

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 11 NOVEMBER 2020

1.00 PM

**A VIRTUAL MEETING VIA ZOOM VIDEO
CONFERRING SYSTEM**

Committee Officer: Jo Goodrum
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Due to the Covid-19 outbreak and the restrictions by the Government on gatherings of people, this meeting will be conducted remotely using the Zoom video conferencing system. There will be no access to this meeting at the Council offices, but there will be public participation in line with the procedure for speaking at Planning Committee.

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 26)

To confirm the minutes from the previous meetings of 23 September and 7 October 2020.
- 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/YR20/0363/F
Land North West of Cedar Lodge, The Old Dairy Yards, Westfield Road, Manea.
Erect 1x4-bed single storey dwelling, including improvements to access. (Pages 27 -

40)

To determine the application.

6 F/YR20/0824/F

16 Park Street, Chatteris, Demolition of rear annexe and workshop and alterations and refurbishment of existing dwelling to form a 4-bed dwelling. F/YR20/0854/F
25 Victoria Street, Chatteris Erect 3 x 2-storey dwellings comprising of 1 x 3-bed and 2 x 2-bed involving demolition of existing building within a Conservation Area, (Pages 41 - 64)

To determine the application.

7 Planning Appeals. (Pages 65 - 66)

To consider the appeals report.

8 Items which the Chairman has under item 3 deemed urgent

Members: Councillor D Connor (Chairman), Councillor I Benney, Councillor M Cornwell, Councillor Mrs M Davis, Councillor Mrs J French, Councillor A Lynn (Vice-Chairman), Councillor C Marks, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy, Councillor R Skoulding and Councillor W Sutton,

PLANNING COMMITTEE



**WEDNESDAY, 23 SEPTEMBER 2020 -
1.00 PM**

PRESENT: Councillor D Connor (Chairman), Councillor A Hay (Vice-Chairman), Councillor I Benney, Councillor S Clark, Councillor M Cornwell, Councillor A Lynn, Councillor C Marks, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy, Councillor R Skoulding and Councillor W Sutton,

Officers in attendance: Nick Harding (Head of Shared Planning), David Rowen (Development Manager), Nick Thrower (Senior Development Officer), Stephen Turnbull (Legal Officer), Elaine Cooper (Member Services) and Jo Goodrum (Member Services & Governance Officer)

P31/20

F/YR20/0054/O

LAND SOUTH OF MEADOWGATE ACADEMY MEADOWGATE LANE WISBECH, HYBRID APPLICATION: ERECT UP TO 10 SELF-BUILD DWELLINGS (OUTLINE APPLICATION WITH MATTERS COMMITTED IN RESPECT OF ACCESS) AND FULL PLANNING PERMISSION FOR CONSTRUCTION OF INTERNAL ROAD LAYOUT AND WORKS TO MEADOWGATE LANE

Nick Thrower presented the report to members.

Members asked officers the following questions:

- Councillor Meekins asked whether Meadowgate Lane is still a no through road and Nick Thrower confirmed that it is. Councillor Meekins asked whether the proposed development on the disused College of West Anglia agricultural campus is still going ahead? Nick Thrower stated that he was unaware of any formal proposals on that site, however, this proposal is in the southwestern corner of the Broad Concept Plan, which is the strategic allocation for East Wisbech.
- Councillor Murphy asked whether discussions have taken place yet regarding condition 12, which is the Refuse Collection Strategy or does it get agreed afterwards? He also questioned whether the planning permission would cease if the refuse strategy is not agreed? Nick Thrower stated that the strategy is yet to be discussed, but the internal road layout could be constructed in a manner that would accept the refuse collection vehicles and, therefore, specific refuse collection consideration could be accommodated within the road layout that is proposed. Councillor Murphy asked whether the planning permission will be granted without the condition? Nick Thrower stated that the condition proposed would require the refuse strategy to be agreed and implemented and he cannot see the development proceeding without a formal strategy in place.
- Councillor Lynn asked whether the Highway Authority have agreed the layout leading to the site? Nick Thrower stated that their current view is to recommend refusal of the application.
- Councillor Sutton referred to the two-page report from the Highway Authority, which conflicts with the officer's recommendation, and asked whether an officer from Highways was invited to attend the meeting? David Rowen stated that officers from the Highways Authority were not invited to attend the meeting as their comments are outlined within Appendix A of the report, which is a full summary of their position and an officer attending would not provide any further detail than that which has been provided to members in the committee report.
- Councillor Cornwell questioned that if the application is approved and the work is carried out, but not to the requirements of the Highway Authority, could they then refuse to adopt

the road? David Rowen stated that it is his understanding that if a scheme has obtained planning permission then the Highways Authority cannot automatically decline to adopt the road, because they did not agree with it at the planning stage. Nick Harding stated that officers have specifically checked with the Highway Authority, that if this application was approved, would they refuse to enter into a Section 278 agreement for the proposed road improvements to be made, even though they were not in agreement with them, and they stated that they would honour the fact that planning permission had been granted. Stephen Turnbull, the Legal Officer, confirmed that when planning permission is granted the Highway Authority cannot refuse to cooperate with the Section 278 agreement.

- Councillor Sutton expressed the opinion that going forward when there is such a difference in opinion with the Planning Officer's recommendation and the opinion of the Highway Authority, he would like to see an officer from the Highways Authority present at Planning Committee meetings.
- Councillor Mrs Mayor expressed the view that she agrees with a number of points that Councillor Sutton has made and added that it is a comprehensive highways report which recommends that the application is refused for highways safety reasons or for it to be deferred for amended plans and, in her opinion, she would like the application to be deferred so that amended plans can be provided, which are acceptable to the Highway Authority.
- Councillor Hay stated that she has reservations regarding the highways issue referring to Appendix A where it states that there is land available as an alternative to the proposal, and she would have liked the Agent or the Highways Officer in attendance at the meeting to provide further detail, making the point that safety must come first.
- Nick Thrower added that the Highways Officer did identify an opportunity to mitigate their concerns and this was shown in the second highways drawing where it showed the lengthening of the ditch on the right hand side of Meadowgate Lane and the widening of the carriageway of 5.5 metres with a 1.8 metre footpath to the eastern side of the site, however, Planning Officers concluded it would result in unacceptable harm to the character of the area.

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

- Councillor Cornwell expressed the view that there appears to be reluctance from officers to lose the hedges in this proposal and taking into consideration the safety of walkers and cyclists using a highway, if this view cannot be balanced, then he does not see how the development is beneficial to the area. He stated that he does not feel he can support the application in its current format.
- Councillor Benney stated that he welcomes the application and, in his view, officers have brought a scheme forward that finds a balance and they should be congratulated. He expressed the opinion that the road is a cul-de-sac that leads to nowhere, with a few houses and the road then leads to a field and that all over the country there are small estates, which have adopted or private roads which have a lower standard of access than those of a larger size. Councillor Benney added that there is a small distance from the adopted highway to the entrance of the site and the applicant has tried to reach a satisfactory compromise, which includes a footpath, and he stated that he will be supporting the officer's recommendation.
- Councillor Sutton expressed the view that, although he agrees with some of the points raised by Councillor Benney, he cannot agree the balance between ecology, street scene and character against highway safety and he would suggest that the application is deferred as he believes that there is a better scheme to be put forward. He added that the ditch could be box culverted and that the trees and bushes in the ditch are to the detriment of the drainage system.
- Councillor Lynn stated that the road runs alongside a school that educates the most vulnerable children in society and he is disappointed to see that there is no highway agreement in place as he would like to see the development go ahead, but he would like to see the proposal deferred to come back to the committee with a better road scheme in

place for consideration.

- Councillor Connor stated that he agrees with the comments raised by Councillor Benney and added that he would also like to congratulate officers for bringing this report forward. He expressed the opinion that although the access road is narrow, with the necessary improvements that are proposed put in place, he would not be in support of a refusal or a deferment of the application on highway grounds. He expressed the opinion that with regard to the comments made concerning the East Wisbech Broad Concept Plan (BCP), it is his belief that the proposal will not affect the BCP at all and will bring a disused piece of land into use, providing much needed housing.
- Councillor Meekins stated that Meadowgate Lane is a narrow lane and by increasing the vehicle movements into a narrow road is unacceptable. He stated he cannot support the current proposal as it stands.
- Councillor Benney stated that he was willing to support the application, however, from comments that members have made so far it does not look as though it will be supported and if the application is going to be refused then officers should be given some guidance as to what improvements would make the proposal agreeable. He stated that the trees could be removed and be re-planted elsewhere as part of a tree planting scheme, which would please more people and ensure that the road is up to standard. He expressed the view that no trees should stand in the way of a house and there are waiting list for homes, due to a shortage of self-build plots in Fenland, which would also bring much needed employment to the area.
- Councillor Hay stated that she would support a deferment of the application because as soon as she read the report she was concerned with regard to the issues surrounding safety and these cannot be set aside for the sake of the character of the area. She added people's lives must come first, particularly when the Highways Officer states that it can easily be designed out and she expressed the view that she sees no reason to support the application as it stands.
- Councillor Connor questioned that if the committee approve the application, could a caveat be added that the applicant has to meet the road safety standards so that the Highway Authority are content.
- David Rowen stated that members have debated the highway issue to some depth, adding that officers do not go against the Highways Authority recommendation to refuse lightly and great consideration has been given to the application. He added that there are very few proposals that are brought before the committee which go against the highway's recommendation for refusal, but this application is slightly more nuanced in terms of discussions with regard to what is the most appropriate type of road improvement. The Highway Authority is requesting an engineered 5.5 metre road and 2 metre footway compared to leaving the road in its current form, with officers trying to reach a satisfactory resolution, which meets the highway requirements to upgrade the road, and at the same time does not obliterate the character of the road either. It is important for members to note the wider context, particularly the nature of the Quaker Lane and Meadowgate Lane further to the north, which are not typically designed estate roads and they fluctuate in width currently and the pedestrian facilities on those roads also fluctuate as there are areas where there is no segregated footway, areas where there is footway on both sides and areas where there is footway on one side. David Rowen added that the Highway Authority's view is for a high standard of road along Meadowgate Lane and Quaker Lane for the final 50 metres as you approach the site to serve the final ten dwellings and whilst he understands the concerns raised by some members over Meadowgate Academy, it is not a typical school in terms of pedestrian movements and the majority of pupils are brought to the school by car or minibus. He made the point that officers have taken the nature of the pedestrian movements into consideration when determining the application, which is a lightly used stretch of road to the south of the school at the moment, but, in the opinion of officers, by adding an additional 10 dwellings would generate a significant increase in vehicle movements in conflict with significant pedestrian movements.
- Councillor Sutton stated that he is surprised to hear the suggestion of the Chairman to pass

the application. Councillor Connor stated that the ten houses could be approved, and it could be a condition that the access and highway is looked at later. Councillor Sutton stated that the access and the roadway are committed and if this application is passed that decision is final. Councillor Connor reiterated his point that the application could be passed with the condition that the road issue is looked at afterwards. Councillor Sutton stated that if that is the case, what is the difference between passing it with a condition or deferring it to ensure the roadway is agreeable to everybody. Councillor Connor stated that is for members to decide.

- Councillor Cornwell asked for advice from the Legal Officer with regards to the suggestion made by Councillor Connor. Stephen Turnbull addressed members and stated that the highways issue is a detailed matter and the application should either be refused or deferred.
- Nick Harding asked officers to confirm whether a drawing was submitted from the applicant, which the Highways Officer is content with? Nick Thrower confirmed that a plan was produced by the agent following the initial highways comments, but the second highway layout plan that was presented to members was produced following the initial highways comments on the scheme. Nick Harding stated that if the applicant has already submitted a highway improvement drawing that the Highways Authority are happy with and Planning Officers are not it would have meant that there was the potential for members to approve the application and as part of the approval give consent to the drawing that has already been submitted, but officers will need to check whether that drawing has the full approval of the Highway Authority, however, it could be approved as an indicative Section 278 scheme, subject to a condition.
- Stephen Turnbull stated he would prefer the application to be deferred, given the large amount of detail which needs to be looked at.
- Councillor Mrs Mayor stated that her view would still be for deferment until there are some acceptable highways details which are agreeable to officers and the Highway Authority.
- Councillor Lynn stated that he would like to see the application go ahead and if officer's can work to resolve certain issues, such as removal of some of the trees, add a decent roadway, that may encourage highways for further road improvements going forward and for that reason he would also support a deferment.
- Nick Harding stated that there have been two highway improvement schemes submitted, with one of them satisfying the Planning Officer's recommendation and the Highways Officer is content with the other version and the detail within it. He asked the Legal Officer to confirm whether it would be acceptable if the committee made a decision to approve the development, subject to confirmation that the Highway Authority approved scheme is agreeable to them, with officers having delegated authority to issue the planning permission.
- Councillor Sutton stated that he appreciates that officers are seeking to obtain a resolution and he has nothing against the scheme except for the safety issue, but as the specific detail has not been provided members cannot make a decision, adding that had a Highways Officer been present at the meeting the application could have been determined and for that reason he would like to see the item deferred. He added that if it comes down to highway safety versus character trees and bushes then, in his opinion, safety should always be paramount.
- Councillor Benney expressed the view that one of the options that Nick Harding has proposed is that the application be approved with the condition that the highway drawing, which has been approved by Highways Officers be brought forward. He feels that the advice officers have provided is good advice and this is a compromise to ensure that the houses and self-build plots are provided. He stated that the matter of safety can be addressed, because if it becomes apparent that the drawing has not been approved, then the application will have to come back before the committee. Councillor Benney asked Nick Harding to clarify whether the option he has put before the committee is realistic? Nick Harding stated that the drawing allows for a highway improvement, which is more aligned to the standard approach of County Council than officers are comfortable with, but if the committee are minded to give delegated authority to officers then the drawing that has been submitted can be reviewed and put into a final version that the County Council is happy

with.

- Councillor Benney asked Nick Harding to confirm that if a compromise could not be reached with the highways how would the application move forward and Nick Harding confirmed that the application would be brought back to the committee. Councillor Benney stated if the committee agree that the other drawing is used and if that is then finalised and satisfies the Highway Authority, that would mean the Planning Committee would be content and that would mean that the application is passed and if agreement is not reached with the Highway Authority then the application would come back to committee.
- Stephen Turnbull confirmed that he agrees with Nick Harding that if there is a drawing in existence that the Highways Authority are happy with then he can see no issue with the committee resolving to approve, as at that point there is no permission granted and if that drawing is approved by the Highway Authority then permission can be granted or if it needs alterations to it post scheme, those can be met. He added that if the applicant is unhappy and does not agree it can come back to committee or it can be refused.
- Councillor Meekins stated that he would still like to request a deferment to ensure the highways issue is resolved properly.
- Councillor Lynn asked for clarity and confirmation from officers that they would be happy to take the application forward, based on the first drawing. David Rowen stated that the drawing now being discussed is one that officers did have issues with and he added that the implications with that, in his opinion, need to be reported more fully than have been presented to members.
- Nick Harding stated that the view held by Councillor Sutton where he stated the importance of highway safety outweighs all other matters is the reason why he has put the suggestion forward to members. He added that David Rowen has correctly stated that if the committee want to have knowledge of all the implications of what the higher standard of highway improvement are, then it should be laid before committee before they make their final decision.
- Councillor Sutton stated that he would be content with the suggestion made by Nick Harding if he could see the physical drawing as he has no problems with the development itself, only with the issues surrounding highway safety. He added that the character of the area will change with ten houses being constructed and he would like to see that application passed, but not at the expense of highway safety.
- Nick Harding stated that the high specification highway improvement drawing was shown as part of the officer's presentation.
- Councillor Benney asked for the drawing to be shown again and he stated that it did appear to show the ditch on the opposite side of the road being filled in to make the road wider.
- Members Services presented the drawing on the screen. Nick Thrower highlighted to members the aspects of the drawing which would form part of the Section 278 application and pointed out the area where the works would be undertaken and the areas where the infilling of the existing ditch and removal of the bushes and trees would take place.
- Councillor Benney stated that he would like to propose that the application is approved subject to the drawing being approved by the Highway Authority. He stated that there is no problem with the development, just the safety and access, and the application should be passed, with officers being given delegated authority.
- Councillor Sutton asked if we are sure that the Highways Authority is 100% happy with the drawing. Councillor Connor asked officers to give assurances that the drawing satisfies highways. Nick Harding stated that a decision would not be issued if the Highway Authority are not happy with the drawing and it would, therefore, be brought back to the committee.
- Councillor Hay stated that she would be happy with supporting the application if the proposal is quite clear that it was that agreed drawing that was being put forward.
- Councillor Sutton stated that a condition should be added that it will be actioned in conjunction with the revision of 011P6.

Proposed by Councillor Benney, seconded by Councillor Skoulding and decided that, subject to the original drawing for highways works being agreed, that the application be

APPROVED, as per the officer's recommendation.

P32/20

F/YR20/0441/O

LAND SOUTH OF 127-141 COATES ROAD, EASTREA,,ERECTION OF UP TO 20 DWELLINGS (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

David Rowen presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Kelly Kennedy, in objection to the application.

Mrs Kennedy stated that she lives in Paddocks Farmhouse at number 2 and is addressing the committee as a representative of herself and some of the residents in Minuet Paddocks, making the point that when she purchased her property, she was led to believe that there would be dividing land between her land and the proposed development. She stated that, from the revised plans, the dividing land has been added to the other side of the development and expressed the view that some of the detail in the plans are misleading as there were hawthorn hedges and trees shown at the back of her property dividing her from the proposed development and this is clearly not the case as there are only twigs in place, with the plans that were received also showing that her garden, which is finished at the rear by a 3ft country open style fencing, will now have peoples gardens attached to her own garden.

Mrs Kennedy stated that on her deeds of the property it details that the 3ft open style fencing cannot be changed for 5 years, which means that the rear of her property which is already very open will have proposed new gardens backing onto her property, which she feels is an infringement on her family's privacy as well as her neighbours. She added that when purchasing her property they were advised that there would be dividing land, including environmental features, and had they been informed that her garden would be attached to somebody else's garden then she would not have purchased the property. She added that she has had to erect a bamboo style shield to negate the issues of lorry drivers disturbing her children in the garden and, in her opinion, the way to provide privacy for all concerned would be to erect a 6ft fence before any development commences and this would provide privacy to all residents.

Mrs Kennedy stated that her children are aged 6 and 11 and there is no school bus service for her daughter from Sir Harry Smith School to Coates and Eastrea. She expressed her concerns for her daughter having to use the road to get to and from school, making the point that there have been speed cameras installed at Whittlesey Green, but there are none through Eastrea and Coates, with there being very often vehicles which speed through Coates and Eastrea at high speed, which is a safety concern for the current and any future residents living in the area.

Members asked Mrs Kennedy the following questions:

- Councillor Sutton referred to Mrs Kennedy's presentation where she mentioned a 6ft fence and he asked her that if that was erected would several of her concerns would be addressed? Mrs Kennedy stated that she has discussed her concerns with Mr Warner, the developer, however, she had discussed the issues with her solicitor prior to signing the contract for her property and it was within her deeds that the fence cannot be changed for five years.
- Councillor Marks asked Mrs Kennedy how long she has occupied her property and she advised she has lived there since July 2019. He asked whether all the properties on the development are occupied and she stated that they are all sold subject to contract, with the Manor House still to be built.

Members received a presentation, in accordance with the Public Participation Procedure, from Gordon Smith, the Agent and Brent Warner, the applicant.

Mr Smith stated that this is a reasonable site for development, the harm to the countryside is

limited, and the Council has granted permission for similar schemes elsewhere. He stated that they undertook their own consultation as encouraged by Local Plan Policy LP12 that the officers regrettably have not reported on, but they have received a good measure of community support and he stated that, importantly as well, this is one of the few sites in the district outside any flood risk.

Mr Smith stated that there are no consultee objections, there is no visual harm and the only view of note is from the main road adding that there are no footpaths to the south. He explained that with regard to the separation distance between Coates and Eastrea there is only a 18% reduction, which will be enhanced by considerable landscape work extending across 1/3 of the frontage and that this would eventually screen much of the development in these views. A new landscaped edge to Coates will result that will better focus and frame southward views from the main road

Mr Smith referred to an example of where the Council has approved a similar scheme in Doddington and added that both examples are connected by continuous built form to the opposite side of the road.

Mr Warner stated that Postland Developments is a local developer based in Coates, who employ local people and want to continue to do so. He added that there is a considerable amount of local support for the scheme including that of Whittlesey Town Council and that he has listened and acted on their comments as well as the comments of residents who, during a public consultation process, provided a considerable positive response.

Mr Warner stated that he wants to fulfil the need and will, therefore, should approval be given, incorporate bungalows specifically for the over 55s within the development. He stated that during the building out of an adjacent scheme to Minuet Paddocks, he was approached by several self-builders, who were in the majority local people, asking whether he would sell plots and two weeks ago he received a telephone call from another local expressing their interest in a self-build plot should planning be approved.

Mr Warner stated that this development is supportive of self-builders, accommodating 4 such plots and he added that when he was last before the committee regarding Minuet Paddocks, this scheme received a lot of positive comments from the Councillors regarding its design and attention to detail and one thing in particular was raised at that time and that was whether he would build it out or land bank and would he build it out as it is shown. He made the point that at that time his response was that he will build it out and it will be as designed, adding that he has kept to his word.

Mr Warner stated that should the Councillors see fit to vote in favour of this development he would give that same word that he will build out a high quality development, accommodating the needs of the older generation by building bungalows for them to down size in to, and will allocate self-build plots for those aspiring to build their dream home and in doing so provide much needed homes for the people of Fenland.

Mr Warner concluded by stating that as Mrs Kennedy has pointed out the concerns she has with regard to the fence and overlooking and privacy, he will on his side of the development, erect a 6ft fence to address and negate some of her concern.

Members asked Mr Smith and Mr Warner the following questions:

- Councillor Connor stated that he can see no mention of any affordable housing or financial contributions within the detail of the application and asked whether this was correct? Mr Smith stated that as the application is recommended for refusal and officers have not brought forward any proposals for affordable housing, it is not relevant. He added that if the application was recommended for approval then the normal policies would apply.
- Councillor Lynn asked Mr Warner to confirm that he has stated that he will erect fencing to

separate all the houses that back on to his development and not just Mrs Kennedy's property? Mr Warner stated that he will do that, he appreciates the residents of Minuet Paddocks want their own privacy and he will incur the cost of the erection of the fence. Councillor Lynn commended Mr Warner for his goodwill.

- Councillor Meekins stated that some of the proposed properties for development have been identified as bungalows for the over 55's and he referred to a small development in his ward where the houses started off as being for over 60's but now the age limit has been reduced and asked whether Mr Warner has anything in place to ensure that the bungalows will be guaranteed for purely over 55's? Mr Warner stated that in terms of insisting in that for perpetuity, he doesn't know. He added that it is his intention and it could be conditioned in the planning permission that the bungalows are for over 55's, with the reason it has been put in place, is that a number of people who have approached him have wanted bungalows have been in the over 55's age group and he wanted to be able to provide assurances that there would be bungalows for them to buy.

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

- Councillor Benney expressed the opinion that the developer brings forward a high standard of development, which stands out. He stated that we are surrounded by countryside in Fenland, making the point that whilst he appreciates that villages like to have their defining line of boundaries, the division line does not run down the middle of the road, it runs across the road and that on the opposite side of the road there are already houses and, in his opinion, the principle of development is sound. Councillor Benney stated that there are two fields between the two villages and by building into this by only 59 metres across, it will bring much needed homes to people. He sympathizes with the residents, but if the developer is prepared to put a fence up, it will define the boundary and overcome some of the problems that Mrs Kennedy has alluded to. He expressed the opinion that the proposal will bring forward a required high-quality development and he will be going against the officer's recommendation to approve the application.
- Councillor Connor stated that Whittlesey Town Council approved the proposal unanimously and added that the other development that the developer has completed looks very nice. He stated that public consultation took place, with the outcome being generally that the development was very much needed, with there being other development already in place across the road from the proposed site and if there can be some financial contribution attributed to the application, he will support it.
- Councillor Murphy stated that he will also support the application, but he would like to see the 6ft fence added as a condition, so that there is something in writing.
- Councillor Lynn expressed the opinion that he also likes the development and there is the need for housing as well as the inclusion of much needed bungalows. He hopes the developer has the same positive outlook when the Section 106 discussions take place and he will also request that the 6ft fence is added as a condition.
- Councillor Sutton stated that the second reason for refusal is the Section 106 Agreement and he asked officers how could the Section 106 be secured as it is a reason cited for refusal? Nick Harding stated that if the application is approved contrary to the officer's advice then it would be subject to a Section 106 Agreement being entered into. He added that Mr Smith had stated earlier that his client would be prepared to enter into a fully policy compliant Section 106 Agreement and if that turned out not to be the case, then the application would be brought back to committee before any final decision is made on the application.
- Councillor Connor stated that if a financial contribution is brought forward, could it be ringfenced for Coates, Whittlesey and Eastrea? David Rowen stated that the Section 106 Agreement would have to meet the necessary tests related to the development, including any requirements with regard to a contribution for affordable housing, which would have to be spent in the most appropriate manner relative to the development.
- Nick Harding stated that with regard to the approach for affordable housing contributions, it would be for the money to be spent anywhere in the District because the amount of money

to be obtained in lieu of onsite provision in terms of affordable housing is quite small and if a restriction is added to say it can only be spent in the parish within which the development is proposed, then it may mean that no development site would come forward for affordable housing. The contribution will be placed in a district wide pot.

