
F/YR22/1037/F

Applicant: Mr C Stevens

**Agent : Mr David Taylor
David Taylor Associates (UK) Ltd**

Land South West Of The Old Post Office, Upwell Road, Christchurch,

Erect a dwelling (single-storey, 2-bed)

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to officer recommendation

1 EXECUTIVE SUMMARY

- 1.1 This application seeks to erect a dwelling (single-storey, 2-bed) to Land South West of The Old Post Office (Syringa House).
- 1.2 The application will result in the development of a dwelling in close proximity to the Grade II Listed Building. The close proximity of the proposed dwelling would compromise the preservation of the listed building, removing the garden which contributes to the significance of Syringa House, and therefore would fail to protect the special architectural interest of the listed building and as such is considered to be contrary to Policy LP16 and LP18 of the Fenland Local Plan.
- 1.3 The proposed dwelling would be accessed via Upwell Road. The orientation and location of the proposed dwelling would create a prominent feature within the street scene, appearing incongruous with the prevailing character along Upwell Road. The scheme would therefore fail to make a positive contribution to the local distinctiveness and character of the area and thus would be contrary to Policy LP16 (d).
- 1.4 The dwelling would be accessed via Upwell Road, sitting in close proximity to the Brimstone Close and Crown Road junctions. The scheme has failed to provide 2m x 2m pedestrian splays. The scheme would therefore result in ambiguity of vehicular turning movements, potentially compromising pedestrian safety. The application has failed to demonstrate that it is able to provide convenient access for the proposed dwelling and is therefore contrary to Policy LP15 of the Fenland Local Plan 2014.
- 1.5 Subsequently, the recommendation is to refuse this application.

2 SITE DESCRIPTION

- 2.1 The application site is situated on the south-western side of Upwell Road, within the settlement of Christchurch.

- 2.2 The application site was formerly used as garden land associated with Syringa House, however the site is now separated and is bounded by a close-boarded fence. A mobile home is situated on the site.
- 2.3 The Old Post Office (Syringa House) is situated to the north-east of the application site, which is a Grade II Listed Building. Neighbouring properties are also situated to the south and south-west of the application site.
- 2.4 The application site is situated within Flood Zone 1.

3 PROPOSAL

- 3.1 This application seeks to erect a single-storey, 2-bed dwelling.
- 3.2 The dwelling will be situated approximately 5.6 metres to the south-west of the existing rear elevation of the Old Post Office. The dwelling will have an external footprint of 114.67m². The roof will be dual-pitched with an eaves height of 2.5 metres and a ridge height of 5.7 metres approx.
- 3.3 The fenestration proposed to serve the dwelling includes 2 windows and a front door upon the principle elevation, 1 obscure-glazed ensuite window on the north-east side elevation and 4 windows and patio doors to the rear elevation.
- 3.4 Private amenity space is proposed to the rear of the dwelling, with turning and 2 parking spaces proposed to the front of the dwelling. A shed and bin storage are proposed to the north-east of the dwelling.
- 3.5 The site will be accessed via Upwell Road, with the access situated adjacent to Brimstone Close.
- 3.6 The existing boundary treatments will be retained on site.
- 3.7 Full plans and associated documents for this application can be found at: [F/YR22/1037/F | Erect a dwelling \(single-storey, 2-bed\) | Land South West Of The Old Post Office Upwell Road Christchurch \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR22/1037/F)

4 SITE PLANNING HISTORY

Reference	Description	Decision
F/YR18/0591/F	Erection of 6 x single-storey 3-bed dwellings with attached garages (Land South West Of Syringa House)	Granted 17/08/2018
F/YR16/0399/O	Erection of 6no dwellings (outline with matters committed in respect of access and layout only)	Appeal Allowed

5 CONSULTATIONS

5.1 Christchurch Parish Council

The members of the Parish Council considered this application at their recent meeting. Members expressed concern regarding the proximity of the proposed development and, in particular, the boundary fence, to the adjoining property. They felt that the proposed dwelling falls within the curtilage of the listed building as shown on the Historic England listing and would be detrimental to the setting of the listed building.

Members resolved not to support the application.

5.2 CCC Historic Environment Team

Thank you for your consultation regarding the potential archaeological implications of the above planning application.

Our records indicate that the site lies in an area of archaeological potential. Fields to the west of the site contain crop-marks showing a significant amount of evidence of prehistoric to Roman occupation including ring ditches (Cambridgeshire Historic Environment record MCB29367), field systems (MCB8267) and settlement remains (MCB12607). Findspots of Roman material have been identified to the north (MCB7304) and east (MCB29366) of the development area. The development area also lies adjacent to the grade II listed Syringa House (PR1125931).

However archaeological investigations directly to the south-west found evidence of post-medieval activity only (MCB303973). Therefore it is not thought that any further investigations within the proposed area would be able to contribute significant new information to our understanding of settlement and land use in this area, due to the size and nature of the works, and consequently would not be justifiable under the terms of the NPPF when weighed against the viability of this small scheme.

5.3 Conservation Officer

The application site abuts NHLE ref 1125931 Syringa House, a Grade II listed early C19 vernacular cottage prominently located in Christchurch. The application proposes the construction of a detached dwelling immediately to the south-west of the listed building, on a plot which was formerly within its curtilage.

