
F/YR20/0943/F

Applicant: Mrs Clare Powell

**Agent : Mr Lee Bevens
L Bevens Associates Ltd**

86 Charlemont Drive, Manea, March, Cambridgeshire

Change of use of single-storey workplace building from business use to 2-storey annexe building (2 x 1-bed annexes) ancillary to existing dwelling involving raising the height and insertion of dormer windows, replacement of existing workplace door with door/window, erection of conservatory to rear and installation of external staircase (part retrospective)

Officer recommendation: Refuse

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

1 EXECUTIVE SUMMARY

- 1.1 The application seeks to change the use of the 'workplace' to a 1-bed annexe, including replacing the garage door with French doors, inserting an additional door and window and the erection of a conservatory to the rear (retrospective). Also sought is an additional 1-bed annexe at first-floor level, involving raising the height of the roof by 2.75m (overall height 7.85m), formation of dormers to front and rear and the installation of an external staircase for access.
- 1.2 The site lies to the north of the village centre and is located in an area previously allocated for workplace homes in the 1993 Local Plan, which has since been replaced by the Fenland Local Plan 2014. Outline planning permission was granted in 1995, Reserved Matters in 1999 and a subsequent variation of condition in 2002. The workplaces associated with the dwellings on this estate are subject to a planning condition which secures their retention for uses within Classes B1, B2 and B8 uses and for no other purpose (LPA reference: F/YR02/0664/F). The reason for this condition was to ensure that the development did not prejudice the adopted policies of the Authority and the site's allocation for industrial purposes and to prevent the site being used in its entirety for residential purposes.
- 1.3 The alterations currently undertaken are sympathetic and there are special circumstances in this case, hence, on balance, the principle of using the existing 'workplace' as an annexe is considered acceptable in this case subject to conditions restricting the annexe to a personal permission and ensuring that the building subject to this application reverts back to its original use after this time.
- 1.4 However, the creation of the first-floor, with the inclusion of dormer windows and external staircase, is considered to be of poor design, not in keeping with the surrounding area and an overdevelopment of the site, being tantamount to the creation of a chalet bungalow in the front garden. The resultant building would be 7.85m high, compared with the main dwelling of approximately 7.9m high (measurements taken from plans submitted with F/YR10/0929/F) resulting in a dominant and incongruous feature, competing with the main dwelling, to the significant detriment of the character and visual amenity of the area. As such the overall proposal is considered contrary to Policies LP2 and LP16 of the Fenland

Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraph 127 of the NPPF 2019 and C1, I1, I2 and B2 of the NDG 2019.

1.5 It is acknowledged that evidence of need has been provided and suggestions have been made to the applicant's agent to enable provision of additional accommodation without the level of detrimental impact currently created, such as extending the single-storey element, reduction in height and/or use of rooflights rather than dormers. Such a revised scheme has not been forthcoming.

2 SITE DESCRIPTION

The host property is a detached, 2-storey workplace home, constructed in red/gold multi brick with a pantile roof, this has previously been extended to the side and rear. The single-storey detached 'workplace' is located to the front of the site and has already been converted to an annexe with a conservatory to the rear, a fence has been erected to separate the garden serving the annexe from the main rear garden and a patio area has been provided. To the front of the site are areas of lawned garden and a large block paved drive. The site is enclosed by high close boarded fence, railings and electric gates.

3 PROPOSAL

The application seeks to change the use of the 'workplace' to a 1-bed annexe, including replacing the garage door with French doors, inserting an additional door and window and the erection of a conservatory to the rear (retrospective). Also sought is an additional 1-bed annexe at first-floor level, involving raising the height of the roof by 2.75m (overall height 7.85m), formation of dormers to front and rear and the installation of an external staircase for access.

