

AGENDA

PLANNING COMMITTEE

WEDNESDAY, 20 JANUARY 2021

1.00 PM

**A VIRTUAL MEETING BY ZOOM VIDEO
CONFERENCING 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.

The meeting can be viewed on this link.:

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 3 - 20)
To confirm and sign the minutes from the previous meeting of 16 December 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/YR20/0884/F
Land To The North Of, 15 Burnthouse Road, Turves, Erect a dwelling (2-storey, 4-bed) (Pages 21 - 32)

To determine the application.

6 F/YR20/0902/F

Land South East Of 106, Wype Road, Eastrea; Erect 3 x dwellings (2-storey 5-bed) involving the formation of 3 x new accesses (Pages 33 - 52)

To determine the application.

7 F/YR20/0943/F

86 Charlemont Drive, Manea. Change of use of single-storey workplace building from business use to 2-storey annexe building (2 x 1-bed annexes) ancillary to existing dwelling involving raising the height and insertion of dormer windows, replacement of existing workplace door with door/window, erection of conservatory to rear and installation of external staircase (part retrospective) (Pages 53 - 66)

To agree conditions in relation to a previous Committee decision.

8 F/YR20/0968/F

Land North East Of, 34 Eldernell Lane, Coates; Erect a dwelling (2-storey 5-bed) with farm office, 1.2 metre high (approx) with 1.6 metre high (max approx) metal sliding gates, detached workshop and cattle shed (as part of an agricultural holding) (Pages 67 - 86)

To determine the application.

9 F/YR20/1103/O

Land South East Of, 43 Whittlesey Road, March. Erect up to 1 no dwelling (outline application with all matters reserved) (Pages 87 - 98)

To determine the application.

10 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, 16 DECEMBER 2020 - 1.00 PM

PRESENT: 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,

Officers in attendance: Stephen Turnbull (Legal Officer), Jo Goodrum (Member Services & Governance Officer), Nick Harding (Head of Shared Planning) and David Rowen (Development Manager). Alex Woolnough (Highways Officer, Cambridgeshire County Council for Item P52/20) and Kasia Gdaniec (Archaeology Officer, Cambridgeshire County Council for Item P55/20)

P51/20 PREVIOUS MINUTES

The minutes of the meetings of the 28 October and 11 November 2020 were confirmed as an accurate record.

P52/20 F/YR19/1068/F LAND NORTH OF MAPLE GROVE INFANT SCHOOL, NORWOOD ROAD, MARCH.ERECT 48 X 2-STOREY DWELLINGS AND 2X SINGLE-STOREY DWELLINGS, COMPRISING OF 24 X 2-BED, 21 X 3-BED AND 5 X 4-BED WITH GARAGES TO PLOTS 18, 20, 21, 37, 43 AND 49 ONLY WITH ATTENUATION BASIN AND SUB-STATION INVOLVING THE DEMOLITION OF EXISTING BUILDINGS

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Mr Adam Conchie, the Agent.

Mr Conchie explained that the application was deferred by Planning Committee in October for the following three reasons, to explore access to and from the school, the retention of the fence to the eastern boundary and highway safety and he has sought to address these points. He stated that he has engaged with the Headteacher of Westwood Primary School to discuss the possibility of the access to the school and following these discussions the conclusion was that it would not be feasible, however, within the amended plans there are two potential access points to the school should access be required in the future and it would only need the school to move their boundary fence which is in their ownership.

Mr Conchie added that regarding the eastern boundary fence, national and local planning policies promote access and permeability to adjacent areas and in the adopted Neighbourhood Plan it highlights a shortage of accessible open space in the area and states that the proposed development should reduce the need for use of a car and promotes walking and cycling. He added that given the previous comments made by members the amended site plan retains the fence to the eastern boundary, which will unfortunately increase the walking and cycling distance to the town centre from 1km to 1.5km and increase the distance to the nearest entrance to the primary

school, and reduce the accessibility to the open space for future residents.

Mr Conchie stated that regarding highway safety, additional personal injury accident data has been obtained from the County Council, which contains data up to July 2020, which is the most up to date information held. He added that the information details 9 collisions over a 6-year period, with only 1 being serious and none were fatal, and the County Council have confirmed that the accident data does not highlight any clusters, there are no March Area Transport Study surveys available that are relevant to the proposed development and have stated that the applicant has provided sufficient data to demonstrate that the development will not have a severe highway impact on the local highway network.

Mr Conchie stated that he has sought to address the three reasons for deferment where he has been able to and he asked the committee to support the application to bring a derelict site into use and provide 50 much needed homes to March.

Members asked Mr Conchie the following questions:

- Councillor Mrs French stated that she is surprised that the County Council have advised that they do not hold any up to date accident data as she has been the Chairman of the March Area Transport Strategy since September 2017 and there is information available. Councillor Mrs French stated that there are three separate speed reduction schemes being worked on Norwood Road and she disputed the accident data that Mr Conchie had referred to in his presentation. She stated that one bungalow has been hit twice, another dwelling has had several of their vehicles written off more than twice and added that she is aware that the County Council only records serious collisions or fatalities.
- Councillor Cornwell asked for confirmation regarding the ownership details of the eastern boundary fence? Mr Conchie stated that as far as he is aware the fence is owned by the applicant, This Land.
- Councillor Sutton stated that he notes that the Headteacher does agree that an access point could be beneficial, but has added that the proposed access point would mean that children would be walking through the foundation outside classrooms. He added that to the east of the site that would be correct, but no consideration has been made to the west of the site, which could easily be made into a cycleway or walkway around the perimeter of the playing field and would come out on the pavement of Maple Grove and he asked why both access points have not been considered. Mr Conchie stated that with regard to the access to the school, he has looked at the boundary that abuts the site and he has proposed two access points at the end of each cul de sac and it is the decision of the school as to whether they wish to adopt one of those.

Members asked officers the following questions:

- Councillor Cornwell stated that he is disappointed that there is not going to be a rear access to the school. He added that he is concerned that if the fence is removed it still does not affect the fence on the far eastern side, which is in the ownership of Fenland District Council and has gates within it. Councillor Cornwell added that on one side there will be some established shrubs, which are made into hedges and a fence which has double gates, which remain locked except for access. He asked whether there has been any consultation with the residents in Wake Road has been undertaken by the Planning Department, which forms part of the officer's recommendation? David Rowen stated that a community consultation exercise has been undertaken with residents, which included several representations from properties in Wake Road. He added that the formation of such linkages is good planning and conforms with the relevant policies regarding creating good quality environments, but stated that if members do not wish for any linkage to be provided then they are able to determine the application minus the second recommended condition. Councillor Cornwell asked for clarification that the residents of Wake Road did not want the area opened up by removal of the fence. David Rowen referred members to page 45 of their agenda pack where it states the concerns and views raised by residents regarding the fence. Councillor

Cornwell expressed the view that now that has been highlighted it is apparent that the residents appear to have concerns over the quality of their life through removal of the fence.

- Councillor Mrs French asked the Highways Officer, Alex Woolnough, why as a Highway Authority they are content with the fence being removed? Alex Woolnough stated that he has no preference on whether the fence is removed to Wake Road, but if there is a desire to form a link through to Wake Road, then there is no reason why a footpath connection could not be formed and a adoptable link constructed to link the development up with Wake Road, but that would be a policy decision for the Planning Team to decide.
- Councillor Mrs French asked whether there is the possibility of a Section 38 bond being entered into to negate the potential difficulties that have been encountered in other areas of March? Alex Woolnough stated that contained within his list of conditions there is a condition which requires the developer to inform the Planning Authority whether they are going to enter into a Section 38 or whether they will be going down the private management route prior to commencement on site. Councillor Mrs French asked whether consideration would be given to adopt the road when the road is complete? Alex Woolnough stated that the Highway Authority cannot stop the developer from keeping the road in private ownership, but they can request that the construction is bituminised to an adoptable standard.
- Councillor Sutton stated that he notes that the Highway Authority do have concerns over the shared access should there be footpath/cycleway link and asked whether that opinion is because the short stretch of road is not up to an adoptable standard and would that opinion change if it was made up to an adoptable standard? Alex Woolnough expressed the opinion that if there is a preference for a link to be formed at this stage, there is the opportunity now to form a separate footpath to form a link to the school or to Wake Road and he added that if there is that opportunity, then why not provide the footpath, rather than rely on a shared surface carriageway to provide pedestrian access.
- Councillor Marks stated that, with regard to the access along Norwood Road, there is an issue with parked vehicles on one side and he asked whether there is any provision in place to include double yellow lines for dustcarts to enter and excess the site? Alex Woolnough stated that there is no requirement to include any yellow lines, but as soon as a junction is formed, vehicles should not park within ten metres of that junction and, therefore, any enforcement required will be a Police matter.
- Councillor Mrs French stated that Fenland District Council are carrying out a civil parking enforcement consultation currently and a draft document should be available by the end of the year.

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

- Councillor Mrs French stated that she will support the application provided that the fence in Wake Road is retained.
- Councillor Skoulding agreed with the comment made by Councillor Mrs French and stated that the fence acts as a deterrent from the anti-social behaviour problems which have caused concern over previous years.
- Councillor Sutton stated that he still has an issue with regard to the cycleway and added that, at certain times of the day, there is dreadful congestion and a cycleway around the perimeter would improve the whole development.
- Councillor Cornwell stated that the retention of the eastern boundary fence is essential for the residents of the Wake Road area. He added that he agrees with Councillor Sutton and added that the application could have been enhanced by insisting on a back entrance. He stated that he will support the application, but only with the retention of the fence.

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

(Councillors Connor and Mrs French both declared an interest as they are both elected members of Cambridgeshire County Council, but have had no involvement with This Land)

LAND NORTH-WEST OF 12 KNIGHTS END ROAD, MARCH, ERECT 9NO DWELLINGS (3NO SINGLE-STOREY (1 X 2-BED & 2 X 3-BED) AND 6NO 2-STOREY (3 X 5-BED, 1 X 4-BED & 2 X 2-BED)) INVOLVING DEMOLITION OF EXISTING BUILDINGS

David Rowen presented the report.

Members received a presentation, in accordance with the public participation procedure, from Andrew Hodgson, the Agent.

Mr Hodgson stated that the scheme benefits from outline planning permission, which was granted in 2018 and the reason the application is brought before the committee is due to an objection from March Town Council, however, in his opinion, the Town Council may not be aware that the outline permission already exists due to the comments that they have made. He stated that the Town Council have raised concerns over access, however, the access in detail has already been agreed, it has also cited the proposal as overdevelopment of the site, however, the principal of development for 9 units has already been agreed and it has also stated a concern with regard to trying to avoid social housing, however, this appears to contradict their concerns of overdevelopment, due to the fact that if there had been an element of social housing then there would have been more than 9 units, which would have made the site more dense.

Mr Hodgson stated that the reason that he did not proceed with the reserved matters application was due to the fact that previously there was some land to the rear of 22 Knights End Road, where a land swap was going to take place to make the alignment of the access slightly different, but this did not happen and, therefore, the red line had to be altered at the rear of number 22 and this is the only change to the original outline scheme. He added that there are 3 bungalows on the site, there is no overbearing impact and all plots will be of a decent size and of a good design.

Members asked Mr Hodgson the following questions:

- Councillor Mrs French asked what the purpose is with the regard to the retention of one of the buildings highlighted on the presentation? Mr Hodgson explained that the building was outside of the red line and referred to the presentation screen where the building being retained is being kept by the owner of the land and does not form part of the application. Councillor Mrs French stated that she does not believe that the Town Council were aware that the application already had outline planning permission and she does not have any objection to the layout. She added that she presumes that the developer is going to realign the public footpath and Mr Hodgson confirmed that it does form part of their proposal. Councillor Mrs French stated that she hopes that the building that is being retained will not form part of a later proposal, which will mean that the 9 units will be exceeded.
- Councillor Meekins stated that he notices some of the buildings to be demolished appear to be constructed of asbestos and he asked whether this will be removed and disposed of appropriately? Mr Hodgson confirmed that any necessary works will be carried out under a special licence for the safe removal of asbestos material.

Members asked officers the following questions:

- Councillor Cornwell stated that he has a concern that the road will be used as an entrance to March West, the applicant may have an interest to spread further into the west of the site at some point and the access into the new development is not entirely suitable to take an extension to the development at some stage in the future due to the way that it comes out onto the convoluted junction. He asked whether there was anything that could be put in place to control that use in the future? David Rowen stated that the application before members is for 9 dwellings and should an application come forward for any further development in the future then that will be assessed on its own merits at that time.

- Councillor Sutton asked for clarification that the application is for a full application as there appears to be a typographical error. David Rowen confirmed that it is for a full application.
- Councillor Sutton stated that on the aerial photo on page 77, it shows a visibility splay on the left-hand side, when exiting the site. but it shows no ownership of a visibility splay on the right-hand side and he asked whether the visibility will be affected through non ownership of the land? David Rowen stated that it has been considered by the Highway Authority and they have raised no issue or concern with the visibility splay.
- Councillor Sutton stated that with regard to the drainage ditch he has noted that there is no access for the maintenance ditch on the site side and this should have been brought to the attention of the designers of the site to ensure that maintenance of the ditch is achievable. He added that currently it can be maintained from the west side, but this may not be the case when that area is built out. David Rowen stated that currently there is agricultural land to the west and, therefore, it would be unreasonable to seek a redesign of the application site, but it is a valid point and should any application come forward for the land on the west then that will be taken into consideration at this time.
- Councillor Sutton stated that, regarding riparian ownership, going forward could a note be added to a decision notice to state that once the plots are sold then the owner has part responsibility for the maintenance of the ditch and he asked for consideration to be given to this. Stephen Turnbull stated that the only way this could be considered is by adding something to the informative on the planning decision and he will investigate this further.
- Councillor Cornwell highlighted that this application is in a high ground area and as far as he is aware it is not in an internal drainage board area and it is not part of the ancient primary watercourse that runs further north from this site.

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

**P54/20 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.**

David Rowen presented the reports to members.

Members received a presentation, in accordance with the public participation procedure, from Ben Oakley of SAVE Britain's Heritage.

Mr Oakley explained that SAVE Britain's Heritage is a national heritage charity that has been campaigning for historic buildings and their reuse since it was established in 1975 and as a non-statutory organisation it receives no government funding. SAVE selects very carefully the cases it chooses to comment on, and those it decides to pursue at Planning Committee and given the principles at stake with today's applications with regard to upholding national planning policies for the preservation and enhancement of the historic environment, SAVE has chosen to raise its concerns at today's Planning Committee meeting. He added that as the Conservation Officer for SAVE, he wished to draw the committee's attention to three urgent breaches of national planning policy guidance he has identified in these applications seeking the demolition of the curtilage Listed Coach House at 22 London Road, Chatteris:

Mr Oakley contested the erroneous claim in the applicant's Heritage Statement that the Coach House "*is not considered as a heritage asset within the listing description of 22 London Road, indeed it is not even noted as having group value*". He stated that the former Coach House is a Grade II curtilage Listed structure, protected by law under the Planning Act (Listed Buildings and Conservation Areas) 1990 as a designated heritage asset to the same degree as the Grade II

Listed house at 22 London Road, with Historic England's Planning Advice Note 10 'Listed Buildings and Curtilage' helpfully providing an almost exact case study of the listed status of a house and curtilage coach house.

Mr Oakley expressed the view that SAVE consider the applicant has, therefore, failed to fully describe the heritage significance of the heritage assets impacted by their proposals, as required by law under Paragraph 189 of the National Planning Policy Framework (NPPF) 2019. He added that, having failed to sufficiently understand the significance of the assets affected, this application has not represented the level of harm arising from total demolition and consequently not offered sufficient justification or articulation of public benefit to outweigh this harm, as required by Paragraphs 194 and 195 of the NPPF 2019 and for the sake of clarity, SAVE do not consider the provision of one private dwelling with no public access to be a public benefit.

Mr Oakley expressed the opinion that the application is not compliant with the requirements of national policy guidance and added that the planning system is in place, to define and manage the positive contribution of historic buildings, not describe their lack of significance to justify demolition. He stated that the fact that this single application has drawn objections from four national heritage bodies (the Council for British Archaeology, the Victorian Society, Ancient Monuments Society and SAVE) is unusual and significant.

Mr Oakley concluded by expressing the view that it is a matter of legal duty and principle that the Planning Committee uphold the recommendation of the planning officer to reject this application and require any future applications comply with local and national planning policy designed to protect and enhance Chatteris' historic environment.

Members asked Mr Oakley the following questions:

- Councillor Benney asked whether he had carried out a desk top study or carried out a site visit? Mr Oakley stated that, due to the Covid 19 pandemic, he has not visited the site.

Members received a presentation in accordance with the public participation procedure from Mr Weetman.

Mr Weetman expressed the view that the District Council should be clear that the application it is dealing with here is an application for the demolition of a Grade II Listed coach house, as confirmed by the Conservation Officer and four national societies that are statutory consultees on this application and experts in historic buildings. He made the point that whilst demolition of a Listed Building is not completely out of the question, Section 194 of the National Planning Policy Framework says that the loss of a Grade II Listed Building should be "exceptional" and Section 195 lists criteria which must be met before an application to demolish a Listed Building is approved.

Mr Weetman explained the criteria and stated that firstly the applicant must show that the building cannot be successfully marketed for renovation by someone else and, in his opinion, the applicant has not shown any evidence they have tried to market the property. He stated that in late November a Chatteris resident indicated a willingness to buy the property for use as a workshop and art gallery, saying that they have funding in place and until this offer has been investigated by the applicant and all attempts to market the property for renovation are exhausted, the NPPF is clear that demolition should not be approved.

Mr Weetman stated that secondly the applicant must show that the building cannot not be restored with grant funding or by a charity, such as a building preservation trust. He explained that there are several building preservation trusts operating in this area, but there is no evidence that the owner has attempted to see if one of these could take on this Listed Building.

Mr Weetman added that the owner says in their supplementary planning statement that the restoration is not financially viable for them and that "the only circumstances where this would not

be the case would be a personal 'grand designs' project or development for charitable or community purposes with donated funding". He added that the applicant seems to admit that there is a possibility of funding, or a sale to a private owner or charity, but does not demonstrate that they have made all possible attempts to secure the building's future via this route and until they do so, the NPPF is clear that demolition should not be approved.

Mr Weetman stated that thirdly the building must have absolutely no other possible uses without the loss of the Listed Building and the owner previously applied to convert the building into a three-bed property, but this was refused on the grounds that it would result in substantial damage to heritage assets - namely the impressive barrel-vaulted ceilings inside the property. In their report, the Conservation Officer suggested ways in which the building could be appropriately converted to a 1-bed or 2-bed property. He stated that the applicant says that this would not be financially viable, but the owner must have known this when they purchased the site in December 2017 and in any case, it is not sufficient to argue that renovation of a Listed Building is not financially viable; the applicant must show that renovation is not at all possible and they have not done so.

Mr Weetman expressed the view that the structural survey submitted by the applicant does not appear to have been carried out with a conservation-first mindset and explained that only in October last year, the same applicant had insisted that the building was in a suitable state of repair for conversion to a 3-bed home, questioning as to what has changed since then? He stated that if the coach-house was ripe for conversion in 2019, why is demolition suddenly the only option now and if the coach house has deteriorated so significantly in such a short period of time then the owner has perhaps failed to uphold their duty of care to their Listed Building.

Mr Weetman expressed the opinion that the Council has a variety of options available to ensure that this is remedied. Part 191 of the National Planning Policy Framework says that in the case of "deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision". He stated that the previous application for conversion to a 3-bed property was refused on the grounds that it would result in harm to a designated heritage asset and this application is more serious in nature and would result in the complete loss of a designated heritage asset.

Mr Weetman made the point that Fenland District Council's own Planning Code of Conduct refers to Local Government Ombudsman cases where planning applications are granted after previously being refused and it says: "there is perversity and maladministration, if a Local Planning Authority approves a planning application, which has previously been refused, where there has not been a significant change in the planning circumstances." and in order to comply with the Code of Conduct, the Chairman of this committee would need to explain the "significant change" that makes the significant harm to this heritage asset justified in 2020 when lesser harm was not justified in 2019. He added that fact that this committee did not review the previous application is insufficient, and members have a duty to ensure consistency across the planning system here in Fenland and this is in addition for planning reasons being required to justify ignoring the breach of 13 different planning policies listed in the officer's report.

Mr Weetman concluded by stating that the Chatteris Conservation Area was added to Historic England's "at risk" register in 2015 and that Chatteris cannot afford the loss of another historic building within the Conservation Area, or it runs the risk of losing the special status afforded to its lovely historic town. He added that some people say that no one is prepared to invest in old buildings like this, but recent renovations of 133 High Street, the chapel on Bridge Street, buildings in East Park Street, and applications to restore the old rope works, 12 East Park Street, 16 Park Street, the former chapel on West Park Street, and 11-13 High Street all show that there is a willingness to renovate old buildings and a desire to live in them and the applicant should either Brestore this Listed building or be prepared to hand it over to someone else who will.

Members asked Mr Weetman the following questions:

- Councillor Meekins asked Mr Weetman whether he is a Chatteris resident? Mr Weetman confirmed that he is a Chatteris resident and he is also the Chairman of the Civic Society, Chatteris, Past, Present and Future.

Members received a presentation in accordance with the public participation procedure, from Kate Wood, the Agent and Richard Donoyou, the Heritage Consultant.

Ms Wood explained that she is the planning agent for the applications and is accompanied by Richard Donoyou, who is the applicant's heritage consultant.

She explained that the main thrust of their case is that whilst the Coach House is Listed by virtue of being within the curtilage of a formerly Listed Building, its heritage value and significance is minor, with the building having been significantly altered over the years and is not a good example of such buildings and added that Richard Donoyou will be showing some photographs of the interior of the building. She suggested that if members are in any doubt about approving the demolition of the building, that they may wish to defer the decision on this application in order to allow them to visit the site and see inside the building.

Ms Wood stated that as members are aware, the Town Council is in support of the application and there have been no objections from the Highway Authority. She explained that the site is in a location where residential development is appropriate in planning terms, and does not have any detrimental impact upon neighbouring residential amenity, and she is happy to accept the conditions that have been suggested within the officers report and added that the only matter outstanding is therefore the desirability or otherwise of retaining this curtilage Listed Building.

Mr Donoyou stated that the development of 22 London Road and the site of the former builder's merchants has been the subject of discussions with Fenland Planning Department since 2017. He feels there are three elements to the project; the restoration of the Listed 22 London Road from a builder's merchants shop and store to a dwelling, the demolition of the asbestos storage building and development of the yard for housing and the conversion of the Coach House to residential uses. He explained that these have all been subject to intensive pre-application discussions over a 3-year period and a scheme for 22 London Road and the new housing (applications F/YR19/0355/F & F/YR19/0356/LB) were approved in October 2019.

Mr Donoyou explained that 22 London Road is a late 19th c house which was altered at the turn of the 20th century and subject to substantial and idiosyncratic alterations, particularly to the rear wing, in the 1920's. The 1920's alterations included adding a substantial first floor bay structure supported on steel columns, inserting sash windows with a highly unusual horizontal emphasis and pebble-dashing the upper storey under a new roof. He stated that It was something of a surprise when the Conservation Officer suggested demolishing the rear wing due to the structure being of an eccentric/unusual design and, the structural integrity, particularly of the bay was suspect and showed evidence of stress and this section of the building could not readily be restored without substantial rebuilding, despite the fact that this would result in the loss of about 25% of the Listed Building, and, therefore, potential accommodation, the applicant agreed to this, submitted detailed plans and the Listed Building Consent included provision for this part demolition and these were approved in 2019.

Mr Donoyou explained that the Coach House was built in 2 phases in the 1870's, the southerly section was constructed first and the range running toward 22 London Road built soon after. He expressed the view it is very clear the range section was substantially altered, and some unusual idiosyncratic design elements introduced, which included a new heightened roof of flimsy construction that requires a "bodedged" roof detail with the southerly structure, the insertion of 2-barrel vaulted lathe and plaster ceilings with an attic ceiling, all supported by the new roof structure, demolition of the north gable and replacement, a metre or so further south, with a new gable wall in "Phorpres" bricks and the adaptation / alteration of the rear (west) wall to install new doors top hung on rollers.

Mr Donoyou made the point that just as these unusual design elements have not stood the test of time on the rear wing of the Listed 22 London Road, so there are serious structural failings in the Coach House, with reports by a qualified structural engineer and a specialist plaster repair have concluded that key structural elements, most notably large sections of the range building and its roof, are incapable of repair and that repair of the walls would in effect require rebuilding; repair of the roof would require a complete new structure because the existing structure is of inadequate sizing and construction and, therefore, it has to be accepted that, if a building is to be converted to new uses, in this case residential, then the building has to be made structurally sound and be reasonable comfortable and safe to live. He stated that a builder is legally committed to offering a guarantee of sound design and workmanship.

Mr Donoyou concluded by stating that the applicant has worked very hard with the Conservation Officer to reach a satisfactory scheme and, in his opinion, this application represents a solution that will conserve the streetscape and has a fair amount of support from the local residents.

Members asked Ms Wood and Mr Donoyou the following questions:

- Councillor Marks asked Mr Donoyou whether it is just the older parts of the building that would fall under the status of Grade 2 Listing? Mr Donoyou stated that the most basic test for listing is for buildings constructed before 1840 and that are substantially intact and this building was built after 1840 and is not substantially intact and, therefore, if it was not connected to the Listed Building and is just a building in its own right it would not be listable.
- Councillor Marks added that a site visit would be beneficial and asked whether any of the materials could be recycled and reused so that the Listed part could be used somewhere else. Mr Donoyou stated that the developer would not wish to do anything other than ensure the bricks and tiles were available for reuse. Councillor Marks asked whether the ceilings could be reused and Mr Donoyou explained that the ceilings are constructed from lath and plaster and in the larger ceiling there is no plaster left and the lath is rotten and the other two ceilings the plaster is very poor and was never put up very well originally. Mr Donoyou added that the reason the ceilings are barrel vaulted is because they have a zinc ventilation shaft at the top and historically the building could have been used for poultry rearing or other animal stock. Councillor Marks asked what percentage of the ceilings are salvageable and what would have to be replaced? Mr Donoyou stated that, in his opinion, the ceilings are not salvageable.
- Councillor Meekins asked Mr Donoyou whether he was involved with the previous application in 2019 as the Heritage Consultant? Mr Donoyou confirmed that he was the consultant in 2019 and the application at that time was for a conversion and the developer was very much aware that the property was on the edge as far as viability was concerned. He added that the application was for a three bedroomed dwelling and involved the removal of some of the ceilings and their replacement. He stated that the Conservation Officer was unable to agree to any loss of any of the ceilings and only agreed to a 1 bedroomed dwelling and this was not deemed to be viable by the developer due to the costs involved and removal of any of the fabric of the building was deemed as unacceptable by the Conservation Officer and the application was refused. Councillor Meekins expressed the opinion that if you own a Grade 2 Listed Building you should be responsible for keeping it in good repair. Mr Donoyou stated that the position is not that the building was in one state 18 months ago and is now in a totally different state. He added that 18 months ago the application was submitted with a structural report which has now been updated, however, 18 months ago the report was not complimentary about the building but the intention was that the conversion scheme would allow for the repair of the building with substantial repair costs. He added that the owner of the building had intended on conserving and converting the building, but this has proved not to be possible and, therefore, an alternative course of action is to say that the building is not capable of conversion in a way that is viable to the developer in this case and the costs to make it

structurally sound require the other developments on the site to subsidise it. Mr Donoyou stated that figures were provided 18 months ago and again more recently, but an agreement could not be reached with the Conservation Officer who felt that elements of the building should be repaired in situ contrary to what his opinion is.

Members asked officer's the following questions:

- Councillor Meekins stated that if the committee decide that the building should be demolished what is the legal position of the Council and could it prove costly to the authority? Stephen Turnbull, the Legal Officer, expressed the view that yes it could prove costly as potentially in addition to the normal requirements of following the local plan policy and material considerations, the duty for a Listed Building is to give special importance to the desirability of preserving a Listed Building. He added that if members want to approve the application, they need evidence to counterbalance the strong legal presumption that the building should be preserved and evidence on the other side that there are some benefits or countermeasures which overcome the strong presumption. He expressed the opinion that from what he has heard there is not that evidence to overcome that strong legal presumption.
- Councillor Cornwell stated that there appears to be a focus on the lath and plaster ceilings, and he cannot understand why the Conservation experts cannot agree to the conversion of the building. David Rowen stated that he is aware that lath and plaster ceilings can be replaced with the lath and plaster ceilings as well as numerous other repairs to Listed Buildings which are sympathetic to the historic fabric of them.

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

- Councillor Benney stated that he has followed this application in its various forms since it was originally submitted in 2019 being at Chatteris Town Council when it was debated and at that time he welcomed the proposal for the 6 bungalows and the conversion of the house. He stated that the house is the Grade 2 Listing Building that members are looking at today and not the shed. Councillor Benney expressed the opinion that with regard to the house this should be retained and should be restored to a house. He expressed surprise that the application has been split into two parts and had expected both of the applications to be passed as it would have brought the house back into use and the bungalows would have provided much needed homes. Councillor Benney stated that he was surprised to see the conversion of the Coach House was refused as it was never a Coach House, it was a farm building. He stated that he has read all the reports as to why it was refused, including all the detail of the fabric of the building and he can fully understand why there is a viability issue and expressed the opinion that until this is resolved with a planning approval, the issue of viability will not go away. Councillor Benney added that when the two applications were submitted, the Council granted the application for six bungalows and the house and allowed demolition on the site. He added that the principle of demolition has been allowed on the site, together with development of six bungalows and a house as permission has been granted and there is a building left at the front which, in his opinion, is a standalone project which is no longer viable. Councillor Benney expressed the opinion that the building is in a terrible state, the front wall is cracked and the back of the building is just open sheds and he cannot see how this can ever be converted into a house in a viable way and added that as it juts out and is hiding the other two Grade 2 Listed Buildings. He expressed the view that he is concerned that nothing will happen to this building and it will deteriorate further and could be turned back into industrial units, but if a house is built there it will tidy the development up and improve the area and improve road safety and the visibility splay. Councillor Benney stated that there is not the need for more agricultural buildings and the application should be approved as London Road does not need another old farm building left there as it is a nice part of the town and he will not be supporting the officer's recommendation.
- Councillor Cornwell stated that the proposal establishes the building line, it is an interesting looking building, it is dirty and has interesting window features and has been

altered on one end. He expressed the view that it is a heritage building and he would hate to see it disappear and added that his concern is that if the committee agree that the building should be demolished, it could have a financial impact on the Council, due to possible action that could be taken under the legislation that has been identified. Stephen Turnbull, the Legal Officer, stated that it is possible for a third party to challenge the issue of planning permission or Listed Building Consent and if a third party were to launch a challenge, in his opinion, there may be grounds for doing so in this case, because he cannot see any substantive grounds for members to overturn the presumption in favour of preserving a Listed Building, and if challenged then the Council would have to pay costs and if the Council lost, then they would have to pay the costs of the other party which could be substantial.

- Councillor Mrs Davis stated that she does sympathise with the views of Councillor Benney and the residents of Chatteris, however, given the views of the four heritage bodies, the relevant paragraphs of the National Planning Policy Framework and the legal presumption of the Planning Officers and Conservation Officer, she cannot support the application. She added that if demolition is to be allowed, then the legal path needs to be followed.
- Councillor Marks stated that he is uncomfortable making a decision on the application without seeing inside the building. He added that he has heard the views given regarding the state of the building and, in his opinion, the application should be deferred so that a meeting can take place with the Conservation Officers from both parties and actually looking at the site before making a decision.
- Councillor Meekins stated that he respects the views of Councillor Benney, however, the facts of the application need to be considered. He stated that if the building was never a Coach House why is it called the former Coach House? He added that there are many agricultural buildings which have shown that they can be turned into very desirable barn conversions. Councillor Meekins stated that Councillor Benney had referred to the buildings either side of the application site and had stated that he would fight to preserve them, however, Councillor Meekins stated that surely the application site forms part of the same vista. He added that he is concerned that if the committee vote and the building ends up being demolished, it could prove to be very costly to the Council and also be damaging to the reputation of the Planning Committee and that of the Council and he will be supporting the officer's recommendation.
- Councillor Lynn stated that he agrees with Councillor Marks in that Committee members cannot determine the application without carrying out an internal inspection of the site. He added that he would like to be provided further detail on the costings that had been quoted and he would like all members of the heritage groups that had spoken to also attend the site, rather than carry out a desk top assessment to gain a better understanding of the condition of the building, as their views and opinions may change.
- Councillor Skoulding made the point that in the 1920's there were motor cars in existence not just horse and carriages. He stated that he has been to the yard many years ago and there was no way that a carriage would have been able to access the opening. He stated that the floor was earth, there was no concrete and the building was only one brick thick and that is why the costings are so great and in light of the new energy performance certificate requirements, to make the building more energy efficient, the ceilings would have to come down and new ceilings added. Councillor Skoulding expressed the view that it would be more economical to demolish the building and rebuild it.
- Councillor Murphy stated that the site was originally a farmyard and then became a builder's yard and the entrance was very narrow, which had caused issues for deliveries. He added that the Town Council have discussed this on many occasions, and he expressed the view that he cannot understand why there are parties who want to retain the building, if they are so passionate about the building then they could consider purchasing the site and bringing it back into use again. Councillor Murphy stated that there are many buildings in Chatteris which need attention, but this is not taking place as they do not have the funds to do so. He added that he appreciates the comments made by the Legal Officer, but he cannot understand why the building is listed because it is a farm building

and always has been. Councillor Murphy stated that he will agree with the comment made by Councillor Marks for the committee to undertake a site visit, so that members can fully appreciate the state of the building.

- Councillor Meekins asked whether the site visit could be carried out virtually and have video footage circulated to all interested parties.
- Councillor Lynn expressed the view that a virtual inspection will not be sufficient for members to ascertain a full and accurate assessment.
- Councillor Marks expressed the view that he appreciates the comments made by Councillor Meekins, but he agrees with Councillor Lynn that the site visit needs to be carried out in person
- Councillor Benney expressed the view that it looks like the application is going to be deferred. He added that the site inspection should only be for members and no other parties should be involved.
- Councillor Mrs Davis stated that she agrees a site visit would be beneficial, but even if members want to agree to the demolition there is a legal path that needs to be followed and members must not lose sight of that.
- Councillor Marks stated that he agrees with Councillor Mrs Davis that there is legal process to follow, but to begin the process a visit needs to take place to look at the fabric of the building and then the next stage can take place.
- Councillor Sutton expressed the view that he agrees with Councillor Mrs Davis and stated that whatever the condition of the building is the process will still need to be followed. He expressed the opinion that to allow the demolition of the building would show the committee as acting in a perverse way and whatever is seen on a site visit becomes irrelevant because the recommendation will be the same. He added that, whilst he respects the comments of other Councillors, to consider going against the officer's recommendation would be a mistake and the Council could find the heritage bodies challenging the Council's decision.
- Nick Harding stated that the name of the building, the Coach House, is immaterial to the planning considerations when determining the applications. He referred to questions having been asked with regard to the quality of the building and whether it should have been included as a curtilage building and that was a question that the heritage body, who are responsible for the listing of buildings, had looked at when they looked at the listing initially and it would have had regard to the physical layout of the site, the ownership both historic and current and also the use or function both historically and currently. Nick Harding drew members attention to the officer's report, which refers to the National Planning Policy Framework, where it summarises how the applications should be determined and highlighted to members the national guidance and other key considerations for determination of the application. He added that reference has been made to the other residential development which has been approved in the grounds of the Listed Building and he referred to the case history and the analysis that took place by officers, who found the development to be wholly appropriate in the context of the setting of a Listed Building and there was no harm arising and no conflict of that residential development with planning policy. Nick Harding referred to the application from 2019 which came forward accompanied by a structural report which identified that the roof and rainwater gutters were leaking and he stated that he would hope the owner of the building has addressed those issues to stop the further deterioration of the building.

F/YR20/0586/LB

A proposal was put forward by Councillor Sutton, seconded by Councillor Meekins to refuse the application as per the officer's recommendation. The proposition failed.

It was proposed by Councillor Marks, seconded by Councillor Murphy and AGREED that the application be deferred, to give members the opportunity to carry out a site visit at a time and date to be arranged.

F/YR20/0585/F

It was proposed by Councillor Meekins, seconded by Councillor Lynn and AGREED that the application be deferred.

(All members of the committee registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that they had been lobbied on this application)

P55/20

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**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Mr Lawrence Weetman from the Civic Society - Chatteris Past, Present & Future.

Mr Weetman stated that he strongly agrees with the Planning Officer, and the Chief Archaeologist's comments, and he urged councillors to apply the archaeological conditions to this application as presented. He stated that the proposed development at 25 Victoria Street lies within the boundary of the medieval Chatteris Abbey and it is merely a matter of yards from a previous archaeological survey, at 19 Victoria Street, where at the November planning meeting, the committee was advised that "a body was found", but the report from that archaeological survey actually references six skeletons by number and these human remains were found very close to the surface - between two feet and three-and-a-half feet underground.

Mr Weetman referred to the report which said "The number and extent of inhumations and disarticulated human skeletal remains revealed across the length of the trench, combined with the mixture of age ranges of the individuals, strongly suggests that the proposed development is located within a secular or lay cemetery within the abbey precinct." He stated that the report goes on to say: "The depth and extent of the burial ground is not known but could be considerable.", with the report even speculating that: "It is possible that the burials uncovered in the trench are part of a parochial cemetery that was in use over a long period of time (perhaps hundreds of years)."

Mr Weetman stated that given the close proximity of the proposed site to the previous survey at 19 Victoria Street, the probability of a potentially extensive burial ground, and given that the remains were discovered so close to the surface, there is a very real possibility that the proposed development could disturb human remains. He made the point that the Senior Archaeological Officer has reminded the Council that disturbing burials without a licence is against Section 25 of The Burial Act of 1857 and the cost of exhuming human remains can be extremely prohibitive, so it seems as though it would be in the best interests of the developer, the Council, and local residents if a proper survey is carried out ahead of any building work .and, in his view, would help avoid a part-complete development being left abandoned within the town.

