
F/YR19/0176/F

Applicant: Mr Fletcher

**Agent : Mr Matthew Halmshaw
Morton & Hall Consulting Ltd**

**Land West Of The Three Horseshoes Public House, 344 March Road, Turves,
Cambridgeshire**

**Erection of 2 x 2-storey 3-bed dwellings involving demolition of single storey
storeroom of public house**

**Reason for Committee: The number of letters of support for the proposal which is
at odds with the recommendation**

1 EXECUTIVE SUMMARY

A very similar proposal was refused under delegated powers in November 2018. This application has received ten very similar letters of support and the scheme of delegation now requires the application to come before Members for determination.

The reasons for refusal remain the same as before, despite the amended design of the proposed dwellings. The design, scale and siting of the proposed dwellings and the resulting density is considered to be out of character with the area. This would result in a cramped development which would not make a positive contribution to the area. This would be contrary to Policy LP16.

For the reasons set out in the report, it is not considered that the proposal accords with the requirements of Policy LP3 (Settlement Hierarchy) in that it is not residential infilling.

Policies LP2 and LP16 seek to ensure that development does not adversely affect the amenity of future occupiers or neighbouring users. The proposed dwellings by way of their siting, design and proximity to the rear elevation of the pub and boundary treatment would result in a poor level of amenity afforded to both existing and future occupiers. Furthermore, due to the proximity of the dwellings to the rear of the pub, its waste collection/ pub kitchen and flue, and adjacent parking area to the south, the proposed dwellings would not create an environment which would facilitate the level of health and wellbeing required by new development, with regard to potential noise and disturbance, as set out in LP2 and LP16.

A sequentially preferable developable site within Flood Zone 3 was removed from the market in November 2018 and has recently received a revised permission for 3 x pairs of semidetached dwellings (F/YR18/1133/F). This in itself does not render the site as being unavailable. However, the development has been implemented and work has started on site. As such there are no sequentially preferable sites. Notwithstanding this, the development has not passed the Exception Test and is contrary to the adopted SPD on Flooding and Water, Policy LP14 of the Fenland Local Plan 2014 and Paragraphs 155-165 of the NPPF.

The application is therefore recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The site is to the rear of the Three Horseshoes Public House, currently used as a garden/ seating area associated with the pub. There is a large car park to the north of the pub which is a substantial building finished in white render. The site is surrounded on two sides by mature hedging with open countryside/ sporadic development to the west and north.
- 2.2 A 1.8m high close boarded fence marks the southern boundary with the adjacent development of 6 x semi- detached houses. 6 parking spaces are located immediately adjacent (south) of this southern boundary. The eastern boundary with the pub building is defined in part by a 1.8m high close boarded fence, otherwise it is open and provides pedestrian access to the pub and car park.
- 2.3 At present the site does not benefit from a vehicular access. The site is within Flood Zone 3 as is the whole settlement of Turves.

3 PROPOSAL

- 3.1 The proposal is a full application for a pair of 3-bed semi-detached, two storey dwelling houses on the garden area, facing east towards the rear of the pub. A similar application was refused in November 2018 (F/YR18/0879/F). The applicant has attempted to address the four reasons for the previous refusal.
- 3.2 With regard to refusal reason 2, the applicant has reduced the roof pitch height from 9.4m to 7.2m to prevent views of the new dwellings being visible within the street scene above the pub roof. The width has also been reduced slightly from 11m to 10.6m and similarly, the depth has been reduced from 5.4m to 5m. A new 1.8m high fence is proposed adjacent to the pub car park to prevent access through to the site from here.
- 3.3 Two parking spaces will be provided to each plot as before. They will have a width of 2.4m which is less than recommended (2.9m) for a space obstructed on two sides. In order to achieve vehicular access, a side extension to the pub will be demolished to facilitate an access road to serve both dwellings along the southern boundary. A bin collection point will be provided adjacent to the pub close to the new access point. The first 10m will be proposed for adoption.
- 3.4 The rear garden to Plot 1 has been extended to 11m maximum through the relocation of one of the parking spaces. Plot 2 will be similar. The gardens wrap around the side of the dwelling. A separation distance of 6.8m is proposed between the front elevations and the eastern boundary fence which screens the rear of the pub, the large kitchen with flue and outside bin storage area.
- 3.5 A gravelled driveway will provide access across the front of the properties to Plot 2 (to the north of Plot 1).
- 3.6 No materials are proposed at present.
- 3.7 Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PNJ5DRHE03000>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR18/0879/F	Erection of 2 x 2-storey 3-bed dwellings involving demolition of single storey storeroom of public house Land West Of The Three Horseshoes Public House 344 March	Refused	27/11/2018
F/YR07/0507/F	Change of use of garden to car park Land West Of The Three Horseshoes Public House 344 March	Granted	13/07/2007
F/YR06/0771/F	Installation of 2 french doors and balcony to first-floor living accommodation The Three Horseshoes Public House 344 March Road Turves	Granted	16/08/2006
F/YR02/0714/F	Formation of access into existing car park Three Horseshoes PH, March Road, Turves, Whittlesey, March,	Approved	01/08/2002
F/YR01/1012/F	Change of use of land from beer garden to car park The Three Horseshoes Public House 344 March Road Turve	Approved	13/03/2002
F/91/0182/F	Addition of dormer to roof and installation of an external steel fire escape at the rear of the public house Three Horseshoes PH March Road Turves Whittlesey March	Approved	05/07/1991
F/1480/89/F	Erection of two-storey extension to rear of, Public House, to form a function room and, 12 bedrooms and installation of a septic tank The Three Horseshoes PH March Road Turves Whittlesey	Approved	24/05/1990
F/0884/87/F	Extension to kitchen and bar area The Three Horseshoes 344 March Road Turves Peterborough	Granted	12/10/1987
F/0119/78/F	Extension and alterations to Public House	Granted	19/04/1978
TP/1010	Replacement of fuel store Land adjoining the March-Whittlesey Road Coates	Granted	07/04/1949

