

## AGENDA

### PLANNING COMMITTEE

**WEDNESDAY, 9 MARCH 2022**

**1.00 PM**

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

Committee Officer: Jo Goodrum  
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Whilst this meeting will be held in public, we encourage members of the public to view the meeting via our YouTube channel due to the Council still observing some Covid-19 restrictions.

You Tube Link:

- 1 To receive apologies for absence.
- 2 Previous Minutes (Pages 5 - 20)  
  
To confirm and sign the public minutes from the previous meeting of 9 February 2022.
- 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/YR21/0582/O  
G And J Ping Limited, 63 Coates Road, Eastrea  
Erect up to 18 x dwellings involving the demolition of existing buildings (outline

application with all matters reserved) (Pages 21 - 42)

To determine the application.

6 F/YR21/1015/F

Former Coach House, London Road, Chatteris

Conversion of existing building to form 1 x dwelling (2-storey 3-bed) involving the erection of a single-storey rear extension, raising the roof height of the existing single-storey element and demolition and rebuilding of the northern gable

F/YR21/1017/F

Internal and external works to a curtilage listed building including the erection of a single-storey rear extension, raising the roof height of the single-storey element and demolition and rebuilding of the northern gable, to form 1 x dwelling (2-storey 3-bed) (Pages 43 - 74)

To determine the application.

7 F/YR21/1096/F

10 Market Street, Wisbech

Conversion of existing basement storage area to create a dwelling (1-bed studio flat) (retrospective)

F/YR21/1097/LB

Internal and external works to a listed building to convert existing basement storage area into a dwelling (1-bed studio flat) (Pages 75 - 88)

To determine the applications.

8 F/YR21/1307/F

Land North Of 1-5, Brewery Close, Parson Drove

Erect 4no dwellings comprising of 3 x 3-bed single-storey and 1 x 2-storey 4/5-bed with garages including temporary siting of a caravan during construction on Plot 3 only (Pages 89 - 104)

To determine the application.

9 F/YR21/1369/F

West Barn, Broad Drove West, Tydd St Giles

Erect a 2-storey side extension and balcony to existing dwelling including 3.4 metre high (approx) gates/brick wall to entrance and alterations to entrance driveway (Pages 105 - 114)

To determine the application.

10 F/YR21/1424/F

Land North Of 34, Whitmore Street, Whittlesey

Erect 3 x 3-bed 2-storey terraced dwellings with associated parking area (Pages 115 - 124)

To determine the application.

11 F/YR21/1494/F

Land West Of Antwerp House, Gosmoor Lane, Elm  
Erect a 3/4-bed 2-storey dwelling with detached double garage (Pages 125 - 138)

To determine the application

12 F/YR22/0019/PIP

Land North West Of 11, Glebe Close, Manea  
Residential development of up to 2 dwellings (application for Permission in Principle)  
(Pages 139 - 144)

To determine the application.

13 F/YR22/0031/F

Land West Of The Shieling, Lords Lane, Wisbech  
Erect 3no buildings and siting of 2no mobile homes for residential use and the  
formation of associated hardstanding (part retrospective) (Pages 145 - 158)

To determine the application.

14 Items which the Chairman has under item 3 deemed urgent

### **CONFIDENTIAL - ITEMS COMPRISING EXEMPT INFORMATION**

To exclude the public (including the press) from a meeting of a committee it is necessary for the following proposition to be moved and adopted: "that the public be excluded from the meeting for Items which involve the likely disclosure of exempt information as defined in the paragraph 7 of Part I of Schedule 12A of the Local Government Act 1972 (as amended) as indicated."

15 Previous Minutes - Confidential (Pages 159 - 160)

To confirm and sign the confidential minutes of the 9 February 2022.

Members: Councillor D Connor (Chairman), Councillor I Benney, Councillor Mrs S Bligh, Councillor M Cornwell, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor C Marks, Councillor Mrs K Mayor, Councillor P Murphy, Councillor M Purser, Councillor R Skoulding, Councillor W Sutton and Councillor D Topgood,

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## PLANNING COMMITTEE



**WEDNESDAY, 9 FEBRUARY 2022 - 1.00 PM**

**PRESENT:** Councillor D Connor (Chairman), Councillor M Cornwell, Councillor Mrs M Davis (Vice-Chairman), Councillor Mrs J French, Councillor C Marks, Councillor Mrs K Mayor, Councillor A Miscandlon (Substitute) Councillor P Murphy, Councillor M Purser, Councillor R Skoulding, Councillor W Sutton and Councillor D Topgood.

**APOLOGIES:** Councillor I Benney and Councillor Mrs S Bligh.

Officers in attendance: Nick Harding (Head of Planning), David Rowen (Development Manager), Richard Barlow (Legal Officer) and Jo Goodrum (Member Services & Governance Officer).

### **P78/21      PREVIOUS MINUTES**

The minutes of the meeting of 12 January 2022 were confirmed and signed as an accurate record.

### **P79/21      F/YR21/0580/F PLOT 2 LAND SOUTH EAST OF 1 CURF TERRACE, DODDINGTON ROAD, CHATTERIS ERECT 2NO DWELLINGS (3-STOREY, 4-BED) AND CHANGE THE USE OF EXISTING GARAGE/PLAYROOM TO ANNEXE FOR USE OF PLOT 2 ONLY INCLUDING 1.2 METRE AND 1.8 METRE (APPROX) HIGH FENCING (PART- RETROSPECTIVE)**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Mr Ian Gowler, the agent. Mr Gowler stated that the application is for a pair of 4 bedroomed dwellings with an annexe to the rear, making the point that the size, scale, and design of the existing houses are identical to a previous application which was approved with the exception of a loft conversion. He explained that the garage to the rear already has approval and is constructed, with the garage at the ground floor level and residential accommodation upstairs which is currently used as a playroom and the garage has been used as accommodation in the past whilst the applicant was constructing the next-door property and the ground floor of that is being used as accommodation for their large family.

Mr Gowler stated that the applicant intends to retain that accommodation for his family while he constructs the 2 semi-detached properties and then eventually live in the left-hand side property. He explained that the neighbouring property at Curf Terrace is owned by the applicants' parents, and they also reside on site.

Mr Gowler explained that the report notes that the proposal would be inconclusive to backland development, however, in his opinion, the property and garage already exist in their own right and other annexes in Chatteris have already been approved with self-contained annexes, highlighting planning application references F/YR16/0942, F/YR18/0667 and F/YR20/1114. He acknowledged that backland development is out of character for that area, but made the point the garage building has already been constructed and parking and turning for both properties have both been achieved without any objection from the Highway Authority.

Members asked Mr Gowler the following questions:

- Councillor Sutton referred to Mr Gowler mentioning three applications which are very similar to the one being considered and asked that in future could he either lobby the Planning Committee by email or provide a presentation to give the members of the committee sufficient time to consider the proposal and undertake further research. Mr Gowler agreed to the point made by Councillor Sutton.

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

- Councillor Miscandlon stated that he notes that Chatteris Town Council have not made any comment on the application and questioned whether any members of Chatteris Town Council have any comment to make.
- Councillor Mrs French stated that she has visited the site, and, in her opinion, it is in a dreadful state. She added that she does not think it would be detrimental to the area and added that it should be approved as it will enhance the area.
- Councillor Murphy questioned why there were no comments from the Town Council. David Rowen stated that at the time of writing the report there had been no comments received from them.
- Councillor Mrs Mayor stated that she has reviewed the application online and it does state that Chatteris Town Council recommend the application is refused due to it being over development, however, when she looked online last week there were no comments from the Town Council.
- Councillor Skoulding stated that he has noticed that the Highways Authority have no objections. He added that the site is located in Flood Zone 1 and the proposal would complete the site and enhance the area.
- Councillor Mrs Davis stated that she has reviewed one of the applications that Mr Gowler had referred to, F/YR20/1114/F, and explained that, in her opinion, it is a very similar layout with the dwelling being in the middle of the plot with the annexe immediately behind it.
- Councillor Connor stated that, in his opinion, the proposal will tidy the site up and he added that it is reassuring to hear the comments made by Councillor Mrs Davis with regard to another application with the annexe at the rear. He expressed the view that he will be supporting the application.
- Councillor Purser stated that he does not think it is over development and the proposal will tidy up the area and for that reason he will support the application.
- Councillor Cornwell stated that, in his view, the space between the house and the garage annexe block is quite significant. He does not see it as over development, will tidy the area up and he has no issue with the application.
- Nick Harding stated that he would like to apologise to the Committee and to Chatteris Town Council as they have commented on the application, and they have recommended that the application should be refused as in their view it is over development.

**Proposed by Councillor Mrs French, seconded by Councillor Skoulding and agreed that the application be APPROVED against the officer's recommendation, with delegated authority given to officers to apply conditions.**

**Members do not support officer's recommendation of refusal of planning permission as they feel that the proposal would not have a detrimental impact to the surrounding area, and does not constitute over development**

*(Councillors Connor and Mrs Davis declared that Mr Gowler the agent is known to both of them, but this would have no bearing on their determination of the application)*

*(Councillor Marks declared an interest in the application, by virtue of the fact that the applicant is known to him, and he took no part in the discussion of the item or voting thereon)*

*(Councillor Murphy registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council, but takes no part in planning matters)*

**P80/21**

**F/YR20/0861/F**

**PHASE 4 LAND AT BASSENHALLY FARM, DRYBREAD ROAD, WHITTLESEY  
ERECT 130 X DWELLINGS (8 X 3-STOREY 4-BED, 18 X 3-STOREY 3-BED, 26 X  
2-STOREY 4-BED, 59 X 2-STOREY 3-BED, 19 X 2-STOREY 2-BED) WITH  
ASSOCIATED GARAGES, PARKING AND LANDSCAPING**

David Rowen presented the report to members.

Members received a presentation, in accordance with the public participation procedure, from Chris Dwan, the agent. Mr Dwan stated that he is the Planning Director for Allison Homes and made the point that in August the Committee resolved to grant planning permission. He explained that since that time it has become apparent that there are now financial implications due to rising costs of materials and also due to the delivery of the spine road, there is a difference in ground conditions across the site and more onerous foundation design requirements for much of Phase 3 and through Phase 4 to ensure that there is an acceptable stability within the road.

Mr Dwan stated that due to these issues he has had to reluctantly come back with the viability case which has been independently vetted by officers and agreed with. He stated that an agreed position has been reached on the overall position of affordable housing and an overall quantum of financial contributions from which officers can decide how that would be split. He stated that he would welcome the committee's support to complete the overall development and stated that he is sorry that this situation has arisen, but it is only out of necessity that this route now needs to be followed.

Members asked questions of Mr Dwan as follows:

- Councillor Mrs Davis referred to the comment that Mr Dwan had made concerning the unforeseen issues with the land and asked him whether the land had been surveyed? Mr Dwan stated that the land was surveyed but it became apparent through the build of Phase 3 that there was an issue. He added that the original aspiration was to absorb the costs but in conjunction with the increase in build costs across the board, including materials and labour, it has become too prohibitive.
- Councillor Sutton asked Mr Dwan to clarify that, if the committee do not agree with the proposal before them, would the build actually continue? Mr Dwan explained that there is a risk of the build not being able to continue and added that in order to get the sign off for land purchase, he needs to be able to demonstrate that there is an appropriate return and currently this cannot be proven. He stated that the set of figures which have been utilised for the viability purpose are based on current costs however build costs in the main are outstripping house price rises which means there is a degree of uncertainty which would make it very difficult to carry on.
- Councillor Sutton expressed the view that Allison Homes have owned the land for some time and purchased it at a reasonable price compared to land prices at the current time and he asked Mr Dwan what a like for like house would be valued at now compared to when the build was at phase 1? Mr Dwan explained that it is his understanding that the site was purchased under a delegated option which means the land was bought phase by phase and a price notice needs to be completed when you buy each individual phase and therefore the price would not be based on the land price when it was purchased a number of years ago as it would be based on the owner's current expectation based on anticipated gross development value.
- Councillor Connor stated that it is his understanding that in this case you buy one piece of land and then you have an option on another part of land, paying the market price. Mr Dwan stated that this is correct and then you normally include a reduction in open market value as

reward for taking on the planning risk, which is the standard approach. He confirmed it is a phased purchase and Allison Homes do not own the overall site in its entirety.

- Councillor Mrs French referred to the £1,000,000 contribution to be used for education and asked Mr Dwan whether he is likely to come back at another time and advise that this figure can no longer be afforded? Mr Dwan stated that no that would not be the case and he explained that the timeframe is sensitive as there is a continuity build and if the approval was given then the build would continue. He added that if the build had to stop then there are additional costs to be found in order to re-establish development.
- Councillor Connor asked Mr Dwan how confident he is that the site can be built out with the new proposed viability and the £1,000,000 contribution? Mr Dwan stated that costs have been agreed by the Land Director from a planning obligation perspective and he would not have agreed the proposal if it was not achievable.
- Councillor Marks stated that he accepts that build costs have gone up and asked, due to the oversight with regard to the issues on the spine road, what percentage would he give to the mistake, compared to that of the Covid build costs that have gone up? Mr Dwan stated that he would not be able to answer that as it is out of his area of expertise. He added that it is a cumulative thing and if it was not for the build costs then they would have done their best to absorb the other costs, but it has not been possible from a viability perspective.
- Councillor Cornwell asked for clarity over land ownership if the development stopped now? Mr Dwan stated that it is a phased purchase, and they have the right to buy. Councillor Cornwell stated that if the proposal was not approved by the committee and the building stopped, the pressure would be put onto the landowner as they would not be able to complete the deal. Councillor Cornwell added that, in his view, the Council has more to lose than by carrying on. Mr Dwan stated that there would be a loss of 130 homes from the Councils five-year land supply and Councillor Cornwell stated that is not a guarantee as the Council does not know what would happen with another developer should that be the case. Mr Dwan stated that the costs that have been put forward are without any establishment costs and infrastructure costs and if the land went to the market now those costs would have to be added on top.

Members asked officers the following questions:

- Councillor Mrs French stated that she has noticed on the Section 106, the £1,000,000 allocated, which is broken down for various schools. She expressed the opinion that this concerns her as over many years developers have had to pay millions of pounds to education and Cambridgeshire County Council have a statutory duty to build schools and, in her view, developers do not have the right to contribute, but she does not think that they should not contribute. Councillor Mrs French stated that she is concerned that over time, the County Council have had the money but not spent it on school placements and she asked if officers can provide her with information on how much money has been allocated to education over the past five years and how much has actually been spent. She added there is the need for a new Special Education Needs facility in the Fenland area which was highlighted at a recent County Council meeting she had attended, however, it would appear that there are no plans to build such facilities in the Fenland area and any additional facilities would be built in the south. Councillor Mrs French expressed the view that if Fenland are contributing towards these facilities but not getting them then, in her opinion, she feels that education should not be receiving a contribution at all. David Rowen stated that with regard to education and as part of the original consultation on the application in August, within page 53 of the agenda pack, it details the comments from the County Council and the science behind their request for contributions. He added that with regard to the request that the County Council make in terms of contributions and what they actually get due to viability are two separate things. David Rowen highlighted that in August, when the viability situation was different there was just under £1.5 million pounds for education as part of the agreed Section 106 agreement, although that figure is now reduced to £1 million.
- Councillor Mrs French expressed the view that she has no problem with education receiving



some contribution, however, she would rather see the contribution going towards affordable housing.

- Councillor Mrs Davis referred to an earlier comment David Rowen made where he had stated that if the County Council did not use the £1,000,000 that was allocated, it could be brought back and used for affordable housing, and she asked him how often does that situation occur? David Rowen stated that the provision is that if the monies are not spent within eight years, which is not unheard of but fairly rare, and without further research on the data, he cannot provide an accurate figure to the committee.
- Councillor Cornwell stated that it is pertinent that one funding element is affecting another element. He added that there is a large amount of development currently taking place in Whittlesey and he assumes that each of the major developments is contributing a fair amount of money towards the Section 106 contributions and in turn towards education. Councillor Cornwell asked then when arriving at those figures do officers consider the revenue intake that each of the developments are producing rather than just the capital sums that the schools may or may not require. He added that each development produces its own increased levels of Council Tax and that does not seem to be considered and he asked whether that is the case. David Rowen explained that it is not taken into account due to the fact that the Section 106 Agreement regulations can effectively only allow for capital projects and not revenue projects.
- Councillor Mrs French asked for a report to be circulated to members on the value of contributions allocated across Fenland and how much of those contributions has actually been spent on education over the last five years.
- Councillor Sutton asked whether it is possible for the committee to say to the developer that they do not want the £1,000,000 to go to education and would request that the monies make up the shortfall of the affordable housing. David Rowen stated that if that is what the committee request then it is possible.
- Councillor Marks asked whether there is an equation that is used with regard to affordable housing and children which leads to more education places being needed? David Rowen stated that officers are guided by the formula that the County Council use when making their request to the Planning Officers, however, the detail of that formula is not something that he is familiar with. He added that, in his view, the affordable housing versus the market housing mix is factored into that. Councillor Marks asked whether that information can be obtained? David Rowen responded that there is a quantum of housing and regardless of the number of affordable units there is the scope for an impact on the demands placed on the nearby schools as identified by the County Council in their formula.
- Councillor Mrs Davis stated that the application has already been approved with the figure of £1.5 million already being agreed previously by the committee. She added that the committee cannot now refuse to give any contribution as the commitment of £1.5 million was already given. David Rowen stated that is correct and added that when the application was considered previously in August there was a policy compliant affordable housing contribution of 25% which is now reduced to 17.5%. He explained that whilst education has reduced accordingly, it is within the committee's gift to say that they want 25% onsite affordable housing contribution as set out in the policy and a lower contribution towards education. David Rowen highlighted that if the committee were to decide that education was to receive nothing that it may be deemed unreasonable, given that six months ago there was a contribution secured towards education.
- Councillor Connor stated that it is still within the committee's gift to adjust the contribution towards education.
- Councillor Mrs French stated that if there is the need for a contribution for education then she does not have an issue with it, but she does have concerns when money is contributed and used in the southern part of the County, when Fenland is in desperate need of a special needs education facility.
- Councillors Sutton and Cornwell asked whether Mr Dwan could address the committee again to answer further queries from members. Councillor Connor denied the request.

- Councillor Cornwell stated that there are concerns from members over the number of contributions allocated and it is now for the committee to decide to what degree the allocations are adjusted by.
- Councillor Mrs Davis pointed out that Mr Dwan had already advised the committee that he was not financially qualified to answer certain questions.
- Councillor Connor advised members that the application can be deferred if that is their wish in order to obtain further detail.
- David Rowen stated that the recommendation from officers is one that is felt to be a fair recommendation given the change of viability circumstances from what was previously agreed. He added that if members are looking to secure the policy compliant affordable housing contribution of 25% then the £1,000,000 financial contribution would be adjusted downwards accordingly.
- The Legal Officer stated that members should consider the degree of discretion that the committee has when reviewing the allocation of planning obligation resource in order to assess how that applies not only in the specifics but also generally.
- Councillor Marks asked the Legal Officer whether the committee should defer? The Legal Officer stated that there is a recommendation before the committee, and members are in a position to take a decision, although the committee cannot be forced to make a decision.
- Councillor Sutton stated that it is very disappointing to be in the current position with this application. He made the point that when it was approved in August, he commented that it was refreshing to see that the social housing was at 25%, but does not see that the committee has any other choice than to accept in the whole the proposal which has been scrutinised by officers. Councillor Sutton expressed the view that the committee have the gift to say that the £1,000,000 goes to social housing or if it goes elsewhere. He added that with the social housing crisis in Fenland, it would warrant the committee to say that the money goes to social housing or if the Legal Officer advises otherwise then the application should be deferred for further negotiation.

**Proposed by Councillor Sutton, seconded by Councillor Mrs French and agreed that the application be APPROVED as per the officer's recommendation, subject to legal advice being taken by officers in relation to re-allocating a proportion of the £1,000,000 education financial contribution to affordable housing.**

*(Councillor Mrs Mayor registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that she is a member of Whittlesey Town Council's Planning Committee, and took no part in the discussion or voting thereon)*

*(Councillor Miscandlon registered, in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is Chairman of Whittlesey Town Council's Planning Committee, and took no part in the discussion or voting thereon)*

*(Nick Harding, Head of Planning, stated that he was involved with Section 106 negotiations for this application and was approached in a private capacity by the applicant with regard to sites outside of the Fenland area, and left the meeting for the duration of the item)*

**P81/21**

**F/YR21/1157/F**

**14 CHURCH LANE, CHATTERIS**

**CHANGE OF USE OF EXISTING MUSEUM/OFFICES (CLASS F1(C) & E(G)(I)) TO GROUND FLOOR OFFICES (E(G)(I)) AND 2 X DWELLINGS (2-BED FLATS) AT FIRST FLOOR LEVEL, INVOLVING THE ERECTION OF A FIRST-FLOOR EXTENSION**

David Rowen presented the report to members.

Councillor Mrs French, read out a written representation from Councillor Benney in support of the application. Councillor Benney stated that as a Chatteris Town Councillor I have been the chair of

the Chatteris Growing Fenland Project since its inception, its aims are simple, to purchase the old Barclays Bank building with a view to move Chatteris Museum from its current site in Church Lane to the ground floor of the Barclays Bank building, which will give the museum more space for displaying the many local artefacts that due to lack of current space are not displayed to their fullest. He explained that the Town Council will retain the upper floor of the Barclays building and let this as office space to generate an income to the council.

Councillor Benney stated that the current site of Chatteris Museum at 14 Church Lane will be developed into additional, much needed space for the Town Council and additional community space for local groups, and the proposed application will allow for the upper floor to be converted into two flats that will, with the office space in the Barclays building, deliver an income to the Council that can be re-invested in additional community projects, which would not be delivered without this income. He expressed the view that the other community space at the King Edward Centre is presently oversubscribed and this will allow groups like CAB to have free use of these community rooms.

Councillor Benney referred to the reasons for refusal:

- LP6 (loss of cultural asset) - the Town Council would be willing to enter into a Legal Agreement that if it does not purchase the Barclays building and move the museum, it would not implement this application, ensuring no loss of cultural asset;
- LP16d - every town in Fenland has flats of this nature within town centre locations and being town centre does not require off-street parking, with a bus stop being located well within walking distance of the application site;
- LP2 LP16 – in his opinion, this kind of development is found throughout Fenland and the setting will enhance the desirability of the flats, providing much needed local homes;
- LP2 LP15 - the harm (if any) caused by this proposal will be more than offset by the benefit in the form of community space for local groups and the long-term investment the council can make from the rental income of Chatteris Growing Fenland Project.

Councillor Benney hoped members can support this application today and help deliver this much needed boost to the town of Chatteris.

Members received a presentation, in accordance with the public participation procedure, from Matthew Hall, the Agent. Mr Hall stated that one of the key points to the application is the existing museum, explaining that a Listed Building consent application has already been granted for relocation of the museum to Park Street, Chatteris and building regulation documents have been submitted along with tender documentation which are being prepared. He added that he has attended meetings at Park Street with the manager of the museum to discuss the layouts and added that Chatteris Town Council would be happy to enter into a legal agreement to ensure that the museum in Chatteris is not lost at its current location until all works and the new museum in Park Street is complete.

Mr Hall added that the site is not in a Conservation Area, and he is pleased that the Conservation Officer does not object to the proposal and has agreed that it will not have a negative effect on the adjacent Listed Building. He expressed the view that the site is located in an area of predominantly residential usage and the proposal for the first floor flat and the change of use of the museum at first floor is in keeping with the immediate area.

Mr Hall advised that he has demonstrated indicative positions of the bin and cycle stores and would be happy to agree these locations with officers as there is access off Church Walk and Church Lane available. He explained that the windows on the western elevation are for a bathroom and limited land area which would both be frosted glass.

Mr Hall stated that the proposal does allow for a community facility which can be used as a meeting space and the remainder of it will be used by Chatteris Town Council offices on the ground floor. He stated that there have been no objections to the scheme, the site is in a

predominantly residential area and with the museum relocating to Park Street it allows the building to be a mixed use of residential at first floor and allows Chatteris Town Council to occupy the ground floor along with a community facility.

Councillor Murphy stated he would like to address the committee as a Member of Chatteris Town Council and also as a member of the Public. He stated that the application has arisen as a result of having received monies from the Cambridgeshire and Peterborough Combined Authority to purchase the old Barclays Bank building in order to move the museum from the Town Council Offices to allow it more room in a town centre position.

Councillor Murphy expressed the view that the museum is pleased about the relocation and are already packing up to relocate and have applied to several organisations for financial support. He explained that the top floor will be let out for office use and will bring a financial income for financial outgoings and repairs.

Councillor Murphy stated the release of the monies from the Cambridgeshire and Peterborough Combined Authority is imminent and therefore time is of the essence. He explained that the Town Council Offices will be altered in order to give the cramped chamber a storage area and a larger working space for officers to work, with the building being extended to include two flats which will be able to be rented out and the income used for future enhancements for Chatteris.

Councillor Murphy stated that this proposal has been agreed by the Cambridgeshire and Peterborough Combined Authority as they feel it is a good project for their contribution.

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

- Councillor Miscandlon stated that he was involved with a similar project at Whittlesey Town Council, and he congratulated Chatteris Town Council for their forethought.
- Councillor Connor stated that he agrees with Councillor Miscandlon and stated that the building at Whittlesey is an exceptional building and a credit to Whittlesey Town Council.
- Councillor Mrs French stated that she agrees with the comments made by Councillor Miscandlon. She expressed the opinion that she does not feel that the proposal is over development, and she will support the application.
- Councillor Cornwell expressed the view that, in theory, the proposal is a good idea, and he supports Chatteris Town Council for their forward thinking. He expressed the view that he does agree with officers with regard to the proposed two flats as, in his view, it will be very tight and there is no amenity space for the flats, with it probably being a better proposal for just one flat.
- Councillor Mrs French stated that she does understand the comments made by Councillor Cornwell but added there are other flats in town centre locations which have no parking or amenity space.

**Proposed by Councillor Mrs French, seconded by Councillor Miscandlon and agreed that the application be APPROVED against the officer's recommendation with delegated authority given to officers to determine appropriate conditions and subject to the completion of the legal agreement.**

Members do not support refusal of planning permission as they do not feel that the proposal can be considered as over development or result in an unacceptable amenity impact.

*(Councillor Murphy took no part in the discussion and voting on this application as he had made a presentation as part of the public participation procedure and was, therefore, pre-determined, and left the meeting for the remainder of this item)*

**ERECT 1 X DWELLING (2-STOREY 4-BED) AND A DETACHED GARAGE,  
INVOLVING THE REMOVAL OF EXISTING CARAVAN AND DEMOLITION OF  
EXISTING OUTBUILDING**

David Rowen presented the report to members and drew their attention to the update report which had been circulated.

Members received a presentation in accordance with the Public Participation Procedure from Matthew Hall, the Agent. Mr Hall stated that that he found the officers report initially to be positive, making the point that there are no issues with regard to flood risk, ecology, amenity, over shadowing and overlooking. He expressed the opinion that the application provides a higher quality and safer living environment against potential flooding.

Mr Hall stated that that the Highways Officer is not objecting to the proposal and he has submitted additional information with regard to the visibility splays to confirm that the visibility in both directions is no worse than the current situation. He highlighted to the committee that there is a brick outbuilding which is due to be demolished, which is directly next to the parking area and there is no visibility splay which would be to the east.

Mr Hall explained that the applicant has lived in the caravan for 17 years and it has a certificate of lawful use, with the proposal being to remove the caravan which is a vast improvement in terms of flood risk and quality of living for the applicant and family. He expressed the view that with the new dwelling the health and wellbeing will be vastly improved as it will be insulated, will conform with building regulations and there will be mitigation measures in place that have been approved by the Environment Agency to deal with any potential flooding.

Mr Hall referred members to a Planning Committee in June 2020 where a similar application was approved in Guyhirn, where a mobile home which was on the site which was removed and a substantial dwelling and garage of over 350% larger than the mobile home was built, with this application being closer to the River Nene and also in Flood Zone 3. He stated that there have been no objections to the proposal before the committee today and all consultees support it and, in his opinion, the officer's concerns with regard to the scale and design are outweighed by the positives of the application in terms of the street scene improvement, health and wellbeing and improvements against potential flood risk.

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

- Councillor Sutton stated that he can understand why officers have made their recommendation as they have to adhere to policy. He added that there are a number of benefits to replacing the mobile home to a better insulated dwelling and expressed the view that the officers have stated that the proposal is out of character with the area, but he does not agree with that. He added that there are many varied dwellings in Euximoor Drove and some are over 100 years old, and some are far newer and are adjacent to the older ones. Councillor Sutton expressed the view, with regard to the point made concerning visibility splays, that there are very few vehicles in Euximoor Drove which cross the bridge and where the application site is there are only 5 dwellings which are going to pass the site entrance. He added that it is a single-track road, and he is very familiar with it and, in his opinion, the visibility would be no different to what is currently there now and although he can understand the concerns of the Highways Officer he does not agree with those concerns. Councillor Sutton expressed the opinion that he will be going against the officer's recommendation as, in his view, the value of the dwelling to the family and the costs of their new heating will come down drastically.
- Councillor Mrs Davis stated that she will also be going against the officer's recommendation. She referred to the minutes of the last Planning Committee meeting where she had stated on the Goldenview application that the committee must be careful that they do not set a precedent and now the committee have an application before them which

is similar and for that reason, she cannot see any reason why this application should not be approved.

- Councillor Skoulding stated that he totally agrees with the comments made by Councillor Sutton.
- Councillor Cornwell stated that he appreciates that officers have to adhere to policy and the Local Plan, which, in his opinion, has a gap in it when considering rural areas. He expressed the opinion that the proposal site is in a small hamlet and stated that it is an old Fenland settlement. Councillor Cornwell expressed the view that there are a lot of positives with the application which outweigh the negatives and whilst he appreciates the views of the officers, he will support the application.
- Councillor Topgood stated that he will support the application and that when reviewing the consultations there are 12 supporting comments and 8 of those are neighbouring properties. Councillor Topgood expressed the opinion that the dwelling will be better for the family's health and wellbeing.
- Councillor Mrs French stated that she agrees with Councillor Mrs Davis that a precedent has been set and she will be going against the officer's recommendation. She stated that the health and wellbeing and heating efficiencies are positive points for the application. Councillor Mrs French expressed the view that she anticipates that there may well be further applications in this area, with the proposal being in the middle of nowhere. She added that she does not see any issue with regards to the visibility splays.
- Councillor Murphy stated that he agrees with the comments made by members and added that as a precedent has been set then the application cannot be considered on its own merits. He expressed the view that there does not appear to be any objections to the proposal, and he will be supporting the application.
- Councillor Miscandlon stated that he understands the officers are reticent to recommend the application for approval. He added that with regard to the visibility splay concerns, if an optical mirror is installed on the opposite side of the road that may help. He stated that he will be supporting the application.

**Proposed by Councillor Sutton, seconded by Councillor Skoulding and agreed that the application be APPROVED against officer's recommendation with delegated authority being given to officers to apply appropriate conditions.**

Members did not support the refusal of planning permission as they feel that the benefits of the proposal outweigh policy consideration, the proposal would not be out of character with the area as a whole and that the position with the visibility splays is no different to the current situation, with there being no accident data to prove anything different.

**P83/21      F/YR21/1218/F  
LAND NORTH WEST OF SUNNYSIDE, COX'S LANE, WISBECH  
ERECT 4 X 2-STOREY 5-BED DWELLINGS WITH DOUBLE GARAGES**

David Rowen presented the report to members and drew their attention to the update report which had been circulated. He added that the report also omitted to state that the application site falls within the West Wisbech Broad location for growth within the Local Plan and stated that as members are aware this is an indicative allocation and will need the preparation of a Broad Concept Plan across the identified area. David Rowen stated that the application needs to be determined on its own merits in relation to the characteristics and impact of the site and the locality and, therefore, the West Wisbech Broad Location for growth does not have an impact on the consideration of the application or on the recommendation before members.

Members received a presentation, in accordance with the public participation procedure from Tim Slater, the agent. Mr Slater stated that the planning arguments in respect to land in and around this location are well rehearsed with a number of new developments and dwellings approved along Barton Road and Cox's Lane in the last 5 years and within the scope of the current Local Plan .He

expressed the view that members will be aware that clearly the site lies within the West Wisbech - Urban Extension 'broad area of search' designated in Local Plan policies LP7 and LP8.

Mr Slater added that the status of the site is somewhat unclear as the towns in the settlements in the Fenland Local Plan do not have a defined boundaries and as such the delineation of urban and rural policies is a matter of judgement. He referred to the Local Plan insert map, which is on page 40, showing the site and its surrounds shaded grey to indicate that they are part of the urban area of Wisbech.

Mr Slater expressed the view that the broad area of search enables, and indeed encourages, development to come forward in this area and the Stow Lane appeal decision indicates that smaller pockets of development can come forward in these areas, provided that they do not prejudice the wider development envisaged in LP8 and clearly this small row of homes will not undermine this wider aim. He made the point that within 50m of the site there have been 6 new homes approved since 2018 under the current Local Plan and the various alterations to the National Planning Policy Framework (NPPF) have not really changed the position in relation to this site and it is, therefore, considered that there is a strong precedent for new dwellings in this locality having regard to the Council's interpretation of the Local Plan policies.

Mr Slater expressed the view that regarding impact on character it is contended that the development is not materially harmful to the character of the area having regard to the allocation of the wider area as an area for significant planned growth in the adopted Local Plan, with the site being an infill frontage plot and has relatively recent development to both the north and south of it on Cox's Lane. He expressed the opinion that the recent approval of the residential permission in the area in conjunction with the approval for the care home off Barton Road and the application by the County for a special school off Barton Road to the west of the site will continue to consolidate a significant urban/built form in this area.

Mr Slater stated that with regards to Highways, the geometry of the junction of Cox's Lane with Barton Road is an existing issue, and the addition of 4 dwellings is a relatively small increase in the daily traffic using Cox's Lane such that this is not considered to make a material increase. He added that the NPPF states that permission should only be refused if there is an unacceptable impact on highway safety and it is considered that the issues raised and impacts of this proposal are very similar to those in surrounding sites.

Mr Slater expressed the view that the site itself has good visibility onto Cox's Lane and the geometry of the road dictates that road speed past the site and onto the junction with Barton Road will be significantly lower than the speed limit suggests. He concluded by stating that, overall, it is contended that the site is in a sustainable location on the edge of Wisbech, is close to higher order services and facilities in the town, it is clear that the character surrounding the site has materially changed during the plan period such that the site is now surrounded on 3 sides by established residential development and furthermore, the scale and pattern of the development is in character with the prevailing built form in the area and the recent approvals in the immediate vicinity of the site.

Members asked Mr Slater the following questions:

- Councillor Sutton asked Mr Slater to identify the six new dwellings that he had referred to which had been approved since 2014 under the Local Plan? Mr Slater stated that there is one immediately to the north of the site, four on Barton Road and one conversion of a barn opposite.

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

- Councillor Sutton stated that he does not agree with the view that the proposal is in an elsewhere location as, in his opinion, it is adjacent to the built form, and it is infill as there are dwellings either side. He added that the road is narrow, and the Highways Officer has

raised concerns about the visibility splay being 43 metres, but Councillor Sutton is of the view that a splay can be achieved much longer than that although he is unsure what the splay is for the national speed limit. He added that the road is narrow and not used very much and, in his view, in terms of highway safety he does not see the splays as a big issue, but he does have concerns over the lack of a passing place, and he would have liked to have seen a passing place included on the plans between the dwellings to alleviate some of his concerns. Councillor Sutton expressed the view that he would like to see the application deferred in order to ask the applicant to submit revised plans to include a passing place. He added that it would be a shame for the application to be refused as the proposal is for four lovely houses and there is a demand for the type of housing proposed. Councillor Sutton that there is no large accident data to determine that the location is dangerous, and whilst the Highways Officer has raised concerns over the junction and he agrees that it is a tight junction, but, in his view, it is no tighter than other junctions that exist and he cannot find any accident data to substantiate that the junction is dangerous.

- Councillor Cornwell stated that, in his view, Cox's Lane is very narrow and the junction onto Barton Road is diabolical. He expressed the opinion that over the years Magazine Lane, a nearby road, has been designed deliberately, to reduce the width of the road at the bottom end to keep traffic off Cox's Lane. Councillor Cornwell added that over the years development has been allowed, with this proposal filling in between other dwellings and he would also welcome the idea of a passing place.
- Councillor Mrs French stated that she can recall a small development of homes which were approved in 2010 and at that time the condition of the road surface in Cox's Lane was raised. She expressed the view that the application is infill development as a result of applications being approved historically. Councillor Mrs French added that she would not like to see the application deferred just for the consideration of a passing bay and she will consider going against the officer's recommendation and approving the application.
- Councillor Miscandlon stated that the proposed dwellings are likely to be family homes and are likely to include children. He added that there are no safety measures in place like a footpath for children to walk up the lane and, in his view, it is dangerous, and a passing space would alleviate his concerns, but it does not form part of the application before the committee. Councillor Miscandlon expressed the view that officers have made the correct recommendation and the application should be refused and the applicant should bring a further proposal forward with measures included to mitigate the safety concerns of the lane.
- Councillor Connor stated that he has visited the site and agrees with some of the points raised by Councillor Sutton. He added that when he visited the site there was no traffic in the lane which he agrees is very narrow. Councillor Connor expressed the opinion that he does not see any issues with regard to the junction as long as you are careful.
- David Rowen stated that the main points raised by members during their debate appears to be on highway safety and he referred them to 5.2 of the officer report, where the Highway Officers comments are detailed and set out the numerous issues that he has in his professional opinion with the application and the suitability of Cox's Lane to serve the development. David Rowen expressed the view that by visiting the site and concluding that there were no cars should be disregarded as the Highways Officer has stated that an additional four houses can generate additional traffic and will, therefore, have an impact. He expressed the opinion that the Highways Officer objection is one of the most detailed responses he has seen against an application and referred to the last Planning Committee, where members refused an application where the Highways Officer was in favour of the proposal.
- Councillor Mrs French asked officers whether the application could be deferred to give the applicant the opportunity to look at the highway issues that have been raised. David Rowen stated that the passing place does not form part of the current application and there is no indication or guarantee that that could be delivered, and the Highway Authority have not provided any indication that the provision of a passing bay would alleviate any of their concerns. Councillor Mrs French expressed the opinion that it would be better to refuse the application and then the applicant could resubmit their proposal with consideration given to



the highway issues. David Rowen explained that it is the application before members that needs to be determined.

- Councillor Sutton stated that he cannot consider the application in its current form, but he would consider it if a passing bay was included as it would make it much safer.

**Proposed by Councillor Sutton, seconded by Councillor Skoulding and agreed that the application be DEFERRED to enable the applicant to consider the provision of a passing bay, which was not supported at the vote by the majority of members.**

Nick Harding stated that there is a proposal of deferment from Councillor Sutton in order to see whether the provision of a passing bay could be made, however, it was not listed a concern raised by the Highways Authority. Councillor Sutton stated that he appreciates the point raised.

David Rowen drew members attention to the final paragraph of the comments raised by the Highway Authority where it states, 'that it might be possible to mitigate some of the problems identified by providing a footway and formal crossing point on Barton Road but as submitted he objects to the planning application'. David Rowen stated that the Highways Officer makes no reference to a passing place alleviating any of the concerns.

**Proposed by Councillor Cornwell, seconded by Councillor Miscandlon and agreed that the application be REFUSED as per the officer's recommendation.**

**P84/21      F/YR21/1356/F  
32 BIRCH AVENUE, CHATTERIS  
INSTALLATION OF 2 X 8.0 METRE (APPROX) MASTS WITH 5NO AERIALS FOR  
AMATEUR RADIO (RETROSPECTIVE)**

David Rowen presented the report to members.

Members asked officers the following questions:

- Councillor Skoulding asked whether the aerials are secured and concreted in so they cannot fall over? David Rowen stated that he was not aware whether the aerials are solidly attached into the ground and from the photographs he has seen they appear to be attached to the fence.
- Councillor Miscandlon stated that it is his understanding that the aerials should be fixed to the ground in some way or another as they are over a certain height and would need to be fixed in some way or another to the ground to negate any issues caused in the event of a lightning strike.
- Councillor Sutton stated that they are not concreted in, and the applicant has stated that on the application form that should permission be granted they will then be secured by concrete, however, at this time they are secured to the fence.

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

- Councillor Murphy expressed the opinion that officers have made the correct recommendation with the application. He added that the aerials are only secured to the fence and there are two aerials at an angle and hanging over the path. Councillor Murphy stated that one is fixed to the chimney breast and is very high and, in his opinion, they are very unsightly. He expressed the opinion that the aerials are very out of keeping with the area and as they are on a corner plot, two roads see them which, in his view, is unacceptable.
- Councillor Sutton stated that he is aware of a historical application where the householder used the masts as a form of communication due to a disability and that application was agreed. He stated that, in his view, he does not think that the aerials are causing harm, and they are no different to an aerial on a chimney. Councillor Sutton stated that the personal circumstances of the applicant are not known, and they have stated that it is not a

permanent structure. He questioned whether they could be approved subject to the stipulation of a two-year permission and then reviewed.

- Councillor Cornwell stated that he did not see them at first when he undertook a site visit. He expressed the view that the aerials are not terribly significant, and he does not have a problem with them. Councillor Cornwell stated that with regard to the safety aspect that should be the responsibility of the owner of the aerials to ensure that they are secure and safe.
- Councillor Skoulding stated that he has no problems with regard to the aerials as long as they are concreted into the ground and are safe.
- Councillor Mrs Davis stated that the application appears to be before the committee due to the fact that the neighbouring property objects to them being there. She added that there are no other objections and she added that the mast does not appear to be any different to a pole with a sky dish attached to it. Councillor Mrs Davis asked whether, if approved, a condition could be added to state that the aerials are concreted in.
- Councillor Connor stated that he called the application in as he thought it would be of interest to the committee. He added that he does see too much wrong with the application and added that there is an electricity substation next door to it. Councillor Connor referred to 9.5 of the officer's report where it states that the concerns which have been raised are with regards to safety, rather than anything else and if the aerial were concreted in then that would, in his opinion, alleviate the concerns that have been highlighted.
- Councillor Mrs French expressed the view that the aerials could be a lifeline for somebody to assist with their health and well-being but would like to see them concreted in and installed properly. She noted that Chatteris Town Council support the application and she agrees that the application should be approved.
- Councillor Sutton stated that the neighbour complained when the aerial was on the back of the property, however, the aerials have now been fixed onto the side of the property. He added that if permission was granted the applicant has stated that the aerials will be concreted in.
- Councillor Miscandlon stated that within the application there is no indication stated on how the aerials will be secured. He added that he agrees that they need to be fixed in a safe manner and expressed the view that until that information is provided, he will not be supporting the application. Councillor Miscandlon stated that he is aware that there are regulations with regard to masts and stated that he would be extremely concerned that an eight-metre pole had fallen because it had not been secured properly.
- Councillor Mrs Davis asked officers whether if approved there could a condition added to include the details of how the pole could be secured. Nick Harding stated that, in his opinion, that would involve straying into methods of construction which falls outside of the remit of planning, so that would not be possible.
- The Legal Officer stated that he has considered this and, in his opinion, a condition could be included given that the aerials are in place already and the application is a retrospective application. The committee could state that they have not had the opportunity to look at the method of installation and, therefore, a condition could be imposed to state that the aerials will be removed unless a scheme for their safe installation is submitted and approved by the Council in a specified amount of time.
- Councillor Cornwell recalled that, when this type of application was considered before, there was a requirement in the licence that the applicant has to have, and the installation of the aerials linked to the licence and historically it was dealt with in that way.

**Proposed by Councillor Mrs French, seconded by Councillor Skoulding and agreed that the application be APPROVED against the officer's recommendation, subject to an appropriate condition being added in consultation with the Planning and Legal Officer.**

*(Councillor Murphy registered in accordance with Paragraph 14 of the Code of Conduct on Planning Matters, that he is a member of Chatteris Town Council, but takes no part in planning matters)*

**P85/21**      **F/YR21/1358/O**  
**LAND WEST OF 43 LINDSELLS WALK, CHATTERIS**  
**ERECT 1 X DWELLING (OUTLINE APPLICATION WITH ALL MATTERS**  
**RESERVED**

This item was withdrawn from the agenda.

**P86/21**      **ENF/133/20/UW**  
**47 ST PETERS ROAD MARCH (CONFIDENTIAL)**

David Rowen presented the confidential report to members.

Members asked questions, made comments and received responses.

**It was proposed by Councillor Purser, seconded by Councillor Mrs French and AGREED that prosecution of the owners and occupiers of the land be authorised, under Section 179 of the Town and Country Planning Act 1990 (as amended).**

*(Members resolved to exclude the public from the meeting for this item of business on the grounds that it involved the disclosure of exempt information as defined in Paragraph 7 of Part 1 of Schedule 12A of the Local Government Act 1972).*

4.06 pm

Chairman

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**F/YR21/0582/O**

**Applicant: Mr S Ping  
G & J Ping Ltd**

**Agent : Mr Chris Walford  
Peter Humphrey Associates Ltd**

**G And J Ping Limited, 63 Coates Road, Eastrea, Peterborough Cambridgeshire  
PE7 2BA**

**Erect up to 18 x dwellings involving the demolition of existing buildings (outline application with all matters reserved)**

**Officer recommendation: Grant**

**Reason for Committee: Town Council recommendation contrary to Officer recommendation**

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## **1 EXECUTIVE SUMMARY**

- 1.1 This outline planning application seeks to redevelop a brownfield site within the settlement of Eastrea.
- 1.2 Whilst Policy LP3 directs that development within Eastrea will normally be limited to 'infill' this must be balanced against the aims of Para, 120 NPPF which clearly identifies substantial weight should be given to the value of using suitable brownfield land within settlements for homes.
- 1.3 There are no technical objections to the delivery of the quantum of development specified within the proposal subject to the safeguarding conditions recommended by the relevant stakeholders.
- 1.4 Accordingly a favourable recommendation is forthcoming in respect of the proposed outline planning application.

## **2 SITE DESCRIPTION**

- 2.1 The site lies in the settlement of Eastrea along the northern side of Coates Road. The site is currently used as a transport depot with an existing access to Coates Road. The site, which is within a Flood Zone 1 location, is surrounded by residential dwellings and agricultural land and is approximately 1.2 hectares.
- 2.2 The location is set back from the highway, and the general locality is characterised by a mixture of employment land and residential dwellings which are primarily arranged in a linear, frontage fashion. The site is enclosed along its northern and western boundary by a high conifer hedge.

- 2.3 The application site is immediately adjacent to the scheduled monument 'Ring ditch and settlement site north of Eastrea' (National Heritage List 1006853), and part of the development site was within the scheduled area until it was amended in 2020.
- 2.4 A 15 metre communications mast with antennas (mean height of 16.35 metre) is situated at approximately the mid-point of the western boundary of the site.

### 3 PROPOSAL

- 3.1 This application seeks outline planning permission for the residential development of the site for up to 18no. dwellings involving the demolition of existing buildings (outline application with all matters reserved).
- 3.2 The proposed dwellings are shown to be two-storey detached and semi-detached dwellings and the application is accompanied by an indicative site plan. The application is in outline with all matters reserved. As such, this application seeks only to establish the principle of developing the site for residential use for up to 18 dwellings.
- 3.3 The proposed development would be confined to the existing brownfield depot site and would not extend beyond the existing site landscaped buffer to the site perimeter.
- 3.4 Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

### 4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR17/0354/F	Erect 14 x 2-storey dwellings: 6 x 3-bed, 8 x 4-bed including 6 x detached garages involving the demolition of existing warehouse, and the change of use of land to form additional residential land for 61 and 63 Coates Road	Withdrawn 03.06.2021	03.06.2021
F/YR12/0584/F	Erection of 15 dwellings comprising of 10 x 2-storey 4-bed with garages; 5 x 2-storey 3-bed (affordable housing) dwellings and 2.0 metre high brick walls involving demolition of existing warehouse	Withdrawn 28.08.2012	28.08.2012
F/YR09/0212/F	Use of land for the stationing of a portable office/toilet building (renewal of planning permission F/YR06/0152/F)	Granted 13.05.2009	13.05.2009
F/YR06/0152/F	Continued use of land for the stationing of a portable office/toilet building	Granted	05.04.2006
F/YR03/0215/F	Continued use of land for the stationing of a portable office/toilet building	Granted	22.04.2003

## 5 CONSULTATIONS

### 5.1 Whittlesey Town Council

*'I recommend refusal. LP3 categorises Eastrea as a small village where development will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling. This is not infilling and extends the village boundary.'*

*LP12 states that for 'Small' villages only infill sites will normally be considered favourably. It also states that it should not extend existing linear features of the settlement or result in ribbon development. LP12 contains other statements that do not support this application'.*

### 5.2 CCC Local Highways Authority

*'The site plan 4768/01G has demonstrated that a suitable form of access is achievable. As this is an all matters reserved application then the future reserved matters application can include the access details, closure of existing access (between 63 and 73), layout of the roads / footways and a scheme for parking.'*

*I trust you will include the standard outline conditions. For the closure of the existing access I have included a condition as follows which would be appropriate:*

*1. Prior to the first occupation of the development the existing access between 63 and 73 Coates Road shall be permanently closed and the footway reinstated to the same line, level and detail as the adjoining footway in accordance with a scheme to be agreed with the Local Planning Authority.*

*Reason: To limit the number of access points in the interests of highway safety and convenience.*

*Informative: re: S278 works*

*I have no objections to planning permission being granted'.*

### 5.3 Environmental Health Team

*"A contaminated land (Phase 1 desktop investigation has been submitted) the findings of which are noted and accepted by the Environmental Health Team. The investigation identified a number of plausible contaminant linkages have the potential to become active as a result of the previous use of the application site, most notably as a haulage depot.*

*Given the nature of the sites previous use this service accepts the recommendations made in the submitted Phase 1 report that the risks identified will require further assessment in order to determine the most appropriate action for this site. A Phase 2 intrusive investigation will therefore be necessary to assess ground conditions and this should be undertaken before any development takes place. Should sources of contaminants be found during the*

*Phase 2 investigation a suitable remediation strategy will be required to demonstrate how sources of contamination will be dealt with. Full details of the contamination and proposed remediation will need to be submitted to and approved in writing by the LPA before work commences.*

**5.4 Cambridgeshire Police: Designing Out Crime Officer**

*‘There is no information regarding security and crime prevention in the design statement. It is important that security and crime prevention are considered and discussed at the earliest opportunity to ensure that the security of buildings, homes, amenity space and the environment provide a safe place for residents and visitors. With this in mind our office would be happy to discuss Secured by Design and measures to reduce the risk to vulnerability to crime’.*

**5.5 CCC Lead Local Flood Authority (LLFA)**

Originally objected in the absence of infiltration test results, inappropriate discharge rates, failure to adhere to the drainage hierarchy and absence of details regarding surface water network; following submission of further details comment as follows:

*‘We have reviewed the following documents:*

- *Sustainable Drainage Strategy, Ellingham Consulting Ltd, Ref: ECL0454-2a, Dated: January 2022*

*Based on these, as Lead Local Flood Authority (LLFA) we can remove our objection to the proposed development.*

*The above documents demonstrate that surface water from the proposed development can be managed through the use of permeable paving over the proposed parking areas, with infiltration through the subbase, subject to further infiltration testing and groundwater monitoring. Surface water from the highway will be held within an attenuation basin before discharge from the site at a maximum rate of 2.8 l/s to the adjacent watercourse. If infiltration for the driveways is not possible, all surface water will be discharged into the watercourse, using the subbase of the permeable paving as attenuation.*

*We request the following conditions are imposed:*

*Condition: No laying of services, creation of hard surfaces or erection of a building shall commence until a detailed design of the surface water drainage of the site has been submitted to and approved in writing by the Local Planning Authority. Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.*

*The scheme shall be based upon the principles within the agreed Sustainable Drainage Strategy prepared by Ellingham Consulting Ltd (ref: ECL0454-2a) dated January 2022 and shall also include:*

*a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection,*



- conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;*
- b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);*
  - c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);*
  - d) Site Investigation and test results to confirm infiltration rates and groundwater level;*
  - e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;*
  - f) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;*
  - g) Full details of the maintenance/adoption of the surface water drainage system;*
  - h) Permissions to connect to a receiving watercourse or sewer;*
  - i) Measures taken to prevent pollution of the receiving groundwater and/or surface water*

*Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.*

*Condition: No development, including preparatory works, shall commence until details of measures indicating how additional surface water run-off from the site will be avoided during the construction works have been submitted to and approved in writing by the Local Planning Authority. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.*

*Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.*

Informatives suggested re: Infiltration, IDB consent and Pollution Control.

## 5.6 **Anglian Water Service**

*'Anglian Water would not object to this application subject to the following text be included within your Notice should permission be granted: 'Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act*

*1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence’.*

Additional informatives are also recommended.

#### **5.7 Historic England**

*‘We do not have a particular objection to the principle of development, and support the applicant’s inclusion of a buffer towards the monument through the 10m allocation for gardens in response to pre-application advice. We advise that this should be brought forward into reserved matters or detailed applications.*

*We suggest that you seek the views of your specialist conservation and archaeological advisers as relevant particularly with regard to the scope and timing of further archaeological evaluation (particularly in areas not previously assessed) and also the Written Scheme of Investigation for investigation and record of the site’.*

#### **5.8 CCC Archaeological Team**

*[Historic England comments] ‘accords with our advice given on 12th July 2021 regarding the need to include a soft, partly vegetated buffer between the houses and scheduled boundary. Our objections would be lifted if this were to become the final development plan.*

*An archaeological excavation is required in advance of development and a report of results secured to preserve the archaeological remains by record in line with NPPF paragraph 205. We recommend the use of the following condition:*

##### *Archaeology Condition*

*Reason: No development shall commence until the applicant has implemented a programme of archaeological work that has been undertaken in accordance with a Written Scheme of Investigation (WSI) approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:*

- a) The statement of archaeological significance and research objectives;*
- b) The programme, methodology and timetable of fieldwork and the nomination of a competent person(s) or organisation to undertake the agreed works;*
- c) Implementation of fieldwork;*
- d) A post-excavation assessment report (to be submitted within six months of the completion of fieldwork);*
- e) An analytical archive report to be completed within two years of the completion of fieldwork and submission of a draft publication report (as necessary);*
- f) Preparation of the physical and digital archaeological archives ready for deposition at accredited stores approved by the Local Planning Authority*

*Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated*

*with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021)'.*

**5.8 Housing Strategy – FDC**

*'I understand that a viability assessment has been submitted as part of this planning application and has demonstrated that it is not viable to provide affordable housing as part of this scheme in this instance and therefore I have no further comments to make'.*

**5.9 Senior Planning Obligations Officer:**

*'I have reviewed the viability appraisal that has been submitted for the Former Transport Depot, Coates Road, Eastrea, planning reference F/YR21/0582/O for the development of 18 dwellings on a brownfield site.*

*The Local Plan and CIL Viability Assessment Report (LPVA): Key issues raised Apr-May 2020 states that due to other documents that are being prepared to inform the draft local plan, the on-going economic uncertainties along with the requirement to undertake more detailed assessments of viability for strategic sites identified in the draft Local Plan it would not be appropriate to update the LPVA. Should applicants disagree with the LPVA they should submit their own site-specific viability assessment.*

*The applicant has provided several appraisals along with sensitivity testing as part of their viability submission with various levels of S106 provision that I have reviewed and bench-marked against the assumptions contained in the LPVA, including inputs for profit, interest rates, external works & infrastructure costs, design & professional fees, and Gross Development Value. The appraisals are based on the residual method of valuation with the output of Residual Land Value (RLV). The RLV is compared to a Benchmark Land Value (BLV) which is assessed by adopting the Existing Use Value (EUV) of the site plus a premium that provides a reasonable incentive for the landowner to bring the land forward for development.*

*The LPVA has identified a 'Higher Value' and 'Lower Value' areas. It concludes that across both 'Higher Value' and 'Lower Value' areas brownfield sites generate Residual Values that are not only below the EUV but are also negative. This indicates that brownfield development is likely to be unviable, even without the provision of any Affordable Housing. This development is located within the 'Lower Value' area. Having reviewed this viability appraisal I have concluded that the proposal is unable to deliver any Affordable Housing or S106 contributions'.*

**5.10 NHS England (East)**

No comments received

**5.11 Head of Environmental Services**

*Noted all matters reserved application, from a refuse collection perspective:*

- *Unclear if the roadway is to be adopted,*
- *To allow access the private road would need to be constructed suitably for a 26 tonne refuse vehicle and indemnity would be required from*

*landowners or future management company against any potential damage to the road surface etc. which may be caused during vehicle operations.*

- *A swept path plan would be required to demonstrate that an 11.5m refuse vehicle could access the site turn and leave the site in a forward direction.*
- *Shared bin collection points would be required for properties served by private access driveways.*
- *Refuse and recycling bins will be required to be provided as an integral part of the development.*
- *Please refer to the useful supplementary planning guidance for Cambridgeshire and Peterborough available in the RECAP Waste Management Design Guide [..]*

#### **5.12 Cambridgeshire Fire and Rescue**

*'[..] should the Planning Authority be minded to grant approval, the Fire Authority would ask that adequate provision be made for fire hydrants, which may be by way of Section 106 agreement or a planning condition'.*

#### **5.13 Local Residents/Interested Parties**

No comments received

### **6 STATUTORY DUTY**

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

6.2 A Scheduled Monument (SM) is a designated heritage asset which, by definition, is of national importance. Even though the Ancient Monuments and Archaeological Areas Act 1979 does not impose a statutory duty equivalent to sections 66(1) or 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the national importance of scheduled monuments is a relevant consideration. Where consideration of impacts of developments on a SM are concerned therefore, the approach under NPPF Chapter 16 is applicable.

### **7 POLICY FRAMEWORK**

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

Para 2. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para 10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development

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

Para 29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote

less development than set out in the strategic policies for the area, or undermine those strategic policies

Para 30. Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

Para 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Para 55. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition

Para 58. Where up-to-date policies have set out the contributions expected from development, planning applications that comply with them should be assumed to be viable. It is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. The weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in site circumstances since the plan was brought into force. All viability assessments, including any undertaken at the plan-making stage, should reflect the recommended approach in national planning guidance, including standardised inputs, and should be made publicly available.

