
F/YR20/0508/F

**Applicant: Mr L Shepherd
LTS Consultancy Ltd**

**Agent : Mr Sam Herring
Swann Edwards Architecture Limited**

Land North Of, 39 March Road, Rings End, Cambridgeshire

Erect a 2-storey 3-bed dwelling involving demolition of outbuilding

Officer recommendation: Refuse

Reason for Committee: Number of letters of support received

1 EXECUTIVE SUMMARY

- 1.1 This scheme seeks full planning permission for the erection of a dwelling on former garden land associated with No 39 March Road, Rings End which is a modest end of terrace cottage.
- 1.2 An earlier appeal decision has indicated that the site could be considered an infill opportunity compliant with Policy LP3 however it remains necessary to ensure that the visual amenity of the area is not compromised as required by Policy LP16 through the development of this land. Furthermore it is necessary to ensure that appropriate levels of residential amenity and parking provision for both the host dwelling and the intended property are delivered in accordance with Policy LP2 and LP16.
- 1.3 With regard to the visual amenity of the area it is acknowledged that the scheme endeavours to take its design cues from the existing terrace and has been revised to align with the height of the neighbouring terrace. However the dwelling will still stand proud of the terrace and its width and bulk would be at odds with the prevailing characteristics of this component of the Rings End street scene. Furthermore the design detailing will result in a development which competes with rather than compliments the existing terrace to the south with this having a significant adverse impact on the existing streetscene. For these reasons it is considered that the scheme put forward remains contrary to Policy LP16 and must be resisted.
- 1.4 The agent has also sought to demonstrate that both the existing and proposed households will have access to adequate levels of parking and amenity space. Whilst it has been demonstrated that parking provision could be made in full accordance with Appendix A of the FLP this has consequences for the amenity space retained to serve the donor dwelling which will be below the minimum standards outlined in Policy LP16.
- 1.5 In conclusion whilst it is accepted that the applicant site could be deemed an infill opportunity the details of the scheme are such that its visual amenity impact and paucity of residential amenity afforded the donor property are such that a favourable recommendation may not be forthcoming.

2 SITE DESCRIPTION

- 2.1 The site was last used as garden land for 39 March Road although it is now fenced off. The site is adjacent to an 'A' classified road and is also adjacent to the disused railway bridge. There are a group of terraced dwellings adjacent to the site to the south and the area also holds semi-detached and detached dwellings of a mixed design and type. There is a vacant restaurant premises opposite the site and a Grade II Listed Building to the north of that premises.
- 2.2 The site is a modest plot contained between a short row of 1.5 storey terraced dwellings and a section of elevated and redundant railway line.
- 2.3 The area is predominately located within flood zone 2 with a small section to the east being within flood zone 3 and a small section to the west (at the access point being within flood zone 1).
- 2.4 Access is derived from the existing access road which serves the rear of properties 39 - 43 March Road, the terrace of dwellings referred to above.

3 PROPOSAL

- 3.1 This submission seeks full planning permission for a detached dwelling within part of the former garden area associated with No 39 March Road. The original scheme put forward was for a proposed dwelling with a maximum footprint of 10.5 metres wide x 7.6 metres deep, with an eaves height of 4.5 metres and a ridge height of 7.3 metres, the ridge height detailed was intended 'as built' with the section submitted reflecting the requirements of the FRA which details finished floor levels to be 600mm above existing ground level.
- 3.2 The initial scheme has subsequently been amended following the agent being advised of concerns regarding scale with the width being reduced by 1.5 metres, from 10.5 metres to 9 metres and the eaves height being 4.1 metres and the ridge being 6.9 metres, this being a reduction of 400mm to both.
- 3.3 The suggested design takes some cues from the terrace of three dwellings to the south, featuring a ground floor proposed to be constructed of facing brick with tile hanging detail over and a tile roof, albeit precise details have not been specified.
- 3.4 In addition to the revisions to design the agent has sought to address concerns raised regarding the site layout given that the originally specified scheme relied on land outside the applicants ownership/control to facilitate parking and turning and also failed to make provision for parking for No 39, which had previously benefitted from parking on this land.
- 3.5 The site layout plan now details two parking spaces to serve the new dwelling with a further two parking spaces shown to serve the host property No.39.

Full plans and associated documents for this application can be found at:

<https://www.fenland.gov.uk/publicaccess/simpleSearchResults.do?action=firstPage>

4 SITE PLANNING HISTORY

F/YR17/0761/O

Erection of a dwelling (Outline application

Refused

	with all matters reserved)	11.10.17 Dismissed at appeal 4.10.18
F/YR10/0047/O	Erection of a dwelling	Approved 12/03/10
F/90/0636/O	Erection of 2 x 1 bed flats	Approved 06/12/90
F/1530/89/O	Erection of 2 x 1 bed flats	Refused 15/03/90
F/1336/88/O	Erection of a dwelling	Approved 09/02/89

5 CONSULTATIONS

- 5.1 **Parish Council:** *'The members of Elm Parish Council considered this application at their meeting on 8 July and resolved not to support it. They consider this to be an inappropriate over-development of a small site and out of keeping with its surroundings.'*
- 5.2 **Highways England:** *Offer no objection [...] The proposed development site is located on March Road, slight remote and south of A47 Fen Road. From this proposed development there would be no material impact on our strategic road network.'*
- 5.3 **Cambridgeshire County Council Highways Authority:** *Initially requested that the agent provides dimensions of the existing access arrangement noting that 'the access looks narrower onsite than what has been detailed by the agent. From what I can make out, the proposal will result in a shared access arrangement. If this is the case, access improvements will be required to allow two way vehicle movements. The perpendicular section of access road to the A141 will need to be widened to 5.0m with 6m kerb radii at the access junction.'*

Following re-consultation the LHA *'note[s] the access general arrangement has reverted back to the existing arrangement. [...]. The additional dwelling will increase the likelihood of vehicles meeting at the access, that said I accept this is unlikely to result in a highway safety issue. Vehicle turning right into the access will be able to see vehicles emerging and will therefore be able to give way to emerging traffic. Vehicles turning left into the access will have good visibility of the access and will be able to slow to allow a vehicle to emerge from the access. The access widening to 5.0m would have just prevented any obstructions to free flow traffic on the A141. The more dwellings using the shared access with a substandard width (less than 5.0m), the greater the impact on free flow traffic conditions on the A141 (strategic road). No highway objections subject to a parking and turning condition.'*

- 5.4 **Environment & Health Services (FDC):** *'No objections to the proposal, as it is unlikely to have a detrimental effect on air quality or the noise climate. However, as the proposal includes the demolition of an existing structure and noting a historic railway line ran behind the development site, I would therefore request that the*

[unsuspected contamination] *condition is attached to any planning consent granted.'*

5.6 Local Residents/Interested Parties:

(a) 19 letters of objection have been received from 11 contributors on behalf of 7 households; 5 of these households are within Rings End with further letters being received from residents in March and Peterborough (albeit these have a family association with residents in Rings End).

(b) 13 letters of support have been received from 8 households with 1 letter from Radcliffe on Trent, 10 letters from March (5 of these originating from the same property and one from the applicant) and 2 letters from Kings Lynn;

(a) Objections:

Access, Parking arrangements, Traffic and Highways:

- *Application [does not indicate] where building materials would be kept or how the site would be accessed during the proposed build. The only public access would be straight off of a busy 'A' road which is impractical and dangerous.*
- *If this house was to be built as suggested it would completely block the view of the road of anyone trying to pull out onto the main road via the private road adjacent.*
- *The proposed access way is not a public access track; it is private property which is owned by no. 41 and the new dwelling will not have permission to use. Without this the only entry to the property would be directly from the busy 'A' road and for which no space consideration has been given.*
- *The only parking spaces (2 for 2 x 3-bed houses?) are only accessible by crossing someone else's private property.*
- *Insufficient parking provision for two dwellings*
- *The room for vehicles turning in and out on to March Rd would also cause for concern*
- *The piece of Council land to the left of number 39 has been churned up and ruined in the last year or so with work vans etc parking there as there is nowhere else for them to park whilst they are renovating [...] where are the people who buy the new build going to park and where will the children play as there will not be much of a garden.*
- *Two parking spaces are shown for the new build, with another two parking spaces for 39 shown directly outside the property. The parking spaces for 39 are placed on property not belonging to/ having access to 39 March Road which brings into questions the space for the new build. There will not be enough space for two parking spots each*
- *Traffic through the village is terrible at times and this will make it ten times worse. I'm sure this will cause accidents as there is not much space to move heavy vehicles.*
- *Access is not particularly good, and they may block my access to one of the arches to my back garden. You will not be able to get emergency vehicles around the back of the houses if anything should happen. This is not practical.*
- *Insufficient land available for access and turning without blocking arches which are private property*

