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F/YR23/1015/F

**Applicant: Mr Richard Jones**

**Agent : Mr Matthew Taylor  
Taylor Planning and Building  
Consultants**

**57 High Causeway, Whittlesey, Peterborough, Cambridgeshire PE7 1QA**

**Erect a timber shed to front of existing dwelling including demolition of existing shed (Part retrospective)**

**Officer recommendation: Refuse**

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

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### **Government Planning Guarantee**

**Statutory Target Date For Determination: 17 January 2024**

**EOT in Place: Yes**

**EOT Expiry: 26 April 2024**

**Application Fee: £206**

**Risk Statement:**

**This application must be determined by 26/04/2024 otherwise it will be out of time and therefore negatively affect the performance figures**

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## **1 EXECUTIVE SUMMARY**

1.1 This application seeks to erect a timber shed to the front of existing dwelling including demolition of existing shed. The form, siting and height of the structure is out of character with the area and forms an incongruous feature with a detrimental impact on the setting of the Whittlesey Conservation Area and the GII listed building that is directly opposite. As such, the proposal is contrary to section 66 and 72 of the Town and Country Planning Act 1990, relevant heritage policies in the NPPF and policies LP16 & LP18 of the Fenland local Plan.

## **2 SITE DESCRIPTION**

- 2.1 The application site is a detached two storey dwelling located on High Causeway in Whittlesey. No.57 is constructed of brickwork with a tiled pitched roof. The site is surrounded by properties mixed in design.
- 2.2 The site is located within Whittlesey Conservation Area and immediately opposite a grade II Listed Building.
- 2.3 Parking space is situated to the front of the dwelling.

### 3 PROPOSAL

- 3.1 Planning permission is sought to erect a timber shed to front of existing dwelling including demolition of existing shed. The application is part retrospective.
- 3.2 A previous existing shed has been removed from the site, and construction of the new proposed shed which forms this application has started and is currently covered in tarpaulin.
- 3.3 The proposed shed would be located some 1.2 metres from the front of the dwelling. It would have a width of 4.7 metres and a depth of 4.2 metres. The proposed shed would be single storey, where the roof would be flat with a maximum height of some 2.2 metres.
- 3.4 The fenestration proposed includes a set of doors on the side elevation facing North east. The shed is indicated as being finished with a wood stain.

### 4 SITE PLANNING HISTORY

Application	Description	Decision	Date
F/YR10/0788/F	Erection of conservatory to rear of existing dwelling	Grant	26 Nov 2010
F/YR02/0735/F	Erection of single-storey extension to form a 1-bed self-contained unit	Grant	13 Sep 2002
F/YR03/0543/F	Erection of single-storey extension to form a 1-bed self-contained unit	Grant	18 Jun 2003

### 5 CONSULTATIONS

#### Initial Consultation:

- 5.1 **Parish/Town Council:** Comment received – No objection.  
*‘The Town Council have no objection and therefore recommend approval proposed Cllr Nawaz, seconded Cllr Dickinson unanimous vote in favour.’*
- 5.2 **North Level Internal Drainage Board:** Comment received – No objection.  
*‘Erect a timber shed to front of existing dwelling including demolition of existing shed at 57 High Causeway Whittlesey Peterborough Cambridgeshire PE7 1QA  
  
My Board has no objection to the above application.’*
- 5.6 **Senior Archaeologist (CCC):** Comment received – No objections.  
*‘Thank you for your consultation in regards to the above referenced planning application.  
  
We have reviewed the above planning application and have no objections or requirements for this development.’*
- 5.7 **The Whittlesey Society:** No response received.

## 5.8 Conservation Officer:

### **‘ Considerations:**

1. *Consideration is given to the impact of the proposal on the architectural and historic interests with special regard paid to the desirability of preserving listed buildings **and their setting** or any features of special architectural or historic interest which it possesses according to the duty in law under S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*
2. *Consideration is given to the impact of the proposal on the architectural and historic interests of a Non-Designated Heritage Asset 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.*
3. *Consideration is given to the impact of this proposal on the character and appearance of Whittlesey Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*
4. *Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021, specifically, paragraphs 8, 195, 197, 199, 200, and 202*
5. ***A heritage statement has not been submitted with the application and therefore does not accord with para 195 of the NPPF and LP18 of the Fenland Local Plan 2014.***
6. *Due regard is given to relevant planning history.*

