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**F/YR19/0501/F**

**Applicant: Ms Nancy Gill**

**Agent : Mr Adam Sutton  
A L S Design Services**

**Nelson House, 22 Norwood Road, March, Cambridgeshire**

**Erect 5 dwellings (comprising of 3 x 1-bed and 2 x 2-bed flats) and associated parking**

**Reason for Committee: 7 unresolved letters of objection have been received contrary to the officer recommendation from residents within the Ward or adjacent Ward.**

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## **1. EXECUTIVE SUMMARY**

- 1.1. The proposal is for the construction of 5 flats on a previously developed site to the rear of the former Lord Nelson Public House in March.
- 1.2. The scheme would see the redevelopment of the land to the side of the former Public House, which currently detracts from the quality of the environment in this location.
- 1.3. The proposal for 5 flats will result in a shortfall of 1.5 parking spaces from the standards set out in the Fenland Local Plan.
- 1.4. The impacts on the character of the area and neighbouring residential amenity would be limited due to the set back of the building from the public realm and its positioning of windows within the building, and these impacts would be within the scope of what is considered acceptable in planning terms.
- 1.5. The recommendation is for approval subject to appropriate planning conditions.

## **2. SITE DESCRIPTION**

- 2.1. The application site is open land to the rear of the former Lord Nelson Public House, with a single dilapidated timber building on the southern portion of the land. It is bordered to the east by a public right of way, which is separated from the land by galvanised palisade style fencing, whilst to the west and south lie separate residential dwellings with their associated gardens, separated by close boarded timber fencing.
- 2.2. Incorporated within the application site but to the north of the development lies the former Lord Nelson public House, previously converted to 4 flats, which is a part two-storey, part single-storey rendered building fronting directly onto the Norwood Road.

## **3. PROPOSAL**

- 3.1. The proposal is for the construction of a two-storey building accommodating 5 flats on the site, with associated car parking and replacement of the existing boundary treatment of 2m high galvanised steel fencing adjacent to Norwood Road with 0.6m high closeboard timber fencing.

- 3.2. Parking provision would be on the land to the north of the proposed building between it and Norwood Road, adjacent to the parking provision associated with the existing flats.
- 3.3. Full plans and associated documents for this application can be found at:  
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=PSQ22LHE03000>

#### 4. SITE PLANNING HISTORY

F/YR19/0157/F	Erection of 5 x 1-bed and 1 x 2-bed flats and associated parking	Withdrawn 24/04/2019
F/YR17/0952/F	Change of use of existing property to additional 3no flats including modifications to existing first floor flat external works parking area and associated works	Granted 12/01/2017
F/0111/87/O	Single-storey extension to functions room and extension of car park	Refused 26/03/1987
F/0776/86/O	Single-storey extension for use as night club and functions room The Lord Nelson Norwood Road March	Refused 18/12/1986
F/0403/78/F	Extension to Public House to provide dining room kitchen and store Lord Nelson Public House Norwood Road March	PER 12/07/1978
F/0596/77/F	Dining room & kitchen extension	Granted 20/10/1977

#### 5. CONSULTATIONS

- 5.1. **March Town Council:** Recommend approval, subject to car parking provision
- 5.2. **FDC Environmental Health:** *"I have now had an opportunity to reconsider this application and given the adjacent industrial estate, despite the current nearest business not being associated with current noisy activities, this does still provide the potential for a change in operations/tenant which could lead to increased noise levels.*
- 5.3. *Knowing the current business type, a noise impact assessment is probably not worthwhile as it will unlikely show up any perceived adverse effects on the amenity of perspective occupants, however, I believe it prudent to know what glazing specifications are proposed given that floor plans appear to indicate that there will be habitable rooms (bedrooms) with potentially openable windows on the façade overlooking the industrial estate."*
- 5.4. **Cambridgeshire County Council Highways Authority:** No objections subject to conditions
- 5.5. **Cambridgeshire County Council Historic Environment Team (Archaeology):** No objection but request a programme of archaeological investigation is secured.
- 5.6. **Definitive Map Team:** *"Public Footpath 2 March runs adjacent to the application site. Our concern would be that residents did not park so as to block or restrict the access to Public Footpath 2 March and also whether the developer is proposing any changes to the Boundary fencing adjacent to Public Footpath 2 March.*