Historic England's 2017 Good Practice Advice in Planning Note 3 'The Setting of Heritage Assets' states:

'When assessing any application for development which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change. They may also need to consider the fact that developments which materially detract from the asset's significance may also damage its economic viability now, or in the future, thereby threatening its on-going conservation.

Where the significance of a heritage asset has been compromised in the past by unsympathetic development affecting its setting, to accord with NPPF policies consideration still needs to be given to whether additional change will further detract from, or can enhance, the significance of the asset. Negative change could include severing the last link between an asset and its original setting...

For some developments affecting setting, the design of a development may not be capable of sufficient adjustment to avoid or significantly reduce the harm, for example where impacts are caused by fundamental issues such as the proximity, location, scale, prominence or noisiness of a development. In other cases, good design may reduce or remove the harm, or provide enhancement. Here the design quality may be an important consideration in determining the balance of harm and benefit.'

The paramount public interest here is in preserving the listed building for posterity, and it is vital that no action is taken which might prejudice that objective. The subdivision of the site already risks compromising that, as a plot which is less proportionate to its size and value may make the building less attractive to potential purchasers in the future. There certainly would be no benefit to the listed building in accommodating a separate dwelling, with all the impacts and constraints that entails, in such close proximity.

Furthermore the design of the proposed dwelling is not of sufficient quality to occupy such a sensitive position. Its claimed affinity with local fenland characteristics does not bear scrutiny as neither its plan, forms, detailing or use of materials have any basis in any UK building tradition, let alone of this area. Vernacular buildings are products of the nature and limitations of their available materials and technology: they are by definition rational, and this scheme is none of those things.

*Recommendation
Objection*

5.4 CCC Highways

The proximity of the proposed vehicular access to the Brimstone Close / Crown Road junction is very low and could lead to ambiguity of turning movements. At a minimum the accesses should allow for the intervening footway to return to full height for 2-3m between crossovers to safeguard pedestrians from wide turning vehicles.

A 2m x 2m pedestrian visibility splay is needed each side of the vehicular accesses, measured to the nearside footway edge. The splay must be contained within the application boundary and / or the highway boundary in order to ensure pedestrian safety can be maintained so long as the access is in use.

According to Building Regulations 2010 Part B5, a fire appliance should be able to get within 45m of all points of a dwelling. I measure the rear corner to be circa 60m from the highway, meaning fire access should be provided. The minimum access road width for fire access is 3.7m or 3.1m at gates. I measure the access road to be approximately 3m – 3.5m wide so I suggest you consult Cambridges Fire & Rescue service.

If the applicant is unwilling or unable to amend the application or provide additional information as outlined above, please advise me so I may consider making further recommendations, possibly of refusal.

Upon reviewing the above received comments, it appears that the suggested amendments could not be met and given that the application is recommended for refusal on two other grounds, as per the assessment section below, it was considered unjustified to require a further amendment to the proposed access

arrangements. The following comments were provided by CCC Highways in reference to the plans as submitted:

If no revisions are forthcoming, I recommend a refusal on highway safety grounds to the current submission.

5.5 Local Residents/Interested Parties

16 letters of support were received with regard to the above application. 2 of these letters were from residents within Christchurch, 3 from residents within Wisbech, 4 from residents within Upwell, 1 from a resident within Holbeach, 1 from a resident within Murrow and 1 from a resident within Norwich. 3 of the letters received had incomplete address points. The reasons for support are as follows:

- Lovely addition to the area
- Great addition to Christchurch
- Tidy up untidy space
- In keeping with local landscape
- Great location for a house

10 letters of objection were received (9 from properties within Christchurch, 1 from a property within Peterborough albeit the objector noted that they part own The Old Post Office). The reasons for objection are as follows:

- Application encroaches onto neighbouring property and Syringa House
- 2 metre fence mentioned within application is not in the position staged on the application
- Applicant does not own, or have any right to property outside the boundary marked on the title
- Too many bungalows have been crammed in so Waste Bin collection trucks cannot get into the cul-de-sac
- No social housing provision
- Access
- Backfill
- Density/Over development
- Drainage
- Parking arrangements
- Proximity to property
- Visual impact
- Lived in caravan parked on the site
- Devaluing property
- Does not comply with policy
- Out of character/not in keep with area
- Trees
- Development will impact on the adjacent Grade II Listed Building
- Brimstone Close has already the number of properties agreed for the area
- Site access comprised by the narrow road and driveway
- Site should be returned to its original cleared site
- Anti Social behaviour
- Loss of view/Outlook
- Waste/Litter
- Would set a precedent
- Bungalows on Brimstone Close were forbidden to be any closer than 15 metres from the original boundary of Syringa House
- Loss of privacy

- Criminal Damage to existing fence and boundary marker posts owned by neighbouring property
- Incorrect certificate signed
- Environmental Concerns
- Local services/schools – unable to cope

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)

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

Chapter 16 – Conserving and enhancing the historic environment

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

LP4 – Housing

LP12 – Rural Areas Development Policy

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

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

LP16 – Delivering and Protecting High Quality Environments across the District

LP18 – The Historic 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:

- LP7 – Design
- LP8 – Amenity Provision
- LP22 – Parking Provision
- LP23 – Historic Environment
- LP32 – Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Character and Appearance and Syringa House**
- **Residential Amenity**
- **Highways**
- **Flood Risk**

9 ASSESSMENT

Principle of Development

- 9.1 Within the Local Plan, Policy LP3 identifies Christchurch as a ‘Small Village’ where new development will be limited in scale to residential infilling or a small business opportunity. Appendix C of the Local Plan defines residential infilling as ‘development of a site between existing buildings’.
- 9.2 The application site is situated to the rear of Syringa House, with dwellings situated to the south-east and south-west of the application site and Townley Primary School to the north-west. It is therefore considered that a dwelling on site would constitute residential infilling and therefore the principle of development is acceptable subject to further policy considerations set out below.