### **Comments:**

*The site is firmly within the Whittlesey Conservation Area and directly opposite a GII listed building and development is considered to be within the wider setting of a number of heritage assets.*

*The proposed unfortunately looks as if it has already been substantially implemented without planning consent (see photographs below), as such this application is now considered to be retrospective, albeit the new building is currently covered in tarpaulin. The design is more of the appearance of a substantial and incongruous box sited in a very prominent position and close to the boundary wall.*

*The previous building was a shed with a very shallow pitched roof. It should be noted that the previous structure was erected with appears to be no formal consent either. It was extended between 2019 and 2022 (see streetview), again with no consent.*

*The plans are considered to be inaccurate. The wall is stepped and is approx. 1750mm in height at its tallest point. It is shown on the plans to be 2m across the whole length. The recently erected structure extends approx. 1m+ above the tallest part of the wall and is in very close proximity to the front boundary, again this is at odds with what is shown on the plans.*

*When considering the street elevation plan and the site photos below, it would be fair to say that the building that has recently been constructed appears substantially more dominant than what is shown on the plans.*

*In any case, structures such as this are ancillary and materially inferior and therefore should be sited in discreet locations, to the side and rear of dwellings, not forward of principal elevations. This is especially important in Conservation Areas.*

*The previous shed that has since been removed from the site was unauthorised and had been incrementally extended over the years and therefore should not be considered a baseline for assessing additional impact. The unauthorised shed is now gone and the baseline for consideration of impact is entirely on this retrospectively applied for structure.*

*The form, siting and height of the structure is entirely out of character with the area and forms an incongruous and detrimental impact on the setting of the Whittlesey Conservation Area and the GII listed building that is directly opposite. As such, the proposal is contrary to section 66 and 72 of the Town and Country Planning Act 1990, relevant heritage policies in the NPPF and LP18 of the Fenland local Plan and should therefore be refused.*

*RECCOMENDATION: Objection – Refuse’*

**5.9 Local Residents/Interested Parties:** No response received.

**Re consultation:**

**5.10 Parish/Town Council:** Comment received.

*‘As the committee was not quorate an individual response will be sent by Cllr Mayor.’*

**5.11 North Level Internal Drainage Board:** Comment received – No objection.

*‘Please note that North Level District Internal Drainage Board have no objections to the above planning application.’*

**5.12 Senior Archaeologist (CCC):** No response received.

**5.13 The Whittlesey Society:** No response received.

**5.14 Conservation Officer:** Comment received – Objection.

**‘ Considerations:**

*7. Consideration is given to the impact of the proposal on the architectural and historic interests with special regard paid to the desirability of preserving*

*listed buildings **and their setting** or any features of special architectural or historic interest which it possesses according to the duty in law under S16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

8. *Consideration is given to the impact of the proposal on the architectural and historic interests of a Non-Designated Heritage Asset 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.*
9. *Consideration is given to the impact of this proposal on the character and appearance of Whittlesey Conservation Area with special attention paid to the desirability of preserving or enhancing the character or appearance of that area according to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990.*
10. *Comments are made with due regard to Section 16 of the National Planning Policy Framework, 2021, specifically, paragraphs 8, 195, 197, 199, 200, and 202*
11. ***A heritage statement has not been submitted with the application and therefore does not accord with para 195 of the NPPF and LP18 of the Fenland Local Plan 2014.***
12. *Due regard is given to relevant planning history.*

**NOTE: Addendum to comments are shown in bold below**

**Comments:**

*The site is firmly within the Whittlesey Conservation Area and directly opposite a GII listed building and development is considered to be within the wider setting of a number of heritage assets.*

*The proposed unfortunately looks as if it has already been substantially implemented without planning consent (see photographs below), as such this application is now considered to be retrospective, albeit the new building is currently covered in tarpaulin. The design is more of the appearance of a substantial and incongruous box sited in a very prominent position and close to the boundary wall.*

*The previous building was a shed with a very shallow pitched roof. It should be noted that the previous structure was erected with appears to be no formal consent either. It was extended between 2019 and 2022 (see streetview), again with no consent.*

*The plans are considered to be inaccurate. The wall is stepped and is approx. 1750mm in height at its tallest point. It is shown on the plans to be 2m across the whole length. The recently erected structure extends approx. 1m+ above the tallest part of the wall and is in very close proximity to the front boundary, again this is at odds with what is shown on the plans.*

