



AGENDA

PLANNING COMMITTEE

WEDNESDAY, 24 APRIL 2019

1.00 PM

RICHARD YOUNG ROOM, THE BOATHOUSE BUSINESS CENTRE, 1 HARBOUR SQUARE, WISBECH Committee Officer: Jo Goodrum Tel: 01354 622285

e-mail: memberservices@fenland.gov.uk

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 8)

To confirm and sign the minutes from the previous meeting of 27 March 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 F/YR18/1104/F Land east of 13 Norfolk Street, facing Orange Grove, Wisbech

Erection of a 3 storey block of flats comprising 2x2 bed and 1x1 bed (Pages 9 - 24)

To determine the application

6 F/YR19/0164/F20 Deerfield Road, March





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Erection of 4 x 2 storey 1 bed dwellings involving the demolition of existing dwelling and outbuilding (Pages 25 - 38)

To determine the application

7 F/YR19/0146/O Land South and West of 4-5 Mill Hill Lane, March

Erection of up to 3no dwellings (outline application with matters committed in respect of access) (Pages 39 - 50)

To determine the application

Members: Councillor A Miscandlon (Chairman), Councillor S Clark (Vice-Chairman), Councillor I Benney, Councillor D Connor, Councillor S Court, Councillor Mrs M Davis, Councillor A Hay, Councillor Mrs D Laws, Councillor P Murphy, Councillor Mrs F Newell and Councillor Mrs S Bligh,

PLANNING COMMITTEE

WEDNESDAY, 27 MARCH 2019 - 1.00 PM



PRESENT: Councillor A Miscandlon (Chairman), Councillor S Clark (Vice-Chairman), Councillor I Benney, Councillor D Connor, Councillor S Court, Councillor A Hay, Councillor Mrs D Laws, Councillor P Murphy and Councillor Mrs S Bligh,

APOLOGIES: Councillor Mrs M Davis and Councillor Mrs F Newell,

OFFICERS IN ATTENDANCE: Nick Harding (Head of Shared Planning), Izzi Hurst (Member Services & Governance Officer), David Rowen (Development Manager) and Stephen Turnbull (Legal Officer)

P68/18 PREVIOUS MINUTES

The minutes of the meeting of 27 February 2019 were confirmed and signed.

P69/18 F/YR18/0919/F

25A HIGH STREET, CHATTERIS

CHANGE OF USE FROM RETAIL (A1) TO RESTAURANT AND CAFE(A3)

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

David Rowen 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 the applicant Hayley Scarrow.

Hayley Scarrow thanked the Committee for the opportunity to speak at today's meeting. She said that the application process had been very long and this proposal is something that she is very passionate about. She explained that it was a childhood ambition of hers to start her own business. She added that her Grandparents had passed away last year and had encouraged her to pursue this ambition further and it is therefore very important for her to carry out their wishes.

Hayley Scarrow informed members that she is an active part of the community in Chatteris, has family members living in the Town and resides locally too. She explained that she has not applied to change the shops exterior in any way and is keen to retain its current frontage. She highlighted that an objection had been received against the application from a local business owner running a similar business and another local resident had actively encouraged objections via the local Chatteris Facebook page.

Hayley Scarrow highlighted some of the comments made on social media from local residents and assured members that the shop will be run solely as a Tea Room and will not be open late into the night. She hopes the venue will bring together the local community and provide enjoyment for visiting customers. She added that her vision of the Tea Room is different to the existing local business and reiterated her passion behind this venture.

She asked members to approve the application today as per officer's recommendation. She informed members that the last time she had visited March was to attend her Grandfather's funeral and said if the application was approved today, it would be a very poignant day for her.

Members asked Hayley Scarrow the following questions;

- 1. Councillor Connor thanked Hayley Scarrow for her presentation and asked for confirmation of the shop's proposed opening hours. Hayley Scarrow confirmed that the Tea Room would be open during the week between 8.30am to 4.30pm. Over the weekend, the shop would be open on a Saturday between 9.30am to 4.30pm and on a Sunday between 10am to 4pm.
- 2. Councillor Connor highlighted that these opening hours would not encourage any anti-social issues in Chatteris and said this should be of no concern to local residents.
- 3. Councillor Mrs Laws asked for confirmation that the shop would be run as a Tea Room and not a Fast-Food restaurant. Hayley Scarrow confirmed this and said she had based the proposed menu choices on meals that do not contain any fried foods as she is keen to eliminate bad odours in the shop.
- 4. Councillor Mrs Laws explained to Hayley Scarrow that the Committee do not take into account any objections submitted via Social Media and consideration is given only to objections formally submitted to the Planning department.

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

1. Councillor Mrs Laws stated that she supports the application and the premises would be a welcome addition to Chatteris. She highlighted that Hayley Scarrow is obviously very passionate about the opportunity to set up her own business.

Proposed by Councillor Mrs Laws, seconded by Councillor Connor and decided that the application be APPROVED; as per the officer's recommendation.

(Councillor Benney declared that he is a member of Chatteris Town Council but takes no part in planning matters)

(Councillor Mrs Hay declared that she is a member of Chatteris Town Council but takes no part in planning matters)

(Councillor Murphy declared that he is a member of Chatteris Town Council but takes no part in planning matters

P70/18 F/YR19/0042/F

LAND NORTH OF 101 AND 101A ELM LOW ROAD, WISBECH

ERECTION OF 3X2-STOREY DWELLINGS, COMPRISING OF 2X3 BED AND 1X2 BED

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

David Rowen presented the report to members. He informed members that the site had been granted planning permission last year. The application being considered today differs from the previously approved application in respect of the parking layout and proposed improvements to the footprints of the dwellings and their gardens.

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

- 1. Councillor Mrs Bligh highlighted that different members of Wisbech Town Council may have considered this application to those that supported the previous application last year. She stated that she supported the new application as the site layout is improved.
- 2. Councillor Connor asked if the objection received is from a neighbouring dwelling. David Rowen highlighted the relevant property and its relationship with the application site to members.
- 3. Councillor Connor confirmed his support for the application as it is an improvement from the application previously granted planning permission.
- 4. Councillor Mrs Hay agreed that the site layout has been improved and highlighted that the objector's property will be impacted on less as a result of this amended layout.

Proposed by Councillor Mrs Bligh, seconded by Councillor Murphy and decided that the application be APPROVED; as per the officer's recommendation.

P71/18 F/YR19/0123/O

LAND SOUTH OF 6 FRIDAYBRIDGE ROAD, ELM

ERECTION OF UP TO 6NO 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)) during its deliberations.

David Rowen presented the report to members and drew their attention to the update report which had been circulated. He gave a summary of some past planning decisions in the locality and highlighted some key differences compared to the proposal before Committee.

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

Gareth Edwards thanked the Committee for the opportunity to speak at today's meeting. He informed members that the applicant had hoped to attend today's meeting however she is currently undergoing surgery and therefore her husband has attended on her behalf. The application is for a maximum of six dwellings and the applicant has confirmed at a recent Parish Council meeting, that they are willing to make a financial contribution towards Elm Village Hall.

Gareth Edwards explained that the proposal is for an infill development between 6-50 Fridaybridge Road, Elm. The application proposes the retention of many of the existing trees and the planting of additional ones. He confirmed that the applicant is happy to accept the proposed Highways conditions and local residents are in support of the application too. He highlighted that the site is located approximately a five minute walk from the village shop and school. He reminded members that planning permission has been granted for a number of developments further towards the Village of Friday Bridge. He added that a number of local residents have expressed an interest in purchasing one of the plots for self-build purposes as the site is located in a desirable village location that benefits from good transport links and is located within Flood Zone 1. He asked members to support the application and grant planning permission.

Members had no questions for Gareth Edwards.

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

 Councillor Connor asked if the proposed application differs from the planning application refused in June 2018 on the same site. David Rowen confirmed that the previous planning application was for outline planning permission too and that indicative details were very similar to the one being considered today.

- 2. Councillor Mrs Laws asked officers to confirm the threshold for new dwellings in Elm. David Rowen confirmed that the threshold for Elm had been exceeded but drew member's attention to points 10.12 in the Agenda Pack (page 36).
- 3. Councillor Mrs Laws observed the letters of support submitted with the application. Whilst the names and addresses of the individuals differ, the wording of the letters is identical.
- 4. Councillor Mrs Bligh explained that whilst she likes the look of the proposed development, it would remove the gap between the villages of Elm and Friday Bridge and she does not agree with this.

Proposed by Councillor Mrs Laws, seconded by Councillor Connor and decided that the application be REFUSED; as per officer's recommendation.

P72/18 F/YR19/0001/TRCA 2 CLAYGATE, WHITTLESEY

FELL 1NO SILVER BIRCH WITHIN A CONSERVATION AREA

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

David Rowen presented the report to members

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

- 1. Councillor Connor asked if the Council's Arboricultural Officer had confirmed that the tree was healthy and not diseased. David Rowen confirmed that the tree is in good health and has a high amenity value to the area.
- Councillor Mrs Laws agreed that the tree is a large part of the streetscene of the area and as long as the tree is cared for correctly, it will remain in good health and cause little nuisance.
- 3. Councillor Connor agreed and stated that it would be unreasonable for the Committee to allow a healthy tree to be removed.
- 4. Councillor Mrs Bligh highlighted that Silver Birch trees do have far reaching roots and asked if the applicant could 'top' the tree to reduce its current size. Councillor Mrs Laws confirmed that work to the tree would not necessarily be rejected but any works would have to be appropriate and necessary if they were to be allowed.
- 5. Councillor Miscandlon highlighted that the applicant can ask for professional advice on this from the Arboricultural Officer who can advise on the management of these beautiful trees.
- 6. David Rowen confirmed that the Arboricultural Officer has advised that the tree has scope to be pruned and encourages that it is kept in a manageable state.
- 7. Councillor Mrs Hay asked what work will be permitted on the tree if members confirm the Tree Preservation Order (TPO). David Rowen explained that if the TPO is confirmed, any further works to the tree will require consent from the Council. If the applicant submits an application for works, this will be assessed by the Arboricultural Officer as to whether or not the scope of works is acceptable.
- 8. Councillor Mrs Laws asked what action would be taken if a tree, subject to a TPO, was removed. David Rowen confirmed that there is a requirement in Law that states any tree removed with a TPO attached to it would need to be replaced with a similar mature specimen and this would need to be agreed by the Council.

