

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 17 JULY 2019

1.00 PM

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

Committee Officer: Jo Goodrum
Tel: 01354 622285
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- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 12)

To confirm and sign the minutes from the previous meeting of 19 June, 2019.
- 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 Planning Appeals (Pages 13 - 16)

To consider the appeals report.
- 6 F/YR18/1136/F
Land South West of 1 to 23 Springfield Avenue, March. Erection of 40 dwellings comprising of 4x1 bed and 4x2 bed 2 storey storey flats;20x2 storey 2 bed and 12 x2storey 3 bed dwellings,formation of a surface water lagoon ,pumping station and new access to cricket club (Pages 17 - 38)

To Determine the Application.

7 F/YR19/0257/F

Site of former 24 High Street, Wisbech, Demolition of existing building in Wisbech Conservation Area and erection of 3no temporary storage/toilet buildings. (Pages 39 - 56)

To Determine the Application.

8 F/YR19/0352/F

Land West of 126-128 Elliott Road, March. Erection of 3x single storey 3 bed dwellings with detached garages (Pages 57 - 68)

To Determine the Application.

9 F/YR19/0362/F

Land North West of Seafeld Farm, Gorefield Road, Leverington, Erection of 3 x 2 storey, 3 bed dwellings with associated double garages (Pages 69 - 80)

To Determine the Application.

10 F/YR19/0447/F

19 Richards Close, March. Erection of a 1.05 metre high brick wall to front boundary (Pages 81 - 88)

To Determine the Application.

11 Items which the Chairman has under item 3 deemed urgent

Members: Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor A Bristow, Councillor S Clark, Councillor A Lynn, Councillor C Marks, Councillor N Meekins, Councillor P Murphy, Councillor D Patrick and Councillor W Sutton,

PLANNING COMMITTEE



WEDNESDAY, 19 JUNE 2019 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor A Bristow, Councillor S Clark, Councillor A Lynn, Councillor C Marks, Councillor N Meekins and Councillor P Murphy,

APOLOGIES: Councillor D Patrick and Councillor W Sutton,

Officers in attendance: Stephen Turnbull (Legal Officer), Jo Goodrum (Member Services & Governance Officer), Nick Harding (Head of Shared Planning), Sheila Black (Principal Planning Officer) and Gavin Taylor (Senior Development Officer)

Councillors Mrs Jan French, Councillor Mrs Laws and Councillor Rob White were present in the public gallery as observers.

P10/19 PREVIOUS MINUTES

The minutes of the meeting of 29 May were confirmed and signed as a true and accurate record, subject to the following amendments.

- With regard to minute number P5/19 concerning application F/YR18/0458/F, Councillor Murphy clarified that the point he raised should read 'Councillor Murphy highlighted that the proposed application complies with the National Planning Policy Framework. He added that if the planning permission complies with Policy LP15 of the Fenland Local Plan, which ensures suitable vehicular and pedestrian access there is no reason that the application **should not be approved.**'
- Councillor Hay highlighted that also in minute P5/19, there is an error and it should read that Councillor Patrick agreed with Councillor Murphy that the proposal complies with planning policy and there is no reason for the application **not** to be approved.

P11/19 F/YR19/0294/O/ LAND NORTH OF 3A-15 HIGH ROAD, GOREFIELD

ERECTION OF UP TO 5NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS)

The committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Gavin Taylor presented the report to members and drew their attention to the update report which had been circulated.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Mr Gareth Edwards, the Agent.

Mr Edwards referred to the officer's report stating that Gorefield is a small village under LP3 development will be considered on its merits but will normally be limited in scale to residential infilling and, in his opinion, this is the case with this proposal as it infills between the existing

dwellings on the High Road and the existing drain which is consistent with other developments that have been approved in the district. He highlighted that the site is within the village as it falls within the 30mph speed limit, adding that the built form opposite extends beyond the proposed site. The proposal does fall within flood zone 2, however there have been recent approvals in the district that have been at a much greater risk of flooding being in flood zone 3.

Mr Edwards expressed the opinion that the site is within the built form of the village and therefore the search area should be Gorefield for the sequential test purposes. The officer's report states the sequential test confirmed that there are no other available sites in the lower flood risk areas of Gorefield.

He added that all villages need growth to support the local amenities and Gorefield benefits from a public house, shop, post office, butchers shop, school and preschool and additional houses would provide further support to these businesses.

Mr Edwards stated that he had attended a Parish Council meeting and some of the points that were raised during the discussions at that meeting included that there was a need for new houses, that it was a logical area for development is infill development within the 30mph speed limit, would naturally slow down traffic with dwellings on each side of the road, there was a need for a mixture of housing types and it would balance the village. He highlighted that Gorefield has a diverse mixture of houses which includes the High Road, where houses, bungalows and chalet bungalows and provides opportunities for first time buyer's families and retired people. The applicant owns the adjacent farm and as they are reaching the age of retirement the next generation will be more involved in the day to day running of the farm with the first plot nearest the farm being for the applicant's son.

Mr Edwards concluded by reiterating that the site is within the built form of Gorefield and will help reduce vehicle speeding in the area. It will provide much needed new housing in the village and is supported by the Parish Council, Cambridgeshire Highways and 9 letters of support from local residents and he asked members to approve the application with any conditions they feel appropriate.

Members asked Mr Edwards the following questions.

- Councillor Murphy asked Gareth Edwards why a sequential test for the whole area has not been carried out. Mr Edwards stated that there are other areas in villages and towns that will have development within flood zone 1. He added that in his opinion the proposal is within the built form of Gorefield and is within the village signs, so the sequential test area should only be Gorefield.
- Councillor Meekins commented that whilst he does not disagree with the need for villages to expand, the particular area is predominantly bungalows and the outline design that has been submitted are for substantial two storey four bedroomed houses, which, in his opinion, do not seem to fit with the street scene. Mr Edwards responded by saying that the layout is only indicative and is only to illustrate and demonstrate what could be achieved.
- Councillor Meekins added that the proposal is for four bedroomed houses and there is no provision for anybody wishing to join the property ladder. Mr Edwards reiterated that it is only an indicative layout. The Chairman added that if planning permission was approved, then discussion could take place with officer's regarding the further detail.
- Councillor Bristow asked whether the local schools are oversubscribed in the village. Mr Edwards confirmed that he is unsure with regard to the available provision in the preschool, however, he believes that there are vacancies in the primary school.
- Councillor Hay commented that the suggestion was made that the proposal was infill as it is adjacent to garden land on one side and a drain on the other, however, in her opinion infill is where a proposal is between two properties and not between a drain and garden land. Mr Edwards responded by saying there has been a similar project in Church End, Parson Drove, where the development was infill between a house and a drain and that was

deemed as a natural boundary and the proposal before members today is the same.

- Councillor Benney queried whether the houses opposite the proposed development site are within the boundary of Gorefield. Mr Edwards stated that his understanding is that the village boundary runs just beyond the land to the right hand side. Councillor Benney asked whether the proposed development will be in the village of Gorefield and Mr Edwards stated that it would be.
- Councillor Bristow asked when the existing dwellings were built opposite the proposed site. Mr Edwards stated that there is a mixture of dwellings, some of which are from the 1940's, through to the current day, where some dwellings are near completion.

Gavin Taylor clarified some of the points that members had made:

With regard to village boundaries, the village boundaries are not set within the Local Plan. They are settled through the application of LP3 and LP12 (a) and the footnote which defines where sites are and are not inside the settlement. He highlighted to members on the presentation screen the dwellings on the southern side of the High Road and, with regard to LP12, the dwellings would be considered to be inside the settlement because they continue back in towards Gorefield and some of the developments that are coming forward are clearly infill sites because they sit between two buildings.

He provided a definition of infill as per the glossary of the Local Plan which defines residential infilling as development of sites between existing buildings and, on that basis, officers would not consider that a drain is a building.

He clarified the location of the 30mph speed sign and added that the position of the sign does not define where the settlement starts and ends and it does not feature in the footnote to LP12 (a) as a definition either.

Councillor Benney stated that LP3 of the Local Plan states that in small villages, development will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling or a small business opportunity. He added that 'normally' means variable, and therefore, it is not fixed. All villages need to have growth and new houses, in order to keep the amenities and schools in place and If this application is not approved it penalises the village of Gorefield.

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

- Councillor Mrs Bligh added that the application has the full support of the Parish Council and she is disappointed that not enough notice is taken of the Parish Council's views and beliefs. The application has no technical issues from the main statutory consultees.
- Councillor Hay commented that there needs to be consistency when determining planning applications. There is a Local Plan which needs to be taken into consideration. In the last 3 months similar applications have been taken to appeal and both applications were dismissed on appeal by the Planning Inspector. Officers updated members with details concerning the appeals Councillor Mrs Hay had referred to.
- Nick Harding reiterated that the policy does include the word normal, however, members need to consider that decisions need to be taken into accordance with planning policy and therefore, if members are minded to go against the policy and the officer recommendation, there needs to be clear reasons given so that members can demonstrate that with this particular application they can state what special circumstances are in play which justify why a departure from normal policy should be allowed.
- Councillor Marks asked that if the application had been submitted was just for one dwelling would that be acceptable. Nick Harding stated that the application before members is for

residential development and no part of the proposal was to ring fence any single property for a member of the family and we would not be able to impose a condition in relation to that. If a completely different application had been submitted and that was for an agricultural dwelling then that would need to go through the normal process of trying to establish whether or not the dwelling was genuinely needed in relation to an agricultural business.

- Councillor Hay added that members must adhere to the Local Plan and the proposal is clearly against LP12 and LP3 and if members want to approve the application, they need to demonstrate how the application is in accordance with those two parts of the Local Plan.

Proposed by Councillor Meekins, seconded by Councillor Bristow and decided on the casting vote of the Chairman that the application be REFUSED as per officer's recommendation.

(Councillor Clark registered, in accordance with paragraph 2 of the code of conduct on planning matters that she had been lobbied on this item)

**P12/19 F/YR19/0357/O
LAND SOUTH EAST OF 182 WYPE ROAD, EASTREA, PE7 2AZ
ERECTION OF 2 X 4-BED SINGLE STOREY DWELLINGS (OUTLINE
APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS, LAYOUT
AND SCALE)**

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Gavin Taylor presented the report and update to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Lee Bevens the Agent.

Mr Bevens firstly clarified a point contained within the officer's report which refers to the adjacent site being a working farm and this is not the case, It is a Business which occasionally throughout the year cleans and repairs farm sprayers. From discussions with local neighbours there have never been any issues with regard to noise issues from the site. He added that with regard to the officer's report and the details of reasons for refusal, the application site is not in an area of open countryside and that there is not a developed footprint for Eastrea. In his view there have been recent approvals for developments along Wype Road which have seen frontage development like the scheme that is proposed and as the application site is located within a 30mph speed zone suggests that the site is in a built up area. He made the point there have been no objections raised for Cambridgeshire Highways. The proposal is opposite another large detached bungalow at 127 Wype Road and, therefore in his opinion, the application is not contrary to the policy in the Local Plan that the Officer has referred to.

Mr Bevens stated that the housing allocation for Eastrea had not been met as noted within the latest village threshold statement of June 12. He made the point that the site is next to a farm which is not an unusual factor in the Fens and here has been a great deal of weight to the impact of noise raised in the officer's report but the business on site repairs sprayers for other businesses and does not carry out this work all year round with the works often carried out at other locations.

Mr Bevens stated that the issue of noise has been highlighted by the Council's Environmental Health Team, however, this was not raised when the original application was submitted and nor was it raised when the Council approved the scheme directly to the north of the site for 6 houses at 182 Wype Road. The owners of 182 Wype Road, the farm, did not raise any objection based on

noise issues for that development and only raised concerns when they visited the site on 29 May with the majority of neighbours close to the site support the application.

Members asked Mr Bevens the following questions:

- Councillor Lynn asked for clarification over the operating hours of the farm as the officer's report states that it is open and operational 7 days a week. Mr Bevens confirmed that the farm is open 7 days a week, but the business that operates from the farm is a mobile business and 90% of the times during the week, the vehicles associated with the business are operating away from the site.
- Councillor Lynn asked what work the farm carries out for the rest of the week. Mr Bevens stated that, to the best of his knowledge, the farm repairs farm sprayers.

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

- Councillor Benney asked whether officers were aware that the business appears to be more of a mechanical business rather than a working farm. Gavin Taylor stated that he was aware of the farm and its existence and the farm has no restrictions in terms of its hours of operation. Councillor Benney added that the report states that the farm is a working farm and if it is an agricultural related business where it is repairing agricultural machinery it is more of a garage than a working farm and he asked for further clarification. Gavin Taylor stated that officers from Environmental Health carried out a site visit, they reviewed the current status and the potential to cause noise and disturbance to adjacent residential development. He added that it is a business and there is commercial use of the site and if possible we would not be seeking to restrict its future use. Its current use is a consideration but also the flexibility of its future use is also a consideration. If there are concerns over contaminated land or biodiversity, the applicant would be asked to provide further evidence and acoustic assessments, where there is the potential for noise, however, in this instance this is not available. Therefore, with this application, the potential has to be looked at which our Policy LP16 of the Local Plan states.
- Councillor Benney asked whether an acoustic assessment was considered when the report was compiled. Gavin Taylor stated that the comments that were received from the Environmental Health team and given the issues that officers found from the development in principle it did not seem reasonable to ask the applicant to undertake an acoustic assessment of the site because potentially there are other reasons for refusal of the application.
- Councillor Hay asked if the application before the committee today was for 2 houses, a farmhouse dwelling and an agricultural business, would it be approved? In her opinion, it would not be passed because there would be concerns over noise. Currently the business has no restrictions and we all want growth in businesses, but going forward the vehicular movements into the farm is unknown. Councillor Hay stated that she considers this location as open countryside and she believes it would be wrong to restrict the future expansion of the business which would happen if the application was approved.
- Councillor Lynn added that when he read the report he thought during harvest time the operational hours of the farm would cause an issue, however, now he understands the type of business operating, his view has changed.
- Councillor Hay stated that the agent is advising that it is a different type of business, however, there is no proof of this as no noise assessment has been carried out.
- Councillor Meekins stated that, in his opinion, this application is not infill and is adjacent to open agricultural land and there needs to be consistency in the decisions made by the committee.
- Gavin Taylor highlighted to members on the presentation screen the location of 6 dwellings

that had outline planning approval agreed in 2017/18. Three of those have come forward in the northern area of the site and the layout was not committed for the southern 3 dwellings. He added that officers would expect to consider the layout in relation to potential noise issues.

- Councillor Benney commented that there is a great deal of development on that road and questioned the location of the boundary. He added that every town and village in Fenland is in open countryside. The proposal is in flood zone 1, in his opinion, it is a good development and as you enter the village, it will look better visually to see two bungalows in that location.
- Gavin Taylor clarified that the houses to the north of the six previously approved dwellings were approved when the Councils housing allocation policies were out of date as a result of not being able to demonstrate a five year supply of housing, so the tilted balance indicated that officers had to recommend approval for that site. Our policies currently are considered to be up to date and robust and, therefore, we do not need to move away from our housing policies of which LP12 states that sits outside of the settlement.
- Nick Harding stated that as Gavin Taylor had already indicated the special circumstances were used at the time, when the Council did not have a 5 year land supply and the law states that there had to be a tilted balance in favour of granting planning permission. We have now demonstrated that we have a 5 year land supply and, therefore those special circumstances are no longer relevant.
- Councillor Mrs Bligh stated that as much as she agrees with Councillor Benney's comments, she that Whittlesey Town Council actually recommended refusal of this application. Councillor Benney responded by saying Whittlesey Town Council recommended refusal on the grounds of Cambridgeshire County Highway concerns, however, highways then revisited the plans and were in agreement with the proposal.

Councillor Benney proposed that the application be approved against officer's recommendation.

- Councillor Lynn asked that if he agreed to second the proposal and, if the application was approved, could a condition be added to ask for a suitable noise pollution test to be carried out. Nick Harding responded by saying that this could not realistically be achieved because effectively you would be approving a development proposal when you were not in fact sure whether the development would be adversely affected by noise from the adjacent development. He added that if that is a concern for members then an option to consider would be to defer the application in order for a noise assessment to be carried out. Councillor Benney asked would an alternative be to approve the application and request a condition for an acoustic barrier to be installed. Gavin Taylor stated that If there is no demonstration of noise impact it would be an unreasonable condition to add as we cannot show it is necessary. With regard to landscaping which would include any barriers including fencing are not committed with this application as it is an outline application without landscaping.

Councillor Mrs Bligh proposed for the application to be deferred, which was seconded by Councillor Lynn.

Nick Harding added that if members were minded to defer the application, the assumption would be that the committee were happy with all other parts of the proposal and it would only be the noise issue that members were unsure of. He added that members need to consider the officers reasons for refusal which relate to the fact that the development proposal in the planning officers view does not constitute infill.

Councillor Mrs Hay stated that she is not happy for the item to be deferred. Officers have advised members if the item is deferred solely on the basis of concerns over noise, the other reasons that officers have put forward for refusal are being ignored.

Councillor Mrs Bligh agreed to withdraw her proposal and Councillor Lynn concurred.

The original proposal from Councillor Benney to go against officers' recommendation and approve the application was reverted to.

The substantive reasons given by Councillor Benney to go against the Officers recommendation were Policy LP3, due to the fact that it states the word 'normally' which would indicate that there is an option to deviate in certain cases. Councillor Benney does not feel that this can be classed as linear development as in Policy LP12 (a) as it does not harm the character of the area and LP12 (b) as in his opinion the proposal is not outside the footprint of the village.

Nick Harding added that Councillor Benney has outlined the proposal which is to grant planning permission and has expressed the reasons why he feels an exception to the policy and Nick Harding asked whether an addition could be made to include that Officers have delegated authority to apply appropriate planning conditions. The Chairman agreed with this.

Councillor Hay stated one of the reasons that officers had stated were LP12 Part A (c, d and e,) and the report states 'it would not extend existing linear features of the settlement, or result in ribbon development'. Councillor Hay added that it is exactly what this would do if the application was approved.

The proposal was seconded by Councillor Lynn and decided that the application be APPROVED.

(Councillor Bristow registered in accordance with paragraph 14 of the Code of Conduct on planning matters that he was a member of Whittlesey Town Council when this application was considered. He did not take part in any discussions or vote on this agenda item)

(Councillors Benney, Clark, Connor, Lynn, Marks, Meekins, Murphy and Councillor Mrs Bligh registered in accordance with paragraph 2 of the Code of Conduct on planning matters that they had been lobbied on this item)

P13/19

F/YR19/0068/O

LAND NORTH OF 17 DODDINGTON ROAD, BENWICK

ERECTION OF UP TO 15NO DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS) INVOLVING DEMOLITION OF BUILDINGS

The Committee had regard to its inspection of the site (as agreed in accordance with the Site Inspection Policy and Procedure (minute P19/04 refers)) during its deliberations.

Gavin Taylor presented the report to members.

Members received a presentation in support of the application, in accordance with the Public Participation Procedure, from Lee Bevens, the Agent.

Mr Bevens stated that the scheme is a culmination of 2 years of work and looks to address the reasons for refusal of a previous scheme to find a cost effective and sensible solution to an overgrown site that has the potential to provide much needed low cost housing. He stated that Cambridgeshire Highways have no objections and other issues have been addressed and the number of dwellings proposed is a maximum. The officer has raised reasons for refusal which include Policy LP3 which states that the development will be considered on its merits and he believes that the proposal has met all the criteria to be approved under the policy.

Mr Bevens expressed the view that the proposal can provide small, lower cost market housing, where there is a need. Access is the only matter committed and there are no objections from highways. The proposal will address the fact that Benwick has not met its housing allocation in the latest threshold statement with 18 dwellings still outstanding. He added that there is good visibility in and out of the site and the proposed scheme will avoid piecemeal development in the village and will also support local businesses with new customers. He commented that all sites in Benwick are liable to flooding as it lies within flood zone 3 with the proposal improving the overgrown site which has been subject to complaints and anti-social behaviour.

Mr Bevens stated that his clients have agreed to the Section 106 contributions which will benefit the village in terms of open space money and an infill only development would land lock the full potential of the site. He made the point that under LP14 a detailed flood risk assessment and sequential test have both been submitted and the sequential test had been met, with Benwick lying largely in flood zone 3 and there are no other undeveloped unavailable sites in the village. He added that if housing is to be provided in Benwick then every site would fail the sequential test which would mean that the housing targets would not be met. He referred members to an approval of a development in Turves in 2018 where the officer noted that because the entirety of Turves is located within flood zone 3 at the time of its designation as a small village that the development should go ahead and it was approved.

Mr Bevens referred to surface water provision with there being levels of hierarchy that should be met, the first is to use infiltration, then to use water courses and the third is to use sewers with the preferred route being via a water course which runs along the side Doddington Road and some residents have voiced their concerns over this, however the adjacent Heron Way scheme runs into Anglia Water sewers and discharges into a water course outside number 22 Doddington Road. There are ongoing discussions taking place with the drainage consultant and the Lead Local Flood Authority along with Anglia Water and it is hoped a successful surface water solution can be achieved.

Mr Bevens concluded that out of the nine villages identified under LP3 of the Local Plan, Benwick has the highest outstanding number to achieve of 18 dwellings. Some similar sized villages have substantially exceeded their numbers in their allocations, such as Guyhirn, Murrow and Newton.

Members asked Mr Bevens the following questions:

- Councillor Lynn asked for clarification with regard to the report which states that the proposal is on archaeological ground and asked whether a survey has been carried out. Mr Bevens confirmed that discussions are yet to take place with the County Council, however, it would be expected that conditions would be applied to reflect this should the outline consent be approved.
- Councillor Lynn asked for clarification with regard to drainage. Mr Bevens stated that if infiltration cannot be met then the obvious place for surface water to go will be the open ditch that runs along the side of Doddington Road. The Anglian Water sewer that runs through Doddington Road discharges into the open water course and there is riparian ownership of the ditch along with the Internal Drainage Board and there would need to be an agreement to enter the open ditch. The other alternative is to agree with Anglian Water to enter the sewer which ultimately enters the ditch.

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

- Councillor Hay expressed the view that if the application was for 1 or 2 dwellings between the existing houses then it could be classed as infill, however, in her opinion the 15 houses should be classed as back land development. The application is also very similar, if not identical, to an application that was refused in May 2018 and the Parish Council have clearly stated that they believe it is over development and is not supported. They also have

concerns over the sewerage and the location is unsustainable due to lack of infrastructure.

Proposed by Councillor Hay, seconded by Councillor Bristow and decided that the application be REFUSED as per the officer's recommendation.

(Councillors Benney, Clark, Connor, Lynn Marks, Meekins, Murphy and Mrs Bligh registered in accordance with paragraph 2 of the Code of Conduct on planning matters, that they had been lobbied on this application)

2.35 pm

Chairman

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PLANNING APPEAL DECISIONS

The Council has received the following Appeal decisions in the last month:

All decisions can be viewed in full at <https://www.fenland.gov.uk/publicaccess/> using the relevant reference number quoted.

PA Ref	Proposal/Site	Officer Recommendation	Decision Level	Appeal Decision	Summary of Main issues
F/YR15/0668/O	Outline with one matter committed detailed as access in relation to 95no dwellings (max) with associated landscaping, drainage and open spaces, Land North Of 75 - 127 Estover Road, March	Grant	Committee	Dismissed (Written reps)	<ul style="list-style-type: none"> • This application was refused by the Committee on the grounds that: the development would not respond to the core shape and characteristics of the settlement; to the detriment of the character and appearance of the area. • The Planning Inspector considered that the site lay outside of 'the defined development boundary for March' and was 'located in the countryside'; closely associated with the undeveloped rural landscape; concluding that 'the development would have an undesirable urbanising effect on the local landscape and would result in the permanent loss of countryside.' • Of interest, the appeal decision notes that the level of harm which would arise is not significant and that the development of this site for residential purposes would not be significantly worse than any other greenfield site. • An argument put forward by the appellant with regard to delays in delivering new homes was disregarded, with the Inspector recognising that the plan period runs until 2031

					<ul style="list-style-type: none"> Similarly whilst it was acknowledged by the Inspector that other matters raised relating drainage issues, highway matters, loss of agriculture, wildlife impacts and local infrastructure capacity were material considerations they were not felt to provide a compelling reason to withhold consent; subject to appropriate mitigation.
F/YR18/0078/F	Erection of 5 x 2-storey 3-bed dwellings and 1.8 metre high fence and brick walls involving partial demolition of 13 Clare Street, Land East Of 13 Clare Street, Chatteris	Refuse	Committee	Allowed (Written reps)	<ul style="list-style-type: none"> Access to backland development would not be to detriment of living conditions of adjoining residents. Excess bin carrying distances not of such detriment to refuse the scheme.
F/YR18/0132/O	Erection of a dwelling (outline application with matters committed in respect of access and scale), Land North West Of Cedar Lodge, The Old Dairy Yards, Westfield Road, Manea.	Refuse	Delegated	Dismissed (Written Reps)	<ul style="list-style-type: none"> Site accessed via narrow lane requiring upgrading No significant harm to character and appearance of the area. Unacceptable impact on highway safety and protected species and habitat.
F/YR18/0244/F	Erection of a 2-storey, 2-bed dwelling involving demolition of existing outbuilding Land North Of 92, Norwood Road, March	Refuse	Delegated	Allowed (Written Reps)	<ul style="list-style-type: none"> The design/materials, relationship with surrounding dwellings and high front boundary treatment would not harm the character and appearance of the area. The proposal provides sufficient private amenity space that would not be unduly overlooked, outlook was assessed and considered to

					not unduly harm the living conditions of future occupiers.
F/YR18/0263/O	Erection of up to 7no dwellings (outline application with all matters reserved), Land North Of 16A - 22 High Street, Manea	Refuse	Committee	Allowed (Written Reps) + Costs claim refused	<ul style="list-style-type: none"> Existing access to nursery Given this, use of access for residential would have no greater impact on living conditions of neighbouring residents Access not unacceptable in terms of cycle/pedestrian/refuse issues
F/YR18/0295/O	Residential development of up to 3 dwellings, Land off Newgate Street, Doddington.	Refuse	Delegated	Dismissed (Written Reps)	<ul style="list-style-type: none"> Backland site to rear of properties on Newgate Street The effect on the character and appearance of the area, with particular regard to the village built form, streetscene, settlement pattern and the open countryside. The Inspector considered that concerns regarding the access could be dealt with by Grampian condition.
F/YR18/0415/F	Erection of a 3-storey 5/6-bed dwelling with detached workplace, Land South Of 24 Addison Road, Wimblington.	Refuse	Delegated	Dismissed (Written Reps)	<ul style="list-style-type: none"> Important open space within village/site contributes positively to local character Scale of the development would appear overlarge, imposing and at odds with its surrounding context. Lack of evidence that the business would not unduly harm the living conditions of residential properties in relation to noise for

					example.
F/YR18/0515/F	Erection of 2no 2-storey 3-bed dwellings with detached garage block to rear and erection of porch to existing dwelling involving demolition of existing garage and formation of a new access, 107 Kings Delph, Whittlesey.	Refuse	Delegated	Dismissed (Written Reps)	<ul style="list-style-type: none"> Site in elsewhere location and contrary to settlement hierarchy set out in Local Plan.
F/YR18/0645/F	Erection of 1 x 2 storey 4 bed dwelling with attached garage involving demolition of existing dwelling and outbuildings, 11 Jobs Lane March.	Refuse	Delegated	Allowed (Written Reps)	<ul style="list-style-type: none"> The Inspector considered that a two-storey dwelling in this location would not appear incongruous or over imposing in the streetscene.
F/YR18/0781/F	Change of use from residential to residential and importation, breeding and selling of tropical fish and erection of a detached outbuilding (retrospective) 15 Church Lane Doddington	Grant	Committee	Allowed (Written Reps) +Costs claim refused	<ul style="list-style-type: none"> Only a small portion of the building can be seen above the fence; the outbuilding does not harm the character and appearance of the area.
F/YR18/0937/F	Raising of roof to enable loft conversion to form living accommodation and insertion of 3 x dormers to rear of existing dwelling 19 Willowbrook Drive Coates	Refuse	Delegated	Dismissed (Written Reps)	<ul style="list-style-type: none"> Would not harm the character and appearance of the area Significant overlooking and loss of privacy unacceptable; obscure glazing not appropriate to overcome this due to lack of outlook from the proposed bedrooms

F/YR18/1136/F

**Applicant: Mrs S Newstead
Clarion Housing Group**

**Agent : Mr Tony Welland
The Design Partnership (Ely) Ltd**

Land South West Of 1 To 23, Springfield Avenue, March, Cambridgeshire

Erection of 40 dwellings comprising of 4 x 1-bed and 4 x 2-bed 2-storey flats; 20 x 2-storey 2-bed and 12 x 2-storey 3-bed dwellings; formation of a surface water lagoon and pumping station and new access to cricket club

Reason for Committee: The Officer's recommendation is contrary to that of March Town Council.

1 EXECUTIVE SUMMARY

The application seeks full planning permission for the residential development of the site for up to 40 affordable homes.

The site is undeveloped primarily forming a semi-natural habitat with scattered trees, some established hedgerow and scrubland. The majority of the site lies within the West March Strategic Allocation as laid out under Policy LP9 of the Fenland Local Plan, 2014. The allocation proposes around 2000 homes with associated infrastructure and services including a school, shops and recreation land.

Policy LP7 identifies the importance of planning and implementing strategic allocations and broad locations for growth in a co-ordinated way, through an overarching BCP that is linked to the timely delivery of key infrastructure.

The site is located with sustainable links to the town centre and the wider district and beyond and the development demonstrates clear social benefits in terms of its contribution to affordable housing stock. Furthermore, the development comes forward with no technical issues.

However, the bulk of the application site lies within the strategic allocation for West March and comes forward without an approved BCP. Furthermore, the proposal does not demonstrate that its delivery, without conforming to an approved BCP would be inconsequential to the wider allocation – particularly in regard to habitat (and potential recreation land) loss or how it could effectively connect to the wider allocation in the future to access services and facilities that the allocation is expected to provide e.g. primary school, shops. The proposal is therefore contrary to LP7 and LP9 of the Fenland Local plan and H1 of the March Neighbourhood Plan.

On balance, the identified benefits of the scheme are considered to be outweighed by the identified harm and resultant policy conflict. The recommendation is therefore to refuse the application.

2 SITE DESCRIPTION

The site comprises around 1.64 hectares of land located to the south of Springfield Avenue. The site is undeveloped forming a semi-natural habitat with scattered trees, some established hedgerow and scrubland. An informal pedestrian access leads directly from The Causeway to the east and the site also incorporates an access serving the March Town Cricket Club to the north-west.

The southern boundary of the site abuts the recreation ground and open countryside extends westwards. To the east are groups of residential properties, some fronting onto The Causeway and a small in-depth grouping of dwellings at Causeway Close.

The site lies in flood zone 1. The properties within Springfield Avenue are owned and maintained by the applicant, Clarion Housing Group.

The majority of the site lies within the West March Strategic Allocation as laid out under Policy LP9 of the Fenland Local Plan, 2014.

3 PROPOSAL

The application seeks full planning permission for the residential development of the site for 40 dwellings including associated infrastructure such as a foul pumping station, SuDS attenuation pond and roads.

The site is proposed to be 100% affordable housing and the applicant has agreement for funding from the Cambridgeshire & Peterborough Combined Authority for this project against the rented units.