5 CONSULTATIONS

5.1 Whittlesey Town Council- recommends approval

5.2 FDC Environmental Health

Environmental Health have no objections to the application and consider that based upon the submitted information, it is not considered that air quality impacts will arise as a result of the proposed scheme. I have looked at the licensing register and considered the proximity of the proposed development to the existing Public House, in particular activities licensed and nothing obvious to suggest noise to be an issue post development.

However, please attach the following contamination condition as a precaution as I am unable to ascertain any previous contaminative use, I recommend the unsuspected contamination condition in view of the proposed demolition works.

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.

5.3 Environment Agency

We have no objection to the proposed development but wish to make the following comments. National Planning Policy Framework Flood Risk Sequential Test In

accordance with the National Planning Policy Framework (NPPF) paragraph 158, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this. By consulting us on this planning application we assume that your Authority has applied and deemed the site to have passed the NPPF Sequential Test. Please be aware that our response to the submitted detail should not be taken to mean that we consider the proposal to have passed the Sequential Test.

We consider that the main source of flood risk at this site is associated with watercourses under the jurisdiction of the Internal Drainage Board (IDB). As such, the IDB should be consulted with regard to flood risk associated with watercourses under their jurisdiction and surface water drainage proposals.

5.4 CCC Highways

No objection. Whilst I note that the applicant is proposing to seal and drain the access 5m wide for the first 10m I still need to see that this will be drained away from the highway. I am happy to deal with this via a condition though.

The vehicle to vehicle visibility splays are achievable within the public highway.

I therefore have no highways objections subject to the following conditions:

1) The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority.

Reason: To prevent surface water discharging to the highway.

2) Prior to the first occupation of the development the proposed on-site parking /turning shall be laid out in accordance with the approved plan and thereafter retained for that specific use.

Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

3) The building shall not be occupied until the means of vehicular access has been constructed in accordance with the approved plans.

Reason: In the interests of highway safety and to ensure satisfactory access into the site.

5.5 Natural England

No objection

5.6 Local Residents

Ten identically typed letters of support have been received from residents of Turves. These express support but do not elaborate on any reason for this support.

6 STATUTORY DUTY

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)

National Planning Practice Guidance (NPPG)

Para 2. - Applications should be determined in accordance with the development plan, unless material considerations indicate otherwise

Para 10. - 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

Chapter 14 – Meeting the challenge of climate change, flooding and coastal challenge

7.2 Fenland Local Plan 2014

LP2 Health and Well Being

LP3 Spatial Strategy, the Settlement Hierarchy

LP14 Responding to Climate Change

LP16 High Quality Environments

7.3 Supplementary Planning Documents/Guidance:

Cambridgeshire Flood & Water SPD (2016)

8 KEY ISSUES

- **Principle of Development**
- **Character and Amenity**
- **Flood Risk**
- **Highways**

9 ASSESSMENT

Principle of Development

9.1 Policy LP3 identifies the village of Turves to be a Small Village where development will be considered on its merits but will normally be limited in scale to residential infilling. The proposal site is located behind the pub on garden land used in association with the pub. The site also falls outside the former development area boundary. Access to the proposal site will be created via the demolition of part of the pub. For these reasons, the proposal is considered to be backland development rather than residential infilling. Whilst this may not be a reason on its own to refuse the application, the impact of the surrounding development on the proposal is also important and will be considered in more detail below.

9.2 The applicant makes reference to the adjacent site where development has been permitted (incrementally) for 6 x semi-detached dwellings. These are set out in a cul de sac and were approved prior to the adoption of the Fenland Local Plan in 2014 (F/YR/06/1314/F, 11/0714/F and F/YR13/0246/F). Whilst it is not considered that the planning history on this adjacent site adds any weight to the acceptance of the principle of development on the proposal site since the adoption of the Local Plan in 2014, the potential impact of this adjacent development on the amenity of the proposed dwellings is a material consideration in the determination of the application.

Character and Amenity

9.3 Policy LP16 seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area. The demolition of the side extension to the pub to facilitate the new access to the proposal site would not be

detrimental to the street scene and the highways officer does not object to the new access. Despite the height and dimensions of the proposed dwellings being amended since the refusal last year (the development is now unlikely to be seen above the pub roof), the revised appearance has a “squat” design. The width and depth is disproportionate to the height of the proposed dwellings. This alongside the resulting density is considered to be out of character with the area. This would result in a cramped development which would not make a positive contribution to the area, contrary to LP16.

