
F/YR24/0996/F

**Applicant: Mrs Elizabeth Mason
In Care of Morton & Hall Consulting Ltd**

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

Land North Of 70, Station Road, Manea, Cambridgeshire

Erect 1 x self-build/custom build dwelling involving the formation of an access

Officer recommendation: Refuse

Reason for Committee: Six or more written opinions received which differ from the Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 6 February 2025

EOT in Place: Yes

EOT Expiry: 07 May 2025

Application Fee: £578

Risk Statement:

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

1 EXECUTIVE SUMMARY

- 1.1 This application is for the erection of 1 x self-build/custom dwelling involving the formation of an access, within the village of Manea.
- 1.2 The proposed development would be of a scale and design that is in keeping with the area and would not detract from the character of the site and the area. However, the site is located within Flood Zone 3 and the applicant has not shown that the development is Sequentially acceptable or of wider community benefit.
- 1.3 As such the application is considered to conflict with the NPPF, policies of the Local Plan and the Flood and Water SPD.
- 1.4 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site is situated on the eastern side of Station Road, within the village of Manea. The site currently forms a parking/garden area associated with No. 70 Station Road. Neighbouring properties are situated to the north and south of the application site which are both detached 2-storey dwellings, finished with dual-pitched roofs.

- 2.2 The application site is situated within Flood Zone 3 and an Amber Great Crested Newts zone.

3 PROPOSAL

- 3.1 This application seeks to erect one dwelling including the formation of an access.
- 3.2 The dwelling proposed is a detached, 2-storey dwelling with dormer accommodation. The proposed dwelling would have a maximum depth of 14.2 metres and a width of 6.5 metres approx. The roof proposed would be dual pitched with an eaves height of 3.8 metres and a ridge height of 7.5 metres approx. Two dormer windows are proposed on both the principle and rear elevation of the dwelling.
- 3.3 The proposed materials include a buff brickwork with red brick detailing and blue/grey slate roof tiles.
- 3.4 The application proposes to extend the existing dropped kerb to provide 2 parking spaces to the front of the proposed dwelling. Private amenity space and bin storage would be provided to the rear of the 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

No planning history on site.

5 CONSULTATIONS

5.1 Manea Parish Council

Observation: Visibility/Parking

5.2 CCC Highways

Following a careful review of the documents provided to the Local Highway Authority as part of the above planning application, the effect of the proposed development upon the Public Highway would likely be mitigated if the following conditions form part of any permission that the Planning Authority is minded to issue in regard to this proposal.

Conditions

The proposed vehicular access shall be constructed so that its falls and levels are such that no private water from the site drains across or onto the public highway. Please note that the use of permeable paving does not give the Highway Authority sufficient comfort that in future years water will not drain onto or across the adopted public highway and physical measures to prevent the same must be provided.

Reason: for the safe and effective operation of the highway and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

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

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

Informatives

Works in the Public Highway

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

5.3 FDC Environmental Health

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal, as it is unlikely to have a detrimental effect on local air quality, be affected by ground contamination or adversely impact the local amenity due to excessive artificial lighting.

This service would however welcome a condition on working times due to the close proximity of existing noise sensitive receptors, with the following considered reasonable:

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

5.4 Local Residents/Interested Parties

11 letters of support were received regarding this application from residents within Manea, within the consultation period. The reasons for support are summarised as follows:

- Good design
- Infill
- In keeping with surrounding area
- No negative impact on neighbouring amenity
- Use of unused land
- Parking

6 STATUTORY DUTY

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

(2014) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021).

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF) 2024

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 11 – Making effective use of land

Chapter 12 – Achieving well-designed places

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

Chapter 15 – Conserving and enhancing the natural environment

7.2 National Planning Practice Guidance (NPPG)

Determining a Planning Application

7.3 National Design Guide 2021

Context

Identity

Built Form

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

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

7.5 Cambridgeshire Flood and Water SPD 2016

7.6 Emerging Local Plan

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

LP20: Accessibility and Transport

LP22: Parking Provision

LP24: Natural Environment

LP25: Biodiversity Net Gain

LP32: Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Design and Visual Amenity**
- **Residential Amenity**
- **Access and Parking**
- **Flood Risk**
- **Ecology**
- **Biodiversity Net Gain (BNG)**

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP3 of the Fenland Local Plan 2014 identifies Manea as a Growth Village, where, according to LP3, development and new service provision either within the existing urban area or as small village extensions will be appropriate, albeit of a considerably more limited scale than that appropriate to the Market Towns. Accordingly, there is a presumption in favour of development within this location. This is however on the basis that the development is in keeping with and reflects the character of the area and that there are no significant issues in respect of visual amenity, design, parking, highways, flood risk and ecology.
- 9.2 Policy LP5, Part C 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.
- 9.3 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.

Design and Visual Amenity

- 9.4 The proposed dwelling is a 2-storey detached dwelling, with dormer accommodation. The existing dwellings either side are standard 2-storey detached dwellings with dual-pitched roofs. The proposed dwelling would have a narrower frontage and a reduced eaves height in comparison to the dwellings to the north and south of the site. These differences are acknowledged, and design amendments were suggested by the case officer to the agent to bring the design of the dwelling more in line with the adjacent properties, however these amendments were not forthcoming.
- 9.5 Notwithstanding this, there are a variety of dwelling types and styles within the immediate surrounding area and whilst the difference in design is acknowledged, it is not considered that the proposed dwelling would introduce significant impacts upon the character of the surrounding area. Therefore, on balance the development is considered acceptable in this regard.

