
F/YR22/0731/F

Applicant: Mr & Mrs G Stearne

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

The Dolls House, High Road, Wisbech St Mary, Cambridgeshire

Erect 1 x dwelling (2-storey, 5-bed), detached double garage with storage above and attached hobby room together with the temporary siting of a caravan during construction

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

1 EXECUTIVE SUMMARY

- 1.1. This application seeks full planning permission to erect a 2-storey, 5-bed dwelling, detached double garage with storage above and attached hobby room, together with the temporary siting of a caravan during construction on area of vacant scrub land, accessed directly from High Road, Wisbech St Mary immediately east of the dwelling known as Corbiere.
- 1.2. Permission was granted in July 2020 for the construction of a 2-storey 4-bedroom dwelling (F/YR20/0214/F). This acknowledged an earlier planning consent in 1999 for the construction of two dwellings on the land, followed by reserved matters approval in February 2002 (F/YR02/0059/RM) confirmed as having been commenced on site. More recently, the site was granted planning approval for the erection of a 2-storey, 5-bed dwelling, detached double garage with storage above and attached hobby room together with the temporary siting of a caravan during construction (F/YR22/0191/F).
- 1.3. The scheme considered herein is similar to the earlier F/YR22/0191/F; however, this application seeks to amend the overall design of the scheme, including, most notably, an amendment to the roof pitch that will see the ridge height of the dwelling increased 0.4m on the approved scheme under F/YR22/0191/F.
- 1.4. Given the significant negotiations with regard to the roof height on earlier schemes, it is concluded that the proposed scheme is not acceptable owing to its impact and dominance in relation to Corbiere and other dwellings to the west. Furthermore, there has been no justification within the details submitted with the current application to rationalise the requirement to alter the roof pitch from that previously agreed.
- 1.5. The below assessment therefore considers that the proposed scheme is unacceptable with regard to its height at the detriment of the wider street scene, in contravention of Policy LP16 (d), and as such the recommendation is to refuse the application.

2 SITE DESCRIPTION

- 2.1. Lying within flood zone 3, the application site is an area of vacant scrub land, accessed directly from High Road, Wisbech St Mary, which is a single carriageway road running East-West and is the main road through the settlement, identified in the Development Plan as a growth village.
- 2.2. There is a residential dwelling located immediately to the west of the site, known as Corbiere, which is a modest two-storey dwelling with a flat-roofed two-storey extension to the rear and ancillary outbuildings located at the rear of its garden. Additional residential dwellings are situated further to the west.
- 2.3. The land to the east of the site is also open scrub land, and planning permission for the construction of a single dwelling has been approved under F/YR21/1213/RM on that site. Beyond that a further single dwelling has been approved and constructed under F/YR21/0993/RM and further residential dwellings are situated beyond this to the east.
- 2.4. In the wider area, Wisbech St Mary is originally a largely linear settlement fronting High Road, Sand Bank and Station Road. It has expanded more recently through backland development to the north of Church Road.

3 PROPOSAL

- 3.1. The proposal is for the construction of a 2-storey 5-bedroom dwelling and a detached double garage with first floor storage and attached hobby room integral single garage and the temporary stationing of a caravan. With parking for in excess of two cars on the land at the front of the site and parking/turning driveway to the rear by the intended garage. The front entrance to the dwelling is intended off High Road, although separate vehicular access would be gained via the track leading to the intended garage on land to the north of the site. The property's western and northern boundaries would be demarcated by 1.8m close board timber fencing with the height reducing to 0.9m at the front of the dwelling; existing fencing will be retained to the west. Landscaping would be provided to the front of the site.
- 3.2. Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

F/YR22/3072/COND	Details reserved by condition 2 (materials) of Planning permission F/YR22/0191/F	Pending
F/YR22/0191/F	Erect 1 x dwelling (2-storey, 5-bed), detached double garage with storage above and attached hobby room together with the temporary siting of a caravan during construction Land East Of Corbiere, High Road, Wisbech St Mary	Granted 29.04.2022
F/YR20/0214/F	Erect 1 x dwelling (2-storey, 4-bed) and the temporary siting of a caravan during construction Land West Of Hollycroft Heights High Road Wisbech St Mary	Granted 15.07.2020
F/YR20/0212/F	Erect 1 x dwelling (2-storey, 4-bed) and the temporary siting of a caravan during construction Land East Of Corbiere High Road Wisbech St Mary	Granted 15.07.2020
F/YR07/0865/F	Erection of a stable/tackroom block and hay/tractor store, manege and 1.2 metre high post and rail fencing to manege and paddock boundary Land North Of The Elms High Road Wisbech St Mary	Granted 21.09.2007

F/YR02/0059/RM	Erection of 2 x 4-bed detached houses with attached garages Land West Of Hollycroft Bungalow High Road Wisbech St Mary	Approved 28.02.2002
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5 CONSULTATIONS

5.1. Environment & Health Services (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate.

Due to being unable to ascertain the exact land use history, it is requested that the following condition is imposed in the event that planning permission is granted;

UNSUSPECTED CONTAMINATION

CONDITION: If during development, contamination not previously identified, is found to be present at the site then no further development (unless otherwise agreed in writing with the LPA) shall be carried out until the developer has submitted, and obtained written approval from the LPA, a Method Statement detailing how this unsuspected contamination shall be dealt with.

REASON: To ensure that the development complies with approved details in the interests of the protection of human health and the environment.

5.2. North Level Internal Drainage Board

Whilst my Board has no objections in principle to the above application, I would make the following observations:-

- 1. The garage to the rear of the plot sits almost on the brink of the riparian drain to the north of the site (see attached plan). This drain serves the properties to the west of this development and therefore the integrity of this drain must be maintained. The responsibility for its maintenance also falls to the adjoining landowners so access for a maintenance corridor must be considered.*

5.3. Wisbech St. Mary Parish Council

At the meeting of Wisbech St. Mary Parish Council on 11th July 2022, the Council recommended APPROVAL. Councillors note that a re-consultation has been received relating to the revised site plan, Street Scene, Elevations and Garage Details and they support development on this plot.

5.4. Cambridgeshire Highways Authority

Highways have no objections to the application in principle. However, the access should be sealed and to be drained away from the highway in a bound material for a minimum of 5m back from the existing footway. The vehicular access shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification. Surface water from private roads/ driveways areas must not discharge onto the public highway, and appropriate intervention must be provided. Please demonstrate a method at the boundary of the private and public highway of the access.

Should the applicant be able to amend the access in light of the minor comment above, then please append the following conditions and informative to any permission granted:

Conditions

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

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

2. 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.

3. The gradient of the vehicular access shall not exceed 1:12 for a minimum distance of 5.0m (or longer if in connection with a commercial development) into the site as measured from the near edge of the highway carriageway.

Reason: In the interests of highway safety.

5.5. Local Residents/Interested Parties

12 letters of support of the application have been received (7 from residents of High Road, 3 from Mayfair Gardens and 2 from Station Road, Wisbech St Mary). The reasons for support of the scheme can be summarised as: the proposed dwelling would be in keeping with the surrounding area; would result in high quality development; and is of an appropriate scale.

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: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

Para 79: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 92: Promote healthy and safe communities through layouts, routes through sites and public spaces etc.

Para 119: Promote effective use of land

Para 130: Well-designed development

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

Para 159: Need to apply the sequential and exceptions tests.

Para 162: Development should not be permitted if there are reasonably available sites in areas at lower risk of flooding.

Para 163-165: Need for the exception test.

Para 167: Thresholds for allowing development in areas at risk of flooding.

7.2. National Planning Practice Guidance (NPPG)

Determining a planning application

7.3. **National Design Guide 2019**

Context
Identity
Built Form
Movement
Public Spaces
Uses
Homes and Buildings
Resources
Lifespan

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
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 the Development**
- **Visual Impact and Character**
- **Residential Amenity**
- **Flooding and Flood Risk**
- **Highway Safety**

9 **BACKGROUND**

- 9.1. Previous planning history of the site is pertinent to the consideration of this proposal.
- 9.2. Consent was granted in July 2020 for the construction of a 2-storey 4-bedroom dwelling (F/YR20/0214/F). This acknowledged an earlier planning consent in 1999 for the construction of two dwellings on the land, followed by reserved matters approval in February 2002 (F/YR02/0059/RM) confirmed as having been commenced on site by letter from the Local Planning Authority dated 5th April 2002.
- 9.3. More recently, the site was granted planning approval for the erection of a 2-storey, 5-bed dwelling, detached double garage with storage above and attached hobby room together with the temporary siting of a caravan during construction (F/YR22/0191/F).
- 9.4. The scheme considered herein is similar to the earlier F/YR22/0191/F; however, this application seeks the following changes:
- a) Main roof pitch has been lifted by 2.5 degrees to a 30 degree pitch;
 - b) Bay window details adjusted compared to what was indicated on the approved drawing;
 - c) Porch over front door has been lowered;
 - d) The first floor windows on the front elevations have been increased in height for fire egress;

- e) Brick on edge cill detailing has been added to most windows;
- f) Corbelled eaves and verges with dogtooth projecting course introduced (45 degree brick course);
- g) External chimney breast on rear elevation corrected;
- h) Door onto balcony changed from bifold to single leaf with sidelights;
- i) A side door has been added to the garage;
- j) Roof light locations to garage have been updated to add uniformity;
- k) Clock tower to garage has been suggested as a possible addition;

9.5. The majority of the above proposed changes (b – l) will result in negligible impacts to the overall appearance of the dwelling and garage within the context of the earlier approved scheme.