- 5.7. *If there are any proposals to change the fencing we would wish to ensure that it was did not enclose the visibility for users along the existing length of the footpath open to this property.*
- 5.8. *Whilst the Definitive Map Team has no objection to this proposal, the applicant should be aware of the presence of the public Footpath, its legal alignment and width which may differ from what is available on the ground.*
- 5.9. *The Byway must remain open and unobstructed at all times. Building materials must not be stored on Public Rights of Way and contractors' vehicles must not be parked on it."*

5.10. **Local Residents/Interested Parties**

- 5.11. Seven letters of objection have been received in relation to the proposal from seven separate sources in relation to the proposal raising the following points.
- Devaluation of property.
  - Existing building has parking that is not used, more tenants and the associated additional parking will result in harm to highway safety.
  - Existing parking already results in dangerous conditions for both vehicles and pedestrian traffic.
  - Insufficient capacity within the local schools to accommodate increased pupil numbers.
  - Overdevelopment of the area.
  - The shadow of this building would make the adjacent footpath dangerous to use as it is unlit.
  - Loss of privacy to the nearby dwellings and shared ground on Norwood Crescent.
  - Additional refuse collection requirements will cause congestion and lack of visibility for vehicles in the vicinity.
  - Light pollution from the flats will affect adjacent properties.
  - Where will contractors park during construction of the building.
  - How will parking on the plan be allocated.
  - Building would cause a loss of light to adjacent dwellings and their gardens.

**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  
Para 8: 3 strands of sustainability  
Para 11: Presumption in favour of sustainable development
- 7.2. **National Planning Practice Guidance (NPPG)**  
Determining a planning application
- 7.3. **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  
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland  
LP16 – Delivering and Protecting High Quality Environments across the District  
LP17 – Community Safety

#### 7.4. **March Neighbourhood Plan 2017**

H2 – Windfall Development

### 8. **KEY ISSUES**

- **Principle of Development**
- **Highways and Parking**
- **Visual Impact and Character**
- **Neighbouring Residential Amenity**
- **Noise Impact from adjacent site.**

### 9. **BACKGROUND**

- 9.1. The proposal is on land formerly associated with the former Lord Nelson Public House, which sits to the north of the development adjacent to Norwood Road. The public house has been converted into flats upon its closure.
- 9.2. A previous application was received for the construction of a three-storey detached building containing 6 flats, however this was withdrawn from consideration following discussions with the local planning authority.

### 10. **ASSESSMENT**

#### 10.1. **Principle of Development**

- 10.2. The application site is located within the Market Town of March, which is identified within the Fenland Local Plan as one of the main settlements for residential development. The site is previously developed land as the yard area to the former public house. There are no special designations on the land that would indicate that the principle of development for residential purposes is not acceptable.

#### 10.3. **Highways and Parking**

- 10.4. The Fenland Local Plan sets out at Appendix A the standard for parking provision in relation to residential development, and for flats and maisonettes, sets out that parking provision of 1.25 spaces should be made for single bedroom flats, and 1.5 spaces for flats with more than one bedroom, which includes an allowance for visitor parking in addition to residents facilities.
- 10.5. There are four flats within the former public house building with a requirement for 5.75 spaces to be provided by that development, and six parking spaces are noted on the plans of the site as being available for use at the present time. The comments received from members of the public in respect of the current parking provision at the site are noted, in relation to the statements that the current residential units rely on on-street parking because the off-street provision indicated within the submitted plans as part of the current scheme is not available due to the site entrance being gated, with the area identified as being for parking currently used as storage of cars for sale. Street level photography and the

officer's site visit confirmed that the existing hardstanding area is closed off via steel gates. It is therefore evident that although the plans indicate that six spaces are available for the current flats, this is not representative of the practical level of provision, with only a single space being accessible at the time of the officer's site visit.

