

Applicant: Mrs Perman

**Agent: Mr G Boreham
Morton & Hall Consulting Ltd**

Land West Of 121, West End, March, Cambridgeshire

Erect 1 x dwelling involving the removal of existing shed (outline application with all matters reserved)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

1. EXECUTIVE SUMMARY

- 1.1. This application seeks outline planning permission for the erection of a dwelling on garden land attributed to 121 West End, located in the built framework of March. The application is made with all matters reserved for later approval, and consequently the only issue for consideration at this time is whether or not the principle of development is acceptable in this location.
- 1.2. Policy LP16 supports the principle of development subject to the significance of, and the likely impact on, the amenity of neighbouring properties and users in its design and appearance. Policy LP2 seeks to ensure that development does not result in harm to the amenity of the area or the environment in general.
- 1.3. The site is of a particularly constrained in its width, particularly when viewed from West End itself and a proposed 2-storey dwelling on the site would likely appear 'shoe-horned' into the site, resulting in overdevelopment and an incongruity within the street scene. Matters relating to the specific appearance, layout and scale to be committed at Reserved Matters stage; yet, the overall design of the dwelling would likely not outweigh the resulting overdevelopment of the site.
- 1.4. In addition, the site is currently utilised as side garden attributed to No.121 which adds to the overall cottage character of the host dwelling and the quintessential charm of West End more widely. As such, development of a proposed dwelling on this land would result in detrimental impacts to the overall visual amenity of the area and result in erosion of the intrinsic character of West End.
- 1.1. Thus, the development would result in a detrimental impact on the streetscene and the character of the area, in contravention of Policies LP2 and LP16. Accordingly, the application is recommended for refusal.

2. SITE DESCRIPTION

- 2.1. The application site is an area of garden land associated with No.121 West End, within the built framework of March. Located within flood zones 1 and 3, the 288m² (0.028ha approx.) site predominately comprises mature vegetation with a significant number of trees bounding the western side and interspersed within the remainder of the garden to the south. To the north and east, the site is bounded to West End and the driveway of No.121 by a 1.2m tall hedge. To the centre of the site is a timber outbuilding, that is due to be removed as part of the proposals. The River Nene (Old Course) forms the southern boundary of the site, with existing access by way of a deck platform.
- 2.2. The host dwelling is a semi-detached 2-storey cottage in painted white brick with concrete tile roof and white uPVC fenestration, with substantial single storey extensions to the rear, and a single gable roofed garage to the west side.

3. PROPOSAL

- 3.1. The proposal is an outline planning application for the construction of a single dwelling on the land, with all matters reserved for later approval. The submitted illustrative drawing submitted shows a detached 2-storey dwelling, with a parking and turning area to front and garden space to rear, separated from the retained garden of No.121 by 1.2m post and rail fencing.
- 3.2. Full plans and associated documents for this application can be found at: <https://www.fenland.gov.uk/publicaccess/>

4. SITE PLANNING HISTORY

- 4.1. No pertinent planning history.

5. CONSULTATIONS

- 5.1. **March Town Council** – *Recommendation: Approval*

- 5.2. **Environment & Health Services (FDC)**

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposals.

This service would however welcome a condition on construction working times due to the close proximity to existing noise sensitive receptors, with the following considered reasonable:

No construction work shall be carried out and no plant or power operated machinery operated other than between the following hours: 0800 hours and 1800 hours on Monday to Friday, 0800 hours and 1300 hours on Saturday and at no time on Sundays, Bank or Public Holidays, , unless otherwise previously agreed in writing with the Local Planning Authority.

- 5.3. **Wildlife Officer**

The application scheme is acceptable but only if conditions are imposed.

Post-Commencement Condition(s)

The development shall only be carried out in accordance with the recommendations for mitigation and compensation set out in the Preliminary Ecological Appraisal (Hillier Ecology, September 2022) which details the methods for the creation of the following ecological enhancements:

- *Bird and bat boxes;*
- *External lighting*

unless otherwise approved in writing by the local planning authority or varied by a European Protected Species license subsequently issued by Natural England. Other ecological enhancements are recommended however those above are the only ones required to be implemented. I would however encourage the applicant to install all of the recommended enhancements described.

Informative

Where it is intended to create semi-natural habitats, all species used in the landscaping schedules shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.

Assessment/Comment

It is highly encouraged that the applicant plants new species rich hedges along the fence lines of the new development. It is of particular importance is preventing any new lighting of the river. As such the restriction on External Lighting will have to be quite strict to ensure to new negative impacts. No flood lighting of the back garden will be accepted. Only small motion activated lights would be suitable.

5.4. Cambridgeshire County Council Highways Authority

Highways have no objections to the above application. Subject to this the future reserved matters application to provide access details and car parking and turning arrangements that meets FDC parking standards.

Please note, 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.

5.5. Environment Agency

We have reviewed the above application and it is considered that there are no Agency related issues in respect of this application and therefore we have no comment to make.

5.6. Local Residents/Interested Parties

Two letters of objection have been received from two neighbouring address points in the immediate vicinity of the site on West End itself. Reasons for objection included:

- Would set a precedent for other garden development along West End;

- Increased vehicular traffic resulting in increased vehicle and pedestrian conflict along the narrow access, and degradation of the surface of West End;
- Proximity of the proposed dwelling to neighbouring dwelling causing issues during construction; and
- Issues with Access/Parking during construction and post development.