Residential Amenity

- 9.6 Neighbouring properties are situated to the north and south of the application site. The property to the south of the site is within the ownership of the applicant and is situated approximately 3.25 metres from the proposed development. The property to the north of the site would be situated approximately 12.2 metres from the proposed dwelling.
- 9.7 In considering the property to the north of the site, given the proposed clearance between the proposed dwelling and neighbouring property, it is unlikely that the proposed dwelling would introduce any adverse overbearing or overshadowing impacts. The proposed dwelling does not include any first-floor windows to the side elevations and therefore it is unlikely that any overlooking impacts would be introduced.
- 9.8 As aforementioned, the property to the south of the site is within the ownership of the applicant. There would be a clearance of approximately 3.25 metres between the properties. Therefore, the proposed dwelling would be visible to this property. However, given the lower ridge height of the proposed dwelling than the adjacent property, it is unlikely that the proposed dwelling would introduce significant overbearing impacts upon this property. There are existing north facing windows upon side elevation of the neighbouring property, which would be partially obscured by the proposed development. Similarly, given the proposed eaves height of the dwelling, it is unlikely that the development would significantly overshadow these side windows. There is a ground floor window proposed to the south facing elevation of the proposed dwelling which would face onto neighbouring property which would serve a hallway. As such, it is not considered that this window would introduce significant overlooking impacts.
- 9.9 In terms of residential amenity for future occupiers, there is ample space to the rear of the proposed dwelling set aside as private amenity space. The existing dwelling would also retain sufficient private amenity space.
- 9.10 As such, the development is considered to be compliant with Policy LP2 and LP16 of the Fenland Local Plan.

Access and Parking

- 9.11 The application proposes to extend the existing dropped kerb to allow parking provision for 2 vehicles to the front of the proposed dwelling. Upon consultation with CCC Highways, no objections have been raised to the extension of the existing dropped kerb subject to conditions.
- 9.12 Appendix A of the Fenland Local Plan states that dwellings with up to 3 bedrooms should provide 2 on site parking spaces. The submitted site plan details 2 parking spaces to the front of the existing dwelling. As such, there are no issues to address with regard to Policy LP15.

Flood Risk

- 9.13 Paragraph 170 of the NPPF (2024) states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere. In the same vein, Local Plan Policy LP14 recommends the

adoption of a sequential approach to flood risk from all forms of flooding and this is reinforced by the Cambridgeshire Flood and water SPD.

- 9.14 The Cambridgeshire Flood and Water Supplementary Planning Document states that the sequential test was developed to steer development to areas with the lowest probability of flooding. The SPD states that developers need to identify and list reasonably available sites identifying reasonably available sites as:

“Reasonably available sites will include a site or a combination of sites capable of accommodating the proposed development. These may be larger, similarly sized or a combination of smaller sites that fall within the agreed area of search.”

- 9.15 The submitted Flood Risk Assessment undertaken by Ellingham Consulting Ltd is accompanied by a separate sequential test. The sequential test undertaken by the applicant's agents sets out sites with planning permission within Manea, it states whether they as agents consider the sites are reasonably available and whether they are considered to be at a lower risk of flooding. The sequential test incorrectly states that sites for 1 dwelling are 'not comparable' to the proposal and are therefore rejected. This is clearly an incorrect approach to take and not consistent with policy and therefore, the sequential test is not considered to be passed. As the application does not pass the Sequential Test the Exception Test is not applicable.
- 9.16 Based on the above assessment, the applicant has been unable to show that there are no other reasonably available sites appropriate for the proposed development in areas at a lower risk of flooding and has not demonstrated any wider community benefits of the development and therefore the development fails the Sequential Test and allowing the development would be contrary to Local Plan Policy LP14, the adopted SPD and paragraphs 170 of the NPPF.

Ecology

- 9.17 The application is accompanied by a Preliminary Ecological Appraisal. This PEA has not raised any requirements for additional surveys, however, has suggested biodiversity enhancements. Should permission be granted, conditions can be granted to ensure that biodiversity enhancements are provided on site.

Biodiversity Net Gain (BNG)

- 9.18 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.
- 9.19 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.

