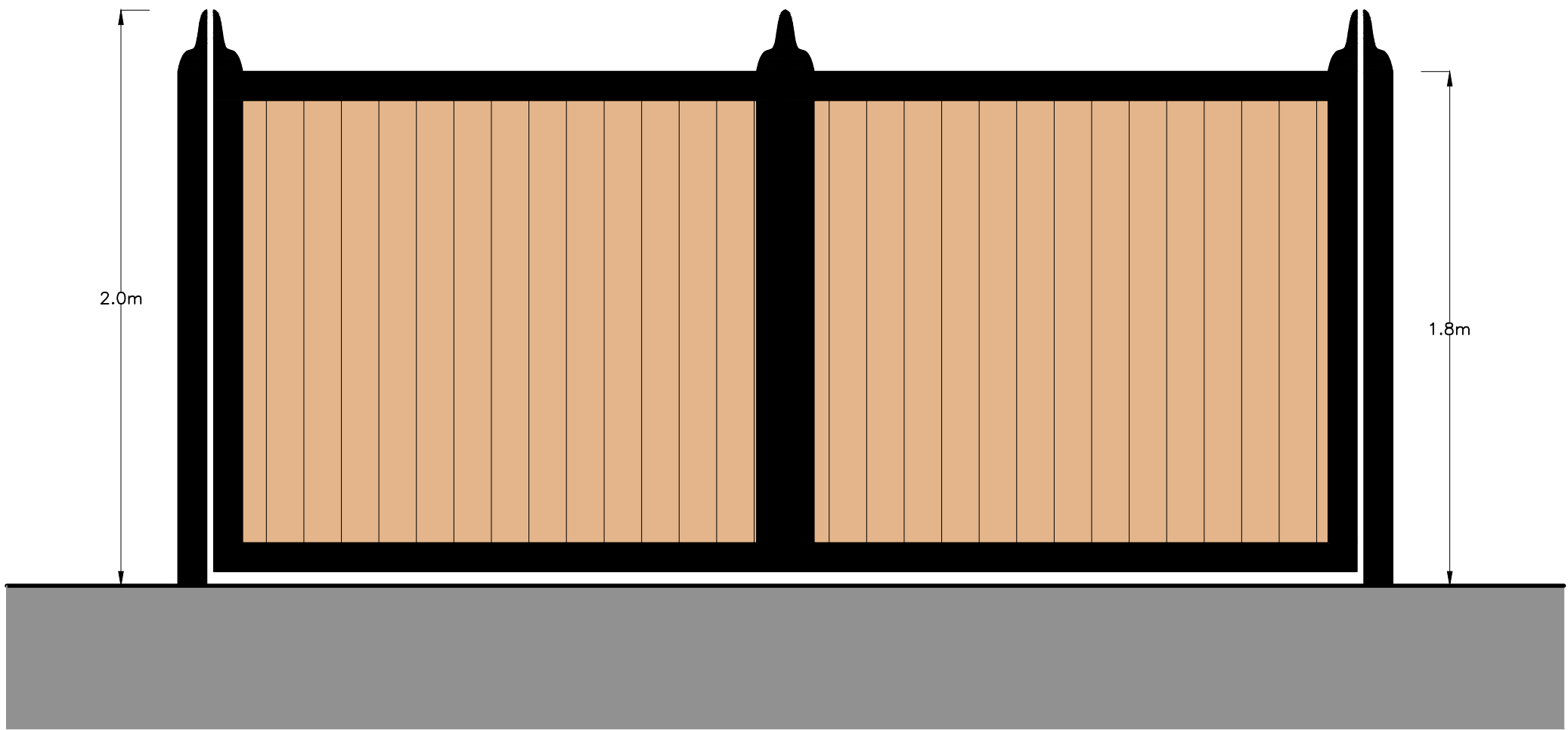
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EXISTING REAR ELEVATION  
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EXISTING REAR FENCE ELEVATION  
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(1:50)

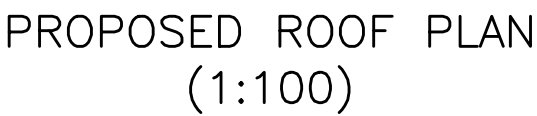
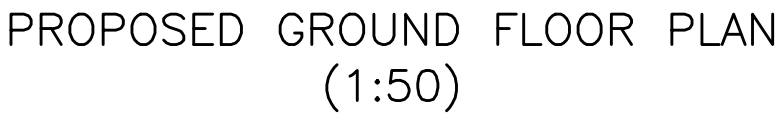


NEW GATES TO No.108  
(1:20)

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	REVISIONS	DATE
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CLIENT		
Mr J Clark		
PROJECT		
The Maze 108 High Street March Cams, PE15 9LP		
TITLE		
Existing & Proposed Street Scenes		
DRAWN	R.Papworth	DATE OF ISSUE
CHECKED		
DATE	Mar 2025	DRAWING NUMBER
SCALE	As Shown	H10261/03A





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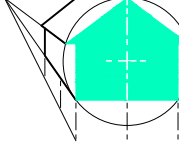
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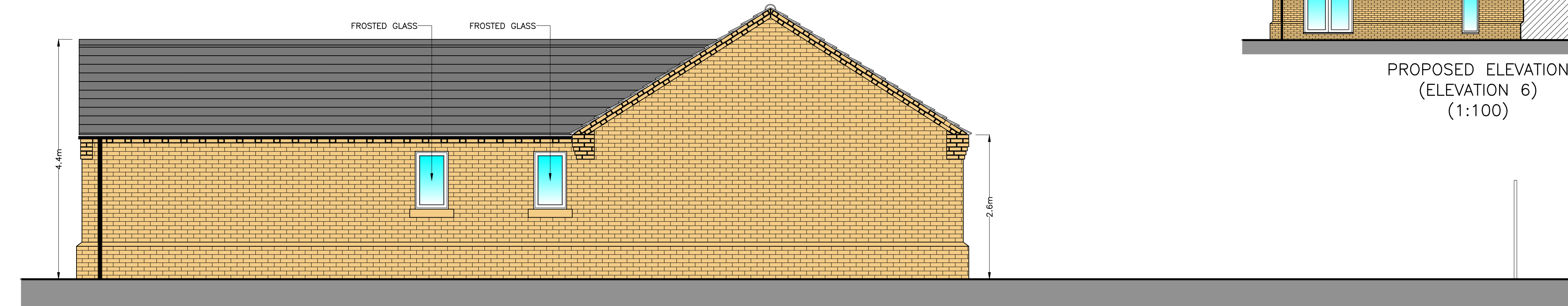
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	REVISIONS	DATE
 <p><b>MORTON &amp; HALL</b> CONSULTING LIMITED CONSULTING STRUCTURAL ENGINEERS</p> <p>1 Gordon Avenue, March, Cambridgeshire. PE15 8AJ</p> <p>Tel: 01354 655454 Fax: 01354 660467 E-mail: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk</p> <p> LABC<sup>™</sup> LABC BUILDING EXCELLENCE AWARDS </p> <p> Enland District Council  Building Design Awards Building Excellence in Fenland</p>		
CLIENT		
Mr J Clark		
PROJECT		
The Maze 108 High Street March Cambs, PE15 9LP		
TITLE		
Proposed Ground Floor Plan		
DRAWN R.Papworth		DATE OF ISSUE
CHECKED		
DATE Mar 2025	DRAWING NUMBER H10261/01a	
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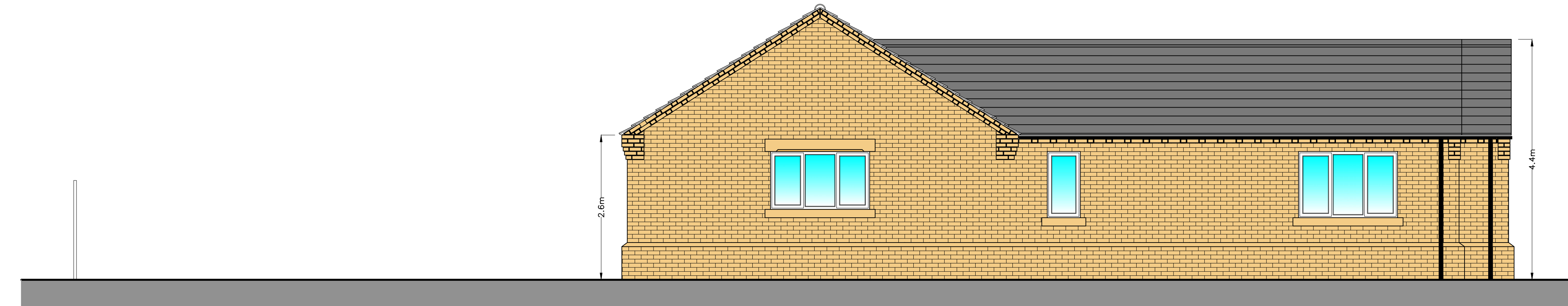
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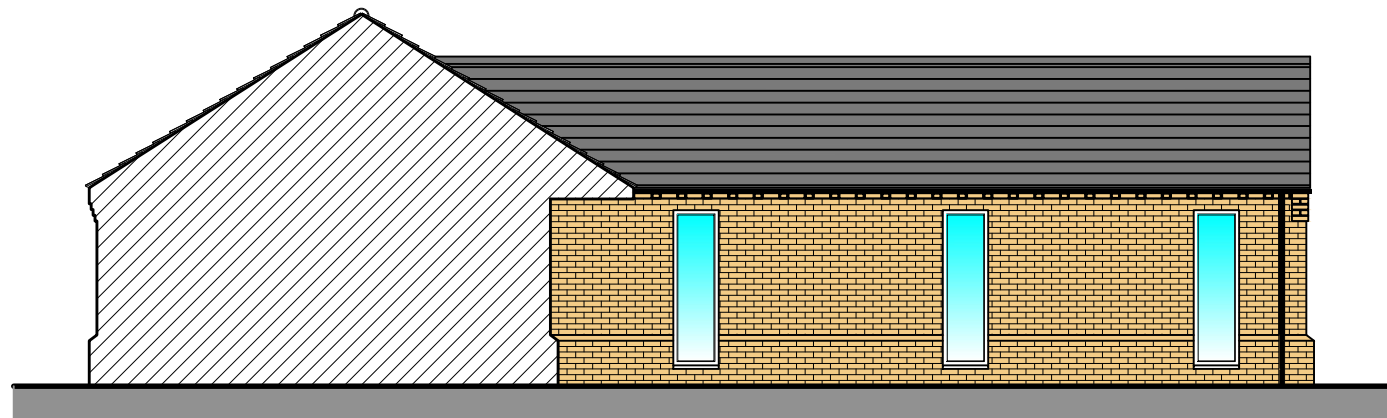
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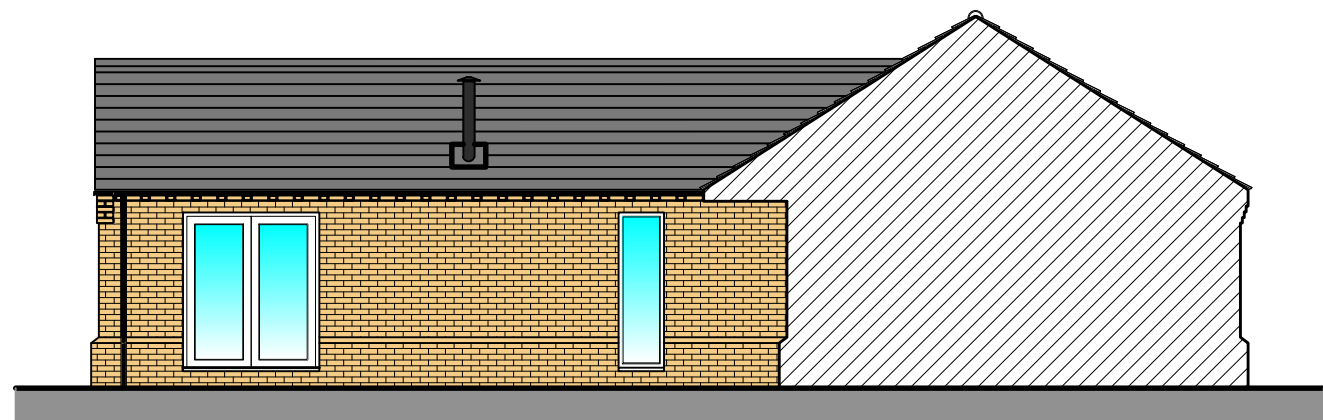
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PROPOSED LHS ELEVATION  
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(1:50)