Character and Appearance and Syringa House

- 9.3 Policy LP12 and LP16 respectively seek to protect important species within villages and require that new development complements the character and appearance of the area.
- 9.4 Policy LP18 seeks to protect, conserve and seek opportunities to enhance the historic environment within Fenland.
- 9.5 Christchurch is a compact village characterised by linear development along the roads that pass through the settlement, with some residential development in depth on the same side of Upwell Road as the application site. The location of the development to rear of Syringa House will result in the dwelling being partially obscured from the street scene, albeit when viewed from the south-east along Upwell Road the dwelling will be highly visible due to the clearance between the dwellings along Upwell Road, thus creating a dominant feature which appears somewhat at odds with the surrounding character given the difference in orientation of the proposed dwelling and the existing dwellings along Upwell Road.
- 9.6 The dwelling on site will be situated approximately 5.6 metres to the south-west of the existing rear elevation of Syringa House, which is a Grade II Listed

Building. Upon consultation with the Conservation Officer, it was noted that the subdivision of the site already risks compromising the preservation of the listed building for posterity, as a plot which is less proportionate to its size and value may make the building less attractive. It is also noted that the proximity of a new dwelling within such close proximity to the listed building would offer no benefit to protecting the special interest of the listed building.

- 9.7 The Conservation Officer also notes that the design of the proposed dwelling is not of sufficient quality to occupy such a sensitive position and thus objects to the scheme.
- 9.8 A previous appeal decision to the west of the application site (Planning reference F/YR16/0399/O, appeal reference APP/D0515/W/17/3171513) noted that the elements that contribute to the significance of Syringa House include its garden, its relationship with the adjacent field (now Brimstone Close) and Christchurch Cottage. The appeal decision noted that due to the 15-metre gap separating the south-western boundary of Syringa House from the proposed development as well as intervening landscaping would not detract from the setting of this listed building.
- 9.9 This application proposes to erect a dwelling in previous garden land associated with Syringa House. The proposed dwelling will be situated in closer proximity to the Grade II Listed Building than the application referenced above. The close proximity of the proposed dwelling would compromise the preservation of the listed building, removing the garden which contributes to the significance of Syringa House, and therefore would fail to protect the special architectural interest of the listed building and as such is considered to be contrary to Policy LP18 of the Fenland Local Plan.

Residential Amenity

- 9.10 Policy LP2 and LP16 of the Fenland Local Plan seek to ensure that development does not harm residential amenity, for example through overlooking or overshadowing, loss of light or noise disturbance.
- 9.11 Given the proposed dwelling is to be single-storey, and that the adjacent properties are also single-storey, as well as the provision of existing boundary treatments on site, it is unlikely that any direct overlooking will be possible from the windows proposed. It is also unlikely that the dwelling will introduce any significant overbearing or overshadowing impacts given the single-storey nature of the development.

Other Matters

- 9.12 A number of objections were received raising concerns with regard to the proposed development. Some of these concerns have been addressed above, with the remainder addressed below.
- 9.13 Concerns were raised with regard to the application encroaching onto neighbouring property and land which is not within the ownership of the applicant. There is no requirement for the person applying for planning permission to own the land to which an application relates. Whether the applicant owns the site is not a material consideration in planning decisions. However, obtaining planning permission does not automatically mean a development can go ahead without prior consent of all owners.

- 9.14 A number of concerns were raised with regard to the existing cul-de-sac (Brimstone Close) with regards to waste bin collection and the lack of social housing provision. These comments cannot be addressed under this application as they are not relevant to this proposal.
- 9.15 A number of comments highlighted criminal damage to existing boundaries on site and anti-social behaviour. These are not material planning considerations and therefore cannot be addressed as part of the application.
- 9.16 A comment received also noted that the application could result in devaluation of neighbouring properties. Property values are not material planning considerations and therefore cannot be addressed as part of the application.