Full plans and associated documents for these applications can be found at:

<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QHH8COHE03000>

4 SITE PLANNING HISTORY

F/YR10/0929/F	Erection of single-storey extensions to garage and rear of existing dwelling	Granted 21/1/2011
F/YR02/0664/F	Variation of Condition 04 of planning permission F/91/0770/O (Erection of workplace homes and buildings) concerning occupancy	Granted 28/08/2002
F/98/0181/RM	Erection of 36 x 4-bed and 4 x 5-bed detached houses with associated workshops (workplace homes) together with estate roads Public Open Space and landscaping	Granted 23/12/1999

F/95/0044/O	Variation of Condition 02 of Planning Permission F/91/0770/O (erection of workplace homes and buildings for B1 B2 and B8 uses including the installation of a sewage treatment plant)	Approved 24/05/1995
F/92/0810/O	Erection of buildings for Class B1 (Business) B2 (General Industry) and B8 (Storage or Distribution) usage and installation of a sewage treatment plant	Withdrawn 23/11/1993
F/91/0770/O	Erection of workplace homes and buildings for B1 B2 and B8 uses including the installation of a sewage treatment plant	Approved 19/06/1992
F/1253/89/O	Erection of buildings for Class B1 (business) B2(general industry) and B8 (storage or distribution) usage and installation of a sewage treatment plant	Approved 03/12/1990
F/0418/89/O	Erection of buildings for use as B1 industrial estate with associated parking and turning areas	Withdrawn

5 CONSULTATIONS

5.1 Parish Council

No Objection

5.2 Cambridgeshire County Council Highways

The proposal will not result in any material highway impact.

5.3 Network Rail

After reviewing the associated information, I would like to inform you that Network Rail have no objections to the proposals.

5.4 Environment Agency (18/11/2020)

We have no objection to the proposed development but wish to make the following comments.

Review of the Flood Risk Assessment

We have reviewed the Flood Risk Assessment (FRA) submitted and find the details acceptable. However, to reduce the risk of flooding to the development and future occupants in extreme events, your authority may wish to consider applying a condition to any subsequent permission to ensure the implementation of proposed mitigation measures.

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures outlined in the FRA, by Ellingham Consulting LTD, Ref: ECL0307-1/Mrs C Powell, dated October 2020 are implemented in full unless otherwise agreed by the planning authority. The mitigation measures shall be fully implemented prior to occupation or in accordance with the timing/phasing arrangements embodied within the scheme, or

within any other period as may subsequently be agreed, in writing, by the local planning authority.

The EA does not need to be consulted on any matters related to this condition. It should be noted that the submitted FRA states that:

Safe refuge for the ground floor flat will be available within the main house.

Advice to LPA

The Fenland Hazard Mapping indicates that the site could flood to a depth of up to 0.25m in the event of a breach of the flood defences. Given that the existing floor levels appear to be slightly above existing ground levels, there is a slight residual risk of internal flooding in the event of a breach. However safe refuge is proposed within the main house.

With regard to the second part of the Exception Test, your Authority must be satisfied with regards to the safety of people (including those with restricted mobility), the ability of such people to reach places of safety, including safe refuges within buildings, and the ability of the emergency services to access such buildings to rescue and evacuate those people.

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authority to formally consider the emergency planning and rescue implications of new development in making their decisions.

We strongly recommend that your Emergency Planner is consulted on the above issues.

Advice to Applicant

Flood Resilient Measures

Any proposed flood resilient measures should follow current Government Guidance. For more information on flood resilient techniques, please see the Department for Communities and Local Government (DCLG) guidance document "Improving the Flood Performance of New Buildings – Flood Resilient Construction", which can be downloaded from the following website: <https://www.gov.uk/government/publications/flood-resilient-construction-of-new-buildings>

Flood Warning

The Environment Agency operates a flood warning system for existing properties currently at risk of flooding to enable householders to protect life or take action to manage the effect of flooding on property. Floodline Warnings Service (F.W.S.) is a national system run by the Environment Agency for broadcasting flood warnings. Receiving the flood warnings is free; you can choose to receive your flood warning as a telephone message, email, fax or text message. To register your contact details, please call Floodline on 0345 988 1188 or visit www.gov.uk/flood

Registration to receive flood warnings is not sufficient on its own to act as an evacuation plan. We are unable to comment on evacuation and rescue for developments. Advice should be sought from the Emergency Services and the Local Planning Authority's Emergency Planners when producing a flood evacuation plan.

