#### F/YR21/1196/F

Applicant: Mr Sewell Agent: Mr Burrows

**Swann Edwards Architecture Limited** 

Land East Of Park House, Gorefield Road, Leverington, Cambridgeshire

Erect 2 x single-storey buildings including the erection of 2.2m high brick wall and gates associated with a building contractors business involving the demolition of an existing workshop building and alterations to the access

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer

recommendation

#### 1 EXECUTIVE SUMMARY

1.1. The application site pertains to an area of land to the east of a grade II\* listed building, Park House, (one of only 41 in the entire district) on the north side of Gorefield Road outside the built framework of Leverington. The application site itself falls within the curtilage of the building, and comprises land that at one time was part of the parkland associated with the house.

- 1.2. This application seeks full planning approval for the erection of two buildings, to be used as a store/joinery space warehouse with a separate office building, in association with a building contractors business, facilitated by the demolition of the existing workshop building.
- 1.3. The scheme is considered acceptable with regard to flood risk, residential amenity, ecology, and access/parking subject to the imposition of recommended conditions. However, these matters to do not address the material concerns arising with respect to the introduction of a semi-industrial operation within a rural area against Policies LP3 and LP12, resulting in detrimental impacts and harm to the setting of a grade II\* listed building and the wider rural character contrary to Policies LP16 and LP18. Whilst it is acknowledged that the application may result in limited economic benefit to an existing business, this is not considered justified in respect of the overall scale and proposed siting of the development and the resultant harm it would cause.
- 1.4. The application does not provide sufficient justification to overcome the fundamental issues in respect of the principle of development, its visual impact, and the resultant harm to a high-grade designated heritage asset, in contravention of the aforementioned policies. As such, this application is recommended for refusal.

# 2 SITE DESCRIPTION

- 2.1. The application site pertains to an area of land to the east of a grade II\* listed building, Park House, on the north side of Gorefield Road outside the built framework of Leverington. The application site itself falls within the curtilage of the building, and comprises land that at one time was part of the parkland associated with the House.
- 2.2. Park House is one of only 41no. grade II\* listed buildings in the entire Fenland District. Constructed in circa 1720, it comprises a building of "more than special architectural and historic interest.
- 2.3. The site is currently accessed by a gravel drive off Gorefield Road, which leads centrally to the house before branching to the east to an informal unmade parking/yard area associated with a building contractors business whose trading address is listed as Park House (according to the business website). This area appears to be utilised by employees who appear to leave their private cars before utilising works vans parked at the site overnight to continue their employment away from the site. inspection, further evidence of miscellaneous equipment associated with a building contractors business, including skips, materials, and machinery were informally positioned within this yard area was apparent. Immediately to the west of this area is an open fronted brick building that also appears to be utilised as storage associated with the building contractors. There does not appear to be any planning records associated with the use of this land or dwelling in respect of a building contractors business, and as such it appears that the use is unauthorised in its current guise.
- 2.4. Beyond this area to the north is an extensive expanse of grassland, bounded by a mature tree belt to the east. Further substantial numbers of mature trees, and a pond are set to the south. These areas to the north and south of the unmade yard, and indeed, the surrounding setting of Park House contribute to the original parkland character of the overall site.

### 3 PROPOSAL

- 3.1. This application seeks full planning approval for the erection of two buildings, to be used as a store/joinery space warehouse with a separate office building, in association with the building contractors business, facilitated by the demolition of the existing workshop building.
- 3.2. The office building is proposed to be set to the west of the site, is intended to occupy a footprint of approximately 10.2m wide by 14.4m deep, and will include a gable roofline reaching a maximum height of 5.6m to the ridge and 2.5m to the eaves. It is intended to comprise a lobby, office space, separate meeting room, waiting area/kitchen, storeroom and WCs.
- 3.3. The store building is proposed to be set to the east of the site, and will occupy a footprint of approximately 12.4m wide by 35.3m deep, and will include a gable roofline reaching a maximum height of 6.4m to the ridge and 4.5m to the eaves. It is intended to comprise a store area with separate joinery space, facilitated by 3 roller shutter doors to its west side. The

- existing storage building is proposed to be demolished once the new store building is erected.
- 3.4. In addition, it is proposed to enclose the compound through the erection of a 2.2m high wall to the northwest corner, with gates erected between the proposed buildings.
- 3.5. The existing access is also proposed to be upgraded to approximately 5m wide, with a tarmac apron to Gorefield road, and the erection of brick piers and gates at the entrance to the site.
- 3.6. Full plans and associated documents for this application can be found at: <a href="https://www.fenland.gov.uk/publicaccess/">https://www.fenland.gov.uk/publicaccess/</a>

# 4 SITE PLANNING HISTORY

4.1. No pertinent planning history.

#### 5 CONSULTATIONS

# 5.1. Conservation Officer (FDC) – original comments received 23.11.2021

- 1. This application concerns works within the setting of Park House, grade II\* listed building in Leverington, including the erection of 2 x single storey buildings (one storage building and one office) and the erection of 2.2.m high brick wall and gates for the building contractor compound. At the present time there are 651 listed buildings within Fenland and only 41 of them are grade II\*. Only 5.8% of nationally listed buildings fall into this category and these are particularly important buildings of more than special interest.
- 2. 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.
- 3. Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021, specifically, paragraphs 195, 197,199, 200, and 202. The following comments are made:
- 4. Due regard is given to relevant planning history. There is no planning history on the application site itself. There is an application F/0226/87/F for Park House itself, relating to alterations and re-roofing and an application (F/YR11/0258/F and F/YR11/0259/LB for the conversion of the adjacent listed barns to residential dwellings with garages and most recently, F/YR19/0976/F for the formation of a new access and driveway to the adjacent barns.
- 5. 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, as it does not correctly assess the

contribution the setting makes to the significance of Park House and incorrectly states that the development site is outside the curtilage of the listed building, yet it sits within land under the same ownership, not separated by any clear means, and therefore is clearly within the curtilage of the building. Furthermore, the references to paragraph numbers do not relate to the most recent edition of the NPPF.

# 6. **The application is objected to.** The following comments are made:

- i. Park House is of circa 1720 with a possibly slightly earlier range at the rear and the list description details the architectural and historic interest of the house. However, a house also sits within its setting and the NPPF defines the setting of a heritage asset as 'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral'. The setting of Park House, should therefore be defined and the contribution it makes to the significance of the asset, assessed. It should be noted that a list description is not an assessment of significance, but simply a description, primarily for the purposes of identification.
- ii. Map research shows that the immediate setting of Park House has altered slightly overtime. The property dates from the early 18th century, and the earliest OS map available online (surveyed 1886, published 1887 at six inch to the mile scale) clearly shows the principal house, associated barns (separately listed), with the historic lake, parkland trees, pathways to the east of the property and a central entrance driveway/path to the front of the house, with a clearly aligned avenue of trees to the rear, with other hedges, banks of trees and ditches, all once forming the immediate setting of the house in a wider landscape setting of enclosed fields. The map may also indicate a parkland wall running to from the corner of the foremost barn, in front of the house and round to the north. Two gate piers topped by ball finials survive to the front elevation attached to a low-level brick wall which also survives and continues a short way to the east of the property, terminating at a bend towards the north (and incorporating a small garden building). By the 1900 OS map (six inch, published 1903) much of that landscape design has disappeared (including the avenue of trees) and by 1925, the wider driveway to the front is formed, replacing the narrow linear path previously indicated, but the size and form of the parkland remains. This would seem to coincide with two fairly short tenures of ownership, with one purchase in 1889 and another in 1919. Further loss of trees occurred into the middle of the 20th century, but it is clear from the historic map regression, that until the sale of the barns. Park House sat in an unchanging rural landscape, being surrounded by open agriculture and informal 'gardens', or parkland in association with its barns and outbuildings.
- iii. That setting has been eroded by the subdivision of the land and sale of the barns, and their subsequent conversion to residential use, which of

necessity results in increased hard-standing, garages, bins and cars – all of which contribute towards an impact on the setting of a listed building and therefore on its significance, but Park House retains an open landscape to the front, sides and rear and the historic relationship with the barns can still be read and understood.