Nine letters of support from five address points within March (the nearest being 2no. letters from Gilbert Row, West End, with a further 2no. from Nene Parade, 2no. from Elwyndene Road, 2no. from Scargells Yard, and 1no. from Cherrywood Avenue)

Reasons for support were cited as:

- Infill plot
- In keeping with the area;
- A need for more homes in the area;
- Will increase natural surveillance in the area; and
- A lovely setting for a new home.

Others cited no reasons for support, merely stating they had no objections to the proposal.

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 in planning decisions.

Para 7: Purpose of the planning system is to contribute to the achievement of sustainable development

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

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

7.2. National Planning Practice Guidance (NPPG)

Determining planning applications

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
LP4 – Housing
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
LP19 – The Natural Environment

8.5. **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy
LP2 – Spatial Strategy for the Location of Residential Development
LP7 – Design
LP8 – Amenity Provision
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP24 – Natural Environment
LP32 – Flood and Water Management

8.6. **March Neighbourhood Plan 2017**

H2 – Windfall Development

8.7. **Supplementary Planning Documents/Guidance**

Cambridgeshire Flood and Water SPD (2016)

8. **KEY ISSUES**

- **Principle of Development**
- **Impact on Character and Amenity**
- **Access and Parking**
- **Residential Amenity**
- **Natural Environment**
- **Flood risk**

9. **ASSESSMENT**

Principle of Development

- 10.1. The application site is located within the built framework of March, which is identified within the Settlement Hierarchy as a 'Market Town', where, according to Policy LP3, the majority of the district's new housing should take place. Accordingly, there is a presumption in favour of development within this location. Notwithstanding, the point of general principle is subject to broader planning policy and other material considerations which are discussed in more detail below.

Impact on Character and Amenity

- 10.2. Policy LP16 supports the principle of development subject to the significance of, and the likely impact on, the amenity of neighbouring properties and users in its design and appearance. Policy LP2 seeks to ensure that development does not result in harm to the amenity of the area or the environment in general.
- 10.3. The existing site, as garden land associated with the dwelling at No.121, is generally constrained in its width and area. The overall site is approximately 288m² (0.028ha) in size, with an angled shape with a minimum width of approximately 7.4m at the northern boundary, splaying to a maximum of approximately 10.5m at the southern boundary. As such, the site is particularly constrained in its width, particularly when viewed from West End itself. West End has a distinct character and feel, with development along the southern side being broadly characterised by properties with gaps between them, even if there are outbuildings within the gaps. There are few, if any, similar examples of such cramped development as would be created by this proposal.
- 10.4. Thus, development of a 2-storey dwelling on this site will therefore result in overdevelopment, given the proposed scale of the dwelling and the corresponding width of the site, with the dwelling appearing 'shoe-horned' into the space and appearing incongruous within the existing streetscene.
- 10.5. The indicative plans submitted with this proposal show a standard 2-storey detached dwelling on the site, with no redeeming features in terms of its design character. Matters relating to the specific appearance, layout and scale to be committed at Reserved Matters stage; yet, the overall design of the dwelling would likely not outweigh the resulting overdevelopment of the site and character impacts.
- 10.6. Thus, given the above it is considered that the proposal would negatively impact the street scene and character of the area, in contravention of Policy LP16 and LP2.

Access and Parking

- 10.7. Within the vicinity of the site, West End is a single-track roadway with limited width or passing places, which could be considered unsustainable for additional residential development. However, the road currently serves existing residential dwellings with vehicular access, and the proposal includes the creation of only one additional dwelling. It is considered that, on balance, this quantum of proposed additional development will not significantly increase vehicle movements along the lane to render the lane inappropriate or unsustainable as a result of the scheme.
- 10.8. With respect to parking, the indicative site plans submitted suggest that there would likely be sufficient car parking and turning availability within the frontage of the proposed dwelling.
- 10.9. Consultations with the Highways Authority offered no objection to the scheme, stating that specific details will form part of the future Reserved Matters application and as such is considered acceptable at this Outline stage.

Residential Amenity

- 10.10. Indicative drawings with the application suggest that the proposed dwelling is intended to be a 2-storey, 3-bedroom dwelling. The proposed dwelling is shown to be set back from the highway and as such could have a suitable relationship with dwellings opposite. However, owing to the set back and the intended required angle of the new dwelling due to the site constraints, outlook towards the east from the proposed front windows may be restricted by the presence of the 2-storey host dwelling forward of the proposed dwelling.
- 10.11. Again, as a result of the position of the dwelling and the constraints of the site, the east and west flank walls would likely be in close proximity to the respective site boundaries, this could result in poor outlook from the intended windows to these sides. However, indicative plans suggest that these windows are not likely to be primary windows serving primary habitable rooms and as such the limited outlook is considered, on balance, acceptable. Given the uses of the rooms to which these windows will serve, there will be limited impacts to neighbouring amenity with respect to any overlooking from these openings.
- 10.12. To the south, the rear elevation is indicatively shown to be further back than the rear elevations of the adjacent dwellings, and as such views from these windows will be limited to areas of the adjacent rear gardens away from the dwellings themselves, limiting impacts to neighbouring privacy.
- 10.13. In addition, there could be limited impacts of overshadowing to neighbouring dwellings as a result of the proposal. However, light ingress into the proposed dwelling, particularly to its north, east and west sides, may be limited owing to the orientation of the plot and the proximity and scale of adjacent development.
- 10.14. Notwithstanding the above, specific matters in respect of residential amenity will be subject to further consideration at Reserved Matters stage.