Character and design, heritage considerations

- *Overcrowding would ruin the character,*
- *Detrimental to the railway heritage of the area; would block the view of local landmark, the disused railway arches.*

- *Out of character/not in keeping with area. Previous application was turned down partly due to the visual impact that plonking a new dwelling in front of the historically important arches and although the dwelling size has been reduced by half a storey the impact would still be the same - the view of the arches is blocked from the road and the new property would look significantly out of place next to the century and a half old cottages and viaduct.*
- *House will be hideous for the village against the railway cottages. The end house looks silly. The rubbish and the gates look like eyesore. They have let village down.*
- *The suggested layout, access and many other points in this application are simply unfeasible.*
- *Backfill*
- *Visual impact, double the size of existing property*
- *Density/Over development - although only one dwelling it is proposed in a very small hamlet. The nearest houses are old railway cottages with large gardens and building this would not only overshadow the quaint historic cottages and block the much loved railway arches, but would also leave both the existing no. 39 and the proposed dwelling with little to no outdoor space. This house is not required in this area and would be detrimental to the existing property.*
- *Visual Impact, Design/Appearance*
- *[dwelling would be] set well forward of other properties, yet previous developments have aligned the houses to align with the existing houses of Rings End*
- *A new build property would look out of character next to 3 old cottages in such a small space (current renovation works undertaken to No 39 are considered out of character and have caused noise, disruption and mess for over a year - asks that this be investigated).*
- *[Application] says that the new build will be in keeping with the houses that are already there but [...] the owner/building has not kept the renovations in keeping with the other 2 houses because the hanging tiles on Nos 35-37 are different to No 39 ie red and black.*
- *Current owner has been working on property for over a year; concerned that a new build would take him a long time disrupting local residents, hindering traffic and access to the rear.*
- *Adding a new build in this small environment with historic values would not be of any benefit to local residents,*

Residential amenity

- *Loss of view/outlook, overlooking, loss of privacy, shadowing/loss of light*
- *Proximity to property*
- *Anti-Social behaviour, Noise, Waste/Litter*
- *Purchased dwelling 'mainly because of its tranquillity and setting. Adding a new build would take away the happiness we are sharing because we have access rights to the rear of our property and feel that our privacy would be encroached on.'*
- *[development] would also leave both the existing no. 39 and the proposed dwelling with little to no outdoor space.*

Drainage and Flooding

- *No main sewerage in Ring's End (planning application says it will be connected to) so I am concerned about the foul waste disposal.*
- *'where [would] a cesspit or other drainage system [...] go as there is so little land surrounding the property which is owned by the property. The applicant has already started preparations for a new build with misleading information. He is already sharing drainage to a cesspit with no 41 and claims in the proposal to*

connect new build to mains sewer which is non-existent this side of the river if it was we would be connected, and new environment regulations require all new dwellings requiring sewage should now have a bio pit installed at 7 metres away of dwelling therefore a dwelling of this development would claim land that is not within the boundaries set out, being neighbours.'

- *Revised details state that drainage is now going to be discharged into a cesspit according to the applicant, although if current regulations in regards to cesspits/pools, sewerage treatment plants and septic tanks is adhered to, I don't see how any of these would fit onto the land that is owned by the applicant. Number 39 currently has an agreement to use my cesspit but just like the access road, this is for number 39 only.*
- *There is also a water main running extremely near to the proposed new dwelling - has the applicant consulted with Anglian Water on this as I see no comment from them*
- *There's no feasible drainage solution that would be within the law.*

Other matters:

- *Agricultural land*
- *Local services/schools - unable to cope. We don't have the amenities for another house*
- *Light pollution*
- *Would set a precedent*
- *Environmental and Wildlife Concerns - will they be carrying a full investigation because I know that there are bats, owls, and all different kinds of birds and animals living in the close proximity of the area.*
- *Reasons the previous planning application was denied still stand today, nothing has changed.*
- *Does not comply with policy*
- *Applicant has no legal right to use this access unless it is to gain access to a shared cesspit which numbers 39 and 41 are currently connected to. The cesspit is located on the private property of number 41.*
- *The access strip to the rear of the property is privately owned and not joint access for all potential builds. The original houses are the only properties having access to pass over the land with no obstruction should be made. A new build does not have given access automatically. Private agreements have currently been made with other properties, but none have been discussed for the potential new build. A large proportion outlined in the proposed plans includes the private property of number 41.*
- *Recently the residents of Rings End had a meeting concerning purchase of no 41 with requirement to demolish the railway arches this was opposed by the Elm Parish Council and voted by residents and the sale was aborted, this proposal would have an overall effect to residents and village character[.].*
- *There is also no requirement for new housing in Ring's End. Existing houses are often on the market for well over a year before they are sold and as a small hamlet with no amenities, demand for new properties is just not there, especially properties like the proposed with no garden to speak of and no parking.*
- *was not notified by the council of the plans for the new proposed property [which] is out of order as work for the proposed property seems to have already being prepared I feel like as a close owner we should have been notified of the plans of the proposed property by proper means.*
- *Devaluing property*
- *Queries whether flood risk and biodiversity studies have been carried out properly due to Covid 19*
- *I don't even know why this being humoured. It's clearly against several regulations*

(b) Support: Summary as follows:

- *Any development at this time is a positive to help keep the local people in work at the present time.*
- *Land should be used accordingly and for good use*
- *Will also provide extra accommodation in the area where needed.*
- *Any development is positive for the local economy*
- *The arches are in a state of disrepair. There is rubbish and mess everywhere! The new house would block the view of this eyesore. There is a caravan dwelling with a fixed annex built under the arches with no apparent planning consent. The plot is an obvious infill plot and should be developed accordingly*
- *Very much in favour of this proposed development. It will add to the existing row of houses and give the opportunity to house a family who may be in need of a home. The plot is suitably sized to take another house and access will not be encroached.*
- One electronic comment stated support but gave 'would set a precedent' as the reason for this support.
- One electronic comment stated support but listed 'anti-social behaviour, noise, overlooking/loss of privacy and smell as their reasons for doing so.
- 5 of the electronic comments submitted did not provide any details of why the scheme should be approved

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)

Paragraph 2 - Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise

Paragraph 10 - Presumption in favour of sustainable development

Paragraph 12 - Applications must be determined in accordance with the development plan unless other material considerations indicate otherwise

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

Paragraphs 55-56 - Outline the tests to be applied with regard to conditions

Chapter 15 - Conserving and enhancing the natural environment

7.2 National Planning Practice Guidance (NPPG)

7.3 National Design Guide 2019

Context: C1 - Relationship with local and wider context

Identity: I1 - Respond to existing local character and identity and I2 - Well-designed, high quality and attractive

Built Form B2 - Appropriate building types and forms

Homes and Buildings: H1 - Healthy, comfortable and safe internal and external environment and H3 - Attention to detail: storage, waste, servicing and facilities

7.4 Fenland Local Plan 2014

LP2 – Facilitating Health and Wellbeing of Fenland Residents

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

LP19 - The Natural Environment

7 KEY ISSUES

- Principle of Development
- Character and design
- Impact on the Setting of the Listed Building
- Residential amenity
- Highway safety
- Flooding and drainage
- Community engagement and threshold considerations
- Other matters

8 BACKGROUND

9.1 A proposal for the erection of a dwelling at this site was refused and subsequently considered at Appeal. The main issues identified in respect of the appeal were:

- The effect of the development on the character and appearance of the area;
- Whether the location of the development would comply with local policy; and,
- The effect of the development on the living conditions of occupiers of 39 March Road (No 39), with particular regard to outlook.

9.2 In consideration of the appeal the Inspector noted that *'the underlying development pattern is irregular, with dwellings of diverse age, size and style, and having a varied relationship with the busy road frontage. She went on to identify that a 'two storey dwelling, with a ground floor level raised at least 300mm above ground level, as recommended by the Flood Risk Assessment, would be significantly taller and bulkier than the dwellings in the adjacent terrace [and] likely that it would have to be sited forward of the terrace's building line. Furthermore she considered that 'the limited plot size would restrict options for the dwelling's siting within the plot [and concluded] that the alignment, bulk, and height of a two storey dwelling would be unrelated to the existing dwellings, as it would appear over-scaled and dominant in this context.*

9.3 Matters were raised with regard to placing a 1.5 storey dwelling on the site however as this was not the design which formed part of the appeal and the Inspector noted that she had to determine the proposal before her.

9.4 Nonetheless the Inspector did note that it was the size of the dwelling rather than its proximity to the arches that led her to conclude that the 'development would have an adverse effect on the character and appearance of the area'.