Mr Weetman expressed the view that there are substantial opportunities here and stated that it is the earliest settlement in Chatteris, but it remains largely unexplored since most of the buildings in this area pre-date the times of routine archaeological surveys. He stated that the lack of an

archaeological survey would not only miss an important opportunity to learn more about Chatteris' past but could completely destroy any opportunity to ever learn more.

Mr Weetman expressed the opinion that Councillors should ask themselves whether there is any need to reject the archaeological conditions that have been proposed, since there seems to be no source of opposition to these conditions. He added that the officer's report says that the applicant has indicated that they would accept an archaeological condition and this reflects what the applicant told Chatteris Town Council's Planning Committee in September when Mr Welland was asked if an archaeological dig would be carried out, with the minutes recalling that "Mr Welland said if required an archaeological dig would be carried out".

Mr Weetman concluded by expressing the view that he can see no reason why the committee should reject the archaeological condition that has been proposed. It has the support of the applicant, it benefits our understanding of Chatteris' past, and it provides important protection to both the Council and the developer.

Members asked officer's the following questions:

- Councillor Meekins asked officers to confirm how long an archaeological survey would take to be carried out in a small area and questioned why the application has come back before the committee. David Rowen stated that the application is before members as part of planning procedure. The County Council's Archaeology Officer, Kasia Gdaniec, explained that the evaluation of such a small plot is a very rapid process and she expressed the view that only a couple of trenches would be required in that area as there are already standing buildings and yard surfaces on site. She stated that normally a small area would be surveyed within a day or two, depending whether there are any stratified Medieval deposits of the priory buildings and any burials which would prolong the process. She stated that an evaluation must be carried out in properties such as this, because there needs to be an understanding of any heritage assets which may be there and also the integrity of them as it may mean that previous land use associated with the 19th century redevelopment of Victoria Street removed a great deal of the deposits.

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

- Councillor Sutton noted from the report that the applicant and agent appear to be content with the conditions and, therefore, members should also be satisfied with the conditions.
- Councillor Cornwell stated that he can fully understand why an archaeological investigation would need to take place at this site as there does not appear to be anything above ground in existence from the original abbey, apart from a few stones, which was the important part of the heritage of Chatteris. He added that everybody appears to agree that an investigation should take place and in his opinion it should proceed.
- Councillor Meekins stated that the developer has agreed to the conditions and the Archaeological Officer has advised that a survey will only take a couple of days, therefore, the works should commence without delay.
- Councillor Marks expressed the opinion that a reasonable time frame should also be added to the conditions. Nick Harding stated that a timetable cannot be added as the detail concerning when the development and archaeological works will commence is

not known. He added that members need to make their decision based on the heritage asset and carrying on without any archaeological input would risk the non-designated asset and, therefore, conflict the advice of the national policy guidance on that issue. Nick Harding clarified that the reason the application is before the committee today is because officers were aware of what was said at the Planning Committee meeting in relation to the 'sister' application and, therefore, officers felt that members should have the opportunity to make a decision on whether they felt an archaeological condition should be added on this application.

- Councillor Sutton stated that the timeline is entirely down to the developer as to when he wishes to commence work on the site.

Proposed by Councillor Cornwell, seconded by Councillor Sutton and decided that the conditions as set out be AGREED as per the officer's recommendation.

(Following comments made by Councillor Benney in relation to a conversation he stated had taken place with himself and the agent regarding the proposed conditions being added to the application, and legal advice sought from Stephen Turnbull, Councillor Benney left the meeting for the remaining duration and determination of this item, and took no further part)

(Councillor Mrs Mayor left the meeting prior to the commencement of this item, and took no further part in the Planning Committee meeting)

P56/20

F/YR20/0943/F

86 CHARLEMONT DRIVE, MANEA, CHANGE OF USE OF SINGLE-STOREY WORKPLACE BUILDING FROM BUSINESS USE TO 2-STOREY ANNEXE BUILDING (2 X 1-BED ANNEXES) ANCILLARY TO EXISTING DWELLING INVOLVING RAISING THE HEIGHT AND INSERTION OF DORMER WINDOWS, REPLACEMENT OF EXISTING WORKPLACE DOOR WITH DOOR/WINDOW, ERECTION OF CONSERVATORY TO REAR AND INSTALLATION OF EXTERNAL STAIRCASE (PART RETROSPECTIVE)

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Alan Melton on behalf of Manea Parish Council.

Mr Melton stated that there have been no objections raised by the Parish Council, County Council or Network Rail and the Environment Agency have made no further comment on the application and residents have also raised no concerns regarding the application. Mr Melton referred members to the list of conditions and highlighted LP2, facilitating health and wellbeing of Fenland residents and pointed out the key issues where it states residential amenity, health and wellbeing.

Mr Melton referred to 9.3 of the officer's report where it states that the application seeks to provide an annexe for the applicant's mother and he stated that the existing type of annexe building already in place in the vicinity for industrial use have proved to be unsuccessful. He added that he takes issue with the point at 9.4 of the report where it states that the proposal is prominently visible from the street scene, expressing the opinion that from the photograph it is tucked right at the back and a single storey building can be seen with solar panels on the top and the proposal will be raised up and the design will be a lot better than what is already in existence.

Mr Melton expressed the opinion that Government and moral policy is that members of the community should take the time to look after the elderly population rather than placing people into

care homes, which is costly to the families and the state, and he is pleased to see that officers have acknowledged this and it is something that should be encouraged. He added that the report states that the north and eastern side is bounded by agricultural land and he feels that this is irrelevant as the south of the site is the workplace home of 82-84 Charlemont Drive, who would be impacted the most by the proposal and they have not raised any objection.

Mr Melton referred to the point regarding the introduction of a sensitive use in closer proximity to a workplace, which could result in constraints on the existing business and stated that he does not agree with that statement and also questioned the comment made with regard to the proposal altering the character of the estate. He pointed out 9.14 where it states that the development is in closer proximity to the railway line than the main dwelling and concerns have been raised by the Council's Environmental Health Team regarding the noise impact of this and expressed the opinion that this is not a planning reason and should not be taken into consideration. He concluded by stating that the opinion of Manea Parish Council is that this application should be approved.

Members received a presentation, in accordance with the Public Participation procedure, from Ann Marks.

Mrs Marks stated that she is speaking in support of the application and as a neighbouring property that would be most affected by the addition of second storey from overlooking, she confirmed that, in her opinion, she does not feel that this would be the case. She stated that the proposed Dormer windows would not intrude or affect her properties privacy in any way and following the revised plans where the architect has moved the external staircase to the north side and with the undertaking of no windows or doors to the south side, it will ensure the privacy of her home is maintained and does not adversely affect the street scene.

Mrs Marks added that as there is already a property in the vicinity that was built 15 years ago, whose unit is a similar height to the neighbours proposal so there is no reason why the character of the estate will be harmed and she highlighted that there have been no objections from any of the neighbouring properties and the Parish Council and Rail Track also support the proposal. She expressed the opinion that having moved her own elderly relative into her home, it has provided her family peace of mind and she would hope that the planning application will be successful, so the applicant can also have the same reassurance for their own relatives as well.

Members received a presentation, in accordance with the Public Participation procedure, from Mr Lee Bevens, the Agent.

Mr Bevens stated that the Planning Officer makes reference to poor design, which he appreciates is a subjective matter. He added that in correspondence, officers have suggested that a ground floor extension should have been considered, rather than a first floor, however, this was not viable for 2 reasons which were, the whole of the site and Charlemont Drive is in Flood Zone 3, which would preclude bedroom accommodation on the ground floor and the position of existing foul and surface water drainage would make the proposal unviable.

Mr Bevens stated that it was felt that minimising the impact of the additional accommodation on the existing change of use was actually good design, because it has led to less land take up and minimal disruption to the ground floor plan. He expressed the view that after feedback from the adjacent neighbour, the position of the external staircase was moved to the opposite gable and the first-floor plan amended to suit, again causing minimal impact to the ground floor accommodation and the staircase will actually be more hidden from the street scene than before. He explained that dormer windows have been inserted to both soften the impact of the proposal, but also maintaining a sensible internal ceiling height at first floor and he added that it was felt that making the proposal a full storey and putting a standard trussed roof would have been poor design and over-dominated the host dwelling.

Mr Bevens expressed the view that the proposal is at the end of the Charlemont Drive estate and is unusual in that it is one of few plots that is in an 'L' shape configuration, with the annexe at right angles to the main house. He stated that, in his opinion, this proposal offers the opportunity to make a positive contribution with the first floor which is still sub-servient to the main dwelling and maintains the status quo of car parking on site and, therefore, he would argue this does comply with both local and national planning policy.

Mr Bevens stated that the accommodation will allow for a dedicated, qualified carer to look after the applicant's mother and explained that a separate email has been provided by the applicant to the Planning Officer to explain the domestic situation, which he read out to members.

'In Sept 2018 my mother, had a fall at her home and broke her pelvis, resulting in a 5 week stay in hospital and care when she returned home. She fell again in December that year, this time breaking her hip. Surgery followed and 7 weeks in Addenbrookes. In Feb 2019 she fell and broke her leg so severely that this resulted in a 2 month stay in Addenbrookes before 2 months in The Grange for re-habilitation. The bone has not healed well but a knee replacement is impossible due to her osteo-arthritis. She also has a heart murmur and COPD.

It was clear to us that she could no longer remain in her beloved grade 2 listed home in Ely with its spiral staircase and multitude of steps, so in March 2019 we began work to make the annexe habitable for her.

When we bought the house, the annexe had already been 'converted' and we had previously been using it as a playhouse for our children. We took out the toilet and put in a bathroom with grab handles and a seated shower as well as a window facing the railway line and ripped out the kitchen and replaced it with a modern one that would be easier for my mother to cope with. We also put in a door to the outside area at the back. We built a fence between the two buildings so that our dogs cannot get out and accidentally knock her down and then we decorated and bought new furniture for her.

My mother is 79 and is beginning to show signs of dementia and Alzheimer's. I cook for her every night, do her shopping and errands and drive her (when we weren't shielding her) to places that she wanted to visit. I have a family of my own and a full-time job and I do not feel able to take on any more than I already have. We have applied to build a flat above the annexe so that we can have a live-in carer for her so that she does not need to go into a home (which she has always made me promise I would never do to her). There is already a full 2 storey annexe in Charlemont Drive and the annexe is set far back from the road, and we already have the support of 4 of our immediate neighbours, who have all verbally agreed to support if required'.

Mr Bevens concluded by stating that he hopes that members can see that given the site constraints, that the design is not poor and is a sympathetic proposal that not only meets the clients brief, but adds a positive contribution to Charlemont Drive.

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

- Councillor Mrs French stated when she was a member of the Planning Committee previously this development was approved in the 1990's and added that from 1999 to 2006, there were repeated applications to remove the workplace home policy and the Planning Department at that time refused them, which were lost at appeal. She added that proposal before members today, has received no objections and she does sympathise with the applicant. Councillor Mrs French stated that the applicant wishes to remove the workplace home and she cannot see anything detrimental about the proposal

and the alterations that the agent has made are, in her opinion, suitable and she will be supporting the application.

- Councillor Sutton stated he concurs with the comments made by Councillor Mrs French and stated that had it not been a workplace home proposal it would never have obtained planning permission at that time. He expressed the opinion that given that a precedent has now been set, he feels that he could support the application but emphasised that planning decisions must be made based on land use and not on personal or financial circumstances. Councillor Sutton added that he does have an issue that the proposal is a separate unit to the unit that is being looked after and he does not understand how 24-hour care can be administered with the proposed design which includes an external staircase.

Proposed by Councillor Mrs French, seconded by Councillor Benney and decided that the application be APPROVED, against the officer's recommendation.

Members approved the application against officer's recommendation for the following reasons; a precedent has already been set and the proposal does not result in significant detrimental harm to the character and visual amenity of the area.

It was decided that the conditions imposed on the planning permission be agreed in conjunction with the Chairman, Councillor Mrs French and Councillor Benney.

(Councillor Marks declared an interest in this item as the applicant is known to him and he took no part in the discussion on this application and voting thereon)

5.14 pm

Chairman

F/YR20/0884/F

Applicant: Mr Earl

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

Land To The North Of, 15 Burnthouse Road, Turves, Cambridgeshire

Erect a dwelling (2-storey, 4-bed)

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1. The application seeks full planning permission to erect a 2-story, 4-bed dwelling on Land to the North of 15 Burnthouse Road, Turves, Cambridgeshire.
- 1.2. The proposed dwelling has been resized and resited to address the issues relating to the earlier refusal F/YR20/0305F regarding the dwelling's impact on the distinct character and appearance of the area.
- 1.3. However, the site is in Flood Zone 3 and as such is required to pass the Sequential and Exception tests with regard to flood risk. The evidence submitted with the application has failed to fully demonstrate that there are no sequentially preferable sites that could accommodate the quantum of development proposed under the terms of the current scheme. The Sequential Test submitted omits planning application F/YR19/0895/F, approved in January 2020, for the development of 2 dwellings. As such, this site would also be capable of accommodating the proposed scheme and thus the proposal has failed the Sequential Test. As such, it is considered that the current scheme is not compliant with Policy LP14 and the earlier reason for refusal under F/YR20/0305/F is upheld.
- 1.4. Given the failure of the Sequential Test, the recommendation is to refuse the application.

2 SITE DESCRIPTION

- 3.1. The application site is located within the side garden of an existing detached two-storey dwelling, with a 2-metre brick boundary wall to the north of the site and a 1.8 metre close board timber fence to the rear, separating the site from Red Barn.

- 3.2. The site is located on the corner of Burnt House Road and Red Barn in Turves, which is identified within the Fenland Local Plan as a Small Village. The application site is located within Flood Zone 3.

3 PROPOSAL

- 4.1. The proposal is for the construction of a two-storey detached dwelling and access/parking/turning area on land to the north of an existing two-storey dwelling located within the village of Turves. The dwelling is to be separated from the host property by a 1.8m high close boarded fence. The application details note the requirement for the potential relocation of existing telephone cables to allow for the construction of the dwelling.
- 4.2. Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

F/YR20/0305F	Erect 1 dwelling (2-storey 4-bed)	Refused 02.06.2020
F/YR19/1049/F	Erect 1 dwelling (2-storey 4-bed)	Refused 27.01.2020
F/YR12/0636/F	Erection of a 2-storey side extension to existing dwelling involving the demolition of existing garage 15 Burnt House Road	Granted 15.10.2012
F/YR05/0974/F	Erection of a 4-bed detached house	Granted 19.10.2005
F/YR05/0765/F	Erection of a 4-bed detached house	Refuse 11.08.2005
F/0596/89/O	Erection of detached house	Grant 21.06.1989

5 CONSULTATIONS

- 6.1. **Whittlesey Town Council**
Recommend refusal - over intensification
- 6.2. **Benwick/Coates/Eastrea Ward Councillor**
No comments received
- 6.3. **Environment & Health Services (FDC)**
The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed development as it is unlikely to have a detrimental effect on local air quality and the noise climate or be affected by ground contamination.

6.4. Cambridgeshire County Council Highways Authority

Refer to highway comments and condition recommendations provided for planning application F/YR19/1049/F [& repeated for F/YR20/0305/F].

Previous comments from F/YR19/1049/F: The proposed dwelling utilises an existing vehicular access. I have no highway objections subject to the parking and driveway being sealed and drained away from the highway.

Prior to the first occupation of the development the proposed on-site parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and thereafter retained for that specific use. Reason: In the interests of satisfactory site access.

6.5. Environment Agency

We have no objection to the proposed development but wish to make the following comments...

By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that although we have raised no objection to this planning application on flood risk grounds this should not be taken to mean that we consider the proposal to have passed the Sequential Test. ...

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds. However, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals. ...

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

6.6. Local Residents/Interested Parties

The LPA received ten representations regarding the proposal from various properties on March Road, Burnthouse Road, and Red Barn. Predominately the letters cited no objection to the scheme, others included reasons for support as follows;

- Would make a nice addition to the area;
- High standard build;
- Not likely to be detrimental to area;
- Will fit in with other development.

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

8.1. National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 11: Presumption in favour of sustainable development

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

Para 127: Well-designed development

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

Para 157: Need to apply the Sequential and Exception Tests.

8.2. National Planning Practice Guidance (NPPG)

Determining a planning application

8.3. National Design Guide 2019

Context

Identity

Built Form

Homes and Buildings

Resources

8.4. Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP12 – Rural Areas Development Policy

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments across the District

8.5. Supplementary Planning Documents/Guidance

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

Cambridgeshire Flood and Water SPD (2016)

8 KEY ISSUES

- **Principle of Development**
- **Impact on Character and Appearance**
- **Impact on Residential Amenity**
- **Flooding and Flood Risk**
- **Highway Safety**

9 BACKGROUND

9.1. There was a previous refusal in June 2020 regarding a similar proposal at the site (F/YR20/0305/F), refused for two reasons:

1. *Policy LP16 of the Fenland Local Plan (2014) requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area, enhancing its setting, responding to and improving the character of the local environment, reinforcing local identity and not adversely impacting in design or scale terms on the street scene, settlement pattern or landscape character of the surrounding area. The proposal is for the construction of a two-storey dwelling on the land adjacent to an existing property. The proximity of the dwelling to the public boundary of the site would result in the new dwelling having a dominant, overbearing impact on the street scene that would be harmful to the distinct character and appearance of the area, in particular the feeling of space created by the spacious area evident at the junction of Burnt House Road and Red Barn. The proposal would therefore be contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).*
2. *Policy LP14 of the Fenland Local Plan, and section 14 of the National Planning Policy Framework (2019) require development proposals to adopt a sequential approach to flood risk from all forms of flooding, and policy LP14 states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management. The proposal is for the construction of a new dwelling and is accompanied by a Sequential Test document. The document however fails to fully identify land available within the settlement of Turves that is available for development of the scale proposed by the application, and the test is therefore considered to be failed. The proposal is therefore contrary to policy LP14 of the Fenland Local Plan (2014) and Section 14 of the National Planning Policy Framework (2019).*

9.2. This application is a revised proposal that seeks to address and overcome these reasons for refusal.

10 ASSESSMENT

Principle of Development

- 10.1. Policy LP3 notes that Turves is classed as a Small Village within the settlement hierarchy, where development will be considered on its merits but will normally be of a very limited nature and limited in scale to residential infilling.
- 10.2. In this respect, the application site is located in amongst existing development, which given the application seeks the construction of a single dwelling, satisfies the broad requirement for development to be of a limited nature and scale. There are issues raised by the location of the site within

Flood Zone 3 however these are considered below under the heading Flooding and Flood Risk. The location of the site within Flood Zone 3 is not a matter of principle if a Sequential Test is passed.

Impact on Character and Appearance

- 10.3. Policy LP16 requires development to deliver and protect high quality environments through, amongst other things, making a positive contribution to the local distinctiveness and character of the area, enhancing its setting, responding to and improving the character of the local environment, reinforcing local identity and not adversely impacting in design or scale terms on the street scene, settlement pattern or landscape character of the surrounding area.
- 10.4. The immediate surroundings of the development are comprised of two parts – the first is the frontage development along Burnt House Road itself, and the second a more recent development along Red Barn on the land to the rear.
- 10.5. Both elements that make up the surroundings of the site are relatively modern in appearance, and distinctive elements that make up the character of the area include common usage of dormer windows at first floor level, and the feeling of space along the highways created by generous front gardens to the dwellings in the area and open agricultural land to the west of Burnt House Road.
- 10.6. The proposal is for the construction of a two-storey dwelling including a covered front porch with pitched roof and a gable style roofline to the main dwelling, including cross-gable elements above the main first floor windows to the front elevation; Whilst not specifically ‘dormers’, these smaller cross-gable elements above windows are reflective of design elements evident along both Burnt House Road and Red Barn.
- 10.7. The proposed dwelling is set in from an existing 2m high brick boundary wall and a blank gable wall faces the north of the site. The dwelling is indicated as 10.2m deep (not including the front porch projection) by a width of 8.5m. Its ridge will reach approximately 7m, some 0.7m higher than the existing property at the site but comparable with dwellings on the south side of Red Barn. It is noted that the depth of the dwelling will result in a particularly shallow roof pitch; however, roof pitches are not consistent within the wider setting of the scheme. This is considered to be offset by the use of front-gable ‘dormer’ projections that will help assimilate the dwelling into the local vernacular. In addition, there is evidence of porches and covered entryways that are of varying styles within the wider setting, hence the inclusion of this element is not considered to be out of character.
- 10.8. The nearest development along the south side of Red Barn offers a building line that is set back approximately 7m from the rear edge of the public footpath. Using the same datum, the proposed dwelling’s northern elevation will be set approximately between 6m and 6.5m away from the footpath, with the retained 2m high brick wall in between. Thus, when viewed from Red Barn, the proposed dwelling will project slightly forward (1 – 1.5m) of the

existing development along the south side of Red Barn. Subsequent to earlier proposals this projection has been considerably reduced in the current scheme to help the proposed dwelling assimilate into both frontages. As such, it is now considered that the initial concern regarding dominance and overbearing of the dwelling particularly when viewed from Red Barn will be somewhat mitigated by its relocation. Whilst any projection forward of the building line on Red Barn is regrettable and some impact will remain, it is considered that the feeling of enclosure considered within the earlier reason for refusal will be mitigated enough to overcome detrimental impact on the open character of the junction. On this basis, it is considered that the first reason for refusal within F/YR20/0305/F has been satisfactorily overcome.

Impact on Residential Amenity

- 10.9. Policy LP16 requires development to deliver and protect high quality environments through, amongst other things, demonstration that the proposal does not adversely impact on the amenity of neighbouring users.
- 10.10. There are two properties directly adjoining the site that have the potential to be affected by the proposed dwelling, these are the host property, 15 Burnt House Road, and the dwelling immediately to the east of the site, 2 Red Barn. A further dwelling is located to the north of Red Barn on the opposite side of the road to the application site; however, given the relationship between the sites the proposal is unlikely to affect that dwelling's amenity.
- 10.11. The host property has three windows on the elevation facing the application site, one at first floor level and two at ground floor. Typically, these would be secondary windows or to rooms not forming main accommodation. The proposed boundary treatment between the two properties is a 1.8m timber close board fence, which would prevent any issues of overlooking or privacy impact in relation to the ground floor windows. In addition, the proposed ground floor window within the proposed dwelling is indicated as obscure glazed to safeguard the amenity of the host dwelling.
- 10.12. The dwelling to the east, 2 Red Barn, is located slightly further to the south than the proposed dwelling, and as such the rear elevation of the proposed dwelling would be facing directly onto its side elevation. No.2 has only a single, small ground-floor window on the west elevation facing the site and would be separated from the proposal by a 1.8m close board fence. This window does not appear to serve a room forming main accommodation. Some obscure views would be possible into the garden of No.2 from the rear windows of the proposed dwelling; however, these would be less direct than the existing views from the host dwelling onto that land. Therefore, whilst the scheme would result in an increase in the perception of being overlooked due to the presence of a greater number of windows visible from its garden, the actual impact in terms of loss of privacy would be limited and insufficient to justify refusal of the scheme given the current relationship.

Flooding and Flood Risk

- 10.13. Policy LP14 requires development proposals to adopt a sequential approach to flood risk from all forms of flooding, and states that development in an area

known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management.

Sequential Test

- 10.14. It is for the applicant to demonstrate through an assessment that the Sequential Test has been met. In February 2018, the Council amended the approach to agreeing the scope of the Sequential Test to a settlement by settlement basis, instead of the entire district as set out in the SPD. As such, the settlement of Turves is the area of search for the Sequential Test for this application.
- 10.15. The application is accompanied by a Sequential and Exception Test document, dated 23 October 2020. The Sequential Test identifies five planning permissions within the settlement of Turves, stating that three of these are under construction, with two further applications cited as approved for single dwellings, but are not for sale and as such for the purposes of the Sequential Test as set out in the Cambridgeshire Flood and Water SPD (2016) these are classed as being available.
- 10.16. However, the Sequential Test submitted omits planning application F/YR19/0895/F, approved in January 2020, for the development of 2 dwellings. As such, this site would also be capable of accommodating the proposed scheme here, notwithstanding that the site also lies in Flood Zone 3. Officers have reviewed the evidence provided and believe that this site would be available for development, and as such the sequential test is considered to be failed.

Exception Test

- 10.17. The failure of the sequential test negates the need to follow with an Exception Test. However, information submitted with the application indicates that the Exception Test may have been passed due to possible provision of renewable energy and ecological features and the inclusion of flood mitigation measures.

Flooding and Flood Risk – Conclusion

- 10.18. The evidence submitted has failed to fully demonstrate that there are no sequentially preferable sites that could accommodate the quantum of development proposed under the terms of the current scheme and thus the proposal has failed the Sequential Test. As such, it is considered that the current scheme is not compliant with Policy LP14 and the earlier reason for refusal under F/YR20/0305/F is still relevant.

Highway Safety

- 10.19. Policy LP15 requires development to provide to provide a well-designed, safe and convenient access for all, and well-designed car and cycle parking appropriate to the amount of development proposed, ensuring that all new development meets the Council's defined parking standards.
- 10.20. The proposal details 3 parking places to be provided as part of the scheme, which is for the construction of a 4-bedroom dwelling. The parking standards

set out in Appendix A of the Fenland Local Plan (2014) require 3 spaces to be provided for dwellings of this size and therefore the scheme meets that requirement.

10.21. Comments from the Highway Authority are noted, with regard to the proposed access, along with the presence along Burnt House Road of several similar driveways serving residential dwellings. The presence of an existing section of dropped kerb serving the host dwelling is noted and therefore the principle of the access to serve a new dwelling is considered to be acceptable. The Highways Authority have confirmed that they have no objections to the scheme, subject to the imposition of necessary conditions.

11 CONCLUSION

11.1. For the reasons identified above, the proposed scheme is considered to be contrary to the requirements of Policy LP14 on the basis that it has failed to be demonstrated that there are no sites available which would be, sequentially, at a lower risk of flooding. There are no material considerations that justify the approval of the scheme contrary to those policies and as such a non-favourable response is forthcoming.

12 RECOMMENDATION

Refuse for the following reason:

1.	Policy LP14 of the Fenland Local Plan, section 14 of the National Planning Policy Framework (2019) and Cambridgeshire Flood and Water Supplementary Planning Document (2016) require development proposals to adopt a sequential approach to flood risk from all forms of flooding, and policy LP14 states that development in an area known to be at risk will only be permitted following the successful completion of a Sequential Test, an Exception Test, and the demonstration that the proposal meets an identified need and appropriate flood risk management. The proposal is for the construction of a new dwelling and is accompanied by a Sequential Test document. The document however fails to fully identify land available within the settlement of Turves that is available for development of the scale proposed by the application, and the test is therefore considered to be failed. The proposal is therefore contrary to policy LP14 of the Fenland Local Plan (2014), Section 14 of the National Planning Policy Framework (2019) and Cambridgeshire Flood and Water Supplementary Planning Document (2016).
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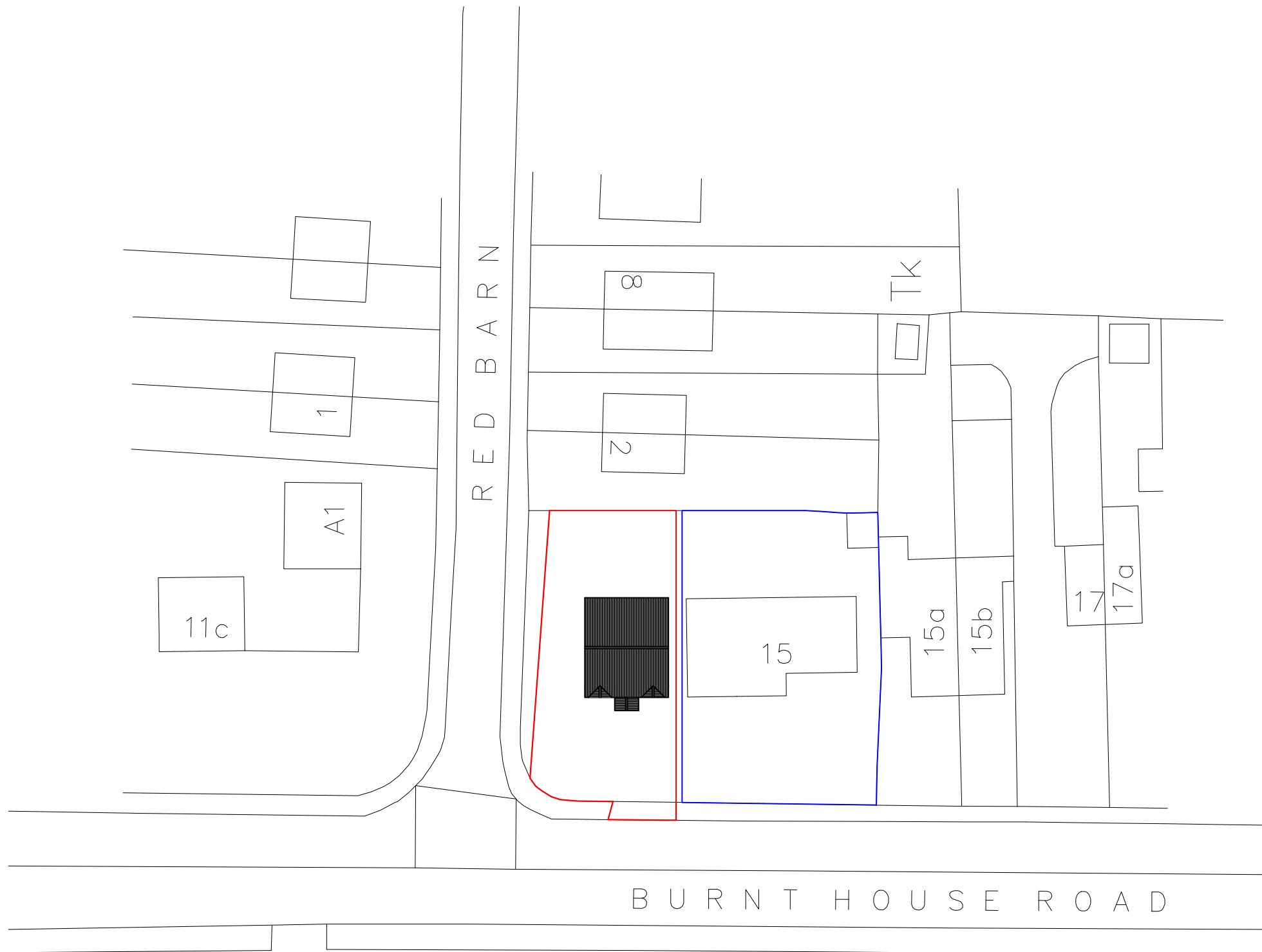
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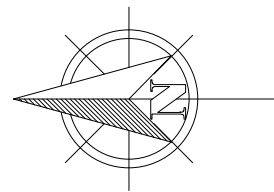
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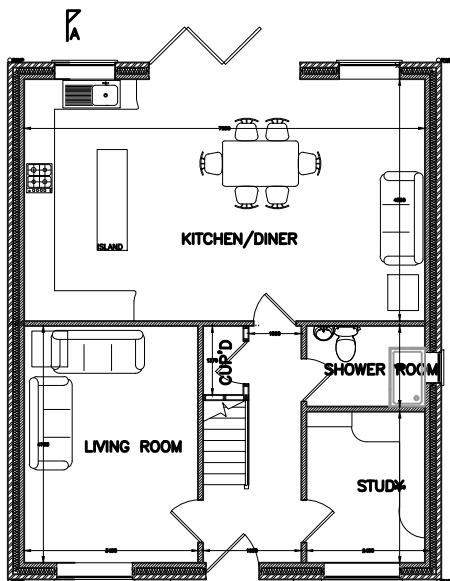


LOCATION PLAN
(1:500)
LICENSE NO: 100022432

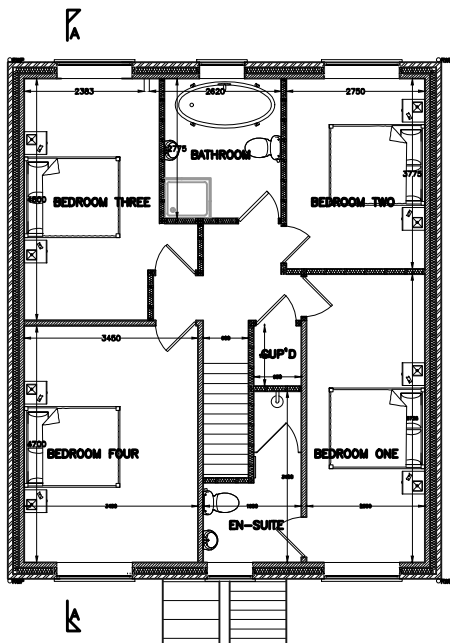


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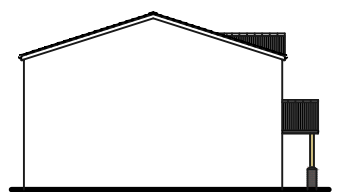
<p>MORTON & HALL CONSULTING LIMITED CONSULTING STRUCTURAL ENGINEERS</p> <p>1 Gordon Avenue, March, Cambridgeshire PE15 8AJ Tel: 01354 655454 E-mail: info@mortonandhall.co.uk Website: www.mortonandhall.co.uk</p> 	client	Mr Earl	project	Adj to 15 Burnt House Rd Turves Peterborough PE7 2DP	REVISION	A	NOV 2020	
	title	Location Plan	drawn	R.Papworth	checked			
			scale	As Shown	date	Nov 20		
			drawing no	H6683/100A				



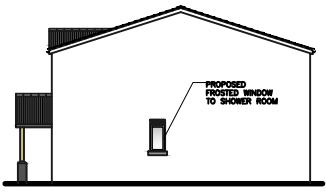
PROPOSED GROUND FLOOR PLAN (1:50)



PROPOSED FIRST FLOOR PLAN (1:50)



PROPOSED LHS ELEVATION (1:100)



PROPOSED RHS ELEVATION (1:100)



PROPOSED FRONT ELEVATION (1:100)

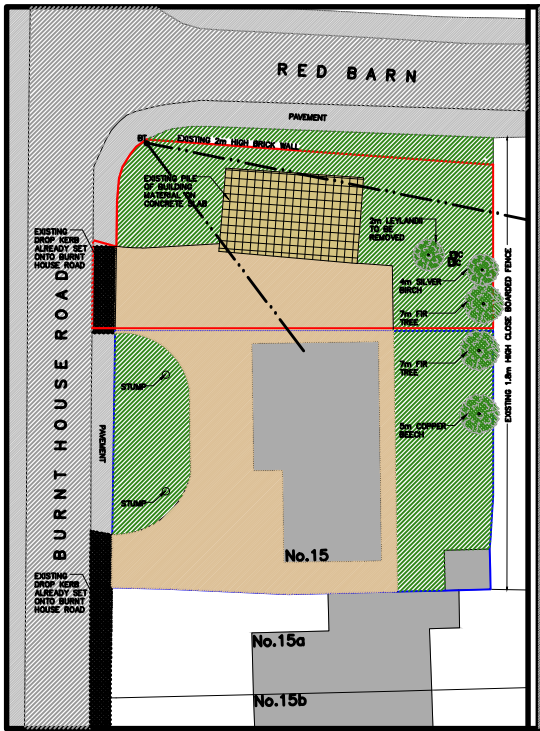


PROPOSED REAR ELEVATION (1:100)

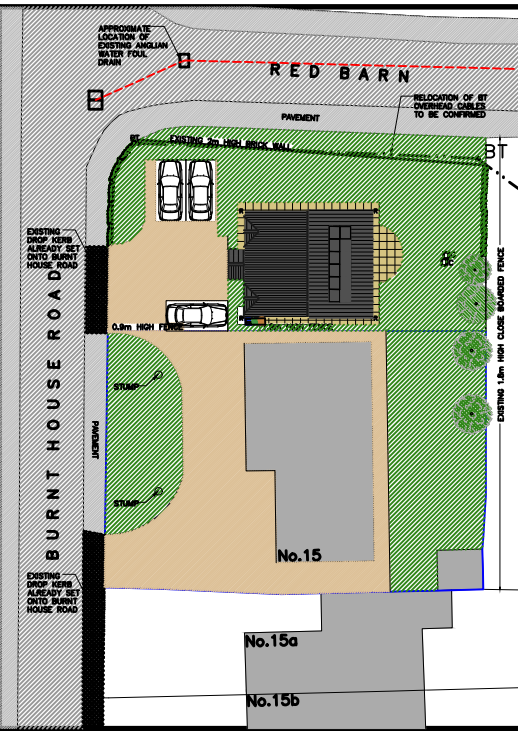


PROPOSED STREET SCENE (1:200)

- SITE PLAN KEY**
- PERMEABLE BLOCK PAVING (NON SLIP)
 - CONCRETE SLABS (NON SLIP)
 - GRASS
 - VEGETATION
 - HEDGING
 - GRAVEL
 - WATER COURSE
 - SITE ENVELOPE
 - LAND CLIENT OWNS
 - PAVEMENT
 - TARMAC
 - EXISTING DWELLINGS
 - FOUL DRAINAGE
 - SURFACE WATER DRAINAGE
 - WASTE BINS

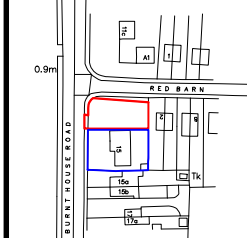


EXISTING SITE PLAN (1:200)



PROPOSED SITE PLAN (1:200)

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 Contractor to check all dimensions on site before work starts or materials are ordered. If in doubt ask. All dimensions are in mm unless stated otherwise.
 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the work and suitable for the purpose stated in or identified. All work to be in accordance with good building practice and BS 8000 to the extent that the specifications define the quality of the finished work.
 All products and materials to comply with all British Standards and CE/ETA standards with, where appropriate, 63 or 65 marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturer's current recommendations.
 The contractor is to arrange inspections of the works by the BCU (as required) by the Building Regulations and to obtain completion certificate and forward to the Engineer.
 All finishes, insulation and damp-proofing to architect's details.