- 9.4 Policy LP2 and LP16 seek to ensure that development does not adversely affect the amenity of future occupiers or neighbouring users. The proposed dwellings will overlook the rear elevation of the pub, the flat roof and its residential accommodation. The applicant states that the flat roof is not used.
- 9.5 Similarly, the outlook from the proposed dwellings would be blighted by the rear elevation of the pub which would be between 10m and 16m from the front windows at first floor level. The applicant proposes to extend the existing 1.8m high close boarded fencing to the rear boundary of the pub. The ground floor living room windows would look out onto this fencing 6.8m away. Beyond the fence is the waste collection area to the pub/ pub kitchen and flue.
- 9.6 It is therefore considered that the proximity of the pub to the proposed dwellings will not create an environment which will facilitate the level of health and wellbeing required by new development as set out in LP2 and LP16. This is further exacerbated by the presence of 8 parking spaces associated with the neighbouring development which are located immediately adjacent to the southern boundary fence of the proposal site. For all the above reasons the proposal is not considered to comply with LP2 and LP16 of the Fenland Local Plan 2014.

Flood Risk

- 9.7 The site is located in Flood Zone 3, an area at highest risk of flooding. The applicant has submitted a FRA which includes an argument that the development passes the sequential test. A supplementary document was also submitted later on. In this instance the scale of the proposal is in keeping with that appropriate for a small village and therefore it is accepted that an area of search is appropriate to the settlement of Turves where the entire area of Turves is within Flood Zone 3. The Flood and Water SPD states that all reasonably available sites, with planning permission for the same or similar developments should be considered.
- 9.8 With the previous refusal, the Council was aware that a site in Turves for 3 dwellings was being marketed as individual plots on Whittlesey Rd (13/0608/RM). These are similarly located in Flood Zone 3 and were sequentially preferable.
- 9.9 These plots have since been withdrawn from the market and a new permission issued for 3 x pairs of semidetached dwellings (F/YR18/1133/F). However, this in itself does not render the site as being unavailable, and it would still be considered to be a sequentially preferable site, unless work has started on site and the permission implemented. Following a site visit, it is agreed that this is the case and that the site is no longer available.
- 9.10 As the site is sequentially acceptable, the development is also required to pass the Exceptions Test. It must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk. The general

provision of housing by itself would not normally be considered as a wider sustainability benefit to the community which would outweigh flood risk.

- 9.11 Examples of wider sustainability benefit include the regeneration of an area, or the provision of new community facilities such as green infrastructure, woodland community centres, cycle ways/footways or other infrastructure which allow the community to function in a sustainable way. With smaller schemes such as this one, the LPA has previously considered the inclusion of climate change mitigation and/or renewable energy themes as acceptable solutions to passing the Exceptions Test.
- 9.12 However, no such details have been included by the applicant. Therefore the proposal is contrary to the adopted Flood and Water SPD and conflicts with policy LP14 of the Fenland Local Plan and Paragraphs 100-104 in the NPPF.

Highways

- 9.13 In order to achieve vehicular access to the proposed dwellings, a side extension to the pub will be demolished along the southern boundary. A bin collection point will be provided adjacent to the pub close to the new access point. The first 10m will be proposed for adoption.
- 9.14 The loss of this single storey extension does not raise any issues as it adds little to the character of the street scene or existing building. The highways officer has no objection as appropriate visibility splays are achievable. Subject to the suggested planning conditions, the proposal is acceptable from a highways perspective.