Chapter 5. Delivering a sufficient supply of homes

Para 111. Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Para 119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land

Para 120 (c) Planning policies and decisions should (c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;

Chapter 12. Achieving well-designed places

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

Chapter 15. Conserving and enhancing the natural environment

Chapter 16. Conserving and enhancing the historic environment

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

### 7.3 **National Design Guide 2019**

Context: C1 Understand and relate well to the site, its local and wider context;  
C2 Value heritage, local history and culture

Identity: I1 Respond to existing local character and identity; I2 Well-designed, high quality and attractive; I3 Create character and identity  
Built Form: B1 Compact form of development; B2 Appropriate building types and forms  
Movement: M2 A clear structure and hierarchy of connected streets; M3 Well-considered parking, servicing and utilities infrastructure for all users  
Nature: N1 Provide high quality, green open spaces with a variety of landscapes and activities, including play; N3 Support rich and varied biodiversity  
Public Spaces: P2 Provide well-designed spaces that are safe  
Uses: U2 A mix of home tenures, types and sizes; U3 Socially inclusive  
Homes and Buildings: H1 Healthy, comfortable and safe internal and external environment; H3 Attention to detail: storage, waste, servicing and utilities  
Lifespan: L3 A sense of ownership

#### 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  
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  
LP17 – Community Safety  
LP16 – Delivering and Protecting High Quality Environments across the District  
LP18 – The Historic Environment

#### 7.5 **Whittlesey Draft Neighbourhood Plan 2021-2040 (Draft Plan out to consultation)**

Policy 1 - Spatial Strategy

- e. The villages of Coates and Eastrea are markedly smaller in scale and offer fewer facilities than Whittlesey, but are likely to provide some limited opportunities for new development
- f. Development proposals adjoining the built area of Whittlesey, Coates and Eastrea should demonstrate that the development will:
  - i. Reduce the causes and impacts of flooding, in accordance with Policy 10 - Flood Risk and national and strategic policies for flooding;
  - ii. Be designed to minimise visual impacts upon the landscape; and
  - iii. Be supported by necessary infrastructure and facilities.

Policy 2 - Local Housing Need

Policy 4 - Open Space

Policy 7 - Design Quality

Policy 8 - Historic Environment

Policy 10 - Flood risk

Policy 11 - Coalescence of villages

Policy 12 - Delivering Sustainable Transport

Limited weight can be given to the Plan at this stage.

## 8 KEY ISSUES

- **Principle of Development**
- **Access and Highways**
- **Drainage and Flood Risk**
- **Heritage impacts**
- **Biodiversity**
- **Residential Amenity**
- **Infrastructure contributions vs. viability**

## 9 BACKGROUND

- 9.1 An earlier application for full planning permission was withdrawn in June 2021 and supplemented with this current proposal which increases the site area and the quantum of development.

## 10 ASSESSMENT

### **Principle of Development**

- 10.1 Policy LP3 of the Fenland Local Plan outlines that the village of Eastrea is a small village where development will be considered on its merits but will normally be of a very limited nature and normally limited in scale to residential infilling. However, noting that the site is a brownfield site due regard must be given to NPPF Chapter 11, paragraph 120(c).
- 10.2 The status of the land as a brownfield site would have substantial weight in determining whether the 'usual' settlement criteria considerations would apply. In that the site is clearly a 'non-confirming use' having regard to the urban morphology of this part of Eastrea with housing on both sides and opposite the access, including the village hall.
- 10.3 Due regard must also be given to the loss of the B8 use in accordance with Policy LP6, however given the sites incompatibility with the surrounding land uses and noting that the site could not be considered as 'high quality land' it is not considered the marketing exercise required under LP6 would apply in this instance.
- 10.4 Matters of visual and residential amenity, highway safety, flood risk and land contamination are considered in detail below. In addition, it is necessary to consider any heritage impacts arising noting the presence of the Scheduled Ancient Monument immediately to the east, north and west of the site.

### **Design and Visual amenity**

- 10.5 The indicative layout submitted as part of the application illustrates that the quantum of development specified could be accommodated within the site with above-policy compliant levels of private amenity space. The southernmost dwelling would conform to the linear, site frontage character of the area.

- 10.6 There is nothing to suggest that the site could not deliver a scheme which accords with Policy LP12 part A (d) and LP16 of the FLP (2014) at reserved matters stage.

### **Heritage impacts**

- 10.7 Scheduled Monument (SM) 'Ring ditch and settlement site north of Eastrea' (National Heritage List 1006853) abuts the rear section of the site and both Historic England and CCC Archaeology have agreed that a 10m buffer of private garden should be retained to maintain the setting of the SM; this aligns with earlier pre-application advice.
- 10.8 To ensure the integrity of such a buffer it is recommended that Permitted Development rights to extend or build or site structures be removed from gardens abutting the SM. Although it is recognised that at outline stage it would be most appropriate to steer the layout through an informative to direct the future reserved matters detail as opposed to a safeguarding condition to control development.
- 10.9 Subject to this recommendation being incorporated as part of the site layout, and the timely imposition of an appropriate safeguarding condition the aims of the NPPF and Policy LP18 of the Fenland Local Plan (2014) are satisfied.

### **Access and Highways**

- 10.10 Whilst the access detailed on the submitted site layout drawing is indicative the Local Highway Officer has raised no concerns regarding highway safety. It is acknowledged that the eastern access will have to be closed and this can be achieved via condition.
- 10.11 There is nothing to suggest that the development would have an unacceptable impact on the highway network and accordingly the scheme has the potential to align with Policy LP15 of the Fenland Local Plan (2014) subject to detailed design.

### **Drainage and Flood Risk**

- 10.12 The site is located within a Flood Zone 1 area and as such it is a sequentially preferable site on which to deliver development.
- 10.13 Several iterations of drainage strategy submitted and LLFA now agree in principle subject to details at reserved matters stages; conditions are recommended to ensure that the on-site drainage matters are appropriately conditioned and there are no issues to reconcile with regard to Policy LP14 of the FLP (2014).

### **Biodiversity**

- 10.14 The site is heavily developed and considered to be of low biodiversity value. Given the proposed change of use and redevelopment, including removal of contaminants and likely introduction of soft landscaping, it is considered that the development would result in no net loss of biodiversity and indeed may create



opportunities to enhance biodiversity and connect better to the wider countryside which the site abuts.

### **Residential Amenity**

- 10.15 Indicative drawing suggests adequate private amenity areas with good distance separation. Likewise, relationships with existing residents appears adequate and unlikely to result in significant amenity harm e.g., through overbearing, overshadowing, overlooking but these details would be considered at future reserved matters.
- 10.15 The existing phone mast on the western boundary has an exclusion zone around it and evidence has been submitted to demonstrate that the applicant has engaged with the mast provider; again, details will form part of the reserved matters layout.
- 10.16 The residential amenity impacts of the proposal will ultimately be considered as part of the reserved matters submission for the site however based on the site characteristics and its relationship with neighbouring properties there is nothing to suggest that a policy compliant scheme could not be achieved.

### **Infrastructure contributions vs. viability**

- 10.17 A Viability Assessment accompanies this application and the details contained therein have been accepted by the Senior Planning Obligations Officer who confirms that the site is not viable for contributions towards affordable housing or social infrastructure. This is mainly due to the costs associated with remediating the site versus the quantum of houses achievable.

## **11 CONCLUSIONS**

- 11.1 The development of this site will see the removal of a non-conforming use within a residential area and will maximise the effective use of a brownfield site. Accordingly, whilst it is not an 'infill' scheme as promoted in Policy LP3 of the FLP there would be no policy justification to resist the application given the weight afforded to the sites redevelopment under the NPPF.
- 11.2 The illustrative layout as submitted demonstrates that the quantum of development expressed within the application could be accommodated on the site without detriment to the character of the area or existing residential amenity; furthermore, subject to detailed design there is nothing to suggest that future occupants will not benefit from high levels of residential amenity going forward.
- 11.3 Matters of drainage, highways, biodiversity and heritage have been duly considered in accordance with the relevant national and local planning policy framework and there are no matters which would render the re-development of this site unacceptable; subject to appropriate safeguarding conditions imposed to direct the development of the scheme going forward.

## 12 RECOMMENDATION

### Grant

#### Conditions

1	<p>Approval of the details of:</p> <ul style="list-style-type: none"><li>(i) the layout of the site</li><li>(ii) the scale of the building(s);</li><li>(iii) the external appearance of the building(s);</li><li>(iv) the means of access thereto;</li><li>(v) the landscaping</li></ul> <p>(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).</p> <p>Reason: To enable the Local Planning to control the details of the development hereby permitted and to ensure the development meets the policy standards required by the development plan and any other material considerations including national and local policy guidance.</p>
2	<p>Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 92 of the Town and Country Planning Act 1990 (as amended).</p>
3	<p>The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p>The residential elements of the development shall not exceed 18 dwellings (Use Class C3).</p> <p>Reason - For the avoidance of doubt and to ensure a satisfactory standard of development.</p>
5	<p>Prior to the first occupation of any part of the development hereby approved the existing access between 63 and 73 Coates Road shall be permanently closed and the footway reinstated to the same line, level and detail as the adjoining footway in accordance with a scheme to be agreed with the Local Planning Authority.</p> <p>Reason: To limit the number of access points in the interests of highway safety and convenience in accordance with Policy LP15 of the Fenland Local Plan, 2014.</p>

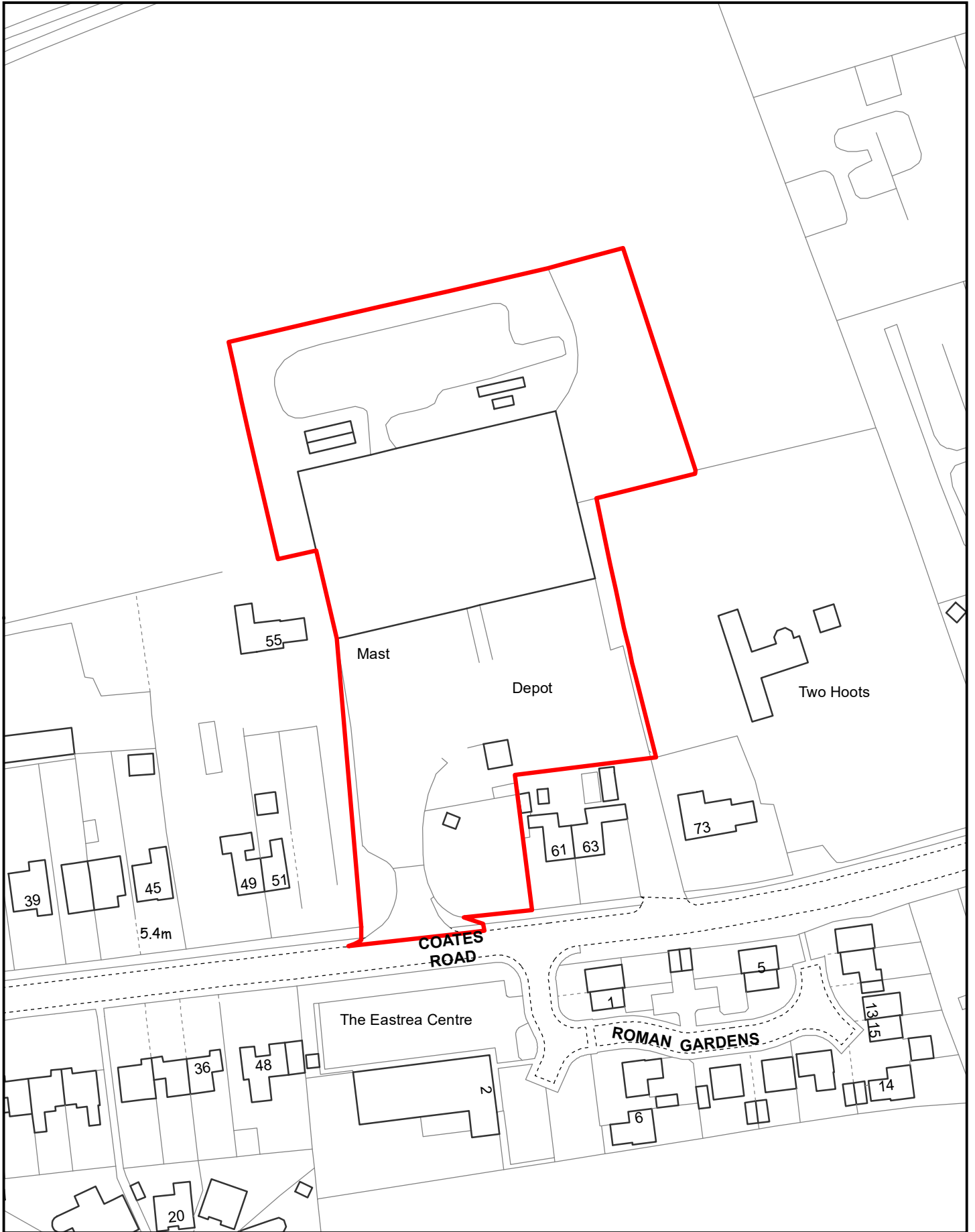
6	<p>Prior to the commencement of the development hereby approved a scheme and timetable to deal with contamination of land and/or groundwater shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme and timetable shall then be implemented on site. The scheme shall include all of the following measures unless the Local Planning Authority dispenses with any such requirement specifically and in writing:</p> <p>1.A site investigation and recognised risk assessment carried out by a competent person, to fully and effectively characterise the nature and extent of any land and/or groundwater contamination, and its implications. The site investigation shall not be commenced until:</p> <p>(i) A desk-top study has been completed, satisfying the requirements of paragraph (1) above.</p> <p>(ii) The requirements of the Local Planning Authority for site investigations have been fully established, and</p> <p>(iii) The extent and methodology have been submitted to and approved in writing by the Local Planning Authority. Two full copies of a report on the completed site investigation shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Following written LPA approval of the Site Investigation the LPA will require:</p> <p>2. A written method statement for the remediation of land and/or groundwater contamination affecting the site. This shall be based upon the findings of the site investigation and results of the risk assessment. No deviation shall be made from this scheme without the express written agreement of the Local Planning Authority.</p> <p>3. The provision of two full copies of a full completion report confirming the objectives, methods, results and conclusions of all remediation works, together with any requirements for longer-term monitoring and pollutant linkages, maintenance and arrangements for contingency action shall be submitted and approved in writing by the Local Planning Authority.</p> <p>IF during development any previously unsuspected contamination is discovered then the LPA must be informed immediately. A contingency plan for this situation must be in place and submitted with the desk study.</p> <p>Reason: To control pollution of land or water in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.</p>
7	<p>Within 6-months of the commencement of development hereby approved, a scheme for the provision of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to commencement of occupation of any dwellings and retained thereafter in perpetuity.</p> <p>Reason: In order to ensure that the site meets the crime prevention guidelines in accordance with Policy LP17 of the Fenland Local Plan 2014.</p>

8	<p>Within any reserved matters application for any part of the development site hereby approved the details required by condition 1 shall include a detailed surface water drainage scheme for the site. The scheme shall subsequently be implemented in full accordance with the approved details prior to occupation of any part of the development hereby approved.</p> <p>The scheme shall be based upon the principles within the agreed Sustainable Drainage Strategy prepared by Ellingham Consulting Ltd (ref: ECL0454-2a) dated January 2022 and shall also include:</p> <ul style="list-style-type: none"> <li>a) Full results of the proposed drainage system modelling in the QBAR, 3.3% Annual Exceedance Probability (AEP) (1 in 30) and 1% AEP (1 in 100) storm events (as well as 1% AEP plus climate change), inclusive of all collection, conveyance, storage, flow control and disposal elements and including an allowance for urban creep, together with an assessment of system performance;</li> <li>b) Detailed drawings of the entire proposed surface water drainage system, attenuation and flow control measures, including levels, gradients, dimensions and pipe reference numbers, designed to accord with the CIRIA C753 SuDS Manual (or any equivalent guidance that may supersede or replace it);</li> <li>c) Full detail on SuDS proposals (including location, type, size, depths, side slopes and cross sections);</li> <li>d) Site Investigation and test results to confirm infiltration rates and groundwater level;</li> <li>e) Details of overland flood flow routes in the event of system exceedance, with demonstration that such flows can be appropriately managed on site without increasing flood risk to occupants;</li> <li>f) Demonstration that the surface water drainage of the site is in accordance with DEFRA non-statutory technical standards for sustainable drainage systems;</li> <li>g) Full details of the maintenance/adoption of the surface water drainage system;</li> <li>h) Permissions to connect to a receiving watercourse or sewer;</li> <li>i) Measures taken to prevent pollution of the receiving groundwater and/or surface water</li> </ul> <p>Those elements of the surface water drainage system not adopted by a statutory undertaker shall thereafter be maintained and managed in accordance with the approved management and maintenance plan.</p> <p>Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no increased flood risk on or off site resulting from the proposed development and to ensure that the principles of sustainable drainage can be incorporated into the development, noting that initial preparatory and/or construction works may compromise the ability to mitigate harmful impacts.</p>
9	<p>Within any reserved matters application for any part of the development site hereby approved the details required by condition 1 shall include details of measures indicating how additional surface water run-off from the site will be avoided during the construction works. The applicant may be required to provide collection, balancing and/or settlement systems for these flows. The</p>

	<p>approved measures and systems shall be brought into operation before any works to create buildings or hard surfaces commence.</p> <p>Reason: To ensure surface water is managed appropriately during the construction phase of the development, so as not to increase the flood risk to adjacent land/properties or occupied properties within the development itself; recognising that initial works to prepare the site could bring about unacceptable impacts.</p>
10	<p>No development shall commence until the applicant has implemented a programme of archaeological work that has been undertaken in accordance with a Written Scheme of Investigation (WSI) approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than under the provisions of the agreed WSI, which shall include:</p> <ol style="list-style-type: none"> <li>a) The statement of archaeological significance and research objectives;</li> <li>b) The programme, methodology and timetable of fieldwork and the nomination of a competent person(s) or organisation to undertake the agreed works;</li> <li>c) Implementation of fieldwork;</li> <li>d) A post-excavation assessment report (to be submitted within six months of the completion of fieldwork);</li> <li>e) An analytical archive report to be completed within two years of the completion of fieldwork and submission of a draft publication report (as necessary);</li> <li>f) Preparation of the physical and digital archaeological archives ready for deposition at accredited stores approved by the Local Planning Authority</li> </ol> <p>Reason: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021)'.</p>
11	<p>Prior to the first occupation of any part of the development hereby approved, a scheme for the provision of fire hydrants or equivalent emergency water supply shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented and made available for use prior to the occupation of the first dwelling.</p> <p>Reason: In the interests of the safety of the occupiers and to ensure there are available public water mains in the area to provide for a suitable water supply in accordance with infrastructure requirements within Policy LP13 of the Fenland Local Plan 2014.</p>
12	<p>The details submitted in accordance with Condition 01 of this permission shall include:</p>

	<p>(a) a plan showing (i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 m above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree and (ii) the location of hedges to be retained and details of species in each hedge.</p> <p>(b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;</p> <p>(c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;</p> <p>(d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site.</p> <p>(e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development;</p> <p>(f) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.</p> <p>In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the plans referred to in paragraph (a) above.</p> <p>Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site in accordance with Policy LP16 of the Fenland Local Plan 2014.</p>
13	<p>Prior to the occupation of the first dwelling hereby approved, full details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved in writing by the Local Planning Authority. (The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an Agreement has been entered into unto Section 38 of the Highways Act 1980 or a Private Management and Maintenance Company has been established).</p> <p>Reason: To ensure satisfactory development of the site and to ensure estate roads are managed and maintained thereafter to a suitable and safe standard, in accordance with policy LP15 of the Fenland Local Plan, adopted May 2014.</p>

14	<p>Prior to the first occupation of any dwelling hereby approved a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse collection strategy shall be implemented in accordance with the agreed details in full and thereafter be retained in perpetuity unless otherwise agreed in writing.</p> <p>Reason: To ensure a satisfactory form of refuse collection and compliance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
15	Approved plans



Created on: 04/06/2021

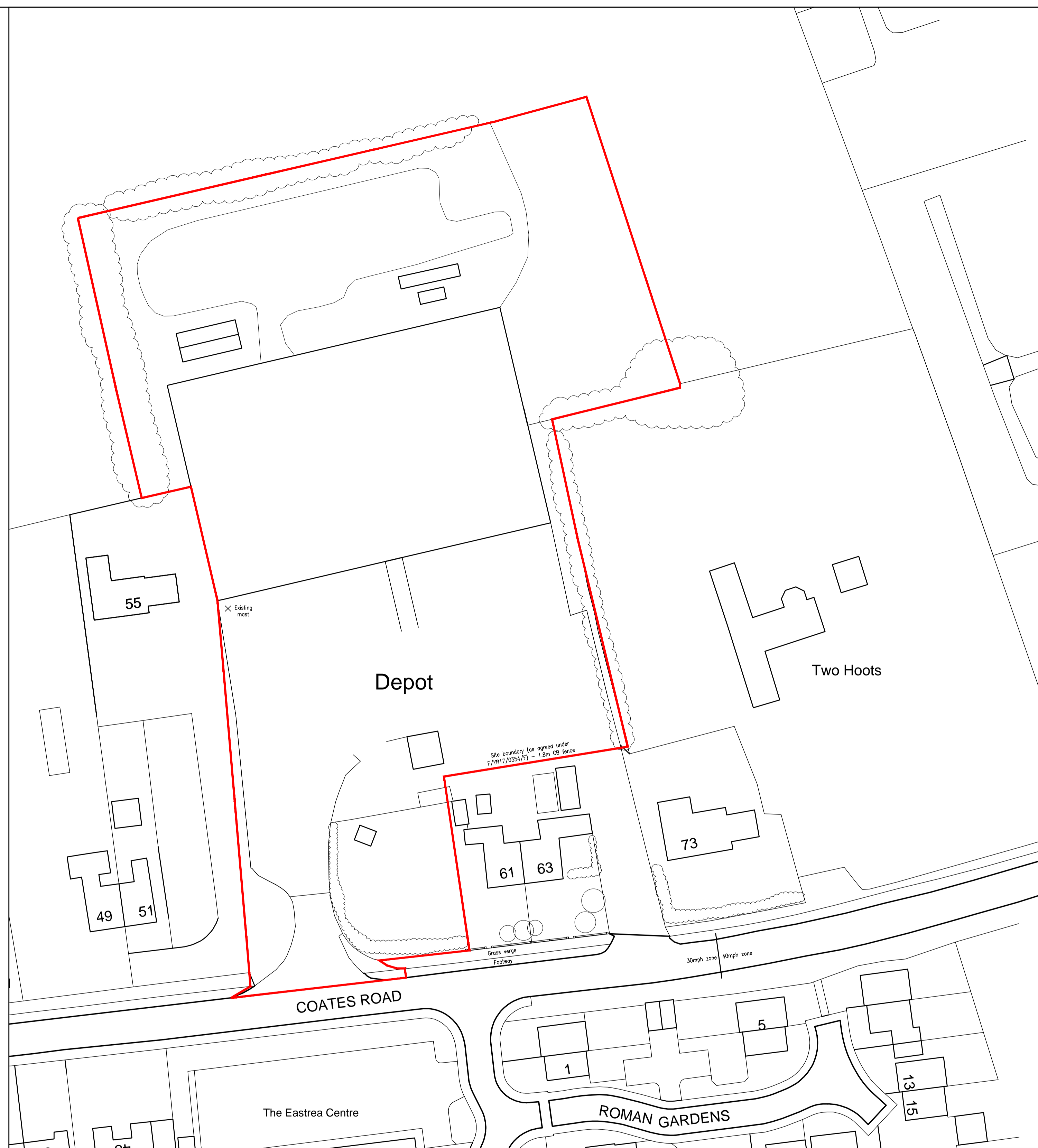
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**F/YR21/0582/O**

Scale = 1:1,250







Existing Site Plan 1:500



Proposed Site Plan 1:500 (Indicative)

House Schedule for site plan (Indicative):-

Plot	Type	Garage	Int. floor area
1	2-storey 4-bed detached	No	150sqm.
2	2-storey 4-bed detached	Yes	150sqm.
3	2-storey 4-bed detached	Yes	150sqm.
4	2-storey 4-bed detached	Yes	150sqm.
5	2-storey 4-bed detached	Yes	150sqm.
6	2-storey 4-bed detached	Yes	150sqm.
7	2-storey 4-bed detached	Yes	150sqm.
8	2-storey 4-bed detached	Yes	150sqm.
9	2-storey 3-bed semi	No	85sqm.
10	2-storey 3-bed semi	No	85sqm.
11	2-storey 3-bed semi	No	85sqm.
12	2-storey 3-bed semi	No	85sqm.
13	2-storey 3-bed detached	No	100sqm.
14	2-storey 3-bed detached	No	100sqm.
15	2-storey 3-bed semi	No	85sqm.
16	2-storey 3-bed semi	No	85sqm.
17	2-storey 3-bed detached	No	100sqm.
18	2-storey 3-bed detached	No	100sqm.

**Peter Humphrey Associates Ltd.**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT  
PROPOSED 18No. DWELLINGS

SITE  
PING TRANSPORT DEPOT  
COATES ROAD  
EASTREA  
WHITTLESEY  
PE7 2BB

DRAWING  
**PLANNING DRAWING 1**  
CLIENT  
**Mr Ping**  
DATE JAN 2021 SCALE As Shown JOB No. 4768/01F

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**Building Design Awards**  
Building Excellence in Fenland  
Category Winner 08/09/10  
Overall Winner 2010

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**F/YR21/1015/F**

**Applicant: GKL Residential  
Developments Ltd**

**Agent: Ms Kate Wood  
Eddisons Barker Storey Matthews**

**Former Coach House, London Road, Chatteris, Cambridgeshire**

**Conversion of existing building to form 1 x dwelling (2-storey 3-bed) involving the erection of a single-storey rear extension, raising the roof height of the existing single-storey element and demolition and rebuilding of the northern gable**

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**F/YR21/1017/LB**

**Applicant: GKL Residential  
Developments Ltd**

**Agent: Ms Kate Woods  
Eddisons Barker Storey Matthews**

**Former Coach House, London Road, Chatteris, Cambridgeshire**

**Internal and external works to a curtilage listed building including the erection of a single-storey rear extension, raising the roof height of the single-storey element and demolition and rebuilding of the northern gable, to form 1 x dwelling (2-storey 3-bed)**

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**Officer recommendation: Refusal of both applications**

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

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## **1 EXECUTIVE SUMMARY**

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|--|
| <p>1.1 The proposal seeks listed building consent and full planning permission for the change of use and alteration of the Coach House to form a 2-storey, 3-bed dwelling.</p> <p>1.2 The northern gable wall is to be demolished and re-built, existing openings are to be retained and re-used, the roof of the single-storey element is to be raised by 900mm with the introduction of a half hip detail and 4 rooflights, a single-storey extension is proposed to the rear linking to the car port approved under F/YR19/0355/F and the wider redevelopment beyond.</p> <p>1.3 The principle of conservation led regeneration by conversion to residential is wholly supported, the harm identified in relation to residential amenity is in this case considered to be outweighed by the re-instatement of windows in the original openings and the conversion of this heritage asset and there are no issues to address regarding parking and highways, flood risk or ecology.</p> <p>1.4 However, the proposed development is considered to cause 'less than</p> |
|--|

substantial harm' to the heritage asset due to:

- The overall scale of the proposed alteration and extension (increased ridge height and rear extension) reducing the architectural subservience of the coach house to that principal listed building
- The total loss of a fully barrel-vaulted ceiling (which is a significant and integral part of the character and significance of the building in its relationship to the principal listed building)

No clear and convincing justification has been submitted to evidence that there is sufficient public benefit in the current proposal that could be weighed against the identified harm, particularly when a when a minimum intervention option exists.

1.5 Given this clear conflict with the relevant policies it is considered that to grant the applications would be indicative of a failure by the Council to fulfil its duties under Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, particularly as there has not been any material change between the refusal of F/YR19/0705/F and F/YR19/0706/LB and the current applications

1.5 Consequently, the recommendation is to refuse the applications.

## **2 SITE DESCRIPTION**

- 2.1 The site is a listed former Coach House to 22 London Road (Grade II listed) with a hardstanding area to the rear. The site forms part of the former Travis Perkins site, which has been vacant approximately 3 years and lies within Chatteris Conservation Area.
- 2.2 No.22 and the remaining commercial site has been granted planning permission and listed building consent (F/YR19/0355/F and F/YR19/0356/LB) for the erection of 6 x single storey dwellings, change of use of the office building (No.22) to a 2-storey 5-bed dwelling involving part demolition of and alterations to the Listed Building and demolition of warehouses and outbuildings at the rear of the site.
- 2.3 The Coach House faces onto London Road with the site access between it and No.22 (to the north). It is a part single storey gault brick structure with a 2-storey loft element, most likely built as coach house and/or stables, with roofs of Welsh slate. There are door openings only to the rear (west) elevation. Three semi-circular, or Diocletian windows to the ground floor east elevation (road) and two to the ground floor west elevation have stone cills and red and gault brick surrounds. Those on the east elevation have been blocked in. The north end bay has been partially demolished and rebuilt with Fletton bricks in order to widen the access for commercial vehicles entering and leaving the yard in the later 20th century and would likely have had a further window. The loft section of the building includes two semi-circular cast iron windows to the first floor, also under contrasting red and yellow 9 inch brick header arched openings with stone cills to both the east and west elevations.
- 2.4 The coach house retains several internal features, including surviving lath and lime plaster barrel vaulted ceilings, and a wooden stair to the loft, with sack slide. A small fireplace still exists in the north end bay, but has been blocked in and the chimney lost when the coach house was shortened and the gable end rebuilt. Metal mesh ventilation screen is in situ at the ceiling apex and supports the suggestion of its use for livestock. The barrel vaulted ceiling in a mid-19th century

utilitarian and ancillary structure is an unusual and notable feature of the building. The shapes of the ceilings form an important part of the history of this building.

- 2.5 There appear to have been two access points historically onto London Road. However, only the northern one has been used for a number of years. The southern boundary of the site is made up of the northern elevational wall of No 24 London Road. Within this wall are two ground floor and one first floor window which overlook the site.
- 2.6 The site is within Chatteris Conservation Area and is situated within a residential area. It sits between the associated principal Grade II listed building of 22 London Road and the 3-storey Grade II listed building of 24 London Road. On the opposite side of the road are the 2-storey properties of 43-45 London Road, 3-storey 41 London Road and the 2-storey Grade II listed building of 39 London Road.

### **3 PROPOSAL**

- 3.1 The proposal seeks listed building consent and full planning permission for the change of use and refurbishment of the Coach House to form a 2-storey, 3-bed dwelling.
- 3.2 The northern gable wall is to be demolished and re-built, existing openings are to be retained and re-used, the roof of the single-storey element is to be raised by 900mm with the introduction of a half hip detail and 4 rooflights, a single-storey extension is proposed to the rear linking to the car port approved under F/YR19/0355/F and the wider redevelopment beyond.
- 3.3 Accommodation comprises a bedroom with en-suite, lounge, dining room, kitchen, WC, boot room and hall and ground floor level and 2 bedrooms, study, bathroom and walk in cupboard at first-floor level.
- 3.4 Full plans and associated documents for these applications can be found at:

F/YR21/1015/F:

[F/YR21/1015/F | Conversion of existing building to form 1 x dwelling \(2-storey 3-bed\) involving the erection of a single-storey rear extension, raising the roof height of the existing single-storey element and demolition and rebuilding of the northern gable | Former Coach House London Road Chatteris Cambridgeshire \(fenland.gov.uk\)](#)

F/YR21/1017/LB:

[F/YR21/1017/LB | Internal and external works to a curtilage listed building including the erection of a single-storey rear extension, raising the roof height of the single-storey element and demolition and rebuilding of the northern gable, to form 1 x dwelling \(2-storey 3-bed\) | Former Coach House London Road Chatteris Cambridgeshire \(fenland.gov.uk\)](#)

#### 4 SITE PLANNING HISTORY

F/YR21/3086/COND	Details reserved by Conditions 2 (Archaeology), 4 (Brickwork), 5 (Joinery), 6 (front boundary wall/railings), 7 (Rainwater Goods), 8 (Contamination), 9 (Construction Management Plan), 10 (Levels), 12 (Landscaping) and 14 (Drainage) of planning permission F/YR19/0355/F, and Details reserved by Conditions 2 (Brickwork), 3 (Joinery), 4 (Plaster Finishes), 5 (front boundary wall/railings), 6 (Rainwater Goods), 7 (Contamination), of listed building consent F/YR19/0356/LB (Erect 6 x dwellings involving partial demolition of a Listed Building, and warehouse and outbuildings)	Pending Decision
F/YR20/0586/LB	Demolition of a curtilage listed store building	Refused 29/4/2021
F/YR20/0585/F	Erect a 2-storey 4-bed dwelling involving demolition of store building	Refused 29/4/2021
F/YR19/0706/LB	Internal and external works to a curtilage listed building involving the erection of a single-storey rear extension and raising the roof height of the single-storey element to enable a change of use of the building to a 2-storey 3-bed dwelling	Refused 4/10/2019
F/YR19/0705/F	Change of use and refurbishment of existing building to form a 2-storey 3-bed dwelling involving the erection of a single-storey rear extension and raising the roof height of the existing single-storey element	Refused 4/10/2019
F/YR19/0356/LB	Works to a Listed Building to change the use of office building to 2-storey 5-bed dwelling with detached car port involving part demolition to rear	Granted 3/10/2019
F/YR19/0355/F	Erection of 6no single storey dwellings comprising of 2 x 2-bed and 4 x 3-bed; change of use of office building (LB) to 2-storey 5-bed dwelling involving part demolition of Listed Building and demolition of warehouse and outbuildings	Granted 3/10/2019

F/96/0103/F	Erection of single-storey office extension to existing building	Granted 4/7/1996
F/0431/79/F	Change of use from showroom to office and store and replacement shopfront	Granted 3/8/1979

## **5 CONSULTATIONS**

### **5.1 Town Council**

*Fully support*

### **5.2 Cambridgeshire County Council Highways**

*No objection..*

### **5.3 Environment and Health (FDC) (23/9/2021)**

*The Environmental Health Team note and accept the submitted information submitted for listed building consent 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.*

### **5.4 Environmental Health (FDC) (30/9/2021)**

*The Environmental Health Team note and accept the submitted information and have 'No Objections' as has been the case with previous site associated applications, as it is unlikely to have a detrimental effect on local air quality and the noise climate.*

*However, as per previous comments from this service regarding the application site, owing to the historical usage details which include a farm yard and more recently a builders yard, both uses could give rise to potential ground contamination. It is therefore requested that the applicant submits a Phase 1 contaminated land assessment to determine whether those previous uses have adversely impacted on the ground condition, and if so, what remedial measures will be required to ensure that it is suitable for its intended sensitive end use.*

### **5.5 Environmental Health (FDC) (9/2/2022)**

*The Environmental Health Team note and accept the latest information submitted (re-consultation) and have no adverse comments to make. Those made previously by this service (30.09.2021) are therefore still relevant at this time.*

### **5.6 Ancient Monuments Society (17/9/2021)**

*Thank you for consulting the AMS on this application. We have objected to several previous proposals for the demolition of this curtilage listed building and are pleased that this application will retain and adapt the Coach House as a dwelling.*

*Raising the roof level of the single storey section to create habitable roof space and access to the two-storey section appears reasonable, within the context of the adjoining listed house and other buildings in the conservation area. The refurbishment and reglazing of the semi-circular C19 iron framed windows is welcomed, though we note not all shown on the CGI image provided, though are shown on the 'proposed plans'.*

*With regards to the rear extension, we have no objection to this in principle. However, the proposed arrangement appears to connect to the already approved houses on the rear part of the site and this would create a long linear range of*

*buildings extending from the Coach House. This would change the subservient character and relationship of the Coach House with the original listed house. We would therefore encourage a more modern design and material palette for the extension so that it appears less 'domestic', and perhaps a bigger setback or alternative roof to the carport, to better separate and distinguish the Coach House from the rest of the development.*

*We note the barrel-vaulted ceiling to bay 3 was beyond repair (Section 5, Heritage Statement 2018), and will be replaced with the proposed first floor landing and bathroom. However, the fate of the ceiling to bay 1 (dining room) is unclear and this should be clarified.*

*In general, the proposal is now more consistent with Section 16 of the NPPF (2021). It would introduce a suitable new use to this redundant building and create a characterful and interesting new home that would sustain the curtilage listed heritage asset and enhance the character of the conservation area.*

*I would be grateful if the AMS could be informed of the outcome when this becomes available.*

#### **5.7 Historic Buildings & Places (Formerly Ancient Monuments Society) (15/2/2022)**

*Thank you for re-consulting Historic Buildings & Places. We have commented on previous applications for this site under our former name – the Ancient Monuments Society.*

*We have reviewed the amended plans submitted that are available on your website. We do not wish to make any comments on this occasion and defer to the specialist advice of your Authority's Conservation Officer.*

#### **5.8 The Council for British Archaeology (27/9/2021)**

*Thank you for consulting the Council for British Archaeology (CBA) on the above case. Based on the information supplied with this application, we offer the following observations and advice to assist your authority in determining the application.*

##### *Summary*

*The CBA are broadly supportive of the proposed scheme, although we believe the schedule of works is contrary to the requirements of paragraph 199 of the NPPF. We recommend the methodology should be revised in order support the long-term future the former coach house and to best reveal its significance.*

##### *Significance*

*There is considerable potential to better reveal the significance of the former coach house. The 19th century brickwork detailing makes an attractive contribution to the streetscape. The building holds evidential value in its use of imported materials to the area, relating to the arrival of the railways in 1848. The construction of a finely detailed coach house on the roadside speaks of a socially aspirational 19th century status symbol, expressed by the owners of 22 London Road. As such the CBA believe the former coach house makes an important contribution to understanding the historical development of Chatteris in the 19th century. In this the former coach house makes a positive contribution to the character and appearance of the Chatteris Conservation Area.*

##### *Comments*



*The CBA are very pleased to see a proposed scheme for the adaptive reuse of the former coach house, having objected on a number of occasions to proposals for its demolition. We are happy to support proposals for a rear extension in order to achieve adequate living accommodation. In achieving this we echo the recommendations of The Ancient Monument Society that a distinct contemporary design would be beneficial in adding a contemporary phase of development to the site which should be clearly legible from the historic structure.*

*The CBA note from the schedule of works that accompanies this application that it does not follow a conservation led methodology and entails considerable demolition as opposed to repair. It also involves the introduction of a lot of impermeable building materials; concrete footings, blockwork walls and steel beams. The common long-term consequences of introducing these 20th century materials into pre-1914 buildings are preferential movement and decay of the original fabric, which exhibits much less rigid properties. Repair of old buildings is best executed using 'like for like' materials. We do not believe the schedule of works meets the requirements of paragraph 199 of the NPPF (revised July 2021, previously paragraph 193) to give "great weight" to the building's conservation. We note that conservative repair is proposed for the barrel vaulted ceiling above the dining room, employing a specialist subcontractor. We support this approach and would like to see it elsewhere in the building too. We note the heritage value of this house is likely to be a substantial contributing factor in its appeal to future buyers and that well executed conservation of its historic fabric will greatly enhance its historic charm and best reveal its significance.*

#### **Recommendations**

*The CBA welcome this application to adapt the former coach house into a residential dwelling. We believe the adaptive reuse of this structure will better reveal its significance and contribution to the Chatteris Conservation Area, as well as creating an attractive entrance to the further residential development in the old yard behind this building. However, we are concerned that the currently proposed schedule of works is not in keeping with the appropriate conservation of a listed building and that the long-term consequences of some of the interventions would cause the historical components of the building to preferentially decay. We believe this should be revised in order to meet the requirements of paragraph 199 of the NPPF.*

*I trust these comments are useful to you; please keep the CBA informed of any developments with this case.*

#### **5.9 The Council for British Archaeology (17/2/2022)**

*Thank you for re-consulting The Council for British Archaeology (CBA) about the above case. Based on the additional information supplied with this application, we offer the following observations and advice to assist your authority in determining the application.*

*This application has altered very little from the previous submission in August 2021. Our position on these proposals is therefore much the same as we stated in our letter of 27th September 2021. The crux of which is around the necessity for a conservation led methodology towards any buildings works at the application site.*

*We note and agree with the comments made by your LPA's Conservation Officer, Claire Fiddler, regarding the optimum viable use for this former coach house to be a 2-bedroom dwelling, as opposed to a 3-bedroom dwelling. The existing structure would comfortably accommodate 2 bedrooms so achieving 2 bedrooms would*

*require a much reduced level of intervention with the significant fabric and plan form of the existing building. This would better meet the requirements of paragraphs 197, 199, 200 and 202 of the NPPF.*

*We therefore recommend that a residential conversion of the former coach house into a 2- bedroom dwelling should be required by your LPA and pursued by the applicants. In terms of viability of this scheme, we note that this building forms part of a bigger redevelopment scheme within the blue line boundary of the site and should be considered within this context.*

#### **5.10 Conservation Officer (FDC) (5/10/2021)**

*This application concerns works to the curtilage listed coach house to No. 22 London Road <https://historicengland.org.uk/listing/the-list/list-entry/1125994>. The scheme proposes the erection of a single storey rear extension and raising the roof height of the single storey element of the coach house to enable a change of use of the building to a 2 storey, 3 bed dwelling. Further schemes on the plot relate to the conservation of the principal dwelling, bringing it back into residential use as a family dwelling (F/YR19/0356/LB) and residential development of the wider site (F/YR19/0355/F). Both have been granted permission.*

*Previous planning applications on the red line site of the coach house only, include the change of use from a show room to an office and store, including replacement shop front (F/0431/79/F), the erection of a single storey office extension (F/96/0103/F) and an application to widen the existing entrance and rebuild the gable end to the coach house (CU/68/27/D). In respect of the current scheme, pre-application advice was provided under 18/0121/PREAPP, which advised that it would be more appropriate to convert the coach house to a one, or possibly two-bedroom dwelling, rather than three, and that it would be important to retain those features which give it its character and architectural interest as a coach house, including its scale, barrel vaulted ceilings, side stair with sack slide and king post, for example. Advice also stated that regardless of the condition of the ceiling, it ought to be retained as a significant feature of the building, which was in situ at the time of listing. Repair or like-for-like replacement is an approach that would be supported. Despite this advice, an application was submitted to erect a single storey rear extension and raise the roof height of the single storey element of the coach house to create a 2 storey, 3 bed dwelling under F/YR19/0705/F and F/YR19/0706/LB. The applications were refused on grounds of harm to and loss of important internal heritage assets and along with the proposed external works would result in substantial harm to the designated heritage assets (the principal dwelling of 22 London Road), the coach house itself and the conservation area. It was not felt that sufficient justification for the level of harm had been made when an alternative proposal of a one- or two-bedroom unit would have removed many aspects of that harm.*

*A subsequent application was then submitted for the total demolition of the coach house and its replacement with a new build 4-bed house under F/YR20/0585/F and F/YR21/0586/LB, and contrary to the pre-application advice previously offered and again reiterated under the response to the 2019 applications. The 2020 applications were refused on grounds that the total demolition of the listed coach house would amount to substantial harm and total loss of significance of the coach house in addition to the harm to the setting of the principal listed building (22 London Road) and harm to the character and appearance of the conservation area. The submitted documentation also failed to acknowledge that the coach house was a heritage asset and as such did not accurately describe or assess the impact of its demolition. Sufficient evidence or justification for the demolition was*

*not proved; the optimum viable use not explored, and no public benefits were demonstrated to support a new build over the conservation and conversion of the coach house were offered. The applications therefore were wholly contrary to policy.*

*With regards to the application now submitted, consideration is given to the impact of the proposal on the architectural and historic interests with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Consideration is given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Consideration is given to the impact of this proposal on the character and appearance of Chatteris Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Comments are made with due regard to Section 16 of the National Planning Policy Framework, (July) 2021, specifically, paragraphs 8, 195, 196, 197,199, 200, and 202. The following comments are made:*

*To the south of 22 London Road, lies the coach house which is the subject of this application. It falls within the curtilage of the principal listed dwelling and is therefore covered by the grade II designation and is contemporaneous in date to the principal dwelling. The architectural and historic interest of the coach house has now been clearly articulated in the heritage statement and in comments provided by the conservation officer under F/YR19/0356/LB, so it is not felt that it is necessary that they are repeated here.*

*The application now submitted is extremely similar to that previously submitted but have evolved slightly to reflect a slight reduction in the proposed roof height to that which was previously submitted. The previous application proposed to raise the roof height of the single storey element of the coach house by 1125mm, whereas the current application proposes an increase of 900mm.*

*The Design and Access Statement submitted with the application states that the earlier applications for the conversion and extension of the building were refused as a result of conflict between the desirability of a simpler conversion and the ability to achieve a conversion in a way that is financially viable. A viability assessment has therefore been provided.*

*However, it is not clear whether the viability assessment has been considered in terms of a 'whole site' assessment (taking into account the conversion of the principal dwelling and the development of the former builder's merchant's yard), or whether it considers the viability of the red line plot of the current application only. The viability of the proposed scheme could have very different readings depending on which assessment has been made and may have an impact on the outcome of this application. The viability assessment should also be seen in the context of statement under paragraph 1.5 of the Preamble of the 4th May 2019 Heritage*

*Statement that 'taken together, both applications (F/YR19/0355/F – F/YR19/0356/LB and F/YR19/0705/F – F/YR19/0706/LB) demonstrate that... the development...has been designed as a single entity'. It would therefore seem inconsistent to consider the viability of the coach house as a stand-alone development.*

*Furthermore, it is also stated in the Viability Assessment (June 2021) that the site has been vacant for approximately three years, during which time it has been owned by the current owner. It is therefore hoped that the condition of the coach house was taken into account at the time and reflected accordingly in the purchase price. This is in the context of paragraph 196 of the NPPF which states that 'where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage assets should not be taken into account in any decision.*

*The fact that no maintenance or temporary works to make the building wind and weather tight have been undertaken during the period of current ownership may be viewed as neglect and this, taken with paragraph 196 of the NPPF would impact on the outcome of the viability assessment. Furthermore, it is noted that the costs of the new-build single storey element amount to £36,290. This is the element that was previously objected to and therefore, it is unclear what the difference of costs would be for a like-for-like reinstatement. The application states that there is an awkward junction between the single storey element and the two-storey element, but it is unclear why this is awkward and how, or if it is impacting on the building. If it is a question of rainwater run off an improved depth of gutter may be all that is required to address the issue.*

*It was previously stated under earlier advice and comments that the combination of both a single storey extension to incorporate a kitchen diner and an increased in roof pitch would tip the balance of the subservient scale of the building in relation to the principal dwelling and that this amounted to harm without clear and convincing justification. Given the questions raised above (under point 9) with regards to the context of the viability assessment and paragraph 196 of the NPPF, it is still felt that no clear and convincing justification has been offered to illustrate that a 2-bed conversion retaining the existing ridge height is not viable, in the context of paragraph 195 of the NPPF which states that significance of the asset should be taken into account when considering the impact of a proposal...to avoid or minimise any conflict; and paragraph 202 of the NPPF which states that harm should be weighed against the public benefits, including its optimum viable use. It is not clear, that given the queries raised under point 9, that an optimum viable use cannot be achieved with 2 bedrooms as opposed to 3, with a study and walk in cupboard.*

*The case remains that whilst the principle of conservation led regeneration by conversion to residential is wholly supported, and that on balance the proposal amounts to less than substantial harm, it is still not felt that there is clear and sufficient justification that there is sufficient public benefit in a 3 bedroom conversion over and above a 2 bedroom conversion, where a 2-bed conversion could be accommodated within the existing structure and roof line (with a single storey extension for the kitchen/diner area).*

*Furthermore, the schedule of works and submitted drawings raise further questions.*

i. Drawing 362/09/Rev A, existing and proposed roof plans, appears to indicate a flat valley with fully hipped detail, whereas the elevation drawing 362/08/Rev G elevation C-C indicates a lower ridge than is currently existing, rising in a half-hipped detail. This is aesthetically awkward and raises the question of accessibility in the roof space from the north end, into the existing south two storey element, if the ridge height is in fact lowered from its current position. If it can indeed be lowered to this height, it further raises the questions of the necessity of raising the ridge height to the proposed level.

ii. It is preferable to retain the existing ridge height as previously stated. However, if the application in its current state is approved, it should be amended to improve this detail, and it would look more architecturally correct if the proposed roof line could be dressed into the two-storey roof.

iii. There is reference across submitted drawings and the proposed computer-generated street scene to refurbished and re-glazed 19th century cast iron windows, however photographs do not indicate the survival of any windows, so it is not clear if these are in situ behind boards internally, or whether these are proposed reclaimed items. They are referred to as 'existing' in the schedule of works, but the materials are also specified as being 'bespoke by a specialist supplier'. Clarification is therefore required.

iv. It is noted that the existing stair with sack slide is to be repaired, refurbished and altered to accommodate its new position. It is felt that an alternative layout could potentially retain the staircase in its current position with a more minimal intervention, however, its reuse supported over and above its total loss.

v. The same drawings and images also omit the alternate red and gault brick arch detail above the windows. It is not clear if this is an omission to the drawing, or whether it is an intention to remove the detail and create a larger window opening. The arches should be retained.

vi. Drawing 362/06/Rev E refers to a flat ceiling above the WC/Bootroom. However, the ceiling is actually a 'camp ceiling', that is pitched on the sides like an attic and flat across the top. Drawing should therefore be clarified.

vii. The schedule of works refers to the removal of 'gable end brickwork and break up and remove foundation underneath'. It is not specified which gable end this refers to, or clarifies the extent of removal, or its necessity. Clarification is therefore required.

viii. Concerns are raised regarding the introduction of dpm, insulation and concrete to single skin brick walls, timber void or earth floors. If poorly detailed, or bridged, the introduction of these modern fabrics and methods of dealing with moisture can lead to damp.

It is noted that modern materials are being introduced in order to convert this structure into a residential dwelling. Given that the building was not previously used for residential use, there are no historic finishes to be retained or conserved bar the barrel vault and camp ceilings. Therefore, as a clear differentiation of use and era, modern materials are on balance acceptable in this instance in order to accommodate a viable use, provided that the applicant is satisfied that the introduction of these materials will not impact on the ability of the historic fabric to function in the evaporation of moisture, as this may impact on the long-term sustainability and maintenance of the structure. Alternative modern hygroscopic

*materials are available and would need to be used in conjunction with suitable insulation materials. This is advisory only.*

*In conclusion, it is felt that a concern remains over the overall scale of the proposed conversion, with the extension and raised ridge height taken together, and how this increased scale (coupled with the previously approved development scheme for the yard) does amount to harm to the setting and therefore significance of the principal dwelling, by reducing its sense of subservience.*

*Much harm is justified by the return of the whole site to an optimum viable use. However, whilst the proposed ridge height is now 900mm as opposed to the previous 1125 mm, and so may be considered as a minimal alteration, it results in an awkward roof junction and a wholesale loss of a fully barrel vaulted ceiling internally, which is a significant and integral part of the character and significance of the building. The token curved ceiling in the proposed scheme does not reflect the scale or characteristic of the original feature. Furthermore, it has not been demonstrated that a 2-bed conversion, with minimal impact on the fabric and scale of the coach house, is not equally viable when taken in the context of the site as a whole, and with regard to paragraphs 195, 196 and 202 of the NPPF. It would therefore seem as though the proposal is still contrary to policy and has not been sufficiently altered to overcome the objections previously raised under the 2019 application.*

*It is therefore recommended that the application should be amended to reflect the consistent advice put forward.*

*If however, the application is approved in its current form, an amendment should still be sought to improve the half-hipped detail of the proposed raised ridge height and its relationship with the two storey element of the coach house as suggested under point 12.ii.*

*Drawings should be amended to address concerns raised under paragraph 12 and ensure consistency of detailing.*

*Should the application be approved, the following conditions should apply:*

*LB Roof – Materials and Samples*

*i. Notwithstanding the submitted plans hereby approved, the roof shall be covered using Welsh Slate to match the existing in size, colour and coursing. No development above ground level shall take place until samples of the slate to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the special architectural and historic character of the listed and listed structure and the character and appearance of the conservation area and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

*LB Roof - Alterations*

*ii. Prior to the commencement of works, a drawing at a scale of no smaller than 1:20 scale showing details of the alterations to the historic roof structure required to form the new junction between the two roofs shall be submitted to and agreed in writing by the Local Planning Authority. All existing roof timbers capable of reuse*

*will be retained. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the (special architectural and historic character of the listed building and) the character and appearance of the conservation area and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

*LB – Rainwater Goods*

*iii. Rainwater goods shall be cast iron, finished black with half round gutters and set on rise-and-fall brackets (or fixed to rafter feet) and details of which shall be submitted to and approved in writing by the Local Planning Authority prior to the erection of any rainwater goods. The approved rainwater goods shall be retained as such thereafter.*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

*LB/CA – Samples of Materials*

*iv. No development shall take place until samples of all external facing materials including shortfall replacement bricks stone sills, lintels, paving etc) to be used have been submitted to or inspected on site by the Local Planning Authority's Conservation Officer, or representative and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

*LB/CA – Mortar Mixes and Brick Bonds*

*v. Prior to the commencement of development, details of mortar mixes and brick bonds shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

*This is a pre-commencement condition to ensure that the building is constructed in an appropriate manner in the interests of the importance of the Listed Building/CA.*

*LB/CA – Window Cross Sections*

*vi. Prior to the commencement of development, cross section drawings at a scale no smaller than 1:5 and elevation drawings at a scale no smaller than 1:10 of all new windows and doors, including details of glazing, glazing bars, sills, lintels and finish shall be submitted to, and agreed in writing by the Local Planning Authority. This includes clarification on the existing/refurbished 19th century cast*

*iron windows, in which case samples/originals should be viewed on site. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

*This is a pre-commencement condition to ensure that the building is constructed in an appropriate manner in the interests of the importance of the Listed Building/CA.*

#### *LB/CA - Rooflights*

*vii. Details of new rooflights, including their depth in relation to the roof plane, shall be submitted to and agreed in writing by the Local Planning Authority prior to their installation. The rooflights shall be of traditional appearance and include a central glazing bar. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

#### *LB/CA – External Services Etc*

*viii. Prior to the commencement of development, details of any services which may be visible on external elevations, particularly pipes and extract or ventilation equipment and utility meter boxes, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained. (To this end, it may improve the appearance of the street fronting elevation if the downpipe (and drain) is repositioned to fall in front of a brick pier, rather than centrally down the middle bay.)*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

*This is a pre-commencement condition to ensure that the works preserve and enhance the building in an appropriate manner in the interests of the importance of the Listed Building/CA.*

### **5.11 Conservation Officer (FDC) (15/2/2022)**

*These comments are in response to a further consultation on the above proposal, which clarifies the extent of rebuilding to the west gable wall – information which was omitted from earlier submissions.*

*The clarification does not result in a material change to the application and therefore does not alter my previous comments or position. For reference, those comments are dated 5<sup>th</sup> October 2021 and comments in response to 18/0121/PREAPP, F/YR19/0705/F and F/YR19/0706/LB, and F/YR20/0585/F and F/YR20/0586/LB are also relevant.*



*In considering whether to grant listed building consent, special regard shall be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

*In considering whether to grant planning permission for development which affects a listed building or its setting, special regard shall be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Consideration is given to the impact of this proposal on the character and appearance of the Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021. In particular, paragraphs 195 (to avoid or minimise harm when considering the impact of a proposal on a heritage asset), 196 (that deliberate neglect resulting in a deteriorated state of an assets should not be taken into account in any decision), 197 (parts a, b and c), 199 (great weight given to the asset's conservation), 200 (clear and convincing justification for harm) and 202 (the harm be weighed against public benefit) are relevant. The following comments are made:*

*The position remains that the overall scale of the proposed alteration extension (increased ridge height and rear extension), along with the total loss of a fully barrel-vaulted ceiling (which is a significant and integral part of the character and significance of the building in its relationship to the principal dwelling) amounts to less than substantial harm to the significance of the principal dwelling, by reducing the architectural subservience of the coach house to that principal dwelling. Under paragraph 195 of the NPPF it was repeatedly advised that to minimise or avoid that harm, a 2-bed conversion would be welcome which would negate the need for an increase in ridge height but allow an extension to the rear. This advice has been discounted by the applicants.*

*The position remains that the less than substantial harm must be weighed against public benefit of the proposal including securing its optimum viable use. Paragraph 015 of the Government advice on the Historic Environment defines 'optimum viable use' as "the one likely to cause least harm to the significance of the asset". Furthermore, the optimum viable use "may not necessarily be the most viable one".*

*Given that an optimum viable use could be found by residential conversion within the existing footprint, or indeed with the proposed single storey extension to the rear, it remains that no clear and convincing justification has been submitted to illustrate that there is sufficient public benefit in the current proposal that could be weighed against the identified harm. The 'benefit' in this case results in a bathroom, a study and a walk-in cupboard, all of which have a useable head height in less than half the floor space provided. It is questioned therefore if this amounts to sufficient benefit, public or otherwise, to justify such an alteration to a listed building, when a minimum intervention option exists. This is contrary therefore to both paragraphs 200 and 202 of the NPPF.*

*It has been illustrated to the applicants that an alternative scheme could be developed which minimises the harm arising from a conversion. To approve anything over and above this would not take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, contrary to paragraph 197 a) of the NPPF.*

*It should be noted that paragraph 197 b, (the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability) can be met with a proposal that would also meet the requirements of paragraph 195 (that of avoiding or minimising conflict between conservation and a development proposal).*

*It is considered that the current proposal to increase the ridge height and create a half-hip, results in an awkward junction and detail that results from an unnecessary alteration, one that would not likely be designed under normal circumstances, and which results in an aesthetic that detracts from both the coach house and the principal listed dwelling and does not make a positive contribution to local character and distinctiveness. The proposal is therefore contrary to paragraph 197 c) of the NPPF.*

*It is noted that the condition of the building, due to its neglect during the ownership of the building should not be taken into account in this application under paragraph 196 of the NPPF.*

*It is therefore shown that this application remains contrary to policy and support of the application would be contrary to S.16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Should the application be approved in its current form, it should be noted that queries and inconsistencies remain on the submitted plans: Only one section has been provided. This does not clarify the relationship of the connection between the proposed new ridge height with half-hip detail and the existing two storey element. The 'link point' is in fact lower than the existing ridge height. It is not clear that this is high enough to gain access comfortably through to the existing two storey element.*

*Drawing 362/06/Rev E now superseded by 362/06/Rev F still refers to a flat ceiling. This is a camp ceiling and should be retained as such. A condition requiring section drawings across each bay prior to development may negate the need for further delay.*

*It is however, noted that amendments have been made. The following point should therefore be noted for the sake of consistency:*

*Drawing 362/09/Rev A has now been superseded by 362/09/Rev B and the detail corrected showing a half-hip, which now tallies with the correct elevation drawing 362/08/Rev H (elevation C-C).*

*Should the application be approved in its current form the conditions noted under earlier comments should apply.*

*It may be appropriate to stipulate a further condition to ensure create a recording of the building to a Level 2 (Historic England Building Recording Levels) in accordance with paragraph 205 of the NPPF.*

## **5.12 Local Residents/Interested Parties**

10 supporting comments have been received (2 from London Road, 1 from Wood Street, 6 from Tithe Road and 1 from Honey Lane, all Chatteris) in relation to the following:

- Benefit the area, is currently an eyesore and subject to anti-social behaviour
- Proposal enhances, is sensitive, sympathetic and key to the development of the wider site
- Represents the best that could be achieved with the building in its current condition
- Design well considered

1 objection has been received (from New Road, Chatteris), in relation to the following:

- Share concerns of Conservation Officer and national amenity societies
- Fails to overcome the previous reason for refusal and there has been no significant change in circumstances
- Contrary to Policies LP16/LP18 and NPPF paras 194-197
- Approving the application would be a direct violation of the code of conduct

## **6 STATUTORY DUTY**

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).
- 6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 6.3 Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities in considering whether to grant listed building consent for any works to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## **7 POLICY FRAMEWORK**

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

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

#### **National Design Guide 2019**

Context – C1, C2

Identity – I1

Built Form – B2

Movement – M3

Nature – N3

Homes and Buildings – H2, H3

#### **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  
 LP10 – Chatteris  
 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  
 LP18 – The Historic Environment  
 LP19 – The Natural Environment

### **Delivering and protecting High Quality Environments in Fenland SPD 2014**

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

### **Chatteris Conservation Area Appraisal and Management Strategy 2008**

## **8 KEY ISSUES**

- **Principle of Development**
- **Heritage, Design and Visual Amenity**
- **Residential Amenity**
- **Highways/parking**
- **Ecology**
- **Flood Risk**

## **9 BACKGROUND**

- 9.1 Pre-application advice was provided in relation to the site which concluded that the principle of residential conversion for the coach house was supported, but that a one, or two bed dwelling would be feasible, rather than a three bedroom and three bathroom conversion which would result in the loss of internal features and an unacceptable change of scale and subservient relationship with the principal dwelling. This was re-iterated in subsequent email correspondence.
- 9.2 Full planning and listed building applications were submitted contrary to this advice under F/YR19/0705/F and F/YR19/0706/LB for conversion to a 2 storey, 3 bed dwelling. These applications were refused for the following reasons:
1. *The proposal will result in the loss of heritage assets and new works which would result in substantial harm to the designated assets, namely No 22 London Road, the curtilage listed Coach House and also the Conservation Area. The proposal is therefore considered to be contrary the NPPF paragraphs 193-196, Policies LP16 and LP18 of the Fenland Local Plan 2014 and Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*
  2. *The change of use of the rear yard to residential curtilage/ rear has the potential to impact detrimentally on the existing occupiers of No 24 and future occupiers of the converted Coach House, through overlooking, noise disturbance and lack of privacy. The proposal is therefore considered to be contrary to Policy LP2 and*

*LP16 which seek to ensure that development does not adversely affect the amenity of neighbouring users and future occupiers*

- 9.3 Alternative proposals for a one or two-bedroom conversion were again suggested as potentially acceptable schemes.