- Nick Harding stated that regarding Section 106 Agreements there is a requirement for the money that the Council is trying to obtain through the agreement is that all physical projects must be related to the development in question. He added that in the case of affordable housing, because the opportunities for the delivery of it is very rare and the housing need is quite widespread, it is appropriate that an exception be made in that context.
- Councillor Sutton stated that in the past, registered providers have not wanted small amounts of housing on a small development and he questioned whether that was still the case. Nick Harding stated that the preference is for onsite, and the normal process is for the developer to approach the Registered Social Landlord sector to ascertain whether there was any interest with onsite provision and if that is not the case then the off-site cash contribution is reverted to.

Proposed by Councillor Murphy, seconded by Councillor Lynn that the application be APPROVED against the officer's recommendation subject to a Section 106 agreement and boundary treatment along Minuet Paddocks.

- Stephen Turnbull stated that, prior to a decision being made, the Section 106 requirements need to be resolved.
- Nick Harding stated that when providing planning reasons to go against the officer's recommendation, specific reference needs to be made regarding whether the development compromises the separation between the two settlements. Councillor Murphy stated that in his opinion there is still a distance between the two settlements.
- Nick Harding stated that the proposal to grant consent is subject to a condition regarding fencing to be added to the approval and the entering into a Section 106 Agreement that is policy compliant.
- David Rowen stated that regarding the 6ft fence, the application is an outline application with details of layout not committed and there would be a standard outline condition requiring reserved matters including landscaping which would include boundary treatment to be submitted.

Members approved the application against officer's recommendation for the following reasons; The site does not harm the open character of the area, with there still being an acceptable separation between Coates and Eastrea and is, therefore, being looked at sympathetically.

(Councillor Clark took no part in the vote or the discussion thereon for this application, as she lost internet connection during the debate)

(Councillor Mrs Mayor registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she has taken part in the discussion and voting when this item was discussed at Whittlesey Town Council Planning Committee, and, therefore, left the meeting whilst this item was determined)

P33/20

F/YR20/00508/F

LAND NORTH OF, 39 MARCH ROAD, RINGS END, ERECT A 2-STOREY 3-BED DWELLING INVOLVING DEMOLITION OF OUTBUILDING

David Rowen presented the report to members:

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Lee Shepherd, the Applicant.

Mr Shepherd stated that he owns the property at 39 March Road and explained that the proposed plot has been used as garden land for years, but due to being exposed to the road it has never been a benefit to the existing house. He added that the garden to 39 March Road has been reduced so as to decrease the possibility of being overlooked by road users.

Mr Shepherd stated that if the dwelling is not permitted the land will be cleared and left vacant and he added that once the work is completed on 39 March Road the fencing and section garage will be cleared meaning full visibility to the unmaintained arches, the static caravan and makeshift accommodation built under the arches. He stated that the plot is identified as a "infill plot" by the Planning Inspectorate when the proposal went to appeal and the scheme that was presented for appeal was considered too tall, with the Inspectorate indicating that a 1.5 storey house would be suitable, therefore, he has proposed a 1.5 storey home for this application.

Mr Shepherd expressed the opinion that the house design is very similar to the existing terrace of ex-railway cottages and there is connotation back to the arches without the need to expose them. He added that the initial discussion with current planning officers identified the proposal was oversized therefore, he reduced the footprint to appease these concerns and he also altered the parking layout.

Mr Shepherd added that the dwelling to be created will be in the lower price bracket yet still have 3 bedrooms and space for a family and the location is very convenient for bus links to Peterborough, Kings Lynn, Wisbech and March. He added that there have been concerns that the current temporary fence has blocked vision for joining the A141, clearly the fence line could be agreed as a planning condition.

Mr Shepherd explained that there are no legal issues that restrict the development, and it has been suggested there may be access issues,, however legal advice has confirmed there are no matters of concern. He referred to the presentation where photos were being shown, which are indicative of the state of disrepair, of the arches and the amount rubbish and junk that is stored under them. He added that it has been made known that the neighbour is merely objecting to this application as they aren't able to build on their land although they do not have any road frontage and there is no planning consent for the static caravan or the permanent structure connected to both caravan and arches.

Mr Shepherd stated that the planning history on the site has seen 3 previous planning approvals; twice for a single dwelling and another for 2 x flats. He added that he hopes that his brief verbal appeal has enlightened those with concerns that this is the best use of this land showing that it will offer the benefit of a good quality home on good public transport routes, making it a very sort after property. He concluded by thanking the Planning Committee for their time.

Members asked Mr Shepherd the following questions:

- Councillor Benney asked Mr Shepherd to confirm who owns the area underneath the railway arches? Mr Shepherd stated that the area belongs to the neighbours.
- Councillor Lynn asked for clarification from Mr Shepherd regarding his intentions with the dwelling. Mr Shepherd stated that it will be a rental property, he moved out of number 39 due to the lack of garden space and has been renting the property out for the last ten years and the new dwelling if agreed will also be rented out.

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

- Councillor Murphy expressed the opinion that the letters of support and objection appear to be received from all areas of the country and not from the locality of the proposal and he feels that going forward the letters should only be allowed if they are from local supporters and objectors.
- Councillor Sutton expressed the opinion that officers have made the correct

recommendation and the applicant needs to work with officers to bring back a proposal of an adequate size and design. He will support the officer's recommendation.

- Councillor Lynn stated that when he read the officers report it states that there is a discrepancy with the waste removal. He added that if the dwelling is built then there is very little land left and he expressed the opinion that the land should have been shared equally between the two plots. He expressed the view that he likes to see new development but is undecided with this application
- Councillor Benney stated that there is nothing at the proposed site of any architectural beauty, with a row of council houses, some houses tucked in behind the old railway bridge that are built closer than the proposed development, a toll cottage across the road and a disused pub, which is waiting to be redeveloped, and that by having one person coming forward and showing an interest in rejuvenating the area can sometimes bring others forward, with the land currently being a blot on the landscape and the area needs to be tidied up. He expressed the opinion that although it does not have much amenity space, the committee have passed other applications which have had no amenity space and, therefore, there is another side to the recommendation to be considered. Councillor Benney expressed the view that if there was not a pre application carried out then maybe there should have been. He added that the applicant has brought forward a different scheme for consideration and although it may not be a right scheme, some officer advice may be beneficial to find the right solution for that location. Councillor Benney stated that he does not think that the proposal would detract from the beauty of Rings End if the house was built.
- Councillor Murphy expressed the opinion that officers have made the correct decision with their recommendation and there is no difference in this proposal from the previous submission that went to appeal.
- Councillor Cornwell stated that he would like to see the mess underneath the railway arches cleared as the arches are part of our railway heritage. He added that the actual layout of the corner does cause a problem with insufficient amenity space and he agrees with the comments of Councillor Benney as it is good that someone is taking an interest in the area, but he agrees that some pre application advice would be beneficial to the applicant as to the way forward.
- Councillor Marks stated that the area is an eyesore and does need tidying up and whilst there is a shortage of amenity space, it will have less garden area for the tenant to maintain.
- Nick Harding stated that if permission were to be granted then no condition can be added to state that it will be a rental property as there is nothing to stop the dwellings being sold off in order to become a private dwelling.

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

P34/20

F/YR20/0692/O

KITCHEN GARDEN COTTAGE, COXS LANE, WISBECH, ERECT A DWELLING INVOLVING REMOVAL OF EXISTING PORTACABIN (OUTLINE APPLICATION WITH ALL MATTERS RESERVED)

David Rowen presented the report to members:

Members received a presentation, in accordance with the Public Participation Procedure, from Mrs Shanna Jackson, the Agent.

Mrs Jackson stated that the proposal is for a dwelling at the kitchen garden cottage and an application for a similar scheme was previously refused as it was considered that the site was in an elsewhere location and was unsustainable as there was no footpath, however, she is of the opinion that the locality and the policy framework does allow for a new dwelling in this location. She made the point that the site is located within the West Wisbech Broad Location for Growth under the

current Local Plan and, therefore, the Council has already accepted that development will take place in this location and questioned how this site has been deemed as being outside of the settlement or in an elsewhere location as the reasons for refusal suggest.

Mrs Jackson referred to the dwellings currently under construction in Barton Road and the proposal for a care home, which recently had planning permission granted by the committee located further down the lane. She added that it is a brownfield site, the development of which is supported by the National Planning Policy Framework, and this also supports the principle of the proposal. She stated that with regard to the footpath link, it would be unviable to provide a footpath to link a single dwelling with the footpath along Barton Road, however, since the Council wish to develop the area a footpath network in this area is inevitable given the amount of houses the land in question can hold.

Mrs Jackson added that a business currently operates from this site and there is a benefit in removing the vehicular movements associated with the catering business which involves delivery vehicles and replacing it with domestic movements, which would benefit the existing residents. She stated that the site is within a residential location, forming part of the Barton Green residential footprint, it is within an area where the Council has aspirations for development and to state that it is in an elsewhere location is contradictory to the plans for the area.

Mrs Jackson added that there are no technical objections to the proposal, and it is supported by residents and by the Town Council and she expressed the opinion that nature and location of the proposal is sustainable.

Members asked officers the following questions:

- Councillor Meekins stated that he was surprised with the aerial photograph that the officer used as it does not show what has been built in the Barton Green area, which was completed in 2011. He asked officers whether there was a more recent photo that could have been provided? David Rowen stated that the photo provided is the most up to date aerial photo that officers had, and the location plan and the outlines of those developments were shown on the aerial photo which he had alluded to in his presentation.

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

- Councillor Meekins stated that Barton Green is a fantastic small development with 6 good quality homes and questioned whether the application is going to be refused because there is a lack of footpath, making the point that there are other houses along that lane and that it is a shame that a more current aerial photo was not provided to members. In his opinion, the portacabin currently in place is an eyesore and a dwelling would enhance that part of Cox's Lane and he will support the scheme and go against the officer's recommendation.
- Councillor Sutton stated that he has reviewed Google maps, which does show Barton Green, so there is access to a more up to date photograph. He added that he cannot understand why the issue with a footpath is any more relevant to this site than it is to Barton Green and if it was just a bare site he would have a different opinion, but as it already has a built form on it, with a brick culvert over the ditch, he cannot see why officers are overly concerned about a footpath.
- Councillor Benney stated that the absence of the footpath does not concern him referring to a previous application where there was no street lighting or footpath for 450 metres, which was approved. He referred to the comments made by Councillor Meekins, who knows the area well and has the local knowledge, and he agrees with the comments of both Councillors Meekins and Sutton and he will be supporting the application.

Proposed by Councillor Meekins, seconded by Councillor Skoulding and decided that the application be APPROVED, against the officer's recommendation, subject to conditions to be imposed on the planning permission being delegated to officers and agreed in conjunction with Councillor Meekins.

Members do not support officers' recommendation of refusal of planning permission as they feel that the application is not detrimental to the area or unsustainable as there is already the existing development in Barton Green.

3.45 pm

Chairman

PLANNING COMMITTEE



WEDNESDAY, 7 OCTOBER 2020 - 1.00 PM

PRESENT: Councillor D Connor (Chairman), Councillor I Benney, Councillor M Cornwell, Councillor Mrs J French, Councillor Mrs M Davis, Councillor A Lynn (Vice-Chairman), Councillor C Marks, Councillor Mrs K Mayor, Councillor N Meekins, Councillor P Murphy, Councillor R Skoulding and Councillor W Sutton.

Officers in attendance: Nick Harding (Head of Shared Planning), David Rowen (Development Manager), Stephen Turnbull (Legal Officer), Elaine Cooper (Member Services) and Jo Goodrum (Member Services & Governance Officer)

P35/20 APPOINTMENT OF VICE CHAIRMAN OF THE PLANNING COMMITTEE FOR THE REMAINDER OF THE MUNICIPAL YEAR 2020 - 2021

It was proposed by Councillor Mrs French, seconded by Councillor Connor, and resolved that Councillor Lynn be elected as Vice-Chairman of the Planning Committee for the remainder of the Municipal Year, 2020/21.

P36/20 PREVIOUS MINUTES

The minutes of the meeting of the 2 September 2020 were confirmed.

**P37/20 F/YR20/0458/F
LAND NORTH WEST OF NEMPHLAR, BEGDALE ROAD, ELM;CHANGE OF USE OF LAND TO A 6NO PITCHED TRAVELLERS SITE INVOLVING THE SITING OF 6 X MOBILE HOMES AND 8 X TOURING CARAVANS AND 6 X UTILITY BUILDINGS WITH ASSOCIATED WORKS (PART RETROSPECTIVE)**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public Participation Procedure, from Mr Mark Codona, the applicant.

Mr Codona explained that he was making this presentation on behalf of himself and his extended family, asking members to agree with the planning officer's recommendation for granting of planning consent, subject to appropriate addition of conditions. He explained that he had occupied the plot for 12 months and, during this time, there had been no fly-tipping incidents or any other form of anti-social behaviour.

Mr Codona stated that his children attend the local Elm Church of England Primary school and that his family use the local post office quite regularly, sometimes daily, and get on well with the owners. He added that he also has a lot of family and friends in and around the Wisbech area and has a good friendship with the local farmer and the other local residents who walk their dogs regularly through Newbridge Lane, and they have all commented on how much cleaner it is now, and how much more of a pleasure it is to walk down without rodents or anything else running out at them now the rubbish has been removed.

Mr Codona stated that his family now feel that they are part of the community of Elm and added that he feels he has helped improve the local area as he has cleared away all the fly-tipping from Newbridge Lane and continued to maintain it at no cost to the Local Authority. He stated that his

family have been in the Wisbech area for over 40 years and have strong links to the area, with his family attending the local Light and Life Christian Church on a regular basis which is in the nearby village of Elm.

Mr Codona stated that his family need to have a place that can provide them with a safe space, especially for disabled family members where they can be together as one extended family unit and so that they can all provide care for one another. He explained that he has 6 members of his immediate family which are under the Queen Elizabeth Hospital at Kings Lynn with specialist health needs that require regular hospital visits and ongoing healthcare from a local GP surgery.

Mr Codona explained that this is the first time that a piece of land has become available, which was big enough to accommodate his family and his horses as they will now be close by, especially for those disabled family members who find it difficult to care for their animals without additional support and would find it challenging to maintain regular visits or access if the animals were not in the vicinity. He added that members of the committee are probably aware there is no local accommodation available for Gypsy and Travellers and he stated that when his family found this piece of land, which was available within his budget, they decided that it was the right time as a family to try and put down some permanent roots and hopefully establish a winter base where the children could continue their education, health needs could be met and his family could stay in-between nomadic travel periods.

Mr Codona stated that his family have been on the land for 12 months, feel that they are now part of the community and they never had anywhere else to go so felt that they had no choice but to move on to the land. He explained that his family have already carried out some development, most of which is fencing, clearing of the land and access lane and maintaining of the land, and that the other work carried out was undertaken on a need basis to provide hard standing for winter months and to assist those with walking difficulties or who are wheelchair reliant to be able to move around relatively safely.

Mr Codona stated that he is more than happy to work with the Local Planning Authority within the conditions which they have set out, so that he can develop the site to the correct standard and make it a nice, safe place for his family unit to continue to living there and explained that the intention is to plant some evergreen hedge screening to various boundaries of the if planning permission is granted. He explained that the proposal is for 6 pitches, with two of the proposed pitches having been specially designed for his disabled wheelchair reliant family members.

Members asked Mr Codona the following questions:

- Councillor Marks asked Mr Codona whether he has any intention of running any form of business from the site? Mr Codona stated that he does not intend to run any form of business from the site apart from the normal gypsy nomadic way of life. He added that he has 3.5 transit vehicles that will go out to work, but no registered businesses will operate from the site. Councillor Marks asked whether the 8 touring caravans that he referred to will all be for his family members? Mr Codona stated that each pitch will have a static caravan and a touring caravan and the two additional touring caravans on the disabled pitches are there if other families need to assist if need be if health conditions change.
- Councillor Sutton referred to the objection from the Parish Council to the proposal, due to several objections having been received from residents. He made the point that there are good and bad traveller sites, which can influence the views and opinions of residents with regard to the traveller community, and asked Mr Codona whether he could give assurances to the residents of Elm, that should planning permission be approved, his site will be one of the better operated ones. Mr Codona stated that he can give assurances that the site will be operated with the upmost respect for the local community and added that he has been on the site for the past twelve months and there have been no incidents of anti-social behaviour or any other issues. He expressed the view that he has a good relationship with the local farmer who has seen that his family are known and respected members of the

community in Wisbech. Mr Codona added that he agrees that there can be issues with the traveller community connected to certain sites, but he reiterated that there will be no issues from the proposed site.

- Councillor Sutton stated that his understanding was that the entry and exit points to the site would be from the A47, where it is stopped off and asked Mr Codona for clarification? Mr Codona stated the entry and exit to the site will be from Begdale Lane and the Highway Authority have supported this strategy. He added the Traffic Regulation Order will need to be applied for if planning permission is granted. Councillor Sutton expressed the opinion that the site looks tidy and he hopes it will remain like that, if permission is granted, and he congratulated Mr Codona on his efforts towards the issues surrounding the fly tipping problems. Mr Codona added that the site will look even better once development is completed and stated that Newbridge Lane will not be opened as a through road and will remain blocked as it currently is at the A47. Councillor Sutton stated that his preference would have been for the access and egress points to have also been via the A47, as the stop point is a fly tipping hotspot, and had the proposal also used this access then it may have alleviated some of the issues surrounding fly tipping.

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

- Councillor Connor expressed the opinion that the site is very tidy and is a credit to the applicant. He added that he is also of the opinion that the fly tipped waste in Newbridge Lane does not all necessarily come from the traveller site. He noted that there is CCTV at the site, which should alleviate any problems and make it a nice place to live.

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

(Councillor Benney did not take part in the discussion or voting with regard to this application, due to the fact that he lost internet connection at the start of the item)

**P38/20 F/YR20/0585/F
FORMER COACH HOUSE, LONDON ROAD, CHATTERIS, ERECT A 2-STOREY 4-BED DWELLING INVOLVING DEMOLITION OF STORE BUILDING:F/YR20<0586/LB
FORMER COACH HOUSE, LONDON ROAD, CHATTERIS,DEMOLITION OF A CURTILAGE LISTED STORE BUILDING**

This item was withdrawn from the agenda.

**P39/20 F/YR20/0740/F
LAND TO THE SOUTH OF 125 FRIDAYBRIDGE ROAD, ELM;ERECT A 2-STOREY 3-BED DWELLING**

David Rowen presented the report to members

Members received a presentation, in accordance with the Public Participation Procedure, from Mr David Broker, the Agent.

Mr Broker expressed the opinion that there is only one reason that the Planning Officers have recommended the refusal of the application, which is that the site is within Flood Zone 3 and the sequential test has not been applied. He stated that officer's will not accept the physical proof that the site is level from end to end, including that of the adjacent site to the south which is in the same ownership and which has current planning permission.

Mr Broker stated that the whole area was made up with topsoil 30 years ago long before Flood Risk Assessments and sequential tests existed. He added that he has commissioned a GPS base

topographical survey by "RATCLIFFS" who are the same surveyors who carry out surveys for the Environment Agency and they have stated that they do not understand why the Planning Officers refuse to accept the proven facts, which they have previously supported in writing.

Mr Broker stated that over the whole area of the site the levels vary sporadically by only 6 inches and in general terms the site is flat and does not physically slope into Flood Zone 3 to the north. He added that it is all at the level of the approved site adjacent, which is Flood Zone 1, and, therefore, in

technical the terms the north end of the site is 3mms higher than the south end. He expressed the opinion that he contests the Planning Department's statement that the site is in Flood Zone 3 and that the sequential test hasn't been applied as it is a physical and proven fact that the site is at the level of Flood Zone 1 and for that reason the sequential test does not apply in this instance.

Mr Broker expressed the view that the proposal is not out of character with the large number of new houses on small plots along the north side of Friday Bridge Road, the application site is the same size and the proposed dwelling the same size as that approved on the adjacent site and he has proved that the site is above flood risk level. He stated that he would ask members to make their decision based on the physical facts and not the theoretical assumption of the rule book.

Members asked Mr Broker the following questions:

- Councillor Sutton asked Mr Broker to identify where Flood Zone 2 is, making the point that the plot to the south is in Flood Zone 1 and the plot to the north is in Flood Zone 3. Mr Broker stated that he did not know as the environmental mapping shows an area of dark blue, which crosses the road and to the north of the application site, and the only map which is available shows that Flood Zone 3 was at one point at the northern edge of the site in question. Councillor Sutton stated that he was also unsure as to whether Flood Zone 2 was located after reviewing the maps.

Members asked officers the following questions:

- Councillor Meekins stated that on the map and aerial photo that was shown there was a red line highlighted and he asked for an explanation as to its relevance? David Rowen advised that it is to denote the visibility splay for vehicles leaving the site and the visibility needed for up and down the road, so the visibility splays need to be included within the red line boundary. Councillor Meekins questioned that if a sequential test had been carried out would officers have recommended the application for approval? David Rowen stated that the sequential test has not been carried out and there are extant planning permissions and, therefore, plots for development available within the settlement.
- Councillor Mrs Davis asked for clarity regarding the other properties, which have been built or are being built, on either side of the proposal site. David Rowen stated that the plot immediately to the south is in Flood Zone 1 and other plots that have recently been permitted on Friday Bridge Road are also in Flood Zone 1 and it is a narrow swathe of Flood Zone 3 which affects the proposal site.
- Councillor Mrs French asked how old the extant planning permission are and when were they were approved? David Rowen stated that they range from over the last two to three years.
- Councillor Cornwell stated that the neighbouring plots are in Flood Zone 1, which according to the agent has been taken out of the other zones and made into Zone 1 and asked as that issue is not reflected in the Environment Agency maps, if members approve the application because the land level is in effect the equivalent of Flood Zone 1, would that be wrong? David Rowen stated that planning policies at National and Local level, steer development away from Flood Zone 3 and, therefore, development should not be allowed in Flood Zone 3 unless a sequential test has been satisfied, including exception tests. He added that regarding the issue of whether the land level has been raised up to a similar level to those dwellings in Flood Zone 1 cannot be taken into consideration as the information that officers have to work with state that the site is in Flood Zone 3.

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

- Councillor Cornwell expressed the opinion that the existing physical circumstances appear to disagree, and have proven to disagree, with the Environment Agency map and there could be the possibility that the maps used need to be updated. He stated that, in his view, he cannot see a difference in the actual levels of the proposed site to that of the neighbouring sites.
- Councillor Sutton stated that he finds it strange that there are continual concerns raised about a proposal of one dwelling in Flood Zone 3, when the topographical survey has shown that the land is the same if not slightly higher than the plot next door. He expressed the opinion that the proposed dwelling is at no more risk than that of the already constructed dwelling next door and referred to the presentation slides where he highlighted to members a completed dwelling which is in Flood Zone 1 whose floor level is lower than the level of the soil of the two plots in question. Councillor Sutton questioned the accuracy of the Environment Agency flood zone mapping system.
- Councillor Mrs French stated that she agrees with the points raised by Councillors Cornwell and Sutton. She expressed the view that the proposal is infill development, will tidy up the unsightly plot and there are many ways that dwellings can be built nowadays to mitigate the risk of flooding.
- Councillor Mrs Davis stated that she agrees with the other members and added that there appears to be some disparity with what can and cannot be built in Flood Zone 3, as an application has just been approved for caravans to be sited in Flood Zone 3, yet a dwelling is not permitted.
- David Rowen stated that it is important for a distinction to be drawn between the previous application containing caravans and the proposal currently being determined. He added that the site in Newbridge Lane was in Flood Zones 2 and 3, there was detailed modelling work available which demonstrated that should a flood event occur that site would not be at risk of flooding, whereas that level of information is not available in this instance.
- Councillor Sutton stated that any modelling that took place on this application would only identify that there was not a risk to the proposal.

Proposed by Councillor Cornwell, seconded by Councillor Mrs French and decided that the application be APPROVED against the officer's recommendation, subject to reasonable conditions being applied.

Members did not support the officer's recommendation of refusal of planning permission as they feel that the physical flood zoning map has not been kept up to date with regard to the actual events on the site and there is no difference in the levels on this site compared to other sites in the vicinity which are being developed and they believe the site is viable as far as flood risk is concerned.

P40/20

F/YR20/0751/F

LAND NORTH OF 1-5 BREWERY CLOSE, PARSON DROVE;ERECT 4NO DWELLINGS COMPRISING OF 2X3-BED SINGLE-STOREY, 1X2-STOREY 4-BED AND 1X2-STOREY 4/5 BED WITH GARAGES INCLUDING TEMPORARY SITING OF A CARAVAN DURING CONSTRUCTION ON PLOT 3 ONLY

David Rowen presented the report to members

Members received a presentation, in accordance with the Public Participation Procedure, from Mr Robert Bellamy, the Applicant.

Mr Bellamy thanked the committee for giving him the opportunity to represent his family at the meeting and added that he has lived in Parson Drove all his life and intends to do so for the rest of

his life. He stated that he currently lives in the 3-storey house adjacent to the proposed development and advised members of the background history to the site and how he became the owner.

Mr Bellamy explained that the proposal started as an informal joint venture between his parents, Grace and Cyril Bellamy, and the Council in 2008, which culminated in planning permission being granted for 5 bungalows in 2009 and 2012. He added that his father's health declined at this time and the momentum of the development ceased with both parties incurring time and money into the project at this stage.

Mr Bellamy stated that as there had been no other serious purchasers who came forward due to the site complications, his family decided to move matters forward by purchasing the land, buying an adjacent garden to increase the size and reignite the development for themselves. He added that this process began in 2015, but had numerous setbacks and obstacles to overcome in order to achieve the desired family homes and enable his sister to return to the village to assist with their parents' care.