LOCATION PLAN (1:1250)
LICENSE NO: 100022432

PLAN KEY

- PROPOSED 100mm BRICKWORK
- PROPOSED 100mm BLOCKWORK
- PROPOSED 100mm INSULATION
- PROPOSED TILED FLOOR TO CLIENT REQUIREMENTS
- PROPOSED WOOD FLOOR TO CLIENT REQUIREMENTS
- PROPOSED 100mm STUDWORK

METERS

0 0.5 1 1.5 2 2.5 3 3.5 4

METERS

0 2 4 6 8 10 12 14 16

METERS

0 10 20 30 40 50

NO.	PLANNERS COMMENTS	DATE
1	PLANNERS COMMENTS	NOV 2020
2	CLIENT COMMENTS	SEP 2020
3	CLIENT COMMENTS	JUL 2020
4	CLIENT COMMENTS	MAY 2020
5	CLIENT COMMENTS	MAY 2020

MORTON & HALL CONSULTING LIMITED

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Tel: 01354 655454
Fax: 01354 680467
Email: info@mortonandhall.co.uk

Fenland District Council Building Awards Design Awards Building Excellence in Fenland

Mr Earl

Adj to 15 Burnt House Rd Turves Peterborough PE7 2DP

Proposed Arrangements & Existing Site Plan

DATE	13/09/2020	DATE OF REV	
BY	AS SHOWN	BY	
NO.	SEP 2020	NO.	
NO.	AS SHOWN	NO.	

H6683/01r

F/YR20/0902/F

**Applicant: Mr Lockhart
GL Developments**

**Agent : Mr Craig Rudd
Swann Edwards Architecture Limited**

Land South East Of 106, Wype Road, Eastrea, Cambridgeshire

Erect 3 x dwellings (2-storey 5-bed) involving the formation of 3 x new accesses

Officer recommendation: Grant

Reason for Committee: Number of representations received contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks planning permission for 3 x detached, 2-storey dwellings. The dwellings would complete the overall development of 6 houses granted under the previous outline permission and comprises Plots 4,5 and 6 (southernmost plot)
- 1.2 The application has undergone some revision since initial submission, in particular;
 - reduction to the access widths, to align with the Local Highways Authority's requirements,
 - positioning and massing of the detached garage serving plot 5; to align it better with the build line, and
 - redesign of Plot 6; to incorporate noise mitigation measures following concerns raised by the Council's Environmental Protection Team. These measures include a high-level screen at 1st floor level on the south western corner, 2.4m high acoustic fencing along the southern boundary and the inclusion of triple glazing and acoustic vents at 1st floor level.
- 1.3 The principle of developing this site is supported by Policy LP3 and through the planning history of the wider site. The layout and design of the development is considered acceptable having regard to the general character of the area. The proposal is not considered to have a significant detrimental impact on the surrounding properties, or the local highway and the inclusion of the noise mitigation measures would enable a compatible relationship with the established engineering business adjacent.
- 1.4 As such the application is recommended for approval.

2 SITE DESCRIPTION

- 2.1 The site lies at the southern end of Eastrea and comprises a parcel of agricultural land, but which benefits from outline planning permission for residential development. To the north of the site is an agricultural access track, beyond which are 3 large, 2-storey dwellings served by a private drive. Immediately south is a dwelling with rear yard which operates as an agricultural engineering enterprise.

2.2 The site is bordered along the southern and western boundary by mature hedgerow and is open to the north and to the east where it fronts onto Wype Road.

3 PROPOSAL

3.1 The application seeks planning permission for 3 x detached, 2-storey dwellings. The dwellings would complete the overall development of 6 houses granted under the previous outline permission and comprises Plots 4,5 and 6 (southernmost plot)

3.2 Each dwelling is served by its own driveway leading directly off Wype Road and incorporates 5 bedrooms and the usual amenities. A double garage serves each dwelling with Plots 4 and 6 comprising integral garages with bedroom over. A detached garage set forward of the dwelling serves plot 5.

3.3 The dwellings measure approximately 8.6m to the highest ridge point. The position, design and footprint of Plot 6 is almost a mirror of plot 4 with the exception of a rear balcony area and acoustic screen*. The dwellings are proposed to be constructed in the following materials;

Plot 4: Red Antique farmhouse facing brick for the external walls and grey double pan tiles for the roof covering.

Plot 5: Red Antique farmhouse facing brick for the external walls and rustic red pan tiles for the roof covering

Plot 6: Grantchester blend facing brick for the external walls and rustic red pan tiles for the roof covering

3.4 The application has undergone some revision since initial submission, in particular;

-reduction to the access widths, to align with the Local Highways Authority's requirements.

-positioning and massing of the detached garage serving plot 5; to align it better with the build line, and

-redesign of Plot 6; to incorporate noise mitigation measures following concerns raised by the Council's Environmental Protection Team. These measures include a high-level screen at 1st floor level on the south western corner, 2.4m high acoustic fencing along the southern boundary and the inclusion of triple glazing and acoustic vents at 1st floor level.

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

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

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR18/0689/F	Erection of 3 x 5-bed 2-storey dwellings with garages (Plots 1-3 only) and formation of access road to agricultural field	Granted 07.11.2018
F/YR17/0697/O	Erection of up to 6 x dwellings involving 2 x new accesses and agricultural access (Outline application with all matters reserved)	Granted 14.12.2017
F/YR15/0394/F	Formation of an agricultural access	Granted 07.08.2015

5 CONSULTATIONS

5.1 Whittlesey Town Council

Recommend approval subject to consideration of neighbours concerning construction vehicular access and burning of waste materials. Solar panel issues affecting reflection on neighbours to be checked.

FDC Environmental Protection

5.2 Initially commented;

"The potential for noise, mainly impact noise from this site, affecting the residents of these new houses, in particular, Plot 6. The agricultural business is long-established with no planning restrictions on when he can use his premises.

"The proprietor of this business lives on site and is free to use his business at any time of the day, evening or night. The nature of his business is seasonal and I envisage he may operate at short notice to meet the demands of his customers who could, quite conceivably, want some work done overnight. Consequently, this means working during the evening or night-time.

"The noise which is likely to be of concern is: -

- a) Impact noise from hammering and generally engineering activities,*
- b) Operation of powered machinery, including hand-tools,*
- c) Reversing horns on vehicles operating on site,*
- d) Vehicles accessing and egressing the site.*

"The proprietor could be concerned that if he receives complaints referred to Fenland District Council concerning alleged noise nuisance, he could ultimately be subject to enforcement action, which could restrict his activities by stipulating his hours of operation.

"This issue is exacerbated by the fact that the proprietor advises that he has planning consent to erect another workshop on this site.

"The other issue is the possibility of ground contamination from the workshop, affecting the rear garden of Plot 6, especially if root vegetables or fruit are grown there. At present there isn't an oil tank on site, but again there is no restriction preventing one being installed. I do not consider this aspect to be of concern to Plots 4 and 5.

“I understand that planning consent has been granted for a bungalow to be erected to the south-east of this agricultural business, but this is more distant from the agricultural business’s workshop than the house at Plot 6 of the proposal under consideration.

“Unfortunately, the Design and Access Statement submitted in support of the current proposal, doesn’t appear to refer to the presence of this agricultural business, with no reference to the potential adverse impact of its presence on this development. I would have expected it to be mentioned in Chapters 2 and 5.

“I would question whether a noise impact assessment would necessarily address the noise impact issue, as monitoring the site at the hours of greatest risk, would have a ‘hit and miss’ element to it. Similarly measuring the background noise levels. even at a 5 min. L(A)eq, may not be beneficial.

“The only meaningful measurement would be Lmax, which is a measurement of single noise exposure, between certain hours when the agricultural business is operating. Even so, this wouldn’t necessarily indicate whether that is a statutory noise nuisance or not.

“Consequently, I have concerns regarding this development, as I don’t consider that I can recommend conditions which would be adequate to protect the occupiers of the houses proposed to be erected, in particular, Plot 6.”

[Following receipt of amendments which included the noise mitigation measures];

“The installation of a 2.5 metre high acoustic fence along the southern boundary of the proposal site will go some way to attenuating noise from the neighbouring business, in particular to the rear garden of Plot 6, but also to the ground floor rooms.

“The high wall to first floor level will be effective in attenuating noise to the ground floor rooms and also those parts of the garden area, which it is shielding. Triple glazing the windows, preferably with acoustic ventilation, will be of great benefit to attenuating noise in the rooms so treated. If the fence and the wall are in place, then triple glazing to the first floor room windows will be essential, as they will be above the line of ‘site’ of any noisy activities within the yard next door and not shielded by the fence.

“I would add that without the acoustic fence, the rear garden of Plot 6 will have no protection at all.

“Also, without the acoustic fence and high wall, extra pressure will be placed upon the proprietor of the agricultural business adjacent to Plot 6, who wouldn’t automatically have a defence if he was to be the subject of a complaint of alleged noise nuisance made to Fenland District Council.”

CCC Local Highways Authority (LHA)

5.3 Following amendments to the access layouts;

“Based on the current submission, I have no highway objections subject to the following conditions;

1.) *The buildings shall not be occupied until the means of vehicular access has been laid out and constructed in accordance with the approved plans.*

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

2.) *Prior to the first occupation of the development any gate or gates to the vehicular access shall be set back a minimum of 6m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards.*

Reason: In the interests of highway safety.

3.) *The vehicle turning and parking spaces shown on the approved plans shall be provided before the development is brought into use and shall be retained thereafter.*

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

Environment Agency

- 5.4 *"We have reviewed the information submitted and consider that there are no Agency related issues in respect of this application and we therefore have no comment to make."*

Local Residents/Interested Parties

5.5 Objectors

8 letters of objection received from 4 households in Eastrea; 7 at Wype Road and 1 from Plover Road, raising the following matters;

- Loss of privacy/ overlooking
- Disturbance caused by the adjacent business
- Will affect the ability of the adjacent commercial operation to operate
- The business has never had complaints before
- It would be the Council's responsibility of complaints are received about the noise issues
- Can the deeds stipulate that there may be noise issues from the adjacent business?
- Highways safety impacts – issues of speeding, 30mph road sign needs moving/ traffic calming required
- Footpaths are inadequate
- It would be the Council's responsibility if complaints are received
- Noise mitigation methods are good as long as they are fit for purpose
- The balcony is a privacy issue - but the screen wall will help to block noise – however noise will still get to the balcony space
- Preference is to move the access as per approval F/YR15/0394/F which would move the dwellings away from the business
- Existing telegraph pole on the boundary
- Access – 3 more along Wype Road
- Agricultural land
- Density/Over development
- Design/Appearance
- Drainage – surface water flooding
- Outside DAB
- Wildlife Concerns – loss of hedgerow, trees and foraging areas
- Backfill
- Does not comply with policy
- Local services/schools - unable to cope

- Loss of view/Outlook
- Noise
- Out of character/not in keep with area
- Shadowing/loss of light
- Light Pollution
- Trees
- Visual Impact
- Noise, and (fire) pollution nuisance from building operations
- Existing telegraph pole on the boundary

Supporters

- 5.6 1 letter of support received from a resident of Wype Road raising the following matters;
- 3 separate access will prevent other vehicles using the space to reverse and u-turn.
 - Loss of privacy is not a concern

Representations

- 5.7 2 letters of representation received from residents of Thornham Way, Eastrea and Market Place, Wisbech raising the following matters;
- Glare from solar panels
 - Needs soft landscaping
 - Vibration issues
 - A separate new application is to shortly be submitted for a new access serving 10 plots to the rear of this application site. The access proposed may be considered too close to the field access, which will ultimately be a new access for future development.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

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

Para 91: Promote healthy and safe communities through layouts, routes through sites and public spaces etc.

Para 117: Promote effective use of land

Para 127: Well-designed development

Para 182: Where the operation of an existing business could have a significant adverse effect on new development in its vicinity, the applicant should be required to provide suitable mitigation before the development has been completed.

7.2 National Planning Practice Guidance (NPPG)

7.3 **National Design Guide 2019**

Context
Identity
Built Form
Movement
Nature

7.4 **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
LP6 – Employment, Tourism, Community Facilities and Retail
LP12 – Rural Areas Development Policy
LP14 – Responding to Climate Change and Managing the Risk of Flooding in Fenland
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP19 – The Natural Environment

7.5 **Supplementary Planning Documents/ Guidance:**

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

8 **KEY ISSUES**

- **Principle of Development**
- **Impact on the character and appearance of the area**
- **Access & Highways**
- **Layout, & Scale**
- **Biodiversity & Ecology**
- **Residential amenity & existing businesses**
- **Resident Comments**

9 **BACKGROUND**

9.1 As noted above, this application has undergone a series of revisions; to address the visual impact of the garage serving plot 5; to align the accesses with Local Highways requirements; and to address the noise impact concerns raised by the Council's Environmental Protection team.

9.2 The applicant agreed to provide a suite of amended plans that they sought to gain the LPA's approval for, and upon receipt the Council undertook a round of further consultations with residents and relevant statutory consultees. Shortly following this, the applicant sought to remove the noise mitigation elements through a further suite of amended plans. Officers have advised that they are not willing to accommodate this request, in view of this requiring a further round of consultations at public expense, and that to accept the plans would render the scheme non-policy compliant on noise impact grounds, notwithstanding that it would become a confusing scheme to local residents given the changes.

- 9.3 As such, officers consider that the application in its current format should be determined, for the reasons set out below.

10 ASSESSMENT

Principle of Development

- 10.1 The site previously benefitted from outline planning permission (granted December 2017) for a total of 6 dwellings within the application site and that immediately north. 3 of the 6 dwellings have been built out on the northern parcel of land under application F/YR18/0869/F, leaving the application site undeveloped.
- 10.2 Whilst the outline permission has now lapsed, given that the adjacent site has been permitted and built out and the application site has previously benefitted from planning permission – both granted under the current development plan, the principle for the residential development of the site is established.
- 10.3 Notwithstanding this, the site falls in between existing dwellings, within the developed envelope of Eastrea and constitutes residential infilling as per FLP policies LP3 and LP12.

Layout, Scale and Appearance

- 10.4 The proposed scheme follows those adjacent to the north, in respect of scale, massing, design and materials, and together would form a comprehensive development of 6 large detached dwellings.
- 10.5 The development follows the general pattern of development in this area with dwellings fronting the highway and forms a natural continuation of the built settlement in this respect. The amendments to the garage serving plot 5 has improved the general build line and reduced what would otherwise have been an overly dominant feature in the street scene
- 10.6 The layout enables good movement around the dwellings with access to the rear, ability to present wheeled bins for weekly collection at the edge of the highway and ample parking compliant with FLP standards using both the driveway and garage space. It is acknowledged that the internal depth of the garage serving plot 5 does not accord with the FLP parking standards following the aforementioned revisions. However, there is adequate driveway space to meet these standards without reliance on the garage.
- 10.7 In conclusion, the layout, design and appearance of the development would generally comply with policy LP12 and LP16 of the FLP.

Access & Highways

- 10.8 Policies LP15 and LP16 of the FLP seek to ensure that development can be served by safe and effective access.
- 10.9 The applicant has amended the plans to the satisfaction of the LHA, subject to conditions regarding delivery of the access and parking areas prior to occupation and maintaining satisfactory visibility splays.
- 10.10 Concerns have been raised regarding highway safety matters, with reports of speeding, inadequate footpaths and a request for traffic calming measures and.

The LHA has raised no issues on this point, notwithstanding that if the issues already exist, it would be disproportionate to expect a development of 3 dwellings to mitigate such a pre-existing problem. To make a request to provide highways enhancement/ speed reduction measures, particularly in the absence of any such requests from the LHA would be unlikely to meet the tests of planning obligations and conditions.

Biodiversity & Landscaping

- 10.11 The previous Outline application considered the impact of the development on local ecology and biodiversity noting that at that time, the western boundary hedge was proposed to be removed and therefore imposed a condition requiring a scheme for hedge planting to off-set the loss. No other biodiversity concerns were raised.
- 10.12 This application indicates that the hedge is to be retained and forms the rear garden boundary for each property and as such it is considered that there would be no loss of biodiversity though the development. Notwithstanding this, it is noted that a hedgerow once lined the highway edge and the proposal does not indicate any notable soft landscaping across the frontage. It is considered prudent therefore to require a scheme for soft landscaping align the frontage of the site, to align with the adjacent permission and to soften the impact of the development.
- 10.13 As such, subject to an agreed soft landscaping scheme there would be no evident conflict with policy LP12, LP16 and LP19 of the FLP in respect of biodiversity and landscaping.

Drainage

- 10.14 The site is within Flood Zone 1 considered to be an area at the lowest risk of flooding.
- 10.15 The applicant is proposing to manage surface water drainage via soakaways and the mains drain for foul drainage.
- 10.16 Ultimately, the development would need to accord with the latest Building Regulations - Part H, which would require the development to follow a sustainable drainage hierarchy achieving the most sustainable method of drainage based on the constraints of the site. In this regard it is considered that the proposal is satisfactory in principle but ultimately to be determined through Building Regulations.
- 10.17 It is considered therefore that the proposed methods of foul and surface water are acceptable in principle. As such, it is considered that the development would not conflict with LP14 and LP16 (m) of the FLP.

Residential amenity & existing businesses

- 10.18 The development is notably separated from existing residential properties with the exception of the adjacent farm (south). It is considered that the development would be unlikely to give rise to overshadowing, overbearing/ loss of outlook or adverse privacy impacts. This is in view of its position and orientation - with the south facing elevation only incorporating en-suite windows at first floor, and that the balcony is screened along its southern boundary. Therefore, there is nothing

to suggest that the design of the dwellings could give rise to unacceptable residential amenity impacts on neighbouring occupiers.

10.19 Concerns have been raised in respect of light pollution issues. The scheme is for 3 dwellings and no substantial lighting has been proposed and is likely to be limited to standard domestic lighting e.g. security lights etc. Notwithstanding this, the Council's Environmental Protection team have powers to tackle nuisance light sources and would be the appropriate service to investigate any future potential issues in this regard.

10.20 The site lies adjacent to an established agricultural engineering business which is located south of the site and has a series of sheds along its northern boundary immediately adjacent to the boundary of plot 6.

10.21 The owner of the business has raised concerns over allowing residential development in close proximity to his premises – noting that they may create a nuisance through noise which they have so far been able to do without raising any issues. The owner is concerned that their operations could interfere with the amenity of future occupiers resulting in restrictions being placed on their future operations to mitigate this. A review of the planning history for the farm does not indicate that any operational restrictions are placed upon it.

10.22 The Council's Environmental Protection team has raised serious concerns over the relationship and proximity of the application site to the business and considers that the existing business is likely to have a detrimental effect on the use and enjoyment of the future residential properties, particularly at plot 6.

10.23 Policy LP16(o) is relevant to this matter and states (summarised);

“Proposals for all new development...will only be permitted if it can be demonstrated that the proposal...does not result in any unreasonable constraint(s) or threaten the operation and viability of existing nearby or adjoining businesses or employment sites by introducing “sensitive” developments.”

10.24 This accords with paragraph 182 of the NPPF and the latest Planning Practice Guidance which states;

“Noise needs to be considered when new developments may create additional noise and when new developments would be sensitive to the prevailing acoustic environment.”

(Paragraph: 001 Reference ID: 30-001-20190722, 22.07.2019)

10.25 Following proactive negotiations, the applicant has revised the proposal for Plot 6, incorporating noise mitigation in the interest of protecting the amenity of future occupiers. This is achieved through the inclusion of an acoustic fence along the southern boundary, a high-level screen wall at first floor level on the northern western corner of the dwelling (which also leads onto a balcony arrangement) and with first floor rear windows to include triple glazing and acoustic ventilation.

10.26 NPPF paragraph 182 states;

“Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be

required to provide suitable mitigation before the development has been completed.”

- 10.27 The Council’s Environmental Protection team has reviewed the scheme and has concluded that the measures proposed would substantially improve the relationship between the business and Plot 6. As such, it is considered that the development complies with the requirements of LP16(o) and NPPF paragraph 182.
- 10.28 Notwithstanding this, comments regarding potential ground contamination from the adjacent engineering business are noted and it is prudent to include a condition controlling any unsuspected contamination that may be found during construction.

Resident Comments

Noise, and (fire) pollution nuisance from building operations

- 10.29 It is understood that some residents have expressed concerns over previous fires and clearance work at the site. These do not constitute ‘development’ and any future concerns should be directed toward the Council’s Environmental Protection team who have powers to tackle such matters. In this regard, given that the scheme is for only 3 dwellings, it is considered unnecessary and disproportionate to require any kind of construction management plan for the development. Such details are usually limited to large-scale development or sites that are constrained by dense housing.

Vibration

- 10.30 One resident at Thornham Way (c.190m north west of the site) raises concerns over vibration experienced with the adjacent development. Again, any future concerns should be directed toward the Council’s Environmental Protection team who have powers to tackle such matters.

Existing telegraph pole on the boundary

- 10.31 It is acknowledged that a telegraph pole is sited on the southern boundary of Plot 6, adjacent to the engineering business. It would be incumbent upon the developer to establish future maintenance access to this infrastructure, if they are restricting access through their development. This would ultimately be a matter between the developer, the power and/ or telecommunications company and any other interested parties to resolve.

A separate new application is to shortly be submitted for a new access serving 10 plots to the rear of this application site.

- 10.32 It is acknowledged that the LPA are in receipt of an Outline planning application for up to 10 dwellings on land immediately west of the site (application F/YR20/1250/O). The application commits only access which proposes to utilise the agricultural access to serve the development, which would run between plot 4 and plot 3 of the development to the north and which appears to be 6m in width and therefore likely (without prejudice) to be wide enough to accommodate the development. Having regard to the indicative layout, there does not appear to be any significant conflict with the outline proposal and the scheme to be determined here. However, given that matters of layout are not committed in the outline application, it is not possible to make a detailed assessment of this. In summary, this application does not raise any issues of conflict with the outline planning application currently being assessed.

Applicant’s comments to the proposed amendments

- 10.33 As noted at section 9 above, the applicant has sought to further amend their plans, to limit the noise mitigation that they previously agreed to and have proposed in the current plans. They disagree that the mitigation is necessary as this was not required on the site to the south of the neighbouring business for 2 bungalows and nor was it required for the recent engineering shed approved on the adjacent agricultural engineering site.
- 10.34 In respect of the latter, the engineering business is established and operates without any restrictions. The recent approval was for a barn/ shed for the engineering operations and is proposed to replace an existing array of barns. Given that any noise issues arising from operations would have already existed and were not anticipated to be exacerbated by the proposal, to require noise mitigation would not meet the tests of planning conditions as they would be sought to address a pre-existing problem and would therefore be unreasonable. Only where the development creates a problem and requires mitigating, is it reasonable to use such planning conditions to make the development acceptable. In this case, locating the dwelling as proposed would create a relationship issue with the existing business and therefore mitigation is justified.
- 10.35 In respect of the matter of the 2 bungalows granted in 2019, the Council's Environmental Protection team (EP) did raise the issue of noise and compatibility at that time. However, the recommendations/ concerns put forward by the EP were not agreed by the Council's Planning Committee. The EP have undertaken a further visit to the adjacent business for this latest application and have clarified their concerns. Officers consider that the advice from the EP is relevant for this proposal, having regard to policies LP2 and LP16(o) and have agreed to the suite of noise mitigation proposed by the applicant. The EP team has concluded that the measures are satisfactory and necessary.
- 10.36 The applicant also raises issue that the matter of noise impacts was not raised at the 2017 outline planning stage. Having regard to the officer report for that proposals it is acknowledged that this issue wasn't raised, notwithstanding that matters of layout, scale, appearance and landscaping were not committed.
- 10.37 In this regard, it is apparent that the matter of potential noise issues only came to light upon receipt of the proposal for the aforementioned 2 bungalows in 2019, following a visit to the business by the Council's EP team. Whilst this is unfortunate, this is now a material planning consideration against which there are clear national and local policy drivers as set out above. As such, the advice from the EP team cannot be ignored and the burden would fall to the developer to mitigate against. It is also noted that the indicative layout for the outline application proposed a much smaller dwelling for Plot 6, set almost directly alongside the dwelling at 182 Wype Road, which would have likely afforded it better noise protection. However, this scheme proposes a much larger dwelling, set further back alongside the engineering sheds and yard and therefore requires the necessary and proposed noise mitigation, in officers' view.
- 10.38 The applicant also refers to delays in the validation, assessment and decision-making process of this application. These issues are not material to the consideration of this application.

11 CONCLUSIONS

- 11.1 The principle of developing this site is supported by Policy LP3 and through the planning history of the wider site. The layout and design of the development is

considered acceptable having regard to the general character of the area. The proposal is not considered to have a significant detrimental impact on the surrounding properties, or the local highway and the inclusion of the noise mitigation measures would enable a compatible relationship with the established engineering business adjacent.

11.2 As such the application is recommended for approval.

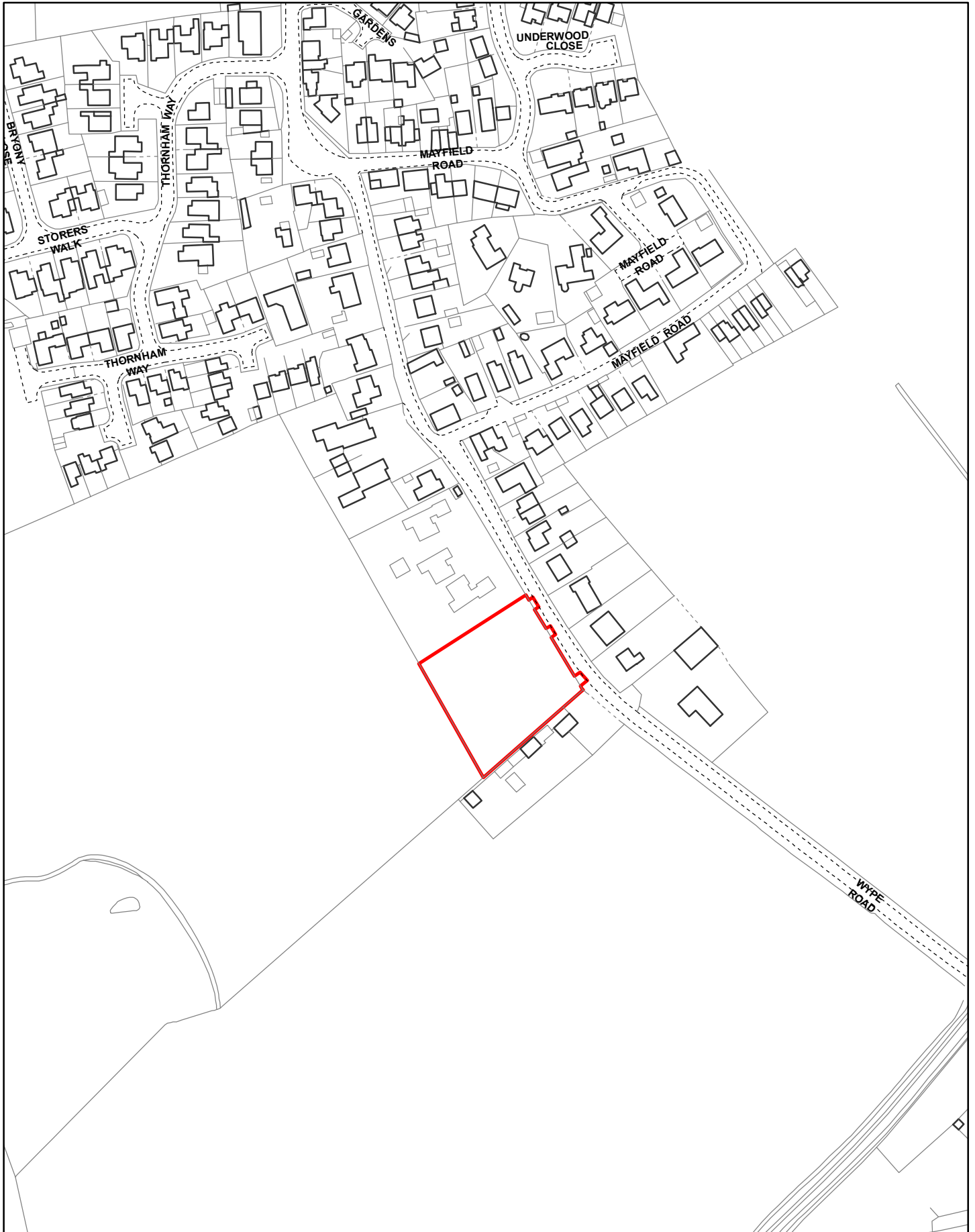
12 RECOMMENDATION

12.1 Approve subject to the following conditions;

1	The development permitted shall be begun before the expiration of 3 years from the date of this permission.
2	<p>No works shall proceed above ground level until a scheme of soft landscaping along the eastern boundary of the site has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the details approved.</p> <p>Reason: in order to provide a satisfactory appearance to the development and to enhance biodiversity opportunities in accordance with policies LP12, I16 and LP19 of the Fenland Local Plan, 2014.</p>
3	<p>All soft landscape works shall be carried out in accordance with the approved details, including the retention of the hedgerow on the western boundary as detailed on plan reference SE-1449: PP1000 Revision B. All planting seeding or turfing and soil preparation comprised in the landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased (except those contained in enclosed rear gardens to individual dwellings) shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure proper implementation of the agreed landscape details in the interest of the amenity and biodiversity value of the development in accordance with Policy LP16 and LP19 of the Fenland Local Plan 2014.</p>
4	<p>The windows serving the en-suites and bathrooms at 1st floor level shall be obscure glazed and retained as such in perpetuity.</p> <p>Reason: To protect the privacy of adjacent neighbours in accordance with policy LP16 of the Fenland Local Plan, 2014.</p>
5	The access, parking and turning area serving each individual dwelling as shown on plan reference SE-1449: PP1000 Revision B shall be provided as detailed on the plan prior to the first occupation of each respective dwelling and thereafter retained in perpetuity for that purpose.

	<p>Reason: To ensure the permanent availability of the parking / manoeuvring in the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
6	<p>The acoustic fence proposed along the southern boundary of Plot 6 as detailed on plan reference SE-1449: PP1000 Revision B shall be erected prior to the first occupation of Plot 6 and thereafter retained in perpetuity.</p> <p>Reason: In the interests of protecting the amenity of future occupiers and to prevent conflict with the adjacent business in accordance with policy LP2 and LP16 of the Fenland Local Plan, 2014.</p>
7	<p>The following acoustic measures as detailed on plan reference: SE-1449: PP1102 Revision B shall be installed/ erected prior to the first occupation of the dwelling of Plot 6 and thereafter retained as specified in perpetuity;</p> <ul style="list-style-type: none"> • Triple Glazing with acoustic vents serving windows to bedrooms 2, 3 and 5, • Acoustic vents serving en-suite windows to bedrooms 2 and 5, • The 1.5m high screen wall along the southern boundary serving the balcony of bedroom 2. <p>Reason: In the interests of protecting the amenity of future occupiers and to prevent conflict with the adjacent business in accordance with policy LP2 and LP16 of the Fenland Local Plan, 2014.</p>
8	<p>Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:</p> <p>i) the erection of house extensions to the rear of plot 6 including conservatories (as detailed in Schedule 2, Part 1, Classes A and D);</p> <p>ii) alterations including the installation of additional windows or doors, including dormer windows or roof windows to any dwelling (as detailed in Schedule 2, Part 1, Classes A and B);</p> <p>iii) alterations to the roof of the dwellinghouse to any dwelling (as detailed in Schedule 2, Part 1, Class C);</p> <p>Reason: In the interests of visual and residential amenity having regard to the scale of the development and the location of the potential noise source adjacent, in accordance with policies LP2 and LP16 of the Fenland Local Plan, 2014.</p>
9	<p>Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town & Country Planning (General Permitted Development) (England) Order 2015, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), no gates shall be located within 6m of the highway.</p> <p>Reason: In the interests of highway safety in accordance with policy LP15 of the Fenland Local Plan, 2014.</p>
10	<p>If, during development, contamination not previously identified is found to be</p>

	<p>present at the site:</p> <ul style="list-style-type: none"> (i) it shall be reported to the Local Planning Authority within 1 working day; (ii) no further development (unless otherwise agreed in writing by the local planning authority) shall be carried out until site investigations have been carried out and a remediation strategy has been submitted to and approved in writing by the local planning authority detailing how this unsuspected contamination will be dealt with; (iii) the remediation strategy shall be implemented as approved; (iv) no occupation of any part of the development identified in the remediation strategy as being affected by the previously unidentified contamination shall take place until: <ul style="list-style-type: none"> a. the approved scheme has been implemented in full and any verification report required by the scheme has been submitted to and approved in writing by the local planning authority; b. if required by the local planning authority, any proposals for long-term monitoring of pollutant linkages, maintenance and arrangements for contingency action have been submitted to and approved in writing by the local planning authority. (v) the long-term monitoring and maintenance plan shall be implemented as approved. <p>Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with LP2 and LP16 of the Fenland Local Plan 2014.</p>
11	<p>Approved Plans:</p> <ul style="list-style-type: none"> -<i>Location and Site Plan</i> -<i>Elevations and Floor Plans</i>



Created on: 05/10/2020

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F/YR20/0902/F

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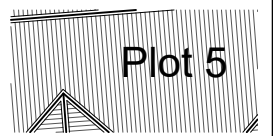
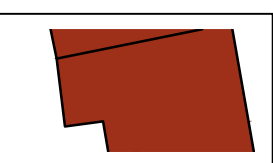
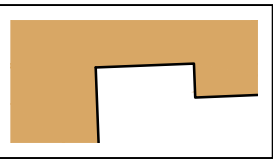
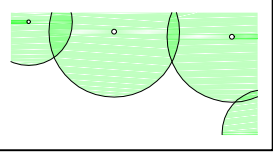
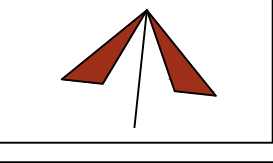
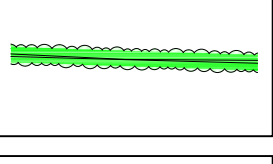
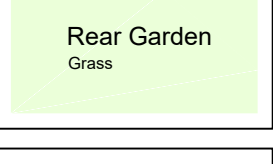
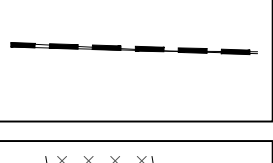
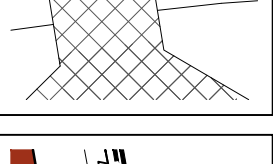
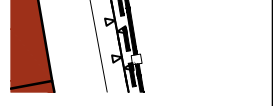


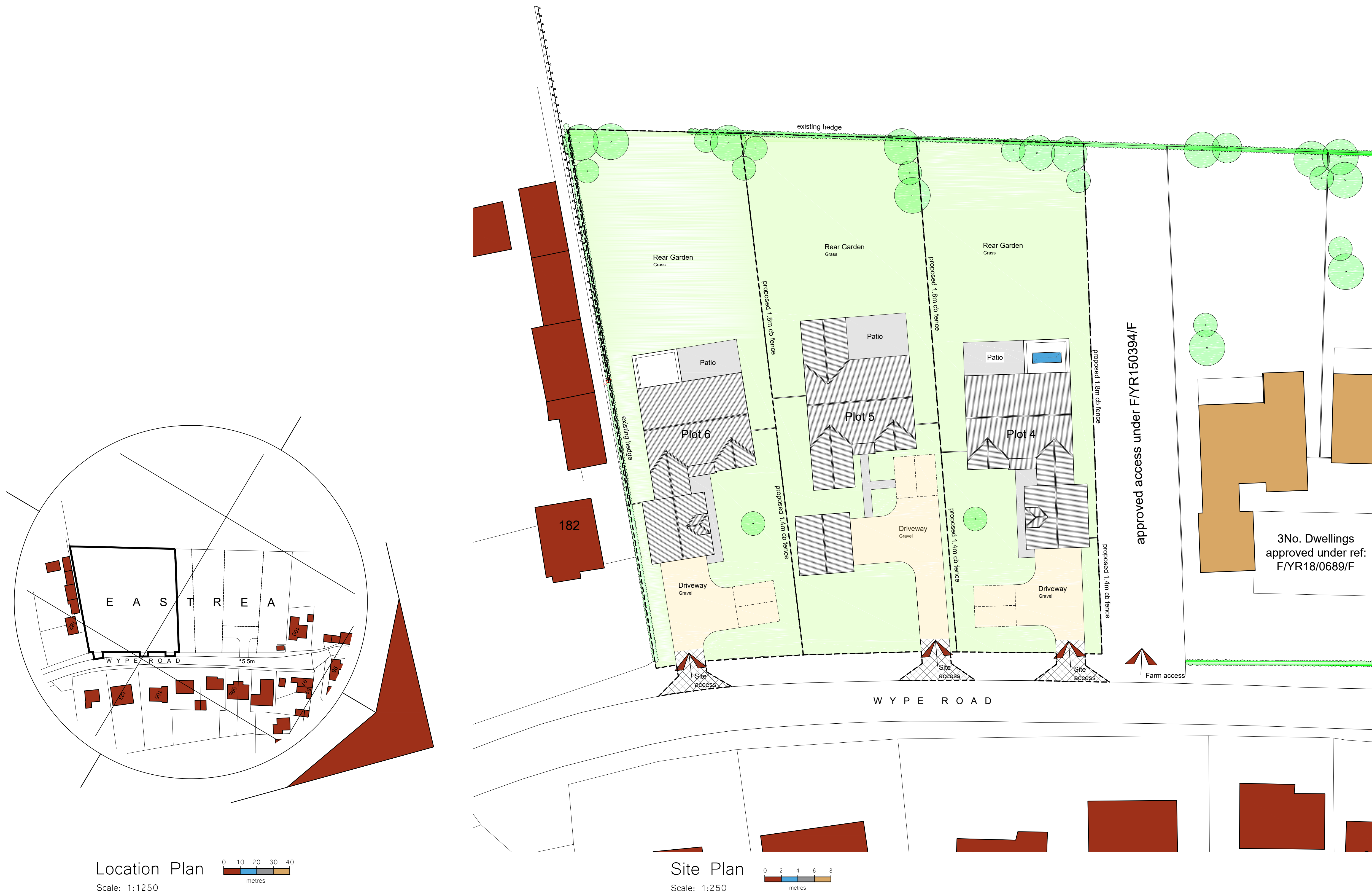
- General Notes
1. All dimensions are shown in 'mm' unless otherwise stated.
 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 4. Any discrepancies are to be brought to the designers' attention.

CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 2015

The following information must be read in conjunction with the project Risk register. This drawing highlights significant design related Health & Safety Risks present during Construction phase, and Residual Risks which remain post completion. Other Health & Safety Risks associated with Construction Activities may be present, and must be identified by the Principal Contractor prior to works commencing. Design Risks relating to specialist design items must be identified by the relevant specialist designers/ consultants as issued to the Principal Designer.

SITE PLAN KEY

-  Indicates proposed buildings
-  Indicates neighbouring buildings from OS plan
-  Indicates neighbouring buildings approved under ref: F/YR18/0689/F
-  Indicates proposed trees
-  Indicates site access point
-  Indicates existing hedges
-  Indicates proposed grassed areas
-  Plot boundaries
-  3.5 x 5.0m access to be sealed and drained away from the highway to Cambs CC Highways Specification
-  2.4m High Acoustic Fence



approved access under F/YR150394/F

3No. Dwellings approved under ref: F/YR18/0689/F

Revisions

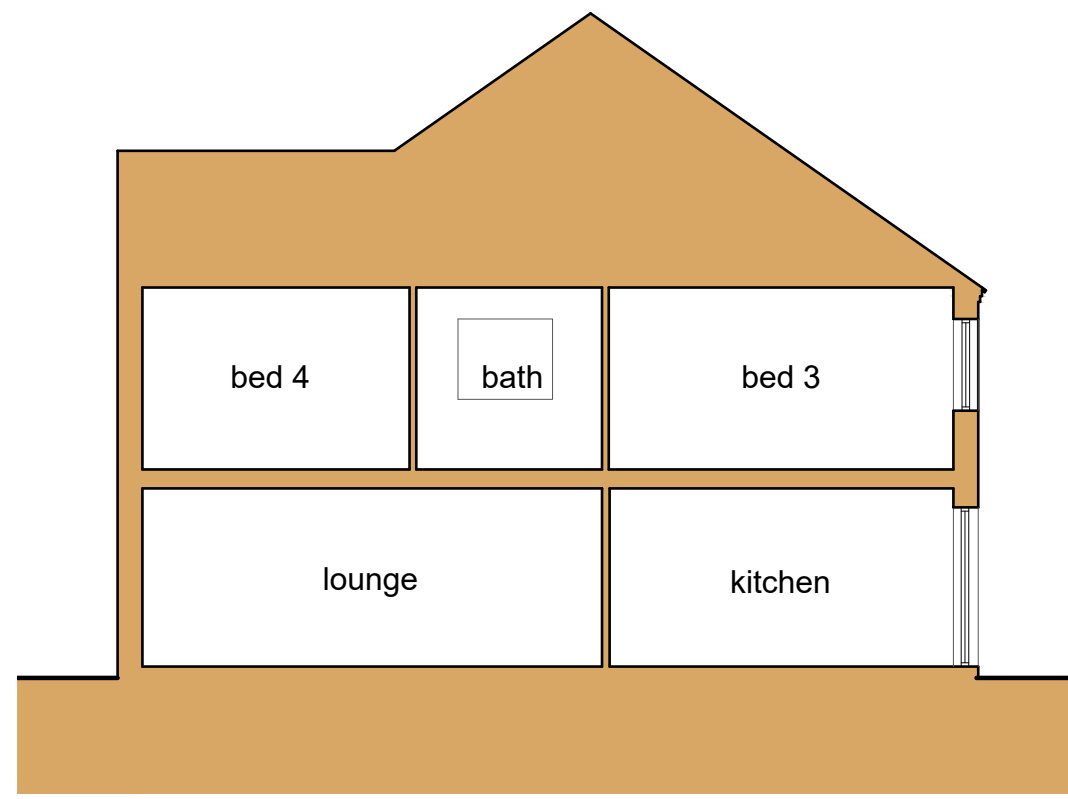
B	Nov 2020	Revised following Planning Comments
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Status: **FOR APPROVAL**

SWANN EDWARDS ARCHITECTURE

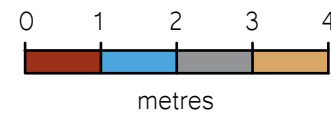
Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
 t: 01945 450634 e: info@swannedwards.co.uk w: www.swannedwards.co.uk

Job Title Proposed Residential Development Land N. Eastrea Hill Farm 182 Wype Road, Eastrea For: GL Developments	Date August 2020	Drawn by CR
Drawing Title Planning Drawing Site Plan	Job No. SE-1449	Checked by RS
Dwg No. PP1000	Sheet Size A1	Revision B



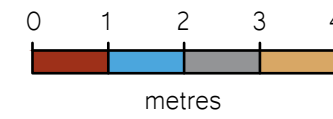
Section A-A

Scale: 1:100



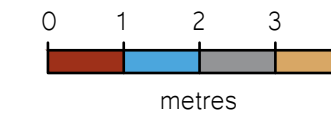
Front Elevation

Scale: 1:100



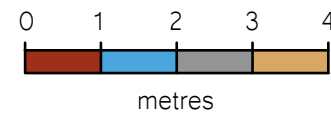
Side Elevation

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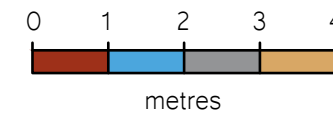
Inner Front Elevation

Showing Door and Sidelight Scale: 1:100



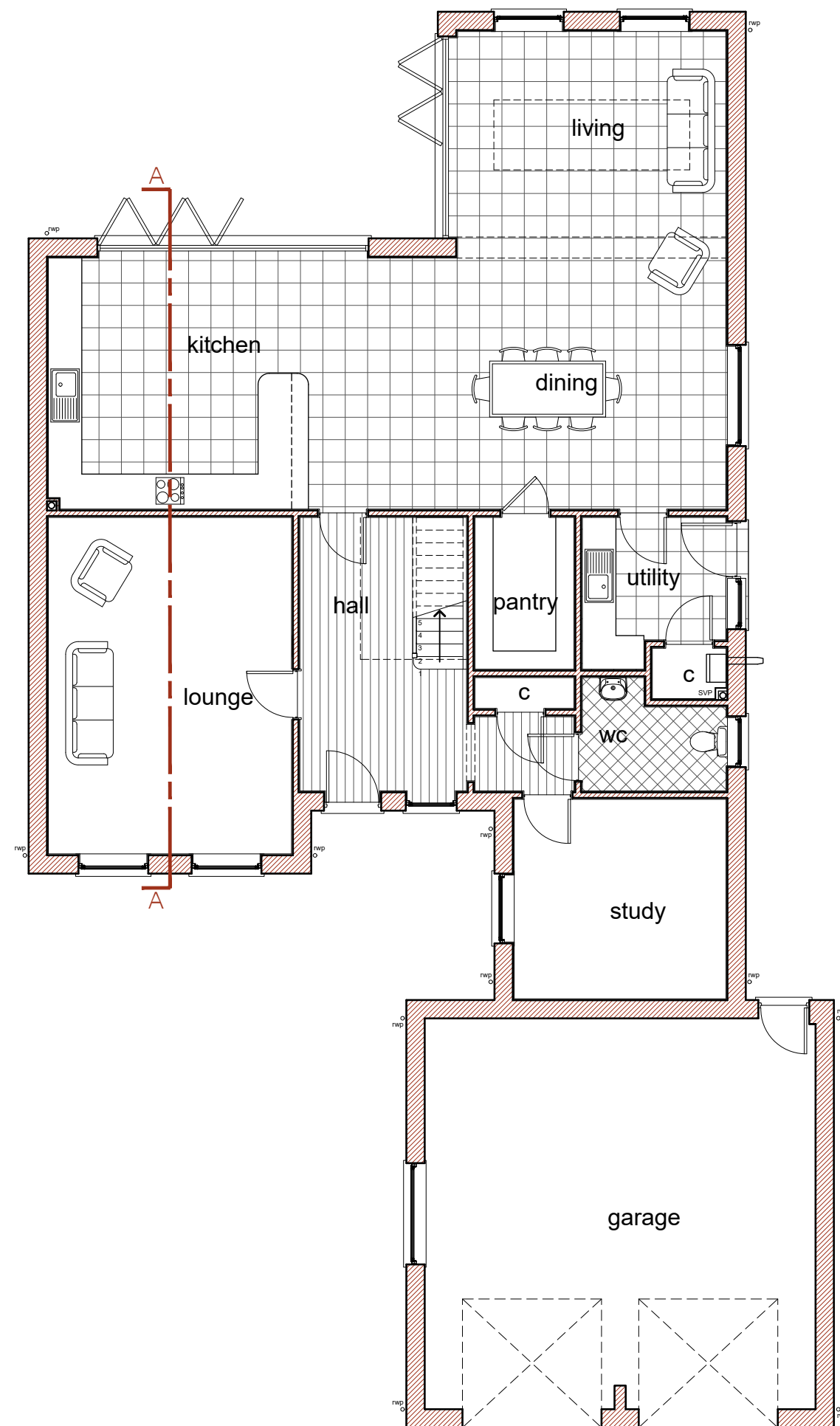
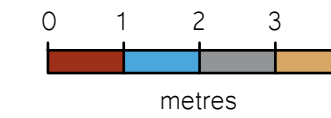
Rear Elevation

Scale: 1:100



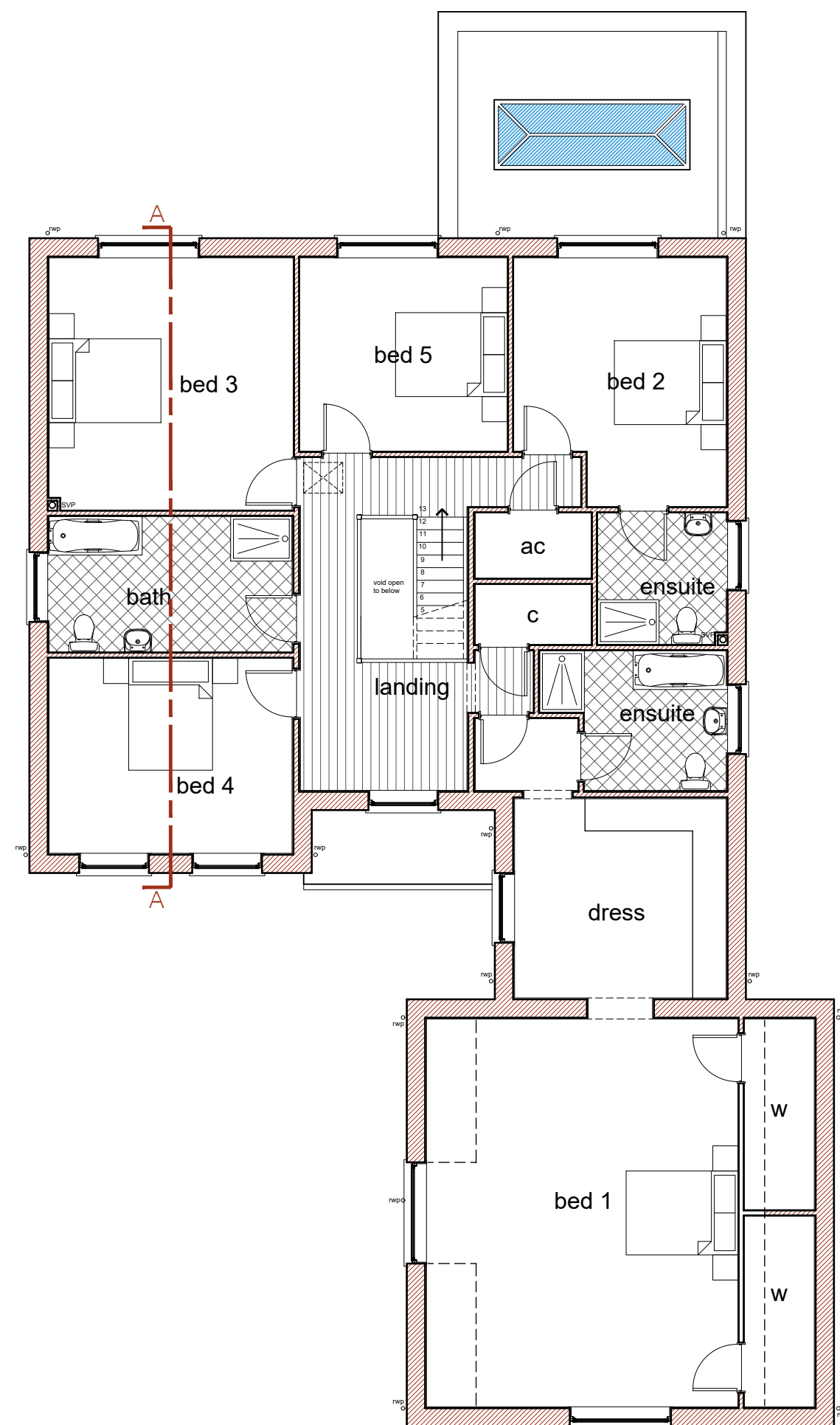
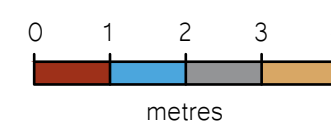
Side Elevation

Scale: 1:100



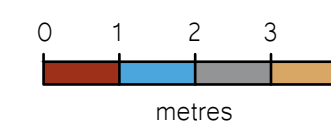
Ground Floor Plan

Scale: 1:100



First Floor Plan

Scale: 1:100

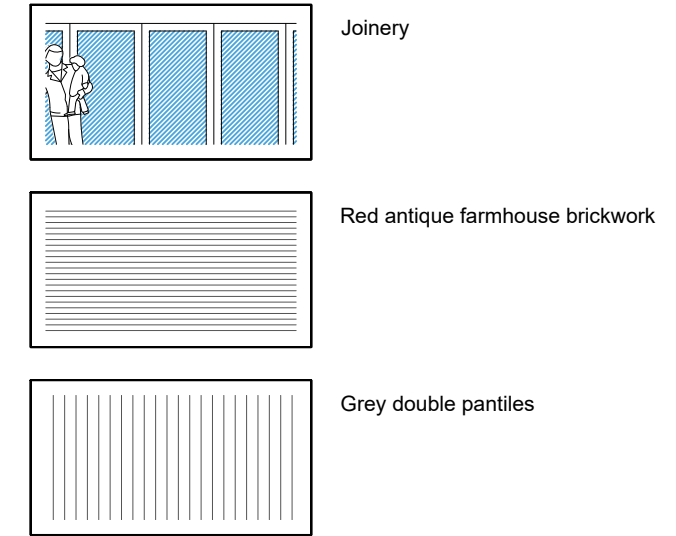


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CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 2015

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ELEVATION KEY



Revisions		Planner Comments
A	Sept 2020	Inner Front Elevation, Canopy Elevation

Status: **FOR APPROVAL**



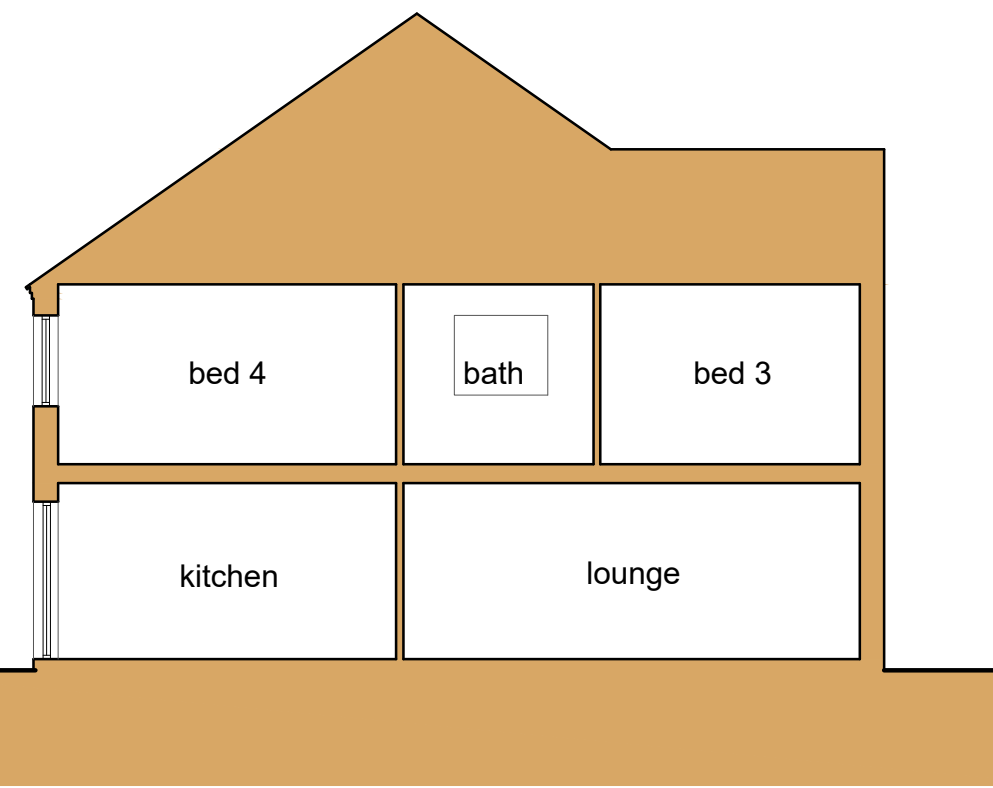
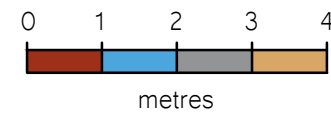
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t: 01945 450694 e: info@swannedwards.co.uk w: www.swannedwards.co.uk

Job Title Proposed Residential Development Land N. Eastrea Hill Farm 182 Wype Road, Eastrea For: GL Developments	Date August 2020	Drawn by CR Checked by RS
Drawing Title Planning Drawing Plot 4 - Plans and Elevations	Job No. SE-1449 Dwg No. PP1100	Sheet Size A1 Revision A



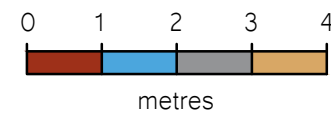
Front Elevation

Scale: 1:100



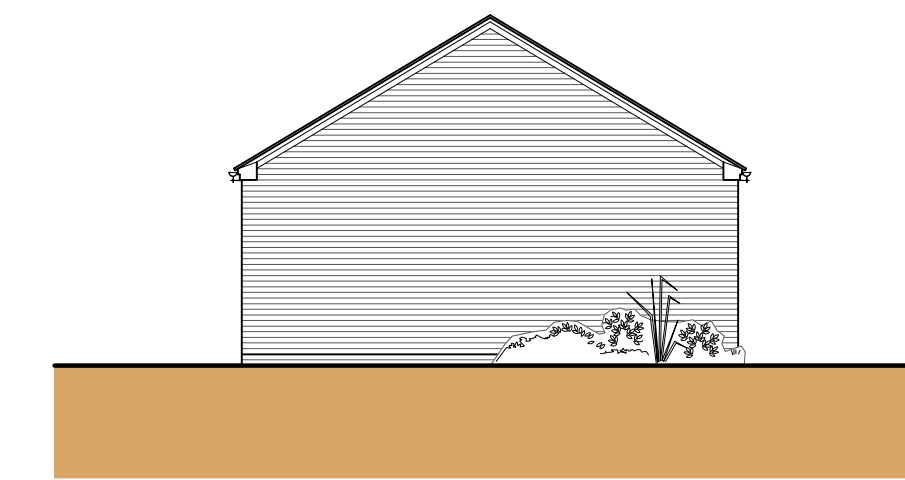
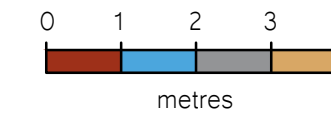
Section B-B

Scale: 1:100



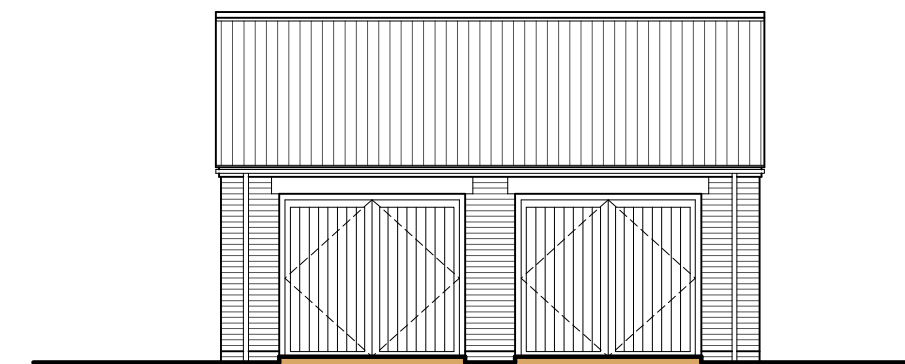
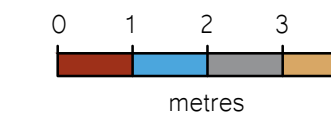
Side Elevation

Scale: 1:100



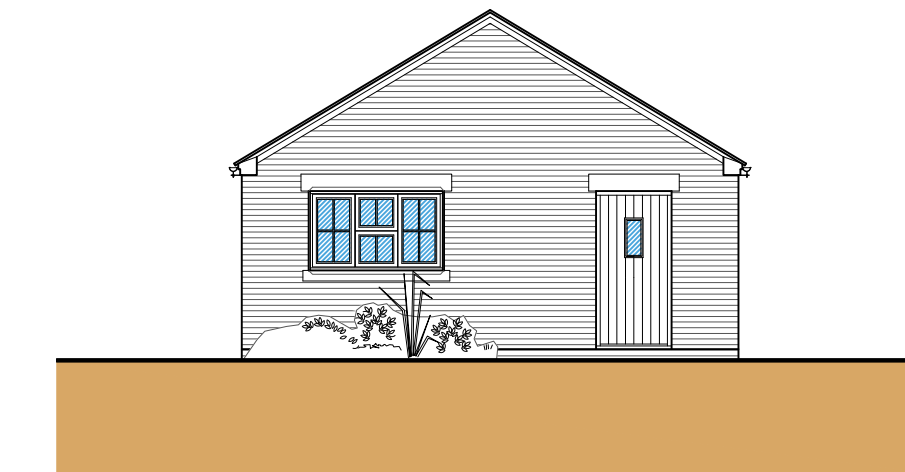
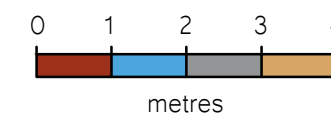
Front Elevation

Scale: 1:100



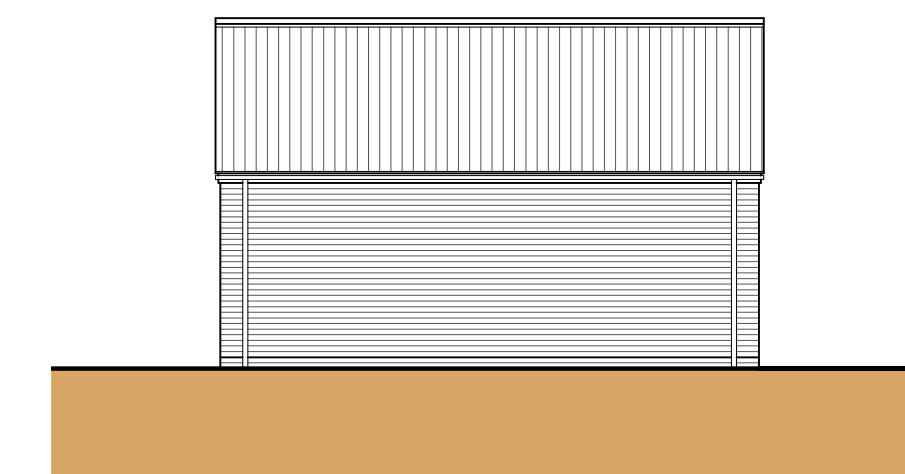
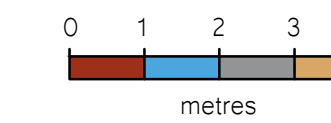
Side Elevation

Scale: 1:100



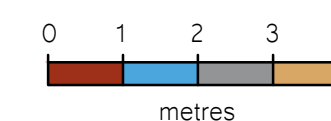
Rear Elevation

Scale: 1:100



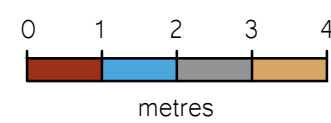
Side Elevation

Scale: 1:100



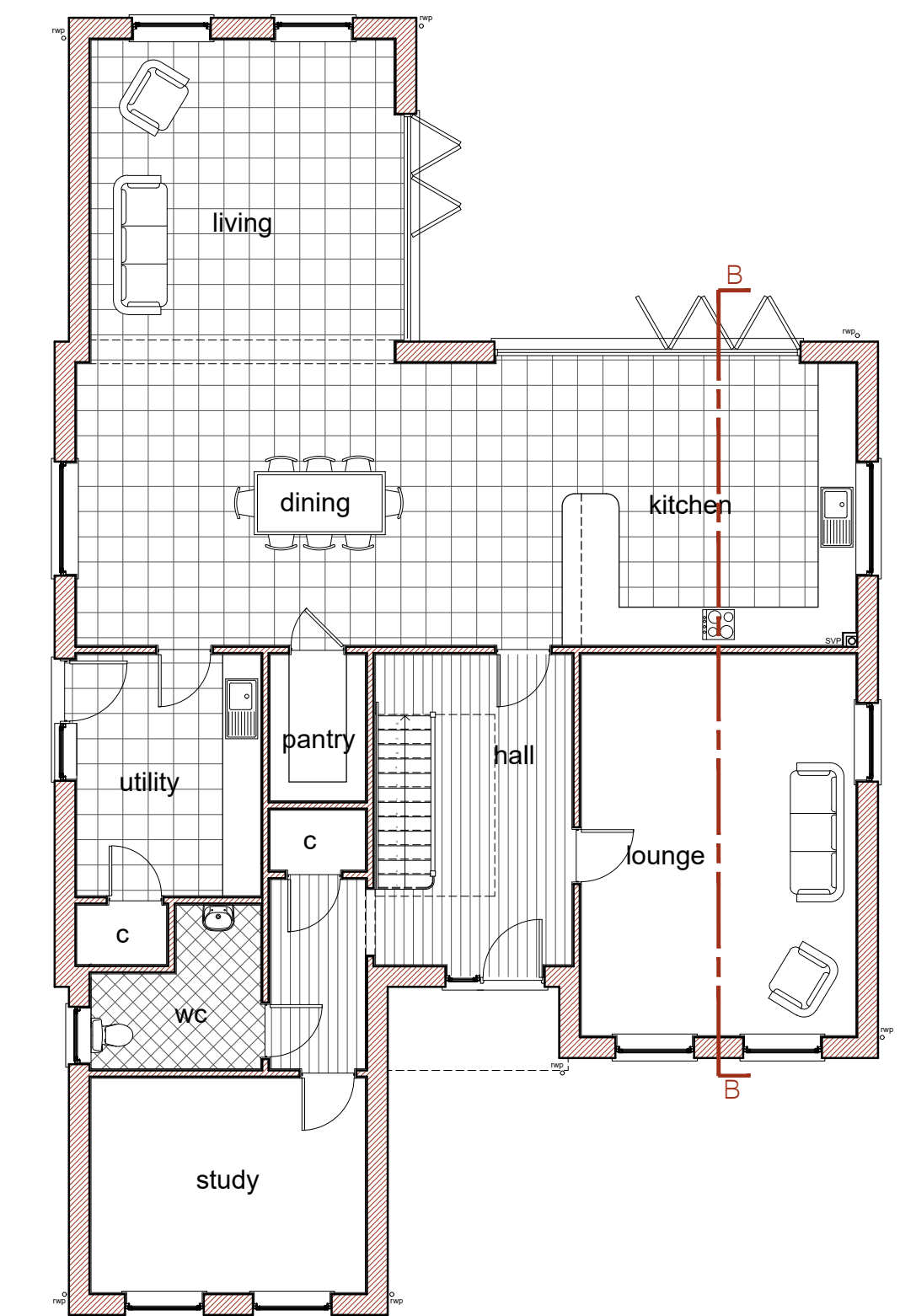
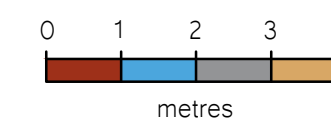
Rear Elevation

Scale: 1:100



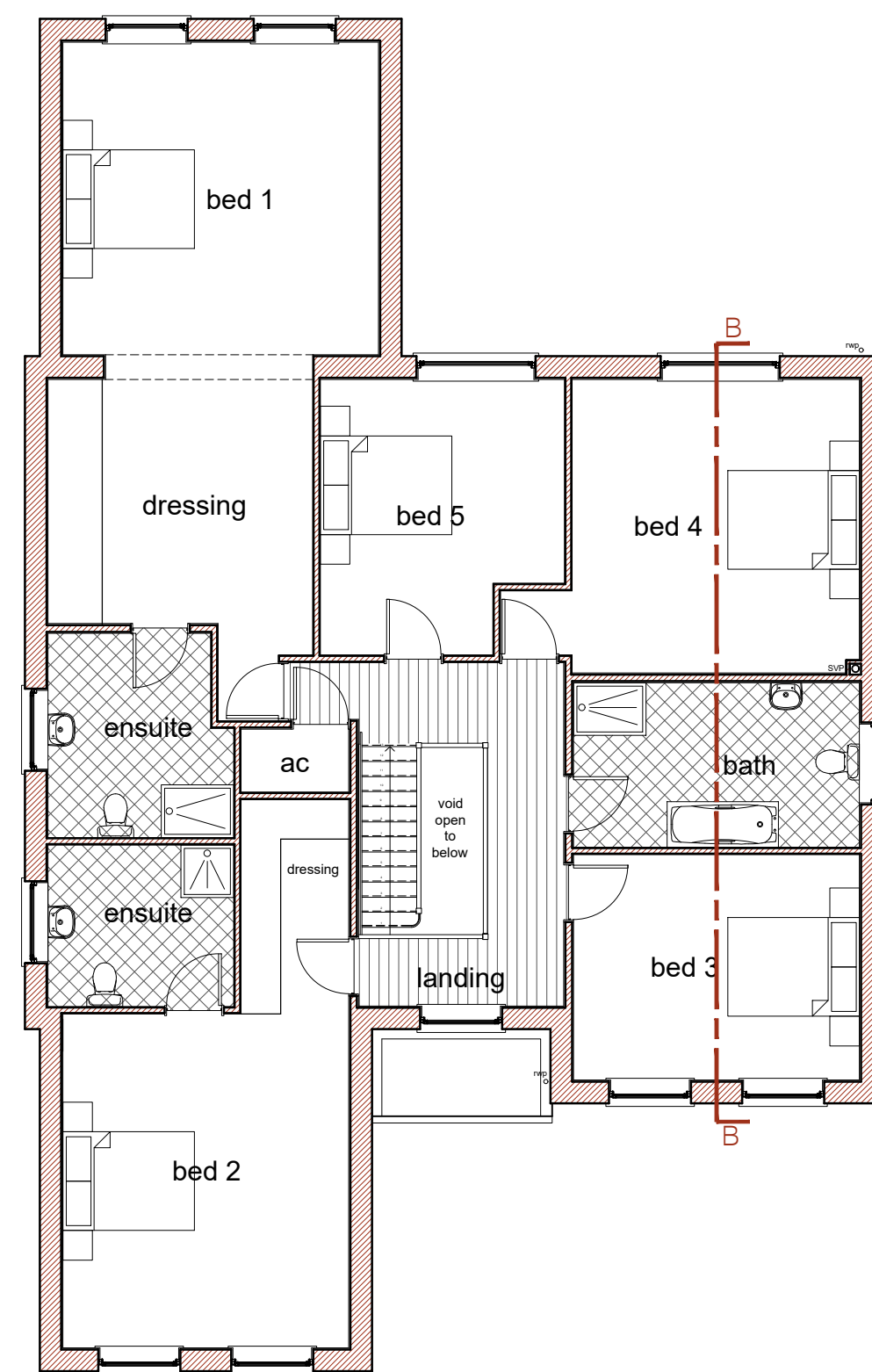
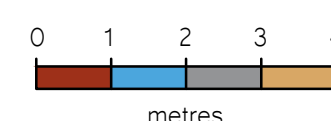
Side Elevation

Scale: 1:100



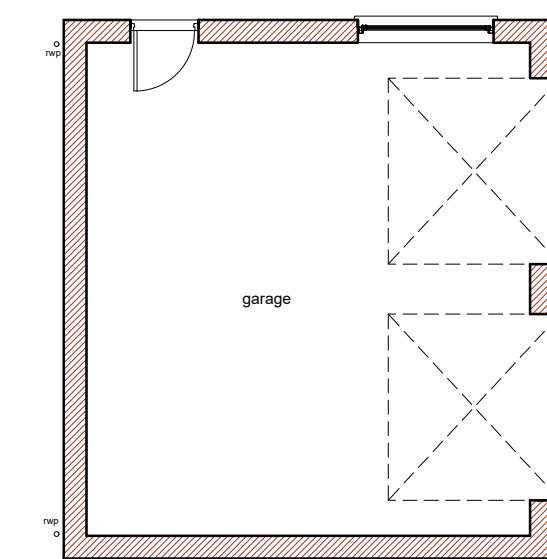
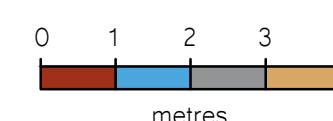
Ground Floor Plan

Scale: 1:100



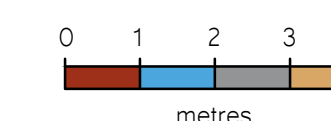
First Floor Plan

Scale: 1:100



Garage Floor Plan

Scale: 1:100

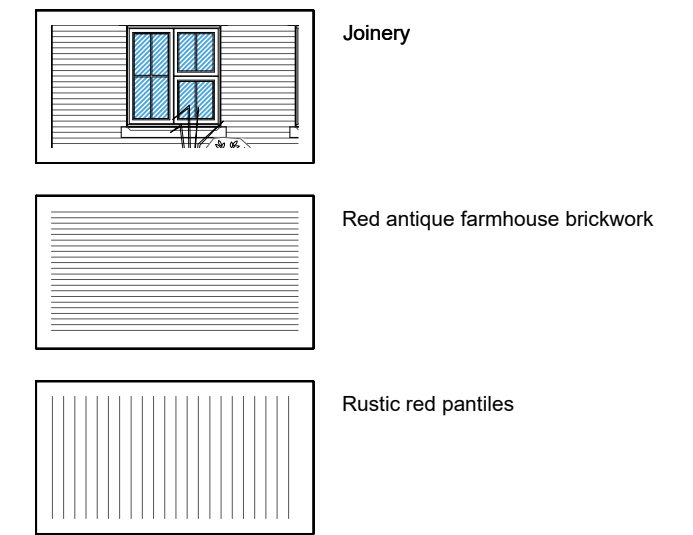


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ELEVATION KEY



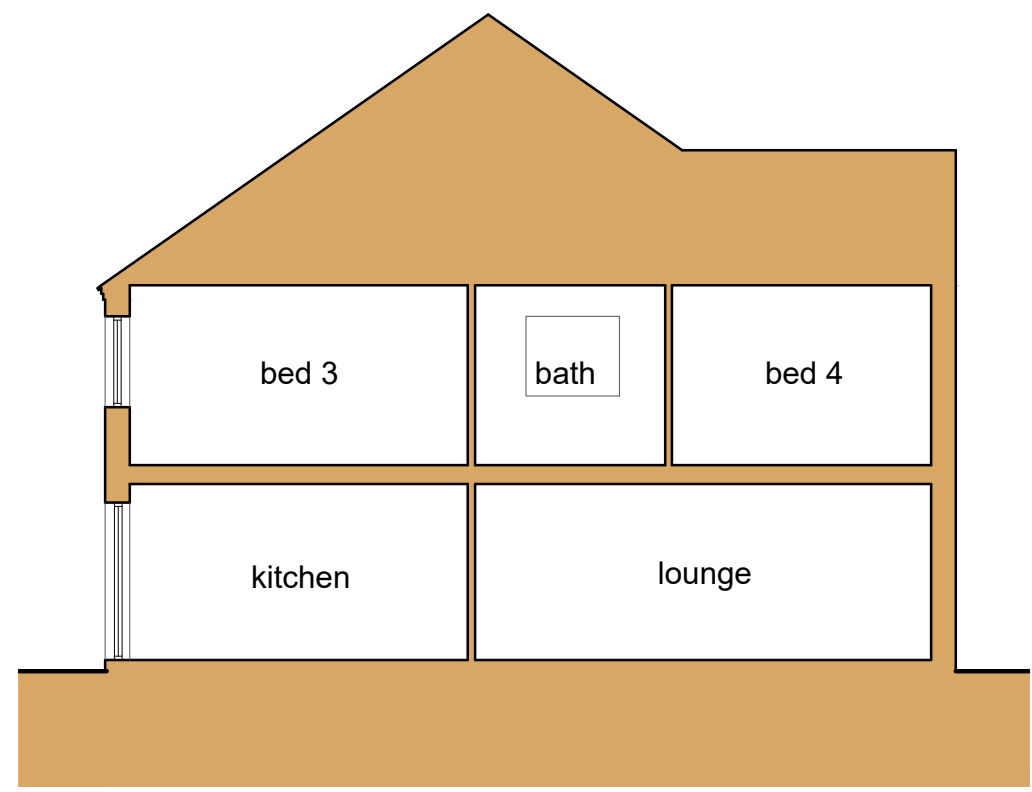
Revisions	
D	Nov 2020 Planners Comments Revised Garage Size

Status
FOR APPROVAL



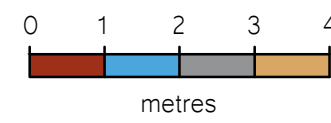
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t: 01945 450634 e: info@swannedwards.co.uk w: www.swannedwards.co.uk

Proposed Residential Development Land N. Eastrea Hill Farm 182 Wype Road, Eastrea For: GL Developments	Job Title Date August 2020	Drawn by CR Checked by RS
Planning Drawing Plot 5 - Plans and Elevations	Job No. SE-1449	Sheet Size A1
	Dwg No. PP1101	Revision D



