
F/YR22/1190/FDC

Applicant: Fenland District Council

Agent : BHD Ltd

**Land North Of 84 Upwell Road Access From, Smiths Drive, March,
Cambridgeshire in**

Erect a dwelling (outline application with matters committed in respect of access)

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1 This application seeks outline planning permission for a single dwelling with matters committed in respect of access. The applicant and landowner is Fenland District Council.
- 1.2 Due to the constrained nature of the site, the proposal results in a development at odds with the prevailing form of development, which consists of 2-storey dwellings. The proposal would consequently create an incongruous and unattractive feature which fails to demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and will ultimately have an adverse impacts on the street scene and is therefore contrary to the requirements of Policy LP16 of the Fenland Local Plan (2014).
- 1.3 The scheme is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site is a parcel of land 395m² in extent, located to the rear of the dental surgery at 84 Upwell Road and to the south of a row of 5 terraced dwellings at Nos. 56 to 64 Smiths Drive, laid out on a north-south axis. The site is presently used as a formal parking area. The site is devoid of any noticeable vegetation and is generally flat.
- 2.2 A footpath runs along the western side of the site providing pedestrian access from Upwell Road to Smiths Drive. Alongside the northern part of the site is a legal right of way providing access to the rear of the properties at Nos 56 to 64 Smiths Drive.
- 2.3 There is an electricity substation to the west of the site.
- 2.4 The site is within Flood Zone 1 (low risk).

3 PROPOSAL

- 3.1 The proposal seeks outline planning permission (with matters committed in terms of access) for the erection of one dwelling. An indicative site plan has been submitted to show how the site could be developed to provide one single-storey dwelling with a floor space of 61m² together with a private amenity space area of approximately 100m² and the provision of 2 parking spaces, measuring 5 x 2.6 metres.
- 3.2 The site is currently served by an existing access from Smiths Drive to the north.
- 3.3 Full plans and associated documents for this application can be found at: [F/YR22/1190/FDC | Erect a dwelling \(outline application with matters committed in respect of access\) | Land North Of 84 Upwell Road Access From Smiths Drive March Cambridgeshire \(fenland.gov.uk\)](#)

4 SITE PLANNING HISTORY

- 4.1 No pertinent planning history on site.

5 CONSULTATIONS

5.1 March Town Council

Recommendation: Approval

5.2 FDC Environmental Health

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

As the proposal site is made ground, we ask for the following condition to be imposed in the event planning consent is granted;

UNSUSPECTED CONTAMINATION

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

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

5.3 Local Residents/Interested Parties

No comments received.

6 STATUTORY DUTY

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

7 POLICY FRAMEWORK

7.1 National Planning Policy Framework (NPPF)

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 11 – A presumption in favour of sustainable development

Para 47 – All applications for development shall be determined in accordance with the development plan, unless material considerations indicate otherwise

Para 130 – Achieving well-designed places

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2021

Context

Identity

Built Form

7.4 Fenland Local Plan 2014

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP9 – March

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

LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland

LP16 – Delivering and Protecting High Quality Environments across the District

7.5 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

LP4 - Securing Fenland's Future

LP5 - Health and Wellbeing

LP7 - Design

LP8 - Amenity Provision

LP12 - Meeting Housing Needs

LP20 - Accessibility and Transport

LP22 - Parking Provision

7.6 March Neighbourhood Plan 2017

H2 – Windfall Development

H3 – Local Housing Need

8 KEY ISSUES

- **Principle of Development**
- **Impact on Character and Amenity**
- **Residential Amenity**
- **Access and Parking**
- **Flood Risk**

9 BACKGROUND

- 9.1 Pre-application advice was sought in May 2021 for the erection of 1 dwelling. The pre-application response noted that the site does not appear to be of a sufficient size to enable the required amenity space, parking and turning and would therefore fail to achieve a high-quality environment. The pre-application concluded that the scheme was unlikely to receive support from officers.
- 9.2 Whilst not material to the determination of the application it should be noted that the applicant and landowner is Fenland District Council.