- iv. Historic England Guidance on setting (Historic Environment Good Practice Advice in Planning Note 3 (2<sup>nd</sup> Ed.0) that the policy objectives in the NPPF and the PPG establish the twin roles of setting: it can contribute to the significance of an asset, and it can allow that asset to be appreciated, and that consideration of the contribution of setting to the significance of heritage assets will almost always include consideration of views, but also how views enable the appreciation of the significance of an assets, as well as how views can be related to the appreciation of the wider landscape. In this case, the wider landscape plays a part how the significance of Park House is appreciated, because it places it in its historic landscape context – that of a big house, in its (once designed, but now eroded) park land, which in turn sits in the context of its wider rural landscape. The one would have been designed to visually blend, imperceptibly to the other. These views are currently understood from the road (particularly in winter), as well as from within the site.
- v. Settings of heritage assets change over time. Understanding this history of change (as described above) helps determine how further development is likely to affect the contribution made by setting to the significance of the asset. Settings of heritage assets which closely resemble the setting at the time the asset was constructed or formed are likely to contribute particularly strongly to significance, and to a large extent, this is true of Park House. The immediate and surrounding landscapes are relatively unchanged, bar the loss of parkland features and details.
- vi. Cumulative change however, where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, means that consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. In this case, given the impact on setting from the division of the barns from the ownership of the house, and the associated development arising from their conversion (harm which would have been outweighed by the benefit of brining vacant buildings back into viable use) the current proposal would result in a further cumulative change which would detract from the current setting.
- vii. Consideration must also be given to other factors which effect the experience and setting of an asset, such as noise, vibration, dust, mud, busyness, bustle, movement, scents and smells, permeability, patterns of movement, land use, and the impact these can have on a sense of tranquility, light pollution, a sense of either enclosure or openness (depending on the current context of a site), seclusion, privacy, and rarity of comparable survivals of setting (a significant factor given the lack of registered parks and gardens in Fenland, the limited

understanding of surviving or partially surviving designed 18<sup>th</sup> century park lands associated with manor houses of the 'middling sort' and consequently the vulnerability of these sites to development). All of these factors must be considered when assessing the contribution a setting makes to significance, and therefore how that setting (and consequently significance) might be impacted by a proposed development. It is within this context that this proposal is considered.

- 7. The proposed development consists of an office building and a store building. The office building is proposed to be 10m x 14m and with a ridge height of 5.6m to the ridge. It is proposed to consist of a large kitchen/waiting area with room for two sofas and a 6-place dining table, a large office, meeting room, store, two w/cs and lobby area.
- 8. The western wall of the office is proposed to form a boundary to the remaining 'private' area of garden to the house, with a purpose-built wall extending from its north-west corner some distance but without any apparent termination point, such as a pillar and finial, or return to form a walled garden for instance. Furthermore, the wall appears to have square niches at regular intervals, which are not a feature which appear elsewhere in the surviving sections of garden wall.
- 9. The store building is proposed to be 12m wide x 35m long with a ridge height of 6.3m. The scale and massing of both these buildings is vast, and neither will be screened sufficiently by the brick wall to lessen their visual impact when experienced from within the setting and curtilage of Park House.
- 10. It is apparent from site photographs that the associated impacts of carrying out commercial works on this site are already affecting the setting of Park House, with large areas of hard standing (resulting in the loss of natural grass and part of the former 'parkland'), numerous cars, storage of materials, machinery and skips (movement, pollution, noise, mud and dust, potential for smells), all serve to negatively impact on the setting of the listed building. The removal of these materials and machinery into a storage building will not necessarily lessen all elements of their impact on the setting of the listed building, and the store building itself will result in a sense of enclosure to the immediate setting and curtilage of Park House, that is uncharacteristic of the site.
- 11. No explanation has been put forward as to the requirement for the proposed scale of these buildings, or why the office facilities could not, for instance be incorporated into the store. The scale of these buildings is far from 'modest' as put forward by the heritage statement. Public access or lack thereof, is not a factor in determining the impact of a proposal on a listed building as the contribution of setting to significance does not depend on public rights or ability to access it. Therefore, views from the public realm are only one consideration in this case. The buildings will be experienced both from within the immediate curtilage of the listed building (having altered the characteristic of that setting from open grass and former historic parkland, to one of a commercial, semi-industrial yard) and

- from the wider setting, with the store building in particular, competing with the dominance of Park House and again changing the wider perception of Park House within its landscape.
- 12. Given that the proposal does not result in the demolition of or any direct harm to the fabric of the listed building itself, the proposal must result in less than substantial harm to its significance and the proposed scheme must therefore be weighed against the public benefits of the proposal. It is put forward by the heritage statement that there are economic benefits to this development, but it does not make clear what those economic benefits are, or how those economic benefits from an existing business with an existing base of works are dependent on the erection of these buildings, at this scale in this location.
- 13. The application does not adequately assess the contribution of the setting to the significance of the listed building (a historic parkland serving a principal manor house, within a wider agricultural landscape, which bar the loss of some designed features, survives relatively intact), and therefore does not correctly assess the impact of the development on that significance and does not clearly indicate that there is a level of public benefit (in addition to ...an existing business) that would outweigh that harm.
- 14. I therefore recommend this application for refusal.

# 5.2. Conservation Officer (FDC) – reconsultation comments received 28.03.2022

- 1. These comments are made in respect of a reconsultation to the above application and are in addition to comments previously made and does not supersede them. Those comments dated 23rd November 2021 assess the significance of the asset affected, including that contributed by its setting, and assesses the impact of the development within that setting on significance in accordance with para 195 of the NPPF and should be referred to now.
- 2. 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.
- 3. Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021, specifically, paragraphs 195, 197,199, 200, and 202. The following comments are made:
- 4. A heritage statement has been submitted with the application. Unfortunately, the document still does not adequately assess the contribution the setting makes to the significance of Park House and incorrectly repeats that the development site is outside the curtilage of the listed building. This application relates to curtilage land affecting the setting of the principal dwelling. For the avoidance of doubt, it should be clarified that Park House is a designated heritage asset, not 'in

accordance with the NPPF' as stated in the heritage statement, but by the Secretary of State and is a designation in law, rather than policy. Finally, the revised heritage statement still references incorrect paragraph numbers of the NPPF and not those of the current 2021 edition.