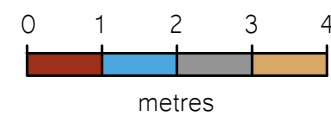
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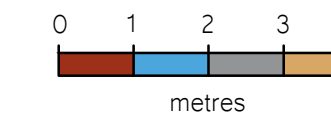
Front Elevation

Scale: 1:100



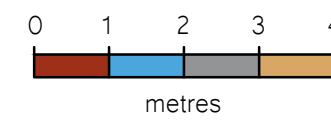
Side Elevation

Scale: 1:100



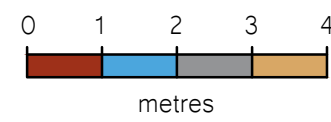
Inner Front Elevation

Showing Door and Sidelight Scale: 1:100



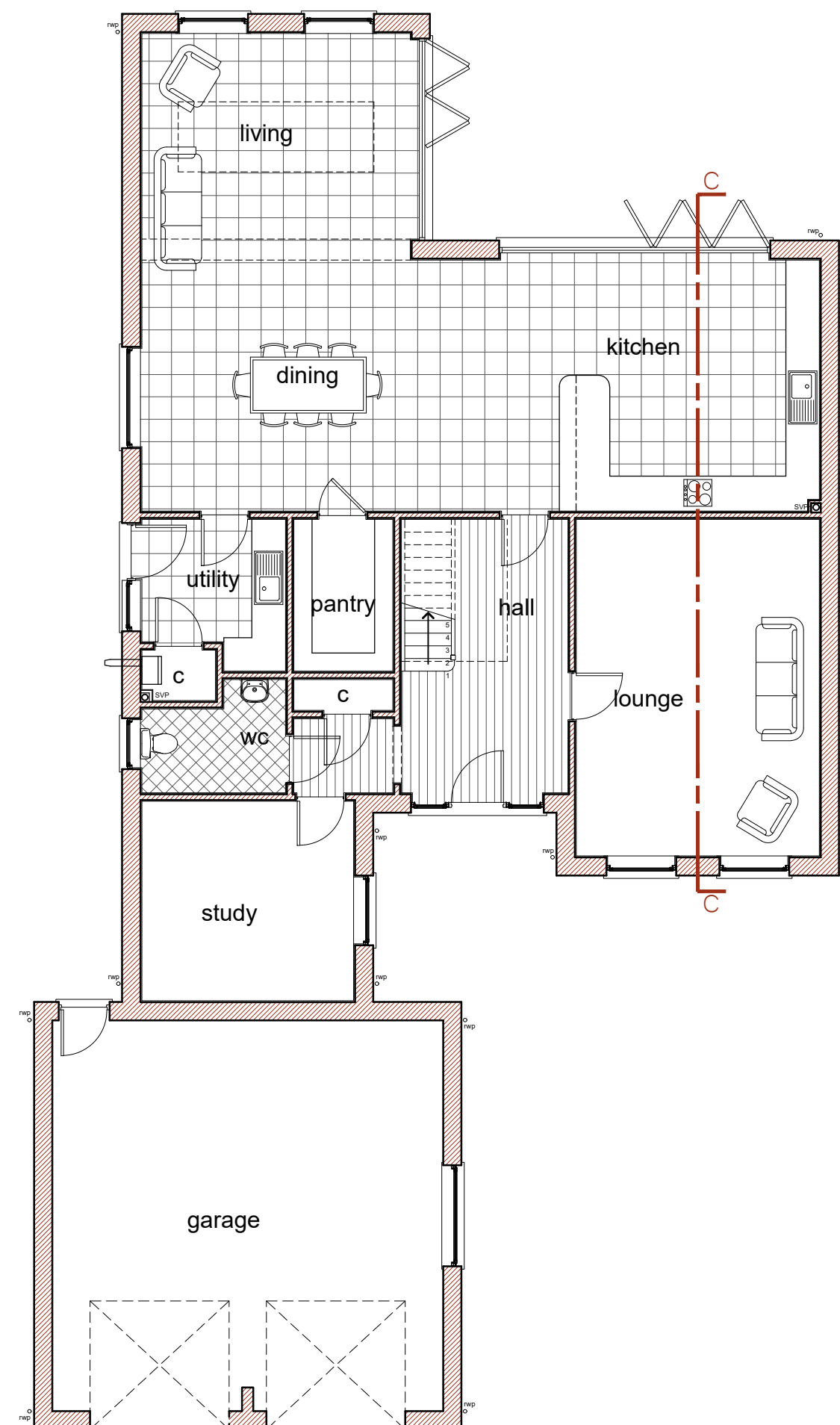
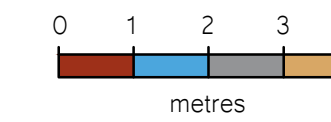
Rear Elevation

Scale: 1:100



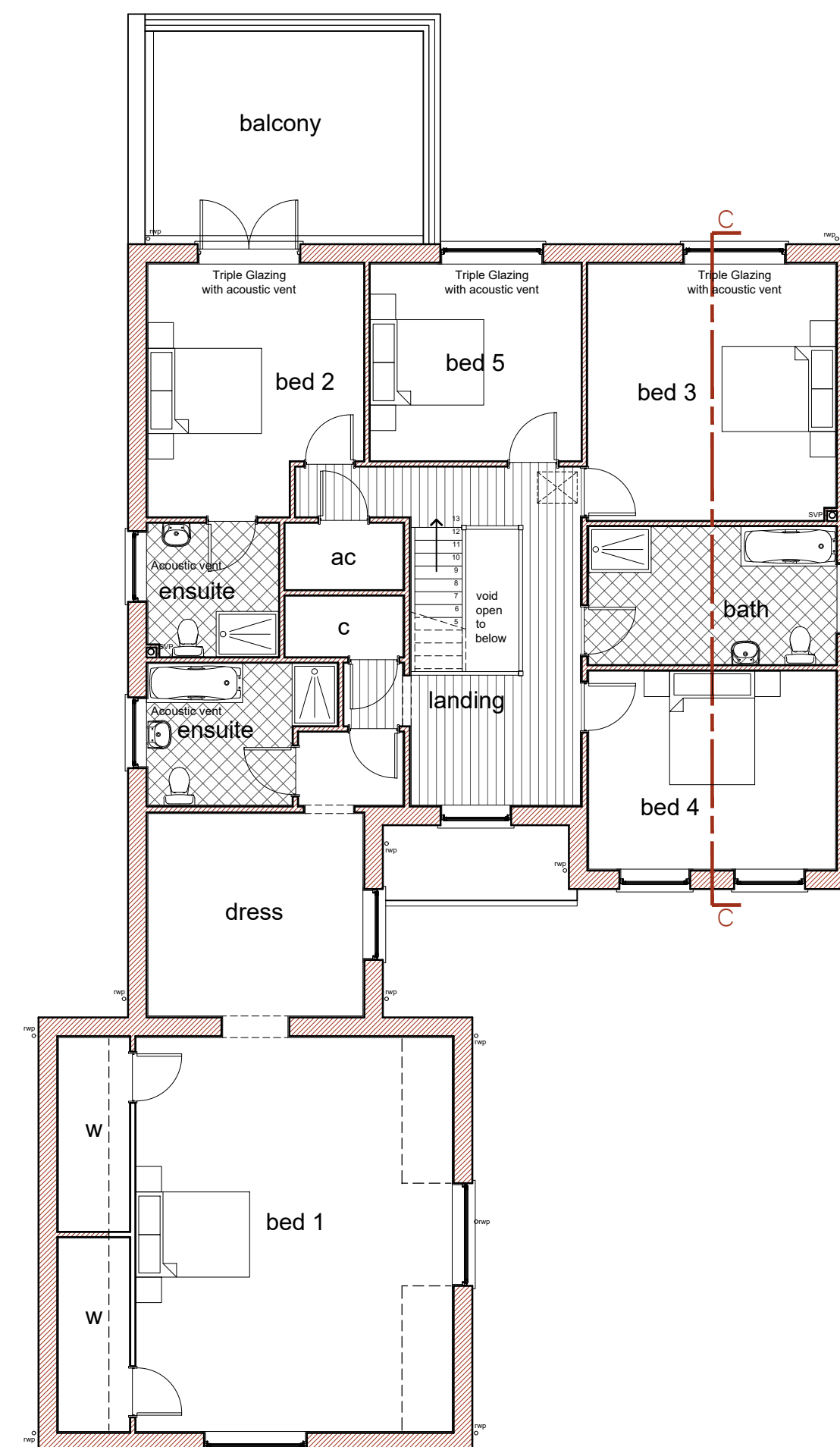
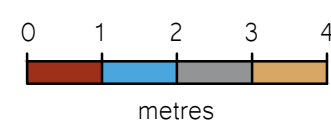
Side Elevation

Scale: 1:100



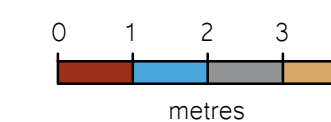
Ground Floor Plan

Scale: 1:100



First Floor Plan

Scale: 1:100

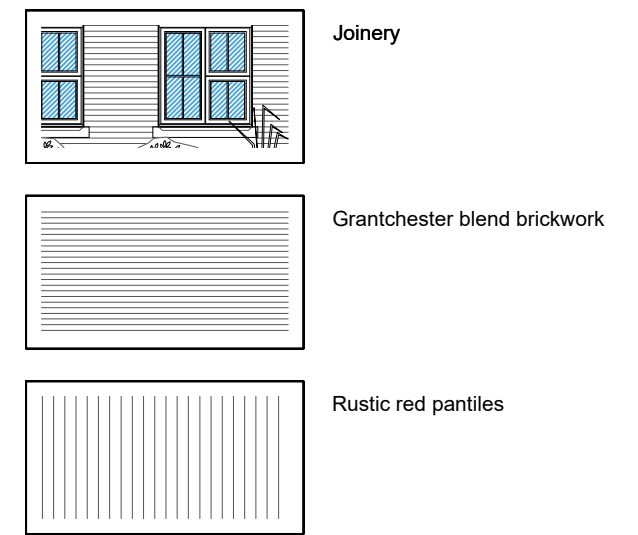


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ELEVATION KEY



Revisions	
B	Nov 2020 Planner Comments Revising for Acoustics

Status
FOR APPROVAL



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Proposed Residential Development Land N. Eastrea Hill Farm 182 Wype Road, Eastrea For: GL Developments	Job Title Date August 2020	Drawn by CR
Planning Drawing Plot 6 - Plans and Elevations	Job No. SE-1449	Checked by RS
	Dwg No. PP1102	Sheet Size A1
		Revision B

F/YR20/0943/F

Applicant: Mrs Clare Powell

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

86 Charlemont Drive, Manea, March, Cambridgeshire PE15 0GA

Change of use of single-storey workplace building from business use to 2-storey annexe building (2 x 1-bed annexes) ancillary to existing dwelling involving raising the height and insertion of dormer windows, replacement of existing workplace door with door/window, erection of conservatory to rear and installation of external staircase (part retrospective)

Officer recommendation: Refuse

Reason for Committee: To agree conditions in relation to a previous Committee decision.

1 EXECUTIVE SUMMARY

- 1.1 Members are asked to give consideration to the conditions to be imposed on this planning permission, following the Committee's decision on 16 December 2020, with specific regard to the reversion of the ground floor annexe to a workplace upon cessation of the use by the named individual.
- 1.2 The workplaces are restricted to uses B1 (now Class E (g)), B2 and B8; the latter two uses are not compatible with residential use due to the potential for noise, odour and disturbance. To allow an entirely residential use would undermine the principle of the estate and put at risk existing and future businesses, as it would set a precedent of entirely residential use that could give rise to unreasonable constraints on or threaten the operation and viability of businesses contrary to Policy LP16 (o).
- 1.3 It is recommended that the conditions are approved as listed at the end of this report.

2 INTRODUCTION

- 2.1 Members will recall that planning permission was granted at the 16 December 2020 Committee meeting, contrary to the officer recommendation. A copy of the committee report and update is attached in Appendix A for information. The Committee resolution gave delegated authority to officers to impose conditions on this permission, subject to agreement with the proposer, seconder and Chairman. The condition in relation to the reversion of the ground floor annexe to a workplace upon cessation of the use by the named individual has not been agreed with Members.

3 REASON FOR CONDITION

- 3.1 The site and wider development is located in an area previously allocated for workplace homes in the 1993 Local Plan, which has since been replaced by the Fenland Local Plan 2014. Outline planning permission was granted in 1995, Reserved Matters in 1999 and a subsequent variation of condition in 2002. The workplaces associated with the dwellings on this estate are subject to a planning condition which secures their retention for uses within Classes B1, B2 and B8 and for no other purpose (LPA reference: F/YR02/0664/F). The reason for this condition was to ensure that the development did not prejudice the adopted policies of the Authority and the site's allocation for industrial purposes and to prevent the site being used in its entirety for residential purposes. Applications to change the use of the workplaces are only acceptable where there are specific circumstances and only on a temporary basis, to ensure the 'workplace home' element for which the estate was established is not prejudiced.
- 3.2 Reference was made at paragraph 9.13 of the previous Committee report in relation to the principle of using the workplace being acceptable, being subject to conditions restricting the annexe to a personal permission and ensuring that the building subject to this application reverts back to a workplace after this time, members will recall that the recommended reason for refusal related to the design of the first-floor extension.
- 3.3 The workplaces throughout the estate are restricted to uses B1 (now Class E (g)), B2 and B8; the latter two uses are not compatible with residential use due to the potential for noise, odour and disturbance, to allow an entirely residential use would undermine the principle of the estate and put at risk existing and future businesses, as it would set a precedent of entirely residential use that could give rise to unreasonable constraints on or threaten the operation and viability of businesses contrary to Policy LP16 (o).
- 3.3 The conditions proposed are considered necessary and reasonable to make an otherwise unacceptable development acceptable, on a temporary basis, given the specific needs of the applicant. Once this use is no longer required the workplace would be readily available for use in accordance with principle of the workplace home estate. To allow an unrestricted residential use could result in the loss of the workplace element of all units on the estate and threaten existing and proposed businesses contrary to Policy LP6.
- 3.4 Other applications on the estate for use of the workplace as an annexe have been subject to a similar condition to make the proposal acceptable.

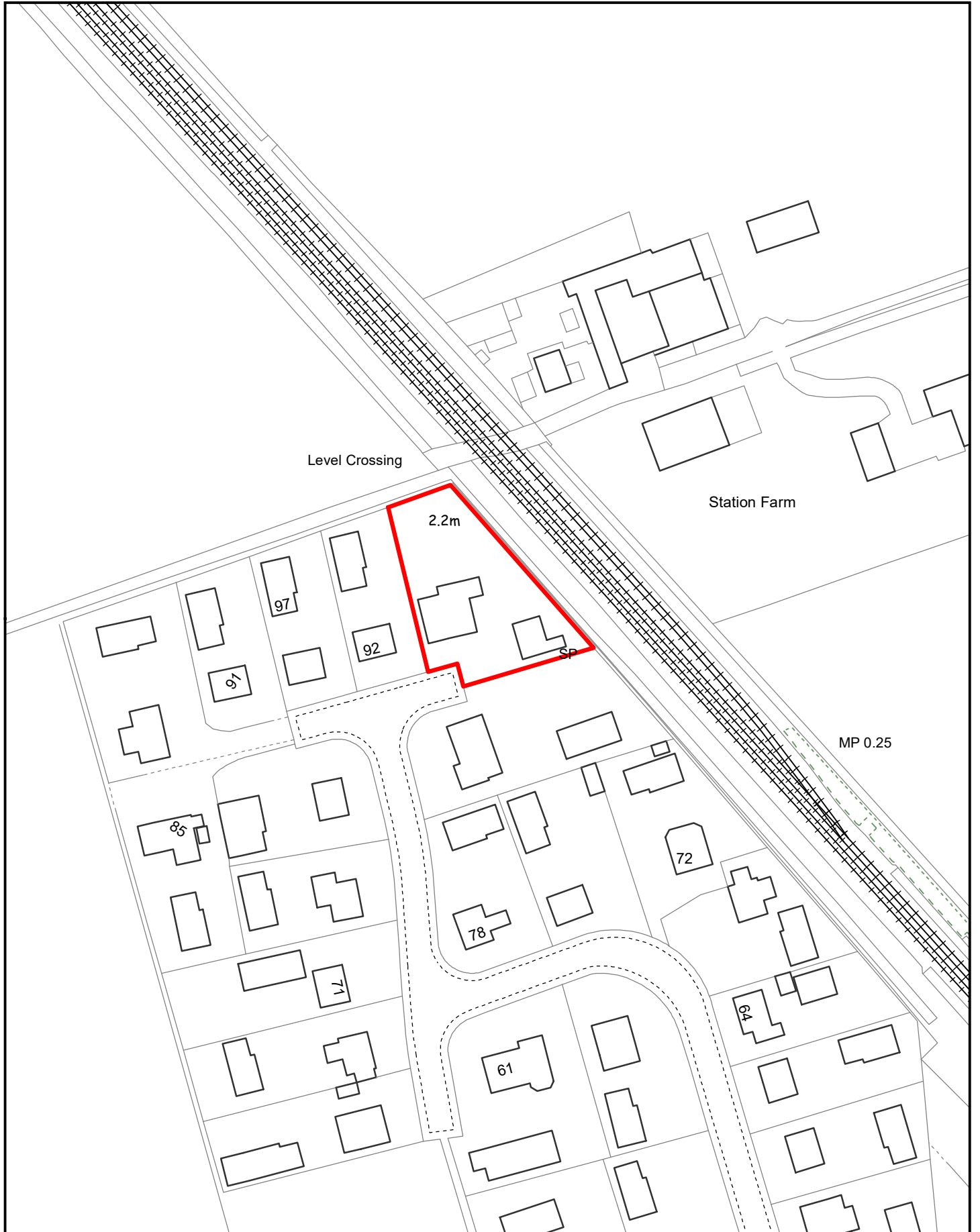
4 OTHER CONDITIONS

- 4.1 As well as the condition in relation to the reversion of the ground floor annexe to a workplace upon cessation of the use by the named individual, Members also need to give consideration to the other conditions proposed. The proposed conditions are listed in full at the end of this report are considered to be standard in their requirements giving due regard to the site's location on a workplace home estate and therefore reasonable and necessary in this and all other respects.
- 4.2 The proposed conditions have been shared with the applicant's agent who has agreed to these, including condition 1.

5 RECOMMENDATION

Approve the use of the conditions set out below:

1.	<p>The use hereby approved of the ground floor of the building as an annexe shall be limited to the use by Anne Lamberty and on cessation of her use the building shall revert back to the workshop (for use within Class E (g), B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and for no other purpose falling outside this class) associated with 86-88 Charlemont Drive, Manea.</p> <p>Reason - In granting this permission the Council has had regard to the circumstances of this case, the application site forms part of a workplace home estate and the loss of the workplace and introduction of a 'sensitive use' in this location would not usually be acceptable, in relation to Policies LP2, LP6, and LP16 of the Fenland Local Plan 2014 and DM6 and DM9 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014.</p>
2.	<p>The first-floor annexe hereby permitted shall be used only in association with, and ancillary to, the occupation of the existing dwelling known as 86-88 Charlemont Drive, Manea, and shall not be occupied, leased or rented as a separate dwelling unit.</p> <p>Reason - The site is not adequate to support a separate dwelling because of its relationship with the main dwelling and the lack of any separate access to the site and therefore this development is only acceptable as ancillary accommodation in accordance with Policy LP16/LP3 of the Fenland Local Plan 2014.</p>
3.	<p>The development hereby approved shall be finished externally in materials to match the existing building.</p> <p>Reason - To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
4	<p>The development shall be carried out in accordance with the submitted Flood Risk Assessment ECL0307-1/MRS C POWELL dated October 2020 including the flood mitigation measures referred to in part 5.2.</p> <p>Reason - In order to ensure that the future occupier exposure to potential flood impacts is limited and managed safely in accordance with Policy LP2 of the Fenland Local Plan 2014.</p>
5	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents</p>



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F/YR20/0943/F

Scale = 1:1,250



F/YR20/0943/F

Applicant: Mrs Clare Powell

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

86 Charlemont Drive, Manea, March, Cambridgeshire

Change of use of single-storey workplace building from business use to 2-storey annexe building (2 x 1-bed annexes) ancillary to existing dwelling involving raising the height and insertion of dormer windows, replacement of existing workplace door with door/window, erection of conservatory to rear and installation of external staircase (part retrospective)

Officer recommendation: Refuse

Reason for Committee: Referred by the Head of Planning on advice of the Committee Chairman

1 EXECUTIVE SUMMARY

- 1.1 The application seeks to change the use of the 'workplace' to a 1-bed annexe, including replacing the garage door with French doors, inserting an additional door and window and the erection of a conservatory to the rear (retrospective). Also sought is an additional 1-bed annexe at first-floor level, involving raising the height of the roof by 2.75m (overall height 7.85m), formation of dormers to front and rear and the installation of an external staircase for access.
- 1.2 The site lies to the north of the village centre and is located in an area previously allocated for workplace homes in the 1993 Local Plan, which has since been replaced by the Fenland Local Plan 2014. Outline planning permission was granted in 1995, Reserved Matters in 1999 and a subsequent variation of condition in 2002. The workplaces associated with the dwellings on this estate are subject to a planning condition which secures their retention for uses within Classes B1, B2 and B8 uses and for no other purpose (LPA reference: F/YR02/0664/F). The reason for this condition was to ensure that the development did not prejudice the adopted policies of the Authority and the site's allocation for industrial purposes and to prevent the site being used in its entirety for residential purposes.
- 1.3 The alterations currently undertaken are sympathetic and there are special circumstances in this case, hence, on balance, the principle of using the existing 'workplace' as an annexe is considered acceptable in this case subject to conditions restricting the annexe to a personal permission and ensuring that the building subject to this application reverts back to its original use after this time.
- 1.4 However, the creation of the first-floor, with the inclusion of dormer windows and external staircase, is considered to be of poor design, not in keeping with the surrounding area and an overdevelopment of the site, being tantamount to the creation of a chalet bungalow in the front garden. The resultant building would be 7.85m high, compared with the main dwelling of approximately 7.9m high (measurements taken from plans submitted with F/YR10/0929/F) resulting in a dominant and incongruous feature, competing with the main dwelling, to the significant detriment of the character and visual amenity of the area. As such the

overall proposal is considered contrary to Policies LP2 and LP16 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraph 127 of the NPPF 2019 and C1, I1, I2 and B2 of the NDG 2019.

1.5 It is acknowledged that evidence of need has been provided and suggestions have been made to the applicant's agent to enable provision of additional accommodation without the level of detrimental impact currently created, such as extending the single-storey element, reduction in height and/or use of rooflights rather than dormers. Such a revised scheme has not been forthcoming.

2 SITE DESCRIPTION

The host property is a detached, 2-storey workplace home, constructed in red/gold multi brick with a pantile roof, this has previously been extended to the side and rear. The single-storey detached 'workplace' is located to the front of the site and has already been converted to an annexe with a conservatory to the rear, a fence has been erected to separate the garden serving the annexe from the main rear garden and a patio area has been provided. To the front of the site are areas of lawned garden and a large block paved drive. The site is enclosed by high close boarded fence, railings and electric gates.

3 PROPOSAL

The application seeks to change the use of the 'workplace' to a 1-bed annexe, including replacing the garage door with French doors, inserting an additional door and window and the erection of a conservatory to the rear (retrospective). Also sought is an additional 1-bed annexe at first-floor level, involving raising the height of the roof by 2.75m (overall height 7.85m), formation of dormers to front and rear and the installation of an external staircase for access.

Full plans and associated documents for these applications can be found at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QHH8COHE03000>

4 SITE PLANNING HISTORY

F/YR10/0929/F	Erection of single-storey extensions to garage and rear of existing dwelling	Granted 21/1/2011
F/YR02/0664/F	Variation of Condition 04 of planning permission F/91/0770/O (Erection of workplace homes and buildings) concerning occupancy	Granted 28/08/2002
F/98/0181/RM	Erection of 36 x 4-bed and 4 x 5-bed detached houses with associated workshops (workplace homes) together with estate roads Public Open Space and landscaping	Granted 23/12/1999

		Appendix A
F/95/0044/O	Variation of Condition 02 of Planning Permission F/91/0770/O (erection of workplace homes and buildings for B1 B2 and B8 uses including the installation of a sewage treatment plant)	Approved 24/05/1995
F/92/0810/O	Erection of buildings for Class B1 (Business) B2 (General Industry) and B8 (Storage or Distribution) usage and installation of a sewage treatment plant	Withdrawn 23/11/1993
F/91/0770/O	Erection of workplace homes and buildings for B1 B2 and B8 uses including the installation of a sewage treatment plant	Approved 19/06/1992
F/1253/89/O	Erection of buildings for Class B1 (business) B2(general industry) and B8 (storage or distribution) usage and installation of a sewage treatment plant	Approved 03/12/1990
F/0418/89/O	Erection of buildings for use as B1 industrial estate with associated parking and turning areas	Withdrawn

5 CONSULTATIONS

5.1 Parish Council

No Objection

5.2 Cambridgeshire County Council Highways

The proposal will not result in any material highway impact.

5.3 Network Rail

After reviewing the associated information, I would like to inform you that Network Rail have no objections to the proposals.

5.4 Environment Agency (18/11/2020)

We have no objection to the proposed development but wish to make the following comments.

Review of the Flood Risk Assessment

We have reviewed the Flood Risk Assessment (FRA) submitted and find the details acceptable. However, to reduce the risk of flooding to the development and future occupants in extreme events, your authority may wish to consider applying a condition to any subsequent permission to ensure the implementation of proposed mitigation measures.

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures outlined in the FRA, by Ellingham Consulting LTD, Ref: ECL0307-1/Mrs C Powell, dated October 2020 are implemented in full unless otherwise agreed by the planning authority. The mitigation measures shall be fully implemented prior to occupation or in accordance with the timing/phasing arrangements embodied within the scheme, or

Appendix A

within any other period as may subsequently be agreed, in writing, by the local planning authority.

The EA does not need to be consulted on any matters related to this condition. It should be noted that the submitted FRA states that:

- Safe refuge for the ground floor flat will be available within the main house.*

Advice to LPA

The Fenland Hazard Mapping indicates that the site could flood to a depth of up to 0.25m in the event of a breach of the flood defences. Given that the existing floor levels appear to be slightly above existing ground levels, there is a slight residual risk of internal flooding in the event of a breach. However safe refuge is proposed within the main house.

With regard to the second part of the Exception Test, your Authority must be satisfied with regards to the safety of people (including those with restricted mobility), the ability of such people to reach places of safety, including safe refuges within buildings, and the ability of the emergency services to access such buildings to rescue and evacuate those people.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authority to formally consider the emergency planning and rescue implications of new development in making their decisions.

We strongly recommend that your Emergency Planner is consulted on the above issues.

Advice to Applicant

Flood Resilient Measures

Any proposed flood resilient measures should follow current Government Guidance. For more information on flood resilient techniques, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings – Flood Resilient Construction", which can be downloaded from the following website: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

Flood Warning

The Environment Agency operates a flood warning system for existing properties currently at risk of flooding to enable householders to protect life or take action to manage the effect of flooding on property. Floodline Warnings Service (F.W.S.) is a national system run by the Environment Agency for broadcasting flood warnings. Receiving the flood warnings is free; you can choose to receive your flood warning as a telephone message, email, fax or text message. To register your contact details, please call Floodline on 0345 988 1188 or visit www.gov.uk/flood

Registration to receive flood warnings is not sufficient on its own to act as an evacuation plan. We are unable to comment on evacuation and rescue for developments. Advice should be sought from the Emergency Services and the Local Planning Authority's Emergency Planners when producing a flood evacuation plan.

Foul Drainage

Appendix A

The site is located in an area which is not served by the public foul sewer. Accordingly, the proposal will need to be served by a non-mains drainage system.

In addition to planning permission you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or from a treatment plant at 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone. Discharges from septic tanks directly to a surface water are not allowed under the general binding rules.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

For further guidance please see: <https://www.gov.uk/permits-you-need-for-septic-tanks/overview>

We hope this information is of assistance. If you have any queries, please do not hesitate to contact us.

Please forward a copy of this letter to the applicant.

5.5 Environment Agency (25/11/2020)

We have reviewed the information submitted and have no further comment to make on this application.

5.6 Environmental Health (FDC)

A site visit hasn't been made and this response is based on a desk-top study.

Documents considered are: -

Planning Application dated 2 October 2020

Design and Access Statement

Location Plan

Elevations

Aerial photo

Appendix A

This proposal will not have any adverse effects on the local air quality climate.

This proposal will not have any issues with noise impacting upon any nearby residential properties, but the proposal could be affected by noise from the adjacent March – Ely railway line.

This line is a non-electrified route served by regular passenger traffic, possibly 5-6 trains per hour, in the daytime and a busy freight route in both the daytime, but also through the night. It is also a diversionary route for East Coast Main Line traffic, especially at weekends.

The noise sources are diesel locomotive engines and exhausts and wheel/rail interface whine.

In that context I would recommend that adequate protection is given to the proposed ground floor living rooms, including conservatory and first floor bedroom windows by way of double/triple glazing and acoustically treated ventilation.

There are no issues with ground contamination.

Consequently, there are no objections to this proposal, subject to the attachment of the following condition: -

NOISE

The windows to the ground floor living rooms, conservatory and first floor bedrooms of the converted former workshop, should be acoustically treated to meet the WHO standards for living rooms and bedrooms and BS8233:2014, with the living-rooms and bedrooms provided with acoustically treated ventilation.

It should be noted that these comments do not refer to the potential impact of surrounding workplaces which is considered in the report below.

5.7 Local Residents/Interested Parties

One supporting comment has been received advising that the proposal would enhance the street scene and provide a sensible solution to the living accommodation needed for any full-time live-in carer needed in future.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context – C1

Identity – I1, I2

Built Form – B2

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
- LP6 – Employment, Tourism, Community Facilities and Retail
- 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

Delivering and Protecting High Quality Environments in Fenland SPD 2014;

- DM3 - Making a Positive Contribution to Local Distinctiveness and Character of the Area
- DM6 – Mitigating against harmful effects
- DM9 – Constraints on existing businesses

8 KEY ISSUES

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Parking**
- **Flood Risk**

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP3 and the settlement hierarchy define Manea as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions will be appropriate.
- 9.2 The site lies to the north of the village centre and is located in an area previously allocated for workplace homes in the 1993 Local Plan, which has since been replaced by the Fenland Local Plan 2014. Outline planning permission was granted in 1995, Reserved Matters in 1999 and a subsequent variation of condition in 2002. The workplaces associated with the dwellings on this estate are subject to a planning condition which secures their retention for uses within Classes B1, B2 and B8 uses and for no other purpose (LPA reference: F/YR02/0664/F). The reason for this condition was to ensure that the development did not prejudice the adopted policies of the Authority and the site's allocation for industrial purposes and to prevent the site being used in its entirety for residential purposes.
- 9.3 The application seeks to provide an annexe for the applicant's mother due to specific personal circumstances; details and evidence of which have been submitted to accompany the application. The additional 1-bed annexe at first-floor level is to accommodate a live-in carer.

Design considerations and visual amenity of area

- 9.4 The 'workplace' subject to this application is to the front of the main dwelling, and whilst set back beyond the driveway is prominently visible in the streetscene, due to the openness of this area of Charlemont Drive.

Appendix A

- 9.5 The alterations currently undertaken are sympathetic. The conservatory is subservient, constructed in bricks of a similar appearance to the existing building to which it is attached and is not visible from Charlemont Drive (though views would be afforded from the railway line to the rear).
- 9.6 The creation of the first-floor, with the inclusion of dormer windows and external staircase, is considered to be of poor design, not in keeping with the surrounding area and an overdevelopment of the site, being tantamount to the creation of a chalet bungalow in the front garden. The resultant building would be 7.85m high, compared with the main dwelling of approximately 7.9m high (measurements taken from plans submitted with F/YR10/0929/F) resulting in a dominant and incongruous feature, competing with the main dwelling, to the significant detriment of the character and visual amenity of the area. As such the overall proposal is considered contrary to Policies LP2 and LP16 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraph 127 of the NPPF 2019 and C1, I1, I2 and B2 of the NDG 2019.
- 9.7 It is acknowledged that evidence of need has been provided and suggestions have been made to the applicant's agent to enable provision of additional accommodation without the level of detrimental impact currently created, such as extending the single-storey element, reduction in height and/or use of rooflights rather than dormers. Such a revised scheme has not been forthcoming.

Residential Amenity/Health and wellbeing

- 9.8 The north and east of the site are bounded by agricultural land and the railway.
- 9.9 To the west of the site is the workplace home and associated workplace/annexe of 90-92 Charlemont Drive. The development is some 23m from the boundary of this neighbouring site and as such this is not considered to have a significant detrimental impact in their residential amenity.
- 9.10 To the south of the site is the workplace home of 82-84 Charlemont Drive, which is considered to be the most affected by the development. The development is located only 2m from the boundary, however there is approximately 17m between this and the neighbouring dwelling. The dormer windows will result in additional overlooking and it is acknowledged that the relationship is not ideal, however the overlooking is not direct and there is sufficient separation distance and space within the neighbouring site that this is not considered significant enough harm to warrant a refusal in this regard. Overshadowing is not considered to be significant due to the orientation of the development to the north, nor is loss of outlook or light.
- 9.11 The workplaces on the estate have B1, B2 and B8 uses and there is therefore potential for an industrial use to be run therefrom without the need for additional planning permission, which could result in a level of noise and disturbance.
- 9.12 The introduction of a 'sensitive use' in closer proximity to a workplace could result in constraints on the existing business which would be contrary to Policy LP16(o) and DM9 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014; nevertheless this is a workplace home estate and impacts from the associated workplaces would be expected and would not be considered significantly worse than experienced by the existing dwellings.

Appendix A

- 9.13 The workplace homes development is in its very nature a commercial entity and as such has restrictive conditions ensuring that the workplaces are only used for B1, B2 and B8 uses, the loss of the workplace to create living accommodation would alter the character of the estate. There are specific personal circumstances in this case which is supported by information submitted with the application. Hence, on balance, the principle of using the existing 'workplace' as an annexe is considered acceptable in this case subject to conditions restricting the annexe to a personal permission and ensuring that the building subject to this application reverts back to its original use after this time. The site would therefore not lose its designation as a workplace home and would be made available for future use. Subject to the retention of the existing 'workplace' going forward, the additional annexe could be conditioned to ensure that this is ancillary to the main dwelling, any detrimental impacts of the workplace below would be anticipated and undertaken by residents of the same unit and as such would not result in conflict.
- 9.14 The development is in closer proximity to the railway line than the main dwelling and concerns have been raised by the Council's Environmental Health team regarding the noise impact of this. The wider site is already subject to these impacts and a suitable noise mitigation strategy could be secured by way of a condition.

Parking

- 9.15 The existing garage attached to the dwelling is being retained and there is a large driveway with turning area capable of providing the required parking provision, as such there are no issues to address regarding Policy LP15 and Appendix A of the Fenland Local Plan.

Flood Risk

- 9.16 The application site falls within Flood Zone 3 and a Flood Risk Assessment (FRA) has been submitted to accompany the application.
- 9.17 The Environment Agency have no objections to the proposal and advise the following:

The Fenland Hazard Mapping indicates that the site could flood to a depth of up to 0.25m in the event of a breach of the flood defences. Given that the existing floor levels appear to be slightly above existing ground levels, there is a slight residual risk of internal flooding in the event of a breach. However safe refuge is proposed within the main house.

- 9.18 The do however recommend a condition is imposed to ensure that the mitigation methods outlined in the submitted FRA are implemented in full, to ensure compliance with the NPPF.

10 CONCLUSIONS

There are specific personal circumstances in this case necessitating the need for accommodation separate from the main dwelling, which is supported by information submitted with the application, and the principle of a temporary change of use of the workplace to an annexe is considered acceptable. However, the creation of the first-floor, with the inclusion of dormer windows and external staircase, is considered to be of poor design, not in keeping with the surrounding area and an overdevelopment of the site, to the significant detriment of the

character and visual amenity of the area. As such the overall proposal is considered contrary to Policies LP2 and LP16 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraph 127 of the NPPF 2019 and C1, I1, I2 and B2 of the NDG 2019.

11 RECOMMENDATION

Refuse for the following reason:

1	<p>Policies LP2 and LP16 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraph 127 of the NPPF 2019 and C1, I1, I2 and B2 of the NDG 2019 seek to ensure that developments make a positive contribution to the local distinctiveness and character of the area and do not adversely impact, either in design or scale terms on the streetscene or character of the surrounding area.</p> <p>The creation of the first-floor, with the inclusion of dormer windows and an external staircase, is considered to be of poor design, not in keeping with the surrounding area and an overdevelopment of the site, being tantamount to the creation of a chalet bungalow in the front garden. This would result in a dominant and incongruous feature, to the significant detriment of the character and visual amenity of the area, contrary to the aforementioned policies.</p>
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F/YR20/0968/F

Applicant: Mr M Dale

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

Land North East Of, 34 Eldernell Lane, Coates, Cambridgeshire

Erect a dwelling (2-storey 5-bed) with farm office, 1.2 metre high (approx) with 1.6 metre high (max approx) metal sliding gates, detached workshop and cattle shed (as part of an agricultural holding)

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The proposal would provide a family home for the applicant who is due to give up his current farm tenancy in c.5 years' time and would support an established agricultural enterprise, which comprises mainly arable and some livestock operations. There are no technical issues associated with the development as a whole e.g. in respect of highways, environmental and neighbour conflicts.
- 1.2 However, in order to maintain a sustainable supply of homes FLP policy LP3 seeks to restrict growth in areas away from those settlements defined within it. The restriction is set out through a strict test which requires a demonstration that such development is demonstrably essential for the effective operation of (in this case) local agriculture. Such demonstration is assessed via the criteria as set out under FLP policy LP12 Part D.
- 1.3 It is considered that this application presently fails to demonstrate that the agricultural operations comprising arable and livestock, warrant a permanent dwelling - as those relevant elements of the operations (livestock) are not of a scale (or predicted scale) to justify the nearby presence of a full-time agricultural worker – the recognised assessment method to determine a functional need.
- 1.4 Whilst it is acknowledged that a permanent dwelling would likely be beneficial and therefore desirable to address the security concerns and operational needs set out by the applicant, there is no demonstration that this would be 'essential', as is required in order to satisfy the test set under LP3.
- 1.5 Having regard to the existing limited scale of the livestock business, the potential options to remain on the current farm (which haven't been fully explored as yet) and the lack of demonstration of other essential need to reside permanently at the application site, the proposal is considered to conflict with Policy LP3, having regard the assessment criteria as set out under LP12 Part D (a), (b), (c) and (d).
- 1.6 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The site comprises 0.55Ha of high-grade agricultural land located along the eastern side of Eldernell Lane, north east of Coates. The site is enclosed on either side by established trees and hedgerow and a 1.5m high fence where it abuts the single-storey properties of No. 34 to the south. To the north is No.42.
- 2.2 An established hedgerow also runs along the front of the site adjacent to the highway. Eldernell Lane is predominantly single track with informal passing places at sporadic intervals. The area is distinctly rural in character, with sporadic housing separated by agricultural fields which extend into the open countryside.
- 2.3 The western half of the site lies in flood zone 1 (where the development is proposed), with the eastern fringes in flood zone 3 as the site gradually drops in level by around 2m to 3m from west to east.