- 9.5 Moving on to consider general principles in terms of location the Inspector considered that whilst the railway arches did not constitute a dwelling, they were a sizeable structure that contains the development pattern to its south. Moreover, she further noted that there was 'continuing linear development to the north of the railway line' and whilst there 'would be a small piece of vacant land between the appeal site and the railway arches, [she was] satisfied that on balance the site could be considered to be an infill site in an otherwise built up frontage.
- 9.6 With regard to threshold considerations it was acknowledged that the threshold for Rings End has been reached and whilst a community consultation exercise had not been undertaken there was Parish Council support for the scheme and an absence of other local objection and as such she concluded that there was local support for the proposal.
- 9.7 On matters of residential amenity the Inspector considered that the site was sufficiently large to allow separation and whilst the dwelling would give enclosure to the view from No 39 this would not lead to adverse living conditions with regard to outlook.
- 9.8 The Inspector also noted that the scheme has previously been given permission. However as there was not an extant permission in place this did not represent a viable fall-back scheme.

9 ASSESSMENT

Principle of Development

- 10.1 As indicated above the Planning Inspector considered the site to be an infill opportunity and as such compliant with Policy LP3; i.e. single dwelling infill situated within an otherwise built-up frontage and this is a material consideration in the consideration of the current scheme proposal. That said there are still matters of threshold, character and visual amenity, residential amenity to consider.
- 10.2 It is further acknowledged that the earlier scheme consideration was silent with regard to highway safety and drainage and these aspects are considered below

Character and design

- 10.3 The earlier scheme proposal, albeit illustrative, was for a full height two storey dwelling. It was considered that such a development would '*appear over-scaled and dominant*'. Furthermore it was considered the size of dwelling rather than proximity to the arches led the Inspector to conclude that the '*development would have an adverse effect on the character and appearance of the area*'.
- 10.4 It is noted that the Flood Risk mitigation for the site will see floor levels set at 600mm above ground level and this was of concern regarding the earlier scheme as it would have further elevated the ridge height of the resultant dwelling. The increase floor levels have been accommodated within the design of the dwelling now proposed to ensure that the property is of a more similar scale in height to its neighbours and a streetscene elevation has been submitted to illustrate this. Whilst this is welcomed it still does not address how the property will sit on the plot and respond to its neighbours and these aspects are considered below.

- 10.5 The overall bulk of the dwelling is still such that the resultant development will be at odds with its surroundings; furthermore it will stand proud of the existing alignment of dwellings, which was a particular concern identified by the Inspector in the consideration of the earlier appeal, thereby reinforcing its presence within the streetscene.
- 10.6 With regard to design detailing it is acknowledged that the agent has sought to take design cues from the existing terrace however as a consequence of this the proposed dwelling with its elaborate detailing and resultant foreshortened form is visually incoherent with the neighbouring terrace. In essence it now competes with the terrace as opposed to complimenting it. It is considered that any development of this site should be simple in style thereby promoting the terrace as the focal point of the streetscene.
- 10.7 Mindful of the earlier appeal decision it is accepted that the loss of the views of the arches to the north-east whilst regrettable could not manifest itself in a defensible reason for refusal; although it is appreciated that the views expressed by local residents are considerably at variance to the conclusions of the Planning Inspector.
- 10.8 Although it is acknowledged that the revised scheme has sought to overcome the matters raised in the earlier appeal decision it remains the case that the constraints of the site and the surrounding built form render the development proposed one that does not meet the requirements of policy LP16 paragraph (d) of the Fenland Local Plan 2014.

Impact on the Setting of the Listed Building

- 10.9 It has previously been accepted on the earlier submission that the introduction of a two-storey dwelling approximately 30m to the south east of the site will not impact upon the setting of the Listed Building, as such the scheme has not been advertised in this regard. The proposal therefore complies with Policy LP18 of the Fenland Local Plan 2014.

Residential amenity

- 10.10 The earlier appeal decision indicated that adequate separation distance could be achieved between the host dwelling (No. 39) and the proposed dwelling. As a similar relationship is proposed in this instance, albeit the flank wall of the dwelling will be marginally nearer to the common boundary with 39 it must be accepted that there are no grounds to withhold consent in this regard. In addition there are no windows proposed in the flank walls of the new dwelling and no issues loss of privacy or overlooking to reconcile.
- 10.11 However it is apparent that in terms of the actual residential amenity of the future householders with regard to private amenity space the scheme meets the minimum standards required under Policy LP16 (h) providing 39% of the plot as garden land.
- 10.12 With regard to the private amenity space associated with No 39 it is noted that following the introduction of parking spaces to serve this property the available private amenity space appears to now fall well below the minimum standards outlined in Policy LP16 (h) at circa 8% of the overall plot. The agent has indicated on a revised drawing that there will be circa 100 square metres of amenity space available to the householder, however the area annotated includes both the front

garden area, which is open (as it is to the remaining properties in the terrace) together with the parking spaces and the access thereto as such it is not usable private amenity space and the scheme clearly fails to accord with Policy LP16(h).

- 10.13 It is considered that there would be grounds to withhold consent from a residential amenity perspective as the scheme results in the host dwelling No 39 having a less than adequate garden area and therefore failing to provide the high level of residential amenity required by Policies LP2 and LP16 in this respect.

Highway safety

- 10.14 It is noted that the LHA were not consulted on the 2017 scheme and that the original evaluation did not address the matter of access, nonetheless that submission was in outline form and it is entirely reasonable for matters of access and parking to be revisited as part of this proposal.
- 10.15 Whilst it is regrettable that the LHA were not engaged with regard to the earlier scheme proposal the Planning Officer assessment at that time was that there was sufficient parking and the existing private road could easily accommodate the necessary visibility splays. The case officer at the time may have been influenced by an earlier grant of consent under F/YR10/0047/O on which CCC highways were consulted and commented: Existing access is satisfactory in terms of its width and visibility.
- 10.16 Although it is acknowledged that the additional dwelling will increase the likelihood of vehicles meeting at the access the LHA officer has confirmed that this is unlikely to result in a highway safety issue; noting that a vehicle turning right into the access will be able to see vehicles emerging and will therefore be able to give way to emerging traffic.
- 10.17 Similarly a vehicle turning left into the access will have good visibility of the access and will be able to slow to allow a vehicle to emerge from the access. Whilst widening the access to 5.0m would have prevented any obstructions to free flow traffic on the A141 it cannot be insisted on as there is no highway safety issue arising from the scheme proposal.
- 10.18 It is noted that the agent has submitted a revised site layout which indicates two parking spaces to serve each dwelling (existing and proposed) with appropriate space available to facilitate turning; albeit this has consequences for the availability of private amenity space to serve No 39 as outlined above. Given that the parking area to serve No 39 is shown within the blue edge boundary, i.e. land within the control of the applicant such provision may be secured via condition.
- 10.19 Based on the above evaluation there are no grounds to withhold consent on the grounds of highway safety and as such the scheme achieves compliance with Policy LP15 of the Fenland Local Plan (2014)

Flooding and drainage

- 10.20 The earlier scheme evaluation was silent with regard to the sequential and exception tests and the current submitted FRA states that 'The Sequential Test may be considered as met as the site is partly located in Flood Zones 1 & 2'. Notwithstanding this assertion the site is predominately in flood zone 2 and the sequential test should be applied; however the exception test is not necessary

given that the scheme proposes 'more vulnerable' development within flood zone 2 and is therefore exempt from this requirement.

- 10.21 The agent has satisfactorily addressed the sequential test requirements through the submission of an updated Design and Access Statement, which demonstrates that there is no land reasonably available at lower risk of flooding which could accommodate the development proposed. As such the Sequential Test is passed.
- 10.22 With regard to the site specific flood risk considerations it is noted that the applicant has submitted an updated Flood Risk Assessment which has previously been accepted by the Environment Agency; subject to a condition being included on any given permission that ensures that the development is carried out in accordance with the submitted Flood Risk Assessment , i.e. two-storey development with a finished floor levels set at a minimum of 600mm above ground level.
- 10.23 Following changes to the consultation arrangements there is now no requirement to consult with the EA, with such proposals now being assessed against Standing Advice. In this instance there are no site specific flood risk concerns which would render the scheme non-compliant with Policy LP14 of the FLP (2014).
- 10.24 Matters of foul water disposal will be dealt with under Building Control should approval be forthcoming, although it has now been clarified that the proposed method of foul drainage is to be via septic tank. The comments raised by adjoining landowners regarding the necessary distance that such provision has to be from a dwelling are noted and have been relayed to the agent who has advised that there are alternative engineering solutions available that could be adopted and that this will be addressed under Building Regulations . It is further acknowledged that the provision of a septic tank is also controlled by environmental permitting.