Proposed by Councillor Mrs Hay, seconded by Councillor Mrs Laws and decided that the TPO in respect of the Silver Birch tree within the grounds of 2 Claygate, Whittlesey is CONFIRMED; as per officer's recommendation.

(Councillor Mrs Laws declared that she is a member of Whittlesey Town Council but takes no part

in planning matters)

(Councillor Miscandlon declared that he is a member of Whittlesey Town Council but takes no part in planning matters)

1.37 pm

Chairman



F/YR18/1104/F

Applicant: Mr S Green Agent: Mr Ted Brand

Brand Associates

Land East Of 13 Norfolk Street Facing, Orange Grove, Wisbech, Cambridgeshire

Erection of a 3-storey block of flats comprising 2 x 2-bed and 1 x 1-bed

Reason for Committee: Officer recommendation is at variance to that of the Town Council

1 EXECUTIVE SUMMARY

- 1.1 The proposal is to erect a three storey building with a two bedroom flat on each of the lower two floors and a one bedroom flat on the uppermost floor. The application follows on from an earlier delegated refusal and seeks to address the issues raised regard heritage impacts and residential amenity concerns.
- 1.2 Having evaluated the scheme as submitted, and following on from amendments secured through negotiation officers are now satisfied that the scheme may be favourably recommended.
- 1.3 This scheme will bring forward an underused town centre site, currently fenced off, and provide 3 additional residential units within a sustainable location. Due consideration has been given to crime and safety, residential amenity and parking and it is concluded that an on-balance approval may be forthcoming in the absence of any significant harm arising from this proposal.

2 SITE DESCRIPTION

- 2.1 The site lies to the west of Orange Grove and comprises a small area of land measuring some 9 m wide and 10 m deep to the rear of the Five Bells Public House which is Grade II listed and located within Wisbech Conservation area.
- 2.2 The land has been fenced off to all sides with 1.8 metre high close boarded fencing.
- 2.3 The site is within Wisbech Conservation Area and within the curtilage of 13 Norfolk Street, a Grade II listed public house.
- 2.4 Orange Grove is characterised by a mix of commercial and residential properties of varying heights and scales.

3 PROPOSAL

3.1 The proposal is to erect a three storey building with a two bedroom flat on the lower two floors and a one bedroom flat on the uppermost floor. The proposed design is an improvement in scale and detailing to that previously submitted, both

in respect of the earlier refusal and the original scheme detail provided in respect of the current submission.

3.2 A small amenity space area is provided for residents together with bin and cycle storage and a managed entrance system.

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/YR17/1219/F	Erection of a 3-storey block of flats comprising of 3 x 2-bed with balconies	Refused 13/02/2018
F/YR15/0342/LB	Internal alterations to Listed Building to form corridor for first-floor residential level (C4)	Granted 25/11/2015
F/YR15/0522/F	Change of use from A4 to mixed use (A4 Ground floor and C4 first floor)	Granted 25/11/2015

5 CONSULTATIONS

- 5.1 **Town Council**: Object to the proposal, on the basis that
 - Approval of the proposal would constitute overdevelopment of the site
 - Erection of the proposed block of flats would result in overlooking and a loss of light to nearby properties, which would be detrimental to residential amenity
 - No provision is made for the on-site parking of vehicles
- 5.2 Senior Archaeologist (CCC): Our records indicate that the site lies in an area of high archaeological potential, situated 200m to the southeast of the medieval settlement core and site of Wisbech Castle (Cambridgeshire Historic Environment Record Number 01926) and close to the medieval church of St Peter and St Paul (CHER ref CB14828). Orange Grove is on the west side of Churchill Road, which was built over the former Wisbech Canal (ordered by Act of Parliament 1794). First edition OS maps published in the late 19th century indicate that terraces and streets of tenements lined the bank of the canal. Orange Grove was situated to the north of the Coronation Bridge (spanning between Norwich Street and Norwich Road). The canal was abandoned by 1926 and infilled in the 1970s, and the late 18th/19th century houses at Orange Grove were demolished sometime in the later 20th century.

We have commented on this site previously. We would recommend that the same archaeological standard condition is placed on the development as was recommended for prior (refused) application F/YR17/1219/F within the same bounds, that is: We do not object to development 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 Scientific Officer (Land Contamination)**: The Environmental Health Team note and accept the submitted information and have 'No Objections' to the

proposed development in principle as it is unlikely to have a detrimental effect on local air quality or the noise climate. As the proposed application site falls within an area made up of part commercial and other established activity and, is adjacent a primary transport route, the applicant should consider appropriate ventilation and window design that offers a suitably high sound reduction index so that a suitable internal noise level can be achieved inside the property.

- 5.4 Cambridgeshire Police (Designing Out Crime Officer): Originally commented that 'this area demands a high volume of response from Police and partner agencies which they believe must also impact on the health and wellbeing of local residents. Since October 2018 there have been 13 violent incidents and 18 rowdy nuisance reports – from their discussions with local residents many incidents do not get reported and having reviewed the current site plan for this development I also consider that the rear stairwell could also be a concern and an area which may attract anti-social behaviour as not overlooked. Having read the Design statement I am concerned there is no mention of security for the development. With the current design and layout we cannot support this proposal.' Following submission of a revised scheme which showed postal arrangements and access control have confirmed: Following submission of a revised scheme which showed post arrangements and access control the DoC Officer has confirmed that they are 'pleased to note the improvements in the security at this development'
- 5.5 Cambridgeshire County Council Highways Authority: A previous application was submitted and later refused under application number F/YR17/1219/F for the erection of a 3 storey block of flats comprising of three 2 bedroom units. The application comes forward with zero parking. I recommend that FDC obtain a parking survey so that the impact of this zero parking development is understood and any implications the proposal may have on residential amenity and kerbside parking/public parking within the area. I have no highways objections.
- 5.6 **Conservation Officer (FDC)**: Originally recommended refusal in respect of the earlier scheme design on the grounds that:
- The Heritage Statement fails to identify the Grade II listed building and does not provide sufficient information to understand the impact of the proposal on the setting of the listed building, and
- The proposal, while of improved design to the previously submitted scheme, still retains the external spiral staircase, and overbearing scale and proximity to the Grade II listed building, which will affect its setting and was the grounds for the previous refusal.

Following the submission of the revised scheme proposal consider that the previous objections have been overcome and a favourable recommendation made from a conservation perspective.

- 5.7 **Local Residents/Interested Parties**: One letter of objection has been received which may be summarised as follows:
 - Object for the same reasons as previous application
 - Site was previously car park to the Five Bells Pub, where will the pub customers and flat occupants park
 - Orange Grove are both narrow and there are issues for the Fire and Emergency vehicles accessing the area

- Concern re more bins and rubbish attracting vermin and another narrow passage within which anti-social behaviour may occur; some passageways have been blocked up to combat this
- Where will dray deliveries take place to serve the pub; Norfolk Street is a
 one-way road with restricted parking. Deliveries are currently made via the
 pub car park which is the proposed development site.
- In 2007 Norfolk Street had a severe fire destroying two premises and damaging several others more development; more cars may block the road leading to a possible loss of life.
- Also object on the grounds of flooding, noise and smell

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)

- Para. 2 Applications should be determined in accordance with the development plan, unless material considerations indicate otherwise
- Para. 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

7.2 National Planning Practice Guidance (NPPG)

7.3 Fenland Local Plan 2014

- LP1 A Presumption in Favour of Residential Development
- LP2 Facilitating health and wellbeing of Fenland Residents
- LP3 Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP14 Responding to climate change and managing the risk of flooding in Fenland
- LP16 Delivering and Protecting High Quality Environments across the District
- LP17 Community Safety
- LP18 The Historic Environment

8 KEY ISSUES

- Principle of Development
- Character of Area and Heritage Considerations
- Residential amenity
- Parking and servicing

- Crime and safety
- Other matters

9 BACKGROUND

- 9.1 The land was formerly the rear access and service area for the pub. A grant of planning permission in 2015 saw a mixed-use established at the site; this comprised a 3 bedroom house of multiple occupation at first floor with shared facilities accessed from the rear of the site via a private entrance with the public house use retaining access solely from the Norfolk Street frontage. The premises feature a flat roof around which there is a balcony; this area is evidently used as amenity space in association with the HMO with access available from the communal hallway serving the first floor; however such usage was not formally identified on the related planning approval.
- 9.2 The assessment of the earlier HMO scheme was silent with regard to usage of the rear yard area. Whilst the design and access statement submitted with that application noted that 'The current premises defined as a large commercial and mix-use unit does not have any landscaping and benefit from a large rear drive-parking area which will be used as means of parking for the residents if required by council highway policy' the application form made no mention of parking spaces and the site layout plan did not clarify or restrict the use of this area.
- 9.3 As such there can be no control over the retention of this land in association with the HMO and pub activities. Albeit the erection of a 1.8 metre close boarded fence to the eastern boundary requires planning permission as it is over 1 metre in height adjacent to a public highway, it is contended that this fence was erected between May 2017 and January 2018 (based on Google streetview and LPA photographs)
- 9.4 The following table demonstrates the key scale, form and layout differences between the earlier refusal and the scheme currently under consideration whilst also making reference to the originally submitted scheme which has been amended following discussion.