Natural Environment

- 10.15. Matters relating to landscaping are to be committed at Reserved Matters stage. However, it is necessary to consider any implications to the surrounding natural environment as a result of the scheme.
- 10.16. The submitted plans depict the removal of a number of trees within the site, and the demolition of an existing outbuilding, which can provide habitat for wildlife and protected species. In addition, the site location adjacent to the River Nene is pertinent given the potential for wider ecological implications. Policy LP19 seeks to ensure developments safeguard the biodiversity and habitat value of the environment.
- 10.17. The application was supported by a Preliminary Ecological Appraisal (PEA) report, which concluded that there was no evidence of bats or nesting birds within the site and limited wider ecological implications from the proposed development. The report provided recommendations for mitigation, including

the installation of bat and bird boxes, hedgehog nests and the removal of trees to be undertaken outside of nesting season.

- 10.18. Consultation with the PCC Ecology Officer concluded that the proposals were acceptable in accordance with Policy LP19, subject to the inclusion of conditions relating to the recommendations outlined within the PEA.

Flood risk

- 10.19. The site is located partly in flood zone 1, with the southern part of the site in flood zone 3, attributed to the nearby watercourse. The indicative site plans suggest that the proposed dwelling will be situated entirely within flood zone 1, and as such there is no requirement to consider the sequential test.
- 10.20. Consultations with the Environment Agency and Middle Level Commissioners Drainage Board resulted in no comment made in respect of the scheme, 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.
- 10.21. Issues of surface water disposal will be considered under Building Regulations.
- 10.22. As such, there are no issues to address with regard to Policy LP14.

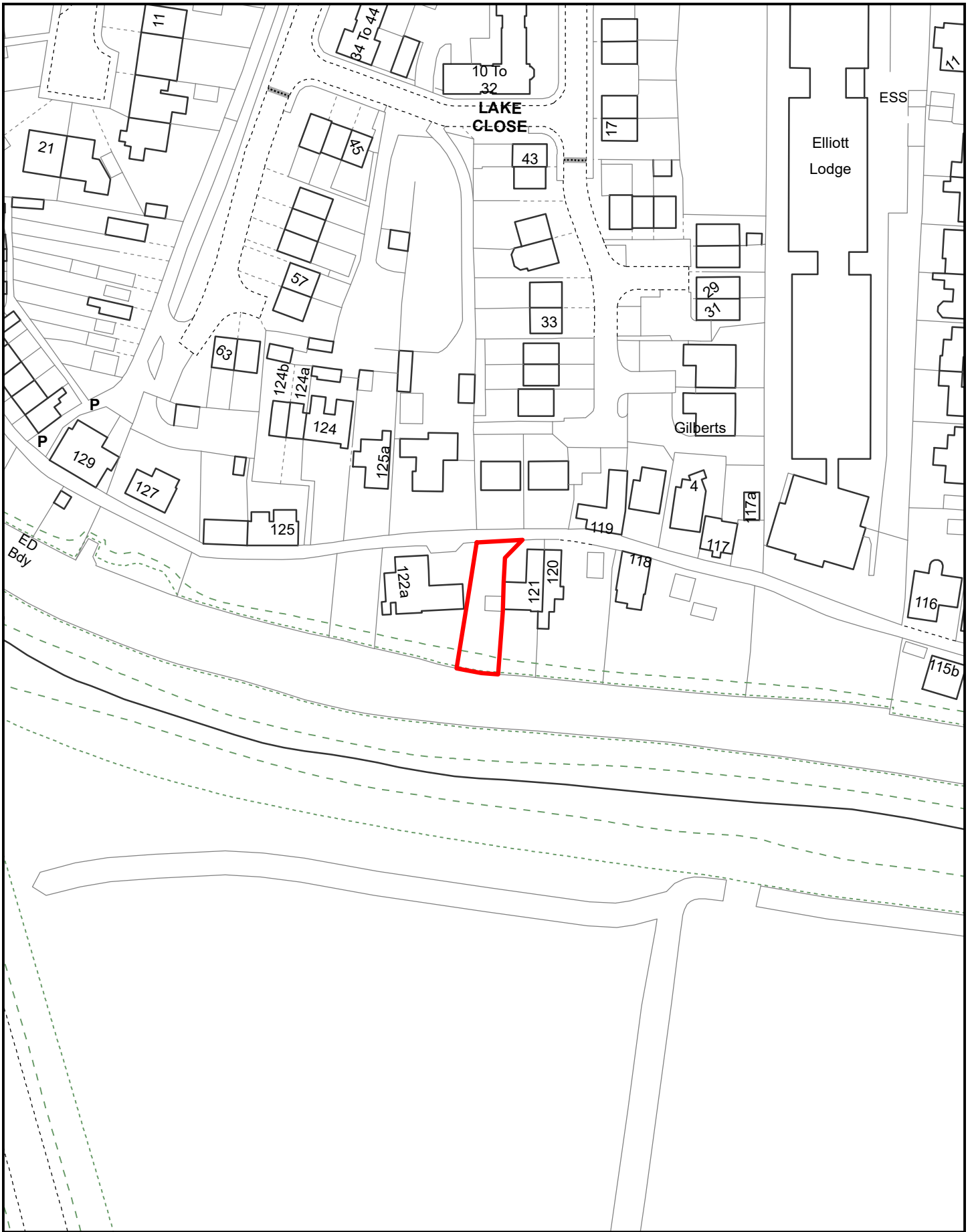
10. CONCLUSION

- 11.1. Notwithstanding any issues that could be resolved through submission of a detailed Reserved Matters application, there are fundamental locational issues that would render the development unacceptable owing to matters of overdevelopment within a constrained site. In addition, the erection of a 2-storey dwelling, made possible by the loss of an area of high visual amenity that contributes to the intrinsic character of this part of West End, would have a resultant negative impact on the streetscene and the character of the area, in contravention of Policies LP2 and LP16. Accordingly, the application is recommended for refusal.