# 5. **The application is objected to.** The following comments are made:

- i. The revised scheme now indicates substantial brick piers, walls and wrought iron style gates to the main, widened access leading to Park House. No assessment of the impact of these on the significance of Park House has been put forward in the heritage statement, nor any explanation or justification for their presence. They serve to introduce an urban grandeur, and imposing closed off entrance to the site, which currently benefits from an open and welcoming access with the façade of Park House, clearly visible within its rural setting, displaying its 'face' to the locality. These gates would erode that character and visibility. There is no assessment as to why gates are required in this location, especially as gates to the proposed builder's yard are also indicated between the two proposed buildings.
- ii. No reduction in the scale of the proposed buildings has been considered, and no justification as to the perceived requirement for such scale has been satisfactorily put forward to provide a public benefit that would outweigh the harm to the setting and significance of the principal dwelling.
- iii. It is acknowledged that the current owners are working proactively in the maintenance of grade II\* listed Park House and that they have sought the advice of the conservation team in this respect. Such owners are welcome and valued. It is also acknowledged that they are seeking to form a base for their viable business that fits with family life.
- iv. However, it does not necessarily follow that the setting of a listed building is an appropriate site for such a business. Where there is harm to the significance of a listed building and it is assessed that the impact of this proposal amounts to less than substantial harm (an assessment concurred with by the heritage statement) arising from the visual impact of the barns, the change in the experience of the site from a rural setting to a semi-industrial yard, with all associated noise and movement, and the introduction of the gates this harm must be weighed against public benefits arising from the proposal.
- v. Public benefits would include bringing a heritage asset into its optimum viable use. Both the listed house and barns are already in optimum viable use, and there can therefore be no further benefit to these assets arising from this proposal. Great weight must be given to the conservation of an asset, and any use must not only be viable for the owner but for the future conservation of the asset, in accordance with policy guidance.

- vi. The outbuildings, if consented, may provide a convenient and viable place of business for the owner, but will result in long-term if not permanent structures, and could possibly detract from the salability of the site in future, should the family and business wish to move on. This may therefore conflict with the aim of securing the future conservation of the asset.
- vii. The conversion and subdivision of the barns formerly associated with Park House does not equate to a justification for the erection of two buildings on such a scale, so wholly out of keeping with the character of the site. Rather it serves to illustrate the harm caused by their sale separate to that of the principal dwelling (albeit and acceptable and justified harm according to law and policy).
- viii. The economic benefits of the business, already exist. They will not arise from this proposal and cannot therefore amount to a public benefit to be weighed against the harm resulting from the scheme.
- ix. Therefore, in strict heritage terms, when assessed against policy and with due regard to the law, it is not felt that there is sufficient public benefit arising from the proposal to outweigh the harm of the proposal.
- x. It follows that the applicants must further illustrate public benefit, justify the requirement for scale and size and/or reduce the harmful impact of the proposal in order to mitigate the concerns raised on heritage grounds.
- 15. I therefore recommend this application for refusal.
- 16. Should the scheme be approved in its current form, conditions should be attached to agree all external materials, maintain for the life of the business any planting required for screening and potentially to ensure the landscape is returned to its former condition if the business ever ceases to operate on site.

# 5.3. Conservation Consultant (East Cambs District Council) – reconsultation comments received 11.11.2022

None of the additional information addresses the fundamental conflict ....identified in 2021: that the introduction of industrial buildings of this scale in this location is irreconcilable with heritage protection objectives. The planning balance is for others to determine but the proposal entails harm to the setting of Park House, a high grade heritage asset.

# 5.4. Cambridgeshire County Council Highways Authority – original comments received 10.11.2021 (Updated 16.11.2021) General location

The site is located remote from a village or town on an unlit rural road, with the likelihood that all trips to the site will be by private motor transport. FDC should consider the location of the site from a general sustainability point of view.

Furthermore, I am concerned that the proposals will result in an increase in turning and stopping movements on an unlit rural road, where the national speed limit applies with an increased risk of accidents.

### Access

The access that will serve an office building and B8 development is unacceptable. The width is approximately 3m so unsuitable for two vehicles to pass. Were vehicles to attempt to pass close to the access with Gorefield Road this would lead to conflicts during a turning movement as well as potentially reverse movements off the site. The existing radii of the access with Gorefield Road is sub-standard. This will make turns in and out of the site by HGVs dangerous with the likelihood of vehicles consuming both carriageways of Gorefield Road.

The plans note that there is dense vegetation and trees on both sides of the access and the supporting statement mentions that visibility is good. Although the plans are not showing visibility splays, visibility has been checked on site and is acceptable.

# <u>Parking</u>

A gravel parking area is shown but I would recommend that details are provided to show how both cars and HGVs can be accommodated and can adequately turn within the site. The level of parking provision would be expected to meet FDC parking standards.

Based on the above, I object to the proposals.

# 5.5. Cambridgeshire County Council Highways Authority – reconsultation comments received 23.03.2022

#### Access

The updated plans have an increase to the access. The width is approximately 5m which is suitable for 2 vehicles to pass. The plans note that there is dense vegetation and trees on both sides of the access and the supporting statement mentions that visibility is good. Although the plans are not showing visibility splays, visibility has been checked on site and is acceptable.

#### Parking

A gravel parking area is shown but Highways would recommend that details are provided to show how both cars and HGVs can be accommodated and can adequately turn within the site. The level of parking provision would be expected to meet FDC parking standards.

#### Gate

In the updated plans, there is now a gate approximately 5m from the highway. Private accesses serving multiple dwellings shall be ungated to maintain unfettered access to shared turning and servicing provision.

# 5.6. Cambridgeshire County Council Highways Authority – reconsultation comments received 17.11.2022

#### General location

The site is located remote from a village or town on an unlit rural road, with the likelihood that all trips to the site will be by private motor transport. FDC should consider the location of the site from a general sustainability point of view.

Furthermore, I am concerned that the proposals will result in an increase in turning and stopping movements on an unlit rural road, where the national speed limit applies with an increased risk of accidents.

#### Access

The access that will serve an office building and B8 development is unacceptable. The width is approximately 3m so unsuitable for two vehicles to pass. Were vehicles to attempt to pass close to the access with Gorefield Road this would lead to conflicts during a turning movement as well as potentially reverse movements off the site. Please demonstrate of the plan the updated width to ensure 2 vehicles can pass.

The existing radii of the access with Gorefield Road is sub-standard. This will make turns in and out of the site by HGVs dangerous with the likelihood of vehicles consuming both carriageways of Gorefield Road. The radii appear to be the same. Please demonstrate by way of tracking how HGVs will use the access. This is to ensure that the access proposed is suitable for HGV movements.

The plans note that there is dense vegetation and trees on both sides of the access and the supporting statement mentions that visibility is good. Although the plans are not showing visibility splays, visibility has been checked on site and is acceptable.

#### Parking

A gravel parking area is shown but I would recommend that details are provided to show how both cars and HGVs can be accommodated and can adequately turn within the site. The level of parking provision would be expected to meet FDC parking standards. The updated plans show the previous indicated gravel parking area has parking bays and adequate tracking turning. This is acceptable.