PROPOSED ELEVATION  
(ELEVATION 5)  
(1:100)



PROPOSED ELEVATION  
(ELEVATION 6)  
(1:100)

#### MATERIALS

WALLS : TRADTIONAL BRICK AND STONE CAMBOURNE BUFF

ROOF : PHOTOVOLTAIC TILES/SLATE TILES

JOINERY : CREAM UPVC

GUTTERS AND DOWNPIPES : BLACK CAST ALUMINUM

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C B A	PLANNERS COMMENTS PLANNERS COMMENTS CLIENTS COMMENTS	APR 2025 APR 2025 MAR 2025
REVISIONS		DATE

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The Maze 108 High Street March Cams, PE15 9LP	
TITLE	
Proposed Elevations	
DRAWN R.Papworth	DATE OF ISSUE
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DATE Mar 2025	DRAWING NUMBER H10261/02c
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**F/YR25/0347/F**

**Applicant: Mr Chris White**

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

**20 Nene Parade, March, Cambridgeshire, PE15 8TD**

**Erect 2x self-build/custom build dwellings involving demolition of existing dwelling and garage within a Conservation Area**

**Officer recommendation: Refuse**

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

## **1 EXECUTIVE SUMMARY**

- 1.1 This application seeks full planning permission for the demolition of an existing five-bedroom bungalow on Nene Parade, March, and its replacement with two chalet-style bungalows. The site lies within the March Conservation Area and is located in a sustainable location within Flood Zone 1.
- 1.2 While the principle of residential development is supported by both the Fenland Local Plan and the March Neighbourhood Plan, the proposed design is considered to lack architectural merit and fails to respond positively to the historic character of the conservation area. The scale, form, and detailing—particularly the use of shallow-pitched roofs, oversized dormers, and integral garages—are not reflective of the traditional built form along Nene Parade. As such, the proposal is considered contrary to Policies LP16 and LP18 of the Local Plan and relevant sections of the NPPF (2024), which seek to protect and enhance the special character of the Conservation Area.
- 1.3 Other aspects of the proposal, including residential amenity, flood risk, ecology, and highways, raise no significant concerns. However, these do not outweigh the identified harm to the character and appearance of the conservation area.
- 1.4 Accordingly, the application is recommended for refusal.

## **2 SITE DESCRIPTION**

- 2.1 The application site sits to the northern side of Nene Parade and falls within the March Conservation Area. The site is currently occupied by a large, detached bungalow with a detached garage to the western boundary. The existing dwelling benefits from five bedrooms, a kitchen, dining room and living room. The existing dwelling is not listed. To the south of the site is the River Nene and to the west is a public footpath. The surrounding area is predominately residential in nature consisting of terrace dwellings fronting the Road.
- 2.2 The site sits in Flood Zone 1 and the March Conservation Area.

### **3 PROPOSAL**

- 3.1 Planning permission is sought for the demolition of the existing bungalow and garage and the construction of two residential chalet-style bungalows on the site. These will be set back slightly further than the existing built form on site.
- 3.2 Plot 1 would have a maximum height of 7.75 metres with an eaves height of 3.3 metres, a width of 8.1 metres and a depth of 10.7 metres. Also included is an attached garage to the western side of the dwelling which would have a maximum height of 6.1 metres with an eaves height of 2.95 metres, a width of 6.35 metres and a depth of 7.7 metres. (internally this is 6 and 7 metres respectively). This would provide a lounge, open plan kitchen/diner and utility room at ground floor, alongside the parking of two vehicles with three bedrooms (one en-suite) and a bathroom at first floor. The dwelling itself would benefit two gable dormer roof alterations to the front and two to the rear of the proposed dwelling. With another two to the rear of the garage.
- 3.3 Plot 2 would have a maximum height of 7.75 metres with an eaves height of 3.3 metres, a width of 8.5 metres and a depth of 10.7 metres. This would provide a lounge, open plan kitchen/diner, utility room and integral garage at ground floor with three bedrooms (one en-suite) and a bathroom at first floor. This dwelling would feature two gable dormer roof alterations to the front and two to the rear of the proposed dwelling.
- 3.4 The proposal would utilise the existing accesses off Nene Parade, however, these would be widened. Two parking spaces per dwelling are proposed.

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

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

### **4 SITE PLANNING HISTORY**

- 4.1 There is no recent site history relevant to the determination of this application.

### **5 CONSULTATIONS**

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

Recommends approval although notes serious concerns regarding the structural integrity of the bank, subsequent issues with the road and traffic. Construction traffic would exacerbate these existing issues

#### **5.2 Arboricultural Consultant**

No objection to the proposal subject to the inclusion of a suitably worded condition to ensure a tree protection method statement is provided

#### **5.3 CCC Highways**

No objection subject to the relocation of the access serving plot 1

#### **5.4 CCC Archaeology**



No comment or requirement for the scheme.

## **5.5 FDC Conservation Officer**

Objects to the proposal due to the scale, form and architectural detailing being insufficient and jarring, therefore, detracting from the character and appearance of the conservation area

## **5.6 FDC Environmental Health**

No objection subject to the inclusion of a condition in regard to limiting the hours of demolition/construction

## **5.7 FDC Ecologist**

No objection to the proposal subject to the following informatives:

- If bats are found at any time during the works, this must cease, and advice sought from a qualified person
- 2 x bat roosting boxes should be installed on site, post-completion
- Care should be taken to avoid the spread of Wall Cotoneaster, which has been recorded on site

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

11 letters of support have been received from residents on Berryfield (x2), Elwyn Road, Boundary Drive, Wisbech Road, Pits Lane, Knights End Road, Cypress Close, Upwell Road, Gull Road and Curlew Avenue; these are summarised below:

- The proposal would be of a benefit to Nene Parade given issues with subsidence and potential for it to become derelict drawing on anti-social and homelessness activities.
- Asset to the area/ streetscene
- Better than existing property which is an eyesore
- Benefit to the Town giving opportunity for two families to live next to the river
- No justification to support repair of existing building given how unsafe it is.
- Increases the local housing stock which is desperately required.

One letter of objection has been received from residents on Nene Parade

- The proposal would result in the driveway being inaccessible – this driveway is utilised by other residents to complete 2-point turns to leave the parade in a safe manner.
- Devalue neighbouring properties
- Effects of lorries using Nene Parade – highway safety – vehicular and pedestrian alongside concerns for riverbank

One letter of offering comments on the application have been received from a resident on Nene Parade this is summarised below:

- An agreement needs to be met with the owner regarding retaining the existing use of the driveway as a turning point for other residents and users of the road.
- This is an opportunity for a more appropriate design and build as existing dwelling does not fit in well

- Consideration needs to be given to the construction route to be utilised.