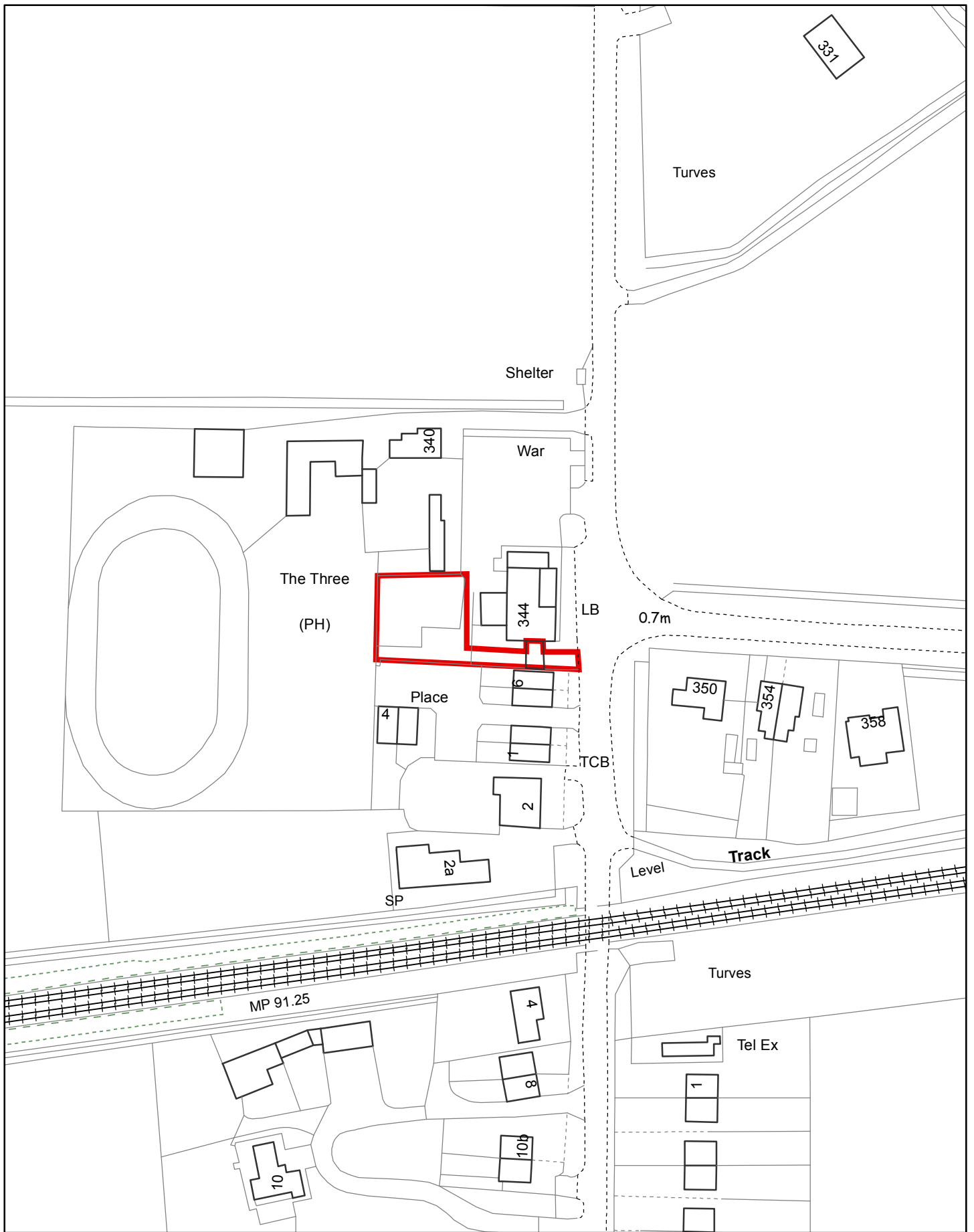
10 CONCLUSION

- 10.1 For the reasons set out in the report, it is not considered the proposal accords with the requirements of Policy LP3, in that it is not considered to be residential infilling.
- 10.2 The design, scale and siting of the proposed dwellings and the resulting density is considered to be out of character with the area. This would result in a cramped development which would not make a positive contribution to the area. This would be contrary to Policy LP16.
- 10.3 Policies LP2 and LP16 seek to ensure that development does not adversely affect the amenity of future occupiers or neighbouring users. The proposed dwellings by way of their siting, design and proximity to the rear elevation of the pub and boundary treatment would result in a poor level of amenity afforded to both existing and future occupiers. Furthermore, due to the proximity of the dwellings to the rear of the pub, its waste collection area/ pub kitchen and flue, and adjacent parking area to the south, the proposed dwellings will not create an environment which would facilitate the level of health and wellbeing required by new development, with regard to potential noise and disturbance, as set out in LP2 and LP16.
- 10.4 Finally the application has not passed the Exception Test and is contrary to the adopted SPD on Flooding and Water, Policy LP14 of the Fenland Local Plan 2014 and Paragraphs 155-165 of the NPPF. The application is therefore recommended for refusal.

11 RECOMMENDATION

Is to refuse the application for the following reasons:

1. The proposal is within a small village as defined by Policy LP3 of the Fenland Local Plan 2014 where development may be permitted on its merits but normally limited in scale to residential infilling. The proposal is not considered to represent residential infilling and is therefore contrary to Policy LP3 of the Fenland Local Plan 2014.
2. Policy LP16 of the Fenland Local Plan 2014 seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area. The design, scale and siting of the proposed dwellings and the resulting density is considered to be out of character with the area. This would result in a cramped development which would not make a positive contribution to the area. This would be contrary to Policy LP16 of the Fenland Local Plan 2014.
3. Policies LP2 and LP16 of the Fenland Local Plan 2014 seek to ensure that development does not adversely affect the amenity of future occupiers or neighbouring users. The proposed dwellings by virtue of their siting, design and proximity to the rear elevation of the pub and boundary treatment would result in a poor level of amenity afforded to both existing and future occupiers. Furthermore, due to the proximity of the dwellings to the rear of the pub, its waste collection area/ pub kitchen and flue, and the adjacent parking court to the south, the proposed dwellings would fail to create an environment which would facilitate the level of health and wellbeing required by new development as set out in policies LP2 and LP16 of the Fenland Local Plan 2014, with regard to potential noise and disturbance.
4. The NPPF seeks to steer developments to areas of lowest risk of flooding and requires developments such as this application to pass an Exception Test, should the Sequential Test be passed. The application is considered to fail the Exception Test as it has not been demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, and is therefore contrary to the Cambridgeshire Flood and Water SPD 2016, Policy LP14 of the Fenland Local Plan 2014 and Paragraphs 155-165 of the NPPF.