Mr Bellamy stated that he wished to address the Planning Department's concerns and recommendation of refusal with some points to defend and support his application, which has been provided in the further in-depth information and photographs documentation circulated to members prior to the meeting. He referred to the Brewery Close street scene in the application where it shows the properties fronting on to the road, explaining that his existing dwelling is to the left hand side, which is a full 2 storied house with further rooms in the roof space, plot 4 is one and a half stories with the first floor rooms partially within the roof space and plot 3 is the same. He added that the final dwelling is the bungalow which fronts on to Ingham Hall Gardens, but has its side elevation on to Brewery Close, consistent with his proposal, and that as this street scene shows the transition between the 2 and a half story house to the single storied bungalow with the ridge and eaves heights stepping down gradually, his proposal provides a transition which can be seen throughout the village.

Mr Bellamy expressed the view that the dwellings have been designed not to overlook the neighbouring properties from habitable rooms, with the only situation where this is not the case was originally on plot 3, bedroom 4, so he has provided roof lights to this room ensuring views of the sky not of the neighbouring dwellings and the distance between plots 1 and 2 is one metre, not 0.7 metres as stated in the report, as the dashes shown on the roof plan are the brickwork line, therefore, enabling wheelie bins to be brought through and people can pass on it. He stated that the wheelie bins will be brought to the front of the site on collection day and a slabbed area for them can be allocated between the fence on plot 3 and the public footpath, which can be conditioned.

Mr Bellamy expressed the view that the decision to come off Brewery Close was to reduce impact on Springfield Road, which is a tighter road and has predominantly retired occupants, and with regard to the 2 reasons for the recommendation of refusal he would argue that together with his agent he has worked closely with the Parish Council and the neighbouring dwellings, and has produced a transitional scheme that not only is consistent with Policy LP2 and LP16, it is supported by these. In his opinion this has created a bespoke solution for a restricted site for which he has provided a reduced number of dwellings than originally approved for the plot, consistent with National and Local policies.

Mr Bellamy made the point that over the last 18 months, together with his architect, he has put in an enormous amount of time and effort in designing properties that complied with the Neighbourhood Plan, utilised the space efficiently and effectively, met his family requirements with a low maintenance amenity space for those at this time of life, has retained the original reinforced concrete roadway for environmental sustainability, and ensured his plans were supported by the surrounding residents and the Parish Council. He explained that he submitted this proposal in good faith to his desired specifications and requirements to enhance and compliment the surrounding area whilst maximising the sunlight to all plots.

Mr Bellamy explained that his preferred contact method with the Planning Department to discuss his proposal would have been verbally, but he was advised the procedure is to send in a pre-application, which resulted in a disappointing letter asking for 'a complete redesign of the scheme'. He stated that he consulted with his neighbours on the limited options that were available and the overwhelming support was for the original 4 executive homes from the pre-planning application and any drastic alterations would have resulted in objections being raised locally with his neighbours and the Parish Council.

Mr Bellamy concluded by asking members to approve the proposal with the conditions they deem appropriate.

Members asked Mr Bellamy the following questions:

- Councillor Lynn asked Mr Bellamy to clarify whether he is stating that he did not take advice from Planning Officers as part of the pre-application stage because the neighbours were not in support of the detail? Mr Bellamy stated that at the pre-application stage he was advised by officers to carry out a complete redesign of the proposal and when he consulted his neighbours to ascertain their views on the options, they were only satisfied with the proposed option. He added that one neighbour stated that they would object to the proposal if the house faced their property, another neighbour stated that they only wanted the executive style homes proposal. He explained that the estate is of an executive style, which is why it has been reduced from 5 smaller bungalows to 4 executive style dwellings.

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

- Councillor Meekins expressed the view that officers have highlighted the issues of overlooking and difficulties with parking as there are too many dwellings proposed for the space and he would have preferred to see 2 dwellings rather than 4 on the site.
- Councillor Mrs French stated that she disagrees with Councillor Meekins and added that in the National Planning Policy Framework at paragraphs 117 and 118 it states: 'to promote effective use of land, opportunities and benefits of the reuse of land'. She added that she thinks the committee could support the application for an executive style development, which has the support of the residents, and it should be approved to complete the site.
- Councillor Mrs Davis expressed the opinion that the officer's recommendation is correct. She added that there is considerable overlooking into neighbouring properties along with several issues, including visibility and bins, and, in her opinion, the number of dwellings does not accord with the size and shape of the plot.
- Councillor Murphy stated that he agrees with Councillor Mrs Davis and referred to 1.6 of the executive summary, which highlights the proximity and overlooking issues. He added that he is against any form of development in such close proximity of dwellings already in existence and he will support the officer's recommendation.
- Councillor Benney expressed the view that he has taken into consideration the resident's letters of support and that many of them have referred to the proposal resolving the issue of

flooding. He made the point that if you have purchased an executive home, there is the normal expectation that you would want a garden, however, plots 1 and 2 have no amenity space, only a patio area at the front of the house, and plots 3 and 4 are also built close to the boundary, which does not feel the right development for the site. Councillor Benney expressed the opinion that if the site was redesigned with one plot removed, there could be executive homes with executive gardens, and it would solve the problems and have the support of the residents. He added that he will be supporting the officer's recommendation.

- Councillor Mrs Mayor stated that she knows the area well and added that it does need developing and for the area to be finished off. She added that she does support the officer's recommendation and agrees with the points made by the other members, making the point that it is a shame Mr Bellamy did not take into consideration the officer's suggestions during the pre-application stage when they suggested that he should re-evaluate his proposal. She expressed the opinion that the proposal is over developed, the 2 houses dominate the site and the whole application needs to be looked at again.
- Councillor Lynn stated that development on the plot is needed, but he does not agree with overlooking. He feels that the proposal site is too tight, and agrees with the officer's conclusion that the proposal is over development.
- Councillor Cornwell expressed the view that the site is overdeveloped. He expressed the view that it is an awkward shaped plot, but it does need some form of development and he would encourage the applicant to come back with an amended scheme that has enough amenity space for the residents to be able to enjoy.
- Councillor Connor endorsed the comments made by Councillor Cornwell.

Proposed by Councillor Benney, seconded by Councillor Mrs Davis and agreed that the application be REFUSED as per the officer's recommendation.

(Councillor Sutton had left the meeting during the consideration of this application and took no further part in this item or the meeting)

**P41/20 F/YR20/0760/PIP
LAND NORTH OF THE RECTORY, WHITTLESEY ROAD,
BENWICK, RESIDENTIAL DEVELOPMENT OF UP TO 3 DWELLINGS
(APPLICATION FOR PERMISSION IN PRINCIPLE)**

David Rowen presented the report to members.

Members received a presentation, in accordance with the Public Participation Procedure, from Dr Robert Wickham, the Agent.

Dr Wickham explained that he represents the Diocese of Ely and Chorus Homes in this application. He referred to the two objections raised to this application, which he feels are closely related, and that if the site is within the settlement then the flooding policy issue falls away. He asked for the application to be considered fairly and there are several issues where he takes a different view from the Planning Officer's report.

Dr Wickham referred to the issue of whether the proposal is in the village and asked members to take into account decisions on two other applications in this part of Benwick one with reference F/YR15/0411, for a cemetery extension which was the site immediately adjoining to the west of the former Rectory. He quoted from the Case Officer, Kathryn Brand's report of 12 October 2015, which stated under '*Principle of Development* The site is located within Benwick which is identified as a small village in accordance with Policy LP3 of the Local Plan' and under 'Health & Wellbeing The proposed development would be located within a sustainable location located within the village of Benwick'.

Dr Wickham then referred members to the second decision, which related to a consent for a single dwelling further to the west at 6-7 Nene Parade, reference 12/0981/F, which was granted on 11 February 2013, where the Planning Officer on that occasion recommended refusal but the Committee determined in favour. The presentation by the applicant referred to 99% of Benwick being in Flood Risk Zone 3 and that Benwick is 'a real community having a school, pub, hall'. A favourable proposal by Councillor Stebbing was supported at the time and resulted in consent.

Dr Wickham asked members to accept that this is the older part of the village and it is of lower density than the recent part. He drew members attention to one other decision under reference YR15/0132/F and in that case the Planning Officer stated that it was not strictly an infill, with the report explaining that 'it is not strictly supported by LP3 of the plan.

Dr Wickham stated that regarding the proposal before members today, the Diocese will enter into a Section 106 Agreement for the two dwellings to be affordable, with the Diocese having worked with Chorus Housing Association of Huntingdon and the Planning Officer's dismissal of this is disappointing. He stated that a Section 106 is the recommended method to provide affordable housing, with the need for affordable housing in the area being well known and in the Cambridgeshire Acre Survey for Benwick it states that there is a need for 1 or 2 bed homes and this offer is not subject to viability testing because the land is surplus and a cost to the Diocese in terms of upkeep. He explained given that the number of affordable homes in Fenland that are produced, these modest two homes will be of use to the community and should not be ignored.

Dr Wickham stated there is one other important material consideration to mention and that is paragraph 78 of the latest NPPF and this together with paragraph 79 supersede Policy LP3, with this point being accepted very fairly by the Planning Officer on the earlier application and should be considered on this occasion. He added that a detailed flood risk assessment has been undertaken and 99% of the village is in Flood Zone 3. In his opinion the land is dead, is waste land and common sense and public gain in terms of special circumstances, with a material consideration being the affordable housing provision and a Section 106 Agreement will be entered into prior to planning consent being issued.

Members asked officer's the following questions:

- Councillor Murphy asked why no archaeological investigation has taken place with this application? David Rowen confirmed that this is something that would normally be dealt with as a condition and this application is recommended for refusal. He added that the determination of this application is purely for permission in principle and the issue of archaeology would be looked at during the technical detail stage should permission in principle be granted. Councillor Murphy asked for clarity in that if the application was approved, then an archaeological dig would be requested? David Rowen confirmed that if planning in principle permission was granted then a further application for technical details consent would be required and at that stage the archaeology detail would be picked up.
- Councillor Mrs Davis asked for confirmation that, in terms of LP3, this is classed as an elsewhere location? David Rowen stated that the view of officers is that it is outside of the established settlement of Benwick, which constitutes it as an elsewhere location.

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

- Councillor Mrs Davis expressed the view that she will support the officer's recommendation, as it is in Flood Zone 3 and is in an elsewhere location under the terms of LP3.
- Councillor Mrs French stated that she agrees with the comments of Councillor Mrs Davis and added that it is interesting to see this first application for permission in principle and she hopes there will be more of these types of application received which will save applicants and officers time and money. She stated that she agrees with the officer's recommendation.
- Councillor Murphy stated that he agrees with all the comments made by members and he added that if the applicant realises that they would have to carry out an archaeological

study, it could dissuade them from going further as it is so costly and therefore the affordable homes, no longer become affordable dwellings. He added that he agrees with the officer's recommendation.

Proposed by Councillor Meekins, seconded by Councillor Mrs Davis and agreed that the application be REFUSED, as per the officer's recommendation.

(Councillor Sutton had left the meeting prior to the consideration of this application)

2.42 pm

Chairman

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F/YR20/0363/F

Applicant: Mr Savage

Agent: Morton & Hall Consulting Ltd

Land North West of Cedar Lodge, The Old Dairy Yards, Westfield Road, Manea Cambridgeshire

Erect 1 x 4-bed single storey dwelling including improvements to access

Officer recommendation: Refusal

Reason for Committee: Number of representations contrary to the Officer Recommendation

1. EXECUTIVE SUMMARY

- 1.1. The proposal is for the construction of a single dwelling on the land, including the widening of the access road adjacent to its junction with Westfield Road, Manea.
- 1.2. The application site has an extensive planning history relating to the construction of a dwelling on the land, including 6 previous refusals of planning permission, and 4/4 dismissed appeals in relation to those refusals.
- 1.3. The application has been amended following its original submission to remove the majority of alterations to the road surface, and to reduce the number of proposed dwellings from two to one. This has been done to address the comments of the Public Rights of Way Officer regarding the legally defined width of the footpath and the need to establish this prior to undertaking works to Old Dairy Yards. As a result, the scheme will have a limited impact on the character of the area.
- 1.4. The proposed dwelling to be located on the land is of an acceptable design and does not result in harm to neighbouring residential amenity.
- 1.5. The proposal to access the site along Old Dairy Yards has previously been considered at appeal and was found to result in adverse impacts on highway safety sufficient to justify refusal of the scheme. The current proposal does not overcome that harm previously identified and therefore the proposal is contrary to policy LP15 of the Fenland Local Plan (2014).

2. SITE DESCRIPTION

- 2.1. The application site is an empty plot of former paddock land located to the north west of Cedar Lodge and is accessed via Old Dairy Yard, a single-track lane that also constitutes the route of Public Footpath No 2 running north west from Westfield Road.

- 2.2. The site itself is empty, surrounded on three sides by timber picket fencing and on the boundary with Cedar lodge by solid timber boarding over which is a tall evergreen hedge. Two existing gateways are present, one at the south eastern corner, and one to the north.
- 2.3. Old Dairy Yards is a narrow lane (approximately 3m) leading from Westfield Road, and serves the dwellings to the north and north west of the site and has a distinct character of a narrow village lane.

3. PROPOSAL

- 3.1. The proposal is for the construction of a single dwelling on the land, single storey in height and incorporating the widening of the entrance to The Old Dairy Yards to 5m for a distance of 10m in from its junction with Westfield Road.
- 3.2. The current proposal initially involved widening of the carriageway, however this has been removed from the proposal with the reduction to a single dwelling following the comments of the Public Rights of Way Officer regarding the legal width of the PROW.
- 3.3. Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=Q8D44NHE01U00>

4. SITE PLANNING HISTORY

F/YR18/0132/O (Appeal 19/00007/REF)	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	Refused (Appeal Dismissed)	22.08.2018 (17.06.2019)
F/YR15/0432/O	Erection of a dwelling Land North West of Cedar Lodge, The Old Dairy Yards, Westfield Road, Manea	Refused	24.08.2015
F/YR14/0757/O (Appeal 15/00010/REF)	Erection of a dwelling Land North West of Cedar Lodge, The Old Dairy Yards, Westfield Road, Manea	Refused (Appeal Dismissed)	13.11.2014 (24.07.2015)
F/YR09/0666/F (Appeal 10/00004/REF)	Erection of a 3/4-bed detached bungalow Land North West of Cedar Lodge, The Old Dairy Yards, Westfield Road, Manea	Refused (Appeal Dismissed)	14.12.2009 (05.08.2010)
F/YR07/0902/O (Appeal 07/00065/REF)	Erection of a bungalow Land North West of Cedar Lodge The Old Dairy Yards Westfield Road Manea	Refused (Appeal Dismissed)	11.10.2007 (26.03.2008)
F/YR06/0570/O	Erection of 2 dwellings and garages Land North West of Orlando The Old Dairy Yards Westfield Road Manea	Refused	28.06.2006

F/94/0278/F	Erection of a 5-bed house with detached double garage The Old Dairy Yards Westfield Road Manea	Withdrawn	17.02.1995
F/0719/89/F	Erection of a house with integral double garage The Old Dairy Field Westfield Road Manea	Granted	30.01.1990
F/1085/87/F	Erection of a bungalow and integral double garage The Dairy Yards Off Westfield Road Manea	Granted	21.01.1988

5. CONSULTATIONS

5.1. **Manea Parish Council** 26/5/2020 (in relation to application as originally submitted)
No objection in principle, but Highways Authority needs to be satisfied the road has sufficient capacity for the proposal.

5.2. **FDC Environmental Health**
No objections, conditions requested regarding unsuspected contamination

5.3. **Cambridgeshire County Council Highways Authority** 28/10/2020 (most recent comments following reduction of the number of proposed dwellings)
“The proposal shows a layout similar to that previously dismissed by the Planning Inspectorate. The scheme does not overcome the highway safety issues identified by the Planning Inspector.”

5.4. **Cambridgeshire County Council Public Rights of Way** (in relation to application as originally submitted)
The proposed access to the site is along Public Footpath No. 2, Manea. To view the location of the footpath please view our interactive mapping online which can be found at
<http://my.cambridgeshire.gov.uk/myCambridgeshire.aspx>.

*Whilst the Definitive Map Team has **no objection** to this proposal, the applicant should be aware of the presence of the public footpath, its legal alignment and width which may differ from what is available on the ground. If you require a copy of the Definitive Map & Statement, this can be viewed at the County Council’s offices in person or requested online for a fee at*
www.cambridgeshire.gov.uk/highwaysearches.

The County Council does not own the footpath. The highway rights over the footpath are simply vested in the County Council as the Highway Authority. The County Council does not know who the owner of the subsoil is. The applicant will need to satisfy themselves as to who the owner of the footpath is.

There is no legally defined and recorded width for this footpath, and we are not able to advise what it would be. As the dimensions are not known, we cannot

guarantee that you would be able to improve the footpath to secure a road and footway that may be required by the Local Planning Authority (LPA). An applicant therefore would proceed with any development that might affect the highway at their own risk.

It may be necessary to undertake minor works just to improve the surface of the track of the public footpath, but it would remain a public footpath, should you wish to improve the surface in the future permission would need to be obtained from the highway authority first.

The footpath must remain open and unobstructed at all times. Building materials must not be stored on the Public Right of Way and contractors' vehicles must not be parked on it. Should you need to temporarily close it for safe works, you should apply to the Streetworks Team online at <https://www.cambridgeshire.gov.uk/residents/travelroads-and-parking/roads-and-pathways/highway-licences-and-permits/cambridgeshire-permit-scheme-for-streetworks/>.

5.5. **Ward Councillor**

"The applicant of the land is a small building company who are keen to get this resolved as it's a small development that if/when given permission will give them security of work for their small team of builders should a further "lock down" be implemented during the next few months, meaning they will be able to retain the workforce and their skill set whilst other sites may be closed.

Being the local FDC councillor I am aware of this proposed development which I believe will enhance the local area, the builders are known to me on a business footing so this I am sure makes me "predetermined" so with this in mind I did not vote when the application was in front of Manea Parish Council and will not also take any part of the debate or vote should this matter come to committee.

Having been turned down previously I hope that the architect has now been able to satisfy all concerns ref highways etc and this will now be passed or if not placed in front of the Planning Committee."

5.6. **Local Residents/Interested Parties**

Seven responses in support of the proposal have been received to the revised plans from properties on The Old Dairy Yard, Kirton Close, Westfield Road, Coxway, Valentine Close, and High Street, Manea. Only one of the responses gives a reason for the stated support, with the remaining six being of a proforma style with space for residents to provide their own address details. The sole reason given for support is that the site is in a residential area and Manea is classed as a growth village.

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 in planning decisions.

Para 12: Conflict with an up-to-date plan should not usually be granted

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

Para 127: Well-designed 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.

Para 131: Great weight should be given to outstanding or innovative designs.

National Planning Practice Guidance (NPPG)

Determining a planning application

National Design Guide 2019

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

Resources

Lifespan

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

LP12 – Rural Areas Development Policy

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

8. KEY ISSUES

- **Principle of Development**
- **Access and highway safety**
- **Impact on the character of the area**

9. BACKGROUND

- 9.1. The application site has a significant recent planning history, with six planning applications for development of the land being submitted and refused since 2006. Four of those decisions were appealed and all were dismissed. Two earlier applications (1987 and 1989) were granted but not commenced.
- 9.2. Of the two most recent appeals (2015 and 2019) the first was dismissed on the grounds of the harm caused to pedestrian safety from the proposal to utilise the existing access road along Old Dairy Yards as there was no provision for segregated vehicular and pedestrian usage. The more recent proposal included the widening of the road and was considered to overcome the safety issue, however the applicant failed to demonstrate that the proposed road widening was deliverable.

10. ASSESSMENT

Principle of Development

- 10.1. Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy.
- 10.2. Manea is a Growth Village, one of four such settlements within this level of the hierarchy where the principle of development is considered to be acceptable albeit on a more limited scale than in the Market Towns.
- 10.3. The site itself is an open piece of former paddock land located between two existing dwellings, with a substantial existing planted screen to the south east. The site is of sufficient size to accept the construction of a dwelling and the provision of private amenity space without unacceptable impacts on the adjacent dwellings and land.

Access and highway safety

- 10.4. Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport.
- 10.5. The proposal has been amended from its initial submission (which proposed the construction of two dwellings on the land) and in addition to the removal of a proposed dwelling from the scheme, the segregated pedestrian footway has been removed from the proposal. This follows the comments of the County Council Public Rights of Way Officer, which stated that there was no legally defined width for the public footpath that runs along Old Dairy Yards. As the width of the footpath is not legally defined, this would have needed to be established prior to any works being undertaken to its surface in order to widen and/or provide a segregated pedestrian pathway. Given the potential time required to undertake such a process (which could be as long as 12 months) the applicant instead chose to remove the majority of the proposed widening works from the scheme.
- 10.6. The 2015 appeal decision on the site stated that Old Dairy Yards has an effective surface width between 2.8m and 3.0m along its length, with no passing places. It also stated that the verges along the lane would not safely allow vehicle over-running. It goes on to state that for pedestrians using the PROW, there is no alternative but to step onto the verge to let vehicles pass, and that even the construction of a single additional dwelling would increase the regularity with which pedestrian use of the PROW would be compromised. The Inspector concluded that the proposal would result in harm to highway safety and dismissed the appeal.
- 10.7. Given the similarities between that dismissed appeal and the current scheme (the proposed single-track shared-surface roadway to serve vehicular and pedestrian traffic making use of the existing track width), it must be concluded that the conflict identified by the Planning Inspector between pedestrian and vehicular use of the lane in the appeal is also present in the current application. This conclusion is supported by the comments of the Highways Authority, noted above in section 5.3, who advise that the scheme does not overcome the issues previously identified by the Planning Inspector.

Impact on the character of the area

- 10.8. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.
- 10.9. In considering the impact of the scheme on the character of the area, it is relevant to consider the most recent appeal decision. That appeal related to a proposal that involved the widening of the carriageway and the removal of significant amounts of verge/hedgerow. One of the refusal reasons related to the detrimental impact of those works on the character of the area. The Planning Inspector in that instance concluded that although the alterations would result in a clear change in the visual appearance of the road, this would not adversely affect local distinctiveness.
- 10.10. In light of that decision it is reasonable to conclude that the current proposal, which involves significantly less alterations, would not result in harm to the character of the area or its local distinctiveness to a degree sufficient to justify refusal.

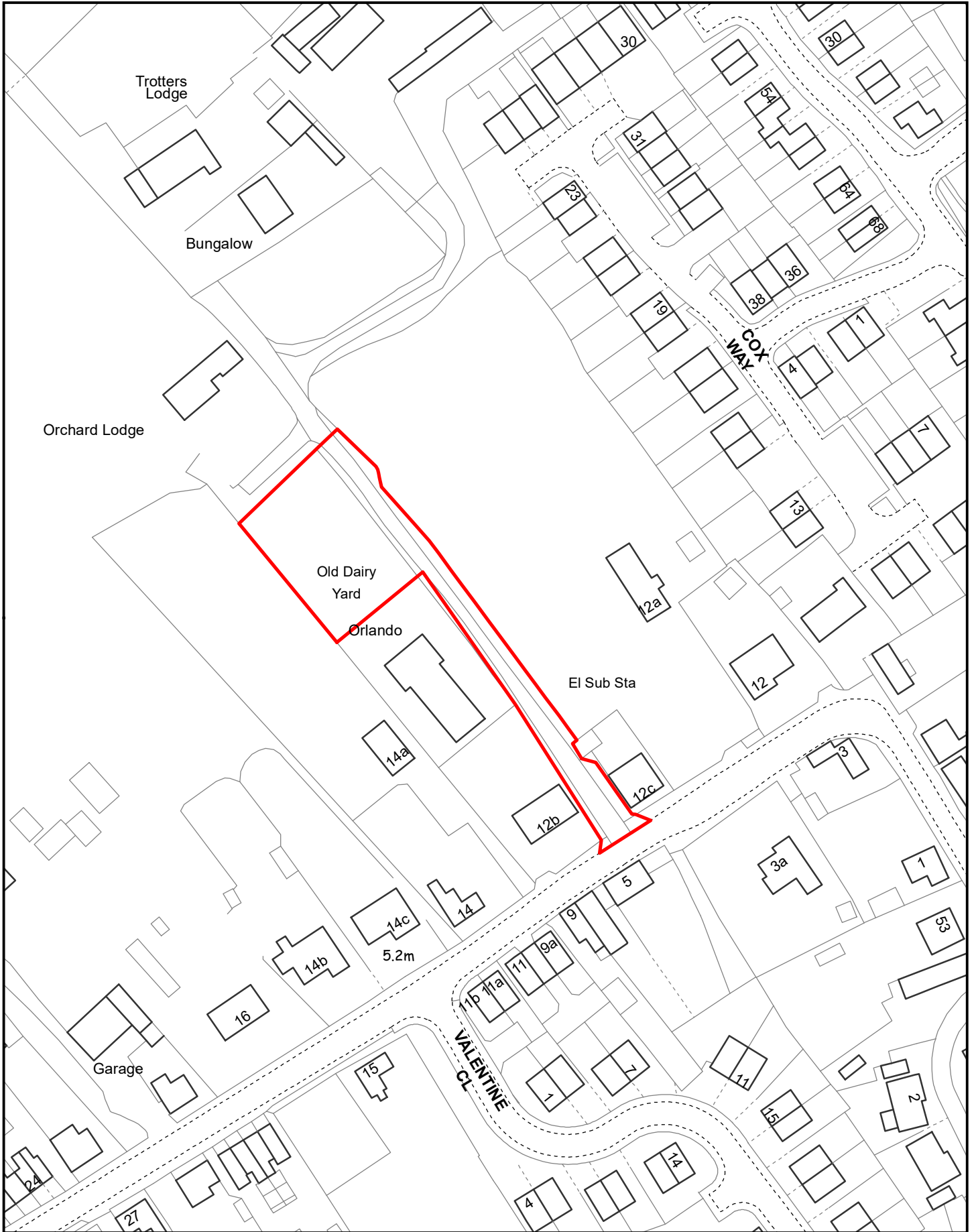
11. CONCLUSIONS

- 11.1. The proposed scheme is for the construction of a single dwelling in a growth village, on a site that is capable of accommodating such a dwelling without resulting in adverse impacts on the amenity of the neighbouring dwellings.
- 11.2. The amended proposal now in front of members removes any changes to the width of The Old Dairy Yards except for the changes to the first 10 metres and therefore the only impact from this development will be the physical changes to the site itself.
- 11.3. These changes will have no significant impact on neighbouring dwellings through overlooking or overshadowing and are therefore acceptable.
- 11.4. Due to unresolved issues relating to the ability to widen Old Dairy Yards to overcome highway safety concerns however, the applicant does not now intend to make any changes to the width of the roadway and therefore the proposal does not overcome the conclusion of the Planning Inspector in 2015 whereby it was concluded that the addition of an extra dwelling along Old Dairy Yards would result in adverse impacts on highway safety contrary to the requirements of policy LP15 of the Fenland Local Plan (2014).