- 10.6. The requirement generated by the proposal would be for 6.75 spaces, with the plans indicating an additional five spaces being made available at the site with a cycle store to the rear corner. The site has good connectivity to the wider transport network, including a footpath connection to the railway station (<800 metres) at less than 10 minutes walking time.
- 10.7. The overall provision of parking spaces associated with both developments is below the parking standards set out in the Fenland Local Plan, which would indicate an additional 1.5 spaces are required to be provided. Given the sustainability credentials of the site however (detailed above) and the limited scale of the under provision, this is not considered sufficient to justify refusal of the scheme in this instance.
- 10.8. **Visual Impact and Character**
- 10.9. The area surrounding the proposal is of mixed character and use, including an industrial estate immediately to the east of the site (incorporating a haulage yard, car sales and servicing, and a laboratory equipment supplier), and a range of residential developments both historic and modern and of varying scales and styles. There is therefore no consistent character within the wider surroundings with the exception that residential development is the dominant feature.
- 10.10. The application site is located to the rear of the existing former Nelson Public House site, backing on to the industrial building to the east associated with the laboratory equipment distribution firm. In terms of the visibility of the proposal, this will be more limited from Norwood Avenue due to the distance of the set back, however the building will also be a visual feature from Norwood Crescent, which leads off Norwood Road to the west of the site and leads around to the south. The proposed building would be seen in the context of the existing dwellings off Norwood Crescent from that road, however Norwood Crescent itself is a development of two-storey dwellings and the proposal would therefore not appear out of character with this area.
- 10.11. The proposed building is of a relatively plain appearance, with a shallow pitched hipped roof to limit its visibility and impact on the wider area. The main entrance to the building is located on its western elevation and so the scheme provides a plain elevation to the north from where most views of the building would be possible. This appearance, whilst not providing a varied and interesting addition to the street scene, is appropriate within the more utilitarian residential styles in the area and the commercial development to the east, and the lack of prominence within the street scene ensures that it does not detract from its environment in respect of its appearance.
- 10.12. Given the nature of the building and the level of parking provision within the courtyard to the front of the site, it is important that the proposal makes a contribution towards its immediate environment by way of a suitable and comprehensive landscaping scheme. Some limited indications of planting proposals are included on the submitted site plan, however these are not satisfactory in providing an appropriate levels of landscaping appropriate to the site and its particular constraints and therefore more detailed proposals have

been requested that will be reported to the committee at the meeting with a view to encompassing them within the planning decision rather than being left to discussion as part of a planning condition. A suitable bin store and collection point will be required as part of this scheme

#### **10.13. Neighbouring Residential Amenity**

10.14. The application site is adjacent to several differing areas of amenity space associated with the existing residential uses surrounding the site. These comprise a shared amenity space for the residents of the flats immediately to the west of the building, a private garden to the west of that area approximately 15 metres from the site, a shared amenity space off Norwood Crescent to the south west and a private residential garden to the south.

10.15. The amenity space to the west of the site is to be shared between the existing flats and the proposed flats and overlooking of such spaces is commonplace within flatted developments. The private residential garden to the west of the shared amenity space is surrounded by typical 1.8m high residential boundary treatments, including fences and walling, and is separated from the proposed building by a distance (approximately 14.5 metres) that would ensure the relationship between the two would not be unacceptable in planning terms. To the south there would be no windows overlooking the neighbouring property (No. 1 Norwood Crescent) and although the proximity of the proposed building to this site will have some impact on the use of its rear garden, the position and orientation of the building is such that there are no privacy concerns, no loss of light and there would be no justification for refusal of the scheme on the grounds of overbearing impact.

10.16. Comments with regard to overlooking of the shared amenity space on Norwood Crescent are noted, however this is not a formal open space, instead providing parking provision for those properties.