# 5.7. Wildlife Officer – original comments received 29.11.2021 *Recommendation:*

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

# Compliance Condition(s):

1. 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.

Reason: To ensure that the proposal remains in line with the Fenland Local Plan.

2. No removal of nest on building, hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the vegetation is cleared or building disturbed and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: Protected species are a material concern for Local Planning Authorities as per the National Planning Policy Framework and Fenland Local Policy. The disturbance of protected species may be an infraction as described within the Wildlife and Countryside Act 1981.

3. No external lighting shall be erected that is directed towards the woodland to the east, any lighting installed on the outside of the building in any direction will be baffled in downward direction and follow all guidance within the Guidance Note 8 Bats and artificial lighting (Bat Conservation Trust and ILP, 2018).

No lighting shall be placed where it could disturb protected species such as bats or nesting birds.

All external lighting shall be installed in accordance with the specifications and locations set out in the guidance, and these shall be maintained thereafter in accordance with the guidance. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To protected the quality of the neighbouring woodland for biodiversity in line with LP19 of the Fenlands local plan.

#### Assessment/Comment:

The site is entirely grazed agricultural grassland with little to no biodiversity interest unless proven otherwise. The only real concern from a biodiversity perspective is the woodland immediately to the east of the proposed site. While it is unlikely that the construction of this proposal will negatively impact the woodland the ongoing operations on the site, especially relating to lighting may cause negative impact without appropriate mitigation.

A guidance note on how to minimise the potential negative impact of lighting on bats and other protected species has been produced by the Bat Conservation Trust and ILP (https://theilp.org.uk/publication/guidance-note-8-bats-and-artificial-lighting/). This guidance should be followed when designing any external lighting on the building.

The conditions recommended above aim to protect the potential ecological constraints that are present and ensure that the proposed development will result in a no net loss of biodiversity as a minimum.

It is highly recommended that some native flora is planted as part of this application. Additional trees along the eastern site of the building would be particularly beneficial.

# 5.8. Wildlife Officer – reconsultation comments received 13.12.2022 <u>Recommendation:</u>

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

In addition to the conditions imposed previously due to the redesign, additional condition(s) are required.

# *Pre-commencement Condition(s):*

- Notwithstanding the submitted details, no development shall take place until a scheme for the soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:
  - Planting plans to all public areas, retained hedge and trees, species, numbers, size and density of planting;
  - Placement, type and number of trees in order to at least replace and account for the loss of the trees the new design will create plus 100% to account for the age of the trees; and
  - Boundary treatments.

Development shall be carried out in accordance with the submitted details

Any trees, shrubs or hedges forming part of the approved landscaping scheme that die, are removed or become diseased within five years of the implementation of the landscaping scheme shall be replaced during the next available planting season by the developers, or their successors in title with an equivalent size, number and species to those being replaced. Any replacement trees, shrubs or hedgerows dying within five years of planting shall themselves be replaced with an equivalent size, number and species.

 The development hereby permitted shall not be occupied until at least 3 bird boxes and 2 bat boxes have been suitably designed into the scheme in accordance with best practice methodology as set out by the Royal Society for the Protection for Birds and Bat Conservation Trust, evidence of the inclusion of these boxes should be provided to the Local Planning Authority.

Reason: to secure the long-term protection of the nesting bird potential.

# Informative(s):

• No removal of hedgerows, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

#### Assessment/Comment:

Previously the scheme did not involve the removal of vegetation with any significance to biodiversity. Now the new design will result in the significant loss of trees. An on site survey was completed by myself on the 27th of October which established that none of the trees being removed have any significant bat roosting interest. However none of the trees should be removed during the bird nesting period.

# 5.9. Environment & Health Services (FDC)

The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposed scheme as it is unlikely to have a detrimental effect on local air quality and the noise climate or be affected by ground contamination.

I note that the entrance points to the storage unit are on the west elevation, therefore I would recommend that lighting installed on the west façade of the storage unit is angled sufficiently not to impact on the amenities of neighbouring residential properties.

# 5.10. Anglian Water Services Ltd

We have no objection subject to the following condition:

### Condition:

Prior to the construction above damp proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.

Reason: To prevent environmental and amenity problems arising from flooding.

# 5.11. **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.

#### 5.12. Leverington Parish Council

Council observation: Council's only concern is the use of barbed wire adjacent to Gorefield Road.

#### 5.13. Local Residents/Interested Parties

9 letters of support received for the scheme from 5 address points within Gorefield and Leverington. Four of the received letters were direct duplications (comprising two separate pairs), but each were signed by different residents.

Reasons for support included:

- Will support an existing business to flourish;
- Improved site security;

- Improved overall appearance with storage contained within the building(s);
- No concerns with the volume of traffic or the suitability of the access;
- Design is appropriate for the requirement and setting;
- Suitable screening to avoid impacts to the street scene;
- Sufficiently distanced from Park House to not cause impact;
- Creation/retention of jobs; and
- Will be of benefit to the community.

#### 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 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting.

#### 7 POLICY FRAMEWORK

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

Para 47 – Applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise; Para 81 – Planning decisions should help create the conditions in which businesses can invest, expand and adapt.

Para 84(a) – Planning decisions should enable the sustainable growth and expansion of all types of business, through conversion of existing buildings or well-designed new buildings

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 126 – Good design is a key aspect of sustainable development;

Para 130(c) – Planning policies and decision should ensure developments are sympathetic to local character and history;

Para 174 – Planning decisions should contribute to and enhance the natural and local environment

Section 16 – Conserving and enhancing the historic environment

# 7.2. National Planning Practice Guidance (NPPG)

# 7.3. 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

#### 7.4. Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP6 - Employment, Tourism, Community Facilities and Retail

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

LP18 – The Historic Environment

LP19 – The Natural Environment

# 7.5. **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

LP3 – Spatial Strategy for Employment Development

LP7 - Design

LP15 – Employment

LP18 – Development in the Countryside

LP20 - Accessibility and Transport

LP22 – Parking Provision

LP23 – Historic Environment

LP24 – Natural Environment

LP28 – Landscape

LP32 – Flood and Water Management

# 8 KEY ISSUES

- Principle of development
- Visual amenity and impact on heritage assets
- Parking and access
- · Impact on residential amenity
- Ecology
- Flood risk

#### 9 ASSESSMENT

#### Principle of development

9.1. The application site is located on land associated with the Grade II\* listed Park House, approximately 200m west of the built framework of Leverington and set within an area of sporadic residential development. As such the site is considered to fall within an 'Elsewhere' location, as set out within the Settlement Hierarchy in Policy LP3. Development in 'Elsewhere' locations will be restricted to that which is *demonstrably essential* to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. This proposal is for a building contractors

business, which does not fall within the aforementioned categories. As such, the proposal is considered contrary to Policy LP3.