Subsequent applications for the total demolition of the coach house and its replacement with a 4-bed dwelling were submitted under F/YR20/0585/F and F/YR20/0586/LB and were refused for the following reasons:

1. *Policies LP16 and LP18 of the Fenland Local Plan, paragraphs 189 and 193-196 of the NPPF 2019, C2 of the NDG 2019 seek to protect and enhance heritage assets.*

*The total demolition of this listed building, is considered would amount to substantial harm and total loss of significance in addition to harm to the setting of the principal listed building (22 London Road) and Chatteris Conservation Area in which these are situated.*

*The submitted documentation fails to acknowledge that the building in question is a heritage asset and as such does not accurately describe or assess the impact of its demolition. It does not provide sufficient evidence or justification for the demolition, the optimum viable use of the coach house has not been explored and no public benefits for the total demolition of a heritage asset and its replacement with a new dwelling over its conservation and conversion have been articulated. As such the proposal is contrary to the aforementioned policies.*

2. *Policies LP2, LP15, LP16 (d & e) and LP18 of the Fenland Local Plan 2014, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, chapters C1, C2, I1 and B2 of the National Design Guide 2019 and para 127 of the NPPF 2019 seek to ensure that proposals protect and enhance heritage assets, create high quality environments and make a positive contribution to the local distinctiveness and character of the area, do not adversely affect residential amenity and provide sufficient on-site parking.*

*The site is located in a prominent and sensitive location, the proposed dwelling is a pastiche of the adjoining listed buildings, which fails to protect or enhance surrounding heritage assets or make a positive contribution to the character of the area. The proposal fails to provide sufficient, useable on-site parking provision. It is overall not considered to create a high quality environment and fails to take opportunities to minimise harm. As such the proposal is considered contrary to the aforementioned policies.*

- 9.4 The applications now submitted are extremely similar to that previously submitted for conversion (F/YR19/0705/F and F/YR19/0706/LB) but have evolved slightly to reflect a slight reduction in the proposed roof height to that which was previously submitted. The previous application proposed to raise the roof height of the single storey element of the coach house by 1125mm, whereas the current application proposes an increase of 900mm, it is also proposed to demolish and rebuilding the northern gable wall and the applications have been accompanied by a viability assessment.

## **10 ASSESSMENT**

### **Principle of Development**

10.1 The site is part of a brownfield site within the built framework of Chatteris where new housing development can be supported (Policy LP3). The site is within a mainly residential area and the wider, former commercial site, has obtained planning permission for residential development. As such the redevelopment and reuse of the site for residential purposes can be generally supported.

10.2 This is however subject to the heritage assets being protected and or enhanced and there being no significant issues in respect of residential or visual amenity, design, parking, highways, ecology or flood risk.

### **Heritage, Design and Visual Amenity**

10.3 Under the Planning (Listed Buildings and Conservation Areas) Act 1990 the Council has a legal duty to have special regard to the desirability of preserving a listed building, or any of its features, when considering whether to grant Listed Building Consent. Furthermore, in deciding whether to grant planning permission which affects a listed building or its setting, the Council has a legal duty to have special regard to preserving a listed building or its setting; and in deciding whether to grant planning permission for development in a conservation area, the Council has a legal duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

10.4 Policies LP16 and LP18 of the Fenland Local Plan seek to protect and enhance heritage assets. Chapter 16 of the NPPF 2021, C1, C2, I1, and B2 of the NDG 2021 are also relevant.

10.5 The coach house is a statutorily protected building by virtue of its curtilage association with 22 London Road (Section 1 (5) of the Planning (Listed Building and Conservation Area) Act 1990) and as such is afforded the same protection as the principle building. It was a functionally subservient building to No. 22, and of largely contemporaneous date. It served the main house as a coach house, is an important surviving example within Chatteris, and highlights the status of the principal building by its proximity to it and by presenting a formal face to the town. It also references its former functional role within a wider farmstead or agricultural yard to the rear. This in turn recalls the agricultural heritage and economy of the town, and adds considerably to the character and appearance of the conservation area, as well as to the setting and understanding of the principal listed building.

10.6 Paragraph 195 of the NPPF states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

10.7 Paragraph 197 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 10.8 Paragraph 199 of the NPPF states when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.9 Paragraph 200 of the NPPF states that any harm to, or loss of the significance of a designated heritage asset should require clear and convincing justification.
- 10.10 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.11 Whilst the principle of conservation led regeneration by conversion to residential is wholly supported, the increase in height of the single-storey element is considered to result in an aesthetically awkward and incongruous roof design, the extension and link to the wider development to the rear results in continuous built form, as such the overall development alters the subservient nature of the coach house resulting in an adverse impact on the character of the area, the setting of surrounding heritage assets and significance of the principal listed building. Furthermore, the scheme results in the total loss of a fully barrel-vaulted ceiling (which is a significant and integral part of the character and significance of the building in its relationship to the principal listed building). It is acknowledged that reference is made in relation to a proposed barrel vaulted ceiling, however with the increased height and proposed rooflights it is clear that this is tokenistic in nature and in no way representative of the existing ceiling. Under paragraph 195 of the NPPF it was repeatedly advised that to minimise or avoid that harm, a 2-bed conversion would be welcome which would negate the need for an increase in ridge height but allow an extension to the rear which on its own may be on balance acceptable. This advice has been discounted by the applicants.
- 10.12 The harm to heritage assets identified is on balance considered less than substantial, and in such cases this harm must be weighed against public benefit of the proposal including securing its optimum viable use. Paragraph 015 of the Government advice on the Historic Environment defines 'optimum viable use' as "the one likely to cause least harm to the significance of the asset". Furthermore, the optimum viable use "may not necessarily be the most [financially] viable one". It is acknowledged that the application is accompanied by a viability assessment, however this does not take into account the wider development and as such does not provide clear and convincing justification for the identified harm.
- 10.13 Given that an optimum viable use could be found by residential conversion within the existing footprint, or indeed with the proposed single storey extension to the rear, it remains that no clear and convincing justification has been submitted to illustrate that there is sufficient public benefit in the current proposal that could be weighed against the identified harm. The 'benefit' in this case results in a bathroom, a study and a walk-in cupboard, all of which have a useable head height in less than half the floor space provided. It is questioned therefore if this amounts to sufficient benefit, public or otherwise, to justify such an alteration to a listed building, when a minimum intervention option exists. This is contrary therefore to both paragraphs 200 and 202 of the NPPF.

- 10.14 It has been illustrated to the applicants that an alternative scheme could be developed which minimises the harm arising from a conversion. To approve anything over and above this would not take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, contrary to paragraph 197 a) of the NPPF.
- 10.15 It should be noted that paragraph 197 b of the NPPF, (the positive contribution that conservation of heritage assets can make to sustainable communities including their economic viability) can be met with a proposal that would also meet the requirements of paragraph 195 of the NPPF (that of avoiding or minimising conflict between conservation and a development proposal).
- 10.16 It is considered that the current proposal to increase the ridge height and create a half-hip, results in an awkward junction and detail that results from an unnecessary alteration, one that would not likely be designed under normal circumstances, and which results in an aesthetic that detracts from both the coach house and the principal listed building and does not make a positive contribution to local character and distinctiveness. The proposal is therefore contrary to paragraph 197 c) of the NPPF.

### **Residential Amenity**

- 10.17 To the north of the site is the principal listed building of 22 London Road, this is presently vacant however planning permission has been granted under F/YR19/0355/F to change the use of this to a 5-bed dwelling. The proposed dwelling is located 6m away from No.22. There is potential for overlooking of the garden serving No.22 from the rooflights in the rear of the proposed conversion and into the small side windows to the living room and bedroom from the side bedroom window in the proposal, however this would not be direct and as such is not considered significantly detrimental. There is potential for additional overshadowing due to the orientation of the proposal to the south and the increased height, however due to the separation distance this is not considered to be significantly adverse.
- 10.18 To the front (east) of the site on the opposite side of the road is the 3-storey detached dwelling of 41 London Road and the 2-storey terraced properties of 43 and 45 London Road. The proposal is located approximately 13m from No.41 and 10m from No.s 43 and 45 (building to building). It is acknowledged that there will be some additional overlooking of these properties due to the re-instatement of the windows in the coach house, however the relationship is as many of the existing properties on London Road and the distances are such that this is not considered to be significantly detrimental.
- 10.19 To the south of the site is the detached, 3-storey dwelling of 24 London Road, this is also a Grade II listed building. There is one ground floor window (kitchen) and 2 first-floor windows (bathroom and en-suite) in the northern side elevation which face towards the site. The proposal is located approximately 3.5m from No.24. There would be some additional overlooking as a result of the proposed conversion from the reinstated first-floor windows and to a lesser extent the proposed rooflights, the first-floor windows to No.24 are obscure glazed and the overlooking would not be direct, hence this is not considered to be significantly adverse. A fence is proposed to separate the garden of the proposed dwelling from the side wall (and therefore ground floor window) of No.24 which removes the previous reason for refusal in this regard. This does however result in a strip of land that may not be maintained. A condition could be imposed in relation to the



provision and retention of the boundary treatment and maintenance of this land given the prominent and sensitive location.

10.20 To the rear of the site is currently a vacant yard, however planning permission has been obtained for 6 dwellings and plot 3 would be to the rear of the site. There are no windows in the side elevation of plot 3 which face towards the site and the dwelling itself is separated from the application site by the car port. The location of the first-floor windows serving bedroom 2 to the rear would result in direct overlooking of the garden serving plot 3 at a distance of only approximately 7.5m and there is also potential for overlooking from the proposed rooflights, the windows serving bedroom 2 appear to be relatively high level (though no section has been provided for this element) and whilst this relationship would usually be unacceptable, in this case the harm created is considered to be outweighed by the re-instatement of windows in the original openings and the conversion of this heritage asset.

10.21 The proposal is afforded approximately a third of the plot for private amenity space, in accordance with Policy LP16(h), though it is acknowledged some of this would be unusable if the second parking space is utilised. There will be some overlooking from Nos. 41, 43 and 45 opposite, however the relationship is as many of the existing properties on London Road, and the distances are such that this is not considered to be significantly detrimental. There is direct overlooking by 2 first-floor windows in the side of No.22, however the impact on the private amenity area is mitigated to some degree by the presence of the single-storey link extension.

10.22 Details in relation to bin storage and collection arrangements have not been provided, however these could be secured by way of a condition.

#### **Highways/parking**

10.23 The site utilises the access approved under F/YR19/0355/F and the Highways Authority have no objections to the proposed scheme.

10.24 The carport/parking area is as approved under F/YR19/0355/F (which at present remains extant) and as such these are considered acceptable, conditions can be imposed as necessary to ensure the access and parking are provided.

#### **Ecology**

10.25 The applications have been accompanied by a Bat, Bird and Barn Owl survey, undertaken in August 2020, which found no evidence of either species.

10.26 Recommendations have been made in respect of the provision of bat and bird boxes and a bat friendly lighting scheme and could be secured by condition.

#### **Flood Risk**

10.27 The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development and does not require the submission of a flood risk assessment or inclusion of mitigation measures. Issues of surface water will be considered under Building Regulations; accordingly there are no issues to address in respect of Policy LP14.

## **11 CONCLUSIONS**

11.1 Whilst the principle of conservation led regeneration by conversion to residential is wholly supported, harm identified in relation to residential amenity is in this case considered to be outweighed by the re-instatement of windows in the original

openings and the conversion of this heritage asset. There are no issues to address regarding parking and highways, flood risk or ecology.

11.2 However, the proposed development is considered to cause 'less than substantial harm' to the heritage asset due to:

- The overall scale of the proposed alteration and extension (increased ridge height and rear extension) reducing the architectural subservience of the coach house to that principal listed building
- The total loss of a fully barrel-vaulted ceiling (which is a significant and integral part of the character and significance of the building in its relationship to the principal listed building)

No clear and convincing justification has been submitted to evidence that there is sufficient public benefit in the current proposal that could be weighed against the identified harm, particularly when a when a minimum intervention option exists.

11.3 Given this clear conflict with the relevant policies it is considered that to grant the applications would be indicative of a failure by the Council to fulfil its duties under Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, particularly as there has not been any material change between the refusal of F/YR19/0705/F and F/YR19/0706/LB and the current applications

## 12 RECOMMENDATION

**Refuse for the following reasons:**

### **F/YR21/1015/F**

1	<p>Policies LP2, LP16 and LP18 of the Fenland Local Plan, paragraphs 130, 195, 197, 199, 200 and 202 of the NPPF 2021, C2 of the NDG 2021 seek to protect and enhance heritage assets, avoid adverse impacts and provide a positive contribution to local character and history.</p> <p>Whilst the principle of conservation led regeneration by conversion to residential is wholly supported, the increase in height of the single-storey element is considered to result in an aesthetically awkward and incongruous roof design, the extension and link to the wider development to the rear results in continuous built form, as such the overall development alters the subservient nature of the coach house resulting in an adverse impact on the character of the area and therefore the setting of surrounding heritage assets and significance of the principal listed building. The harm to heritage assets identified is on balance considered less than substantial, and in such cases this harm must be weighed against the public benefit of the proposal including securing its optimum viable use, no clear and convincing justification has been submitted to evidence that there is sufficient public benefit in the current proposal that could be weighed against the identified harm, particularly when a when a minimum intervention option exists. The development is therefore considered contrary to the aforementioned policies.</p>
---	--

### **F/YR21/1017/LB**

1	<p>Policies LP16 and LP18 of the Fenland Local Plan, paragraphs 195, 197, 199, 200 and 202 of the NPPF 2021, C2 of the NDG 2021 seek to protect and enhance heritage assets, avoid or minimise conflict between conservation and development, sustain and enhance the significance of heritage assets whilst</p>
---	--

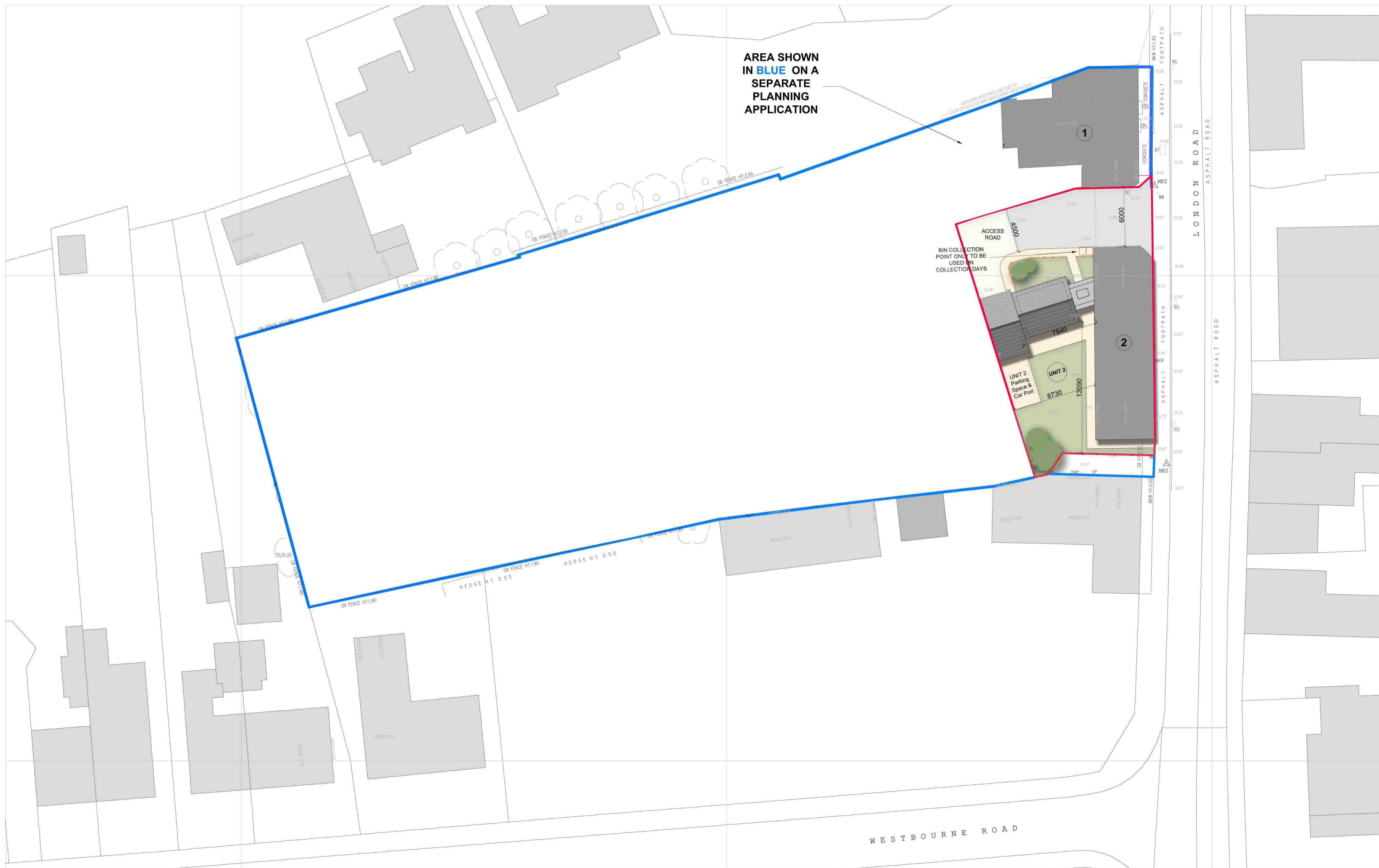
putting them to viable use consistent with their conservation, ensuring any harm to or loss of significance to a designated heritage asset is clearly and convincingly justified and that where that harm is less than substantial it is weighed against the public benefits of the proposal.

The proposed development is considered to cause 'less than substantial harm' to the heritage asset due to:

- The overall scale of the proposed alteration and extension (increased ridge height and rear extension) reducing the architectural subservience of the coach house to that principal listed building
- The total loss of a fully barrel-vaulted ceiling (which is a significant and integral part of the character and significance of the building in its relationship to the principal listed building)

No clear and convincing justification has been submitted to evidence that there is sufficient public benefit in the current proposal that could be weighed against the identified harm, particularly when a when a minimum intervention option exists.





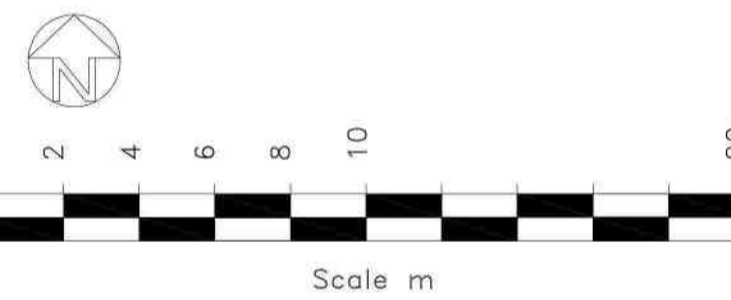
AREA SHOWN IN BLUE ON A SEPARATE PLANNING APPLICATION

**DWELLING AREAS (GIA)**

UNIT 2 - (GROUND FLOOR 135m<sup>2</sup>)  
(FIRST FLOOR 76.5m<sup>2</sup>)  
(3 BEDROOM)

DWARF WALL WITH BRICK PIERS @4m C/C AND CLOSED BOARDED TIMBER FENCE BETWEEN PIERS AT 1.8m HIGH

DWARF WALL WITH BRICK PIERS AND METAL ESTATE FENCING AT 1m HIGH AS PER ELEVATION D-D  
1.8m CLOSED BOARDED TIMBER FENCE



E	06.05.2021	Amendments made to boundary	NA	MDV
D	17.07.2019	Amendments made to suite planning/conservation officers comments.	NA	MDV
C	30.05.2019	Bins reallocated	NA	MDV
B	24.04.2019	Coach house added	NA	MDV
A	13.02.2019	FIRST ISSUE	NA	MDV

Rev. Date Details Drawn Checked Issued for:

**PLANNING**

Project Name: 22 LONDON ROAD CHATTERIS PE16 6AU  
Project No: 362  
Dwg No: 01C  
Rev: E

Drawing Name: PROPOSED SITE PLAN COACH HOUSE  
Scale: 1:200 @A1  
Drawn By: NA  
Date: 13.02.2019  
Checked By: MDV  
Date: 13.02.2019

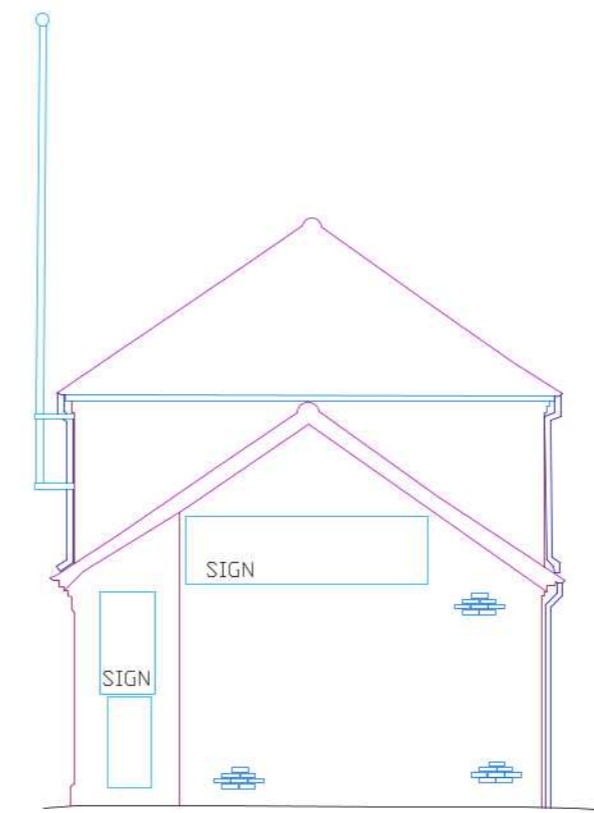


ELEVATION A-A

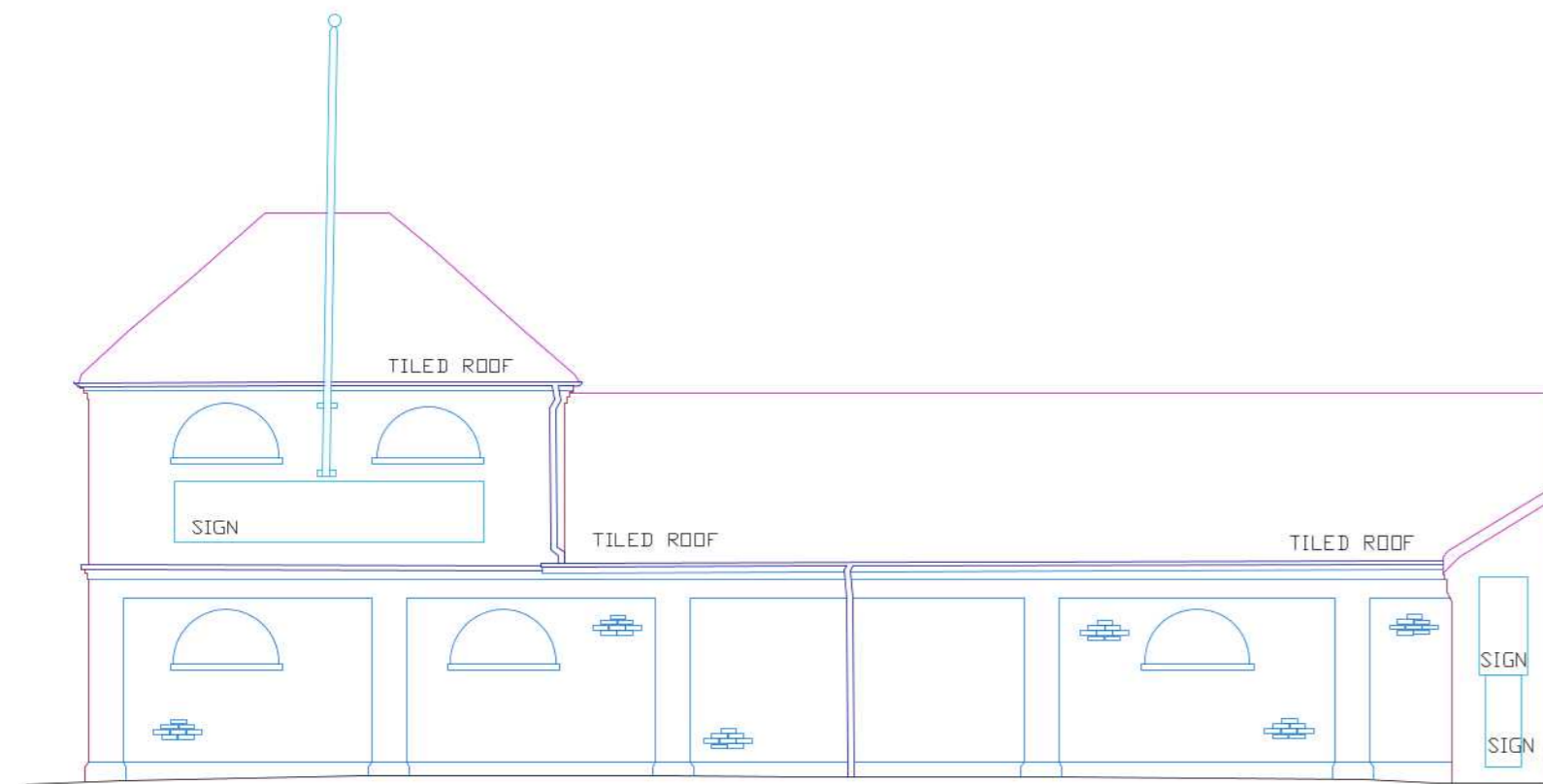
LEVEL DATUM 8.0m

NO SAFE ACCESS TO 1ST FLOOR

GROUND FLOOR LEVEL 10.55

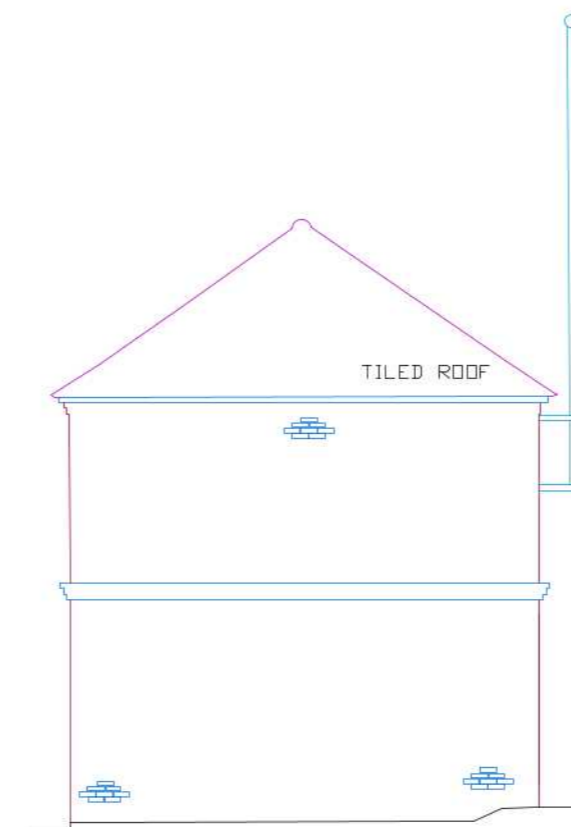


ELEVATION B-B



ELEVATION C-C

LEVEL DATUM 8.0m

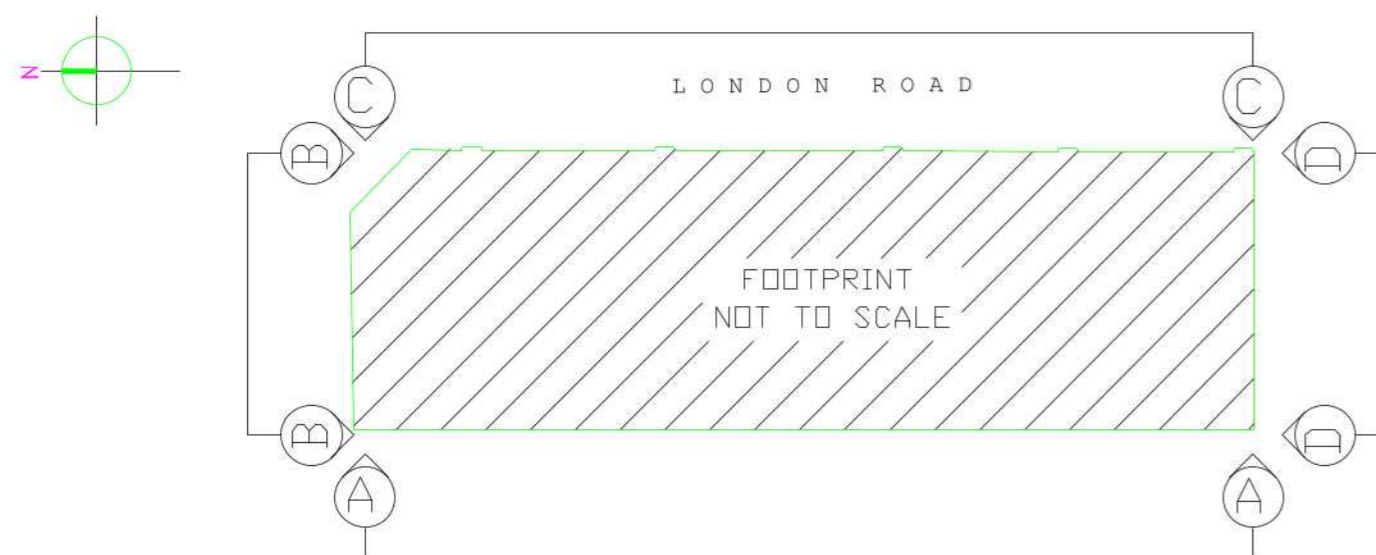
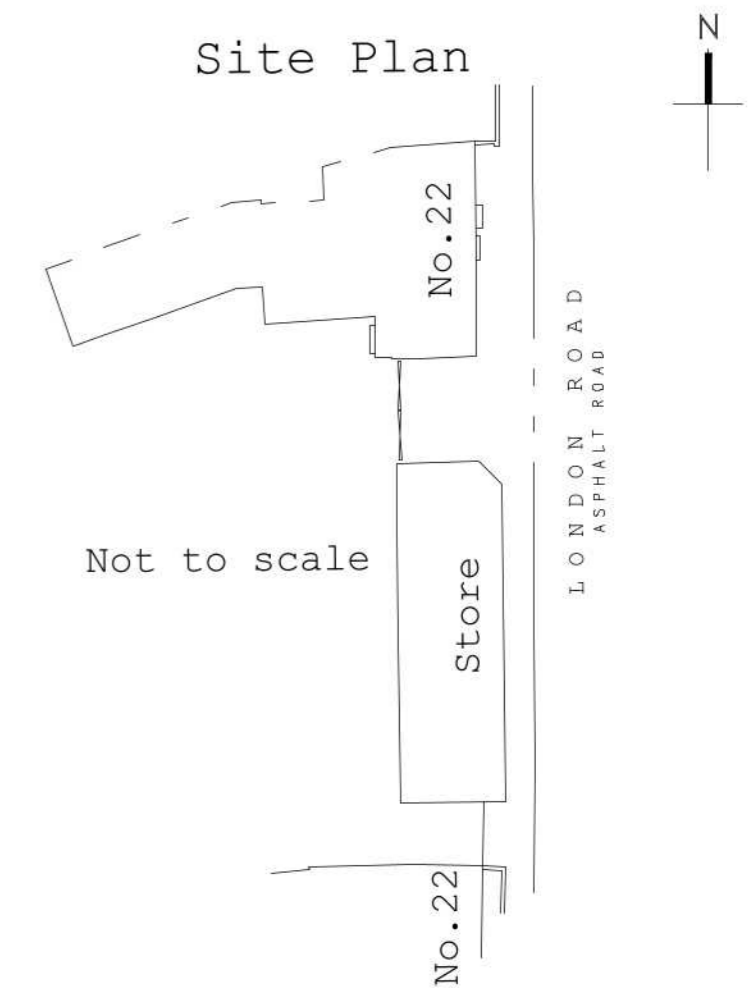


ELEVATION D-D

This drawing must not be scaled. All dimensions to be checked on site before commencing work or preparing working drawings. Any errors or discrepancies must be brought to the Surveyors attention.



Scale 1:100



Client: **GKL Building & Civil Engineering Ltd.**  
 Club Way  
 Hampton  
 Peterborough  
 PE7 8JA

**Simply Accurate Surveys**

35 Winston Crescent, Biggleswade  
 Bedfordshire, SG18 0ET  
 Tel. 07907353858  
 Email [general@sasurveys.co.uk](mailto:general@sasurveys.co.uk)  
[www.sasurveys.co.uk](http://www.sasurveys.co.uk)



Drawing

**Elevations of outbuilding.**  
**22 London Road, Chatteris PE16 6AU.**

Drawing No. **SAE12217\_part2**

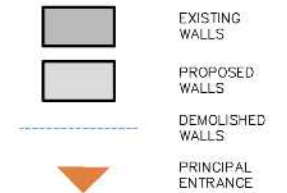
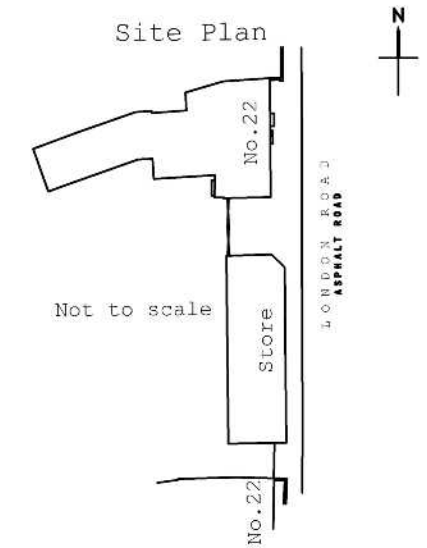
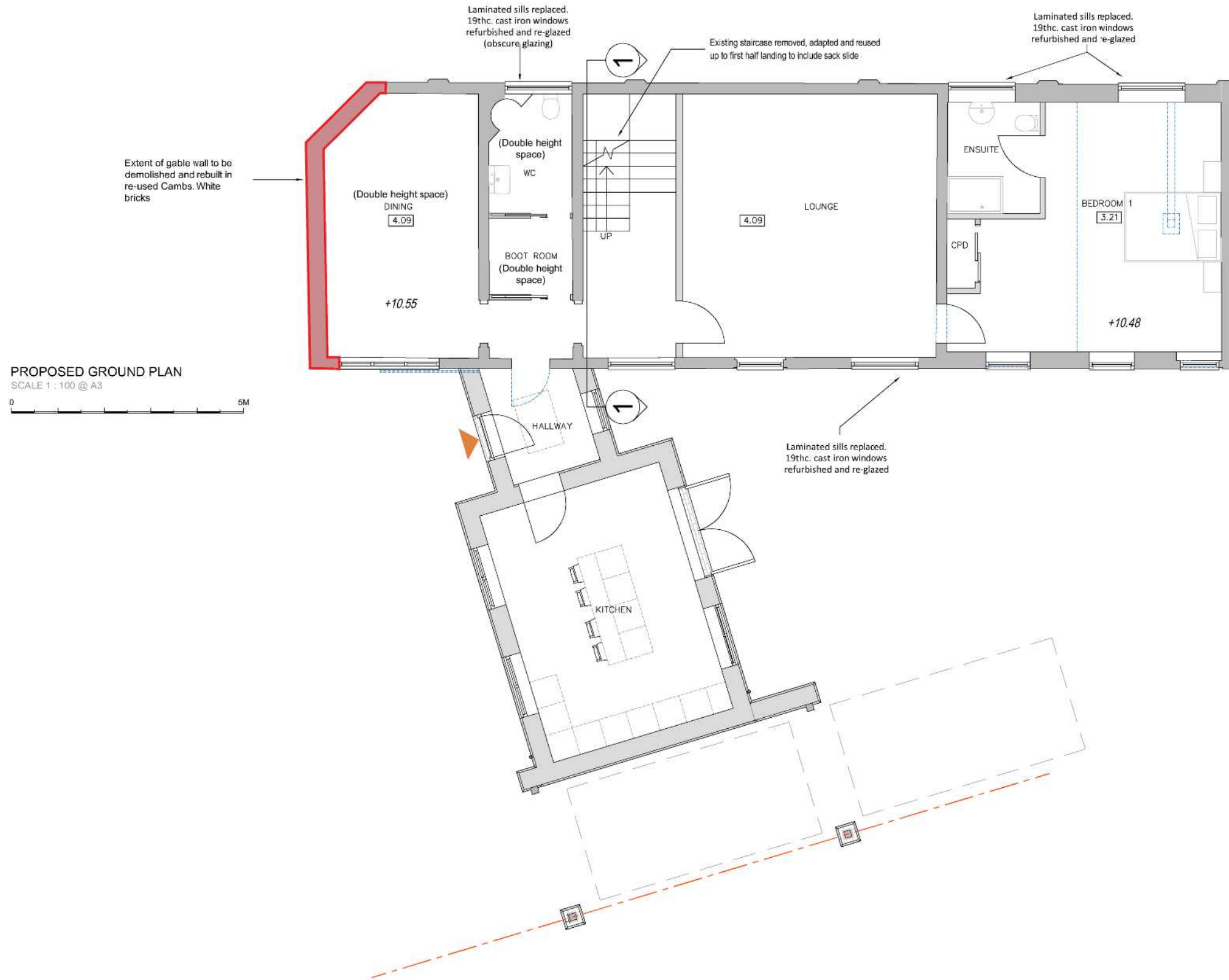
Date: **30/05/2017**

Drawing Scale: 1:100 @ A2

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- H 04.02.22 Amendments as per Kates' comments. NA MDV
- G 23.06.21 Amendments as per Kates' comments. NA MDV
- F 07.05.21 Amendments as per James' comments. NA MDV
- E 24.09.19 Window added to the front elevation (right hand side) and ground floor plan (WC). NA MDV
- D 08.08.19 Changes made to suit planning officers comments. NA MDV
- C 17.07.19 Amendments made to suit planning/conservation officers comments. NA MDV
- B 17.04.19 Amendments made in regards to James and Richards comments. NA MDV
- A 05.04.19 FIRST ISSUE. NA MDV

Rev	Date	Details	Drawn	Checked
Issued for				

### PLANNING

Project Name: 22 LONDON ROAD, CHATTERIS PE16 6AU	Project No: 362 Dwg No: 05 Rev: H
Drawing Name: COACH HOUSE, PROPOSED GROUND FLOOR PLAN	Scale: 1:100 @A3 Drawn By: Date: NA 05.04.2019 Checked By: Date: MDV 05.04.2019

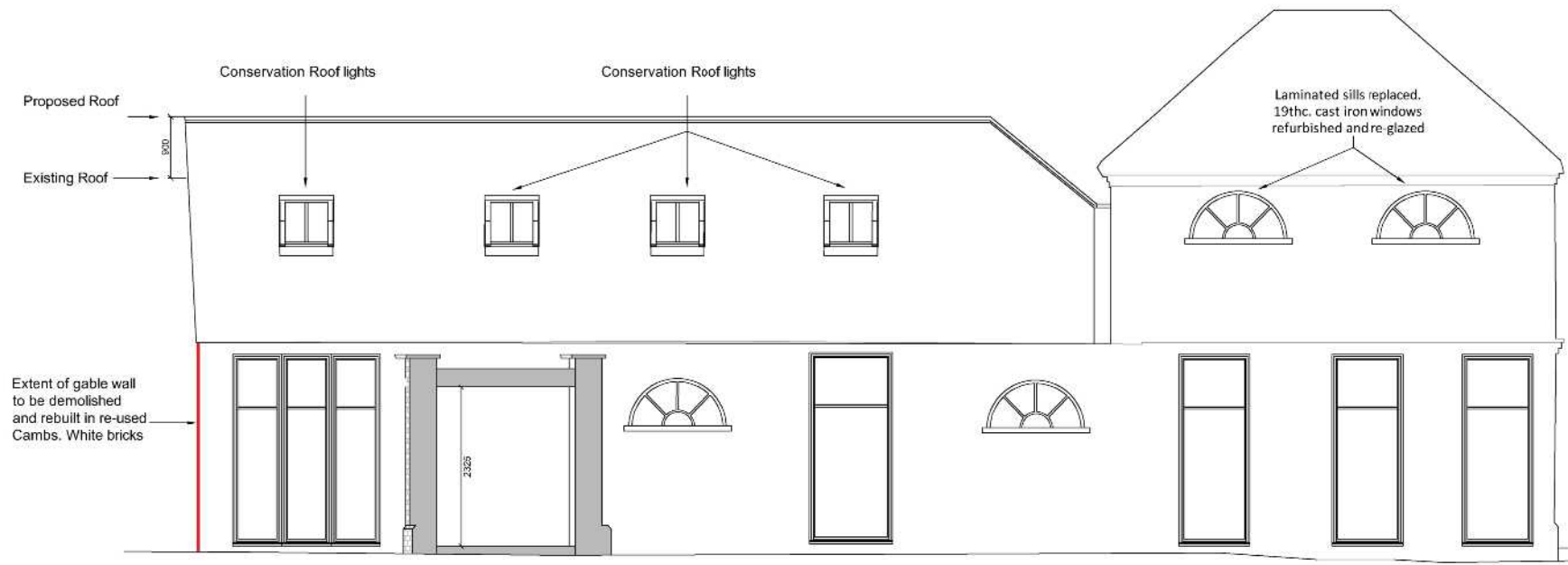
**TMV ARCHITECTS**

The Repeater Station, London Road,  
Norman Cross, Peterborough, PE7 3TB

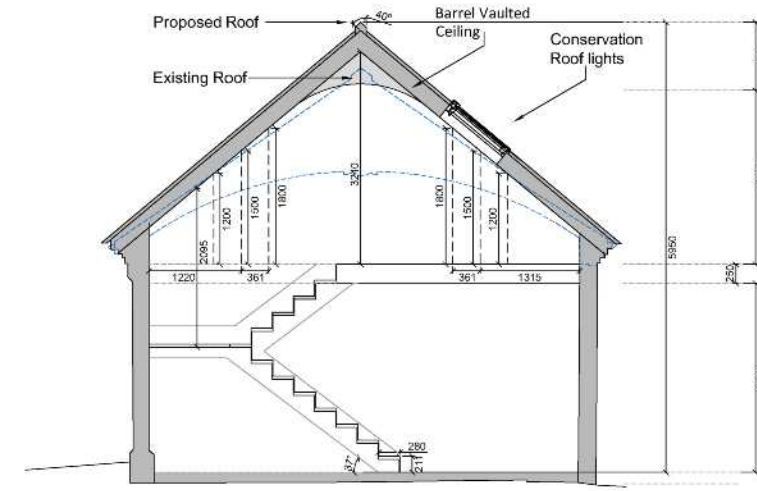
Contractors must work only to figured dimensions which are to be checked on site, any discrepancies are to be reported to the architect before proceeding.

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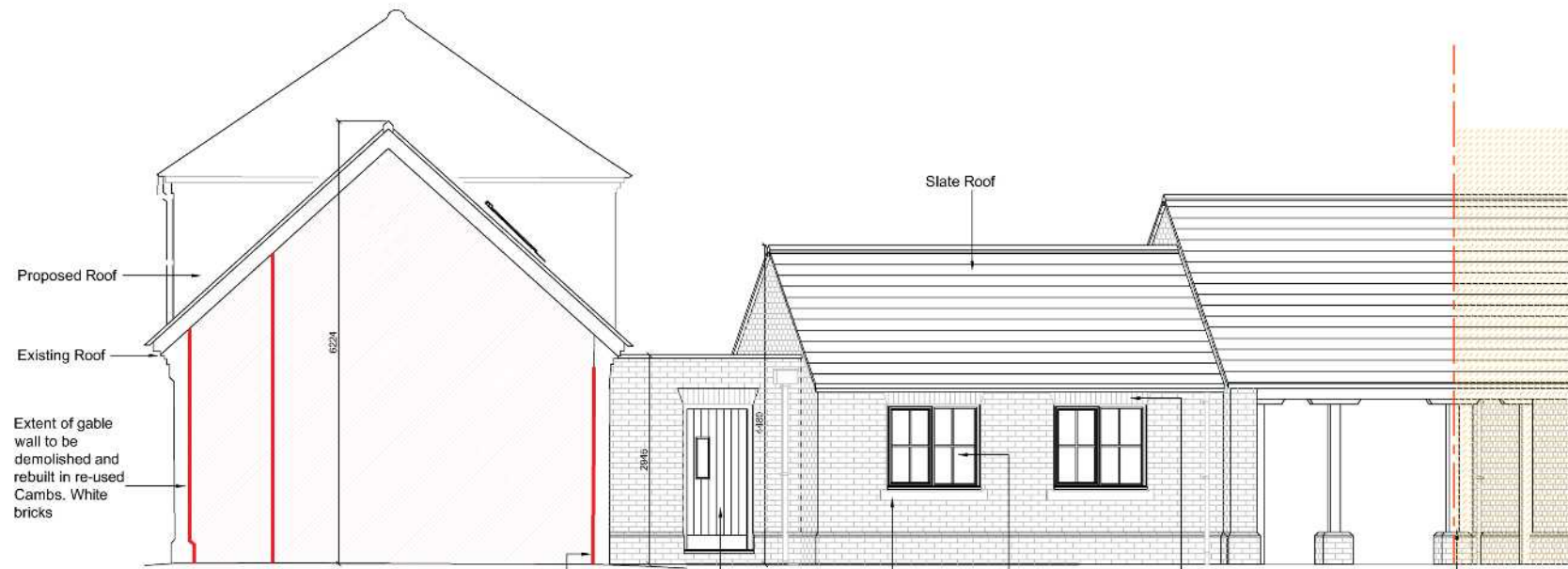
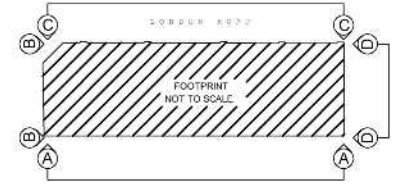
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ELEVATION A-A



SECTION 1



ELEVATION B-B



- G 04.02.22 Amendments as per Kates' comments. NA MDV
- F 23.06.21 Amendments as per Kates' comments. NA MDV
- E 07.05.21 Amendments as per James' comments. NA MDV
- D 08.08.19 Changes made to suit planning officers comments. NA MDV
- C 17.07.19 Amendments made to suit planning/conservation officers comments. NA MDV
- B 17.04.19 Amendments made in regards to James and Richards comments. NA MDV
- A 05.04.19 FIRST ISSUE. NA MDV

Rev. Date. Details. Drawn. Checked.

PLANNING	
Project Name: 22 LONDON ROAD, CHATTERIS PE16 6AU	Project No: 362 Dwg No: 07 Rev: G
Drawing Name: COACH HOUSE, PROPOSED ELEVATIONS & SECTION	Scale: 1:100 @A3 Drawn By: NA Date: 05.04.2019 Checked By: MDV Date: 05.04.2019

**TMV**ARCHITECTS

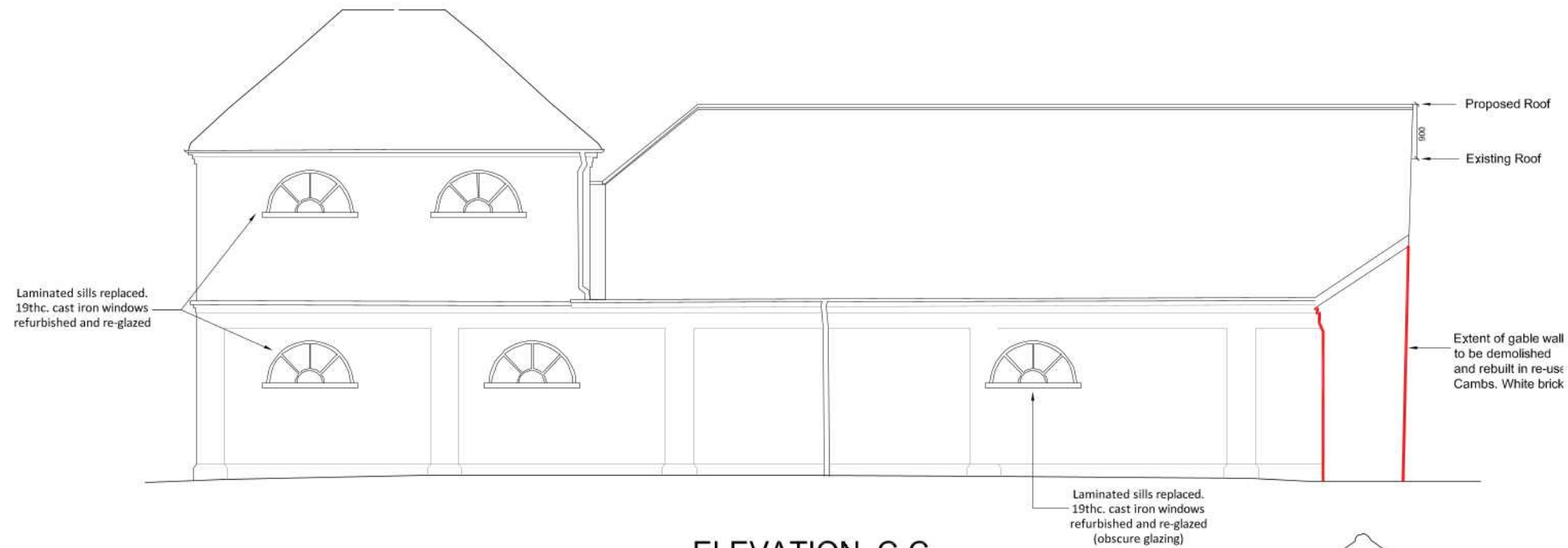
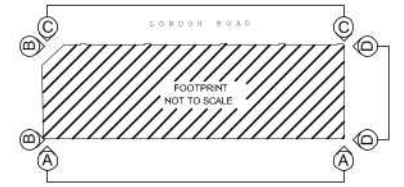
The Repeater Station, London Road,  
Norman Cross, Peterborough, PE7 3TB



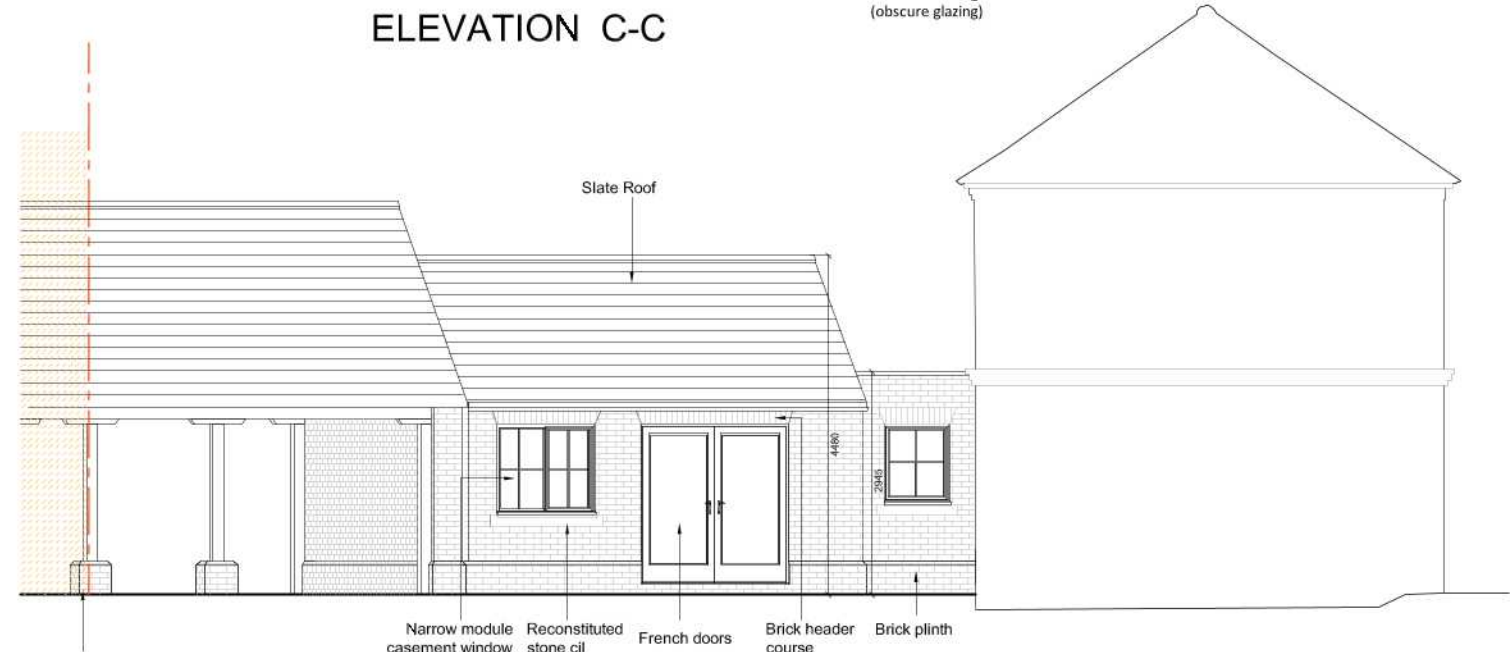
Contractors must work only to figured dimensions which are to be checked on site, any discrepancies are to be reported to the architect before proceeding.