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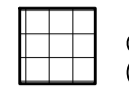



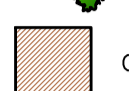
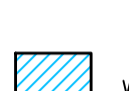

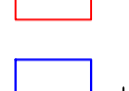




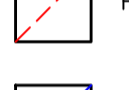
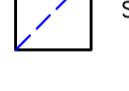

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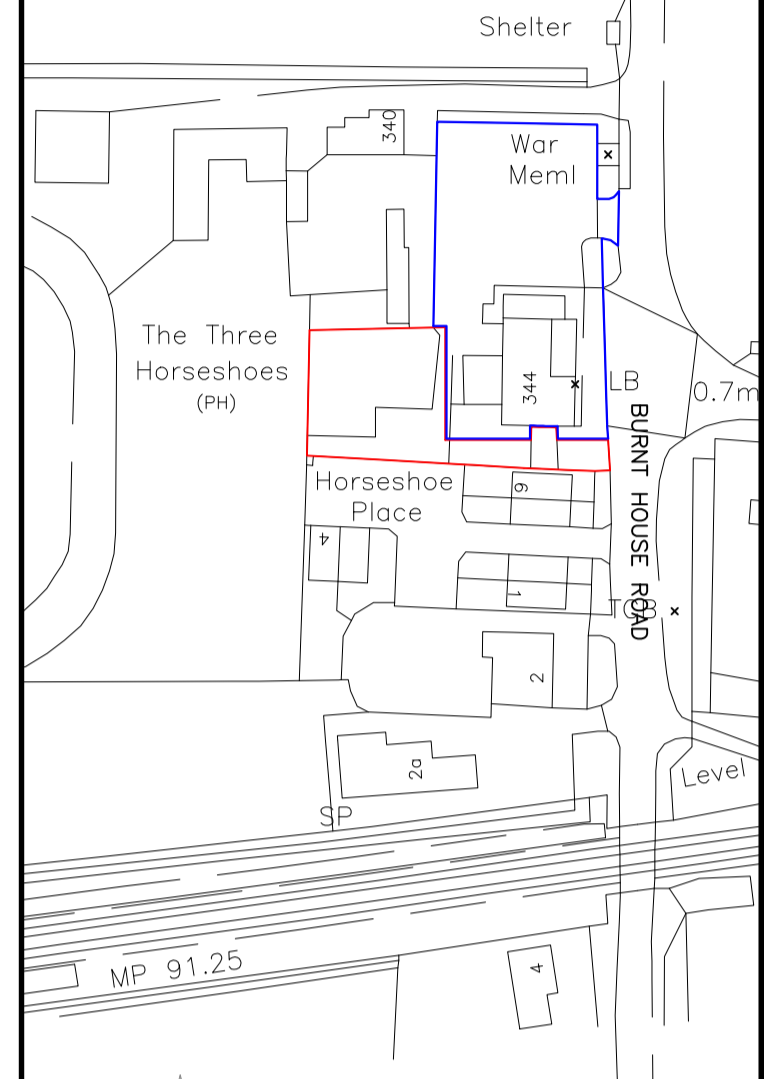
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 Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
 All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
 The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer
 All finishes, insulation and damp-proofing to architect's details

SITE PLAN KEY

-  PERMEABLE BLOCK PAVING (NON SLIP)
-  CONCRETE SLABS (NON SLIP)
-  GRASS
-  VEGETATION
-  HEDGING
-  GRAVEL
-  WATER COURSE
-  SITE ENVELOPE
-  LAND CLIENT OWNS
-  PAVEMENT
-  TARMAC
-  EXISTING DWELLINGS
-  FOUL DRAINAGE
-  SURFACE WATER DRAINAGE
-  WASTE BINS
-  DEMOLITION PLAN



LOCATION PLAN (1:1250)
 LICENSE NO: 100022432

D	PLANNERS COMMENTS	MAR 2019
C	PLANNERS COMMENTS	JAN 2019
B	PLANNERS COMMENTS	SEPT 18
A	PLANNERS COMMENTS	SEPT 18
	REVISIONS	DATE