Community engagement and threshold considerations

- 10.25 In considering the earlier appeal the Inspector identified that although there had not been any community consultation undertaken with regard to the proposal the consultation exercise undertaken as part of the application had not generated any adverse comments. In addition it was noted that the Parish Council had raised no objection, these factors led the Inspector to conclude that there was community support and whilst Rings End had met its threshold in terms of planning approvals compliance with LP12 was achieved.
- 10.26 The current backdrop to the submission is at variance to this earlier situation in that the Parish Council has recommended that the scheme be refused. It is also noted that 6 households within the vicinity, together with a household with a family connection have written to object the scheme.
- 10.27 A further 8 households have communicated their support, with only one of these households having an interest in the area, i.e. the applicant, with the nearest contributors residing in March and the furthest contributor residing some 67 miles from the site.
- 10.28 Nonetheless earlier appeal decisions elsewhere in the District have indicated that the lack of community support for an otherwise acceptable scheme is not

considered sufficient grounds on which to withhold consent accordingly no weight can be given to this scheme deficiency.

Other Considerations

- 10.29 It is noted that the consultation process has generated concern regarding the ownership of the site; from a procedural perspective this does not represent any issues as notice has been served on the landowner highlighted. It would be for the applicant to ensure that they have the legal authority to develop the land should permission be granted

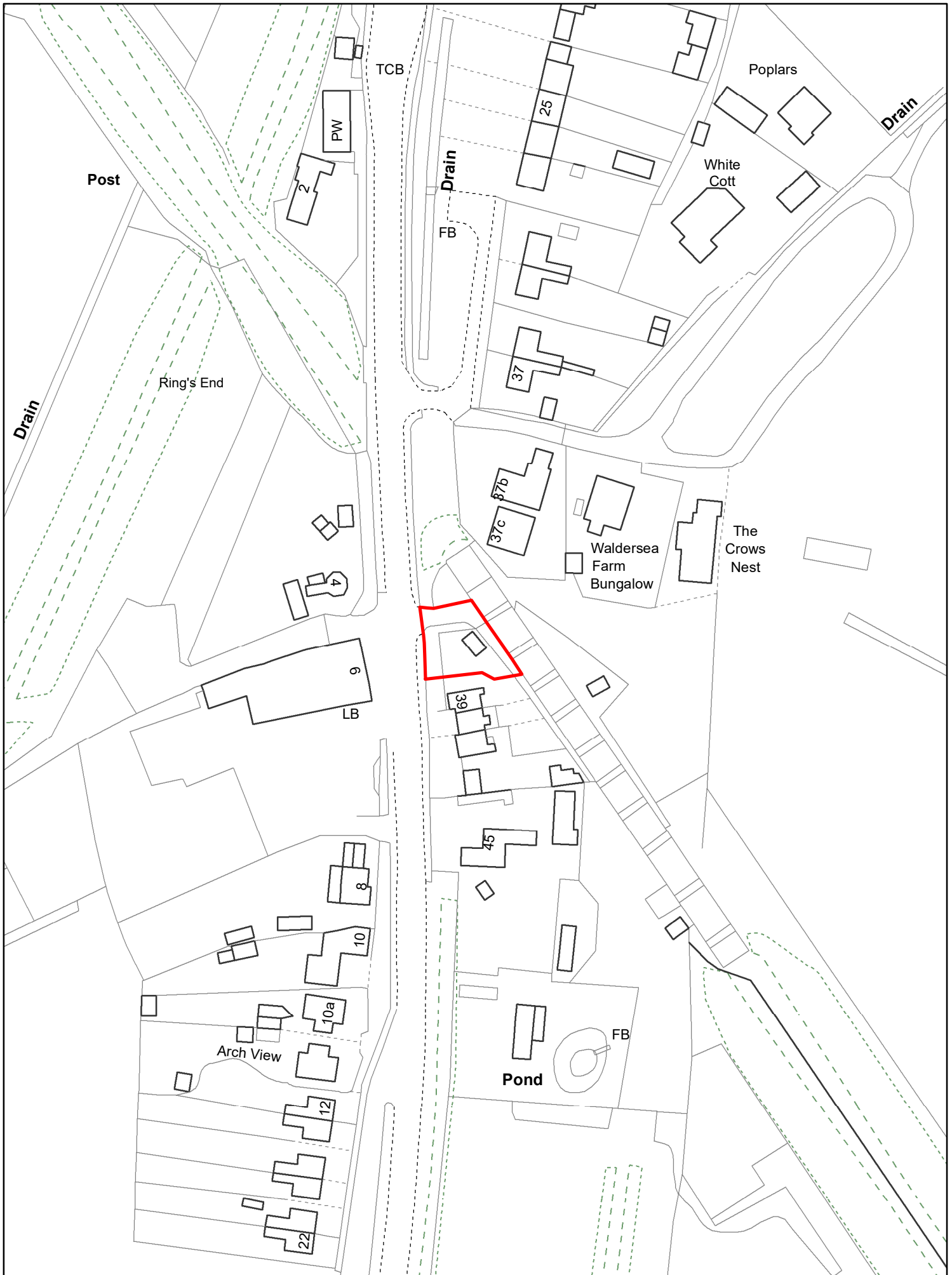
11 CONCLUSIONS

- 11.1 Mindful of the earlier appeal decision it is accepted that the site could be considered an infill opportunity and as such compliant with Policy LP3. Notwithstanding this it is necessary to ensure that the visual amenity of the area is not compromised as required by Policy LP16 and to ensure that appropriate levels of residential amenity and parking provision for both the host dwelling and the intended property in accordance with Policy LP2 and LP16.
- 11.2 With regard to the visual amenity of the area it is acknowledged that the scheme design endeavours to take its design cues from the existing terrace and has been revised to align with the height of the neighbouring terrace. However this results in an overcomplicated design which competes rather than compliments the existing terrace which is further compounded by the dwelling standing proud of the terrace. The overall width and bulk, design and detailing is therefore considered to be at odds with the prevailing characteristics of this strident component of the Rings End street scene resulting in a visually incoherent development. For these reasons it is considered that the scheme put forward remains contrary to Policy LP16 and must be resisted.
- 11.3 The agent has sought to demonstrate that both the existing and proposed households will have access to adequate levels of parking and amenity space. Whilst there has been some challenge regarding land ownership and access in so far as it relates to parking and access these fall outside the planning considerations of the scheme as they require resolution from a civil perspective. From a purely planning perspective it has been demonstrated that parking provision could be made in full accordance with Appendix A of the FLP.
- 11.4 With regard to private amenity space whilst an appropriate level of private amenity space is shown to serve the new property the existing dwelling will have well below the minimum standards of private amenity space required by the FLP. Although the agent has annotated a private amenity space in excess of the minimum standards the area identified includes the front garden, which is open to the highway, and the parking provision associated with the dwelling which is clearly not 'functional' private amenity space.
- 11.5 In conclusion whilst it is accepted that the land per se could be deemed an infill site the details of the scheme are such it terms of its visual amenity impact and level of residential amenity afforded the donor property are such that a favourable recommendation may not be forthcoming.

12 RECOMMENDATION: Refuse

Refusal Reasons

1	<p>Policy LP16 paragraph (d) 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 development would introduce an individual dwelling with no relationship to the existing pattern of development on a prominent site in the streetscene, by virtue of its positioning and scale. As such, the development would appear as an incongruous feature adversely affecting the character and appearance of the area. The proposal is therefore contrary to Policy LP16 paragraph (d) of the Fenland Local Plan 2014.</p>
2	<p>Policy LP16 paragraph (d) of the Fenland Local Plan 2014 seeks to ensure that development does not adversely impact, either in design or scale terms, on the streetscene. The overly complicated detailing of the proposed dwelling although taking design cues from its neighbour competes with rather than complements the existing terrace, this being compounded by the foreshortening of the proposed dwelling given its scale and form. This results in a development which is visually incongruent within the streetscene to its significant detriment and therefore contrary to Policy LP16 paragraph (d) of the Fenland Local Plan 2014.</p>
3	<p>Policies LP2 and LP16 of the Fenland Local Plan require that proposals for new development promote high levels of residential amenity with private amenity space being an essential component of such amenity. The scheme proposed fails to make appropriate provision for private amenity space as indicated in Policy LP16 (h) and as such fails to deliver adequate levels of residential amenity as indicated by Policies LP2 and LP16.</p>