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ELEVATION C-C



ELEVATION D-D



GABLE END ELEVATION



- H 04.02.22 Amendments as per Kates' comments. NA MDV
- G 23.06.21 Amendments as per Kates' comments. NA MDV
- F 07.05.21 Amendments as per James' comments. NA MDV
- E 24.09.19 Window added to the front elevation (right hand side) and ground floor plan (WC). NA MDV
- D 08.08.19 Changes made to suit planning officers comments. NA MDV
- C 17.07.19 Amendments made to suit planning/conservation officers comments. NA MDV
- B 17.04.19 Amendments made in regards to James and Richards comments. NA MDV
- A 05.04.19 FIRST ISSUE NA MDV

Rev	Date	Details	Drawn	Checked
<b>PLANNING</b>				
Project Name:		Project No:		
22 LONDON ROAD, CHATTERIS PE16 6AU		362		
Drawing Name:		Dwg No:		
COACH HOUSE, PROPOSED ELEVATIONS		08		
Scale:		Rev:		
1:100 @A3		H		
Drawn By:		Date:		
NA		05.04.2019		
Checked By:		Date:		
MDV		05.04.2019		

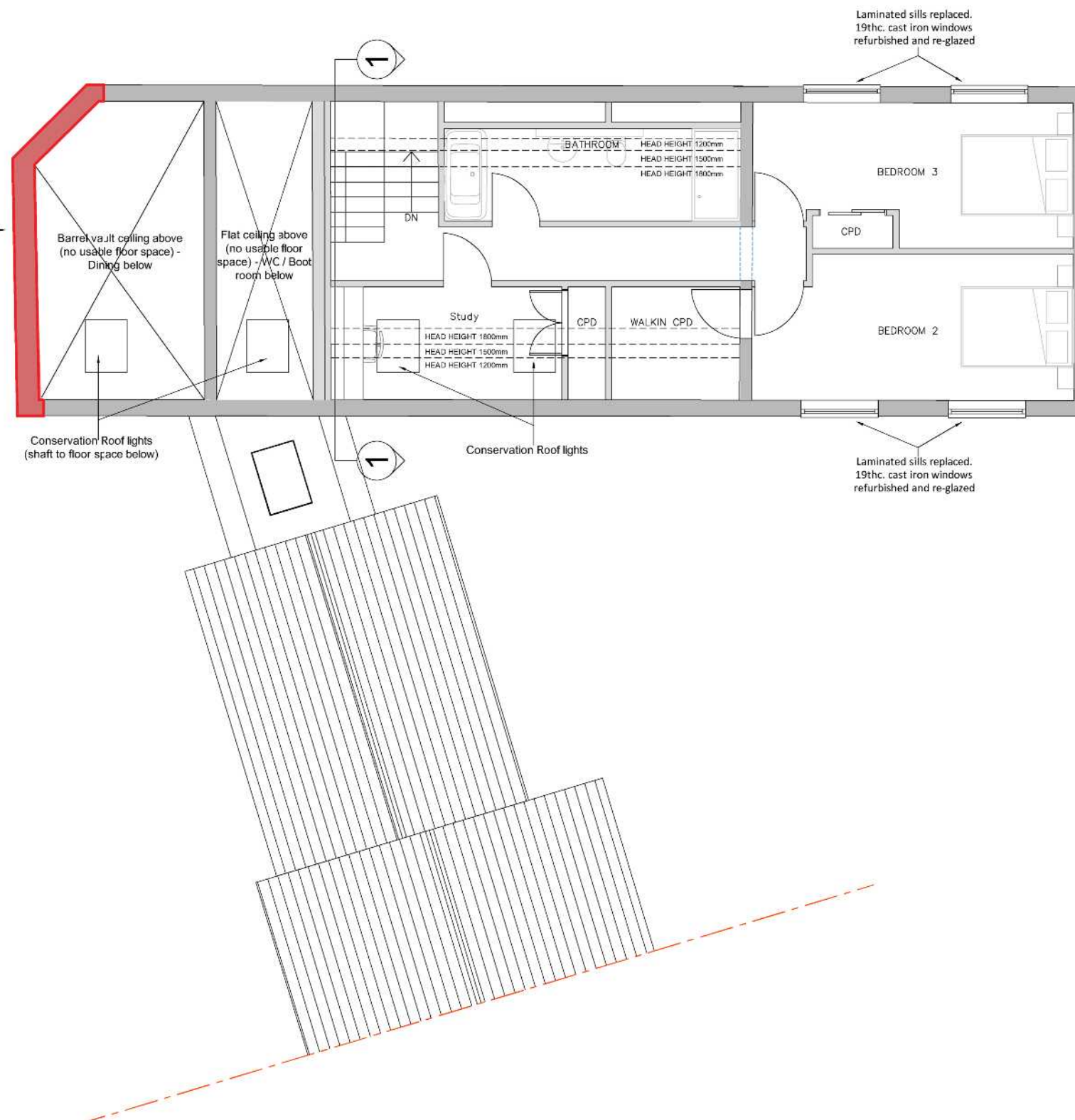
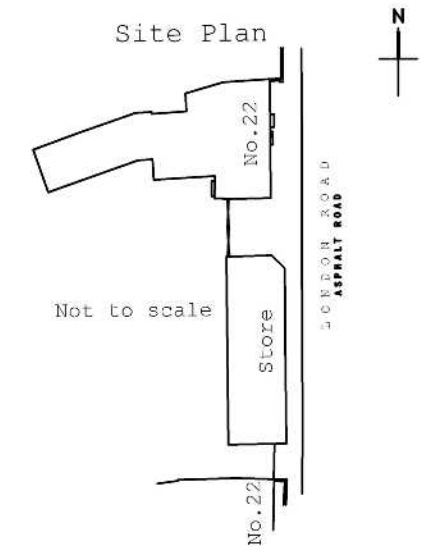


The Repeater Station, London Road, Norman Cross, Peterborough, PE7 3TB

Contractors must work only to figured dimensions which are to be checked on site, any discrepancies are to be reported to the architect before proceeding.





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PROPOSED FIRST PLAN  
SCALE 1:100 @ A3



-  EXISTING WALLS
-  PROPOSED WALLS
-  DEMOLISHED WALLS
-  PRINCIPAL ENTRANCE

- F 04.02.22 Amendments as per Kates' comments. NA MDV
- E 23.06.21 Amendments as per Kates' comments. NA MDV
- D 07.05.21 Amendments as per James' comments. NA MDV
- C 17.07.19 Amendments made to suit planning/conservation officers comments. NA MDV
- B 17.04.19 Amendments made in regards to James and Richards comments. NA MDV
- A 05.04.19 FIRST ISSUE. NA MDV

Rev. Date Details Drawn Checked Issued for

**PLANNING**

Project Name: 22 LONDON ROAD, CHATTERIS PE16 6AU	Project No: 362 Dwg No: 06 Rev: F
Drawing Name: COACH HOUSE, PROPOSED FIRST FLOOR PLAN	Scale: 1:100 @A3 Drawn By: Date: NA 05.04.2019 Checked By: Date: MDV 05.04.2019

**TMV ARCHITECTS**

The Repeater Station, London Road,  
Norman Cross, Peterborough, PE7 3TB

---

**Applicant: Mr D Toombes**

**Agent: Mr Liam Lunn-Towler  
Peter Humphrey Associates Ltd**

**10 Market Street, Wisbech, Cambridgeshire, PE13 1EX**

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**F/YR21/1096/F**

**Conversion of existing basement storage area to create a dwelling (1-bed studio flat) (retrospective)**

**F/YR21/1097/LB**

**Internal and external works to a listed building to convert existing basement storage area into a dwelling (1-bed studio flat)**

---

**Officer recommendation: Refuse**

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

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## **1 EXECUTIVE SUMMARY**

- 1.1. This application is a retrospective application to seek planning permission and listed building consent for the conversion of an existing basement storage area to create a 1-bed studio flat at 10 Market Street, Wisbech. The property is a grade II listed terrace within Wisbech Conservation Area.
- 1.2. Owing to the basement location, the changes will not be visible in the street scene and as such the proposal is not considered to impact the overall visual amenity of the area or that of Wisbech Conservation Area. However, in spite of the proposals being acceptable with regard to external appearance, any harm to the designated grade II listed heritage asset, owing to the alterations, must also be considered.
- 1.3. The materials and method of tanking the basement are inappropriate, and may cause issues of condensation and 'rising' damp to floors above, which may result in considerable harm to the overall structure of the grade II listed building. Furthermore, the submitted Heritage Statement was considered insufficient as it did not outline the public benefit achieved by the scheme that would outweigh the harm caused to the building through its conversion by inappropriate means. The Conservation Officer recommended refusal of the scheme in this regard.
- 1.4. Moreover, owing to the limited natural light ingress and lack of visibility due to obscured outlook, the conversion has resulted in poor residential amenity for the occupant. The Environmental Health Team, Public Sector Housing Team and Wisbech Society all objected to the scheme owing to the resultant poor quality accommodation.
- 1.5. The below assessment deems the proposal to be in contravention with the relevant policies of local and national planning policy and as such the recommendation is to refuse the applications.

## 2 SITE DESCRIPTION and PROPOSAL

- 2.1. The application site is located within the built framework of Wisbech and within Wisbech Conservation Area. The property in question, known as 10 Market Street, is a grade II listed terrace (with Nos. 8 & 9) positioned on the corner of Market Street and Castle Mews. The ground floor is currently utilised as a beauty room/nail bar, with upper floors utilised as residential accommodation.
- 2.2. This application is a retrospective application to seek planning permission and listed building consent for the conversion of an existing basement storage area to create a 1-bed studio flat.
- 2.3. Full plans and associated documents for these applications can be found at: <https://www.fenland.gov.uk/publicaccess/>

## 3 SITE PLANNING HISTORY

F/YR03/1139/F	Change of use from Estate Agents to Wine Bar	Granted 19.01.2004
F/YR04/3025/LB	Internal and external alterations to existing building	Granted 15.04.2004

## 4 CONSULTATIONS

### 4.1. Conservation Officer (FDC) – Original comments received 09.11.2021

*This application concerns works to a listed building to enable a change of use of a cellar/basement storage area to residential accommodation. The application is retrospective, and the works are therefore currently unauthorised. No. 10 Market Street, is grade II listed, and designated as a terrace with No.s 8 and 9. Together they form part of the Castle Estate Development dating from 1793 – 1816 and were originally residential, though there is a long history of varying business and commercial use throughout the Castle Estate Development.*

*Consideration is given to the impact of the proposal on the architectural and historic interests with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Consideration is given to the impact of the proposal on the architectural and historic interests of a listed building with special regard paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses according to the duty in law under S66 Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Consideration is given to the impact of this proposal on the character and appearance of Wisbech Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*

*Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021, specifically, paragraphs 8 195, 197, 199, 200, and 202. The following comments are made:*

*Due regard is given to relevant planning history, which includes changes of use and associated advertising or cctv installation.*

*A heritage statement has been submitted with the application. The information is insufficient to comply with paragraph 194 of the NPPF and policy LP18 of the 2014 local plan.*

***The principle of the application is not objected to.*** However, the following comments are made:

- i. The use of UPVC windows is wholly unacceptable in a listed building. The fact that they are not visible from a public viewpoint is not a material consideration. The use of traditional materials in a traditional manner is part of what sustains the significance and architectural and historic interest of these buildings. The use of modern materials would dilute and erode these significances and is therefore not supported. Therefore, this application should be amended to ensure the windows are replaced with timber windows, of a style and detailing which is in keeping with the character of the building. There is no indication or evidence as to the style or age of the timber window that has been removed without consent, so level of harm cannot be assessed.*
- ii. Similarly, the use of plasterboard and floor tiles in a basement are equally modern and in nearly all circumstances, equally unsuitable. There is no indication or evidence here as to the original wall or floor finishes, so again, it is uncertain as to the level of intervention and harm that may have been caused here. If lime plaster to the walls has been lost, this would amount to considerable harm, and should have been replaced or repaired on a like for like basis. If no finishes survived to the walls or floors, it would be unadvisable to apply these modern finishes, because they could trap moisture and lead to poor living conditions with potential for mould and condensation. Should there be a flood or leak, these materials will not allow moisture to evaporate and can therefore lead to rot in the timbers. However, these finishes are essentially removeable and reversible.*
- iii. Comments with regards to the suitability of this space as living accommodation due to natural light and access, egress and space for storage and waste will be deferred to colleagues.*

*The proposed use for residential is supported. However, insufficient information has been submitted to allow an assessment of the impact of the works that have been carried out. Furthermore, potentially inappropriate methods have been proposed (plasterboard etc) and unacceptable materials have been used (upvc).*

*Therefore, this application should be resubmitted with further information to help assess the impact, and to amend the inappropriate and unacceptable elements of this application.*

## CONDITIONS

### **Samples of Materials**

- i. *Photographic evidence of all external facing materials including the bricks used for infill have been submitted to or inspected on site by the Local Planning Authority's Conservation Officer, or representative and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

### **Mortar Mixes and Brick Bonds**

- ii. *Details of mortar mixes and brick bonds shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

### **Window Cross Sections**

- iii. *Cross section drawings at a scale no smaller than 1:5 and elevation drawings at a scale no smaller than 1:10 of all new windows and doors, including details of glazing, glazing bars, sills, lintels and finish shall be submitted to, and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained.*

*Reason: In order to preserve the special architectural and historic character of the listed building and/or in accordance with the provisions of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014.*

### **RECOMMENDATION: Refuse in current form/seek amendment.**

#### **4.2. Conservation Officer (FDC) – reconsultation comments received 09.12.2021**

*There is no objection to the principle of the application. However, concerns remain with regards to the methods undertaken during the conversion.*

*There are three main methods to make cellars and basements habitable and all require a thorough understanding of the issues involved in making an underground, or partially underground space habitable, and careful execution of the work to be successful.*

*Ventilated dry lining would be one option or option installing a drained cavity system would be another option.*

*Tanking is the third option and employs a waterproof material to seal the walls and floor totally and of all the systems, this is probably the most invasive and the most likely to cause problems in the longer term, as there is a danger that the hydrostatic pressure from water in the surrounding subsoil may force the tanking layer off, or ground moisture may be driven up the masonry to the ground floor. Condensation can be particularly problematic and ventilation is vital.*

*The design and access statement now states that the walls were brick with a lime plaster finish, which has now been removed without consent and a tanking slurry has been applied to the walls. Tanking slurry is advertised as a waterproof material, so it does not follow that once this has been applied, the walls remain breathable. It certainly does not follow that they would remain breathable (e.g. able to evaporate moisture) once a sand and cement render has been applied as a finish coat, as is the case here.*

*I am therefore extremely concerned that an inappropriate method has been employed to convert this basement - one that is not easily reversible, and one that may cause issues of condensation if there is insufficient ventilation, and 'rising' damp to ground floors by the forced movement of moisture upwards in the building.*

*It is not a method I would have advised and therefore I do not feel that I can recommend its approval, when there are alternative, less invasive and more easily reversible options. It is extremely regrettable, that conservation advice was not sought, or a pre-application enquiry submitted, prior to the execution of these unauthorised works.*

*Furthermore, whilst the joinery details for the proposed reinstated timber window appear appropriate in and of themselves, the information supplied leaves all options with regards to glazing bars, and profiles undetermined. I would suggest that a lambs tongue moulding and glazing bar profile would be most appropriate for the age of the property.*

*Due to the lack of clarity with regards the details of the window joinery, and the inappropriate method of tanking the basement, I do not feel that I can recommend approval for this application.*

#### **4.3. Environment & Health Services (FDC)**

*I refer to the above application for further consultation.*

*This service advised in our last consultation dated 12th October 2021, the Environmental Health Team had 'No Objections' to the proposed development as it was unlikely to have a detrimental effect on local air quality, the noise climate, or be affected by ground contamination.*

*We maintain this stance but would like to add further comment about the thermal efficiency and acoustic comforts required of a residential property that this application seeks to create.*

*We would advise that such a conversion is likely to require enhanced thermally insulated glazing, sufficient means of ventilation and finishing materials that will afford the future occupier a quality acoustic environment,*

*given the age of the structure to be converted, the location it is to be undertaken and the sensitive use that is required.*

*The above living provisions are considered essential if a quality and healthy environment is to be achieved. We would therefore recommend in the event planning permission is granted, the developer uses suitable building and finishing materials in the conversion to include the appropriate use of suitably designed glazing that is fit for purpose and provide the sufficient means of ventilation thus ensuring a healthy living environment is created.*

*As the property to be converted may be used by the rental market, it would be prudent for the local authorities Private Sector Housing Team to comment on this application.*

**4.4. Private Sector Housing (FDC) – Original comments received 21.10.2021**

*The Private Sector Housing Team have "no objections" to the above proposal but would make the following comments:*

*The lack of adequate natural lighting provision to this proposed residential accommodation may have the potential to cause harmful health affects to the occupants - all as assessed by The Housing Health & Safety Rating System (HHSRS). Any requests for an assessment of the housing conditions by the occupants will automatically factor in this consideration and there may be potential for Housing enforcement action to follow.*

**4.5. Private Sector Housing (FDC) – further comments received 02.02.2022**

*Expanding on our previous comment it is the Private Sector's Housing Teams opinion that the low levels of light that would be afforded to this property due to the number and size of windows, the fact the windows are facing north-west, the low level of the windows and the surrounding buildings. This is likely to be further exacerbated by the outlook afforded to the only view that offers a view which will be of a shared concrete yard. Within the building the light would only penetrate to the living area through the doorway between the kitchen and living room but this will be severely limited. As fire doors are required to the kitchen, even though the proposal has glass panels these will still further reduce light due to them have self-closure devices fitted.*

*It is of our opinion that this would be a significant defect when assessed under HHSRS for the lighting hazard. This would result in the likelihood of harm increasing to any person living there. Most notably depression and psychological effects caused by the lack of natural light and the outlook. However, as we have not physically assessed this flat we are not able to provide a full assessment.*

*It is of our opinion that this is likely to be a breach of Paragraph [130](f) of the National Planning Policy Framework and the Fenland Local Plan which identifies the need to create high quality environments that offer high levels of residential amenity thereby facilitating the health and wellbeing of residents within the district.*

**4.6. The Wisbech Society**

*With reference to the above Planning Application, the Wisbech Society OBJECTS to the application, for the following reasons:*



1. *Retrospective Planning Applications under the 'Town & Country Planning Act 1990, section 73A, involving major changes/change of use should be discouraged as they give the impression that the approval will be granted as a 'fait accompli' as much, if not all, of the conversion works have already been carried out. The Applicant should be clear of the risk and costs involved in undertaking such works without prior planning consent.*

2. *The 'standard materials' proposed/used in the conversion are not appropriate for a listed building. Basements are liable to flood or rising damp. The use of modern plasterboard or floor tiling will only exacerbate moisture ingress into the walls due to reduced breathability, leading to damp and mould/mildew development and increased danger to the buildings structure and human health.*

3. *There is very limited access to natural light and none in the lounge/bedspace. The plans seem to show that the pre-existing window in the kitchen is below ground level.*

4. *The use of white UPVC windows is inappropriate for listed buildings. Traditional materials and styles or suitable substitutes should be enforced.*

5. *Has appropriate consideration been given to additional space required for additional waste bins and parking for the additional tenant(s)?*

6. *There is no provision for egress from the lounge/bedspace in the event of fire or smoke occurring in the kitchen.*

4.7. **Wisbech Town Council** – *That the application be supported*

4.8. **Local Residents/Interested Parties** – no comments received

## **5 STATUTORY DUTY**

5.1. 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).

5.2. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

## **6 POLICY FRAMEWORK**

### **6.1. National Planning Policy Framework (NPPF) July 2021**

Para 2: NPPF is a material consideration in planning decisions.

Para 119: Promote effective use of land...while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Para 124(e): the importance of securing well-designed, attractive and healthy places.

Para 130: Achieving well-designed places  
Section 16 - Conserving and enhancing the historic environment

**6.2. National Planning Practice Guidance (NPPG)**

Determining a Planning Application

**6.3. National Design Guide 2019**

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

I1 – Respond to existing local character and identity

H1 – Healthy, comfortable and safe internal and external environment

H2 – Well-related to external amenity and public spaces

L1 – Well managed and maintained

**6.4. 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

LP15 – Facilitating the Creation of a More Sustainable Transport Network

LP16 – Delivering and Protecting High Quality Environments

LP18 – The Historic Environment

**7 KEY ISSUES**

- **Principle of Development**
- **Character, Appearance and Heritage**
- **Residential Amenity, Health and Wellbeing**
- **Other Considerations**

**8 ASSESSMENT**

**Principle of Development**

8.1. The application site is located within the Town of Wisbech, which is designated as a Primary Market Town within the settlement hierarchy set out in policy LP3 of the Fenland Local Plan where the majority of the development within the District is expected to take place over the plan period.

8.2. Policy LP2 seeks to ensure that development proposals offer the highest quality standards of health for Fenland residents. Policy LP16 supports the principle of development subject to the significance of, and the likely impact on, the amenity of neighbouring properties and users. Policy LP18 of the Fenland Local Plan 2014 seeks to protect and enhance heritage assets. The principle of development is therefore supported subject to the significance of and the likely impacts on the heritage assets and amenity.

**Character, Appearance and Impact on Heritage**

8.3. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.

- 8.4. Policy LP18 addresses matters concerning the historic environment within Fenland, noting that development proposals will be required to describe and assess the significance of any heritage asset, identify the impact of proposed works on its character and provide justification for those works, especially if they would harm the setting of the asset.
- 8.5. The proposal is for the retrospective conversion of a basement storage area to a 1-bed studio flat. The proposals will result in the reinstatement of the existing windows to the rear elevation to serve a kitchen and bathroom. The current installed windows are white uPVC. FDC's Conservation Officer considers the use of uPVC windows to be wholly inappropriate to preserve the historic character of the building. As such, the windows are proposed to be altered to timber windows to satisfy the requirements of the of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and Policy LP18 of the Fenland Local Plan 2014, subject to conditions (should permission be granted).
- 8.6. Overall, changes to the elevations are limited, with the changes to openings limited to the rear elevation. Owing to the conversion being in the basement of the building, these changes will not be visible in the street scene and as such the proposal is not considered to impact the overall visual amenity of the area or that of Wisbech Conservation Area, and thus can be considered compliant with Policies LP16 and LP18 with regard to design and character.
- 8.7. However, in spite of the proposals being acceptable with regard to its external appearance, any harm to the designated grade II listed heritage asset, owing to the internal alterations, must also be considered.
- 8.8. The Design and Access Statement submitted with the application states that the original basement walls were brick with a lime plaster finish, which has now been removed without consent and a tanking slurry applied to the internal walls, finished with a sand and cement render. These materials and method of tanking the basement are inappropriate, not easily reversible, and may cause issues of condensation if there is insufficient ventilation, and 'rising' damp to ground floors by the forced movement of moisture upwards in the building, which may result in considerable harm to the overall structure of the building.
- 8.9. The submitted Design and Access Statement did not offer sufficient justification relating to the choice of implemented methods to convert the basement storage area to a habitable space.
- 8.10. Furthermore, paragraph 200 of the NPPF states:
- Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss;*
- 8.11. The proposal is for the use of the intended flat as a marketable property for a private landlord, and will provide a 1-bedroom studio flat with limited

accommodation for 1-2 people. It is considered that, owing to the stipulations of Para 200, this does not equate to 'substantial public benefit'. Furthermore, the submitted Heritage Statement was considered insufficient as it did not outline the public benefit achieved by the scheme that would outweigh the harm caused to the building through its conversion by inappropriate means.

- 8.12. As such, the proposal is contrary to the requirements of Para 200 of the NPPF and, consequently, cannot be considered to comply with Policy LP18 owing to its impact on a grade II listed heritage asset.

### **Residential Amenity, Health and Wellbeing**

- 8.13. The scheme includes no proposals to create additional windows or openings that will result in any additional overlooking potential to neighbouring dwellings. In addition, there will be no additions or changes in height that will result in any overshadowing potential. Thus, there are no issues to neighbouring residential amenity to reconcile.
- 8.14. Notwithstanding, it is necessary to consider impacts on occupant amenity, health and wellbeing in relation to Policies LP2 and LP16.
- 8.15. There are two windows within the property, both positioned on the west (rear) elevation. One window, serving the bathroom, is approximately 300mm x 500mm and obscure glazed with a central vent fan, set approximately 1.5m above ground level. Internal site inspection by the Case Officer revealed that this window is positioned within the shower cubicle in the converted bathroom. The second window, serving the kitchen, is approximately 700mm x 900mm and, owing to the reduced floor levels within the basement is set approximately 0.2m above ground level. Both windows face out toward the 1.8m walled external patio space.
- 8.16. Owing to the positioning of these windows, the enclosed nature of the patio space to which they overlook and the height and density of surrounding development, the ingress of natural light into these windows is very limited, which was observed during internal site inspection of the property by the Case Officer.
- 8.17. Thus, owing to the limited natural light ingress to the internal living space and lack of visibility due to their obscured outlook, the conversion has resulted in poor residential amenity for the occupant.
- 8.18. These concerns were also highlighted by the Environmental Health Team, Public Sector Housing Team and Wisbech Society who concluded that issues relating to the lack of light ingress are unable to be reconciled, and thus would result in poor quality accommodation.
- 8.19. Furthermore, owing to the inappropriate method of conversion of the basement (discussed above), the lack of sufficient ventilation may exacerbate issues relating to damp, e.g. mould or condensation, which may (in addition to potentially causing structural issues) cause additional impacts to occupant health and wellbeing.

- 8.20. Thus, given the above considerations, it is considered that the level of residential amenity afforded to occupants of the flat would be of sub-standard quality, in contravention of Policies LP2 and LP16 of the Fenland Local Plan and Paragraph 130 of the NPPF and not mitigated by the fact that the basement has already been converted for residential use.

### **Other Considerations**

- 8.21. During site inspection the Case Officer observed that the flat would not offer parking for occupants of the flat, which would be in contravention of the parking requirements for new developments set out within Policy LP15.
- 8.22. Notwithstanding, owing to the site constraints, the town centre location of the flat and the level of accommodation within the proposed flat amounting to one bedroom, it would be unreasonable to justify a refusal of the scheme due to the under-provision of parking in this case.
- 8.23. The site lies within Flood Zone 1 and is an existing developed site with established drainage. Accordingly it is considered there are no issues to address with regard to Policy LP14.

## **9 CONCLUSIONS**

### F/YR21/1096/F

- 9.1. Current local and national planning policies including Policies LP2 and LP16 of the Fenland Local Plan seek to ensure the health and wellbeing of occupiers through the creation of high quality residential accommodation. This is supported by part (f) of Paragraph 130 of the NPPF that requires new developments to *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.*
- 9.2. Given the above, it is considered that the proposal for the retrospective conversion of the basement storage area to a 1-bed flat would result in poor levels of residential amenity due to the lack of natural light ingress and possible impacts from inadequate ventilation and/or moisture retention.
- 9.3. As such, it is considered the proposal is contrary to the requirements of both local and national planning policies and cannot be supported.

### F/YR21/1097/LB

- 9.4. Policy LP18 addresses matters concerning the historic environment within Fenland, noting that development proposals will be required to describe and assess the significance of any heritage asset, identify the impact of proposed works on its character and provide justification for those works, especially if they would harm the setting of the asset. Furthermore, paragraph 200 of the NPPF states where development will lead to substantial harm, local planning authorities should refuse consent, unless it can be demonstrated that substantial public benefits can be achieved that outweigh that harm or loss.
- 9.5. By virtue of the choice of inappropriate, and unauthorised, methods of conversion of the basement that could give rise to issues of damp which may detrimentally affect the fabric of the building and the lack of sufficient

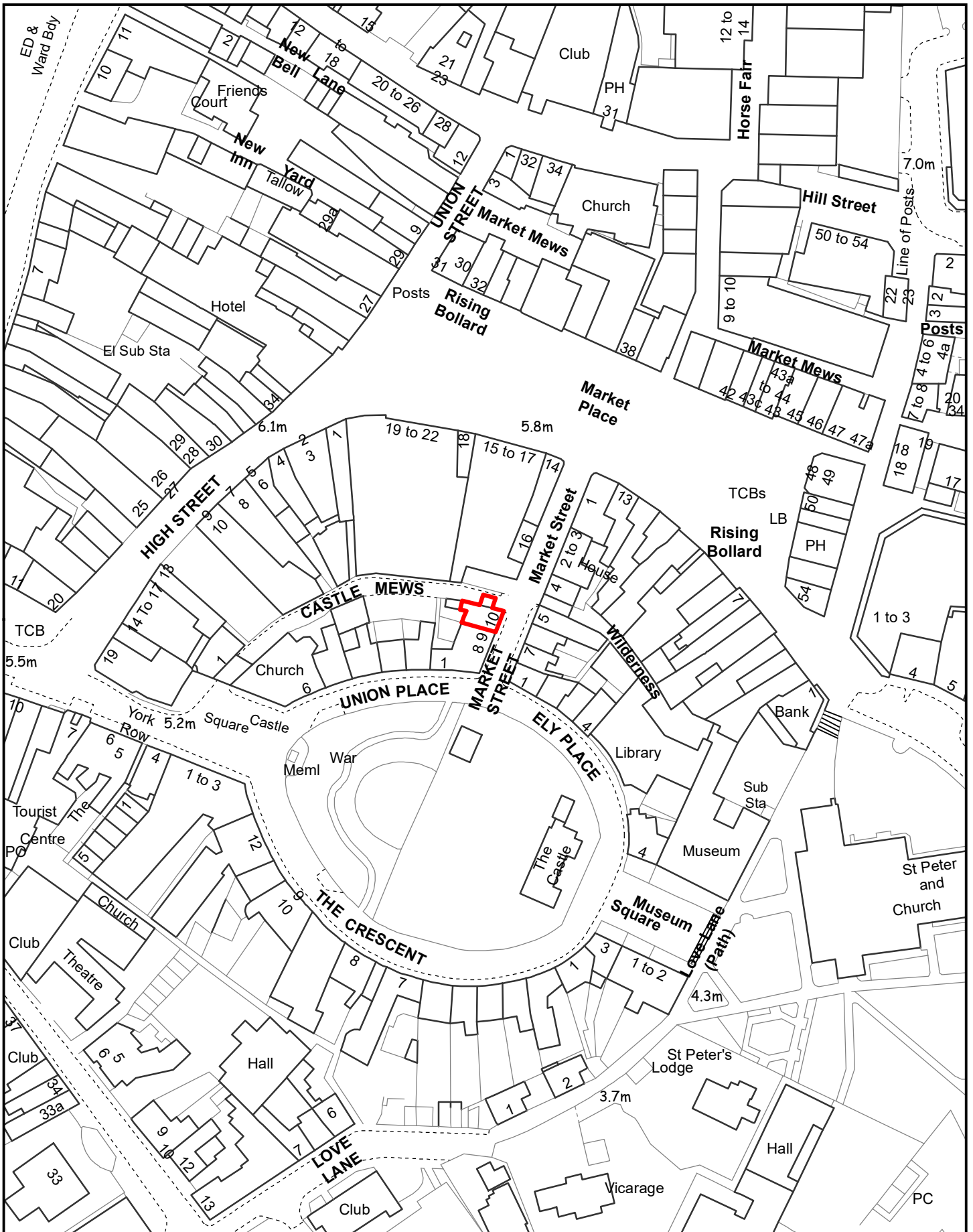
justification relating to public benefits that may outweigh this harm, the proposal is therefore in contravention of the aforementioned Policies and should be refused.

**10 RECOMMENDATION**

F/YR21/1096/F – **REFUSE**;

F/YR21/1097/LB – **REFUSE**; for the following reasons;

F/YR21/1096/F	
1	<p>Policies LP2 and LP16 of the Fenland Local Plan and Paragraph 130 of the NPPF seek to ensure the health and wellbeing of occupiers through the creation of high quality residential accommodation. By virtue of the lack of natural light ingress; poor outlook from openings; poor ventilation that may give rise to issues pertaining to damp owing to the inappropriate, and unauthorised, method of converting the flat; and the potential detrimental impacts to health and wellbeing owing to these, it is considered that the proposal for the retrospective conversion of the basement storage area to a 1-bed flat would result in poor levels of residential amenity for its occupant(s). As such, the proposal is contrary to the requirements of the aforementioned local and national planning policies and cannot be supported.</p>
F/YR21/1097/LB	
1	<p>Policy LP18 requires that development proposals describe and assess the significance of any heritage asset, identify the impact of proposed works on its character and provide justification for those works, especially if they would harm the setting of the asset. Furthermore, paragraph 200 of the NPPF states Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss. By virtue of the choice of inappropriate, and unauthorised, methods of conversion of the basement that could give rise to issues of damp which may detrimentally affect the fabric of the building and the lack of sufficient justification relating to public benefits that may outweigh this harm, the proposal is therefore in contravention of the aforementioned Policies and should be refused.</p>



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**F/YR21/1096/F &  
F/YR21/1097/LB**  
Scale = 1:1,250







F/YR21/1307/F

**Applicant: Mr & Mrs Bellamy & Mr & Mrs White**

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

**Land North Of 1-5, Brewery Close, Parson Drove, Cambridgeshire**

**Erect 4no dwellings comprising of 3 x 3-bed single-storey and 1 x 2-storey 4/5-bed with garages including temporary siting of a caravan during construction on Plot 3 only**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations received contrary to officer recommendation.**

## 1 EXECUTIVE SUMMARY

- 1.1 The scheme is for the development of an area of disused land to the rear of existing residential development within Parson Drove it seeks full planning permission for the erection of 4 dwellings.
- 1.2 The principle of development per se is acceptable given that the site is within a Limited Growth Village. However, it is essential that the proposal adheres to other relevant planning policies with regard to visual and residential amenity, highway safety and that the scheme delivers a high quality environment as promoted by Policy LP16 of the Fenland Local Plan (2014).
- 1.3 The proposed design of the dwellings (in particular plot 4) results in a scheme that fails to respect the character and appearance of the existing settlement in this location, and this results in harm to the street scene contrary to the provisions of policy LP16 of the Fenland Local Plan.
- 1.4 In addition, the amenity space that is available to serve the dwellings is constrained and contrived, resulting in a poor-quality environment and dwellings that suffer from a lack of well-connected amenity space. The scheme would therefore result in conflict with the requirements of policy LP16 of the Fenland Local Plan, which requires development to provide high-quality environments.
- 1.5 The scheme also fails to adequately demonstrate that its internal layout facilitates safe and convenient access in line with the requirements of policy LP15 of the Fenland Local Plan (2014).
- 1.6 Whilst timely and responsive pre-application advice has been given both prior, to/during and post the earlier decision it is regrettable that this has not been actively responded to. It remains the case that the site is suitable for development however the current scheme proposals remain inconsistent and significantly at odds with the prevailing planning policy and as such there is no other response but to recommend refusal.

## **2 SITE DESCRIPTION**

- 2.1 The application site is an area of vacant land between the residential developments on Brewery Close, Ingham Hall Gardens, Main Road and Springfield Road, Parson Drove.
- 2.2 The land is enclosed on all sides by 1.8m closeboard timber fencing, with two entrances, one from Brewery Close and the other from Springfield Road. There is an existing concrete hardstanding/roadway within the site, leading from the Springfield Road access.
- 2.3 The properties adjoining the site are all single-storey in nature, with the exception of the 2 dwellings on Main Road. All the dwellings on Ingham Hall Gardens and Springfield Road are single storey, as are the majority of those on Brewery Close, with only 3 properties at its western end being of 2-storey nature.
- 2.4 The application site is on land designated as being within Flood Zone 1, the zone of lowest flood risk.

## **3 PROPOSAL**

- 3.1 The scheme proposes the delivery of 4 dwellings on the site, a single storey dwelling to the eastern frontage and a two-storey dwelling to the western frontage. A central access point is also detailed facilitating access to two further dwellings with the access to these running along the common boundary of the rear gardens associated with properties in Springfield Road.
- 3.2 Plot 1 is situated in the northern end of the site, west of 4 and 6 Ingham Hall Gardens. This comprises a detached 3-bedroom single storey dwelling with a maximum footprint of 12.5 metres wide x 10.9 metres deep. This dwelling includes two gable projections, one of which features a bay window detail. The eaves height is 2.6 metres and the maximum ridge height is shown as 5.5; with the main section of the roof being hipped. There are two parking spaces associated with this dwelling, with a 'visitor' space located between Plot 1 & Plot 2.
- 3.3 Plot 2 is shown as a detached 3-bedroom single storey dwelling and this is sited to the west of No 6 Ingham Hall Gardens. The main section of this dwelling has a footprint of 14 metres wide x 10.9 metres deep, with a lower height projection to the side of the south-eastern corner of the property extending 4 metres from the flank wall of the dwelling with a depth of 5.3 metres. This dwelling will feature two bay windows and a central inset porch. It will have an eaves height of 2.6 metres and a maximum ridge height of 6.8 metres. There is a garage associated with the property, the minimum internal dimensions of this being 3 metres wide x 7.2 metres long; the garage has an eaves height of 2.5 metres and a ridge height of 4.2 metres; the garage is supplemented by a further parking space situated to the front of the garage.
- 3.4 Plot 3 is a frontage plot to the east of the proposed access this is almost identical to the dwelling proposed at Plot 1, i.e. 3-bed single storey detached dwelling, excepting an alternative internal layout and the omission of bifold doors to the west elevation and the inclusion of French doors to the rear elevation.

- 3.5 At Plot 4 a two-storey 4-bedroom dwelling is proposed, situated to the west of the access to the site. This property has a main central section with a footprint of 16.7 metres wide x 6.9 metres deep with an eaves height of 2.6 metres and a ridge height of 6.1 metres. There are projections to both the front and rear of the main section which correspond in height with the main part of the dwelling. The rear projection extends 2.8 metres with a width of 7 metres and the projection to the front extending 3.3 metres; this forward projection is supplemented with a further lower height section extending a further 4 metres forward with a width of 5.3 metres. Features of the design include 3 dormer windows to the front elevation with a further two dormer windows in the side eastern elevation, facing onto the access. Full height windows are also included in the lower section of the forward projection, either side of the chimney detail. This dwelling has an integral garage with internal dimensions of 3 metres wide by 6.1 metres deep.
- 3.6 A temporary caravan is also detailed within the site layout within the area to be ultimately delivered as the garden to Plot 3.
- 3.7 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

#### 4 SITE PLANNING HISTORY

F/YR20/0751/F	Erect 4no dwellings comprising of 2 x 3-bed single-storey, 1 x 2-storey 4-bed and 1 x 2-storey 4/5 bed with garages including temporary siting of a caravan during construction on Plot 3 only	Refused 08/10/2020
F/YR12/0232/FDC	Erection of 4 x 2-bed detached bungalows and 1 x 3-bed detached bungalow with associated garages/ parking and landscaping and 6 parking spaces to serve existing bungalows on Springfield Road (Renewal of planning permission F/YR09/0252/FDC)	Granted 06/06/2012
F/YR09/0252/FDC	Erection of 4 x 2-bed detached bungalows and 1 x 3-bed detached bungalow with associated garages /parking and landscaping and 6 parking spaces to serve existing bungalows on Springfield Road	Granted 07/08/2009

#### 5 CONSULTATIONS

##### 5.1 Parson Drove Parish Council

*'The Council had previously supported this application and were in agreement that there must be sufficient flood alleviation measures put into the conditions of the application if consent was granted including ensuring that the proposed drainage gully be connected correctly to the Highways gully already there.'*

##### 5.2 Cambridgeshire County Council Highways Authority

*'I refer to the revised plans and these have been updated as per my comments. I would recommend the standard parking condition to be attached if you are minded to grant planning permission'.*

### **5.3 FDC Environmental Health Officer**

*'In our last consultation of 13th December 2021 this service recommended the applicant should undertake a new contaminated land assessment given the length of time passed since an earlier assessment was carried out in 2008 by Environmental Protection Strategies Ltd, the previously stated use of the site, it's unknown use since the earlier assessment and, the intention was to develop the site into sensitive end use.*

*The Environmental Health Team note the recently submitted Phase I & II Geo-Environmental Assessment written by GPS report ref UK08.0686 dated 21st August 2020 that states remediation will be required following the discovery of contamination that was found at the application site. It is understood this conclusion is based on the investigation undertaken in 2008 by Environmental Protection Strategies.*

*While the contaminated land assessment conclusions state that remediation is required, a review of this application and the sites use in later years supports the view that it will become suitable once the necessary remediation has been undertaken.*

*Consequently, we have 'No Objections' to the proposed development. If planning permission is granted and in view of the above observations, a remediation strategy that details how the contamination will be dealt with will be required along with the remaining suite of contaminated land conditions. The LPA should approve such remedial works prior to any remediation being undertaken on site in the interests of human health and the environment'.*

### **5.4 North Level Internal Drainage Board**

*No comment to make.*

### **5.5 Local Residents/Interested Parties**

5.5(i) Two letters of objection have been received from residents of Parson Drove to the proposal, citing the following reasons for their objection.

- The proposal is out of keeping with its setting as it includes the construction of a 2-storey dwelling in a street of bungalows
- Impact on privacy
- Plot 4 is too large for the site area and too tall for its surroundings.
- Plot 4's appearance is not in keeping with the immediate neighbours and is too close to the footway
- Plot 4 should face plot 3
- Plot 3 is too close to the footway and should face plot 4

5.5(ii) A further representation has been received which identifies an existing issue with flooding on the Ingham Hall Gardens highway and notes that although they have no objection to the scheme, they do consider that the flooding issue should be addressed before any build is permitted.

5.5(iii) 23 letters of support have been received in relation to the proposal from a range of addresses within Parson Drove, citing the following reasons for their support.

- The proposal is in keeping with its setting
- The site has stood empty for a number of years
- The scheme will resolve the flooding issues on Brewery Close
- The scheme is in keeping with the Neighbourhood Plan
- The scheme provides new homes that the village needs
- The proposals are self builds
- The development will improve security for neighbouring properties
- The scheme is in keeping with the Fenland Local Plan
- A previous consent for five properties exists on a portion of the land

## **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. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para 10. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development

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

Para 29. Neighbourhood planning gives communities the power to develop a shared vision for their area. Neighbourhood plans can shape, direct and help to deliver sustainable development, by influencing local planning decisions as part of the statutory development plan. Neighbourhood plans should not promote less development than set out in the strategic policies for the area, or undermine those strategic policies

Para 30. Once a neighbourhood plan has been brought into force, the policies it contains take precedence over existing non-strategic policies in a local plan covering the neighbourhood area, where they are in conflict; unless they are superseded by strategic or non-strategic policies that are adopted subsequently.

Para 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Chapter 5. Delivering a sufficient supply of homes

Chapter 12. Achieving well-designed places

Chapter 14. Meeting the challenge of climate change, flooding and coastal change

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

Determining a planning application

### **7.3 National Design Guide 2019**

Context: C1 Understand and relate well to the site, its local and wider context;

Identity: I1 Respond to existing local character and identity; I2 Well-designed, high quality and attractive; I3 Create character and identity  
Built Form: B1 Compact form of development; B2 Appropriate building types and forms  
Movement: M2 A clear structure and hierarchy of connected streets; M3 Well-considered parking, servicing and utilities infrastructure for all users  
Uses: U2 A mix of home tenures, types and sizes; U3 Socially inclusive

#### 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  
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

#### 7.5 **Parson Drove Neighbourhood Plan**

Policy 1 – Housing Growth  
Policy 2 – Scale of Housing Development

### 8 **KEY ISSUES**

- **Principle of Development**
- **Visual Impact & Character**
- **Residential Amenity**
- **Highway and Driveway Safety**
- **Other Matters**

### 9 **BACKGROUND**

- 9.1 The application site has previously been the subject of planning permission for residential development (5 bungalows). This was originally granted in 2009, and an extension to the time period for implementation of that permission was subsequently granted in 2012. That permission was never implemented, and pre-dates the current Fenland Local Plan, which was adopted in 2014.
- 9.2 A pre-application enquiry was submitted in June 2020 for 4 dwellings, this scheme proposed 2 x two-storey dwellings at the entrance to the site (Brewery Close) with 2 detached bungalows located to the northern section of the site, situated along the common boundary with gardens of properties in Ingham Hall Gardens. A negative pre-application response was given in respect of that scheme.
- 9.3 Notwithstanding this advice the scheme came forward for formal consideration (F/YR20/0751/F) was refused in October 2020 by the Planning Committee; the reasons for refusal focused on:
- the design, layout and scale of the development - noting that it would represent the overdevelopment of the site creating a substandard living environment for future occupiers as well as adversely impacting upon the

amenity of neighbouring residents through overbearing and visual dominance.

- development considered, by virtue of its scale and design, excessive, prominent and incongruous within Brewery Close street scene therefore at odds with the prevailing character and appearance of the area.

It should be noted that an opportunity was given to the applicant to revise the scheme during the evaluation of the proposal, however they did not wish to avail themselves of this opportunity.

- 9.4 Subsequent to the refusal being issued the agent sought further advice, outside the formal pre-application process. At this time, they indicated that they would pursue a scheme for 4 dwellings with two of the properties facing Brewery Close, potentially 1.5 storey dwellings with a further two dwellings within the site being delivered as single storey units positioned along the private driveway. No drawings were tabled as part of this enquiry.
- 9.5 In response it was agreed that having more of a frontage with Brewery Close was a positive step, albeit this needed to be cohesive in terms of appearance/design. Again, it was highlighted that relationships with surrounding dwellings and also between proposed dwellings along with a need to deliver a good quality environment with appropriate amenity space, parking etc would require careful consideration. To this end it was noted that the scale of some of the units as previously indicated may result in this proving problematic in the context of delivering an acceptable layout which addresses the issues highlighted.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy. Parson Drove is identified as a Limited Growth Village, one of five such settlements within the hierarchy where a small amount of development and service provision will be encouraged and permitted over the plan period.
- 10.2 With regard to village thresholds, as detailed under Policy LP12, it is further noted that this scheme of 4 dwellings would result in a breach of the threshold by 2 units; the threshold being 33 units and the current commitments/number of units built out at 25.02.2022 being 31 units. Case law indicates however that the breach of the threshold would not be sufficient grounds on which to withhold consent should a scheme be acceptable in all other respects.
- 10.3 Policy 2 of the Parson Drove Neighbourhood Plan (PDNP) notes that proposals for fewer than 5 dwellings will be supported. The scheme is for the construction of four new dwellings and is therefore compliant with Policy 2 of the PDNP.
- 10.4 It is clear therefore that the principle of the residential development of the site is acceptable, and consideration must then be given to the details of the proposal.

### **Visual Impact & Character**

- 10.5 Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals

must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.

- 10.6 As noted above in paragraph 2.3, the Springfield Road/Ingham Hall Gardens/Brewery Close area predominantly features single-storey development, of a simple design and appearance, with very limited examples of 2-storey properties. Those examples are either visually more related to the Main Road through Parson Drove or are located at the edge of this residential area, forming a visual enclosure of the wider development.
- 10.7 The proposed development would result in the construction of four dwellings, one of which (Plot 4) is proposed to be of two-storey scale, in the centre of the developed area. Albeit it is acknowledged that the two-storey dwelling has been designed specifically to limit its overall height, locating its upper floor accommodation within the roof space and being only approximately 0.75m taller to its ridge than the bungalow located on plot 3.
- 10.8 Although the height of this dwelling is now more reflective of the immediate environs it continues to the case that the dwelling fails to respect the simplicity of the area in terms of its form and features. In addition, the dwelling fails to address the private driveway serving the development; presenting as it does a blank flank wall as its primary element onto the access road.
- 10.9 Furthermore, the proliferation of features to the front elevation of this dwelling, including three dormer windows, a rooflight, a stepped forward projecting gable with feature glazing to its forwardmost aspect results in an overly fussy and cluttered façade. It is considered that the features of Plot 4 are not reflective of the character and design of other properties in the area. Additionally, it is considered that Plot 4 fails to address the new access road with its blank gable wall addressing this roadway. The lack of synergy in design detailing with the remaining plots which form part of the wider development again is to the detriment of the scheme proposals.
- 10.8 In terms of its visual impact on the street scene and the character of the area, plot 3 is considerably more sympathetic to its surroundings with a simpler design. In addition, the windows featuring within the forward-facing gables capture similar features evident elsewhere along Brewery Close and Ingham Hall Gardens; with the side elevation of this property providing some visual interest and relationship with the street scene when viewed from the access.
- 10.9 Plots 1 and 2 are set much further back into the site and will have very limited impact on the street scene and the character of the area given that they are also proposed as bungalows and will be screened from the majority of views by plots 3 & 4. That said there would be an opportunity to introduce a hipped roof to Plot 2 to provide more cohesion across the scheme; notwithstanding the more fundamental concerns identified with Plot 4.
- 10.10 Overall, it is considered that the adverse impact on the street scene resulting from the design of plot 4 outweighs the more acceptable design details of plot 3 resulting in an overall impact on the street scene and character of the area that is at odds with Policy LP16 of the Fenland Local Plan.



## Residential Amenity

- 10.11 Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal, with the guideline for non-flat development being one third of the plot area dependant on the character of the area and the type of accommodation proposed.
- 10.12 Three of the properties proposed for construction on the site are single storey in nature, which combined with the existing screening and boundary treatments around the site means that privacy impact from these proposals would be negligible as the ground floor windows will not provide views over the boundary fences.
- 10.13 Plot 4 does propose a two-storey development however its first-floor windows are positioned in such a way as to maximise the distance between them and adjoining properties sufficiently to ensure that no unacceptable privacy impacts arise as a result of the scheme.
- 10.14 Elements of the proposed dwellings are located in relatively close proximity to the boundaries of the properties neighbouring the site however the combination of the limited eaves heights of the dwellings and the existing boundary treatments surrounding the site is such that these impacts would not justify refusal of the scheme.
- 10.15 Policy LP16 however also requires amenity levels of the proposed dwellings to be considered, and for development to provide a high-quality environment for future occupiers and this is considered below in respect of the individual plots:

### Plot 1

The private amenity space provided for this dwelling is split into two parts, one area to the west of this dwelling adjacent to the turning head serving the development and the second part to the rear (north) of the main property. These areas are connected by a garden path that also leads to the front of the property via a side gate in the fence. The dining area opens out onto the smaller side amenity space via bifold doors, with bedrooms 1 and 3, the kitchen and utility area looking out over/accessing the rear garden directly. The parking provision serving the property is a tandem arrangement located directly in front of the dwelling, with the parking and side elevation of plot 2 located between 12 and 13 metres from the main front windows of plot 1, with an intervening garage.

### Plot 2

Plot 2 is proposed as a single-storey dwelling with a detached single garage and a rear garden area served by gates to both sides of the plot. The garden area serving the property is modest, ranging from 6m deep at its shortest point to 10m deep at its longest. Plot 2 has a more conventional layout in terms of amenity space than the remainder of the dwellings proposed with the result that its only detrimental factor is the relatively limited amount of rear garden space; albeit it marginally exceeds the minimum third promoted by Policy LP16.

### Plot 3

Plot 3 is of a similar design to Plot 1, albeit with some internal changes to facilitate side access to the property. Its garden is approximately 7 m deep from

the rear elevation of the property to the boundary fence adjoining Plot 2. Parking is provided to the north-west corner of the plot with a pathway that leads past the utility door on the side elevation of the dwelling to the front door on the southern elevation.

As is the case for Plot 2, Plot 3 gains limited amenity levels (just achieving the minimum third promoted by Policy LP16 of the FLP (2014) due to the proposed layout of the development and the restriction placed on its garden space imposed by the combination of the number of dwellings proposed and their large footprints in comparison to the site area.

#### Plot 4

Plot 4 is essentially cross-shaped in footprint, with the main ridge line running east-west across the site and a broadly triangular garden area to the north-west of the property. This in itself would clearly fail to meet the guideline 33% of plot area provided as private amenity space and therefore an area of land in front of the dwelling is also designated as garden. This area of garden space is connected to the 'main' garden of the premises only by a footpath resulting in a disjointed and poor-quality amenity provision associated with the development that fails to accord with the requirements of policy LP16.

Overall, therefore the combination of the limited levels of private amenity space within the development and the relationship of those areas with the general layouts of the dwellings they serve results in a scheme which does not deliver the high-quality environments required by policy LP16. This issue is sufficient to justify refusal of the scheme.

- 10.16 It is disappointing that guidance given prior to, during and post decision has not been meaningfully responded to as it is clear that there is scope to achieve a positive outcome for this site. As it stands however the scheme remains unacceptable and contrary to Policies LP2 and LP16 and can therefore not be supported.

#### **Highway and Driveway Safety**

- 10.17 Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport.
- 10.18 The Highways Authority has no objection to the proposal with regards to its impact on the highway network. Their comments do not however incorporate a consideration of the arrangements within the site, as the proposed driveway is to be a private access.
- 10.19 The driveway is approximately 4-4.5m wide with the exception of at its entrance where it has been widened at the request of the highways authority to 5m. The layout of the site is such that the driveway contains two significant bends between its junction with Brewery Close and its termination at the rear of the site. A turning facility is provided alongside plot 1.
- 10.20 As with many other aspects of the development, the driveway and parking provision is restricted in terms of space, with parking for Plots 1 and 2 plus a visitor space all in close proximity to each other and their respective dwellings. In addition, the absence of landscaping and visibility details relating to Plot 3 results in a scheme that fails to demonstrate that reversing out of the spaces

would not result in a safety issue in relation to vehicles or pedestrians heading east along the driveway. This matter was identified to the applicant prior to submission of the application however it has not been addressed by the detailed information submitted.

- 10.22 Overall therefore whilst it is accepted that there is no highway safety issue between the application site and the public highway, there remains a conflict between the detailed proposals and the information provided; this results in a scheme that fails to demonstrate that provision of a safe and convenient access for all with priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport as required by Policy LP15 has been achieved.

### **Other Matters**

- 10.23 There are two other significant matters for consideration in terms of the current application. The first is the identification of contamination on the site requiring remediation, and the second relates to the matter of flooding on Brewery Close.

#### Contaminated Land

- 10.24 The Environmental Health Officer noted that previous investigation of the site in respect of contamination revealed that further works would be required given the sensitive end use (residential development).
- 10.25 Subsequent reports have investigated the matter further, concluding that remediation would be possible and as such, the Environmental Health Officer has confirmed that subject to a condition requiring the approval and implementation of such remedial works then there would be no objection on the grounds of contamination on the site.

#### Brewery Close Flooding

- 10.26 The application contains a proposal to install an additional gully to resolve the matter of flooding of the adjacent Brewery Close. This has been supported by a significant number of the respondents in relation to the application.
- 10.27 Notwithstanding this however, the flooding of Brewery Close is an existing issue, and it is not for the planning application to resolve such matters. Works required to resolve the matter could not be secured by condition or legal agreement as they are not reasonably related to the development proposed (being a pre-existing issue). Albeit it is understood that the Local Highways Authority had already scheduled work to take place in an attempt to resolve the flooding issues.

## **11 CONCLUSIONS**

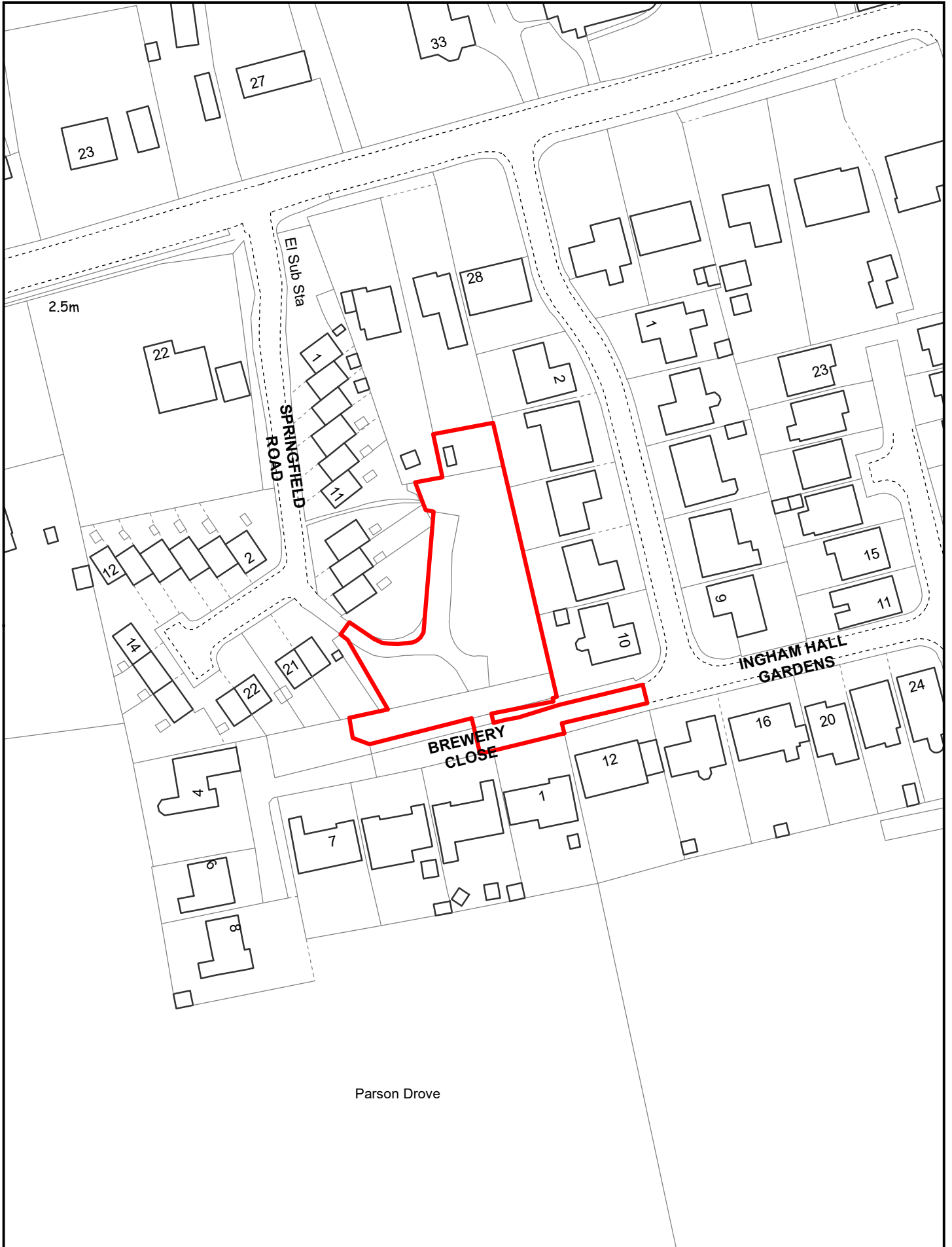
- 11.1 The application proposes the construction of four dwellings on the application site, along with a private driveway serving the development, and the temporary siting of a caravan during construction.
- 11.2 The proposed design of the dwellings (in particular plot 4) results in a scheme that fails to respect the character and appearance of the existing settlement in this location, and this results in harm to the street scene contrary to the provisions of policy LP16 of the Fenland Local Plan.