The scheme is offering 40 units comprising;

- 4 x 1 Bed Flat for rent
- 4 x 2 Bed Flat for rent
- 20x 2 Bed Houses for shared ownership
- 12 x 3 Bed Houses for shared ownership

The access is taken off Springfield Avenue and follows the route of the underground high pressure mains Gas pipe, spurring off in southerly direction to serve a tight-knit grouping of dwellings. The foul pump and SuDS basin are located at the north western corner of the site.

Dwellings are primarily arranged to front onto the highway and incorporate private drives with the exception of the flats/ maisonettes (Plots 9-16) which rely on small rear parking courts served by shared private drives. The dwellings are generally paired or terrace units – all are 2-storey in scale, as are the flats.

An informal path is proposed at the south of the site linking to the existing recreation ground. An access road is proposed at the north of the site serving March Town Cricket Club.

The application is supported by the following documents;

- Topographical Survey (200 Plan)
- Design & Access Statement
- Flood Risk Assessment & Drainage Strategy (171599)
- Ecology report (revised April 2019 following GCN survey)
- Affordable Housing Statement – 7th May 2019

- Geotechnical report
- PICADY report
- Utility Assessment (171599)
- Refuse tracking plans (sheet 1 and sheet 2)
- Elevations and Floor Plans (P07-P13)
- Shed Elevations and Floor Plans (P14)
- Location Plan (P01)
- Site Plans – west and East
- Block Plan
- Tree Plan (6726-D-AIA)
- Typical Pumping Station Layout

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

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

4 SITE PLANNING HISTORY

No relevant site history however the following planning applications and decisions relate to proposed development within the West March Strategic Allocation;

Reference	Description	Decision
F/YR19/0090/F	Erection of 80 dwellings [100% affordable housing] comprising of 14 x 2-bed flats; 53 x 2-bed and 13 x 3-bed 2-storey dwellings and the installation of a pumping station and substation and formation of an attenuation pond at Land East Of York Lodge, Gaul Road, March.	Refused 26.06.2019
F/YR19/0016/F	Erection of a 2-storey 5-bed dwelling with detached garage involving the formation of a new access at Land West of 181 Burrowmoor Road, March.	Refused 09.05.2019
F/YR17/0739/O	Erection of up to 2 dwellings and garage to serve No. 69 The Avenue (Outline application with all matters reserved) at Land West Of 69 The Avenue, March.	Refused Appeal Dismissed 09.07.2018
F/YR13/0724/F	Erection of 22 dwellings: 2 x 2-storey block of flats comprising of 10 x 1-bed dwellings, and erection of 1 x single-storey 2-bed, 11 x 2-storey 2-bed dwellings, including sheds, refuse store and cycle store involving demolition of existing care home (retrospective) and works to western footpath of Kingswood Road at Site Of Former Kingswood Park Residential Home, Kingswood Road, March.	Committee Refused Appeal Allowed 27.01.2015
F/YR18/0458/F	Erection of 24 x 2-storey dwellings comprising of 12 x 2-bed and 12 x 3-bed together with an extension to Kingswood Road to provide new vehicular and pedestrian access at Site of Former Kingswood Park Residential Home, Kingswood Road, March	Committee resolved to approve subject to S106 29.05.2019

5 CONSULTATIONS

March Town Council (MTC)

Recommend approval subject to adequate Section 106 agreements for local projects.

**Officers recently sought clarification on the rationale for recommending this site compared to F/YR19/0090/F (objection to 80 affordable homes in the WMSA). MTC advised as follows;*

“Application 1136/F appears to councillors to be for a limited number of dwellings, albeit with potential to extend three culs-de-sac. Given that traffic generated would exit through Springfield Avenue and onto The Causeway only minor additional development is likely to be approved. Hence the decision to approve. The vast majority of the Burrowmoor Road/Knights End Road area would require new accesses to existing highways – not using Springfield Avenue which is clearly unsuitable for high traffic flows. Application 0090/F – this is part of the Gaul Road/Burrowmoor Road area. There is limited opportunity for new access roads. This proposal must therefore be considered a potential main access to the whole area. So, vital that the proposal reflects that, it needs to be part of BCP to show how all areas of land will be developed and accessed. Hence recommend Refusal.”

Natural England

Advises they have no comments to make

PCC Wildlife Officer

Concurs with Newt survey work in respect of no evidence of newts. Considers that it would be disappointing to see this part of the site developed. Concludes that if approved, it would be important to secure the biodiversity compensation figure proposed.

Middle Level Commissioners

No comments received

Cambridgeshire County Council – Lead Local Flood Authority (LLFA)

Raises no objection subject to a condition securing a surface water drainage scheme for the site

Cambridgeshire County Council S106

Advises that the County Council does not require any developer contributions in respect of education, library or strategic waste from this development.

Cambridgeshire County Council Highways

Advises that the applicant has addressed previous concerns and provided an acceptable road layout, PICADY capacity information detailing reverse capacity at the Springfield Avenue/B1101 junction has been provided and raises no concerns.

No highways objections subject to conditions securing access and road delivery, visibility splays, a scheme for future management/ adoption arrangements, provision of a green travel plan and closure of existing Cricket Club access.

Cambridgeshire County Council Archaeology

Does not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through a pre-commencement condition.

Cambridgeshire Fire & Rescue

Requests that a scheme for fire hydrants is secured.

Cambridgeshire Police - Designing Out Crime Officer

Confirms that they have been contacted in regards to this development with the intent to submit a Secured by Design application. Are supportive of the design and layout and consider that vulnerability to crime should be addressed. The only requirement would be that consideration be given to a Condition re: external lighting.

FDC Environmental Services (Waste & Refuse)

Happy with the tracking shows access and turning can be made.
Also happy with collection from the front of properties (9-16).

FDC Environmental Protection

No objection subject to securing a condition addressing unsuspected contaminated land.

FDC Housing

Supports the scheme. Expects to see 10 dwellings come forward as affordable housing. The current tenure split expected for affordable housing in Fenland is 70% affordable rented tenure and 30% intermediate tenure. This would equate to the delivery of 7 affordable rented homes and 3 intermediate tenure in this instance.

Cadent Gas

Due to the presence of Cadent and/or National Grid apparatus in proximity to the specified area, the contractor should contact Plant Protection before any works are carried out to ensure the apparatus is not affected by any of the proposed works.

NHS England

No comments received

Anglian Water

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

Requests foul drainage scheme secured via condition.

Local Residents/Interested Parties

64 letters of objection received from 61 households raising the following concerns (summarised)

- Access and highways impacts through increased traffic
- Parking arrangements

- Density/Over development
- Scale/ Out of character/not in keep with area
- Visual Impact

- Design/Appearance
- Backfill development

- Drainage & flood risk
- Light Pollution
- Noise
- Loss of view/Outlook
- Overlooking/loss of privacy
- Devaluing property
- Residential Amenity
- Shadowing/loss of light
- Proximity to property

- Environmental Concerns
- Wildlife Concerns – loss of protected species
- Loss of Trees
- Waste/Litter
- Agricultural land

- Gas main on the site
- Pressure on schools, healthcare, local services etc.
- Harm to pets
- Residents will feel less safe/ ASB
- Lack of community consultation for residents in Causeway Close
- Lack of green energy provision on properties
- Does not comply with policy
- Would set a precedent

Support

3 letters of support raising the following points;

- Previously a commercial nursery until the mid-1970's, then a builders yard
- Is not a nature reserve
- The site is within easy walking distance to both the Neale Wade and Burrowmoor schools therefore it will not increase traffic at peak times
- The town centre shops need more footfall. More housing=more people.
- Not every household will have two cars all travelling at school run times
- Most children in homes there should walk to the local secondary school
- Good idea to build on unused land close to the schools
- Good opportunities for young families

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Paragraph 2 & 47: Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise;

Paragraph 8: The three dimensions to sustainable development.

Paragraph 11: Presumption in favour of sustainable development.

Paragraph 127: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

Paragraph 102-107: Promoting sustainable transport

Chapter 5: Housing land supply

Paragraphs 124-132: Requiring good design

Paragraphs 170, 175-177: Conserving and enhancing the natural environment

Paragraphs 34, 54-57: Planning conditions and obligations.

National Planning Practice Guidance (NPPG)

Fenland Local Plan 2014 (FLP)

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

LP7: Urban extensions

LP9: March

LP13: Supporting and Mitigating the Impact of a Growing District

LP14: Responding to Climate Change and managing the risk of flooding in Fenland

LP15: Facilitating the creation of a More Sustainable Transport Network in Fenland

LP16: Delivering and Protecting High Quality Environments across the District

LP17: Community Safety

LP19: The Natural Environment

March Neighbourhood Plan 2017 (MNP)

H1: Large Development sites

H2: Windfall Development

H3: Local Housing need

Supplementary Planning Documents/ Guidance:

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- Cambridgeshire Flood & water SPD (2016)
- The Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011) which includes the RECAP CCC Waste Management Design Guide SPD (2012)

8 KEY ISSUES

- **Principle of Development**
- **Access, Highway Safety/ Transport impacts**
- **Flood Risk and Drainage**
- **Ecology/ Biodiversity**
- **Archaeology**
- **Layout**
- **Scale, appearance and landscaping**

- Residential Amenity
- Planning Obligations
- Housing supply
- Other considerations

9 ASSESSMENT

Principle of Development

Policy LP3 identifies March as being a focus for growth given its sustainable links to services and facilities. LP7 sets out the LPA's aims in achieving a majority of the growth in the main market towns through strategic allocations and broad locations for growth. Policy LP9 identifies West March (in which the application site lies) as being a strategic allocation accommodating around 2000 dwellings, with potentially some business provision gaining access from the A141. Policy H1 of the March Neighbourhood Plan (MNP) supports the delivery of the strategic allocation requiring development within the allocations to accord with LP7 and LP9 of the FLP.

Policy LP7 identifies the importance of planning and implementing these locations for growth in a co-ordinated way, through an overarching Broad Concept Plan (BCP) that is linked to the timely delivery of key infrastructure. LP7 goes on to state that;

“with the exception of inconsequential very minor development, proposals for development within the growth locations which come forward prior to an agreed BCP will be refused.”

The bulk of the development site sits within the WMSA and the application is not accompanied by a BCP - neither has one been previously approved for the WMSA.

As such, in the absence of an agreed BCP, the principle of the development is only acceptable if it can be demonstrated to be inconsequential to the objectives to the delivery of the wider allocation. This is considered as follows;

Inconsequential development

Transport

LP7 enables delivery of very minor, inconsequential development within the WMSA. The proposal is for 40 dwellings and therefore in simple terms is not very minor in nature albeit the FLP does not define 'very minor development' and this is to be determined on its own merits. A scheme for the provision of 22 units at Kingswood Road (ref: F/YR13/0724/F) was allowed at appeal following the Inspector's findings that the development would be minor in comparison to the 2000 houses expected across the WMSA.

Notwithstanding this, the applicant has provided a statement which seeks to clarify how the development would not be prejudicial to the planning of the wider allocation, considering that the scheme has been devised consideration as to what might happen on adjacent land. Furthermore that the development of the remainder of the allocation will be unaffected by this application in terms of transport, drainage nor any implications for "critical mass" or viability."

The applicant considers that there is considerable benefit from providing much needed housing; particular affordable housing and considers the development meets the 3 strands of sustainability in terms of economic, social and environmental benefits.

On noting the layout, the access is taken from Springfield Avenue which, in turn is accessed via The Causeway (B1101). Following concerns raised by residents and further information requested by the Local Highways Authority (LHA) the applicant provided capacity data (PICADY) for the Springfield/ Avenue junction. The data indicates that this junction, including the proposed 40 dwellings, would still have capacity to serve substantially more dwellings stating that;

“at 0.28, the RFC is significantly lower than the recommended maximum figure of 0.85 – providing plenty of spare capacity.”

The layout proposed does not support any vehicular extension into the wider allocation to serve more properties or to access future services e.g. school, shops etc. – only an informal footpath into the existing park to the south. This in itself may have consequences in terms of serving development across the wider allocation when in fact there appears to be capacity at this time but where the access road is effectively cut short.

Application F/YR19/0090/F was recently refused for 80 dwellings south of Gaul Road, March amongst other reasons; for failing to demonstrate connectivity to the wider allocation.

Whilst the development site raises no transport issues in its own right – it is uncertain whether the release of this site without the vehicular connectivity may result in compromises having to be made to accesses to adjacent land and the ability of future occupiers of this site being able to easily access the services and facilities within the wider allocation.

Biodiversity

The site currently comprises an established area of bird breeding and foraging habitat as identified in the submitted ecology report. The report goes on to state;

“The loss of scattered and dense scrub, which provides habitat for nesting birds on the site, will not be adequately compensated by planting and open space on site, and further compensatory action will be required to achieve net gain as per the NPPF. The development will make a contribution to habitat creation or green infrastructure offsite, to be achieved in negotiation with the Local Planning Authority. A suitable package in terms of location and costs will need to be sought”.

The Council’s Wildlife Officer has noted that the proposal would affect semi natural habitats which are known to be declining locally. The development would result almost in the total loss of this habitat but with some opportunities for partial on-site mitigation measures e.g. bird boxes and planting.

Paragraph 175 of the NPPF sets out a hierarchy for development affecting biodiversity and seeks to avoid such harm firstly through locating on an alternative site with less harmful impacts, if not then being adequately mitigated, or, as a last resort, compensated for.

The applicant has agreed to a financial contribution to compensate for this loss through identified habitat projects to the north of March. The financial amount has been agreed with the Council's Wildlife Officer. However, notwithstanding this it nonetheless results in a consequential loss to established habitat that may be avoidable if the development was located elsewhere within the WMSA in accordance with the NPPF's aims. Due to the lack of BCP, it is not possible to ascertain whether this consequence could reasonably be avoided.

The WMSA would need to include areas of habitat and natural greenspace in order to achieve net gains in biodiversity – including areas of green corridor to encourage healthy lifestyles. The development would likely result in habitat and greenspace having to be delivered elsewhere within the WMSA which may compromise the delivery of some housing. The loss of this area through development would likely result in the loss of a potential green corridor which could be enhanced to enable for example; a leisure route from the existing park to the south, up to the cricket and bowls club to the north. LP9 sets out that;

“Opportunities should be taken to add to the area of open space currently forming part of the Recreation Ground in the Avenue as a focus for community”

This opportunity hasn't been explored through a BCP process and the development would likely compromise the ability to expand the recreation ground northwards across the existing area of open space and established habitat. There is therefore clear potential for the development to compromise the objectives of LP9 for the WMSA.

Having regard to the above issues identified with the development, it is concluded that the principle of the development proposed is not supported due to its conflicts with policy LP7 and LP9 of the FLP and H1 of the MNP in respect of failing to provide an agreed BCP thereafter failing to demonstrate that the development would be very minor and inconsequential to the wider allocation with clear potential to undermine the strategic aims of the WMSA.

Referring again to the Kingswood Road appeal (ref: F/YR13/0724/F), whilst the Inspector found that the scale of development could not reasonably be defined as inconsequential and therefore conflicted with LP7, and whilst acknowledging the disadvantages of piecemeal development, due to the site's relationship to the existing built up area of the town and having been previously developed, *“its characteristics distinguish it from the undeveloped land within the wider allocation”*.

Officers consider this conclusion is material to the application now before them in that the application site is undeveloped, enabling habitat to establish and LP9 sets out a broad strategy of expansion of the recreation ground which this development would inhibit thereby compromising the objectives of LP9 notwithstanding the lack of access linkages to the WMSA.

Access, Highway Safety/ Transport impacts

A significant number of resident objections raised concerns over the transport and highways safety impacts of the development.

As noted above, the applicant has provided capacity assessment of the junction with The Causeway which indicates that no capacity issues would arise through the development – the LHA concur with the findings. Furthermore, the LHA has

raised no objection to the proposal following some minor amendments to the access and internal road arrangements and are satisfied that the geometry would enable future adoption of the majority of the estate. As such, subject to conditions securing delivery of the access, roads, footpath and travel plan, there is no evidence to indicate that that development would result in severe harm in transport terms or result in highways safety conflicts in accordance with policy LP15 and LP16 of the FLP.

Flood Risk and Drainage

Surface Water drainage

The site lies in Flood Zone 1 and therefore at the lowest risk of flooding.

Some residents have expressed concerns over existing surface water flood issues. The application is supported by a Flood Risk Assessment which considers existing ground conditions, drainage infrastructure and current requirements for the management of surface water.

Policy LP14 of the FLP and the adopted Cambridgeshire Flood and Water SPD requires development to include a drainage strategy which demonstrates that suitable consideration has been given to surface water drainage and that appropriate arrangements for attenuating surface water run-off can be accommodated within the site.

The development proposes a sustainable drainage system (SuDS) incorporating areas of permeable paving and an attenuation pond at the north-western corner of the site which would hold surface water before releasing it into the adjacent drainage ditch along the western boundary. Having regard to the proposed method of surface water management and infrastructure the LLFA has raised no objection subject to finalised details of the drainage strategy. Whilst residents have raised concerns over existing, periodical surface water flooding, there is no evidence to indicate that the development would exacerbate this and could effectively manage the surface water arising from the development without adversely affecting neighbouring properties.

March Town Cricket Club (MTCC) has raised concerns over the intention to discharge into the watercourse which runs underneath the MTCC field via a culvert. To address this, the applicant has proposed to install an upgraded silt trap chamber and outlet pipe at the inlet to the culvert entrance and to clear the adjacent watercourse along the eastern boundary to improve flows. Anglian Water has raised no objection to this. These works would fall outside of the application site and therefore the LPA couldn't control this element. Nonetheless the initial strategy raises no objection from any statutory undertaker. The culvert upgrade works would therefore be an 'in-kind' gesture from the applicant to MTCC but not strictly necessary to make the development acceptable in planning terms. This is notwithstanding riparian responsibilities for all landowners in ensuring that watercourses are appropriately maintained

Foul drainage

The applicant has proposed a foul pumping station to manage the discharge of foul drainage into the existing Anglian Water systems. Anglian Water has advised that capacity exists in their systems at the March Water Recycling Centre and raises no objection to the proposal. As such, it is considered that the method of foul drainage is acceptable in accordance with policy LP16.

Ecology/ Biodiversity

The application is accompanied by an ecology survey. The site is identified as a semi-natural habitat and an established area of bird breeding and foraging habitat. The Council's Wildlife Officer has commented that such areas are in decline locally. The development would result in a near total loss of this habitat and the submitted ecology report notes that the development would not be able to mitigate all of this loss on-site – relying instead on a financial contribution to compensate for this loss, for the money to be spent on creating habitat elsewhere.

The financial calculation has been derived from a biodiversity metric which is a formula based approach which considers the type of habitat at risk, its local value in biodiversity units and places a monetary value against this. The site has been calculated to have a biodiversity value of 7.02 biodiversity units and on-site mitigation could achieve 4.43 units leaving a residual of 3.35 units to compensate for.

Cambridgeshire County Council has identified the Green Reed Trail project which effectively uses the old railway line stretching from Whitemoor Prison to Rings End creating new habitat and nature trails along its length. The financial compensation could be used for habitat enhancement work along the route. The applicant has worked with the Wildlife Trust in agreeing the financial compensation figure for the 3.35 units which is agreed at £32,415 and could be reasonably secured through a planning obligation and secured against the Green Reed Trail Project to achieve net gains in biodiversity.

As noted above, the requirement of the NPPF is to safeguard biodiversity loss through a hierarchy of approaches – firstly through considering alternative sites for the development, then through on-site mitigation if relocating is not possible and finally, as a last resort through compensation measures. As previously noted, the site forms part of a wider strategic allocation and it has not been adequately demonstrated that alternative land could not be used to secure the development through the BCP approach. In this regard, the proposal would not accord with paragraph 175 of the NPPF.

However, policy LP19 of the FLP sets out that the Council will;

“Refuse permission for development that would cause demonstrable harm to a protected habitat or species, unless the need for and public benefits of the development clearly outweigh the harm and mitigation and/or compensation measures can be secured to offset the harm and achieve, where possible, a net gain for biodiversity.”

Policy LP19 therefore takes a markedly different approach to biodiversity loss – setting out a public benefit test to justify compensation where development resulting in habitat loss is necessary.

In this regard, there is clearly a need for affordable housing in the district and the public benefits of securing this in a sustainable location such as March are evident. Whilst this does not necessarily address the question of the “need” to develop this site out, rather than other land within the WMSA, Policy LP19 does lend support for the principle of the compensation approach to biodiversity loss.

During the initial stages of the application, concerns were raised by residents regarding the presence of Great Crested Newts at the site. This was echoed by the Council's Wildlife Officer who having visited the site noted the presence of a watercourse to the south which presented potential habitat for this species.

Subsequently the applicant undertook a great Crested Newts DNA survey to scope for the presence of newts. This work was undertaken in April in accordance with best practice. The results indicated that there were no Newts present at the watercourse and therefore very low chance of Newts at the application site. In this regard it is considered that the presence of newts at the site has been fully considered and no further action is required on this matter.

Archaeology

Cambridgeshire County Council's Archaeology team has advised that this site lies in an area of archaeological potential with investigations at Neale-Wade Community College to the south-east producing evidence of multi-period usage of the site, with wells dating from the Bronze Age and Iron Age as well as evidence of medieval occupation. Finds identified during the construction of a new dwelling also to the south-east of the development area were predominantly of Roman date, including coinage. In this regard they consider that a programme of archaeological investigation should be secured via planning condition, to be undertaken prior to development commencing.

Given the archaeological evidence gleaned from nearby sites, it is considered reasonable to secure the investigative works which would accord with policy LP16(a) and LP19 of the FLP. The applicant has indicated their agreement to a pre-commencement condition in this regard.

Layout

The general layout relies on a main route through the site initially following the gas main before leading southwest and spurring off south. Dwellings are laid out fronting their respective highway with small front gardens and driveways with the exception of the flats (Plots 9-16) which rely on small rear parking courts served by shared private drives. The amount of parking per property (notwithstanding the extra visitor parking) accords with the parking standards laid out under Annex A of the FLP and the parking courts, driveways and streets are arranged to enable satisfactory access and manoeuvring in accordance with LP15. In addition, the Council's Environmental Services team has confirmed that they are satisfied with the waste collection points and general strategy thereby satisfying LP16(f).

Furthermore, each dwelling achieves a good level of private amenity space commensurate to the standards as laid out in LP16(h) and each house also incorporates a shed for cycle storage thereby enabling safe storage of more sustainable modes of transport in accordance with LP15(C).

The Police's 'Designing Out Crime Officer' is supportive of the design noting that the applicant intends to submit a Secured by Design application. They consider that vulnerability to crime should be addressed through the layout subject to details of lighting. Such details could be reasonably secured via planning condition.

A new access to the Cricket Club car park is proposed at the north of the site and would enable good access to the Cricket Club and can be secured via a gated access when required.

Scale and appearance and landscaping

The development proposes 2-storey properties in the form of detached, semi-detached dwellings and flats/ maisonettes at a scale of c.8.5m. The development leads off from the Springfield Avenue estate which comprises single-storey dwellings. However, the proposed development is located south west of Springfield

Avenue and would appear relatively detached from the estate and from the streetscene would be viewed in the context of The Causeway and Causeway Close developments which comprise large, 2-storey dwellings. In this regard the proposed scale raises no concerns in terms of character harm in accordance with LP16(d). This would be subject to final details of finished floor levels which would be required prior to the commencement of development. The applicant has indicated their agreement to this

Likewise, due to the development's relatively remote location, set back from the streetscene, this offers broader scope in respect of the external appearance of the dwellings which utilises a mixture of buff and red brick and rendered finishes and concrete profiled roof tiles (precise details to be agreed).

The development proposes a mixture of boundary treatments utilising 1.8m high brick wall to enclose private amenity areas which face onto public realm, 1.8m high close boarding primarily to enclose rear gardens, and low metal rail fencing to enclose the SuDS feature and along the southern boundary adjacent to the informal pedestrian access to the public park. The roads comprise a mixture of tarmac surface for the main 5.5m wide access with footpath and block-paviours for the adopted shared surface road leading south and private roads. The parking courts and driveways are proposed to be either tarmac or block paviours and the precise details could be reasonably secured via planning condition.

The soft landscaping generally comprises laid lawn to front and rear gardens with a mixture of tree and shrub planting. The SuDS feature is proposed to be grassed with some planting around the perimeter. The proposal should incorporate biodiversity enhancement opportunities as noted above in order to mitigate against the habitat loss and this detail, along with specific soft and hard landscaping finishes can be reasonably secured via planning condition. Notwithstanding this, the principle landscaping details submitted would make a positive contribution to the scheme and would accord with LP16 in respect of providing high quality environments.

Subject to agreement of the final external finishes and landscaping details therefore, it is considered that the development would not appear out of character and could achieve a good standard of visual amenity.

Residential Amenity

Policy LP2 and LP16 seek to ensure that development achieves good standards of residential amenity for both existing and future residents. Some objections received from local residents raise concerns that the development would result in poor outlook, loss of view and light, overlooking and overshadowing impacts.

In respect of this, the dwellings along the eastern and southern perimeters are considered to be adequately distanced from existing properties with c.10m long gardens and window to window distances of over 20m creating adequate separation having regard to general design standards. In this respect it is not considered that any severe overshadowing or loss of light will occur. Furthermore, due to the separation distances, orientation of individual dwellings and their respective window positions – the main area of development will not result in any overlooking issues. It is noted that the rear elevations of Plots 1 to 5 face onto the northern elevation and rear garden of 59 The Causeway. Here, the rear windows of proposed dwellings Plots 1 to 3 are at a separation distance of 15m from the windows of 59 The Causeway which is at the limit of acceptability but not unacceptable and would maintain adequate privacy standards for occupiers of 59

The Causeway and the proposed dwellings - also assisted by the existing hedge which runs along the boundary.

Whilst it is noted that outlook for some existing residents will change as a result of the development given that the site is undeveloped at this time, the changes are not considered to unacceptably compromise residential amenity. In respect of loss of views - the planning system operates in the public interest and there is no right to a private view within planning legislation.

As noted previously, the development itself offers good levels of amenity space for future occupiers and the layouts of the dwellings, whilst relatively high in density (c.26 dwellings per hectare) would not result in residential amenity conflicts.

Planning Obligations

Policy LP5 of the FLP requires major housing schemes to deliver 25% affordable housing on site in the first instance or via a commuted sum if it can be demonstrated that on-site delivery is not achievable. The obligation would need to be secured via a S106 agreement.

The scheme comprises 100% affordable housing with a mix of social rent and shared ownership tenure. In this regard the scheme would provide a substantial contribution towards the Council's affordable housing needs notwithstanding housing stock in general. The Council's Housing team has indicated support for the scheme and the delivery of affordable housing could be reasonably secured via a S106 planning obligation.

In respect of other infrastructure contributions, the Council's adopted Developer Contributions Supplementary Planning Document states that planning obligations will not normally be sought from affordable housing schemes (other than the provision of the homes themselves). Notwithstanding this, the County Council has advised that they would not be seeking contributions from this scheme for education, libraries or waste.

However, notwithstanding the Developer Contributions SPD, due to the requirement to compensate for the habitat loss which is necessary under the and in accordance with the NPPF and LP16(b) a planning obligation for £32,415 is required to be secured through a S106 alongside the affordable housing provision.

The applicant has indicated their agreement to this.

Housing supply

The latest assessment of the Council's Five Year Housing Land Supply published in June 2019 shows that this now stands at 7.18 years. The implications of this are that the relevant policies of the Fenland Local Plan can be afforded full weight in decision making and paragraph 11(d) of the NPPF which applies the 'tilted balance' is not engaged.

Notwithstanding this, the Council has a clear need for affordable housing with 1575 households registered for affordable housing in June 2019. As such, the provision of affordable housing such as with this scheme can be given significant weight.

Other considerations

Resident Comments

Whilst it is considered that most comments and concerns raised have been addressed in this report the following matters require consideration;

Noise, odour and Pollution

Concerns have been raised by residents that the development would give rise to amenity harm through the construction process in respect of noise, dirt and dust. It is considered that the use of appropriate conditions to secure a Construction Management Plan would ensure that the construction of the development would not result in adverse impacts on noise, air quality and other pollutants, notwithstanding the developers requirements to comply with health and safety law.

Increase in ASB

The Police have been consulted on the application and has raised no objection to the proposals subject to securing lighting details. The Police would be consulted on future submissions with an approach to designing out crime.

Devaluing property

The planning system does not exist to protect private interests such as value of land or property and as such no weight can be afforded to this concern.

Waste/ Litter

Waste produced and removed off-site during the construction of the development would be controlled under license through the Environment Agency. The County Council confirms that a contribution towards strategic waste infrastructure will not be sought through this development. Furthermore, the District Council has a statutory duty to collect household waste and already operates in the March area – the proposed development provides adequate arrangements for this.

Would set a precedent

All applications are to be considered against the development plan as required by law (unless material considerations suggest otherwise). As such, should any future development proposals come forward, these would be dealt with on a case by case basis in accordance with the development plan having regard to the overall sustainability of the proposal.

Notwithstanding this however, consistency of decision making *is* a material consideration and to allow this development to come forward without adequate evidence to indicate that it would be inconsequential to the wider WMSA may compromise the ability to secure a cohesive form of development across the remaining allocation and may result in further piecemeal forms of development coming forward. The LPA has consistently refused proposals which indicate a conflict with the objectives of its strategic allocations as detailed in the history section above.

Lack of green energy

The proposal does not set out any particular green energy features. Notwithstanding this, the development would need to comply with Building Regulations which would require the dwellings to meet current energy performance ratings. This would likely lead to the inclusion of energy efficient measures, possible in the form of renewable energy systems.

10 CONCLUSIONS

The policies in the NPPF when taken as a whole constitute the Government's view of what sustainable development means. Paragraph 8 of the NPPF lists the three dimensions to sustainable development; the economic, social and environment dimensions, and says how these roles should not be undertaken in isolation, and therefore to achieve sustainable development a proposed development should jointly and simultaneously deliver gains that are economic, social and environmental.

The site is located with sustainable links to the town centre and the wider district and beyond. The development demonstrates clear social benefits in terms of its contribution to housing stock, particularly in this case in assisting to address the affordable housing needs of the district beyond that which policy LP5 would otherwise secure and significant weight can be afforded to this. The introduction of further housing would also secure economic benefits for the town and the wider district.

Furthermore the development comes forward with no technical issues and mitigation/ compensation arrangements can be secured against the biodiversity harm that the development would cause. Officers consider that neutral weight should be applied in this regard.

However, the bulk of the application site lies within the strategic allocation for West March as laid out under LP9 of the FLP. Policy LP7 identifies the importance of planning and implementing strategic allocations in a co-ordinated way, through an overarching BCP that is linked to the timely delivery of key infrastructure. The application comes forward without an approved BCP and fails to demonstrate that its delivery, without conforming to an approved BCP would be inconsequential to the wider allocation – particularly in regard to habitat (and potential recreation land) loss which may not be necessary if the site was considered more broadly and master-planned with the WMSA. This weighs substantially against the scheme.

Furthermore, the development (other than an informal footpath link to the adjacent park) does not demonstrate how it could effectively connect to the wider WMSA in the future and access to services and facilities that the WMSA is expected to provide e.g. primary school, shops. The proposal is therefore contrary to LP7 of the FLP and H1 of the MNP. The LPA has consistently refused proposals which indicate a conflict with the objectives of its strategic allocations as detailed in the history section above.

As such, whilst the development in its own right may be acceptable in technical terms and would derive significant benefits in terms of housing delivery, its consequences to the wider WMSA cannot be ignored. On balance, the benefits of the scheme are considered to be outweighed by the identified harm and resultant policy conflict.

A S106 agreement to secure the affordable housing and biodiversity compensation has not been progressed given the Officer's recommendation and as such, at this time the scheme is also in conflicts with policy LP5 and LP19 of the FLP.