#### **10.17. Noise Impact from adjacent site.**

10.18. The neighbouring site to the east forms an industrial estate, and as such is permitted for B1, B2 and B8 uses. The current occupier of the immediately adjacent building to the application site is a supplier of laboratory equipment, and as a result has little intrusive impacts on its neighbours, being a relatively quiet and small-scale operation. There would however be the potential for this business to move away from the site in the future, and a more intrusive and noisy industrial use to commence without any need for an application for planning permission.

10.19. On that basis, advice was sought from the Environmental Health team who confirmed that the submission of a noise impact assessment based on the current occupation of the site would not assist in consideration of the potential impacts, however approval of glazing specifications for the windows facing industrial site would be necessary. This would be suitable for inclusion as a condition of the planning permission.

### **11. CONCLUSIONS**

11.1. The principle of residential development on the site is acceptable as the site is located within a primary market town.

11.2. There is a limited under provision of off-street parking proposed with the application however the nature of the proposed dwellings in conjunction with the releasing of addition space that is currently unused for the parking associated

with the adjacent flats means that there will be an overall increase in the amount of off-street parking available to the residential units in the area as a result of the scheme. The site is also located in a sustainable location within easy walking distance of the March Railway Station. There is on that combined basis no justification for refusal of the scheme on the grounds of a lack of parking provision at the site.

- 11.3. The building is not located in a dominant position within the street scene and is appropriate to the character of the area. Subject to the use of suitable materials of construction it will not have an unacceptable impact on the visual amenity and character of the area, and has the scope to make a notable improvement to its immediate setting through an appropriate landscaping scheme.
- 11.4. The proposal has taken into consideration its relationships with the adjacent land and uses, in particular the amenities of the surrounding properties. Although there will be some impacts on views from nearby gardens and in some case limited loss of light in the early morning hours of the day, these are not of sufficient magnitude to justify the refusal of the application on these grounds.

## 12. RECOMMENDATION

Grant planning permission

From 1 October 2018 section 100ZA(5) of the Town and Country Planning Act 1990 provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition (except in the circumstances set out in the Town and Country Planning (Pre-commencement Conditions) Regulations 2018).

The applicant has been consulted on the proposed pre-commencement conditions and has confirmed their agreement to them in writing. Therefore, should the application be approved and the consent granted with the proposed conditions after 1<sup>st</sup> October 2018, it is considered that the requirements of section 100ZA(5) have been met.

The proposed conditions are as follows:

1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.
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Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
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2. No demolition/development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.
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Reason: To secure the provision of the investigation and recording of archaeological remains threatened by the development and the
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reporting and dissemination of the results in accordance with Policy LP18 of the Fenland Local Plan, and to enable the inspection of the site by qualified persons for the investigation of archaeological remains in accordance with a written scheme of investigation.

This is a pre-commencement condition because archaeological investigations will be required to be carried out before development commences to ensure important findings can be recorded.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking, amending or re-enacting that order), no gates or other means of enclosure shall be erected across the vehicular access from Norwood Road hereby approved;

Reason: In the interests of highway safety and to ensure compliance with Policies LP15 and LP16 of the Fenland Local Plan, adopted May 2014.

4. Prior to the first occupation of the development the proposed on-site parking/turning area shall be laid out in accordance with the approved plans, surfaced in a bound material and drained within the site. The parking/turning area, surfacing and drainage shall thereafter be retained as such in perpetuity (notwithstanding the provisions of Schedule 2, Part A, Class F of The Town and Country Planning (General Permitted Development) (England) Order 2015, or any instrument revoking or re-enacting that Order).

Reason: To ensure that the parking and turning area shown on the approved plan is available to the occupiers of the development at the point of occupation and remains available to the development in perpetuity so as to not increase the need for on-street parking the wider vicinity of the application site in the interests of Highway Safety and to ensure compliance with Policy LP15 of the Fenland Local Plan, adopted May 2014.