11. RECOMMENDATION

Refuse, for the following reason;

| | |
|---|---|
| 1 | Policy LP2 seeks to ensure that development does not result in harm to the amenity of the area or the environment in general. 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. Development on this land would be to the detriment of the character and appearance of the area through overdevelopment on a constrained site, resulting in a 'crammed' form of development eroding the intrinsic character of the area and potentially creating precedent for further such cramped development. As such, the proposal is contrary to the requirements of Policies LP2, LP16(d) and DM3 (2014). |
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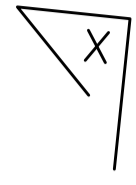
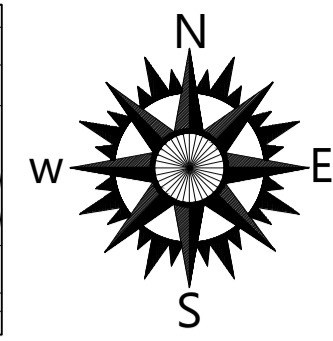
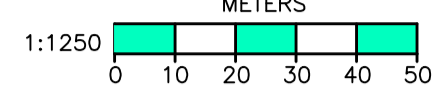
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LOCATION PLAN
(1:1250)



WEST END

EXISTING ACCESS WEST END

119

WEST END

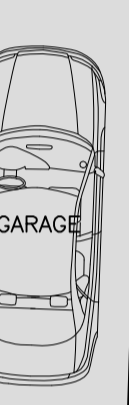
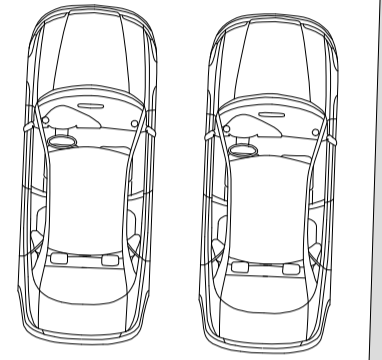
121

TWO STOREY

TWO STOREY

1220

1.5 STOREY



GARAGE

SINGLE STOREY

SINGLE STOREY



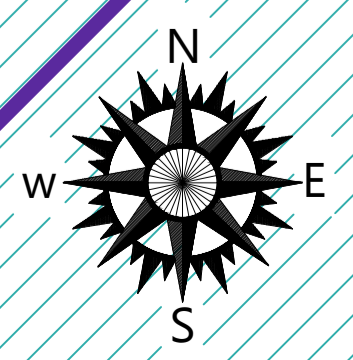
TIMBER SHED TO BE REMOVED

FLOOD ZONE 3 BOUNDARY

FLOOD ZONE 3 BOUNDARY

RIVER NENE

EXISTING SITE PLAN
(1:100)