	Refused scheme F/YR17/1219/F	Originally submitted scheme F/YR18/1104/F	Revised scheme F/YR18/1104/F
Footprint	8 metres wide x 6.2 metres deep	8.4 metres wide x 7 metres deep plus external staircase	8.2 metres wide x 8 metres deep
Ridge Height	9.6 metres	9.7 metres and 8.2 metres	7.7 m
Eaves Height	7.3 metres	6.5 metres	5.6 m
Amenity space	No communal space other than bin storage and access, the ground floor flat will have space under the upper floor balconies that provide outside seating areas.	No communal space other than bin storage and access	Small amenity space together with bin storage and access
Access	All flats accessed from the front of the	All flats accessed from the rear of the	Ground floor flat accessed from front,

	site; with the upper floors accessed via a spiral staircase featuring balconies.	site; with the upper floors accessed via a spiral staircase; each upper flat to have a small balcony area.	remaining two flats accessed from rear; via side gate. No balcony details.
Distance from public house/HMO boundary	1.4 m	1.7 metres at closest point (main block); spiral stairs on common boundary	1m at the closest point; no longer features exposed staircase

10 ASSESSMENT

Principle of Development

- 10.1 As the site lies within a primary market town the principle of additional housing is encouraged as outlined in the settlement hierarchy for the District (Policy LP3). Policy LP2 requires a range of homes to be provided in accessible locations whilst also highlighting the need to the equality and diversity requirements of residents and creating a built and social environment in which communities can flourish.
- 10.2 Policies LP2 and LP16 also promote high levels of residential amenities. Given that the site is within the conservation area and adjacent to a listed building it is also necessary to give full consideration to any heritage impacts of the proposals in accordance with Policy LP18.
- 10.3 Issues of flood risk, parking, servicing and community safety also require consideration in accordance with Policies LP14, LP15, LP16 and LP17

Character of Area and Heritage Considerations

- 10.4 The proposal is of improved design to the previously submitted scheme and is reduced in scale. The proximity to the Grade II listed building is unchanged and as such the proposal will affect the current setting of rear plots, opening out on to Orange Grove which previously overlooked Wisbech Canal. This setting has however been changed over time by rear extensions and garages, and the presence of three storey flats in the vicinity.
- 10.5 The immediate setting of the listed pub has been eroded by the erection, without planning permission, of a close boarded fence, which visually closes off views to the pub and detracts from the views to the rear of historic buildings on Norfolk Street. The proposed flats will destroy that setting altogether. The appearance of the rear of buildings on Norfolk Street is generally poor in townscape terms, but reflects the character of back land development to those sites fronting Norfolk Street.
- 10.6 However, it is acknowledged that historically, the frontage to Orange Grove and the Canal (now Churchill Road) was built up to the road frontage as evidenced by the 1887 OS map, most likely with storage or industrial buildings relating to those on Norfolk Street. Many relatively new buildings have since been approved and built such as the development granted under F/YR08/0108/F and this may be considered an improvement in the street scene, albeit it could be argued that it is out of scale with the general character of the road. However, the current revised

- proposal is of a better scale, and while it still impacts on the existing setting of listed pub to the rear, it does replicate the former built pattern and will improve the character and appearance of the conservation area.
- 10.6 Furthermore, the use of good design details such as sliding sash windows, and cast stone cills along with traditional materials of brick and slate, in a building of an appropriate scale, will set a positive example for any future development in the area. Based on the above evaluation of the heritage impacts it is considered that earlier objections on heritage grounds have been overcome and that the proposal now achieves compliance with Policy LP18; furthermore the character and design have therefore been overcome.
- 10.7 In accordance with the recommendation of the CCC Archaeology team a scheme of investigation will be secured via condition.

Residential amenity

- 10.8 The earlier scheme proposal was refused on the basis of its impact on existing residential amenities by virtue of its dominance, oppression, noise and loss of light. It was further considered that the intended residents of the proposed flats would not benefit from suitable amenity areas or parking and that these cumulative impacts rendered the scheme unacceptable on amenity grounds.
- 10.9 As can be seen from the summary table included at 9.4 the current scheme has substantially reduced the scale of the proposed accommodation with the ridge height falling from 9.7 metres/8.2 metres to 7.7 metres. Whilst the revised design results in the building now being closer to the rear of the Pub/HMO the impact of this extra incursion (400mm) is marginal when measured against the benefits derived from the revised design.
- 10.10 It is further noted the scheme originally presented in response to the earlier refusal detailed a spiral staircase to the rear of the building abutting the common boundary with balconies at the first and second floor. This raised concern regarding proximity and noise/disturbance. The access staircase now proposed, enclosed as it is within the building represents a better design solution in terms of noise/disturbance and residential amenity.
- 10.11 It is also acknowledged that it will be necessary for the occupants of the residences to walk past the ground floor bedroom 1 window of the lower flat on entering and leaving the premises and the HMO; whilst this is not an ideal situation it is reflective of a town centre environment where there is often a trade off between location and amenity levels. Similarly there is a window in the first floor flank wall of both the existing flat to the north and the proposed first floor flat however these are on an oblique alignment. Neither of these scenarios either individually or collective are considered to represent significant harm when weighed against the benefits of bringing forward additional housing within the town centre.
- 10.12 The submitted drawings also show a bin/cycle storage area together with a small area of amenity space which features incidental landscaping. Although detailed specifications and maintenance arrangements for these communal amenity areas do not form part of the submission. Soft landscaping is not a prevalent feature of the Orange Grove frontage and it is questionable as to the likely management regime achievable within an area with multiple-users. Accordingly it is considered that a landscaping strategy that focuses on high-quality hard landscaping to both

- the public and the private areas should be secured rather than a 'soft' landscaping scheme.
- 10.13The comments of the Environmental Protection team in respect of sound reduction and internal noise levels are noted, however mindful of other consents for residential development in the immediate location which have been approved unencumbered by such requirements and given it is not considered appropriate or reasonable to condition such attenuation.
- 10.14 The revised scheme substantially overcomes earlier concerns with regard to the residential amenity of the adjoining occupiers of the HMO and the proposed occupiers of the new residential units. Whilst the proximity of the building to the informal amenity area provided by the balcony at the adjacent HMO will have a degree of dominance it would not be so significant to render the scheme unacceptable.

Parking and servicing

- 10.15 Whilst the scheme proposal does not make provision for on-site parking it is noted that it does incorporate a communal store at ground floor under the stairs which is potentially available for cycle storage. Furthermore the site is located in an accessible location within close proximity to town centre car parking.
- 10.16 Appendix A generates a requirement for 4.25 parking spaces to serve this development; however it includes a caveat that allows for a nil parking provision in Market Towns in special circumstances> It is accepted the redevelopment of this site and the bringing forward of residential units in one of the districts main settlements is such a scenario where a nil parking provision may be accepted.
- 10.17 Whilst the revised scheme has not directly addressed the issue of car parking on site it is acknowledged that provision has been made for cycle parking within the building. Given that this is a town centre site with good transport links and easy access to goods and services, and mindful of the exemption allowed for under Appendix A it is considered that a refusal could not be substantiated on these grounds.

Crime and safety

- 10.18 Concern was raised regarding the original scheme by the Designing out Crime (DoC) team as it was felt that the scheme had not adequately considered safety and security, with free and unrestricted access available to the rear of the flats, where all the entrances were situated, and indeed to the existing house in multiple occupancy (HMO) to the rear of the site. As such the scheme whilst addressing its own requirements in terms of security will also represent a benefit in terms of the existing situation in so far as it relates to access to the HMO.
- 10.19 Following submission of a revised scheme which showed post arrangements and access control the DoC Officer has confirmed that they are 'pleased to note the improvements in the security at this development' they have also made further recommendations regarding the placing of external mailboxes which have been incorporated into the revised design.

10.20 It is considered that the amended scheme satisfactorily addresses the aims of Policies LP2 and LP17 and gives due consideration to crime and anti-social behaviour.

Other matters

- 10.21 Concerns raised by a local business owner are noted however the proposal does not encroach onto the Orange Grove highway and as such it is not considered that development of this site will have an impact on accessibility by the emergency services.
- 10.22 Proposals have been put in place for the management of waste and no issues have been raised with regarding anti-social behaviour following design improvements relating to controlled access. Object for the same reasons as previous application. The servicing of the public house is a civil matter between owners as the land has been subdivided from the host property.
- 10.23 The site is within a flood zone 1 location and surface water disposal will be considered as part of Building Regulations.
- 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).
- 10.25 The agent has confirmed that their client is happy to agree to the precommencement condition relating to archaeological investigation, and therefore the requirements of section 100ZA (5) have been met.

11 CONCLUSIONS

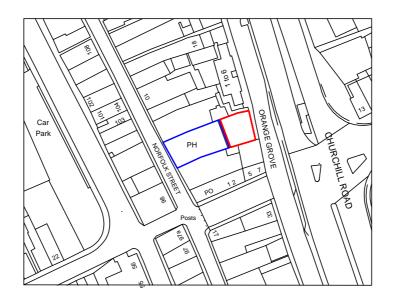
- 11.1 It is considered that the scheme amendments adequately address the earlier cumulative concerns expressed to a degree where a refusal could not be substantiated on either heritage or residential amenity grounds.
- 11.2 This scheme will bring forward a vacant town centre site and provide 3 additional residential units within a sustainable location. Due consideration has been given to crime and safety, residential amenity and parking and it is concluded that an on-balance approval may be forthcoming in the absence of any significant harm arising from this proposal.