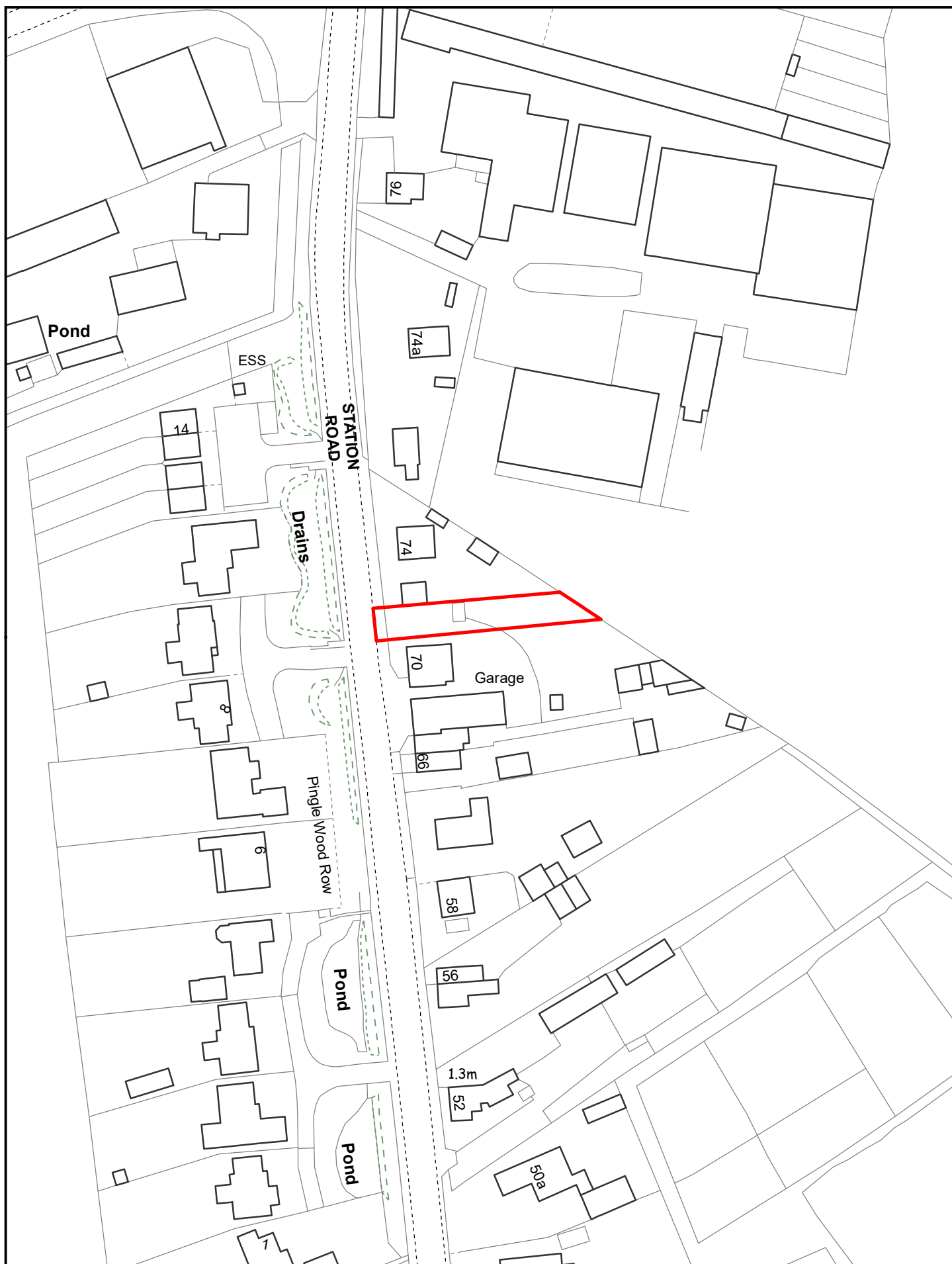
10 CONCLUSIONS

- 10.1 The proposed development would be of a scale and design that is in keeping with the area and would not detract from the character of the site and the area. However, the site is located within Flood Zone 3 and the applicant has not shown that the development is Sequentially acceptable or of wider community benefit.
- 10.2 As such the application is considered to conflict with the NPPF, policies of the Local Plan and the Flood and Water SPD.

11 RECOMMENDATION

11.1 **Refuse;** for the following reason

1	The site is located within Flood Zone 3 where there is a high probability of flooding. The Sequential test for flood risk has not been adequately applied or met and consequently, the application fails to demonstrate that there are no other reasonably available sites with a lower probability of flooding that could accommodate the development. In addition, the Exception Test has also not been passed. Allowing the proposed development could therefore place people and property at an increased risk, with no justification, of flooding contrary to Policy LP14 of the Fenland Local Plan (2014), NPPF and Section 4 of the Cambridgeshire Flood & Water Supplementary Planning Document (2016).
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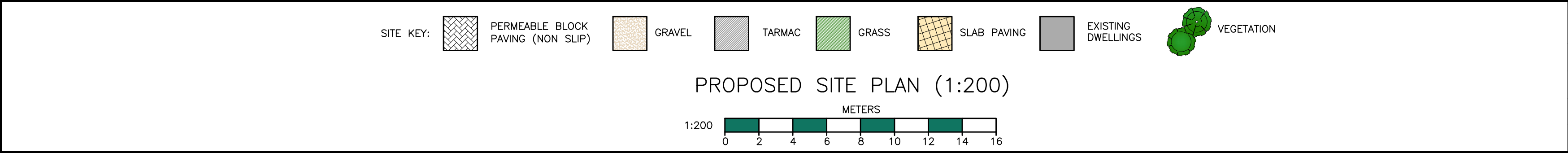
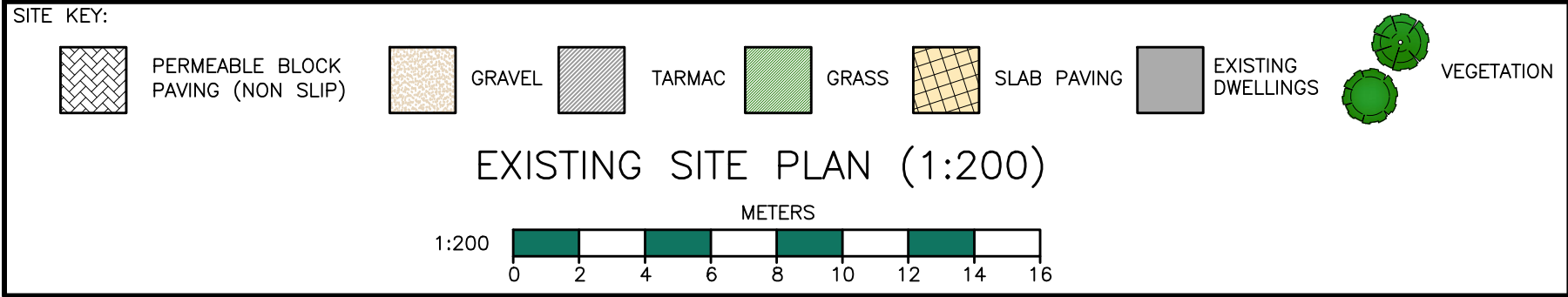
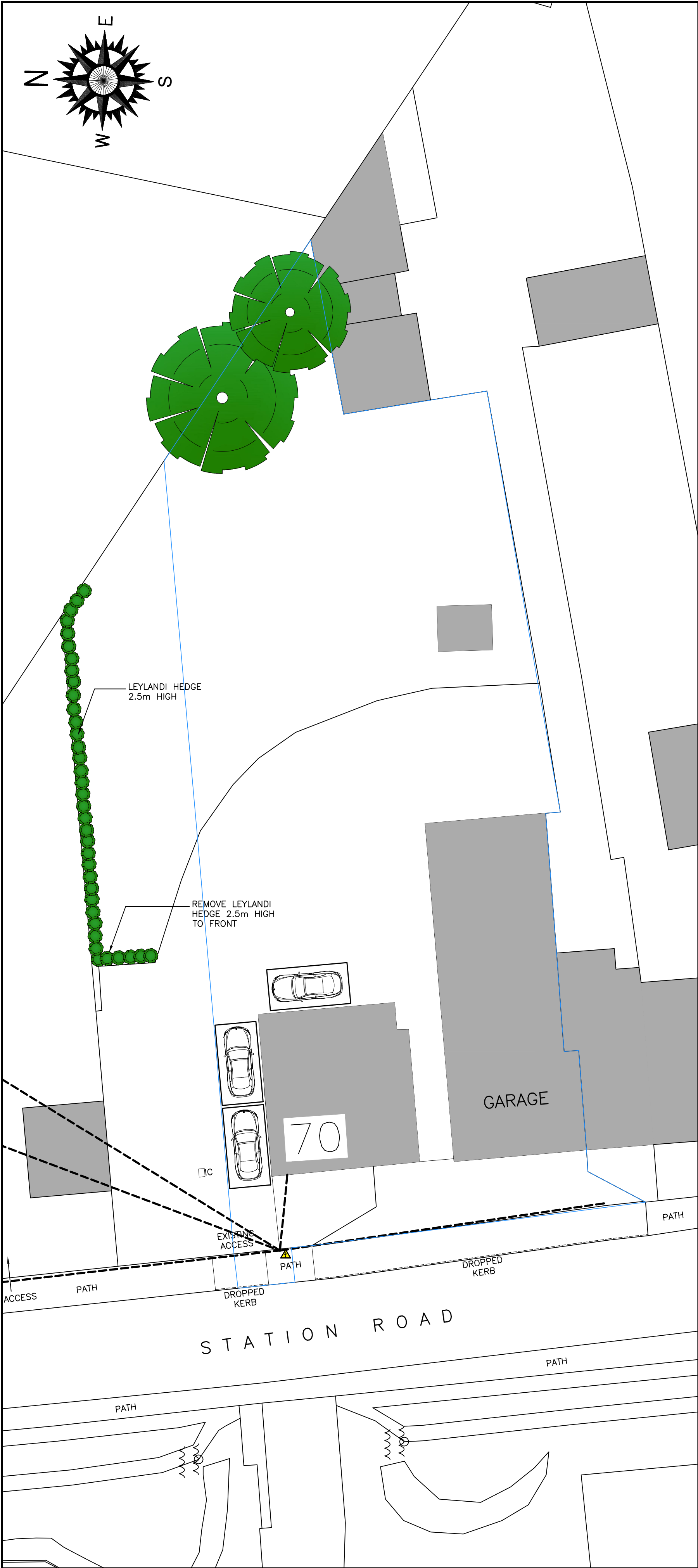
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Scale = 1:1,250