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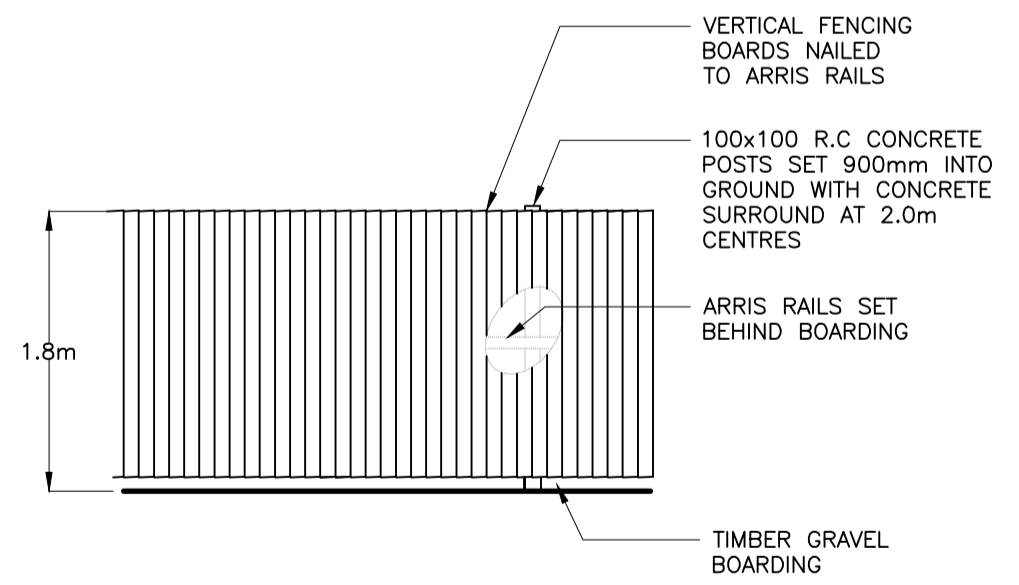
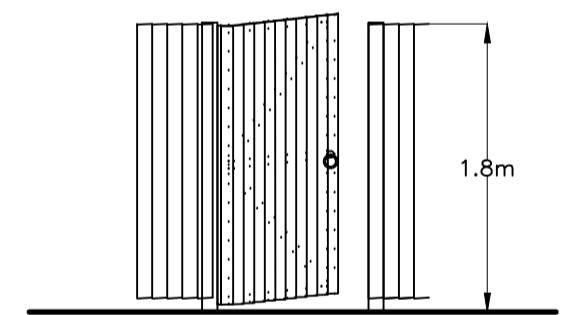
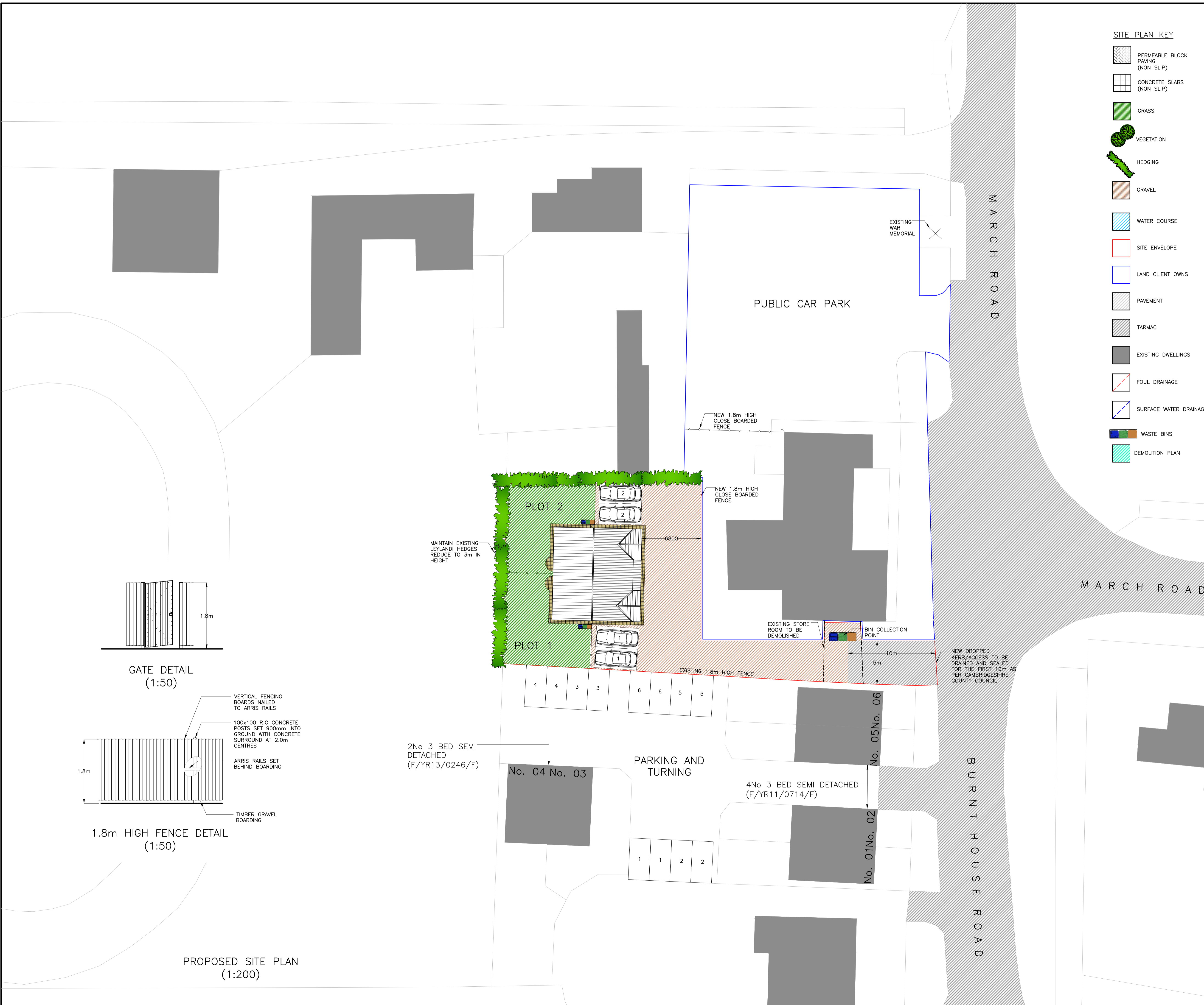
LABC Building Excellence Awards Winner
 Fenland District Council Building Design Awards Winner
 Building Excellence in Fenland