12 RECOMMENDATION: Grant

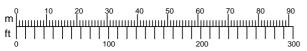
1	The development permitted shall be begun before the expiration of 3 years from the date of this permission.
	Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2	Notwithstanding the approved plans and prior to the commencement of any development above slab level, samples of all materials to be used in the construction of external surfaces of the flats, shall be required to be submitted to and approved in writing by the LPA. Furthermore, a sample panel of 1m x 1m brick and mortar is required to be erected on

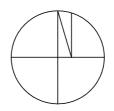
	site and approved in writing by the LPA. The development to be
	carried out in accordance with the approved details.
	Reason: In the interests of the visual amenity and heritage interests of the area and to ensure compliance with Policies LP16 and LP18 of the Fenland Local Plan (2014)
3	Notwithstanding the approved plans, prior to the commencement of any development above slab level, precise details of all new joinery, including windows, doors and porch will be required to be submitted to and approved in writing by the LPA (clarified through 1:20 drawings and 1:5 typical sections). The development to be carried out in accordance with the approved details.
	Reason: In the interests of the visual amenity and heritage interests of the area and to ensure compliance with Policies LP16 and LP18 of the Fenland Local Plan (2014)
4	Notwithstanding the approved plans, prior to the commencement of the development any development above slab level, precise details of the proposed rainwater goods or soil pipes shall be required to be submitted to and approved in writing by the LPA. The development to be carried out in accordance with the approved details.
	Reason: In the interests of the visual amenity and heritage interests of the area and to ensure compliance with Policies LP16 and LP18 of the Fenland Local Plan (2014)
5	The Access control arrangements, comprising an audio/visual intercom system, and associated security measures as detailed on drawing number GRE.16: 2.1 E shall be implemented in full prior to the occupation of any part of the development hereby approved; the system shall be thereafter maintained and retained in perpetuity in a fully operational state.
	Reason: In the interests of the residential amenity of the occupants and to address crime and safety in accordance with Policies LP16 and LP17 of the Fenland Local Plan (2014)
6	No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.
	Reason - To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan.
7	Notwithstanding the submitted details and prior to occupation of any part of the development hereby approved full details of all landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as

	approved. The landscaping details to be submitted shall include:-
	a) hard surfacing, other hard landscape features and materials
	b) management and maintenance details
	Reason - The hard landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 of the Fenland Local Plan, 2014.
8	The development hereby permitted shall be carried out in accordance with the following approved plans and documents









brand associates architects 2A Dartford Road March PE15 8AB tel [01354] 653 818 fax [01354] 651 951 mail@brand-associates.ne

3x Proposed 2 - Bed Flats 13 Norfolk Street Wisbech PE13 2LD

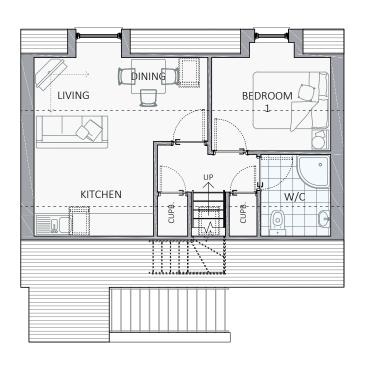
STEVEN GREEN PROPERTY INVESTMENTS

LOCATION PLAN

1:100 : AHS : JUN. 2017 GRE.16 : L :







PROPOSED GROUND FLOOR PLAN

PROPOSED 1st FLOOR PLAN

PROPOSED 2nd FLOOR PLAN

REVISIONS

A - 14.01.19 - Minor Amendments B - 16.01.19 - 2nd Floor Window Amendments

C - 28.01.19 - Design alterations

D - 27.02.19 - Design alterations E - 06.03.19 - Letter boxes added

F - 09.04.19 - Alterations to bin

brand associates architects 2A Dartford Road

March PE15 8AB tel [01354] 653 818

fax [01354] 651 951 mail@brand-associates.r

PROPOSED 3no. 2-BED FLATS
LAND EAST 13 NORFOLK STREET
WISBECH
PE13 2DL

STEVEN GREEN PROPERTY INVESTMENTS

GRE.16: 2.1 : F

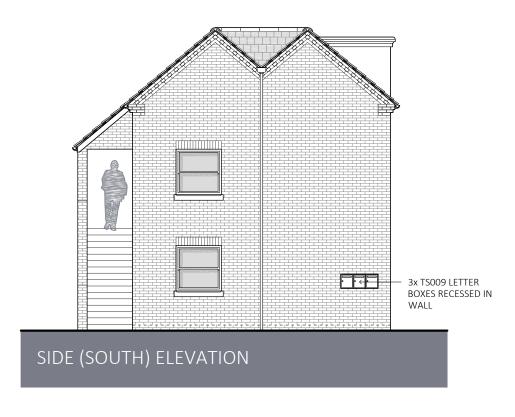
PROPOSED PLANS

1:100 : AHS : JUN 2018

4m 6m 8m







REVISIONS

A - 14.01.19 - Minor Amendments

B - 28.01.19 - Design alterations

C - 27.02.19 - Design alterations

D - 06.03.19 - Letter boxes added E - 09.04.19 - Alterations to bin

store

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PROPOSED 3no. 2-BED FLATS LAND EAST 13 NORFOLK STREET WISBECH PE13 2DL

STEVEN GREEN PROPERTY
INVESTMENTS

 PROPOSED ELEVATIONS

 1:100 :
 AHS : JUN 2018

 GRE.16:
 2.2 : E

PLANNING COMMITTEE DATE: 24th April 2019

APPLICATION NO: F/YR18/1104/F

SITE LOCATION: Land East Of 13 Norfolk Street Facing Orange Grove,

Wisbech

UPDATE

 Town Council reiterate their earlier objection in full to the amended scheme proposals

Comments from FDC Refuse Team as follows:

Agree that in this instance the provision of individual bins (1 general waste and 1 recycling) for each of the three flats would be the best solution allowing each to take ownership. The bin/cycle store appears to be of sufficient size. I do however feel that the bin collection point would need be larger to accommodate the bins from this development on collection day and the bins from the existing HMO/PH (5 bins recycling collection week and 5 bins general waste collection week (3 from new development and 2 from HMO)).

Assessment/comments:

The agent has provided amended plans which increase the bin collection area to the front of the premises and delete the planting as per the recommendations of the report (Para 10.12 refers).

The FDC refuse team have confirmed that the area marked on the plan for bin storage gives ample space.

RECOMMENDATION: Remains as grant; as per pages 17-19 of the Agenda, with the following condition amendments:

Condition 7 will remain however as the revised plan does not detail the scheme of finishes for the communal areas/front of the site.

Condition 5 will be updated to reflect the new drawing reference GRE.16:2.1:G



F/YR19/0164/F

Applicant: Mr M Cooper Agent : James Development Co Ltd

20 Deerfield Road, March, Cambridgeshire, PE15 9AH

Erection of 4 x 2-storey 1-bed dwellings involving the demolition of existing dwelling and outbuildings

Reason for Committee: Recommendation contrary to Town Council comments

1. EXECUTIVE SUMMARY

The application is for the replacement of a single-storey dwelling with a two-storey quad house (comprising 4 dwellings) with off-street parking and separate amenity space, and is made following a previous refusal for such a scheme on the site in March of 2018. The scheme makes amendments to the position of the building on the site and its parking and amenity space provision. No intervening discussions have taken place with the Local Planning Authority, despite previous correspondence with the applicant indicating that a 2-dwelling scheme on the site may receive a positive recommendation.

An appeal has been received by the Planning Inspectorate in relation to the previously refused scheme, however it is currently awaiting a start date.

The proposed units are located on the site so as to mimic the existing frontage displayed by the existing properties, with parking to the rear.

The vehicular access to the site proposes parking provision to the rear of the building but the angled access would result in a detrimental impact on highway safety from the scheme, and result in adverse impacts on neighbouring amenity.

The layout proposed would result in detrimental impacts on neighbouring privacy from overlooking of currently private rear gardens and poor amenity standards for the residents.

2. SITE DESCRIPTION

- 2.1. The application site is currently host to one single-storey dwelling and the amenity land within its curtilage. The existing property is dilapidated, and unsympathetic to its surroundings, with a prefabricated type construction.
- 2.2. To the south west, the site adjoins a pair of traditional semi-detached dwellings, two storey in height and of brick construction with their main access to the side elevation, one of which therefore faces the site. These properties benefit from a series of traditionally designed outbuildings extending from the main part of the property to the North West, first at two-storey height and then single storey further to the north. To the north east lies another traditional pair of semi-detached dwellings, although this pair has been significantly extended, in particular through the addition of a south east facing entrance porch to the

elevation facing the application site. Between this property and the application site lies Britannia View, a private driveway granting access to a back land development site and serving several dwellings. Immediately to the north west of the site is a further back land development (Ashbeach Road) with a single-storey dwelling and its garden located immediately to the rear of the application site.

3. PROPOSAL

- 3.1. The proposal is for the demolition of the existing dwelling and its replacement with a two-storey quad house style development (a single building containing four dwellings, each making up one quarter of its layout), incorporating off-street parking to the rear of the property. Individual garden areas for two of the dwellings are located to the north of the new building on the eastern boundary of the site adjacent to Britannia View, whilst the remaining two dwellings have individual amenity areas allocated to the front of the site adjacent to the road. Cycle provision and bin storage would be incorporated into the development, with the rear gardens enclosed by 1.8 metre high close board fencing, and front gardens with 1 metre close board fencing.
- 3.2. The properties would be constructed from stock brick with a pantile roof and block paving for the parking area.
- 3.3. 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/YR18/0070/F	Erection of 4 x 2-storey 1-bed dwellings	Refused 29.3.18
	involving the demolition of existing	Appeal received
	dwelling and outbuildings	

5. CONSULTATIONS

March Town Council

Recommend approval

FDC Environmental Health

No objections. Any asbestos on the site should be removed by an appropriately licensed contractor, and recommend condition regarding unsuspected contamination.

Cambridgeshire County Council Highways Authority

Access should be aligned perpendicular to Deerfield Road and sealed and drained for a minimum distance of 10 metres away from the highway.