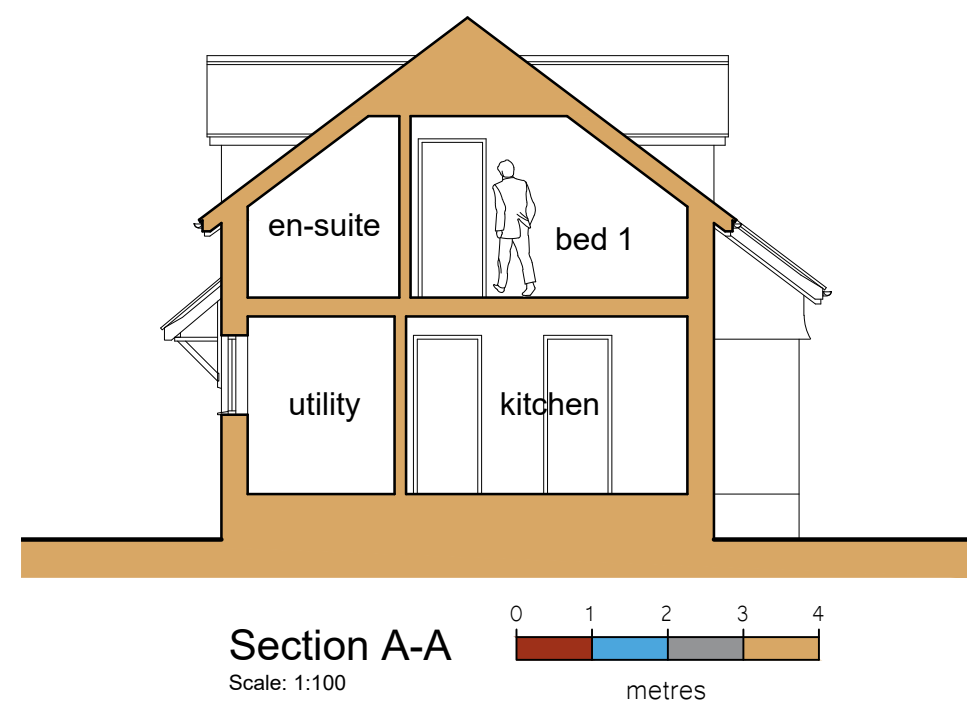
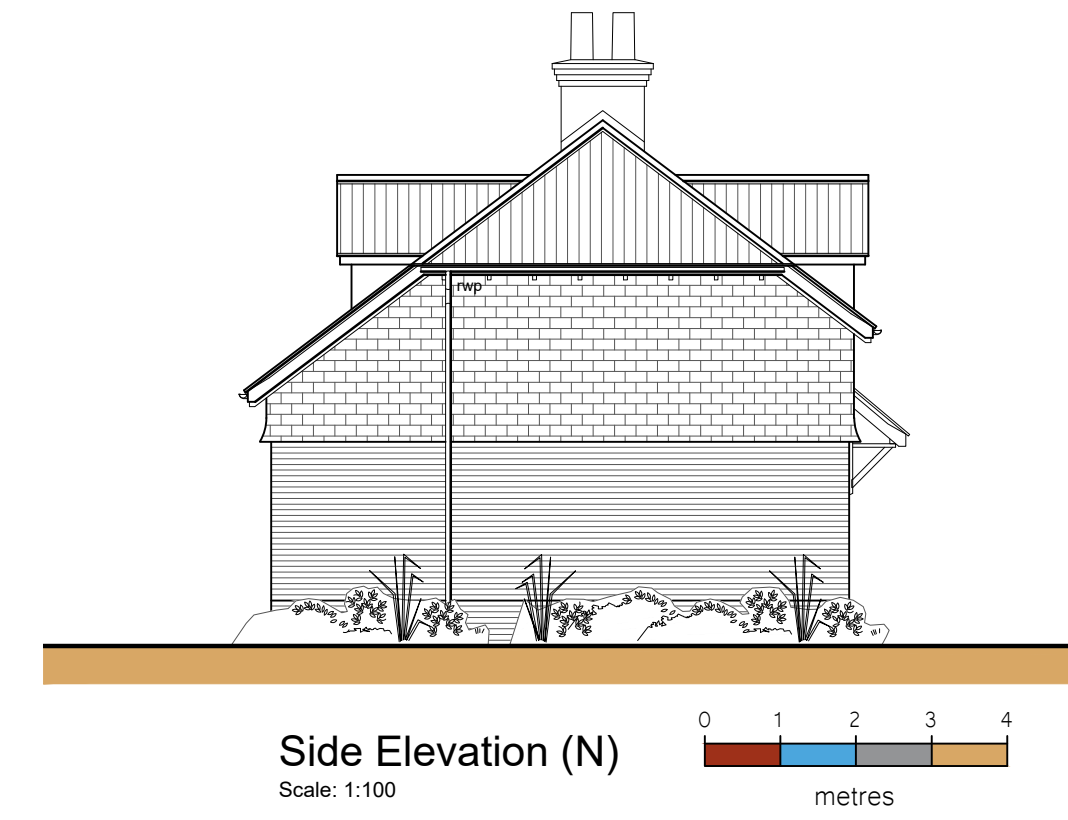
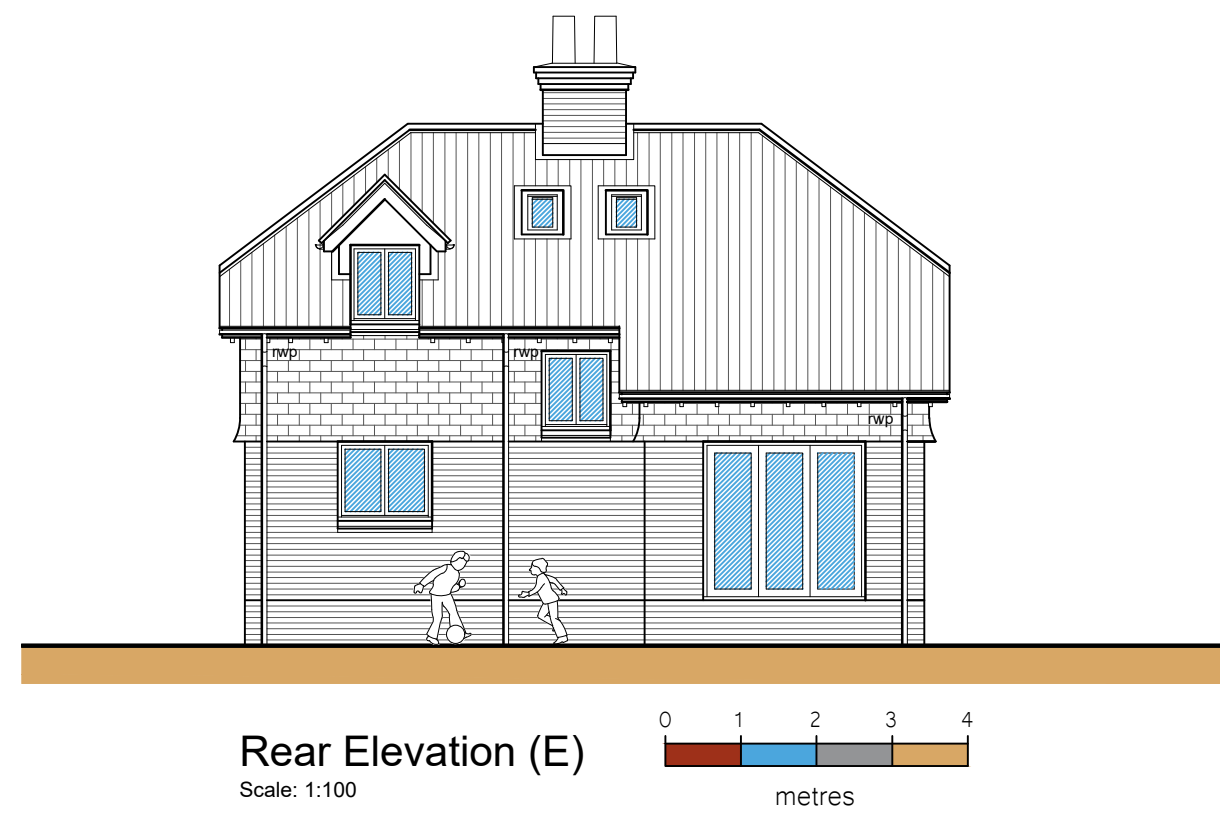
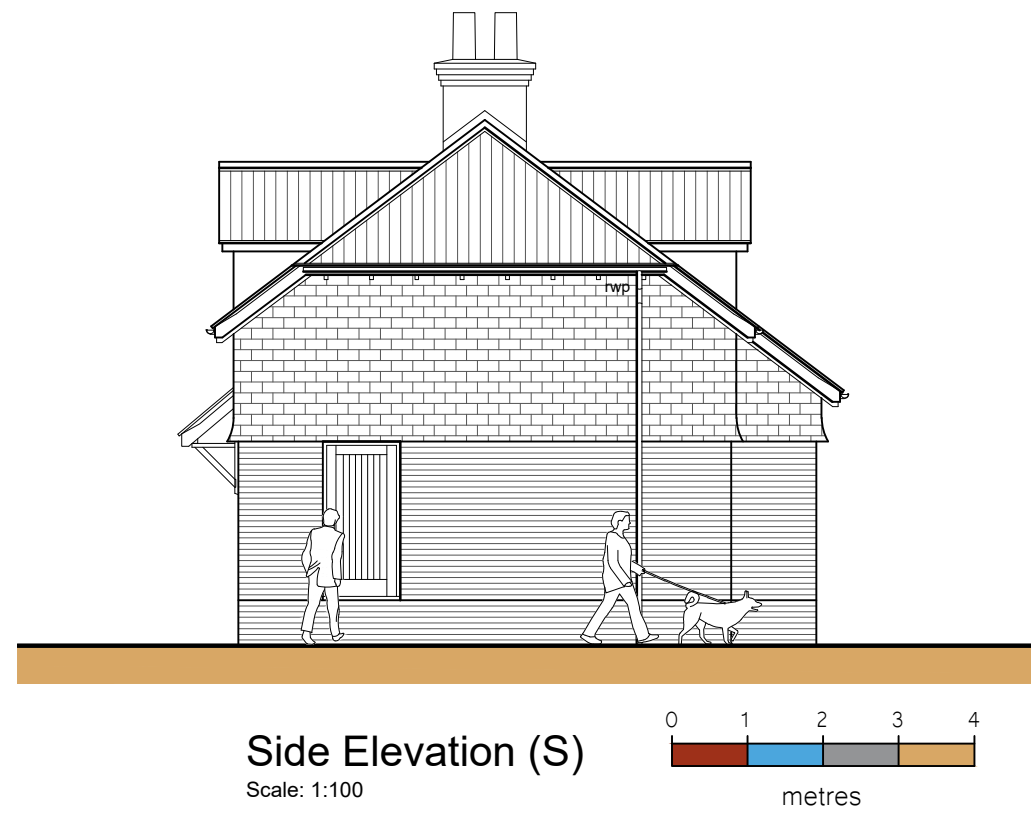