Foul Drainage

The site is located in an area which is not served by the public foul sewer. Accordingly, the proposal will need to be served by a non-mains drainage system.

In addition to planning permission you may also require an Environmental Permit from the Environment Agency. Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or from a treatment plant at 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone. Discharges from septic tanks directly to a surface water are not allowed under the general binding rules.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

For further guidance please see: <https://www.gov.uk/permits-you-need-for-septic-tanks/overview>

We hope this information is of assistance. If you have any queries, please do not hesitate to contact us.

Please forward a copy of this letter to the applicant.

5.5 Environment Agency (25/11/2020)

We have reviewed the information submitted and have no further comment to make on this application.

5.6 Environmental Health (FDC)

A site visit hasn't been made and this response is based on a desk-top study.

Documents considered are: -

Planning Application dated 2 October 2020

Design and Access Statement

Location Plan

Elevations

Aerial photo

This proposal will not have any adverse effects on the local air quality climate.

This proposal will not have any issues with noise impacting upon any nearby residential properties, but the proposal could be affected by noise from the adjacent March – Ely railway line.

This line is a non-electrified route served by regular passenger traffic, possibly 5-6 trains per hour, in the daytime and a busy freight route in both the daytime, but also through the night. It is also a diversionary route for East Coast Main Line traffic, especially at weekends.

The noise sources are diesel locomotive engines and exhausts and wheel/rail interface whine.

In that context I would recommend that adequate protection is given to the proposed ground floor living rooms, including conservatory and first floor bedroom windows by way of double/triple glazing and acoustically treated ventilation.

There are no issues with ground contamination.

Consequently, there are no objections to this proposal, subject to the attachment of the following condition: -

NOISE

The windows to the ground floor living rooms, conservatory and first floor bedrooms of the converted former workshop, should be acoustically treated to meet the WHO standards for living rooms and bedrooms and BS8233:2014, with the living-rooms and bedrooms provided with acoustically treated ventilation.

It should be noted that these comments do not refer to the potential impact of surrounding workplaces which is considered in the report below.

5.7 Local Residents/Interested Parties

One supporting comment has been received advising that the proposal would enhance the street scene and provide a sensible solution to the living accommodation needed for any full-time live-in carer needed in future.

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

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context – C1

Identity – I1, I2

Built Form – B2

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
- LP6 – Employment, Tourism, Community Facilities and Retail
- 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

Delivering and Protecting High Quality Environments in Fenland SPD 2014;
DM3 - Making a Positive Contribution to Local Distinctiveness and Character of the Area

- DM6 – Mitigating against harmful effects
- DM9 – Constraints on existing businesses

8 KEY ISSUES

- **Principle of Development**
- **Design considerations and visual amenity of area**
- **Residential Amenity/Health and wellbeing**
- **Parking**
- **Flood Risk**

9 ASSESSMENT

Principle of Development

- 9.1 Policy LP3 and the settlement hierarchy define Manea as a Growth Village, where development and new service provision either within the existing urban area or as small village extensions will be appropriate.
- 9.2 The site lies to the north of the village centre and is located in an area previously allocated for workplace homes in the 1993 Local Plan, which has since been replaced by the Fenland Local Plan 2014. Outline planning permission was granted in 1995, Reserved Matters in 1999 and a subsequent variation of condition in 2002. The workplaces associated with the dwellings on this estate are subject to a planning condition which secures their retention for uses within Classes B1, B2 and B8 uses and for no other purpose (LPA reference: F/YR02/0664/F). The reason for this condition was to ensure that the development did not prejudice the adopted policies of the Authority and the site's allocation for industrial purposes and to prevent the site being used in its entirety for residential purposes.
- 9.3 The application seeks to provide an annexe for the applicant's mother due to specific personal circumstances; details and evidence of which have been submitted to accompany the application. The additional 1-bed annexe at first-floor level is to accommodate a live-in carer.