Access proposed will create difficulties, and preferred solution would be for access off Britannia View. If that can't be achieved, the plot configuration should be amended to be less contrived with appropriate visibility splays.

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

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 130: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

7.2 National Planning Practice Guidance (NPPG)

Determining a planning application

7.3 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP9 – March

LP16 - Delivering and Protecting High Quality Environments across the District

7.4 March Neighbourhood Plan 2017

H2 – Windfall Development

8. KEY ISSUES

- Principle of Development
- Access and Highway Safety
- Amenity impact
- Visual Impact and character

9. BACKGROUND

- 9.1 The application is made following a previous refusal to grant permission in March 2018 by the Planning Committee in accordance with a recommendation of refusal by Officers.
- 9.2 No further contact or pre-application discussions have taken place in the intervening period with the Local Planning Authority.
- 9.3 The previous application was refused planning permission on the grounds of its impact on the character and local distinctiveness of the area, the amenity of neighbouring properties and the privacy and outlook standards for future residents.

10. ASSESSMENT

Principle of Development

10.1 The application site is located close to the centre of the town of March (approximately 500 metres), and is host to an existing dwelling, albeit one that is currently incapable of occupation. The site is also located within flood zone 1, indicating the lowest flood risk and a location towards which development would be directed in terms of the sequential test in relation to flood risk. March itself is identified as one of the 4 market towns within Fenland and as such is a location where new housing is considered to be most sustainable.

In a site-specific context, the neighbouring uses to the application site are all residential in nature, with the only non-residential use in the immediate vicinity being the social club opposite. There would be no change in the character of usage of the site from the proposal.

Access and Highway Safety

- 10.3 The existing property on the site gains access directly from Deerfield Road by means of a dropped kerb, although the proposal would result in the intensification of traffic accessing the site from Deerfield Road. The proposal would make provision for off-street parking (on the basis of one space per property) directly accessed from Deerfield Road, and located to the rear of the proposed building.
- 10.4 Parking provision would be 4 spaces below the standards indicated in the Fenland Local Plan, however it is acknowledged in the Plan that locations with good transport links, such as in the central area of a market town, may negotiate a reduction in parking provision. The site in question would be likely to justify a reduction as indicated.
- The Highways Authority has assessed the proposal and have raised concerns regarding the proposed arrangement, specifically that the access driveway to the rear of the site is not aligned perpendicularly to Deerfield Road, which will result in some traffic wishing to enter the site having to do so by pulling into the opposing lane in order to create sufficient turning space to use the access. This is clearly not a preferential arrangement and the comments go on to indicate that a preferred method for accessing the site would be via Britannia View to the east. It is noted that Britannia view is a private drive and therefore such access would be subject to acceptance by its owners and does not form any part of the current consideration.
- 10.6 The Highways Authority comments conclude that the scheme should be amended to allow a less contrived vehicular access arrangement however given the amenity issues in relation to the proposal no request has been made to amend the access details. Should permission be granted it would therefore be necessary to require an amended vehicular access to be agreed prior to implementation.
- 10.7 It is reasonable to conclude on this basis that the scheme does not comply with the requirement of policy LP15 of the Fenland Local Plan (2014) to provide "well designed, safe and convenient access for all".

Amenity impact

- The application site is located in and amongst existing residential properties and as a single-storey dwelling to be replaced with several two-storey properties, there is significant potential for adverse amenity impacts on neighbouring properties and their environs.
- 10.9 The proposed scheme locates the two-storey building further forward on the site than the previous refusal, and in-line with the front elevations of the existing dwellings along Deerfield Road. It is separated from 18 Deerfield Road to the south west by a gap slightly in excess of 4 metres, and as a result there will be a detrimental impact on the light received by this property and its garden due to the location of the building. The gap between the proposed building and 11

Ashbeach Road to the north west however is 12 metres, and this is therefore unlikely to result in any overshadowing.

- 10.10 With regard to privacy impacts, the scheme utilises windows on all four main elevations from a mix of rooms, with main bedroom windows being located on the side elevations and secondary 'office' windows to the front and rear. The proposed scheme would therefore have the potential for a significant detrimental impact on neighbouring amenity from the proposed scheme. It is noted that the close-knit nature of development within urban areas leads to more scope for overlooking of residential property, however there remains the significant concern regarding the scale of these impacts in this case and the requirement under policy LP16 (e) of the Fenland Local Plan (2014), which states that "development will only be permitted if it can be demonstrated that the proposal does not adversely impact on the amenity of neighbouring uses including loss of privacy". The applicant does not demonstrate that there will be no adverse impact, indeed interpretation of the plans would indicate that there is notable potential for the scheme to result in adverse impacts.
- 10.11 The proposal, due to the location of a parking courtyard to the rear of the building, would also be likely to have a detrimental impact on the amenity standards of the adjacent dwellings, in particular the dwelling to the south west (18 Deerfield Road), which has a very limited amenity space available to it at present. Whilst the scale of such impacts could be reduced through surface materials used in the construction of the area, there will be a detrimental impact from the sound of cars arriving, departing and being accessed.

Visual Impact and Character

- 10.12 Deerfield Road is a traditional part of the town of March with a distinctive pattern to the development along it, in particular the development along the north west side of the road. It is characterised predominantly by 2-storey properties of a traditional design sited in close proximity to the road with modest front gardens, and often with boundary walls or hedges to separate the dwellings from the road. These characteristics are further emphasised by the lack of any such consistent approach to the south eastern side of the road, in particular the United Services Club opposite the site breaks up any traditional form on this side of the road, making the consistency of the form and character to the north more apparent.
- 10.13 It is accepted that the existing dwelling on the site breaks this form, however information is not available as to why a property of this nature was constructed on the site rather than continuing the form of development apparent to either side. Further to the east, the form of development changes but remains consistent, with block of 4 terraced properties to either side of the road, with greater set-back from the street allowing parking in front of those properties. Individual modern developments have also been undertaken elsewhere that are at odds with the character of the street, and 2 Deerfield Road is an example of this. 2 Deerfield Road however illustrates the negative impact that unsympathetic development can have on the contribution made by the visual distinctiveness of an area and its traditional forms of development.
- 10.14 The nature of the proposed scheme results in the gardens of units 1 and 2 being located at the front of the site between the building and the highway, which is a relationship significantly at odds with the character of the remainder of the street. Such gardens would be unlikely to be extensively utilised due to the poor

- relationship and lack of privacy but any such utilisation is likely to have a detrimental effect on the character of the area.
- 10.15 Paragraph 130 of the National Planning Policy Framework notes that permission "should be refused for development of a poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions". It is considered that the development proposed fails in this regard for the reasons above and is therefore contrary to this part of the NPPF.

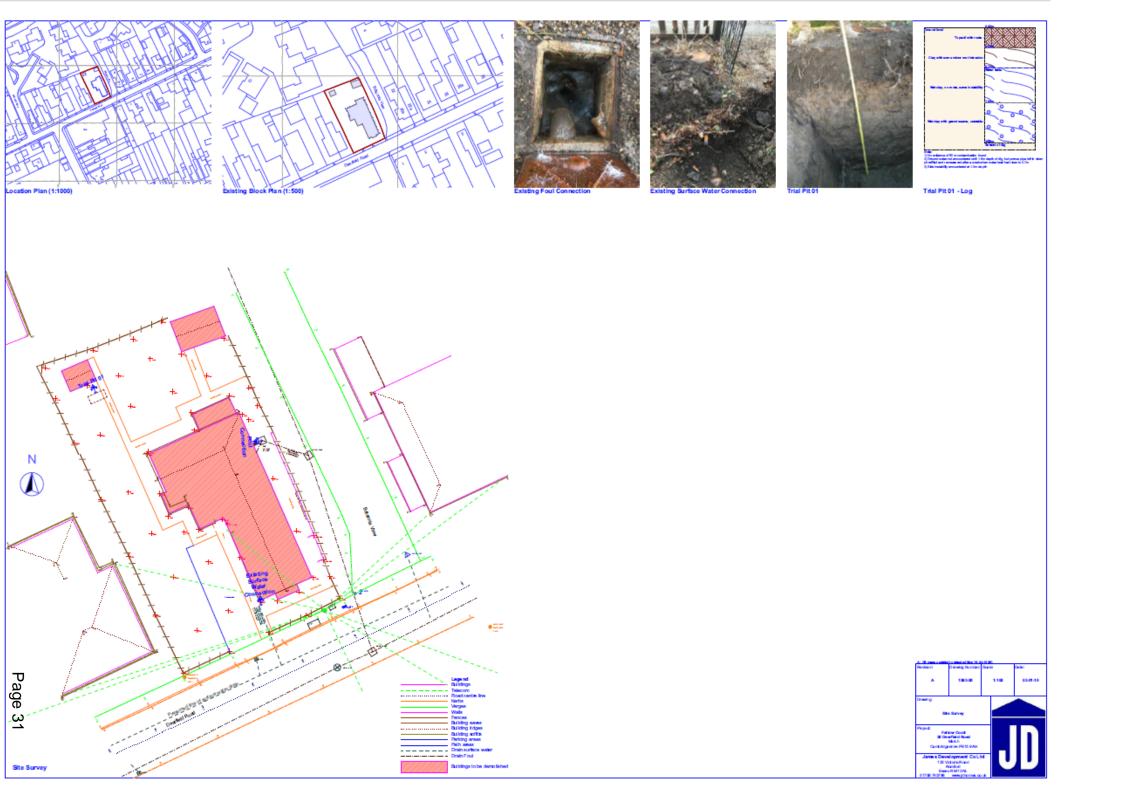
11. CONCLUSIONS

- 11.1 The design of the buildings is not reflective of the established and distinct character of the area and results in adverse impacts on that character.
- The proposal for four dwellings to be located on the site results in a substandard and contrived vehicular access that is not supported by the Highways Authority that is detrimental to highway safety and fails to accord with the policy requirement to provide a well-designed, safe and convenient access.
- 11.3 The proposed dwellings would have a detrimental impact on the amenities and privacy of the neighbouring dwellings, and the amenity areas allocated to plots 1 and 2 would not represent the High Quality Environment required to be provided by policy LP16 of the Fenland Local Plan (2014)