# LP6/LP12 Considerations

- 9.2. Policy LP6 identifies that employment proposals will be assessed against a number of selection criteria these include site suitability (location, physical constraints, impacts), spatial fit, accessibility, availability and deliverability. LP6 further identifies that 'the rural economy will be supported by allowing appropriate proposals that meet the criteria as set out in Policy LP12'.
- 9.3. Policy LP12 Part A states that proposals for development will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Proposals are required to meet the applicable policies in respect of the Settlement Hierarchy (LP3) as well as other criteria including that the site is in or adjacent to the developed footprint of the settlement (which does not include individual buildings or groups of buildings that are clearly detached from the continuous built form of the settlement), it would not have an adverse impact on the character and appearance of the surrounding countryside; and the site retains and respects ecological or heritage features.
- 9.4. It is clear that the site falls outside the built form of Leverington and therefore fails to achieve the initial requirement of Policy LP12 in that the proposal is contrary to Policy LP3. Notwithstanding, consideration should be paid to the relevant criteria of Policy LP12 part A, to qualify the principle of the proposed development in this location.
- 9.5. The site is positioned on land associated with Park House, that, alongside earlier barns and outbuildings that have since been subdivided from the host dwelling, sits within a group of buildings disassociated from the continuous built form of Leverington. Thus, development on this site would not meet the requirement of LP12 Part A that requires development to be in or adjacent to the developed footprint of the settlement.
- 9.6. The proposal seeks to introduce a semi-industrial development into land associated with Park House that will enclose and erode the open character of the former parkland site, resulting in a detrimental impact to the character and appearance of the area, contrary to further criteria of LP12 Part A. This matter is discussed in more detail below.
- 9.7. Finally, and perhaps most importantly, the proposed development will result in harm to the 'more than special' designated heritage asset of Park House, a grade II\* listed building (further discussed below). Thus, the proposal cannot be considered to respect this important local heritage feature.
- 9.8. Thus, the requirements relating to Policy LP3 and of LP12 Part A have not been met and as such the principle of development of the site is not supported as the proposal constitutes unsustainable and arguably harmful development in a rural location adjacent to a high grade heritage asset. There are no material considerations brought forth that would justify the scale and siting of the scheme at the application site.

- 9.9. The DAS justifies the site for the proposed development by stating that "a large amount of land is required to accommodate the business, the scale of which cannot be found elsewhere within the core settlement of Leverington as defined by Policy LP12." However, the main focus of Local Plan Policy LP6 is to create or retain employment land around the four main market towns of Wisbech, March, Chatteris and Whittlesey, focusing on the appropriate provision of land for industrial, office and warehousing uses in sustainable locations to meet the needs of businesses.
- 9.10. Notwithstanding, the submission did not include any evidence that alternative sites within the settlement of Leverington, or more preferably in one of the four main market towns elsewhere in the district, had been considered or discounted (with reasons) to support its non-compliance with the wider aims of Policy LP6 or the NPPF.
- 9.11. Therefore, whilst it is acknowledged that the proposed development may offer benefit in terms of economic growth of an existing business (albeit seemingly operating within an unauthorised location currently) with limited increase to local employment levels, this does not outweigh the fundamental issues in respect of the unacceptable principle of such a development in this location in respect of Policies LP3, LP6 and LP12 as considered above.

# Visual amenity and impact on heritage assets

- 9.12. Policy LP16 refers to development making a positive impact to local distinctiveness and the character of the area and amongst other things should not have an adverse impact on landscape character. It is also a core planning principle in the NPPF that recognises the intrinsic value of the countryside; therefore, consideration needs to be given to any harm caused.
- 9.13. In addition, consideration must be 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, as well as the requirements of Section 16 of the NPPF, and Policy LP18 of the Fenland Local Plan.
- 9.14. The application site was once part of the parkland associated with the building and still retains a significant parkland character comprising grassland with open views to the north, a substantial tree belt to the west and further trees and water bodies to the south. To the west stands the host dwelling, Park House, a grade II\* listed building.
- 9.15. The current use of the land is as surface level parking and an informal storage area associated with the building contractor's business. The proposal seeks to erect two large semi-industrial buildings along with the erection of a 2.2m high wall to form a compound with parking/turning areas, and substantial gates to the entrance of the site off Gorefield Road.
- 9.16. The proposed office and separate storage buildings, whilst technically single storey, will reach approximate heights of 5.6m and 6.4m respectively and will comprise significant footprints with the overall width of the development at

approximately 32m, enclosed by the erection of 2.2m walling. The buildings themselves are intended to be constructed of materials conducive to rural outbuildings, utilising timber cladding, metal corrugated roofing and some brickwork.

- 9.17. Whilst it is accepted that the main area of development will be set back from Gorefield Road by approximately 58m and will be, in part, screened by the existing vegetation to the south of the site, the proposal will result in a significant scale of enclosed semi-industrial development within an area that currently contributes to the overall setting of Park House through its vegetation, openness and tranquillity; notwithstanding its specific design.
- 9.18. The advice of the Council's conservation advisors is that the introduction of industrial buildings of this scale in this location is irreconcilable with heritage protection objectives. The proposal is considered, owing to its siting being wholly out of keeping with the character of the area, to result in harm to the setting of Park House, the public benefits of which would not outweigh this harm.
- 9.19. In addition, the site currently benefits from an open and welcoming access with the façade of Park House, clearly visible within its rural setting, displaying its 'face' to the locality. The proposal to include substantial brick piers, walls and wrought iron style gates to the main access leading to Park House, will serve, primarily to introduce an urban grandeur, and result in an imposing closed off entrance to the site. These gates would erode the existing open character and visibility of Park House within the street scene. The application offers no justification as to why these main gates are required in this location, especially as a sliding gate is indicated further along the access, with yet a further gate proposed between the two intended buildings as entrance to the enclosed compound.
- 9.20. Ultimately, the detrimental visual impact of the proposed development cumulatively along with the resultant harm to the setting of the high grade heritage asset of Park House, is a matter more attributed to the inappropriate siting of semi-industrial development in this location (which bolsters the concern of the unacceptable principle of development discussed above), as opposed to matters that could be resolved through the design of the scheme.
- 9.21. Therefore, the proposal is considered unacceptable in respect of Policy LP16 & LP18 of the Fenland Local Plan.

# Parking and access

9.22. The scheme proposes alterations to the existing site access and the creation of additional parking/turning areas to serve the proposed development. The existing gravel access, off Gorefield Road, is currently approximately 3.3m wide and serves Park House before branching to the west and east to serve the remainder of the site. The main access drive is proposed to be widened to approximately 5m, with a tarmac apron to a set of main entryway gates set approximately 10m beyond the highway edge. Beyond this to the east, the access is proposed to incorporate a further sliding gate as entrance to the parking area to the south side of the proposed buildings. A further gate

will be set within a 2.2m high wall between the buildings to a rear compound with a further parking area.

9.23. According to the required parking standards for specific developments, set out within Policy LP15, the proposed buildings should provide parking as follows:

	Required parking (in respect of floor area)
Office building	4 spaces
Storage building	10 spaces
Total parking requirement	14 spaces

The submitted plans suggest a total of 16 parking spaces to be provided, including 1 accessible space and 2 EV charging spaces. As such, the proposed parking provision will be acceptable in respect of the intended development. In addition, the plans offer vehicle tracking plans to suggest that most vehicles will have sufficient space within the site to ensure entry/exit in a forward gear.