9.6. However, the change to the roof pitch (a) will see the height of the overall dwelling increased. This is a material change that was subject to significant negotiations on previous applications and warrants further consideration with regard to its impact on visual amenity and character.

10 ASSESSMENT

Principle of the Development

10.1. The application site is located within the built-up part of the settlement of Wisbech St Mary, which is identified within the development plan as a growth village. Policy LP3 notes that for growth villages, development within the existing urban area will be appropriate albeit at a more limited scale than in market towns.

10.2. There is an extant permission on the site for the construction of two dwellings and therefore the principle of residential development on the land has been accepted previously and could be carried out without further recourse to the requirement for permission.

10.3. There are no other designations on the land that would indicate that the principle of development is unacceptable.

Visual Impact and Character

Roof alterations

10.4. As discussed above, the other proposed changes to the scheme are negligible, as their external impacts to the overall appearance of the dwelling will be minor, in the context of the approved scheme. However, the impact of the dwelling in terms of the resultant height owing to the proposed roof pitch is the main issue relating to the changes posed within this application when compared with the earlier iterations.

10.5. During consideration of the earlier applications, in particular F/YR20/0212/F and F/YR22/0191/F, significant negotiations were undertaken with the applicant to resolve design issues pertaining to the overall height of the dwelling in relation to adjacent development and the detrimental impact due to dominance of neighbouring dwellings, particularly those to the west, most notably Corbiere that sits immediately west of the site.

10.6. During extensive consideration of the applications, 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 a height suitable within the local vernacular, to which the applicant obliged. Ultimately, the final design of the most recent

scheme (F/YR22/0191/F) was considered, on balance, to be an appropriate height and scale to limit dominance within the streetscene.

- 10.7. For clarity, the below table outlines the previous proposed original heights of the dwelling in earlier applications and the height that was finally agreed through LPA negotiation, in comparison with the current scheme:

Ref	Original Proposed Height	Reduced Height (after negotiation)	Comments
20/0212/F	8.9m	8m	This reduction was approved as it was considered more in keeping with adjacent dwellings.
22/0191/F	10m	8.7m	This reduction was approved as although still in the realm of the original rejected height, the roof would still be marginally lower than the original rejected height of 8.9m, so considered acceptable, on balance.
Current	9.1m		The current scheme will see the ridge height of the dwelling increased 0.4m on the approved scheme under 22/0191, and 0.2m on the originally rejected scheme under 20/0212. Therefore, the proposed ridge height cannot be considered acceptable given the earlier considerations with regard to the overall height of the scheme, owing to its impact and dominance on Corbiere and other dwellings to the west.

- 10.8. Given the comparisons of the various iterations of the roof height, the proposed scheme is not acceptable owing to its impact and dominance in relation to Corbiere and other dwellings to the west. Furthermore, there has been no justification within the details submitted with the current application to rationalise the requirement to alter the roof pitch from that previously agreed.
- 10.9. On this basis, the proposed scheme fails to comply with Policy LP16(d) owing to the harm caused to the character and appearance of the area by virtue of the height of the dwelling in comparison to adjacent development, and as such warrants refusal of the scheme.

Other matters pertaining to visual impact and character

- 10.10. It is understood from the details submitted within F/YR22/3072/COND relating to Condition 2 of F/YR22/0191/F (currently pending decision) that the proposed materials are intended as, Rustica Range Kempton Weathered Antique bricks, and cream render for the external walls of the dwelling and black feather edge weatherboarding over for the garage, both under Edilians Panne S rustic clay pantile roof, with light grey uPVC joinery. As such, it follows that these are the proposed materials to be considered in relation to this revised scheme. Generally, these materials are likely to be considered acceptable in the context of the surrounding development, although this is subject to final decision by the LPA for the pending discharge of condition application.

Residential Amenity

- 10.11. The proposed changes will see no significant impacts to residential amenity over and above the considerations of the earlier approved scheme.
- 10.12. As such, there is no justification for concluding that the proposed dwelling or garage will have any harmful impacts on the amenity of the neighbouring properties for reasons such as overlooking, overshadowing, light pollution, or

noise. As such, the proposal is considered acceptable with regard to policy LP16 (e).

Flooding and Flood Risk

- 10.13. National Planning policy and policy LP14 of the Development Plan aim to steer new development proposals towards areas at the lowest risk of flooding.
- 10.14. The application site is located in flood zone 3, which is the zone of highest flood risk, and planning policy would therefore indicate that residential development should not be permitted on the site unless a sequential test has been undertaken and passed.
- 10.15. The application is accompanied by a Flood Risk Assessment that did not include any information pertaining to the sequential test. Thus, the Flood Risk Assessment would not be considered acceptable with respect to the requirements of local and national planning policy.
- 10.16. Notwithstanding the above however, the application site benefits from an implemented planning permission. A sequential test is therefore not required as the application site itself is one of the sites that would be identified as reasonably available for development as part of the sequential test as it benefits from an implementable planning permission without any insurmountable barriers to development.
- 10.17. The Flood Risk Assessment identifies specific mitigation measures to protect the development from flooding, and the Environment Agency have confirmed that those measures are satisfactory, and raise no objection, subject to the imposition of conditions to the same. It is also noted that the internal drainage board do not object to the scheme.

Highway Safety

- 10.18. The proposal utilises an existing vehicular access track to provide access to the intended garage, with a separate individual access to the property in question directly off High Road.
- 10.19. Given the earlier implemented permission the use of the existing access track providing access to the rear garage is considered acceptable.
- 10.20. Comments from the LHA resolved that the principle of the proposed access was acceptable, subject to the imposition of conditions.
- 10.21. In addition, the scheme provides ample parking spaces for the quantum of development proposed.
- 10.22. Thus, the proposal is considered acceptable in accordance with Policy LP15.

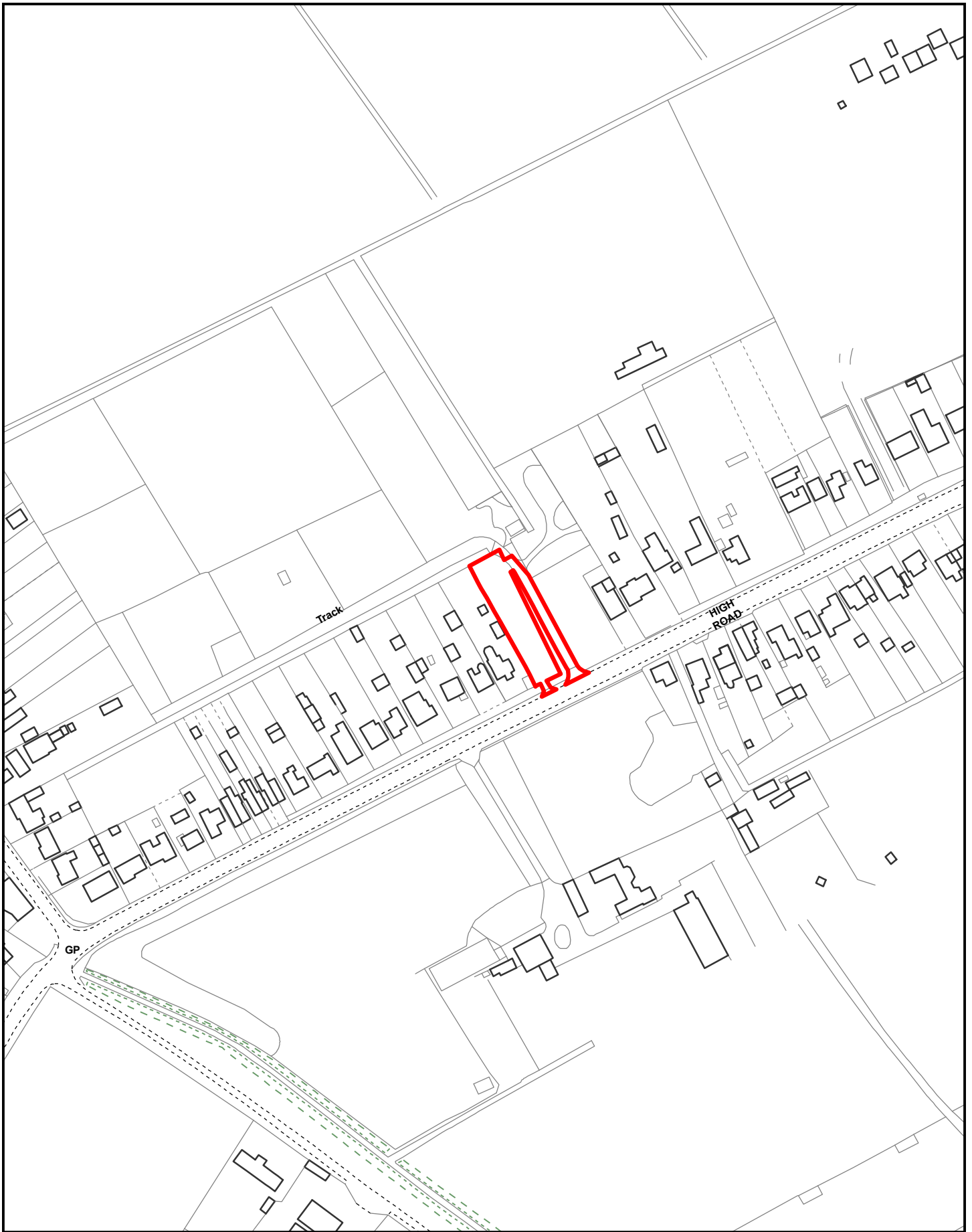
11 CONCLUSIONS

- 11.1. On the basis of the consideration of the above issues the proposed scheme fails to comply with Policy LP16(d) owing to the harm caused to the character and appearance of the area by virtue of the height of the dwelling alongside development to the west, particularly Corriere. 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	<p>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 scale the proposed development would appear incongruous and dominant within the wider street scene, particularly in comparison with adjacent development to the west, 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 Policy LP16(d) and DM3 (2014).</p>
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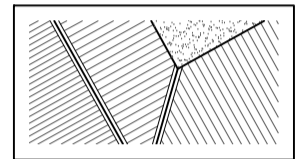
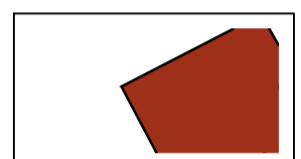
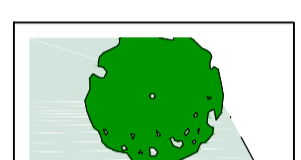
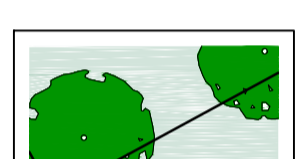