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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.

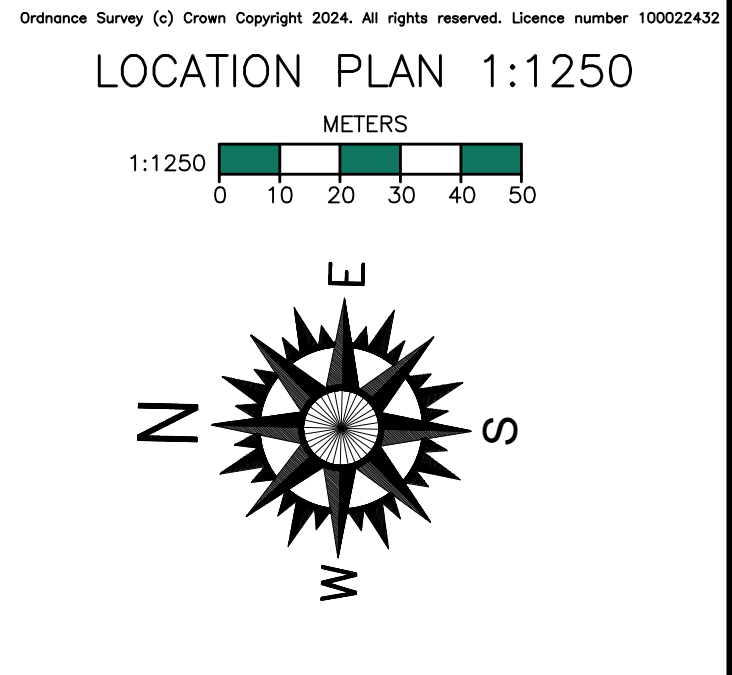
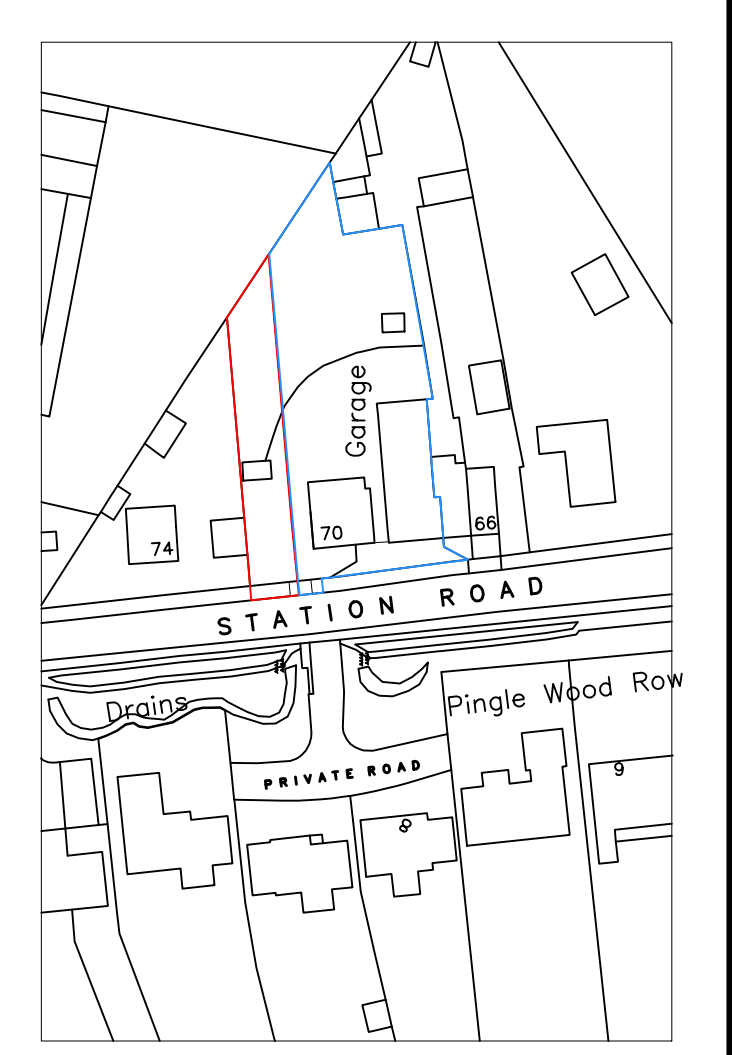
Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the 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