3 PROPOSAL

- 3.1 The application seeks full planning permission for the erection of a detached 2-storey dwelling with attached garage, a workshop and livestock shed. The dwelling is proposed to be sited at the western edge of the site, with the workshop and barn to the east, approximately 42m and 114m from the highway respectively.
- 3.2 The dwelling accommodates a footprint of around 420m² with a height of c.8m and is proposed to provide residential accommodation and an office to support the agricultural enterprise on the adjacent and surrounding land within the Coates area. It is designed as a 'chalet-style' with bedroom in the roof space and the dwelling is proposed to be finished externally in a buff facing brickwork (specification tbc) and grey slate roof tiles.
- 3.3 The workshop accommodates a footprint of around 233m² with a height of c.6m. It is proposed to be finished externally in green steel profile wall sheeting and grey sheeting for the roof.
- 3.4 The cattle shed accommodates a footprint of around 196m² with a maximum scale of c.4.8m. It is proposed to be open on one side (facing north) and finished externally on the walls with slatted timber 'Yorkshire boarding' to enable ventilation and grey sheeting for the roof, including rooflights and ventilation ridges.
- 3.5 The layout indicates that the hedgerow along the frontage will be mainly retained, except to facilitate the access as well as the boundary hedge and trees, with additional hedge planting along the southern and part of the south-eastern boundary. The eastern boundary will be mainly enclosed with 1.2m high timber rail fencing, with gated access the workshop and cattle shed
- 3.6 The application is supported by the following plans and documents;
 - Application form
 - Outline Business Plan (redacted for public access)
 - Location Plan CH20/LBA/539/FP-1-106 B
 - Existing site and topographical plan SFS-103BEV-1-2D
 - Proposed site plan and fence details CH20/LBA/539/FP-1-100 G
 - Dwelling proposed elevations FP-1-102 E
 - Dwelling proposed floor plans FP-1-101 E
 - Workshop proposed elevations and floor plans FP-1-103
 - Cattle Shed proposed elevations and floor plans FP-1-105 A

- 3.7 Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR20/0628/F	Erect a dwelling (2-storey 5-bed) and an agricultural building (as part of an agricultural holding)	Withdrawn 04.09.2020
F/91/0403/O	Erection of a dwelling	Withdrawn 24.10.1991

5 CONSULTATIONS

5.1 Whittlesey Town Council

Recommends Approval

5.2 Middle Level Commissioners

No comment received

5.3 Cambridgeshire County Council Highways Authority

No highway objections subject to a condition requiring provision of the access prior to occupation.

5.4 Environment & Health Services (FDC)

"A site visit hasn't been made and this response is based on a desk-top study. The issues which I would consider need addressing are: -

1-Noise from powered machinery in the workshop and I would recommend a time restriction to address this issue.

2-Storage of animal waste and potential odour and insect nuisance

3-Potential light pollution in the workshop and cattle-shed areas.

In that respect I would recommend the attachment of conditions to address these.

This proposal will not have any adverse effects on the local air quality climate.

There are no local noise sources which could adversely affect the occupants of the dwelling. There are mineral extraction processes close by, but none with a potential to adversely affect this proposal.

There are no issues with ground contamination and there are no known present, or former contaminative uses of the part of the site proposed to be used for the dwelling, or the garden.

Consequently, there are no objections to this proposal, but I would recommend the attachment of the following conditions to any consent granted: -

Noise

Any powered machinery, except hand tools, used in connection with the agricultural business, shall only be used in the workshop and restricted to the following times: -

Monday to Saturday 08:00 - 18:00 hours

Sunday and Public Holiday Nil

Waste storage

Any animal waste shall only be stored in such a manner that it does not cause odour nuisance to the occupiers of nearby residential properties.

Insect control

In the event there are excess insects, which may be attributed to the cattle-shed and any waste storage associated with it, shall be treated with insecticide in order to prevent an insect nuisance to the occupiers of residential properties.

Lighting

Any external artificial lighting, installed in connection with the workshop or cattle-shed areas, shall be adequately shielded to prevent any light nuisance, including glare, to the occupiers of nearby residential properties.”

5.5 **Local Residents/Interested Parties**

8 letters of support have been received from residents of Coates;

1 at Eldernell Lane, 2 at South Green, 2 at March Road, 1 at Fieldside, and 1 at Nobles Close making the following comments (summarised);

- The dwelling would fit in well
- Would allow a local farmer to move back to the village with better/ closer access to the business
- Will contribute to the local distinctiveness and character of the area

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 **National Planning Policy Framework (NPPF)**

Paragraph 78: Rural Housing

Paragraph 83: Supporting a prosperous rural economy

Chapter 9: Promoting sustainable transport

7.2 **National Planning Practice Guidance (NPPG)**

7.3 **National Design Guide 2019**

- Context
- Identity
- Built Form
- Movement
- Nature
- Lifespan

7.4 **Fenland Local Plan 2014 (FLP)**

LP1: A Presumption in Favour of Sustainable Development

- LP2: Facilitating Health and Wellbeing of Fenland Residents
- LP3: Spatial Strategy, the Settlement Hierarchy and the Countryside
- LP12: Rural development
- LP14: Climate Change and Flood Risk
- LP15: Facilitating a More Sustainable Transport Network in Fenland
- LP16: Delivering and Protecting High Quality Environments Across the District

7.5 Supplementary Planning Documents/ Guidance

- Delivering & Protecting High Quality Environments in Fenland SPD (2014)
- Cambridgeshire Flood & Water SPD (2016)

8 KEY ISSUES

- **Principle of Development**
- **Demonstration of essential need**
- **Character and Appearance**
- **Highways and Access**
- **Residential Amenity**

9 BACKGROUND

- 9.1 An application for a dwelling and agricultural workshop was previously submitted under F/YR20/0628/F. This followed a pre-application enquiry for the same, whereby Officers advised that there is support in principle for such development – subject to adequate demonstration of a functional (and financial) need for the development and consideration of environmental and highways impacts.
- 9.2 Following the submission of F/YR20/0628/F, Officers instructed an agricultural consultant to assess the proposal whereby it was opined by the consultant that a functional need could not be demonstrated. This was due to the fact that the agricultural enterprise described was only for arable farming which did not demonstrate an essential full-time, on-site presence was required for the proper functioning of the enterprise. This advice also took into account the security concerns raised by the applicant in their supporting Outline Business Plan.
- 9.3 The application was subsequently withdrawn. Officers then undertook further discussion with the applicant who advised that they also manage some livestock as part of the business, which was not indicated on the application. Officers advised that it may be prudent to include this element in any future application, given that a reliance on the arable operations alone would not be sufficient - but that the success of an application would depend on the scale and nature of the business having regard to the strict tests set out under policy LP13 of the Fenland Local Plan in demonstrating an essential functional need.

10 ASSESSMENT

Principle of Development

- 10.1 The site lies within an area of dispersed, intermittent buildings that are detached from the main settlement of Coates and comprises a parcel of land currently in use for arable agriculture. Eldernell Lane is located to the east of Coates and comprises predominantly a single track road extending northwards from the A605 for approximately 1 mile and incorporates no pedestrian infrastructure or lighting. These characteristics and its clear separation denote that Eldernell Lane relates

more to the rural countryside, than to the built-up area of the nearest settlement of Coates.

- 10.2 As the site is considered to fall outside of a settlement it is therefore defined as an 'Elsewhere' location under FLP policy LP3; which seeks to restrict development to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. This follows the rationale set out through the relevant policies of the NPPF where the concept of concentrating additional housing within settlements is seen as generally more likely to be consistent with the promotion of "sustainable development in rural areas" than building isolated dwellings elsewhere in the countryside. To do otherwise would result in an urban sprawl of dwellings with poor access and a reliance on private motor car to make essential journeys, contrary to the NPPF's aims of minimising the need to travel and supporting the transition to a low-carbon future.
- 10.3 The NPPF does however support the principle of sustainable rural housing where it will enhance or maintain the vitality of rural communities, and sustainable economic growth in rural locations - where appropriate i.e. the right development in the right location, and it is considered that the requirements of policy LP3 are wholly consistent with the NPPF in this regard.
- 10.4 The application comes forward as a proposal for residential accommodation to serve an agricultural enterprise with associated buildings. Therefore, the principle of the development is accepted through LP3, which amongst others, supports the farming community and agricultural development, and recognises that in certain circumstances it is necessary to locate dwellings in otherwise unsustainable locations. But this allowance is subject to meeting (where residential development is concerned) the strict test of demonstrating an essential need. FLP policy LP12-Part D sets out the requirements as to how this essential need will be demonstrated.

Demonstration of essential need

- 10.5 Policy LP12 Part D relates specifically to the development proposed and sets out that applications of this nature should provide supporting evidence to explain the following;
- (a) The existing functional need for the dwelling,
 - (b) The number of part time and full-time worker(s) to live in the dwelling,
 - (c) The length of time the activity has been established,
 - (d) The financial viability of the enterprise,
 - (e) The availability of other suitable accommodation on site or in the area,
 - (f) How the proposed size of the dwelling relates to the viability of the enterprise.
- 10.6 The application is supported by an Outline Business Plan which provides the background to the applicant, the current and future business plans and predicted business growth (financial details are held as confidential items). The plan also provides information on the agricultural holding as a whole and how this relates to the overall function and viability of the enterprise.
- 10.7 The Council has used the services of an agricultural consultant, Ian Pick Associates, to review the outline business case and provide an assessment of the demonstration for essential need.

- 10.10 The applicant advises that his tenancy with Cambridgeshire County Council at his current farm, Copalder Farm at Floods Ferry Road, Doddington will cease in October 2026, in-line with CCC retirement policies. Therefore, the applicant is seeking to secure planning permission to erect his own property for himself and his family on land he owns, to continue the agricultural operations which would include 185.69Ha of total land in the applicant's control across the Coates/ Doddington area.
- 10.11 The previously withdrawn application proposed only the dwelling and workshop, however this latest application comes forward with the proposal also for a livestock shed, for the rearing of cattle.

Arable enterprise

- 10.12 The main operations themselves currently comprises arable farming on various parcels of land in and around the Benwick/ Coates area which in itself is a viable enterprise. In addition, the applicant has a small herd of Dexter cattle bred for meat, currently comprising up to 8 cows and followers. The Outline business plan sets out a proposal to increase the scale of the cattle enterprise to 20 cows, plus 40 to 50 followers. The applicant has advised that his daughter is currently attending college to study agriculture and it is expected that she will assist in the business moving forward.
- 10.13 Having regard to the arable side of the enterprise, it is well-established that arable farming rarely justifies an essential, functional need for a full-time worker to be present at the site on a permanent, round the clock basis¹. This is notwithstanding that the arable enterprise, in any case, covers a wide area with detached parcels of arable land spread over a wide radius from the application site therefore meaning an on-site presence could not reasonably be expected to monitor the entire holding.

Security

- 10.14 The applicant has however advised that the dwelling is required, in part for security – to reduce the risks of theft of machinery and parts e.g. sat-nav equipment and specialist tools which he intends to store in his workshop.
- 10.15 Cambs Police has reviewed crime in the Coates area (including Eldernell Lane) over the past 2 years and advises that in respect of agricultural-related incidents, the following information is available;

- 1 x threat to cause damage (to farm property)
- 1 x theft of a horse
- 1 x theft of a generator (from an outbuilding)
- 1 x theft of a compressor (from a construction site)

Specific to Eldernell Lane: -

- 1 x theft of a quad-bike (from an outbuilding – March 2020)
- 1 x report of poaching
- 1 x report of coursing

- 10.16 As detailed above, there are clearly some incidents of theft in the area. However, the frequency is considered to be low and opportunities would be available to install security equipment e.g. CCTV, perimeter alarms and securing fencing to reduce the risks of crime.

10.17 The applicant's Outline Business Plan also quotes NFU Mutual as stating;
“...security technology is developing fast and we're already clearly seeing that thieves avoid tractors fitted with good security kit and sheep that have been marked with microdots”

10.18 This is also notwithstanding that the site is sandwiched between 2 other residential properties which would provide some surveillance and potentially some deterrent. Regard is also had to several recent appeal decisions whereby the Planning Inspectorate has concluded that security is rarely justification for a functional need for a permanent residence¹.

Livestock

10.19 As set out in the consultants response; The predecessor to the NPPF, being Policy Statements (PPS7, Annex A), provided a clear description of situations where a functional need might arise, suggesting that “where livestock or agricultural processes require essential care at short notice” a functional need could arise. Whilst the PPSs were withdrawn following the publication of the NPPF in 2012, the information contained within Annex A of PPS7 is, in the main, still applicable.

10.20 It is accepted that some livestock enterprises require supervision at certain periods, and providing for the care and welfare of calving cows and young calves is an activity that could give rise to a functional requirement for a worker to be readily available at most times, dependent on the scale of the enterprise. The functional test applied here, is whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times.

10.21 The cattle enterprise proposed by the applicant of 20 cows and 40 to 50 followers is small in scale and is not yet realised, with current (existing) stock at 8 cows and followers. Some cattle needing closer supervision will be kept in the proposed shed, with the remaining livestock left out to graze on the paddock land and at the north of Eldernell Lane, on the Ouse Washes. The policy test set out in LP12 part D (a) is whether there is “an existing functional need for the dwelling”. For a functional need to be established, the enterprise from which the functional need is derived must equate to a full-time worker.

10.22 The Council's consultant has assessed the current and future predicted stock levels and compared this to the standard labour requirements as set out in The John Nix Pocketbook 2021. This sets out that the standard labour requirement for one cow is 1.35 standard man days per annum, and the labour requirement for a follower is 1.1 standard man days per annum.

¹ [APP/F2630/W/17/3174429](#), [APP/N0410/W/19/3226363](#), [APP/L2630/W/19/3223110](#),
[APP/W1850/W/20/3251167](#), [APP/V2635/W/19/3242691](#), [APP/Q3115/W/17/3175806](#)

10.23 This would indicate that even at predicted stock levels, this would equate to only 82 standard man days which is the equivalent of 0.3 full-time workers, and this is based on future predicted levels, not existing levels which LP12 requires the LPA to assess.

10.24 Therefore, whilst the arable business can demonstrate the need for a full-time worker and remains viable, the livestock business (which ultimately could yield a

functional need subject to an appropriate scale of stock) shows a significant shortfall of an essential functional need both at existing and predicted levels.

10.25 The applicant's own consultant appears to conclude this point where he sets out

“While perhaps not strictly functional, Mr Dale's chosen way of involvement with farming's contribution to the community is through livestock.”

Tenancy and succession planning

10.26 Notwithstanding the above, Cambridgeshire County Council has advised that a tenant would have 24 months to vacate the premises upon termination of contract, which takes the applicant to 2028, by which time, the business may look significantly different, dependant on the success of the livestock and arable elements. Furthermore, CCC has advised that where family members are intending to carry on the business, they would consider an application for succession planning, but only within a 5-year period of the tenancy termination.

10.27 The applicant has advised that his daughter is currently training to work alongside him as part of the succession plan and therefore the option to remain on the current farm (which is understood to be established with ancillary barns and currently accommodates the livestock and agricultural machinery) may be open to them, subject to the successful outcome of an application. Based on the timings advised by CCC, the application for succession could be submitted in 2021.

Availability of other accommodation

10.28 Notwithstanding that remaining on the current farm may be an option in the future which hasn't yet been explored, the outline business plan sets out that;

“It is necessary to have a stockperson nearby, on quick and easy call to prevent possible losses, from whatever reason.”

10.29 The term 'nearby' is not defined but having regard to the above assessment, it is considered that a permanent on-site presence would be desirable rather than essential for the proper functioning of the enterprise. The policy test under LP3 sets out an 'essential' need. Furthermore, it is likely that dwellings would be available within the Coates area – within a 5-minute drive of the site to check on stock. During calving, when it is likely a more regular presence is required, the applicant could utilise their permitted development rights to site a temporary accommodation e.g. caravan on the land to oversee this function. Based on the current and predicted stock levels yielding the requirement for 0.3 full-time workers, this would not be anticipated to be a regular occurrence. Furthermore, it is understood that the applicant has land with agricultural buildings at Cross Drove, Coates, although it is acknowledged that the applicant advises that this land is not suitable for cattle due to the proximity of the railway line.

10.30 Having regard to the existing limited scale of the livestock business, the potential options to remain on the current farm (which haven't been fully explored as yet) and the lack of demonstration of other essential need to reside permanently at the application site, the proposal is considered to conflict with Policy LP3, having regard the assessment criteria as set out under LP12 part D (a), (b), (c) and (d).

Character and Appearance

- 10.31 The dwelling measures 8m to the ridge which is c.1 m higher than the dwelling immediately north and c.2m higher than that to the south. Whilst it is a sizeable property, given the variety of scales, materials and massing of dwellings and buildings found along Eldernell Lane, it is concluded that the dwelling would not result in any significant harm to the character and appearance of the area, (subject to agreeing appropriate facing brickwork), albeit it would result in a small concentration of 3 dwellings which is arguably uncharacteristic for Eldernell Lane which is generally characterised by dispersed buildings.
- 10.32 Furthermore, the livestock building and workshop are not alien features on Fenland's landscapes and would not appear out of character having regard to their scale, locations and external finishes. This is notwithstanding the existing and additional soft landscaping proposed which also has biodiversity benefits.
- 10.33 In this respect there is no conflict with FLP policy LP16.

Highways and Access

- 10.34 The Local Highways Authority has assessed the application and raises no objection to the proposal, subject to conditions securing the delivery of the access and the retention of off-road parking areas.
- 10.35 In this regard, the application presents no technical issues with regards to highways impacts and would comply with FLP policy LP15.

Residential Amenity

- 10.36 The dwelling is sited sufficiently away from neighbouring boundaries so as not to result in any overshadowing or overbearing issues. Furthermore, windows are located to avoid any unacceptable overlooking. The dwelling therefore presents no compatibility issues with adjacent properties. In addition, given the belt of dense tree and hedgerow along the northern boundary, the workshop is not anticipated to result in any visual harm – likewise the cattle shed which is sited c.90m east of No.34.
- 10.37 The future operation of the farm, as with most farms does have some potential for disturbance and the Council's Environmental Health team has recommended conditions to address this potential;

Operating hours

- 10.38 The recommendation to restrict operating hours would run counter to the nature and likely viability of the business. Given that operations are likely to naturally be restricted given the identified limited scale of the business and the site constraints, which would restrict any significant growth and associated operations, coupled with the fact that the adjacent dwelling at No.42 is restricted to agricultural occupancy, it is not considered reasonable to restrict operating hours.

Waste Storage / insect control

- 10.39 Given that the cattle shed is sited within c.90m of No.34 which is a 'protected i.e. an unrestricted property; matters of odour and pest nuisance need to be considered. In this respect it would be reasonable to require a scheme (secured via planning condition) of how and where any waste material is to be deposited and periodically removed from site

Lighting

- 10.40 It would also be prudent to consider an appropriate condition to securing a lighting scheme – in the interests of residential amenity, site security and also biodiversity in the area.
- 10.41 Subject to the above conditions, it is not expected that the scheme would result in any obvious conflicts with policy LP2 and LP16 and LP19 of the FLP.

11 CONCLUSIONS

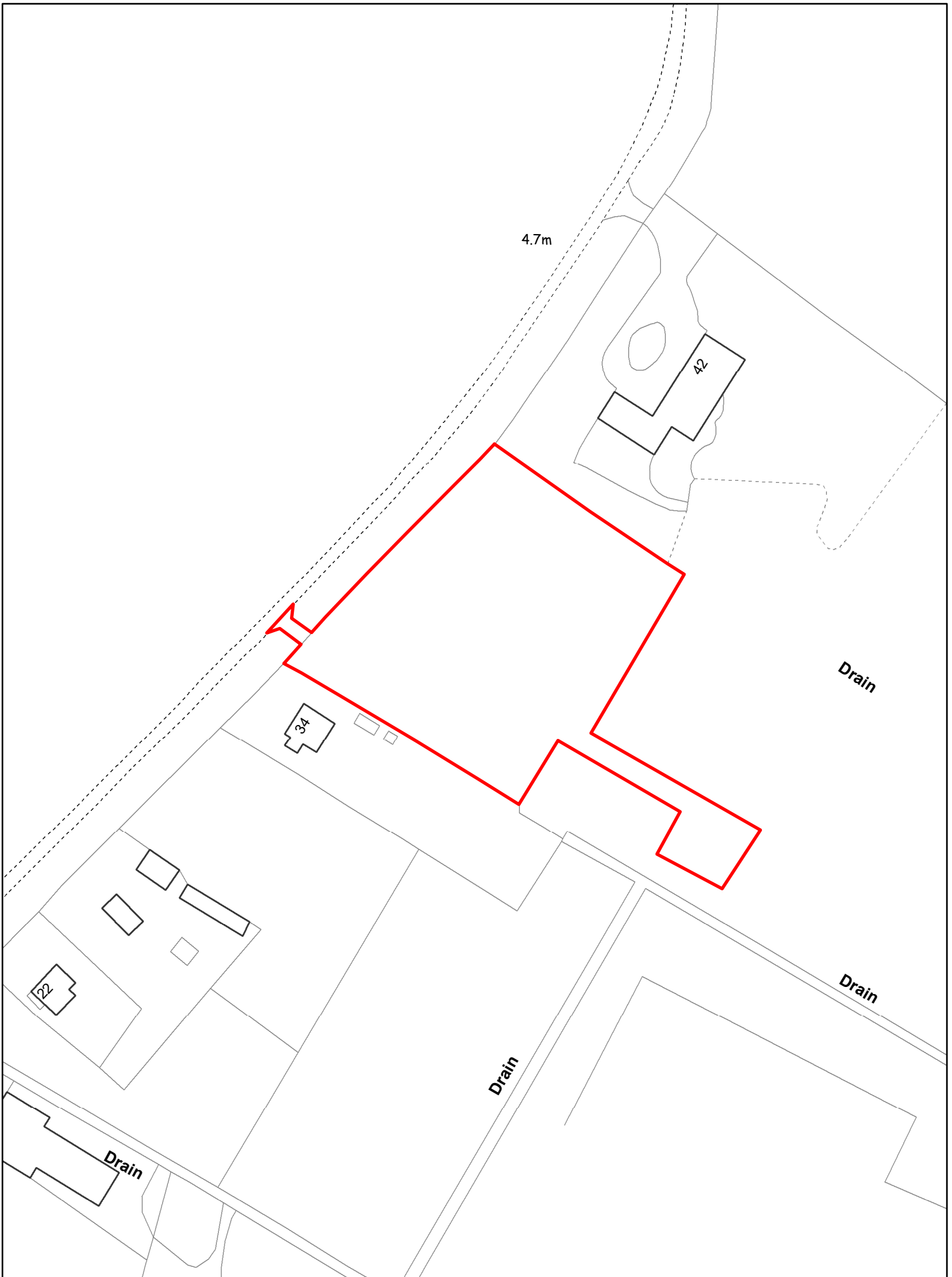
- 11.1 The proposal would provide a family home for the applicant who is due to give up his tenancy in 5 years' time and would support an established agricultural enterprise, which comprises mainly arable and some livestock operations through, the workshop and cattle shed, which are acceptable in all respects. There are no technical issues associated with the development as a whole, with no identified highways, environmental or neighbour conflicts.
- 11.2 However, in order to maintain a sustainable supply of homes FLP policy LP3 seeks to restrict growth in areas away from those settlements defined within it. This is amongst other things to avoid placing homes in areas which are poorly linked to main settlements thereby placing a reliance on private motor car to access services and facilities. The restriction is set out through a strict test which requires a demonstration that development is essential for the effective operation of (in this case) local agriculture. Such demonstration is assessed via the criteria as set out under FLP policy LP12 Part D.
- 11.3 It is considered that this application fails to demonstrate that the agricultural operations comprising arable and livestock, warrant a permanent dwelling as those relevant elements of the operations are not of a scale to justify the nearby presence of a full-time agricultural worker – the recognised assessment method. It is considered that the arable operations, which remain viable, can and do exist without a permanent on-site presence. The livestock business however, as it currently exists and is predicted to be, is too limited in scale to establish an existing functional need for the dwelling. Whilst it is acknowledged that a permanent dwelling would likely be beneficial and therefore desirable to address the security concerns and operational needs raised by the applicant, there is no demonstration that this would be 'essential', as is required in order to satisfy the test set under LP3.
- 11.4 Furthermore, it is recognised that by 2026, the applicant would have needed to have secured alternative accommodation, with a requirement to have left the current farm by 2028. However, there is nothing to suggest that alternative accommodation in a more sustainable location (i.e. within a defined settlement or using an existing premises in the countryside) could not be secured elsewhere that could still perform an effective function for the enterprise, or demonstration that the potential for remaining at the current County Council farm has been scoped out through the County Council's succession policies.
- 11.5 It is clear that policy LP3 supports rural and agricultural communities and enables sustainable growth, in line with national policy. However, in instances where agricultural enterprise is at an early stage of growth, as is the case with the livestock element with this application, it is more appropriate and commonplace for applicants to seek permission for a temporary style of dwelling, with the intention to grow the business and subsequently demonstrate an essential functional need to warrant a permanent residence.

- 11.6 However, this application comes forward with the only legitimate, potentially functional element (livestock) at its infancy, and a risk therefore that to approve a permanent dwelling without robust supporting evidence could be premature and could ultimately result in one which is not essentially required to functionally support the agricultural enterprise, which in-turn would undermine the aims of delivering sustainable growth in rural areas as per policies of the NPPF and the Fenland Local Plan (2014), in particular policies LP3 and LP12.

12 RECOMMENDATION

12.1 Refuse for the following reason;

1.	<p>To promote sustainable development in rural areas, Policy LP3 of the Fenland Local Plan, 2014 (FLP) seeks to restrict development in areas outside of settlements to that which is demonstrably essential for the effective operation of land-based enterprise e.g. agriculture. This demonstration is determined through the criteria as set out under FLP policy LP12 Part D.</p> <p>The proposal is for the erection of a new dwelling and ancillary buildings associated with an established agricultural enterprise. However, the application fails to adequately demonstrate an essential, functional need for a full-time worker to be readily available at most times at or near to the site. This is contrary to the criteria of LP12 Part D and therefore conflicts with policy LP3 of the Fenland Local Plan, 2014 as the proposal would result in the unwarranted erection of a dwelling in an otherwise unsustainable location.</p>
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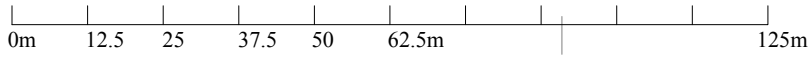
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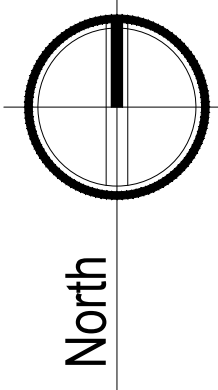
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<p>L BEVENS ASSOCIATES LTD ARCHITECTS The Doghouse, 10 Cricketers Way, Chatteris, Cambridgeshire. PE16 6UR Tel: 01354 693969 Mob: 07739 562818</p>	<p>Land north east of 34 Eldernell Lane, Coates, Cambridgeshire.</p> <p>Project Mr and Mrs M Dale</p>	<p>Location Plan</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="font-size: 8px;">Scale</td> <td style="font-size: 8px;">Date</td> <td style="font-size: 8px;">Drawn</td> <td style="font-size: 8px;">Checked</td> </tr> <tr> <td style="font-size: 8px;">1:1250 @ A3</td> <td style="font-size: 8px;">May 2020</td> <td style="font-size: 8px;">L B</td> <td style="font-size: 8px;">L B</td> </tr> <tr> <td colspan="3" style="font-size: 8px;">Drawing Number</td> <td style="font-size: 8px;">Revision</td> </tr> <tr> <td colspan="3" style="font-size: 8px;">CH20/LBA/539/FP-1-106</td> <td style="font-size: 8px;">B</td> </tr> </table>	Scale	Date	Drawn	Checked	1:1250 @ A3	May 2020	L B	L B	Drawing Number			Revision	CH20/LBA/539/FP-1-106			B
Scale	Date	Drawn	Checked																
1:1250 @ A3	May 2020	L B	L B																
Drawing Number			Revision																
CH20/LBA/539/FP-1-106			B																

Rev B Nov. 2020 Red line amended to suit new cattle shed position. L B
 Rev A Nov. 2020 Red line amended to suit new cattle shed position. L B

Scale: 1:250
0m 2.5 5 7.5 10 12.5m 25m



Access to be in tarmac construction in accordance with Cambridgeshire County Council's standard access crossover details.

New vehicular access to ensure that access is sealed and drained away from the highway for the first 10m.

New vehicular access measuring 4m wide measured from the near edge of Eldernell Lane.

New 1.2m high timber post and rail fence
New 6m wide metal sliding gate set 10m back from Eldernell Lane.

New hedge planting to boundary to consist of Viburnum Opulus (30%), Cornus Sanguinea (30%) and Craetiaegus monogyna (40%)

Existing hedge retained to boundary

Native species hedgerow retained to site frontage

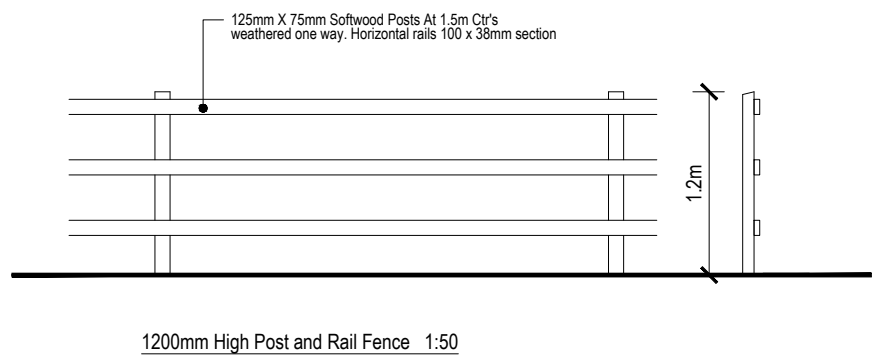
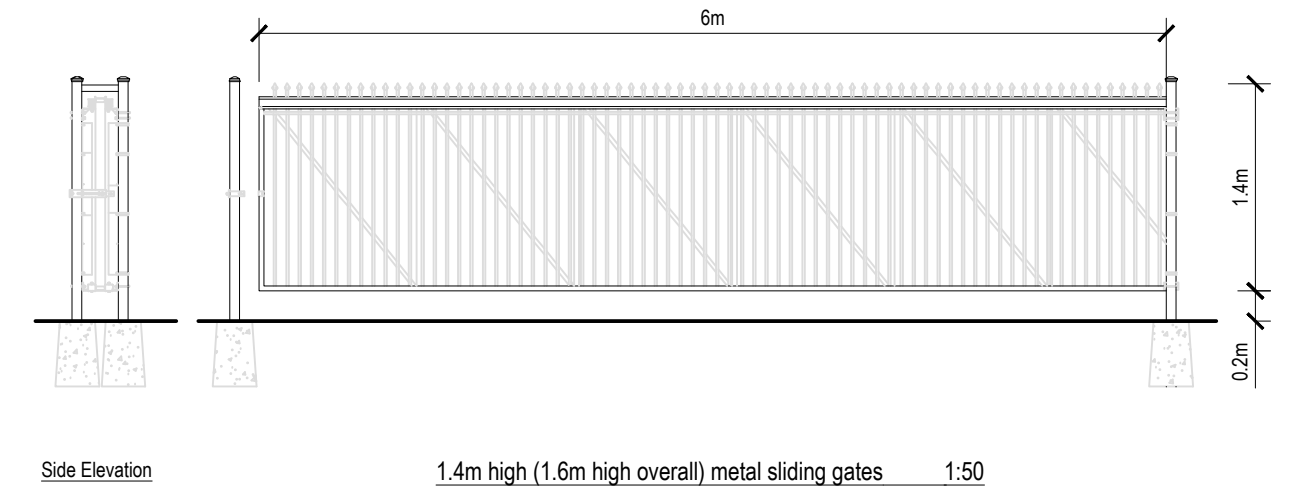
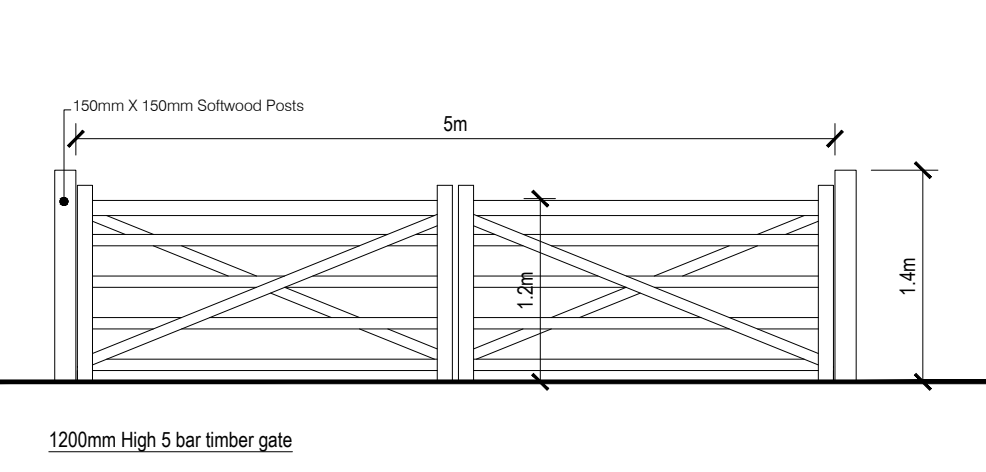
Permeable surface treatment to be agreed

Area seeded to lawn

91.8m

New hedge planting to boundary to consist of Viburnum Opulus (30%), Cornus Sanguinea (30%) and Craetiaegus monogyna (40%)

Existing conifer hedge retained to boundary



House Sparrow Bird Box Starling Bird Box Robin Bird Box
NOTE: FOR SPECIFIC LOCATION OF BIRD BOXES PLEASE REFER TO WORKSHOP ELEVATIONS

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Rev G	Nov. 2020	Cattle shed position amended to remain in Flood Zone 1. (Moved 8m south-east and 6m south-west)
Rev F	Nov. 2020	Cattle shed position amended to suit discussions with neighbour and scale amended.
Rev E	Sept 2020	Cattle shed added and location plan removed.
Rev D	June 2020	Porch canopy removed.
Rev C	June 2020	Roof plan updated to suit latest proposals and entrance gate amended.
Rev B	June 2020	Roof plan updated to suit latest proposals.
Rev A	June 2020	PV Panels added to roof plan.

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DRAWING STATUS	PRELIMINARY	PLANNING	CONSTRUCTION	FILE COPY
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CLIENT
Mr and Mrs M Dale

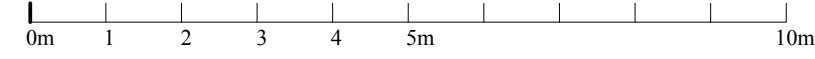
PROJECT
Land north east of 34 Eldernell Lane, Coates, Cambridgeshire.

DRAWING TITLE
Proposed Site Plan
Fence Details

SCALE	DATE	DRAWN	CHECKED
1:250 @ A1	May 2020	LB	
DRAWING NUMBER	REVISION		
CH20/LBA/539/FP-1-100	G		

Proposed Site Plan 1:250

Scale: 1:100



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General Notes

Quality Standards

The overall quality standard for the project shall be that which is expected from a quality residential development. The project is to comply with all current British or European Standard Statutory Regulations, and good practice. However these are to be considered as the minimum requirements as set out in all relevant legislation and any statutory instrument, Building Regulation, by law, or European Standard and Code of Practice.

The buildings will be designed with materials, components and techniques that are readily available, reliable and maintainable and that the building should be maintained in accordance with good practice and the guidelines and recommendations contained in the maintenance manuals.

1. L Bevens Associates Architects Ltd drawings are to be read in conjunction with other relevant engineers and specialists drawings for the project.
2. Dimensions are not to be scaled from drawings, either manually or electronically.
3. All dimensions and setting out information is to be checked on site prior to work commencing. Any dimensional discrepancies are to be reported to L Bevens Associates Architects Ltd before the affected work proceeds.
4. Any discrepancies found on the drawings or between the drawings and any other relevant information must be brought to the attention of L Bevens Associates Architects Ltd as soon as they are discovered.
5. Construction Design & Management (CDM) Regulations 2015; This project is subject to these regulations. The drawings and notes provided by L Bevens Associates Architects Ltd are to be included in the Health and Safety Construction Phase Plan and forwarded to the Principal Contractor.
6. All materials used in this project must be in accordance with British and European Standards and Codes of Practice and/or any other regulations current at the date of initial issue of the drawing.
7. No substances that may cause harm or damage shall be used in the project in particular substances not in accordance with current British and European Standard Specifications and Codes of Practice.