***Whilst the plans have been amended to reduce the height of the retrospective structure, I am still not confident that the height of the wall is shown accurately on the plans as it remains the same as its earlier plans. There are essentially three steps in the boundary wall – the gates to the adj driveway being the highest, a step down to the wall and then another step down halfway along the wall. This is not shown on the plans and therefore is unlikely to show the correct height differential between the now reduced shed height and the wall.***

*The previous shed that has since been removed from the site was unauthorised and had been incrementally extended over the years and therefore should not be considered a baseline for assessing additional impact. The unauthorised shed is now gone and the baseline for consideration of impact is entirely on this retrospectively applied for structure.*

***I cannot see how a useable structure can only exceed the height of the wall by 200mm as shown on the revised plans.***

***I also remain of the view that such structures, forward of the principal elevation of a dwelling and within the streetscene of a conservation area and within the setting of listed buildings, are not conducive to good development and do not conserve and enhance the character and appearance of the area or the setting of the Listed Building. Considerations should be given to re-siting the building to a more discreet location to the side or rear of the site so as not to set a precedent for such buildings forward of the principal elevation of dwellings.***

*The form, siting and height of the structure is entirely out of character with the area and forms an incongruous and detrimental impact on the setting of the Whittlesey Conservation Area and the GII listed building that is directly opposite. As such, the proposal is contrary to section 66 and 72 of the Town and Country Planning Act 1990, relevant heritage policies in the NPPF and LP18 of the Fenland local Plan and should therefore be refused.*

***RECCOMENDATION: Objection – Refuse'***

**5.16 Local Residents/Interested Parties:** No response 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).
- 6.2 Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the

desirability of preserving or enhancing the character or appearance of a conservation area.

## **7 POLICY FRAMEWORK**

### **National Planning Policy Framework (NPPF)**

Para 2 – Applications to be determined in accordance with the development plan unless material considerations indicate otherwise

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

Para 189 - Heritage assets should be conserved in a manner appropriate to their significance.

Para 194 - Applicants should describe the significance of any heritage assets affected.

### **National Planning Practice Guidance (NPPG)**

#### **National Design Guide 2021**

Context

Identity

Built Form

#### **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

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

#### **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

LP32 – Flood and Water Management

LP23 – Historic Environment

#### **Whittlesey Neighbourhood Plan 2021-2040**

Policy 7 – Design Quality

## **8 BACKGROUND**

- 8.1 The application was submitted with initial plans showing the proposed shed, which was larger in height. Concerns were raised regarding the height and the impact to the character and appearance of the conservation area. The agent has since reduced the height of the proposal.
- 8.2 It is considered that the plans provided did not accurately depict the site due to levels on the wall. Therefore, the proposed street scene has since been amended on plan reference PL02a to show the levels within the wall.
- 8.3 Investigation of the site history shows that there have been a number of unauthorised sheds located at this site. A recent shed that had no planning permission had been removed, and the construction of the new proposed shed started (the application form states that the construction of the proposed shed started in September 2023). The construction of the new shed has since paused, and is currently covered with tarpaulin.

## **9 KEY ISSUES**

- **Principle of Development**
- **Design Considerations and Visual Amenity of the Conservation Area**
- **Residential Amenity**
- **Parking**
- **Flood Risk**

## **10 ASSESSMENT**

### **Principle of Development**

- 10.1 The application seeks to erect a timber shed to front of existing dwelling including demolition of existing shed. Therefore, the proposal is for shed within the domestic curtilage. Policy LP16 supports the principle of such development subject to the significance of, and the likely impact upon the character of the surrounding area, the amenity of neighbouring properties and users in its design and appearance, and the impact on highways and parking.
- 10.2 LP18 of the Fenland local Plan is in place to protect, conserve and seek opportunities to enhance the historic environment throughout Fenland. Policy 18 also supports proposals of such subject to detailed considerations regarding impact to heritage matters, including impact on the Conservation Area, and the listed building opposite.