5. No development shall take place above slab level until a scheme for the hard and soft landscaping of the site has been submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) means of enclosure
- b) car parking layout
- c) vehicle and pedestrian access and circulation areas
- d) hard surfacing, other hard landscape features and materials
- e) bin storage and collection areas and their means of enclosure



- f) planting plans, including specifications of species, sizes, planting centres number and percentage mix
- g) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- h) management and maintenance details

The approved hard landscaping scheme shall be carried out prior to the occupation of the flats and the soft landscaping shall be carried out within the first available planting season following completion of the development or first occupation (whichever is the sooner) or alternatively in accordance with a timetable for landscape implementation which has been approved as part of the submitted landscape scheme.

Reason: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted in accordance with Policy LP16 of the Fenland Local Plan 2014.

6. No above ground construction shall take place until a scheme for sound insulation of the building, in particular the east facing glazed elements, has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation and thereafter retained in perpetuity.

Reason: To safeguard the residential amenity of the occupiers in relation to the industrial site to the east, in accordance with policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.

7. No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.

Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.

8. The development hereby permitted shall be carried out in accordance with the following approved plans and documents



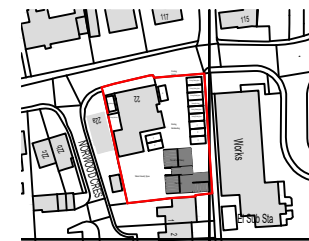
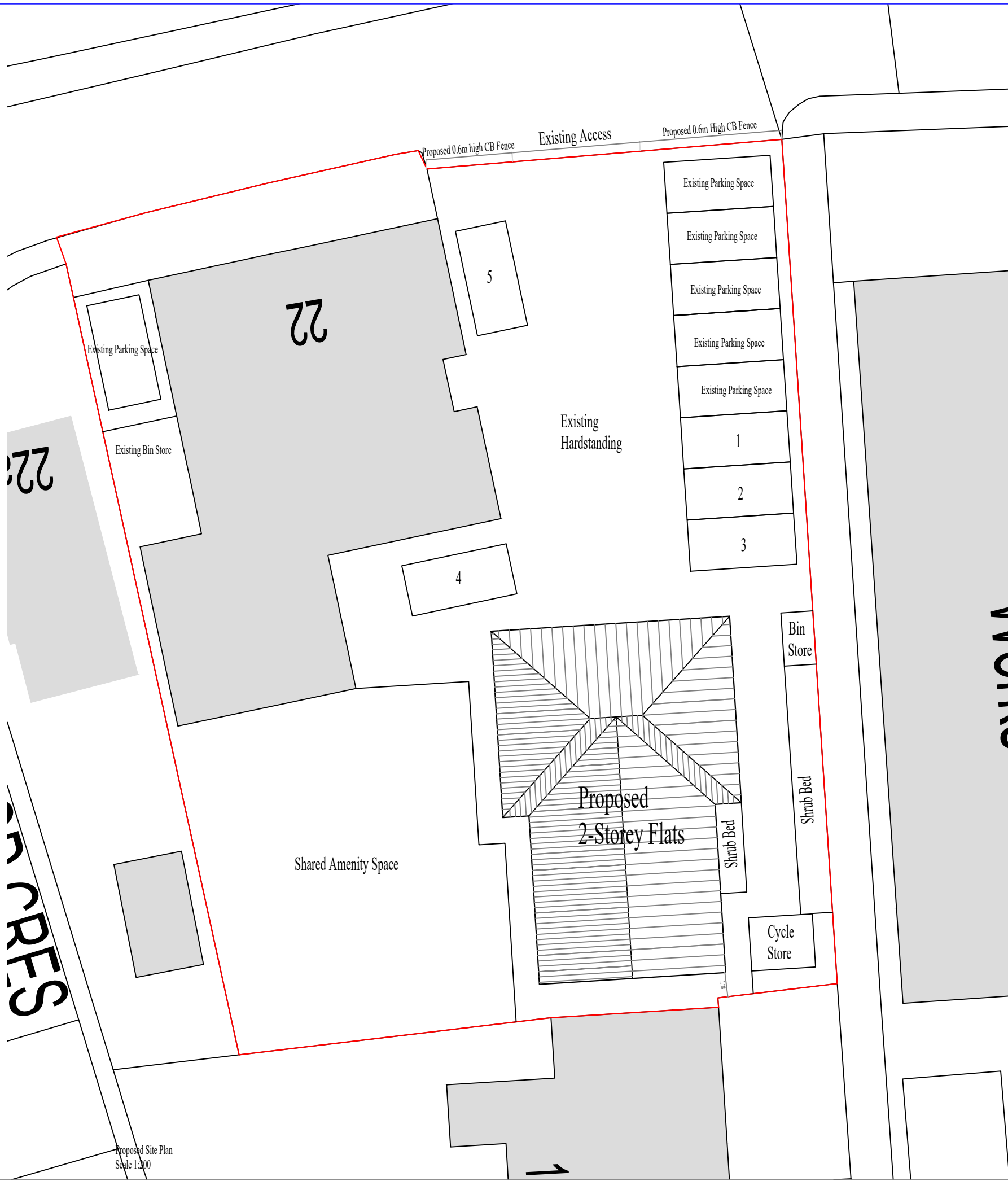
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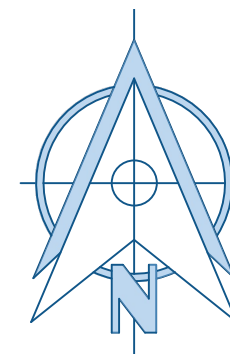
**F/YR19/0501/F**