11 RECOMMENDATION

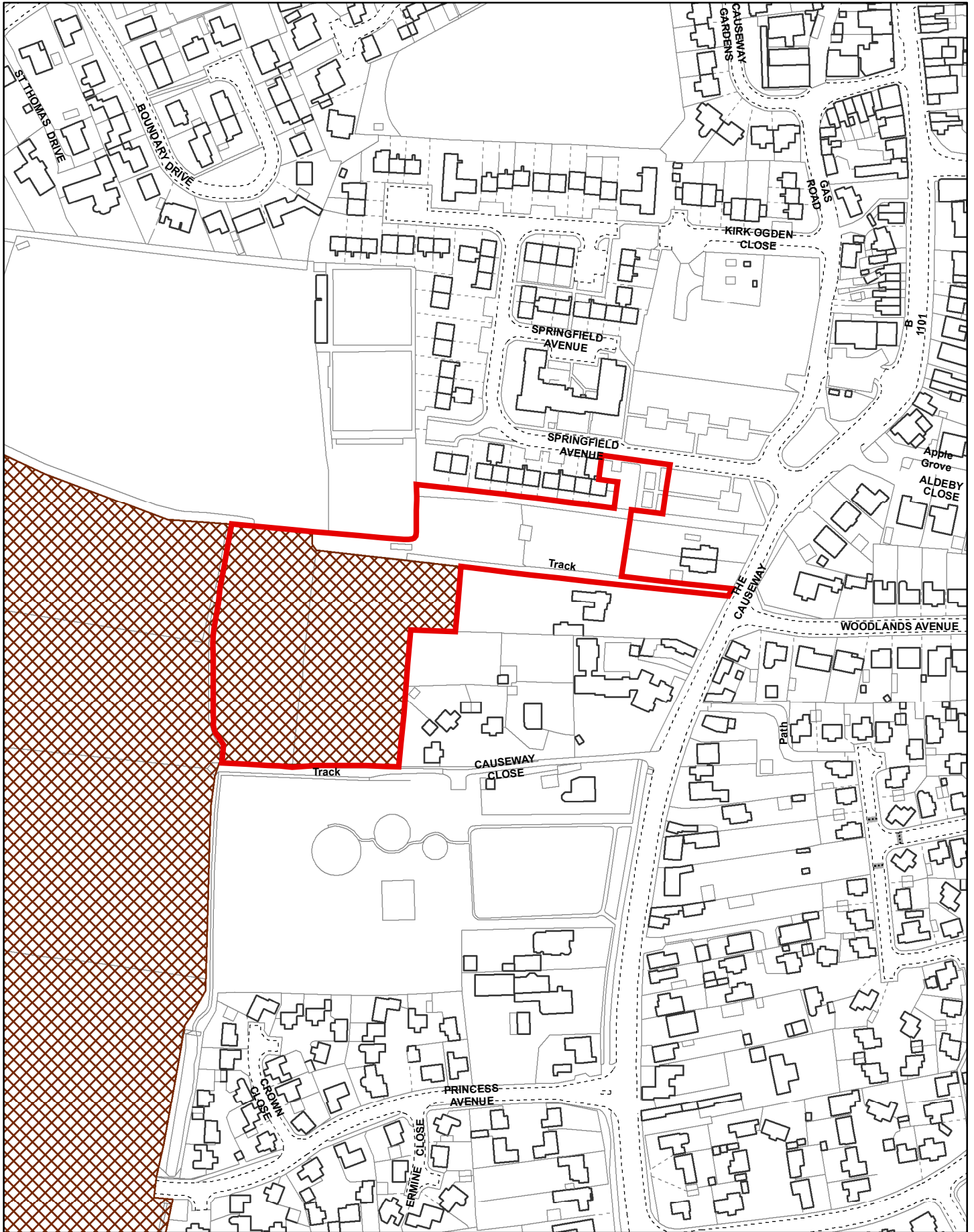
Refuse for the following reasons;

1. Policy LP7 of the Fenland Local Plan and Policy H1 of the March Neighbourhood Plan identifies the importance of planning and implementing Fenland's locations for growth in a co-ordinated way, through an overarching Broad Concept Plan (BCP) that is linked to the timely delivery of key infrastructure and states that with the exception of inconsequential very minor development, proposals for development within the growth locations which come forward prior to an agreed BCP will be refused.

The proposal comes forward without an agreed BCP and is not considered to be very minor or inconsequential to the wider site allocation with potential access and connectivity issues and potentially avoidable loss to valued biodiversity habitat. As such the proposal conflicts with Policy LP7 and LP9 of the Fenland Local Plan (2014) and H1 of the March Neighbourhood Plan (2017) in respect of failing to provide an agreed BCP and failing to demonstrate that the development would not compromise the objectives of the West March Strategic Allocation.

2. Policy LP5 requires development of 10 or more units to secure affordable dwellings or in exceptional circumstances, financial contributions towards such provision. Policy LP19 requires development to offset biodiversity harm which in this case should be via financial compensation to invest on off-site biodiversity enhancement projects.

Notwithstanding refusal reason 1, a planning obligation to ensure the provision of affordable housing and biodiversity compensation has not been agreed and completed with the Local Planning Authority. In the absence of such an obligation, the development is contrary to Policies LP5 and LP19 of the Fenland Local Plan (2014).



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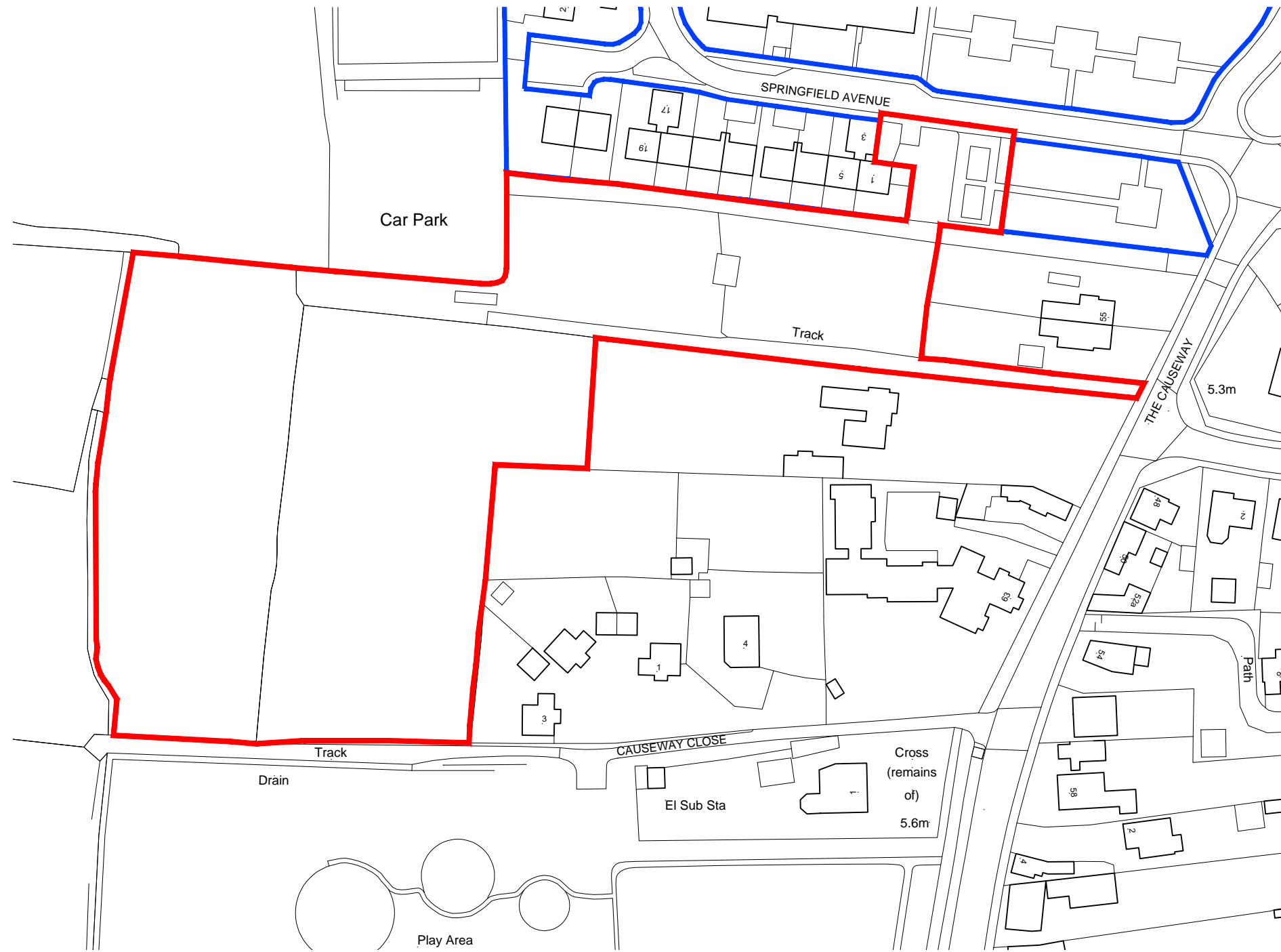
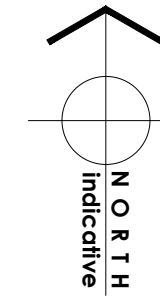
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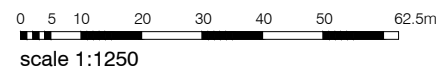
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Location Plan



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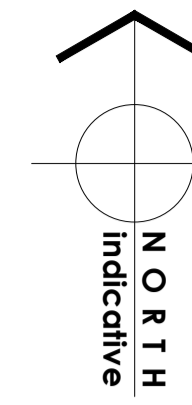
Job Title

Proposed Development of 40 Dwellings
Land Off Springfield Avenue March
for Clarion Housing Group

Drawing Title

Planning Submission
Location Plan

Date	Scale	Drwn	Dwg. No.	Rev.
Nov 2018	1:1250@A3	PD	CA.790.P01	



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Development Summary - Affordable

Plot no.	Type	m ²	Quantity (nr.)
9,10,15,16	1 Bed (2 p) maisonette	51.5 / 61	4
11-14	2 Bed (3 p) maisonette	61.6 / 75.9	4
17,18	2 Bed (4 person) house	79	2
6,7,19-24,26-35	2 Bed (4 person)	79.3	18
1,8,25,36	3 Bed (5 person) detached	93.8	4
2,5,37-40	3 Bed (5 person) semi	93.8	8
			Total 40 dwellings

Site Area 1.6 Ha
 Density 25 dwellings per hectare
 Affordable 100%



Key Plan

- 1 Bed (2 p) maisonette
- 2 Bed (3 p) maisonette
- 2 Bed (4 person) house - version 1 - Plots 6,7,28-31,34,35
- 2 Bed (4 person) house - version 2 - Plots 17,18,32,33
- 2 Bed (4 person) - version 3 - 19-24,26,27
- 3 Bed (5 person) detached
- 3 Bed (5 person) semi

Block Plan
 scale 1:500

Revisions		
Suffix	Date	Amendments
A	06.02.19	Highway updates
B	13.03.19	General amendments to Site.

Status **PLANNING SUBMISSION**

The Design Partnership
 The Design Partnership (Ely) Ltd
 Claremont House,
 10 Station Road,
 Chatteris
 Cambridgeshire PE16 6AG
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Job Title
**Proposed Development of 40 Dwellings
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Drawing Title
**Planning Submission
 Block Plan**

Date	Scale	Dwn	Dwg No.	Rev.
Sept 2018	1:500@A1	PD	CA.790.P02	B

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F/YR19/0257/F

Applicant: Fenland District Council

**Agent : Mr Jonathan Dallas
Dallas-Pierce-Quintero**

Site Of Former 24, High Street, Wisbech, Cambridgeshire

Demolition of existing building in Wisbech Conservation Area and erection of 3 No. temporary storage/toilet buildings and provision of decking for site storage and visitors welfare facilities

Reason for Committee: Fenland District Council are the land owner and applicant.

1 EXECUTIVE SUMMARY

- 1.1 This scheme seeks consent to demolish an unlisted premises within the Wisbech Conservation area to enable the delivery of enhanced visitor welfare and ancillary structures to support 'The Gap' a public realm project which is one of the key elements of the Wisbech High Street project.
- 1.2 In assessing the case for demolition consideration must be given to the wider context of this case taking in to account the consideration the delivery of the Heritage Lottery Fund Townscape Heritage scheme for the High Street.
- 1.3 It is felt that the building makes a contribution to the architectural and historic interests of the conservation area and therefore, in principle, there has to be a desirability to see it retained. However in this instance it is felt that the loss of this back land building would have less than substantial harm on the interests of the conservation area as a whole given that it will go largely unnoticed.
- 1.4 The structural engineers report does not condemn the building as structurally unsound and states its structural integrity can be enhanced; furthermore previous approvals have shown that there is scope to convert the premises to two dwellings
- 1.5 However it is felt that the greater consideration in this matter is to secure the regeneration of the High Street and benefit from the window of opportunity afforded by the funding available from the Heritage Lottery Fund Townscape Heritage Scheme. Securing and delivering schemes to address the derelict buildings on High Street and poor repair of buildings will by far have the greater impact on preserving and enhancing the character and appearance of the conservation area. Utilising "The Gap" site in a viable manner is vital.
- 1.6 Against this backdrop it is considered that the associated public benefits of the scheme as part of the wider High Street regeneration project outweigh any harm and accordingly a favourable recommendation is forthcoming.

2 SITE DESCRIPTION

- 2.1 The site is located at 24 High Street, Wisbech, which is a 'gap' site on the west side of High Street in an otherwise continuous street scene of adjoining buildings. The site is located within Wisbech Conservation Area and is adjacent to 23 High

Street which is a Grade II Listed Building. There are many other Listed Buildings within the High Street and also within the immediate vicinity of No. 24.

- 2.2 No.24 partially collapsed in the late 1980's and was de-listed on 31 October 2010 resulting in the building/site no longer being Listed. This submission is made in respect of the 3-storey element to the rear which survives.

3 PROPOSAL

- 3.1 This submission seeks planning permission to demolish no 24 High Street, which is an unlisted building within the conservation area.

- 3.2 Also proposed is the use of the land for the provision of temporary facilities ancillary to the use of 'The Gap' site; these will provide 19.1 square metres of gross internal floor space. It is stated within the submission that these facilities 'will only be used during private hire events. Responsibility for the cleaning and maintenance will be covered by WTC and the costs covered by the hire charges applied to the site for exclusive use.'

- 3.3 The temporary facilities will comprise:

Building 1 - Will be a timber heavy duty shed (with no windows) and will be situated to the rear of the site with a footprint of 2.4 metres x 4.4 metres it will provide a storage facility. Painted dark grey it will have maximum height 2.5 metres.

Building 2 - Immediately behind the timber frame wall this will be a 2.4 metres x 1.8 metres timber heavy duty shed (with no windows) to house utilities/provide storage Painted dark grey it will have a maximum height of 2.3 metres.

Building 3 - Again immediately behind the timber frame wall this metal unit with associated wheelchair ramp will be 2.4 metres x 3 metres to house a disabled and single unit toilet. Painted dark grey it will have a maximum height of 2.3 metres.

Decking - a grey recycled plastic composite deck will be provided to rear of buildings of the site (220mm above FFL)

Timber wall (with gate) - 2.7 metres solid timber framed wall painted in traffic yellow colour with mono-pitch roof which overhangs toilet building to provide sheltered access, to include gate also finished in traffic yellow

The total combined gross external area of the three proposed temporary lightweight units is 22.3sqm, with an external decking area of 33.8sqm.

Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

- | | | |
|-----------------|--|-----------------------|
| F/YR17/1198/FDC | Installation of structure to facilitate an area of public realm for use by the community at ground floor and the formation of a 12.5 metre high viewing platform | Granted
01/03/2018 |
|-----------------|--|-----------------------|

F/99/0625/F	Erection of 6 x 2 bed flats and 1 x 1-bed flat	Granted 22/3/2000
F/92/0482/LB	Underground works to strengthen and support proposed reconstruction of carriageway	Granted 26/11/1992
F/1099/88/F F/1060/88/LB	Reconstruction of partly collapsed building for retail on ground floor with ancillary cellar storage and 3 self-contained flats above	Granted 11/10/1988
F/0573/88/LB	Demolition of front elevation (all that remains after a partial collapse)	Withdrawn
F/0560/87/F F/0561/87/LB	Alterations to shop including removal of shopfront and chimney stack	Granted 21/9/1987

5 CONSULTATIONS

5.1 Town Council

Recommend that the application be supported

5.2 Cambridgeshire County Council Highways Authority

Application is for the demolition of an existing building and the installation of three buildings of a similar size to the building being demolished. The proposal is ancillary to the main use of the site. With the above in mind I have no highways objections

5.3 **Conservation Officer (FDC):** Has provided detailed comments, which have been reproduced within this report, in respect of the original scheme and with regard to the additional information provided regarding costs. Recommendation: Approve taking into account the cost evidence.

5.3 Wisbech Society

Supports the demolition of the existing property to the rear of 24 High Street, Wisbech, for the following reasons:

1. The building is in a dilapidated and structurally unsound condition and is isolated at the rear of what was 'Cook's Butchers', which suffered a fatal collapse in 1988.
2. It appears that the building retains no significant heritage assets.
3. Due to its location and poor access, it is unlikely to serve a future function for residential or business use.
4. Its removal will facilitate the development of the overall site of 24 High Street, within the current Heritage Lottery funded 'High Street project'.

5.4 Senior Archaeologist (CCC)

Noted that 'records indicate that the site is located in the medieval core of the town, immediately west of the Market Place, and north-west of the site of the medieval castle (Cambridgeshire Historic Environment Record reference 01926)'. Initially recommended that a Level 2 Historic Building Recording (HBR) was undertaken on the structure prior to demolition; if submitted prior to determination, a condition to secure the HBR works would not be necessary.

With regard to archaeology advise that no demolition/development shall take place until an archaeological written scheme of investigation (WSI) has been

submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI

Following submission of the HBR the CCC Archaeology team have provided feedback direct to the report author and advised the LPA that until the report is revised in accordance with their comments they will not be in a position to revise their original consultation response.

5.5 Environment & Health Services (FDC): No adverse comments to make in respect of the above application.

5.6 PCC Wildlife: No objection to the proposal subject to the use of conditions as set out below;

(i) satisfied that no further bat activity surveys are required, however as a precaution recommends that a pre-demolition inspection is made for presence of bats by a suitably qualified ecologist, and should any evidence of bats be found, that appropriate mitigation measures be agreed with the LPA.

(ii) avoidance of demolition works during the main nesting period (1st March to 31st August), or where this is not possible, that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present. It is also recommended that measures to exclude pigeons may be helpful (given that pigeons are likely to be breeding potentially year round) and should be explored with a reputable pest control

(iii) recommends that a range of bird nesting and/ or bat roosting features are installed where possible.

Subject to recommendations of Wildlife Officer being fully incorporated into the approved scheme the development will result in a net gain in biodiversity.

5.7 Local Residents/Interested Parties
None received

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).

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)

Paragraph 2: Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise

Paragraph 10 - Presumption in favour of sustainable development.

Paragraph 192 – LPA should consider sustaining and enhancing heritage assets (HA) and putting them to viable uses, the positive contribution HA can make to sustainability communities including economic viability

Paragraph 193 – weight should be given to the significance of the heritage asset, the more important the asset the greater the weight

Paragraph 196 – where a development proposal causes less than substantial harm to a heritage asset this harm should be weighted against the public benefits, including securing its optimum viable use

7.2 National Planning Practice Guidance (NPPG)

7.3 Fenland Local Plan 2014

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic Environment

LP19 - The Natural Environment

8 KEY ISSUES

- **Principle of Development**
- **Character and visual amenity**
- **Heritage considerations**
- **Biodiversity**
- **Other matters**

9 BACKGROUND

- 9.1 The property is the rear section of 24 High Street and is identified as being the residential part of a Georgian property which fronted onto the street. The submission highlights that the building is currently incapable of occupation and has not knowingly been used or occupied since 1988. It is noted in the Design and Access statement that it was originally the intention to ‘mothball’ the structure until the council could establish a future use and identify a source of funds to redevelop it; noting that work to the structure was not eligible for funding from the Wisbech High Street project.
- 9.2 The design and access statement also identifies that FDC has a continuing liability for ongoing maintenance and structural repair and having considered options for the building the Council have concluded that ‘given the physical conditions of the site and the significant cost of conversion there is no viable future use option for the building and the opportunity to remove this building should be taken now, before steelwork construction works begin and whilst there is a suitable route for the removal of materials’.
- 9.3 The Gap scheme has been developed as part of the Wisbech High Street Project which is a Heritage Lottery Funded Townscape Heritage project focusing on improving the High Street townscape by addressing derelict buildings/sites and making general improvements to buildings. The Wisbech High Street Project was awarded £1.9million pounds of funding in 2016 and the project to rejuvenate the High Street is set to last 5 years. “The Gap” at 24 High Street has been owned by Fenland District Council since 2010 (referenced in the Heritage Statement) and it is a priority site under the Wisbech High Street Project. The plans for “The Gap” are focusing on bringing this space to life by developing the area as “an inspiring piece of public realm”.

- 9.4 The approval granted in respect of 'The Gap' included provision for a WC immediately to the south-west of the 'rear building', however the removal of the rear building would facilitate a larger area on which to site ancillary structures. The Design and Access Statement identifies that the architects 'have adopted a design approach which seeks to visually conceal both the single-storey storage units and WC, behind the rear timber wall of The Gap site. This solution maintains uninterrupted long views down The Gap site from the High Street'. It is also acknowledged that 'despite the increase in the overall amount of ancillary floor area behind the rear wall, the perception of its scale and mass has remained unaltered.'

10 ASSESSMENT

Principle of Development

- 10.1 The front of the site will deliver the public realm enhancement 'The Gap' as part of the Wisbech High Street Project by virtue of the earlier grant of consent. Whilst the demolition of the rear building is not essential to deliver the earlier approval it is postulated in the current submission that now is the most opportune time to demolish the building.
- 10.2 Notwithstanding the assertions made within the supporting information that accompanies the proposal it is necessary to robustly evaluate the policy implications of the scheme put forward and in this regard Policies LP16, LP18 and LP19 are identified as being particularly pertinent in respect of the scheme proposals. Such policies will consider the character and heritage impacts of the proposal together with any biodiversity impacts.
- 10.3 Other matters regarding highways and flood risk should also be assessed in accordance with Policies LP14 and LP15.

Character and Visual amenity

- 10.4 The lower floors of the building are not currently visible from the High Street due to the hoarding to the site frontage which has been in place for the last 30 years. The gable end of the structure is exposed following collapse of the front structure and can be seen in longer range views from the High Street. Access to the rear of the site is via a narrow passageway from Nene Quay accordingly the loss of the rear section of building will not be apparent from public views from Nene Quay.
- 10.5 Alongside the proposed demolition it is proposed to erect 3 x single storey temporary ancillary buildings. These buildings would be positioned where "The Rear Building" once stood. The buildings would be low level single storey structures which are shown to be separated from the main public space of "The Gap" by a single storey height yellow rear wall; behind which will be a decked area with the storage facilities and WC.
- 10.6 The FDC Conservation Officer in their detailed consultation response notes that the '*subtle positioning [of the buildings], hidden at the rear of "The Gap" site will ensure they do not impact on the street scene character of High Street. Their presence will affect the rear courtyard setting of 23 High Street and the other buildings around it but as temporary structures serving "The Gap" the benefits of their presence outweighs their temporary impact.*

- 10.7 Based on the above evaluation it is clear that the scheme, when considered as a whole, on balance complies with Policies LP16 and LP18 of the FLP (2014). It is further considered that the proposal is delivered in the spirit of paragraph 196 of the NPPF in that whilst there will be some 'harm' there will be public 'benefits' given that it is an intrinsic part of delivering the Wisbech High Street project.

Heritage considerations

- 10.8 It is acknowledged by the FDC Conservation Officer in their detailed consultation response that the building which is the subject of this application *'stands in a derelict state'*. They go on to highlight the current condition of the building acknowledging that *'long-term vacancy and lack of upkeep for this building for over thirty years has resulted in it now finding itself a building in a state of disrepair.'*
- 10.8 It is further noted that *'The building in question is no longer afforded protection as a statutory listed building [...]. It is a building within the Wisbech Conservation Area and its merits therefore lie in the contribution it makes to the character and appearance of the Wisbech Conservation Area.'*
- 10.9 It is clear that the building contributes to the character of the town and its settlement morphology and it is noted that between Nene Quay and High Street/Market Place/Union Place to the east of Nene Quay a mix of back land buildings contribute to the evolution of the built environment and the settlement pattern of town. The presence of this building contributes to the depth of character and variety of the towns rich historic built environment and the character of the conservation area. As a building situated in a rear position, however, it acknowledged that it does not have an impact on the familiar appearance of the Wisbech Conservation Area and the recognised character of the town; it is not a building with a street scene frontage and its existence does go unnoticed.' The FDC Conservation Officer does however also acknowledge that *'the building in question is a historic building that it is felt contributes to the historic character of the Wisbech Conservation Area, a conservation area which is designated to cover the historic heart of the town. In this respect there is a desirability to seek to retain a historic building in this context to preserve the character and appearance of the conservation area.'*
- 10.10 Due consideration has been given to the structural condition of the building, including the structural statement included within the submission documents. In this regard it is noted that the building has not been condemned as being structurally unsound, or deemed dangerous or beyond repair, with only relatively minor repairs and enhancement works required to enhance its structural integrity. It is also accepted that there would be costs in undertaking these enhancement works and ongoing maintenance costs and it *may* save money to demolish the building. Accordingly it is clear that the structural engineers report when viewed in isolation does not serve to justify demolition.
- 10.11 Due consideration is also given to whether the building has potential for reuse or not, and it is clear from the planning history of the building that there would be potential to convert the rear building. From a conservation perspective the layout previously approved would *'have merit today as it did back in the late 1980's'*. As such there is a potential use for the building and the FDC Conservation Officer identifies that the *'crux of the argument concerning the proposed demolition comes down to a matter of the costs involved in retaining and mothballing the*

building (including ongoing maintenance) or retaining and converting the building.'

- 10.12 Originally the proposal came forward with no financial costings, although broad-brush figures were given for various aspects of remediation/conversion. Such details have been sought and whilst the information forthcoming was not as detailed as anticipated it does sufficiently demonstrate the financial considerations worked through in respect of options to mothball, convert and demolish; albeit it does not give an indication as to whether the conversion of the building would be financially viable as no market value for the building post conversion/repair has been given.
- 10.13 However the Conservation Officer has confirmed that *'It is felt the public benefit is to allow the building in question to be demolished as the costs of other options have been demonstrated to be financially prohibitive to achieving the delivery of "The Gap" project.'*
- 10.14 A strong material consideration to acknowledge in this specific case concerns the circumstances of development of "The Gap" and wider Wisbech High Street which is associated with a Heritage Lottery Fund Townscape Heritage scheme. In 2016 Heritage Lottery funding under the Townscape Heritage Scheme was awarded to the High Street project with funding has been specifically awarded to address issues including the significant dereliction of some buildings along the street and specifically addressing sites such as that of the former 24 High Street which have a significant negative impact on the town centre. The Heritage Lottery TH scheme runs between 2017 –2021 and for the duration of this scheme funding is available to address the "The Gap".
- 10.15 The scheme for "The Gap" itself had been worked up since 2014 culminated in the approval of Planning Permission F/YR17/1198/FDC and subsequently preparative works are being undertaken on the site. Addressing the "The Rear Building" is intrinsic to the achieving the development of "The Gap" and success of the High Street Project. "The Rear Building" forms the rear (north west) wall to the site it therefore must be sound and in good order to provide a structurally sound and safe boundary to "The Gap", it must not look unattractive so as to detract from "The Gap" and the quality of the public space it affords and views from the viewing platform and finally it must not serve as a pigeon roost as having a volume of these birds flying around the "The Gap" public space and leaving their mess will be detrimental to its function.
- 10.16 Having given due regard to all material planning considerations it is considered on balance that the scheme accords with the aims of Policy LP18 as ultimately it will contribute to the wider enhancement of the historic environment of the district as an intrinsic component of the 'Wisbech High Street Project'.

Biodiversity

- 10.17 The submission is accompanied by an ecological survey which has been considered by the Wildlife Officer who is satisfied that subject to certain safeguarding conditions relating to bats/birds and the programming of demolition works the scheme will result in a net gain in biodiversity. Recommendations have also been made regarding the provision of bird nesting and bat roosting features.
- 10.18 It has also been suggested that measures to exclude pigeons may be helpful (given that pigeons are likely to be breeding potentially year round) and should be

explored with a reputable pest control, this will be conveyed to the project team as an informative as opposed to being imposed as a condition of any planning approval.

- 10.19 These conditions have been mooted to the project team and tentatively accepted however careful consideration as to the extent, type and positioning of such provision will be necessary as the environmental quality of 'The Gap' could be compromised should birds be encouraged and unfettered around this public realm project.
- 10.20 It is considered that the scheme has the potential to result in a net gain in biodiversity thereby achieving compliance with Policy LP19 of the Fenland Local Plan (adopted May 2014).

Other matters

- 10.21 The site is within a Flood Zone 1 location and as such there are no matters to reconcile with regard to Policy LP14 of the Fenland Local Plan, adopted May 2014.
- 10.22 There are no highway impacts associated with the proposal and as such no issues to resolve with regard to Policy LP15.
- 10.23 It is noted that the related planning permission, issued in respect of the Gap was time limited, given the temporary nature of the buildings proposed and the ancillary nature of the structures it is considered appropriate to impose a condition which links with the timeframes specified under F/YR17/1198/FDC
- 10.24 From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

The applicant has been consulted on the proposed conditions and confirmation that they agree the same is awaited; subject to such confirmation the requirements of section 100ZA(5) will be met.

The proposed conditions are as follows;

Condition 6 - Archaeology

11 CONCLUSIONS

- 11.1 In assessing the case for demolition the situation of the individual building is recognised as is the wider context of this case (unique to this case and intrinsically linked) taking in to account the consideration to delivering the Heritage Lottery Fund Townscape Heritage scheme for the High Street. In accordance with S72 (Listed Buildings and Conservation Areas) Act 1990 the duty in law is to ensure that development preserves or enhances the character or appearance of the conservation area. It is felt the building in question does make a contribution to the architectural and historic interests of the conservation area and in this respect, in principle, there has to be a desirability to see it retained.