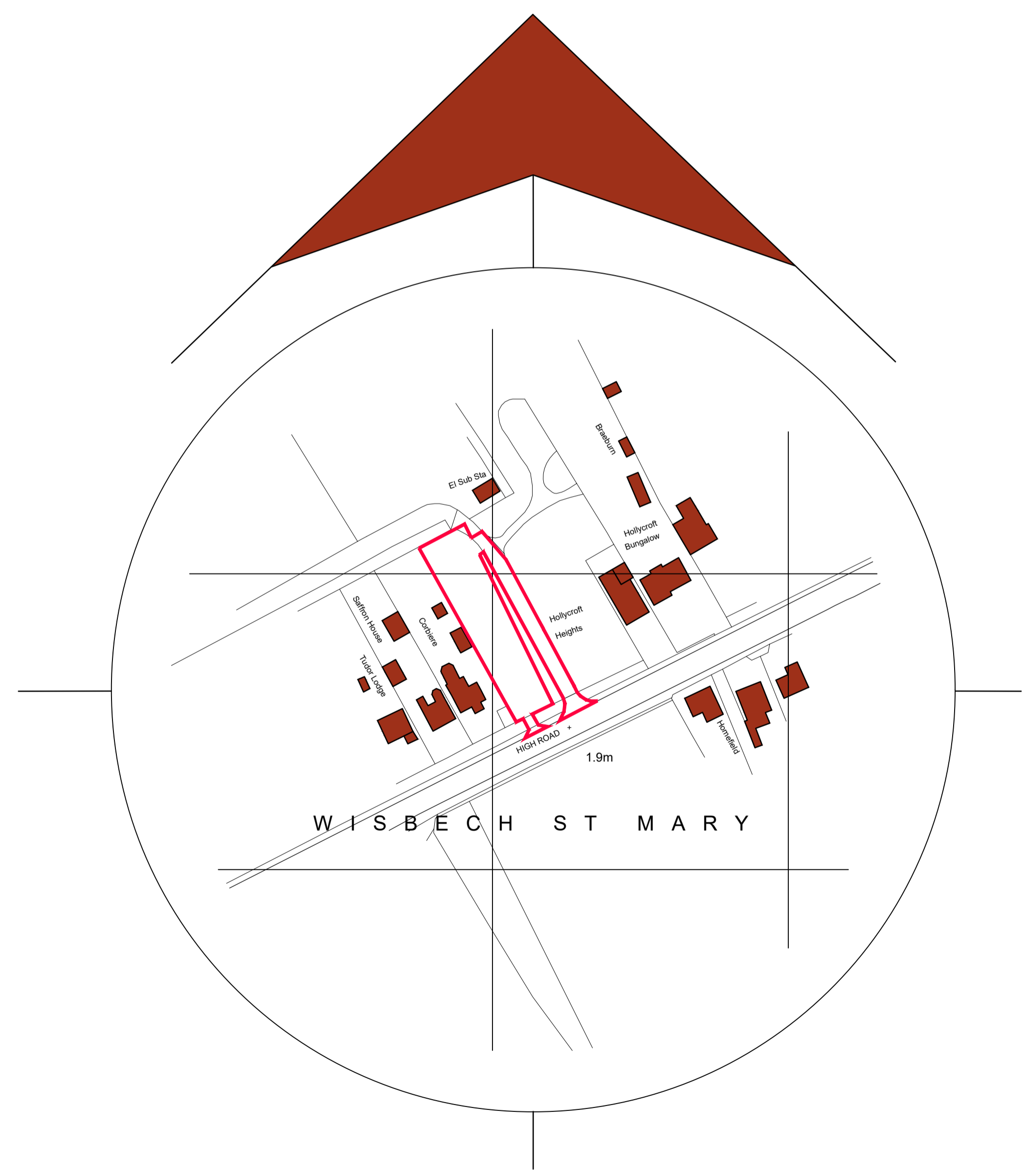
Site Plan
Street Scene
0 2 4 6 8
metres



SITE PLAN KEY

-  Indicates proposed dwelling
-  Indicates existing position buildings taken from OS Map
-  Proposed position of vegetation
-  Proposed position of flowering cherry trees
-  Indicates proposed site access to Cambs CC Highways specification

Site Plan
Scale: 1:200
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metres



Location Plan
Scale: 1:1250
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metres

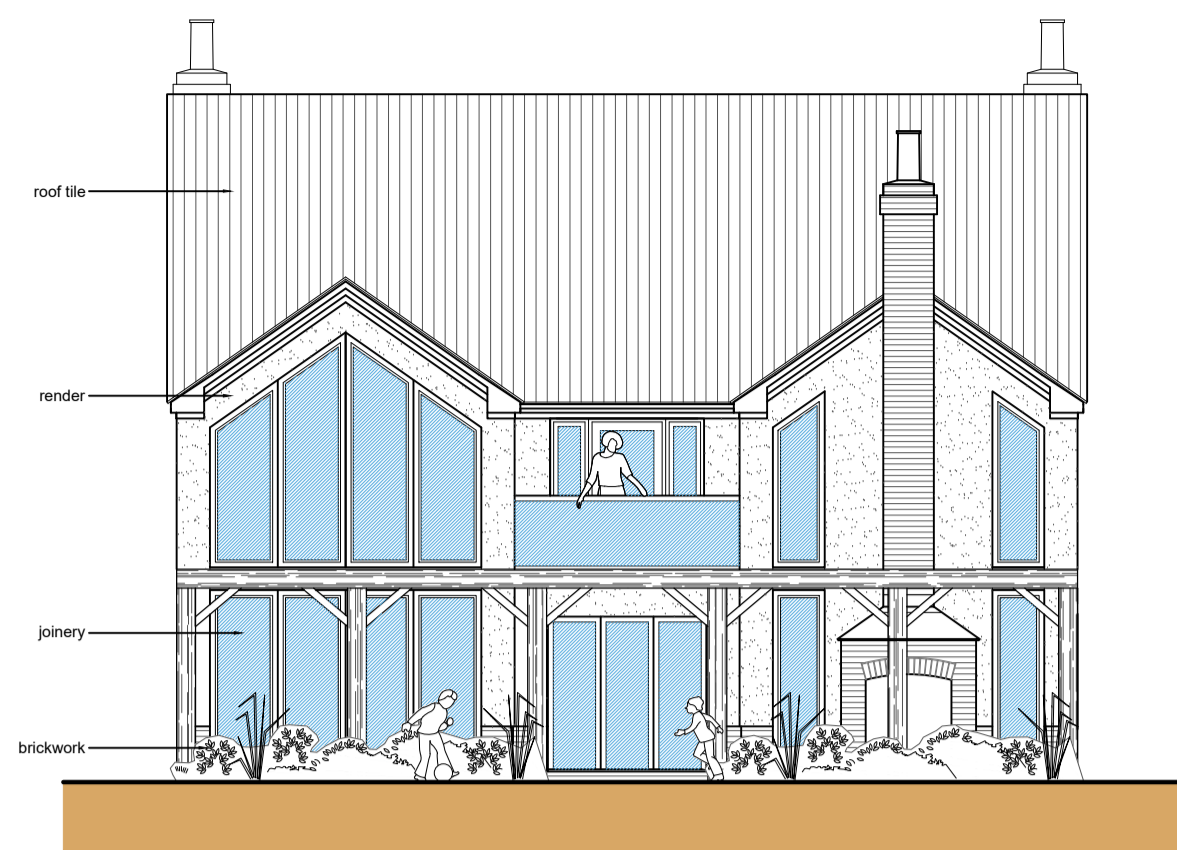
General Notes
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3. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
4. Any discrepancies are to be brought to the designers attention.

CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 2015
The following information must be read in conjunction with the project Risk register. This drawing highlights significant design related Health & Safety Risks present during Construction phase, and Residual Risks which remain post completion. Other Health & Safety Risks associated with Construction Activities may be present, and must be identified by the Principal Contractor prior to works commencing. Design Risks relating to specialist design items must be identified by the relevant specialist designers/ consultants and issued to the Principal Designer.

Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE
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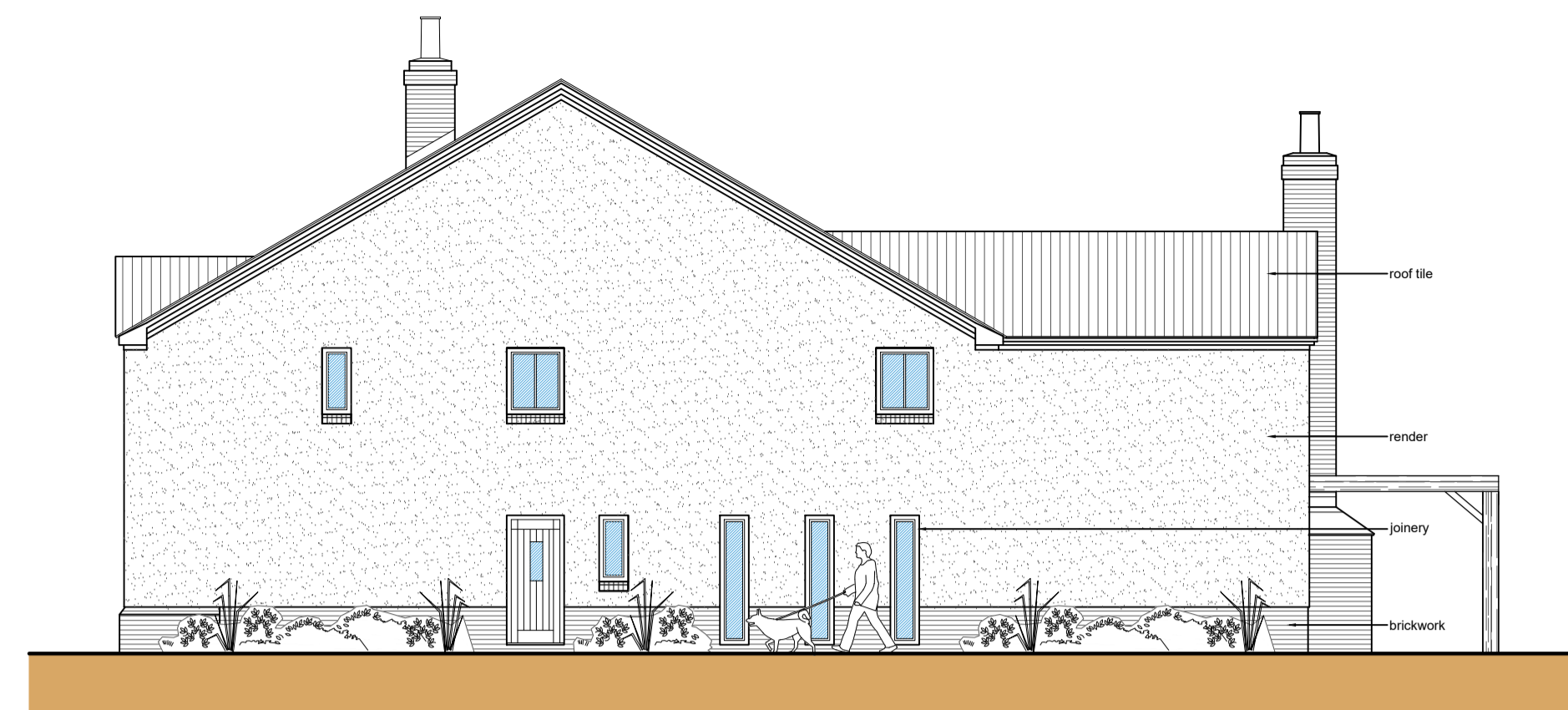
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Drawing Title Planning Drawing Site Plan & Location Plan	Job No. SE-1572 Dwg No. PP1000	Sheet Size A1 Revision 1