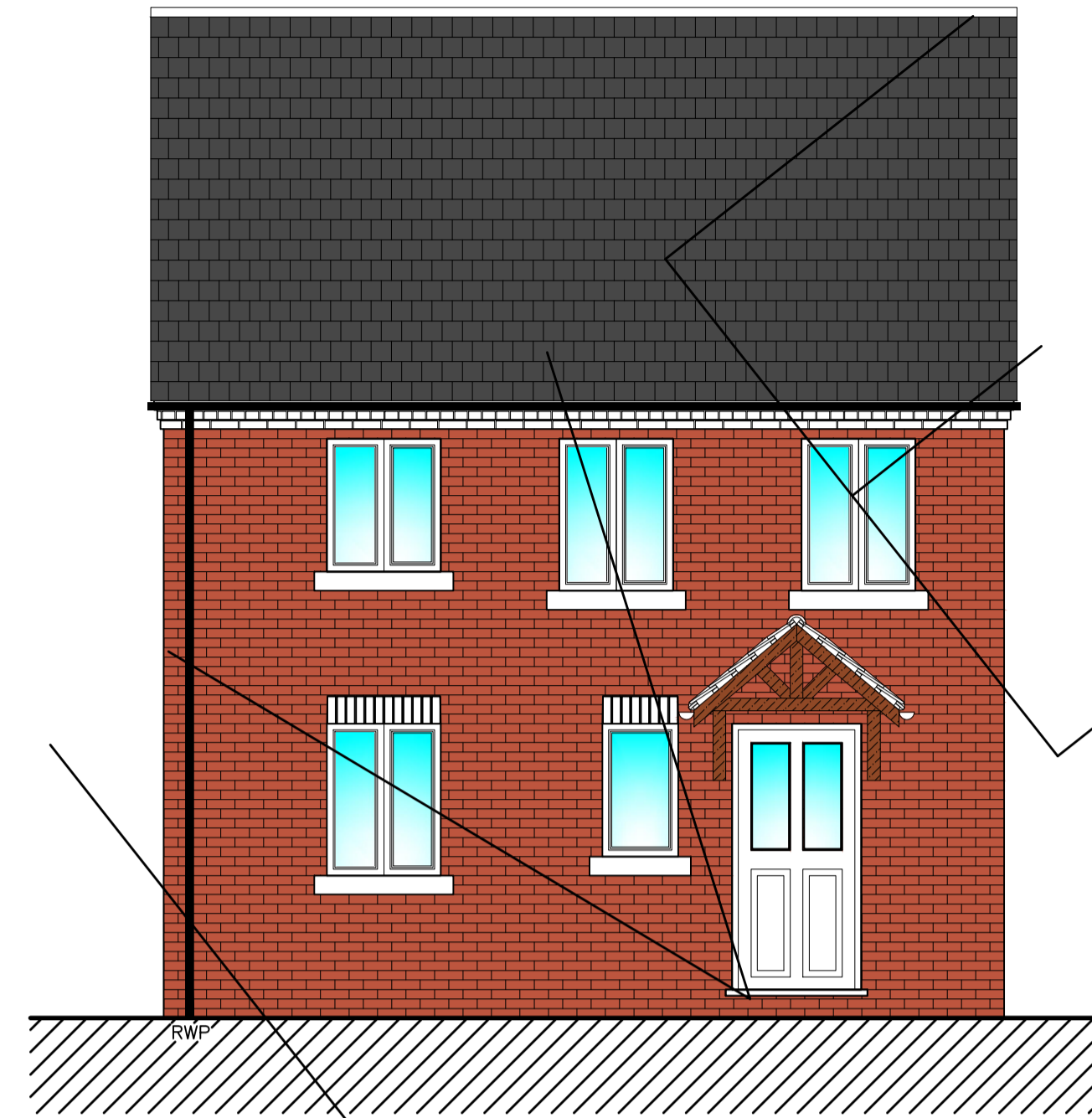
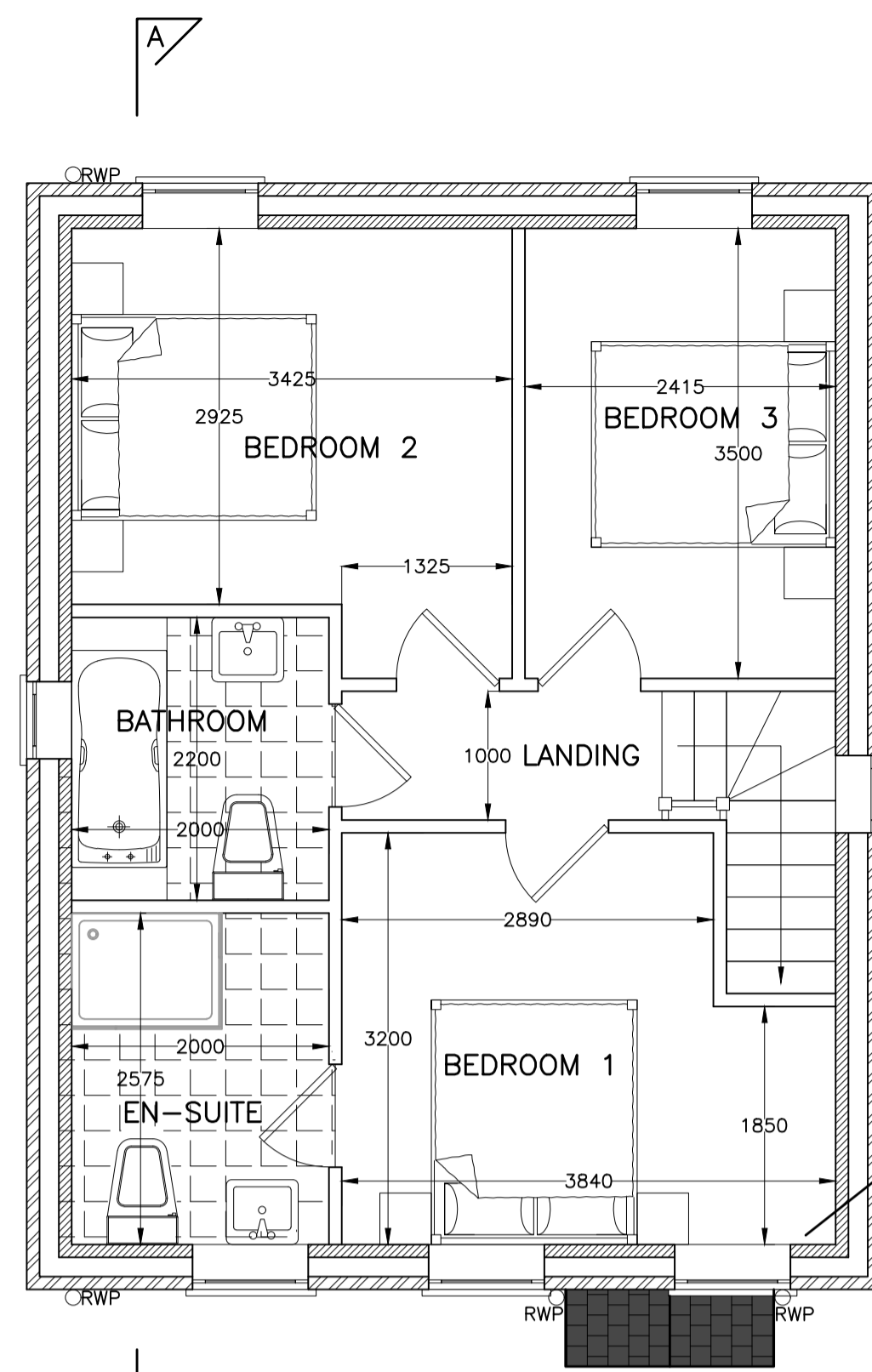