Scale = 1:1,250





Location Plan  
Scale 1:2500



Revision	Description	Date	Revised By

**A.L.S Design Services**

E-Mail : alsdesignservices@outlook.com      Phone : 07707921632

Project	Proposed Flats	
Drawing Title	Proposed Site and Location Plan	
Address	Norwood Road March	

Drawn By A. L. Sutton	Paper Size A3	Date May 2019
Project Name 002 - Norwood Rd	Drawing Number 001	Revision A

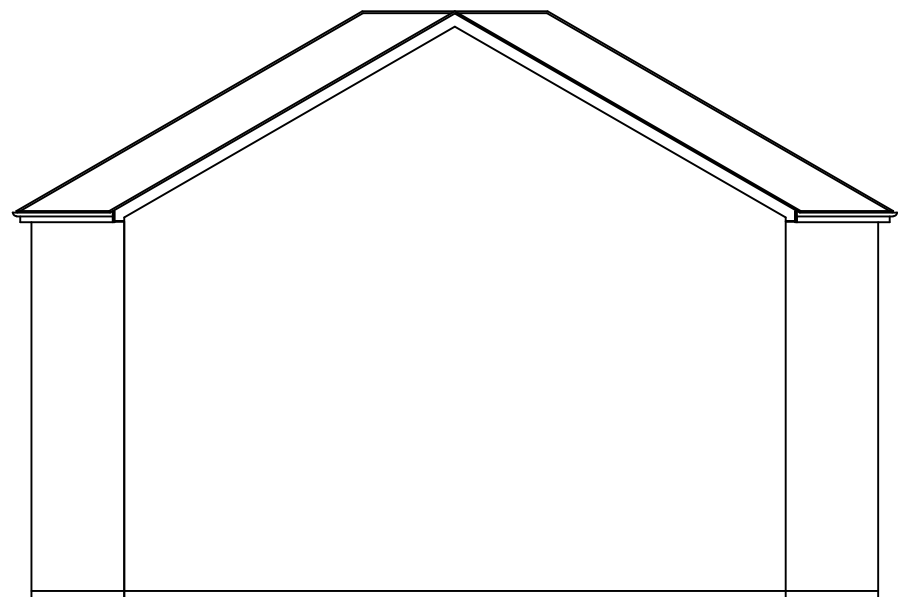
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Proposed North Elevation  
Scale 1:100