Design considerations and visual amenity of area

- 9.4 The 'workplace' subject to this application is to the front of the main dwelling, and whilst set back beyond the driveway is prominently visible in the streetscene, due to the openness of this area of Charlemont Drive.
- 9.5 The alterations currently undertaken are sympathetic. The conservatory is subservient, constructed in bricks of a similar appearance to the existing building

to which it is attached and is not visible from Charlemont Drive (though views would be afforded from the railway line to the rear).

- 9.6 The creation of the first-floor, with the inclusion of dormer windows and external staircase, is considered to be of poor design, not in keeping with the surrounding area and an overdevelopment of the site, being tantamount to the creation of a chalet bungalow in the front garden. The resultant building would be 7.85m high, compared with the main dwelling of approximately 7.9m high (measurements taken from plans submitted with F/YR10/0929/F) resulting in a dominant and incongruous feature, competing with the main dwelling, to the significant detriment of the character and visual amenity of the area. As such the overall proposal is considered contrary to Policies LP2 and LP16 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraph 127 of the NPPF 2019 and C1, I1, I2 and B2 of the NDG 2019.
- 9.7 It is acknowledged that evidence of need has been provided and suggestions have been made to the applicant's agent to enable provision of additional accommodation without the level of detrimental impact currently created, such as extending the single-storey element, reduction in height and/or use of rooflights rather than dormers. Such a revised scheme has not been forthcoming.

Residential Amenity/Health and wellbeing

- 9.8 The north and east of the site are bounded by agricultural land and the railway.
- 9.9 To the west of the site is the workplace home and associated workplace/annexe of 90-92 Charlemont Drive. The development is some 23m from the boundary of this neighbouring site and as such this is not considered to have a significant detrimental impact in their residential amenity.
- 9.10 To the south of the site is the workplace home of 82-84 Charlemont Drive, which is considered to be the most affected by the development. The development is located only 2m from the boundary, however there is approximately 17m between this and the neighbouring dwelling. The dormer windows will result in additional overlooking and it is acknowledged that the relationship is not ideal, however the overlooking is not direct and there is sufficient separation distance and space within the neighbouring site that this is not considered significant enough harm to warrant a refusal in this regard. Overshadowing is not considered to be significant due to the orientation of the development to the north, nor is loss of outlook or light.
- 9.11 The workplaces on the estate have B1, B2 and B8 uses and there is therefore potential for an industrial use to be run therefrom without the need for additional planning permission, which could result in a level of noise and disturbance.
- 9.12 The introduction of a 'sensitive use' in closer proximity to a workplace could result in constraints on the existing business which would be contrary to Policy LP16(o) and DM9 of the Delivering and Protecting High Quality Environments in Fenland SPD 2014; nevertheless this is a workplace home estate and impacts from the associated workplaces would be expected and would not be considered significantly worse than experienced by the existing dwellings.
- 9.13 The workplace homes development is in its very nature a commercial entity and as such has restrictive conditions ensuring that the workplaces are only used for B1, B2 and B8 uses, the loss of the workplace to create living accommodation

would alter the character of the estate. There are specific personal circumstances in this case which is supported by information submitted with the application. Hence, on balance, the principle of using the existing 'workplace' as an annexe is considered acceptable in this case subject to conditions restricting the annexe to a personal permission and ensuring that the building subject to this application reverts back to its original use after this time. The site would therefore not lose its designation as a workplace home and would be made available for future use. Subject to the retention of the existing 'workplace' going forward, the additional annexe could be conditioned to ensure that this is ancillary to the main dwelling, any detrimental impacts of the workplace below would be anticipated and undertaken by residents of the same unit and as such would not result in conflict.

- 9.14 The development is in closer proximity to the railway line than the main dwelling and concerns have been raised by the Council's Environmental Health team regarding the noise impact of this. The wider site is already subject to these impacts and a suitable noise mitigation strategy could be secured by way of a condition.

Parking

- 9.15 The existing garage attached to the dwelling is being retained and there is a large driveway with turning area capable of providing the required parking provision, as such there are no issues to address regarding Policy LP15 and Appendix A of the Fenland Local Plan.