Highways

- 9.17 Policy LP15 and LP16 require development schemes to be safe, and well designed. The proposed dwelling will be accessed via Upwell Road, via an access in close proximity to the Brimstone Close access.
- 9.18 Upon consultation with CCC Highways, a number of concerns were raised with regards to the proposed access. Firstly, it was noted that “the proximity of the vehicular access to Brimstone Close/Crown Road junction is very low which may lead to ambiguity of turning movements”. Thus, an intervening footway with a return to full height for 2-3 metres should be provided between crossovers to safeguard pedestrians from wide turning vehicles.
- 9.19 Secondly, it was noted that a 2m x 2m pedestrian visibility splay is needed each side of the access to again ensure that pedestrian safety can be maintained.
- 9.20 Finally, the Highways officer also referenced Building Regulations 2010 Part B5 which states that a fire appliance should be able to get within 45m of all points of a dwelling and that the minimum access road width for a fire access is 3.7 metres of 3.1 metres at gates, noting that the proposed access road is to be approximately 3-3.5m wide.
- 9.21 From the site plan submitted, it appears that these amendments could not be met within the parameters of this scheme and given that the other concerns with regard to the scheme as detailed within the assessment section above, it was considered unjustified to require such amendments to be made when due to the failure of the proposal to comply with other policies of the Fenland Local Plan, it would not result in the alteration of the recommendation for the application
- 9.22 As a result, the application has failed to demonstrate that is able to provide convenient access and adequate parking provision for the proposed dwelling and is therefore contrary to Policy LP15 of the Fenland Local Plan 2014.

Flood Risk

- 9.23 The proposal is located within flood zone 1 and issues of surface water disposal will be considered under Building Regulations.

10 CONCLUSIONS

- 10.1 The proposal has been considered in line with policies contained within the Fenland Local Plan 2014 and the National Planning Policy Framework. It is considered that the proposal to erect a single-storey, 2-bed dwelling in this location conflicts with Policies LP2, LP16 and LP18 of the Fenland Local Plan, in that the development would cause harm to the special architectural interest of the Grade II listed building and would cause detrimental impacts to residential amenity.
- 10.2 As the mobile home remains unauthorised it should be removed from site following the refusal of planning permission.

11 RECOMMENDATION

Refuse, for the following reasons:

1	Policy LP16 and LP18 of the Fenland Local Plan requires that development proposals do not detrimentally impact upon the special architectural interest of Listed Buildings. The close proximity of the proposed dwelling would compromise the preservation of the listed building, removing the garden which contributes to the significance of Syringa House, and therefore would fail to protect the special architectural interest of the listed building and as such is considered to be contrary to Policy LP16 and Policy LP18 of the Fenland Local Plan.
2	Policy LP16 (d) resists new development which adversely impacts on the character of the area and requires development to respond to and improve the character of the built environment. The proposal would appear at odds with the existing dwellings accessed along Upwell Road given the contrasting orientation of the proposed dwelling. The dwelling would therefore appear incongruous with the prevailing character and would fail to make a positive contribution to the local distinctiveness and character of the area and thus would be contrary to the aforementioned policy.
3	<p>Policy LP15 of the Fenland Local Plan (2014) requires that developments provide "well designed, safe and convenient access for all". The access is situated within close proximity to the vehicular access of Brimstone Close/Crown Road junction, resulting in ambiguity of turning movements and with inadequate separation to protect pedestrians from wide turning vehicles. The scheme also fails to provide a 2m x 2m pedestrian visibility splay.</p> <p>The proposed development would therefore result in an inadequate and unsafe access that fails to meet the above requirements of Policy LP15 of the Fenland Local Plan (2014).</p>



Created on: 24/02/2023

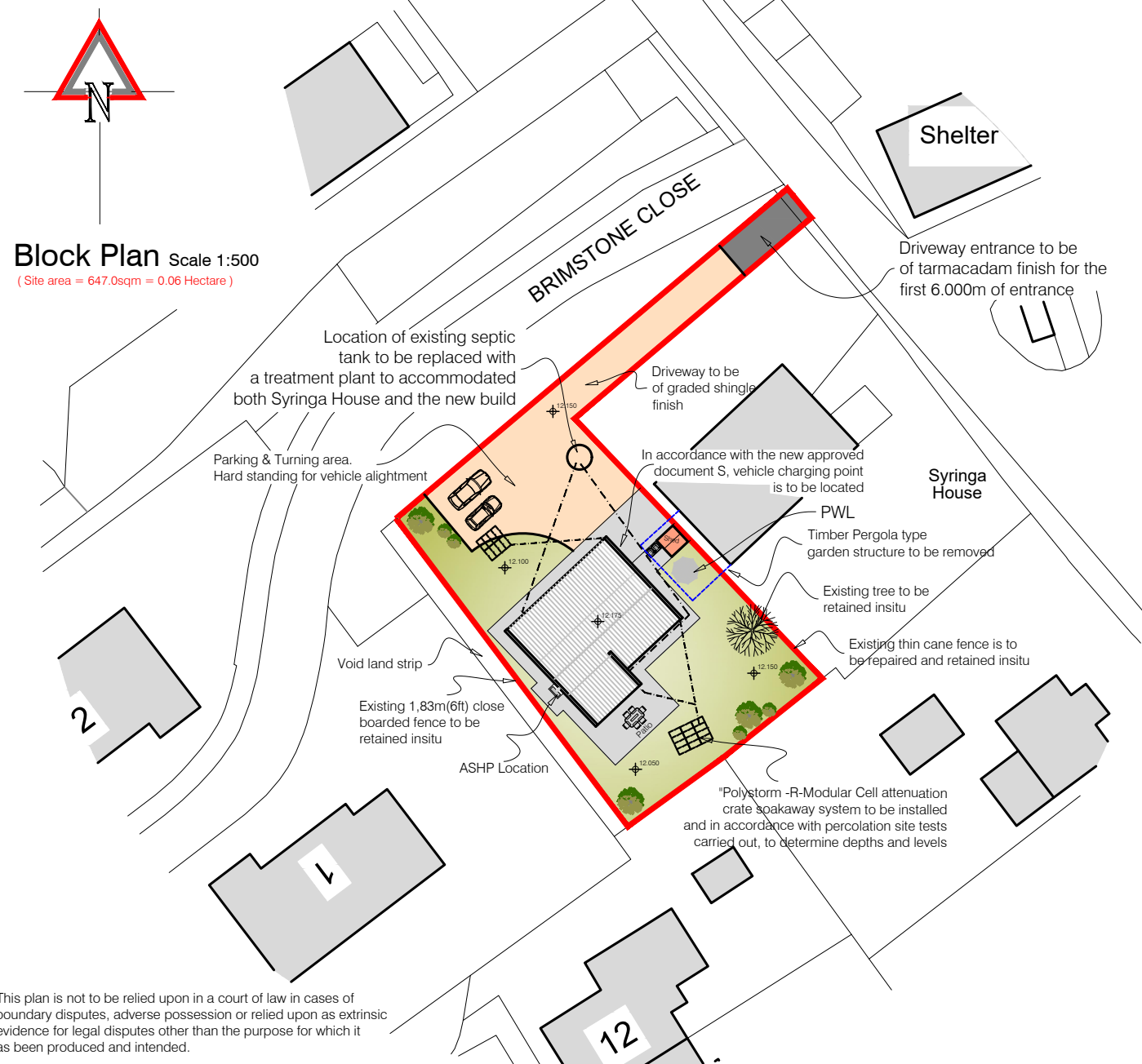
© Crown Copyright and database rights 2023 Ordnance Survey 10023778