## **6 STATUTORY DUTY**

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

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

## **7 POLICY FRAMEWORK**

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

Chapter 2 - Achieving sustainable development  
 Chapter 4 – Decision-making  
 Chapter 5 – Delivering a sufficient supply of homes  
 Chapter 8 – Promoting healthy and safe communities  
 Chapter 9 – Promoting sustainable transport  
 Chapter 11 – Making effective use of land  
 Chapter 12 – Achieving well-designed places  
 Chapter 14 – Meeting the challenge of climate change, flooding and coastal change  
 Chapter 15 – Conserving and enhancing the natural environment  
 Chapter 16 - Conserving and enhancing the historic environment

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

Determining a Planning Application

### **National Design Guide 2021**

Context  
 Identity  
 Built Form  
 Movement  
 Uses  
 Homes and Buildings

### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development  
 LP2 – Facilitating Health and Wellbeing of Fenland Residents  
 LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside  
 LP4 – Housing  
 LP5 – Meeting Housing Need  
 LP9 – March  
 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

### **March Neighbourhood Plan 2017**

H2 – Windfall Development  
H3 – Local Housing Need

### **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

### **Emerging Local Plan**

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

LP1: Settlement Hierarchy  
LP2: Spatial Strategy for the Location of Residential Development  
LP5: Health and Wellbeing  
LP7: Design  
LP8: Amenity Provision  
LP12: Meeting Housing Needs  
LP22: Parking Provision  
LP23: Historic Environment  
LP25: Biodiversity Net Gain  
LP27: Trees and Planting  
LP28: Landscape  
LP32: Flood and Water Management

## **8 KEY ISSUES**

- **Design**
- **Impact on the Character and Appearance of the Conservation Area**
- **Residential Amenity and Amenity Space**
- **Landscaping and Ecology**
- **Parking, Access and Highway Safety**
- **Flood Risk**
- **Biodiversity Net Gain (BNG)**
- **Planning Balance**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1 Policy LP1 is the overarching policy supporting a presumption in favour of sustainable development; planning applications that accord with the policies within

the Local Development Plan (LDP) will be approved without delay unless material considerations indicate otherwise. Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy. Furthermore, Policy LP9 confirms that March is a focus for housing, employment and retail growth. This stance is supported in Policy H2 of the March Neighbourhood Plan. The application site is located within March whereby the majority of the District's new housing, employment and retail growth should be directed.

- 9.2 Policy LP5 sets out the housing targets for the District and the Council has undertaken a full assessment of the Five Year Housing Land Supply in the District and has concluded that the Council is able to demonstrate a supply of specific deliverable sites sufficient to provide for more than Five Years' worth of housing against the Council's identified requirements. This is a material consideration and means that any application for new development must be determined in accordance with the development plan, unless material considerations indicate otherwise. Similarly, Policy H3 of the March Local Plan requires all housing proposals to contribute towards meeting local housing need, which includes starter homes, family homes, executive homes and self-build homes; and mixed tenure that will result in a diverse community, where this is reasonably achievable
- 9.3 The Housing Needs Assessment 2021 identified a greater need of 2-3 bedroom market units for the District. The proposal would provide two three-bedroom dwellings and therefore would meet this identified need. Furthermore, the proposal would result in the loss of a five-bedroom property (of which there is not great identified need for in the District).
- 9.4 Given the sites location within the sustainable location of March Town Centre, with good accessibility via sustainable modes of transport to everyday services and facilities, it is considered the principle of development would be acceptable and in accordance with Policies LP1 and LP3 of the LDP. Other Material considerations will be discussed below.

#### Self-Build and Custom Housing

- 9.5 Policy LP5 of the Local Plan also seeks to ensure that housing solutions are provided which meet market expectations, this includes self-build homes. This stance is reflected by Policy H3 of the March Neighbourhood Plan. Under Section 1 of the Self Build and Custom Housebuilding Act 2015, Local Authorities are required to keep a register of those seeking to acquire serviced plots in the area for their own self-build and custom house building. They are also subject to duties under Sections 2 and 2A of that Act to have regard to this and to give enough suitable development permissions to meet the identified demand.
- 9.6 As set out in the Regulations, Part 1 of a register comprises those people and organisations who meet all the eligibility criteria, including the local connection test. Part 2 comprises those people and organisations who meet most, but not necessarily all, the eligibility criteria. The Council has a duty to 'give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in the authority's area' (i.e. to meet the demand for the number of applicants on Part 1 of their register) within a 3 year period, post the end of the base period.
- 9.7 The permissions granted demonstrate that the demand for self-build and custom housing (as identified by the register) is comfortably being met in Fenland.

Therefore, no weight will be given to the delivery of self/ custom build housing at this time.

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

- 9.8 Policies LP12 and LP16 of the Fenland Local Plan, set out a number of criteria that proposals are required to meet to ensure that high quality environments are provided and protected. Policy LP12 focuses on development in rural areas with Policy LP16 focusing specifically on design criteria. This stance is also supported by Policy H2 of the March Neighbourhood Plan. The site sits within the March Conservation Area and therefore the requirements of Policy LP18 in respect of preserving and enhancing the special character of the Conservation Area are relevant.
- 9.9 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 9.10 The surrounding area is characterised by residential development, featuring both single-storey cottages with attic dormers and two-storey terraced properties. Surrounding properties tend to abut the road and feature relatively narrow long plots. The existing site is relatively unique in its own right given the scale form and set back from Nene Parade. It is somewhat at odds with the 1.5 and 2 storey traditional cottages that sit on the back edge of the footway which gives Nene Parade its character. Furthermore, the existing building is a mid C20 bungalow and not considered to be architecturally or historically significant.
- 9.11 The form and detailing of the proposed dwellings are considered to lack architectural merit, in that they lack architectural detail and would appear awkward within the street scene. The design is neither in-keeping with the single-storey cottages with attic dormers or the two-storey terraced properties that form the immediate and positive character of Nene Parade. The very deep floorplan of the proposed dwellings gives a shallow raking roof which appears very much like a chalet bungalow in terms of form, which is uncharacteristic of the current residential development in the immediate vicinity. Additionally, the dormers are substantially out of scale. Furthermore, integral garaging is not considered to provide positive frontage to the public realm but rather serves to detract from the special character of the conservation area.
- 9.12 There are indeed poor examples of development found along Nene Parade and that the existing dwelling is of limited architectural merit, which is going to be the case for a road that has evolved over the course of several centuries. However, poor examples should serve to guide what should not be perpetuated, rather than seen as a justification for further poor development that does not respond positively to the conservation area. The proposal should take reference from positive traditional buildings along Nene Parade and West End, in relation to scale, proportionality, brickwork detailing (gauged arches, banding, cogged brickwork, recessed windows, proportionate dormers, quality bricks and tiles/slates).
- 9.13 Taking into account the above assessment, it is considered the proposed development by way of form, scale and detailing would fail conserve or enhance the special character of the conservation area, of which the LPA have a statutory duty to protect. Therefore, the application is considered to be contrary to Policies

LP16 and LP18 of the LDP and Paragraphs 210, 212, 213, 215, 216, 219 and 221 of the NPPF (2024).

### **Residential Amenity and Amenity Space**

- 9.14 Policy LP2 of the Fenland Local Plan seeks to promote high levels of residential amenity. Similarly, Policy LP16 requires development proposals to not adversely impact on the amenity of neighbouring users such as noise, light pollution, loss of privacy and loss of light.
- 9.15 Each of the proposed dwellings would benefit from a usable amenity space of at least a third of the plot, in line with the requirements of Policy LP16 (h). This is considered to be sufficient in terms of privacy and usability.
- 9.16 Furthermore, given the proposal relates to the provision of two bungalows, largely utilising the existing footprint of the existing dwelling on site, alongside the degree of separation from neighbouring properties boundaries, it is not considered the proposal would have a detrimental impact on neighbouring amenity by way of loss of light, privacy or an overbearing nature. Similarly, each habitable room would be served by sufficient openings, (although the bedrooms would only benefit from a single north facing window) to provide an acceptable level of light and given the orientation of the buildings in regard to the dedicated amenity space, there are no concerns in regard to the amenity to be afforded to the future occupants. Therefore, there are no objections to the proposal on these grounds.

### **Landscaping and Ecology**

- 9.17 Policy LP16 requires all development to contribute to high quality environments; in respect of landscaping criterion c) and d) requires proposals to retain and incorporate nature and historic features of the site, such as trees, hedgerow and field patterns, to retain and preserve landscape character and settlement pattern of the surrounding area.
- 9.18 Furthermore, Policy LP12 (g) requires development proposals to ensure that the site retains and respects ecological, heritage and biodiversity features. Furthermore, policy LP19 requires development proposals to conserve, enhance and promote the biodiversity and geological interest of the natural environment throughout Fenland.
- 9.19 A number of trees which are considered to be of high public amenity value site adjacent to the sites western and northern boundary's, with the tree to the west subject to a Tree Preservation Order. The Arboricultural Officer has been consulted in regard to this proposal and confirms that the supporting arboricultural report satisfactorily identifies the quality and constraints of the existing trees. The only proposed arboricultural intervention is minor crown lifting to T1, which is considered minimal and acceptable. The report concludes that the development is acceptable within arboricultural parameters, subject to the implementation of appropriate methodologies.
- 9.20 However, a robust Tree Protection Method Statement will be required to set out how works within the Root Protection Areas (RPAs) and associated protection measures will be managed in accordance with BS5837:2012. Therefore, should the application be approved, and confirmation from the Agent that this is acceptable given the trigger point for details would be prior to commencement, it is

considered a suitably worded condition could be included to ensure the retention and protection of trees.