9.24. The existing access is insufficient in width to allow for two-way vehicle movements, however the proposal does include widening of the access to 5m, which should allow sufficient room for standard sized vehicles to pass. However, the proposed use of the site to facilitate a building contractors business and the size of vehicles that are likely to visit the site, such as rigid vehicles or HGVs should be considered. It does appear, however, that the proposed widened access is likely to be of sufficient width to accommodate these types of vehicles. In respect of the suitability of the turning arrangements, concern was raised by CCC Highways (LHA) in their most recent consultation response in respect of HGV movements within the site, requesting that a tracking plan for such vehicles was submitted for further consideration. This was put to the applicant, however a revised plan was not put forward by the applicant for consideration. The applicant rebutted the LHA comments as follows:

Access – It is very unlikely that two vehicles will need to pass at the access. The only people coming and going will be office staff, who will be arriving and leaving together at the same time each day. Any other visits will be scheduled deliveries or appointments.

HGVs will not be required to use the access as these do not attend the site.

The submitted transport statement appears to corroborate these claims.

- 9.25. The LHA comments also resolved that the existing access visibility is likely to be acceptable.
- 9.26. Matters with respect to the sustainability and suitability of the site for its intended use were raised by the LHA, stating:

The site is located remote from a village or town on an unlit rural road, with the likelihood that all trips to the site will be by private motor transport. FDC should consider the location of the site from a general sustainability point of view

Furthermore, I am concerned that the proposals will result in an increase in turning and stopping movements on an unlit rural road, where the national speed limit applies with an increased risk of accidents.

These concerns clearly are raised with respect to the principle of such a development within this location (which again bolters the concerns in respect of such matters as discussed above), however specific objections in respect of highway safety were not put forward by the LHA. Therefore, given the technical details in respect of access width, visibility and parking arrangements have been satisfactorily addressed, it is considered unreasonable to justify a refusal of the scheme on the basis of highway safety in this case.

# Impact on residential amenity

- 9.27. The nearest dwellings to the application site are within the cluster of dwellings to the west of the site, including those within Park House who stand to be most impacted. The proposed development will be situated approximately 29m east of Park House, with the nearest building being that of the proposed office. The proposed storage/workshop building will be set approximately 49m away.
- 9.28. The proposed separation will result in limited impacts in respect of overlooking, overshadowing or overbearing to nearby residential development. Furthermore, consultations with the FDC Environmental Health team suggest that the proposal is unlikely to result in unacceptable amenity impact in respect of air quality or noise nuisance. Conditions were recommended in respect of the position and angle of any external lighting proposed to limit light pollution.
- 9.29. Thus, it is considered that the proposal is acceptable in respect of Policies LP2 and LP16 owing to its limited impact to residential amenity, subject to conditions.

#### **Ecology**

- 9.30. The site benefits from a significant number of mature trees, nearby water bodies and vegetation, which all contribute to local wildlife habitats and contribute to the intrinsic character of the site. The proposals will see the removal of some trees to facilitate the development, and the demolition of an existing storage building.
- 9.31. Consultations with the PCC Wildlife Officer in respect of the scheme resulted in no objections, subject to the imposition of conditions to protect the potential ecological constraints that are present and ensure that the proposed development will result in a no net loss of biodiversity as a minimum, and to ensure the development complies with Policy LP19.

#### Flood risk

9.32. Part of the existing access and the southern fringes of the application site are located within Flood Zone 2, however the predominate development area is situated within Flood Zone 1. Issues of surface water drainage will be subject to building control regulations. As such, the proposal results in no issues to reconcile with respect to Policy LP14.

#### 10 CONCLUSIONS

- 10.1. The scheme is considered acceptable with regard to flood risk, residential amenity, ecology, and access/parking subject to the imposition of conditions. However, these matters to do not address the material concerns arising with respect to the introduction of a semi-industrial operation within a rural area against Policies LP3 and LP12, resulting in detrimental impacts and harm to the setting of a grade II\* listed building and the wider rural character contrary to Policies LP16 and LP18. Whilst it is acknowledged that the application may result in limited economic benefit to an existing business, this improvement is not considered justified in respect of the overall scale and proposed siting of the development and the resultant harm it would cause, merely appearing as a proposal of convenience as opposed to a functional need.
- 10.2. The application includes insufficient evidence to overcome the fundamental issues in respect of the principle of development, its visual impact, and the resultant harm to a high-grade designated heritage asset and these issues cannot be overcome through design changes or other mitigation measures. As such, this application is recommended for refusal.

# 11 RECOMMENDATION

**Refuse**, for the following reasons;

#### Reasons

1	Policy LP3 of the Fenland Local Plan 2014 supports development in the open countryside ("Elsewhere") where it is demonstrably essential to the effective operation of local agriculture, horticulture, forestry, outdoor recreation, transport or utility services. The proposal has not demonstrated that the development is essential for any of the operations as identified in LP3 and therefore would result in a semi-industrial development in an unsustainable location. The development therefore does not comply with the requirements of Policy LP3.
2	Policy LP6 seeks to support the rural economy by allowing proposals that meet the criteria of as set out in Policy LP12. Policy LP12 Part A states that proposals for development will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Proposals are required to meet the applicable policies in respect of the Settlement Hierarchy (LP3) as well as other criteria including that the site is in or adjacent to the

developed footprint of the settlement; it would not have an adverse impact on the character and appearance of the surrounding countryside; and the site retains and respects ecological or heritage features.

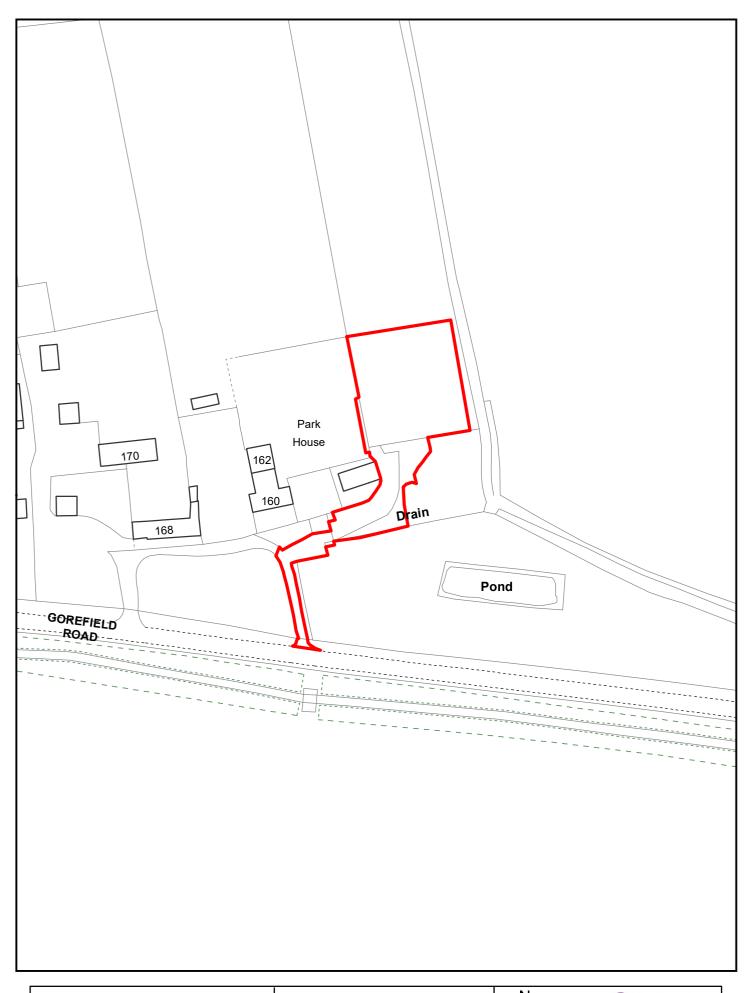
By virtue of the location of the site, away from the built form of Leverington, the resultant detrimental impact on the openness of the rural character, and the harm caused by the introduction of semi-industrial development within the setting of a grade II\* listed building, the proposal is in contravention of the aforementioned policies and cannot be supported.