F/YR22/1037/F

Scale = 1:1,250



Revisions		
Date	For	Details
Sept 2022	PL	Block Plan Revisions









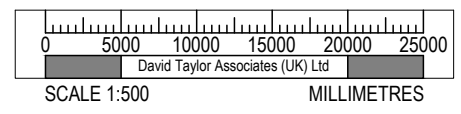
Block Plan Scale 1:500
 (Site area = 647.0sqm = 0.06 Hectare)

This plan is not to be relied upon in a court of law in cases of boundary disputes, adverse possession or relied upon as extrinsic evidence for legal disputes other than the purpose for which it as been produced and intended.

Physical features as surveyed are plan shown only for the purpose of planning consents. A full topographical survey as not been carried out and the factors provided are as site surveyed for the purpose of the development proposal only.

Sectional plan provides only a general indication of the boundary locations and should not be treated or accepted as regularising a boundary which cannot be established through conveyance history of the land.

- Proposed Site Infrastructure Finishes**
-  Grass
 -  Polystorm - R-Modular Cell attenuation soak away crate system
 -  Foul Drainage
 -  Surface Water Drainage
 -  Permeable Asphalt (hard standing) in accordance with SUD's requirements
 -  Shingle Finish to the Driveway and parking Areas



DTAUK **David Taylor Associates UK Ltd**
 Chartered Architectural Design & Building Consultant
 Chartered Architectural Technologist & Chartered Building Engineer

Telephone 01553 764160
 Mobile 07761 122238
 Email david.taylor@dtauk.co.uk / dtauk.dt@gmail.com

Skype & SM live:dtauk.dt  

Address 11 Milton Avenue King's Lynn, Norfolk PE30 2QQ

www.dtauuk.co.uk

Project: Site Adjoining to Syringa House
 Upwell Road
 Christchurch
 Wisbech, Camb's PE14 9PF