- 9.21 Similarly, the accompanying preliminary ecological appraisal concludes that the proposal would not impact on any protected or priority species, subject to appropriate mitigation and enhancement measures. The Council's Ecologist is satisfied that this is the case and therefore, should the application be approved, a condition would be included to ensure the proposed development is carried out in accordance with the details and recommendations contained within this supporting document.

### **Parking, Access and Highway Safety**

- 9.22 Policy LP15 requires all new development proposals to contribute to the delivery of the sustainable transport network by providing well designed, safe, convenient access for all. Development proposals should provide well designed car and cycle parking appropriate to the amount of development proposed, ensuring parking provision is provided in accordance with the standards. Appendix A sets out that two parking spaces are required for a three-bedroom unit. Appendix A also sets out that a garage can be counted as a parking space provided the size of the garage exceeds 7.0m x 3.0m (internal dimensions).
- 9.23 Each dwelling would benefit from a minimum of 2 parking spaces, including the integral/attached garages and therefore, there are no objections to the proposal in terms of parking provision.
- 9.24 Nene Parade is a narrow road, whereby on street parking is common. It is acknowledged that this makes accessibility difficult and may result in congestion and awkward manoeuvres for car users. However, the road does benefit from parking restrictions and given the proposal relates to the provision of one additional unit. It is not considered that the proposal would result in a material intensification of the use of this road by future residents, to the detriment of highway safety. Furthermore, the Highways Authority have raised no objection to the proposal in this respect.
- 9.25 The Highways Authority have raised no objection to the proposal, subject to revisions to the access serving Plot 1. It is therefore considered that the proposal, would be acceptable, subject to minor amendments in this respect, in terms of highway safety. Should this application have been considered acceptable against all other material considerations, amendments would have been sought in accordance with the Highway Authority's recommendations. However, as the application is recommended for refusal, whereby any amendments would result in a significant material change to the scheme, these amendments have not been sought.
- 9.26 It is noted that a number of neighbouring representations have been received which raise concerns in respect of the additional traffic and highway safety which has been discussed above. Given the temporary nature of construction, this is not considered to materially weigh against the scheme. Similarly, reference is also made to road users, including other residents, utilising the current drive to maneuver and turn around to exist the road in forward gear. Whilst this is appreciated and acknowledged, this is an informal agreement with the current occupants/owners and would not form a material planning consideration in the determination of this application.

## **Flood Risk**

- 9.27 Policy LP14 of the Fenland Local Plan and Paragraphs 170-182 of the National Planning Policy Framework set out the approach to developing land in relation to flood risk, with both documents steering development in the first instance towards land at a lower risk of flooding. The application site sits within Flood Zone 1 and therefore, there are no objections to the proposal in this respect.
- 9.28 Furthermore, appropriate details in terms of surface water drainage and foul drainage can be secured by appropriately worded conditions should the application be approved.

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

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

## **Planning Balance**

- 9.31 In terms of sustainability the National Planning Policy Framework (NPPF) states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives; economic, social and environmental, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)
- 9.32 This stance is supported by Local Plan Policy LP1. In respect of the first of these, the current proposal would provide economic benefits, for example in respect of employment during the construction phase, as well as support for existing and future businesses, services, and facilities by introducing additional residents that would make use of them and provide future spend in the local economy. However, given this relates to the provision of two self-build dwellings, with a net gain of just one dwelling, this is considered to be negligible.
- 9.33 In respect of the social objective, it is noted that a number of minor benefits would be provided, including the provision of two three-bedroom units, which meets the identified need for market housing in the district. However, given this relates to just two dwellings this is considered to be negligible. Representations have been made advising that the proposal would be of benefit to the area given subsidence issues alongside potential anti-social behaviour. These are noted however, in the absence of any such reports/evidence, it is not considered this would weigh in favour of the scheme to an extent that would overcome the harm identified.



- 9.34 Lastly, in terms of the environmental objective, as discussed above, it is considered the proposed scheme, it is considered the proposed development by way of form, scale and detailing would fail conserve or enhance the special character of the conservation area, of which the LPA have a statutory duty to protect. Therefore, the application is considered to be contrary to Policies LP16 and LP18 of the LDP and Paragraphs 210, 212, 213, 215, 216, 219 and 221 of the NPPF 2024. It is noted that the drawings provided indicate that solar panels are proposed to the front roof slope of each dwelling, whilst we encourage renewable energy provision, this would not overcome the harm identified above.
- 9.35 It is not considered that the negligible benefits as outlined above, would overcome the identified harm in respect of the impact of the proposal on the character and appearance of the site and surrounding character and appearance of the conservation area.

## 10 CONCLUSIONS

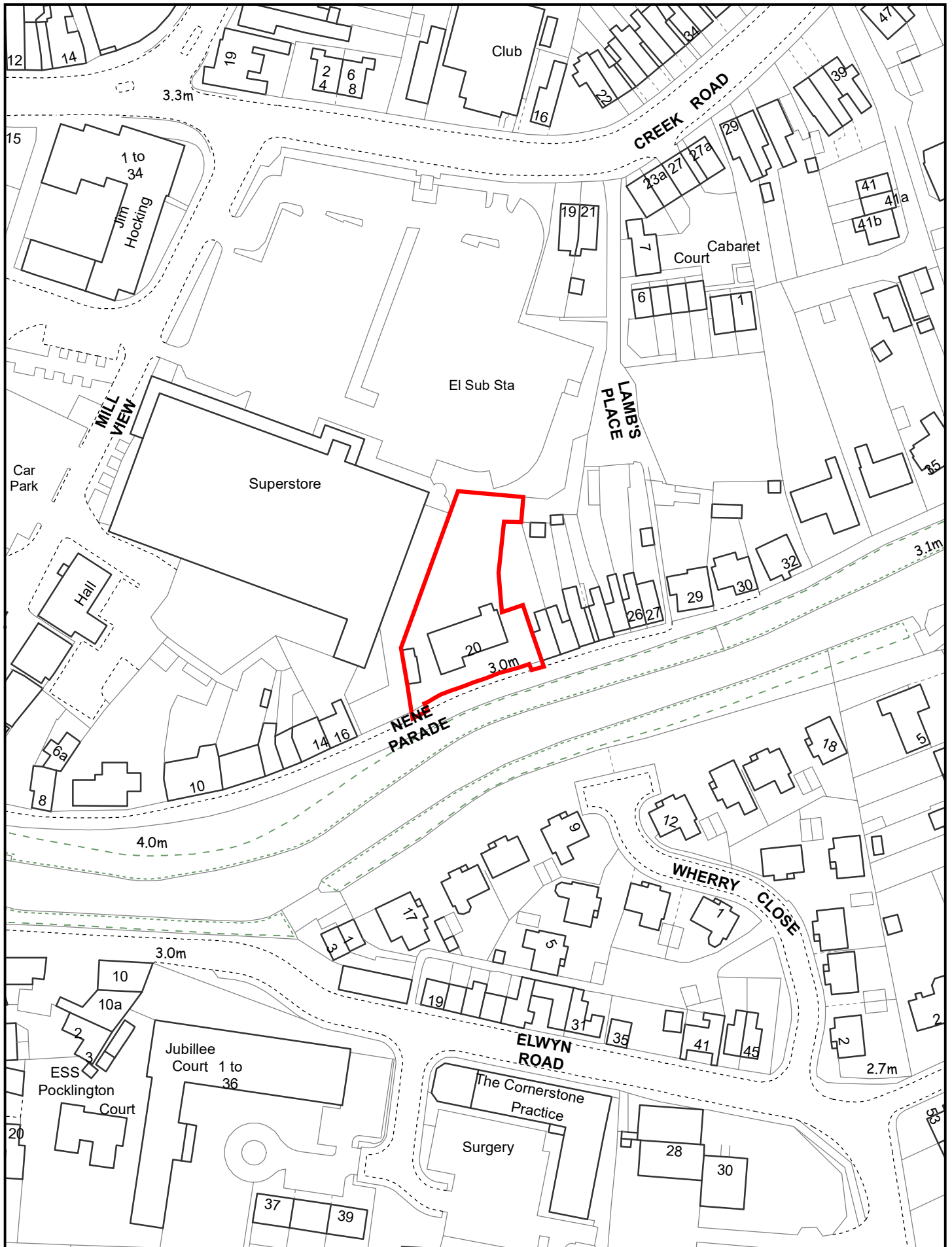
- 10.1 Taking into account the above assessment, it is considered the proposed development by way of form, scale and detailing would fail preserve or enhance the special architectural character of the conservation area, of which the LPA have a statutory duty to protect. Therefore, the application is considered to be contrary to Policies LP16 and LP18 of the Local Development Plan and Paragraphs 210, 212, 213, 215, 216, 219 and 221 of the National Planning Policy Framework 2024.
- 10.2 It is acknowledged that the proposal would result in some minor benefits, however as discussed above, these are not considered to overcome the harm identified.