- 11.3 The proposed dwellings are of substantial footprints within the limited development site, resulting in limited amenity space to serve the properties. The amenity space that is available is not of a high standard, resulting in poor quality environment and dwellings that suffer from a lack of well-connected amenity space. The scheme would therefore result in conflict with the requirements of policy LP16 of the Fenland Local Plan, which requires development to provide high-quality environments.
- 11.4 The scheme also fails to adequately demonstrate that its internal layout facilitates safe and convenient access in line with the requirements of policy LP15 of the Fenland Local Plan (2014). This matter however could be satisfactorily addressed by suitable landscaping details, which could be required to be provided by means of an appropriately worded planning condition.

## 12 RECOMMENDATION

**REFUSE**, for the following reasons.

1	Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires the delivery of high-quality environments. The proposal, by virtue of the amount of development proposed on the site, its scale, and the limited and poor-quality amenity space provided to the proposed dwellings (in particular plots 1 and 4) would result in a poor-quality development with limited residential amenity provision for its occupiers. The scheme would therefore be contrary to the requirements of policies LP2 and LP16 of the Fenland Local Plan (2014) and would also conflict with the aims and objectives of the NPPF and the National Design Guide.
2	Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area. The development, by virtue of the proposed design in particular of plot 4, would result in a scheme at odds with the prevailing character and appearance of the area. Furthermore, it is considered that the overall design synergy of the development is limited again to the detriment of the environment created. Both factors would be contrary to the requirements of Policy LP16 of the Fenland Local Plan (2014) and would also conflict with the aims and objectives of the NPPF and the National Design Guide.
3	Policies LP15 and LP16 of the Fenland Local Plan (2014) seek to ensure that development schemes provide well designed, safe and convenient access for all and promote the delivery of high-quality environments. This scheme fails to demonstrate that the manoeuvring associated with the use of the parking allocation for Plot 3 will not be detrimental to highway safety within the site and as such the scheme is deemed contrary to the aims of both the Fenland Local Plan and the National Design Guide.



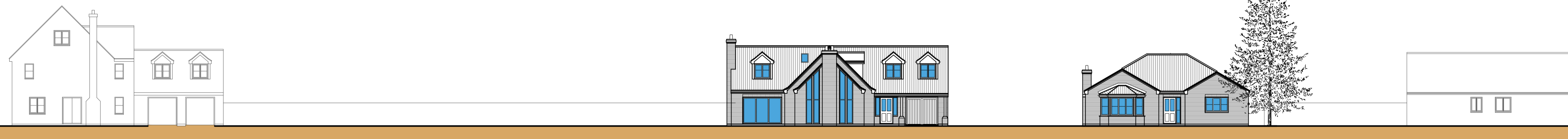
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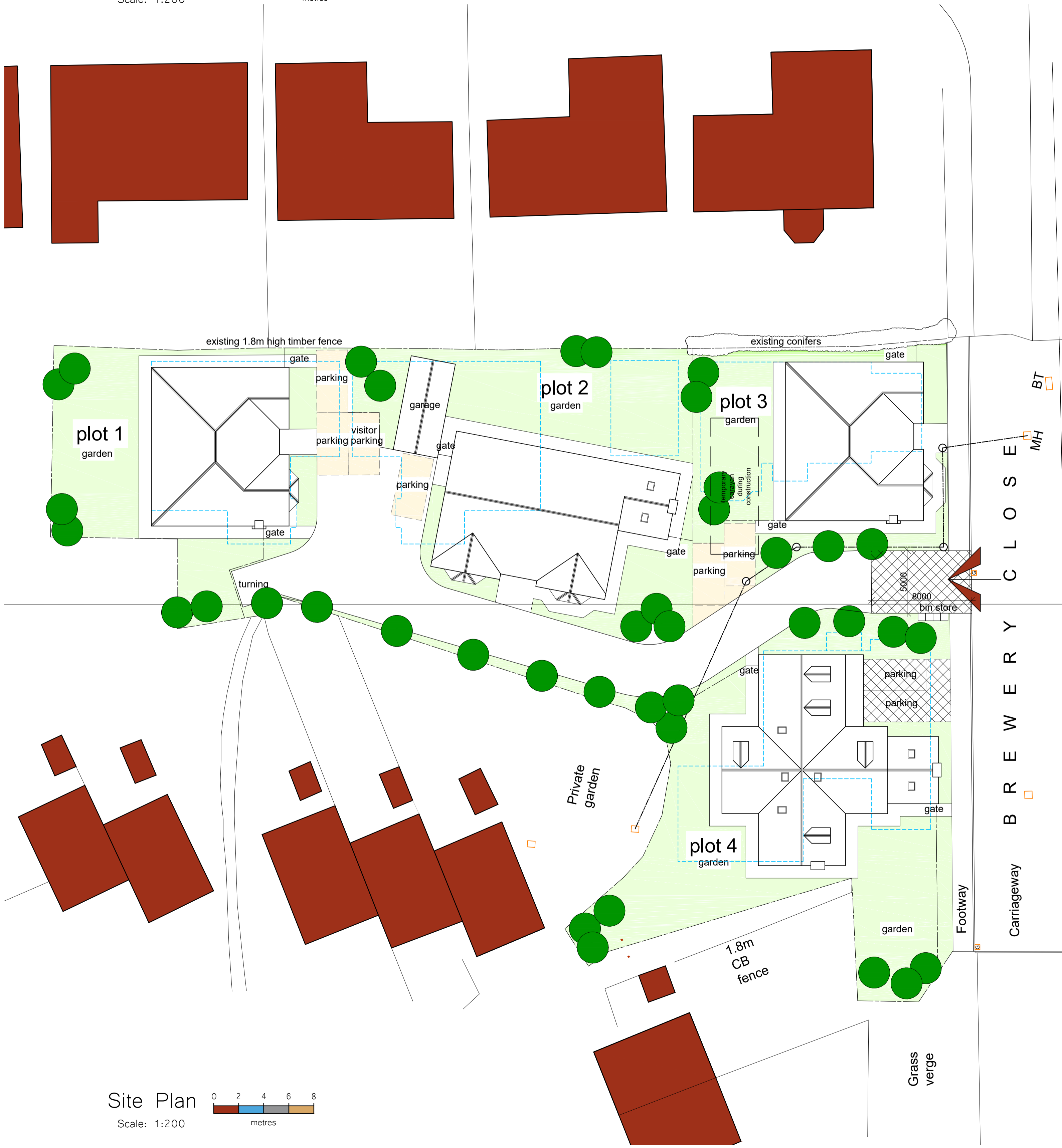
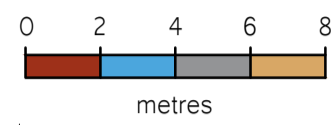
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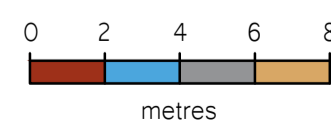
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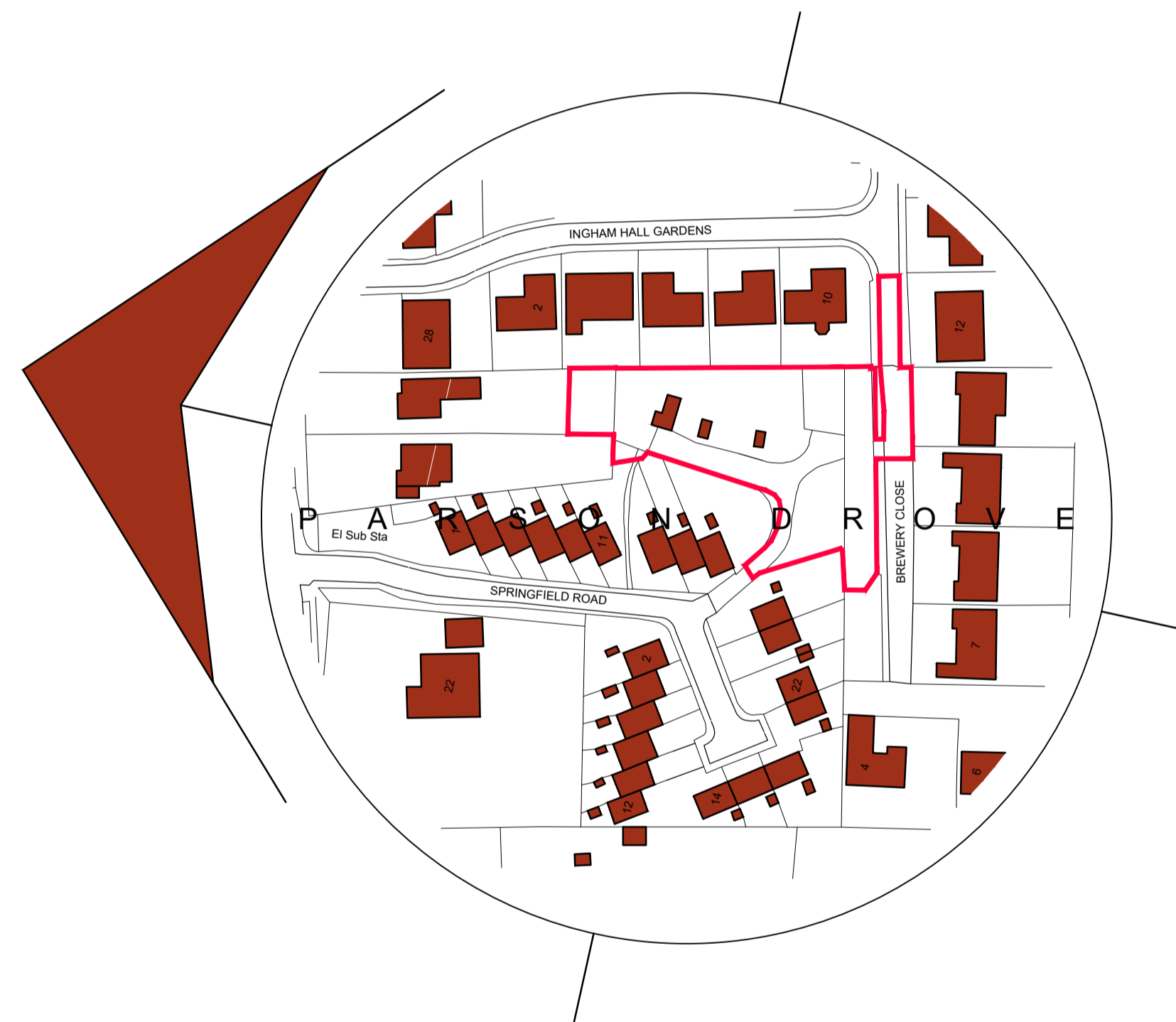
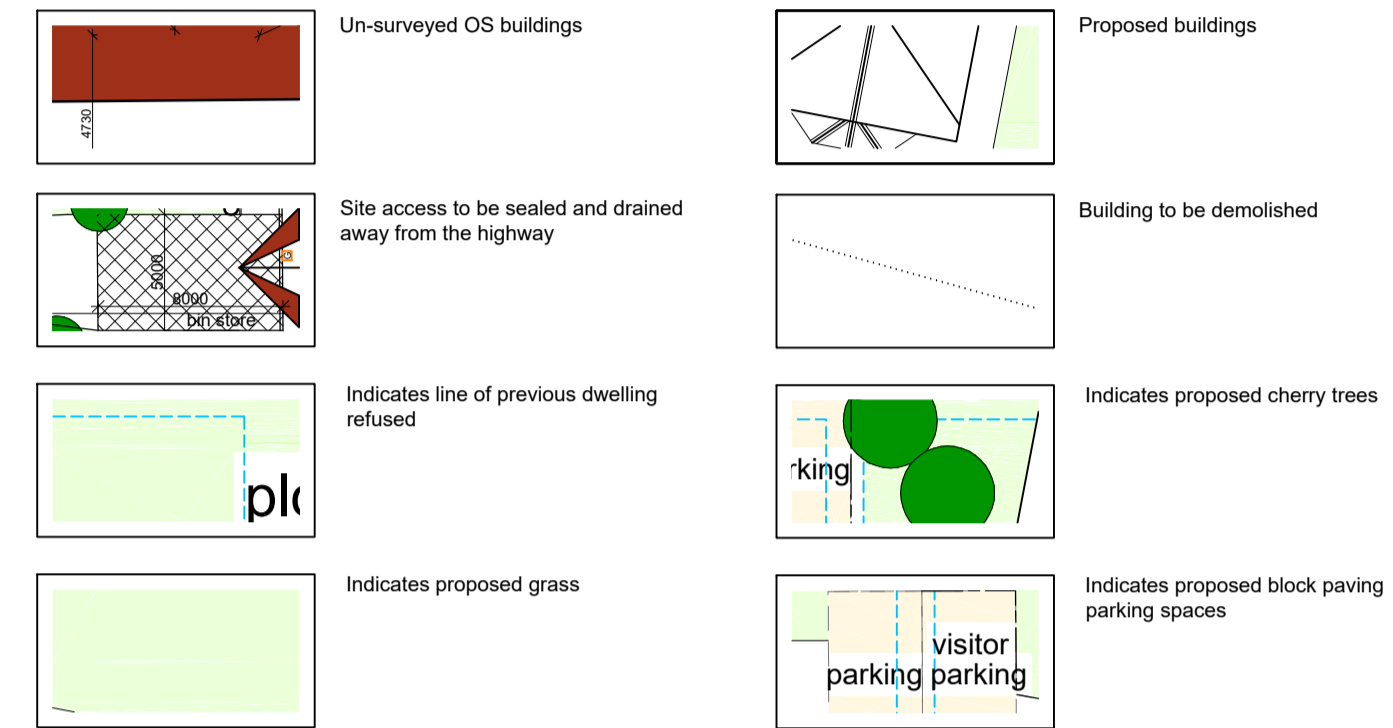


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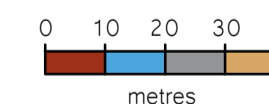


SITE PLAN KEY



Location Plan

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Plot Number	Site Area	Private Amenity Area	Percentage
Plot 1	387m2	182m2	47%
Plot 2	528m2	202m2	38%
Plot 3	363m2	121m2	33%
Plot 4	587m2	280m2	47%

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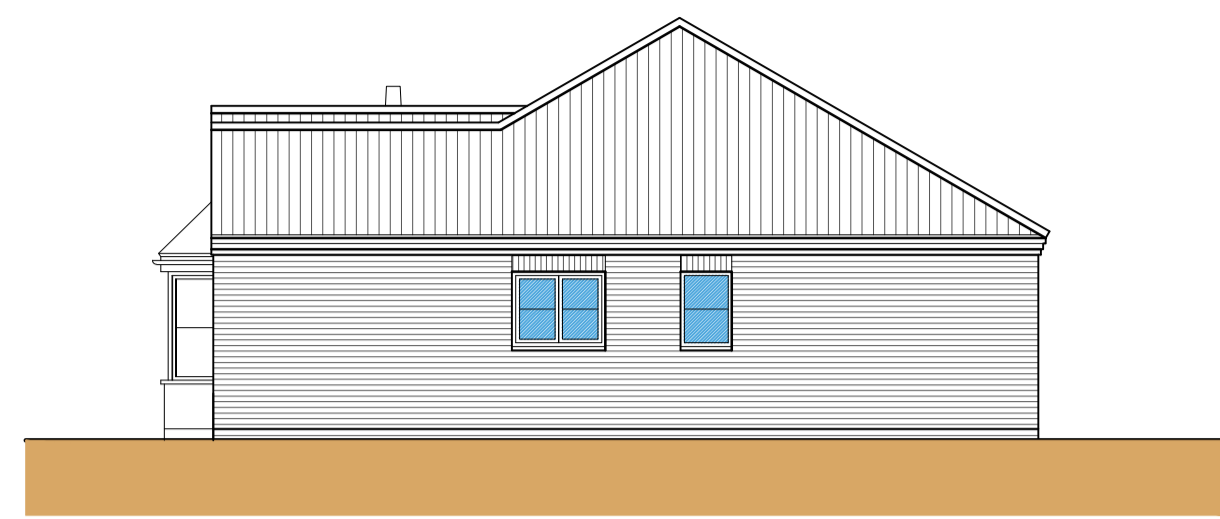
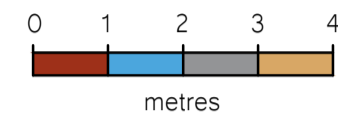
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Proposed Residential Development Brewery Gardens Parson Drive, for: Mr&Mrs Bellamy & Mr&Mrs White	Job Title	Date	Scale
	Planning Drawing Site Plan & Location Plan	August 2021	Various Sheet Size A1
	Job No.	Drawn by	
	SE-1281	G.E.	
	Dwg No.	Revision	
	PP1010	F	

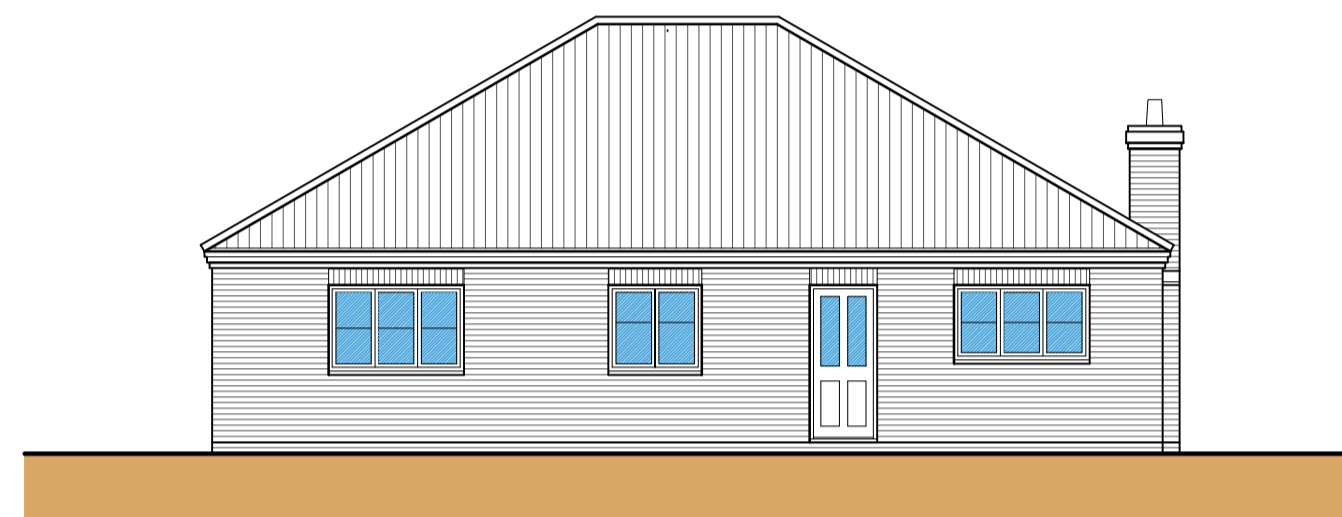
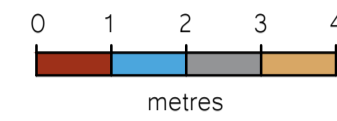
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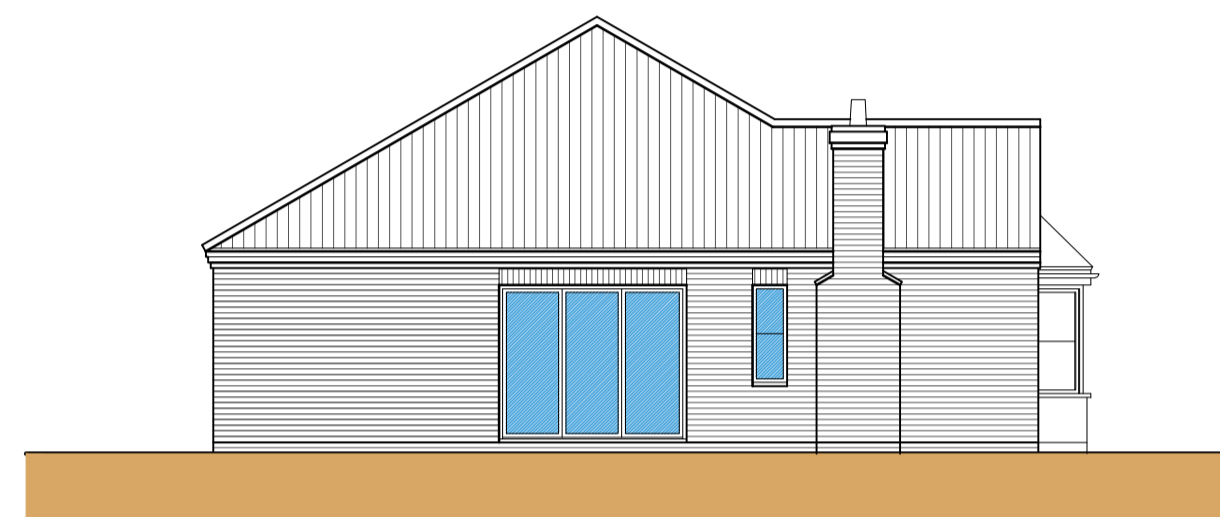
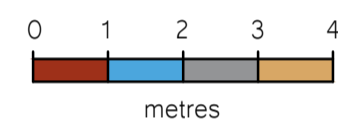
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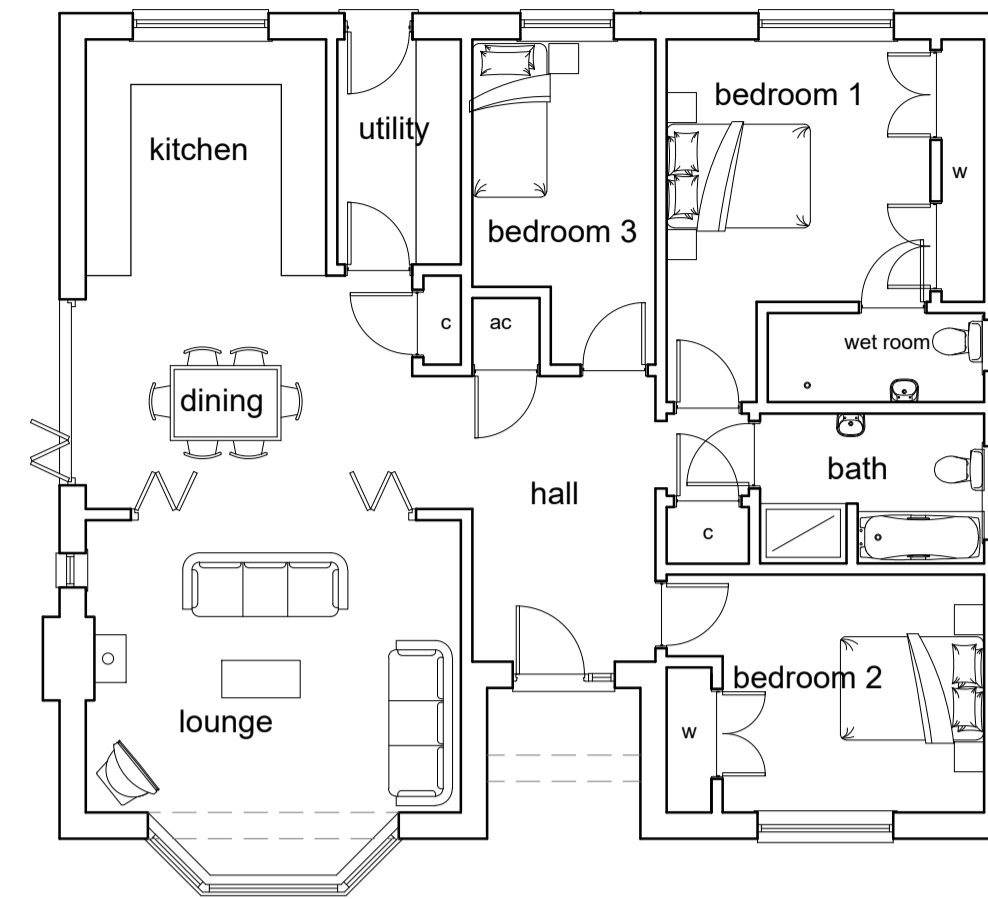
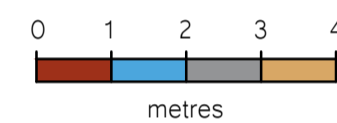
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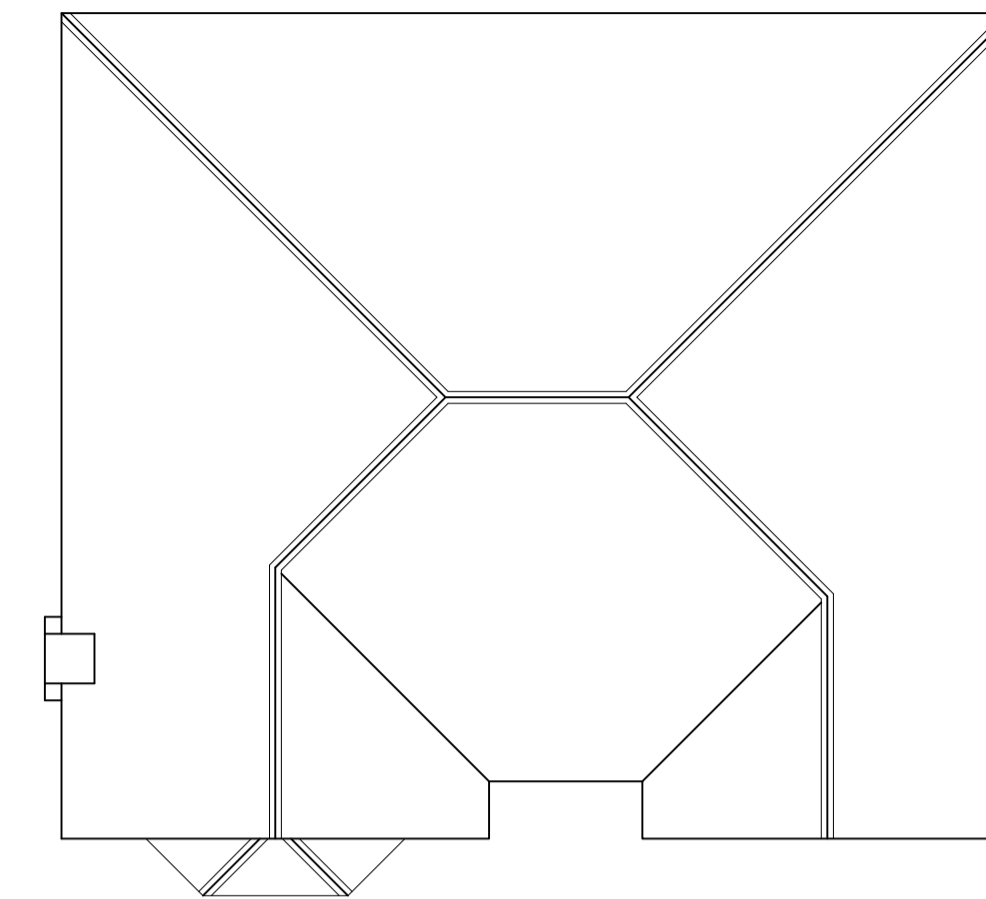
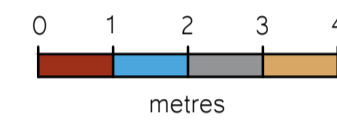
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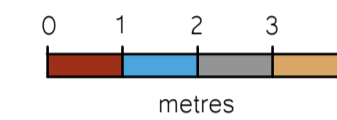
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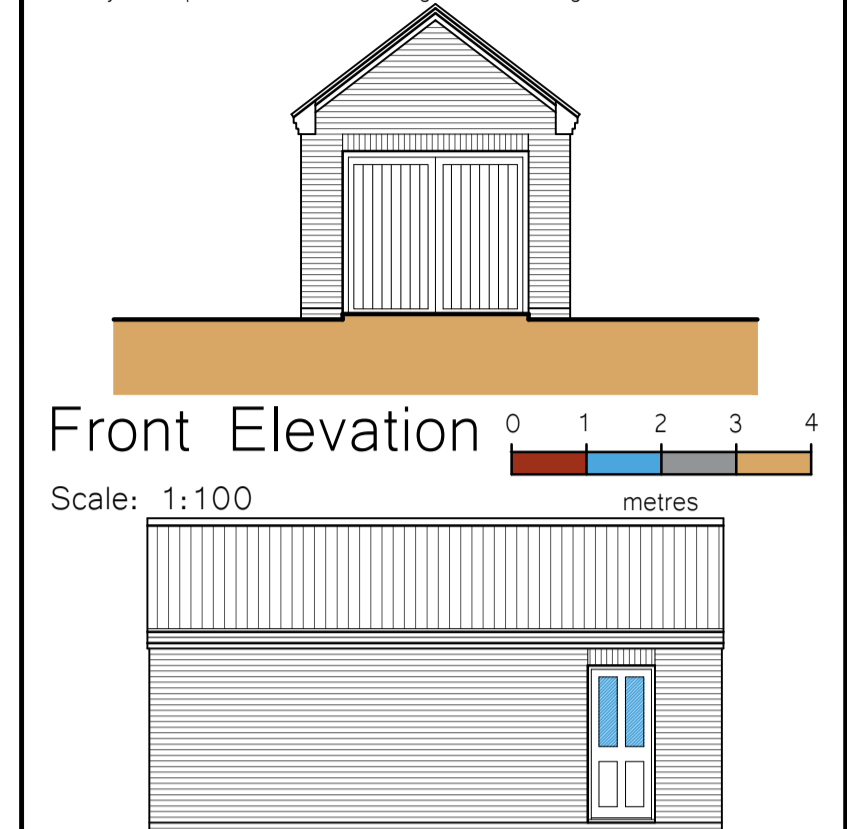
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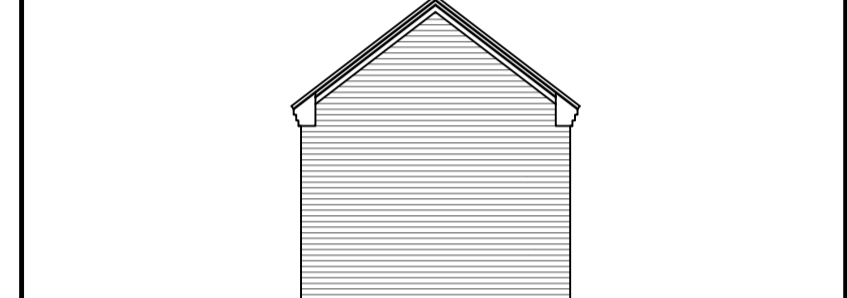
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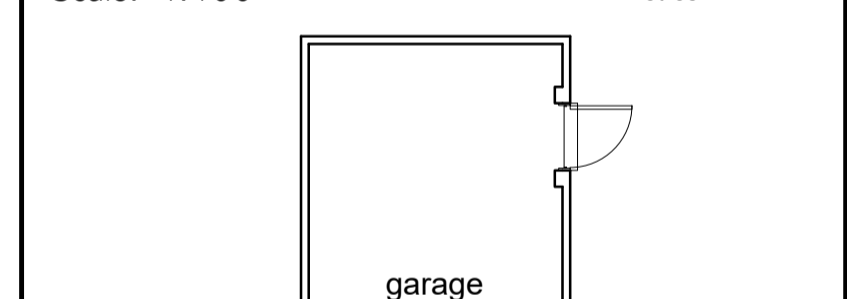
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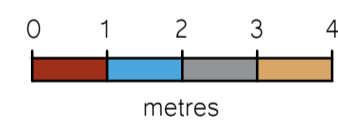
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Job Title Proposed Residential Development Brewery Gardens Person Drive, for: Mr&Mrs Bellamy & Mr&Mrs White	Date August 2021	Scale 1:100 Sheet Size A1
Drawing Title Planning Drawing Plots 1 & 2 Floor Plans and Elevations	Job No. SE-1281	Drawn by G.E.
	Dwg No. PP1110	Revision D

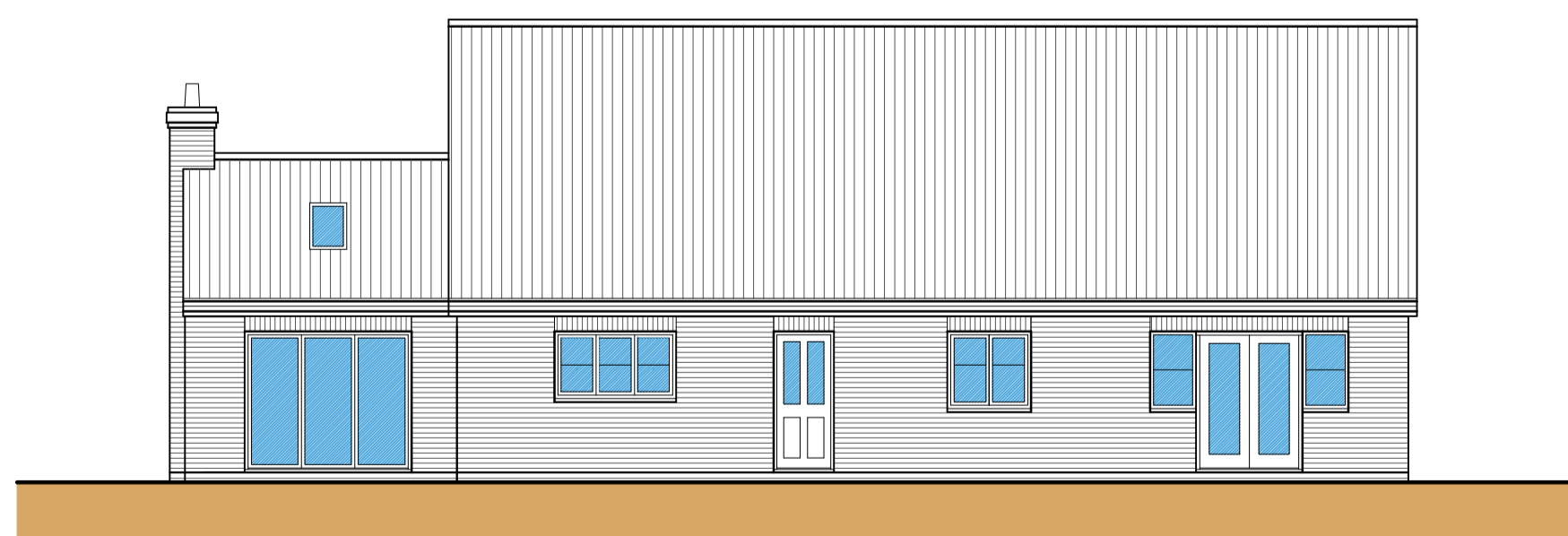
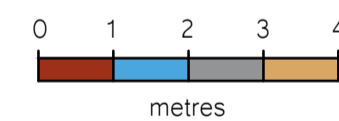
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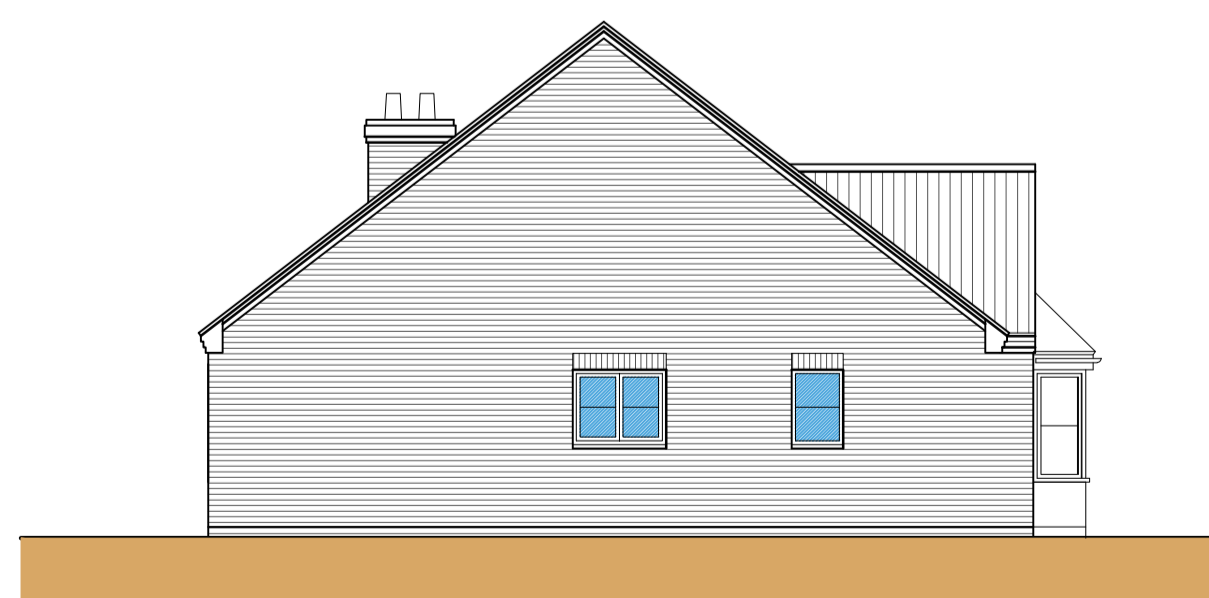
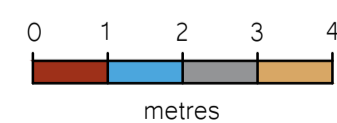
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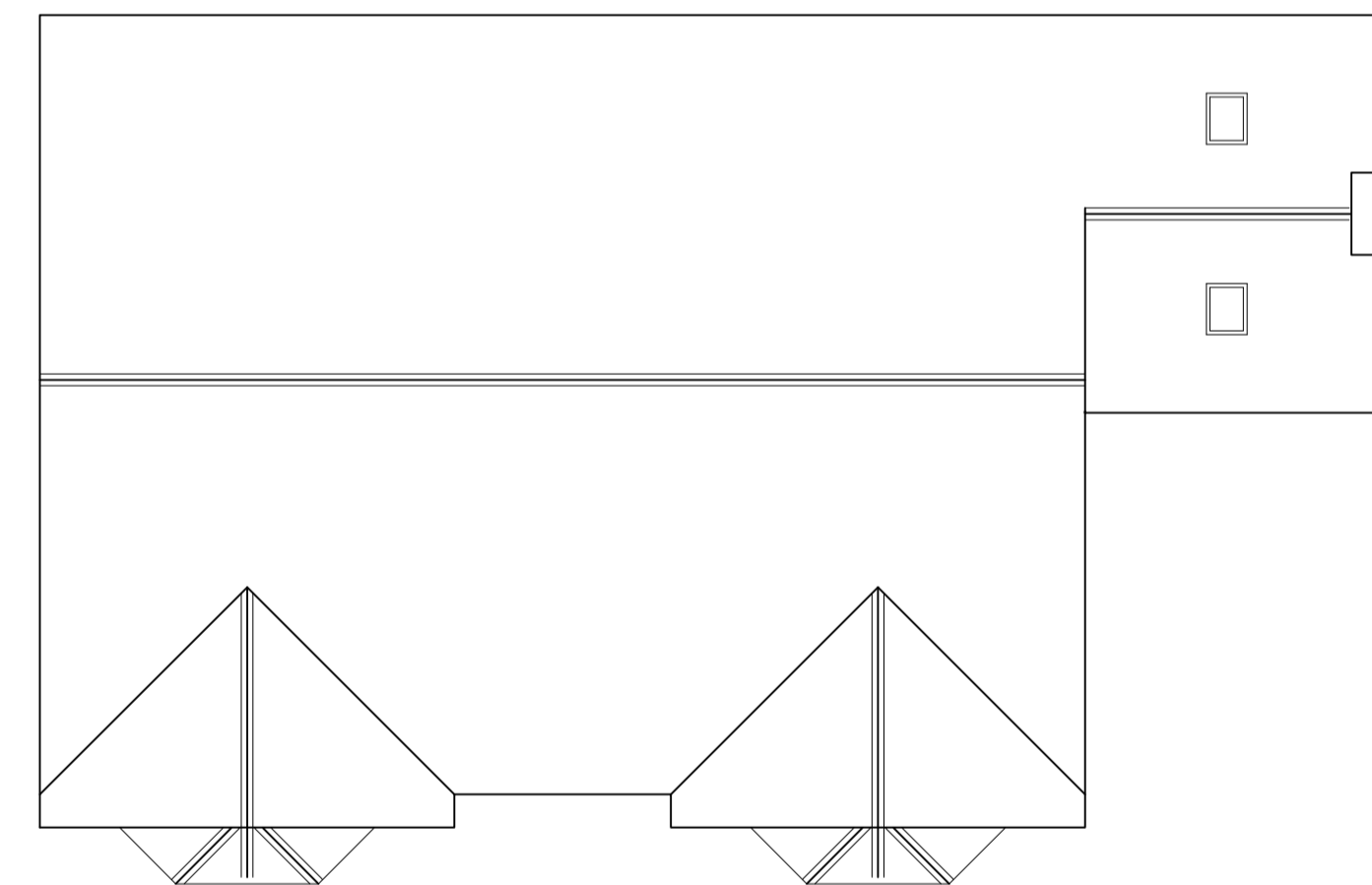
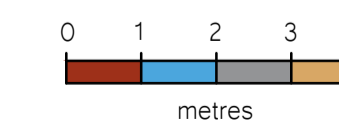
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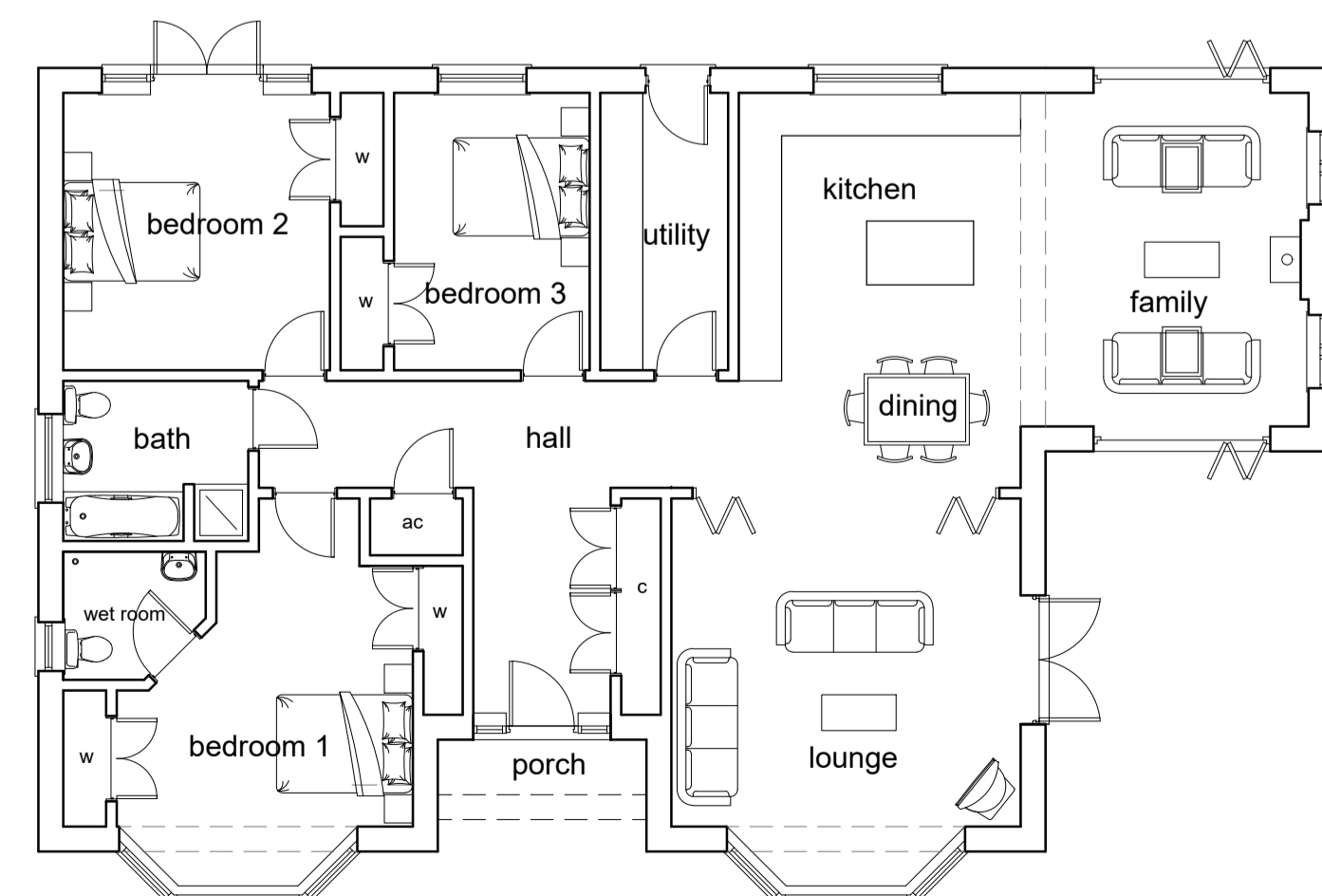
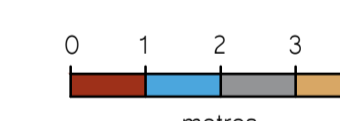
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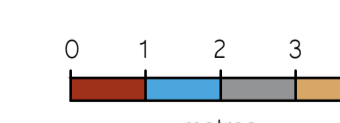
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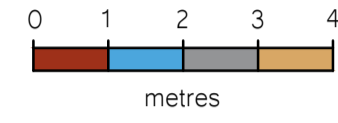
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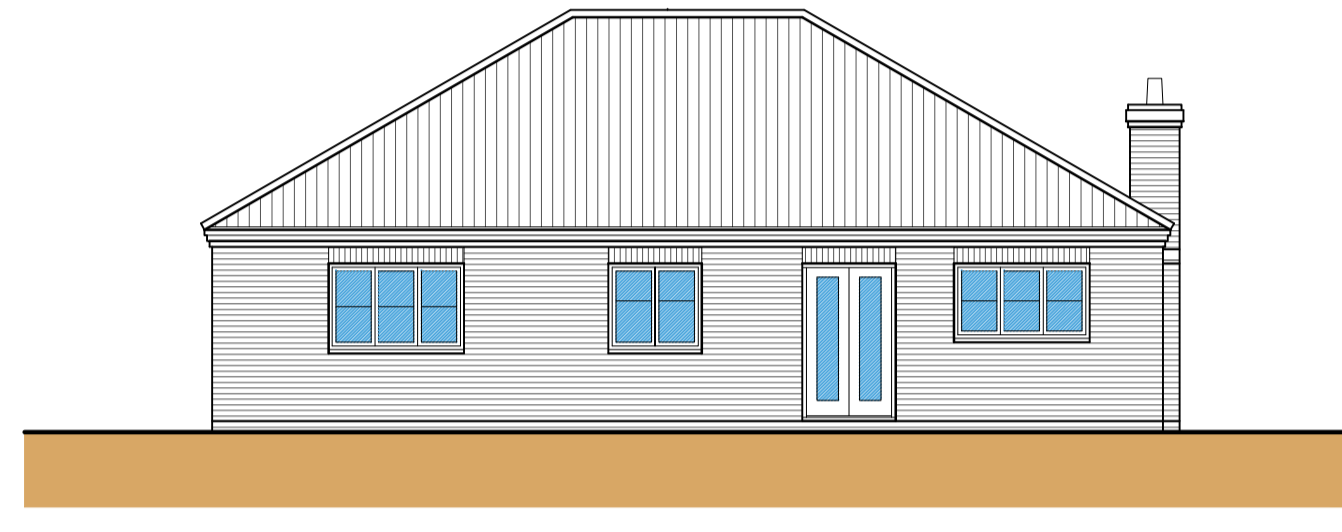
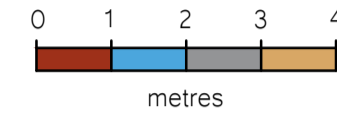
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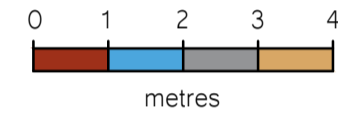
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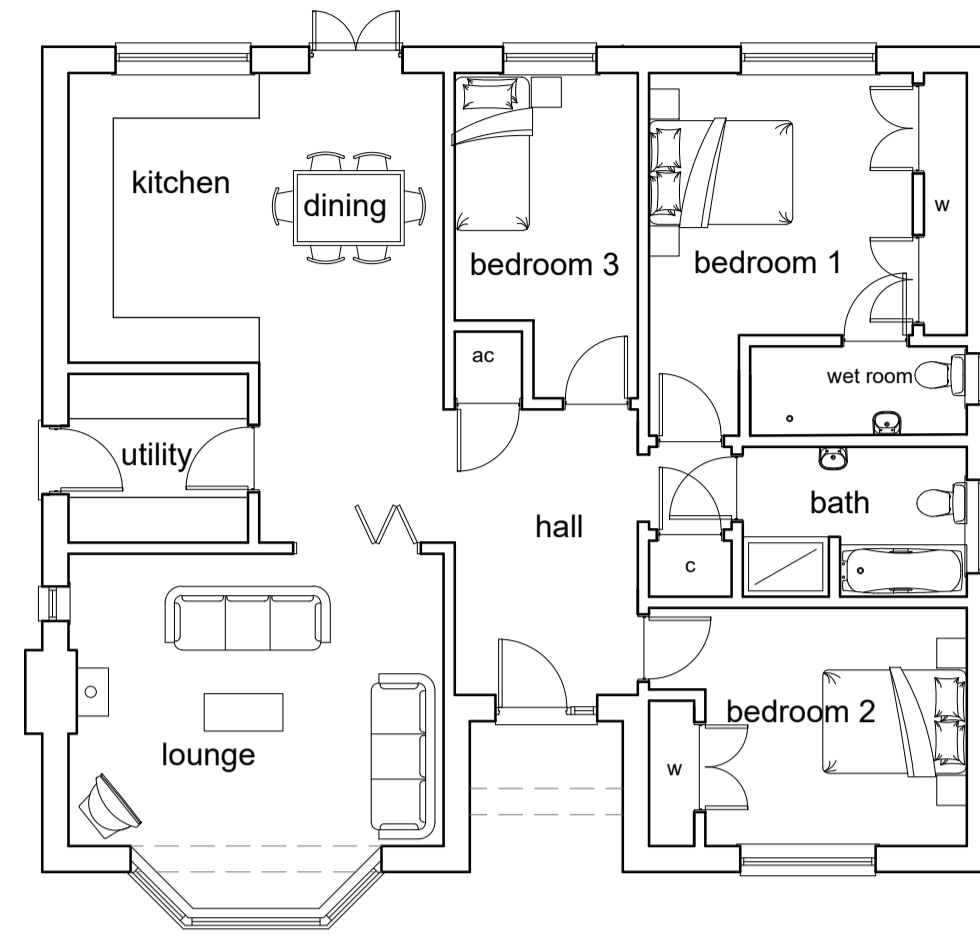
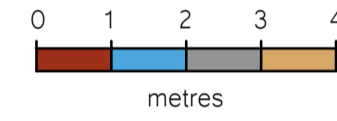
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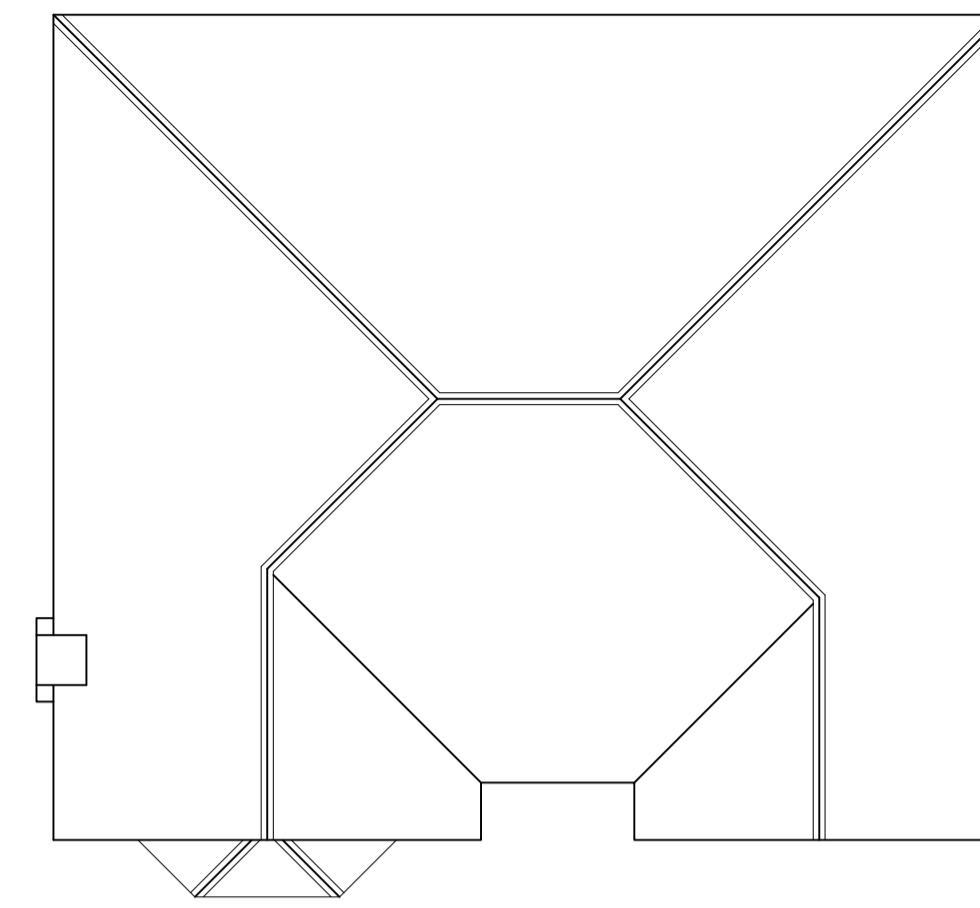
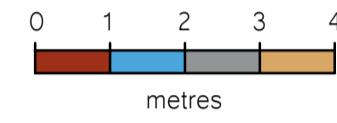
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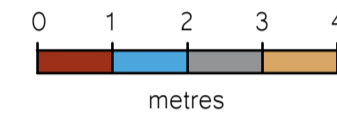
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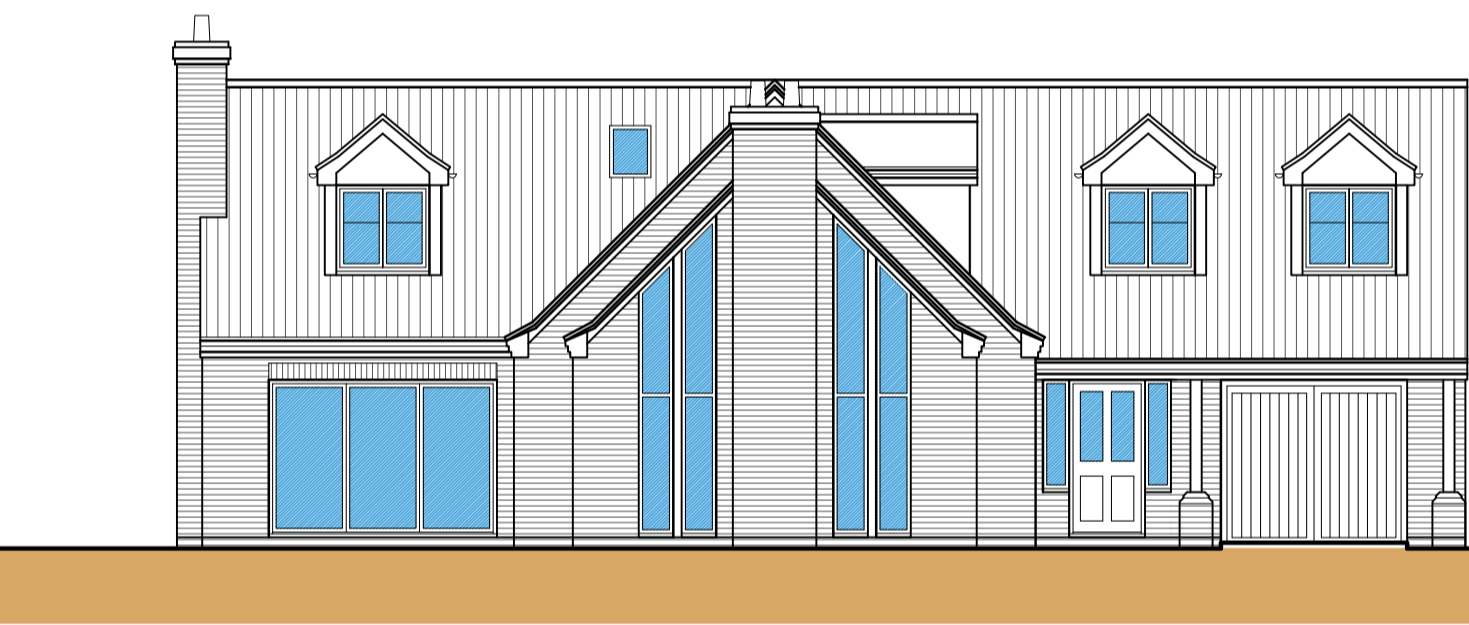


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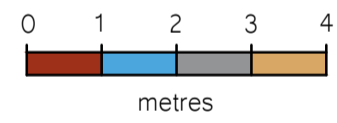