- 11.2 The structural engineers report does not condemn the building as structurally unsound and states its structural integrity can be enhanced. Furthermore it is felt it could afford a use being converted to two dwellings as per a previously approved conversion scheme. That said it is felt the greater consideration in this matter is to secure the regeneration of the High Street and benefit from the window of opportunity afforded by the funding available from the Heritage Lottery Fund Townscape Heritage Scheme.
- 11.3 Securing and delivering schemes to address the derelict buildings on High Street and poor repair of buildings will by far have the greater impact on preserving and enhancing the character and appearance of the conservation area. Utilizing “The Gap” site in a viable manner is vital. If it is demonstrated that it is cost prohibitive to address “The Rear Building” at this immediate moment in time, accounting for the fact that Council funding is being focused into “The Gap” itself, then this is viewed as a decisive factor to this case. In this instance it is felt the impact of the loss of the back land building could be considered to have the effect that is one of less than substantial harm on the interests of the conservation as a whole given that it will go largely unnoticed. The associated public benefits of address the situation of “The Gap” as part of the wider High Street regeneration will outweigh the harm. In this instance consideration is given to The NPPF (February 2019) paragraphs 196, 197 and 201 in reaching this conclusion.
- 12 **RECOMMENDATION:** Grant, subject to the outstanding matters relating to the Historic Building Recording being resolved and conditions as follows:

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>The rear walls of the adjacent buildings that are exposed as a consequence of the demolition shall be inspected post demolition by the FDC Conservation Officer and a schedule of works agreed with regard to the treatment required in respect of these walls as necessary. This schedule of works shall then be submitted to and approved in writing by the LPA and all works shall then be undertaken in accordance with the agreed schedule:</p> <p>Reason - To safeguard the character and appearance of the Wisbech Conservation area in accordance with Policies LP16 and LP18 of the Fenland Local Plan (2014).</p>
3	<p>Prior to the commencement of demolition works an inspection shall be undertaken to establish whether any bats are present on the site by a suitably qualified ecologist, should any evidence of bats be found, demolition works shall not proceed until a scheme detailing appropriate mitigation measures has been submitted to and agreed in writing by the Local Planning Authority.</p> <p>Reason - To ensure that protected species are suitably safeguarded in accordance with Policy LP19 of the Fenland Local Plan (2014)</p>
4	<p>No demolition works shall be undertaken during the main nesting period (1st March to 31st August). Where this is not possible a suitably qualified ecologist shall, prior to demolition proceeding, carry out a survey to establish that nesting birds are not present.</p> <p>Reason - To ensure that protected species are suitably safeguarded in</p>

	accordance with Policy LP19 of the Fenland Local Plan (2014)
5	<p>Prior to the commencement of demolition details of a range of bird nesting and/or bat roosting features, including a timeframe for installation, shall be submitted to and approved in writing by the LPA. The agreed biodiversity enhancements shall then be provided in accordance with the approved timeframe for installation and shall be retained in perpetuity thereafter in accordance with the agreed details.</p> <p>Reason - To ensure that protected species are suitably safeguarded and to enhance biodiversity on the site in accordance with Policy LP19 of the Fenland Local Plan (2014)</p>
6	<p>No demolition/development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:</p> <ul style="list-style-type: none"> i. the statement of significance and research objectives; ii. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works iii. The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI. Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme. <p>Reason - To secure the provision of the investigation and recording of archaeological remains and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan.</p>
7	<p>The use hereby permitted shall be discontinued on or before the 28 February 2028 and the site to be left in accordance with a detailed scheme to be submitted to and approved by the Local Planning Authority.</p> <p>Reason - The proposal is not one the Council is prepared to permit other than for a limited period in view of the impact the proposal could have on the Wisbech Conservation Area and adjacent Listed Buildings.</p>
8	Approved plans



01 Block Plan Existing
1:200

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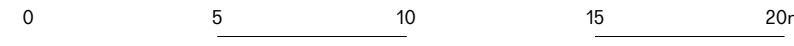
Rev.	Rev. Date	Reason For Issue	Chk	Key

Consultants

Structural Engineer **Morton Partnership**
 Building Control **Build-insight**
 Quantity Surveyor **IBA**
 Contractor

Key Plan

Dallas-Pierce-Quintero		Studio NS23 Net1 House, 1 Westgate St, London, E8 3RL +44 20 8088 1880		info@d-p-q.uk www.d-p-q.uk	
Project The Gap 24 High Street, Wisbech PE13 1DE		Title Block Plan Existing		Client Fenland District Council	
Project No. 1106	Scale @ A3 1:200	Date 06-03-19	Drawn by TC	Number EX0101	Status Planning
					Rev 00



01 Block Plan Proposed
1:200

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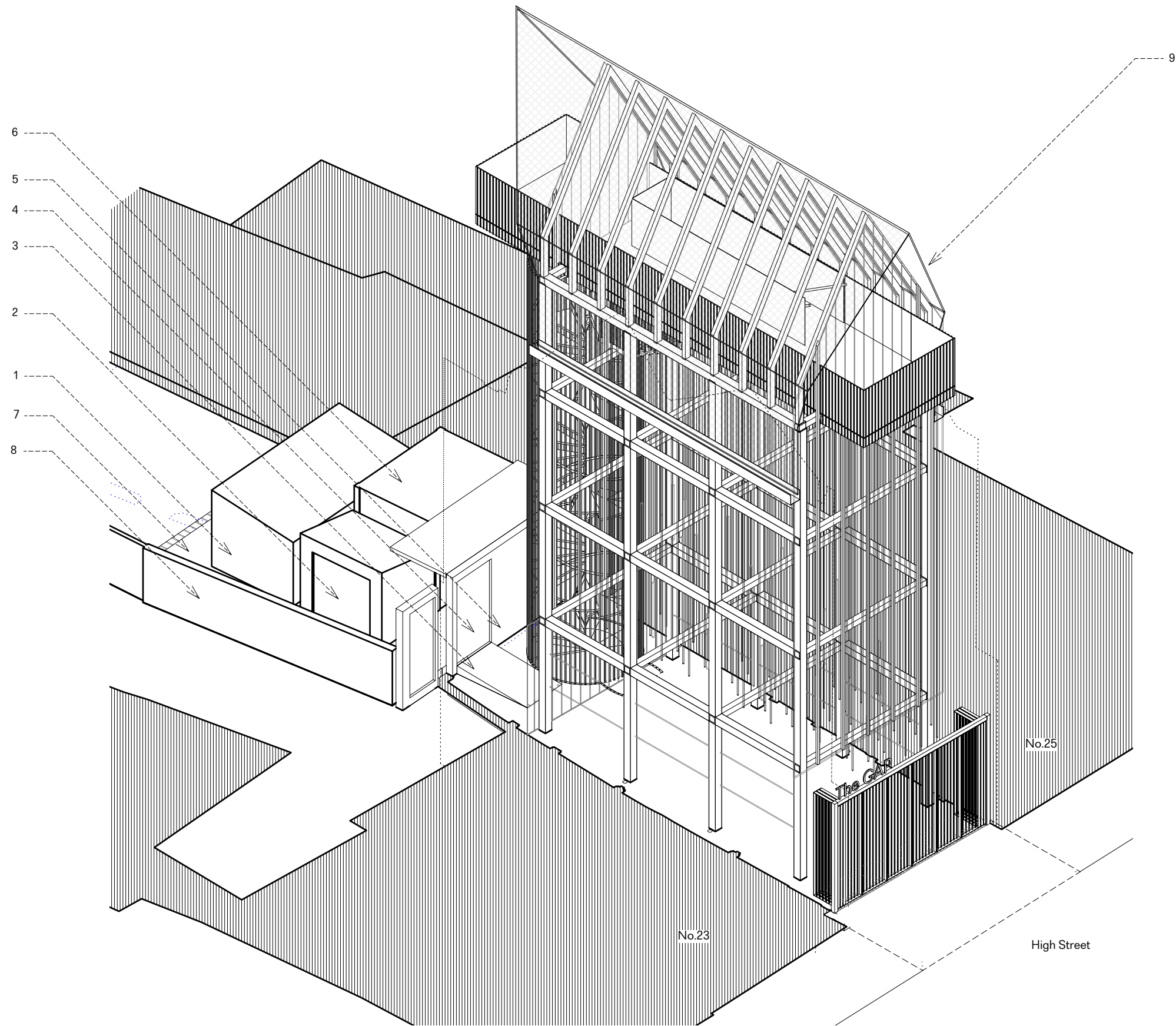
Rev.	Rev. Date	Reason For Issue	Chk	Key

Consultants

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 Building Control **Build-insight**
 Quantity Surveyor **IBA**
 Contractor

Key Plan

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Project No. 1106	Scale @ A3 1:200	Date 06-03-19	Drawn by TC	Number PL0101	Status Planning
					Rev 00



Notes

1. Windowless 14' x 8' timber heavy duty shed to provide storage. It will be painted in dark grey to match metalwork
2. Windowless 8' x 6' timber heavy duty shed to house utilities in a safe and lockable place, and provide storage. It will be painted in dark grey to match metalwork
3. Wheelchair ramp
4. 2.3m high solid wooden gate with punch code door access, painted to match floor colour (traffic yellow)
5. 2.7m high solid timber frame wall, painted to match floor colour (traffic yellow). A monopitch timber frame roof connects to the wall and sits onto the portable toilet pod to provide a sheltered access to the toilet facilities from The Gap. Encapsulate waterproof battens fixed to the soffit, and on a motion detector. Wiring in galvanised conduit back to the electrical cupboard
6. 10' x 8' disabled and single toilet unit. Disabled Wc has full disabled alarm system, sink, water heater and Toilet. Single WC has sink, water heater and Toilet. External dark grey painted finish to match that of rest of metalwork and surrounding timber sheds
7. Grey recycled plastic composite floating decking to provide a slip-resistant, durable and maintenance free surface, open joint to avoid water pooling on the surface. 220 above FFL
8. Existing brick boundary wall
9. The Gap, as approved (F/YR17/1198/FDC)

01 Axonometric Proposed
NTS

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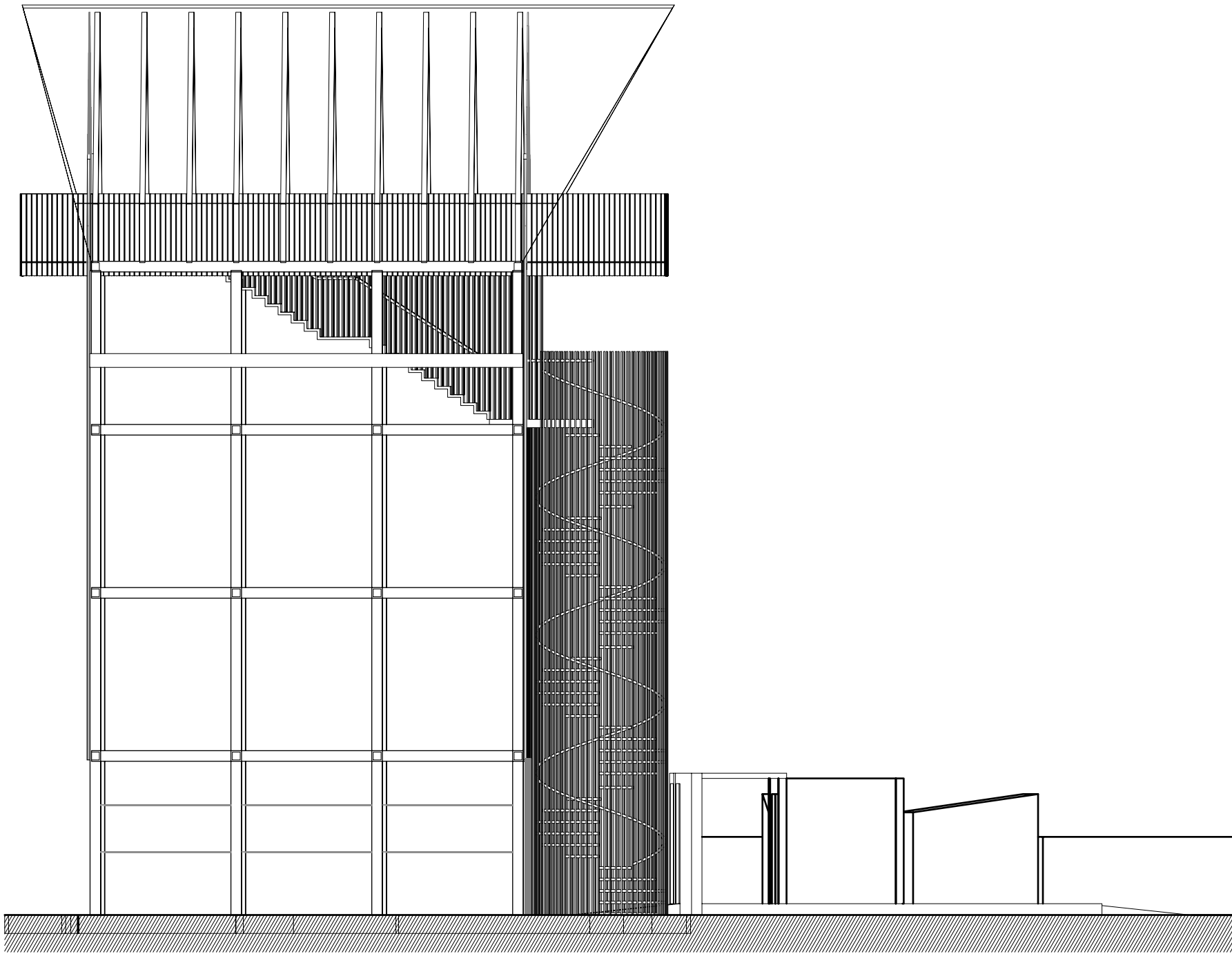
Rev.	Rev. Date	Reason For Issue	Chk	Key

Consultants

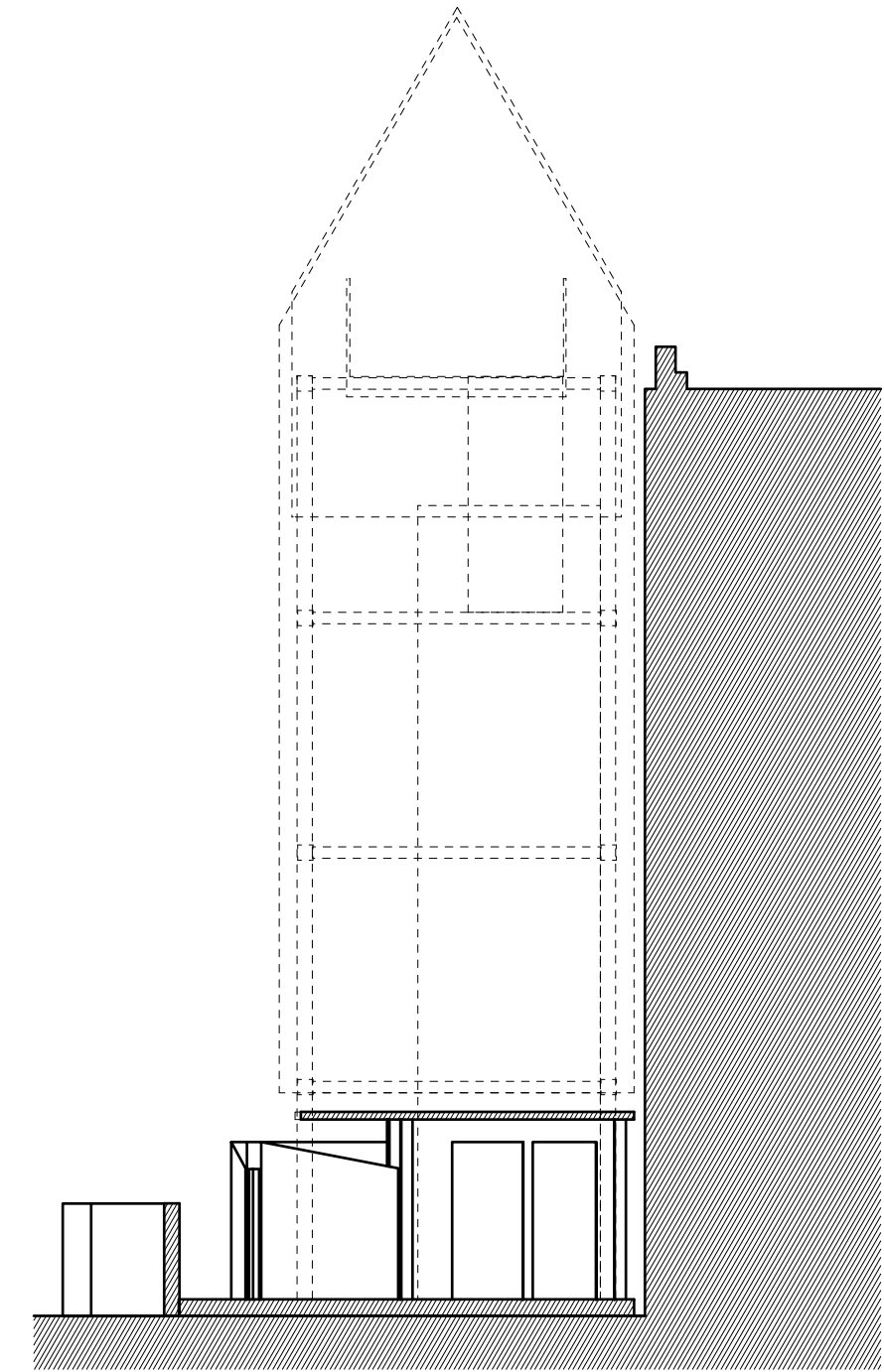
Structural Engineer **Morton Partnership**
 Building Control **Build-insight**
 Quantity Surveyor **IBA**
 Contractor

Key Plan

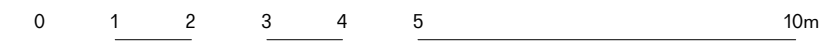
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Project The Gap 24 High Street, Wisbech PE13 1DE		Title Axonometric Proposed		Client Fenland District Council	
Project No. 1106	Scale @ A3 1:100	Date 06-03-19	Drawn by TC	Number PL0900	Status Planning
					Rev 00



01 Elevation 03 Proposed
1:100



02 Elevation 04 Proposed
1:100



General Notes

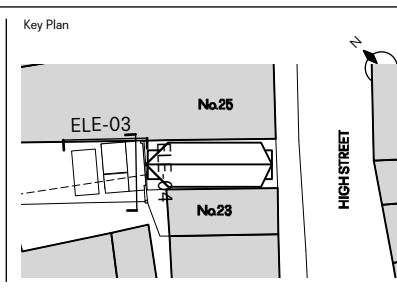
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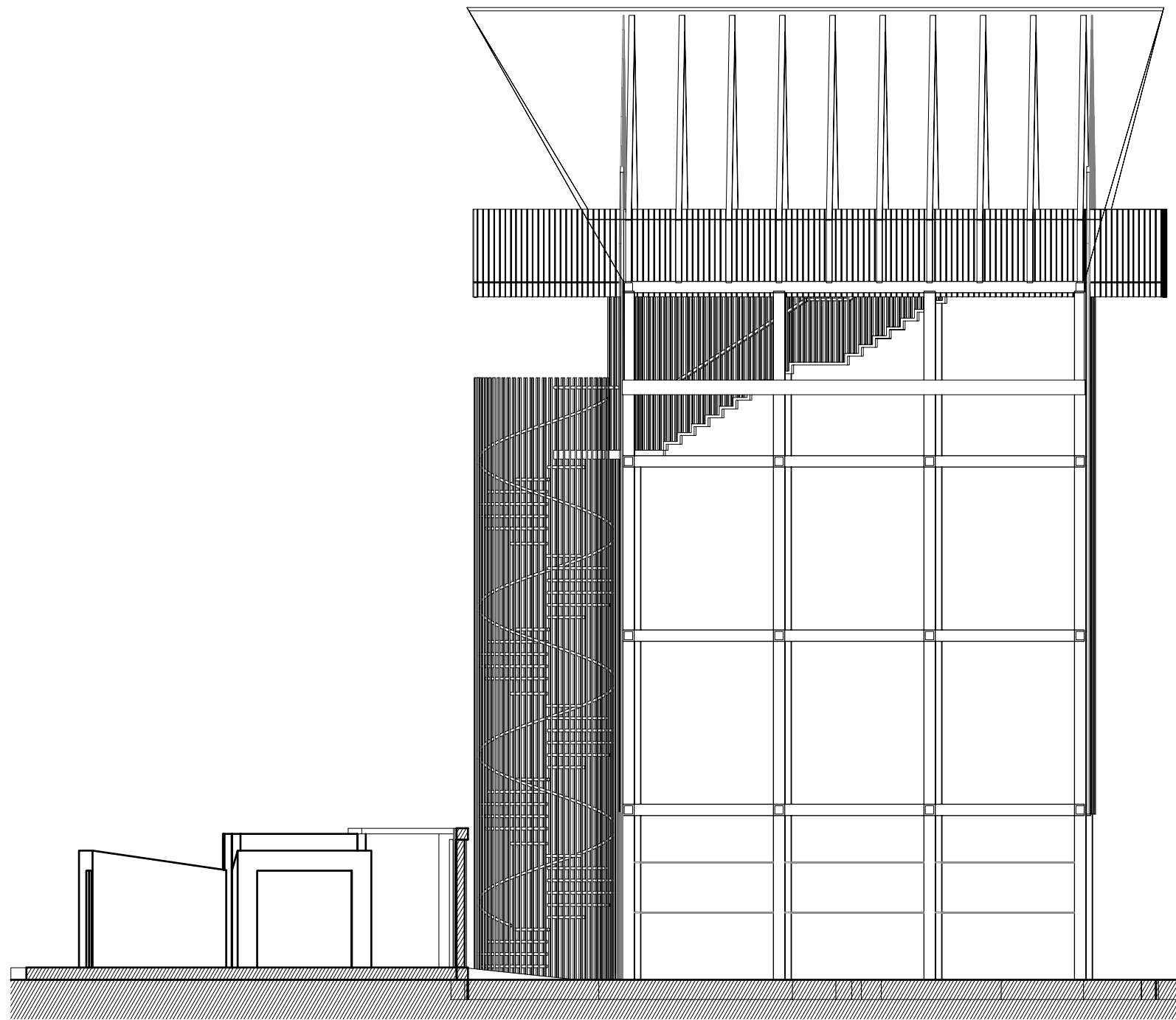
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Consultants

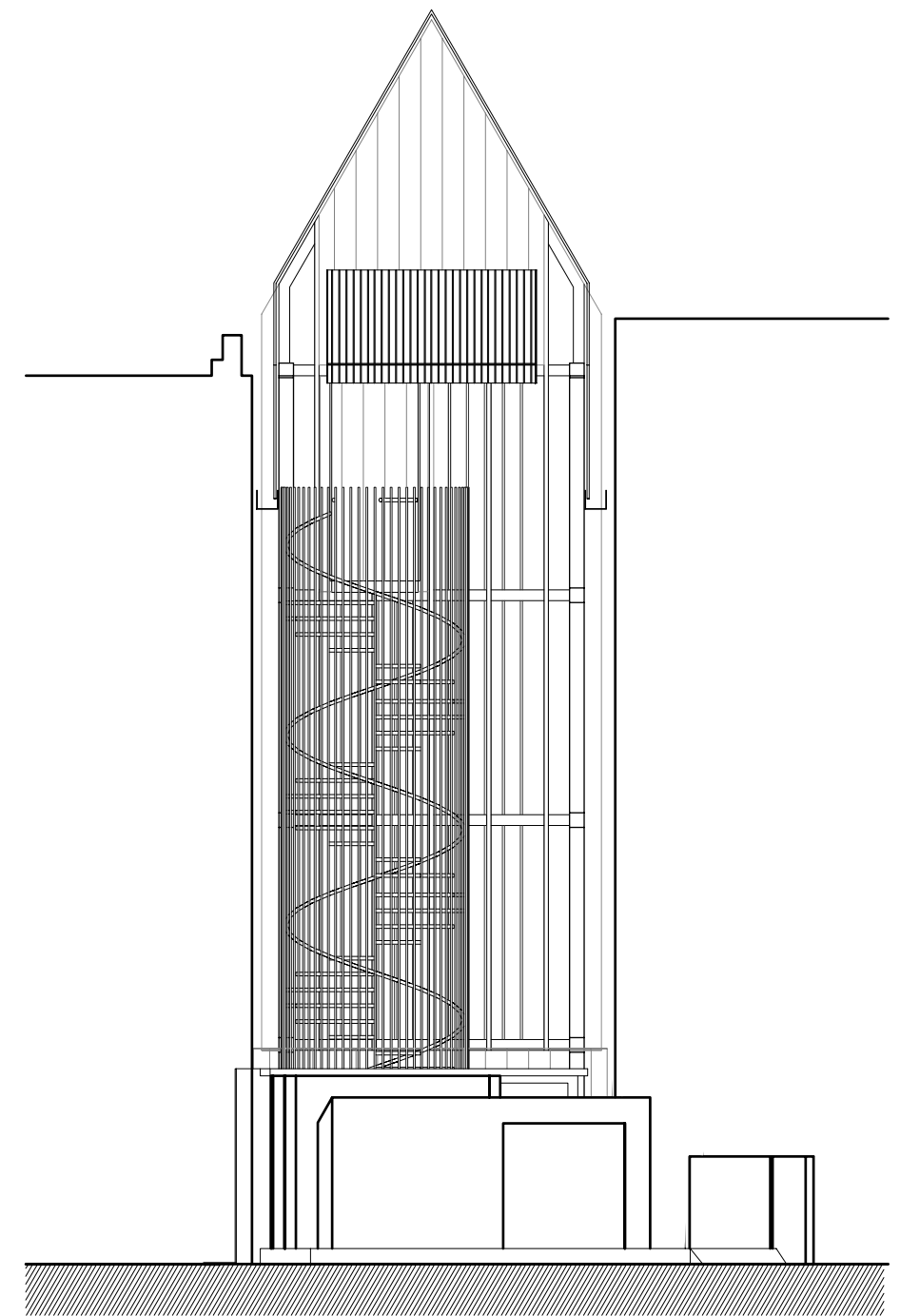
Structural Engineer **Morton Partnership**
 Building Control **Build-insight**
 Quantity Surveyor **IBA**
 Contractor



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Project The Gap 24 High Street, Wisbech PE13 1DE		Title Elevation 03, 04 Proposed		Client Fenland District Council	
Project No. 1106	Scale @ A3 1:100	Date 06-03-19	Drawn by TC	Number PL0202	Status Planning
					Rev 00



01 Elevation 01 Proposed
1:100



02 Elevation 02 Proposed
1:100

0 1 2 3 4 5 10m

General Notes

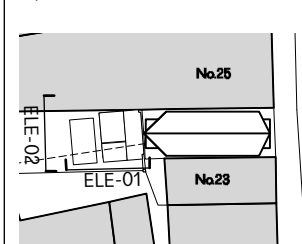
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Rev.	Rev. Date	Reason For Issue	Chk	Key

Consultants

Structural Engineer Morton Partnership
 Building Control Build-insight
 Quantity Surveyor JBA
 Contractor

Key Plan



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Project
The Gap
 24 High Street, Wisbech
 PE13 1DE

Title
Elevation 01, 02 Proposed

Client
Fenland District Council

Project No.	Scale @ A3	Date	Drawn by	Number	Status	Rev
1106	1:100	06-03-19	TC	PL0201	Planning	00

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F/YR19/0352/F

**Applicant: Mr G Wilding
Dawe Developments**

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

Land West Of, 126 - 128 Elliott Road, March, Cambridgeshire

Erection of 3 x single-storey 3-bed dwellings with detached garages

Reason for Committee: The Officer's recommendation is contrary to that of the Town Council

1 EXECUTIVE SUMMARY

This application seeks full planning permission for the erection of 3 detached single storey 3 bed dwellings accessed via an existing private road off Elliott Road. This is a resubmission following a previous Committee refusal for 4 dwellings in 2017 (F/YR17/0490/F). The principle of residential development in this location is acceptable as the site is located within a Primary Market Town and is surrounded by existing residential development. The reduction in number to 3 dwellings addresses previous concerns in relation to the layout and overdevelopment of the site, impact on the character of the area and the amenity of future occupiers.

The application is therefore recommended for approval.

2 SITE DESCRIPTION

- 2.1 The site is an irregular shaped piece of land measuring approximately 0.25 ha which lies within an established residential area of March. The site is accessed via an existing private road serving a total of 6 dwellings which leads off Elliott Road between No's 124 and 126. The site appears to be vacant land. A barn on the site has been demolished.
- 2.2 The site is bounded in all directions with a mixture of residential development. Immediately to the north the site adjoins a residential car park serving 2-storey dwellings at Peas Hill Road. To the east, the site backs onto rear gardens of single storey dwellings at 126 to 132 Elliott Road and to the west the site abuts the curtilages of dwellings 199 and 201 West End. Directly opposite the site to the south are 2 recently completed detached bungalows.
- 2.3 Members gave deemed approval in 2016 for 9 x 2-storey 2-bed dwellings on the site subject to the completion of a S106 Agreement (F/YR16/0264/F). The applicant was unable to complete the legal agreement and the application was withdrawn. It is understood that the proposed access through the car park of the adjacent development prevented the completion of the S106 Agreement.

- 2.4 The site's historical land use includes: dairy and poultry farming; orchard; and impacts from previous site clearance and demolition. A Phase 1 Contamination Report was submitted as part of the 2016 application. The site lies in Flood Zone 1.

3 PROPOSAL

- 3.1 The application seeks planning permission for the erection of 3 similar, detached, single storey 3 bed dwellings. The dwellings will be laid out around the perimeter of the site with an access point leading north from the existing private road serving each dwelling, approved under F/YR17/120/F.
- 3.2 The dwellings will each have a single garage and driveway to provide parking for 2 cars per dwelling. External materials have not been committed at this stage.
- 3.3 Landscaping comprises 1.8m high close boarded fence to screen each plot and a mixture of shrub planting at the frontage of each plot and adjacent to the access roads.
- 3.4 The access to the rear of No 201 West End will be retained/ relocated and two new parking spaces provided on land within the applicant's ownership.
- 3.5 Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PQQ6ERHE01U00>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR17/1207/F	Erection of 2 x single-storey 4-bed dwellings with detached single garages (retrospective) Land West Of Greenacre Elliott Road March Cambridgeshire	Granted	02/05/2018
F/YR17/0490/F	Erection of 4 x single-storey dwellings comprising of: 1 x 3-bed with integral garage and 2 x 3-bed and 1 x 4-bed with detached garages Land West Of 126 - 128 Elliott Road March Cambridgeshire	Refused	17/08/2017
F/YR16/0264/F	Erection of 9 x 2-storey 2-bed dwellings Land West Of 126-132 Elliott Road Accessed From Peas Hill	Withdrawn	31/01/2017
F/YR15/1001/F	Erection of 1 x 4-bed and 3 x 3-bed single-storey dwellings with garages Land West Of 126 - 128 Elliott Road March Cambridgeshire	Withdrawn	25/02/2016
F/YR15/0263/F	Erection of 9 x 2-storey 2-bed dwellings involving demolition of existing outbuilding Land West Of 126-132 Elliott Road Accessed From Peas Hill	Refused	24/07/2015
F/YR15/3044/CO	Details reserved by conditions 2 4 5 6 7 11 and 12 of planning permission F/YR13/0943/F (Erection of 2 x single-storey 4-bed dwellings with detached single garages) Land West Of Greenacre Elliott Road March Cambridgeshire	Approved	19/06/2015
F/YR13/0943/F	Erection of 2 x single-storey 4-bed dwellings with detached single garages Land West Of Greenacre Elliott Road March Cambridgeshire	Granted	02/12/2014
F/YR12/0587/F	Erection of 3 x 2-storey 3-bed dwellings with detached garages Land West Of Greenacre Elliott Road March Cambridgeshire	Dismissed on Appeal	11/09/2013
F/YR12/0267/F	Erection of 3 x single-storey 3-bed dwellings with detached garages Land West Of Greenacre Elliott Road March Cambridgeshire	Refused	29/06/2012
F/YR08/1092/F	Erection of 12 x 2-bed terraced houses involving demolition of existing outbuildings Land West Of 126-132 Elliott Road Accessed From Peas Hill	Withdrawn	26/02/2009
F/YR07/0442/F	Erection of 3 x 3-bed detached bungalows with detached single garages Land West Of Greenacre Elliott Road March Cambridgeshire	Granted	22/01/2008
F/YR06/1361/F	Erection of 3 x 3-bed detached bungalows with detached garages Land West Of Greenacre, Elliott Road, March, Cambridgeshire,	Withdrawn	18/01/2007
F/YR02/0683/O	Residential Development (0.428 ha) Baxters Dairy And Land South Of Peas Hill Road March Camb	Granted	17/10/2003

5 CONSULTATIONS

5.1 March Town Council

Recommend Refusal – over development and flooding issues.