B	CLIENTS COMMENTS	JAN 2025
A	CLIENTS COMMENTS	AUG 2024
REVISIONS	DATE	

MORTON & HALL CONSULTING LIMITED

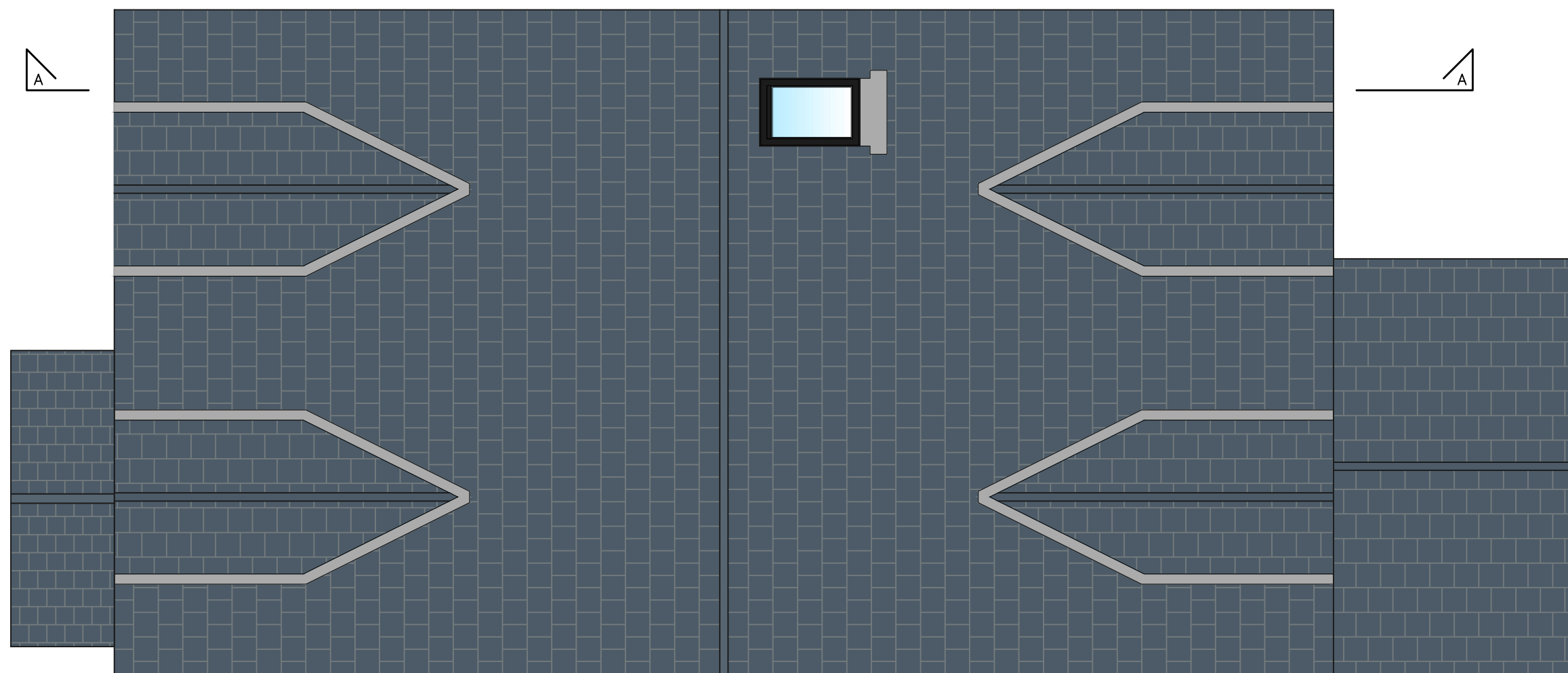
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Website: www.mortonconsultingengineers.co.uk