Client: Mr C Stevens **Size:** A3

Title: DETACHED DWELLING WITH LANDSCAPE WORKS INCIDENTAL TO THE DEVELOPMENT

Drwg No. 2186-22-3 **Rev:** A

Scale: 1:500 **Date:** Aug 2022

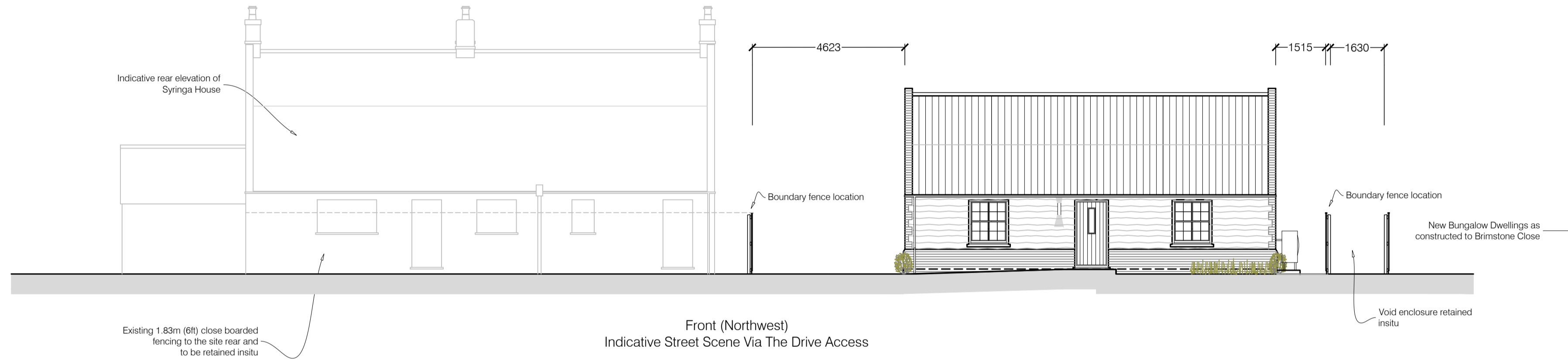
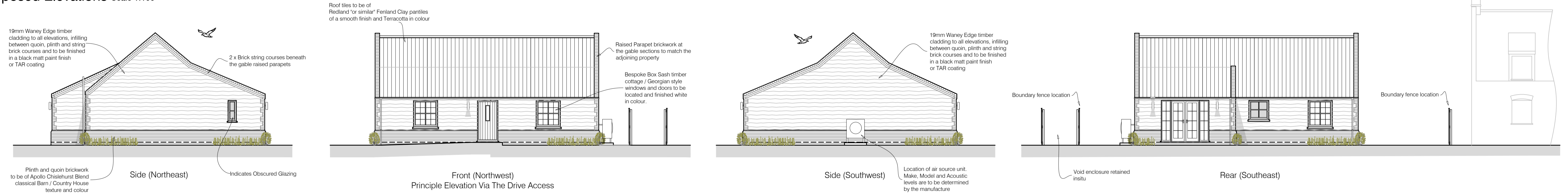
Drawn: DT **Checked:** DT

Drawing Issued For: Planning Consents

DISCLAIMER The details depicted on this drawing are the copyright of David Taylor Associates (UK) Ltd (the originator) and may not be reproduced without permission. This drawing must not be re-issued, loaned, copied or retained for reference without the consent of David Taylor Associates (UK) Ltd. Errors omissions and discrepancies should be reported to the originator immediately. All dimensions to be checked before site or off-site fabrication by the Contractor, his Sub-contractor or Supplier. Use figure or grid dimensions where given. Any deviation from the drawing is to be reported to the originator immediately. Structure, structural members & geotechnical investigations are to be carried out & approved by the appointed Structural Engineer. Any deviations to these elements are to be reported to the appointed consultant immediately.