10 ASSESSMENT

Principle of Development

- 10.1 The main policy documents which are relevant to the consideration of the application are the Fenland Local Plan 2014 and the March Neighbourhood Plan 2017.
- 10.2 In terms of the Fenland Local Plan, the scheme will in principle accord with Policy LP3 given that March is identified as one of the market towns where the majority of the district's new housing should be focussed. It is however necessary to demonstrate that there will be no harm arising to the visual amenity of the area or residential amenity with regard to Policy LP16. In addition, it is necessary to demonstrate there is safe access to the site (Policy LP15), that the scheme is acceptable in flood risk (Policy LP14) and that there are no other site constraints which will render the scheme unacceptable.

Impact on Character and Amenity

- 10.3 Policy LP16 of the Fenland Local Plan (2014) is the primary policy governing the impact of development on its surroundings, requiring proposals to be able to demonstrate that they make a positive contribution to the local distinctiveness and character of the area.
- 10.4 Given the location of the site, the dwelling will be visible from Smiths Drive which is characterised by 2-storey dwellings. The dwellings immediately north of the application site along Smiths Drive are a row of 2-storey terraced dwellings. The scheme proposes a single-storey dwelling which will appear at odds with this prevailing character in the immediate vicinity of the site.
- 10.5 Although indicative at this stage, the overall proportions of the built structure are considerably at odds with those of the surrounding area, and the resulting dwelling would consequently appear out of character with its surroundings. Whilst these details are indicative, due to the constrained nature of the plot this is considered to be the only realistic form of development which could be achieved on the site. The application is therefore considered to be contrary to Policy LP16 given that it fails to make a positive contribution to the local distinctiveness and character of the surrounding area.

Residential Amenity

- 10.6 This is an outline application with matters committed in respect of access, therefore details of the proposed design, appearance, landscape and scaling have not been submitted, however the indicative plan provided details a single-storey dwelling.
- 10.7 Whilst the layout and scale is indicative at this stage, it is unlikely that a single-storey dwelling in this location will introduce any adverse overlooking, overshadowing or overbearing impacts upon the property to the north of the site. However, a two storey dwelling would have the potential to introduce harmful effects to surrounding properties and if permission were to be granted this would need to be subject to a condition limiting the development to being single storey only.

Access and Parking

- 10.8 Access will be achieved by using the existing access from Smiths Drive, an unclassified road to the north. Given that the site, and adjacent site, are used for informal car parking the development of the site to provide one dwelling will lead to a reduction in traffic movements to the site, albeit there could be a displacement of parking due to the loss of the site. However, the use of the site for car parking by the dental surgery was under a leasehold arrangement which has now ceased so any displacement has already occurred irrespective of the planning situation.
- 10.9 The indicative layout provides for two parking spaces appropriate for a single residential dwelling in this location.
- 10.10 The existing pedestrian access to the rear of properties at Nos. 56 to 64 Smiths Drive will be retained.
- 10.11 Based on the above there are no matters arising that indicate that planning permission should be withheld on the grounds of Policy LP15 of the Fenland Local Plan and Policy H2 (c) of the March Neighbourhood Plan in so far as they are related to parking, access and highway safety.

Flood Risk

- 10.12 The application site is situated within Flood Zone 1 and therefore issues of surface water disposal will be considered under Building Regulations.

11 CONCLUSIONS

- 11.1 The proposal is located on a relatively constrained site that would impact on the character and appearance of the proposal to construct a dwelling on the land in such a way that it would detract from the distinctive character and appearance of the surrounding area, contrary to Policy LP16. There are no material considerations that outweigh the harm identified as being caused by the proposal in relation to the above matters sufficient to justify its approval contrary to the aforementioned policy.