12. RECOMMENDATION

Refuse:

- 1. Policy LP16 (e) of the Fenland Local Plan (2014) requires development to not adversely impact on amenity if neighbouring users, for impacts including loss of privacy and noise. The proposal would result in windows overlooking the currently private amenity spaces associated with the neighbouring properties and would also be likely to increase the noise experienced within those spaces. There would therefore be a detrimental impact on the privacy and amenity standards of the neighbouring properties contrary to the requirements of policy LP16, in particular sub paragraph (e).
- 2. Policy LP15 of the Fenland Local Plan (2014) requires all development to provide a well-designed, safe and convenient access. The proposal, by virtue of the narrow access and its angle in relation to Deerfield Road would require vehicles entering the site from the south west to manoeuvre into oncoming traffic in order to be able to turn into the proposed access. The proposal would therefore be detrimental to highway safety and would be contrary to the requirements of policy LP15 in that respect.
- 3. Policy LP16 of the Fenland Local Plan (2014) seeks to deliver High Quality Environments across the District, and policy LP2 seeks to facilitate the health and wellbeing of residents, promoting high levels of residential amenity. The proposal, by virtue of the separation of the amenity spaces associated with the units and the extremely limited amenity space associated with units 1 and 2 fails to meet these objectives and is therefore contrary to those policies and also paragraph 130 of the National Planning Policy Framework (February 2019).









Existing Street Scene 01



Existing Street Scene 02



Perspective 01



Perspective 02



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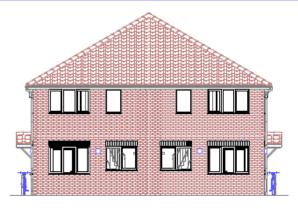
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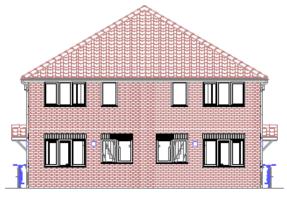
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Front Elevation -South

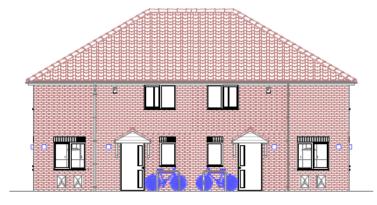


Rear Elevation -North





Side Elevation -East

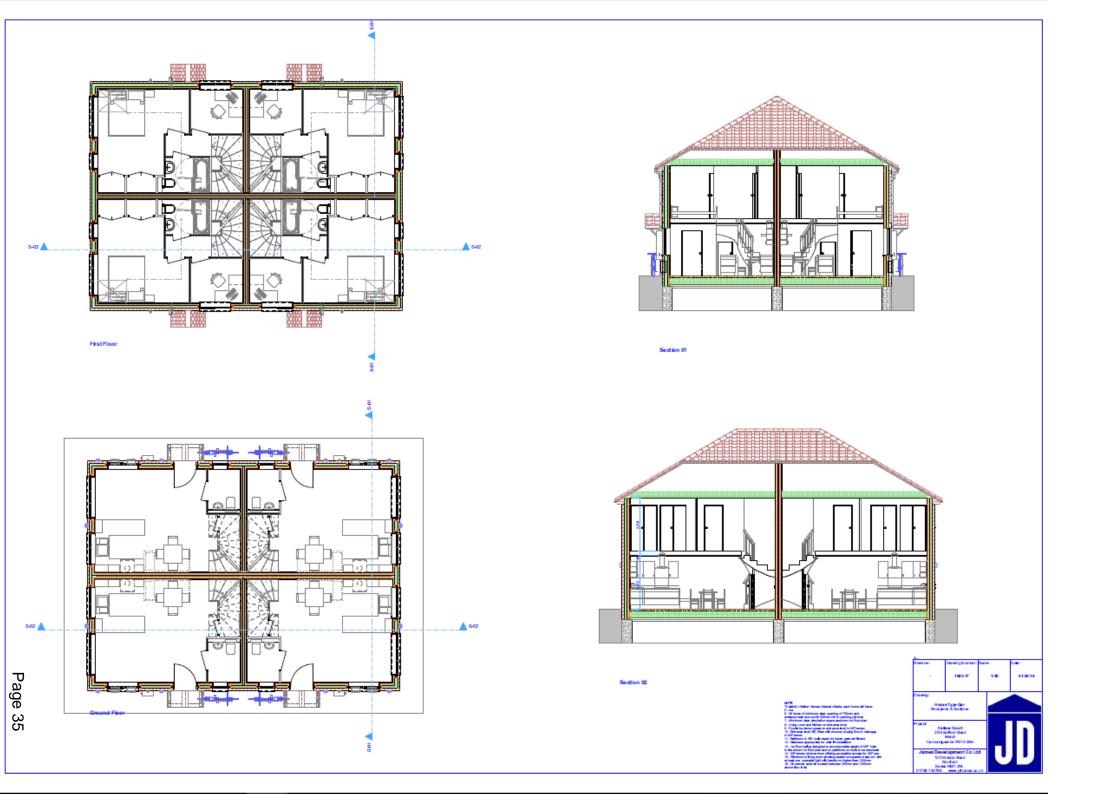


Side Elevation -West





Front Perspective



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PLANNING COMMITTEE DATE: 24th April 2019

APPLICATION NO: F/YR19/0164/F

UPDATE
Revised plans have been received from the agent following discussions with the highways authority with regard to the access to the parking provision at the rear of the site. The amendments result in a narrower, slightly repositioned building on the site to allow for a wider access driveway to the rear parking courtyard, however highways have commented further on these proposals noting that the visibility splays to the west remain sub-standard.

Recommendation:

Refusal as per the main report with the following reason to replace reason 2:

2. Policy LP15 of the Fenland Local Plan (2014) requires all development to provide a well-designed, safe and convenient access. The proposal, by virtue of the access and its relation to 18 Deerfield Road to the west would result in sub-standard visibility splays in that direction for traffic leaving the site. The proposal would therefore be detrimental to highway safety and would be contrary to the requirements of policy LP15 in that respect.



F/YR19/0146/O

Applicant: Mr Michael Topping Agent: Morton & Hall Consulting

Ltd

Morton & Hall Consulting Ltd

Land South and West Of, 4 - 5 Mill Hill Lane, March, Cambridgeshire

Erection of up to 3no dwellings (outline application with matters committed in respect of access)

Reason for Committee: 6 or more unresolved responses contrary to the recommendation. Recommendation contrary to Town Council comments and the proposal is for more than 2 dwellings.

1. EXECUTIVE SUMMARY

The application is made in outline for the construction of 3 new dwellings on land south and west of 4-5 Mill Hill Lane. Only the access to the site is submitted for approval at this stage.

The application site is located in flood zone 1

The access to the site is located between two existing properties in close proximity to those dwellings and would result in a detrimental impact on their amenity.

2. SITE DESCRIPTION

- 2.1. The application site is an existing piece of open land to the rear of the dwellings on Mill Hill Lane, and forms approximately one half of the land surrounded by the existing gardens located to the rear of the dwellings on Mill Hill Lane, and Knight's End Road.
- 2.2. The land is flanked to the south by an existing dyke, beyond which are a group of trees protected by a tree preservation order. These trees overhang the southern part of the site when in full leaf.
- 2.3. The site is enclosed by existing post and rail fencing on three sides, and at the western end is overlooked by the rear elevation of a single-storey dwelling. Similarly the existing dwelling to the eastern end of the site to the south of the access is located in close proximity and looks west over the proposed driveway.
- 2.4. The site is located in flood zone 1; however it is noted on the Environment Agency Flood Risk Mapping website as being at high risk of surface water flooding.

3. PROPOSAL

3.1. The proposal is made in outline for the construction of 3 new dwellings on the site. All matters are reserved for later approval with the exception of access, which is indicated by the application as being located between the two dwellings to the east of the site, numbers 6 and 7 Mill Hill Lane.

- 3.2. Indicative plans are provided showing a potential site layout, floor plans and elevations. These indicative details show a private driveway extending along the southern boundary of the site with the adjacent dyke, one dwelling at the western end of the site, with plots two and three located to the north of the driveway. The front elevations of the buildings are shown facing the access driveway, with the rears of plots two and three backing onto the existing paddocks to the north of the site, and the rear elevation of plot one looking towards the dwelling to the west.
- 3.3. The indicative floorplans and elevations show two dwellings with 3 bedrooms and a single plot with 4 bedrooms. All the dwellings are shown as being single-storey with sufficiently low profiles to prevent the later addition of any practical floorspace within the roof, although this could be controlled by condition if considered necessary. Each dwelling is shown as benefitting from a single detached garage.
- 3.4. The application site is accessed via Mill Hill Lane, and the adopted highway ends approximately 15 metres to the north of the driveway access between 6 and 7 Mill Hill Lane.
- 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=PMRSJRHE0D800

4. SITE PLANNING HISTORY

F/YR15/0311/F	Erection of 1 x 4-bed 3-storey detached dwelling with detached double garage and 1 x 2-bed single-storey dwelling with detached single garage	Granted 28/8/15
F/YR13/0561/F	Erection of 1 x 3-bed 2-storey dwelling and 1 x 4-bed 2-storey dwelling with integral double	Granted 11/5/13
F/YR12/0448/F	garages Erection of 1 x 3-bed 2-storey dwelling and 1 x 4-bed 2-storey dwelling with integral double garages	Refused 8/7/12
F/YR11/0785	Erection of 1no x 3-storey 5/7-bed with integral garage and 2no x 4-bed dwellings with integral garages	Withdrawn 25/11/11
F/0364/75/O	The erection of a dwelling	Refused 18/7/75
M/72/187/O	The erection of two agricultural bungalows and garages	Refused 20/11/72
M/72/188/O	Residential development	Refused 10/2/72
M/67/92/O	The erection of dwellings	Refused 7/8/67

5. CONSULTATIONS

March Town Council

5.1. Recommend approval

Cambridgeshire County Council Highways Authority

5.2. No highways objections.

Mill Hill Lane is devoid of separate footways, cycleways and street lighting. Incremental development such as this posts a greater demand upon the existing infrastructure. Mill Hill Lane should not be subject to continuous incremental development in the absence of any highway infrastructure improvements that address some of the highways concerns above.