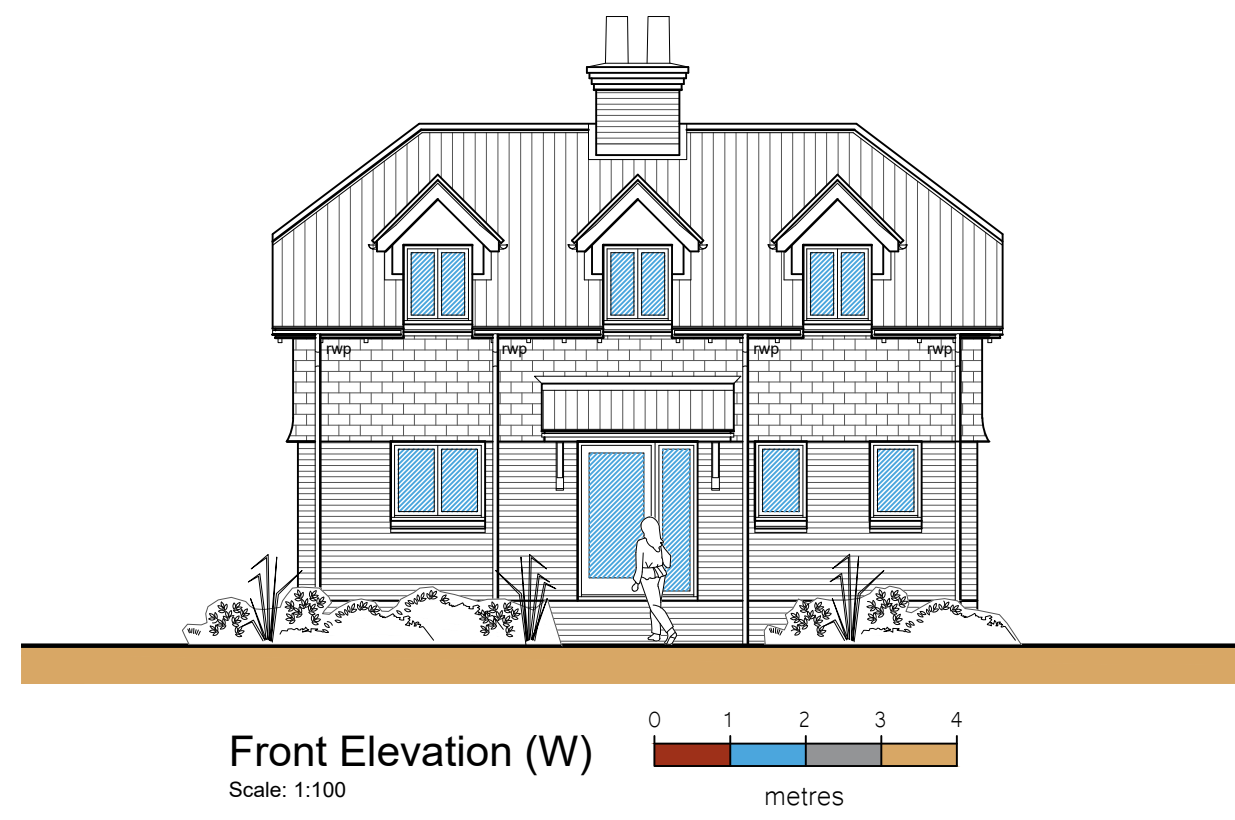
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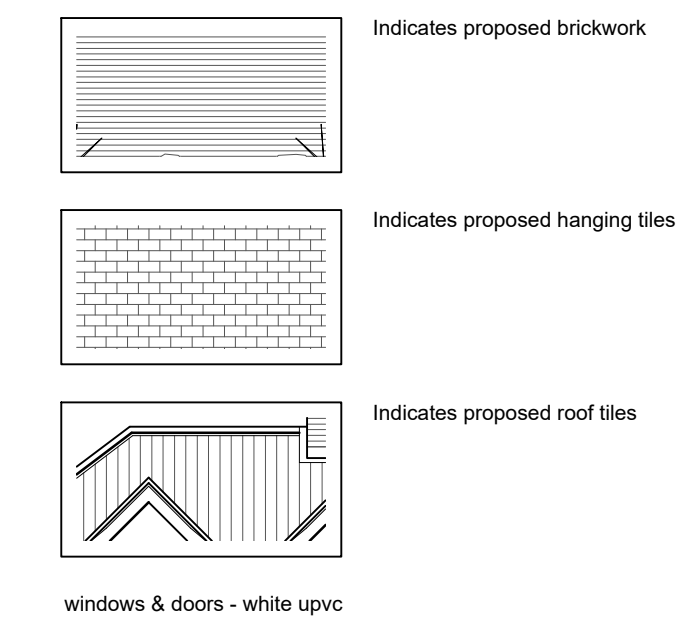