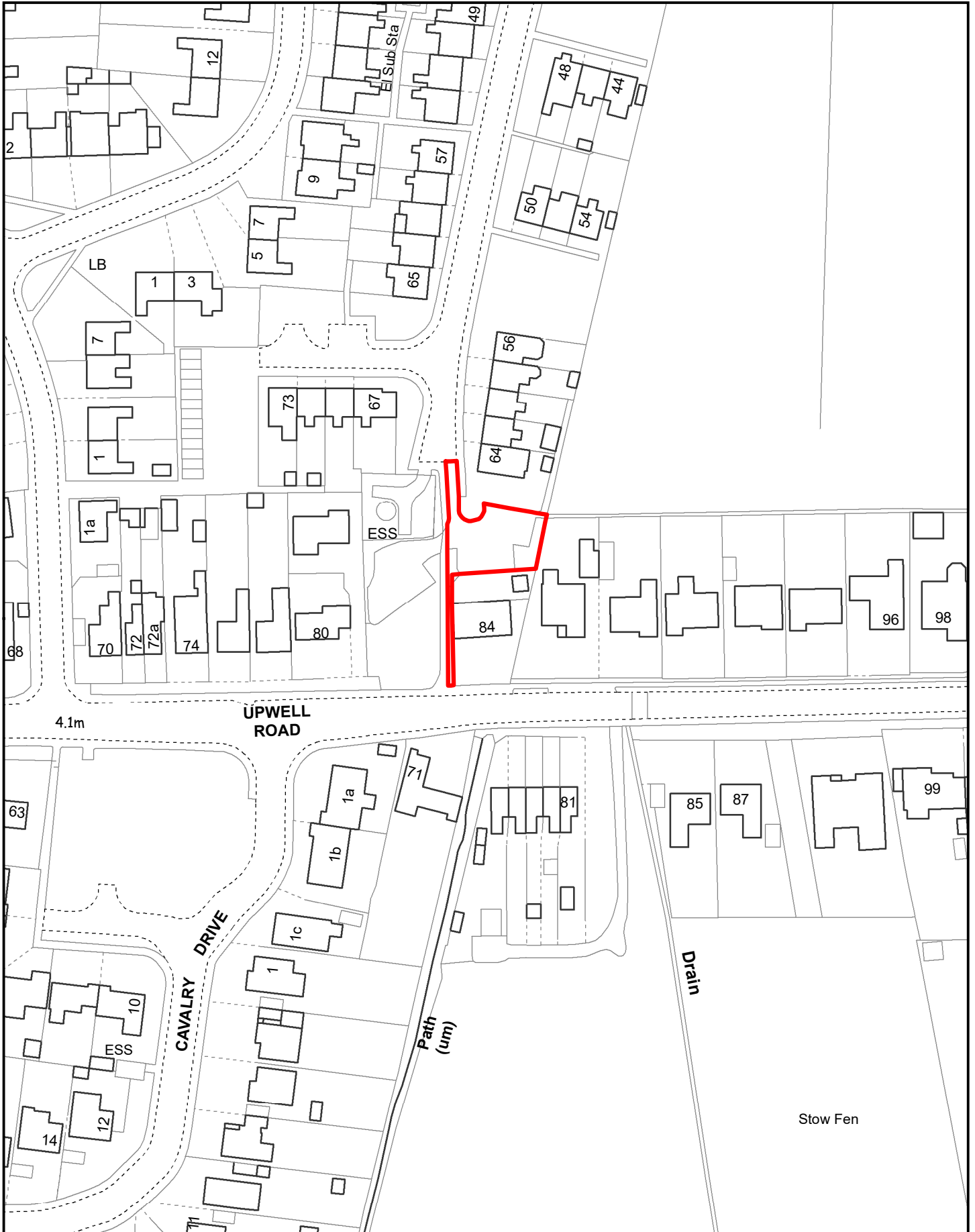
12 RECOMMENDATION

Refuse, for the following reason:

1	Policy LP16 (d) of the Fenland Local Plan (2014) requires that development demonstrates that it makes a positive contribution to the local distinctiveness and character of the area, enhancing its local setting, responding to and improving the character of the local built environment and does not adversely
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impact on the street scene or landscape character of the surrounding area. The proposal is for the construction of a single dwelling on the land, with indicative plans showing a single-storey detached dwelling.

Due to the constrained nature of the site, the proposal results in a development at odds with the prevailing form of development which consists of 2-storey dwellings. The proposal would consequently create an incongruous and unattractive feature which fails to demonstrate that it makes a positive contribution to the local distinctiveness and character of the area and will ultimately have an adverse impact on the street scene and is therefore contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).