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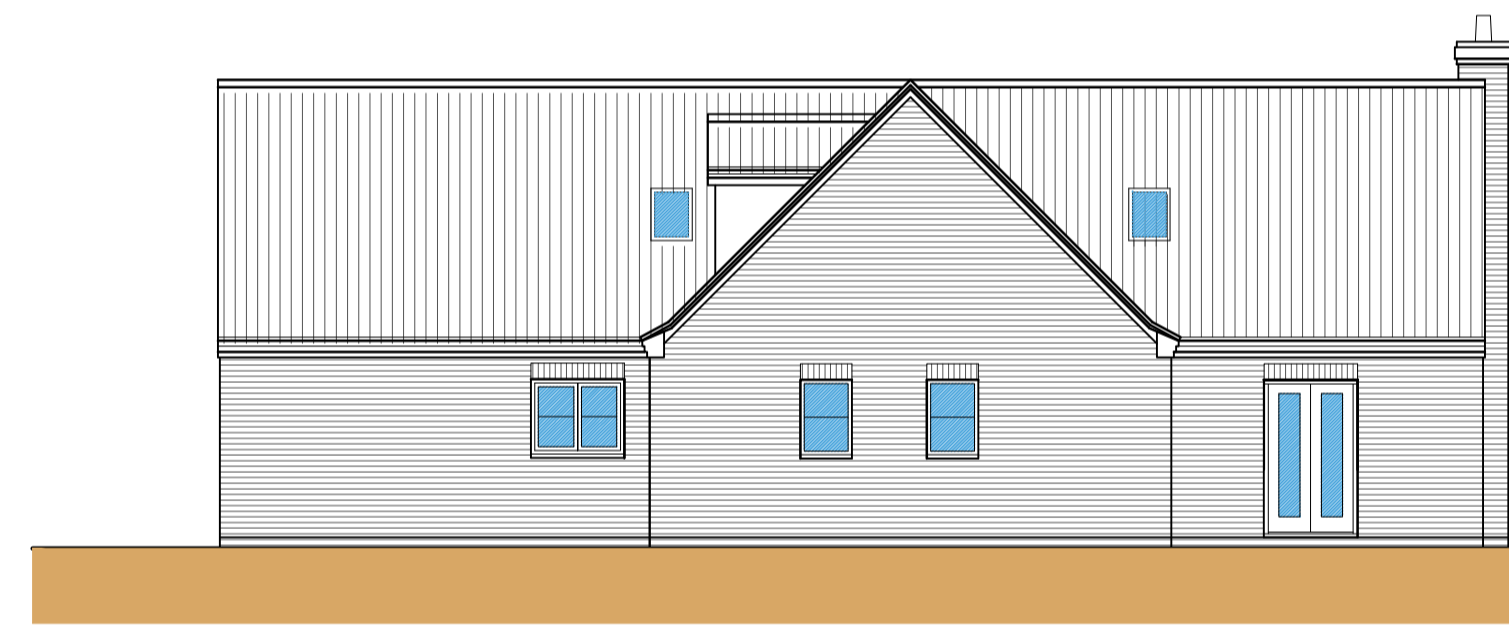
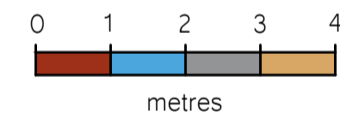
# Plot 4



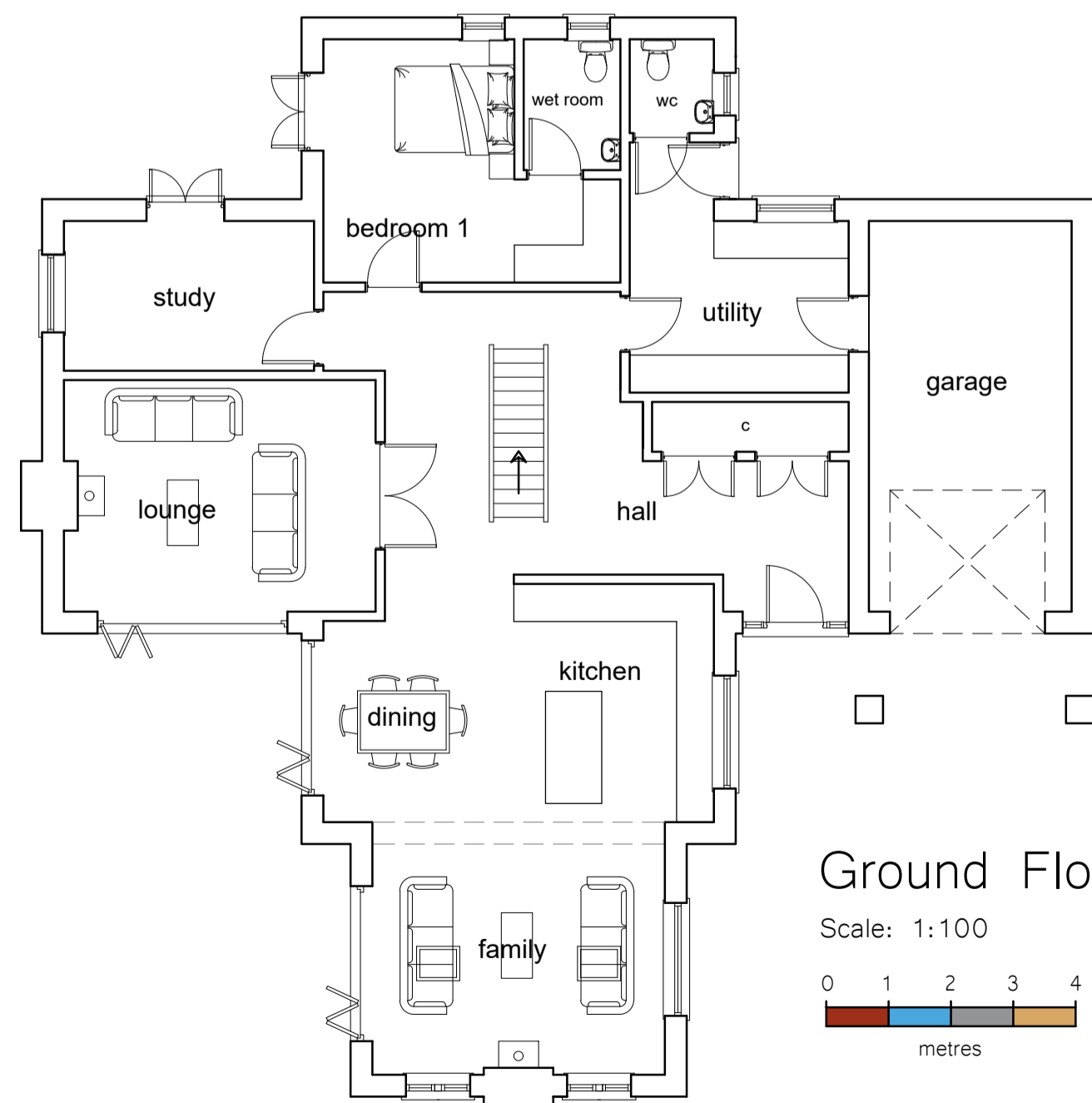
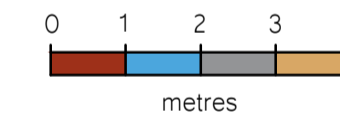
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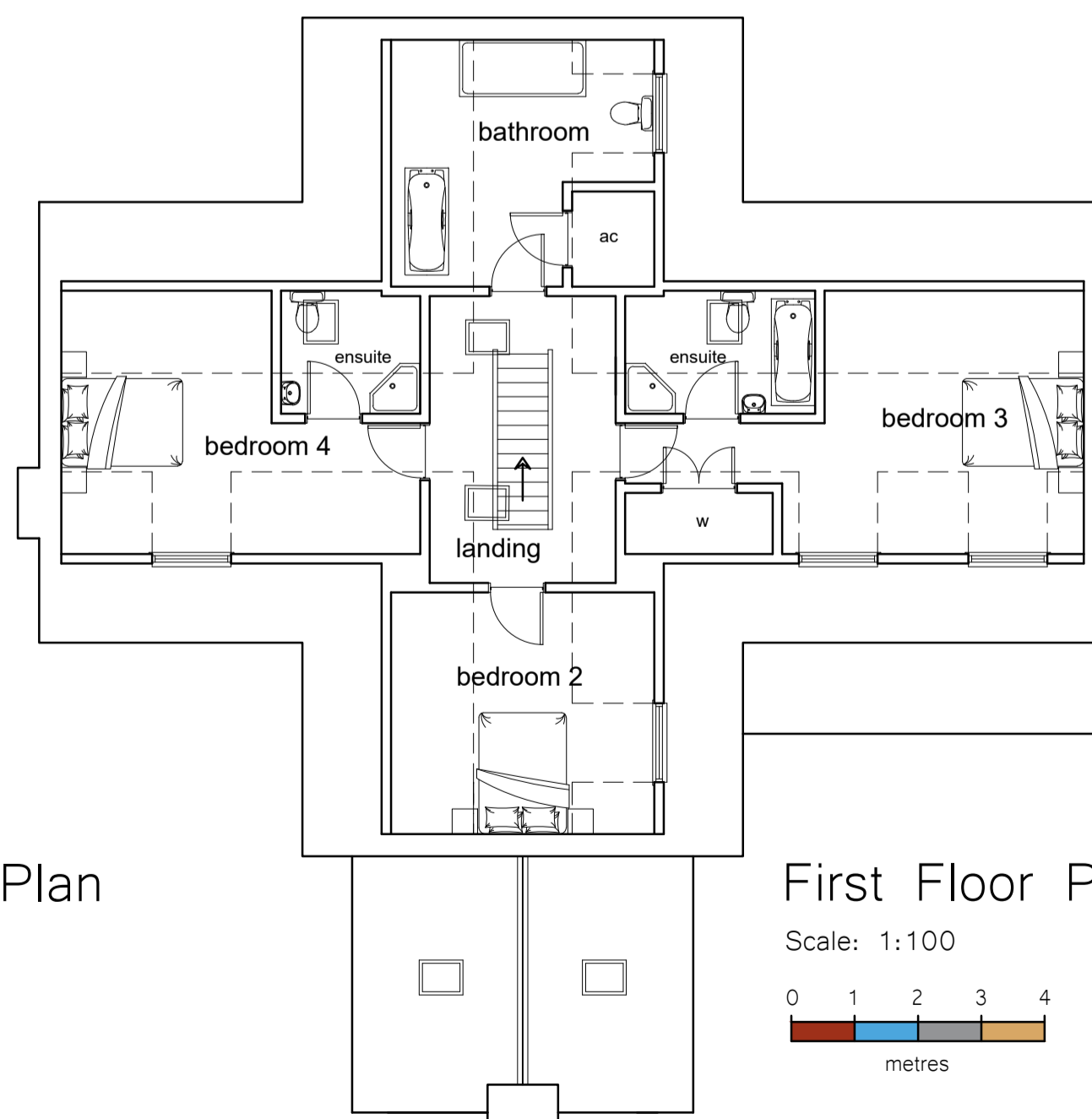
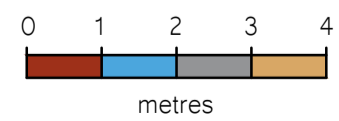
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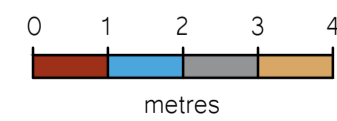
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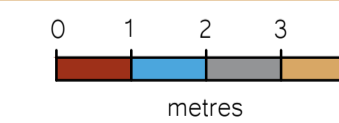
Ground Floor Plan  
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First Floor Plan  
Scale: 1:100



Side Elevation  
Scale: 1:100



Status  
**FOR APPROVAL**

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

Proposed Residential Development Brewery Gardens Person Drive, for: Mr&Mrs Bellamy & Mr&Mrs White	Job Title Date August 2021	Scale 1:100 Sheet Size A1
Planning Drawing Plots 3 & 4 Floor Plans and Elevations	Job No. SE-1281 Dwg No. PP1111	Drawn by G.E. Revision C



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**F/YR21/1369/F**

**Applicant: Mr & Mrs Khan**

**Agent: Mrs Alex Patrick  
Alexandra Design**

**West Barn, Broad Drove West, Tydd St Giles, Wisbech**

**Erect a 2-storey side extension and balcony to existing dwelling including 3.4 metre high (approx) gates/brick wall to entrance and alterations to entrance driveway**

**Officer recommendation: Refuse**

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

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## **1 EXECUTIVE SUMMARY**

- 1.1. This application seeks full planning approval to erect a 2-storey side extension and balcony to existing dwelling including the installation of 3.4 metre high (approx) gates/brick wall to the site entrance and alterations to the entrance driveway at West Barn, Broad Drove West, Tydd St Giles.
- 1.2. The application site has current planning permission for a similar scheme, that was approved in June 2021 (F/YR21/0333/F). During consideration of the earlier scheme, significant negotiations were undertaken with the applicant to resolve design issues pertaining to the proposal. The final design was considered to reflect the existing simplistic character of the barn and was approved on this basis. However, the application considered herein seeks a significant alteration to the scheme that was originally agreed that contradicts the agreed design of the earlier approval.
- 1.3. From the scale and design of the revised scheme, it is evident that the proposed extension will be overwhelmingly dominant in scale and massing when compared with both the existing dwelling and the previously approved extension scheme, which will result in the extension being significantly prominent in the wider countryside landscape, particularly when compared with the existing modest adjoining barn conversions, in contravention of Policies LP12 and LP16.
- 1.4. The below assessment considers that the proposed extension scheme is unacceptable with regard to design and character, and scale and massing at the detriment of the host dwelling and wider countryside landscape, in contravention of Policies LP12 and LP16 (d), and as such the recommendation is to refuse the application.

## 2 SITE DESCRIPTION

- 2.1. The site is located in Flood Zone 3, within the open countryside to the north side of Broad Drove West in Tydd St Giles. The host dwelling, West Barn, is a single storey, utilitarian, converted barn/stable building with a distinct character. It is the western most development in a complex of barns/stables made up of West Barn and a further conversion known as The Willows, that was likely historically linked as one unit. The development forms an inverted U-shape with the central courtyard (positioned to the rear elevation of West Barn) forming the amenity space associated with The Willows.
- 2.2. The conversion of the barns to dwellings has retained the original functional character of the barns and is well suited to the agricultural surrounds in which it is located.
- 2.3. The 0.8ha site is bounded by 1.2m post and rail timber fencing and mature vegetation with large, grassed areas either side of the gravel driveway access that includes a 5-bar timber entrance gate.

## 3 PROPOSAL

- 3.1. This application seeks full planning approval to erect a 2-storey side extension and balcony to existing dwelling including the installation of 3.4 metre high (approx) gates/brick wall to the site entrance and alterations to the entrance driveway.
- 3.2. The extension will project approximately 32m to the west of the existing dwelling, by a depth of approximately 5.3m. The 2-storey extension will include a gable roofline reaching a maximum ridge height of approximately 6.7m and an eaves height of approximately 5m for the entire length of the extension. Furthermore a 1.7m x 3.4m balcony is proposed to the western side elevation, at a height of approximately 2.7m. The extension is proposed to facilitate 2 bedrooms, a library, gym and family room on the ground floor, and a further 6 en-suite bedrooms on the first floor.
- 3.3. In addition to the extension, there are proposed alterations to the windows and doors of the main dwelling, both on the eastern and western elevations.

## 4 SITE PLANNING HISTORY

F/YR21/0333/F	Erect a part 2-storey, part single-storey side extension to existing dwelling including 3.4 metre high (approx.) gates/brick wall to entrance and alterations to entrance driveway	Granted 18.06.2021
F/YR13/0643/F	Erection of extension for additional stables and store room to existing stable yard	Granted 18.10.2013
F/YR08/0732/F	Erection of extension for additional storage to existing stables	Granted 19.09.2008
F/YR03/1357/F	Change of use of barn to 4-bed bungalow The Willows Broad Drove West	Granted 30.01.2004
F/YR02/1295/F	Change of use of barn to 4-bed bungalow and erection of stable block and garage Chestnut House Broad Drove West	Granted 06.02.2003
F/YR02/1294/F	Change of use of barn to 3-bed dwelling for use as holiday accommodation/annexe to existing dwelling The Willows Broad Drove West	Granted 06.02.2003

## **5 CONSULTATIONS**

### **5.1. North Level Internal Drainage Board**

*North Level District IDB has no comment to make with regard to this application.*

### **5.2. Tydd St Giles Parish Council**

*The members of the Parish Council's Planning Committee considered this application at their recent meeting. They resolved to offer no objection.*

### **5.3. Local Residents/Interested Parties – No comments received**

## **6 STATUTORY DUTY**

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

## **7 POLICY FRAMEWORK**

### **7.1. National Planning Policy Framework (NPPF) July 2021**

Para 2 – Applications be determined in accordance with the development plan;

Para 11 – Presumption in favour of sustainable development;

Para 80 – Development within the countryside;

Para 110 – 112 – Promoting sustainable transport;

Para 130 – Creation of high quality buildings;

Para 159 – Development in flood risk areas;

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

### **7.3. National Design Guide**

Context

Built Form

### **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

LP12 - Rural area 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 KEY ISSUES**

- **Principle of Development**
- **Character and design**
- **Rural Areas Development**
- **Residential Amenity**
- **Flood risk**
- **Other Considerations**

## **9 BACKGROUND**

- 9.1. The application site has current planning permission for the erection of a part 2-storey, part single-storey side extension to existing dwelling including the installation of 3.4 metre high (approx.) gates/brick wall to entrance and alterations to entrance driveway, that was approved in June 2021 (F/YR21/0333/F).
- 9.2. During consideration of the above scheme, significant negotiations were undertaken with the applicant to resolve design issues pertaining to the proposal. Originally, the scheme sought to include design features that were not considered in keeping with the character of the existing barn. Several iterations of the design of the scheme were put forward by the applicant, including floor layouts that would mask large swathes of the existing barn (eroding its character) and the use of extensive glazing, Juliet balconies and high ridge and eaves heights, etc on the proposed extension, which were considered wholly inappropriate in the context of the barn. During extensive consideration of the scheme, the LPA offered significant advice to the applicant on what would be considered appropriate in the spirit of working proactively with the applicant to finalise a scheme that would address the applicant's needs whilst maintaining the overall utilitarian character of the barn in this rural setting, to which the applicant obliged.
- 9.3. The final design was considered to reflect the existing simplistic character of the barn and was approved on this basis, retaining the interest and character of the existing barn and offering a substantial new addition that would be in keeping with the surrounding countryside.
- 9.4. However, the application considered herein seeks to erect a 2-storey side extension and balcony to existing dwelling including 3.4 metre high (approx) gates/brick wall to entrance and alterations to entrance driveway, which is a significant alteration to the scheme that was originally agreed. It should be noted that the LPA did approach the applicant to consider amending the design of the scheme, considered herein, to be more in keeping with its surrounds, but this opportunity was rejected by the applicant.

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1. The site is located in the open countryside to the south west of the village of Tydd St Giles. Accordingly, the principle of development will be supported in regard to the Rural Areas Development Policy LP12, where it can be established that the development will not harm the wide-open character of the countryside.
- 10.2. Furthermore, the principle of development would be supported where it meets the necessary criteria of the Local Plan with regard to character and amenity (Policy LP16), and any site constraints such as flood risk (LP14) or highway safety (LP15) that would render the scheme unacceptable.

## **Character and design**

### Extension

- 10.3. The proposed extension is intended to reflect the previously agreed shape of the approved scheme, set perpendicular to the west of the existing dwelling. As before, this orientation is considered to reflect the existing inverted U-shape of the existing complex of barns comprising West Barn and The Willows and is acceptable in terms of its orientation.
- 10.4. However, this revised scheme will see the entirety of the extension raised to a substantial 2-storey height, reaching a maximum ridge height of approximately 6.7m, with eaves to reach a maximum height of approximately 5m for the entirety of its near 32m length. For context, the 2-storey element of the earlier approved scheme was proposed to reach 6.3m to the ridge and 4m to the eaves for approximately 20m before dropping to single storey height for the remainder. Furthermore, the existing barn at the site reaches a modest 4.1m to its ridge and 2.5m to its eaves.
- 10.5. Therefore it is evident that the proposed extension will be overwhelmingly dominant in scale and massing when compared with both the existing dwelling and the previously approved extension scheme, which will result in the extension being significantly prominent in the wider countryside landscape, particularly when compared with the existing modest adjoining barn conversions, in contravention of Policies LP12 and LP16.
- 10.6. Furthermore, the proposed extension intends to include significant areas of glazing and timber clad panelling to the front, rear and side elevations. However, the main dwelling has significant historical and architectural merit with regard to its external appearance. As such, the proposed external materials and design features of the proposed extension will detract from the existing simplistic, utilitarian style of the host dwelling, which may also detrimentally impact on its historic character. Ultimately it is considered that the overall scheme would result in the extension appearing totally out of character when compared with the existing dwelling, and could no longer be considered to read as a natural progression of barns alongside the existing barn complex to which it belongs. The overall design of the extension would instead appear dramatically contemporary and jarring with the overall rural character of its subservient host in contravention of Policy LP16.
- 10.7. Despite the distance of the proposed extension from the highway, the overall scale of the proposed development may result in the scheme being particularly apparent within the wider landscape. This, coupled with its intended contemporary design will be a dominant and incongruous feature in an area of sporadic rural development, which may impact the character of the open countryside in contravention of Policy LP12.
- 10.8. Given the above, it is considered that the proposed extension scheme is unacceptable with regard to design and character, and scale and massing at the detriment of the host dwelling and wider countryside landscape, in contravention of Policies LP12 and LP16 (d), and can therefore not be supported.

### Gates

- 10.9. The proposed gates/brick piers are somewhat out of character with the utilitarian nature of the host dwelling and surrounds. However, the proposed gated offered within this application are no different to those on the previous approval under F/YR21/0333/F and are therefore considered acceptable.

### **Residential Amenity**

- 10.10. The proposed extension is positioned such that there will be negligible impacts to neighbouring residential amenity. The proposed extension will be positioned approximately 30m from the nearest residential dwelling to the east, The Willows, and as such there will be no issues of overlooking or overshadowing to reconcile from this element of the works. Furthermore, there are no instances of neighbouring dwellings to the north or west of the site that will be impacted by the proposed extension. The minor changes proposed to openings within the host dwelling's western elevation will have no issues to reconcile with regard to residential amenity owing to the lack of additional properties to this side. Similarly, the inclusion of a balcony proposed to the west side elevation of the extension will offer no issue to residential amenity to reconcile.
- 10.11. The main impact to residential amenity will be regarding the proposed windows and doors to the rear elevation of the main dwelling. However these are the same as previously approved under F/YR21/0333/F, and any issues to residential amenity here could be safeguarded by the imposition of necessary planning conditions to ensure the scheme conforms to Policies LP2 and LP16 (e).
- 10.12. Notwithstanding, negligible impacts to residential amenity does not overcome the issues relating to impacts on design and character as considered above.

### **Flood risk**

- 10.13. The application site is located in Flood Zone 3.
- 10.14. Guidance from the Environment Agency suggests that extensions less than 250m<sup>2</sup> within flood zone 3 can be permitted as long as floor levels are set no lower than existing levels, to mitigate the risk of flooding of the development. The submitted plans depicting the proposed extensions suggest that that floor levels within the extension will match the existing property.
- 10.15. Notwithstanding, the application was supported by a site-specific flood risk assessment that included evidence with regard to flood risk at the site. The flood risk assessment stated that on site surface water drainage will be discharged to soakaways designed to BRE365 requirements, building regulations approval and consultation with local drainage officers if required.
- 10.16. The site lies within the North Level Internal Drainage Board area and were subsequently consulted. However, no comment was made in regard to this application, and in light of the fact that the use is established on site, it is considered reasonable to determine that this part of the proposal is acceptable in terms of flood risk.

10.17. The LPA therefore accept that due consideration has been given to flood risk at the development site and given the established use of the site deem the proposals conform to Policy LP14 of the Fenland Local Plan.

### **Other Considerations**

10.18. The scheme has no implications with regard to private amenity space to address with regard to Policy LP16 (h) as the remaining private amenity space reserved for West Barn is significant.

10.19. Cumulatively the proposed scheme together with the existing dwelling will comprise of 8 bedrooms. Appendix A Parking Standards of the Fenland Local Plan requires dwellings of four bedrooms or more to provide a minimum of three parking spaces. On visiting the site, the Case Officer observed that the parking availability at the site is ample and would allow for the parking of several vehicles and as such the provision is considered acceptable and complies with Policy LP15 with regard to parking provision.

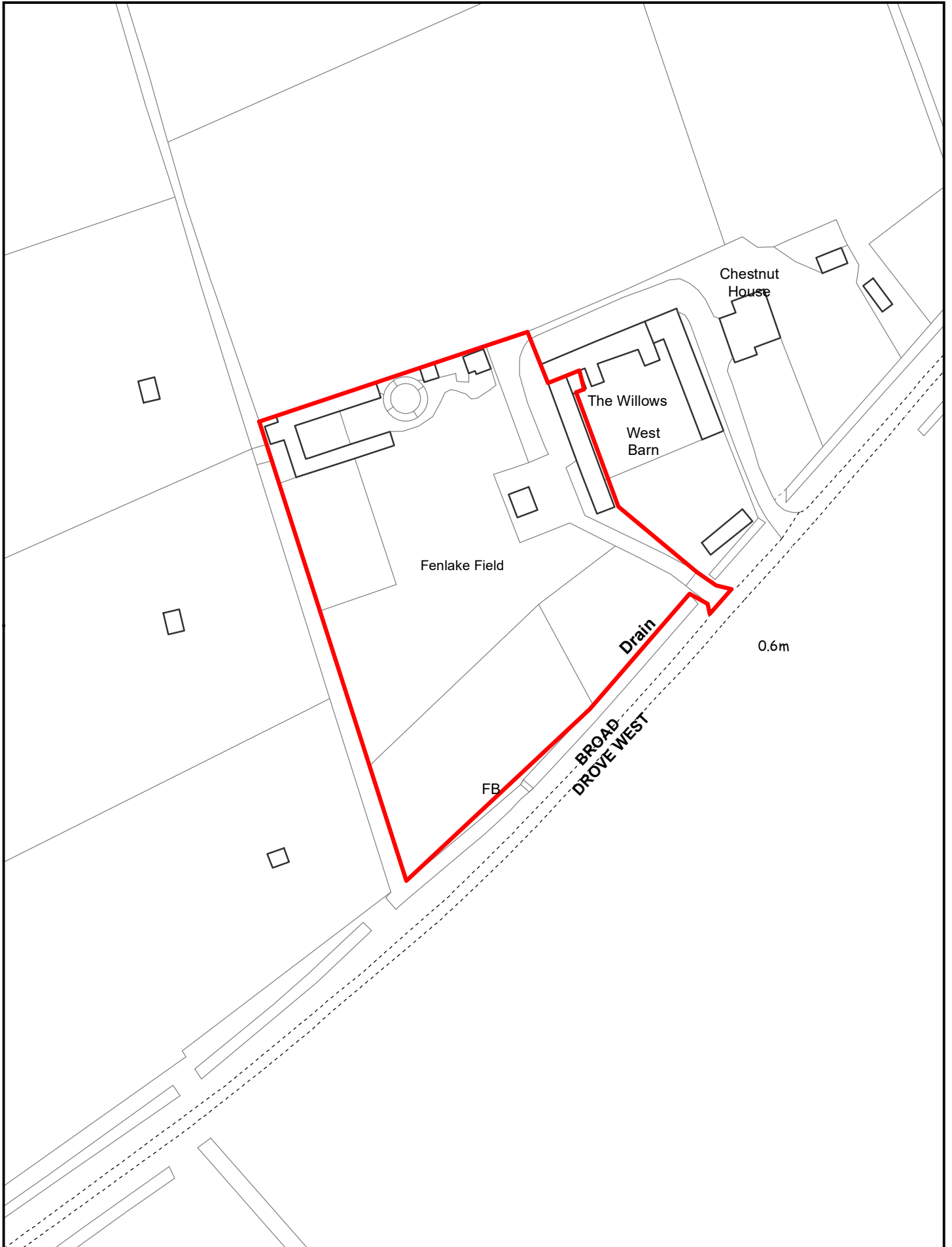
## **11 CONCLUSIONS**

11.1. On the basis of the consideration of the above issues the proposed scheme fails to comply with Policies LP12 and LP16(d) owing to the harm caused to the character and appearance of the area by virtue of the scale and massing of the extension alongside issues pertaining to its intended contemporary character being at odds with the subservient and simplistic style of host dwelling. As such it is concluded that the application is contrary to the relevant planning policies of the development plan and must therefore be recommended for refusal.

## **12 RECOMMENDATION**

**Refuse**, for the following reason;

1	Policy LP12 seeks to support development that does not harm the character of the countryside. Policy LP16 (d) of the Fenland Local Plan (2014) and Policy DM3 of Delivering and Protecting High Quality Environments in Fenland Supplementary Planning Document (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, reinforcing local identity and does not adversely impact, either in design or scale terms, on the landscape character of the surrounding area. By virtue of its design, scale and mass the proposed development situated to the west of the existing host dwelling, a simple historic barn conversion, known as West Barn, would appear incongruous and dominant within the wider rural landscape and would therefore be to the detriment of the character and appearance of the area. As such, the proposal would be contrary to the requirements of the Policies LP12, LP16(d) and DM3 (2014).
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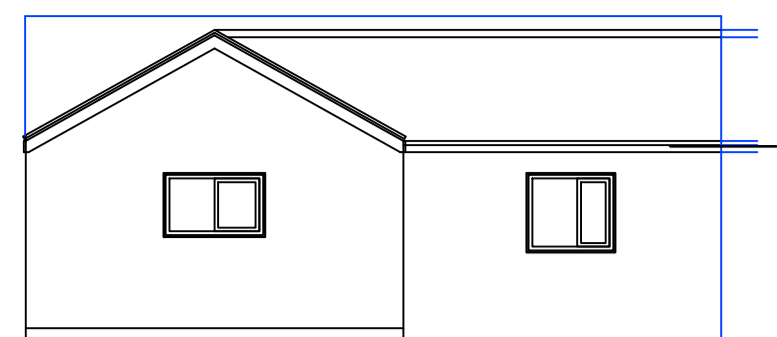
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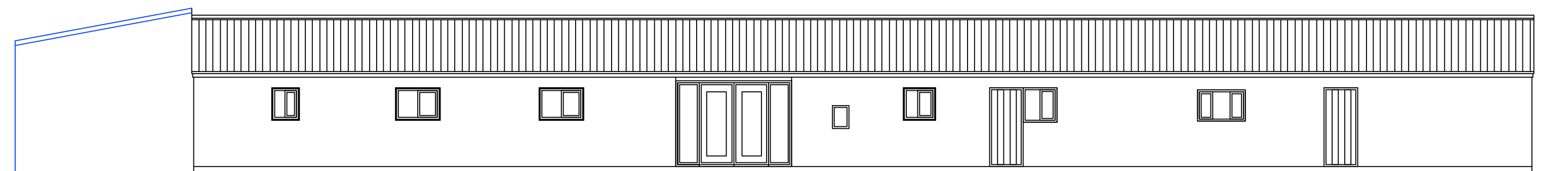
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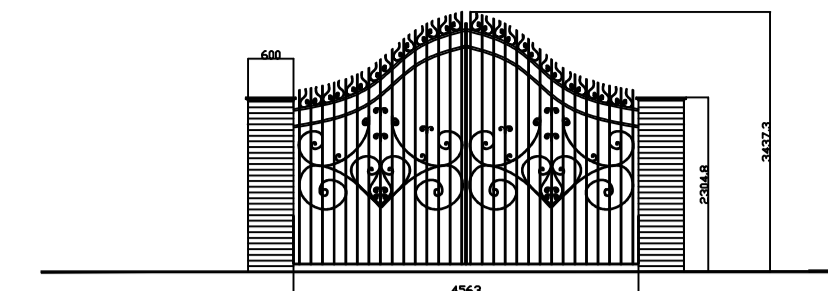




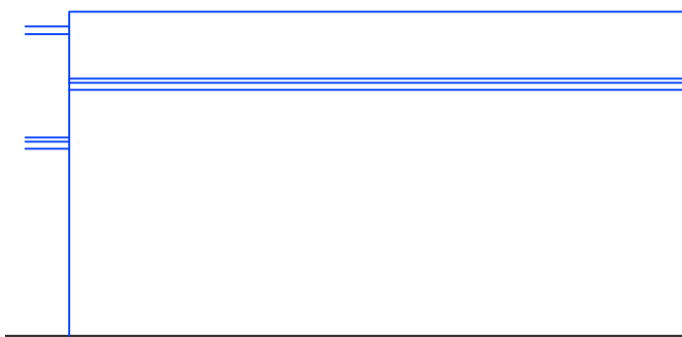
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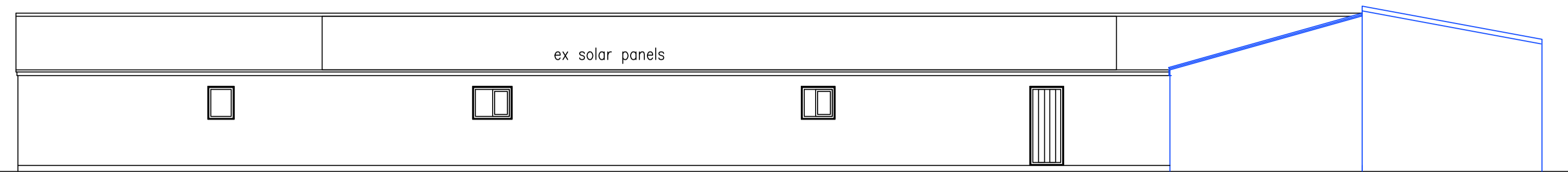
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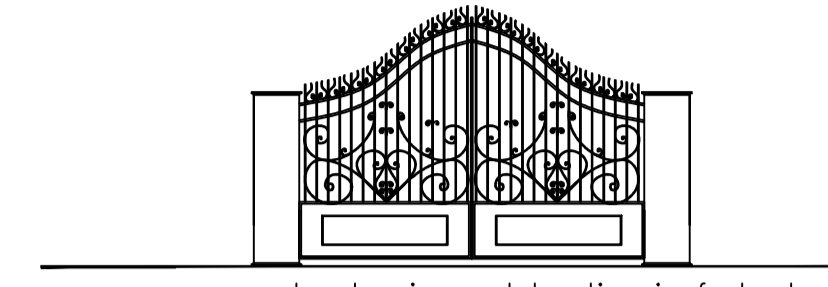
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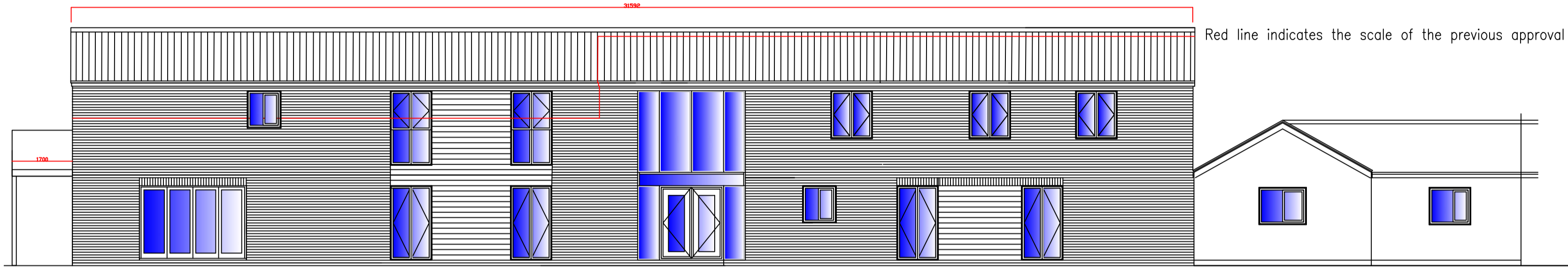
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Existing Side Elevation 1:100

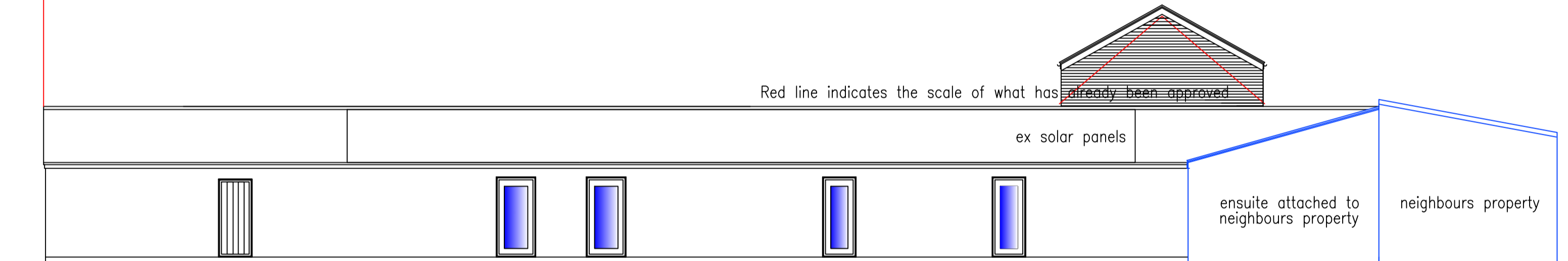
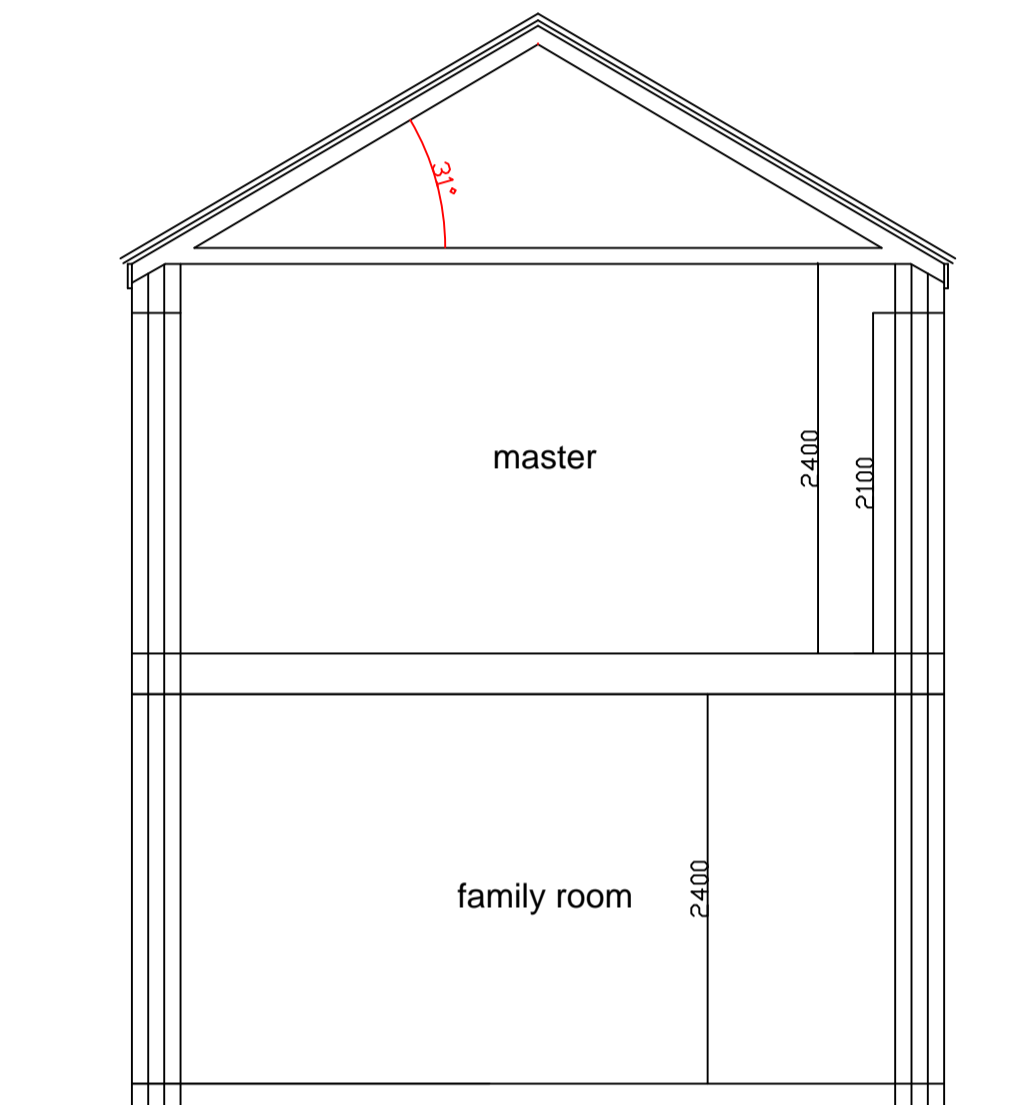


approved gates in rural location in fenland F/YR20/1096/F



Proposed Front Elevation 1:100

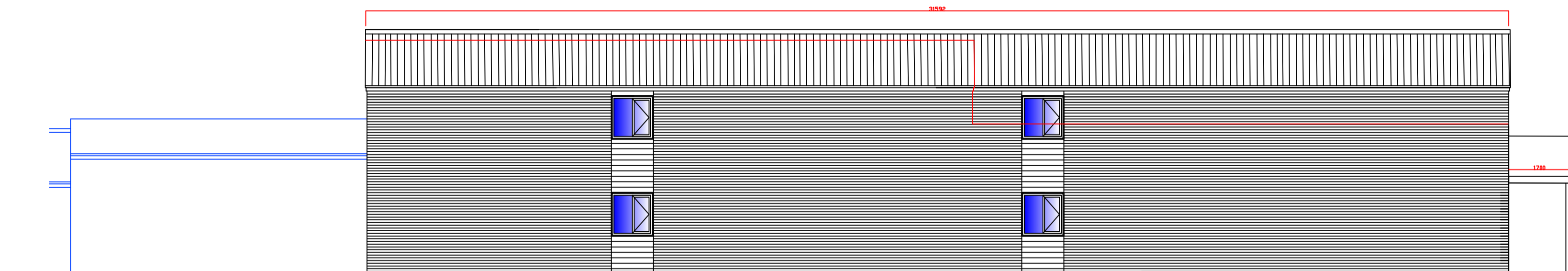
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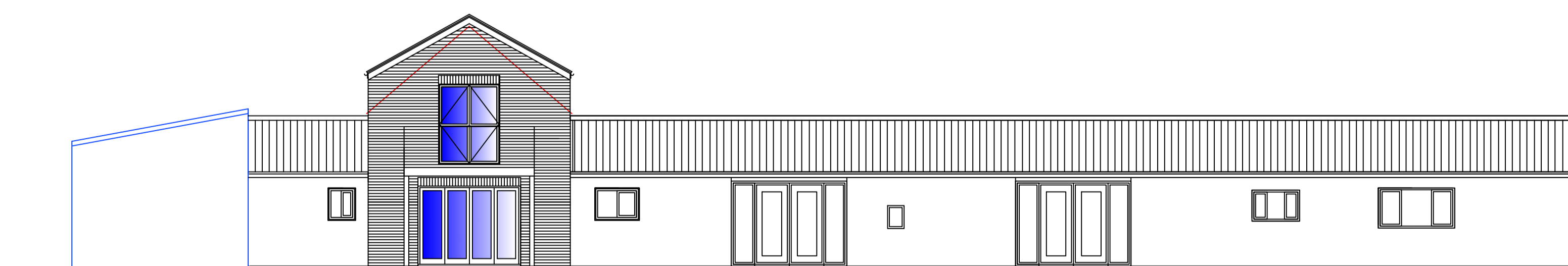
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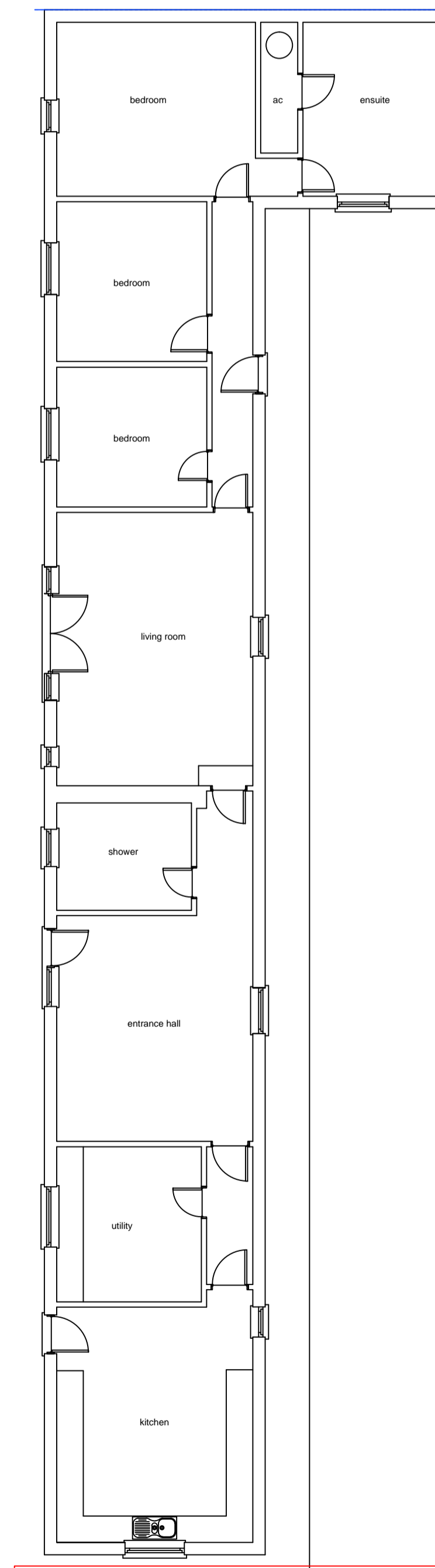
ensuite attached to neighbours property



Proposed Rear Elevation 1:100



Proposed Side Elevation 1:100

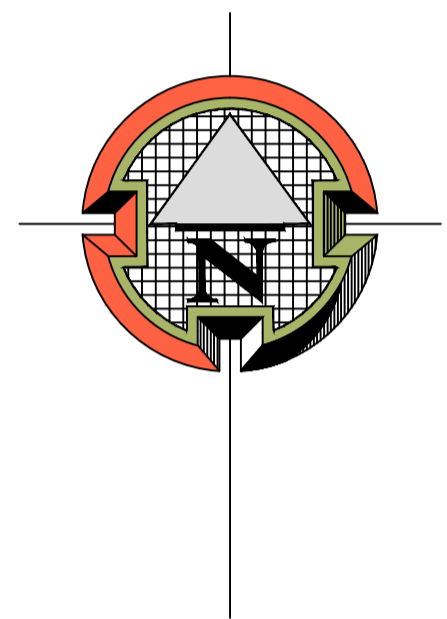


Existing Floor Plan 1:100



Existing Location Plan 1:1250

General Notes:  
-Dimensions on all drawings are shown in "mm".  
-The contractor,sub-contractor and supplies must verify all dimensions before commencement of any works on site.  
-This drawing is to be read in conjunction with any relevant engineers and specialist sub-contractor drawings and specifications.



Revisions:

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106/pl01

Pages:  
1

Scale:  
as shown

Project:  
Proposed extension, alteration of drive and installation of a gated entrance

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West Barn  
Broad Drive West  
Tydd St Giles

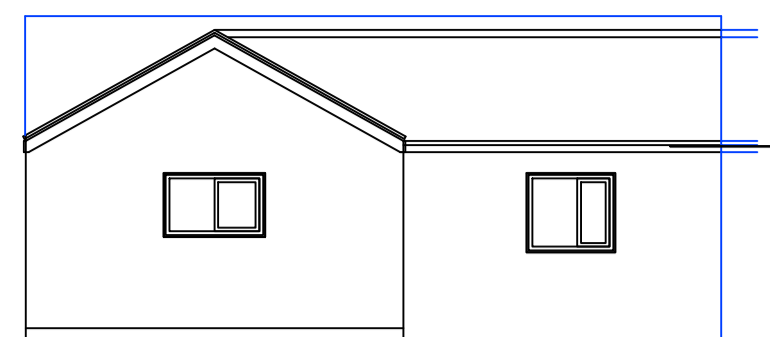
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Mr and Mrs Khan  
West Barn  
Broad Drive West  
Tydd St Giles

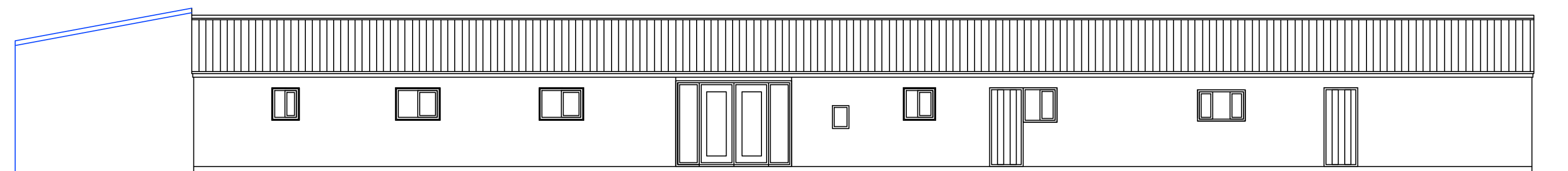


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Seadyke Bank  
Murrow  
Cambridgeshire  
PE13 4SD

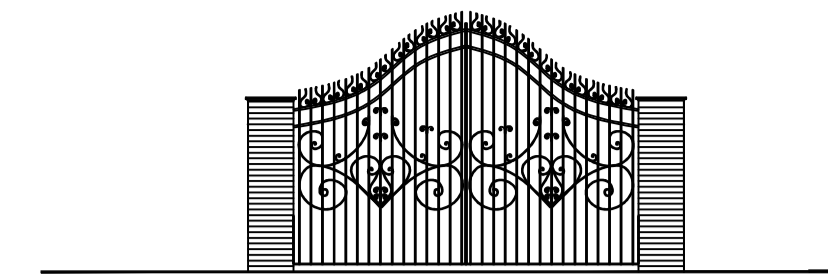
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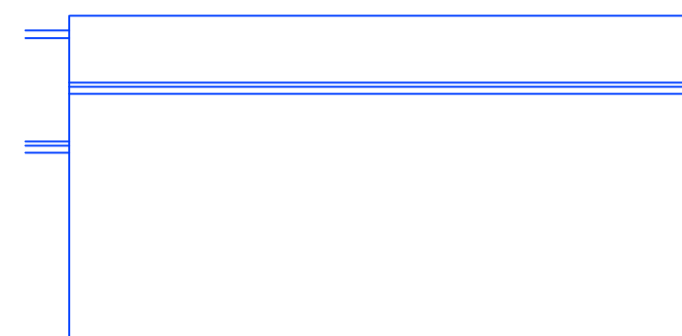
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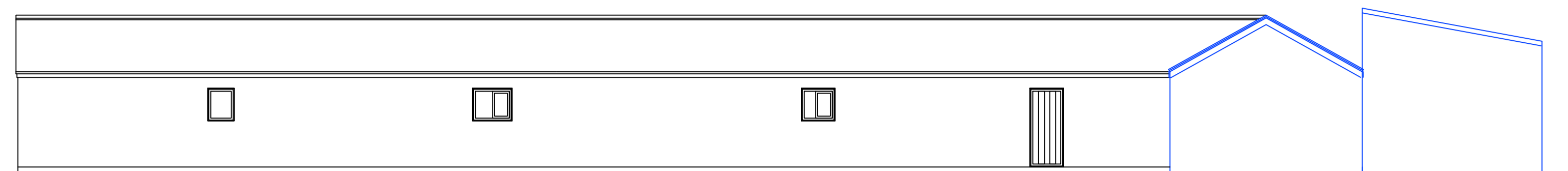
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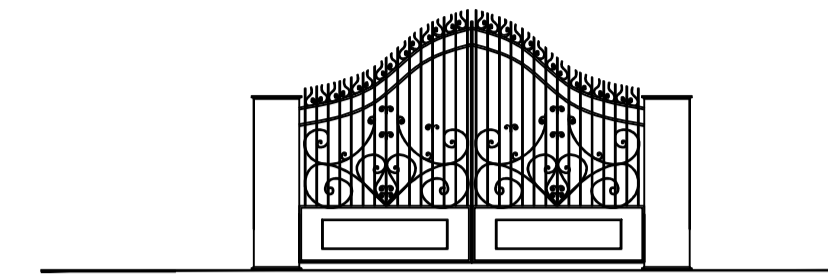
Proposed Gated entrance 1:100



Existing Rear Elevation 1:100



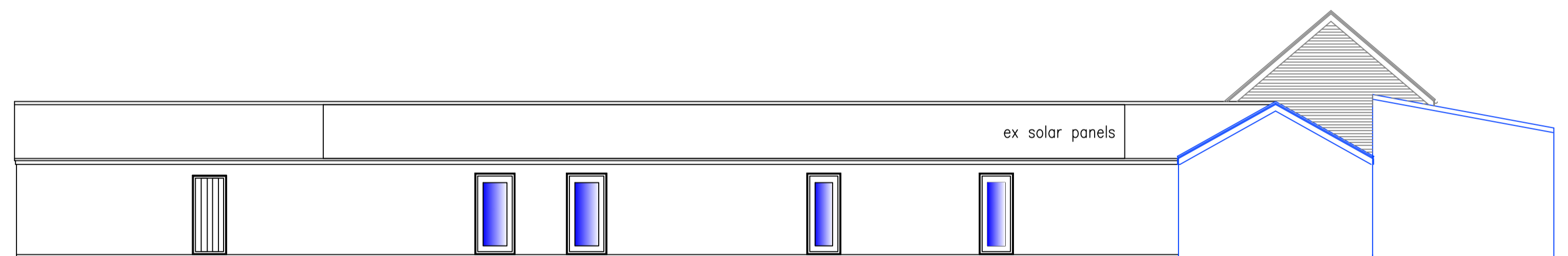
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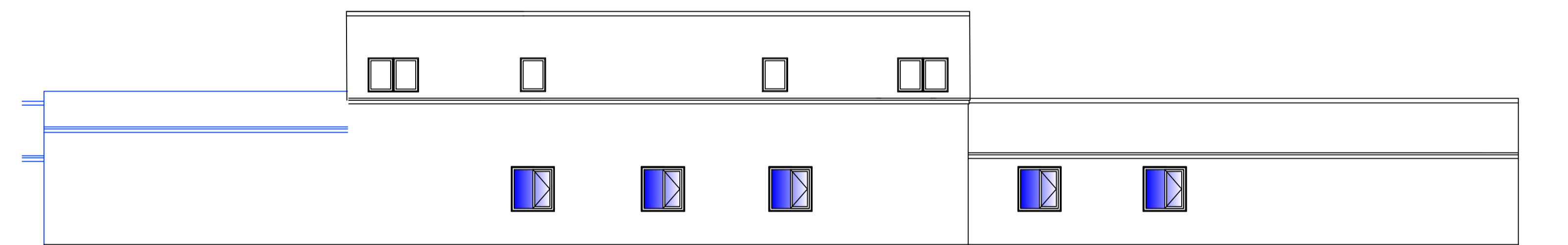
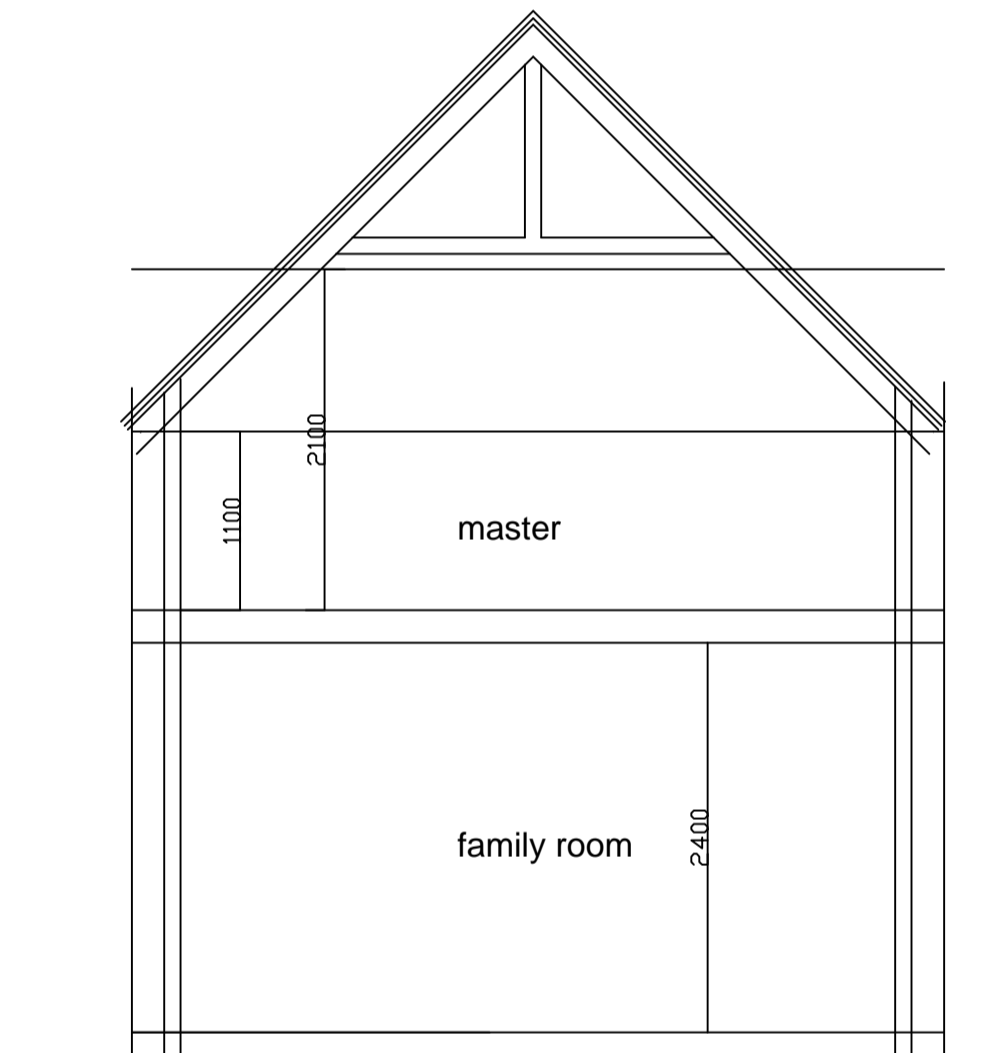
approved gates in rural location in fenland F/YR20/1096/F



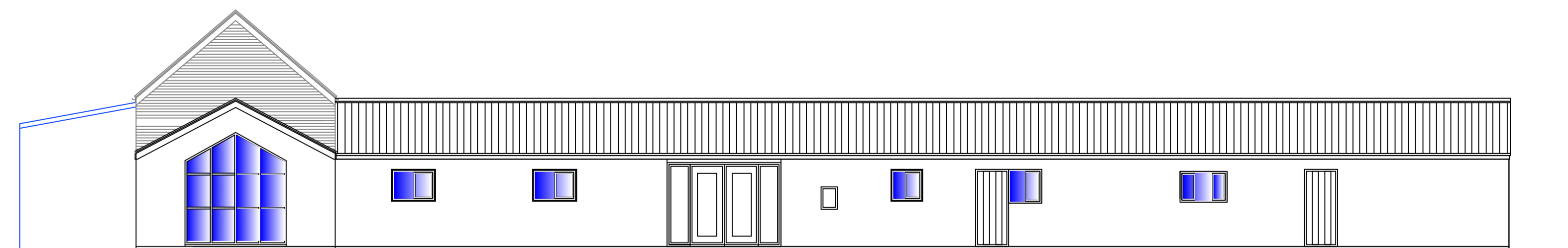
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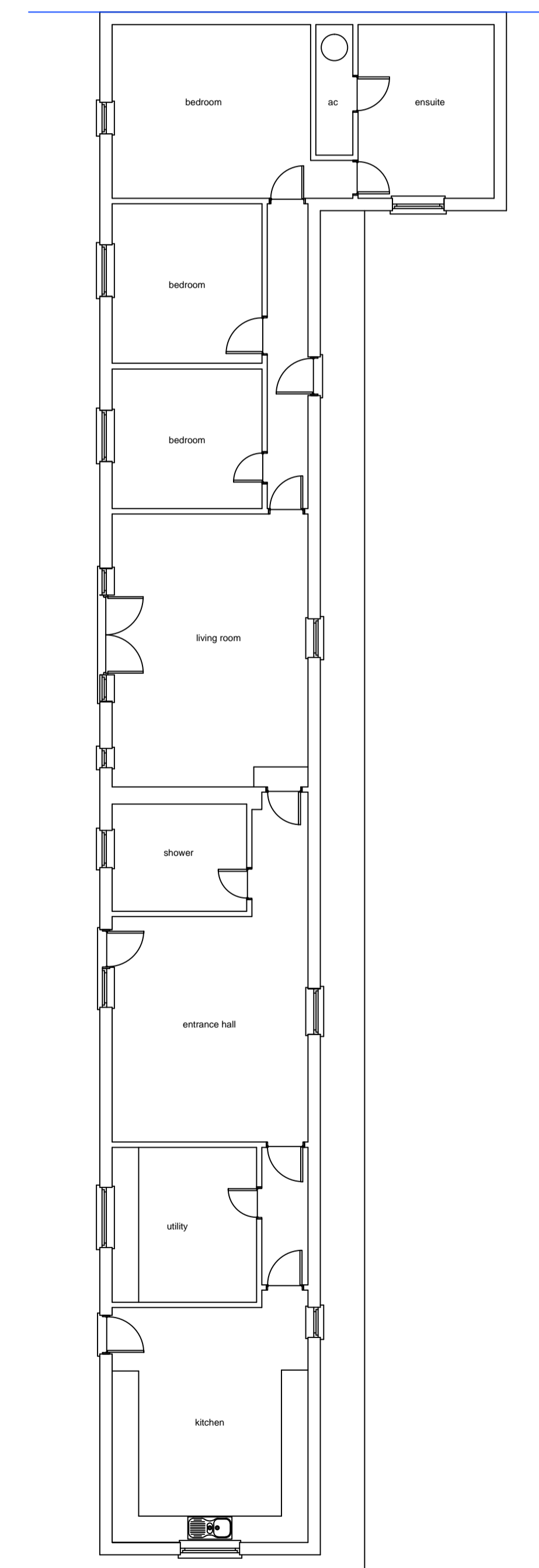
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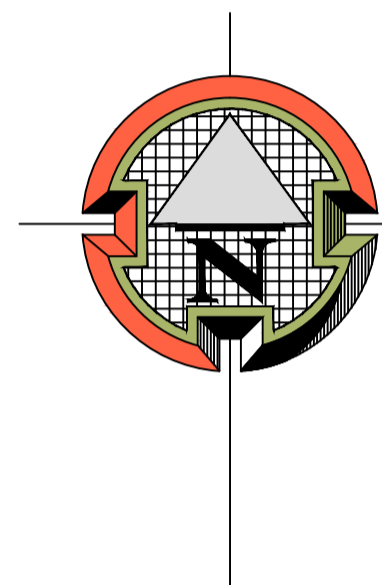
Proposed Rear Elevation 1:100



Proposed Side Elevation 1:100



Existing Floor Plan 1:100



General Notes:  
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Revisions:

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rev C

Pages:  
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Scale:  
as shown

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Proposed extension, alteration of drive and installation of a gated entrance

Site Address:

West Barn  
Broad Drove West  
Tydd St Giles

Client:

Mr and Mrs Khan  
West Barn  
Broad Drove West  
Tydd St Giles



Southfork Farm  
Seadyke Bank  
Murrow  
Cambridgeshire  
PE13 4SD

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**F/YR21/1424/F**

**Applicant: Conservative Club**

**Agent : Mr David Broker  
David Broker Design Services**

**Land North Of 34, Whitmore Street, Whittlesey, Cambridgeshire**

**Erect 3 x 3-bed 2-storey terraced dwellings with associated parking area**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations received contrary to officer recommendation.**

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## **EXECUTIVE SUMMARY**

- 1.1 The proposal is for the erection 3 x 3-bed 2-storey dwellings
- 1.2 The proposal site is part of the Conservative Club car park on Whitmore Street in Whittlesey
- 1.3 The Town Council recommends refusal on the grounds of access, the properties are being enclosed within the curtilage of the car park.
- 1.4 A large number of respondents (10) have supported the scheme on grounds of location close to the town centre and local financial benefits and 1 objection on grounds that future residents would be affected by activities in the car park of the Conservative Club.
- 1.5 It is considered that the design and scale of the proposed development would be out of keeping with the area, would result in unacceptable living conditions for future occupiers of the development, would compromise the function of the Conservative Club owing to the loss of parking and no justification has been provided for the loss of part of the community facility as required by prevailing policies.
- 1.6 The recommendation is therefore for the application to be refused.