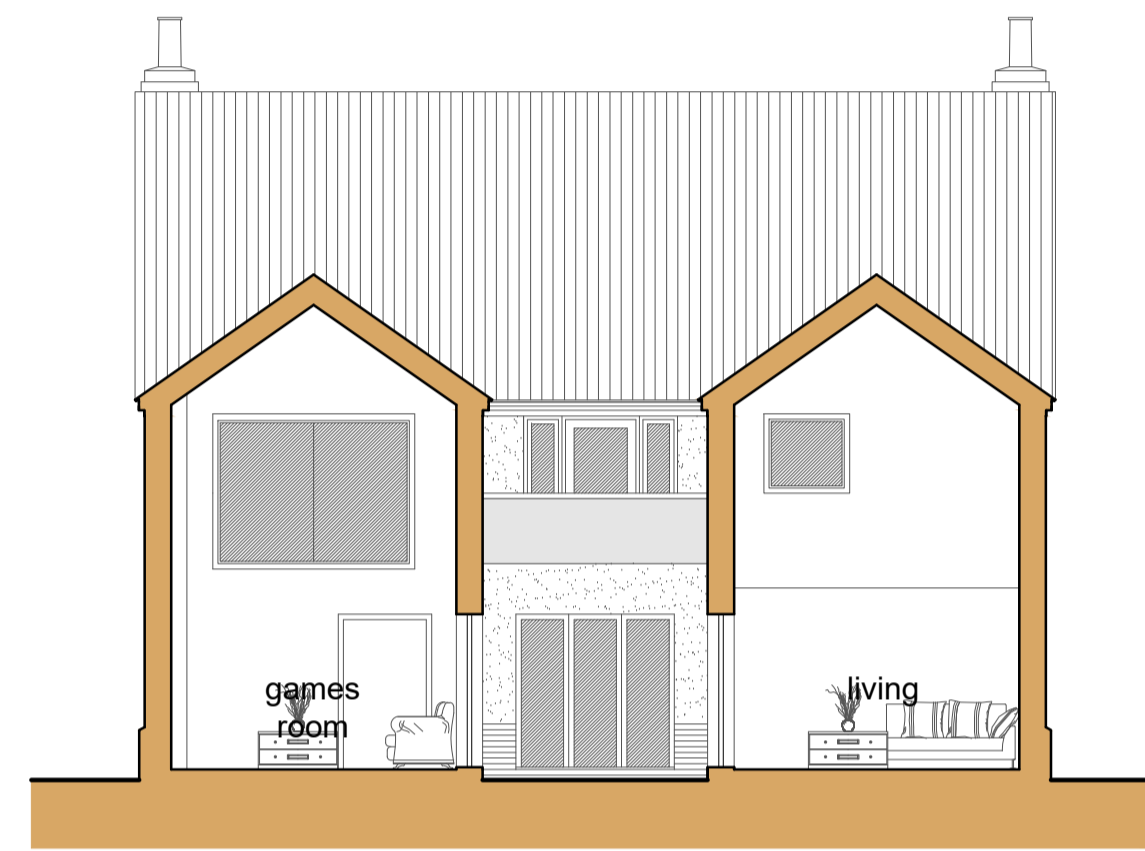
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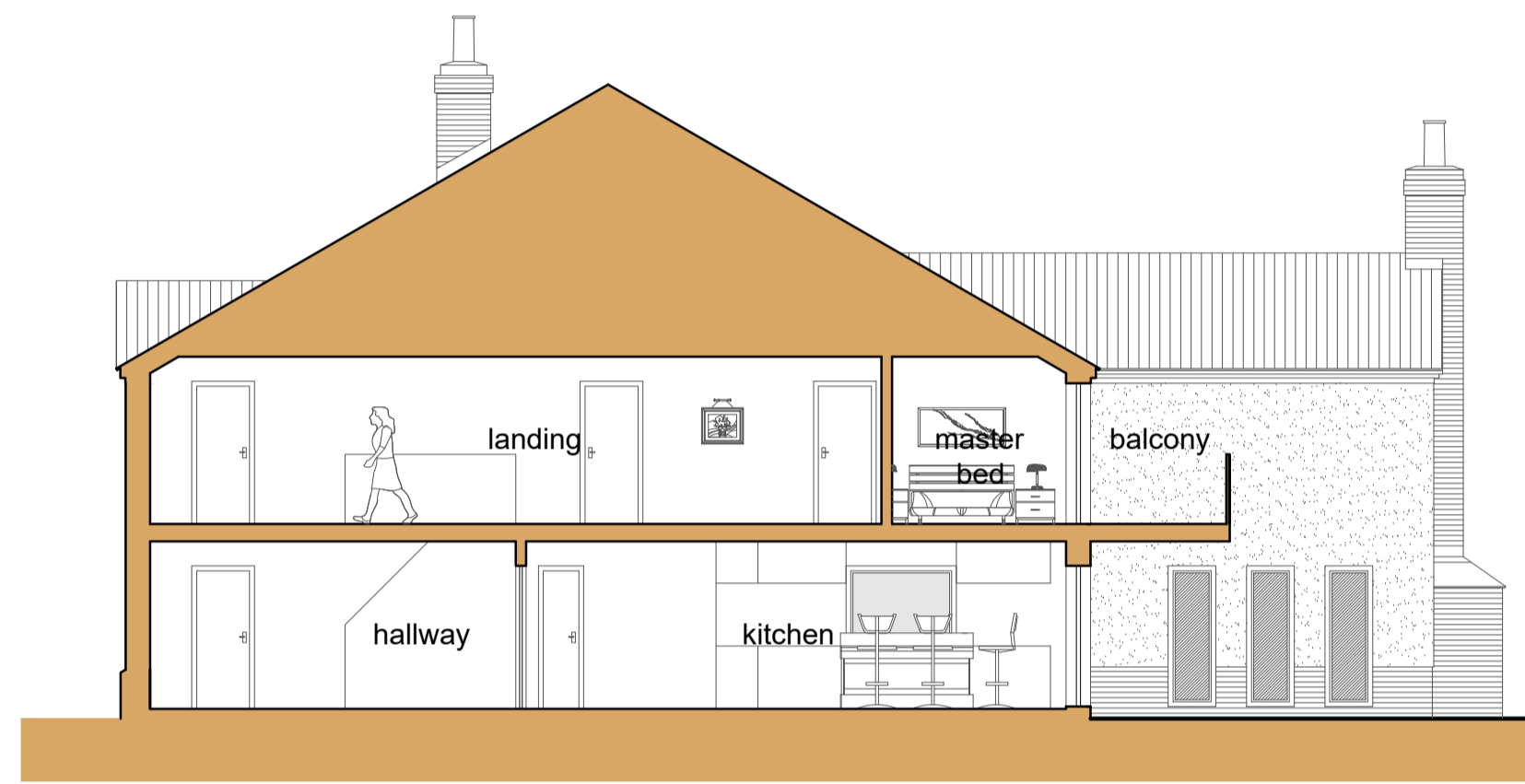
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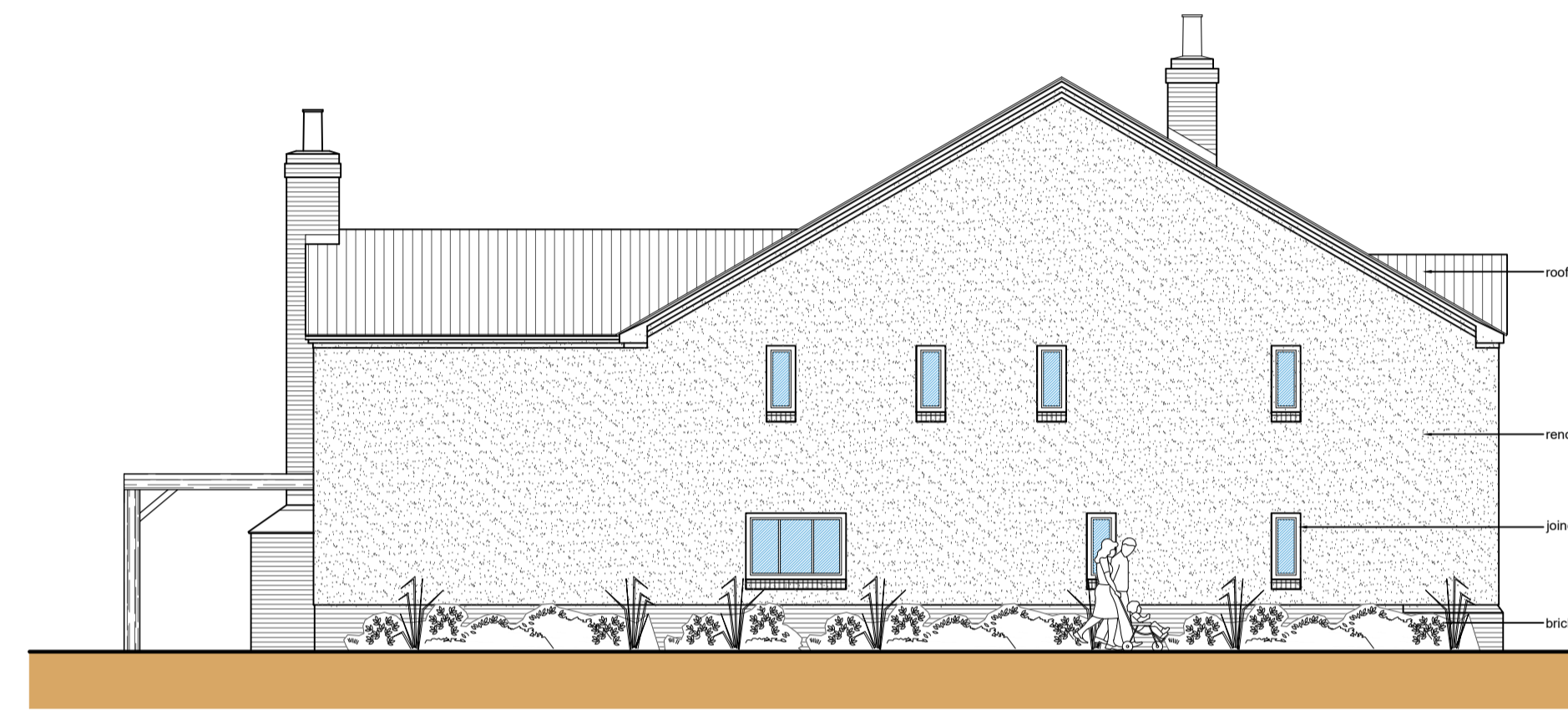
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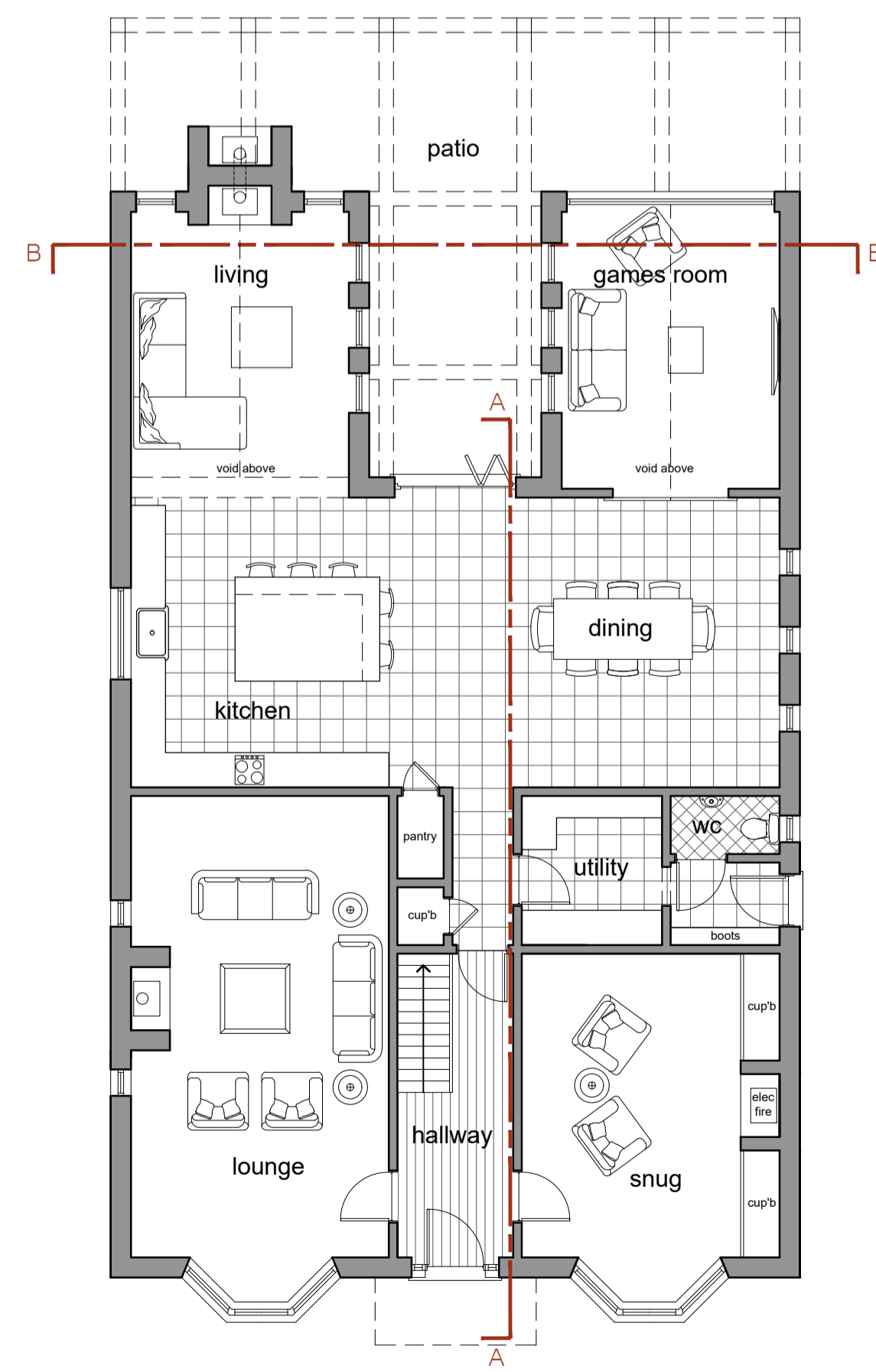
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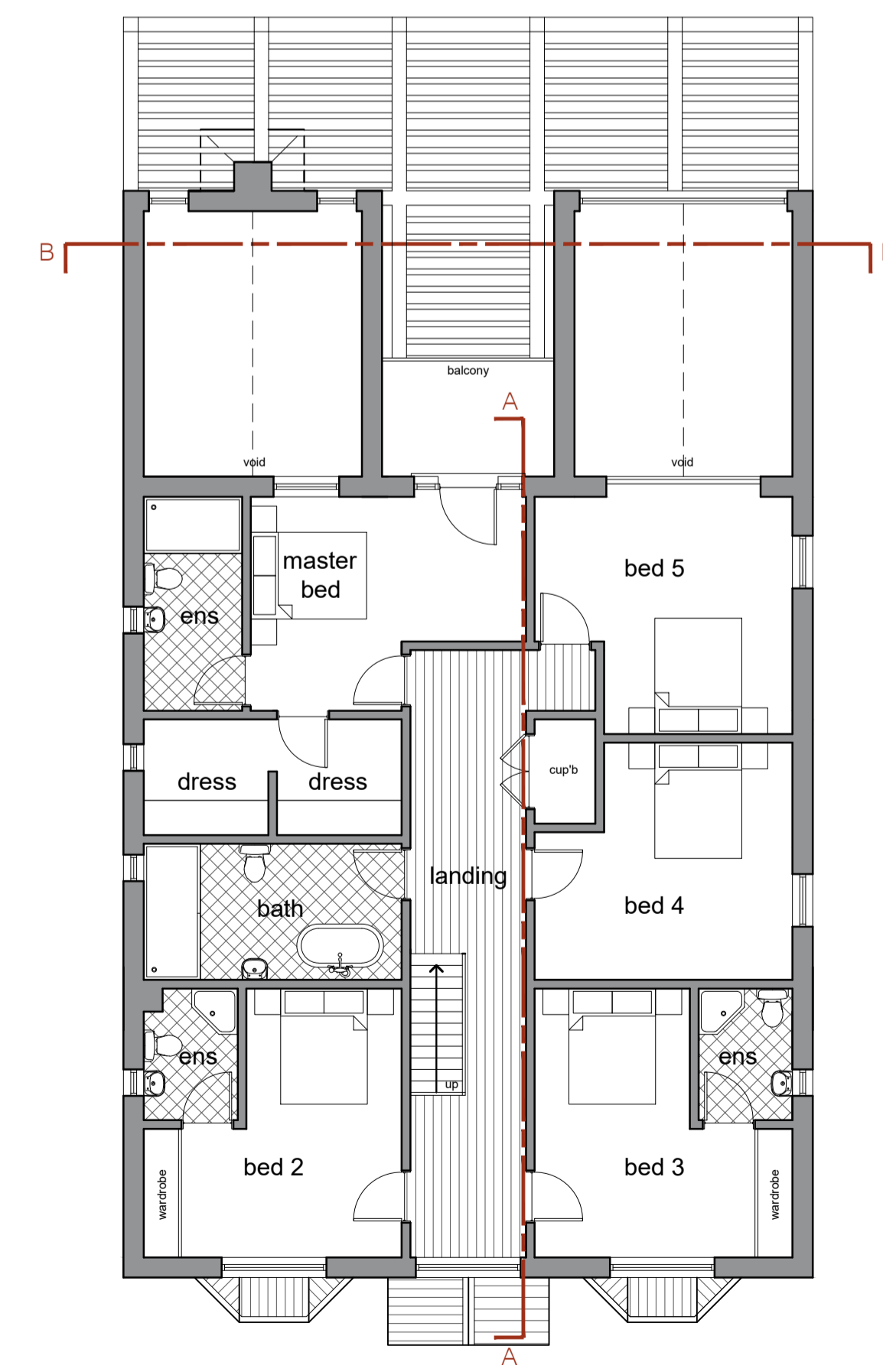
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Side Elevation (SW)
Scale: 1:100