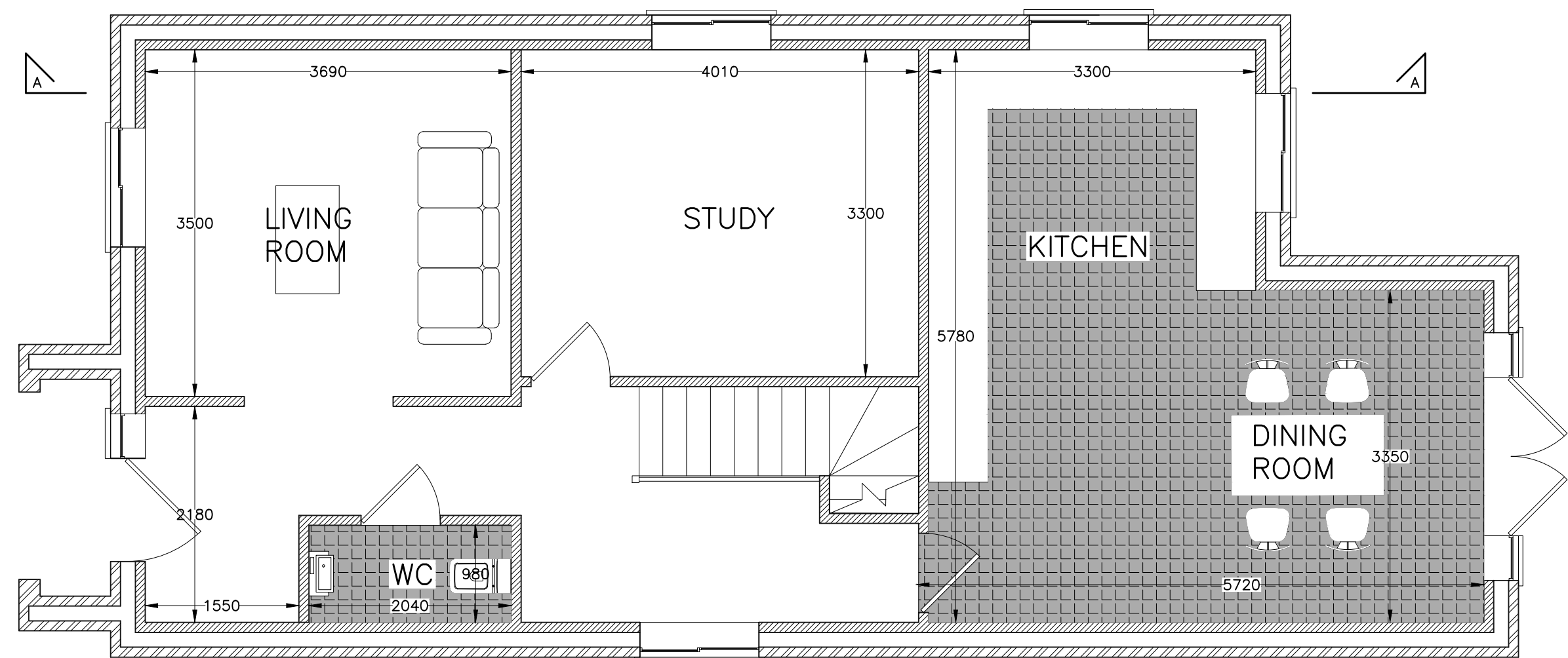
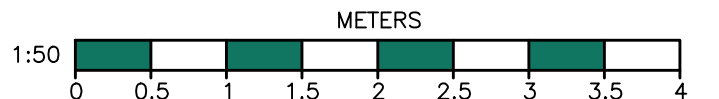
LABC Building Excellence Awards winner

Fenland District Council Building Design Awards winner

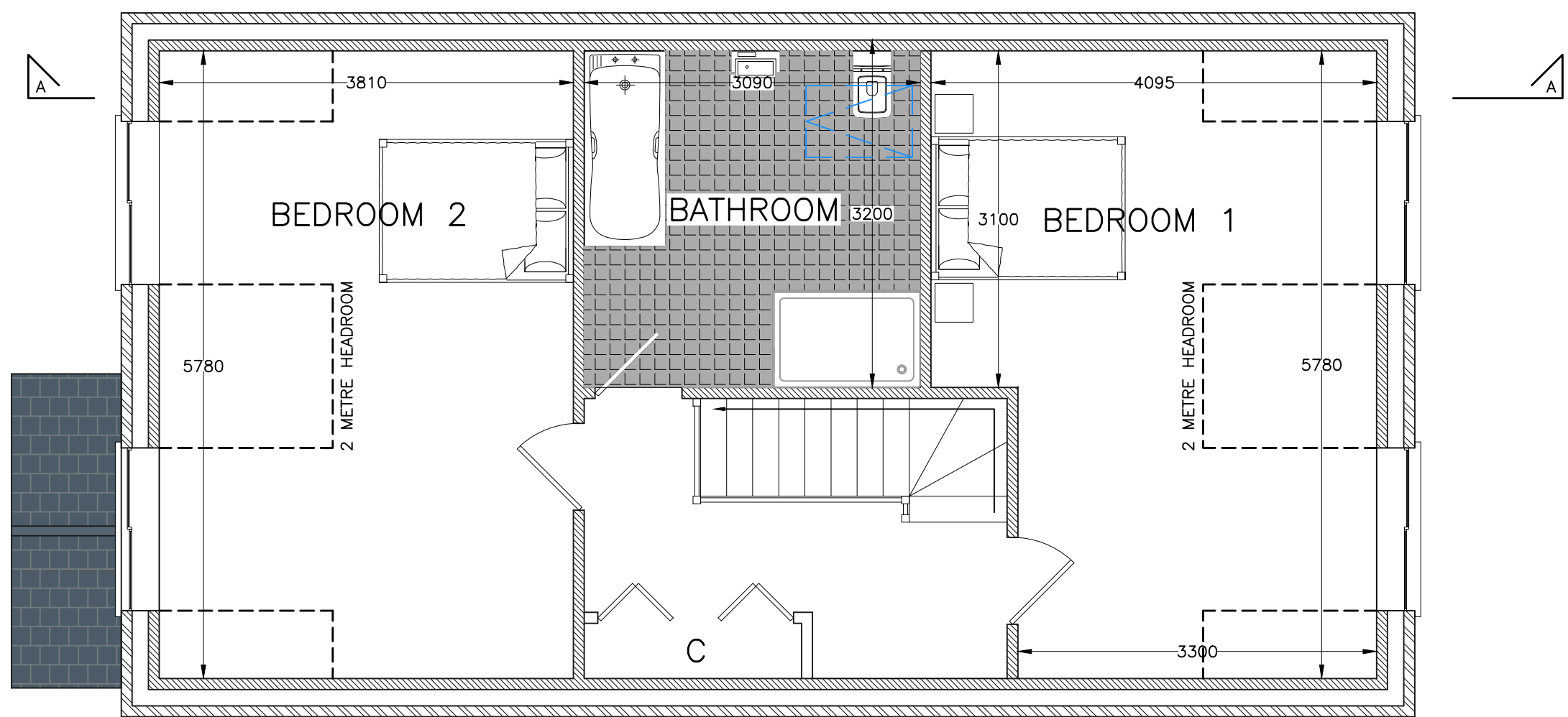
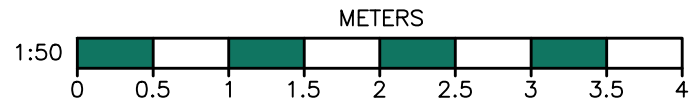
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PROJECT	70 Station Road, Manea, March Cambridgeshire PE15 0HE
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DRAWN	J.Scotcher
CHECKED	
DATE	Jul 2024
SCALE	As Shown
DATE OF ISSUE	
DRAWING NUMBER	H9704_01B