## **2. SITE DESCRIPTION**

- 2.1 The proposal site is part of the Conservative Club car park located to the rear of the Club and accessed from Whitmore Street, and the development is proposed to be located in the north-eastern corner of the site. An area photo of the site shows that there are currently about 43 parking spaces on the site
- 2.2 The Conservative Club building is within the Conservation Area boundary whilst the proposed development area is outside of it. The Club is also located within close proximity to the town centre.

2.3 The site is located within Flood Zone 1 in accordance with the Environment Agency Maps.

### **3. PROPOSAL**

3.1 The applicant proposes to erect 3 x 3-bed 2-storey terraced dwellings consisting of kitchen/diner, living room and cloakroom on the ground floor and three bedrooms and a bathroom on the first-floor.

3.2 The development would be finished in facing brick and Redland Terracotta double pantiles.

3.3 The proposed terrace of 3 will be oriented in a north-east to south-west direction with its principal elevation facing into the Conservative Club car park. 6 car parking spaces are shown immediately to the front of the dwellings, with an area of garden to the rear of the properties with the two end properties also having space to the sides.

### **4. SITE PLANNING HISTORY**

F/YR21/0032/F, Erect 4 x 3-bed 2-storey dwellings, Withdrawn.

### **5. CONSULTATIONS**

#### **5.1 Whittlesey Town Council:**

*The Town Council recommend refusal on the grounds of access, the properties are being encased within the curtilage of the car park and is contrary to LP3.*

#### **5.2 Archaeology:**

*Although this site lies in an area of archaeological potential within the historic core of Whittlesey, where medieval settlement remains have previously been identified to the south east and south-west along the line of Whitmore Street, an archaeological evaluation consisting of three trial trenches carried out only 25m to the east of the site redline did not reveal any archaeological features or finds, and all deposits identified were modern (Cambridgeshire Historic Environment Record reference ECB4223). In light of this evidence, we do not consider that an archaeological investigation of the small areas of impact of the proposed development currently under consideration would be likely to yield significant additional evidence to contribute to our understanding of the archaeological character of the area and consequently would not be justifiable under the terms of the NPPF if the anticipated outcome of such an investigation is weighed against the viability of the development. Consequently, we wish to raise no objections or requirements to the development.*

*We would however request to be consulted again if the scale of development proposed in this location changes, as that could materially alter the planning balance with regard to archaeological works.*

#### **5.3 Environmental Health:**

*I refer to the above application for consideration and would make the following observations. 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.*

*As the proposed development site is currently used as a car park, a condition is suggested to be imposed in the event planning consent is granted regarding unsuspected contamination.*

**5.4 FDC Conservation Officer:**

*There is no objection to this application but unfortunately, the current scheme, though different, has similar issues of design as the previous one. The central gable feature and hipped roof detail now serves to present a development that is out of scale with its surroundings. The ridge height is virtually unchanged from the previous scheme, so these comments are advisory only, but a simple terrace would be more in keeping with the properties within the setting of the conservation area. However, the success of any scheme hinges on the quality of the materials used and those provided would make an attractive development. The use of any alternative material would amount to a variation and should require prior approval.*

*Of greater consideration is the listed mud wall which forms the boundary to the entrance of the site. The setting of the wall is a busy road, driveway and car park and surrounded by buildings. It is not felt that there is any element of its original historic setting that remains, and so there is no concern regarding the development on the setting of the wall – the impact will be neutral. However, great care must be taken during the construction phase to ensure that no damage arises or is caused to the mud wall. A condition is suggested to protect the wall from collision or vibrations during construction.*

**5.5 Ward Member (Cllr Chris Boden)**

*The reduction from four dwellings in a previous application for this site to three dwellings is welcome. This addresses the overdevelopment concerns when it was proposed to develop this site for 4 dwellings*

*Access to and from the site is via an established entrance and exit for the existing club premises. With the reduction in club car parking spaces, I don't believe that the development would result in an increase in traffic using that exit and entrance to/from Whitmore Street.*

*There is clearly sufficient remaining parking on the site to accommodate needs*

*I have in the past been a member of the club but haven't been so since 2020*

*Taking these matters into account, on balance I support the application.*

**5.5 Local Residents/Interested Parties:**

One objection has been received from a resident of Mayfield Road, Eastrea, on the grounds that future residents would be affected by activities in the car park.

10 responses have been received from residents of Viking Way, Mountbatten Way, Munday Gardens, Childers Street, Drybread Road, Whitmore Street and two from Eastrea Road, Whittlesey and two from residents of Coates Road, Coates, supporting the application on the grounds of:

- Whittlesey needs housing
- Proximity to town centre
- Not overdevelopment
- No traffic impacts

- local financial benefits associated with the development, particularly to the Conservative Club.

It should be noted that several of the letters of support state they are from members of the Club, as well as the Club secretary.

## 6. STATUTORY DUTY

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).
- 6.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

## 7. POLICY FRAMEWORK

### National Planning Policy Framework (NPPF)

### National Planning Practice Guidance (NPPG)

### National Design Guide 2019

Context  
Identity  
Built Form  
Movement

### 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  
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District  
LP17 – Community Safety  
LP18 – The Historic Environment

### Whittlesey Draft Neighbourhood Plan 2021-2040 (Draft Plan out to consultation)

Policy 1 - Spatial Strategy  
a. Whittlesey is the main centre for growth  
Policy 2 - Local Housing Need  
Policy 7 - Design Quality  
Policy 8 - Historic Environment  
Policy 12 - Delivering Sustainable Transport

Limited weight can be given to the plan at this stage.

## 8. KEY ISSUES

- 8.1 The key issues arising in relation to this development are:

- **Principle of Development**
- **Design Appearance and Impact on the Area**
- **Residential Amenity**
- **Parking and Access**
- **Economy and Protection of Community Facilities**

These are assessed in turn below.

## **9. BACKGROUND**

- 9.1 A previous application for a development of 4 dwellings on the site was withdrawn when it was apparent that the scheme would be recommended for refusal on the grounds of possible harm to the character of the site and the area and insufficient residential amenity owing to a cramped form of development. The current scheme seeks to overcome the possible refusal reasons and as such has reduced the units to 3 to allow adequate residential amenity to be accorded for each unit.

## **10. ASSESSMENT**

### **Principle of Development**

- 10.1 The proposal site is located within the built-up part of Whittlesey which, in accordance with the settlement hierarchy set out in Local Plan Policy LP3 of the Local Plan, is identified as one of four market towns where development is encouraged to take place. The proposal is also just outside the town centre boundary. There are no policies to indicate that the principle of residential development in this area would not be acceptable. It is important to note that this point of general principle is subject to broader planning policy considerations and other relevant material considerations which will be discussed in more detail below

### **Design, Appearance and Impact on the Area**

- 10.2 Paragraph 126 of the National Planning Policy Framework 2021 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This is further reflected in Local Plan Policy LP16 which seeks to deliver and protect a high-quality environment for those living and working within the district. Both national and local policies seek to ensure that development is only permitted if, among other criteria, it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, reinforces local identity and does not adversely impact, either in design or scale terms, the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.3 The proposal site is a backland location, forming part of the car park of an existing commercial building (the Conservative Club) which may be considered as a community facility and an employment generator.
- 10.4 As with the previous scheme, the currently proposed development would be located in the north-eastern corner of the site and oriented in a north-east to south-west direction, backing against an existing wall and facing into, what would be, the remainder of the Conservative Club car park. The development would consist of a terrace of three, two-storey dwellings designed with a simple geometric shape which would be in keeping with the prevailing styles within the general area. However, as has been stated by the Conservation Officer, the

scheme has some design peculiarities which, even though the site is outside of the conservation area, can be seen as alien when compared to development within it. The central gable feature and hipped roof detail now serves to present a development that is out of character with its surroundings. Based on the comments of the Conservation Officer, the current scheme differs from the previous one mainly in terms of number of units proposed but the ridge height is virtually unchanged from the previous scheme and the design features are alien to the area. Whilst it is noted that the applicant has tried to take on board the concerns raised in relation to the previously withdrawn scheme, the scale and design would still be out of keeping with the character of the area.

- 10.5 Whilst the location of the development on backland implies that the develop is unlikely to harm the significance of the Conservation Area, the scale and design of the scheme would result in a development that is out of keeping with the general character and appearance of the area contrary to Local Plan Policies LP16, LP18 and paragraph 126 of the National Planning Policy Framework 2021 which seek to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area as well as protecting heritage assets.

### **Residential Amenity**

- 10.6 Paragraph 185 of the National Planning Policy Framework 2021 states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of noise pollution on health and living conditions and avoid noise giving rise to significant adverse impacts on health and the quality of life. This is reflected in Local Plan Policy LP16 which seeks to provide and protect comforts that the general environment provides and to this end ensures that development does not adversely impact on the amenities of the occupiers of the development and that of its neighbouring users owing to noise, light pollution, loss of privacy and loss of light.
- 10.7 The design and layout of the proposed development would result in gardens of substandard length (about 7m) which would be visually dominated by the wall on the eastern boundary. In addition, the proximity of the windows to the boundary wall would result in an overbearing effect on and a poor outlook for the future occupiers of the proposed development. The garden area of the middle terraced dwelling is shown as being located in front of the lounge window of the end dwelling (south end) which cannot be acceptable as the window of the end plot will be encompassed within the neighbours garden.
- 10.8 The siting of the development within the car park of the Club, enclosed in almost all directions by walls, would result in poor quality living environment owing to noise and disturbance from the constant use of the car park day and night.
- 10.9 As a private property, bin collection services would not extend to the development and thus residents would be forced to drag their wheely bins through the car park to the edge of Whitmore Street on collection days. The distance involved exceeds the 30 m drag distance as set out in the RECAP Guidance document. Also there is no identified bin location store shown on the site plan and the presence of up to 6 bins on collection day could impact either on the public footpath or indeed on the access into the Conservative Club car park.
- 10.10 Based on the above assessment, it is the view of the officers that the proposed development would result in harm to the living conditions of the future occupiers



of the said properties contrary to Fenland Local Plan Policy LP16 and paragraph 185 of the National Planning Policy Framework 2021.

### **Parking and Access**

- 10.11 Fenland Local Plan Policy LP16 states that new development will only be permitted if it can be demonstrated that safe and convenient pedestrian and vehicle access to and from the public highway as well as adequate space for vehicle parking, turning and servicing would be achieved.
- 10.12 The scheme proposes 6 parking spaces at the rate of two parking spaces for each unit which will be located at the front of the development. The development is therefore able to provide enough parking for the new development in accordance with Fenland Parking Standards.
- 10.13 Being enclosed within the car park, vehicular access to the site will be by way of the existing car park access and would therefore not require the creation of or modification to the existing access.
- 10.14 In accordance with the prevailing parking standards, the club does not have enough parking spaces and the loss of about 10 parking resulting from this development is only likely to exacerbate this deficiency. Whilst the site is located at the edge of the town centre, there is a likelihood that any potential site shortfall may not be accommodated by the public car parks within the town centre. This is a concern that is raised by the Highways Engineer.
- 10.15 Based on the above assessment, it is the view of officers that the proposed development, owing to the loss of existing parking provision, would not comply with the provisions of Local Plan Policy LP16 and the prevailing Fenland Parking Standards.

### **Other Matters: Economy and Community Facilities**

- 10.16 Paragraph 93 of the National Planning Policy Framework 2021 states that planning decisions should plan positively for the provision and use of shared spaces, community facilities such as public houses and other local services to enhance the sustainability of communities and residential environments. At the Local level, this is delivered through Local Plan Policy LP6 which states that proposals that would lead to the loss of community facilities will only be permitted if it can comply with two criteria, namely, demonstration that the retention of the facility is no longer financially viable and the facility has been marketed and secondly, that an alternative facility is provided.
- 10.17 As indicated above, the development would result in the loss of some 10 parking spaces for the club which may impair the future viability of the facility. There may very well be some financial benefits to the club for developing three houses, but this does not justify the creation of a substandard development and the loss of parking associated with the existing operation of the club.
- 10.18 Therefore, in concluding, the proposed development is predicated on the apparent reduced patronage resulting from the impacts of the coronavirus pandemic and, even though the development would not result in the total loss of the facility, the development would compromise its parking requirements and hence its use which would be contrary to Local Policy LP6 and paragraph 93 of the National Planning Policy Framework 2021.

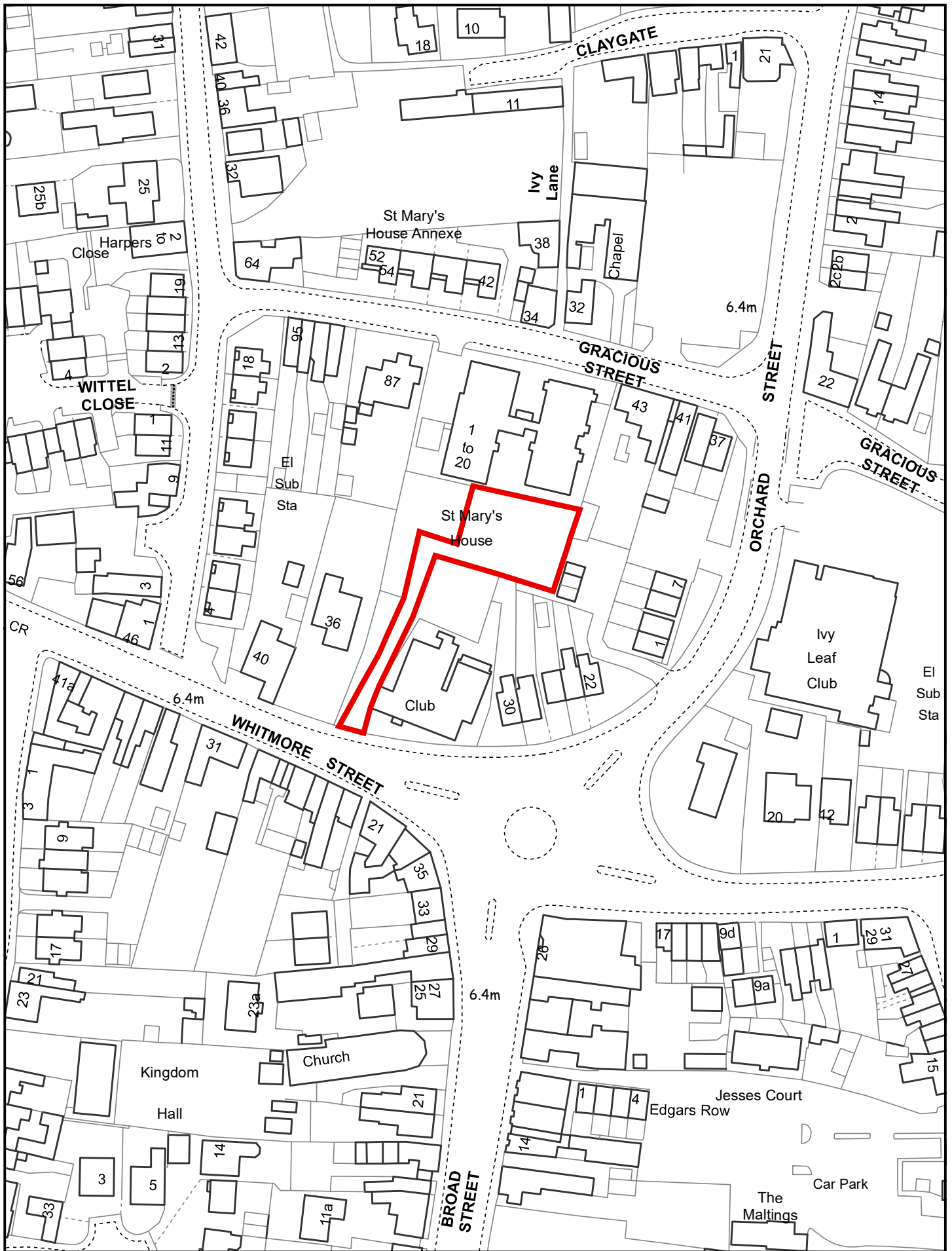
11. **CONCLUSIONS**

It is recognised that the applicant has tried to overcome the issues raised in relation to the previously withdrawn application. However, there are other matters such as the impacts on the residential amenities of the future occupiers of the development as well as any justification for wanting to reduce the existing parking provision for the club which have not been satisfactorily addressed in this current application.

12. **RECOMMENDATION.**

Based on the above assessment, it is the recommendation of officers that the application be refused based on the following reasons:

1. Whilst the location of the development on backland implies that the development is unlikely to harm the significance of the Conservation Area, the scale and design of the scheme would result in a development that is out of keeping with the general character and appearance of the area contrary to Local Plan Policies LP16, LP18 and paragraph 126 of the National Planning Policy Framework 2021 which seek to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area as well as protecting heritage assets.
2. The proposed development owing, to design, layout and location within the existing enclosed car park, would result in gardens of substandard length and the middle terrace garden impacting on the southern most dwelling by virtue of the gardens sub-division and be visually dominated by the wall on the eastern boundary resulting in a poor outlook and an overbearing effect for the future occupiers of the proposed development. This coupled, with the noise and disturbance from the car park use as well as almost 80m walk to kerbside bin collection, would result in poor quality living conditions for future occupiers of the proposed development contrary to Fenland Local Plan Policy LP16 and paragraph 185 of the National Planning Policy Framework 2021.
3. The proposed development would be sited on part of the existing Conservative Club car park and even though the development would not result in the total loss of the facility, the development would compromise its parking requirements and hence its use which would be contrary to Local Policy LP6 and paragraph 93 of the National Planning Policy Framework 2021 which seek to protect community facilities.



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**F/YR21/1424/F**

Scale = 1:1,250





F/YR21/1494/F

**Applicant: Mrs Claire Butcher**

**Agent : Mr Adam Sutton  
A L S Design Services**

**Land West Of Antwerp House, Gosmoor Lane, Elm,**

**Erect a 3/4-bed 2-storey dwelling with detached double garage**

**Officer recommendation: Refuse**

**Reason for Committee: Referred by Head of Planning on Advice of Committee Chairman**

## **1 EXECUTIVE SUMMARY**

- 1.1 This submission seeks full planning permission for the erection of a detached dwelling and garage in an elsewhere location, as defined under Policy LP3 of the Fenland Local Plan (2014).
- 1.2 Whilst no substantial harm has been identified in terms of character and visual amenity considerations and there are no adverse impacts identified in respect of residential amenity in terms of existing residents these do not obviate the harm that arises by virtue of the sites location within an 'elsewhere' location.
- 1.3 Future residents of the property would be entirely dependent of private motor vehicles to access goods and services which is clearly and fundamentally odds with both national and local planning policy, as evidenced by the appeal case quoted below in respect of the site at Crooked Bank. To allow the scheme would set an unacceptable precedent for development in this unsustainable location and would be stridently at variance to the prevailing planning policies.
- 1.4 Accordingly, the application is recommended for refusal as unsustainable development within an elsewhere location.

## **2 SITE DESCRIPTION**

- 2.1 The application site is located to the south of Gosmoor Lane and is currently garden land serving Antwerp House, a detached two-storey dwelling situated to the east. There is a single storey dwelling, Darley Dale to the west. Opposite the site, on the northern side of Gosmoor Lane are open fields; albeit properties addressing Colletts Bridge Lane are readily visible to the north/north-west.
- 2.2 Gosmoor Lane features sporadic development along its most easterly stretch as it approaches the County boundary with Norfolk, with development concentrated just over 1 kilometre (0.64 miles) to the western end of this lane.
- 2.3 It is further noted that there are no footways or lighting between the site and Oldfield Lane; and that Gosmoor Lane itself, along the stretch between Check Cottage, 30 Gosmoor Lane (being circa 80 metres east of Oldfield Lane) and the site, is subject to the national speed limit.

2.4 The site is within a flood zone 1 location

### 3 PROPOSAL

- 3.1 This application seeks full planning permission for the erection of a two-storey 3/4 bedroom detached dwelling with a footprint of 14 metres by 8.2 metres, supplemented by a rear two storey outshoot which will project 4.7 metres rearward with a width of 5.45 metres. The main section of the property will have an eaves height of 5.1 metres and a ridge height of 7.7 metres, with the rear offshoot having a marginally lower ridge.
- 3.2 Also proposed is a detached garage which includes a workshop/store. This element is shown located to the eastern side of the plot and it will have a footprint of 7 metres wide x 9 metres deep. It will have a maximum height of 4.5 metres.
- 3.3 Materials have not been specified within the submission.
- 3.4 An updated site plan has been received which details the proposed access and visibility splays, the drawing notes that it will be necessary to remove the existing boundary hedge to the front of the site and indicates that a native hedge will be replanted outside of these visibility splays. The location of the existing telegraph pole to the north-eastern corner of the site is also shown.
- 3.5 The new access to serve the property is proposed to the north-eastern end of the site with a driveway leading to the proposed garage and provision made for turning to the front of the proposed dwelling.
- 3.6 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

### 4 SITE PLANNING HISTORY

20/0151/PREAPP	Erect 1 x dwelling	Non-favourable response 24.11.20
F/1185/89/O	Erection of 2 houses Land West of Antwerp House, Gosmoor Lane, Elm	Refused 14.12.1989 Dismissed at Appeal 16.07.1990

### 5 CONSULTATIONS

- 5.1 **Parish Council**  
*'Elm Parish Council raises no objection to proposals submitted under planning application ref. F/YR21/1494/F'*
- 5.2 **Cambridgeshire County Council Highways Authority**  
*'The site is located in a rural location without footways or streetlighting. It is likely that almost all journeys will be made by private motor transport. FDC to consider the general location in terms of sustainability and the lack of supporting infrastructure.'*

*The plans are not showing visibility splays and they need to be updated accordingly appropriate to the speed limit. The frontage vegetation would be a constraint and will need extensive removal to provide a splay. Plans also to be updated to show the pole position to demonstrate that this is not a constraint to access.*

*Please ask the agent to provide the additional information and consult with me again when the revised details are received.'*

Following receipt of an updated site layout the LHA comments as follows:

*'I refer to the revised plans which are showing visibility splays. To the west this is 215m and to east visibility to the junction is achieved. This requires some cutting back of hedge including within blue line area. I have no objections to the planning application subject to the following conditions:*

1. *Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.*

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

2. *The access shall be sealed and drained away from the highway to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme submitted to and approved in writing by the Local Planning Authority.*

*Reason: To prevent surface water discharging to the highway.*

3. *Prior to the first occupation of the development the proposed on-site parking / 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: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.*

4. *Prior to the first occupation of the development visibility splays shall be provided each side of the vehicular access in full accordance with the details indicated on the submitted Proposed site and Location Plan 001 rev A. The splays shall thereafter be maintained free from of any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.*

*Reason: In the interests of highway safety.*

### **5.3 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.'*

### **5.4 Local Residents/Interested Parties: None received**

## **6 STATUTORY DUTY**

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

## **7 POLICY FRAMEWORK**

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

Para. 2 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 10 - So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development

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

Para. 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 79 - To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Para. 80 - Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:
  - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
  - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

### **7.2 National Planning Policy Guidance (NPPG)**

### **7.3 National Design Guide**



Context C1 - Relationship with local and wider context;  
Identity I1 - Respond to existing local character and identity  
Built Form B2 - Appropriate building types and forms  
Movement M1 – An integrated network of routes for all modes of transport  
Uses U2 - A mix of home tenures, types and sizes  
Homes and Buildings H1 - Healthy, comfortable and safe internal and external environment, H3 - Attention to detail; storage, waste, servicing and utilities  
Lifespan L3 - A sense of ownership

#### 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  
LP12 – Rural Area Development Policy  
LP14 – Responding to Climate Change and managing the risk of Flooding in Fenland  
LP15 – Facilitating the creation of a More Sustainable Transport Network in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District

### 8 **KEY ISSUES**

- **Principle of Development**
- **Visual amenity and character**
- **Residential amenity**
- **Highways safety and sustainability**
- **Flood risk**

### 9 **BACKGROUND**

- 9.1 In 1989 a proposal for 2 dwellings in this location was refused and the decision was taken to appeal. Although this is a historic decision which pre-dates the current development plan it does remain pertinent to the consideration of this current scheme.
- 9.2 The Planning Inspector felt that the main issue in that case was whether the development would be intrusive development in the open countryside. Whilst the bungalow to the west was noted it was considered that the 'gap' of circa 100m resulted in the bungalow being 'one of a number of scattered dwellings' and therefore the proposal not deemed to be infill.
- 9.3 The Inspector also considered scheme would detract from the predominantly open appearance of the surrounding rural area, although it was noted they would be 'a limited harmful effect on the general appearance of the countryside'.
- 9.4 However, it was considered that a precedent would be set which would make it more difficult for the Council to resist similar proposals noting that 'the cumulative effect of a series of such developments could be the serious erosion of the open character of the rural area'.
- 9.5 It must also be noted that the applicant submitted a pre-application enquiry in late 2020 and was advised that:
- The site was within an elsewhere location outside of the main built settlement (as defined under Policy LP12) of Elm where development was

restricted to that essential for a range of defined uses, i.e. agriculture, horticulture etc (see Policy LP3).

- Although due regard has been given to the latest iteration of the NPPF, especially with regard to paragraphs 78-79 of the NPPF (which identified that housing should be located where it will enhance or maintain the vitality of rural communities; with paragraph 79 going on to identify a number of criteria which would allow for the development of isolated dwellings in the countryside - none of which are applicable in this instance).
- The locational disadvantages of the site, i.e. distance from main services and facilities and the lack of footpath routes were such that it could not be argued that reinforcing this small enclave of housing would support services in nearby settlements at a level which would override the settlement hierarchy outlined in Policy LP3.
- Of particular relevance to the consideration of the pre-application proposal was an appeal decision for a dwelling at Crooked Bank, Elm (F/YR19/0828/F). This appeal decision highlighted that whilst the intended dwelling was not 'physically isolated' (as there were other dwellings present in the immediate vicinity) it was 'functionally isolated' in that future householders would be dependent on private motor vehicles to access services resulting in unsustainable development.
- With regard to character considerations a further dwelling in this location was also considered to be at odds with its rural surroundings as it would extend the built form along this rural lane. The established 'soft' frontage which extends to the west was considered to be a key component of the existing character of the area which is essentially open countryside interspersed by sporadic development. Whilst it was accepted that there were a number of dwellings to the north in Colletts Bridge these were not considered to dictate the overall character of the wider area as they were read as a separate component in terms of character and context.
- Based on the above evaluation the development proposal was also considered at odds with Policy LP12 which seeks ensure that development proposals do not have an adverse impact on the character and appearance of the surrounding countryside.

## 10 ASSESSMENT

### Principle of Development

- 10.1 As outlined in the 'Background' section above the site is an elsewhere location away from the main settlement of Elm and does not benefit from any functional links, in terms of footways and lighting, to the village centre and services.
- 10.2 In accordance with Policy LP3 there can be no policy support for the development as it is clearly at odds with the settlement hierarchy and would result in housing within the open countryside. Notwithstanding the existence of other dwellings within the area this scheme has a direct parallel with the appeal decision at Crooked Bank quoted in the background section above.
- 10.3 The agent rebuts this within their submission noting that '*with regard to Policy LP3 of the FLP (2014) the proposal located in Collett's Bridge which is listed in*

*'other village' . The policy details that development in these 'other villages' will be restricted to single infill sites. This proposal complies with policy LP3 on this basis'.*

- 10.4 In response it is noted that whilst the current local plan does not draw boundaries around settlements the earlier iteration of the development plan (the Fenland District-Wide Local Plan (amended 2004) drew the Colletts Bridge 'Development Area Boundary' around housing located to the eastern side of Colletts Bridge Lane and clearly excluded Antwerp House from this 'settlement'.
- 10.5 The current development plan clearly identifies under Policy LP12 that 'the developed footprint of [a] village is defined as the continuous built form of the settlement and excludes: (a) individual buildings and groups of dispersed or intermittent buildings that are clearly detached from the continuous built-up area of the settlement'. This scenario is clearly the case with regard to the relationship of Antwerp House and the 'settlements' of both Elm and Colletts Bridge.

### **Visual amenity and character**

- 10.6 The application site is commensurate with the adjacent property curtilages in terms of its dimensions and the proposed dwelling is of an appropriate scale and design. Whilst the existing hedge to the front of the site is to be removed it is to be replaced with a native hedge maintaining the 'green frontage' of the site and accordingly with the rural setting.
- 10.7 Mindful of the earlier appeal decision it is accepted that although a level of harm will accrue from the consolidation of dwellings in this location this harm would not be so acute as to justify refusal on these grounds when considering the scheme in the context of Policy LP16 of the FLP (2014).

### **Residential amenity**

- 10.8 With regard to residential amenity considerations, it is noted that appropriate separation is achieved between the proposed dwelling and its neighbours and ample provision is made for private amenity space for both the host dwelling (Antwerp House) and that proposed. Furthermore, there will be no issues arising with regard to refuse collection as a roadside collection is achievable.
- 10.9 Accordingly, there are no matters to reconcile with regard to Policies LP2 and LP16 of the FLP in so far as they relate to residential amenity issues.
- 10.10 The unsustainable nature of the site is however contrary to Policy LP2 in that residents of the property will be largely reliant on private motor vehicles to access local services and this matter is considered in detail below.

### **Highways safety and sustainability**

- 10.11 The technical detail of the proposed access and the associated highway safety considerations have been accepted by the Highways Officer, subject to conditions.
- 10.12 However, within his consultation response the CCC Highways Officer highlights that *'the site is located in a rural location without footways or streetlighting. It is likely that almost all journeys will be made by private motor transport. FDC to*

*consider the general location in terms of sustainability and the lack of supporting infrastructure'. Sustainability and accessibility are key tenets of planning policy and the location of the site, and the absence of any safe pedestrian routes clearly results in unsustainable development at odds with prevailing national and local planning policies.*

- 10.13 Such a stance is reinforced by the appeal decision at Crooked Bank, with the relevant section of that appeal decision being reproduced below as entirely relevant to the consideration of this current scheme:

*'5. Paragraph 78 of the National Planning Policy Framework (the Framework) makes clear that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Furthermore, paragraph 79 states decisions should avoid the development of isolated homes in the countryside. Therefore, having regard to the appeal decisions and judgement put before me, I find the proposed dwelling being within a group of other dwellings and buildings in Begdale would not be isolated.*

*6. One new dwelling would be a social benefit to the area. Furthermore, new customers and potential employees for local businesses and services and the construction of the development would also generate economic benefits. However, given the scale of development these combined benefits would be modest. Therefore, without specific evidence to the contrary I find the proposal would have a negligible effect on the vitality of the rural community of Begdale or the vitality of those nearby such as Elm.*

*7. Furthermore, whilst I acknowledge there are some services, facilities and employment opportunities nearby, these do not include healthcare or education. Overall without any substantive evidence to the contrary it seems to me that Begdale and its immediate surroundings contain only limited services, facilities and employment opportunities. Moreover, I am not provided with any substantive evidence which allows me to fully assess access to bus services or the frequency of those services connecting to larger centres. I also note many of the roads in the area do not benefit from footpaths or street lights.*

*8. Thus, based on the evidence before me I find that future occupiers of the proposed dwelling would have limited transport choice other than to rely on private motorised transport to access services, facilities and employment. Whilst one new dwelling would only give rise to a small number of trips, private motorised transport is the least sustainable transport mode and the proposed development would still therefore result in environmental harm. I accept the travel circumstances of any future occupants of the proposal would be similar to those experienced by many existing residents living in the area. However, this does not justify the proposal.*

*9. Therefore, whilst recognising the overall national objective to boost the supply of housing, the combined benefits of the scheme are still relatively modest such that they are outweighed by the environmental harm arising from the dependence on the private car and development in the countryside. The proposed development would not therefore amount to sustainable development when considered against the Framework as a whole.*

*10. For these reasons the proposed development would not provide a suitable site for housing, having particular regard to the accessibility of local services and facilities. It would therefore be in conflict with Policies LP3 and LP12 of the LP and the Framework which taken together seek to ensure a sustainable pattern of development.'*

10.14 There is a direct correlation with the site at Crooked Bank and that now under consideration and it is clear that the proposal will not deliver sustainable development and must be refused on these grounds.

10.15 The scheme is also at odds by default with Policies LP3 and LP12 of the FLP (2014) in that it is not adjacent to the settlement of Elm and is detached from the 'other village' of Colletts Bridge.

**Flood risk**

10.16 The site is within a flood zone 1 location, the area of lowest flood risk and as such there are no matters to reconcile with regard to Policy LP14 of the FLP (2014).

**11 CONCLUSIONS**

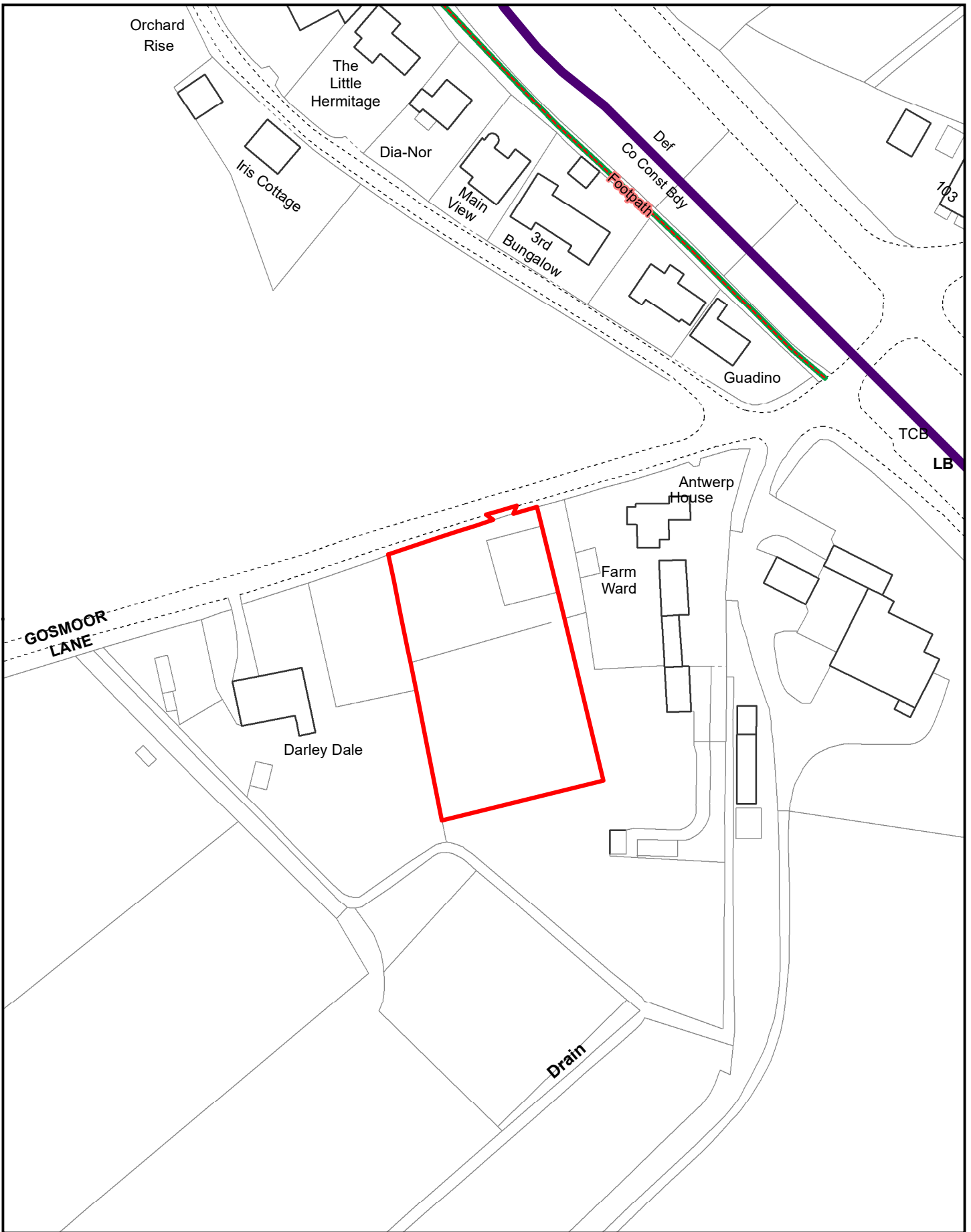
11.1 Whilst no substantial harm has been identified in terms of character and visual amenity considerations and there are no adverse impacts identified in respect of residential amenity in terms of existing residents these do not obviate the harm that arises by virtue of the sites location within an 'elsewhere' location.

11.12 Future residents of the property would be entirely dependent of private motor vehicles to access goods and services which is clearly and fundamentally odds with both national and local planning policy, as evidenced by the appeal case quoted above in respect of the site at Crooked Bank. To allow the scheme would set an unacceptable precedent for development in this unsustainable location and would be stridently at variance to the prevailing planning policies.

**12 RECOMMENDATION: Refuse**

**Reason(s)**

1	The site is considered to be an 'elsewhere' location in respect of Policy LP3 and the settlement hierarchy, which seeks to direct development to the most sustainable areas; the proposal does not fall within any of the categories which would be considered acceptable under Policies LP3 and LP12, nor does it comply with Paragraphs 78 or 79 of the NPPF. The site is located within an unsustainable location where future occupants would be reliant on private motor vehicles to access services and facilities. As such the development would be contrary to Policies LP3 and LP12 of the Fenland Local Plan 2014 and the aims of the NPPF 2021.
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Created on: 22/12/2021

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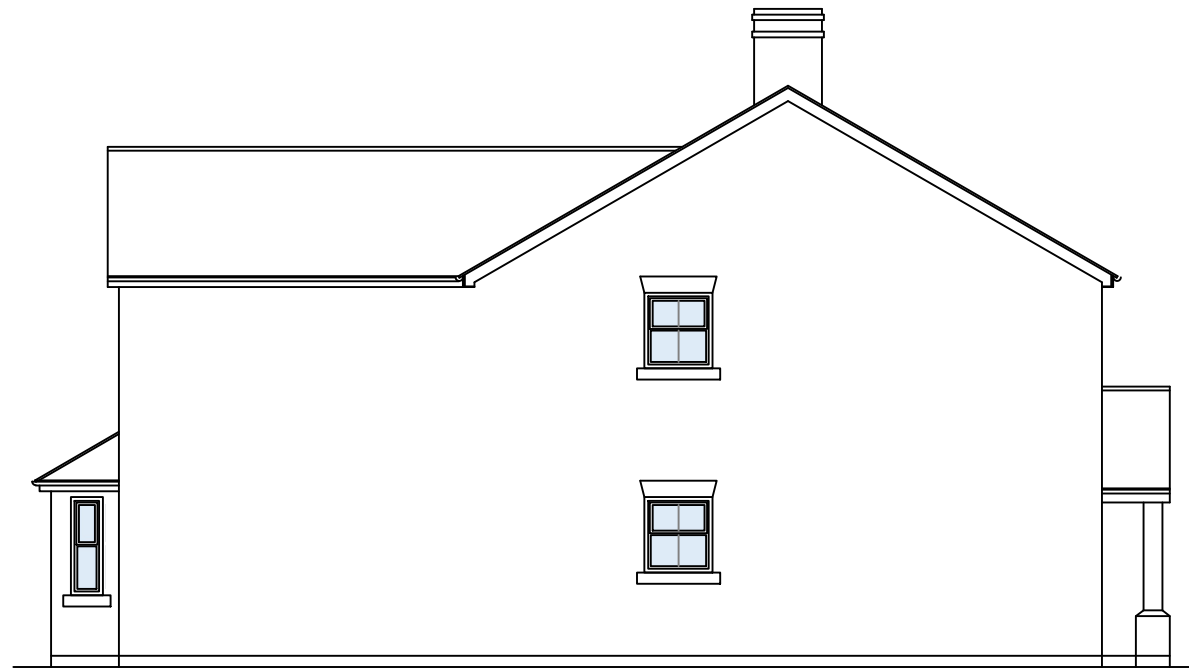
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Proposed Front Elevation  
Scale 1:100



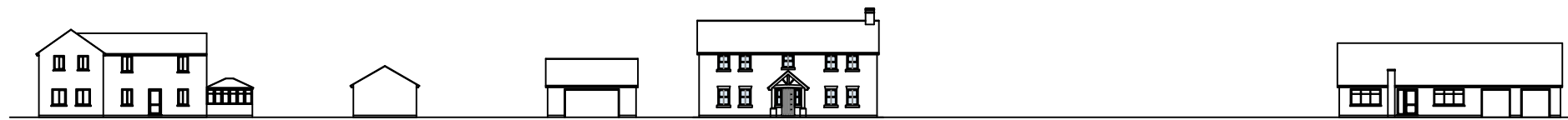
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Proposed Rear Elevation  
Scale 1:100



Proposed Side Elevation  
Scale 1:100



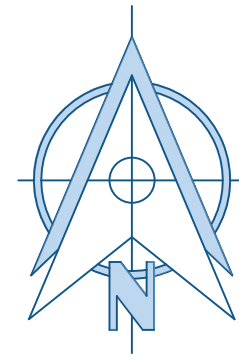
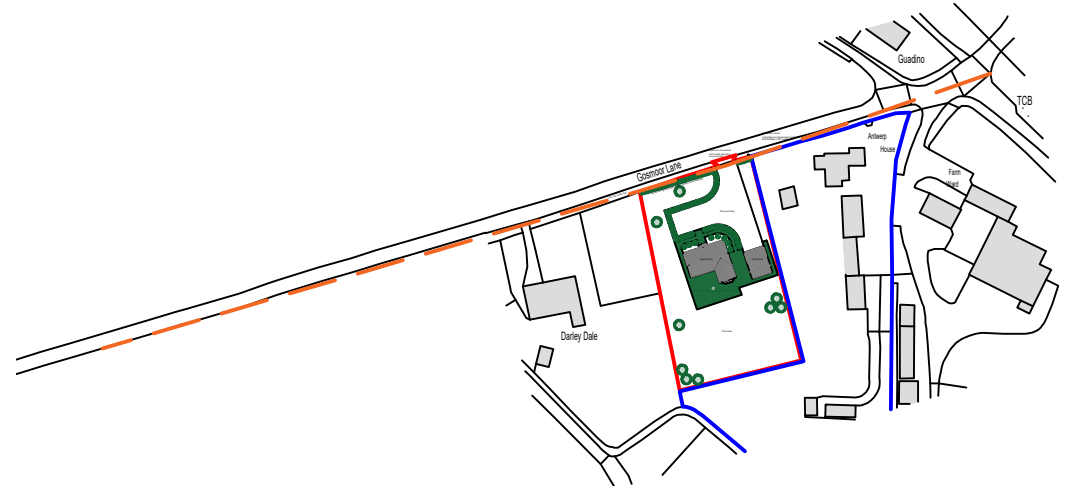
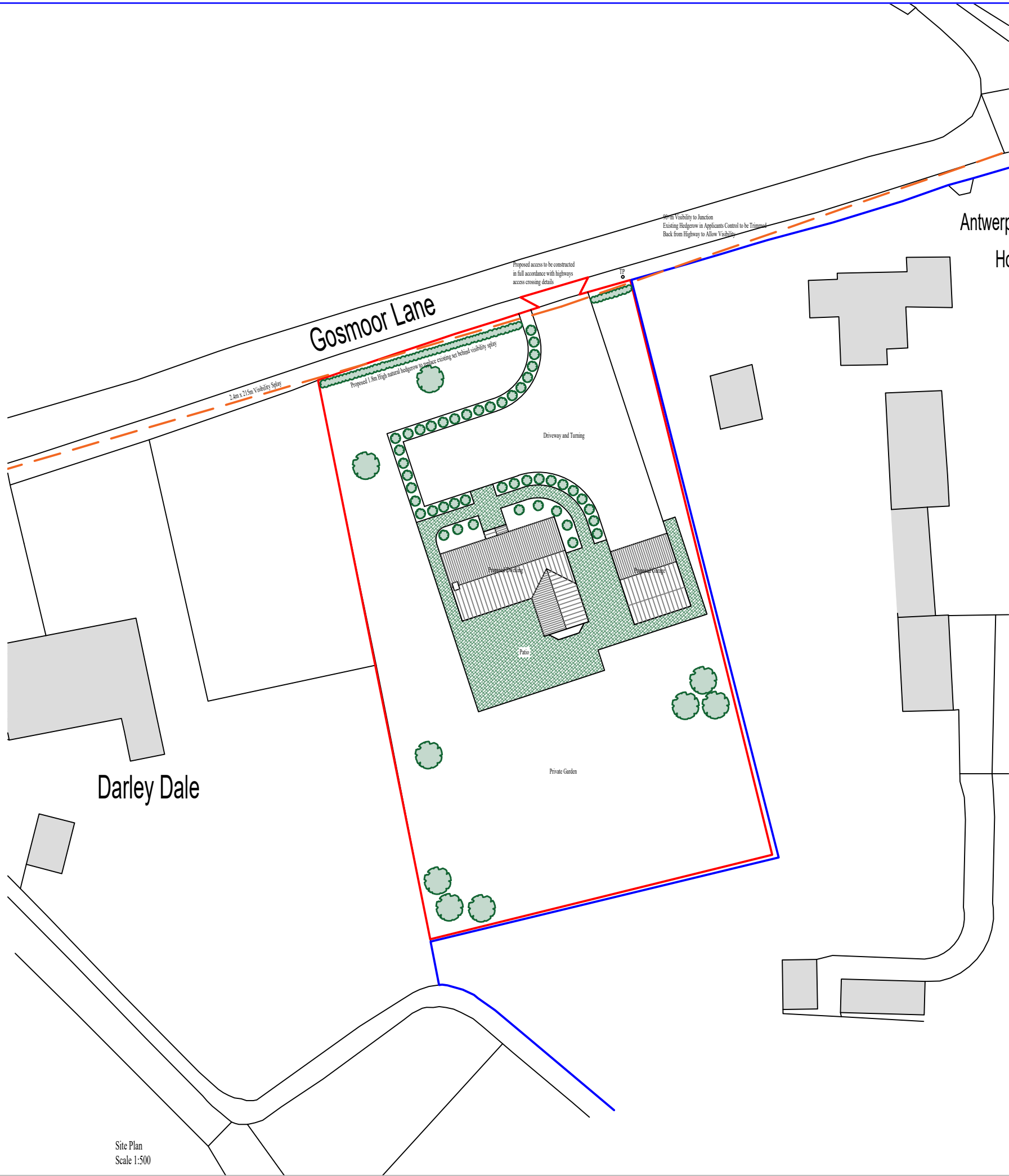
Proposed Street Scene  
Scale 1:500

Revision	Description	Date	Revised By

**A.L.S Design Services**

E-Mail : alsdesignservices@outlook.com      Phone : 07707921632

Project Proposed Dwelling		
Drawing Title Proposed Elevations		
Address Land Adjacent Antwerp House, Colletts Bridge		
Drawn By A. L. Sutton	Paper Size A3	Date October 2021
Project Name 022	Drawing Number 003	Revision -



Revision	Description	Date	Revised By
A	Visibility splay added to plan	10/02/2022	A. L. Sutton

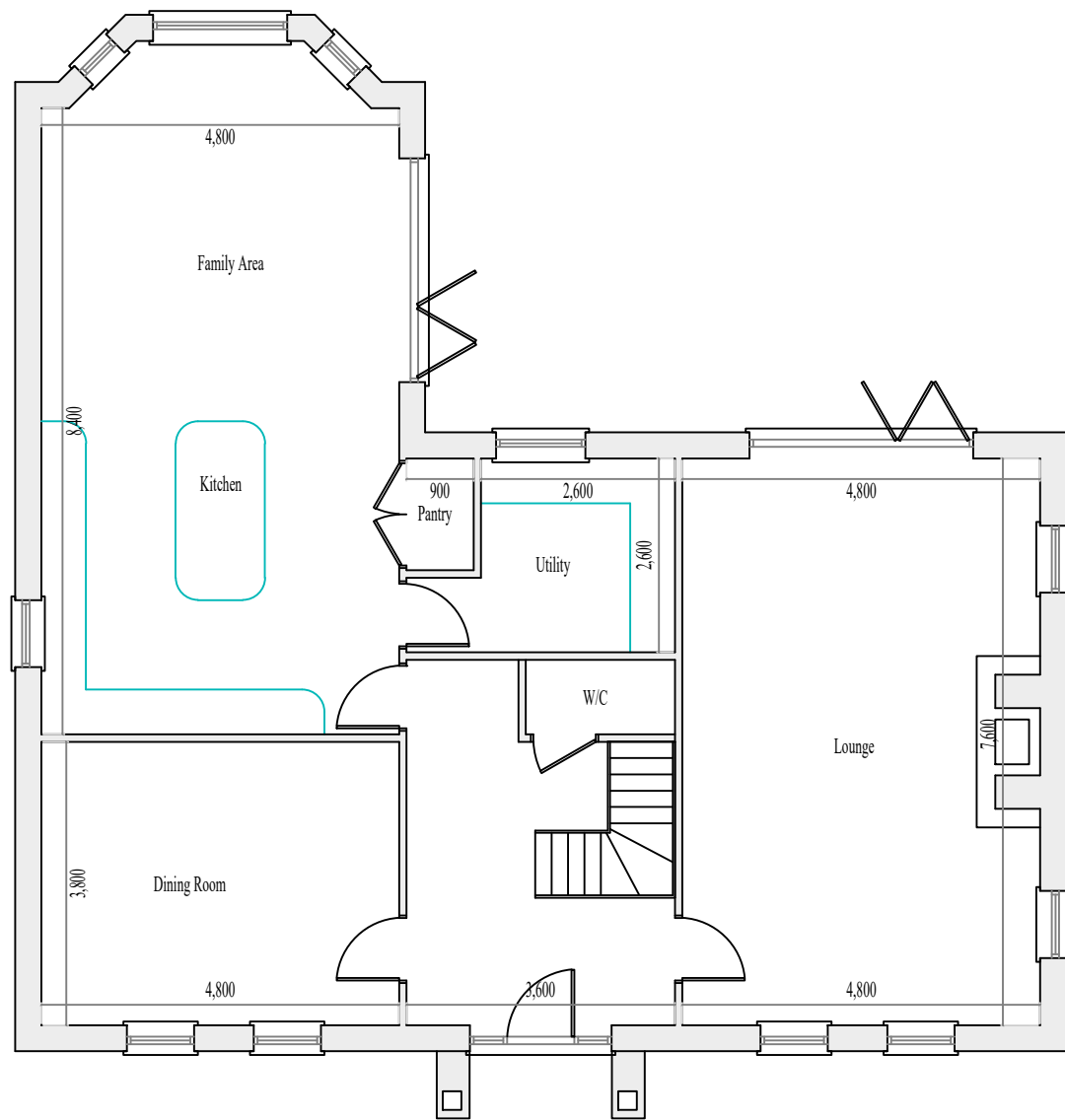
**A.L.S Design Services**

E-Mail : alsdesignservices@outlook.com      Phone : 07707921632

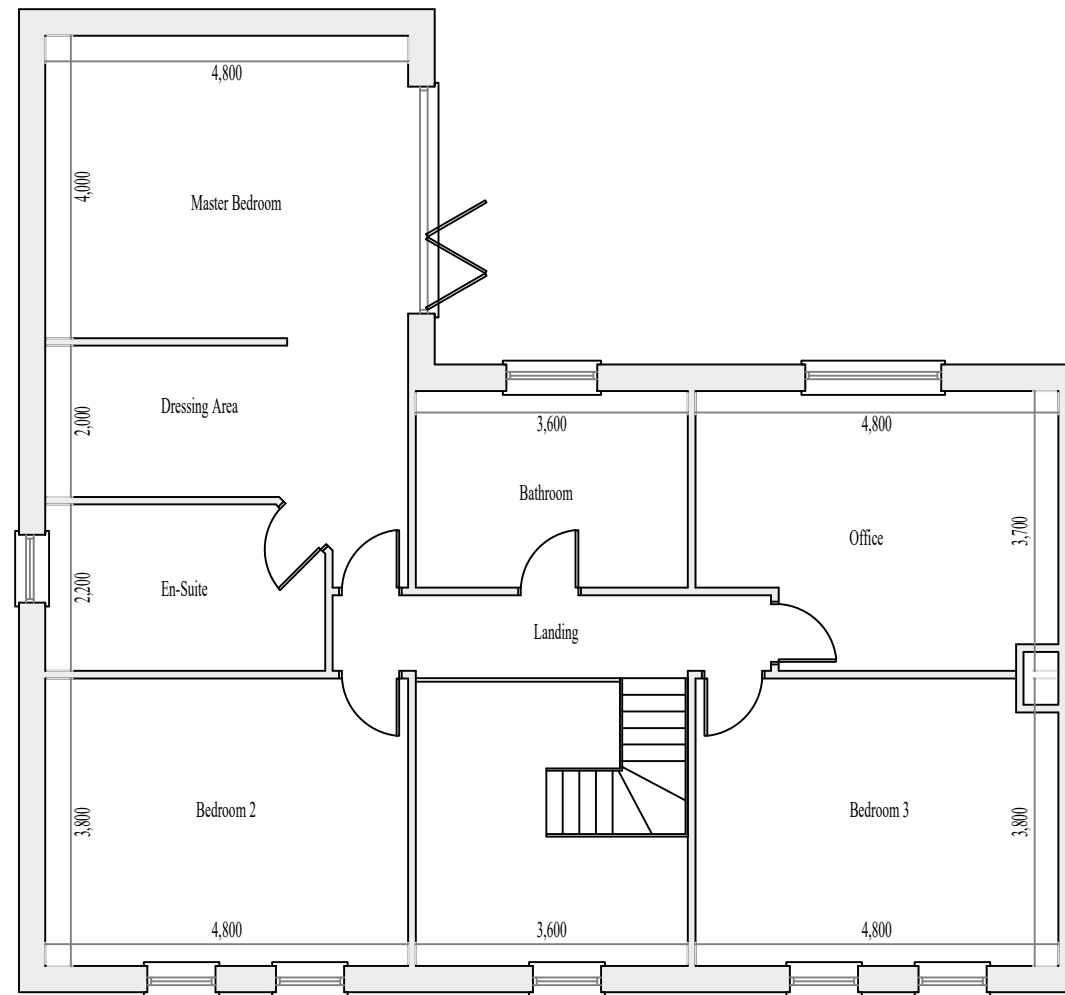
Project Proposed Dwelling		
Drawing Title Proposed Site and Location Plan		
Address Land Adjacent Antwerp House, Colletts Bridge		
Drawn By A. L. Sutton	Paper Size A3	Date October 2021
Project Name 022	Drawing Number 001	Revision A

