

BRIEFING NOTE FOR WALPOLE PARISH COUNCILLORS

Review of Application Ref: 26/00877/OM (Applegate Nurseries, Chalk Road)

Objective: To protect the integrity of the Walpole Parish Neighbourhood Plan by rectifying critical planning law conflicts in the current consultee response.

1. The Crucial Planning Law Risk: The "Outline" Trap

The Current Response states: ***"As this is outline, it will take on board the Neighbourhood plan..."***

The Material Planning Reality: Outline stage determines the legal principle of development (location, scale, and density). If the Parish Council supports 25 homes outside the Development Limits today, the principle is legally locked in. The Neighbourhood Plan cannot be used at the "Reserved Matters" stage to reduce the housing numbers or move the site boundary.

Supporting this application establishes a dangerous precedent that undermines the entire Neighbourhood Plan for future speculative developments.

2. Speculative Business Outlook vs. Definite Policy Boundaries

The Current Response States: Supports the application because it ***"will utilise what could be in the future redundant Horticultural land."***

The Material Planning Reality: Under UK planning law, decisions must be based on the current, adopted designation of the land—not speculation about a business's future financial viability. This site is currently agricultural/horticultural land outside the defined settlement hierarchy. Granting market housing here violates Borough Local Plan spatial strategies.

3. Unresolved Technical and Safety Gaps

While the developer's paperwork is extensive, it contains severe technical failures that directly impact Chalk Road residents and match the 17 public objections on the Borough portal:

- **Highway Safety:** The developer claims "safe and suitable access." In reality, Chalk Road lacks continuous pedestrian footways and is heavily utilized by wide agricultural machinery. Adding traffic from 25 homes introduces an unacceptable risk to pedestrian safety, breaching Local Plan transport criteria.
- **Fenland Flood Risk:** The surface water drainage strategy relies on unverified assumptions regarding peak rainfall and high local groundwater tables. The applicant has failed to prove that discharging surface water here will not increase downstream flood risks to existing Chalk Road properties.

Conclusion & Requested Action

The Parish Council fought hard to establish the Walpole Parish Neighbourhood Plan to give our community a voice. By supporting a major 25-home development that breaches our own boundary, the council is inadvertently signalling to the Borough that our Plan does not need to be strictly enforced.

We respectfully request that at the July 2nd meeting, the Parish Council votes to rescind its current comments and instructs the Clerk to submit a revised 'Objection' based strictly on these material policy non-compliances.