Proposed West Elevation  
Scale 1:100



Proposed South Elevation  
Scale 1:100



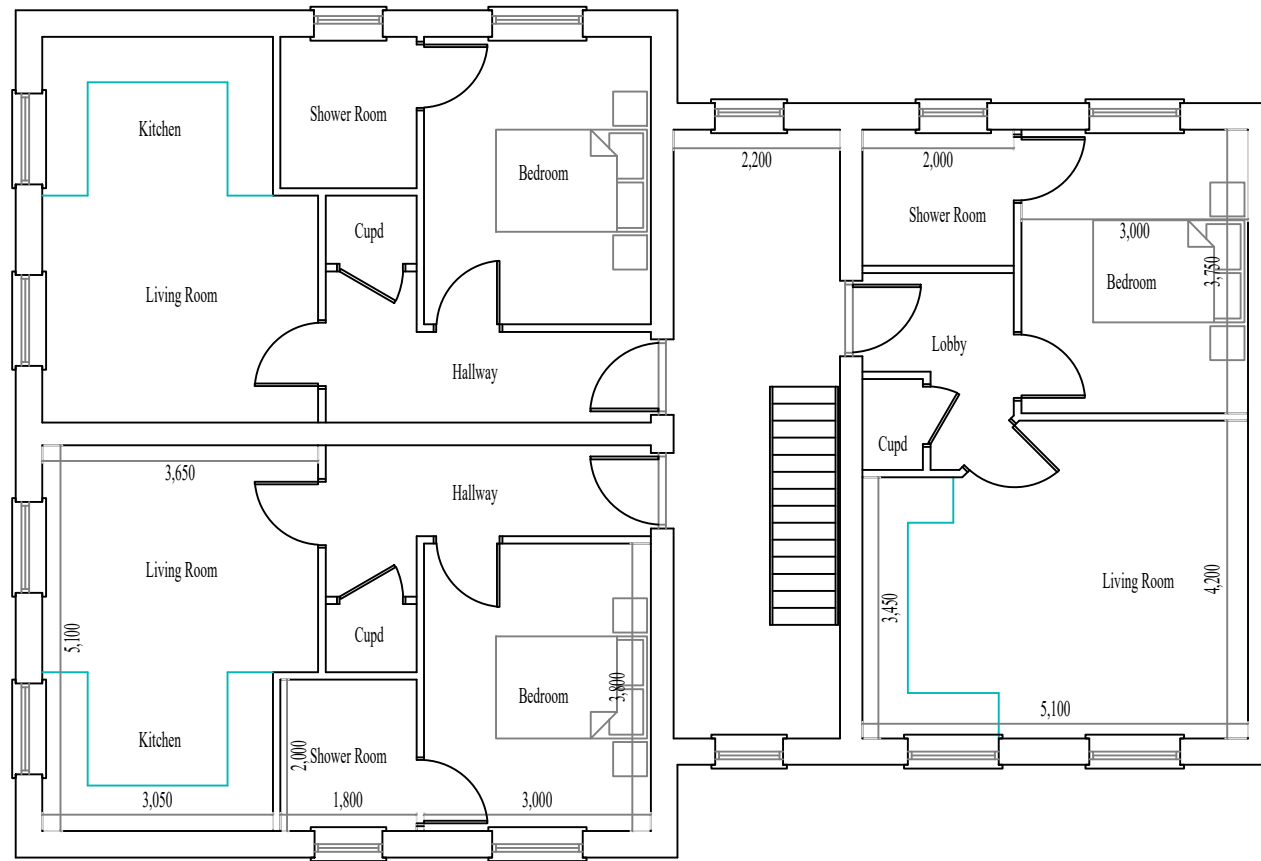
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Revision	Description	Date	Revised By