### **Design Considerations and Heritage Impact**

- 10.3 The proposal would be sited to the front of the dwelling which would be visible to the street scene.
- 10.4 LP Policy 16 is concerned with ensuring that the development is acceptable in design terms and protects the character and appearance of an area.
- 10.5 The shed would be located forward of the principal elevation of a dwelling, within the streetscene of a conservation area and within the setting of a listed



building. It is considered this is not conducive to high quality development and does not conserve and enhance the character and appearance of the area or the setting of the Listed Building. The design is considered to be of the appearance of a substantial and incongruous box sited in a very prominent position and close to the boundary wall.

- 10.6 The form, siting and height of the structure is out of character with the area and forms an incongruous and unattractive feature creating a detrimental impact on Whittlesey Conservation Area and the setting of the Grade II listed building that is directly opposite. As such, the proposal is contrary to the relevant heritage policies in the NPPF and policies LP16 & LP18 of the Fenland local Plan.

### **Residential Amenity**

- 10.7 The proposed shed is closest with neighbouring property No. 55 High Causeway. The proposed shed would be located some 3.5 metres from this neighbouring property's shared boundary and some 7.5 metres to this neighbouring property's built form. Therefore, there would be a sufficient separation distance from this neighbouring property for the proposal not to result in any material impact on the residential amenities of this neighbour.
- 10.8 All other neighbouring properties are far enough away for there to be no unacceptable impacts by the proposal.
- 10.9 The proposed shed would be an appropriate size and scale for no detrimental impacts to occur to the neighbouring properties in terms of loss of privacy, overlooking, overshadowing or appearing overbearing.
- 10.10 It is considered that the proposed development would not have any material impact on the residential amenities of the neighbouring properties and is therefore in conformity with policy LP16 of the Fenland District Council Local Plan (2014).

### **Parking**

- 10.11 On the basis of the nature of the development, adequate parking has been retained. The proposal does not create any additional bedrooms and as such will not be required to demonstrate further onsite parking.
- 10.12 Considering the above, the proposal is considered to comply with policy LP15 of the Fenland District Council Local Plan (2014).

### **Flood Risk**

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

## **11 CONCLUSIONS**

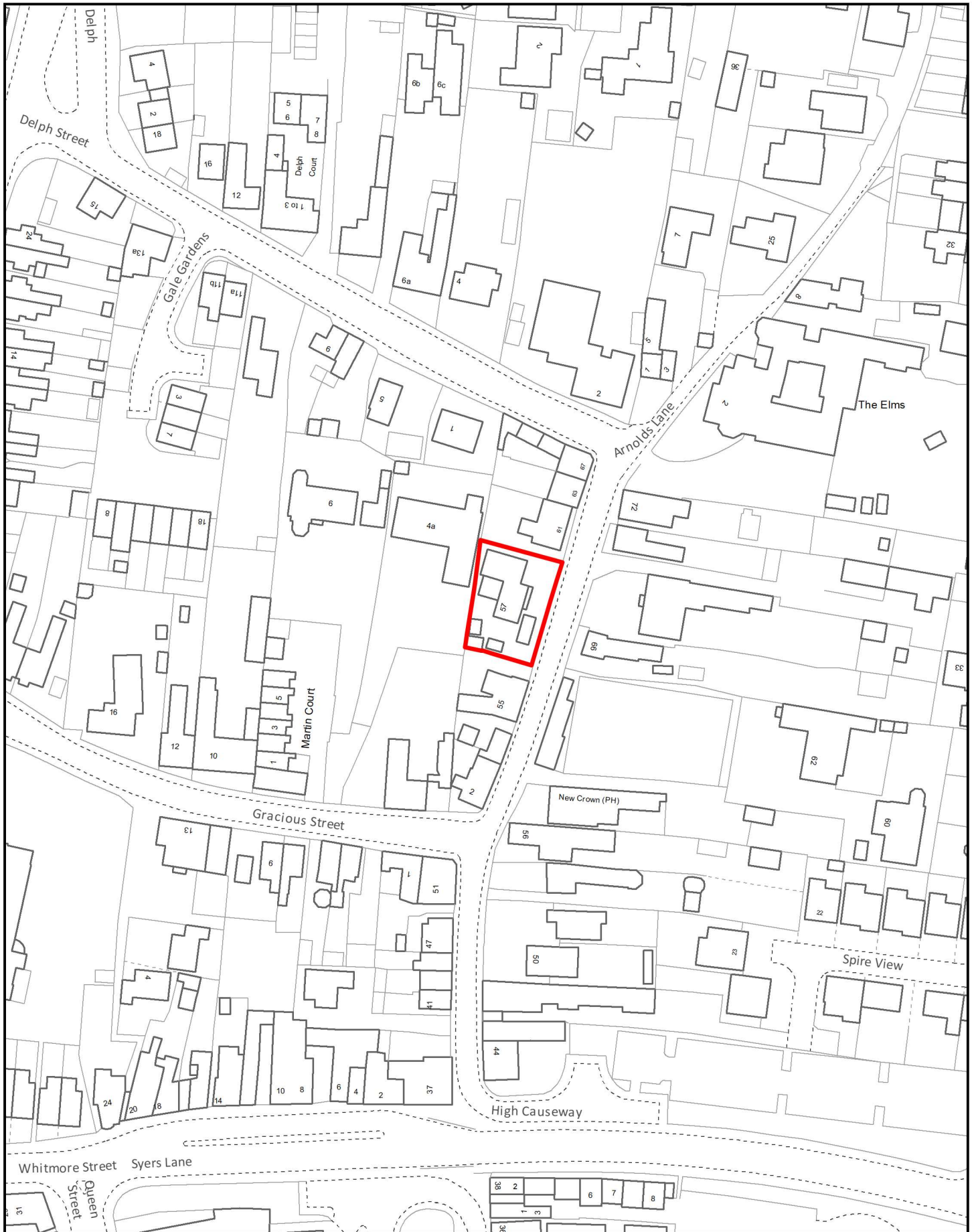
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to the relevant heritage policies in the NPPF and policies LP16 & LP18 of the Fenland local Plan.