CLIENT: Mr Fletcher

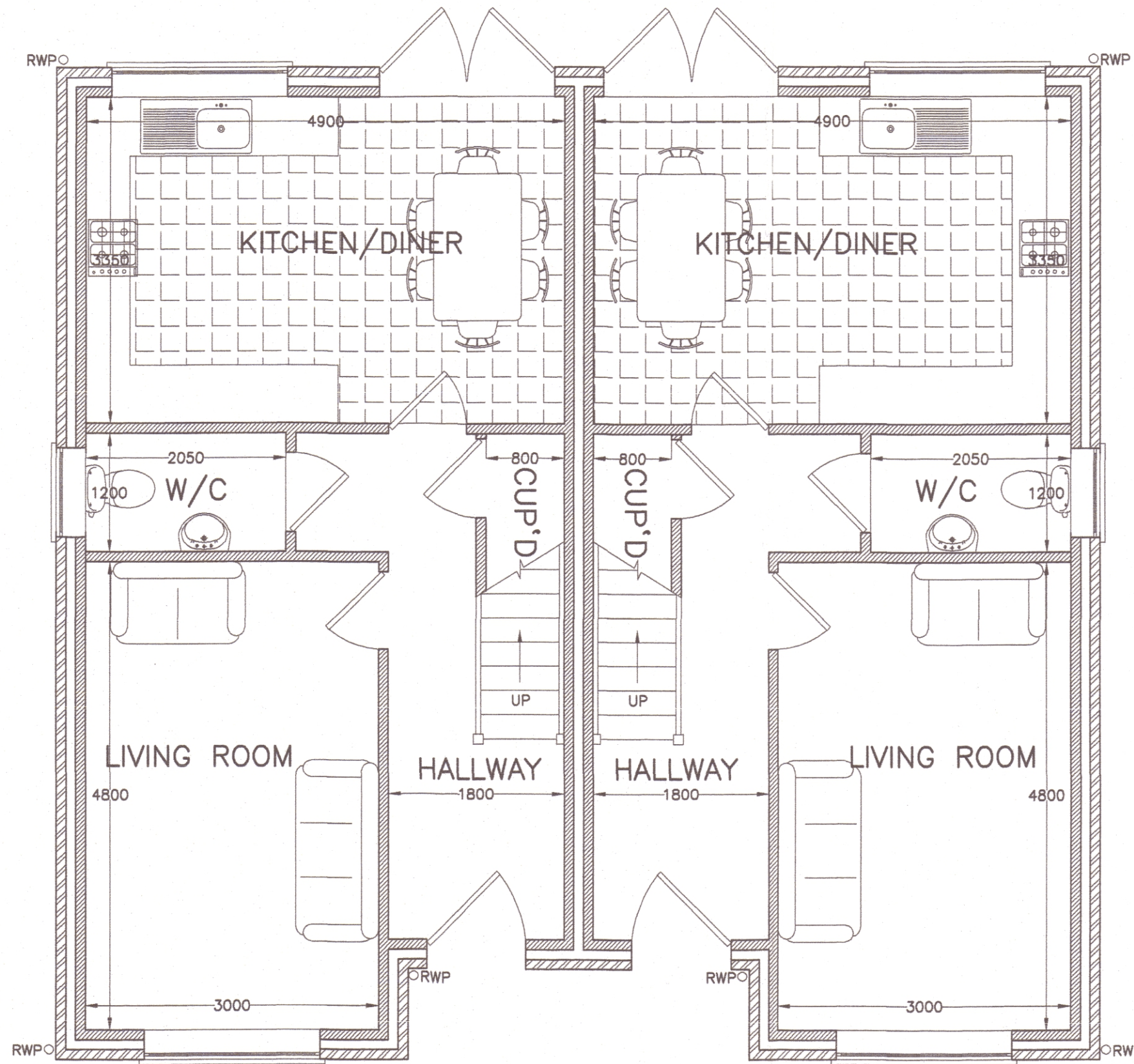
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TITLE: Proposed Site Plan