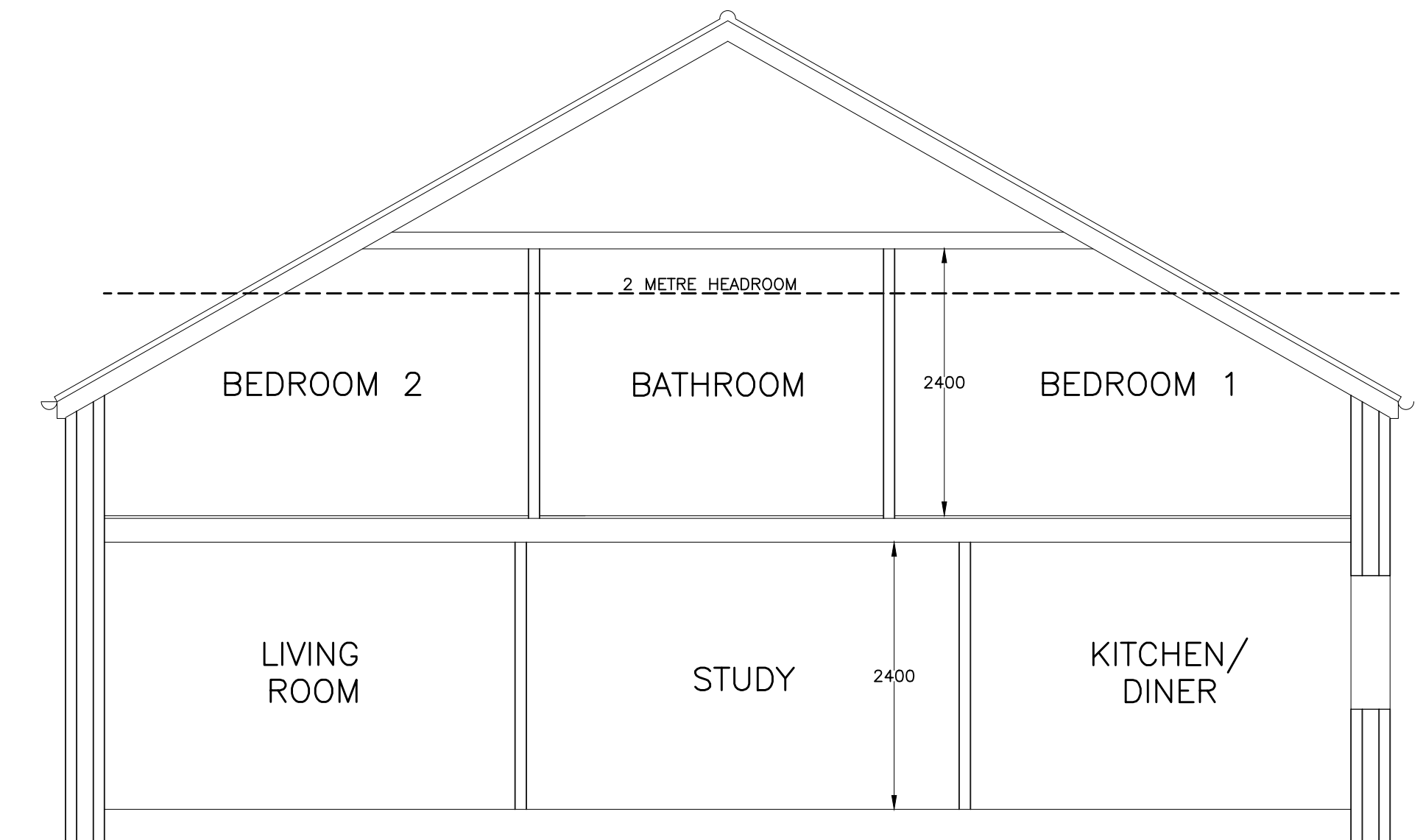
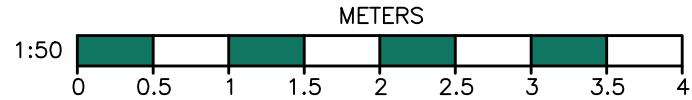
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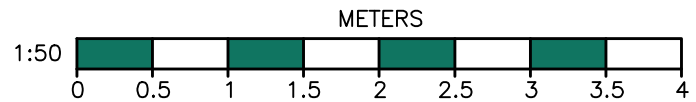
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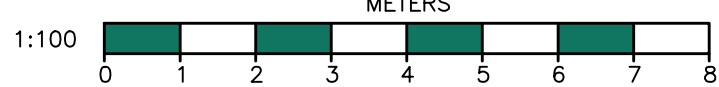
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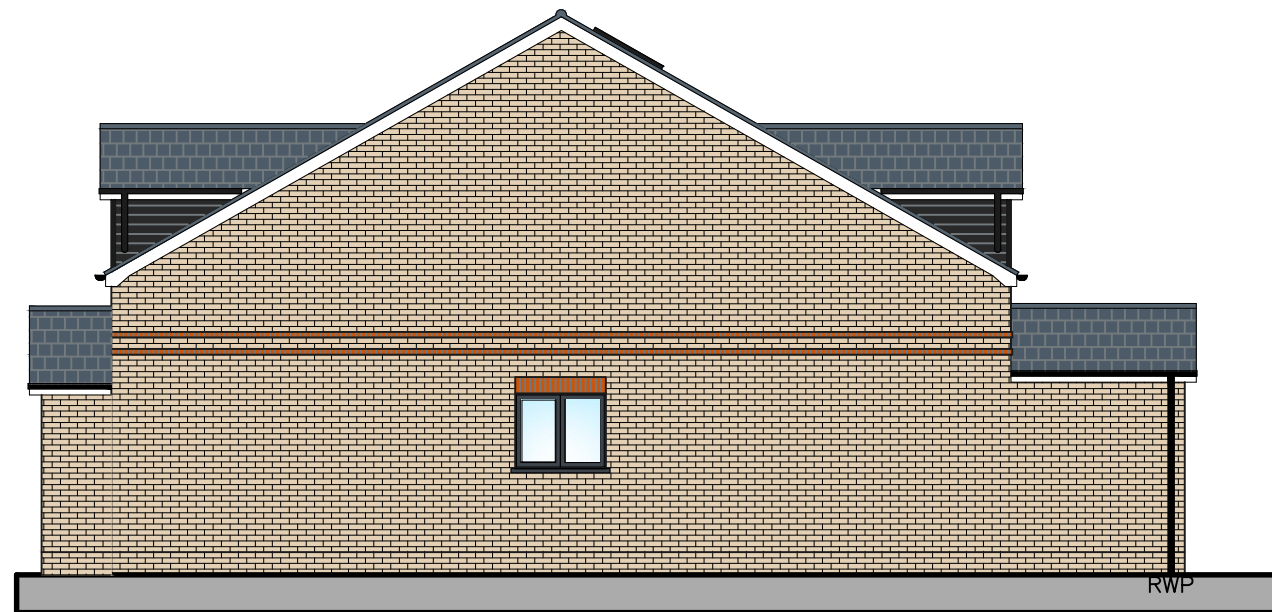
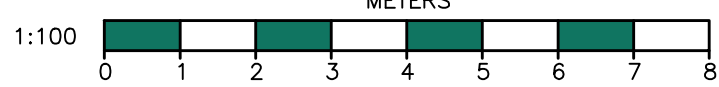
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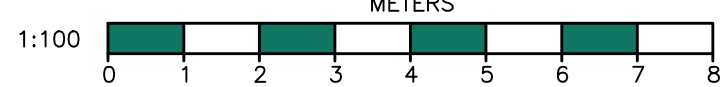
PROPOSED REAR ELEVATION (1:100)