## 11 RECOMMENDATION

**Refuse**, for the following reason:

1.	<p>The proposed development, by virtue of its form, scale, and detailing, fails to reflect the established character and architectural quality of the surrounding built environment along Nene Parade. The dwellings are considered to lack architectural merit, presenting dwellings which lack architectural detail and would appear awkward within the street scene and would be at odds with the positive vernacular of the area, including the nearby single-storey cottages with attic dormers and two-storey terraced properties. The deep floorplans and resulting shallow roof pitch give rise to a chalet-style form, which is uncharacteristic of the locality, while the oversized dormers and integral garages further detract from the street scene and fail to contribute positively to the public realm.</p> <p>Rather than drawing inspiration from the area's traditional detailing — such as gauged brick arches, banding, coggled brickwork, recessed windows, and proportionate dormers — the design disregards these qualities, and instead perpetuates poor-quality development that undermines the character of the conservation area. As such, the proposal fails to preserve or enhance the special architectural or historic interest of the Nene Parade Conservation Area, contrary to Policies LP16 and LP18 of the Fenland Local Plan and Paragraphs 210, 212, 213, 215, 216, 219 and 221 of the National Planning Policy Framework (2024), which collectively seek to ensure high-quality design and the protection of the special architectural or historic interest of the conservation area.</p>
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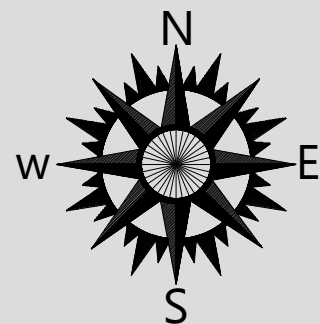
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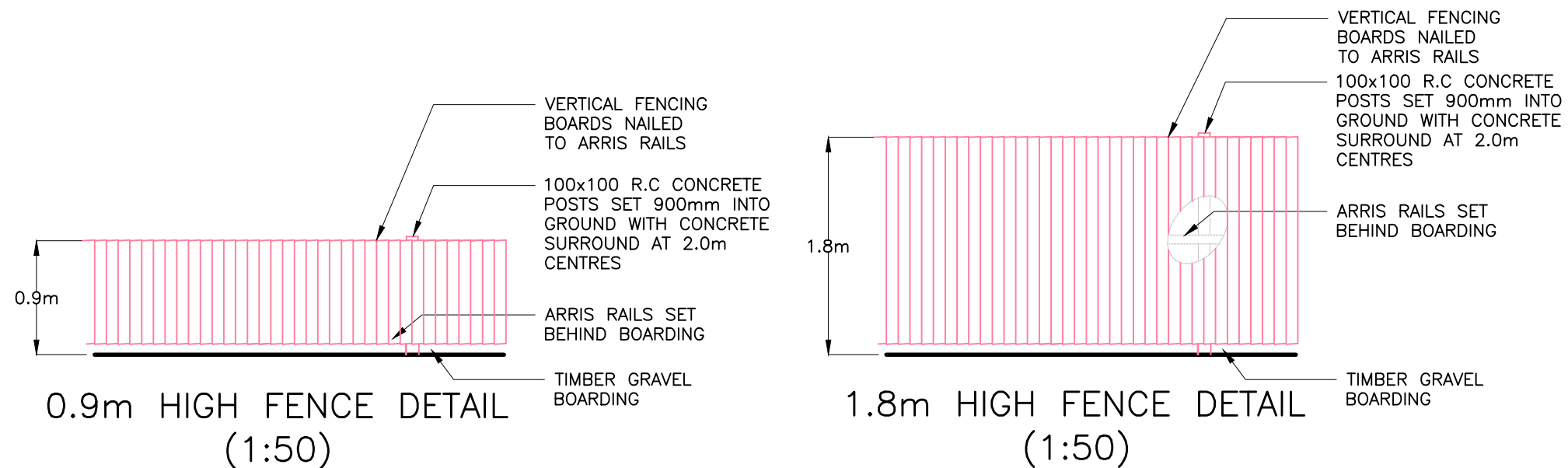
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PROPOSED SITE PLAN (1:200)



PROPOSED STREET SCENE (1:200)

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

C B A	UPDATED FOR PLANNING CLIENTS COMMENTS CLIENTS COMMENTS	APR 2025 OCT 2024 OCT 2024
	REVISIONS	DATE

MORTON & HALL

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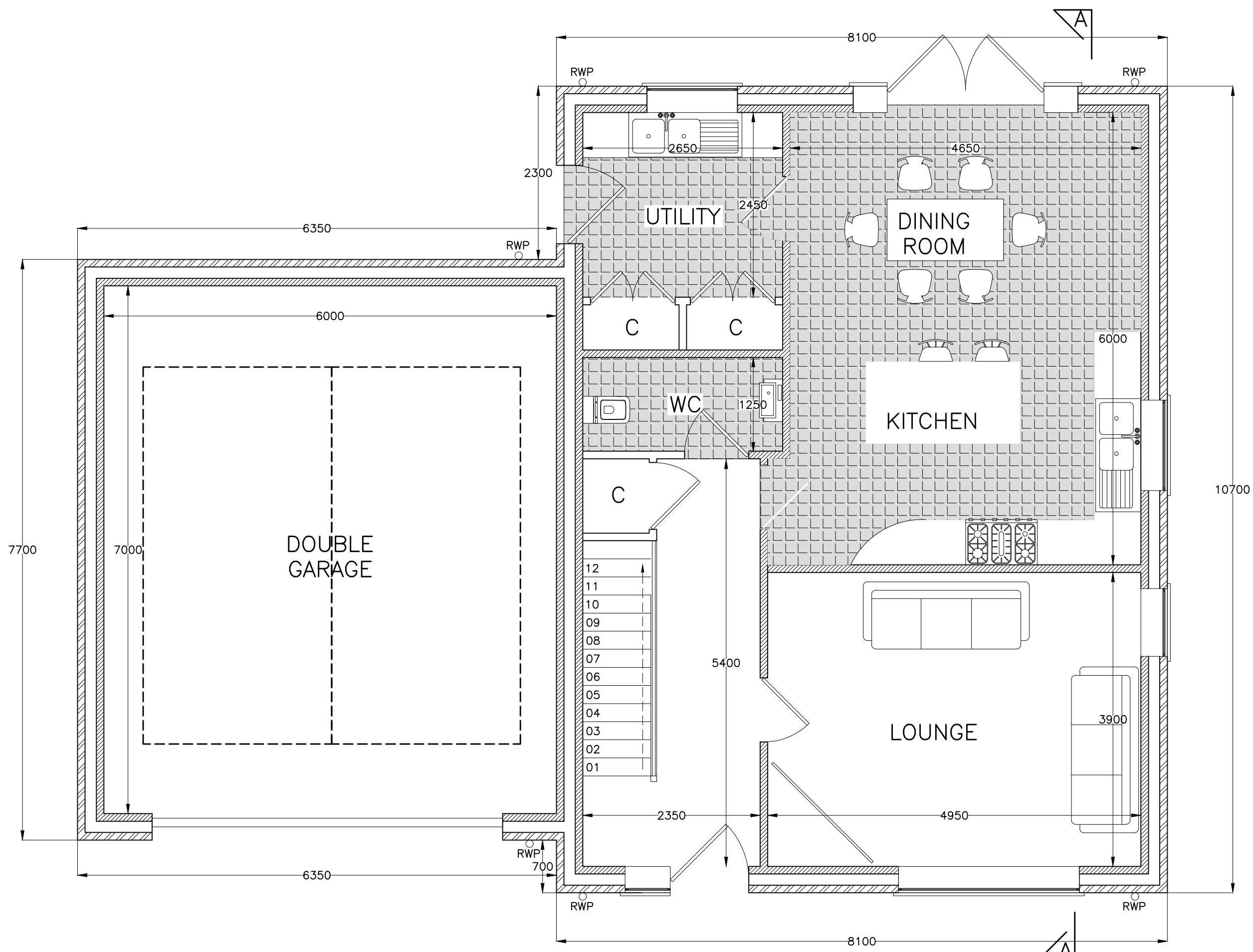
Fenland District Council