12. RECOMMENDATION

REFUSAL, for the following reason:

The proposal is for the construction of a single dwelling accessed via Old Dairy Yards, which is also a Public Right of Way. Old Dairy Yards makes no provision for segregation between pedestrians and vehicular traffic and the addition of another dwelling gaining vehicular access along this lane would result in a harmful impact in relation to highway safety. The proposal is therefore contrary to policy LP15 of the Fenland Local Plan (2014).



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F/YR20/0363/F

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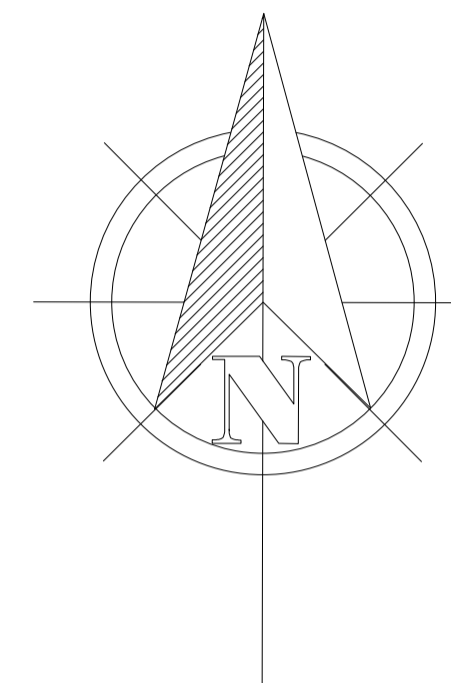
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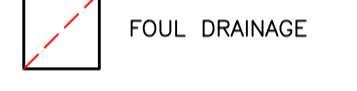


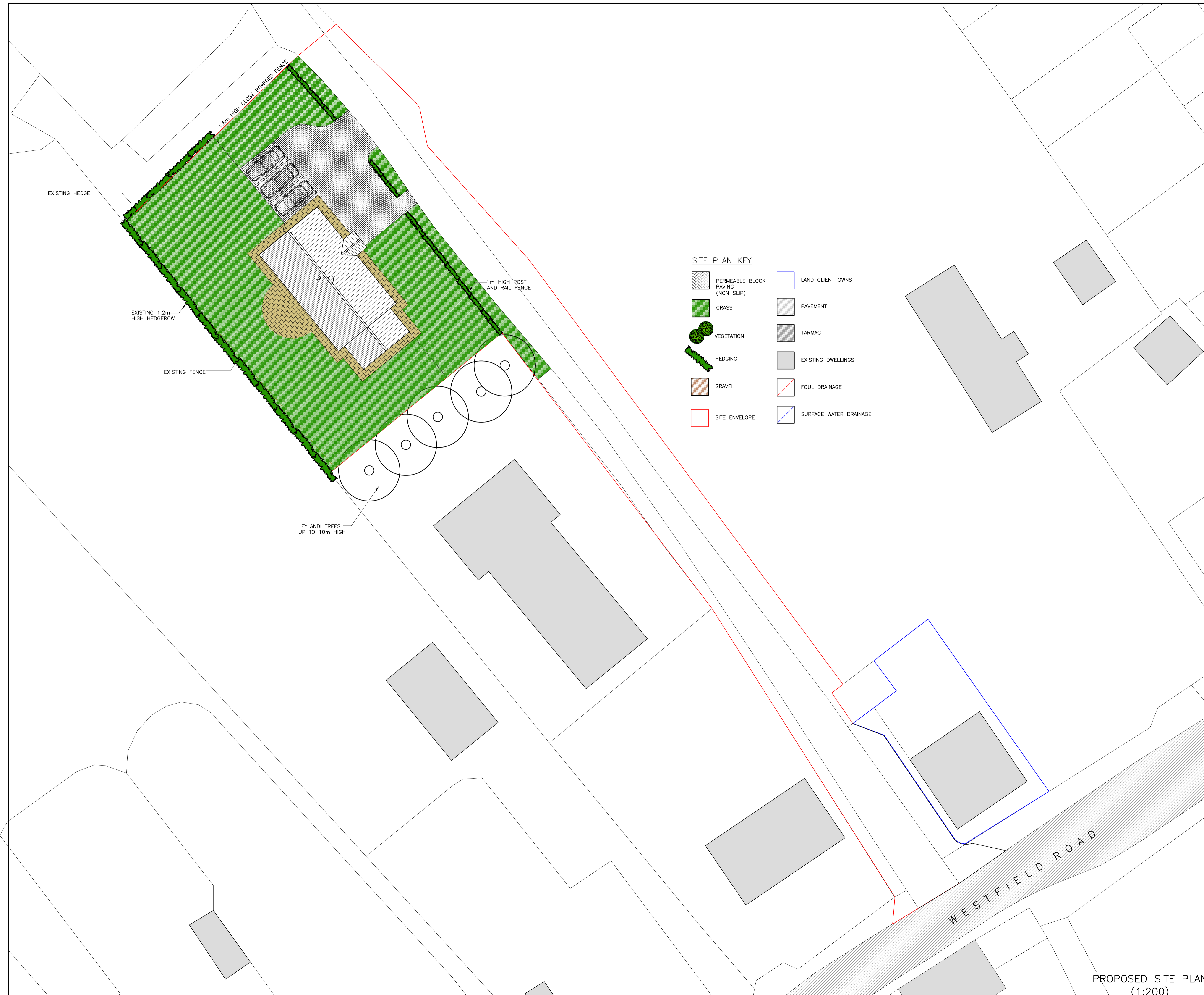
 **Fenland**
CAMBRIDGESHIRE
Fenland District Council

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 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details



SITE PLAN KEY


-  PERMEABLE BLOCK PAVING (NON SLIP)
-  GRASS
-  VEGETATION
-  HEDGING
-  GRAVEL
-  SITE ENVELOPE
-  LAND CLIENT OWNS
-  PAVEMENT
-  TARMAC
-  EXISTING DWELLINGS
-  FOUL DRAINAGE
-  SURFACE WATER DRAINAGE



A	PLANNERS COMMENTS	AUG 2020
	REVISIONS	DATE

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 Fenland District Council
 Building Design Awards
 Design Excellence in Fenland

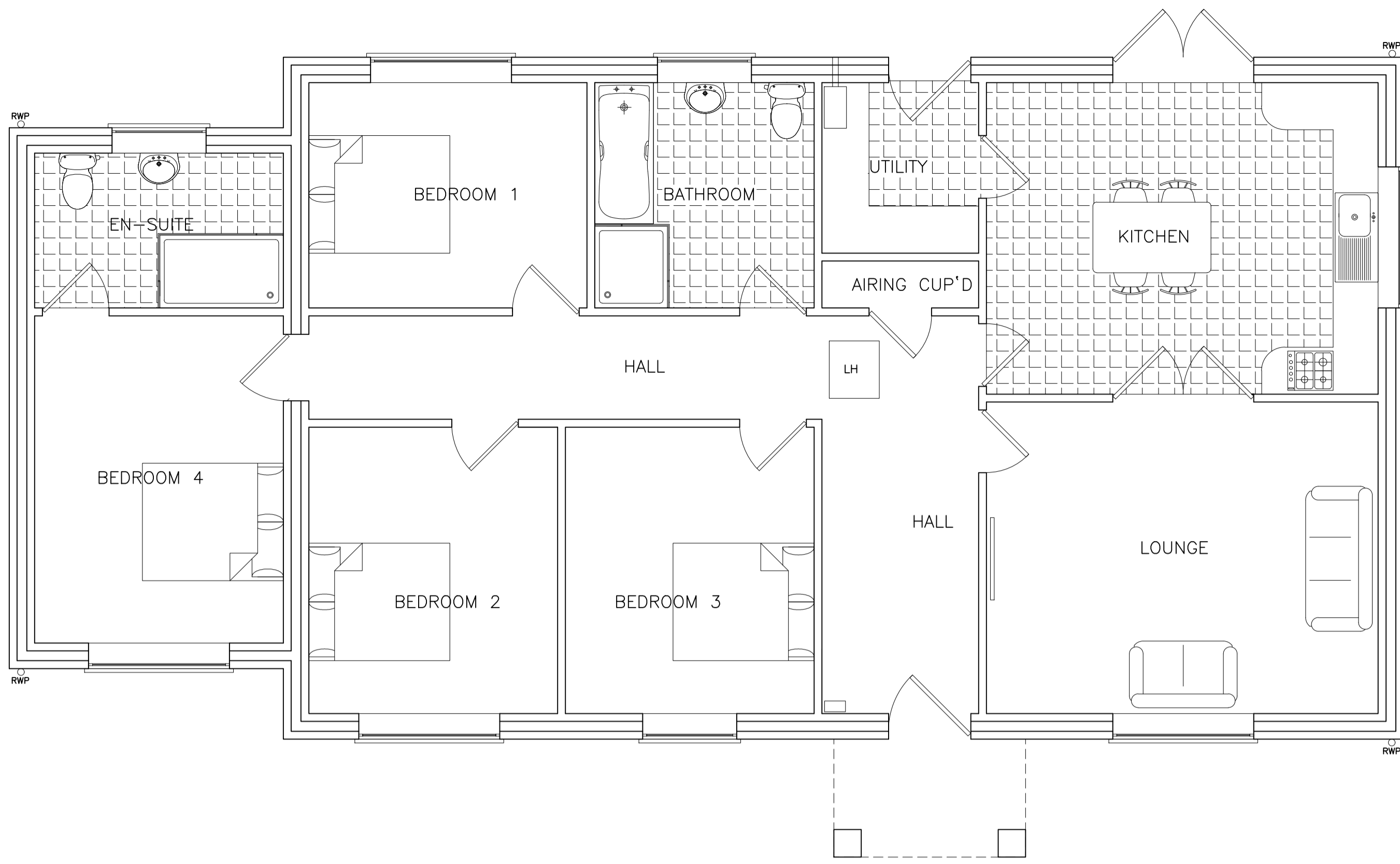
CLIENT
 Mr Savage

PROJECT
 Northwest of Cedar Lodge
 Off Westfield Road
 Manea, Cambs
 PE15 0LN

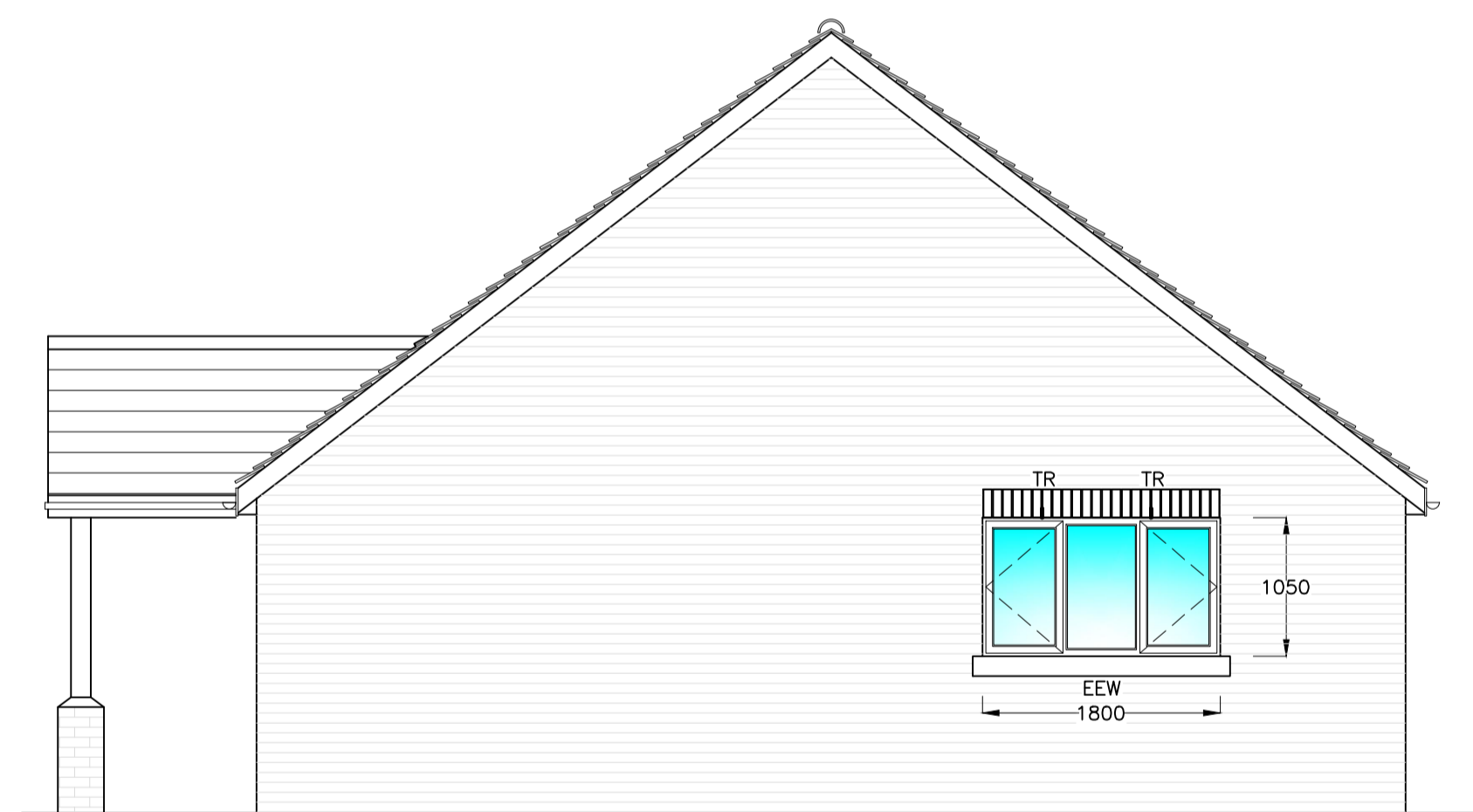
TITLE
 Proposed Site Plan

DRAWN J. Scotcher	DATE OF ISSUE
CHECKED	
DATE Feb 2020	DRAWING NUMBER H6511/05A
SCALE As Shown	

PROPOSED SITE PLAN
 (1:200)



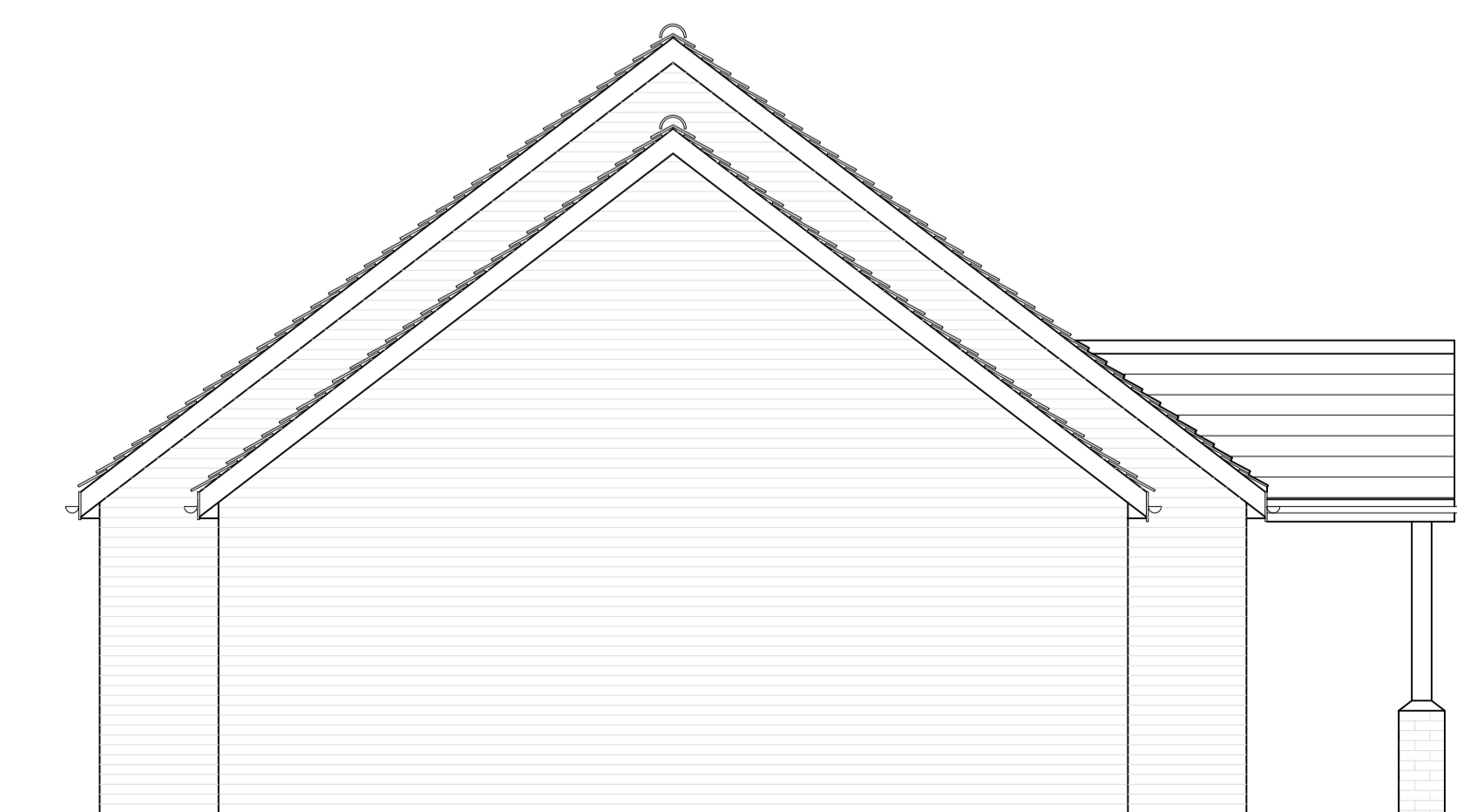
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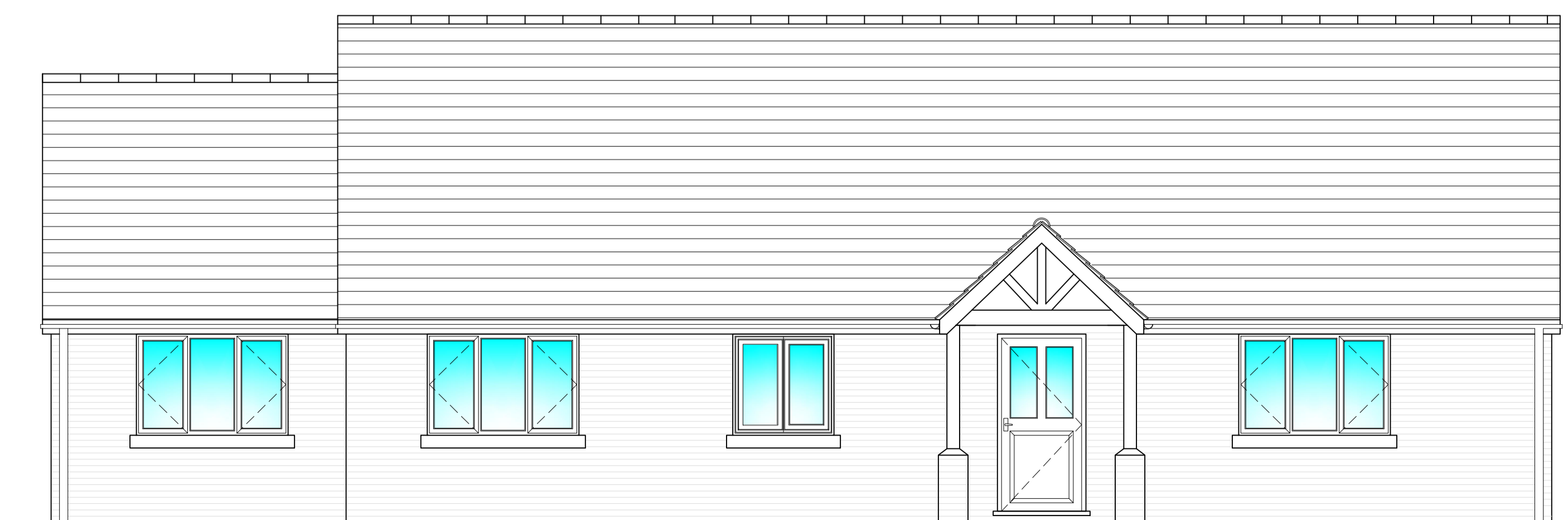
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PROPOSED REAR ELEVATION
(1:50)



PROPOSED LHS ELEVATION
(1:50)



PROPOSED FRONT ELEVATION
(1:50)

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Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
All finishes, insulation and damp-proofing to architect's details

B	CLIENTS COMMENTS	AUG 2020
A	PLANNERS COMMENTS	APR 2020

REVISIONS	DATE
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Building Excellence in Fenland

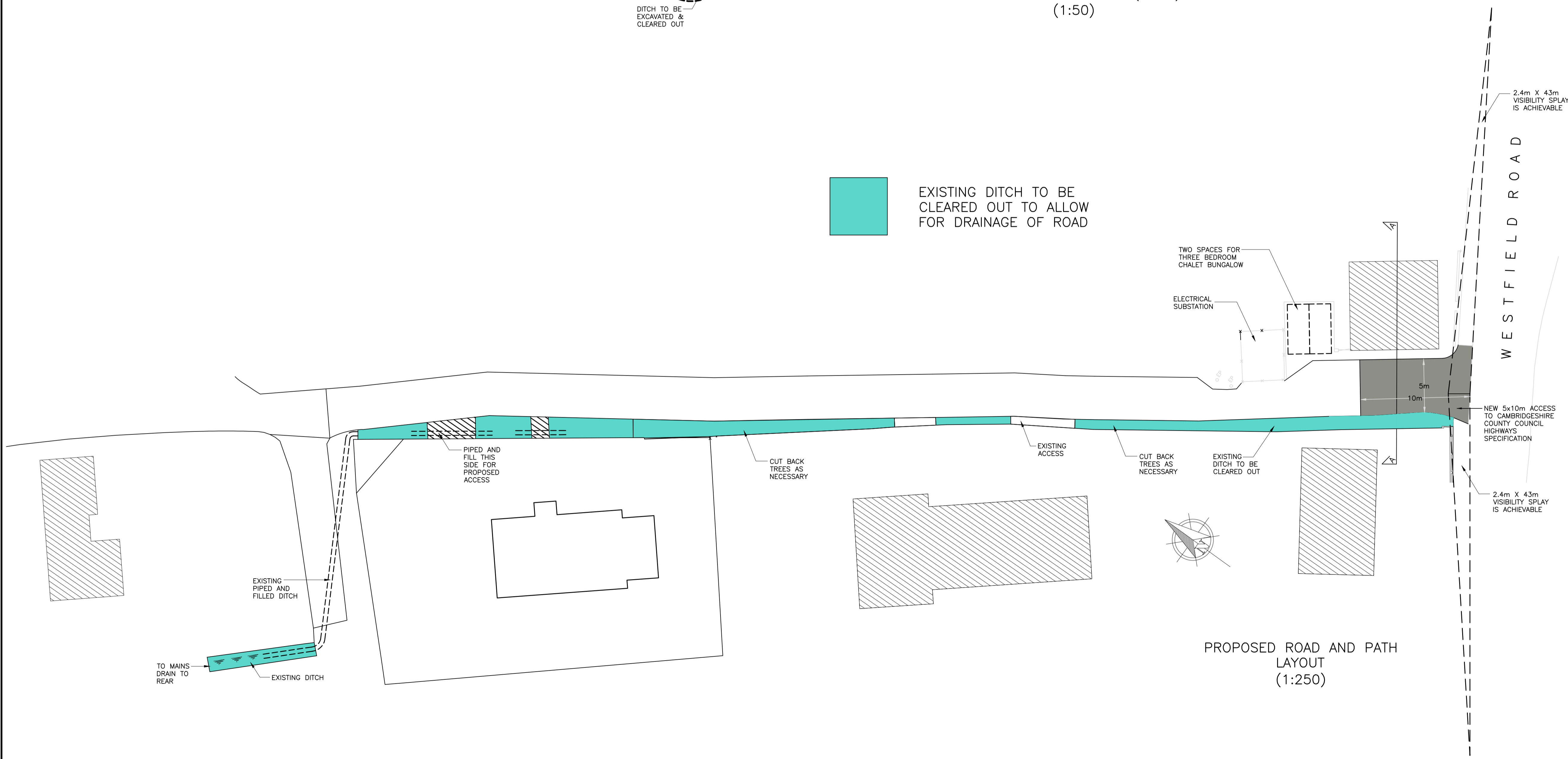
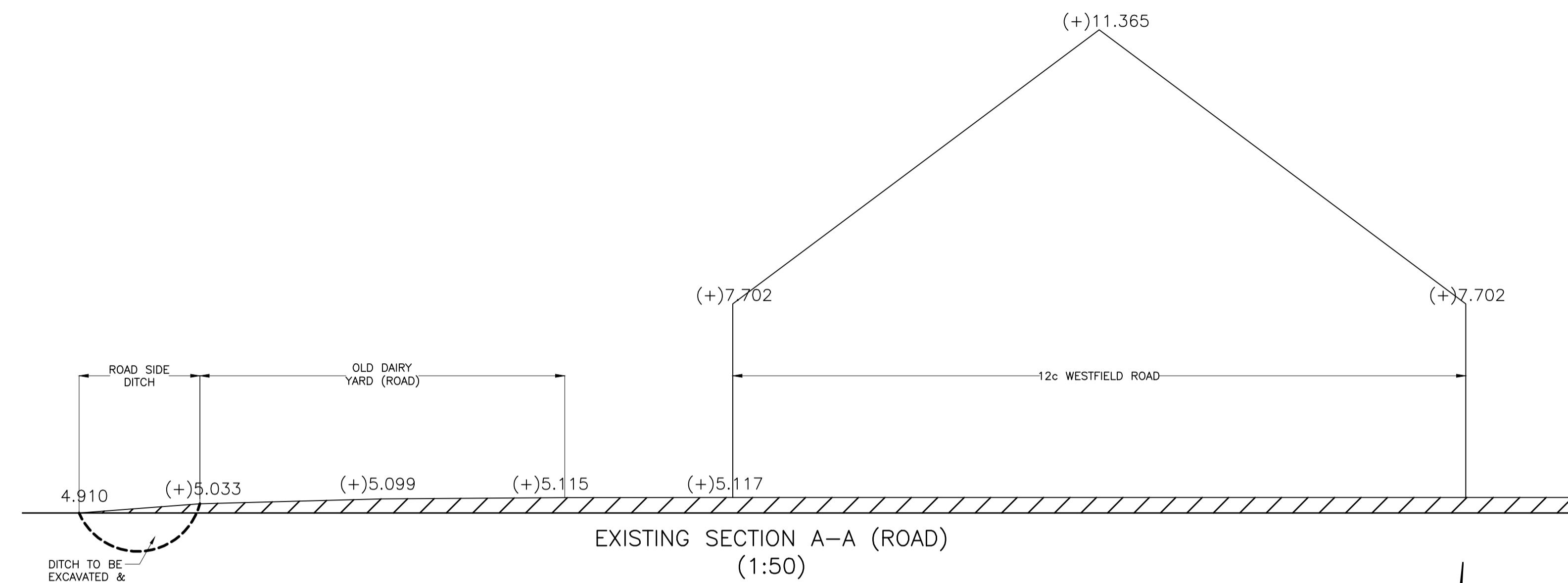
CLIENT
Mr Savage