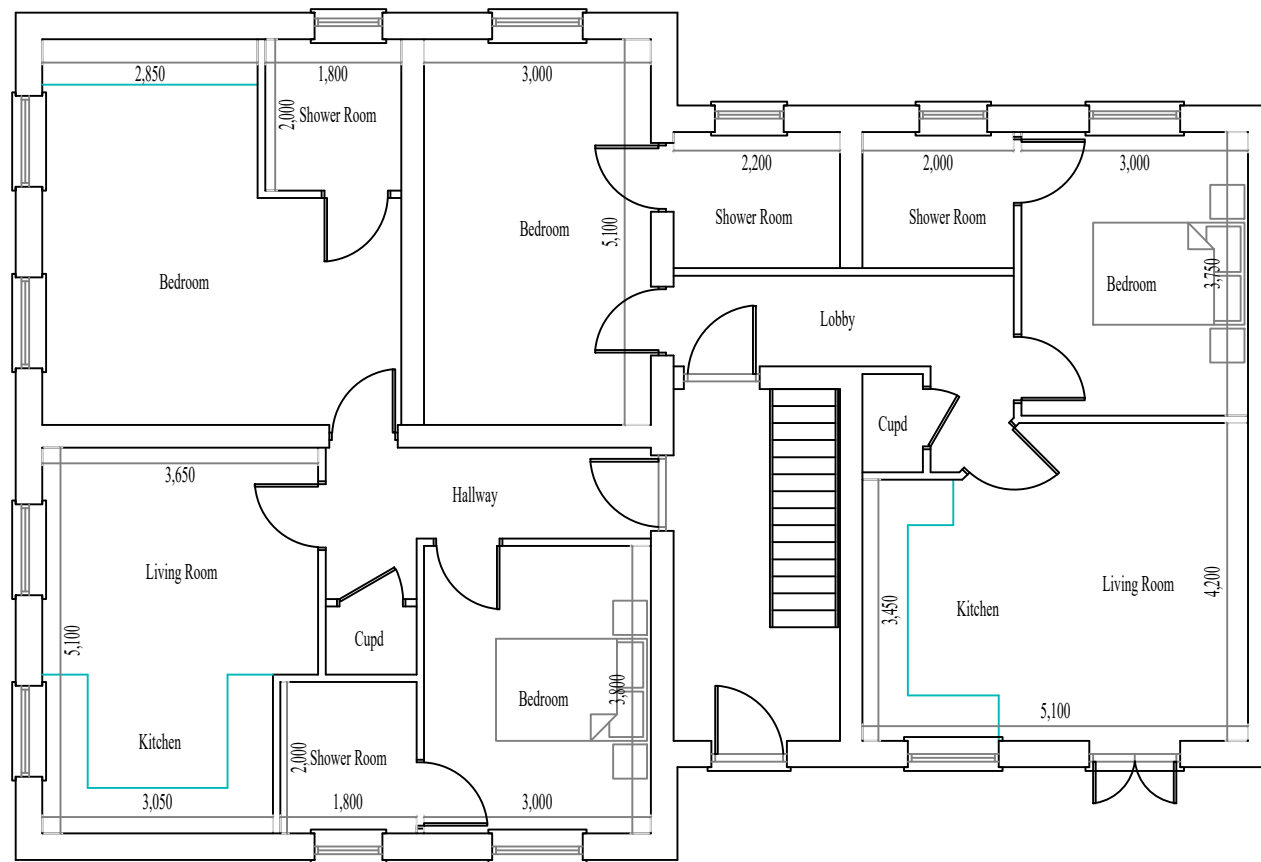
**A.L.S Design Services**

E-Mail : alsdesignservices@outlook.com      Phone : 07707921632

Project Proposed Flats		
Drawing Title Proposed Elevations		
Address Norwood Road March		
Drawn By A. L. Sutton	Paper Size A3	Date May 2019
Project Name 002 - Norwood Rd	Drawing Number 003	Revision A



Proposed First Floor Plan  
Scale 1:100



Proposed Ground Floor Plan  
Scale 1:100

Revision	Description	Date	Revised By

**A.L.S Design Services**

E-Mail : alsdesignservices@outlook.com      Phone : 07707921632

Project Proposed Flats		
Drawing Title Proposed Floor Plans		
Address Norwood Road March		
Drawn By A. L. Sutton	Paper Size A3	Date May 2019
Project Name 002 - Norwood Rd	Drawing Number 002	Revision A