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, enhancing its setting, responding to and improving the character of the local environment, reinforcing local identity and not adversely impacting in design or scale terms on the street scene, settlement pattern or landscape character of the surrounding area.

The proposal is for the construction of a two large scale semiindustrial buildings to create a building contractors compound along with associated walls and gates, located on currently open land that contributes to the setting and character of the adjacent grade II\* listed building and the rural character of the area generally. Such a proposal in this position would increasingly urbanise this area by virtue of the introduction of an incongruous semi-industrial use into an otherwise rural residential setting and would detrimentally countryside setting by enclosing a spacious area of former parkland, resulting in erosion of the overall character of the The proposal would therefore be contrary to the area. requirements of 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).

Policy LP18 of the Local Plan 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 harm caused by the

introduction of an inappropriate semi-industrial development within land that contributes to the overall setting of a grade II\* listed 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.



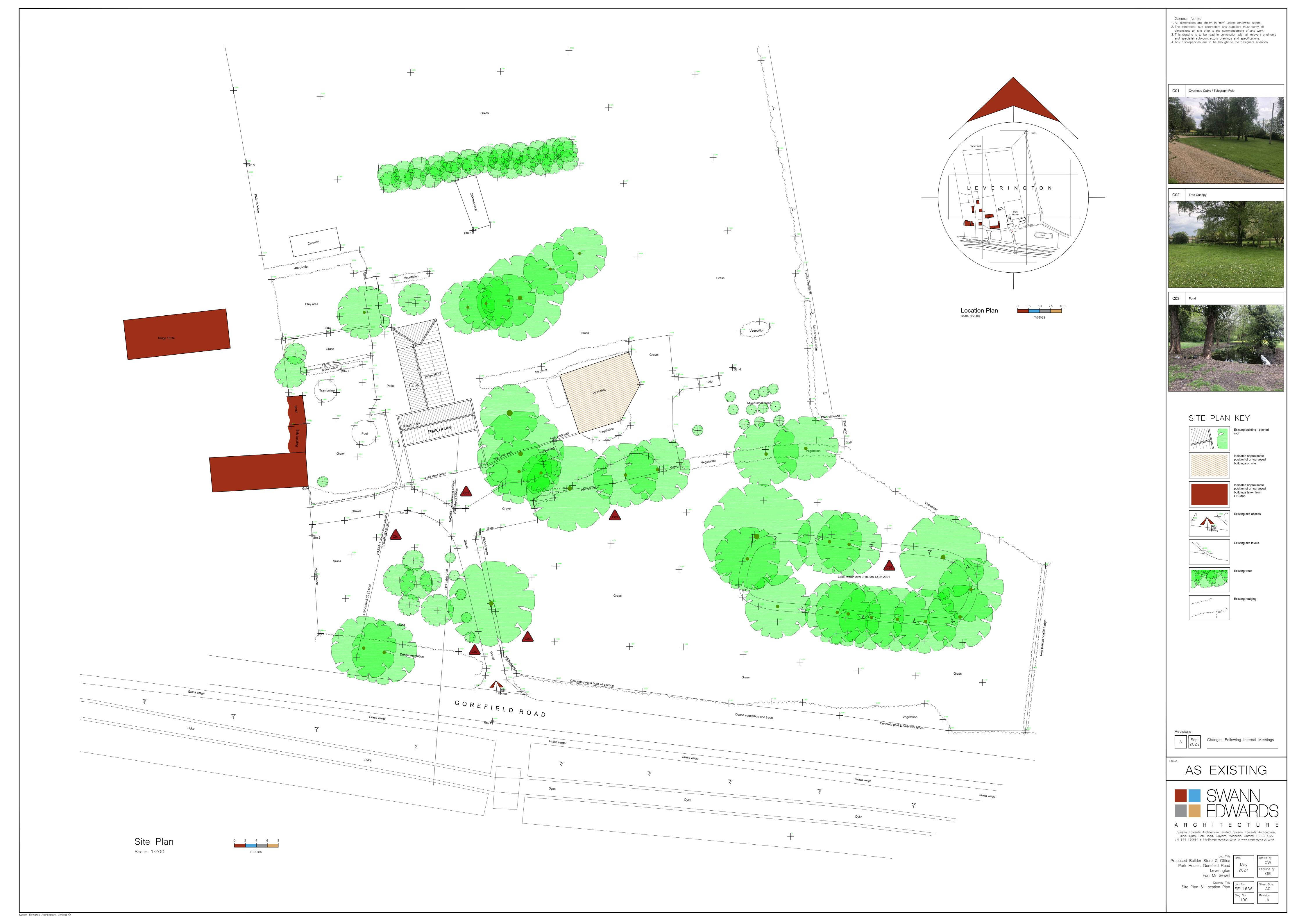
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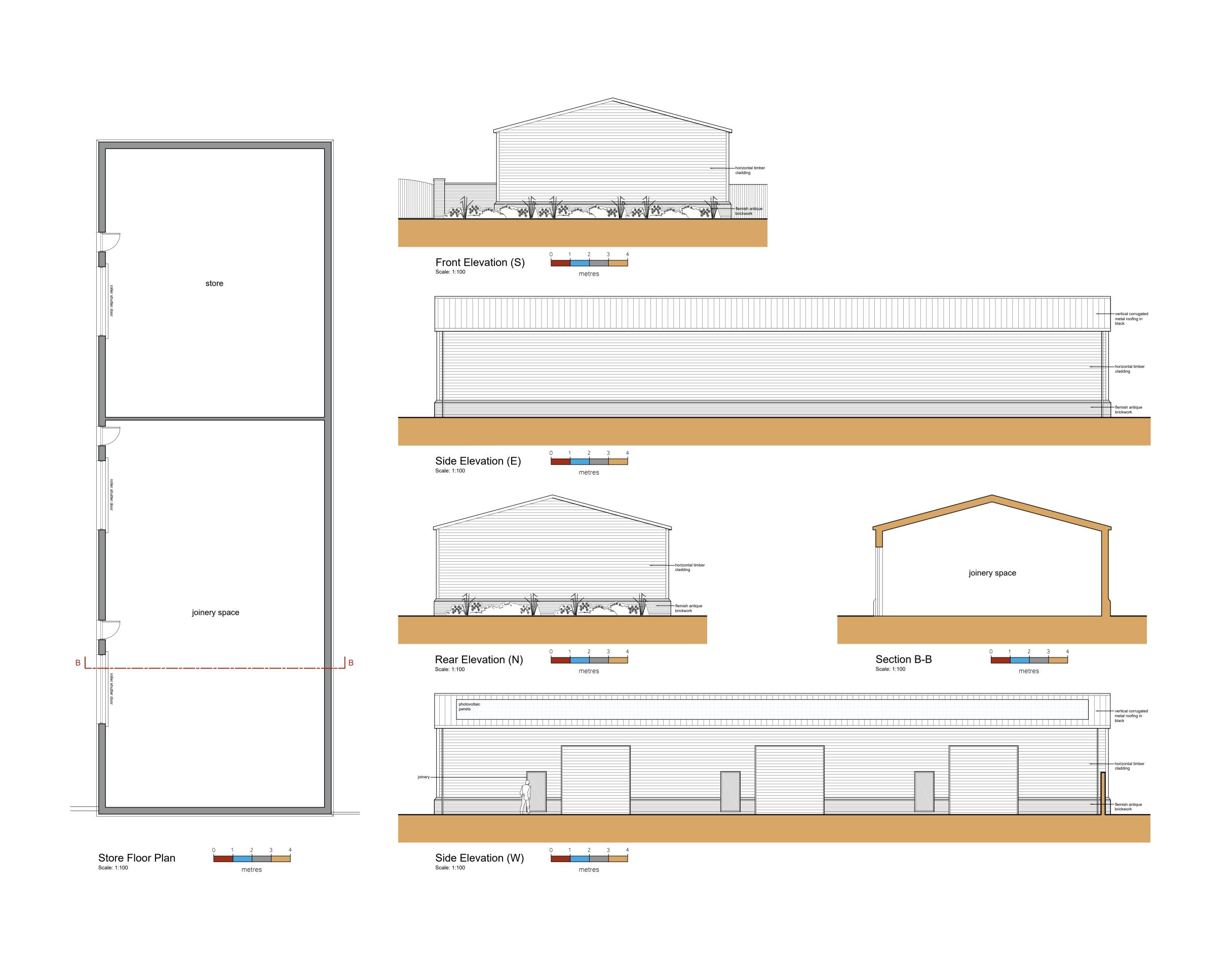
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General Notes 1. All dimensions are shown in 'mm' unless otherwise stated. 2. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work. 3. This drawing is to be read in conjunction with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