CDM 2015 Notes

1. ALL BUILDING WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT HSE REQUIREMENTS.
2. EXISTING ELECTRICAL AND PLUMBING SERVICES TO BE CLEARLY IDENTIFIED AND ADEQUATE MEASURES TAKEN TO ENSURE THEY ARE SAFE BEFORE WORK COMMENCES ON SITE.
3. ENSURE SAFE ACCESS INTO AND OUT OF THE BUILDING AT ALL TIMES DURING COMMENCEMENT OF WORKS ON SITE.
4. DEMOLITION/REMOVAL WORK ON SITE TO BE CARRIED OUT BY COMPETENT PERSONS AND DONE IN A SAFE AND COHERENT MANNER.
5. ALL FLOOR, WALL AND ROOF ELEMENTS ARE TO BE SUITABLY PROPPED/BRACED DURING THE WORKS. TEMPORARY WORKS ARE TO BE DESIGNED BY A SUITABLY COMPETENT PERSON.
6. PROVIDE SUITABLE SCAFFOLDING DECKS AND WORKING PLATFORMS. ENSURE MATERIALS STORED ABOVE GROUND LEVEL ARE PROVIDED WITH SUITABLE SUPPORT. ENSURE ANY NEW OR EXISTING FLOOR DECKS ARE NOT OVERLOADED.
7. ENSURE SAFE LIFTING PROCEDURES ARE IN PLACE FOR DELIVERY AND MOVING OF MATERIALS AND DURING INSTALLATION OF STRUCTURAL MEMBERS. ALL CRANE AND MACHINE OPERATIVES TO BE SUITABLE COMPETENT.
8. ENSURE ADEQUATE FIRE ESCAPE IS MAINTAINED FROM BUILDING AT ALL TIMES DURING WORKS ON SITE.
9. GIVE CAREFUL CONSIDERATION TO ANY NEW MECHANICAL OR ELECTRICAL EQUIPMENT, LIGHT FITTINGS, SECURITY DEVICES TO ENSURE ADEQUATE ACCESS IS MAINTAINED WITHIN BUILDING AND CIRCULATION ROUTES ARE MAINTAINED.
10. HALF BOARD SIZES FOR PLASTERBOARD SHEETS ARE ENCOURAGED TO MAKE HANDLING EASIER ON SITE.
11. OFF-SITE FABRICATION AND PREFABRICATED ELEMENTS ARE ENCOURAGED TO MINIMISE ON SITE HAZARDS.

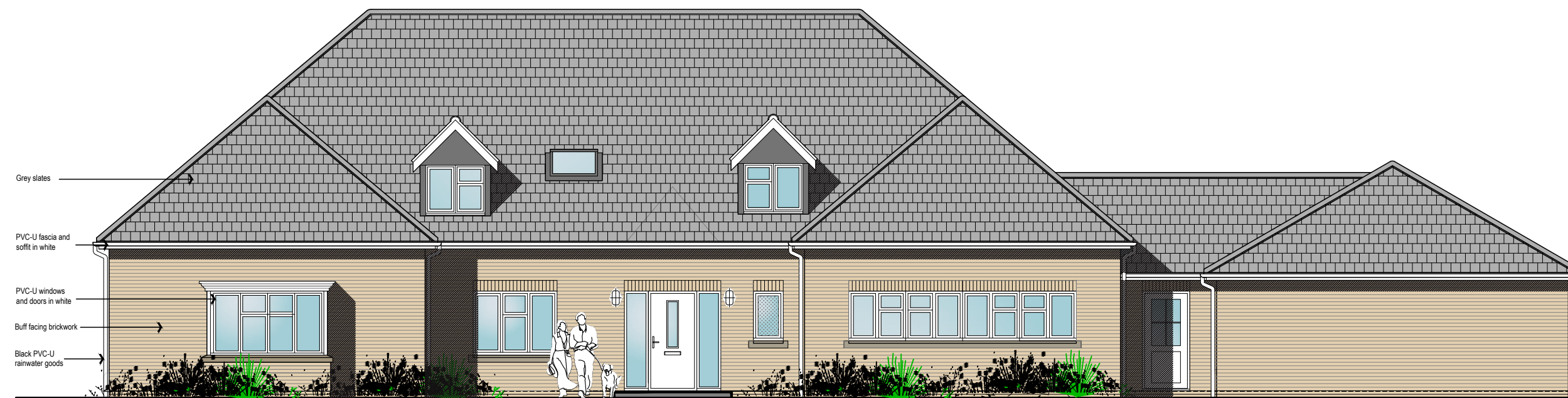
Rev E June 2020 Porch entrance detail removed to suit client comments.

Rev D June 2020 Scheme amended to suit client comments.

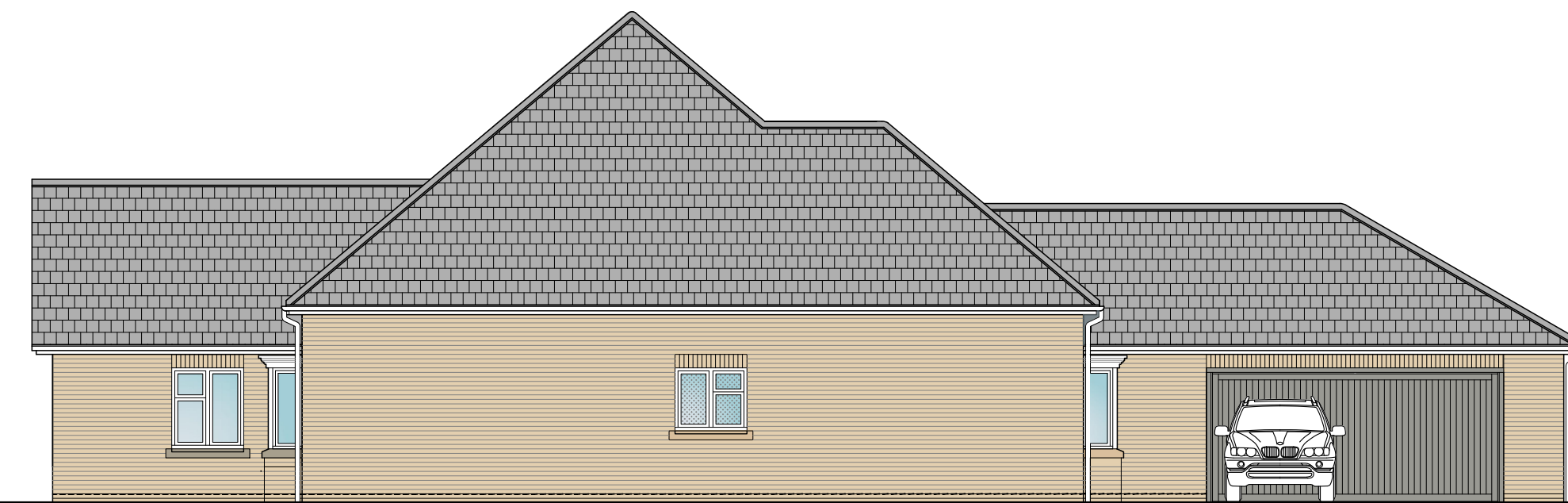
Rev C June 2020 Scheme amended to suit client comments.

Rev B June 2020 Porch entrance feature added.

Rev A June 2020 Window and door styles amended to suit client. PV panels added to elevations



Proposed Front Elevation



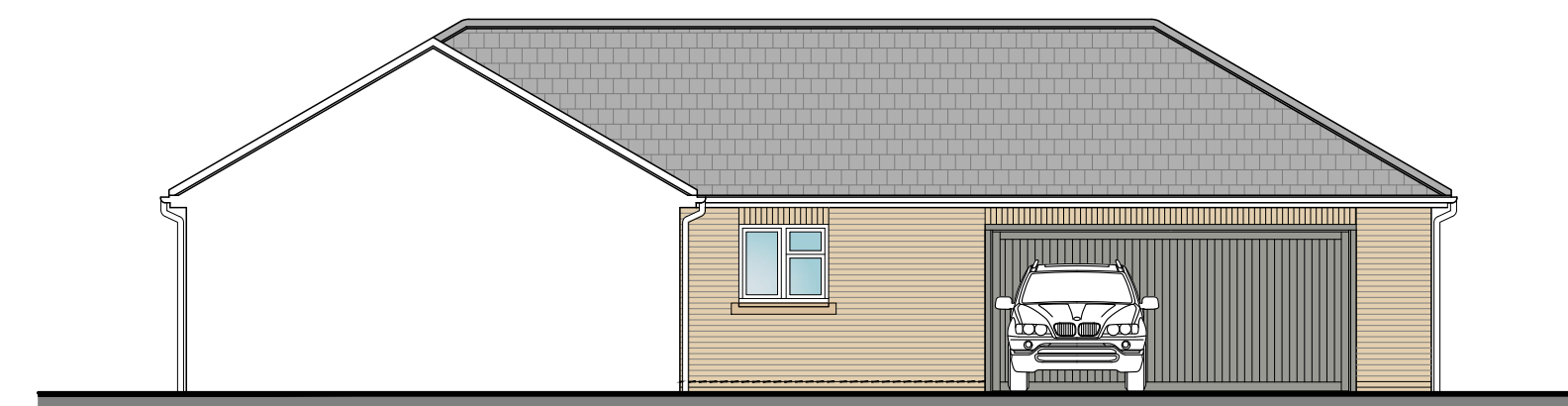
Proposed Side Elevation



Proposed Rear Elevation



Proposed Side Elevation



Proposed Part Side Elevation



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CLIENT
Mr and Mrs M Dale

PROJECT
Land north east of 34 Eldernell Lane,
Coates, Cambridgeshire

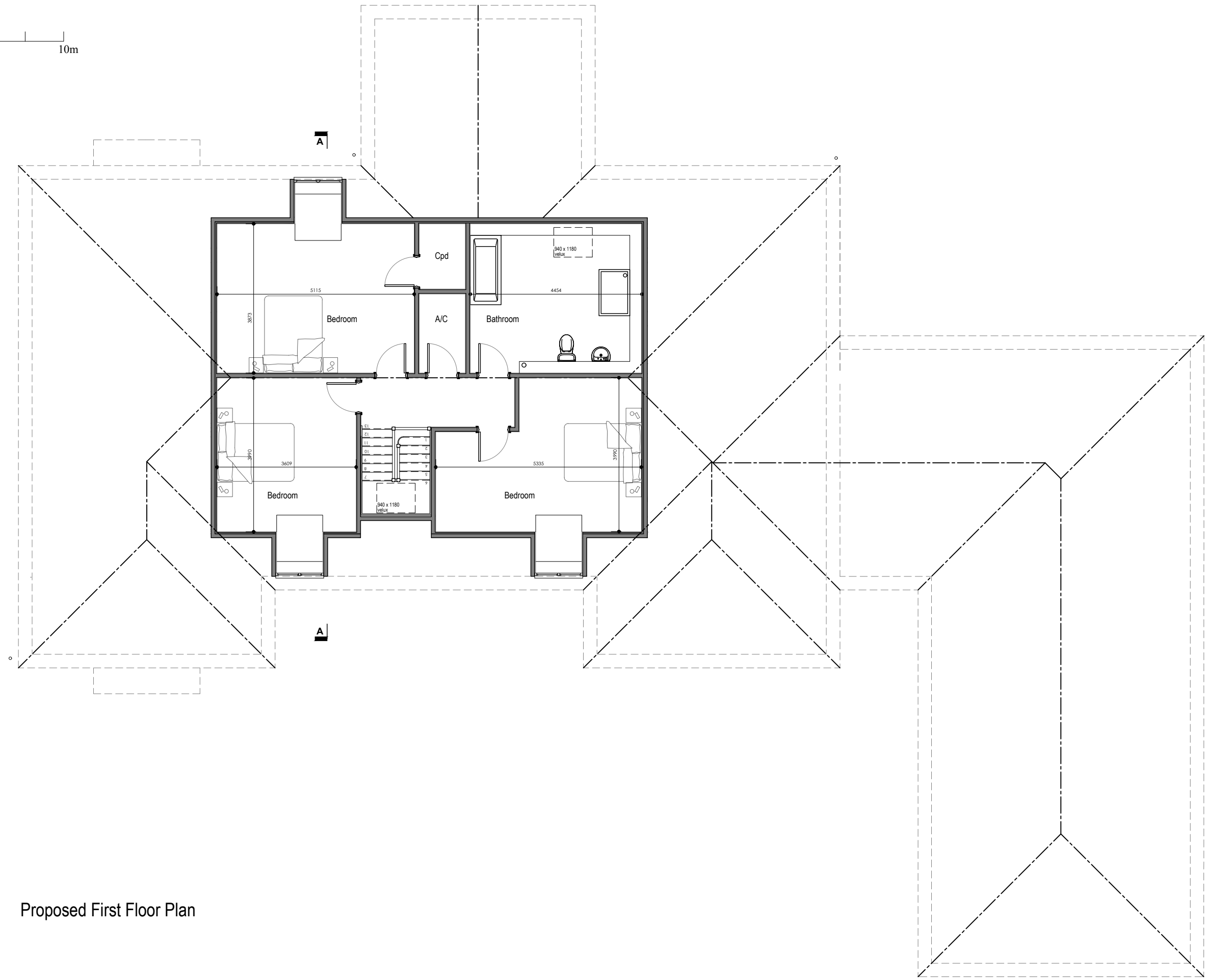
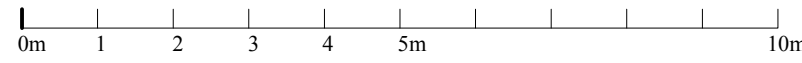
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Proposed Elevations

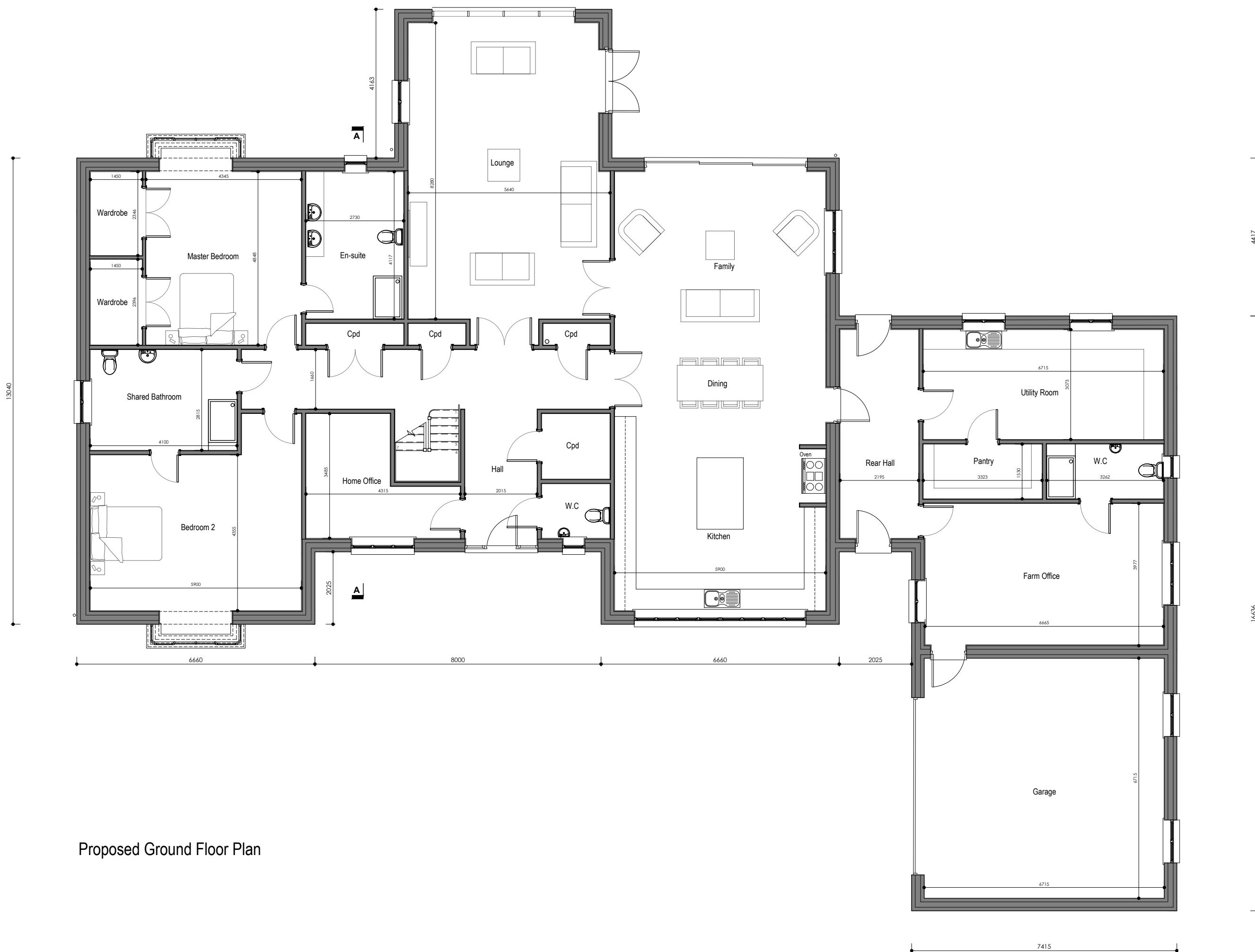
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DRAWING NUMBER	REVISION
CH20/LBA/539/FP-1-102	E

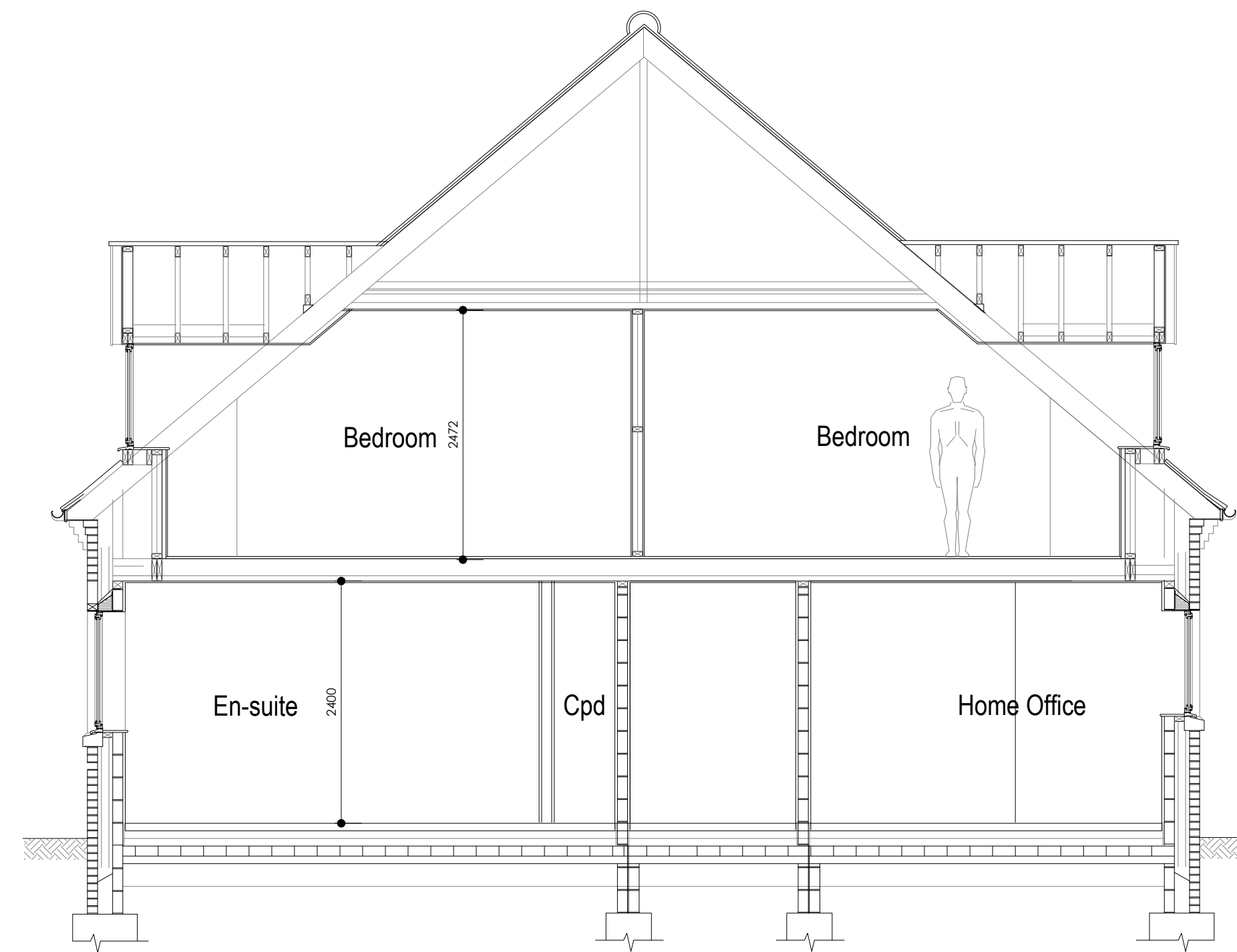
Scale: 1:100



Proposed First Floor Plan



Proposed Ground Floor Plan



Typical Section

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General Notes

Quality Standards

The overall quality standard for the project shall be that which is expected from a quality residential development. The project is to comply with all current British or European Standard Statutory Regulations, and good practice. However these are to be considered as the minimum requirements as set out in all relevant legislation and any statutory instrument. Building Regulation, by law, or European Standard and Code of Practice.

The buildings will be designed with materials, components and techniques that are readily available, reliable and maintainable and that the building should be maintained in accordance with good practice and the guidelines and recommendations contained in the maintenance manuals.

1. L Bevens Associates Architects Ltd drawings are to be read in conjunction with other relevant engineers and specialists drawings for the project.
2. Dimensions are not to be scaled from drawings, either manually or electronically.
3. All dimensions and setting out information is to be checked on site prior to work commencing. Any dimensional discrepancies are to be reported to L Bevens Associates Architects Ltd before the affected work proceeds.
4. Any discrepancies found on the drawings or between the drawings and any other relevant information must be brought to the attention of L Bevens Associates Architects as soon as they are discovered.
5. Construction Design & Management (CDM) Regulations 2015; This project is subject to these regulations. The drawings and notes provided by L Bevens Associates Architects Ltd are to be included in the Health and Safety Construction Phase Plan and forwarded to the Principal Contractor.
6. All materials used in this project must be in accordance with British and European Standards and Codes of Practice and/or any other regulations current at the date of initial issue of the drawing.
7. No substances that may cause harm or damage shall be used in the project in particular substances not in accordance with current British and European Standard Specifications and Codes of Practice.

CDM 2015 Notes

1. ALL BUILDING WORKS ARE TO BE CARRIED OUT IN ACCORDANCE WITH CURRENT HSE REQUIREMENTS.
2. EXISTING ELECTRICAL AND PLUMBING SERVICES TO BE CLEARLY IDENTIFIED AND ADEQUATE MEASURES TAKEN TO ENSURE THEY ARE SAFE BEFORE WORK COMMENCES ON SITE.
3. ENSURE SAFE ACCESS INTO AND OUT OF THE BUILDING AT ALL TIMES DURING COMMENCEMENT OF WORKS ON SITE.
4. DEMOLITION/REMOVAL WORK ON SITE TO BE CARRIED OUT BY COMPETENT PERSONS AND DONE IN A SAFE AND COHERENT MANNER.
5. ALL FLOOR, WALL AND ROOF ELEMENTS ARE TO BE SUITABLY PROPPED/BRACED DURING THE WORKS. TEMPORARY WORKS ARE TO BE DESIGNED BY A SUITABLY COMPETENT PERSON.
6. PROVIDE SUITABLE SCAFFOLDING DECKS AND WORKING PLATFORMS. ENSURE MATERIALS STORED ABOVE GROUND LEVEL ARE PROVIDED WITH SUITABLE SUPPORT. ENSURE ANY NEW OR EXISTING FLOOR DECKS ARE NOT OVERLOADED.
7. ENSURE SAFE LIFTING PROCEDURES ARE IN PLACE FOR DELIVERY AND MOVING OF MATERIALS AND DURING INSTALLATION OF STRUCTURAL MEMBERS. ALL CRANE AND MACHINE OPERATIVES TO BE SUITABLE COMPETENT.
8. ENSURE ADEQUATE FIRE ESCAPE IS MAINTAINED FROM BUILDING AT ALL TIMES DURING WORKS ON SITE.
9. GIVE CAREFUL CONSIDERATION TO ANY NEW MECHANICAL OR ELECTRICAL EQUIPMENT, LIGHT FITTINGS, SECURITY DEVICES TO ENSURE ADEQUATE ACCESS IS MAINTAINED WITHIN BUILDING AND CIRCULATION ROUTES ARE MAINTAINED.
10. HALF BOARD SIZES FOR PLASTERBOARD SHEETS ARE ENCOURAGED TO MAKE HANDLING EASIER ON SITE.
11. OFF-SITE FABRICATION AND PREFABRICATED ELEMENTS ARE ENCOURAGED TO MINIMISE ON SITE HAZARDS.

- Rev E June 2020 Porch entrance detail removed to suit client comments.
- Rev D June 2020 Utility Area amended.
- Rev C June 2020 Ground Floor plan amended to suit new stair position and first floor plan amended.
- Rev B June 2020 Porch entrance feature added.
- Rev A June 2020 Kitchen window amended.



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DRAWING STATUS	PRELIMINARY	CONSTRUCTION
	PLANNING	FILE COPY

CLIENT
Mr and Mrs M Dale

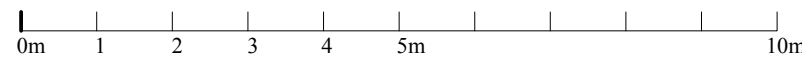
PROJECT
Land north east of 34 Eldernell Lane,
Coates, Cambridgeshire

DRAWING TITLE
**Proposed Ground and First Floor Plan
Typical Section**

SCALE DATE DRAWN CHECKED
1:100 & 1:50 @ A1 May 2020 LB

DRAWING NUMBER REVISION
CH20/LBA/539/FP-1-101 E

Scale: 1:100



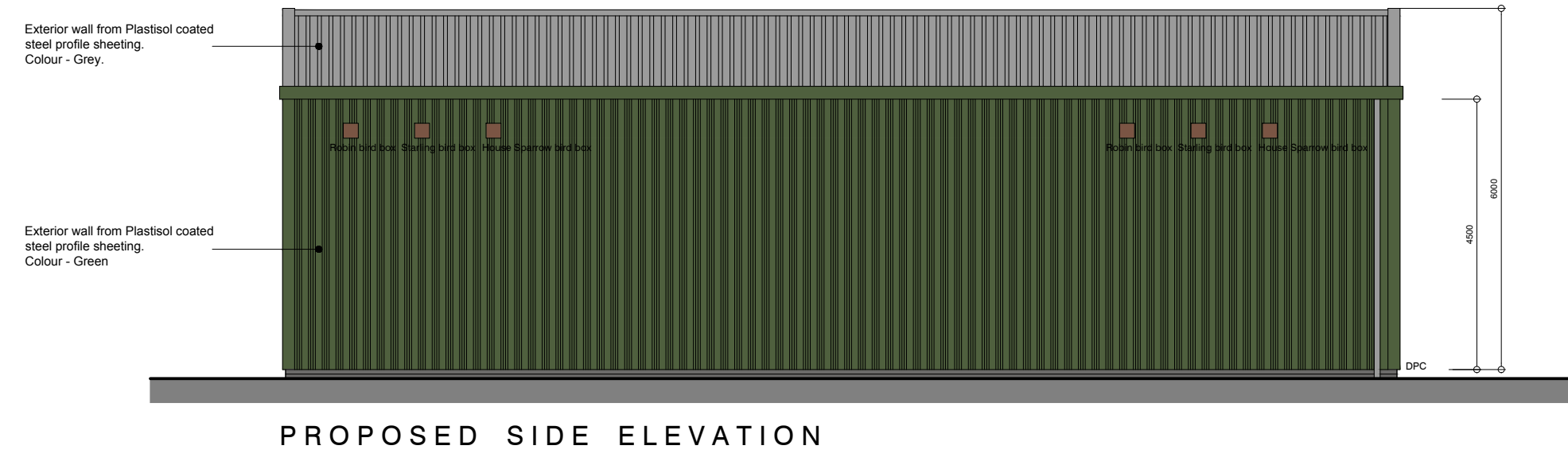
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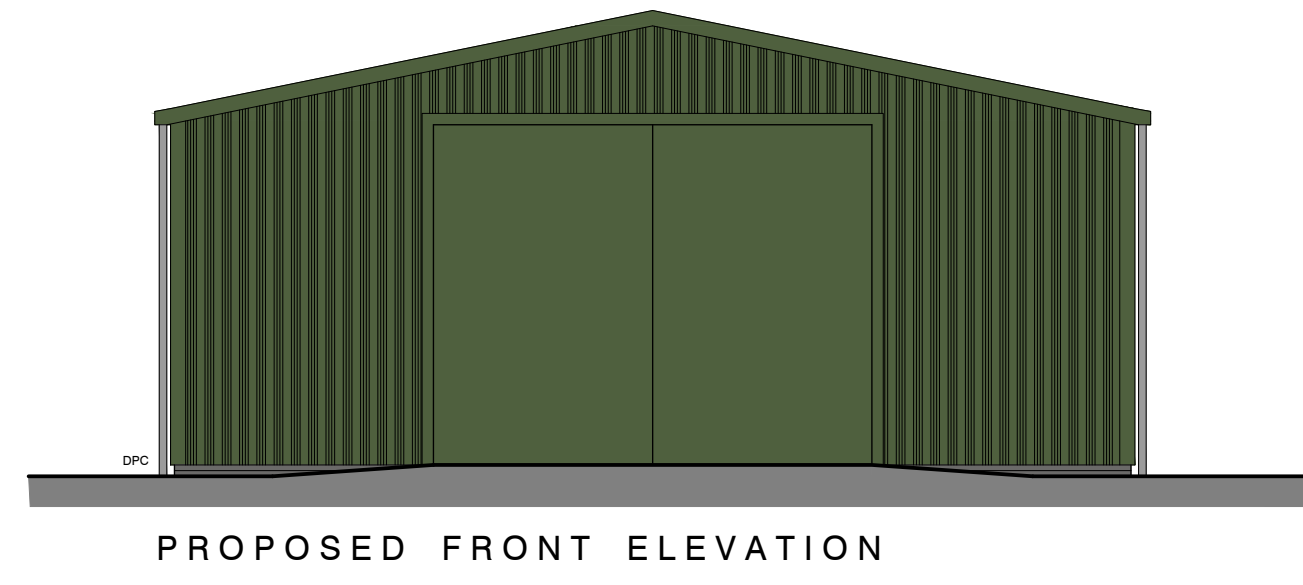
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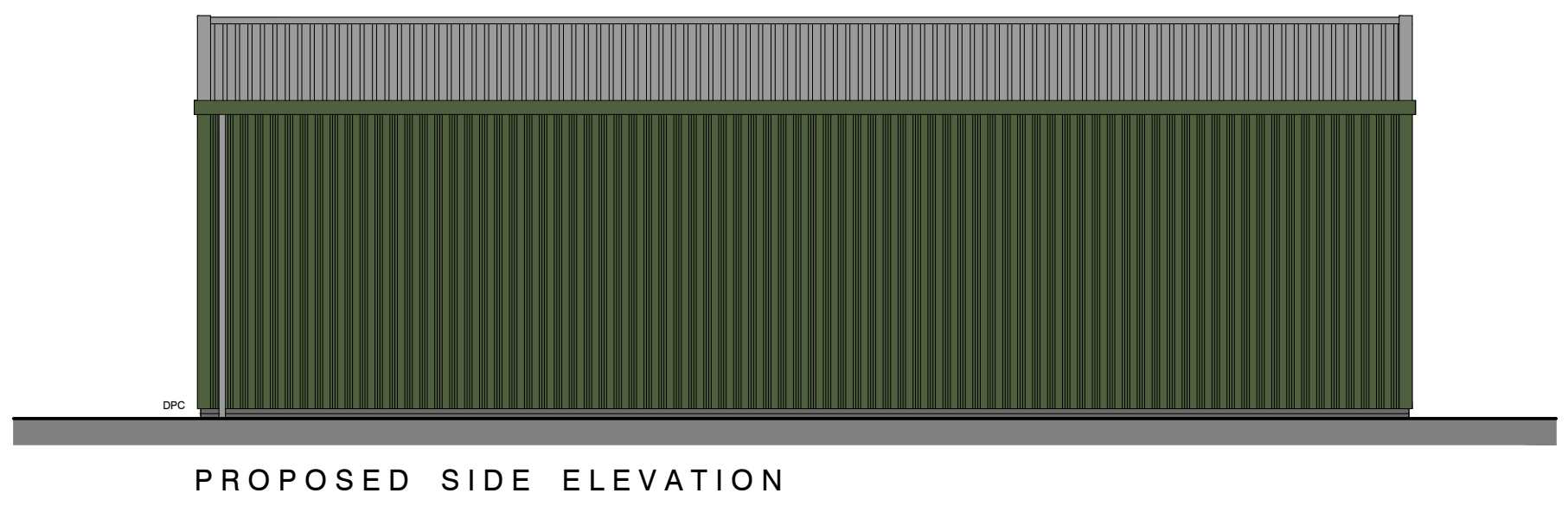
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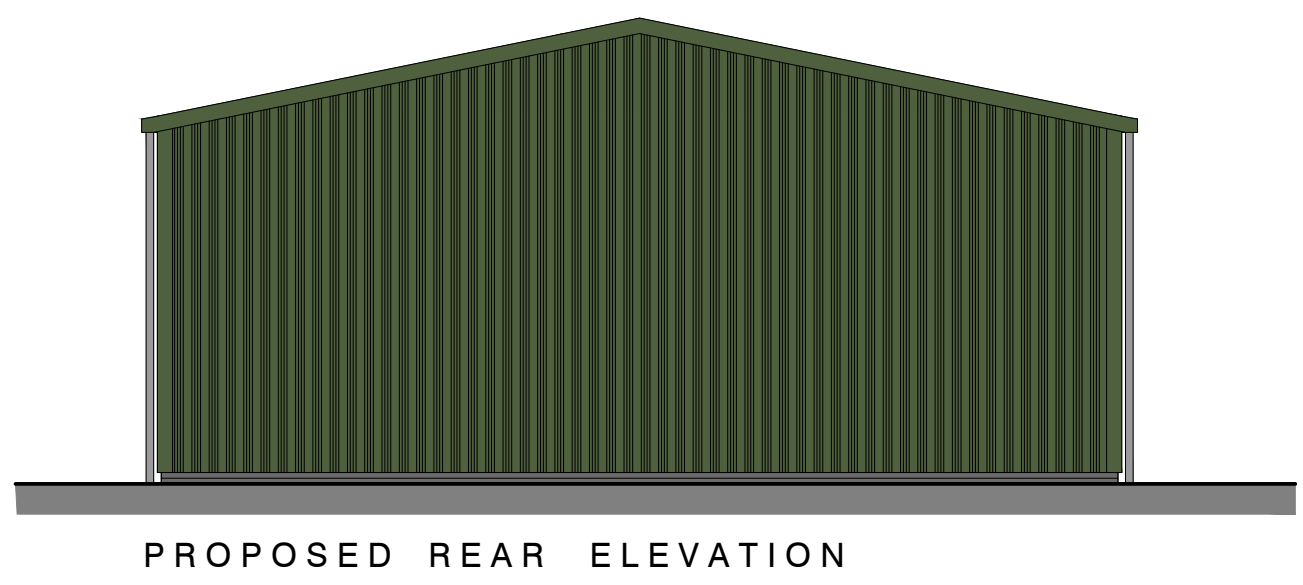
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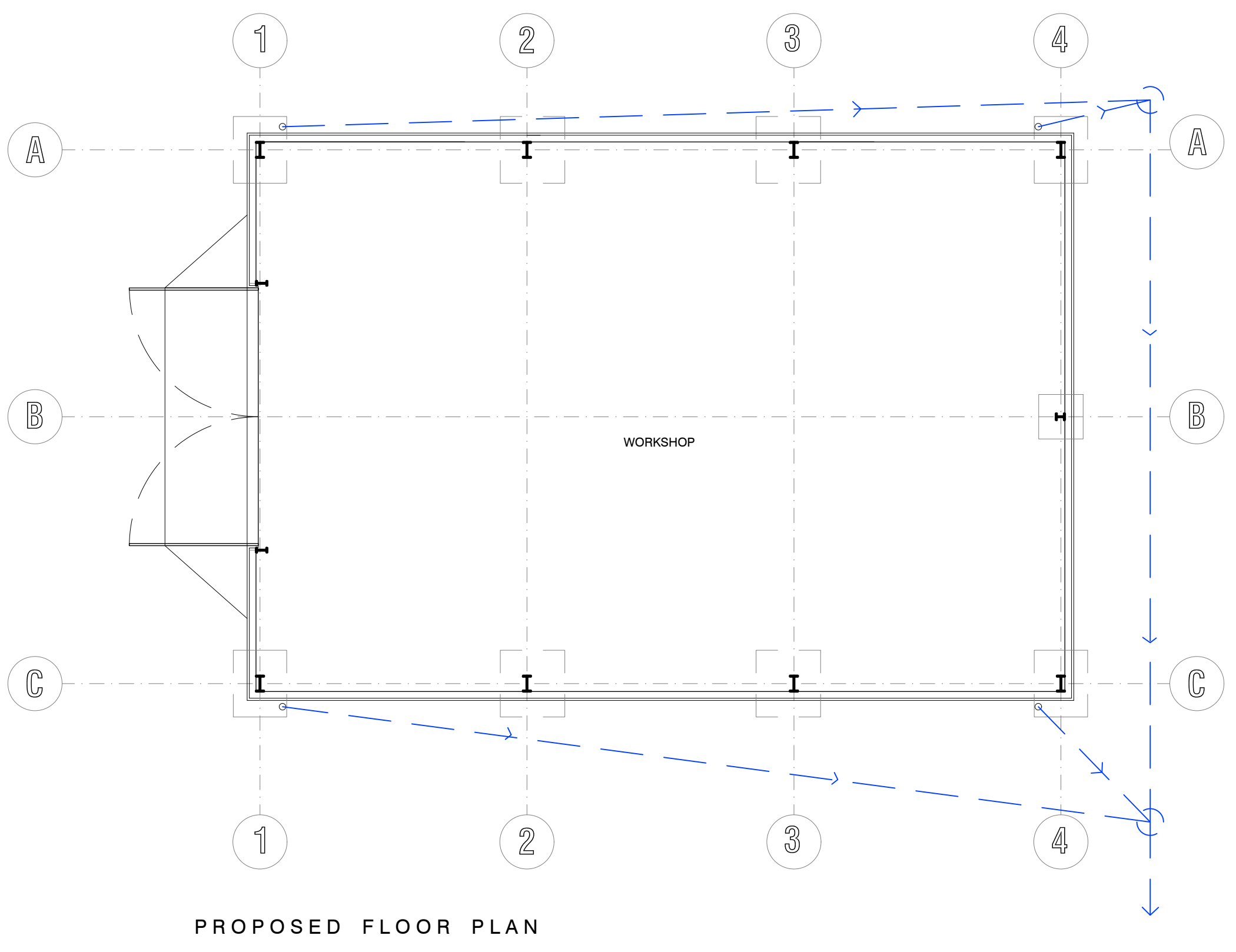
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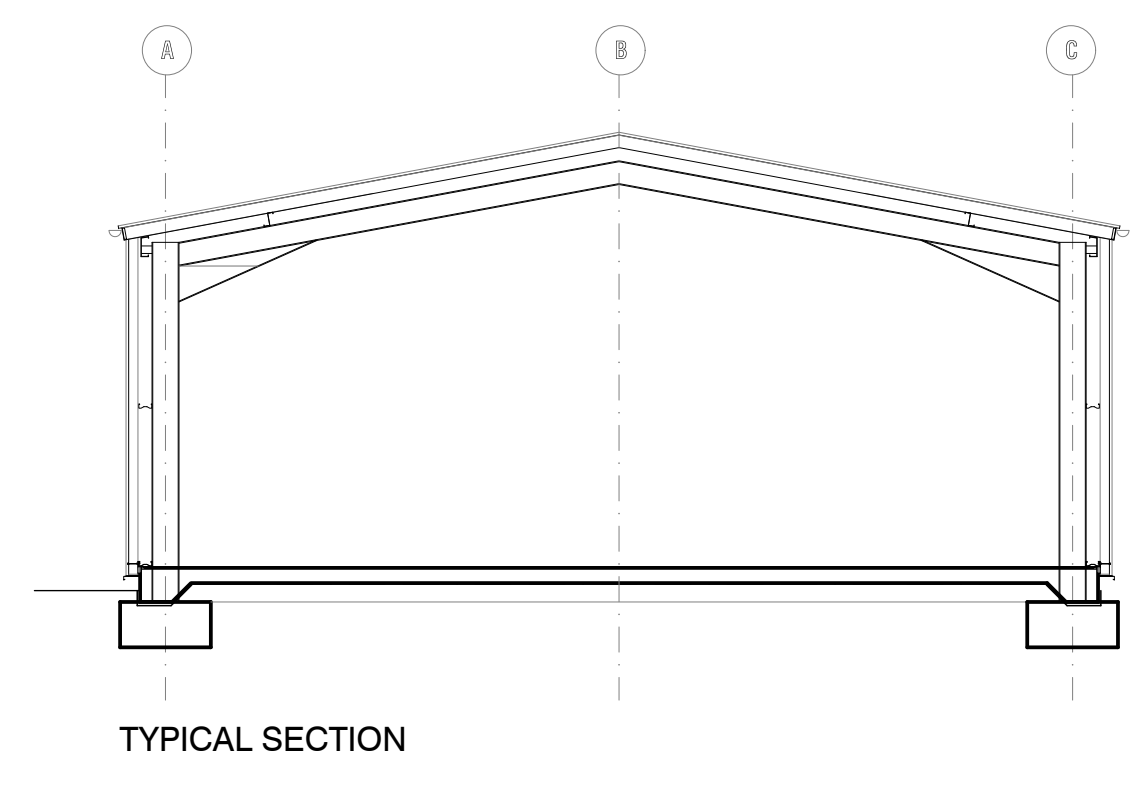
PROPOSED SIDE ELEVATION



PROPOSED REAR ELEVATION



PROPOSED FLOOR PLAN



TYPICAL SECTION

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CLIENT: **Mr and Mrs M Dale**

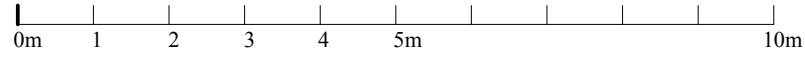
PROJECT: Land north east of 34 Eldernell Lane, Coates, Cambridgeshire.