Building Design Awards

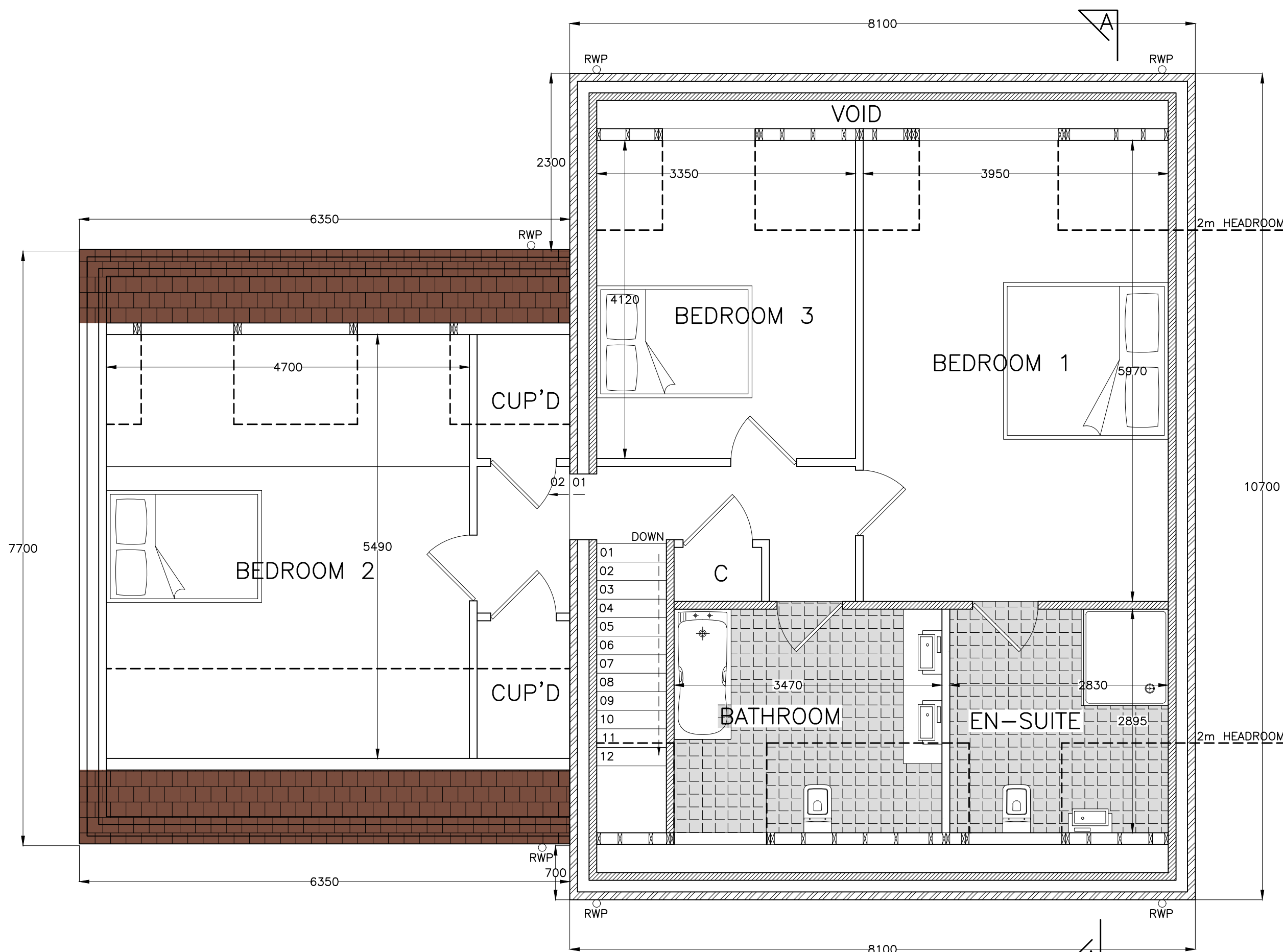
Building Excellence in Fenland

CLIENT		Mr C White	
PROJECT		20 Nene Parade, March, Cambs, PE15 8TD	
TITLE		Proposed Site Plan & Street Scene	
DRAWN	J.Scotcher	DATE OF ISSUE	
CHECKED			
DATE	Oct 2024	DRAWING NUMBER	H9928/05c
SCALE	As Shown		

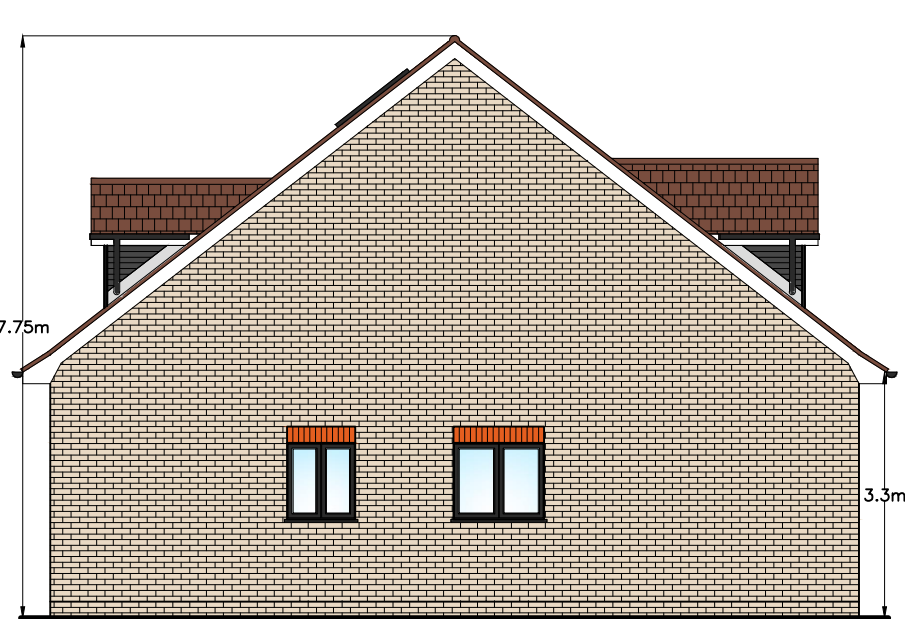




PROPOSED GROUND FLOOR PLAN  
(1:50)



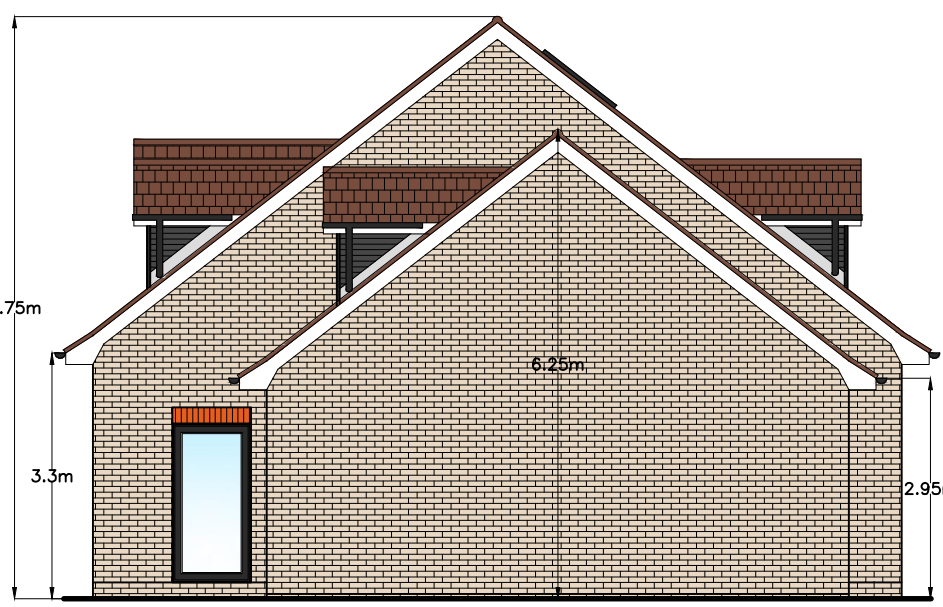
PROPOSED FIRST FLOOR PLAN  
(1:50)



PROPOSED RIGHT HAND SIDE  
ELEVATION (1:100)



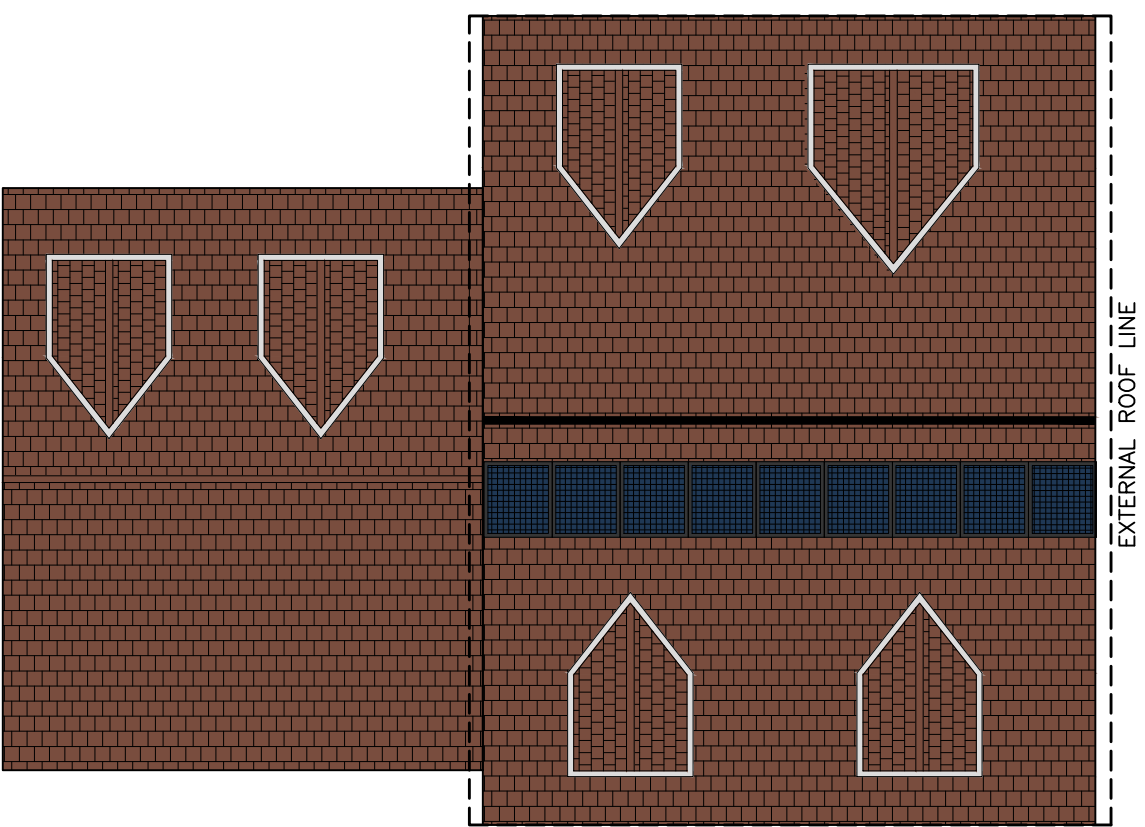
PROPOSED REAR ELEVATION  
(1:100)