Flood Risk

- 9.16 The application site falls within Flood Zone 3 and a Flood Risk Assessment (FRA) has been submitted to accompany the application.

- 9.17 The Environment Agency have no objections to the proposal and advise the following:

The Fenland Hazard Mapping indicates that the site could flood to a depth of up to 0.25m in the event of a breach of the flood defences. Given that the existing floor levels appear to be slightly above existing ground levels, there is a slight residual risk of internal flooding in the event of a breach. However safe refuge is proposed within the main house.

- 9.18 The do however recommend a condition is imposed to ensure that the mitigation methods outlined in the submitted FRA are implemented in full, to ensure compliance with the NPPF.

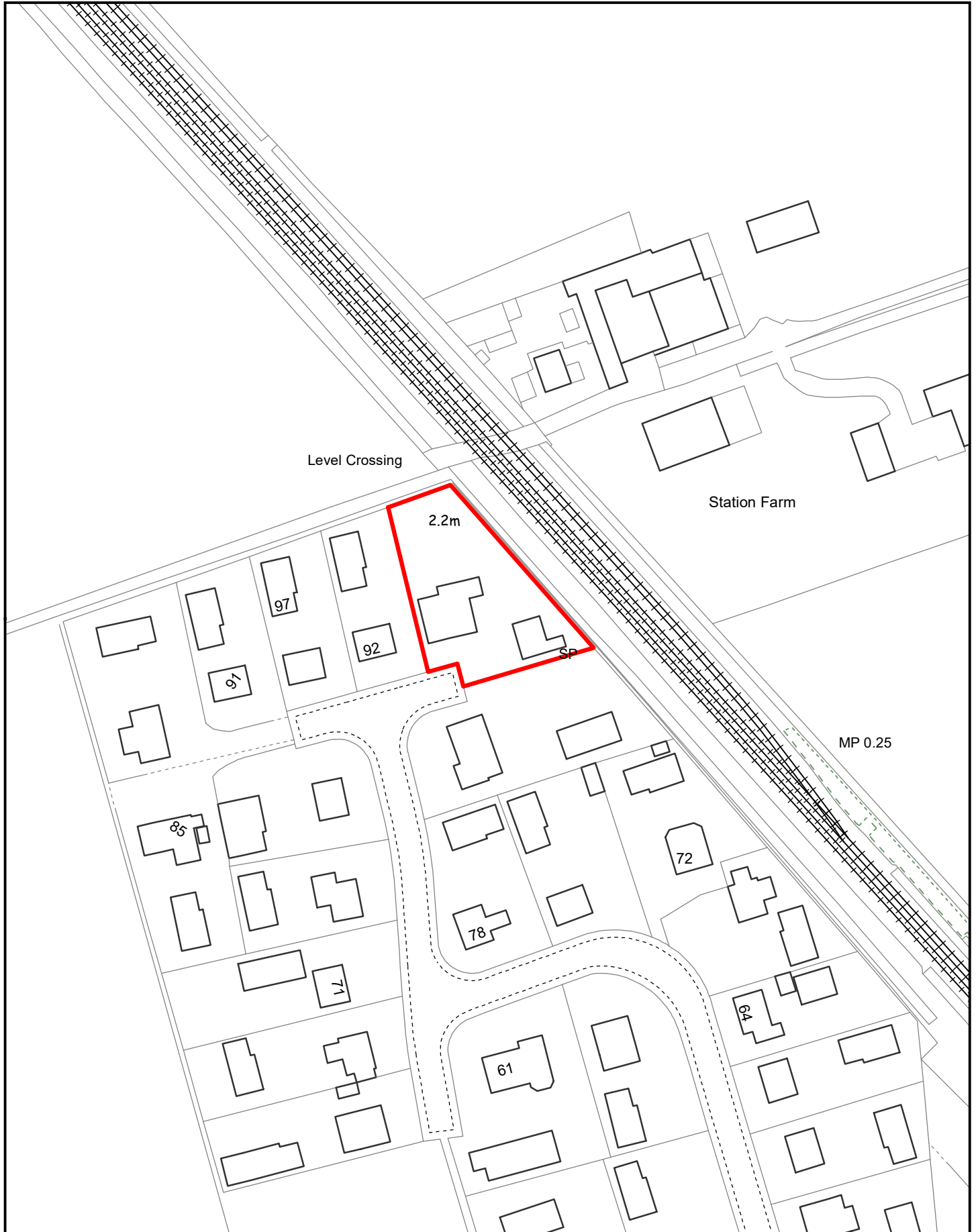
10 CONCLUSIONS

There are specific personal circumstances in this case necessitating the need for accommodation separate from the main dwelling, which is supported by information submitted with the application, and the principle of a temporary change of use of the workplace to an annexe is considered acceptable. However, the creation of the first-floor, with the inclusion of dormer windows and external staircase, is considered to be of poor design, not in keeping with the surrounding area and an overdevelopment of the site, to the significant detriment of the character and visual amenity of the area. As such the overall proposal is considered contrary to Policies LP2 and LP16 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraph 127 of the NPPF 2019 and C1, I1, I2 and B2 of the NDG 2019.

11 RECOMMENDATION

Refuse for the following reason:

1	<p>Policies LP2 and LP16 of the Fenland Local Plan, DM3 of Delivering and protecting High Quality Environments in Fenland SPD 2014, paragraph 127 of the NPPF 2019 and C1, I1, I2 and B2 of the NDG 2019 seek to ensure that developments make a positive contribution to the local distinctiveness and character of the area and do not adversely impact, either in design or scale terms on the streetscene or character of the surrounding area.</p> <p>The creation of the first-floor, with the inclusion of dormer windows and an external staircase, is considered to be of poor design, not in keeping with the surrounding area and an overdevelopment of the site, being tantamount to the creation of a chalet bungalow in the front garden. This would result in a dominant and incongruous feature, to the significant detriment of the character and visual amenity of the area, contrary to the aforementioned policies.</p>
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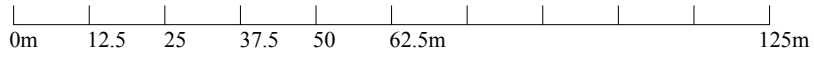
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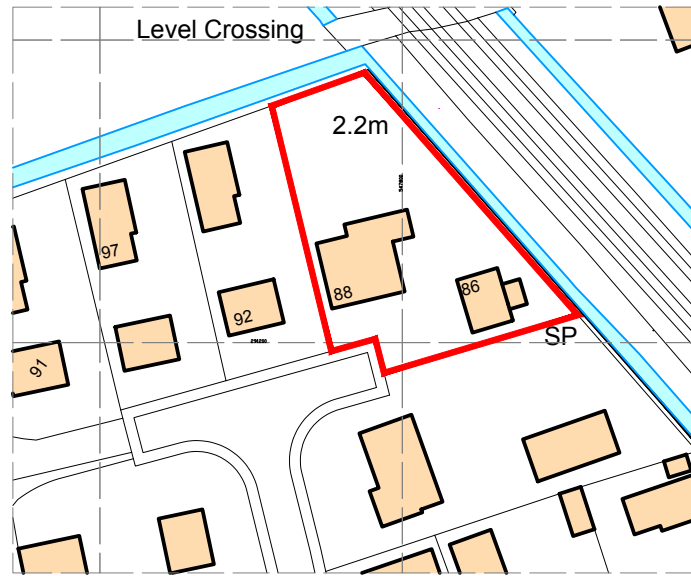
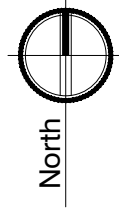
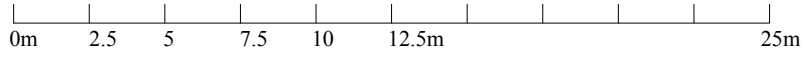
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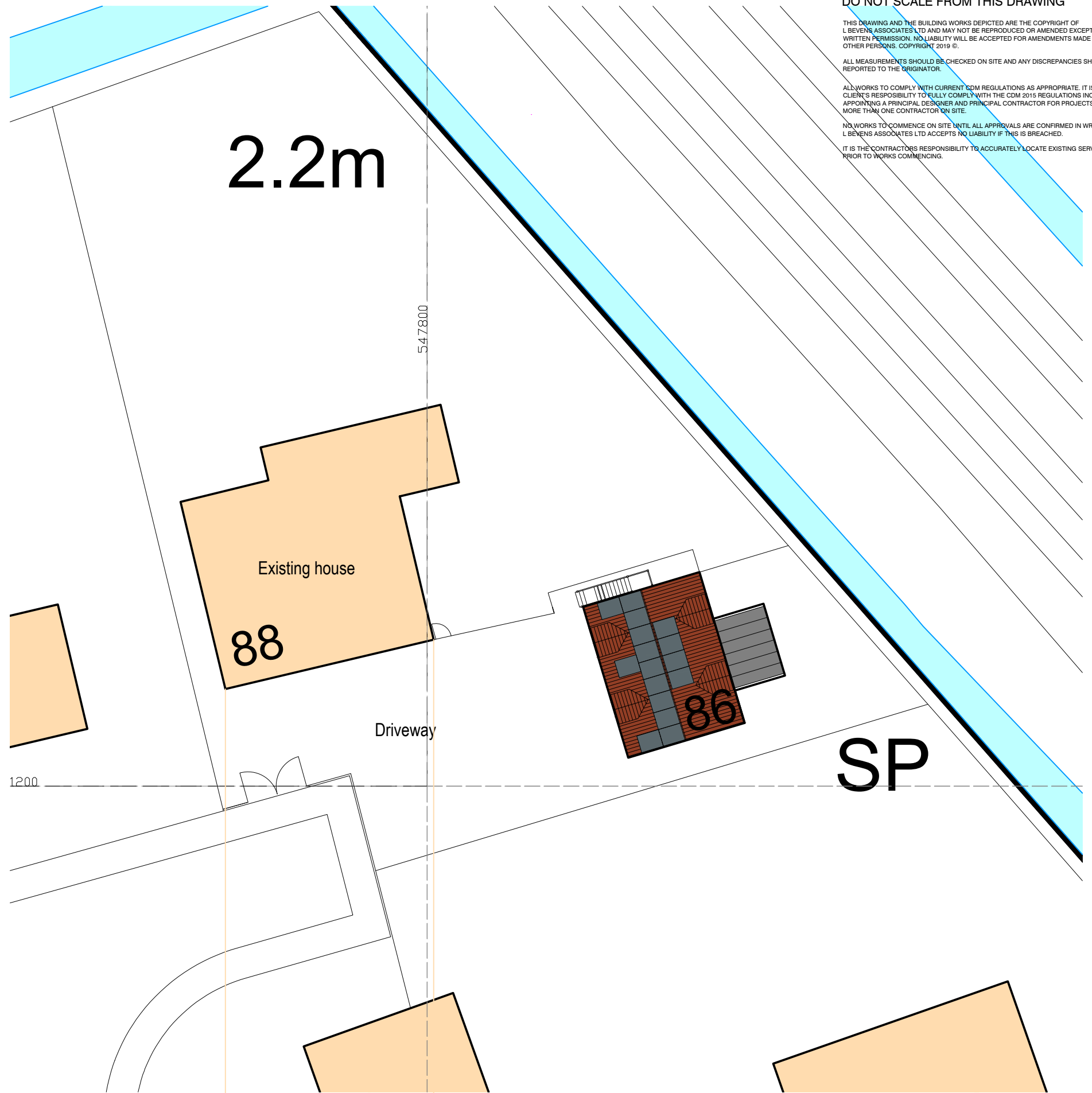
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86-88 Charlemont Drive,
 Manea, Cambridgeshire.
 Project Mrs C Powell

Location Plan
 Proposed Block Plan

Rev A Nov.20 Site plan amended to suit latest floor plan.			
Scale 1:1250 @ A3 1:250 @ A3	Date August 2020	Drawn L B	Checked
Drawing Number CH20/LBA546/FP-1-100			Revision A