Ground Floor Plan
Scale: 1:100



First Floor Plan
Scale: 1:100

- General Notes**
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ELEVATION KEY

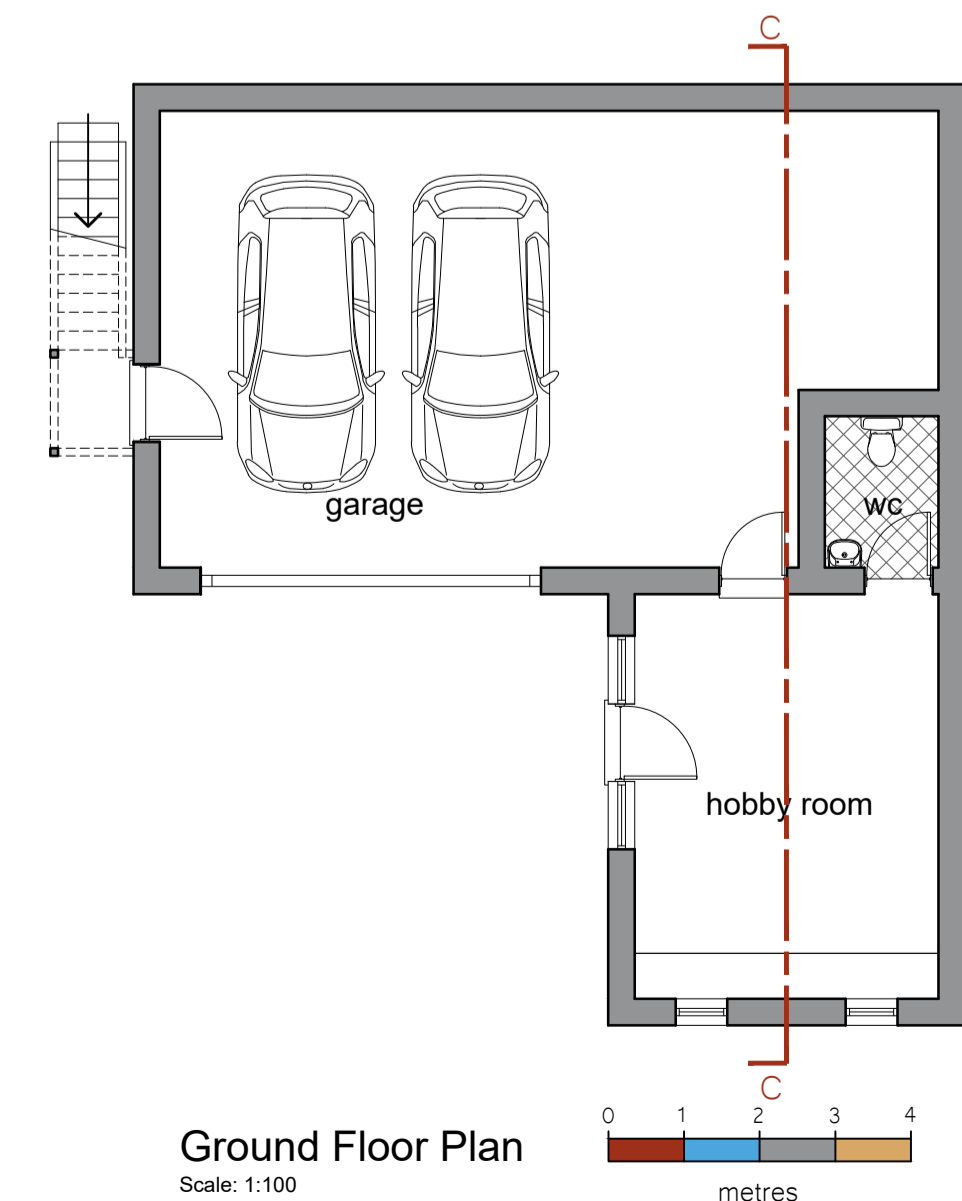
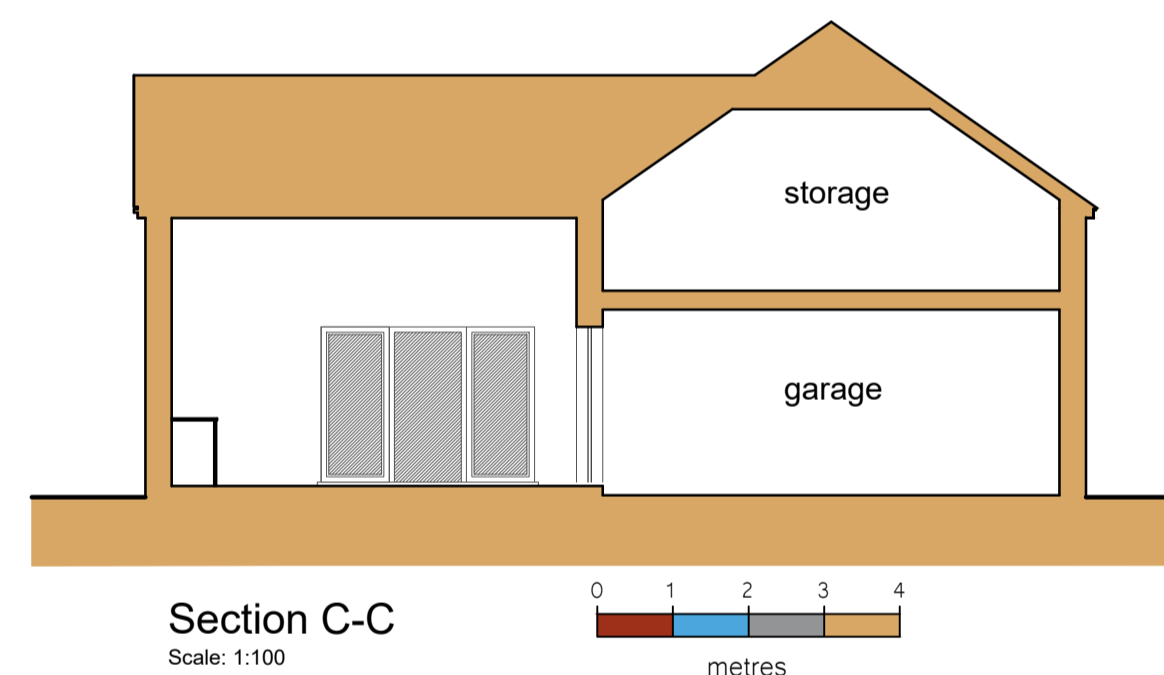
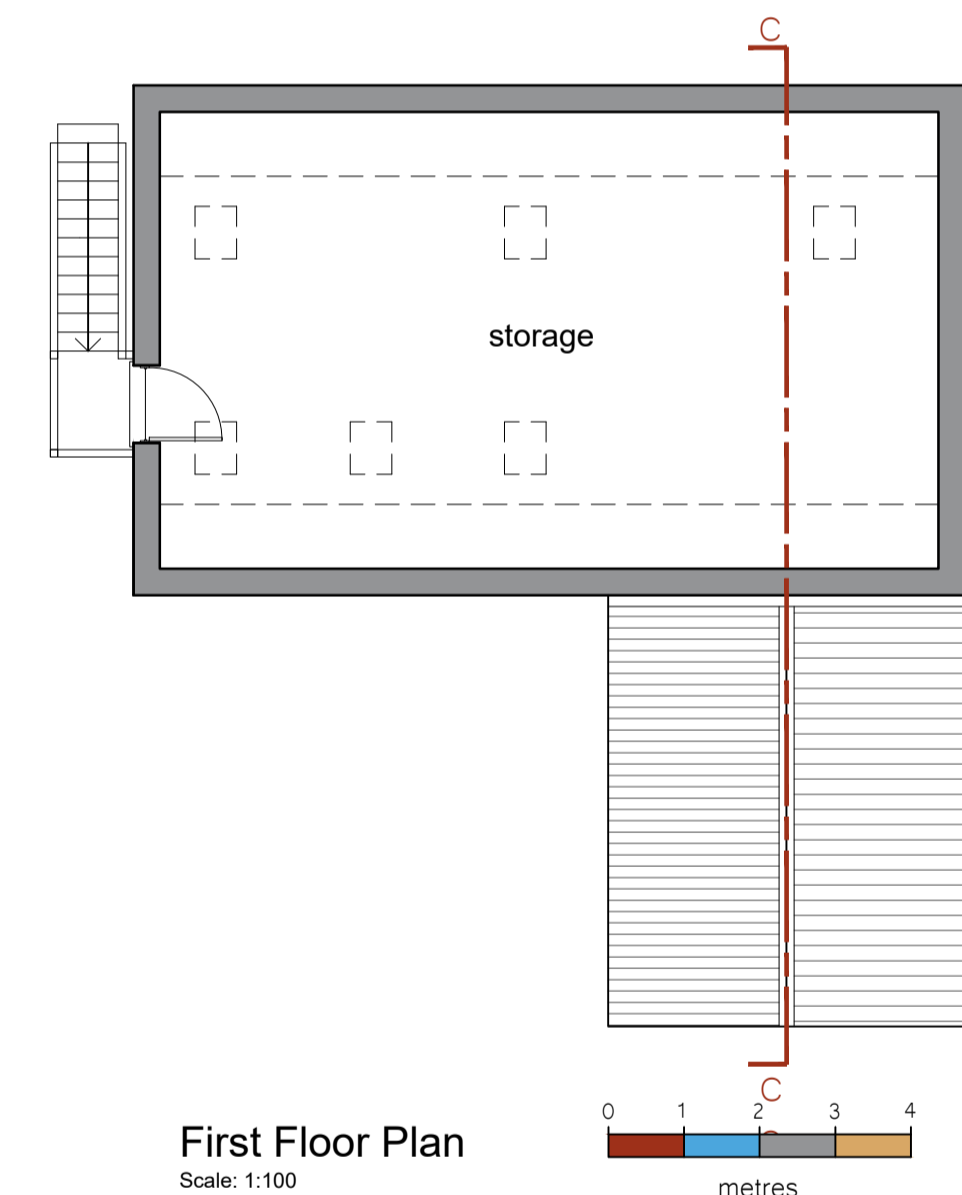