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

Revisions

Changes Following Planning Comments

Changes Following Planning Comments

Changes Following Internal Meetings

FOR APPROVAL



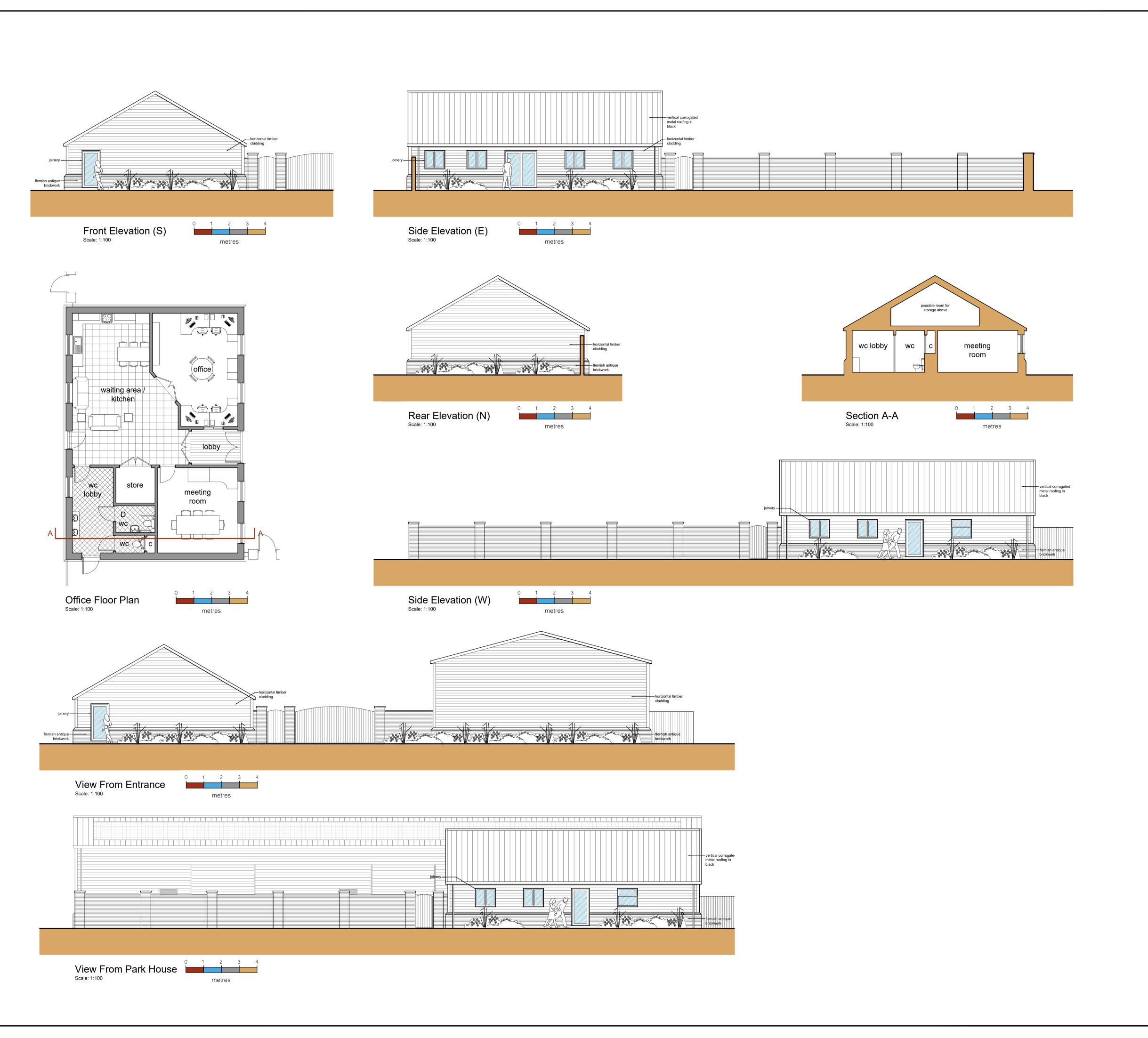
Swann Edwards Architecture Limited, Swann Edwards Architecture, Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Proposed Builder Store & Office Park House, Gorefield Road Leverington

Drawn by JRB Checked by GE 2021

For: Mr Sewell Planning Drawing
Store Floor Plan, Elevations
& Section

Drawing Title
Sheet
SE-1636
Dwg No.
PP1101



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

and specialist sub-contractors drawings and specifications. 4. Any discrepancies are to be brought to the designers attention.

Changes Following Planning Comments

Changes Following Planning Comments

Changes Following Planning Comments

Changes Following Internal Comments

FOR APPROVAL



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Proposed Builder Store & Office Park House, Gorefield Road

Checked by 2021 Leverington For: Mr Sewell

Planning Drawing Title
Planning Drawing
Office Floor Plan, Elevations

A1 & Section Dwg No. PP1100

JRB

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