PROJECT
Northwest of Cedar Lodge
Off Westfield Road
Manea, Cambs
PE15 0LN

TITLE
3 Bedroom Bungalow
Plans, Elevation &
Section (PLOT 1)

DRAWN J.Scotcher	DATE OF ISSUE
CHECKED	
DATE Feb 2020	DRAWING NUMBER H6511/03B
SCALE As Shown	

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 Contractor to check all dimensions on site before work starts or materials are ordered. Do not scale, if in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details



B	CLIENTS COMMENTS	AUG 2020
A	PLANNERS COMMENTS	APR 2020
	REVISIONS	DATE

MORTON & HALL CONSULTING LIMITED
 CONSULTING STRUCTURAL ENGINEERS
 And BUILDING DESIGN

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Fenland District Council
 LABC
 Building Design Awards
 Design Awards
 Building Excellence in Fenland

CLIENT
 Mr Savage

PROJECT
 Northwest of Cedar Lodge
 Off Westfield Road
 Manea, Cambs
 PE15 0LN

TITLE
 Existing Site Sections &
 Proposed Road Layout

DRAWN	J. Scotcher	DATE OF ISSUE
CHECKED		
DATE	Feb 2020	DRAWING NUMBER
SCALE	As Shown	H6511/04b

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F/YR20/0824/F

Applicant: Laurel Crest Development Ltd

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

16 Park Street, Chatteris, Cambridgeshire, PE16 6AF

Demolition of rear annexe and workshop and alterations and refurbishment of existing dwelling to form a 4-bed dwelling

Officer recommendation: Refuse

Reason for Committee: Application is associated with F/YR20/0854/F below.

F/YR20/0854/F

**Applicant: Mr T Welland
Laurel Crest Development Ltd**

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

25 Victoria Street, Chatteris, Cambridgeshire,

Erect 3 x 2-storey dwellings comprising of 1 x 3-bed and 2 x 2-bed involving demolition of existing building within a Conservation Area

Officer recommendation: Refuse

Reason for Committee: Contrary to the recommendation of Chatteris Town Council

1. EXECUTIVE SUMMARY

1.1 These two planning applications involve the subdivision and redevelopment of a property and its curtilage. Therefore, the applications are being considered together in one report. The northern end of the site will see the refurbishment of No 16 Park Street, alterations to the front elevation, and the demolition of the rear annexe (workshop). The southern end of the site currently includes a large garage and area of hardstanding for parking. A detached dwelling facing onto Victoria Street and a pair of semi-detached properties in the centre of the site are proposed.

1.2. An appropriate refurbishment of No 16 Park Street and redevelopment of the southern end of the site, including a new dwelling facing onto Victoria Street are supported and formed part of a pre-application enquiry in 2017.

1.3. However, with this current proposal, the loss of the historically important workshop element to No 16 Park Street is not supported and as previously put forward as part of the pre-application enquiry, the workshop could be converted to provide a second residential unit. But vehicular and pedestrian access from Victoria Street to No 16

Park Street should be retained to meet parking standards.

1.4. To achieve this it is recommended that No 16 Park Street is not subdivided from its rear curtilage, but a comprehensive regeneration/ redevelopment scheme is proposed which includes both of the current application sites as one application. In addition to the two units at the front, a suitably designed dwelling facing onto Victoria Street could be supported.

1.5 However, in its current form and for the reasons set out in the report, the proposal would be contrary to Policies LP2, LP15, LP16 and LP18 of the Fenland Local Plan 2014, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and relevant paragraphs of the NPPF. Although the proposal would contribute 3 new dwellings to the housing stock in Chatteris, this does not outweigh the significant concerns Officers have with regard to: the impact on the heritage assets; and the amenity of existing and future occupiers especially with regard to the level of parking to be provided.

2. SITE DESCRIPTION

- 2.1 The site is a linear burgage plot orientated north/ south. The frontage is on Park Street with the rear curtilage extending south to Victoria Street. This provides vehicular access via a gap in the street frontage to serve the property No 16 Park Street which is a 4 bed dwelling with a rear annexe and workshop. Its front elevation consists of a four-centred gate with bow windowed shop front and associated door with two sliding sash windows to the first floor and three to the second floor. The width of the access through the gate is approximately 2.2m leading through to an alley way of approximately the same width alongside the rear two storey annexe and workshop.
- 2.2 The site lies within Chatteris Conservation Area and No 16 is immediately adjacent to 14 Park Street (grade II listed) and within the setting of listed buildings at 20 Park Street, 33 Park Street and the grade II listed Post Office opposite. Park Street also contains several other listed buildings and non-designated heritage assets.
- 2.3 The southern end of the curtilage consists of a gated access onto Victoria Street with a more modern building with mono-pitched roof housing 3 x garages, storage space and an office. This area is tarmacked and appears to have been used as a work yard, providing parking for 12 vehicles. This building also makes up part of the southern boundary of the site with the footpath. The eastern boundary with No 21 Victoria Street consists of 1.8m high (approx.) close boarded fencing.
- 2.4 Adjacent to the western boundary is the rear garden to No 20 Park Street which has pedestrian access to Victoria Street. The western boundary consists of a brick wall. Within the garden is a large tree close to the boundary with the application site.
- 2.5 The southern end of the site is wider than the northern end (28m compared to 14m). There is a dog leg approximately half way along as the site boundary wraps around the rear of No 18 Park Street.
- 2.6 A modern flat roofed office is located at the end of the rear annexe to No 16 but has not been included within the red line of either application. The site is within Flood Zone 1

3. PROPOSAL

Pre-Application Advice 2017

- 3.1 A pre-application enquiry was submitted for the whole site in 2017. The refurbishment of No 16 was welcomed. Also, the majority of the rear workshop was to be retained and converted to residential.
- 3.2 The enhancement of the Victoria Street entrance to the site (previously a work yard) was also considered to be an opportunity for positive enhancement as the sites immediately to the left and right remain as residential. A new dwelling fronting onto Victoria Street was considered to be acceptable, subject to an appropriate design.
- 3.3 The linearity and N/S axis of the burgage plot was considered to be an essential feature of the settlement morphology and therefore any new development on the site would be required to respect and reinforce this.
- 3.4 Two buildings were proposed at the centre of the plot, the east west axis was not considered appropriate resulting in development at odds with the linear character of the plot. It was suggested that an L shaped plan form would be more appropriate and would cause less of a disruption to the established character and pattern of development between Park Street and Victoria Street.

F/YR20/0824/F

- 3.5 This proposal affects the northern half of the site and is for the demolition of the rear two storey annexe and workshop including the conservatory and the first floor lean to bathroom extension above the alleyway, and alterations to and refurbishment of the dwelling to form a 4 bed dwelling. Changes are also proposed to the windows and doors.
- 3.6 The proposal seeks to replace all joinery to the front elevation with multi-paned sashes. It also proposes to reinstate a doorway and to introduce a conjectural mullion and transom glazing bar arrangement.
- 3.7 The site is to be subdivided and No16 will no longer have a vehicular or pedestrian access from Victoria Street.

F/YR20/0854/F

- 3.8 This proposal affects the southern half of the site (0.06ha) following its subdivision and is for the demolition of the modern building with mono-pitched roof housing 3 x garages, storage space and an office and the erection of 3 x 2-storey dwellings comprising of 1 x 3-bed and 2 x 2-bed.
- 3.9 The 3 bed detached property (Plot 1) will front onto Victoria Street with the existing access being shared between the three new properties. Plots 2 and 3 are a pair of semi detached 2 bed properties located towards the centre of the larger plot, at right angles to each other.
- 3.10 A parking court is located between the plots and shows 4 x parking spaces and 2 x visitor spaces. Each plot will have a level of private amenity space. A revision to the composite plan has been provided in response to the Highways Officer's comments (LC.775.P101 Rev B)

4. SITE PLANNING HISTORY

None for both applications, other than the pre-application enquiry 17/0174/PREAPP.

5. CONSULTATIONS

5.1 Chatteris Town Council- support both applications

5.2 FDC Environmental Health- no objections. Unsuspected contamination condition should be attached to F/YR20/0854/F

5.3 CCC Highways- no objection to the revised drawing for F/YR20/0854/F, subject to a number of planning conditions if approved.

5.4 FDC Conservation Officer

F/YR20/0824/F- seek amendments

1. *This application concerns the demolition of a rear annexe and workshop and alterations to and refurbishment of existing dwelling to form a 4 bed dwelling at the above address. The site lies within Chatteris Conservation Area and immediately adjacent to 14 Park Street (grade II listed) and within the setting of listed buildings at 20 Park Street, 33 Park Street and the grade II listed Post Office opposite. Park Street also contains several other listed buildings and non-designated heritage assets.*
2. *Consideration is therefore given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.*
3. *Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*
4. *Planning history on site includes a pre-application enquiry reference 17/0174/PREAPP and advice stated that the linearity of the burgage plot should be retained and that the character and appearance of the conservation area should be preserved or enhanced, with regard to the significance of No. 16 as a non-designated heritage asset and any impact on the setting of nearby listed buildings. A concurrent though technically separate application for development to the rear of the site at 25 Victoria Road has also been submitted under F/YR20/0854/F.*
5. *The heritage statement provided with the application wrongly suggests that the building and workshop has little architectural merit. This is a misinterpretation, as the building has considerable architectural merit in its illustration of vernacular workshops of this period and area. The heritage statement simultaneously identifies the contribution the site makes to the character of the conservation area and then states that as the workshop is not visible its loss will not be detrimental to that character. Its presence, whether visible or not, greatly adds to the character of the conservation area, as evidence of its economic development and social make up. Its loss therefore, would be detrimental.*

6. *The proposal put forward requires amendment. The following comments are made:*

Chatteris Conservation Area covers the core of this small Fenland Market Town. Buildings such as 16 Park Street, with a shop front, living above and workshop and yard to the rear, are representative of its economic and light industrial character during the 19th and early 20th century. Set out in a long burgage plot it also represents the socio-economic development from mediaeval rural subsistence to market town, and reinforces its connection with its rural and agricultural development and setting. No. 16 is a building that stylistically appears to date from the early 1800s. Mapping evidence from the 1880s indicates the current building and workshop, but later mapping is less clear, showing simply a block, indicating presumably, shops, residences and workshops in that area of Park Street and the land to the rear. The workshop to the rear of No. 16 appears to date from the mid- to second half of the 19th century, with many typical Victorian features and characteristics, including workshop windows, utilitarian loft stairs, shelving, pavours, flags, water pump, and 'conservatory', which is a timber framed, multi-paned lean-to, with over-lapping panes of some plain and some decorated glazing hung between mullions – there are no transoms. The workshop was formerly used by a telecommunications engineers and judging by the telephones left in-situ this was an early and on-going use. The whole has apparently been owned by several generations of the same family. A four-centered gate with bow windowed shop front and associated door exist to the front elevation with two sliding sash windows to the first floor and three, rather squat sliding sash to the second floor. It has been suggested that both the shop front and the windows are later alterations to the building, and this is probable given a likely construction date of the first half of the 19th century, however, historic photographs indicate the bow shop front to date from at least the 1910s and similarly the plain glazed sash windows date from the late 19th century. The surviving glazing certainly appears to have the correct surface ripples and reflection to indicate historic glazing. It seems likely therefore that the plain glazed sash windows were installed at the same time as the shop front in the early 20th century. Therefore, the shop front and windows may not be original to the building, but they are certainly historic and therefore hold some value and merit both in terms of fabric and in the evolution of the building. It is within this context that this proposal is considered.

The proposal seeks to replace all joinery to the front elevation with multi-paned sashes, which may appear to be more in keeping, but does not take into account the loss of historic fabric, including glazing. The application also proposes to reinstate a doorway (which would be acceptable) and to introduce a conjectural mullion and transom glazing bar arrangement, again without consideration for the historic value of the existing shop front. It is not clear from the application which material the proposed windows will be.

The proposal seeks to remove a first floor extension over the archway, which appears to be a circa 1960s element and therefore does not contribute significantly to the overall interest of the property. This would be acceptable.

The proposal also seeks to demolish the entirety of the workshop element, the modern office to the rear, and reinstate the large workshop window with coloured glass lights to both top and bottom with a standard window opening in what will become a sitting room. The justification given is that the annexe is beyond economic viable repair, though no evidence has been submitted in support of this statement; that it is structurally unsound, but again no structural report has been

submitted in support of this and indeed, the 2017 pre-app included the conversion of the workshop into a separate residence. Finally, the current application states that there is no meaningful amenity space or outlook. However the plot currently extends all the way to Victoria Street, though it is understood that the intention is for the plot to be halved and for a separate development here. The development here potentially belies the argument for the unviable retention of the workshop and it would be within the gift of the applicant to create a more generous garden to the dwelling at No. 16 Park Street.

The proposed layout suggests a kitchen and family room to the street frontage with the bow window. This may prove impractical without some form of screening which will impair natural daylight into the room. A similar residential conversion within a shop front space at Market Hill was recommended to seek amendments to the scheme due to the intention to use frosted glass in order to create privacy for the occupants. Comments to that application stated that obscure glazing would create a blank face to the conservation area to the detriment of its character, the setting of nearby listed buildings and on the overall architectural quality of the building by changing its use from commercial space with an outlook to the town, to private residential (reference F/YR20/0015/F and F/YR20/0016/LB). The proposal also seeks to install bathrooms to the front elevations at both first and second floor, which would also presumably give rise to the need for obscure glazing. This would appear incongruous in the street scene and detrimental to the character and appearance of the conservation area.

It is suggested that some or all, of the workshop is retained, or a rear element rebuilt using salvaged materials here in order to allow for bathroom space to the rear and for the shop floor to be used as generous entrance and hall space for the amenity and privacy of future occupants.

It is not felt that the significance of the workshop has been duly noted in the heritage statement or the impact of its loss to the character of the conservation area fully justified. The proposal for replacement of all joinery to the front elevation also does not take into account the loss of historic fabric.

In conclusion, the principle of development and re-use here is supported, but an improvement to the current scheme would achieve better outcomes for the property and the conservation area.

7. CONDITIONS

Should the application be approved, it is suggested that joinery details will need to be submitted as a condition of the application at 1:10 scale, and that sample materials and brick bonding for any making good to the rear elevation should be submitted to and approved in writing by the local authority.

Furthermore, prior to the commencement of any demolition, a schedule of works, to include details of salvage, shall be submitted to and approved in writing by the Local Planning Authority. The programme for the salvage, storage, and reuse of materials, shall include but not be limited to: slates, bricks and pavements. Material to be salvaged (if any) must be identified on scaled plan and elevation drawings and on site. Potential for reuse on site must be identified. This would ensure the use of appropriate methods and to ensure the salvage and reuse of historic material where possible, in accordance with Section 16 of the National Planning Policy Framework 2019. Furthermore, no demolition/development shall take place until an implementation of a programme of archaeological work, to include Historic Building Recording, in accordance with a written scheme of investigation

(WSI) has been submitted to and approved by the local planning authority in writing. A level 2 or 3 recording is suggested. This would ensure that the significance of historic environment assets is conserved in accordance with Section 16 of the National Planning Policy Framework 2019.

F/YR20/0854/F- seek amendments

8. *This application concerns the development of a vacant plot to the rear of 16 Park Street, of which it currently forms curtilage, with a new build to the front of the plot and a semidetached development to the rear, backing on to No. 16 Park Street.*
9. *Consideration is given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.*
10. *Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*
11. *Planning history on site includes a pre-application enquiry reference 17/0174/PREAPP and advice stated that the linearity of the burgage plot should be retained and that the character and appearance of the conservation area should be preserved or enhanced, with regard to the significance of No. 16 as a non-designated heritage asset and any impact on the setting of nearby listed buildings. A concurrent though technically separate application for regeneration of 16 Park Street and demolition of the workshop to the rear has been submitted under F/YR2/0824/F*
12. *The proposal put forward requires amendment. The following comments are made:*

Chatteris Conservation Area covers the core of this small Fenland Market Town. Buildings such as 16 Park Street, with a shop front, living above and workshop and yard to the rear, are representative of its economic and light industrial character during the 19th and early 20th century. Set out in a long burgage plot it also represents the socio-economic development from mediaeval rural subsistence to market town, and reinforces its connection with its rural and agricultural development and setting. Historic mapping evidence indicates that the plot facing Victoria Street has remained undeveloped until the building of the current workshop which appears stylistically to date from the 1980s or 1990s. Victoria Street is a residential street of Victorian date and character, two storey with sash windows (though sadly the majority of these have been lost to the detriment of the conservation area), some canted bay windows, brick detailing to windows and doors, and typically built of gault or brown brick with slate roofs. It is within this context that this proposal is considered.

The proposal seeks to create a new dwelling to the front of Victoria Street, set back behind an enclosure. The Design and Access statement submitted indicates this would be hedging, but a low boundary wall would be more in keeping with the street scene and neighbouring properties. Again, the D&A statement presents an indicative photograph of a nearby historic property which

plot 1 (the street fronting property) would be designed to reflect. However, the proposed elevation drawings indicate an incongruously modern building, without symmetry or architectural detailing including first floor lintels, brick banding (not common, but present along Victoria Street) or a bay window and an poorly chosen style of door. The principle of development on this plot is not objected to, but it is felt that in order to preserve and enhance the character of the conservation area, the details of the design ought to be improved and materials carefully chosen, in order to ensure that as with so many new builds, the finished product is not detrimental to the conservation area.

The proposal for plots 2 and 3, have not altogether moved away from the parallel development that was put forward in the 2017 pre-app and advised against. There is simply a reduction in the number of plots. Plot 3 would therefore be visible as a residential dwelling set back from the street scene and out of character with the linear, burgage development and typical layout of rear workshops in these plots which were once common throughout the conservation area. That visibility along the length of the plot, which can often be glimpsed where these plots survive, would therefore be lost to the detriment of the character and appearance of the conservation area. It is also proposed that these plots will have tiled roofs in order to present a more vernacular character, and yet, while this is a characteristic of single storey workshops and sheds in rear plots elsewhere in the conservation area, slate is the predominant material in Victoria Street.

If the applicant requires this parallel development, it is suggested that a carriage arch for parking is formed to the east side of the plot to replicate that at 16 Park Street, with accommodation above. Alternatively the development should run north-south against the west boundary of the plot. It is felt that if the 'L-shaped' development of plot 1 were swapped from the east to the west side of the plot, this may provide the ability to rearrange parking spaces to plot 1 in order to accommodate a linear arrangement for plots 2 and 3. Sash windows would also be preferable but casements would be more acceptable in these plots than they would be in plot 1.

If the applicant wishes to present a more vernacular appearance, the use of half weatherboarding may be appropriate in order to reflect the character of a workshop and/or the use of long windows to reflect the character of those in the workshop at No. 16 Park Street.

- 13. In conclusion, it is accepted that the principle of development is to be supported here, but it is felt that there is room for further revision in order to ensure the character and appearance of the conservation area is wholly taken into account and not only preserved, but enhanced. Supporting good, well designed development that enhances a conservation area would set a welcome precedent. The application as it stands would be detrimental to the character and appearance of the conservation area by virtue of the layout and neutral design.*
- 14. Should the application be granted consent as it stands, the following conditions should apply:*

Notwithstanding the approved plans and prior to the commencement of development, samples of all materials to be used in the construction of external surfaces of the development, including but not limited to roofs, walls, boundary treatments, paving and hard landscaping shall be required to be submitted to and approved in writing by the LPA. Precise details of brick bonding

and mortar mixes will also be required to be agreed via sample and confirmed in writing by the LPA.

Notwithstanding the approved plans, prior to the commencement of the development precise details of all new joinery, including windows, doors, will be required to be submitted to and approved in writing by the LPA (clarified through 1:20 drawings and 1:5 typical sections).

Notwithstanding the approved plans, prior to the commencement of the development precise details and locations of the proposed rainwater disposal system (fittings and fixtures) and vent and soil pipes be required to be submitted to and approved in writing by the LPA.

15. *These comments are made in respect of S72 Planning (Listed Buildings and Conservation Areas) Act 1990, NPPF Section 16 para;192 c) the desirability of new development making a positive contribution to local character and distinctiveness; Policy LP16 of the Local Plan Policy a) protects and enhances any affected heritage assets and their setting to an extent commensurate with policy in the NPPF and in accordance with LP18; LP16d) makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area and; LP18 of the Local Plan.*

5.5 Local Residents/Interested Parties

F/YR20/0824/F

One letter of representation from No 21 Victoria Street regarding notification of the application.

F/YR20/0854/F

3 representations have been received, 2 of which are objections (Park Street and West Park Street). Concerns include:

- Access
- Backfill
- Design and Appearance
- Not policy compliant
- Out of character/not in keeping with area
- Visual impact
- Traffic
- Density/Over development
- Loss of view/Outlook
- Noise
- Overlooking/loss of privacy
- Parking arrangements
- Proximity to property
- Shadowing/loss of morning light

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).

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

National Planning Policy Framework (NPPF)

Para 2 – applications to be determined in accordance with the development plan unless material considerations indicate otherwise

Para 11 – a presumption in favour of sustainable development

Para 127 – achieving well-designed places

Para 193 – conserving designated heritage assets

Para 196 – public benefits of a proposal on a designated heritage asset

National Planning Practice Guidance (NPPG)

National Design Guide 2019

C1 – Understand and relate well to the site, its local and wider context

I1 – Respond to existing local character and identity

M3 – Well-considered parking, servicing and utilities infrastructure for all users

H1 – Healthy, comfortable and safe internal and external environment

H3 – Attention to detail: storage, waste, servicing and utilities

R1 – Follow the energy hierarchy

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

LP10 – Chatteris

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic Environment

Delivering and Protecting High Quality Environments in Fenland 2014 Supplementary Planning Document (SPD)

The Cambridgeshire and Peterborough Waste Partnership (RECAP): Waste and Management Design Guide SPD

<http://www.lifetimehomes.org.uk/pages/1-car-parking-width.html>

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

F/YR20/0824/F

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QDS6CLHE06P00>

F/YR20/0854/F

8. KEY ISSUES

- **Principle of Development**
- **Visual Amenity and Impact on Heritage Assets**
- **Residential Amenity and Parking**
- **Other Considerations**

9. ASSESSMENT

Principle of Development

- 9.1 The proposals involve the subdivision of a property from its curtilage. As part of the proposed development, the property will be refurbished and partly demolished and within the curtilage, 3 x new dwellings are proposed. The application site is located within the Market Town of Chatteris, which is one of four settlements within which the majority of the District's new housing development is proposed according to Policy LP3 of the Fenland Local Plan 2014. Coupled with Policy LP10, the Fenland Local Plan focuses on Chatteris as being an area for some growth, with development contributing to retaining its character.
- 9.2 Notwithstanding this, the site is adjacent or within the vicinity of a number of listed buildings (Park Street) and also within the Chatteris Conservation Area where there is still evidence of the mediaeval burgage plots specifically in this location. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Consideration should therefore also be given to the impact of these proposals on the listed buildings and on character and appearance of Chatteris Conservation Area.
- 9.3 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. Policy LP18 of the Fenland Local Plan 2014 also seeks to protect, conserve and enhance the historic environment throughout Fenland.
- 9.4 In this instance, it is considered that the refurbishment of No 16 Park Street and the redevelopment of the southern end of the site may be acceptable in principle, but due to the loss of the rear annex to No 16, the impact of the subdivision of the site, and the proposed details, the principle of the proposals cannot be supported in this instance for the reasons set out below.