Access should be widened to 5 metres sealed and drained away from the Byway Open to All Traffic for the first 10 metres.

Cambridgeshire Definitive Map Officer

5.3. No objection. Informative notes to the applicant requested to be attached to the decision should permission be granted.

FDC Environmental Health

- 5.4. No objections
- 5.5. 18 separate responses have been received to the application, 10 in favour and 8 opposed. One of the letters in support of the application is from a resident outside the Ward or adjacent Ward.
- 5.6. The letters of objection raise the following points:
 - The road is in poor condition and has not been upgraded as part of the development that has been undertaken and is accessed from it.
 - Major concerns regarding the risk of surface water flooding on the site and neighbouring properties, concerned that soakaways will not be sufficient.
 No calculations provided and no percolation tests have been undertaken to see if soakaways are viable.
 - The land is outside the district plan for housing and is infill agricultural land
 - The access road to the site has been built for some time.
 - Where will foul sewage go.
 - The unmade road will not support additional traffic.
 - There are no footpaths along the lane to allow safe usage by pedestrians.
 - Tree Preservation Orders are not being adhered to.
 - Birds of Prey and Bats have been seen in the area.
 - Traffic congestion at the access to Knights End Road increased.
 - No bin collections arrangements.
 - Unsustainable site
 - Over development.
 - No turning facilities for HGVs.
 - Previous planning decisions not being adhered to.
 - No tree or hedge survey.
 - Site area hasn't been provided.
 - Previous applications on this site either refused or withdrawn.
 - Not in keeping with the other dwellings in the area.
 - Noise (unspecified).
 - Devaluation of other property.
 - Development would set a precedent.
 - Waste/litter (unspecified)
 - Overlooking/loss of privacy (unspecified)
 - Backfill (unspecified)
- 5.7. The letters of support made the following points:
 - Seems to be a lack of new build properties on the south side of March.
 - Sympathetic proposals.

- Will enhance the area.
- Application demonstrates that the site is suitable for the type, scale and size of development proposed.
- Surface water drainage can be dealt with through a suitably designed drainage scheme.
- Bungalows should ensure no privacy issues.
- Site access drive is suitable for vehicular traffic.
- Site is adjacent to land identified in development plan for future development.
- More bungalows should be constructed where possible.
- Layout shows no intention to overdevelop the land.
- Site is within the built up area.
- Utilises unproductive land.
- Should be more positive about meeting the needs of todays and future generations.
- Most of us live in properties that were opposed in the past.

6. STATUTORY DUTY

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

7. POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 11: Presumption in favour of sustainable development

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 130: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

Para 155: Development should be directed away from areas at highest risk of flooding.

Para 158: Development should not be permitted if there are reasonably available sites in areas at lower risk of flooding.

Para 163: Thresholds for allowing development in areas at risk of flooding.

National Planning Practice Guidance (NPPG)

Determining a planning application

Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 - Housing

LP9 – March

LP12 - Rural Areas Development Policy

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP19 – The Natural Environment

March Neighbourhood Plan 2017

Policy H2 – Windfall Development

8. KEY ISSUES

- Principle of Development
- Access and Highway Safety
- Access and Amenity Impacts
- Flood Risk
- Biodiversity
- Other Issues

9. BACKGROUND

9.1. This particular proposal has not been subject to any pre-application enquiry, but is made following the approval of a substantial number of dwellings along Mill Hill Lane in recent history.

10. ASSESSMENT

Principle of Development

10.1. The application site is located on the southern side of March, adjacent to the built up section of land along the south side of Knight's End Road. The application site is located within flood zone 1 and there are no ecological or heritage designations on the land that would indicate a presumption against development as a matter of principle.

Access and Highway Safety

- 10.2. The proposed access into the site is located to the south of the existing adopted highway, and runs between 6 and 7 Mill Hill Lane. The access is in existence at the time of the application serving 7 Mill Lane and the application site and although it is currently a gravel surface the application details do indicate that a 5 metre wide by 10 metre long section at the junction of the site with the Byway Open to All traffic (BOAT) over which it is accessed will be surfaced to Cambridgeshire County Council Highways requirements. The BOAT allows for travel by both pedestrians and vehicles as well as other methods of travel, however no segregation is in place to improve the safety of its use between vehicular and other traffic. Notwithstanding that, there are 18 existing dwellings (including dwellings granted consent and dwellings under construction) along Mill Hill Lane that use the road to access their property in addition to the farm businesses further to the south, and as a result, there is a limited additional burden placed on it by the proposal for three new units.
- 10.3. Cambridgeshire County Council Highways Authority and the Definitive Map Team have both assessed the proposal and have not raised objections on highway safety grounds and therefore whilst the comments of the residents are noted, there is no specific identified harm that will arise in relation to highway safety as a result of the proposal and on that basis it is not justified to refuse permission on those grounds.

Access and Amenity Impacts

10.4. In addition to the highway safety issues identified above, the access proposed to be used in relation to the scheme passes between numbers 6 and 7 Mill Hill Lane, with separation of 1 metre and 0.5 metres respectively between the side elevations of those dwellings.

- 10.5. 6 Mill Hill Lane benefits from 5 existing windows along its southern elevation that are separated from the proposed access driveway by only 1 metre, and a 1.8 metre high closeboard fence alongside the vehicular route. 7 Mill Hill Lane only has a single window facing this driveway, however there is currently no boundary treatment separating the driveway from the window in question.
- 10.6. Although the access driveway is in existence at the time of the application, it is currently only used by 7 Mill Hill Lane to access the land beyond the site, and their parking provision is located to the front of the site thus ensuring that use of the access is extremely low level in intensity. The proposal would result in 3 family homes being accessed along this route with a parking requirement of 7 spaces and a proportionate level of vehicular movements.
- 10.7. Should the application be approved both the existing properties flanking the access would have limited amenity space associated with them. The proposed scheme results in their private amenity spaces being located directly adjacent to the access to the proposed new dwellings and therefore subject to the detrimental impact on those areas of vehicular and pedestrian traffic passing by on a regular basis with all the associated negative impacts that will bring, including the transfer of waste and recycling bins from those plots along the access driveway to the collection points at the front of the site.
- 10.8. Should the proposed layout be brought forward utilising the bin storage and collection points indicated, the proposed dwellings would be required to move their bins between 75 and 110 metres from their storage points to the collection point, which is more than twice the distance specified within the RECAP guidance for such matters. The proposed collection point is located alongside the access to the site, in front of 7 Mill Hill Lane.
- 10.9. On that basis, it is considered that the proposal would have a detrimental impact on the residential amenity standards of the neighbouring properties, contrary to the provisions of policy LP16 (e) and of a sufficient scale to justify refusal of the scheme.

Flood Risk

- 10.10. The application site is located within flood zone 1, the zone of least flood risk and the preferred location for residential development in flood risk terms. The site adjoins an existing dyke and in principle therefore there is no objection to the proposal on flood risk grounds, however the site is also identified by the Environment Agency on their website as being at high risk of flooding from surface water, and photographic evidence provided by representations received in relation to the application supports this, albeit the photograph is not dated and does not provide any evidence as to the regularity of such flooding/waterlogging.
- 10.11. It is noted that despite this evidence, there is no statutory basis for opposition to the principle of consent on the basis of the surface water flooding of the site, although it would be reasonable in that case to require that the applicant demonstrate that an acceptable solution to the surface water drainage of the site is available. Should members be minded not to refuse the application it would be appropriate to require demonstration that the surface water drainage proposed is satisfactory given the risk of surface water flooding on the site.
- 10.12. Given the issues identified above however it is considered that it would be unreasonable to require the applicant to undertake to provide such evidence at

this time when other matters in relation to the proposal would justify refusal of the scheme regardless. The applicant therefore has not been requested to undertake to provide a scheme demonstrating acceptable drainage of the site.

Biodiversity

10.13. A biodiversity report has been produced and submitted alongside the application by Hillier Ecology Limited. This survey and report concludes that although enhancements to the site should be provided as part of any development, there were no protected species likely to be affected by the proposal at the time of the survey.