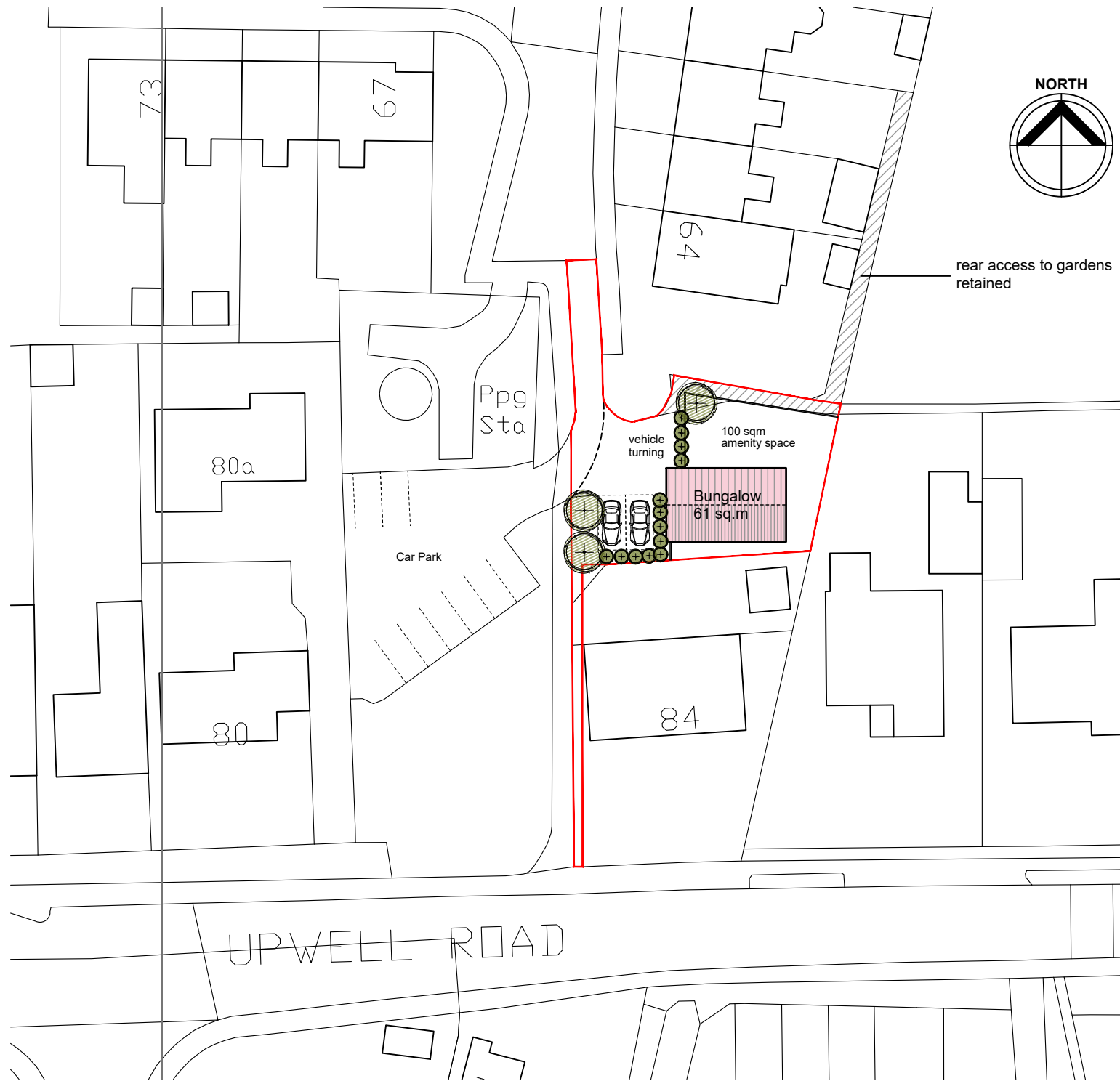
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SITE PLAN WITH INDICATIVE LAYOUT 1:500

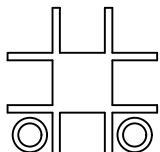


LOCATION PLAN 1:1250



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REVISION:	DATE:	DRAWN:	CHECKED:	DESCRIPTION:

 bhd R. HARRINGTON, 1st FLOOR 12 CHURCH SQUARE LEIGHTON BUZZARD BEDS. LU7 1AE Tel: 01525 854770 Fax: 01525 854778	PROJECT: UPWELLROAD (LAND NORTH OF No. 84) MARCH		
	DRAWING TITLE: SITE PLAN WITH INDICATIVE LAYOUT	SCALE: 1:500	PROJECT CODE: 2237
	DRAW DATE: 08.09.22	DRAWN: CHECKED: AC	DRAWING NUMBER: PL-01
	DRAWING STATUS: OUTLINE	REVISION DATE: DRAWN: CHECKED: REVISION:	SHEET: A3