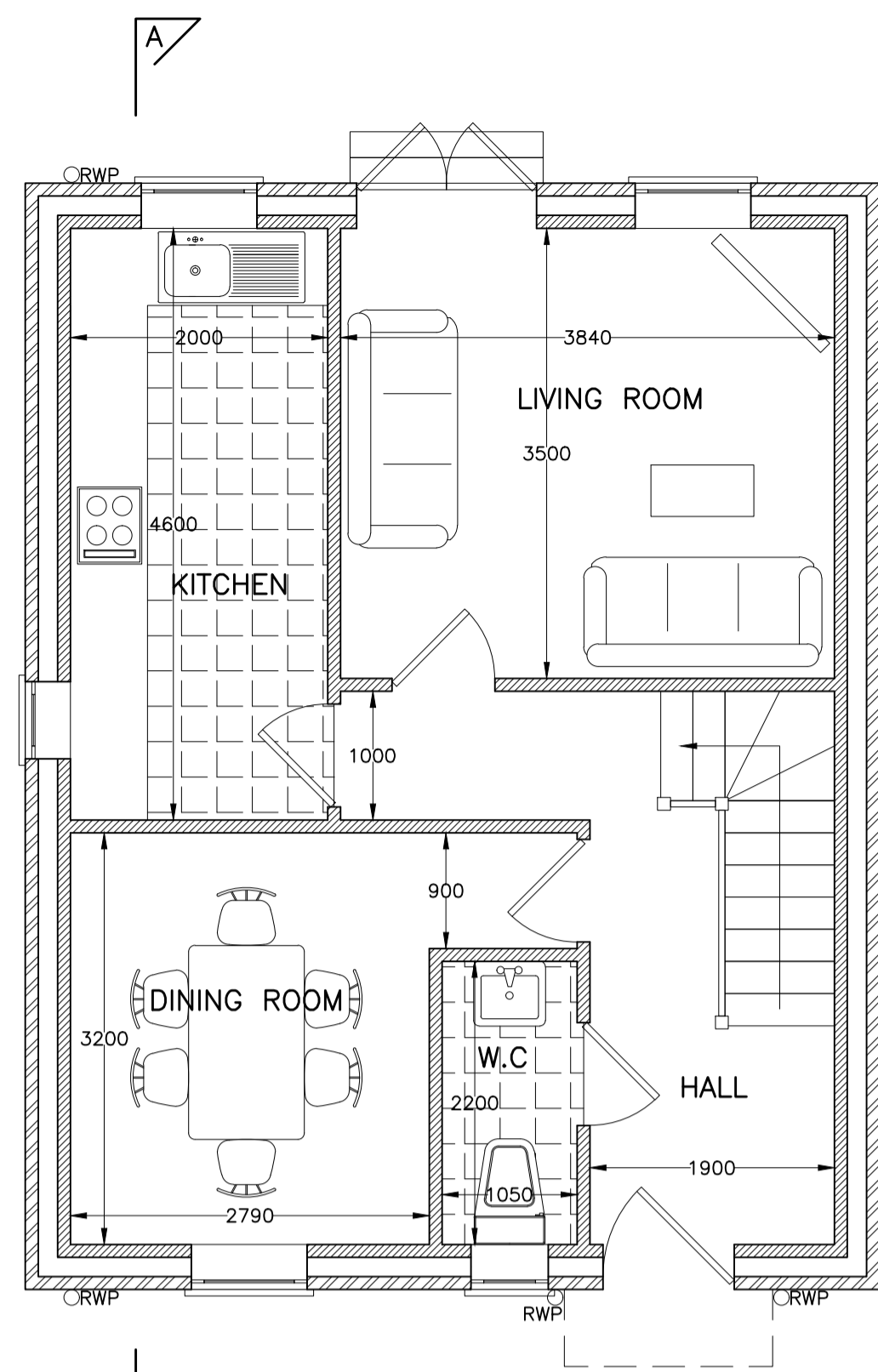