Visual Amenity and Impact on Heritage Assets

- 9.5 Policies LP16 and LP18 of the Fenland Local Plan seek to protect and enhance heritage assets. 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.

- 9.6 Chatteris Conservation Area covers the core of the town. Buildings such as 16 Park Street, with a shop front, living above and workshop and yard to the rear, are representative of its economic and light industrial character during the 19th and early 20th century. Set out in a long burgage plot it also represents the socio-economic development from mediaeval rural subsistence to market town, and reinforces its connection with its rural and agricultural development and setting. No. 16 is a building that stylistically appears to date from the early 1800s. Mapping evidence from the 1880s indicates the current building and workshop, but later mapping is less clear, showing simply a block, indicating presumably, shops, residences and workshops in that area of Park Street and the land to the rear. The workshop to the rear of No. 16 appears to date from the mid- to second half of the 19th century, with many typical Victorian features and characteristics, including workshop windows, utilitarian loft stairs, shelving, paviours, flags, water pump, and 'conservatory', which is a timber framed, multi-paned lean-to, with over-lapping panes of some plain and some decorated glazing hung between mullions – there are no transoms. The workshop was formerly used by a telecommunications engineers and judging by the telephones left in-situ this was an early and on-going use. The whole has apparently been owned by several generations of the same family.
- 9.7 Historic mapping evidence indicates that the plot facing Victoria Street has remained undeveloped until the building of the current workshop which appears stylistically to date from the 1980s or 1990s. Victoria Street is a residential street of Victorian date and character, two storey with sash windows (though sadly the majority of these have been lost to the detriment of the conservation area), some canted bay windows, brick detailing to windows and doors, and typically built of gault or brown brick with slate roofs.
- 9.8 Consideration is therefore given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building *or its setting* or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.9 Consideration is also given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.

F/YR20/0824/F

- 9.10 The heritage statement provided wrongly suggests that the No 16 and the workshop have little architectural merit. This is a misinterpretation, as the building has considerable architectural merit in its illustration of vernacular workshops of this period and area. The heritage statement simultaneously identifies the contribution the site makes to the character of the conservation area and then states that as the workshop is not visible its loss will not be detrimental to that character. Its presence, whether visible or not, greatly adds to the character of the conservation area, as evidence of its economic development and social make up. Its loss therefore, would be detrimental.
- 9.11 It has been suggested that both the shop front and the windows are later alterations to the building, and this is probable given a likely construction date of the first half of the 19th century, however, historic photographs indicate the bow shop front to date from at least the 1910s and similarly the plain glazed sash

windows date from the late 19th century. The surviving glazing certainly appears to have the correct surface ripples and reflection to indicate historic glazing. It seems likely therefore that the plain glazed sash windows were installed at the same time as the shop front in the early 20th century. Therefore, the shop front and windows may not be original to the building, but they are certainly historic and therefore hold some value and merit both in terms of fabric and in the evolution of the building.

- 9.12 The replacement of all joinery to the front elevation with multi-paned sashes, which may appear to be more in keeping, but does not take into account the loss of historic fabric, including glazing. The application also proposes to reinstate a doorway (which would be acceptable) and to introduce a conjectural mullion and transom glazing bar arrangement, again without consideration for the historic value of the existing shop front. It is not clear from the application which material the proposed windows will be.
- 9.13 The removal of the first floor extension over the archway, which appears to be a circa 1960s element and therefore does not contribute significantly to the overall interest of the property would however be acceptable.
- 9.14 The proposal also seeks to demolish the entirety of the workshop element and conservatory, whilst retaining the modern office to the rear (which falls outside both application sites) and reinstate the large workshop window with coloured glass lights to both top and bottom with a standard window opening in what will become a sitting room. The justification given is that the annexe is beyond economic viable repair, though no evidence has been submitted in support of this statement; and that it is structurally unsound, but again no structural report has been submitted in support of this. The 2017 pre-app included the conversion of the workshop into a separate residence.
- 9.15 The proposed layout suggests a kitchen and family room to the street frontage with the bow window. This may prove impractical without some form of screening which will impair natural daylight into the room. A similar residential conversion within a shop front space at Market Hill was recommended to seek amendments to the scheme due to the intention to use frosted glass in order to create privacy for the occupants. Comments to that application stated that obscure glazing would create a blank face to the conservation area to the detriment of its character, the setting of nearby listed buildings and on the overall architectural quality of the building by changing its use from commercial space with an outlook to the town, to private residential (reference F/YR20/0015/F and F/YR20/0016/LB). The proposal also seeks to install bathrooms to the front elevations at both first and second floor, which would also presumably give rise to the need for obscure glazing. The proposed changes to the fenestration details to the front of No 16 would appear incongruous in the street scene and detrimental to the character and appearance of the building, conservation area and the street scene.

F/YR20/0854/F

- 9.16 The proposal seeks to create a new dwelling to the front of Victoria Street, set back behind an enclosure. The Design and Access Statement (DAS) submitted indicates this would be hedging, but a low boundary wall would be more in keeping with the street scene and neighbouring properties. Again, the DAS presents an indicative photograph of a nearby historic property which Plot 1 (the street fronting property) would be designed to reflect. However, the proposed elevation drawings indicate an incongruously modern building, without symmetry or architectural detailing including first floor lintels, brick banding (not common, but present along Victoria Street) or a bay window and a poorly chosen style of door.

9.17 The proposal for Plots 2 and 3, have not altogether moved away from the parallel development that was put forward in the 2017 pre-app and advised against. There is simply a reduction in the number of plots. Plot 3 would therefore be visible as a residential dwelling set back from the street scene and out of character with the linear, burgage development and typical layout of rear workshops in these plots which were once common throughout the conservation area. That visibility along the length of the plot, which can often be glimpsed where these plots survive, would therefore be lost to the detriment of the character and appearance of the conservation area. It is also proposed that these plots will have tiled roofs in order to present a more vernacular character, and yet, while this is a characteristic of single storey workshops and sheds in rear plots elsewhere in the conservation area, slate is the predominant material in Victoria Street. However, on its own the use of the proposed roofing materials would not be sufficient reason to refuse the application

9.18 In summary, for the reasons set out above both proposals are considered not to comply with LP16, LP18 and also conflict with Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Residential Amenity and Parking

9.19 Policies LP2 and LP16 of the Fenland Local Plan 2014 seek to ensure that development does not adversely affect the amenity of neighbouring users and future occupiers. Policy LP15 requires development to provide well designed, safe and convenient access for all and well-designed car and cycle parking appropriate to the amount of development proposed.

9.20 Consideration has been given to the concerns of the objectors which relate to the proposal for 3 dwellings to the south of the site. There is an extant business use for this part of the site which would have generated a level of traffic and parking likely to be in excess of that likely to result from the proposal. The proximity of Plot 2 to its boundary with No 20 (1m) is not unreasonable and any potential issues would be a civil matter. However, it is accepted that Plots 2 and 3 would impact on the outlook and views currently enjoyed by adjacent properties, especially those to the west on West Park Street. Notwithstanding this, this view of the new development would be screened to some extent by the large tree within the rear garden of No 20. As such it is not considered that this impact would be so detrimental as to justify a reason for refusal.

9.21 It is noted that the large tree in the adjacent garden is not shown on the plans (No 20 Park Street). This is likely to overshadow the small north facing rear garden to Plot 2 providing a poor quality of private amenity space. It is also noted that the first floor rear window to Plot 3 is only 8m from the boundary with No 16 Park Street, increasing the potential for overlooking. However, it is noted that this area is not included in either application, so clarification is required. More detail is also required to understand the type and level of private amenity space which is to be retained with No 16 following the subdivision of the site. Notwithstanding this, these concerns on their own would not be sufficient to warrant a refusal.

9.22 Whilst it is accepted that there is a 2.2m wide access from Park Street, the property currently gains access to a large parking area from Victoria Street. This proposal includes the subdivision of the plot, resulting in the loss of the access from Victoria Street to serve 16 Park Street. This is a material consideration.

- 9.23 The proposal would result in a 4 bed dwelling without access to onsite parking as shown on the submitted plan. Therefore, it is assumed it is expected to be accommodated off site. In exceptional circumstances, in town centre locations, it may be acceptable to under provide with regard to the number of parking spaces to be provided with new development. However, in this instance, the loss of the existing parking due to the subdivision of the curtilage is not considered to be an “exceptional circumstance”.
- 9.23 With regard to the proposed parking to serve the 3 new dwellings, it should be noted that on street parking is very limited on Victoria Street and any overspill onto the street due to a lack of onsite provision should be avoided. The applicant is proposing 2 spaces to Plot 1 (3 bed) but only 1 space each to Plots 2 and 3 (2 bed). This is an under provision for Plots 2 and 3. Two visitor spaces are indicated which are likely to be regularly used by residents. Notwithstanding this, the dimensions of the spaces are not satisfactory. The 4 x assigned spaces are too narrow (2.5m x 5m) and should be 2.7m wide (two outer spaces) and 2.9m wide for the two inner spaces where there is an obstruction on both sides. Furthermore, the 2 visitor spaces fall well below anything practical and would be very difficult to use.
- 9.24 These dimensions are required to ensure that the occupiers of dwellings are afforded a reasonable level of amenity which includes getting into and out of a car with ease particularly for parents with young children and the elderly. This applies just as much whether they are being built purely as rental income or to be sold as freehold family homes.
- 9.25 For the above reasons each proposal fails to meet the requirements of Policies LP2, LP15 and LP16 of the Fenland Local Plan 2014 with regard to residential amenity including access to a good standard of onsite parking.

Other Considerations

- 9.26 The tree located within the rear garden of no 20 Park Street is protected. No information has been provided to demonstrate that the development would not impact detrimentally on this protected tree.

10. CONCLUSIONS

- 10.1 The two planning applications would result in 4 dwellings. As set out above, the loss of the workshop element to No 16 Park Street is not supported and it is suggested that similar to the pre-application enquiry from 2017, the workshop is used to provide a second residential unit. However, vehicular and pedestrian access from Victoria Street to No 16 Park Street should be retained to meet the required parking standards.
- 10.2 It is recommended that a comprehensive regeneration/ redevelopment scheme is submitted to include both the current application sites as one application. In addition to the two units at the front, a suitably designed dwelling facing onto Victoria Street could be supported. It may also be possible to include a single storey dwelling orientated north/south towards the western boundary as part of the layout. This alternative scheme could also result in 4 dwellings but should provide adequate parking of the right quality as well as address the comments relating to potential impact on the adjacent listed buildings and the Chatteris Conservation Area. The applicant was recently invited to engage with the LPA on a revised scheme but has not responded.

10.3 However, in its current form and for the reasons set out above, the proposal would be contrary to Policies LP2, LP15, LP16 and LP18 of the Fenland Local Plan 2014, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and relevant paragraphs of the NPPF. Although the proposal would contribute 3 new dwellings to the housing stock in Chatteris, this does not outweigh the significant concerns with regard to: the impact on the heritage assets; and the amenity of existing and future occupiers.

11.RECOMMENDATION

F/YR20/0824/F

Refuse for the following reasons:

1	Policies LP2 and LP16 of the Fenland Local Plan 2014 seek to ensure that development does not adversely affect the amenity of neighbouring users and future occupiers, while Policy LP15 requires developments to provide well designed and appropriate car parking. The development proposes a level of car parking below the Council's standards and there are considered to be no exceptional circumstances to allow for a reduction in numbers. Consequently, if permitted the development would result in inadequate car parking facilities in terms of numbers which would create a poor quality living environment and sub-standard levels of amenity for future residents contrary to Policies LP2, LP15, and LP16 of the Fenland Local Plan 2014.
2	Policies LP16 and LP18 of the Fenland Local Plan 2014 seek to protect and enhance heritage assets. Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant. The proposed development by way of the demolition of the rear annex/workshop and proposed changes to the front elevation would be detrimental to No 16 Park Street, the character and appearance of the Chatteris Conservation Area and adjacent listed buildings. This will be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 189-196 of the NPPF.

F/YR20/0854/F

Refuse for the following reasons:

1	Policies LP2 and LP16 of the Fenland Local Plan 2014 seek to ensure that development does not adversely affect the amenity of neighbouring users and future occupiers, while Policy LP15 requires developments to provide well designed and appropriate car parking. The development
---	--

	<p>proposes a level of car parking below the Council's standards and there are considered to be no exceptional circumstances to allow for a reduction in numbers, or for the inadequate size of the spaces which are provided. Consequently, if permitted the development would result in inadequate car parking facilities in terms of numbers and quality which would create a poor quality living environment and sub-standard levels of amenity for future residents contrary to Policies LP2, LP15, and LP16 of the Fenland Local Plan 2014.</p>
2	<p>Policies LP16 and LP18 of the Fenland Local Plan 2014 seek to protect and enhance heritage assets. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant. The proposed development by way of: the proposed materials and design of Plot 1; and the scale and siting of Plots 2 and 3 which would be out of character with the historic, linear, burgage development; would be detrimental to the character and appearance of the Chatteris Conservation Area. This will be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and paragraphs 189-196 of the NPPF.</p>



Created on: 11/09/2020

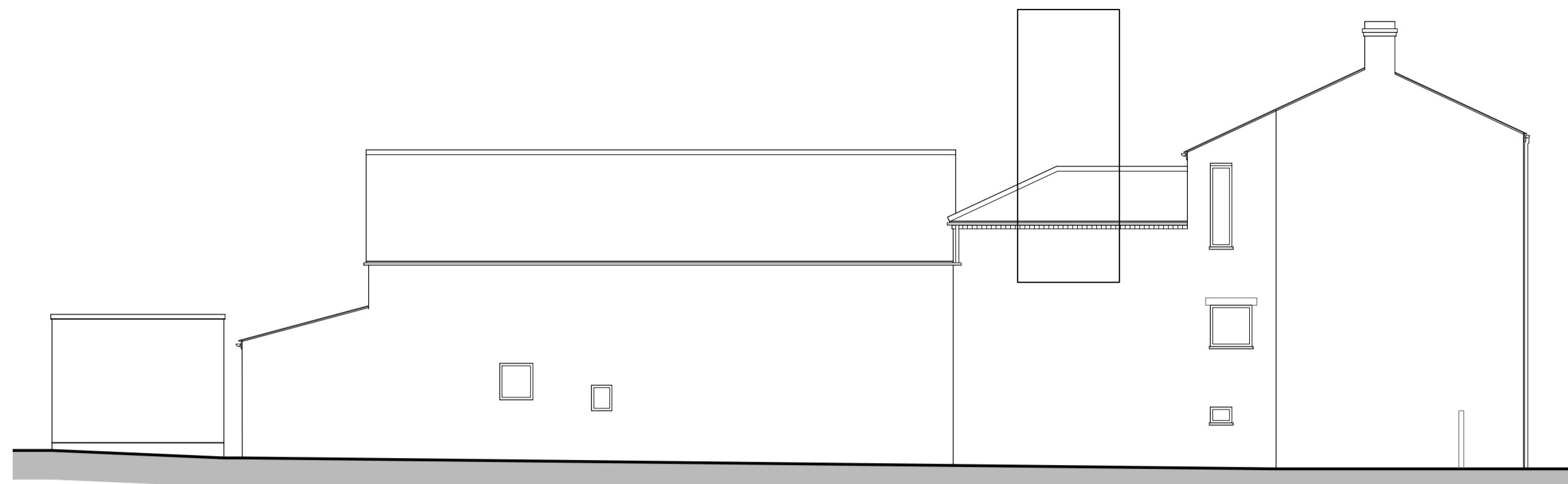
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F/YR20/0824/F