(It should be noted that in 2017 the Town Council recommend approval of the proposal for 4 dwellings)

5.2 CCC Archaeology

Our records indicate that the site lies in an area of high archaeological potential. Located on the island of March, which was an important resource to early communities in the fenland environment. The fen edge in particular is known to be rich in archaeological sites and finds of Mesolithic, Neolithic and Roman material have been found from the surrounding area (Historic Environment Record reference MCB6333, MCB10135, MCB12823). Medieval activity is indicated by the current course of the River Nene, which was diverted across March island in the medieval period.

We have commented on this in recent years. We would recommend that the same archaeological standard condition is placed on the development as was for prior application (F/YR15/0263/F, F/YR16/0264/F, F/YR17/0490/F) within the same bounds, that is:

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

5.3 FDC Environmental Health

As raised previously, due to historic land use there is a potential for pollution linkages to exist from contaminants on site and the proposed new development. Therefore an intrusive (phase 2) investigation is needed. The contamination condition is therefore required if permission is granted although the desk study element has been carried out in a previous planning application for this site (F/YR16/0264/F).

5.4 CCC Highways

No highway objections subject to conditions relating to the access approved under planning consent F/YR17/1207/F being imposed. This is only applicable if the conditions have not been implemented as part of planning consent F/YR17/1207/F. Parking and turning condition required for site in question.

5.5 Local Residents/Interested Parties

Three letters have been received from the occupants of neighbouring properties:

No 191 West End support the application, *“great looking little development, highly sort after quality bungalows which will finish off our road nicely fitting in with all the surrounding bungalows”.*

No 134 Elliott Road comment as follows: *“It is not precisely clear looking at the on-line plans, but it does seem to encroach on the ransom strip which wouldn’t be acceptable. The previous development by this company off Peas Hill Road, completed 10 – 12 years ago, has still not been properly finished off. The car parking area looks like waste ground and has very large, deep puddles left after rainfall. There are considerable areas just left growing wild and the buddleia, elderflower and brambles flourish making it virtually impossible to access our fence from that side to keep it stained and maintained. The plans included allocated car parking spaces and certain small landscaped areas, none of which has been done. How can householders whose property boundary butts up to this second plot of land ensure that the developer will finish off another area completely if permission is granted, when the first one is left in such a dreadful state for so many years?”*

Officer’s Response: The Planning Enforcement Team has been notified with regard to the comments on the adjacent site. The application form indicates that the site is within the ownership of the applicant, with notice also being served on the occupants of the two new bungalows to the south of the application site.

No 201 West End object for the following reasons. *“Unfortunately although we like the suggestion of 3 x single-story 3-bed dwellings with detached garages being built behind our house, we have to object after having a conversation with Nigel at Peter Humphreys Associates, who has failed to come and mark out the new boundary as he said he would, we would like to raise the following points;*
1. *The site map is not a true representation of the actual development;*

- The parking spaces allocated for us are actually located in the garden of our property. The plan indicates that they are between our property and the new development.

2. We are advised by Nigel at Peter Humphreys Associates that the fence line for the new development will be butted up to ours;

- We will not be able to access our gate if this is correct.

- This will leave no parking at the rear of our garden as the plan suggests.

- We were advised that we can park in the access route to our property shown on the plans, however is there provision for this to be made up to a road standard, who would own and maintain it, would there be anything to prevent anybody parking across this road to cause loss of access to us, or cause us to be blocked in?

3. When we purchased our house 10 years ago, the paperwork clearly states that we would always have two parking spaces and access after any development on the land at the rear of our house”.

Officer's Response: The agent was contacted and asked to address the comments. An amended drawing was prepared and submitted (Rev B) which shows the parking allocated to No 201 more clearly. The agent has informed the LPA that the land registry title plans show that historically Nos 191 and 199 have a right of way, but No 201 does not. Having said that, the applicant has confirmed to the agent that it was agreed to give 201 West End vehicular access with 2 parking spaces, although the location was not stated. Unfortunately this will mean the pedestrian gate to the rear of No 201 will need relocating. It is envisaged this will be at the expense of the developer whilst erecting new boundary treatments along this boundary. The parking area will be gravelled and could be gated should the owners of 201 West End wish it. This, however, falls outside the application red line. The agent has stated that the position of the boundary line is already in place by the existing fence so there is nothing new to mark out.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Fenland Local Plan 2014

LP1: Presumption in favour of sustainable development

LP2: Health and Wellbeing

LP3: Spatial Strategy and Settlement Hierarchy

LP15: Highway safety

LP16: High Quality Environments

7.2 March Neighbourhood Plan 2017

Policy H2 Windfall Development:

8 KEY ISSUES

- Principle of Development
- Character of the Area
- Amenity

- Access
- Other

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP3 identifies the 4 main Market Towns, including March as a sustainable area for growth and seeks to steer residential development to this area. Furthermore, permission was granted for 9 dwellings in 2016 on this brownfield site within the urban area of March. Therefore the principle of development in this area is acceptable subject to compliance with other policies of the Fenland Local Plan 2014, and the March Neighbourhood Plan 2017.

Character of the Area

- 9.2 Policy LP16(d) aims to deliver high quality environments, seeking to ensure that development responds to and improves the character of the local built environment and does not adversely impact either in design or scale on the street scene. Policy H2(f) of the March Neighbourhood Plan 2017 requires proposals to have a high design quality.
- 9.3 The dwellings are of a scale and design commensurate to the single storey dwellings in the area and subject to agreement on external materials could appear sympathetic to the established built form in the locality. The reduction in numbers from 4 to 3 along with an amended layout has overcome the previous objections with regard to the overdevelopment of the site. The proposal is now considered to comply with Policy LP16(d) and H2(f).

Amenity

- 9.4 Policies LP2 and LP16 seek to secure good design which creates a high quality environment and a high level of residential amenity. Policy H2 (a) requires the proposal not to result in an unacceptable impact on levels of light, privacy and private amenity space for the occupants of the proposed dwellings.
- 9.5 With regard to the impact on the neighbouring properties, it is considered that due to the scale of the proposed dwellings (single storey) and the distance from the existing dwellings, there would be minimal impact on the amenity of the neighbouring occupiers.
- 9.6 The amended layout provides a better quality and quantity of private amenity space attributed to each plot, with a 1/3rd of the each plot designated as garden or private amenity space. To safeguard this, it is proposed to remove certain permitted development rights through the imposition of a planning condition. This will be subject to the mature boundary hedging to the northwest corner of Plot 1 being retained. The layout will create a small cul de sac where the 3 dwellings face onto the driveway and to each other. The proposed front gables will be between 11m and 16m from each other. This relationship is considered to be acceptable. The proposal is considered to comply with Policies LP2 and LP16 of the Fenland Local Plan 2014 and H2 (f) of the March Neighbourhood Plan 2017.

Access

- 9.7 Policy LP15 aims to ensure that new development provides a good designed, safe and convenient access. The highways officer has raised no objection to the proposed scheme subject to conditions securing the delivery of the private road to an acceptable standard as approved under planning permission F/YR17/1207/F As

the access road (surfacing) has not been completed the relevant conditions should be carried over/ applied to this permission. Similarly, as this is a private road, a refuse collection strategy should be provided to demonstrate how the new dwellings will be serviced.

Other

- 9.8 The Town Council’s comments are noted. It is considered that the reduction in scale of the proposal (4 to 3 dwellings) would address previous concerns and would not constitute overdevelopment of the site.
- 9.9 The site lies within Flood Zone 1 and as such development of this nature in this location is considered appropriate. The application drawings indicate that the surface water is likely to be discharged via soakaways. The precise drainage design would need to comply with Building Regulations. Similarly foul drainage has been indicated to be disposed of via mains sewer and Anglian Water consent will be required for this.
- 9.10 Accordingly there is no flood risk or drainage related grounds in the context of the Local Plan and to the NPPF on which to object to the proposed development.
- 9.11 The comments from the neighbours have been dealt with in Section 5.5. The provision of parking spaces and access to the rear of No 201 is a private matter between the relevant parties.

10 CONCLUSION

- 10.1 The amended proposal is considered to constitute sustainable development and is therefore considered to be acceptable subject to planning conditions.

Pre-commencement conditions

- 10.2 From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).
- 10.3 The applicant has been consulted on the proposed conditions and has confirmed their agreement to them in writing. Therefore, should the application be approved it is considered that the requirements of section 100ZA(5) have been met.

11 RECOMMENDATION

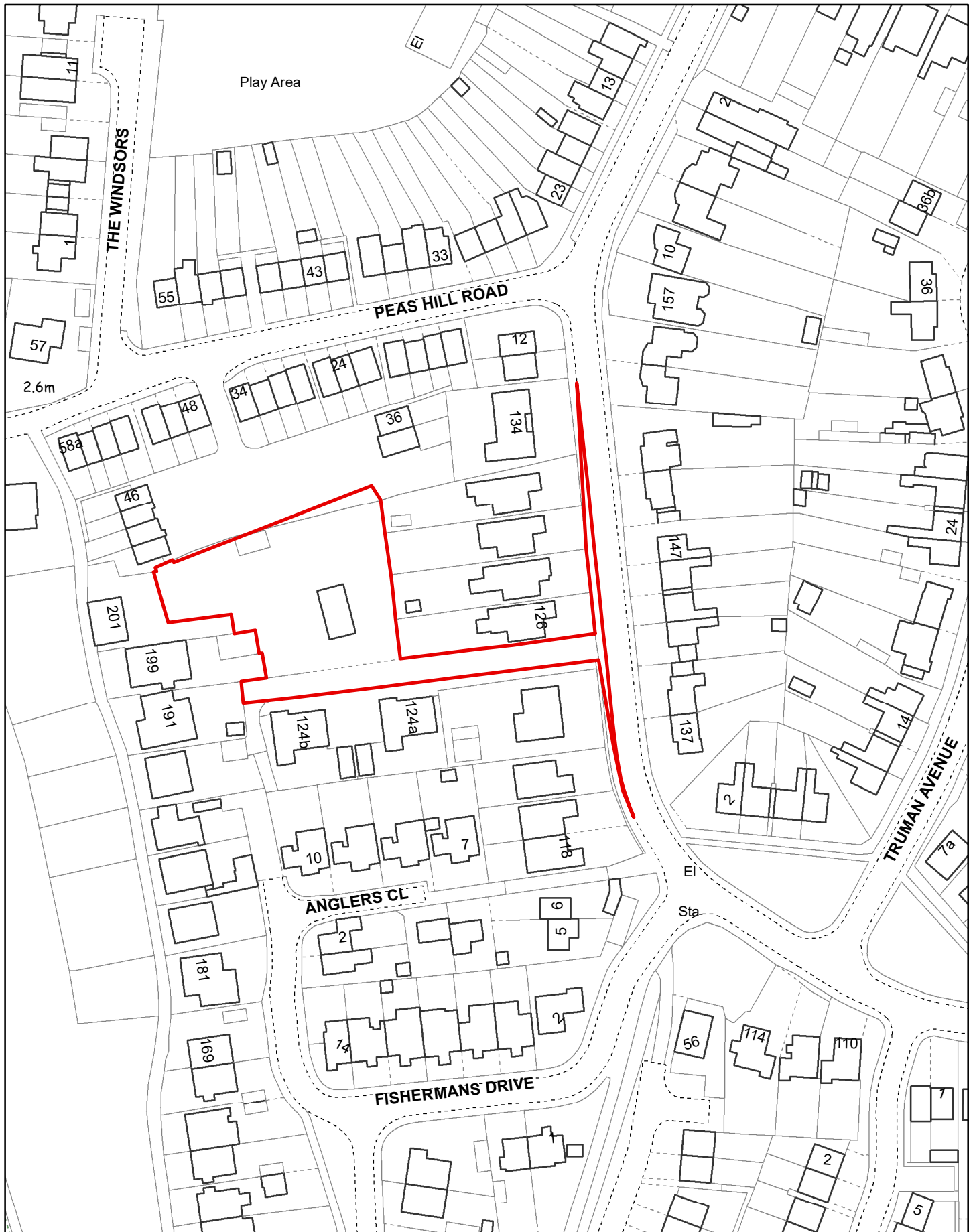
GRANT subject to the following Conditions as set out below:

1.	The development permitted shall be begun before the expiration of 3 years from the date of this permission. Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2.	A satisfactory scheme of external finishes shall be submitted to and approved in writing by the Local Planning Authority before any development proceeds above slab level on the site, and the work executed in accordance with the approved scheme. Reason - To safeguard the visual amenities of the area and in

	accordance with Policy LP16 of the Fenland Local Plan 2014.
3.	<p>No demolition/development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation (WSI) which has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:</p> <p>a) the statement of significance and research objectives;</p> <p>b) The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</p> <p>c) The programme for the analysis, publication & dissemination, and deposition of resulting material. Part (c) of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.</p> <p>Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.</p> <p>Reason - To secure the provision of the investigation and recording of archaeological remains and the reporting and dissemination of the results in accordance with Policy LP19 of the Fenland Local Plan 2014.</p>
4.	<p>No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the Local Planning Authority (LPA) and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.</p> <p>(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.</p> <p>(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.</p> <p>(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.</p> <p>No development approved by this permission shall be occupied prior to</p>

	<p>the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).</p> <p>(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.</p> <p>(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.</p> <p>(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.</p> <p>Reason - To control pollution of land or water in the interests of the environment and public safety in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
5.	<p>Prior to the first occupation of any part of the development hereby approved the proposed on-site parking and turning areas shall be laid out, levelled, surfaced and drained in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. The works shall be fully executed on the site and retained in perpetuity for that specific use.</p> <p>Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.</p>
6.	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:</p> <p>i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);</p> <p>ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);</p> <p>iii) alterations including the installation of additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);</p> <p>iv) alterations to the roof of the dwelling house (as detailed in Schedule 2, Part 1, Class C).</p> <p>Reason - To safeguard the amenities currently enjoyed by the</p>

	occupants of adjoining dwellings and in order to control future development and to prevent the site becoming overdeveloped in accordance with Policy LP16 of the Fenland Local Plan, 2014.
7.	<p>Prior to the occupation of any part of the development hereby approved, details of the boundary treatments to be constructed between the development and adjacent properties shall be submitted to and approved in writing by the Local Planning Authority and all such works shall be erected concurrently with the erection of the dwelling(s) and retained in perpetuity thereafter.</p> <p>Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the neighbouring properties are afforded an acceptable measure of privacy in accordance with Policy LP2 and LP16 of the Fenland Local Plan, 2014.</p>
8.	<p>Prior to occupation of any part of the development hereby approved a refuse collection strategy including the full details of any bin collection areas shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason - To ensure a satisfactory form of refuse collection and in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
9.	<p>Prior to the first occupation of any part of the development hereby permitted the vehicular access from Elliott Road shall be hard surfaced, sealed and drained away from the highway for a minimum length of 10m from the back edge of the existing footway; in accordance with a detailed scheme to be submitted to and approved in writing by the local planning authority and constructed in accordance with the Cambridgeshire County Council construction specification.</p> <p>Reason- To ensure safe access to the site in accordance with the provisions of Policy LP15 of the Fenland Local Plan 2014.</p>
10.	Approved Plans.



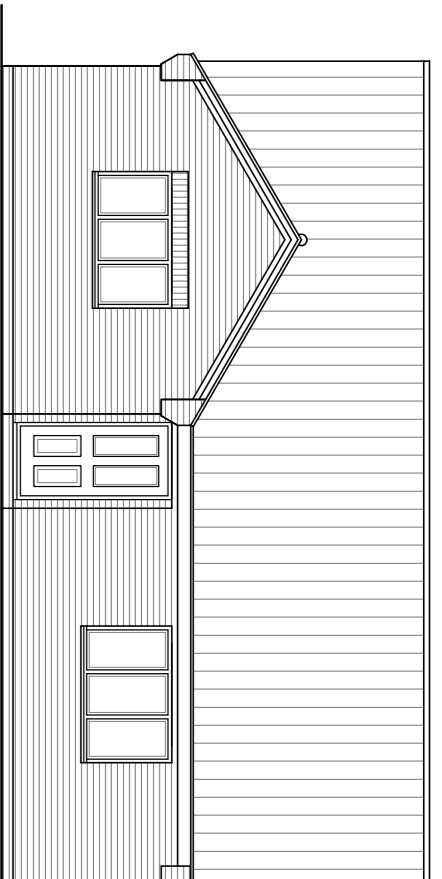
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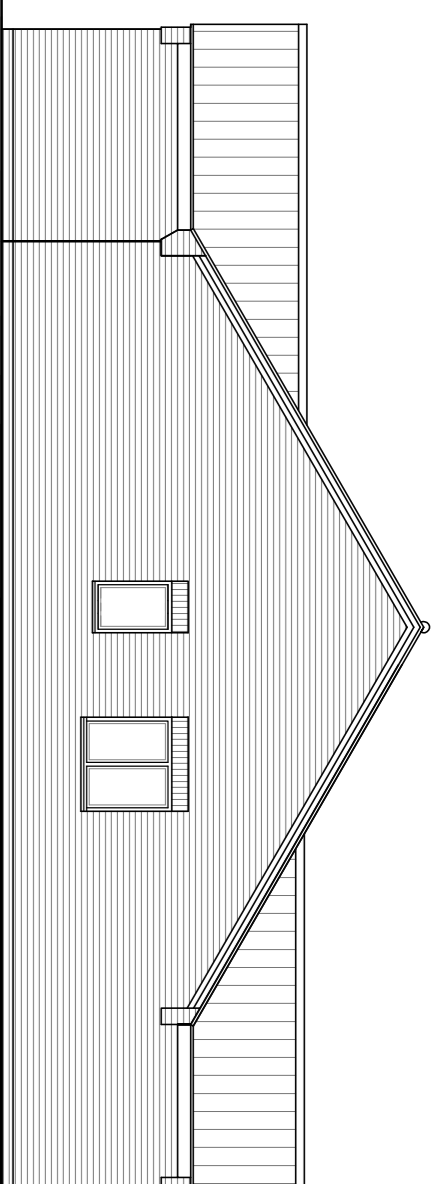
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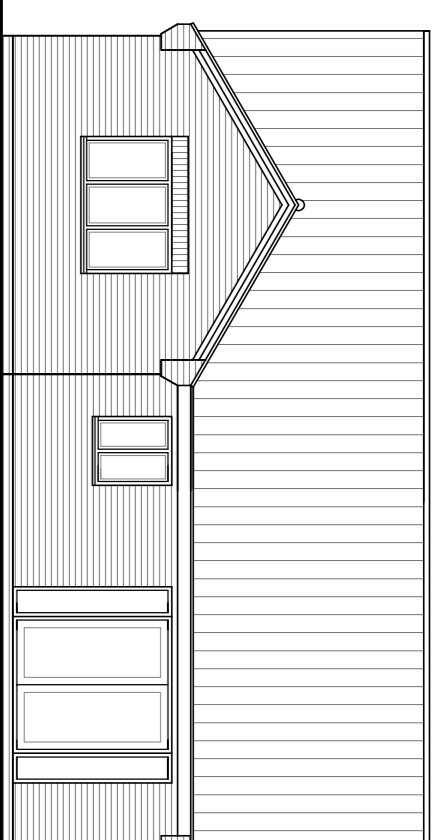




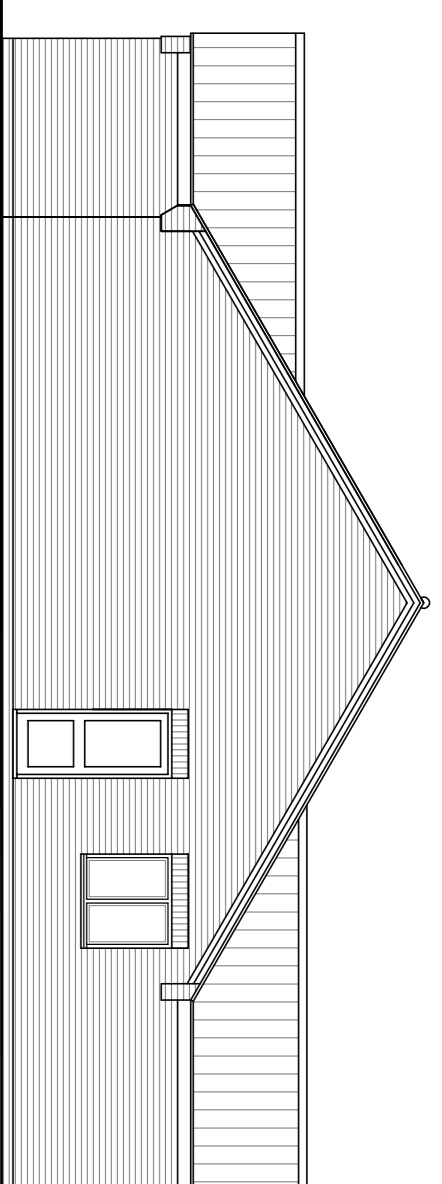
FRONT ELEVATION
SCALE 1:100



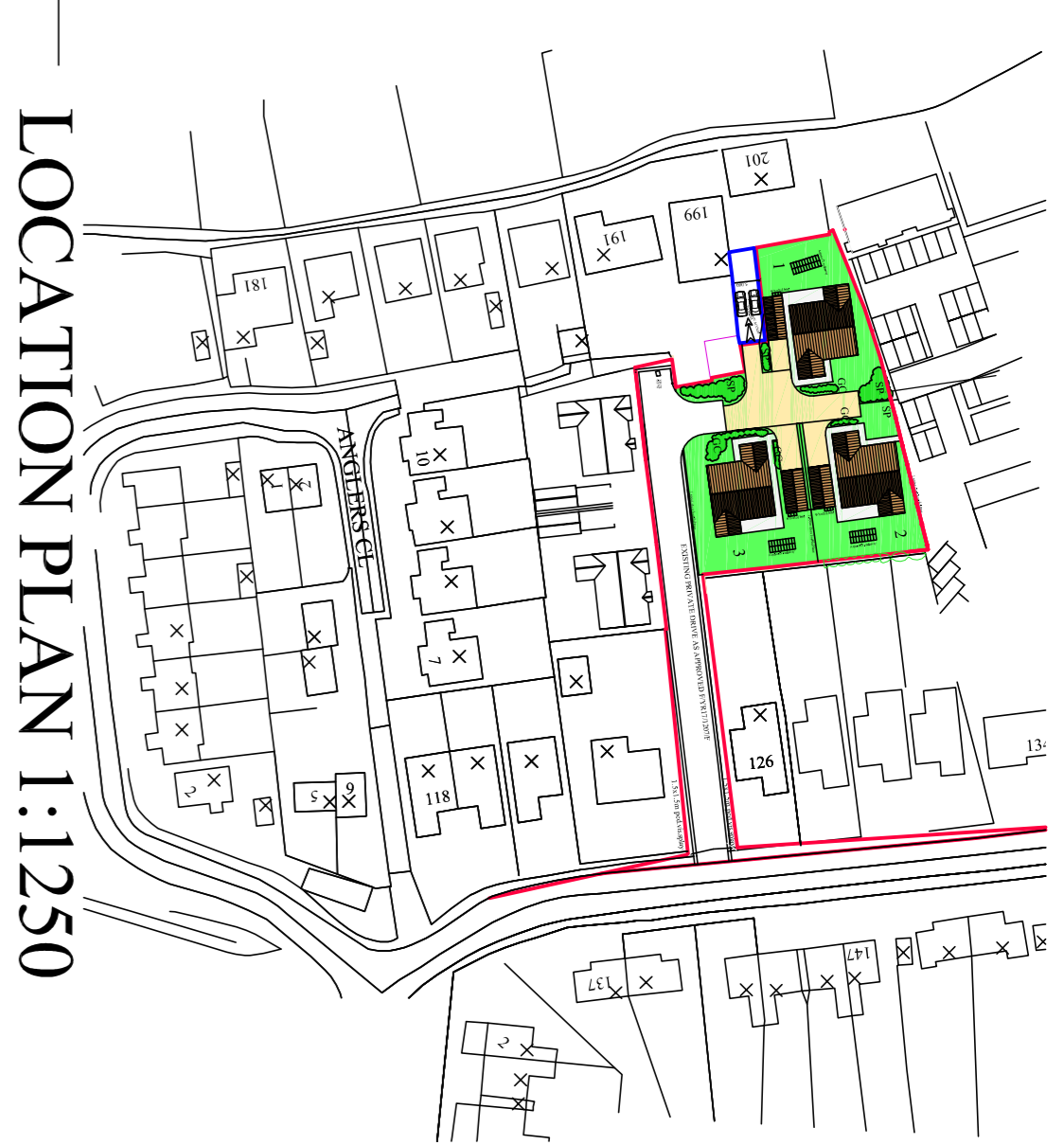
SIDE ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100



SIDE ELEVATION
SCALE 1:100



LOCATION PLAN 1:1250

LANDSCAPING
SHRUB PLANTING (EQUALLY MIXED) (SP)
 PLANTED AT 900mm CENTRES, 60/90cm CONTAINER GROWN

LONGCERA PILEATEA
SPREAE GOLD FLAME
PRINTS PATROCERASUS
STRONGA VILGARRIS

GROUND COVER PLANTS (G,C)
CONTONEASTER HORIZONTALIS
HEDERA HELIX
LAVANDULA SPICA
CALLUNA VILGARRIS

ALL PLANTING, SEEDING OR TURFING COMPRISED IN APPROVED DETAILS OF LANDSCAPING SHALL BE CARRIED OUT IN THE FIRST PLANTING AND SEEDING SEASONS FOLLOWING THE OCCUPATION OF THE BUILDINGS OR THE COMPLETION OF THE DEVELOPMENT, WHICHEVER IS THE SOONER, AND ANY TREE OR PLANT WHICH WITHIN A PERIOD OF 5 YEARS FROM THE COMPLETION OF THE DEVELOPMENT OR ARE REMOVED, OR BECOME SERIOUSLY DAMAGED OR DISEASED, SHALL BE REPLACED IN THE NEXT PLANTING SEASON WITH OTHERS OF SIMILAR SIZE AND SPECIES, UNLESS THE LOCAL PLANNING AUTHORITY GIVES WRITTEN CONSENT TO ANY VARIATION.

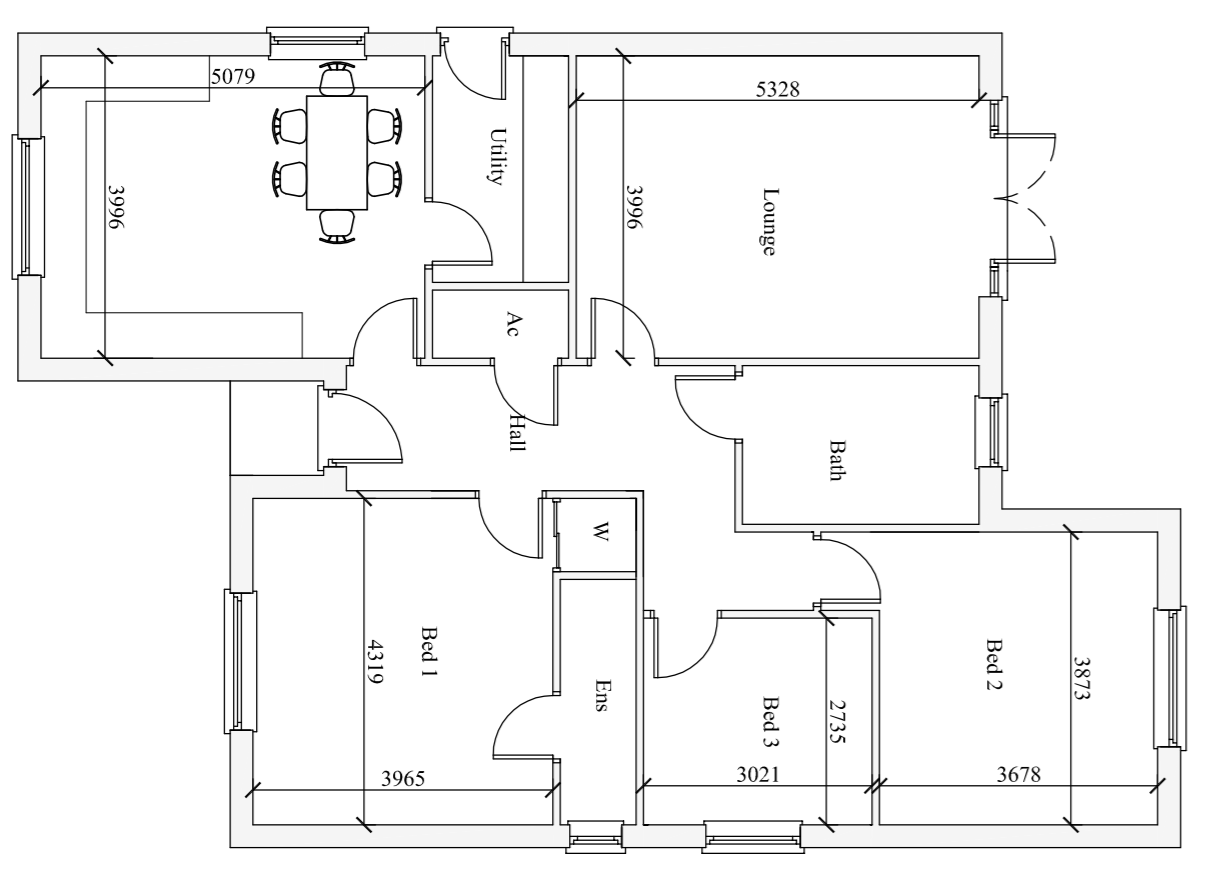


FLOOD ZONE 1

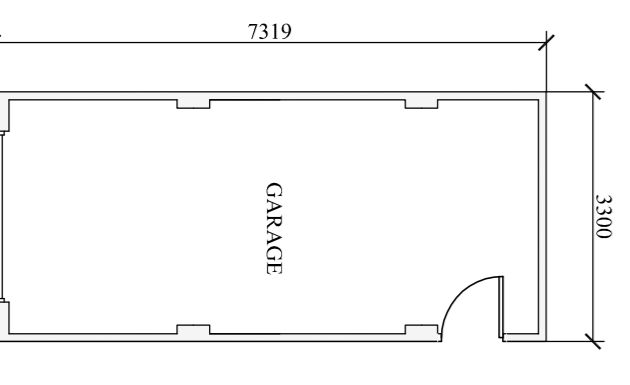


SITE PLAN 1:500

PLOT 2 HANDED

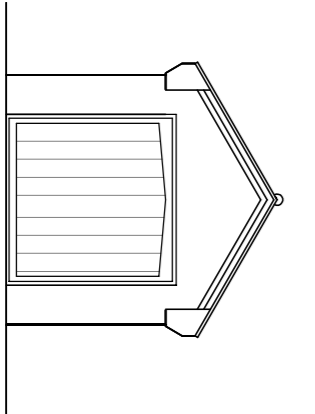


FLOOR PLAN
SCALE 1:100

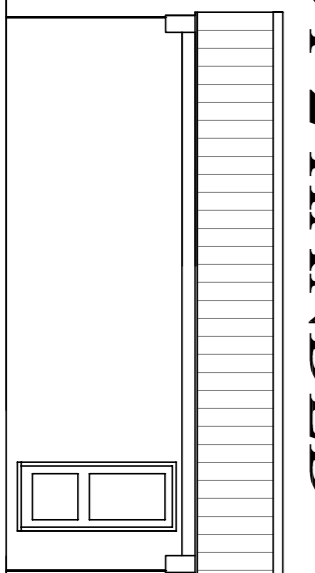


FLOOR PLAN
SCALE 1:100

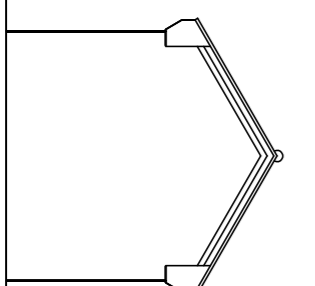
PLOT 2 HANDED



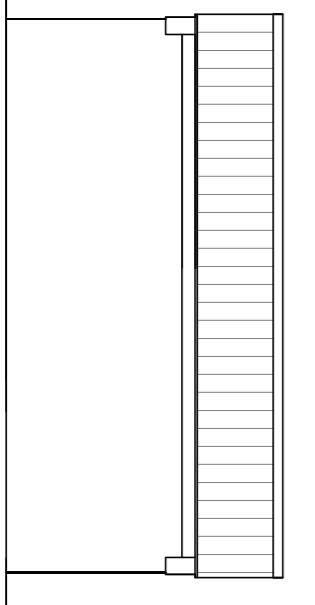
FRONT ELEVATION



SIDE ELEVATION



REAR ELEVATION



SIDE ELEVATION

Peter Humphrey Associates
 ARCHITECTURAL DESIGN AND BUILDING

ARCHITECTURAL
 31 GLOUCESTER TERRACE CAMBS PER 113 188

ARCHITECTURAL
 31 GLOUCESTER TERRACE CAMBS PER 113 188

PROJECT
 RESIDENTIAL DEVELOPMENT

ADDRESS
 ELLIOTT ROAD
 MARCH
 CAMBS

CLIENT
 DAVE DEVELOPMENTS

DATE FEB 2010 SCALE AS SHOWN DRAWN BY
 JOB NO 5122 R1 018 REVISION

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F/YR19/0362/F

Applicant: Mr P Gumbley

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

Land North West Of Seafield Farm, Gorefield Road, Leverington, Cambridgeshire

Erection of 3 x 2-storey, 3-bed dwellings with associated double garages

Reason for Committee: Recommendation of the Parish Council is at variance to the Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This proposal represents an alternative scheme proposal for a site that has an extant consent in place for a 'similar' amount of development; albeit of a different design and layout. The principle of development having been previously established following a Planning Inspectorate decision.
- 1.2 As principle and technical details have been addressed on the earlier approvals relating to the site it is only character, design and residential amenity that require evaluation in accordance with Policies LP2, LP12 and LP16. It is considered that the scheme raises no issues in respect of these matters and as such a recommendation for approval is forthcoming.