General Notes

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2. All dimensions are shown in "mm" unless otherwise stated.
3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
4. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
5. Any discrepancies are to be brought to the designers attention.



ELEVATION KEY



Landscaping Description

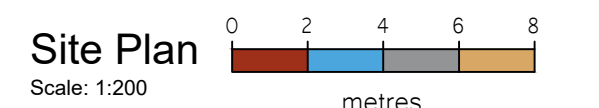
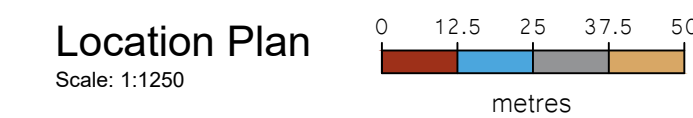
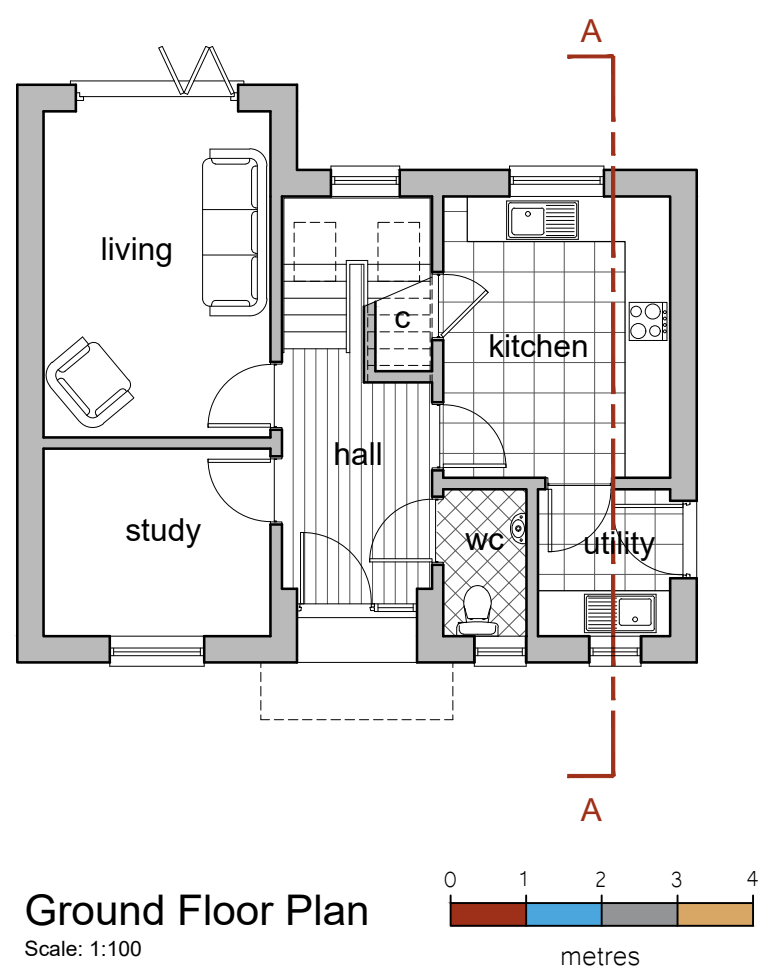
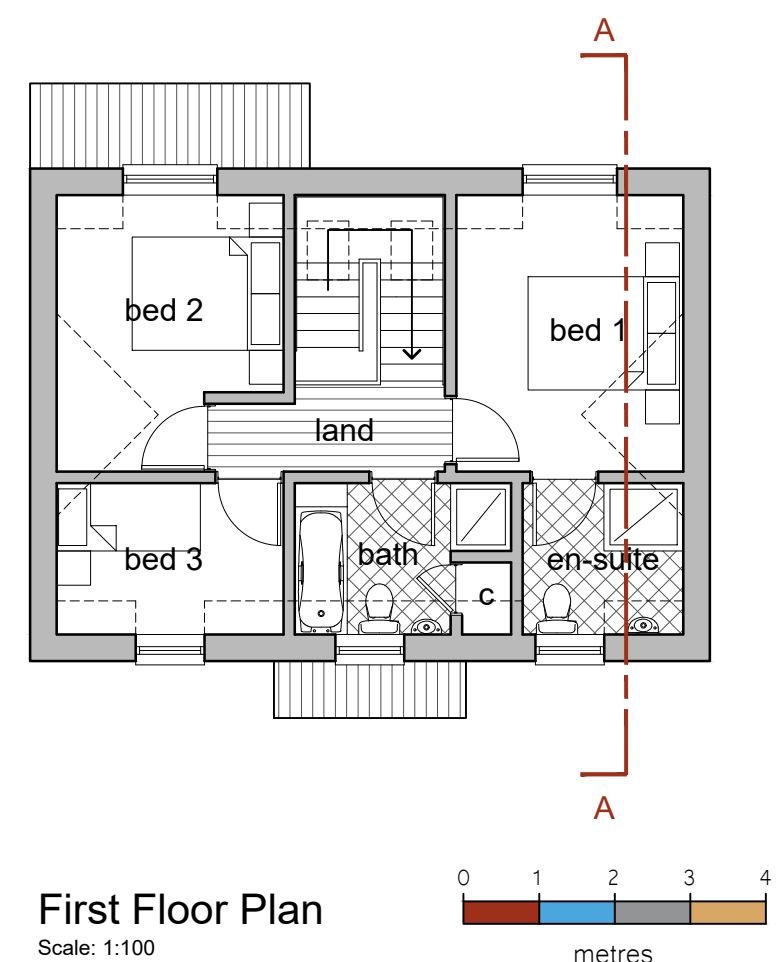
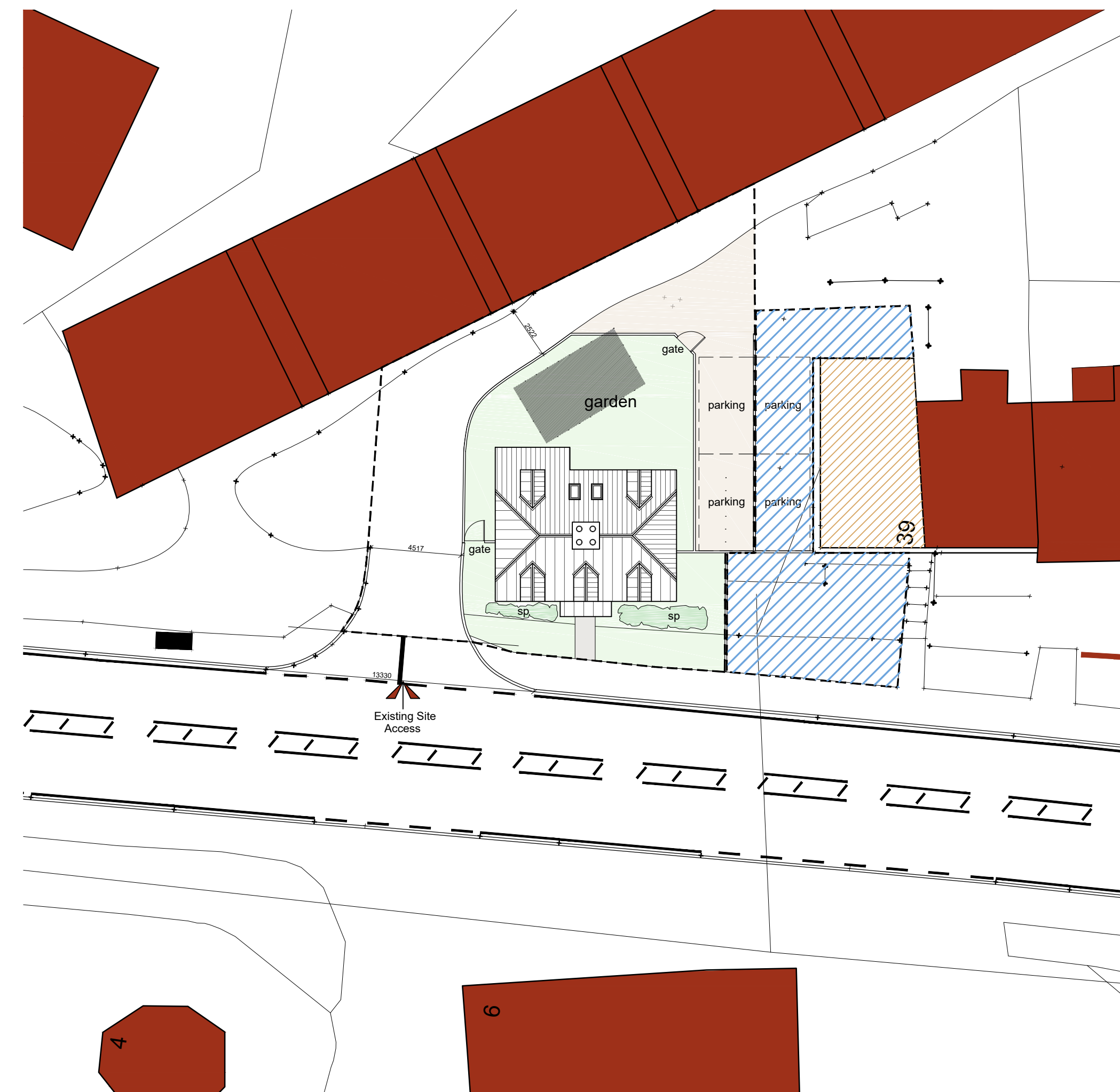
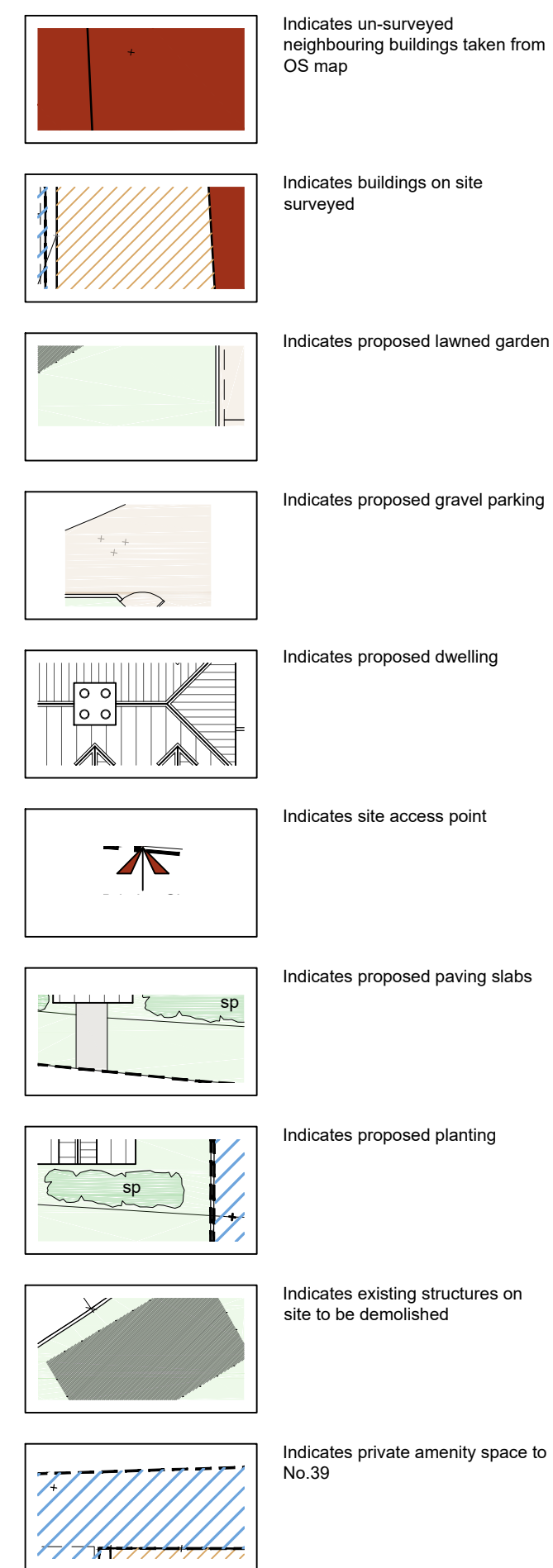
SP - Shrub Planting to include:
 Lonicera Pileata, Spiraea Godt Flame, Senecio Greyli, Rosa Rugosa, Prunus Laurocerasus, Syringa Vulgaris
 C3 pot size, planting size 40-60cm, planted at 750mm ctrs