Scale = 1:1,250



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East Elevation - Side

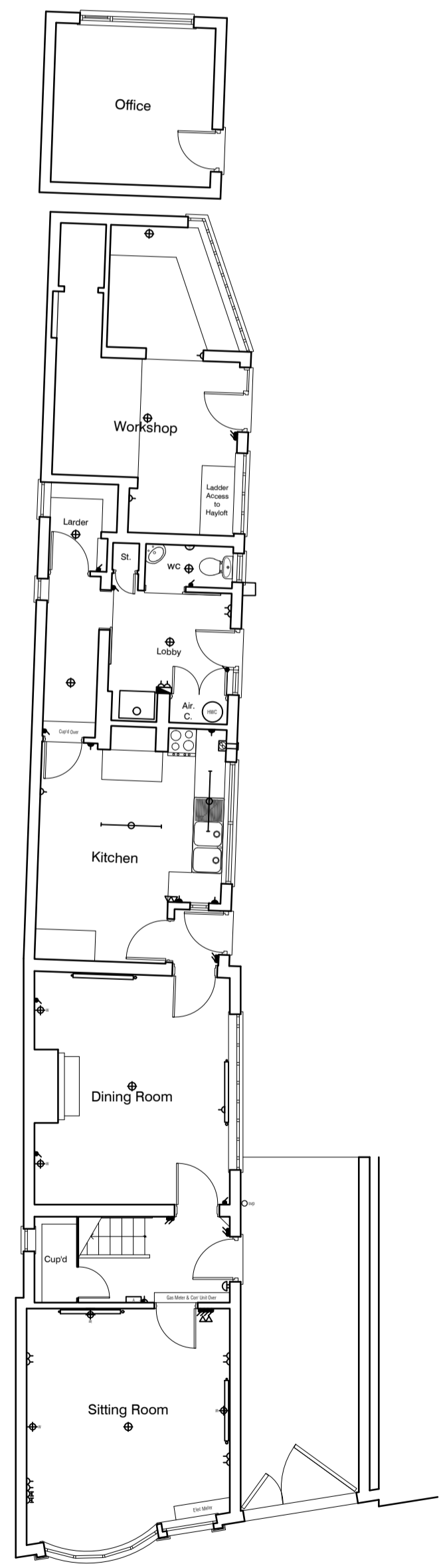


North Elevation - Front

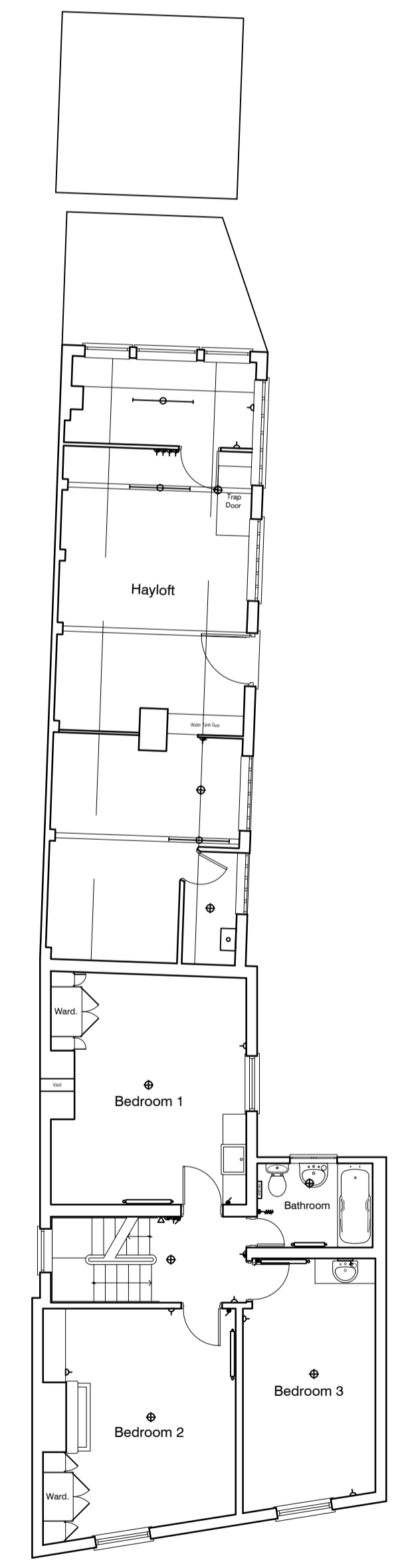


West Elevation - Side

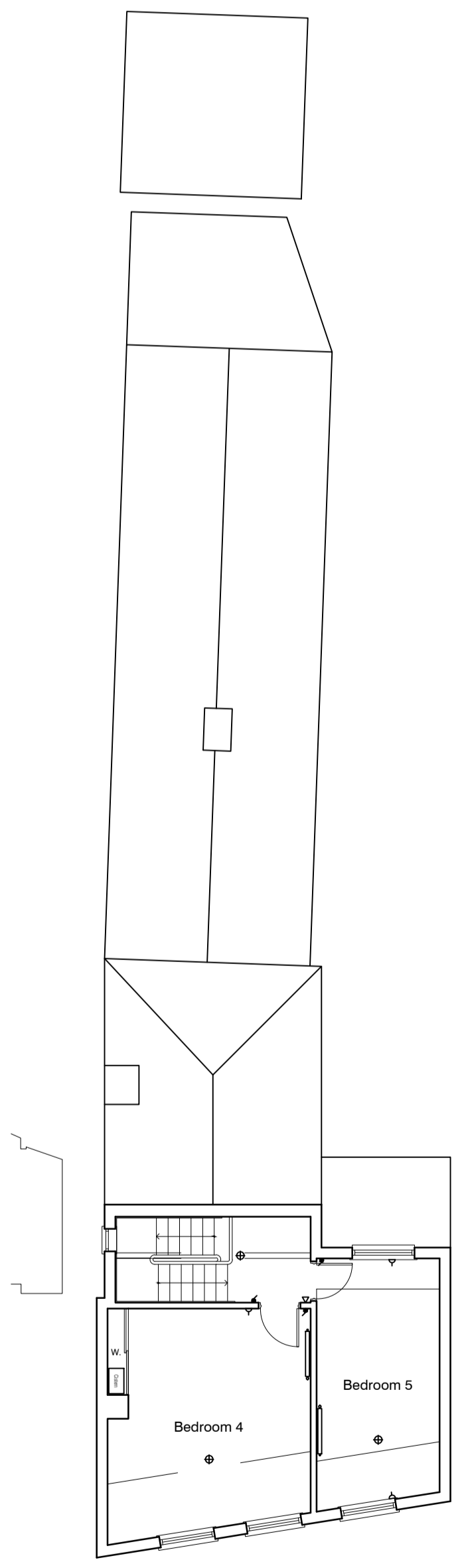
Existing Elevations



Ground Floor

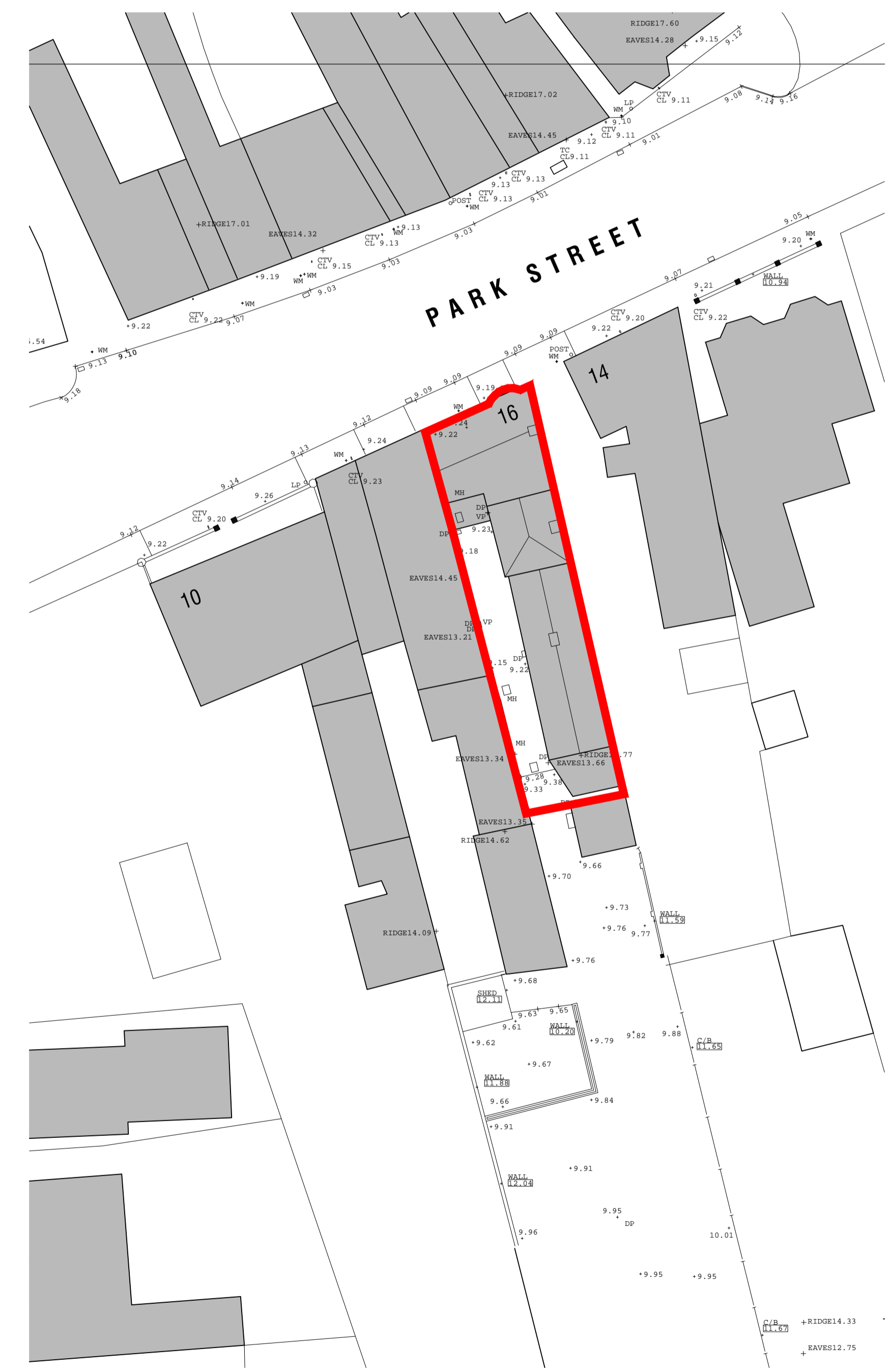


First Floor



Second Floor

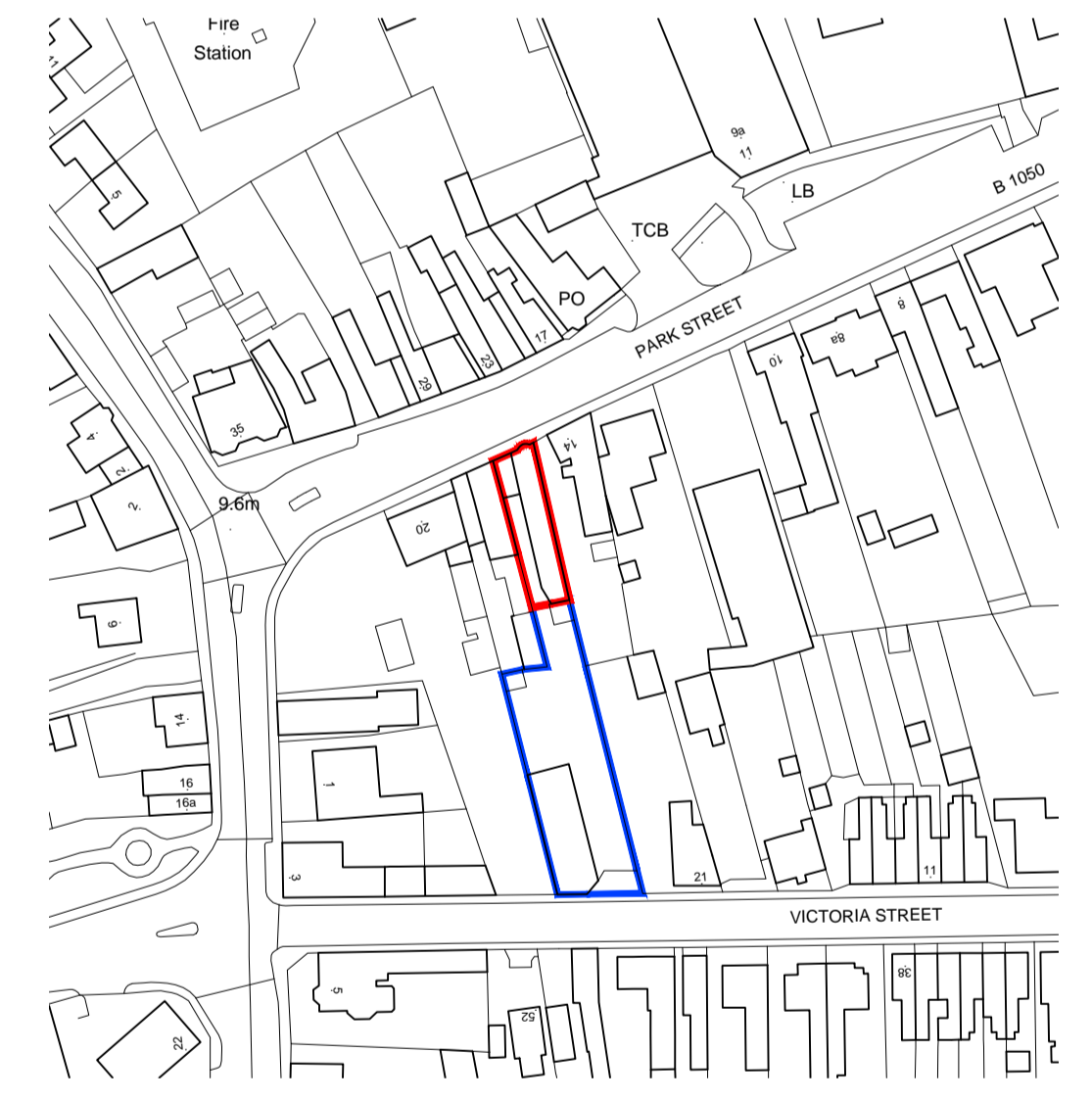
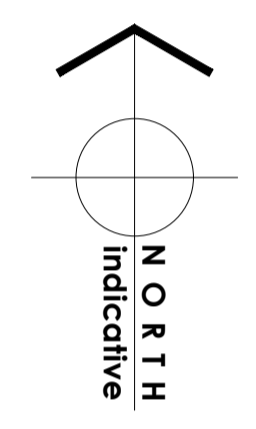
Existing Floor Plans



Existing Site Plan



South Elevation - Rear



Location Plan
 scale 1:1250

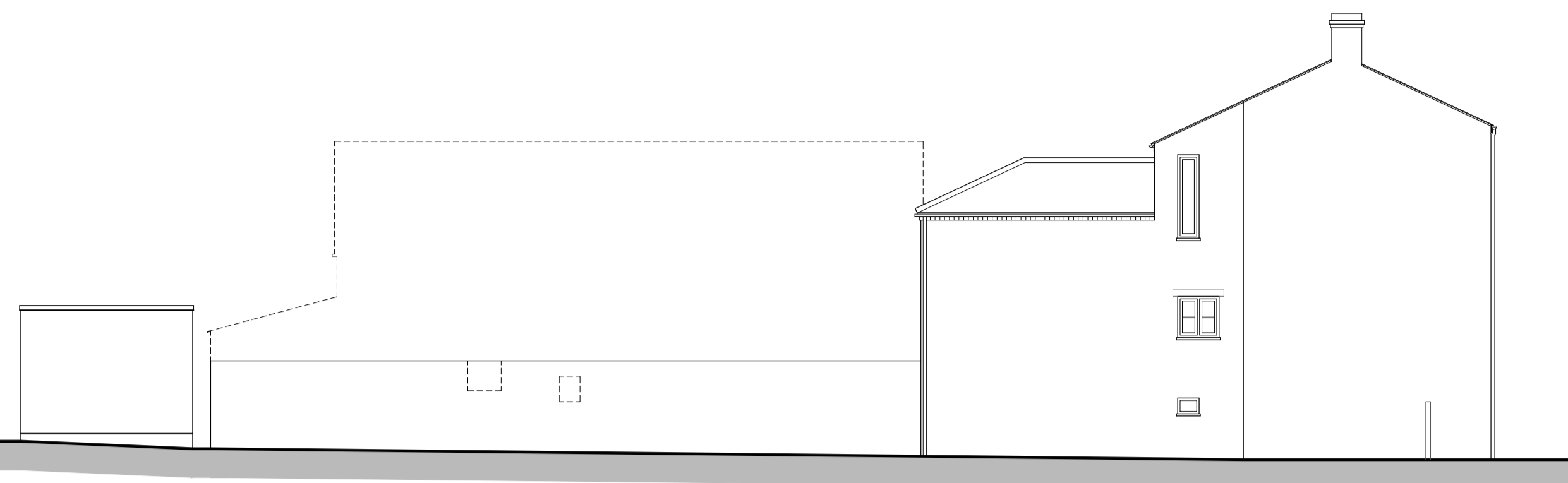
The Design Partnership
 The Design Partnership (Ely) Ltd
 Claremont House,
 10 Station Road,
 Chatteris
 Cambridgeshire PE16 6AG
 Tel: 01354 693111

Job Title
 Proposed Alterations and Part Demolition
 16 Part Street Chatteris
 for Laurel Crest Development

Drawing Title
 PLANNING SUBMISSION
 Plans and Elevations as Existing

Date	Scale	Dwn	Dwg. No.	Rev.
June.2020	1:100/250	PD/CB	P01	

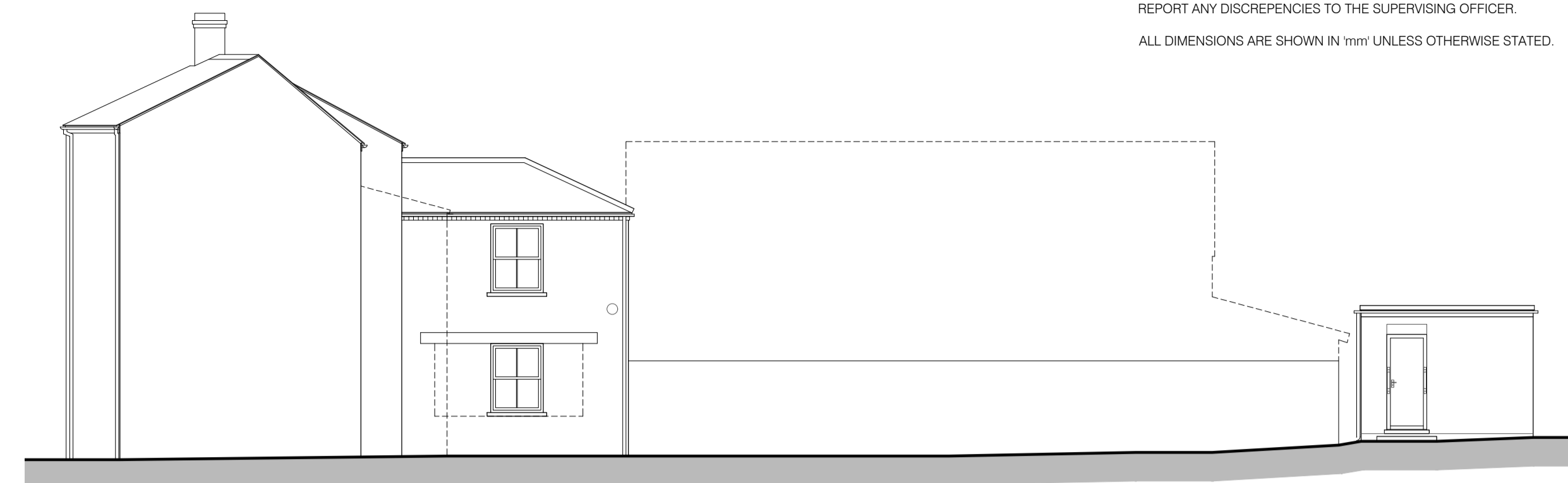
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East Elevation - Side

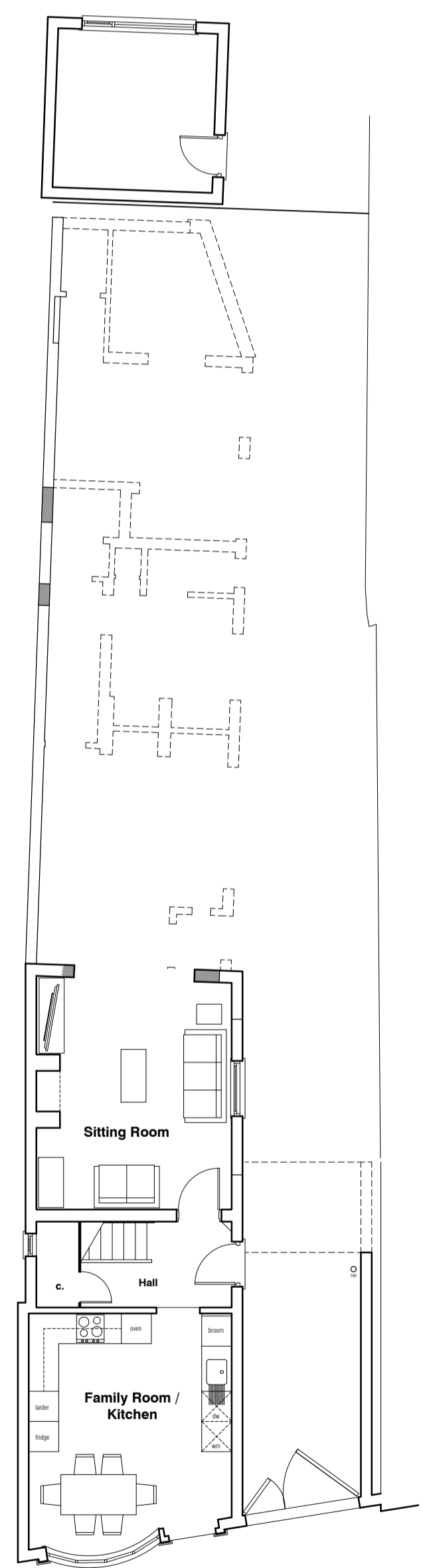


North Elevation - Front

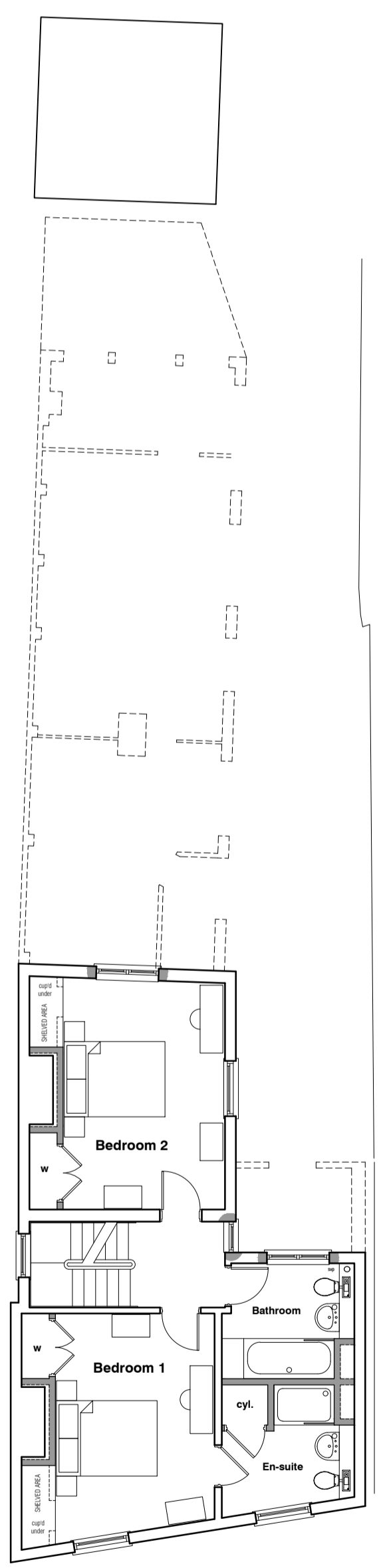


West Elevation - Side

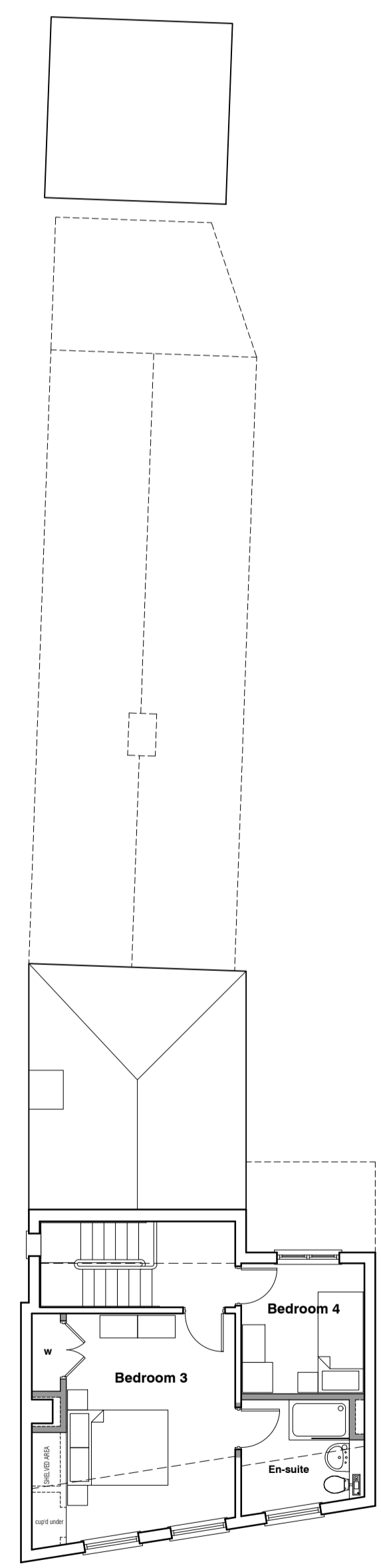
Proposed Elevations



Ground Floor



First Floor



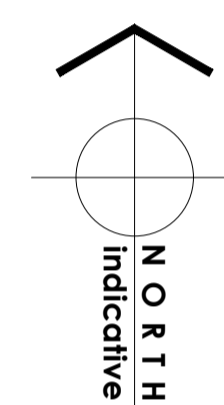
Second Floor

Proposed Floor Plans



Proposed Site Plan

0 1 2 5 10 12.5m
 scale 1:250



South Elevation - Rear

The Design Partnership
 The Design Partnership (Ely) Ltd
 Clarendon House,
 10 Station Road,
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 Cambridgeshire PE16 6AG
 Tel: 01354 693111

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 Plans and Elevations as Proposed

Date	Scale	Dwn	Dwg. No.	Rev.
June.2020	1:100/250	PD/CB	P02	



Created on: 02/11/2020

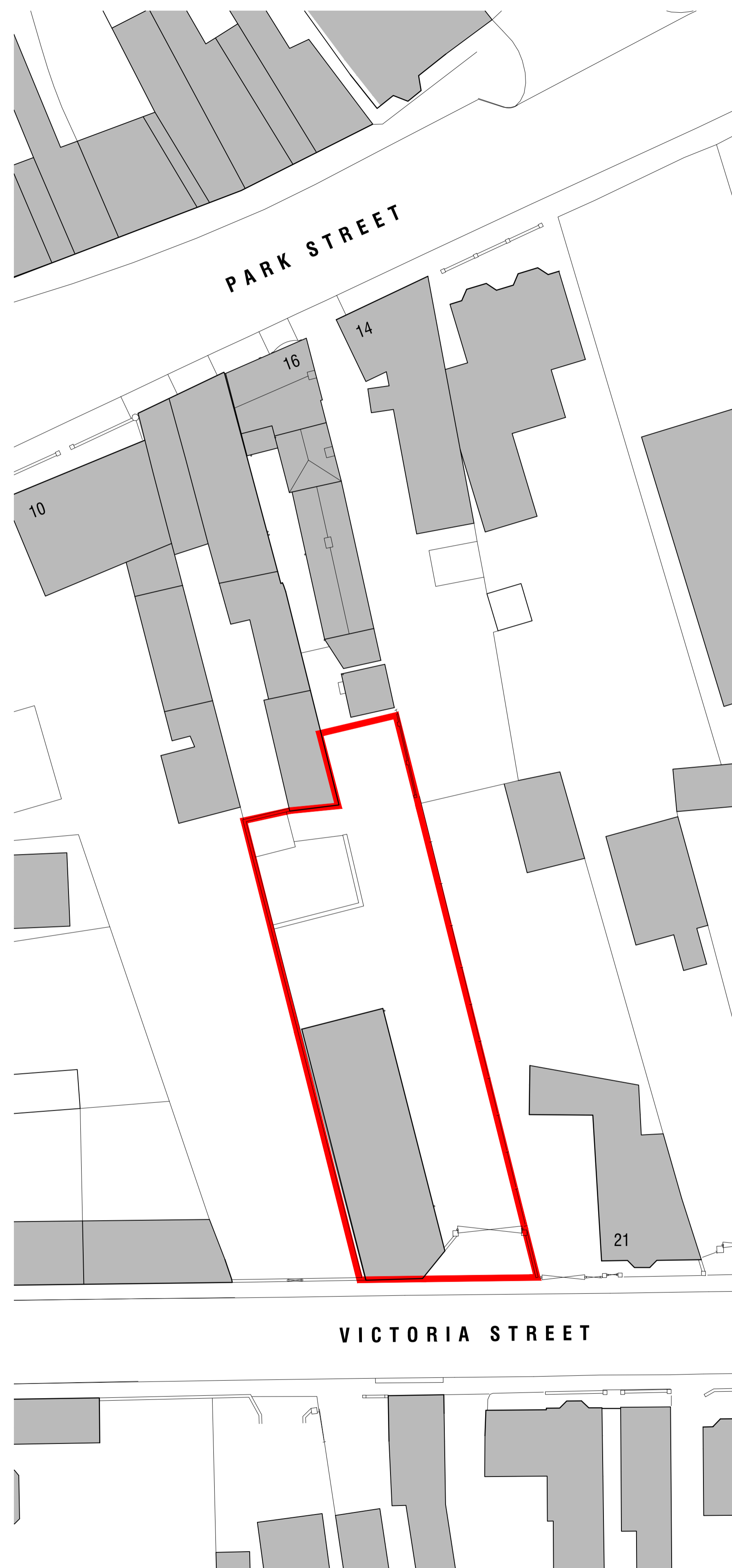
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F/YR20/0854/F

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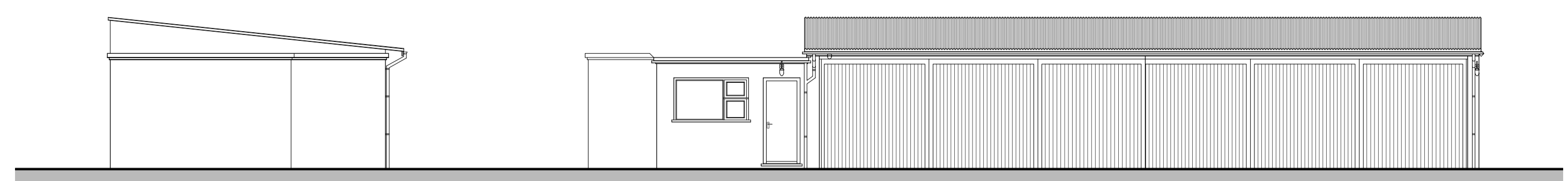
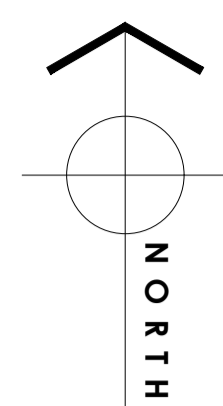


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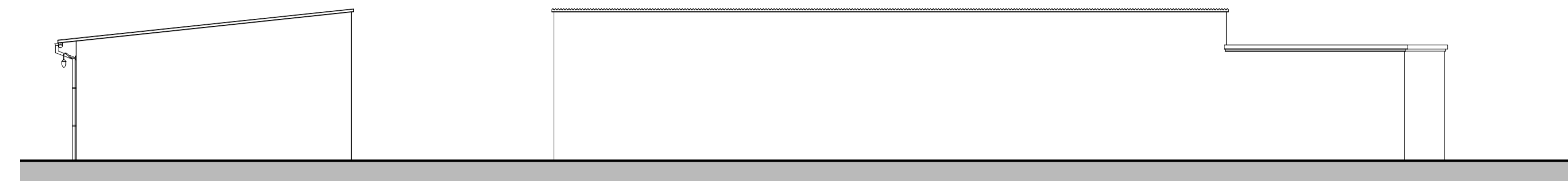


Existing Site Plan

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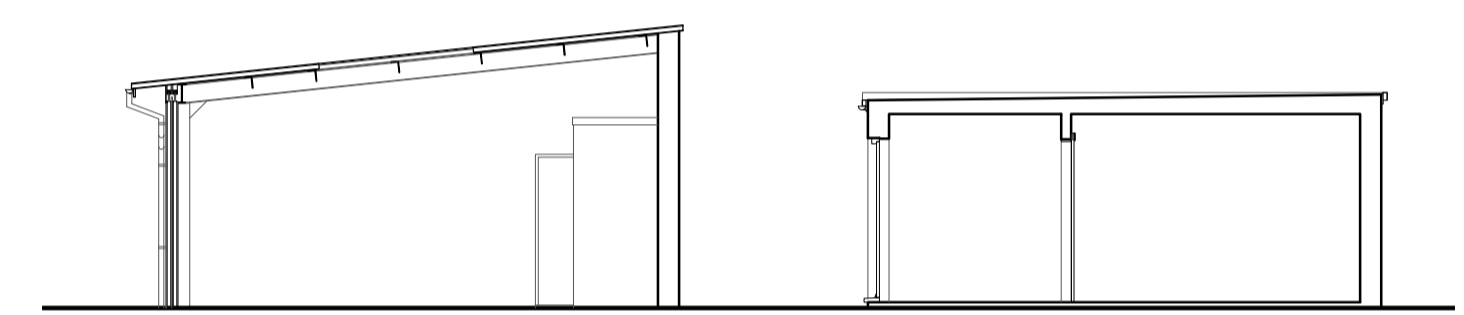