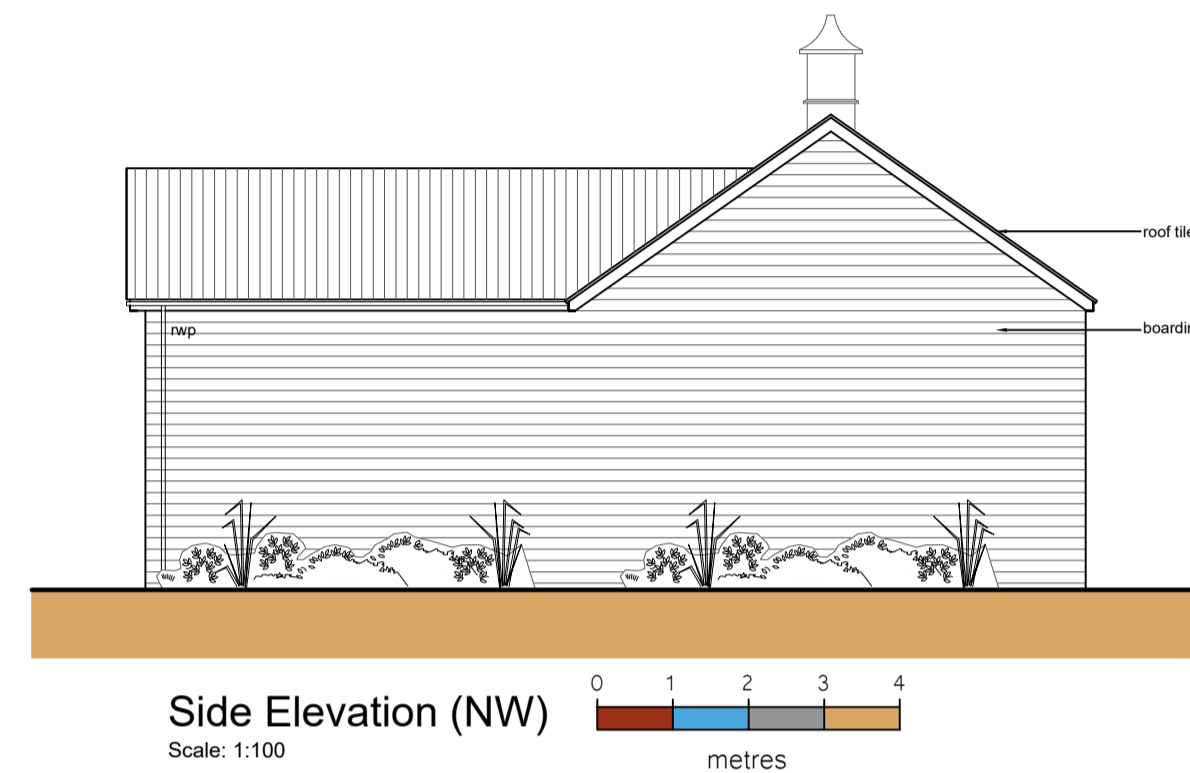
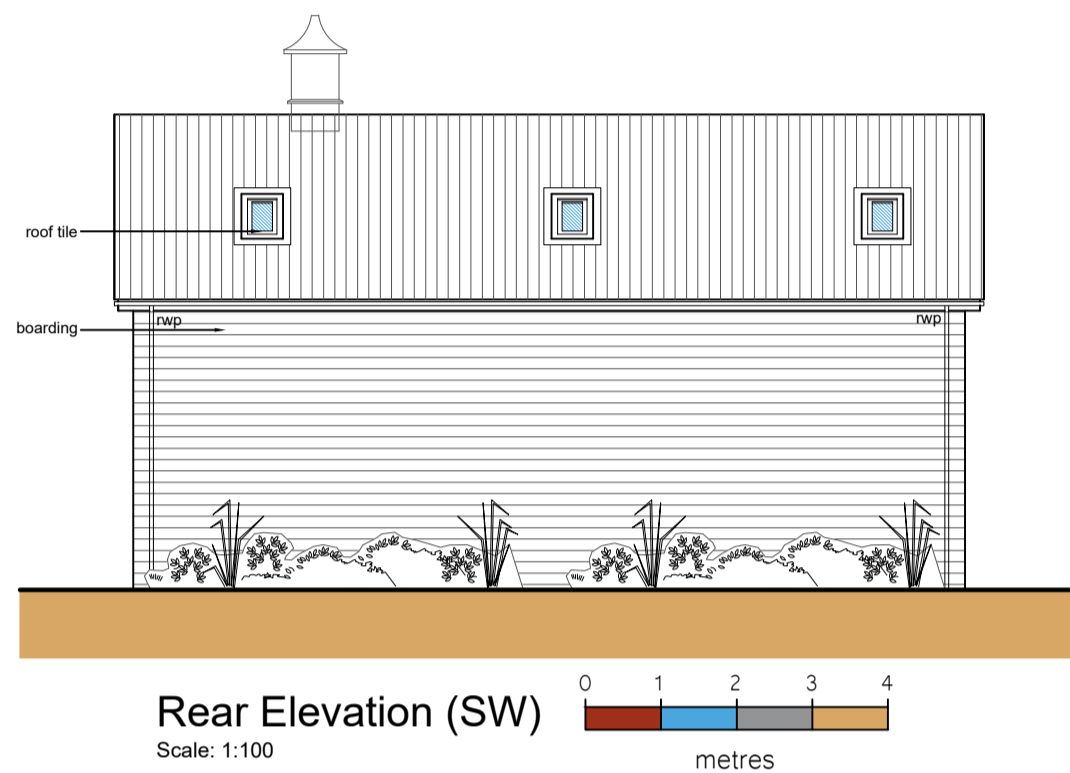
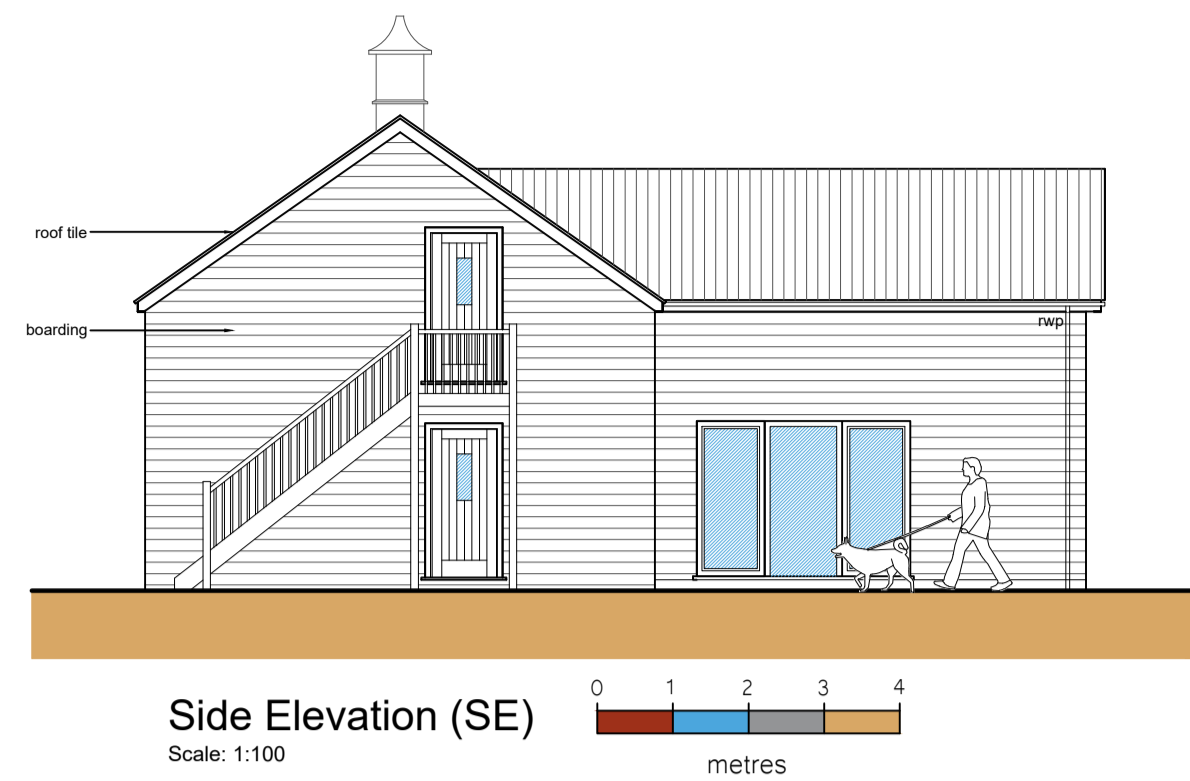
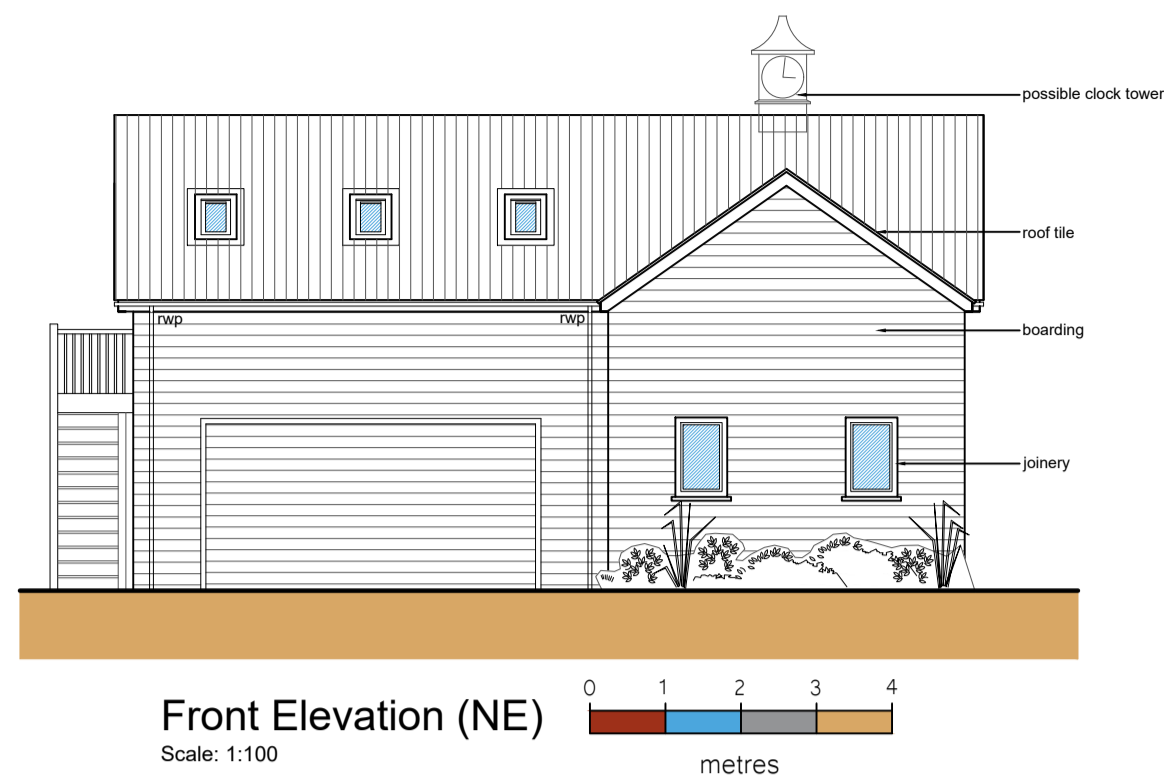
- Roof Tiles to be rustic clay pantile
- Bricks to be farmhouse blend tumbled brick
- Render
- Boarding