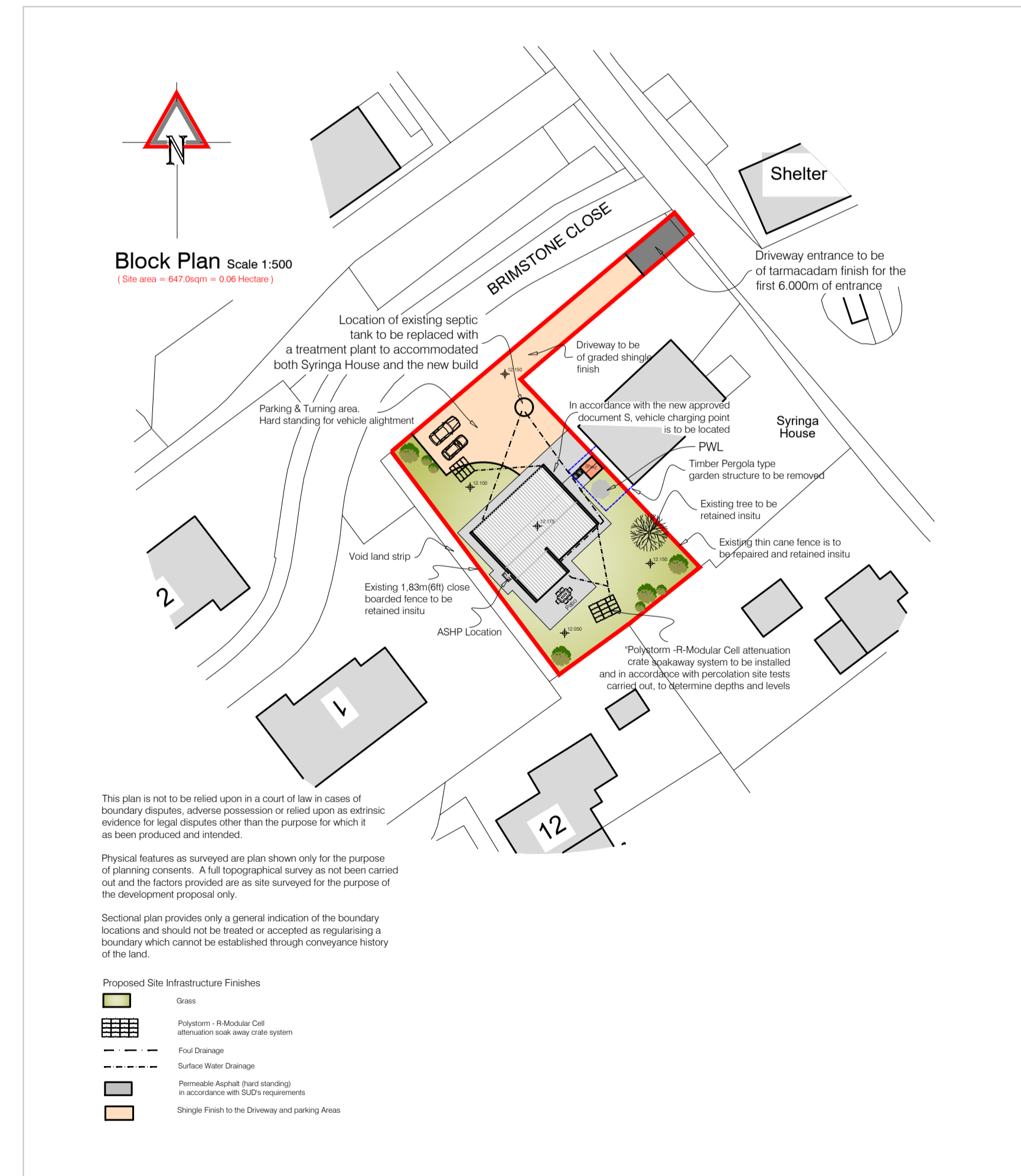
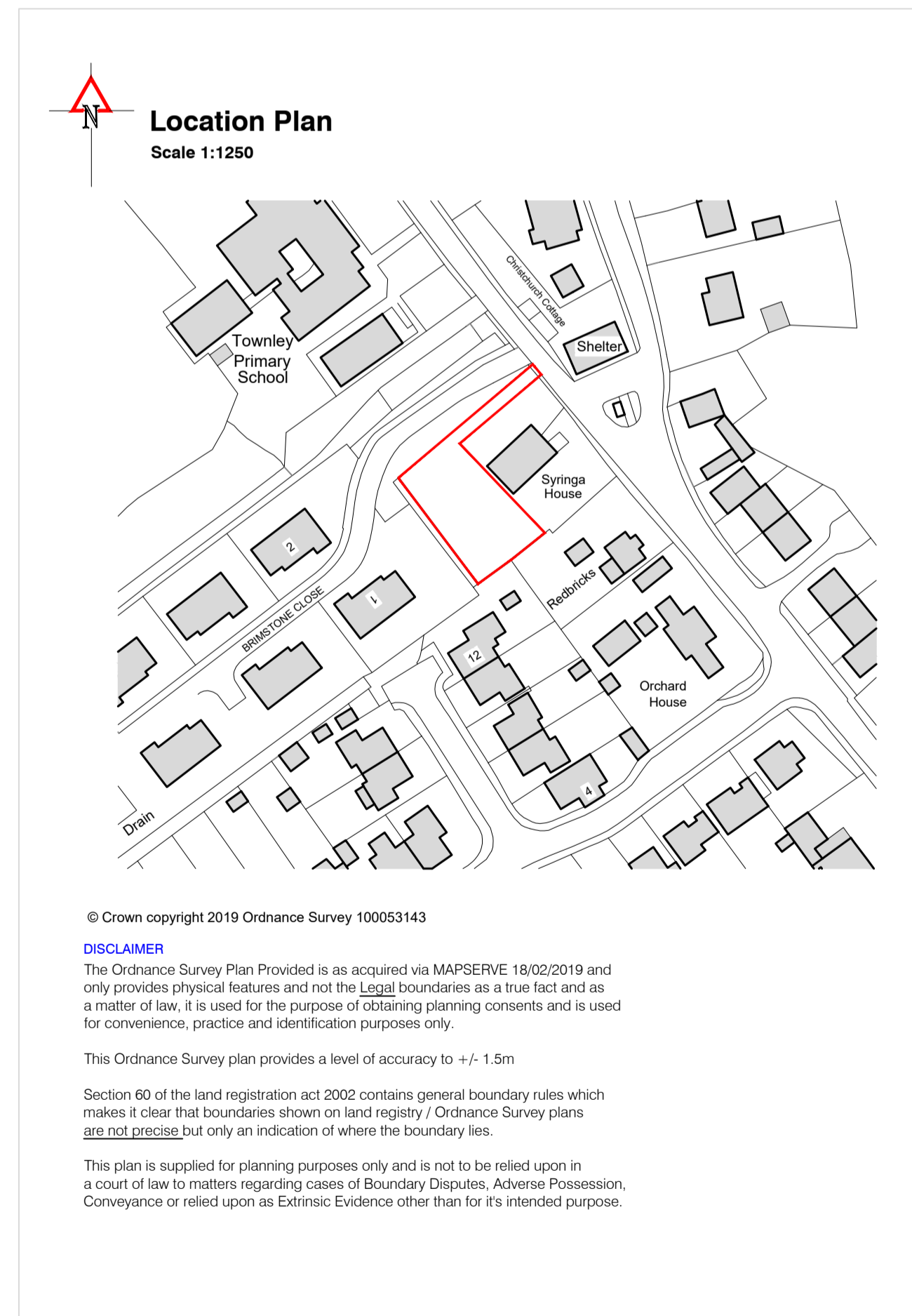
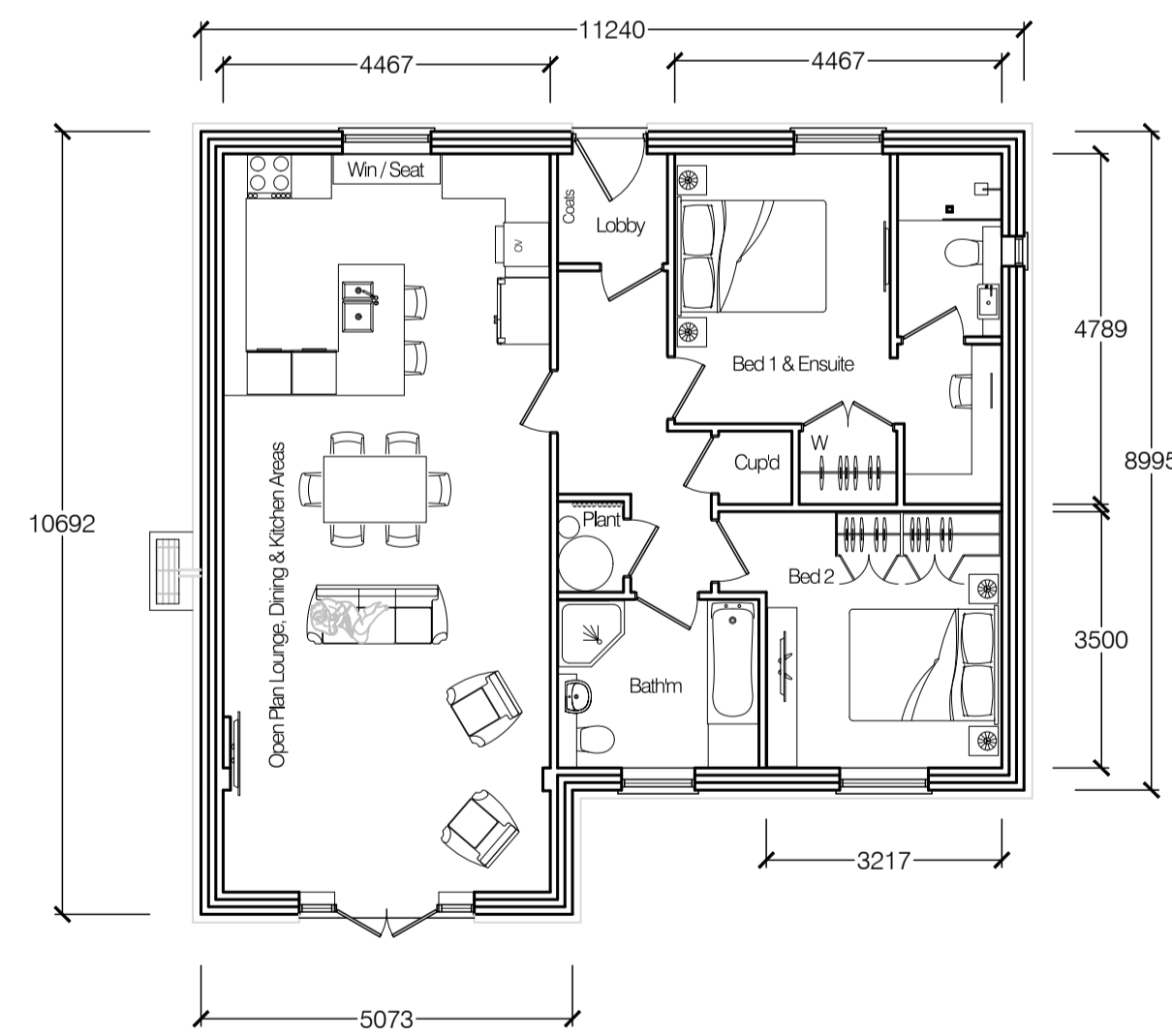