Other Issues

- 10.14. The applicant was requested to provide a tree survey at the time of validation of the application due to the proximity of the trees along the southern boundary of the site and the potential impact of the development on those trees and their contribution to the area. This survey has not been provided. Whilst this would normally be a requirement of a scheme and its absence result in a recommendation for refusal as an outline proposal and with layout and landscaping reserved for later approval, combined with the detachment of the trees in question from the site, it is considered that it would be possible for the detailed layout of the site and its landscaping to be informed by such a survey at the reserved matters stage should the principle of the development be considered acceptable in outline.
- 10.15. A range of additional matters have been raised as part of the public consultation, including several that were not subject to any explanation as to how they were deemed to be relevant to the scheme.
- 10.16. For the sake of completeness, these issues not considered above are addressed as follows:-
- 10.17. The current 'agricultural' use of the site and its location are not factors that would indicate the scheme should be refused as a matter of course, there are no pre-defined edges to the Town of March and although the site is flanked by open land to the south, this land is identified as potential future development land. The current use of the land is agricultural in name only, and the land is not used for agricultural purposes.
- 10.18. Compliance of other developments taking place along Mill Hill Lane with their approved plans is not relevant to the current scheme, enforcement of such matters is a separate matter from the planning permission process at the application stage, and the same is true of works to trees within the area and any preservation orders on those trees.
- 10.19. Although the site area section of the application form has not been completed this is not itself a matter justifying any opposition to the scheme, and the site falls below the thresholds for which Environmental Impact Assessment is required.
- 10.20. Devaluation of other properties in the vicinity is not a matter for consideration under the terms of a planning application, and it is not clear how matters such as waste/litter and backfill are relevant to the proposal. Noise has been identified as a ground for objection however there is no suggestion how noise associated with a residential development is likely to adversely affect the

- surroundings. Noise specifically associated with the use of the access has been addressed above.
- 10.21. Finally, overlooking/loss of privacy is a matter that is material to the consideration of the planning application however as the floorplans, elevations and layout are indicative only at this stage it is not possible to evaluate specific impacts or conclude that there would be any adverse impact in this regard.

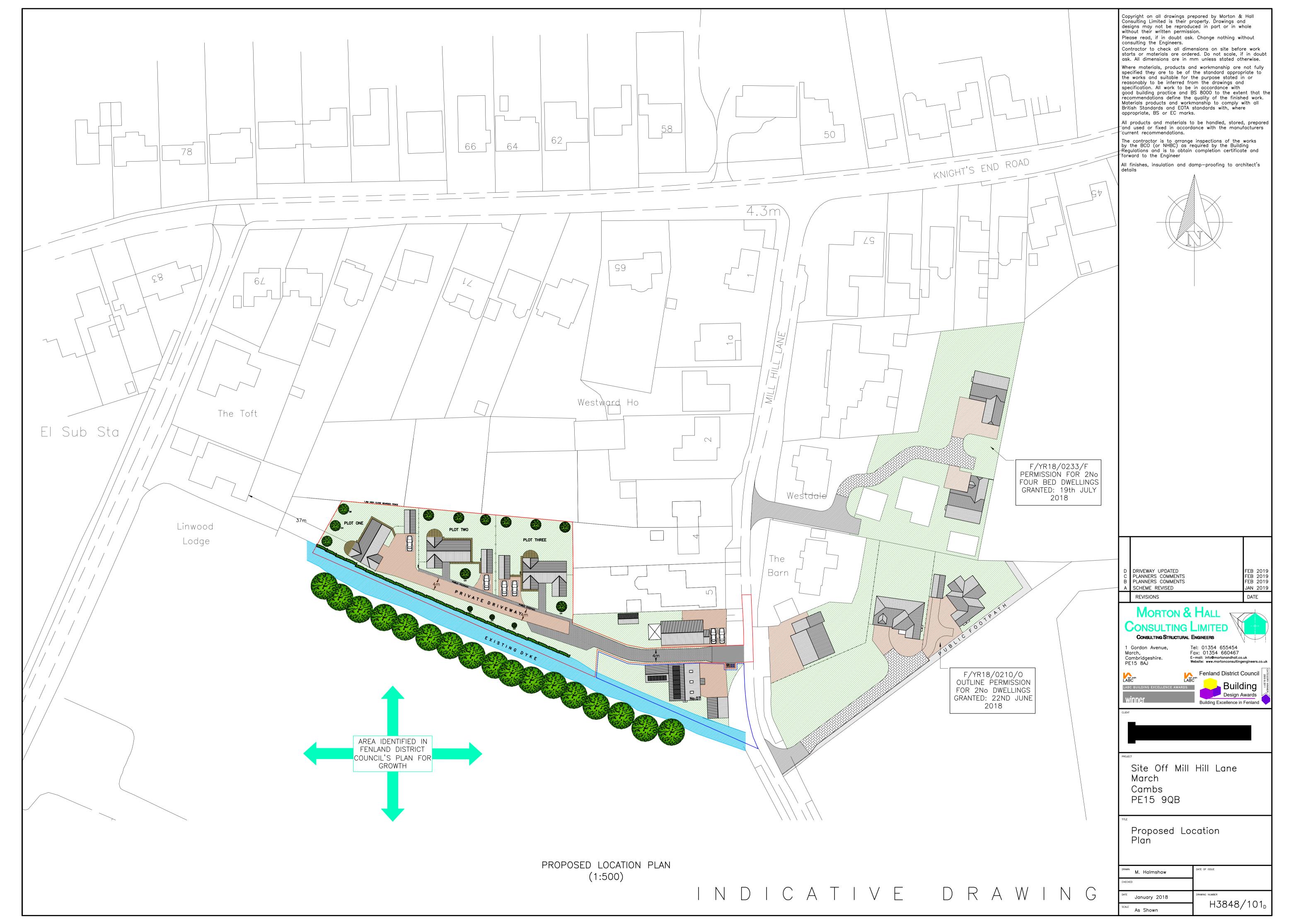
11. CONCLUSIONS

- 11.1. The principle of the proposal is in accordance with the relevant planning policies as regards residential development in March, and the proposed access would not result in unacceptable impacts on highway safety.
- 11.2. Further work would be required with regard to ensuring appropriate treatment for surface water and tree protection, however the proposed access to the site results in unacceptable impacts on the residential amenity of the dwellings flanking it at the entrance to the site and it would not therefore be reasonable to require that work to be undertaken at this time.

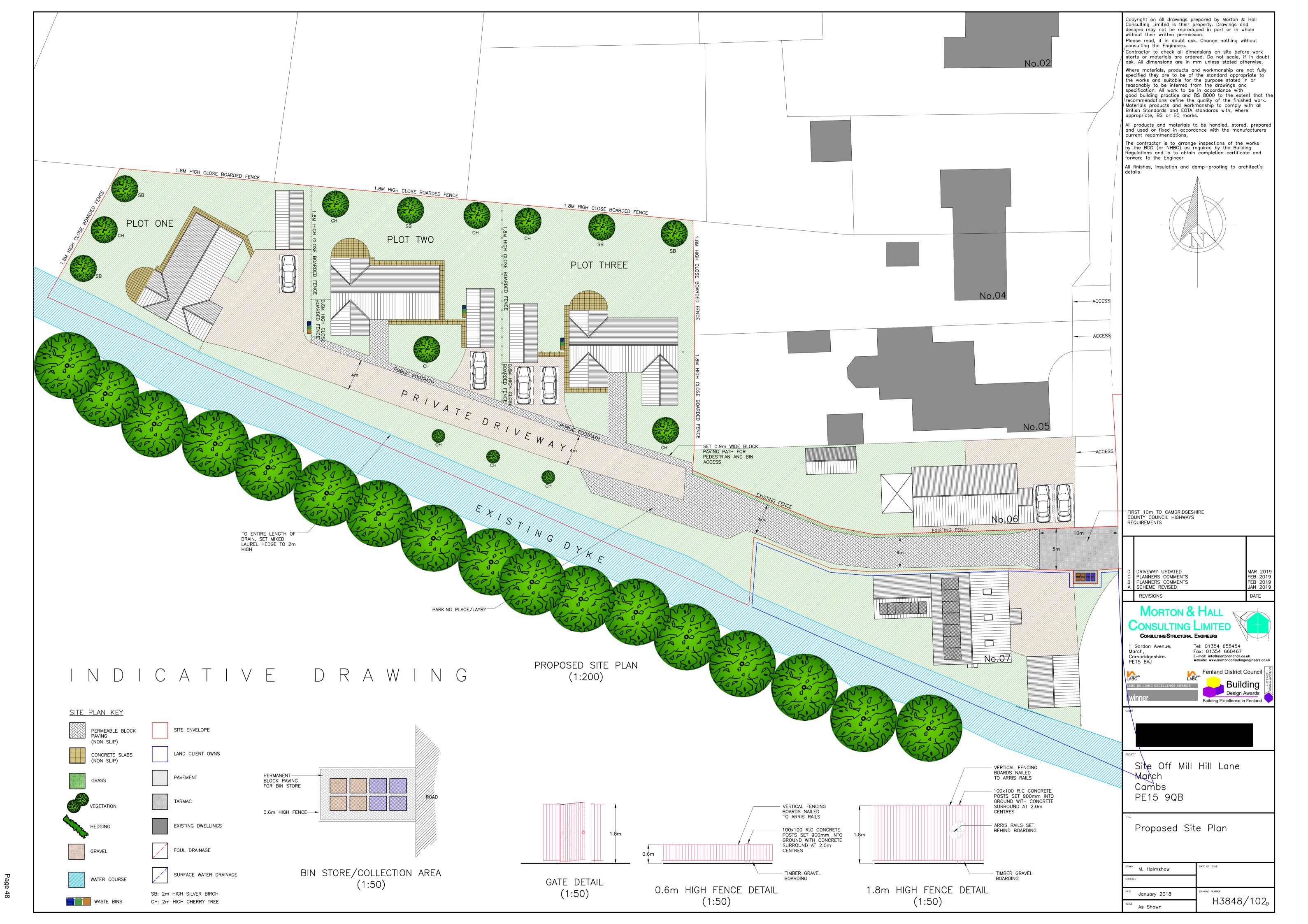
12. RECOMMENDATION

REFUSE, for the following reason:

1. The proposal is a backland development scheme that results in unacceptable amenity impacts to the neighbouring properties at 6 Mill Hill Lane and the host dwelling 7 Mill Hill Lane. In particular, the access, its length and the volume of traffic required to pass along it to access the new dwellings would result in unacceptable amenity impacts on the specified properties and substandard facilities for the collection of waste contrary to paragraphs e) and f) of policy LP16 of the Fenland Local Plan (2014) and policy DM4 of the Delivering and Protecting High Quality Environments in Fenland supplementary planning document 2014.



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