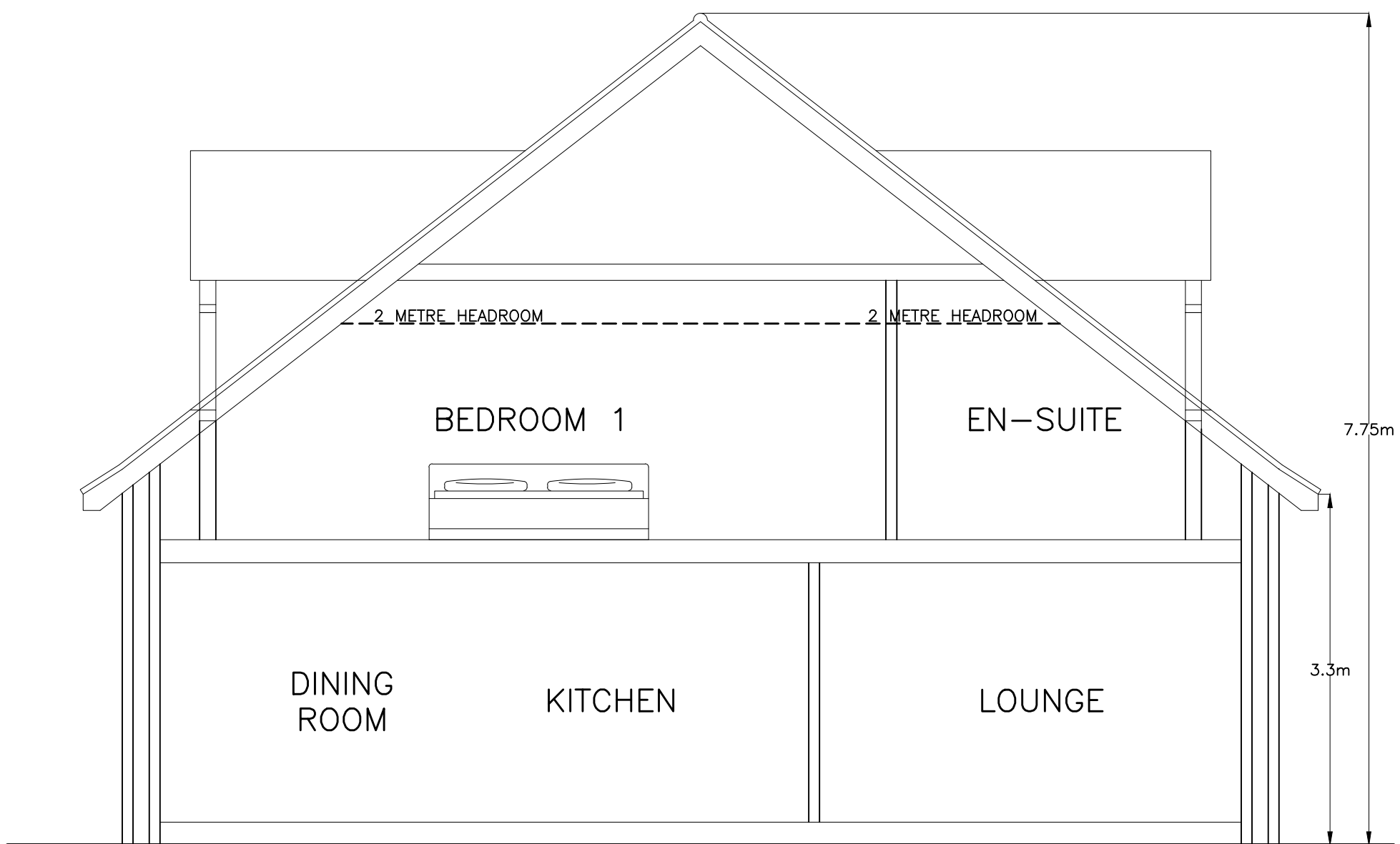
PROPOSED LEFT HAND SIDE  
ELEVATION (1:100)



PROPOSED FRONT ELEVATION  
(1:100)



PROPOSED ROOF PLAN (1:100)



PROPOSED SECTION A-A (1:50)

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

C	UPDATED FOR PLANNING	APR 2025
B	CLIENTS COMMENTS	OCT 2024
A	CLIENTS COMMENTS	OCT 2024
REVISIONS		DATE

**MORTON & HALL**  
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Building Excellence in Fenland

CLIENT		Mr C White
PROJECT		20 Nene Parade, March, Cambs, PE15 8TD
TITLE		Proposed Building Arrangements PLOT 1
DRAWN	J.Scotcher	DATE OF ISSUE
CHECKED		
DATE	Oct 2024	DRAWING NUMBER
SCALE	As Shown	H9928/03c

PLOT 1





PROPOSED REAR ELEVATION (1:50)



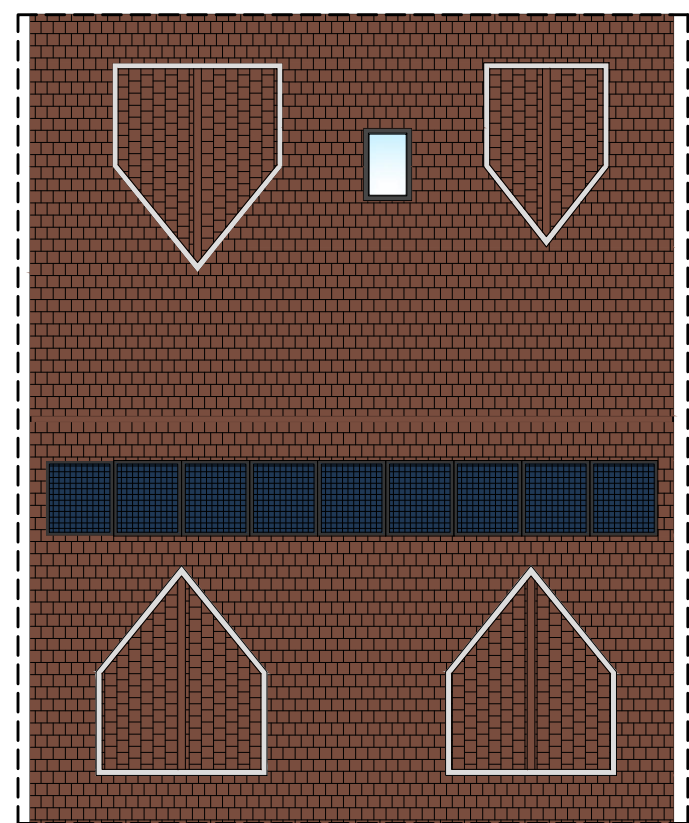
PROPOSED LEFT HAND SIDE ELEVATION (1:50)



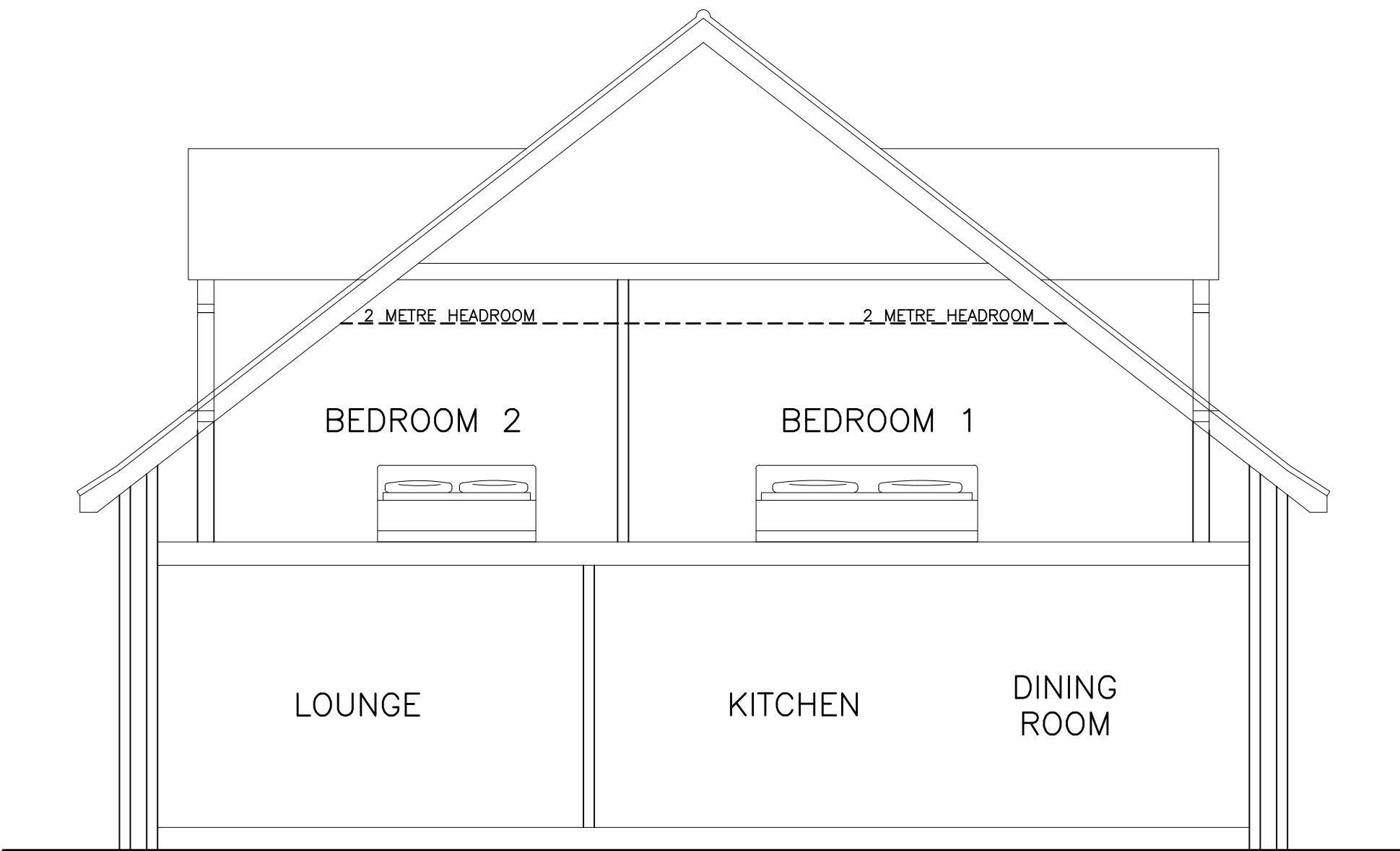
PROPOSED FRONT ELEVATION (1:50)