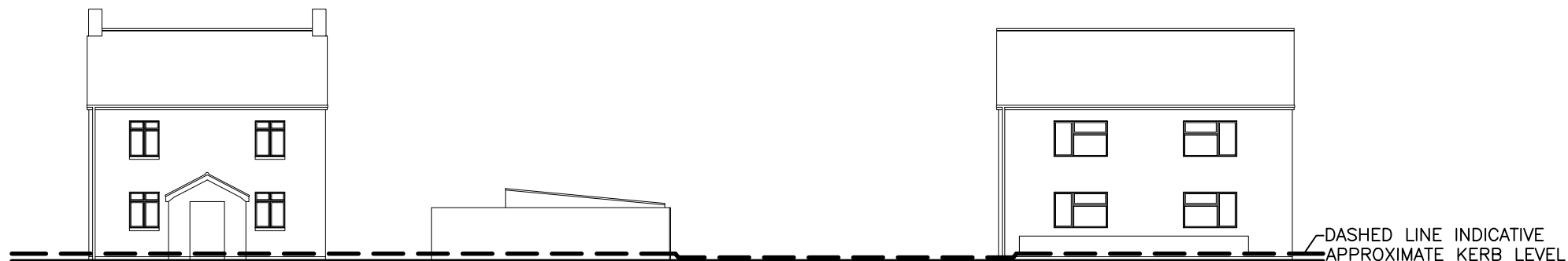
PROPOSED FRONT ELEVATION (1:100)



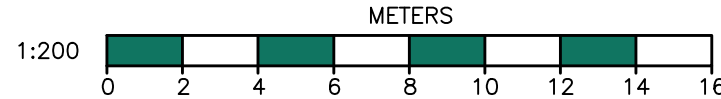
PROPOSED RIGHT HAND SIDE ELEVATION (1:100)



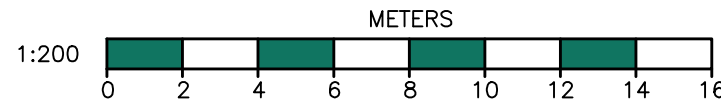
PROPOSED LEFT HAND SIDE ELEVATION (1:100)



EXISTING STREET SCENE (1:200)



PROPOSED STREET SCENE (1:200)



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

PROPOSED MATERIALS:

WALLS: BUFF BRICKWORK,
RED BRICK
DETAILING

ROOF: BLUE/GREY SLATE
TILE

JOINERY: ANTHRACITE GREY
uPVC UNITS

RAINWATER GOODS: BLACK
uPVC

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CLIENT
Elizabeth Mason

PROJECT
70 Station Road,
Manea, March
Cambridgeshire
PE15 0HE

TITLE
Proposed Building
Arrangements

DRAWN J.Scotcher	DATE OF ISSUE
CHECKED	
DATE Jul 2024	DRAWING NUMBER H9704_02A
SCALE As Shown	