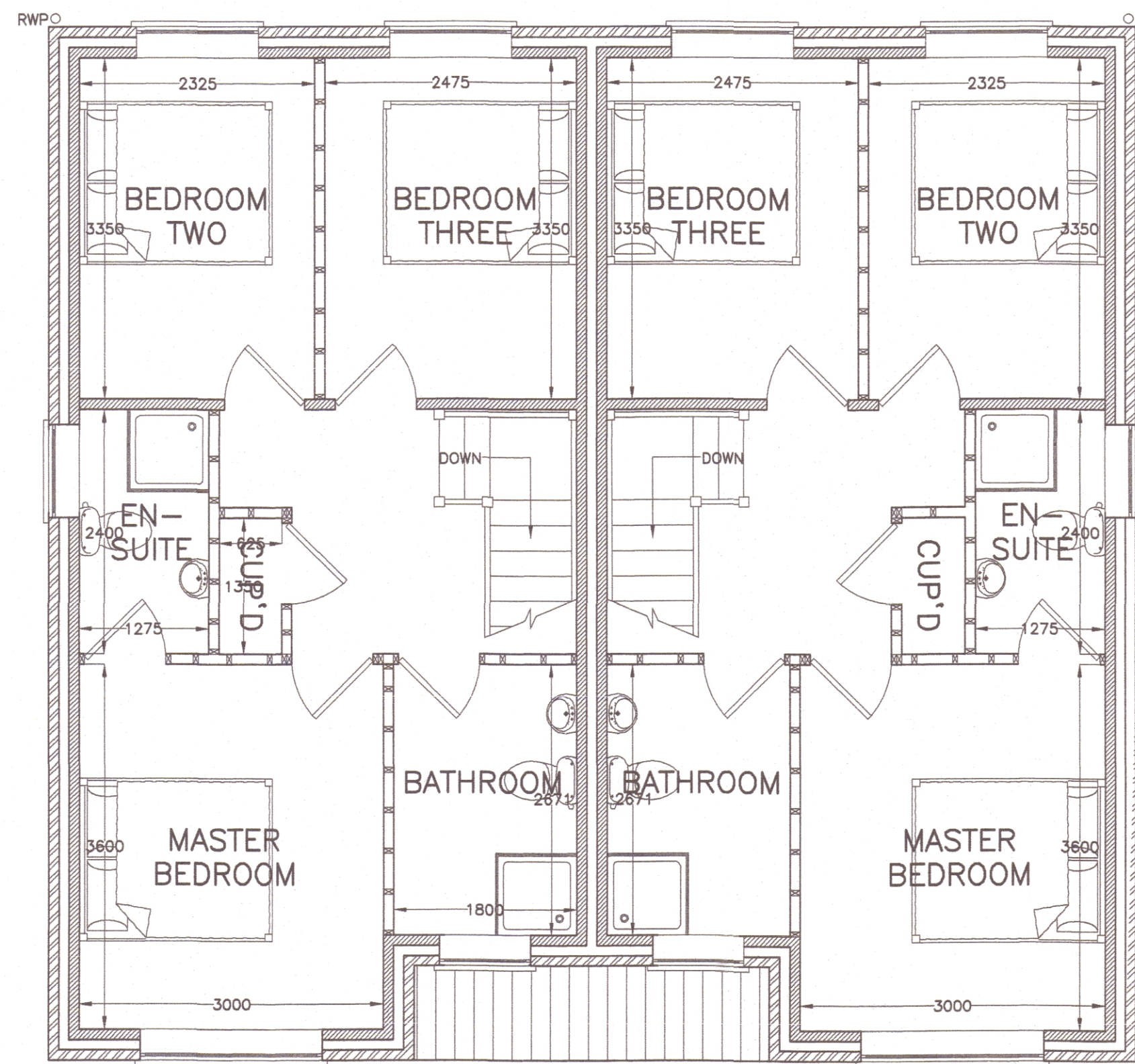
DRAWN: M. Halmshaw	DATE OF ISSUE:
CHECKED:	
DATE: August 2018	DRAWING NUMBER: H5999/00 _D
SCALE: As Shown	



PROPOSED SITE PLAN (1:200)



PROPOSED GROUND FLOOR PLAN
(1:50)

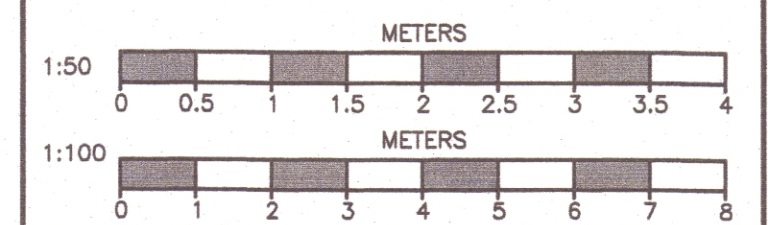


PROPOSED FIRST FLOOR PLAN
(1:50)

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Where materials, products and workmanship are not fully specified they are to be of the standard appropriate to the works and suitable for the purpose stated in or reasonably to be inferred from the drawings and specification. All work to be in accordance with good building practice and BS 8000 to the extent that the recommendations define the quality of the finished work. Materials products and workmanship to comply with all British Standards and EOTA standards with, where appropriate, BS or EC marks.
All products and materials to be handled, stored, prepared and used or fixed in accordance with the manufacturers current recommendations.
The contractor is to arrange inspections of the works by the BCO (or NHBC) as required by the Building Regulations and is to obtain completion certificate and forward to the Engineer.
All finishes, insulation and damp-proofing to architect's details.

PLAN KEY

- PROPOSED 100mm BRICKWORK
- PROPOSED 100mm BLOCKWORK
- PROPOSED 100mm STUDWORK
- PROPOSED 100mm INSULATION
- PROPOSED VELUX WINDOW



A	PLANNERS COMMENTS	JAN 2019
	REVISIONS	DATE

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LABC BUILDING EXCELLENCE AWARDS winner

Fenland District Council Building Design Awards winner

CLIENT
Mr Fletcher

PROJECT
Three Horse Shoes Public House
Turves, Cambs
PE7 2DN

TITLE
Proposed Floor Plans
And Elevations
PLOTS ONE AND TWO

DRAWN M. Halmshaw	DATE OF ISSUE
CHECKED	
DATE August 2018	DRAWING NUMBER H5999/01_A
SCALE As Shown	



PROPOSED FRONT ELEVATION
(1:50)



PROPOSED RHS ELEVATION
(1:100)



PROPOSED REAR ELEVATION
(1:100)



PROPOSED LHS ELEVATION
(1:100)