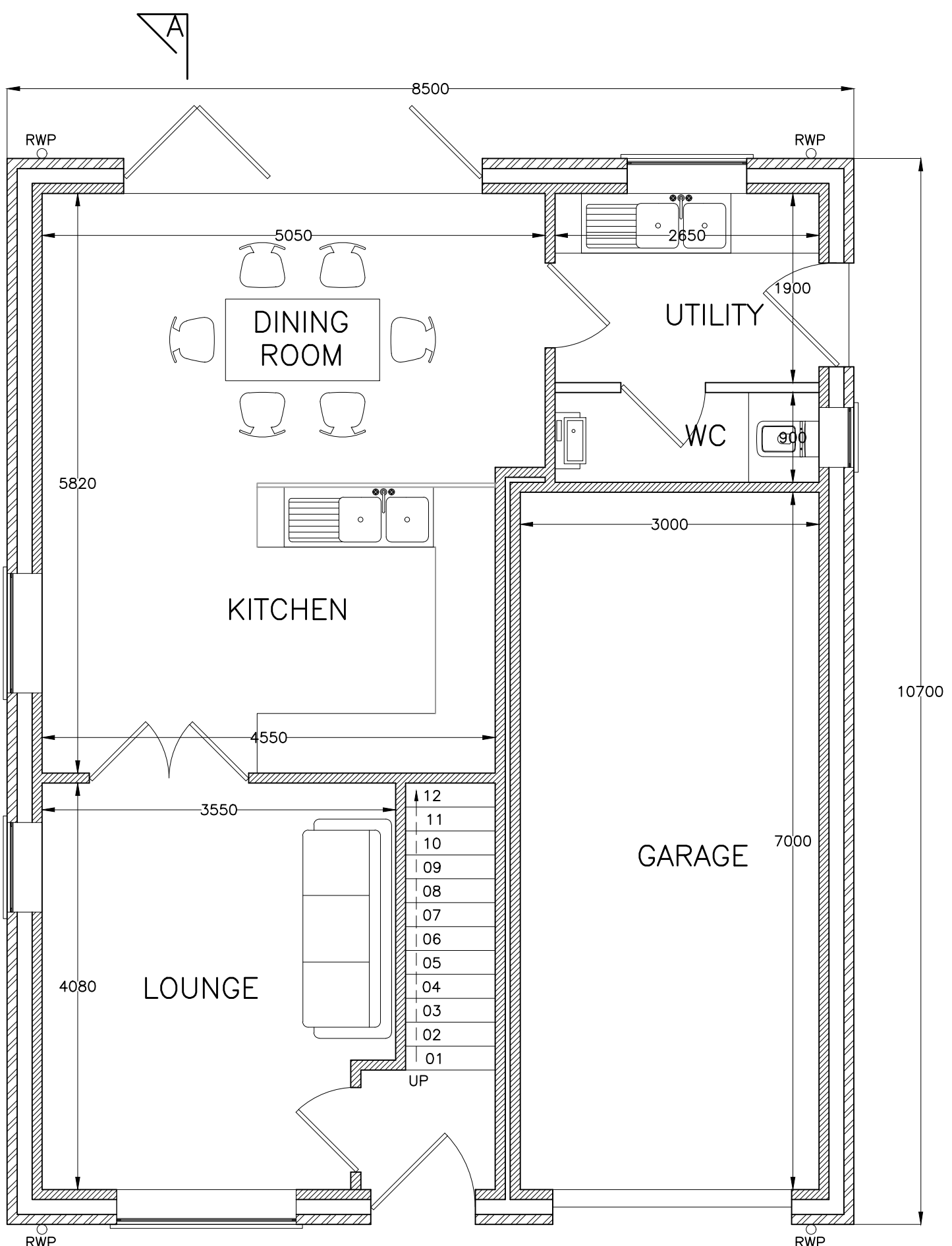
PROPOSED RIGHT HAND SIDE ELEVATION (1:50)



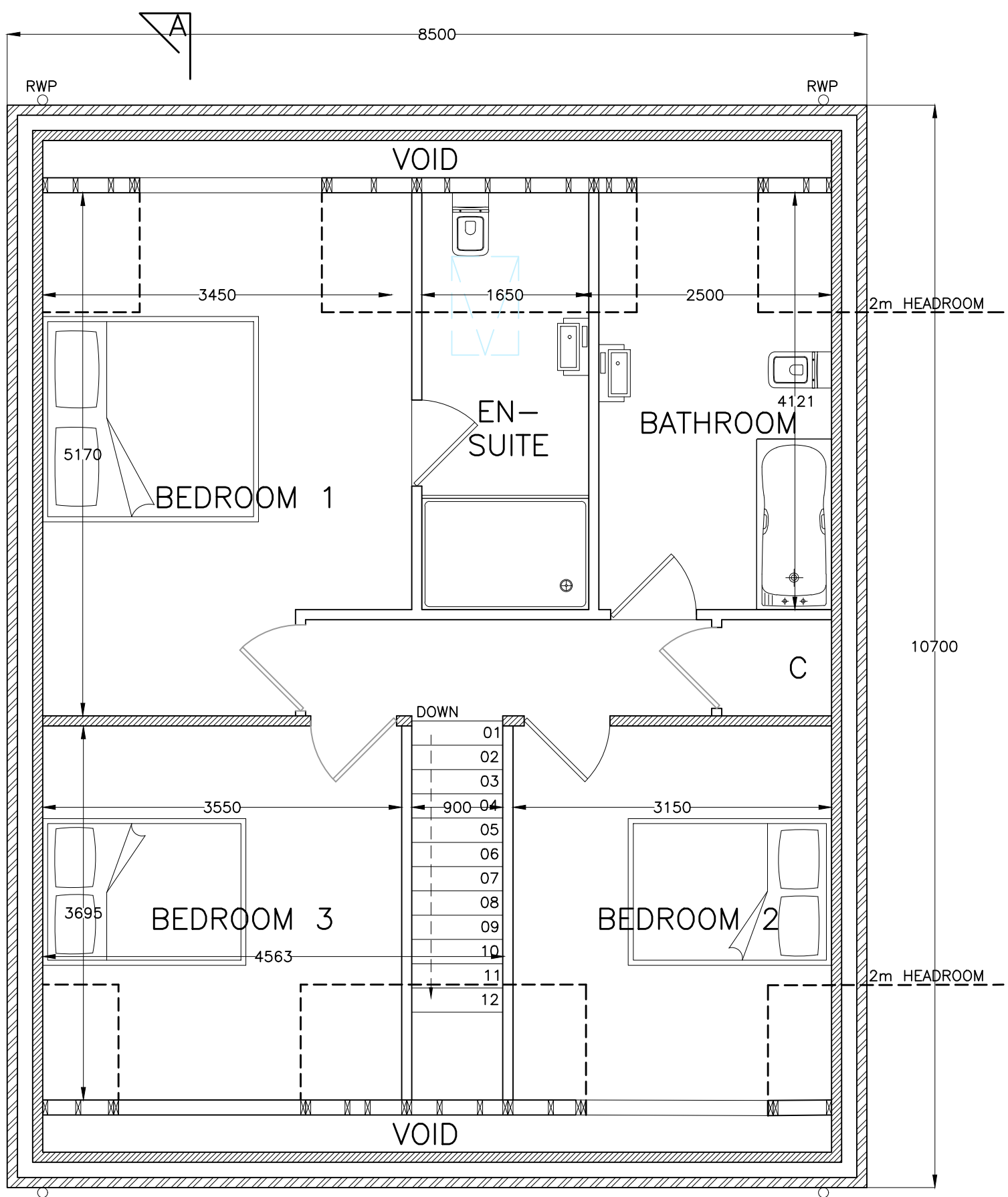
PROPOSED ROOF PLAN (1:100)



PROPOSED SECTION A-A (1:50)



PROPOSED GROUND FLOOR PLAN (1:50)



PROPOSED FIRST FLOOR PLAN (1:50)

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REVISIONS		DATE

MORTON & HALL

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20 Nene Parade,  
March,  
Cambs,  
PE15 8TD

CLIENT	Mr C White		
PROJECT	20 Nene Parade, March, Cambs, PE15 8TD		
TITLE	Proposed Building Arrangements PLOT 2		
DRAWN	J.Scotcher	DATE OF ISSUE	
CHECKED			
DATE	Oct 2024	DRAWING NUMBER	H9928/04c
SCALE	As Shown		

PLOT 2

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