Status
FOR APPROVAL

SWANN EDWARDS
ARCHITECTURE

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Job Title Proposed Dwelling Plot 1 High Road, Wisbech St Mary, For: Mr & Mrs. Stearne	Date December 2021	Drawn by GT Checked by GE
Drawing Title Planning Drawing Floor Plans, Sections & Elevations	Job No. SE-1572 Dwg No. PP1100	Sheet Size A1 Revision D

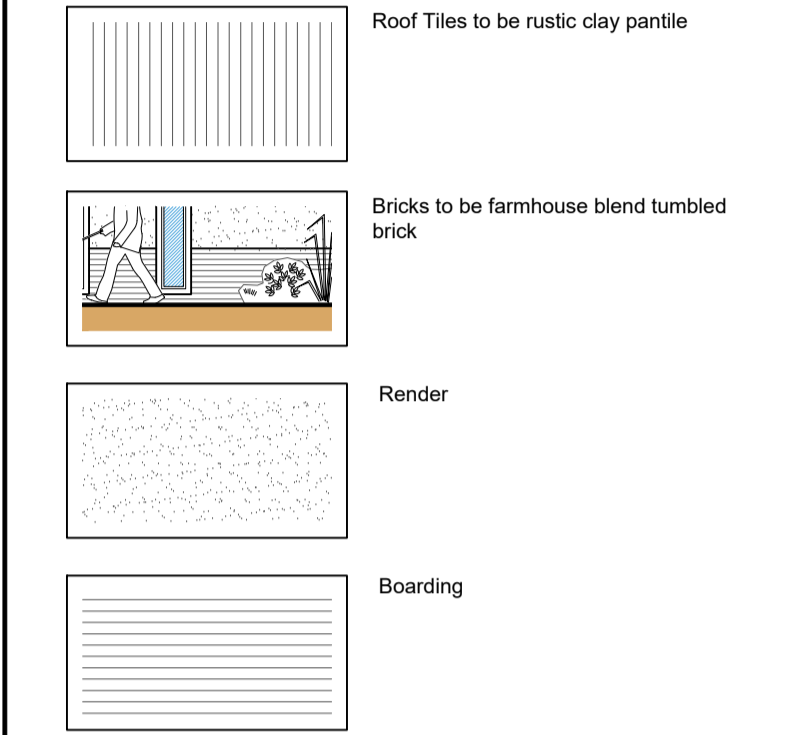


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 4. Any discrepancies are to be brought to the designers attention.

CONSTRUCTION DESIGN & MANAGEMENT REGULATIONS 2015

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

ELEVATION KEY



Status
FOR APPROVAL



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Job Title Proposed Dwelling Plot 1 High Road, Wisbech St Mary, For: Mr & Mrs. Stearne	Date December 2021	Drawn by GT Checked by GE
Drawing Title Planning Drawing Floor Plans, Sections & Elevations	Job No. SE-1572 Dwg No. PP1150	Sheet Size A1 Revision D