- SLAB PAVING
- PERMEABLE BLOCK PAVING (NON SLIP)
- GRASS
- TARMAC
- GRAVEL
- EXISTING DWELLINGS
- PAVEMENT
- WHEELIE BINS
- HEDGING
- VEGETATION

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All finishes, insulation and damp-proofing to architect's details

LP = LAMP POST

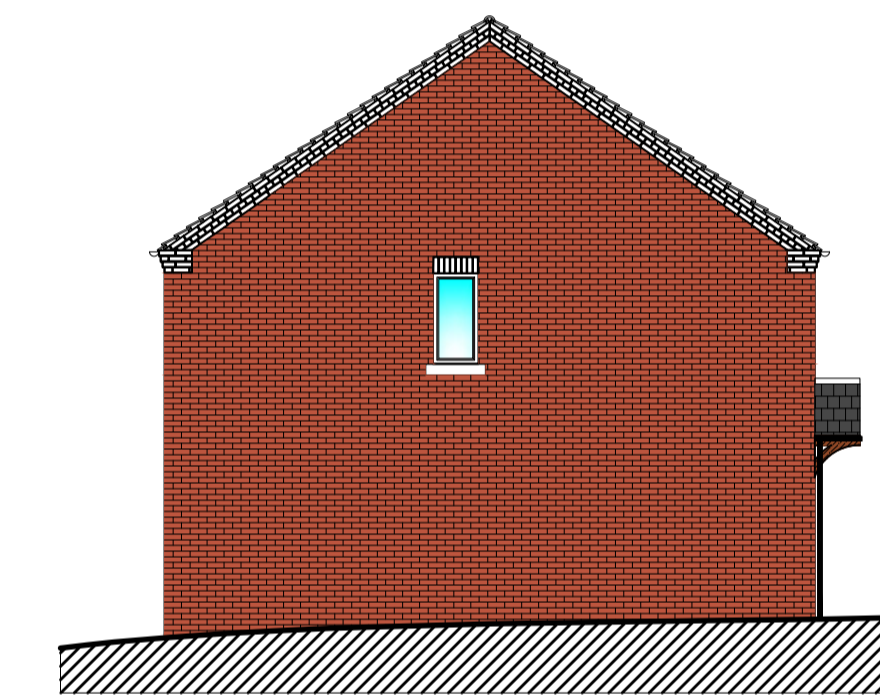
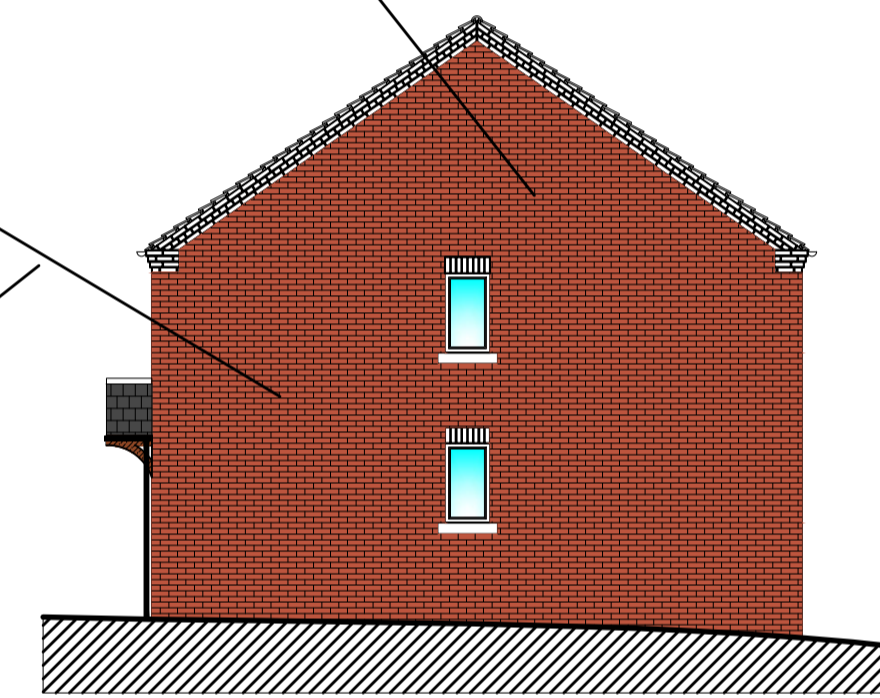
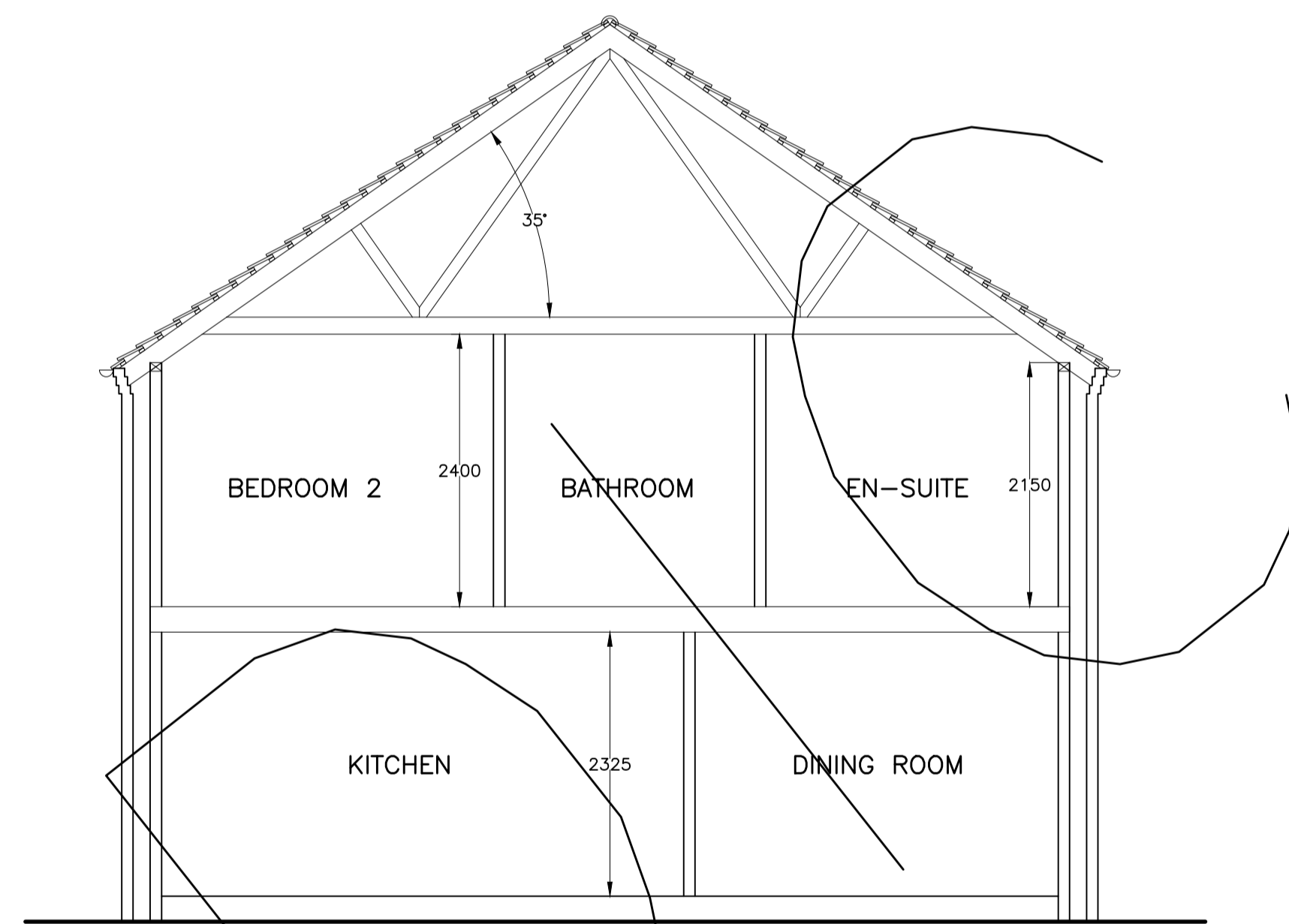
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| A PLANNERS COMMENTS | | AUG 2022 |
| REVISIONS | | DATE |
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| <p>1 Gordon Avenue, March, Cambridgeshire, PE15 8AJ Tel: 01354 655454 Fax: 01354 660467 Email: info@mortonandhall.co.uk Website: www.mortonconsultingengineers.co.uk</p> | | |
| | | |
| <p>CLIENT: Mrs B Perman</p> | | |
| <p>PROJECT: 121 West End, March Cambridgeshire PE15 8DE</p> | | |
| <p>TITLE: Existing Site Plan</p> | | |
| DRAWN: G.Bohram | DATE OF ISSUE: | |
| CHECKED: | DRAWING NUMBER: | |
| DATE: July 2022 | H8445/01 | |
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PROPOSED GROUND FLOOR PLAN (1:50)