DRAWING TITLE: Proposed Workshop Typical Section Plan and Elevations

SCALE: 1:100 @ A1 DATE: May 2020 DRAWN: LB CHECKED:

DRAWING NUMBER: CH20/LBA/539/FP-1-103 REVISION:

Scale: 1:100



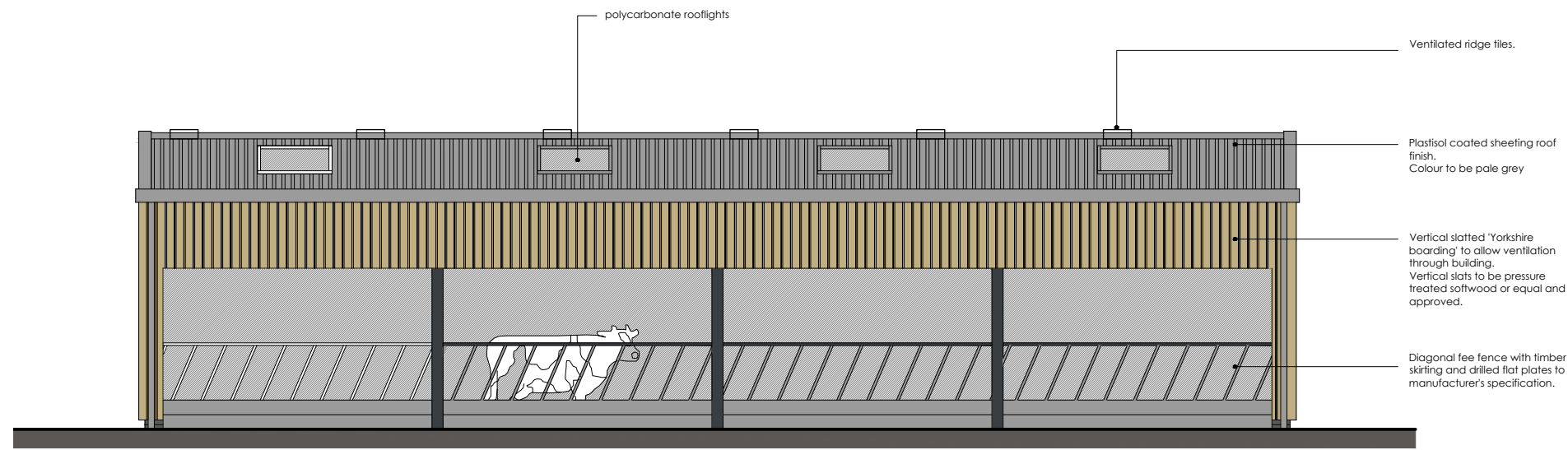
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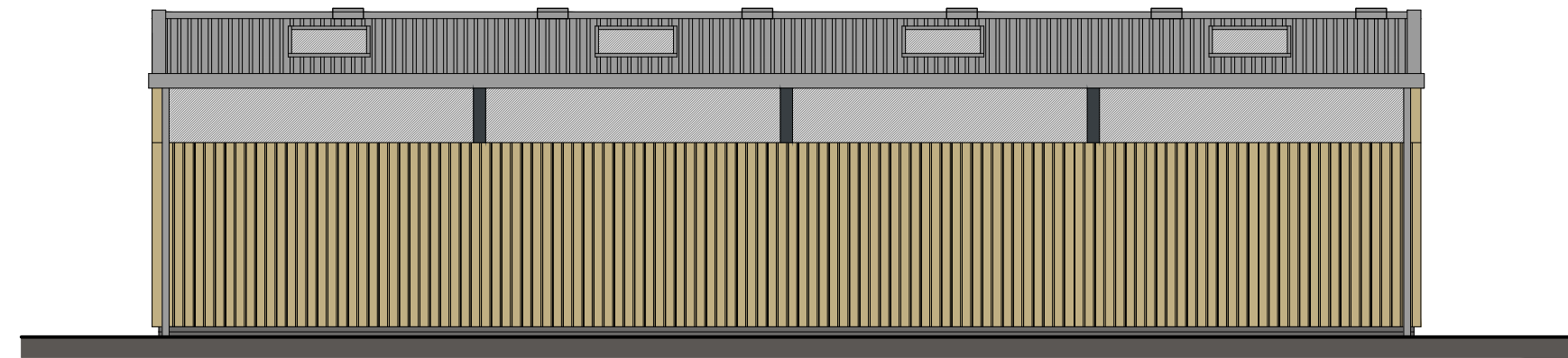
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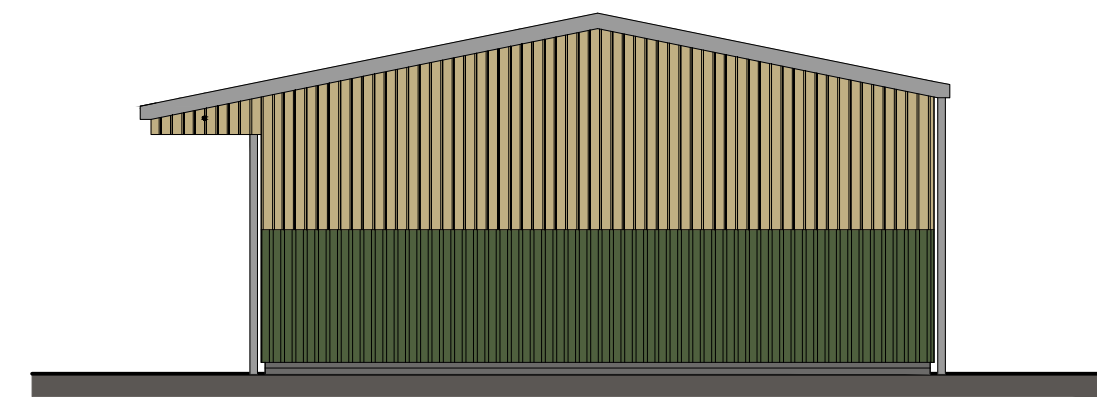
PROPOSED FRONT ELEVATION



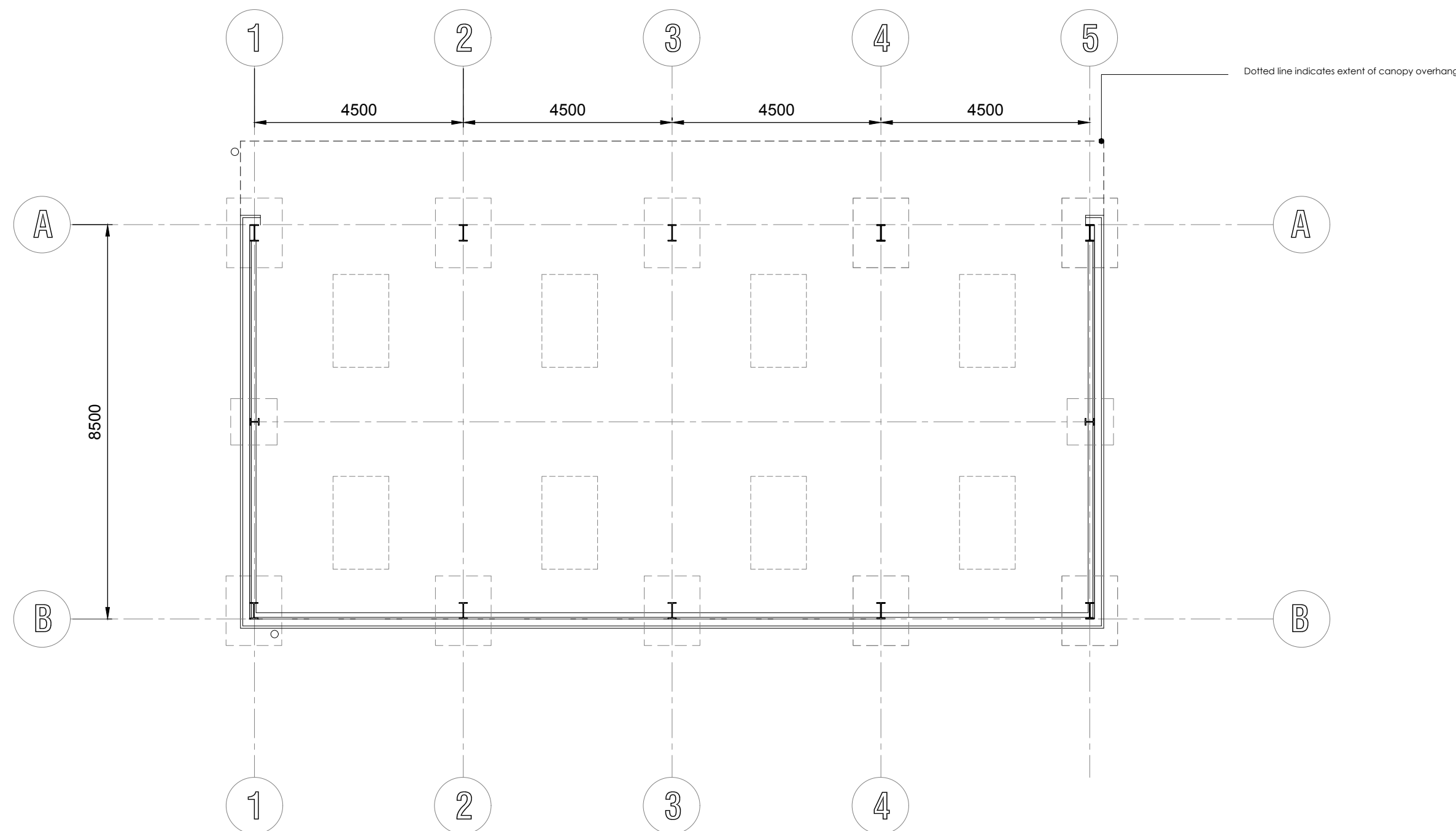
PROPOSED SIDE ELEVATION



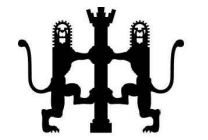
PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



Rev A Sept. 20 Revised in accordance with client comments.



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	PLANNING	FILE COPY
	<input type="checkbox"/>	<input type="checkbox"/>

CLIENT
Mr and Mrs M Dale

PROJECT
Land north east of 34 Eldernell Lane,
Coates, Cambridgeshire.

DRAWING TITLE
Proposed Cattle Shed
Plan and Elevations

SCALE	DATE	DRAWN	CHECKED
1:100 @ A2	Sept. 2020	LB	
DRAWING NUMBER	REVISION		
CH20/LBA/539/FP-1-105	A		

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F/YR20/1103/O

**Applicant: Mr Dennis Betts
D R Betts Bespoke Joinery**

**Agent : Mr Ted Brand
Brand Associates**

Land South East Of, 43 Whittlesey Road, March, Cambridgeshire

Erect up to 1 no dwelling (outline application with all matters reserved)

Officer recommendation: Refused

Reason for Committee: Number of representations contrary to Officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 The application seeks outline planning permission for a dwelling in association with an existing business; all matters (Access, Appearance, Landscaping, Layout and Scale) are reserved.
- 1.2 Policy LP3 seeks to steer development to the most sustainable locations. The site is identified within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as an 'Elsewhere' location. Development elsewhere will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Whilst it is acknowledged that a dwelling would likely be desirable to address the security concerns and operational needs set out by the applicant, there is no demonstration that this would be 'essential', as is required in order to satisfy the test set under LP3 and LP12 and as such it fails to comply with these policies.
- 1.3 The application site is located within Flood Zone 3, the highest risk of flooding. Without demonstration of an essential/functional need, the sequential and exception tests would need to be passed in order for the proposal to be considered acceptable in flood risk terms. No formal sequential test has been submitted; hence the proposal fails in this regard and due to the District wide search area it is highly unlikely that a formal assessment would indicate that there are no alternative sites available at a lesser risk of flooding.
- 1.4 The site together with the adjoining fields and open space either side of the bypass provide a contribution to the visual quality and openness of this area, and any development on this site would diminish its open and undeveloped nature, exacerbated by the sites prominent position on the A141, resulting in a significant detrimental impact on the character and visual amenity of the area.
- 1.5 The application is therefore recommended for refusal.

2 SITE DESCRIPTION

The application site is garden land serving 43 Whittlesey Road, this is a roughly triangular shaped area laid to grass, there are trees and a hedge forming the western boundary, a hedge to the east, herras fencing to the south and open to the north to the existing dwelling. The proposal indicates use of the existing access off Whittlesey Road (though this is not committed) which currently serves the existing business and dwelling, this is a concrete access over the ditch leading to a tarmac drive which snakes through the site and to the area subject to the application.

3 PROPOSAL

The application seeks outline planning permission for a dwelling in association with an existing business; all matters (Access, Appearance, Landscaping, Layout and Scale) are reserved.

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

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QJOZ5LHE0D800>

4 SITE PLANNING HISTORY

F/YR09/0012/O	Erection of a detached house	Refused 11/2/2009
		Dismissed on Appeal 28/9/2009
F/YR08/0851/O	Erection of a detached house	Refused 28/10/2008
F/YR06/0709/F	Removal of Condition 17 of planning permission F/YR01/0964/F (Erection of a 4-bed detached house with detached garage block and erection of workshop) relating to persons in direct association with the joinery business	Granted 17/7/2006
F/YR03/0056/F	Erection of 3-bay domestic garage with domestic store over	Granted 7/3/2003
F/YR01/0964/F	Erection of a 4-bed detached house with detached garage block and erection of workshop	Granted 22/2/2002

5 CONSULTATIONS

5.1 Town Council

Recommend approval.

5.2 Cambridgeshire County Council Highways

The existing access onto Whittlesey Road is suitable for shared use.

The proposal will not result in any material harm to the highway network.

I have no highway objections.

5.3 Environment Agency

Environment Agency Position

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the relevant Internal Drainage Board (IDB). As such, we have no objection to the proposed development on flood risk grounds.

Advice to LPA

In accordance with paragraph 158 of the National Planning Policy Framework, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. It is for the local planning authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk. Our national flood risk standing advice reminds you of this and provides advice on how to do this.

The IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals. In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

5.4 Environmental Health (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate. Mapping history shows any previous use of the application site is unlikely to have resulted in the presence of ground contamination.

Given the close proximity of the application site to that of the adjacent A141 road, the applicant should ensure the design and fabrication of the proposed dwelling is committed to achieving a high quality sound and well-insulated environment suitable for the intended occupier.

5.5 Middle Level Commissioners

No comments received.

5.6 Local Residents/Interested Parties

Six supporting comments have been received (one from Elm Road, Plowright Close, The Causeway, The Birches, all March and two from the same property at Kingsley Street, March), in relation to the following:

- There would be no additional detriment to the area, not mass build
- Sustainable location
- Not out of place, unobtrusive and good use of land without infringement on neighbours
- Common sense that a tradesman close to workshop, carrying on well-established business
- No detrimental features
- No disruption to and would expand small community

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context -C1

Identity – I1

Built Form – B2

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

LP5 – Meeting Housing Need

LP6 – Employment, Tourism, Community Facilities and Retail

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

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM3 – Making a Positive Contribution to Local Distinctiveness and Character of the Area

Cambridgeshire Flood and Water SPD 2016

March Neighbourhood Plan 2017

H2 – Windfall Development

H3 – Local Housing Need

8 KEY ISSUES

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Flood Risk**
- **Highways/parking**

9 BACKGROUND

Planning permission has been refused twice for a dwelling on this site and dismissed on appeal. Reasons for refusal related to the development resulting in a dwelling in the countryside, with no special justification. The Inspector, within her appeal decision concurred with these reasons and found that the *'physical separation of the area from the town by the Isle of Ely Way and the unwelcoming pedestrian environment mean that occupiers of the proposed house would be more likely to access local services by car'* and that a dwelling in this location would *'diminish the area of openness which is characteristic of this part of the countryside'* resulting in harm to the character of the surrounding countryside.

10 ASSESSMENT

Principle of Development and Demonstration of essential need

- 10.1 Policy LP3 seeks to steer development to the most sustainable locations. Whilst addressed as March, the site is physically divorced from the main settlement by the A141, as was found by the Inspector on the previous appeal. The application site is therefore located outside the settlement of March and as such is identified within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as an 'Elsewhere' location.
- 10.2 Development elsewhere will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services and any such development will be subject to a restrictive occupancy condition.
- 10.3 The overarching aim of the NPPF 2019 is to ensure that sustainable development is achieved and to this end discourages residential development without access to services and facilities.
- 10.4 The site, whilst not physically isolated, lacks services, and as such there would be a necessity for future occupants to travel for day to day services and facilities, as acknowledged within the previous appeal decision. Whittlesey Road has narrow verges, no footpaths and is unlit which would dissuade residents from using sustainable transport modes to access services and facilities such as walking or cycling, particularly during hours of darkness or in poor weather conditions. In addition, to reach services in March, the busy A141 would need to be crossed; it is acknowledged that there is an underpass. However, the journey to this is via Marina Drive, without footpaths and unlit, the underpass has also recently been flooded and inaccessible, there are no other formal crossing points. The application site is not located within a sustainable location and only where there is an essential need for a development in such a location may this be acceptable, the test for which is set out in Policy LP12:
- 10.5 Policy LP12 – Part D of the Fenland Local Plan is relevant for considering proposals for new dwellings in areas away from the market towns and villages. To determine such proposals, an applicant should provide supporting evidence as part of the application to prove a demonstrable need, including information regarding the following areas listed as items a-e;

a) The existing functional need for the dwelling

The planning statement submitted with the application asserts that the proposed dwelling is required for Roberts Betts and his family on the site of

the family joinery business, as his father who resides at 43 Whittlesey Road has retired but does not wish to move.

The statement goes on to say that it is important for a working family member to be available on site to deal with out of hours deliveries and meetings and for security and overtime as necessary.

The business in question does not fall within those stated in Policy LP3, namely '*agriculture, horticulture, forestry, outdoor recreation, transport or utility services*'. Nevertheless, in order to comply a proposal is subject to a strict test which requires evidence that such development is demonstrably essential for the effective operation of such a use.

In order for functional need to be established it is required to be demonstrated that it is essential for the proper functioning of the business for one or more workers to be available day and night, should an unexpected situation occur or if there is an emergency that would threaten the viability or existence of the business without immediate attention. No such evidence has been provided this is the case and is unlikely to be achievable given the use of the existing business.

In addition it has previously been determined by a Planning Inspector that an additional dwelling could not be justified on the basis of retirement needs, since this amounted to a personal circumstances claim which could not outweigh the policy conflict (APP/A2525/A/08/2070481).

The site is not in an isolated location and as such there is a level of surveillance afforded to the existing business, furthermore no evidence has been provided that security could not be achieved by other means, such as CCTV or alarm systems. Nor has any evidence of crime in the area been provided to indicate whether this is an issue.

Whilst it is acknowledged that a dwelling would likely be desirable to address the security concerns and operational needs set out by the applicant, there is no demonstration that this would be 'essential', as is required in order to satisfy the test set under LP3.

b) The number of part time and full-time workers(s) to live in the dwelling

No information has been provided regarding this.

c) The length of time the activity has been established

No information has been provided regarding this.

d) The availability of other suitable accommodation on site or in the area

No information has been provided regarding this.

e) How the proposed size of the dwelling relates to the viability of the enterprise

No information has been provided regarding this; however, the application is outline only with all matters reserved; the scale of the proposed dwelling would be considered at Reserved Matters stage.

10.6 In light of the above the proposal clearly fails to demonstrate compliance with Policies LP3 and LP12 of the Fenland Local Plan 2014.

Design considerations and visual amenity of area

- 10.7 The application is for Outline planning permission with all matters reserved, hence the detailed matters in relation to layout and appearance cannot be considered at this stage. Notwithstanding this, the site together with the adjoining fields and open space either side of the bypass provide a contribution to the visual quality and openness of this area, any development on this site would diminish its open and undeveloped nature, exacerbated by the sites prominent position on the A141. This would result in a significant detrimental impact on the character and visual amenity of the area, contrary to Policy LP2 and LP16 (d) of the Fenland Local Plan 2014 and DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014. The Inspector, within the previous appeal decision, found that a dwelling in this location would '*diminish the area of openness which is characteristic of this part of the countryside*' resulting in harm to the character of the surrounding countryside.
- 10.8 There are a number of trees on the western boundary of the site which contribute to the character of the area and appear to be on third party land, given the application is in Outline form only it would be necessary to consider the impact of the proposal on these trees at Reserved Matters stage, should this application be successful, and a condition regarding this could be imposed.

Residential Amenity/Health and wellbeing

- 10.9 The application is for Outline planning permission with all matters reserved, hence the impact on the residential amenity of adjoining properties cannot be fully assessed.
- 10.10 The site is relatively large and as such there is scope to provide acceptable relationships between the proposal and surrounding dwellings and to provide a minimum of a third of the plot for private amenity space, as required by Policy LP16 (h). The proposal would result in the loss of amenity space serving 43 Whittlesey Road; however, this would remain on a substantial site with sufficient private amenity space afforded.
- 10.11 The site is in close proximity to the A141, with potential to experience a level of noise and disturbance, Environmental Health have advised that the proposal should be designed and constructed to ensure a high-quality sound and well-insulated environment is achieved. A noise impact assessment, incorporating necessary mitigation measures, would usually be required as part of the application, to evidence that a suitable scheme can be achieved, however given that all matters are reserved in this case it is considered that this could be dealt with by way of a condition, should this application be successful.

Flood Risk

- 10.12 The application site is located within Flood Zone 3, the highest risk of flooding. Policy LP14 requires all development proposals to adopt a sequential approach to flood risk from all types of flooding to ensure that development is steered away from those areas at highest risk.
- 10.13 Dwellings are considered to be 'more vulnerable' within the flood risk vulnerability and flood zone compatibility table, as such both sequential and exception tests apply to this development. Due to the lack of a functional need for a dwelling in this location evidenced at paras 10.1-10.6 above, the sequential and exception tests would need to be passed in order for the proposal to be considered acceptable in flood risk terms. The comments from Middle Level Commissioners

provided at Appendix A of the Planning Statement, in relation to the fact they consider 'The Fens' to be a special case, are noted. However, the application is required to be assessed under current national and local policy.

- 10.14 The Flood Risk Assessment submitted, notes at 3.3 that the sequential and exception tests would need to be applied by the Local Planning Authority. However, the Cambridgeshire Flood and Water Supplementary Planning Document clearly states (para 4.4.6) that it is for the applicants to undertake the sequential test. The submitted Planning Statement at para 3.3 asserts that the sequential and exception tests are not necessary.
- 10.15 The site is considered to be located in a 'elsewhere' location, being outside the settlement of March and as such the search area in respect of the sequential test is District wide. No formal sequential test has been submitted; hence the proposal fails in this regard and due to the District wide search area it is highly unlikely that a formal assessment would indicate that there are no alternative sites available at a lesser risk of flooding.
- 10.16 In light of the above the proposal is considered to be contrary to Policy LP14 of the Fenland Local Plan and paragraphs 155-163 of the NPPF 2019.

Highways/parking

- 10.17 Access to the site has not been committed and cannot therefore be considered, the application indicates that the existing access from Whittlesey Road would be utilised, however there is scope for access via Marina Drive to the south, as was proposed under the previous applications for a dwelling on this site.
- 10.18 Parking provision would be considered at reserved matters stage, should this application be successful.

11 CONCLUSIONS

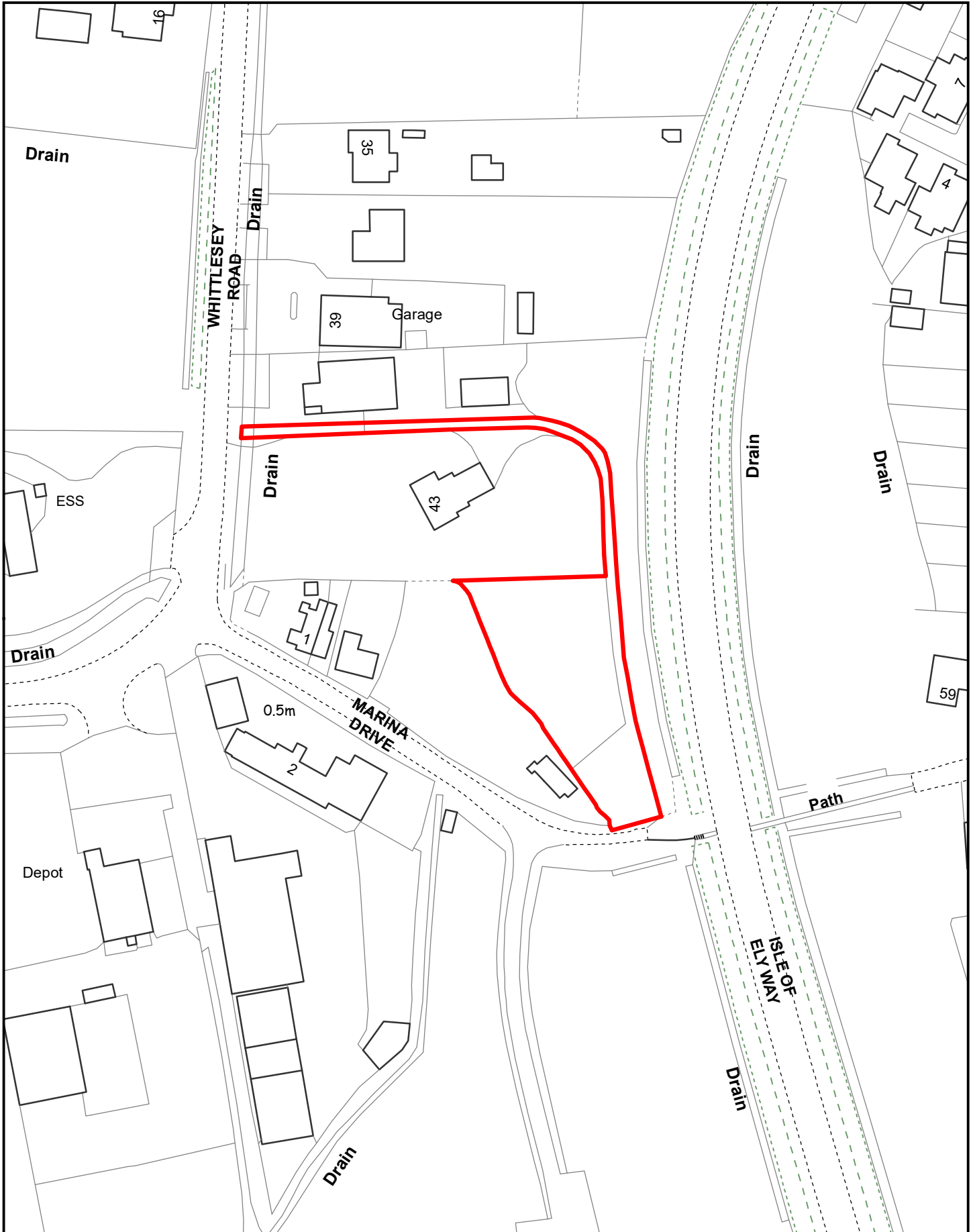
- 11.1 Policy LP3 seeks to steer development to the most sustainable locations. The site is considered within Policy LP3 of the Fenland Local Plan 2014 and the settlement hierarchy as an 'Elsewhere' location. Development elsewhere will be restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. Whilst it is acknowledged that a dwelling would likely be desirable to address the security concerns and operational needs set out by the applicant, there is no demonstration that this would be 'essential', as is required in order to satisfy the test set under LP3 and LP12 and as such it fails to comply with these policies.
- 11.2 The application site is located within Flood Zone 3, the highest risk of flooding. Without demonstration of an essential/functional need, the sequential and exception tests would need to be passed in order for the proposal to be considered acceptable in flood risk terms. No formal sequential test has been submitted; hence the proposal fails in this regard and due to the District wide search area it is highly unlikely that a formal assessment would indicate that there are no alternative sites available at a lesser risk of flooding.
- 11.3 The site together with the adjoining fields and open space either side of the bypass provide a contribution to the visual quality and openness of this area, and any development on this site would diminish its open and undeveloped nature, exacerbated by the sites prominent position on the A141, resulting in a significant detrimental impact on the character and visual amenity of the area.

- 11.4 The application is for Outline planning permission with all matters reserved, hence the impact on the residential amenity of future and adjoining occupants and the suitability of the access cannot be fully assessed.

12 RECOMMENDATION

Refuse for the following reasons:

1	<p>To promote sustainable development in rural areas, Policy LP3 of the Fenland Local Plan 2014 seeks to restrict development in areas outside of settlements to that which is demonstrably essential for the effective operation of land-based enterprise. This demonstration is determined through the criteria as set out under Policy LP12 Part D.</p> <p>The proposal is not in relation to such an enterprise and the application fails to adequately demonstrate an essential, functional need for a full-time worker to be readily available at most times on the site. This is contrary to the criteria of LP12 Part D and therefore conflicts with Policy LP3 of the Fenland Local Plan 2014 as the proposal would result in the provision of an unwarranted dwelling in an otherwise unsustainable location.</p>
2	<p>Policy LP16 (d) of the Fenland Local Plan 2014 and Policy DM3 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014 seek to ensure that development makes a positive contribution to the local distinctiveness and character of the area, that the character of the landscape, local built environment and settlement pattern inform the layout and scale and that proposals do not adversely impact the streetscene or landscape character of the surrounding area.</p> <p>The site together with the adjoining fields and open space either side of the bypass provide a contribution to the visual quality and openness of this area, any development on this site would diminish its open and undeveloped nature, exacerbated by the sites prominent position on the A141. This would result in a significant detrimental impact on the character and visual amenity of the area, contrary to the aforementioned policies.</p>
3	<p>The Cambridgeshire Flood and Water SPD 2016, Policy LP14 of the Fenland Local Plan 2014 and paragraphs 155-163 of the National Planning Policy Framework (NPPF) 2019 require development proposals to adopt a sequential approach to flood risk from all forms of flooding and seek to steer development to areas at the lowest risk of flooding. The application site is located in Flood Zone 3, the highest risk of flooding, there is no essential/functional need for a dwelling in this location and as such the sequential and exception tests would be applicable. The sequential test to establish if there are any sequentially preferable sites has not been undertaken and is unlikely to be passed due to the elsewhere location of the site and search area being District wide. As such the proposal fails to comply with the aforementioned policies.</p>



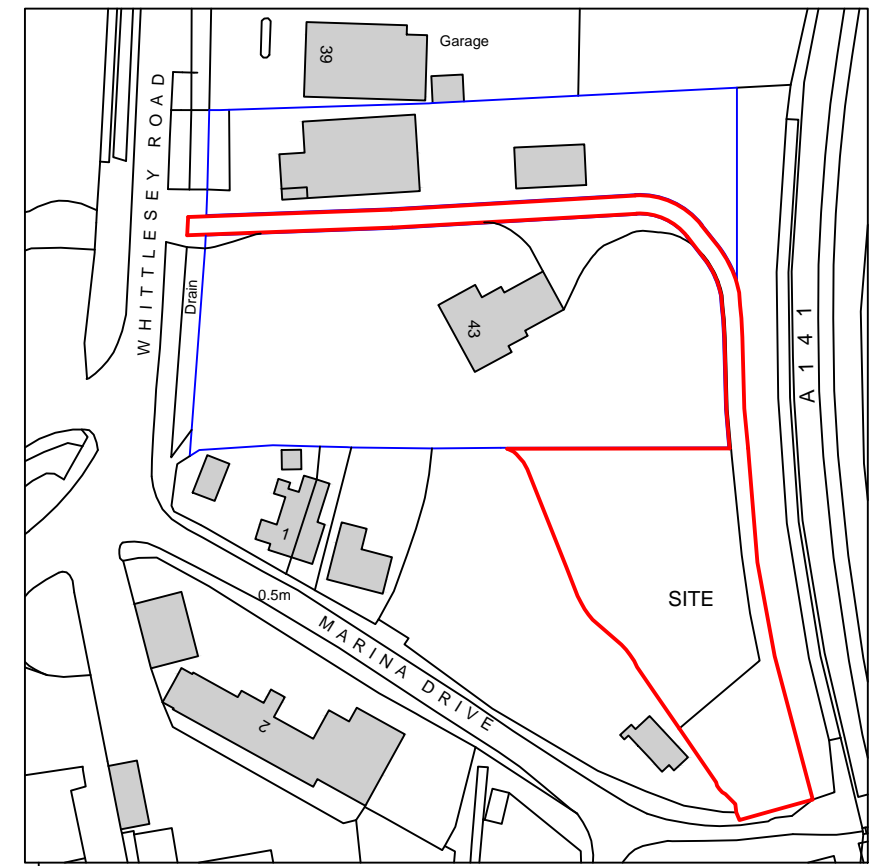
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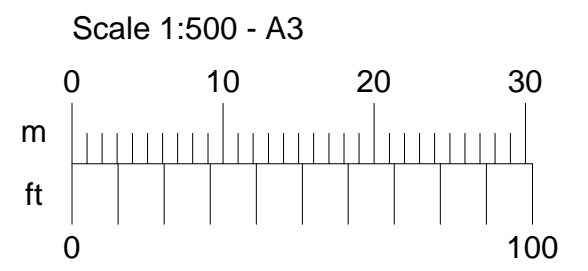


LOCATION PLAN 1:1250

KEY

- - - - - = PIPED DYKE WITH INSPECTION CHAMBERS
- x0.000 = EXISTING LEVELS AOD
- x0.000 = PROPOSED SLAB LEVELS

SITE AREA - 1943m² / 0.1943 Hectares



REVISIONS
A - 06.10.20 - Outline planning

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PROPOSED DWELLING FOR EXISTING BUSINESS, WHITTLESEY ROAD, MARCH, PE15 0AG	
MR BETTS	
INDICATIVE SITE PLAN & LOCATION PLAN	
1:500	: NEM : JAN.19
BET.19	: 0.1 : A

DATUM
BOTTOM
STEP
0.684 AOD

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