## 12 RECOMMENDATION

**Refuse;** for the following reasons:

1.	The development proposed by virtue of its form, siting and height is out of character with the area and forms an incongruous feature with a detrimental impact on Whittlesey Conservation Area and the setting of the Grade II listed building that is directly opposite. As such, the proposal is contrary to the relevant heritage policies in the NPPF and policies LP16 & LP18 of the Fenland Local Plan
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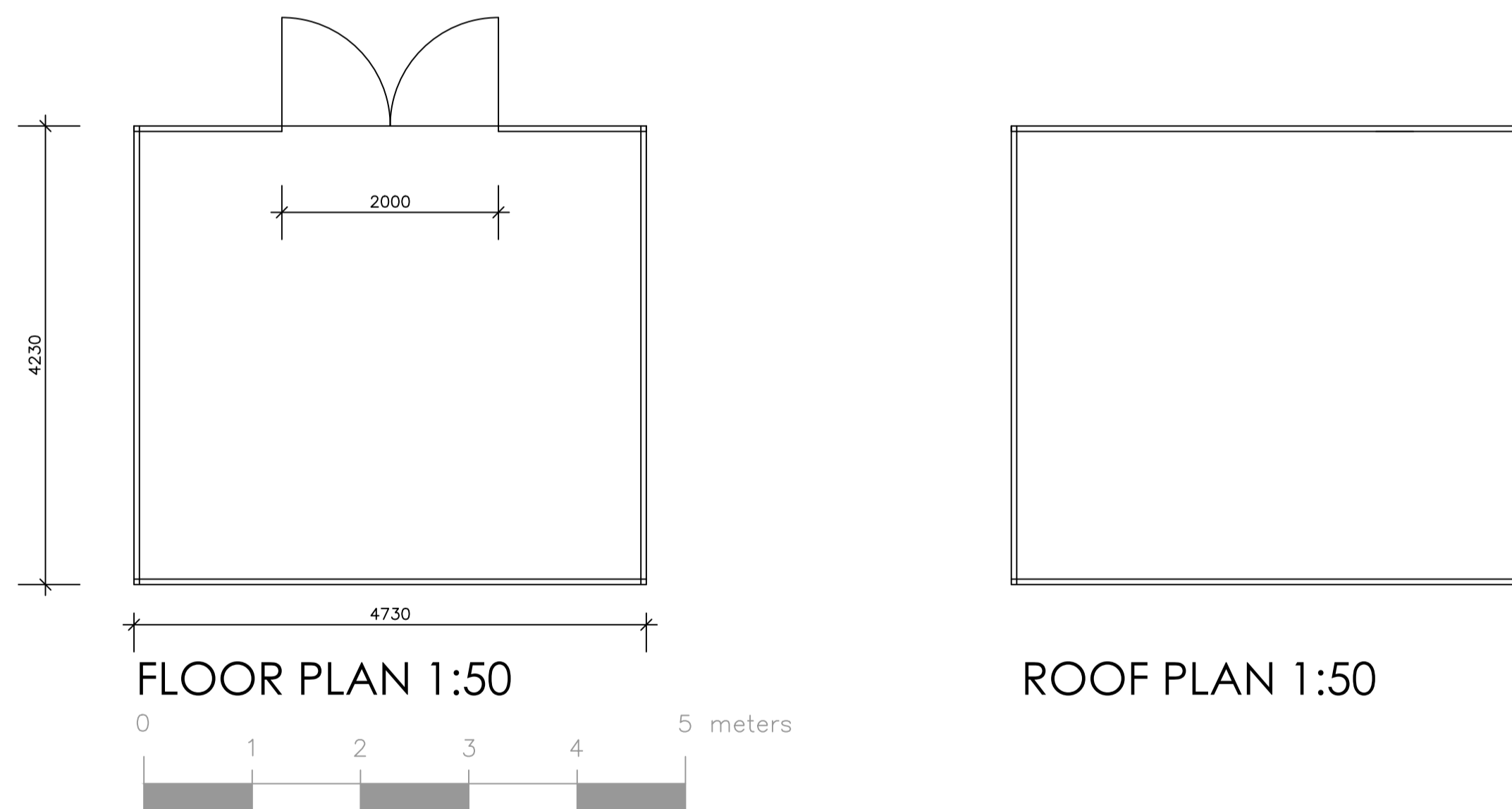
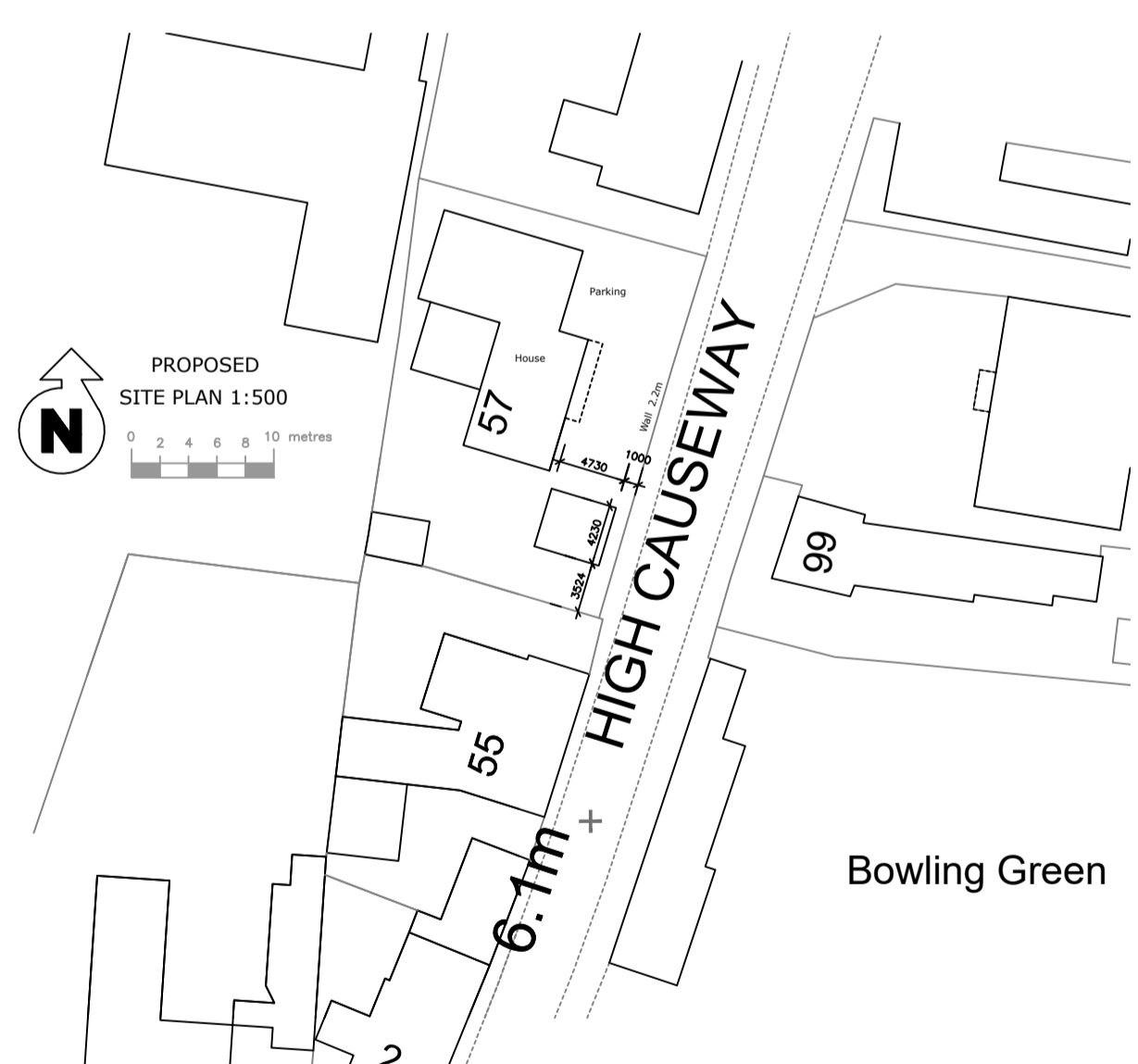
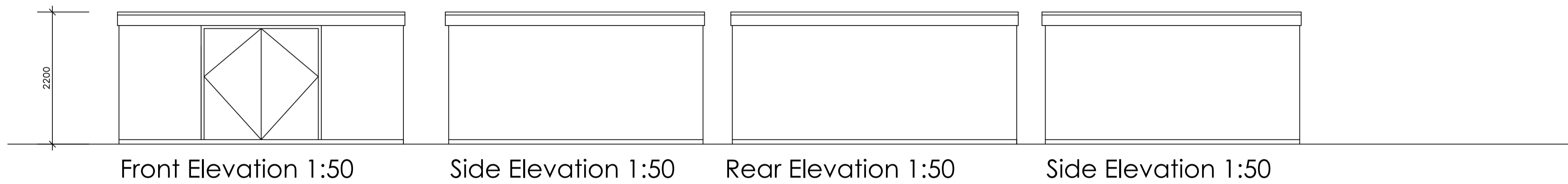
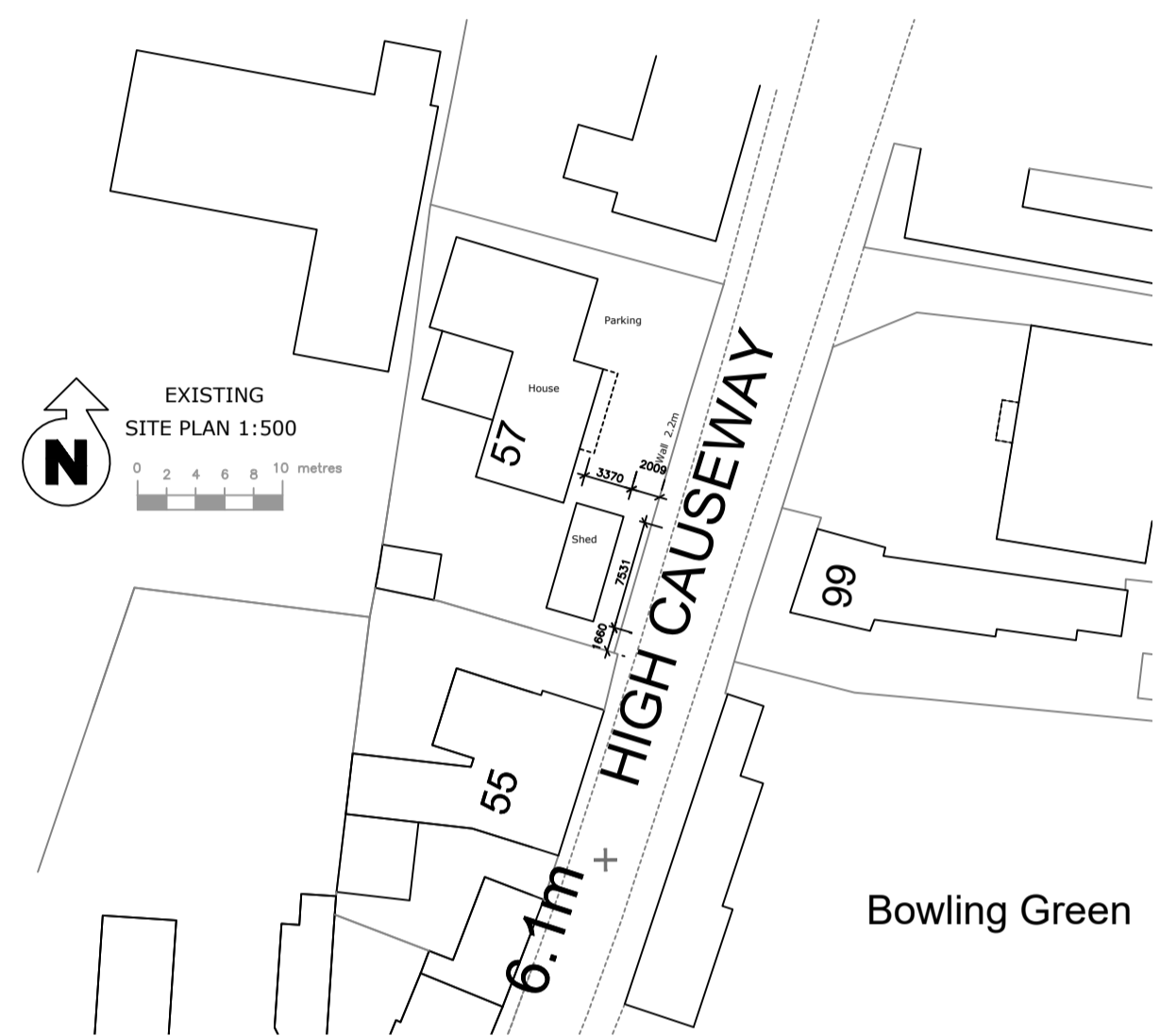
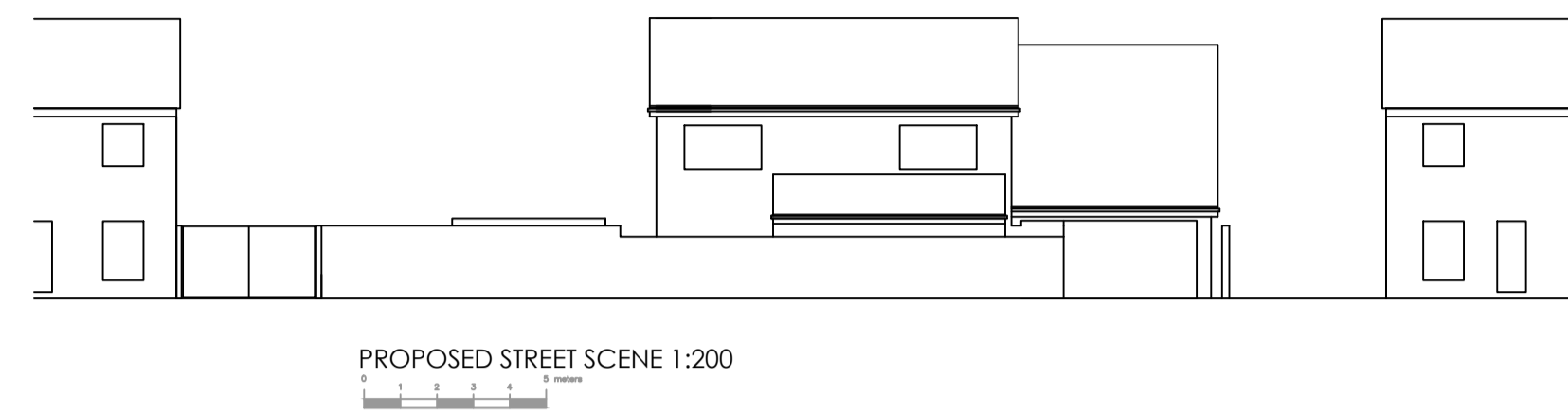
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REVISIONS:

STATUS:  
**PLANNING**

PROJECT:  
**57 HIGH  
CAUSEWAY WSEY**

DRAWING TITLE :  
**PROPOSED**  
DATE: 26-10-2023  
SCALE: VAR @ AI

PROJECT NUMBER :  
**J23099**  
DRAWING REFERENCE :  
**PL02A**