Site Plan  
Scale 1:500





Proposed Ground Floor Plan  
Scale 1:100



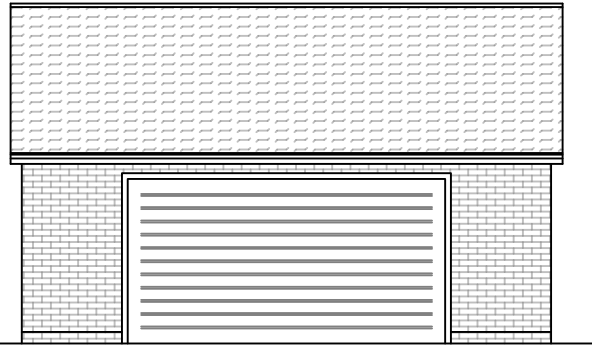
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Revision	Description	Date	Revised By

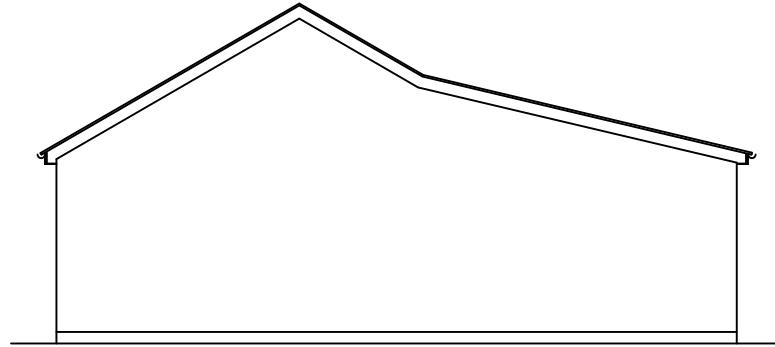
**A.L.S Design Services**

E-Mail : alsdesignservices@outlook.com      Phone : 07707921632

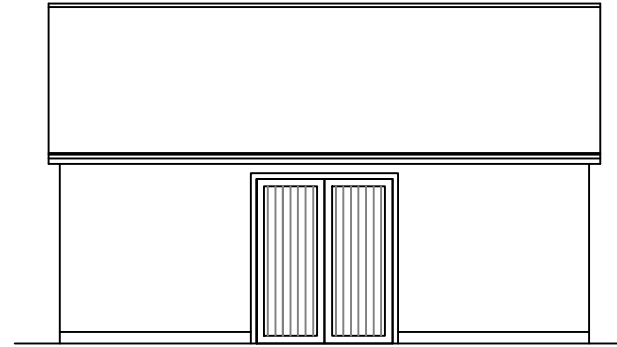
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Drawing Title Proposed Floor Plans		
Address Land Adjacent Antwerp House, Colletts Bridge		
Drawn By A. L. Sutton	Paper Size A3	Date October 2021
Project Name 022	Drawing Number 002	Revision -



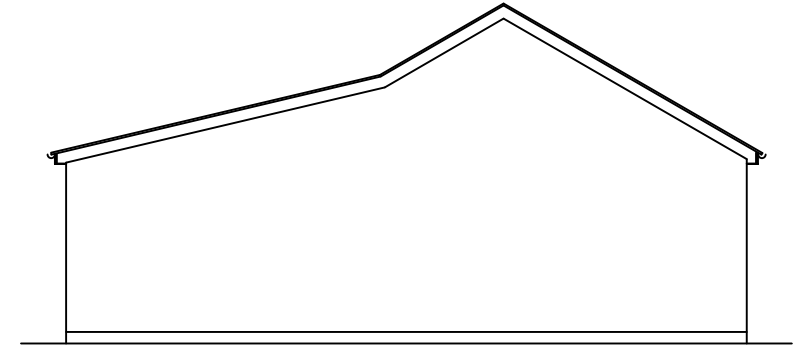
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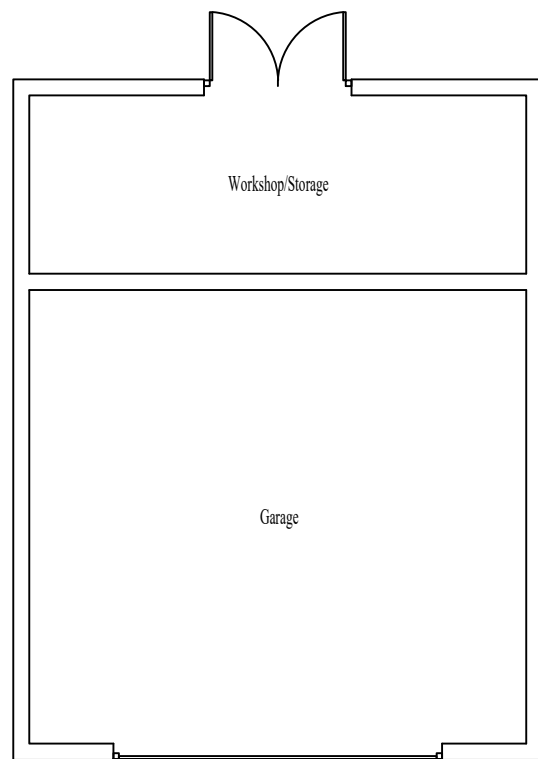
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Proposed Rear Elevation  
Scale 1:100



Proposed Side Elevation  
Scale 1:100



Proposed Floor Plan  
Scale 1:100

Revision	Description	Date	Revised By

**A.L.S Design Services**

E-Mail : alsdesignservices@outlook.com      Phone : 07707921632

Project Proposed Dwelling		
Drawing Title Proposed Garage Floor Plans and Elevations		
Address Land Adjacent Antwerp House, Colletts Bridge		
Drawn By A. L. Sutton	Paper Size A3	Date October 2021
Project Name 022	Drawing Number 004	Revision -

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**F/YR22/0019/PIP**

**Applicant: Mr Paul Newell**

**Agent: Mr Howard Westgate**

**Land North West Of 11, Glebe Close, Manea, Cambridgeshire**

**Residential development of up to 2 dwellings (application for Permission in Principle)**

**Officer recommendation: Refuse**

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

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## **1 EXECUTIVE SUMMARY**

- 1.1. This application seeks to confirm whether 'Permission in Principle' is acceptable for land north-west of 11 Glebe Close, Manea. The scope of assessing permission in principle is limited to location, land use and amount of development only.
- 1.2. The proposal seeks to erect up to two dwellings on land set to the rear of the host dwelling, No.11 Glebe Close. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and built form of the development within Glebe Close, which is predominately characterised by frontage residential development, save for sporadic outbuildings. Development encroaching into backland would be to the detriment of the character and appearance of the area and would arguably create a precedent for further backland development at sites with similar geometry. Backland development such as this would be detrimental to the semi-rural character of the northern fringe of Glebe Close which is bounded by swathes of agricultural land this side and would be at odds with existing the settlement pattern of frontage development.
- 1.3. As such it is considered the proposed location of the development is contrary to the requirements of Policy LP12 and Policy LP16 (d) and therefore does not follow the Permission in Principle guidelines as set out within the NPPG, and must therefore be recommended for refusal as the principle of development, on the basis of location, is unacceptable.

## **2 SITE DESCRIPTION**

- 2.1. Located within Flood Zone 1, the site is situated within the settlement of Manea and lies to the north-west of Glebe Close. The site forms grassland which was likely garden land associated with No.11 Glebe Close before being subsequently separated by fencing. The site is bounded by a 1.8 metre high closed boarded fence with an area of hardstanding leading off an access set to the north-east of No.11.

- 2.2. Agricultural land stretches to the north and west of the site, with residential development to the south and east.

### **3 PROPOSAL**

- 3.1. The 'Permission in Principle' (PIP) application is for residential development of up to 2 dwellings at the site. The current proposal is the first part of the permission in principle application; which only assesses the principle issues namely:

- (1) location,
- (2) use; and
- (3) amount of development proposed,

and establishes whether a site is suitable in principle. Should this application be successful, the applicant would have to submit a Technical Details application covering all other detailed material planning considerations. The approval of PIP alone does not constitute the grant of planning permission.

- 3.2. The application is supported by limited details, only committing a location plan; No indicative plans detailing how the development could be laid out and appear were provided. A Planning Statement sets out that the development would comprise 2no. semi-detached dwellings.

### **4 SITE PLANNING HISTORY**

- 4.1. No pertinent planning history.

### **5 CONSULTATIONS**

#### **5.1. Manea Parish Council**

*Strongly Object. Back land development. Glebe Close already very congested. Over development.*

#### **5.2. 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 affect or be affected by the air or noise climate. I would suggest the 'Unsuspected Contaminated Land' condition be applied to any consent granted in the interest of both human health and the environment.*

#### **5.3. Cambridgeshire County Council Highways Authority**

*Due to the type of application there is limited information provided. The planning statement refers to access width of 4m - this would be appropriate to accommodate the development.*

*It is not possible given the limited information to determine whether 2 dwellings could be accommodated to include adequate parking and turning. A detailed scheme would be needed to include parking in accordance with FDC parking standards as well as parking for the host dwelling.*

*I have no objections to the site being developed and the above parking and turning detail would be expected within further applications.*

#### 5.4. **Local Residents/Interested Parties**

The LPA received 3 letters of support for the scheme, one from occupiers of the host dwelling, and two further letters from within the vicinity.

The comments received referred to the site as waste land which would benefit from being developed with residential properties.

### **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) July 2021**

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

Paragraph 11 – Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise.

Para 124 – achieving appropriate densities;

Para 130 – achieving well designed places;

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

Determining planning applications (21b-001-20140306)

Permission in Principle (58-012-20180615)

#### 7.3. **National Design Guide 2019**

Context, Identity, Built Form, Homes and Buildings

#### 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

LP12 – Rural Area 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

#### 7.5. **Supplementary Planning Documents/Guidance**

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

### **8 KEY ISSUES**

- 8.1. This application is made pursuant to the Town and Country Planning (Permission in Principle) Order 2017 (as amended) (PIP regulations) that provides opportunity for an applicant to apply as to whether 'Permission in Principle' is acceptable for a site, having regard to specific legislative requirements and, in accordance with the NPPG (58-012-20180615) as to whether the **location, land use and amount of development proposed** is

acceptable. The permission in principle (PIP) consent route is an alternative way of obtaining planning permission for housing-led development which separates the consideration of matters of principle for proposed development from the technical detail of the development. The approval of PIP alone does not constitute the grant of planning permission.

- 8.2. The PIP consent route has 2 stages: the first stage (or Permission in Principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed.
- 8.3. PIP establishes that a particular scale of housing-led development on a defined site is acceptable. The aim is for a PIP to minimise the upfront and at-risk work of applicants.

## **9 ASSESSMENT**

### **Location and Land Use**

- 9.1. Policy LP3 of the Fenland Local Plan sets out the settlement hierarchy for development within the district, grouping settlements into categories based on the level of services available, their sustainability and their capacity to accept further development.
- 9.2. Manea is classed as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions will be appropriate. The broad principle of developing the site for residential use would be consistent with this policy.
- 9.3. Further to LP3, Policy LP12 (Part A) supports development in villages subject to compliance with 11 criteria (a to k), providing the site is in or adjacent to the existing developed footprint of the village, does not result in coalescence with any neighbouring village, and does not have an adverse impact on the character and appearance of the surrounding countryside. Similarly, the proposal must be in keeping with the core shape and form of the settlement, without resulting in the extension of linear features or create ribbon development, and must retain natural boundaries, respect ecological features, important spaces etc. Finally the proposal must be served by sustainable infrastructure, and must not put people or property in danger from identified risks. In addition, Policy LP16 (d) seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or landscape character of the surrounding area.
- 9.4. The proposal seeks to erect up to two dwellings on land set to the rear of the host dwelling, No.11 Glebe Close. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and built form of the development within Glebe Close, which is predominately characterised by frontage residential development, save for sporadic outbuildings. Development encroaching into backland would be to the detriment of the character and appearance of the area and would arguably create a precedent for further backland development at sites with similar

geometry. Backland development such as this would be detrimental to the semi-rural character of the northern fringe of Glebe Close which is bounded by swathes of agricultural land this side and would be at odds with existing the settlement pattern of frontage development.

- 9.5. As such, it is considered the proposed location of the development is contrary to the requirements of Policy LP12 and Policy LP16 (d) and therefore cannot be supported.

**Amount of development proposed**

- 9.6. The quantum of development proposed (max. 2 dwellings) would introduce a tighter knit form of development than is currently found in the locality and may result in harm to the character and settlement pattern of the area. However, it is noted that the application seeks PIP for ‘up to’ 2 dwellings and consideration pertaining to visual and residential amenity impacts, highway safety and flood risk of the development would ultimately be considered at technical details stage, whereby a reduction of dwelling numbers or scale may be deemed necessary to address any identified risk pertaining to these issues.

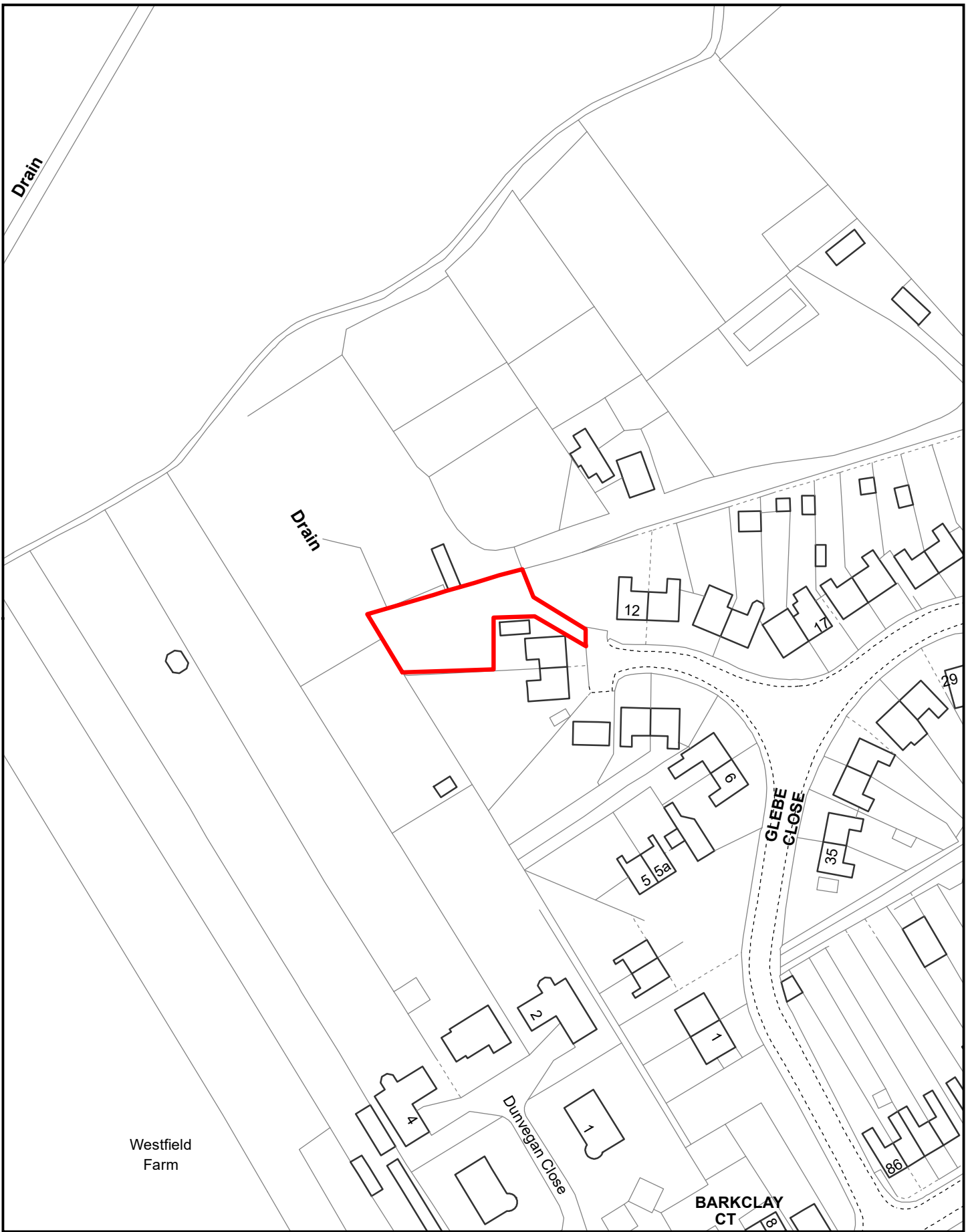
**10 CONCLUSIONS**

- 10.1. This application seeks to confirm whether ‘Permission in Principle’ is acceptable for land north-west of 11 Glebe Close, Manea. The scope of permission in principle is limited to location, land use and amount of development.
- 10.2. The proposed scheme is considered to be unacceptable, by virtue that the proposal fails to comply with Policies LP12 and LP16(d) owing to the harm caused to the character and appearance of the area through the creation of backland development. As such the application is contrary to the relevant planning policies of the development plan and PIP guidelines within the NPPG, and must therefore be recommended for refusal as the principle of development, on the basis of location, is unacceptable.

**11 RECOMMENDATION**

**Refuse**, for the following reason;

1	Policy LP3 of the Fenland Local Plan (2014) sets out the settlement hierarchy within the district; Policy LP12 details a range of criteria against which development within the villages will be assessed and Policy LP16 seeks to ensure that proposed development responds to and improves the character of the local built environment. The application site proposes the construction of two dwellings located on land to the rear of frontage residential development along Glebe Close. By virtue of its backland nature, the proposed development would be discordant with the existing core shape and built form of the development along Glebe Close to the detriment of the character and appearance of the area and would create a precedent for further backland development at sites with similar geometry. Thus, the proposal would therefore fail to comply with the requirements of Policy LP12 and Policy LP16 (d) of the Fenland Local Plan (2014).
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**F/YR22/0019/PIP**

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F/YR22/0031/F

**Applicant: Mr John Harrison**

**Agent : Mrs Alex Patrick  
Alexandra Design**

**Land West Of The Shieling, Lords Lane, Wisbech, Cambridgeshire**

**Erect 3no buildings and siting of 2no mobile homes for residential use and the formation of associated hardstanding (part retrospective)**

**Officer recommendation: Refuse**

**Reason for Committee: Number of representations contrary to officer recommendation**

## **1 EXECUTIVE SUMMARY**

- 1.1 This scheme proposes the retention of 3 buildings used in association with the orchard land of which the application site forms part; together with the stationing of 2 mobile homes of residential use on land at Lords Lane, Wisbech.
- 1.2 The submission comes forward with insufficient justification to support the provision of residential accommodation in this location, which is deemed as an elsewhere location in terms of the settlement hierarchy outlined in Policy LP3 of the FLP (2014).
- 1.3 In addition to the lack of justification the scheme fails to satisfy both the sequential and exceptions test in terms of flood risk, noting that it proposes 2 mobile homes to be used as permanent residential accommodation. Such accommodation is classified as 'highly vulnerable' and is not compatible with a flood zone 3 location.
- 1.4 Whilst the retention of the 3 buildings on the site for use in connection with the orchard activities undertaken on the land is justified and may be supported it is not possible to part approve an application and as such the whole scheme must be recommended for refusal.

## **2 SITE DESCRIPTION:**

- 2.1 The application site is an open area of agricultural land situated to the north-east of an established orchard which is located to the north-east of Lords Lane, Wisbech. There is a field access to the site frontage which is secured by metal fencing which in turn is padlocked. From outside the site the land presents as an orchard. There are drainage ditches to the north-western, north-eastern, and south-eastern boundaries of the site.
- 2.2 There are residential properties to the south-east and north-west; these properties are sited along the frontage of Lords Lane and are therefore some distance from the application site edged red. There is a further residential/commercial property to the opposite side of Lords Lane.

- 2.3 Lords Lane is considered to be an open countryside location, situated outside of any main settlement. It features sporadic residential properties interspersed with some agricultural and commercial uses.
- 2.4 The land is designated a flood zone 3 location and the application site is circa 0.44 Ha forming part of a larger parcel of orchard land (circa 1.82 Ha)
- 2.5 At present there are 3 caravans on the site, 2 of these are occupied as residential accommodation by the applicant and his adult son with the third being utilised for storage. The general condition of these units is poor.
- 2.6 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

### 3 PROPOSAL

- 3.1 The application seeks to regularise the presence of 3 agricultural storage buildings on the site; these comprise:

**Building 1:** Tractor shed with a footprint of 10.5 metres x 5.5 metres with a mono pitched roof with a minimum height of x metres and a maximum height of 2.4 metres. This building is in situ and it is constructed from blue profile metal sheeting.

**Building 2:** Existing timber shed with a footprint of 2 metres x 2 metres with a mono-pitch roof with a minimum height of 1.8 metres and a maximum height of 2.1 metres; this building is in situ.

**Building 3:** Agricultural store building with a footprint of 12 metres x 5 metres with a semi-asymmetrical roof with a minimum height of 2.5 metres and a maximum height of 3.4 metres; this building is in situ and it is constructed from green profile metal sheeting.

- 3.2 Planning permission is also sought for the use of land for the stationing of 2 mobile homes these are described within the submission as:

28ft (8.5 metres) x 10ft (3.048 metres) wide x 2 No. single bedroom static caravans. The existing unauthorised caravans on site are all to be removed.

### 4 SITE PLANNING HISTORY

F/YR07/1269/AG1	Erection of an agricultural building and formation of an access road (Within the orchard but not within the application site)	Further details not required 07.12.2007
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### 5 CONSULTATIONS

- 5.1 **Town Council**  
Recommend *'that the application be supported'*

5.2 **Ward Councillor – Councillor N Meekins**

*'As the local District Councillor for the ward where this application is located I would like to offer my support for the application.'*

*I did not originally support it as there were issues with the location of the mobile homes in relation to a drainage ditch, however the applicants and agent have taken the objections of the NLIDB on board and resubmitted the application to comply with the IDBs comments.*

*As they have listened to, and acted on, the advice given I feel that I can now offer my support for the application'.*

5.3 **Environment Agency**

*'We object to the proposed development as it falls within a flood risk vulnerability category (highly vulnerable) that is inappropriate to the Flood Zone in which the application site is located. The application is therefore contrary to the National Planning Policy Framework and its associated planning practice guidance. We recommend that planning permission is refused on this basis.'*

*Reason(s) The PPG classifies development types according to their vulnerability to flood risk and provides guidance on which developments are appropriate within each Flood Zone. This site lies within Flood Zone 3, which is land defined by the PPG as having a high probability of flooding. The site lies within the tidal breach hazard mapping and shows the site could be flooded up to depths of 1.6m from a breach in the defences during a flood that has a 1% > fluvial / 0.5% tidal chance of occurring in any one year up to 2115.*

*The development is classed as Highly Vulnerable (caravans intended for permanent residential use) in accordance with table 2 of the Flood Zones and flood risk tables of the PPG. Tables 1 and 3 make it clear that this type of development is not compatible with this Flood Zone and therefore should not be permitted. Overcoming our objection - The applicant can overcome our objection by removing the caravans intended for permanent residential use for this application. If this cannot be achieved, we are likely to maintain our objection to the application'.*

5.4 **North Level Internal Drainage Board**

Originally commented as follows:

*'My Board objects to this application as it contravenes the Board's byelaws, in particular Byelaw no. 10 which states that 'no person without the previous consent of the Board shall erect any building or structure whether temporary or permanent within 9 metres of the drain'. The two touring caravans contravene this byelaw being within 9 metres of the Board's White Hall Drain to the north-east of the site. Riparian drains also form the north and south boundary of the development and the applicant should be made aware of their responsibilities in relation to these drains'.*

The drawings were subsequently revised to delete one of the originally proposed caravans and to relocate the other two units outside of the 9-metre byelaw zone and the following updated consultation response was received:

*'Following receipt of an amended site layout plan ref: 142/PL03 for the above planning application, I can confirm that I can now withdraw my objection to this application'.*

## 5.5 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'.*

## 5.6 Local Residents/Interested Parties:

Seven letters of support were submitted with the application (from residents/business owners in Lords Lane x 1, Mile Tree Lane x 2, Cross Lane x 1, Station Road, Wisbech St Mary x 1, Emneth x 1 and unknown address x 1), these may be summarised as follows:

- General testimony regarding the applicant's character, integrity, work ethic and value as a neighbour/residents of the lane
- Site is kept tidy
- Mr Harrison and his son undertake seasonal work locally
- Hope that they continue to live and work in Lords Lane

A further 7 letters of support have been received during the evaluation phase of the application; these originate from residents in Lords Lane (x 6) and from North Brink (x 1) and may be summarised as follows:

- Again, general testimony regarding applicant's character etc and the contribution they make to the upkeep of the lane.
- *The 'lane it is mostly made up of agricultural, farming and small rural businesses and this application fits in within that criteria'.*
- *'I would urge the council to also support this application, to allow the farming and agricultural community and businesses to continue to thrive. In a time where farmers are struggling to retain employees and to recruit in, we should be assisting and encouraging those who are already part of it to continue to be able to do so'.*
- *'smaller holdings are often neglected and abandoned, whereas this one is well maintained and looked after, and helps support and provide employment for them [the applicant and his son]. If this were not to continue we are in danger of another orchard and small holding being lost, which would be a true shame and a real loss to the small farming and agricultural community they are part of'.*
- *'This road for years has been classed as a rural road that cannot be built down unless for agricultural and farming reasons, and this is exactly what John does and always has done. Therefore in my eyes this application should be approved on this reasoning.'*

## 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

Para. 2 - Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

Para. 4 - The Framework should be read in conjunction with the Government's planning policy for traveller sites, and its planning policy for waste

Para. 10 - So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development

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

Para. 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 79 - To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Para. 80 - Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Para. 159 - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

## 7.2 **Planning Practice Guidance**

Paragraph: 019 - It is particularly important that the local planning authority notifies the Environment Agency of any decision taken on a planning application where the Agency has objected on flood risk grounds. (Reference ID: 21b-019-20190315)

## 7.3 **National Design Guide**

H1 – Healthy, comfortable and safe internal and external environment

## 7.3 **Fenland Local Plan (2014)**

LP1 – A presumption in favour of sustainable development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP5 – Meeting housing need

LP12 – Rural Areas Development Policy

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

LP16 – Delivering and Protecting High Quality Environments across the District

## 7.4 **Cambridgeshire Flood and Water Supplementary Planning Document**

# 8 **KEY ISSUES**

- **Principle of Development**
- **LP3 considerations**
- **Justification**
- **Visual and residential amenity**
- **Highways**
- **Flood risk**

## **9 BACKGROUND**

- 9.1 An agricultural notification was accepted in 2007 for a storage shed and access, the approved building being 20 metres long x 10 metres wide x 3 metres eaves height and 4 metres ridge height to be constructed from green/blue box profile. It was shown to be sited on land to the west of the access road within the orchard however it is apparent that it was not constructed in this location.
- 9.2 It is noted from the submitted documents that the applicant and his adult son have resided on the site since 2016 and have owned the land for 15 years, with the agent noting that they were unaware that planning permission was required to live on the site

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 This is an elsewhere location and as such development is restricted to that which is demonstrably essential to the effective operation of local agriculture, horticulture, forestry etc in accordance with the settlement hierarchy outlined in Policy LP3. Whilst the provision of the storage buildings aligns with this policy aim the argument to support the provision of 2 units of residential accommodation is not so convincing; this is explored in detail in the justification section below.
- 10.2 Matters of character, visual amenity and residential amenity also require consideration along with any other site constraints that may render the scheme unacceptable e.g. flood risk (LP14), contamination (LP16) and servicing considerations.

### **LP3 considerations**

- 10.3 The orchard land owned by the applicant extends to circa 1.82 Ha. Whilst the applicant maintains and crops this orchard land, both in respect of fruit and timber, it is apparent that this activity in isolation does not financially support them, as both the applicant and his adult son derive income from other land-based employment elsewhere within the locality/district.
- 10.4 There is no justification within the submission to evidence that the maintenance and upkeep of the orchard is so demanding as to warrant a full-time presence on the site and there is nothing to suggest that the land could not be appropriately tended in the absence of an on-site presence. Accordingly, it may not be reasonably asserted that the development is demonstrably essential to the effective operation of the land uses highlighted in Policy LP3 relating to elsewhere locations. Albeit it is accepted that the 3 buildings which the applicant seeks to retain for agricultural use are justified under LP3.

## Justification and LPA response

- 10.5 Within the submitted Design and Access statement the agent makes reference to agricultural worker dwellings and highlights that it is usual practice for many councils to rely on the earlier detailed guidance which preceded the current NPPF. This guidance required proposals for agricultural worker dwellings to demonstrate a clearly established functional need for a full-time worker and explore whether there was other suitable accommodation on site or in the area.
- 10.6 The agent makes reference to having sufficient man-hours to equate to two full time employees of the business, whilst also highlighting that there is no other house on the holding, nor are there any buildings which could be converted and there are no dwellings within the area with a suitable agricultural tie. However, there is unfortunately no substance to the arguments postulated and no evidence to suggest an essential need exists. It would be usual practice when submitting a planning application of this nature for such an application to be accompanied by an independent assessment to demonstrate need, no such assessment forms part of this submission. That said the activities undertaken on the site would not warrant a 24/7 presence.
- 10.7 In addition the agent also explains the term 'nomad' within the submission, but again does not offer context to this in that the applicant and his adult son are clearly settled on the land, although they may travel elsewhere to fulfil their work commitments. The agent also makes reference within the submission to the fact that the applicant and his son have lived a largely nomadic lifestyle but seek a more permanent base. However, this 'desire' does not equate to justification to divert from planning policy.
- 10.8 Similarly Policy LP5 Part D is cited within the submission as justification, with this policy making provision for Gypsy and Traveller sites. However, planning policy guidance accommodates those citizens that qualify for such status and does not extend to accommodate individuals who just choose to locate in the open countryside. As such there is no justification on the grounds of ethnicity. Within the submission it is explicit that the applicant and his son would not meet the definition of Gypsy and Traveller as outlined in the PPTS and therefore references to this Policy Guidance are not relevant.
- 10.9 With regard to flood risk considerations the agent has highlighted that recent appeal decisions have taken into account flood risk modelling data and that a similar approach should be taken by the LPA in respect of this scheme as it has been demonstrated that *'in the case of a breach of defences, the site and indeed the roads which could achieve safe passage to a place of safe refuge would not be affected. In addition, the applicant has provided scenario modelling commissioned by North Level Drainage Board which demonstrates that during a major event, when pumps may need to be throttled back allowing for some overland flooding, the site would still not be affected by flood waters'*. Whilst acknowledging the PPG guidance relating to flood risk the agent notes that *'the actual residual impacts of a major flood event have been demonstrated to have a neutral effect of the site i.e. the site would be safe from flooding in extreme events, with a breach of tidal flood defences'*.
- 10.10 As a final point the agent highlights planning case law relating to the personal circumstances of the applicant being a material planning consideration, whilst also citing the Article 8 rights of the applicant in terms of a right to respect for their family life, private life and home. Whilst both arguments are accepted in

general terms the consideration of personal circumstances would be enacted solely where there are 'exceptional or special circumstances'. Furthermore, in respect of the 'interference' with the applicants human rights it is noted that case law indicates that such interference may be justified if it is in the public interest. It is contended that the legitimate aim of conforming with planning policy and safeguarding the open countryside from inappropriate development cannot be achieved without interference with the applicants Human Rights and that this interference is proportionate and necessary in the circumstances.

- 10.11 It is further noted that the applicant was unaware that planning permission was required to reside on the site, however little weight may be given to this and it is clear that the applicant was sufficiently aware of planning controls in 2007 when the prior notification for the agricultural building was submitted.
- 10.12 Based on the above evaluation there is nothing to suggest, or indeed warrant, any special considerations being levied on the applicant and the applicant should therefore be considered solely against the prevailing planning policy.
- 10.13 It is noted that a number of local residents have written in support of the application. However, the general thrust of the comments made relate to the work ethic and community ethos demonstrated by the applicant and his son rather than the planning merits of the scheme. Whilst it is clear that the applicant and his son are valued members of the community and much respected this does not obviate the real and acute disparity of the scheme with the relevant policy framework.

#### **Visual and residential amenity**

- 10.13 The site is well screened from the roadside and the surrounding land and as such there is no demonstrable harm arising in terms of visual amenity. Indeed, there are no particular visual clues that the site in fact is occupied with the existing field access being utilised and the foreground to the buildings and application site being densely planted.
- 10.14 Similarly, the distance of the application site from the adjacent residential properties and the limited occupation of the site, which maintains an orchard function, is such that there are no residential amenity impacts associated with the proposal.
- 10.15 Accordingly, there would be no grounds to withhold consent on the basis of visual or residential amenity harm and therefore the scheme may be deemed compliant with policies LP2 and LP16 in so far as such considerations.

#### **Highways**

- 10.16 The orchard land benefits from an existing field access from which access to the site is derived, whilst the site layout drawing and associated notes contained thereon indicates that the access is to be tarmacked this would be a matter for the Local Highways Authority to agree under their Section 278 processes given that the access is currently in situ and noting that Lords Lane is an unclassified road.
- 10.17 Whilst the presence of the existing security fencing at the entrance will have some impact on the free flow of traffic along Lords Lane, should vehicles stop on the carriageway to unlock the security fencing. The likely frequency of/and



impacts arising from such instances when viewed in the context of the existing use of the site and noting that this rural road is lightly trafficked are not anticipated to represent any significant issues with regard to the operation of the highway, or indeed have impact in terms of highway safety.

- 10.18 Based on the above evaluation it is not considered that there are any matters to reconcile with regard to Policy LP15 of the FLP (2014).

### **Flood risk**

- 10.19 The Environment Agency have objected to the scheme as it proposes highly vulnerable development (caravans intended for permanent residential use) within a flood zone 3 location, being as it the highest flood risk zone.
- 10.20 Furthermore, it is noted that the EA have identified that the site lies within the tidal breach hazard mapping and shows the site could be flooded up to depths of 1.6m from a breach in the defences during a flood that has a 1% > fluvial / 0.5% tidal chance of occurring in any one year up to 2115. The agent within the submission states that the 'floor levels of the static homes will be set no lower than 500mm above ground and anchored to the ground in the unlikely event of a flood'.
- 10.21 Notwithstanding the site-specific flood risk concerns this scheme fails to address the sequential and exception test noting that no functional need has been demonstrated for the placing of 2 independent residential units on the site. In the absence of such justification, it is not possible for the scheme to satisfy the sequential test nor is it possible to satisfy the exception test. Noting that in addition to a failure to demonstrate that the development will be safe against all sources of flooding for its lifetime it is also apparent that the development would not offer any wider sustainability benefits to the community. Accordingly, the scheme does not achieve compliance with Policy LP14 of the FLP (2014).
- 10.22 The agent states within the submission that '*under Para 104 of the NPPF an application for minor developments or change of use does not require sequential/exception test to be undertaken*'; this is incorrect in that Para 104 relates to transport issues with Para 168 relating to the application of the sequential and exception test, whilst the statement of the agent is correct as far as quoted the footnote to this para which clearly states that this guidance excludes caravans and mobile home proposals.
- 10.23 It is acknowledged that the agent has provided an updated FRA in response to the Environment Agency comments. However, noting the consultation response and guidance offered by the EA, which has indicated that unless the caravans for permanent residential use are deleted from the scheme, they are likely to maintain their objection to the application. It is therefore anticipated that an objection on flood risk grounds will be maintained; albeit the outstanding consultation response will be reported to the committee meeting.
- 10.24 Members are reminded that there is a requirement to notify the Environment Agency of any decision taken on a planning application where the Agency has objected on flood risk grounds.

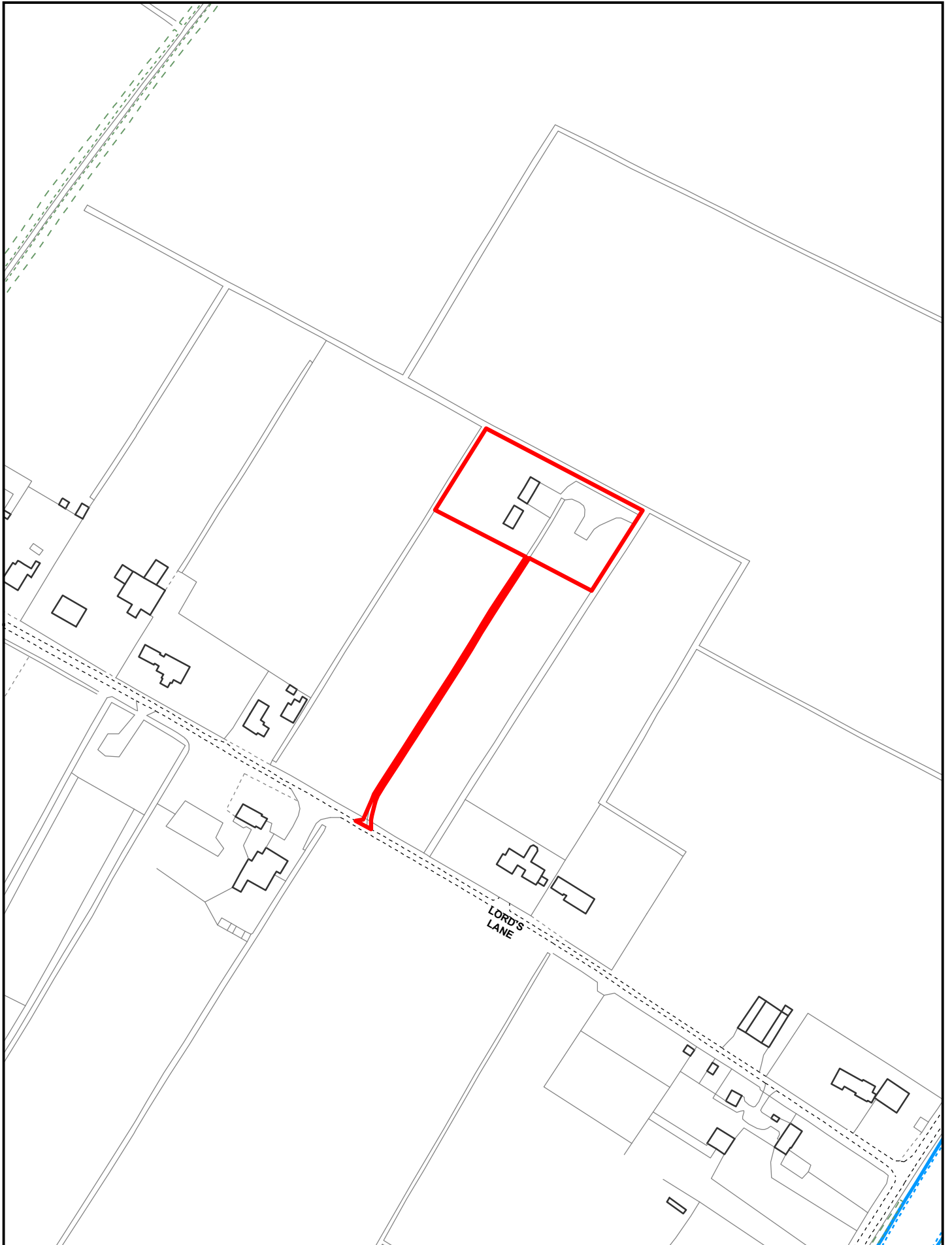
## **11 CONCLUSIONS**

- 11.1 The absence of visual and amenity harm is noted however this does not tip the balance of weight towards a favourable recommendation when matters of justification and need along with flood risk considerations are factored in.
- 11.2 Whilst Officers have some empathy with the personal circumstances of the applicants and acknowledge the personal desire of the applicants to secure a permanent residential base on land which they own. Such 'desire' does not override the more fundamental countryside policies which seek to restrict development within the open countryside to that which is essential for agricultural purposes; nor does it override matters of flood risk as evidenced by the objection raised by the Environment Agency.
- 11.3 There is no policy justification to support the provision of two mobile homes on the site for permanent residential accommodation, based on settlement considerations and flood risk issues. Accordingly, the only recommendation can be one of refusal on these grounds.

## 12 RECOMMENDATION - Refuse

### Reasons for refusal

1	<p>Policy LP3 of the Fenland Local Plan 2014 and National Planning Policy guidance steer new development to sustainable areas that offer the best access to services and facilities. This is unless it can be demonstrated that such development is essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services, or that there is a justifiable reason for locating development in otherwise unsustainable locations.</p> <p>The proposed mobile homes would be located in the open countryside and insufficient justification has been provided to outweigh Policy LP3 considerations. The proposal is therefore contrary to Local Plan Policies LP3 and LP12 of the Fenland Local Plan (adopted May 2014) and Paragraph 79 of the National Planning Policy Framework.</p>
2	<p>Policy LP14 (Part B) of the Fenland Local Plan 2014 requires development proposals in high flood risk areas to undergo a sequential test to demonstrate through evidence that the proposal cannot be delivered elsewhere in the settlement at lower risk of flooding. Policy LP2 seeks to deliver high quality environments, ensuring that people are not put at identified risks from development thereby avoiding adverse impacts in the interests of health and wellbeing. The site lies within Flood Zone 3 which is a high risk flood area. The applicant has failed to demonstrate that the development could not be delivered in an area of lower flood risk thereby failing LP14 (Part B). Consequently, the proposal also fails to satisfy policy LP2 of the Fenland Local Plan as it fails to deliver a high quality environment and unjustifiably puts future occupants and property at a higher risk of flooding.</p>



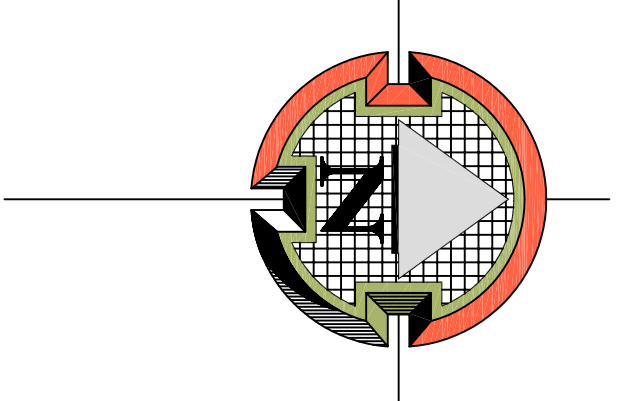
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**General Notes:**  
 -Dimensions on all drawings are shown in "mm".  
 -The contractor/sub-contractor and supplies must verify all dimensions before commencement of any works on site.  
 -This drawing is to be read in conjunction with any relevant engineers and specialist sub-contractor drawings and specifications.  
 -Landscaping Ker (hard and soft)

- Entrance threshold
- Native hedge planting around perimeters

- Asphalt Access Area construction detail**
1. Refer to BS EN 13108-1 for material spec for asphalt concrete.
  2. Refer to BS EN 13108-4 for material spec for hot rolled asphalt.
  3. Refer to BS EN 13108-5 for material spec for stone mastic asphalt.
  4. Refer to BS 5949/7 for transport,laying and compaction of all asphalts.
  5. Bond coats to be used in accordance (no.4) to be applied on all kerb and edging faces along with gully and cover frames. Bond coats to be applied on top of base and binder courses. Joints in binder and base course to be over banded.
  6. Construction thicknesses based on CBR value.
  7. If CBR value is less than 2.5% special engineer measurements will be required.
  8. If sub-grade is deemed to be frost susceptible sub-base thickness to be thickened to provide min. construction depth of 450mm.
  9. Footpath sub-base to be thickened to 150mm under vehicular crossings.
  10. SMA to be grided whilst material is hot-1-2kg per m2 applied by roller mounted hopper.
- Native hedgerow retention  
 • Common Hawthorn

**Revisions:**

Reference:	142/PL03	Pages:	3
Scale:	OS shown		

**Project:**  
 Proposed 2x mobile homes  
 Agricultural shed and Tractor Shed

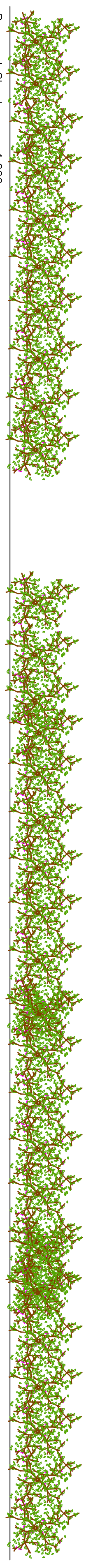
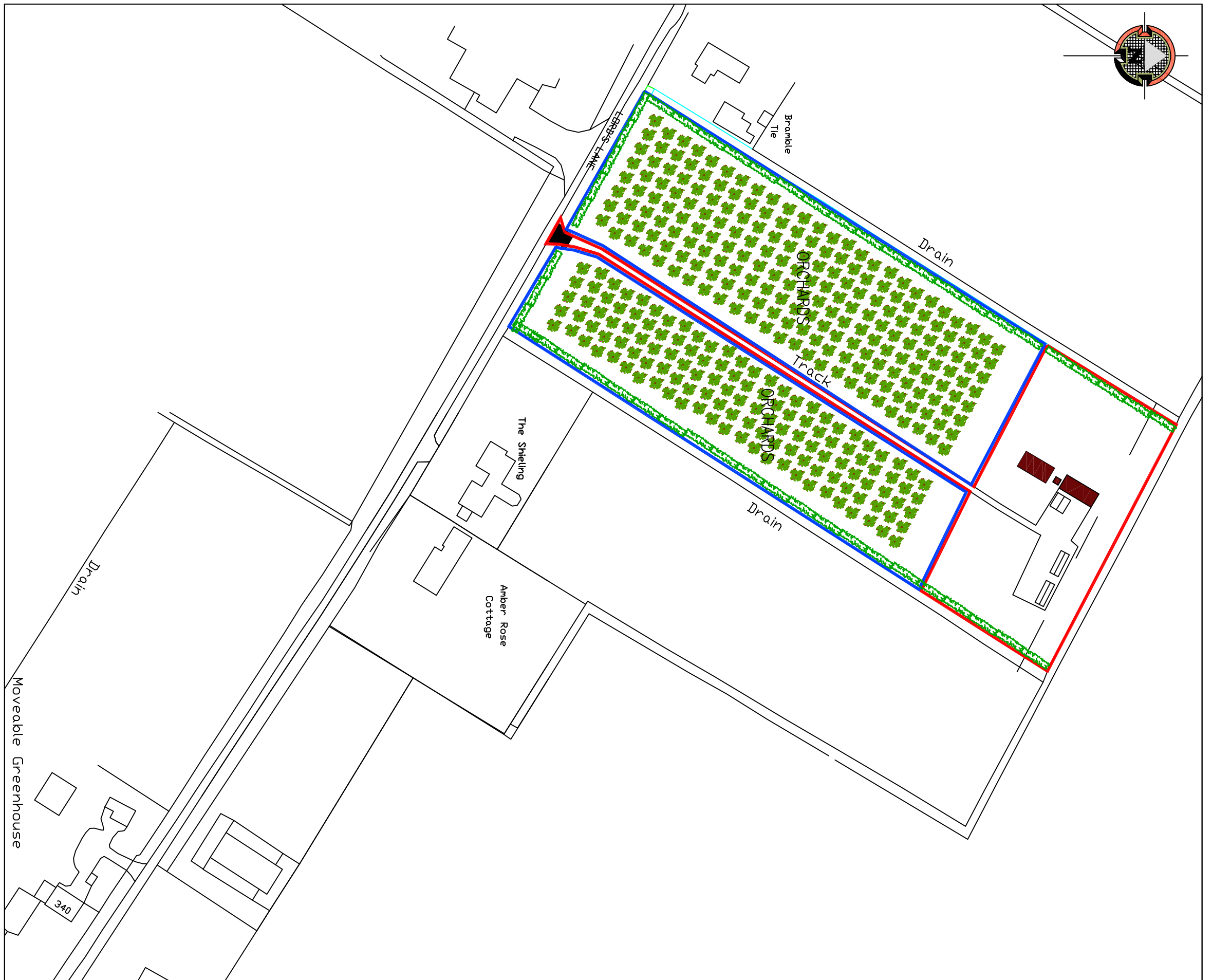
**Site Address:**  
 Fenland Bramleys  
 Lords Lane  
 Wisbech st Mary

**Client:**  
 Mr and Mr Harrison  
 Fenland Bramleys  
 Lords Lane  
 Wisbech st Mary

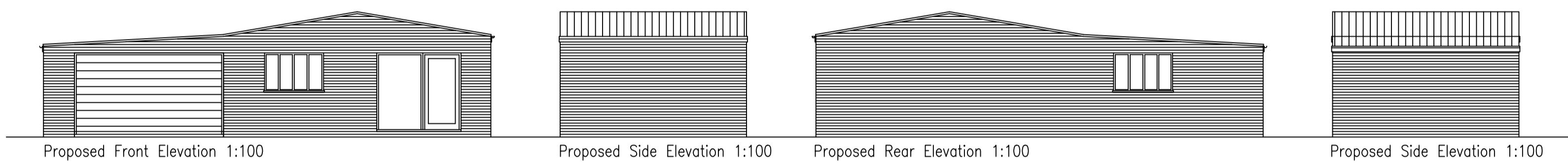
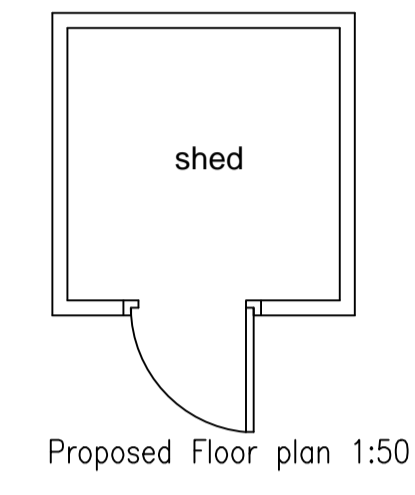
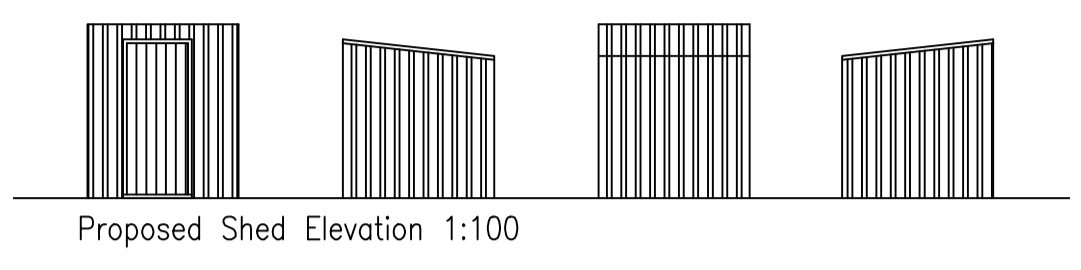
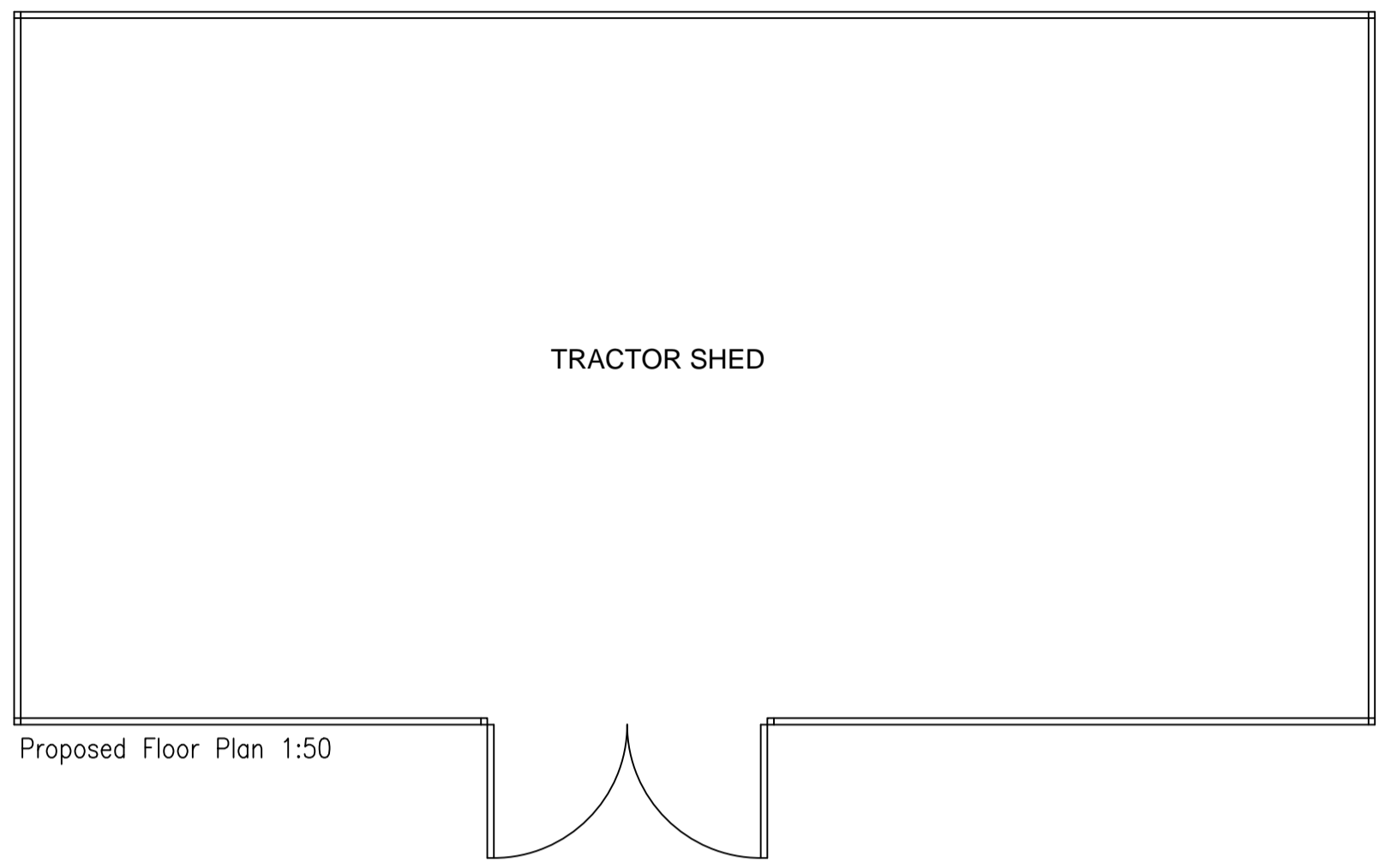
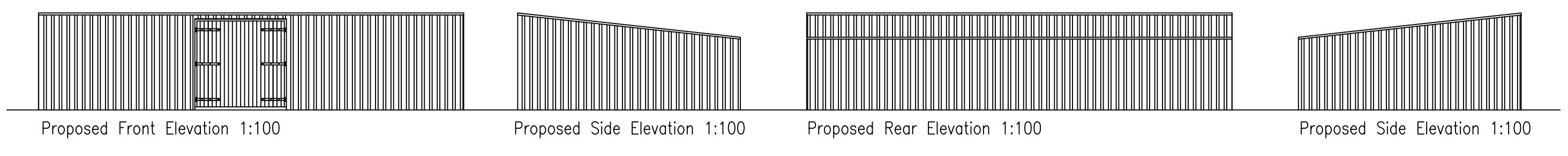
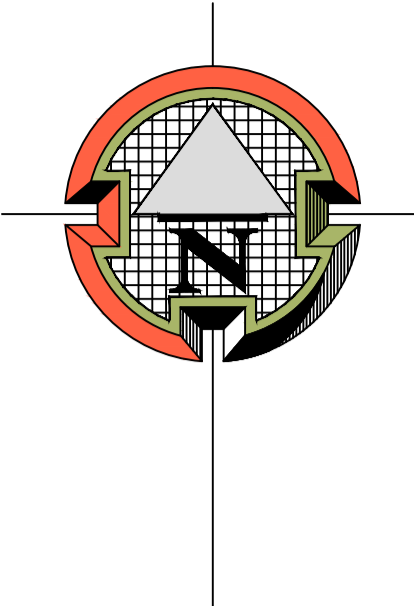


Southfork Farm  
 Seadyke Bank  
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 Cambridgeshire  
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

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Bramble Tie  
 Drain  
 Agricultural store building  
 Timber shed  
 Tractor shed  
 mobile homes  
 9m DRAIN  
 brickwork track  
 Track  
 Drain  
 Drain  
 The Shieling  
 Amber Rose



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