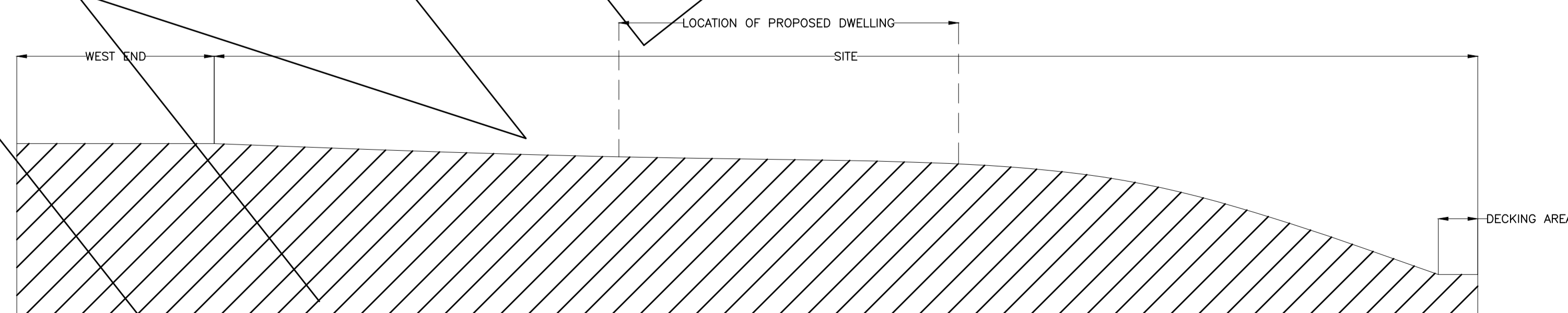
PROPOSED FIRST FLOOR PLAN (1:50)

PROPOSED FRONT ELEVATION (1:50)



PROPOSED LHS ELEVATION (1:100)

PROPOSED RHS ELEVATION (1:100)



PROPOSED REAR ELEVATION (1:100)

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 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details

INDICATIVE ONLY

| | | |
|---|-------------------|----------|
| A | PLANNERS COMMENTS | AUG 2022 |
| | REVISIONS | DATE |

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

CLIENT
 Mrs B Perman

PROJECT
 121 West End, March, Cambridgeshire, PE15 8DE

TITLE
 Proposed Plans, Elevations, Sections & Site Section INDICATIVE

| | |
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| DRAWN G. Boreham | DATE OF ISSUE |
| CHECKED | |
| DATE July 2022 | DRAWING NUMBER H8445/03 |
| SCALE As Shown | |

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LP = LAMP POST



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

CLIENT
 Mrs B Perman

PROJECT
 121 West End, March Cambridgeshire PE15 8DE

TITLE
 Proposed Site Plan INDICATIVE

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| DRAWN G.Bohram | DATE OF ISSUE |
| CHECKED | |
| DATE July 2022 | DRAWING NUMBER H8445/02 |
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PROPOSED SITE PLAN (1:100)