2 SITE DESCRIPTION

- 2.1 The site lies to the rear of No 1 - 5 Seafield Barns, a group of barns now converted into dwellings, and north-west of Seafield Farm (house). Whilst originally occupied by farm buildings the site has been cleared and the front boundary formed by heras fencing.
- 2.2 There are drains running to the west and north of the site which is accessed via Gull Lane a single track unclassified road. The western boundary features established landscaping as does the northern boundary.
- 2.3 The site faces the rear aspects/gardens/parking of Nos 1, 2 and 3 Seafield Barns which have low level boundary treatments/gates and these properties are separated from the site by a continuation of the Gull Lane access as a private drive serving these properties and the rear of Seafield Farmhouse which is separated from the site by high-level close boarded fencing and double access gates where the access terminates.

3 PROPOSAL

- 3.1 This application seeks full planning permission for the erection of 3 detached dwellings. Plot 1, the most westerly plot, is sited adjacent the existing site boundary and will share a driveway and garaging with Plot 2.

- 3.2 Plot 3 will be sited on the most easterly plot of the application site and will benefit from a detached double garage which will be sited to the rear of the plot access via a driveway which extends almost the full depth of the plot.
- 3.3 The application does not specify materials or boundary treatments although landscaping and surface finishes have been detailed.

Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

F/YR17/0360/F	Erection of 3 x 2-storey 3-bed dwellings with associated double garages	Granted 19/06/2017
F/YR16/0796/F	Erection of 3 x 2-storey 3-bed dwellings with associated car ports	Granted 24/01/2017
F/YR14/0928/O	Erection of 3 x dwellings	Refused 05/06/2015 Allowed on appeal

5 CONSULTATIONS

5.1 Parish Council

This is a narrow lane and this proposal would constitute over development.

5.2 Environment Agency

No objection to the proposed development but makes comments regarding the sequential test. Following review of the Flood Risk Assessment note that they *'have no objection to the proposed development but strongly recommend that the mitigation measures detailed in the submitted Flood Risk Assessment (FRA) undertaken by Geoff Beel Consultancy (ref: GCB/Swann Edwards, dated: March 2019) are adhered to.'* Offer advice regarding Flood Resilient Measures, Flood Warning and Foul Drainage

5.3 North Level Drainage Board

No objection in principle of the application however the NLDB Gull Drain forms the western boundary of the site and therefore the Board's byelaws apply.

5.4 Arboricultural Officer (FDC)

Grant: the submitted proposal requires the removal of one tree to provide space for the development. I have no objection to this proposal given the additional replanting noted by the architects. The proximity of works to the retained trees will require protection in place but this can be dealt with by condition.

5.5 Cambridgeshire County Council Highways Authority: No highway objections subject to conditions relative to planning consent F/YR17/0360/F being imposed.

5.6 Environment & Health Services (FDC): No objections to the proposal as it is unlikely to have any detrimental effect on air quality or the noise climate. However, as I am unable to ascertain the exact history of site use, and given its location close to agricultural practices [...] request that the unsuspected contamination condition is attached to any planning consent granted:

5.7 **Local Residents/Interested Parties:** None received

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

7.1 National Planning Policy Framework (NPPF)

Paragraph 2: Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise
Paragraph 10 - Presumption in favour of sustainable development.

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

Para. 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise

Paragraph 127(f) - create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.2 National Planning Practice Guidance (NPPG)

7.3 Fenland Local Plan 2014

LP12 - Rural Areas Development Policy

LP15 - Facilitating the creation of a more sustainable transport network in Fenland

LP16 - Delivering and Protecting High Quality Environments across the District

KEY ISSUES

- **Principle of Development**
- **Character and design**
- **Residential amenity**
- **Other matters**

8 BACKGROUND

8.1 Originally in 2015 Officers recommended refusal of the erection of 3-dwellings on this site on the grounds of flood risk and on the basis that the site did not adjoin the developed footprint of the settlement and was therefore unsustainable development in the open countryside. This recommendation was endorsed by the Planning Committee and the scheme was refused. Subsequent to this the applicants submitted an appeal to the Planning Inspectorate, the Inspector was 'not convinced that there [were] lower risk sites for the development proposed' and concluded that the sequential test was met, going on to also accept that the wider scheme delivery (barn conversion) enabled the scheme to pass the exception test. On the matter of Policy LP12 compliance the Inspector also considered on balance that the site was adjacent to the village and would not cause unacceptable detriment to the character or appearance of the settlement or the surrounding

countryside and farmland. It was against this backdrop that the Inspector allowed the appeal.

- 8.2 Subsequent to this the applicant submitted a full planning application. The change in application type resulted from revisions to the access road and turning provision. These elements were originally committed (and conditioned) under the original outline approval and as such could not be varied as part of the submission of reserved matters, however clearly the outline planning approval was a material consideration that had to be given significant weight and the scheme was granted.
- 8.3 Following on from the approval referred to above revised proposals were submitted for the site, the details of this scheme largely followed the earlier 2017 approval albeit the properties which were previously delivered as a terrace whilst retaining the same overall design were to be delivered as a pair of semi-detached dwellings (Plots 7 & 8) and a detached dwelling (Plot 6).
- 9.4 The latest permission on the site F/YR17/0360/F is extant as the 3-year time frame for delivery does not expire until 18th June 2020.

10 ASSESSMENT

Principle of Development

- 10.1 The principle of development is clearly established by virtue of the earlier appeal decision and subsequent approvals; accordingly this aspect may not be revisited. Similarly matters of flood risk, the sequential test and highway considerations have also been previously accepted and the principle of delivering 3 dwellings on this site is accepted.
- 10.2 It is however necessary to evaluate the impacts of the development in terms of the ramifications of the amended design, layout and scale of development in accordance with Policies LP12 and LP16.
- 10.3 The comments of the Parish Council are noted in respect of overdevelopment and access, however against the backdrop of the earlier approvals and given that 'amount' of development remains as 3 x 3-bedroom dwellings there could be no grounds to withhold consent on this basis.

Character and design

- 10.3 The original approval proposed 3 x 3 bedroom houses delivered as a terrace with the most westerly dwelling having an eaves height of 4 metres and a ridge height of 6.75 metres, with the central and easterly dwelling having an eaves height of 4.65 metres and a ridge height of 7.25 metres. The lower dwelling had a frontage of 8 metres with the two higher dwellings each having a width of 6 metres and a depth of 11 metres. The dwellings were of simple cottage style appearance.
- 10.4 The second proposal for the site replicated the dwellings in terms of scale and design however the most westerly dwelling was detached from the terrace to form a development comprising 1 x detached unit and 2 x semi-detached units; with each property having detached double garages rather than the previously proposed car ports.
- 10.5 The latest scheme again proposes 3 x 3-bed dwellings however these are now of different design. Plots 1 and 2 will share a drive and garage block and plot 3 will

have a separate double garage. To accommodate the change in layout the most westerly plot will move closer to the western boundary of the site. The overall ridge height of the dwellings is now detailed as being 7.35 metres with an eaves height of 4.4 metres. The dwellings will each have a frontage width of 9.2 metres and an increased maximum depth of circa 14 metres (excluding porches). The dwellings on Plot 2 and 3 will be handed and will feature dormer windows and chimneys with the dwelling of Plot 1 having been amended following negotiation to feature more simple 'cat slide' dormer windows. As this dwelling will be more prominent when viewed from the access and will not be absorbed in the background of the existing converted barn complex a more simple detailing was considered necessary in design terms.

- 10.6 The principle and amount of development has been accepted in this location and whilst the changes proposed to the scheme are less desirable from a design and aesthetic stand point they are not so significant in the context of the approved scheme and the locality to warrant refusal of the scheme; similarly the changes in scale in terms of footprint and height are not so significant as to render the scheme unacceptable.
- 10.7 Based on the above evaluation and mindful of the planning history of the site there are no grounds to withhold consent on character and visual amenity terms.

Residential amenity

- 10.8 The original outline approval set the context for the development of the site and subsequent approvals noted that there would be some overlooking of private amenity areas as a consequence of developing the land to the rear of the barn complex, however it is acknowledged that such 'courtyard' style developments often promote 'community living' with shared areas and mutual surveillance. It is noted that the illustrative plan submitted with the outline application showed a separation distance wall-to-wall of circa 17 metres.
- 10.9 Separation distances of 17 - 23 metres are achieved between the front elevations of the proposed dwellings and the rear elevations of the barn conversion complex. As such the status quo is largely maintained. Indeed it could be argued that any impacts of the scheme are lessened as a result of the relocation westwards of the dwelling at Plot 1, away from Barn 1, with its principal views being along shared access road.
- 10.10 Adequate levels of amenity space are also maintained to serve the individual plots, these being commensurate with the minimum standards outlined in Policy LP16. Parking provision which exceeds the minimum parking standards is also accommodated to serve the individual units.
- 10.11 The amended scheme now proposed raises no issues with regard to residential amenity and therefore on balance achieves compliance with LP16 of the FLP (2014).

Other matters

- 10.12 Conditions imposed in respect of the earlier approvals remain relevant to this scheme and these are carried forward below as part of the recommendations. It should be noted that the LHA have recommended adherence to the previously agreed highway details however these are not captured in the current scheme proposal/drawings. The agent has been alerted to this and has been asked to

either provide these details, along with details of the tree protection methods to be employed on site, or to accept the conditions highlighted at 12 (3), (4) and (6) below .

- 10.13 From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018). The applicant has been consulted on the proposed pre-commencement condition relating to tree protection and has indicated their acceptance of the same; accordingly the requirements of Section 100ZA(5) are satisfied.

11 CONCLUSIONS

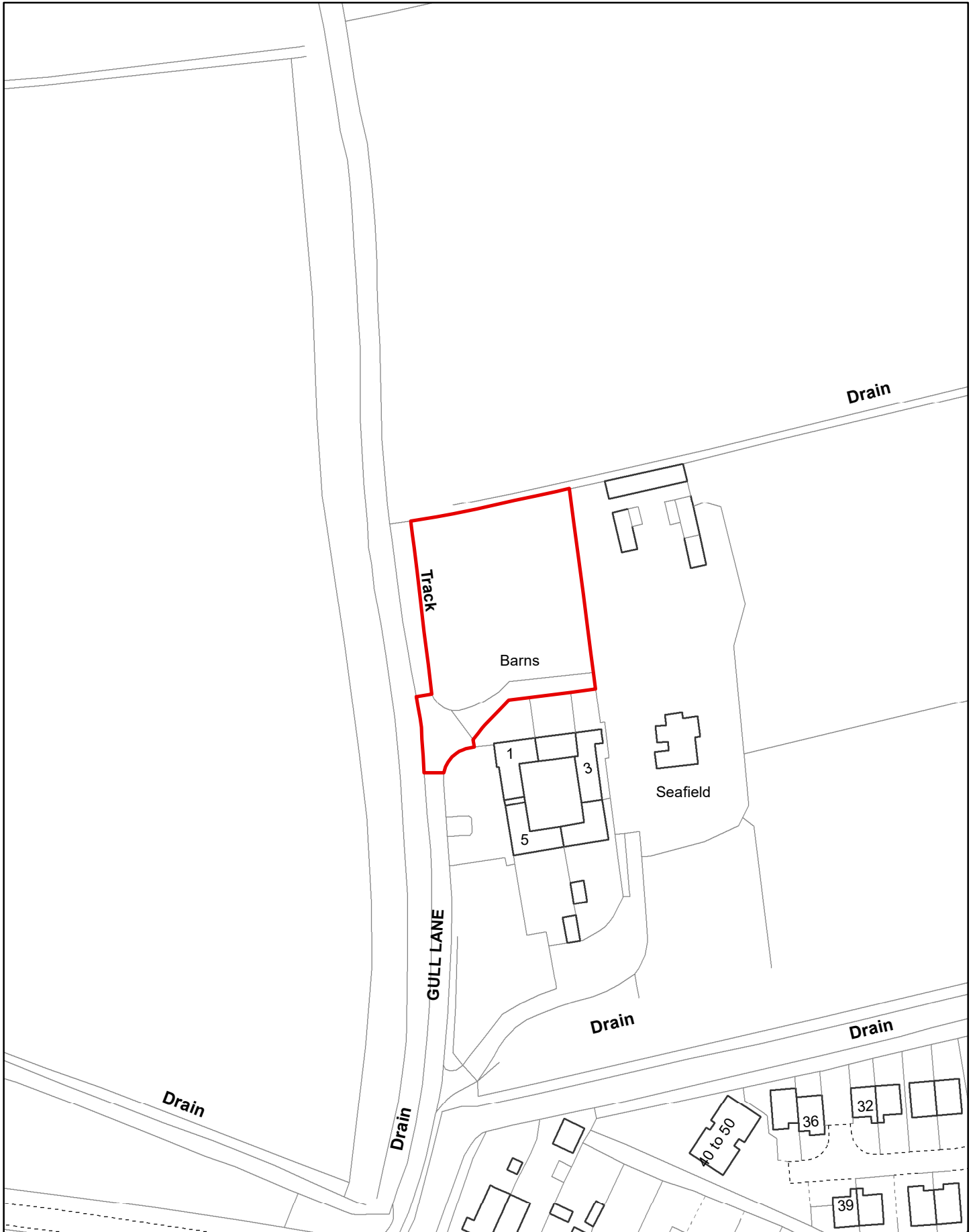
- 11.1 This proposal represents an alternative scheme proposal for a site that has an extant consent in place for a 'similar' amount of development, albeit of a different design and layout. As the principle of development has been previously established following a Planning Inspectorate decision there would be no grounds to withhold consent on the grounds of overdevelopment or access, as suggested by the Parish Council.
- 11.2 As principle and technical details have been addressed on the earlier approvals relating to the site it is only character, design and residential amenity that require evaluation in accordance with Policies LP2, LP12 and LP16. It is considered that the scheme raises no issues in respect of these matters and as such a recommendation for approval is forthcoming.

12 RECOMMENDATION: Grant

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>If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the 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 ensure that the development complies with approved details in the interests of the protection of human health and the environment.</p>
3	<p>Prior to first occupation of any of the dwellings hereby approved a turning head and passing bay along Gull Lane shall be provided in accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development.</p> <p>Reason: In the interest of satisfactory access and to ensure compliance with Policies LP16 and LP15 of the Fenland Local Plan, adopted May 2014.</p>
4	<p>The access shall be constructed, prior to the first occupation of any of the dwellings hereby approved, with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a</p>

	<p>scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development.</p> <p>Reason - In the interests of highway safety and to ensure compliance with Policies LP16 and LP15 of the Fenland Local Plan, adopted May 2014.</p>
5	<p>Prior to the first occupation of the development the proposed on-site parking/turning shall be laid out in accordance with the approved plans and thereafter retained for that specific use.</p> <p>Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety and to ensure compliance with Policies LP16 and LP15 of the Fenland Local Plan, adopted May 2014.</p>
6	<p>Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected with accordance with a scheme to be submitted to and approved by the Local Planning Authority prior to the commencement of development. The scheme shall be adhered to until the completion of the development for Building Regulations purposes.</p> <p>Reason - To ensure that retained trees are adequately protected in accordance with Policies LP16 and LP19 of the Fenland Local Plan, adopted May 2014.</p>
7	<p>Prior to the construction of the external walls of the development hereby approved full details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.</p> <p>Reason - To safeguard the visual amenities of the area and ensure compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
8	<p>The development shall be undertaken strictly in accordance with the submitted Flood Risk Assessment (FRA) GCB/SWANN EDWARDS (MARCH 2019) and its recommendations fully adhered to.</p> <p>Reason - In the interests of flood mitigation and safety and to ensure compliance with Policies LP14 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
9	Approved Plans



Created on: 13/05/2019

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F/YR19/0362/F

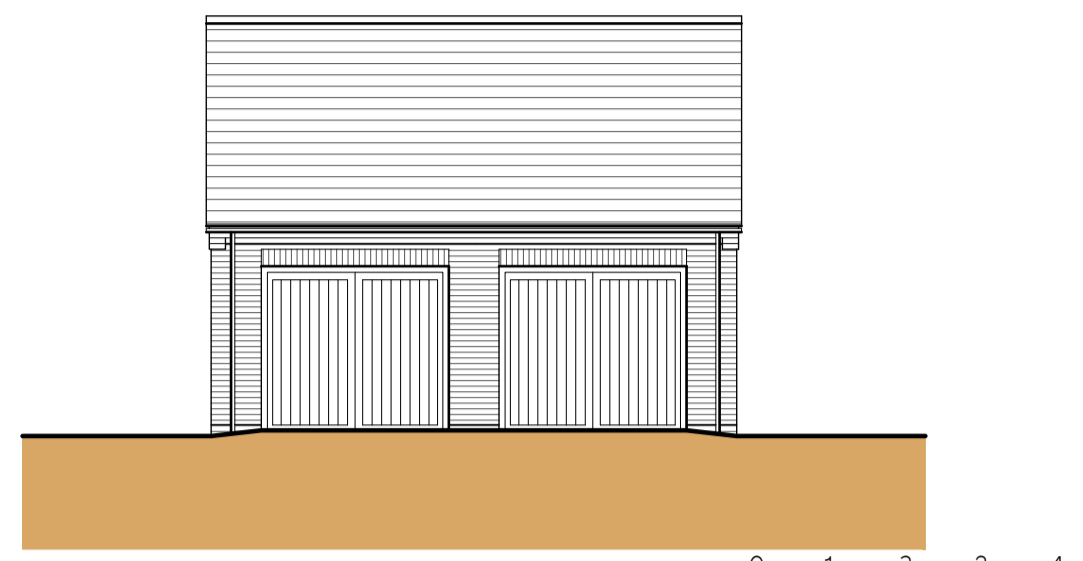
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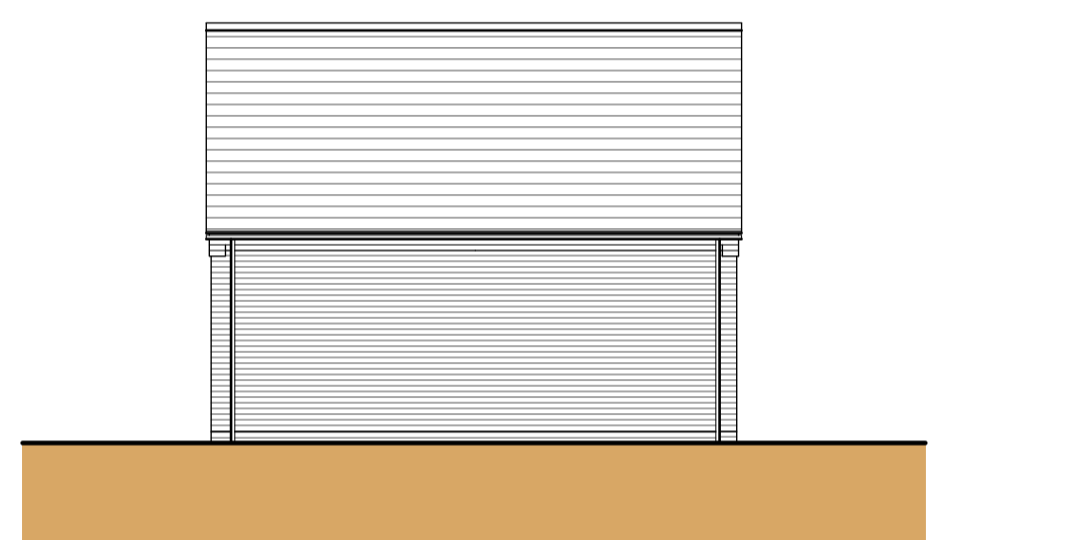
Plot 1 & 2



Front Elevation
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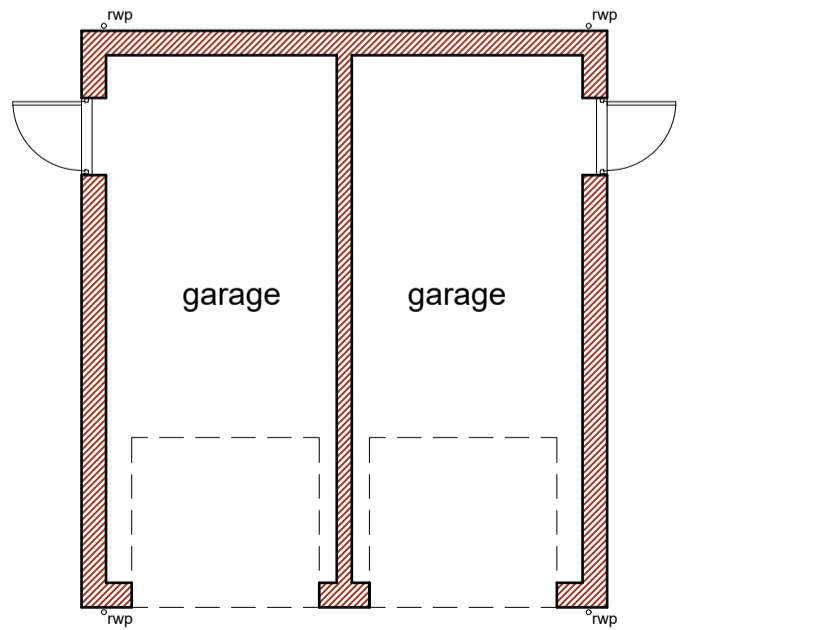
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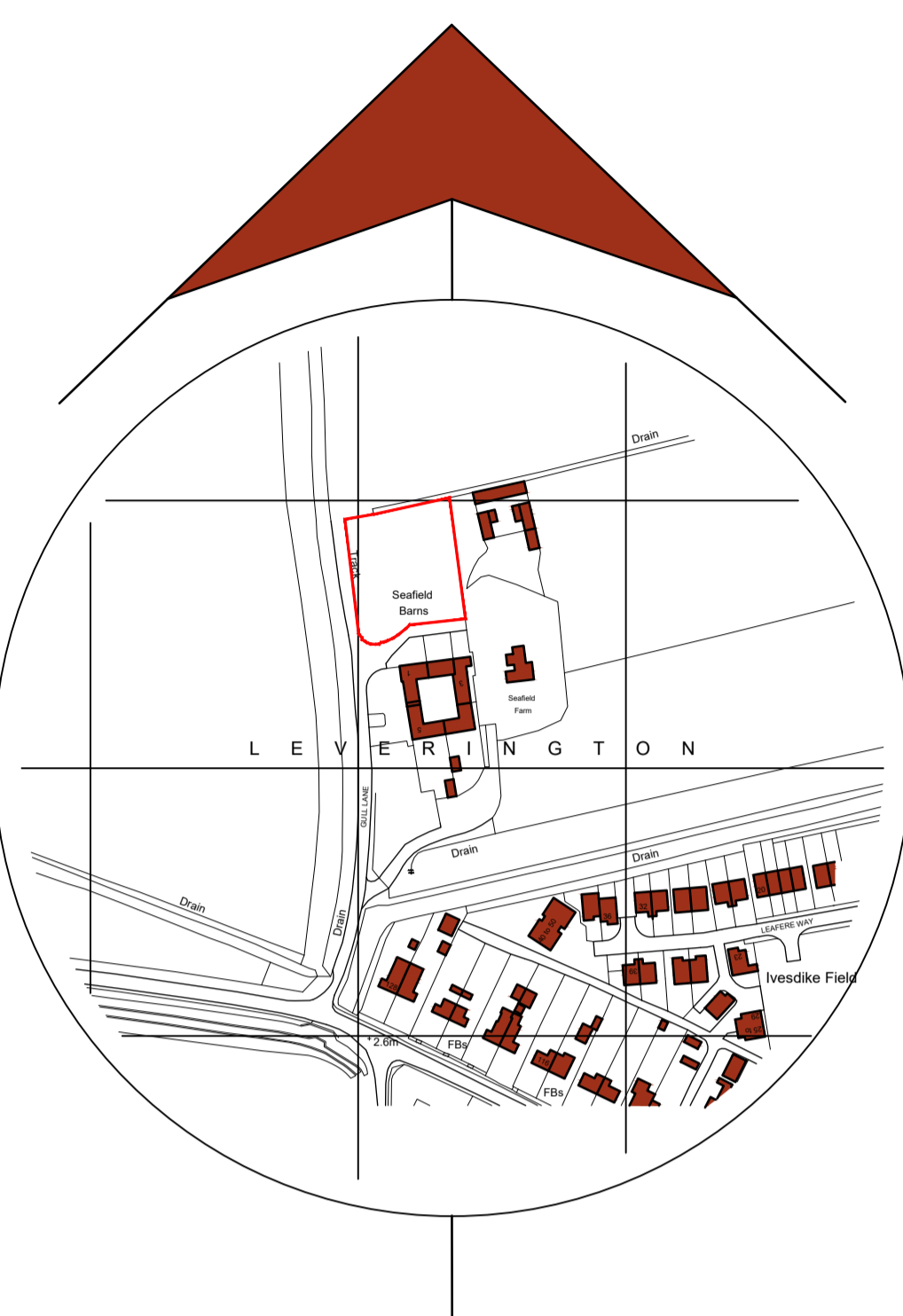
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Side Elevation
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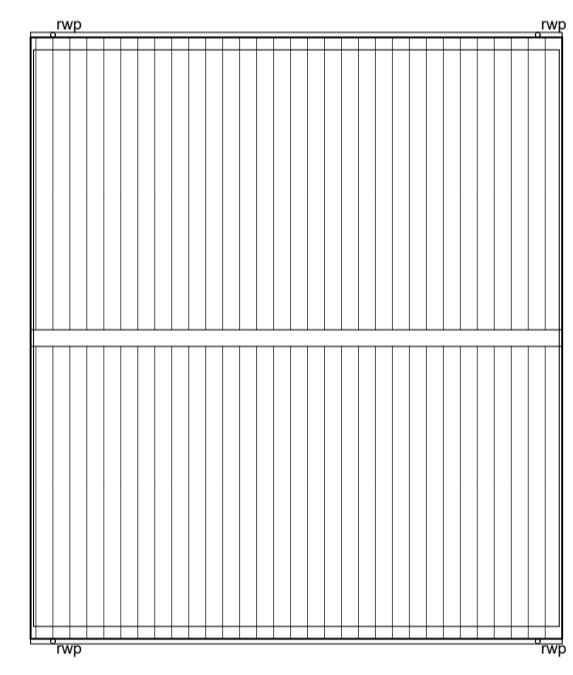


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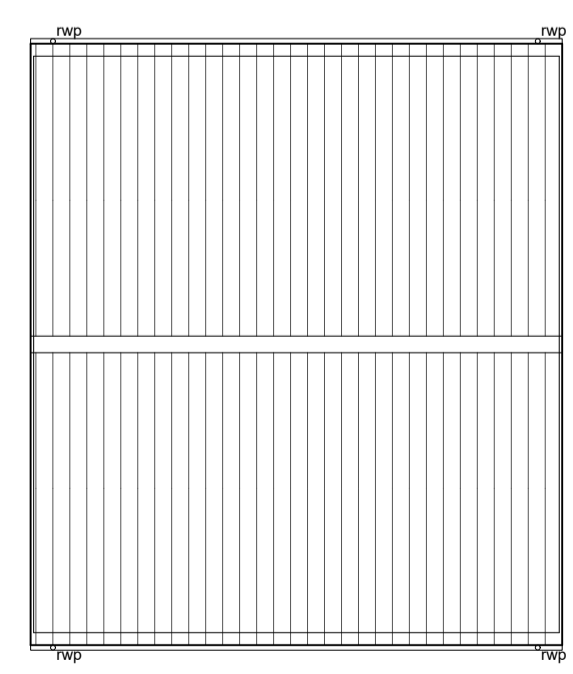
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Plot 1 & 2