Side Elevation - South Front Elevation - East

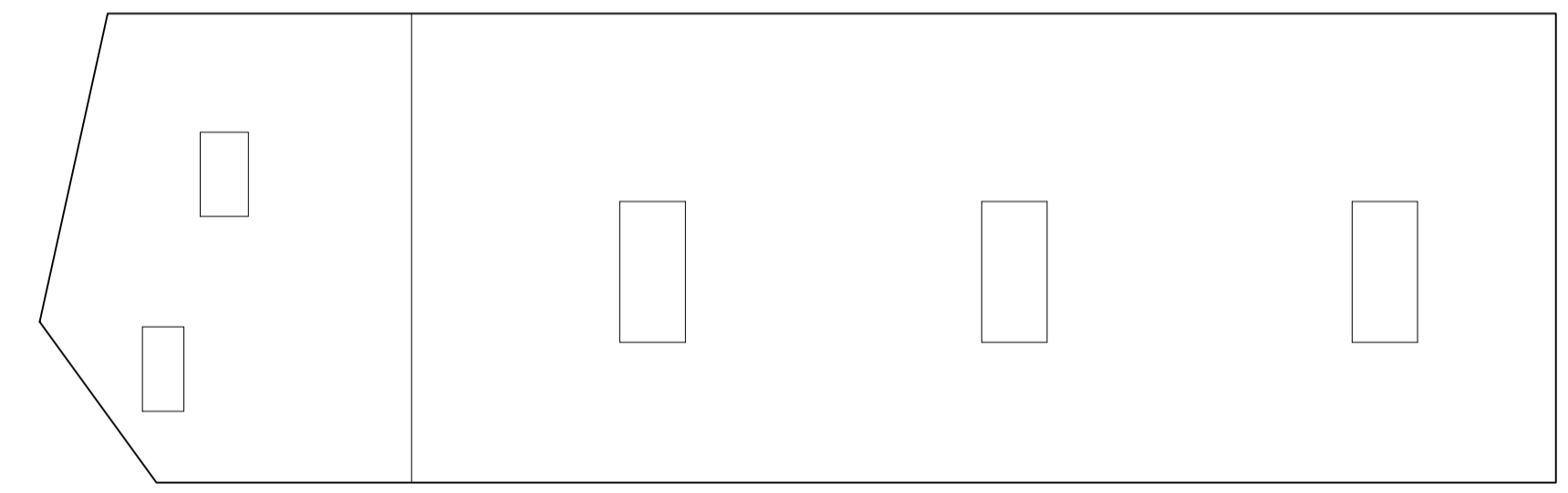


Side Elevation - North Rear Elevation - West

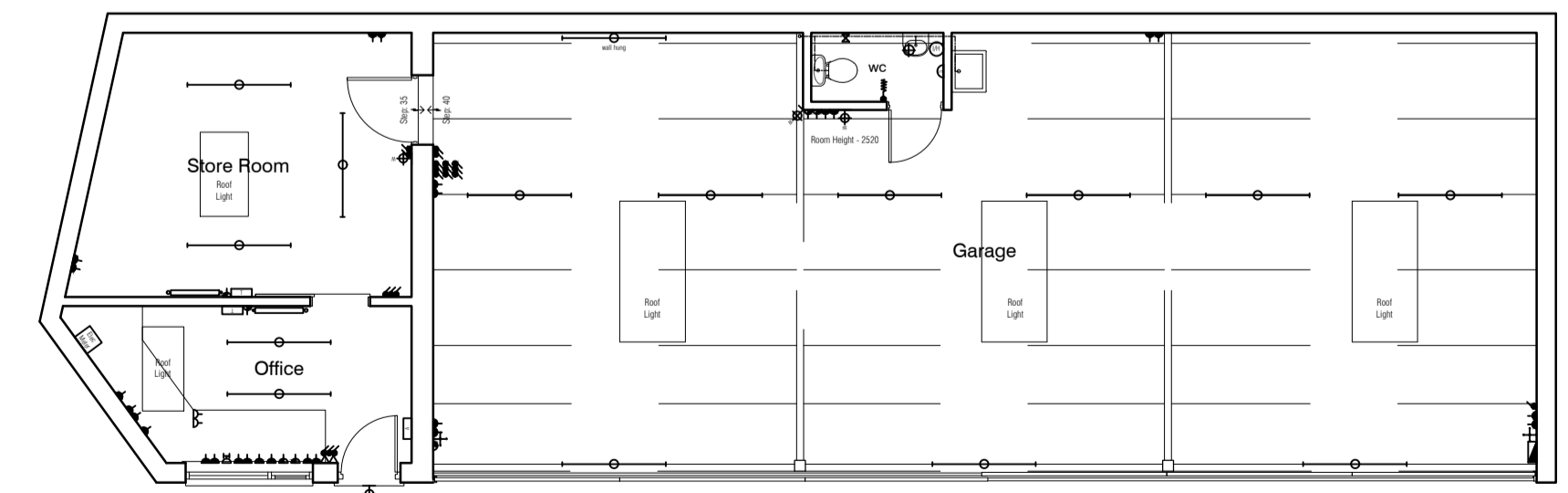
Existing Elevations



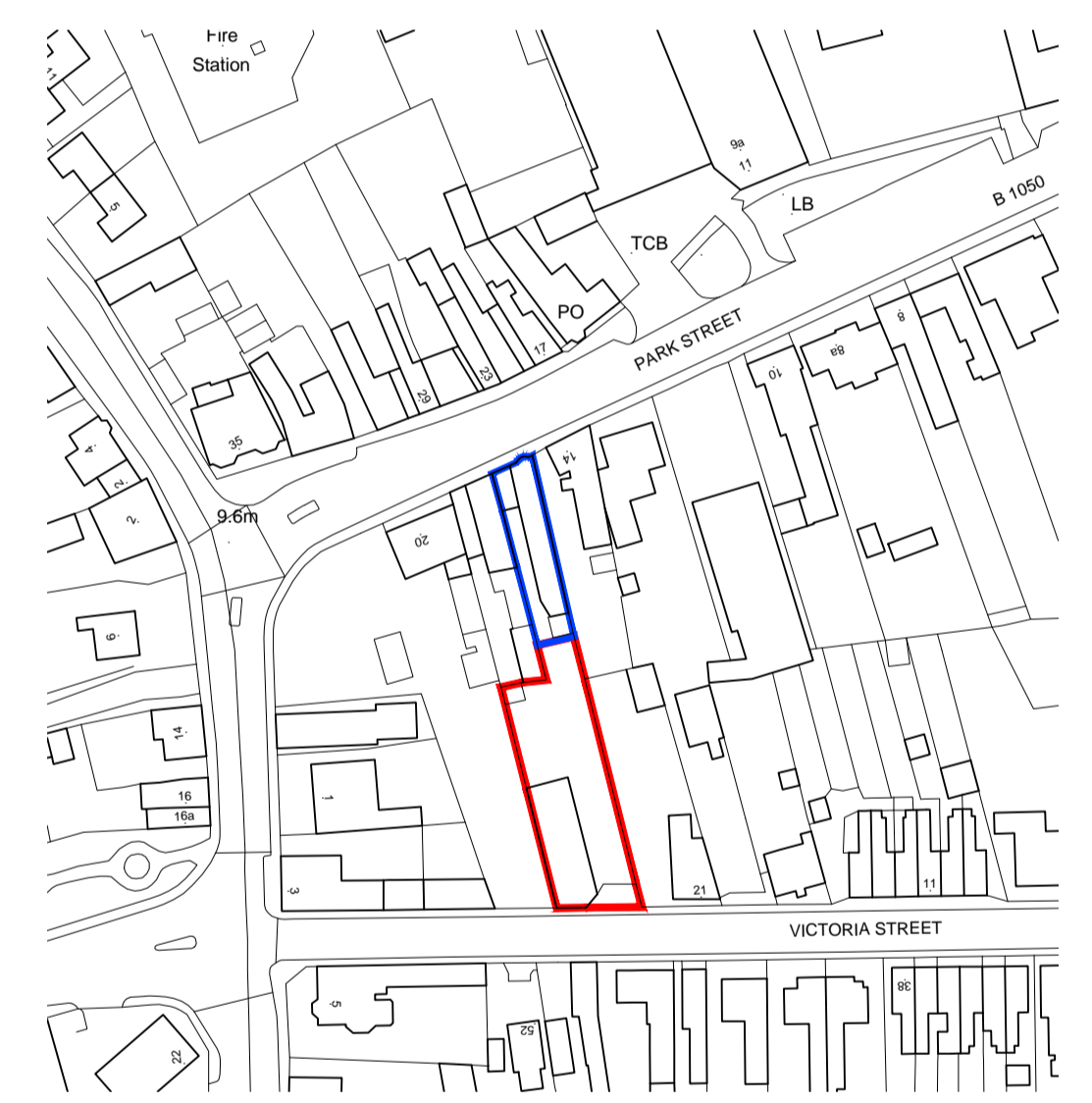
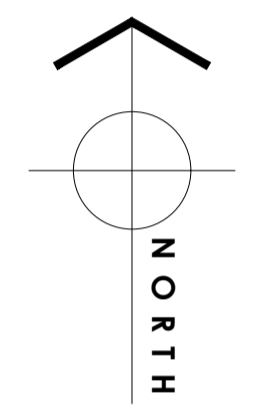
Garage Section Office Section



Roof Plan



Floor Plan
Existing Plans



Location Plan
 0 5 10 20 30 40 50 62.5m
 scale 1:1250

Revisions		
Suffix	Date	Amendments
A	26.08.20	North point updated

The Design Partnership
 The Design Partnership (Ely) Ltd
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 10 Station Road,
 Chatteris
 Cambridgeshire PE16 6AG
 Tel: 01354 693111

Job Title
 Proposed Development of Three Dwellings
 Land to rear of 16 Part Street Chatteris
 for Laurel Crest Development

Drawing Title
 PLANNING SUBMISSION
 Plans and Elevations as Existing

Date	Scale	Dwn	Dwg. No.	Rev.
June.2020	1:100/250	PD	LC.775.P100	A



Existing Site Plan

scale 1:250



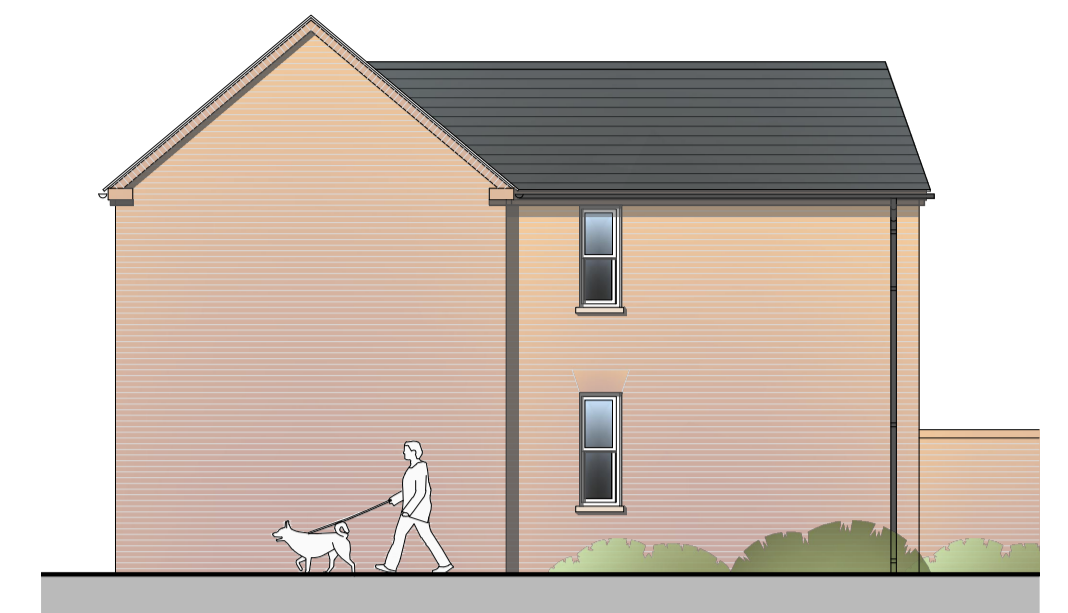
Side - West (flattened)



Side - West

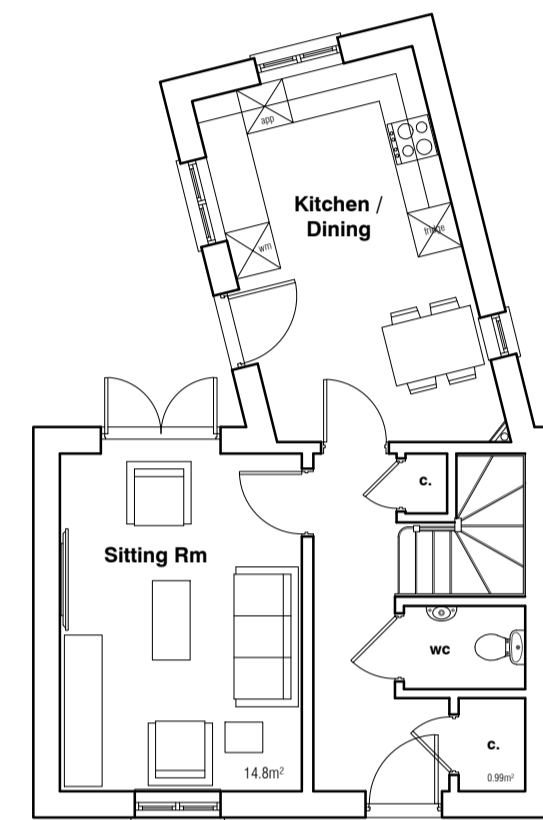


Front - South



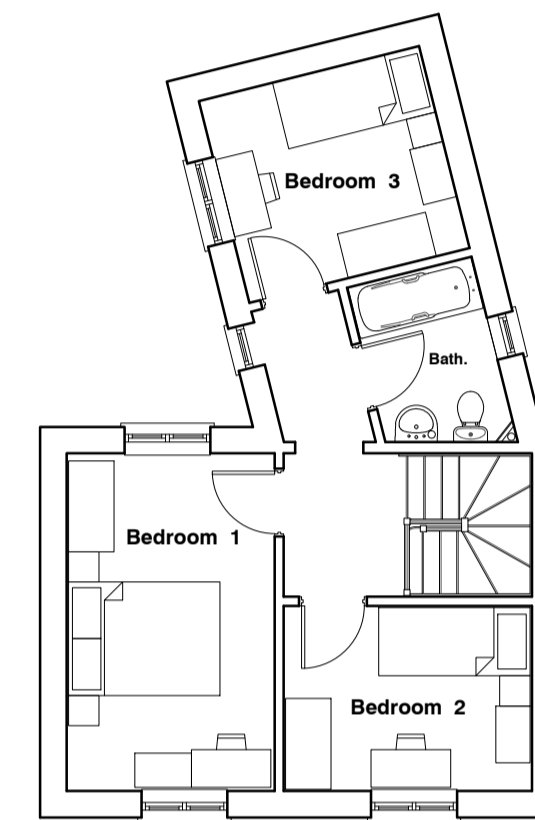
Side - East

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Type A (GFA = 86sqm)

Ground Floor Plan



First Floor Plan

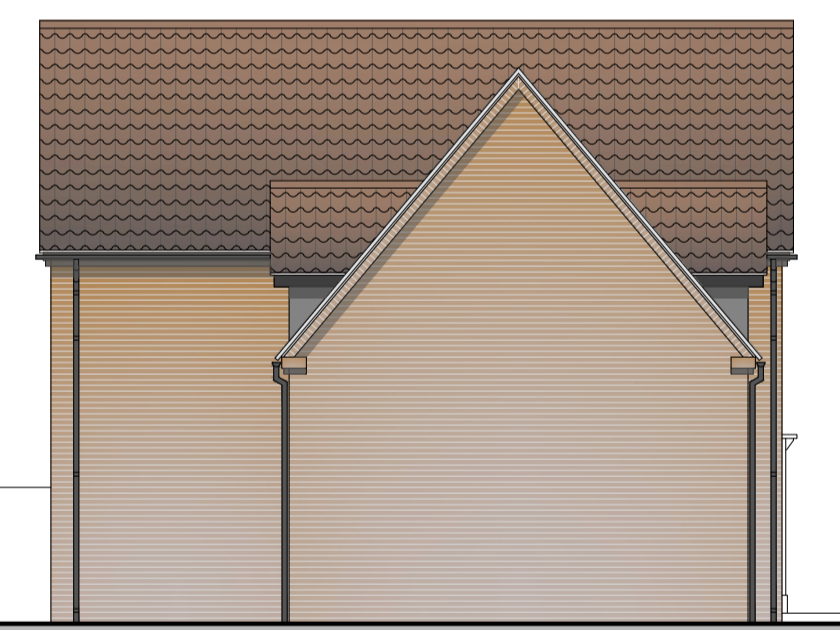


Rear - North



Rear - North (flattened)

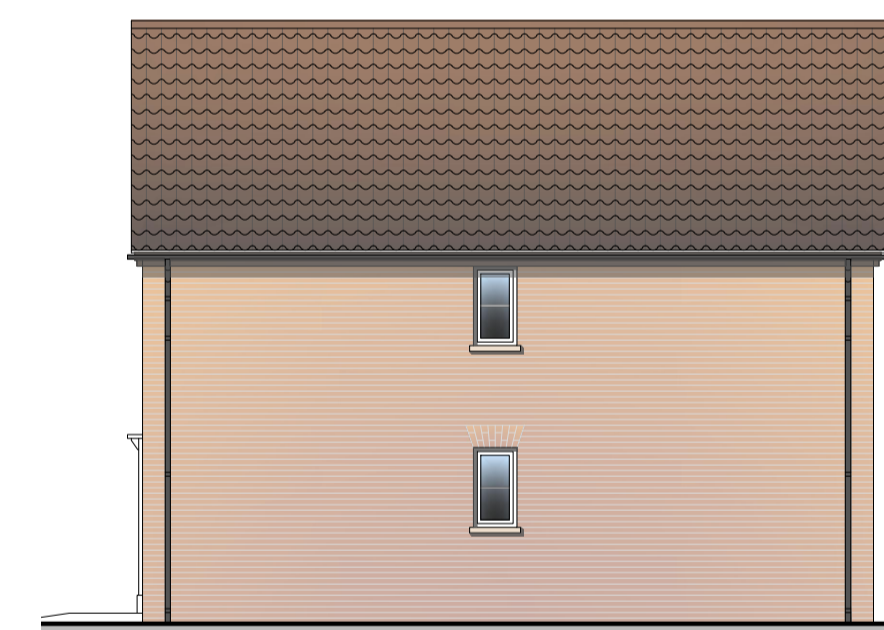
Plot 1



Side Elevation - West



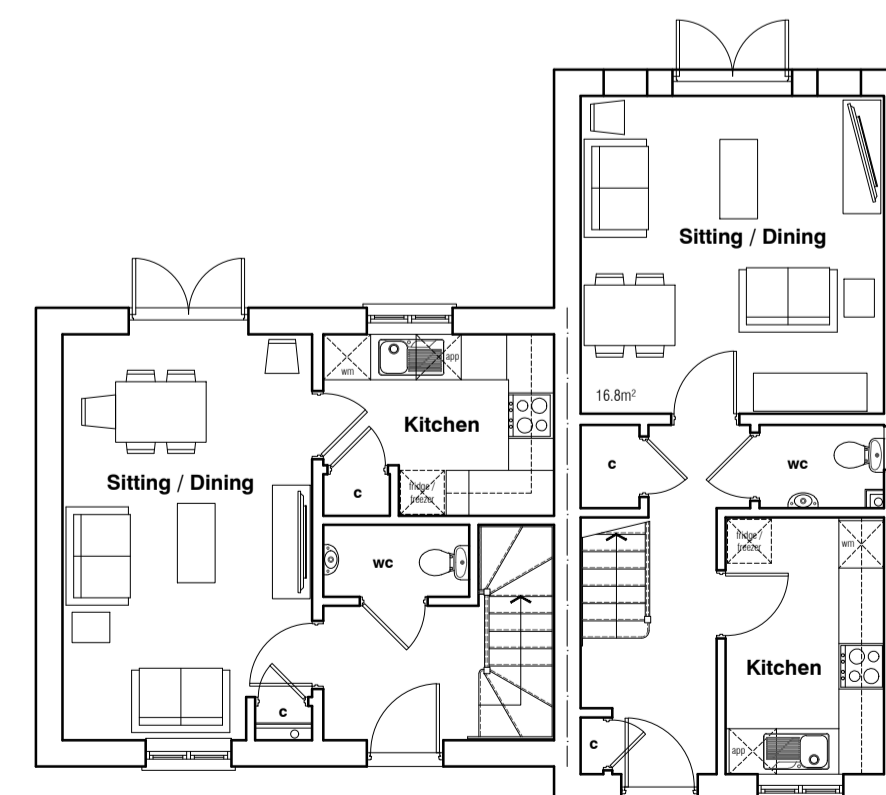
Front Elevation - South



Side Elevation - East

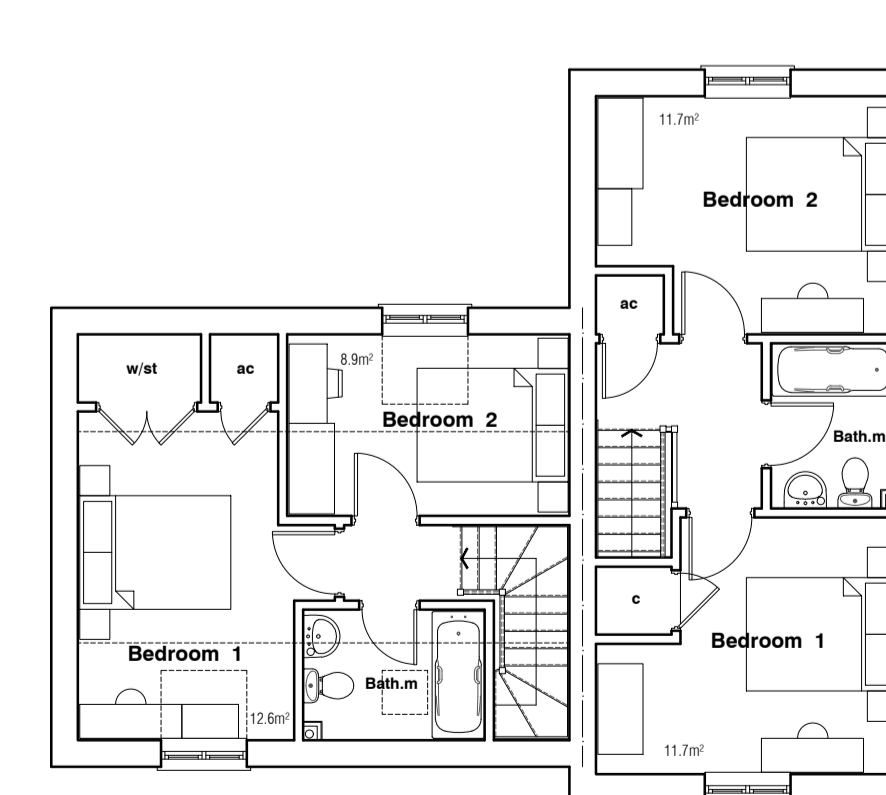


Rear Elevation - North



Type B (GFA = 70sqm)

Ground Floor Plan



Type C (GFA = 72sqm)

First Floor Plan

Plot 2 & 3

Revisions		
Suffix	Date	Amendments
A	26.08.20	North point updated
B	29.09.20	Highway consultation amendments



Job Title
Proposed Development of Three Dwellings
Land to rear of 16 Part Street Chatteris
for Laurel Crest Development

Drawing Title
PLANNING SUBMISSION
Plans and Elevations as Proposed

Date	Scale	Dwn	Dwg. No.	Rev.
June.2020	1:100/250	PD	LC.775.P101	B

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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.

Planning Application Reference: F/YR20/0107/F					
Site/Proposal:					
Land north east of 24 Feldale Lane, Coates, Cambridgeshire PE7 2ED					
Change of use of land for domestic purposes, erect a shed and greenhouse including wildlife pond and wild flower meadow (part retrospective)					
Officer Recommendation:	Refuse	Decision Level:	Delegated	Appeal Decision:	Dismissed
Main Issues:					
<ul style="list-style-type: none"> • Effect of the development on the character and appearance of the surrounding rural area. 					
Summary of Decision:					
<p>The site is an edge of village location and one of a row of substantial new dwellings with generous gardens backing onto grassed paddocks.</p> <p>The footnote in relation to Policy LP12, Part A confirms that the footprint of a village is defined as the continuous built form of the settlement and excludes, among other things, gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement, where that land relates more to the surrounding countryside than the built up area of the settlement. Part A (c) requires that development should not have an adverse impact on the character and appearance of the surrounding countryside.</p> <p>The Inspector concurred that the rear gardens of the dwellings were well defined and created a clear demarcation between domestic properties and the open countryside beyond. Finding that the domestic type structures are characteristic of residential gardens and that the overall development altered the character and emphasised the encroachment of a residential use into the countryside. As a consequence the development has a negative effect on the rural character of the area and as such is considered contrary to Policy LP12, Part A and LP16 (d) of the Fenland Local Plan 2014 and Policy DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014.</p> <p>It is important to note that if the buildings applied for were re-located within the garden they could be erected under permitted development rights and would not require planning permission, the appellant argued that they would have a similar impact if re-located. The Inspector disagreed with this, finding that the shed in the garden of No.26 did not intrude into, or materially alter the character and appearance of the open countryside as the development applied for did.</p> <p>The appellants also asserted that they considered the development plan out of date, the</p>					

Inspector found that the policies are not out of date in terms of any tension with the NPPF.

Planning Application Reference: F/YR20/0281/O

Site/Proposal:

Land North of 4 Causeway Close, March

Erect 1 x dwelling (outline application with matters committed in respect of scale and access)

Officer Recommendation:	Refuse	Decision Level:	Delegated	Appeal Decision:	Allowed + Costs
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Main Issues:

- **Highway Safety**

Summary of Decision:

The application proposed a single dwelling which was refused on the basis of additional vehicle movements along a single track access road (Causeway Close) with no segregated pedestrian facilities, and poor visibility at its junction with The Causeway. The Highway Authority had identified concerns regarding the sub-standard nature of this arrangement but had not recommended refusal of the application. Objections to the application from neighbouring residents expressed safety concerns.

The Inspector identified that the “geometry of the junction is clearly substandard” and did not assess the suitability of Causeway Close itself to serve further development with regard to pedestrian and vehicular conflict. However, coming to a conclusion that in the absence of evidence to support a refusal the appeal should be allowed and costs be awarded to the appellant.

In addition, the Inspector had regard to an appeal at Apple Tree Close, March where the Inspector had considered that one additional dwelling would generate no significant additional traffic. Apple Tree Close previously served five dwellings and provided access to approximately six other dwellings. Causeway Close currently serves four.