Landscaping Notes - All planting, seeding or turfing as shown on the above landscaping plan are to be carried out in the first planting and seeding seasons following the occupation of the dwelling of the completion of the development, whichever is sooner; and any trees or plants which within a period of 5 years from the completion date, are to be removed and replaced with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Revisions

Revision	Date	Description
A	Apr 2020	Floor level raised to 600mm above ground level following FRA
B	June 2020	Amendments following planning comments 10/06/2020
C	June 2020	Amendments following planning comments 11/06/2020
D	July 2020	Amendments following highways comments 06/07/2020
E	July 2020	Amendments following highways comments 03/08/2020
F	July 2020	Amendments following planning comments 19/08/2020
G	Sept 2020	Amendments following planning comments 02/09/2020

SITE PLAN KEY



FFL to be 600mm above existing ground level

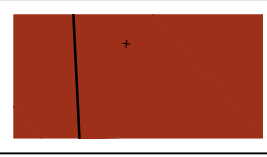
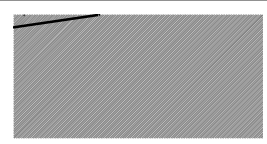
Status
FOR APPROVAL

SWANN EDWARDS ARCHITECTURE
 Swann Edwards Architecture Limited
 Black Barn, Fen Road, Guyhirn, Wisbech, Cambs. PE13 4AA
 t 01945 450694 e info@swannedwards.co.uk w www.swannedwards.co.uk

Job Title	Date	Scale
Proposed New Dwelling	March 2020	As Shown
Land North of 39 March Road, Rings End, Guyhirn for: LTS Consultancy Ltd		Sheet Size A1
Drawing Title	Job No.	Drawn by
Planning Drawing	SE-1399	She
Dwg No.	Revision	
PP1000		G

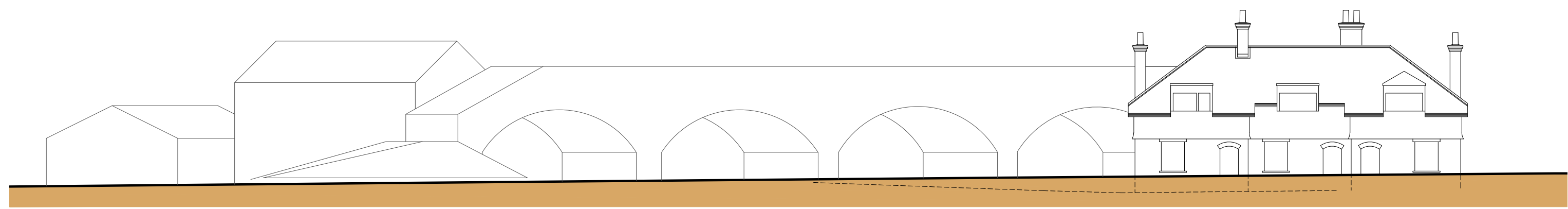
- General Notes
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SITE PLAN KEY

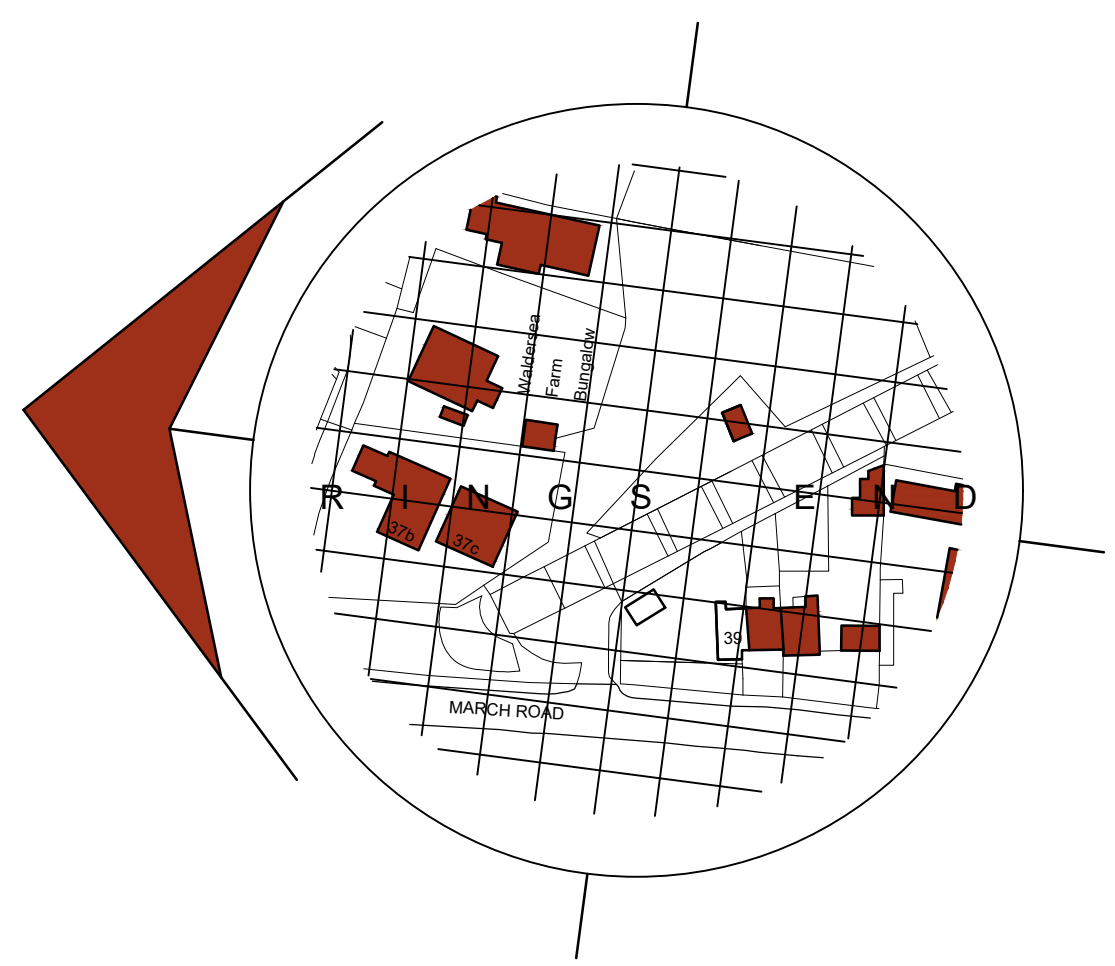
-  Indicates un-surveyed neighbouring buildings taken from OS map
-  Indicates buildings on site surveyed



Site Plan
Scale: 1:200
metres



March Road Elevation
Scale: 1:200
metres



Location Plan
Scale: 1:1250
metres

Revisions	
B	June 2020

Status
AS EXISTING

SWANN EDWARDS ARCHITECTURE
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Job Title	Date	Scale
Proposed New Dwelling	March 2020	As Shown
Land North of 39 March Road, Rings End, Guyhirn for: LTS Consultancy Ltd		Sheet Size A1
Drawing Title	Job No.	Drawn by
Survey Drawing	SE-1399	RS
	Dwg No.	Revision
	1000	B