Roof Plan
Scale: 1:100

Plot 3

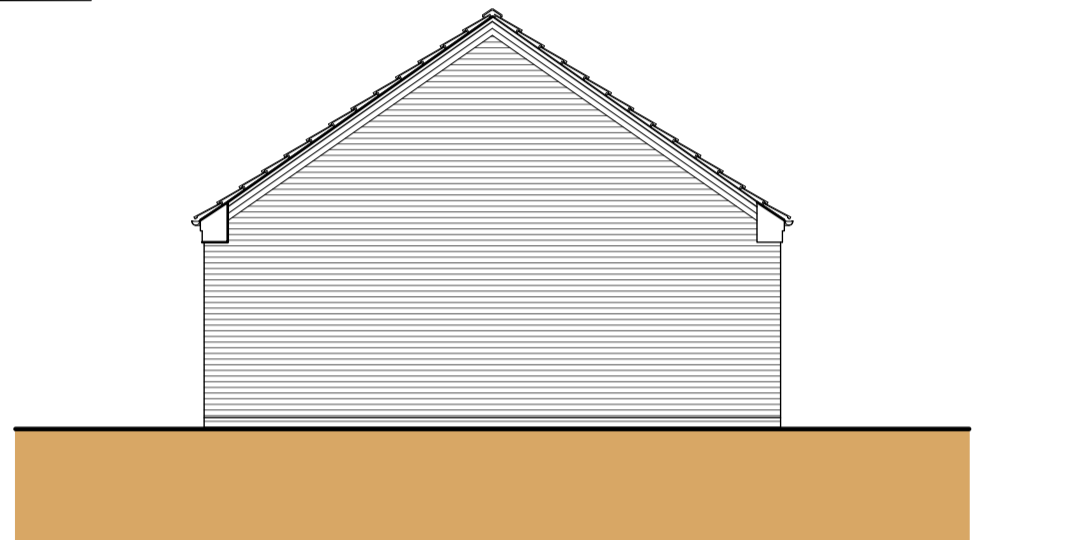


Roof Plan
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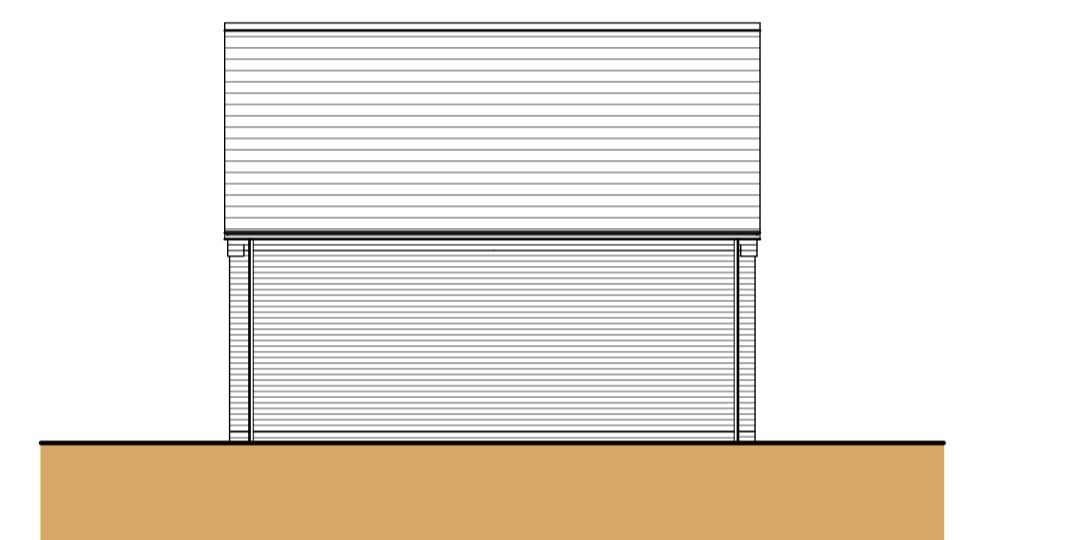
Plot 3



Front Elevation
Scale: 1:100



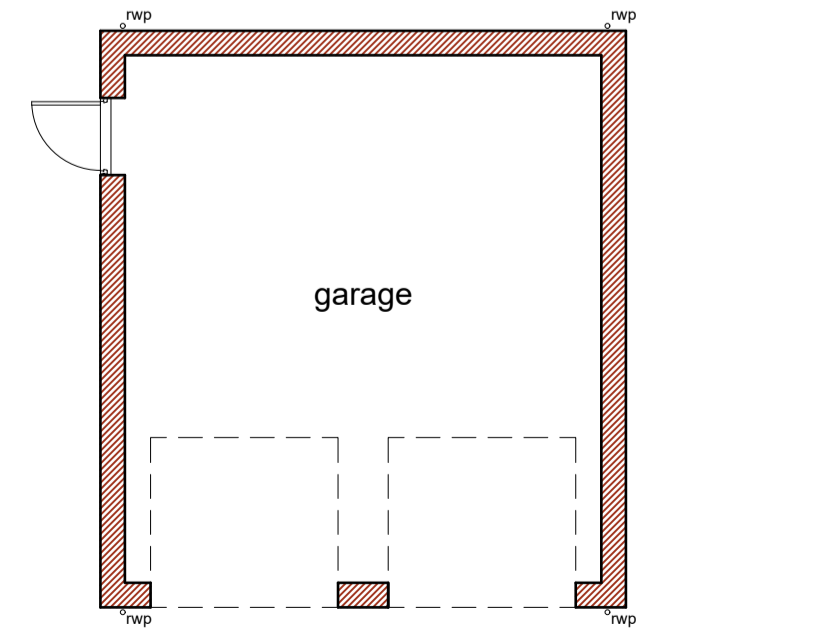
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Rear Elevation
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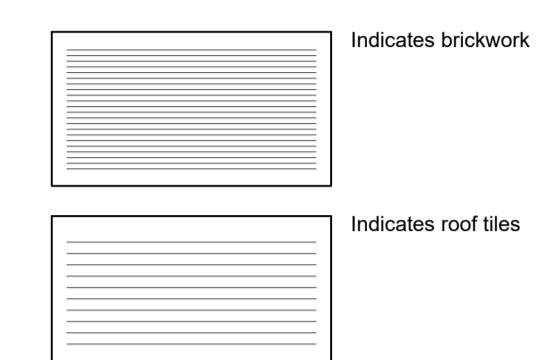
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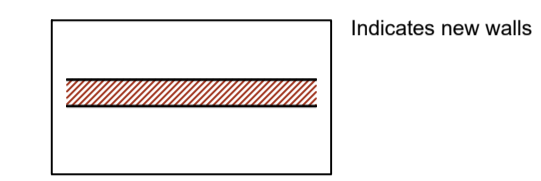
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- General Notes
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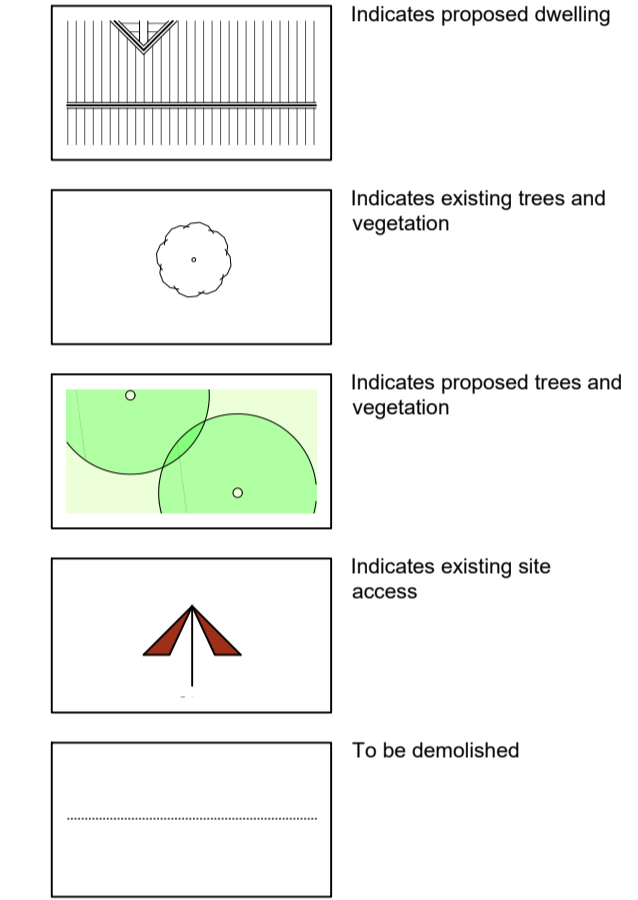
ELEVATION KEY



WALL KEY



SITE PLAN KEY



Revisions		
B	May 2019	Highways Revision
C	June 2019	Plot 1 - Amendments Velux and Catslide Dormers Added

Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

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

Job Title	Date	Scale
Proposed 3No. Dwellings	January 2019	As Shown
Gull Lane, Leverington, Wisbech, Cambs		Sheet Size A1
For: Mr P Gumbley		
Drawing Title	Job No.	Drawn by
Plans, Elevations, Site Plan and Location Plan	SE-1039	JRB
	Dwg No.	Revision
	PP1000	C

Plot 1

- General Notes**
1. This drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are shown in "mm" unless otherwise stated.
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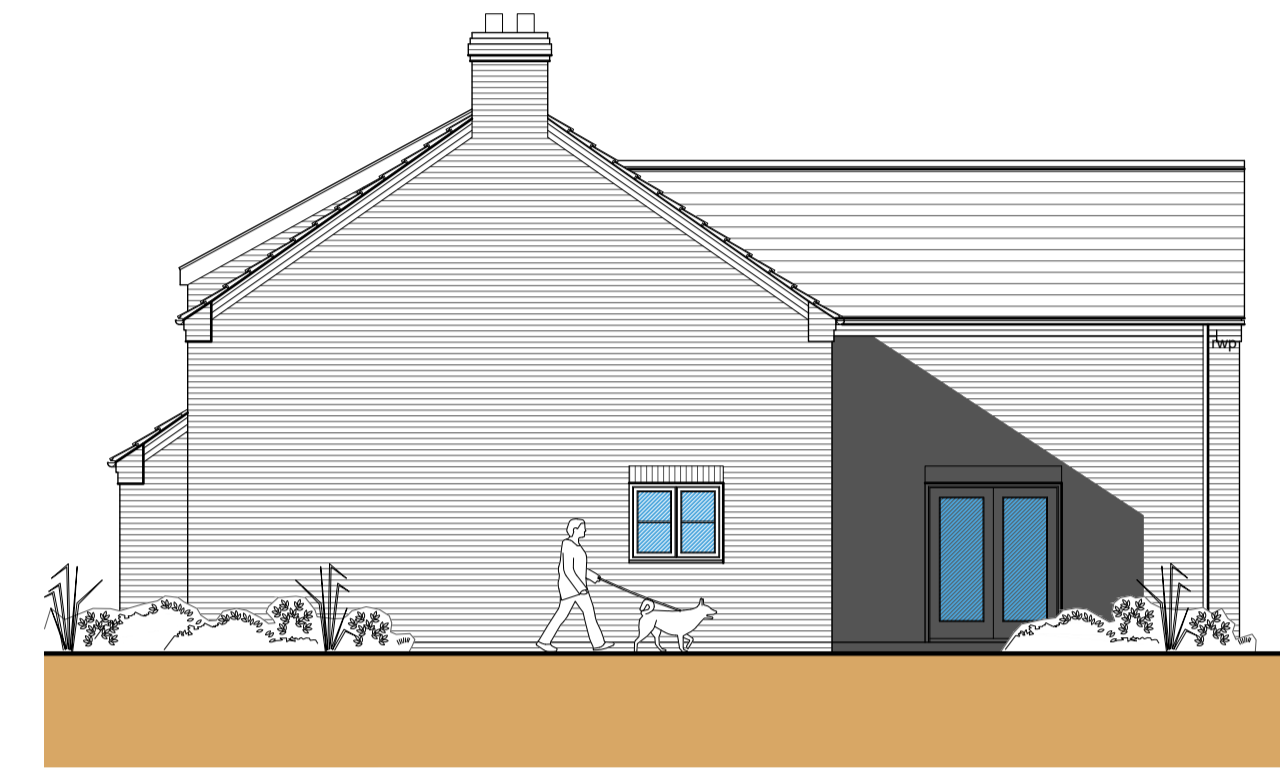
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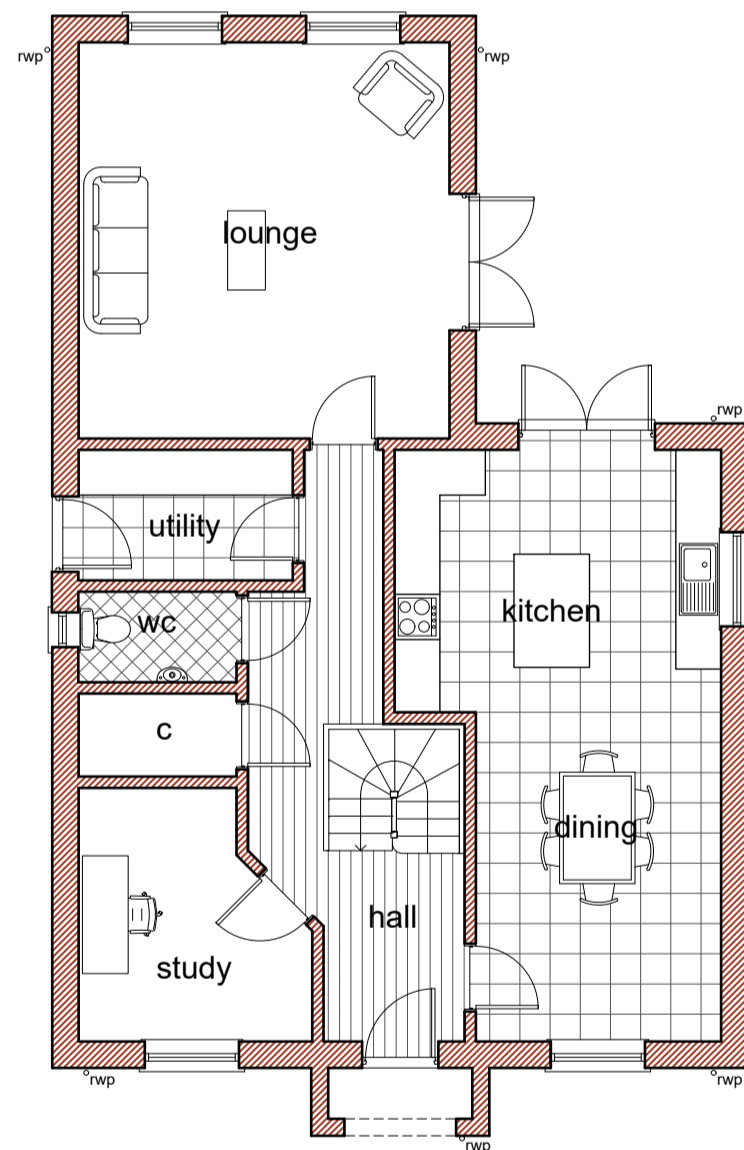
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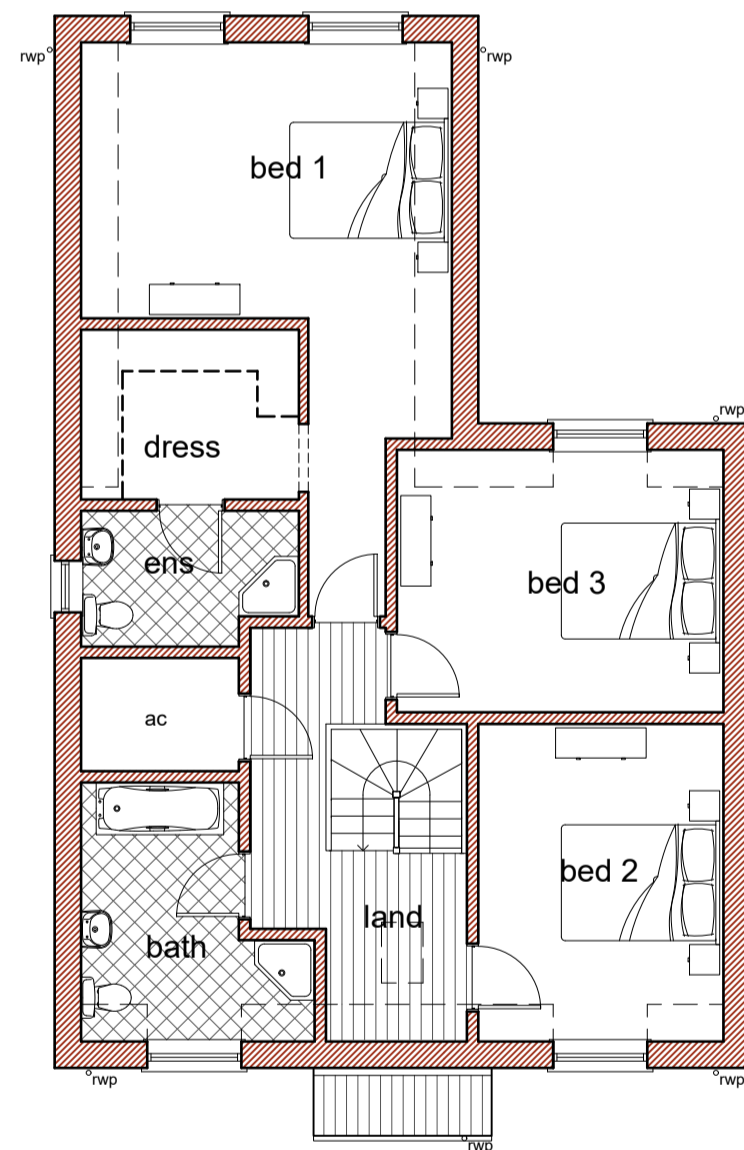
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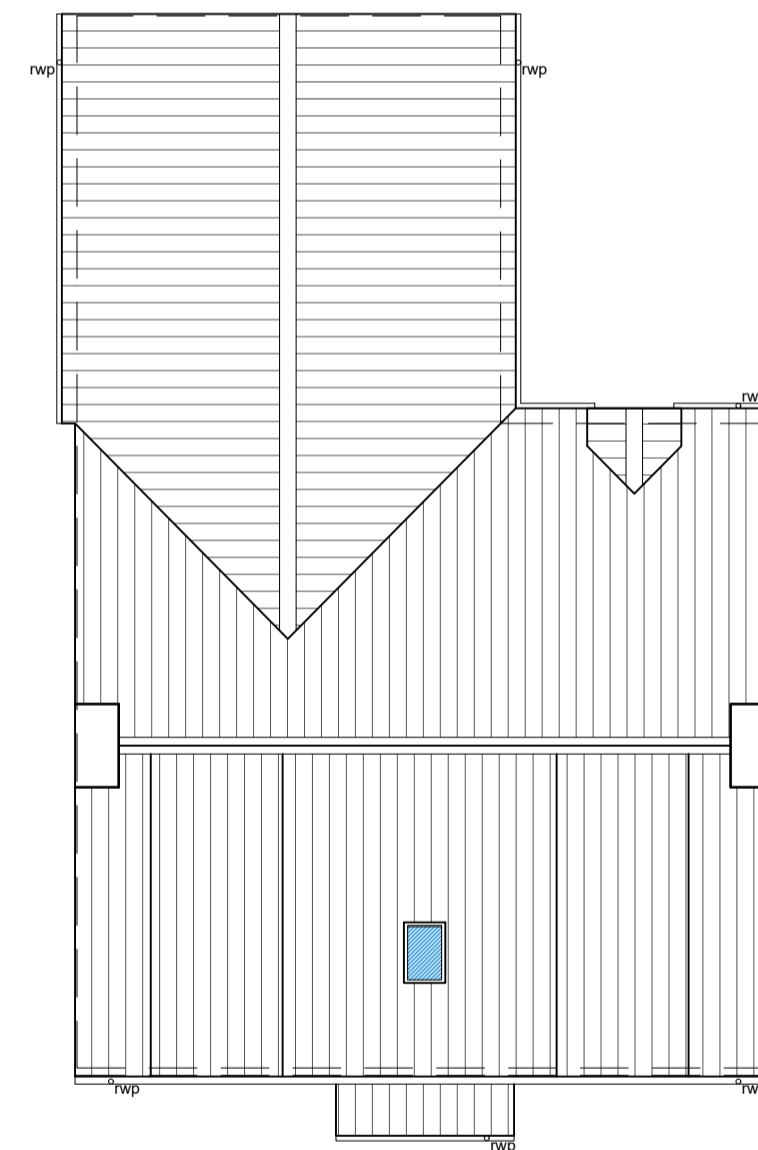
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Ground Floor Plan
Scale: 1:100

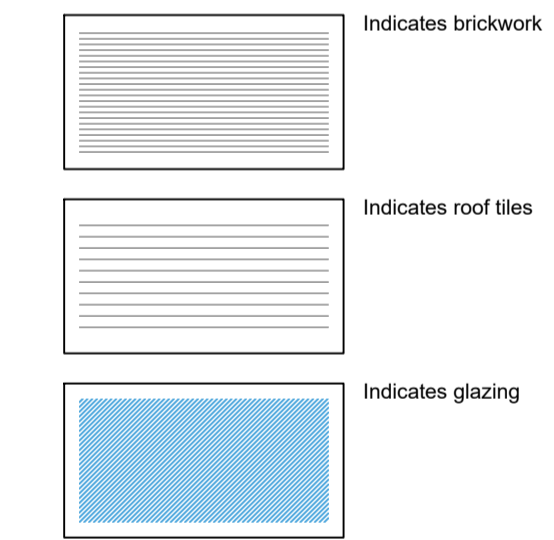


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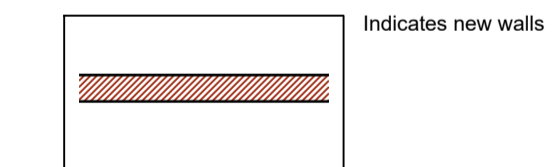


Roof Plan
Scale: 1:100

ELEVATION KEY



WALL KEY



Revisions		
A	April 2019	Kitchen Window Added
B	May 2019	Elevation Titles Revised
C	June 2019	Amendments Velux and Catslide Dormers Added

Status
FOR APPROVAL

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t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title Proposed 3No. Dwellings Gull Lane, Leverington, Wisbech, Cambs For: Mr P Gumbley	Date January 2019	Scale As Shown Sheet Size A1
Drawing Title Planning Drawing Plans and Elevations	Job No. SE-1039	Drawn by JRB
	Dwg No. PP1001	Revision C

Plot 2

- General Notes
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 2. All dimensions are shown in "mm" unless otherwise stated.
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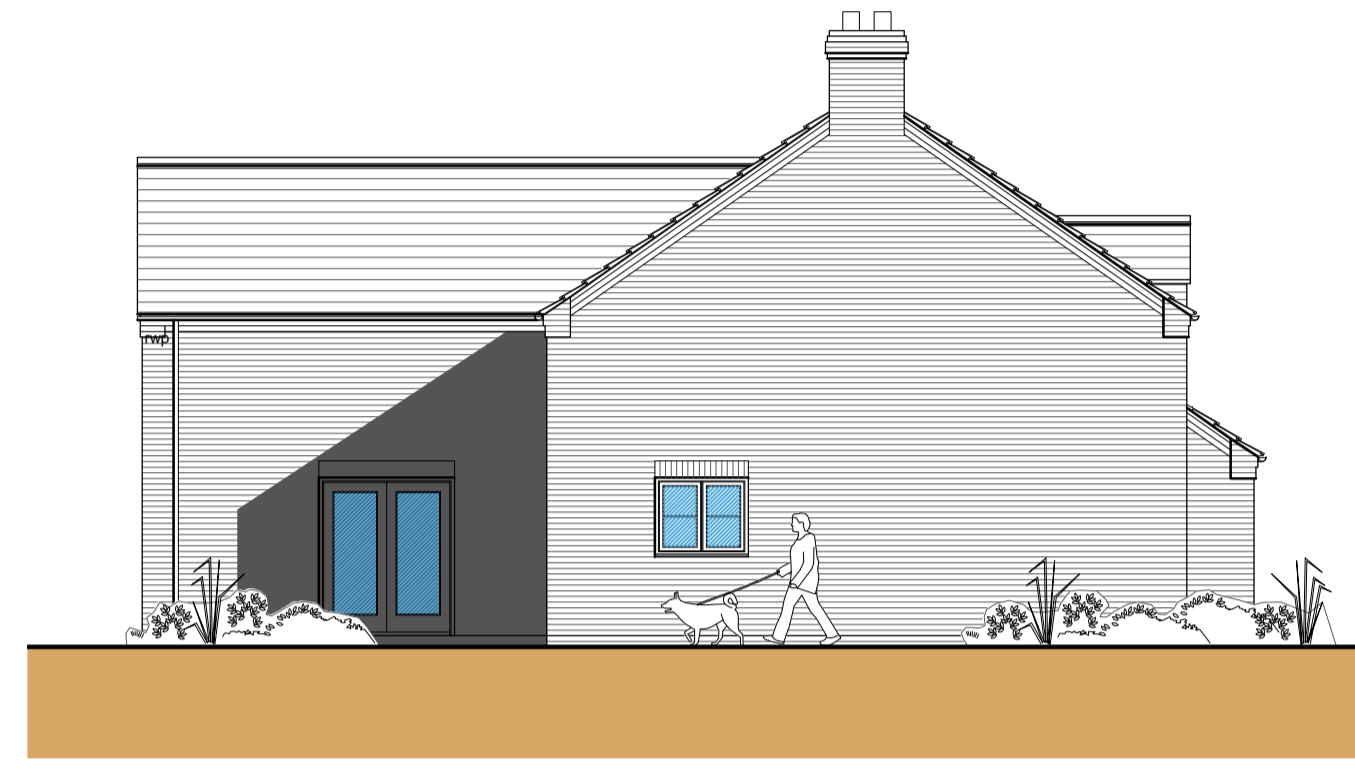
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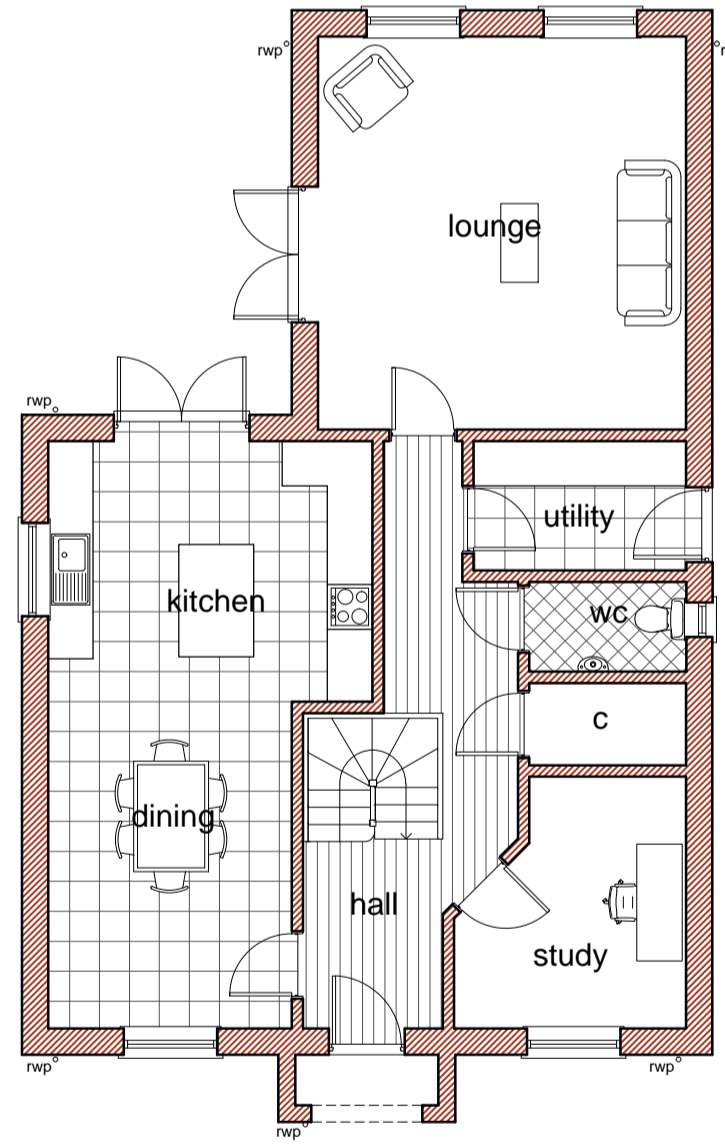
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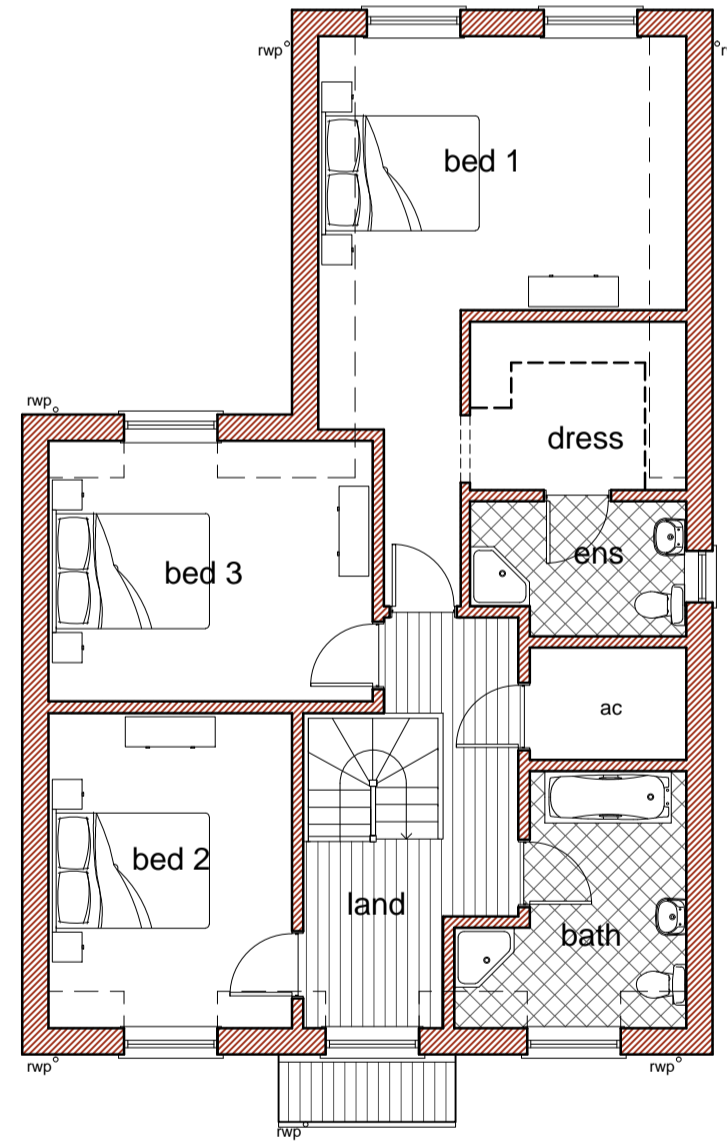
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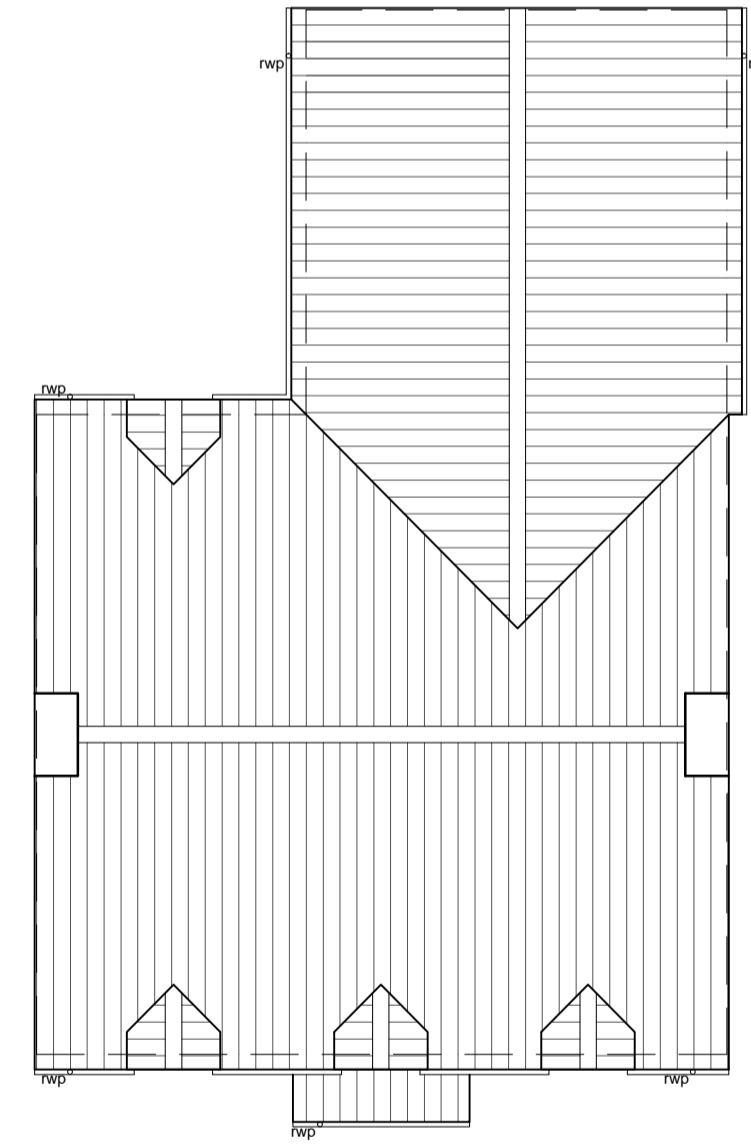
Side Elevation (W) Scale: 1:100