Proposed Elevations scale 1:100



Proposed Floor Plan

Scale 1:100
 External Dwelling footprint = 114.67²m
 Internal footprint = 96.73²m



David Taylor Associates UK Ltd
 Chartered Architectural Design & Registered Practice
 Chartered Architectural Technologist & Chartered Building Engineer

Telephone 01553 764160
 Mobile 07761 122238
 Email david.taylor@dtauk.co.uk / dtauk.dt@gmail.com
 Skype & SM live:dtauk.dt
 Address 11 Milton Avenue King's Lynn, Norfolk PE30 2QQ

Project: Site Adjacent to Syringa House
 Upwell Road
 Christchurch
 Wisbech, Cambs PE14 9PF

Client: Mr C Stevens **Size:** A1

Title: DETACHED DWELLING WITH LANDSCAPE WORKS INCIDENTAL TO THE DEVELOPMENT

Drwg No.: 2186 - 22 - 1 **Rev:**

Scale: 1:100 1:500 1:1250 **Date:** Aug 2022

Drawn: DT **Checked:** DT

Drawing Issued For: Planning Consents

DISCLAIMER

The details depicted on this drawing are the copyright of David Taylor Associates (UK) Ltd (the originator) and may not be reproduced without permission. Any deviation from the drawing is to be reported to the originator immediately. Structure, structural members & geotechnical investigations are to be carried out & approved by the appointed Structural Engineer. Any deviations to these elements are to be reported to the appointed consultant immediately. Errors omissions and discrepancies should be reported to the originator immediately.

Chartered Member of the Institute of Architectural Technologists (MCIAT)

Chartered Building Engineer (Association of Building Engineers) C.Built.E

Honorary Fellow of the Association for Project Safety (Hon) FAPS

Chartered Architectural Technologist & Chartered Building Engineer

www.dtauk.co.uk

CIAT Registered Practice