Ground Floor Plan Scale: 1:100

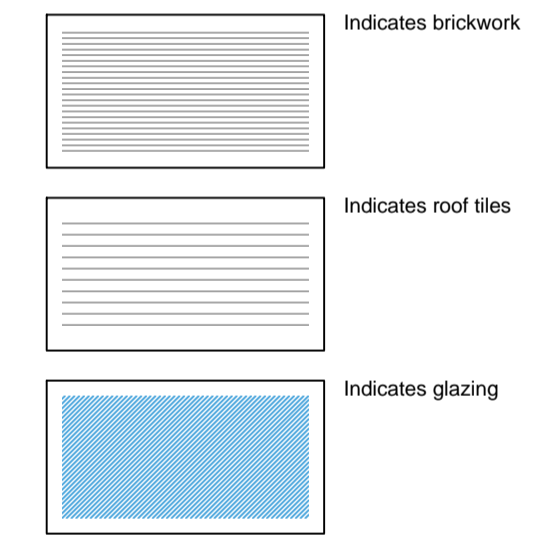


First Floor Plan Scale: 1:100

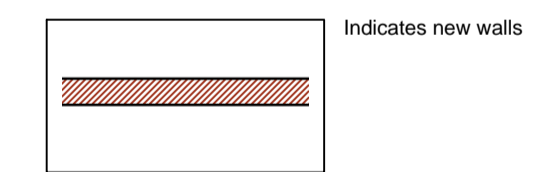


Roof Plan Scale: 1:100

ELEVATION KEY



WALL KEY



Revisions		
A	April 2019	Kitchen Window Added

Status
FOR APPROVAL

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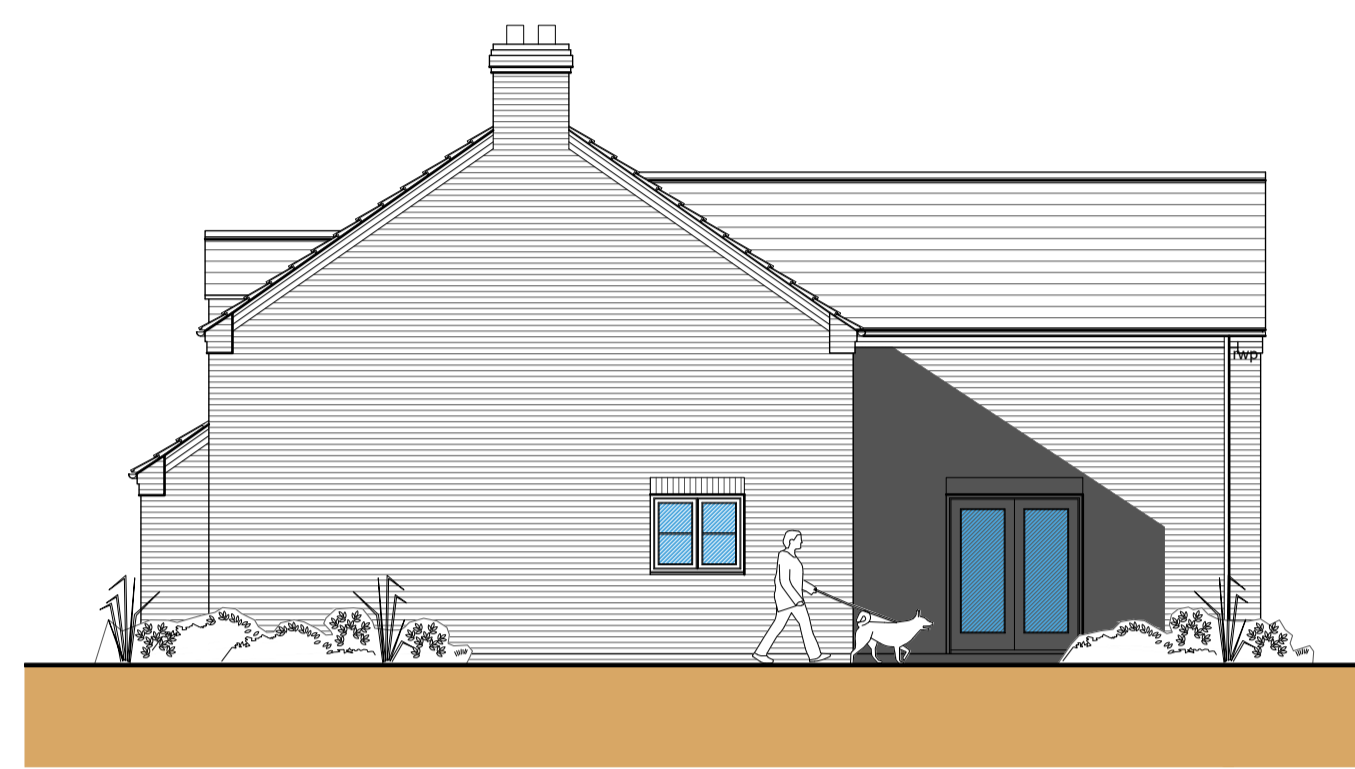
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Drawing Title Planning Drawing Plans and Elevations	Job No. SE-1039	Drawn by JRB
Dwg No. PP1002	Revision A	

Plot 3

General Notes
 1. This drawing shall not be scaled, figured dimensions only to be used.
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Front Elevation (S) Scale: 1:100



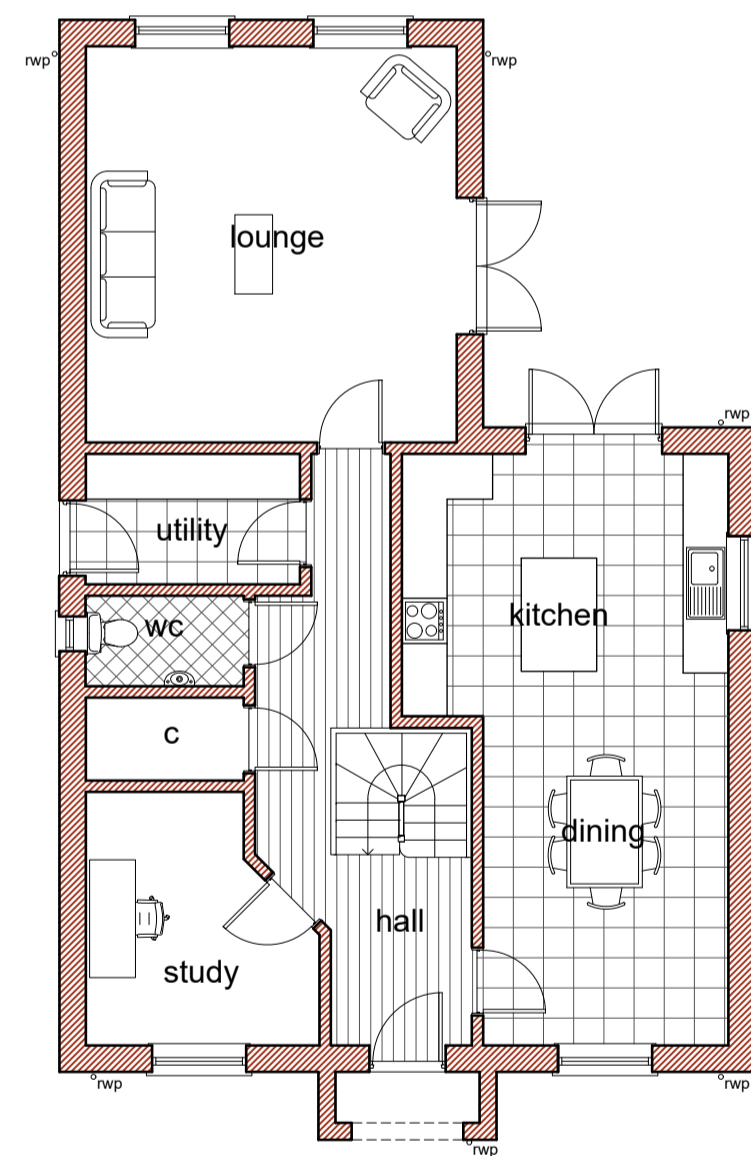
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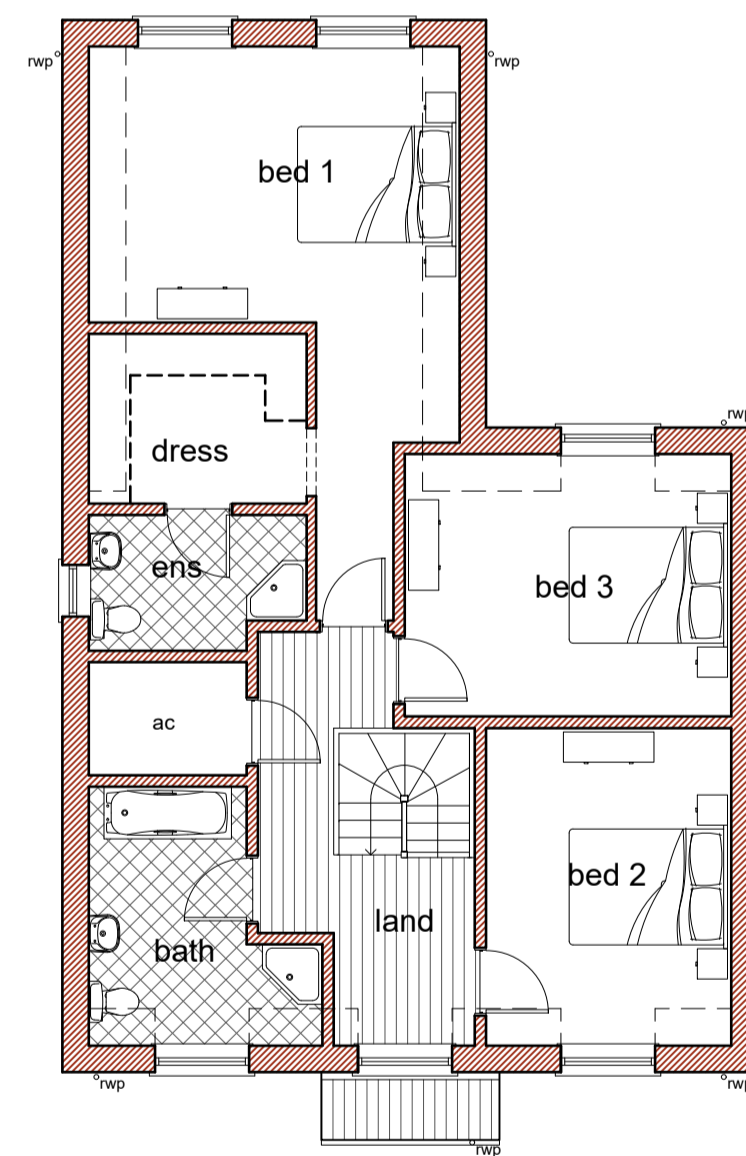
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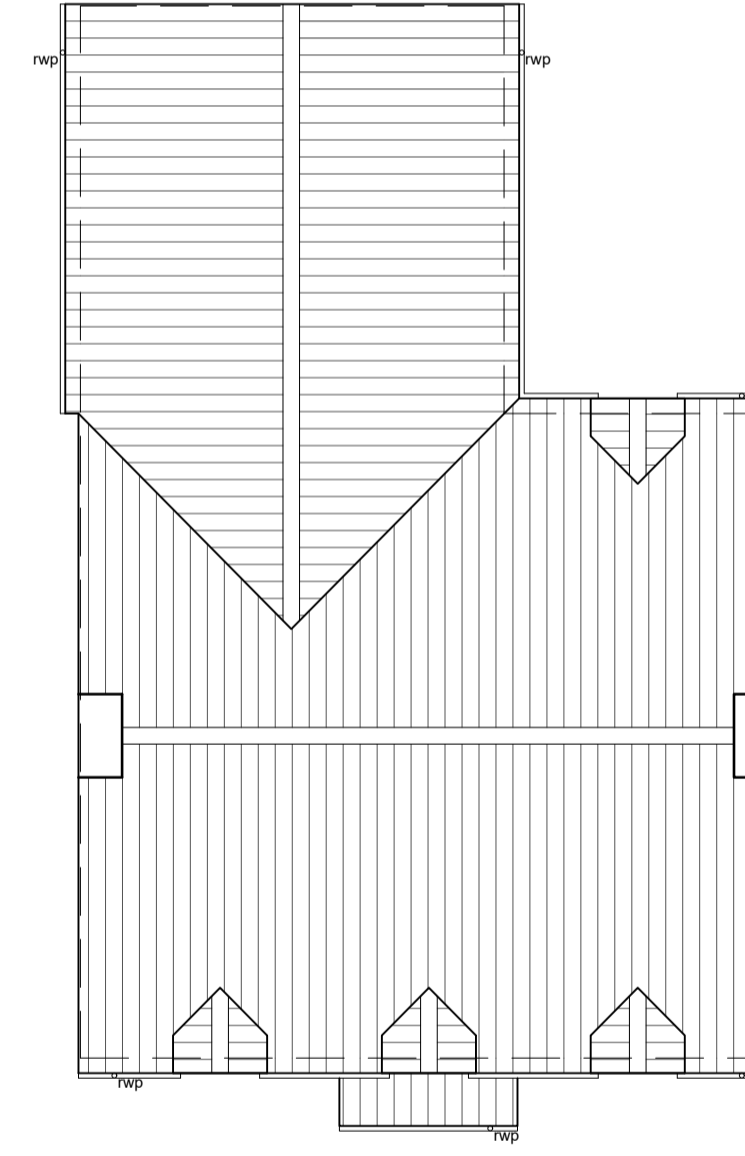
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Ground Floor Plan Scale: 1:100

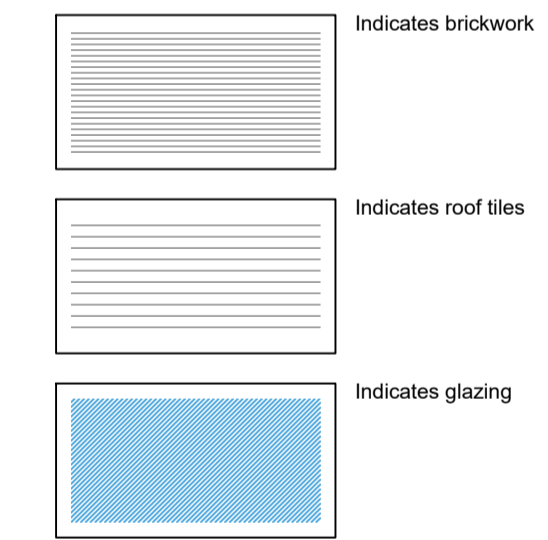


First Floor Plan Scale: 1:100

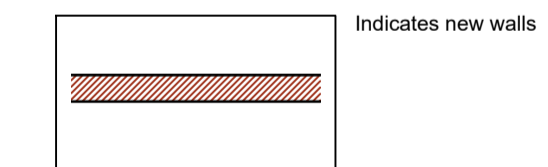


Roof Plan Scale: 1:100

ELEVATION KEY



WALL KEY



Status
FOR APPROVAL

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 Guyhirn, Wisbech, Cambs. PE13 4AA
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Job Title Proposed 3No. Dwellings Gull Lane, Leverington, Wisbech, Cambs For: Mr P Gumbley	Date June 2019	Scale As Shown Sheet Size A1
Drawing Title Planning Drawing Plans and Elevations	Job No. SE-1039	Drawn by M.N.
	Dwg No. PP1003	Revision

F/YR19/0447/F

Applicant: Mr Shippen

Agent : None

19 Richards Close, March, Cambridgeshire, PE15 8UH

Erection of a 1.05 metre high brick wall to front boundary

Reason for Committee: The number of representations received contrary to Officer recommendation.

1 EXECUTIVE SUMMARY

The application seeks full planning permission to erect a 1.05m high brick wall to the front boundary of the site at 19 Richards Close, March.

The location of the wall is proposed to be set back approximately 7.6m from the main highway at its nearest point and approximately 5m in length. Combined with its height, the proposal will not create a substantial negative impact to the appearance of the estate, nor is the proposal deemed to cause significant harm to the character of the area.

It is deemed that the construction of a wall of these proportions, at the location specified, would not cause an obstruction or safety implication to users of the highways.

The below assessment deems the proposal to be compliant with the relevant policies within the Fenland Local Plan (subject to necessary conditions) and as such the recommendation is to grant the application.

2 SITE DESCRIPTION

- 2.1. The property is a detached bungalow constructed of buff brick with a red pantile roof. It is a corner plot, located on the junction between Richards Close and a private road leading to several further bungalows. The site has a paved driveway with a detached single garage at its south-eastern corner constructed of buff brick with a red pantile roof.
- 2.2. The overall development around Richards Close consists of several similarly styled bungalows with components of hard and soft landscaping around the properties.
- 2.3. There is a small patch of grass (approximately 0.9m by 5m) that runs the length of the paved driveway of No 19 and the adjacent private road to which this application refers.

3 PROPOSAL

- 3.1. The applicant seeks full planning permission to construct a 1.05m high brick wall with coping stones along the aforementioned patch of grass to provide a distinct site boundary between the driveway of No 19 and the private road.
- 3.2. Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

F/94/0882/F	Erection of 17 x 2-bed detached bungalows and 4 x 2-bed semi-detached bungalows with garages Land Between Elliot Road And, West End, March, Cambridgesh	Approved	26/06/1995
F/93/0867/F	Erection of 21 x 2-bed bungalows with garages Land Between Elliot Road And, West End, March, Cambridgesh	Approved	20/02/1995
F/1256/89/O	Erection of 8 x 1-bed cottages 7 x 2-bed terraced houses 16 x 2-bed semi-detached houses & 2 x 3-bed detached houses (Reserved Matters relating to siting of buildings and means of access committed at this stage) Land Between Elliott Road And West End March Cambridgesh	Granted	23/04/1992
F/0351/88/F	Erection of 7 houses with integral garages & 4 detached double garages together with layout of estate road & sewers Land between Elliott Road and West End, March	Granted	21/10/1988
F/0373/86/O	Residential development (No. 78 West End to be demolished) Land between Elliott Road and West End, March	Granted	18/12/1986

5 CONSULTATIONS

- 5.1. **March Town Council** – Recommend Approval
- 5.2. **Local Residents/Interested Parties**

Objectors

- 5.2.1. Six letters of objection have been received in relation to the proposal, stating that the proposal is out of character, not in keeping with the 'open plan' nature of the estate and raising concerns over the restriction of access to the private roadway.

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

7.1. National Planning Policy Framework (NPPF)

Paragraph 11 – decisions should accord with the development plan

Paragraph 91 – promoting healthy and safe communities

Paragraph 124 – good design is a key aspect of sustainable development

7.2. National Planning Practice Guidance (PPG)

7.3. Fenland Local Plan 2014

Policy LP2 - Facilitating health and wellbeing of Fenland residents

Policy LP16 - Delivering and protecting high quality environments across the district

LP17 - Community safety

7.4. March Neighbourhood Plan 2017

There are no specific policies relating to developments such as this, however the visions, aims and objectives of the Plan is that the quality of the built and natural environment is improved along with the level of provision and quality of recreational land facilities.

8 KEY ISSUES

- **Principle of development**
- **Design characteristics and visual amenity**
- **Highways**
- **Other matters**

9 BACKGROUND

9.1. Condition 3 of the original permission for the development at Richards Close (F/94/0882/F) required planning permission to be sought in respect of fences, gates or walls erected within the curtilage of any dwelling in front of the forward-most part of that dwelling fronting a highway.

9.2. At 1.05m, the proposed wall is 50mm over the maximum permitted development limit of 1m and as such requires planning permission in any event.

9.2. The applicant has reported that there is an issue of dog fouling on the small patch of grass between the driveway of No 19 and the private roadway, as this grass is often mistakenly considered as public land. In addition, the applicant has referred to instances of littering on the grass and their driveway, with a particular incident of a discarded broken canoe being left on the driveway by a member of the public.

10 ASSESSMENT

Principle of Development

10.1. The principle of development is acceptable subject to the proposal according with the aims of Policy LP16, which seeks to ensure that the proposal is acceptable in streetscape, design, residential amenity and highway safety terms, these considerations being evaluated below.

Design characteristics and visual amenity

- 10.2. There are no similar walls in the immediate locality, however near the entrance to Richards Close off Elliott Road there are properties with low level post and chain fencing along their boundaries with the public footpath.
- 10.3. The site is a corner plot, with the primary elevation of the property facing east opposite the turning head junction of Richard's Close and the private roadway. Full enclosure of any of the properties in the Richard's Close estate, particularly those that front the main highway, would likely be deemed as a major change to the character of the area and would likely be refused on this basis. However, seen against the backdrop of the dwelling it is considered that the location and scale of the proposed wall would not constitute a significant impact to justify refusal of the scheme.
- 10.4. In terms of amenity of neighbouring residents, the main impact of the proposal is likely to be to the dwelling east of the site, No 7 Richard's Close. The primary elevation of No 7 faces west at a distance of approximately 10m to the proposed location of the wall. Considering the height of the proposed wall, the distance between it and the dwelling opposite, and the hedges and driveways between the two limiting views, it is considered that the impact of the wall is not significant enough to constitute an unacceptable impact on residential amenity that justifies refusal of the scheme.
- 10.5. As such, the development is not deemed to be in a location which will create a substantial negative impact to the neighbouring residents nor is the proposal deemed to cause significant harm to the character of the area.
- 10.6. A condition such that the proposed materials match the existing dwelling should be imposed to ensure that it is sympathetic to the surroundings. This would further safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan.

Highways

- 10.7. An objection was received with regard to restricting access to the private roadway. The height of the proposed wall and the location set back from the turning head of the private roadway would not cause an obstruction or safety implication to users of the highways.

Other Matters

- 10.8. Paragraph 6.3.5 (LP17) of the Fenland Local Plan 2014 states that "*Public and private space should be clearly defined to deter unauthorised access and anti-social behaviour. These spaces can be defined by means such as separation by walls, changes in surface materials or other distinguishing features.*" As such, the inclusion of a more permanent boundary, such as the proposed wall, may limit the issues of anti-social behaviour, such as dog fouling or littering, as it could act as a deterrent by making it obvious that this parcel of land is privately owned.
- 10.9. It is deemed that a wall in this area would offer the current and future occupants of No 19 some protection from possible antisocial behaviour.

11 CONCLUSIONS

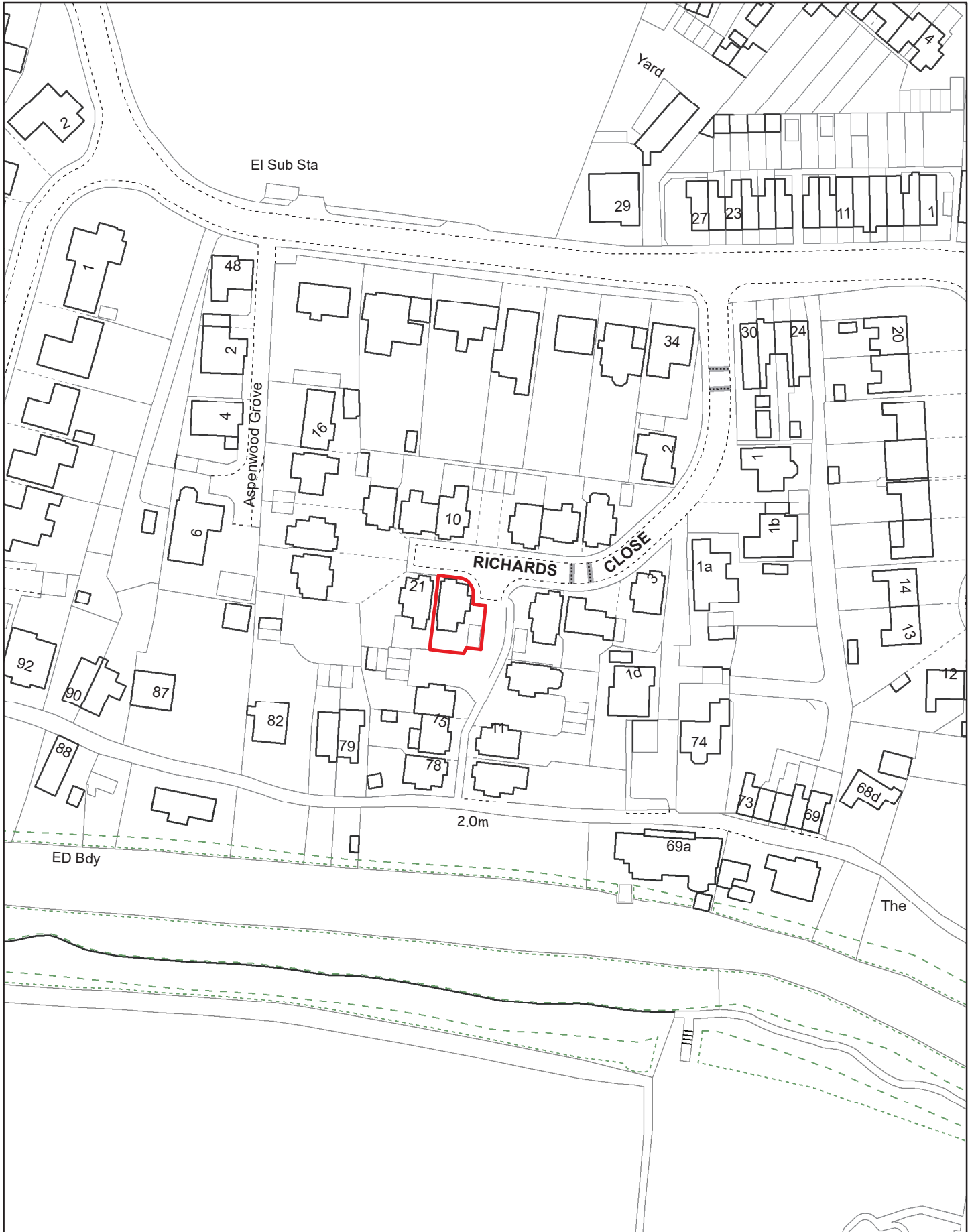
- 11.1. Policy LP16, seeks to ensure that the proposal is acceptable in design, residential amenity and highway safety terms. In addition, Policy LP2 states that development proposals should wherever possible help to reduce anti-social behaviour.
- 11.2. Given the above assessment, it is considered that compliance with the relevant policies within the Fenland Local Plan have been achieved subject to necessary conditions; accordingly a favourable recommendation is forthcoming.

12 RECOMMENDATION

Grant

The proposed conditions are as follows;

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>The development hereby approved shall be finished externally in materials to match the existing building, unless the Local Planning Authority otherwise agrees in writing prior to commencement of development.</p> <p>Reason - To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the approved plans and documents.</p> <p>Reason - For the avoidance of doubt and in the interest of proper planning.</p>



Created on: 04/06/2019

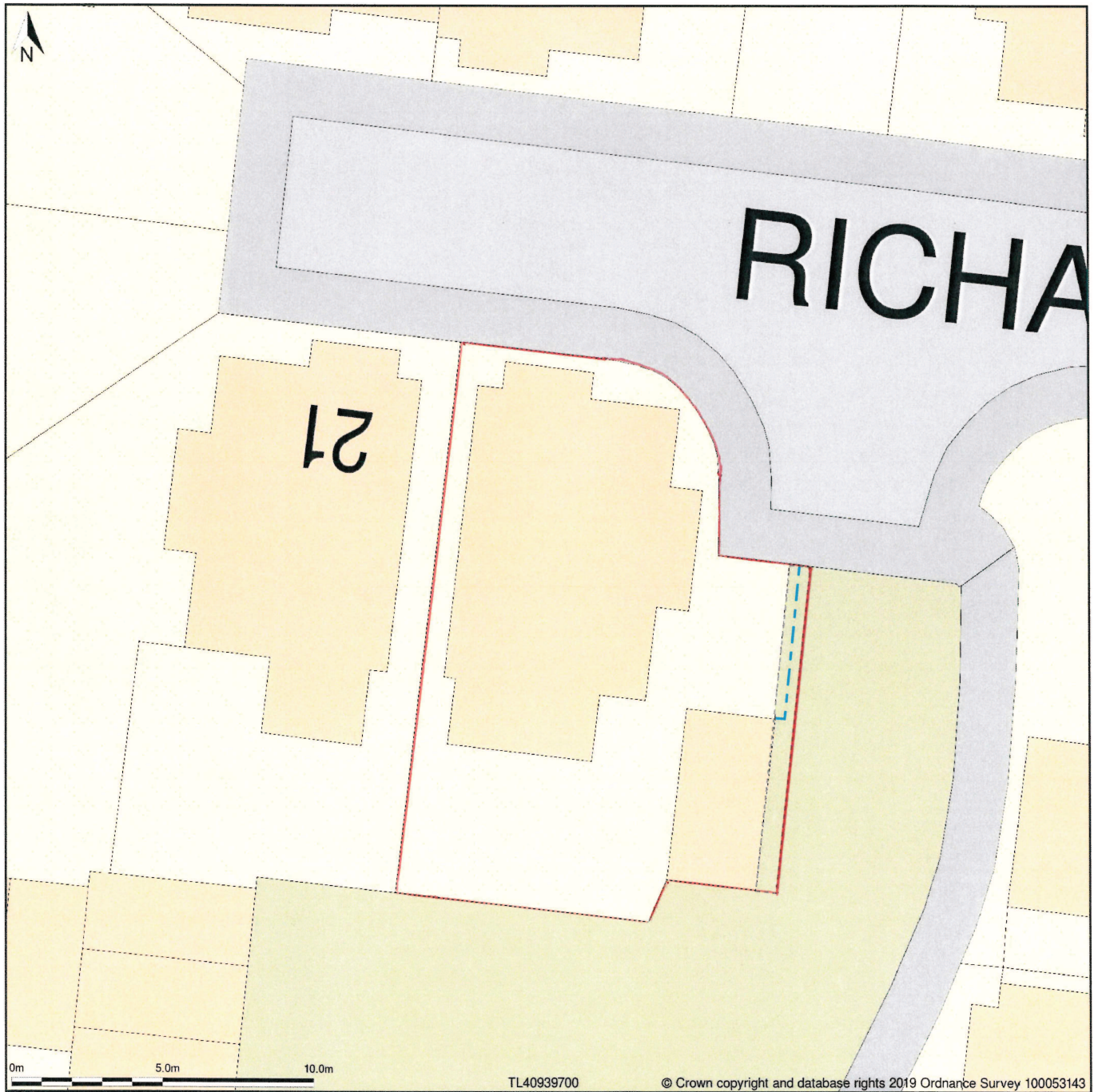
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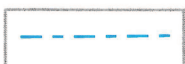
19, Richards Close, March, Cambridgeshire, PE15 8UH



Block Plan shows area bounded by: 540916.03, 296986.99 540952.03, 297022.99 (at a scale of 1:200), OSGridRef: TL40939700. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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