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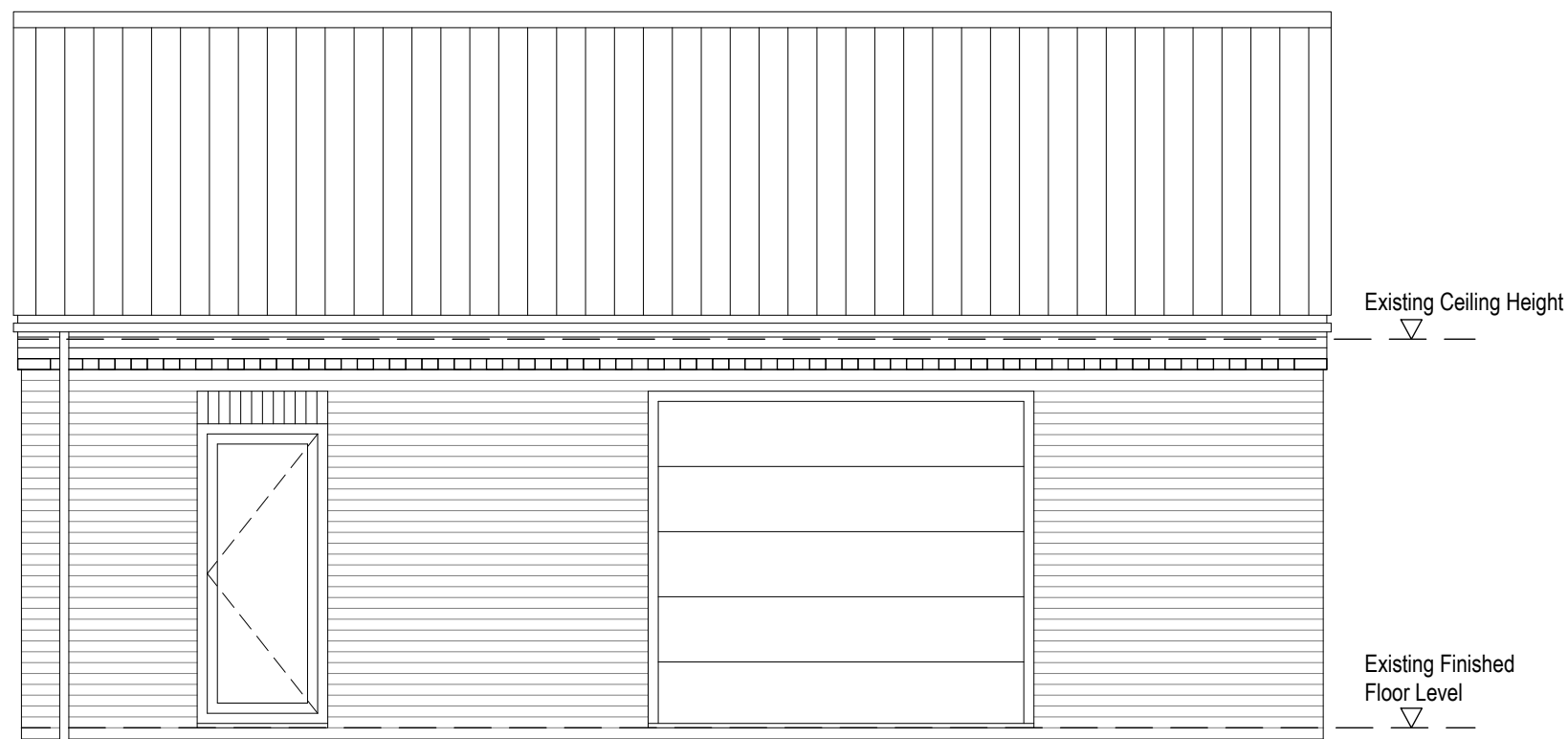
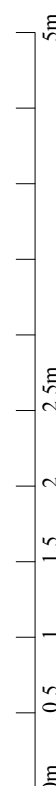
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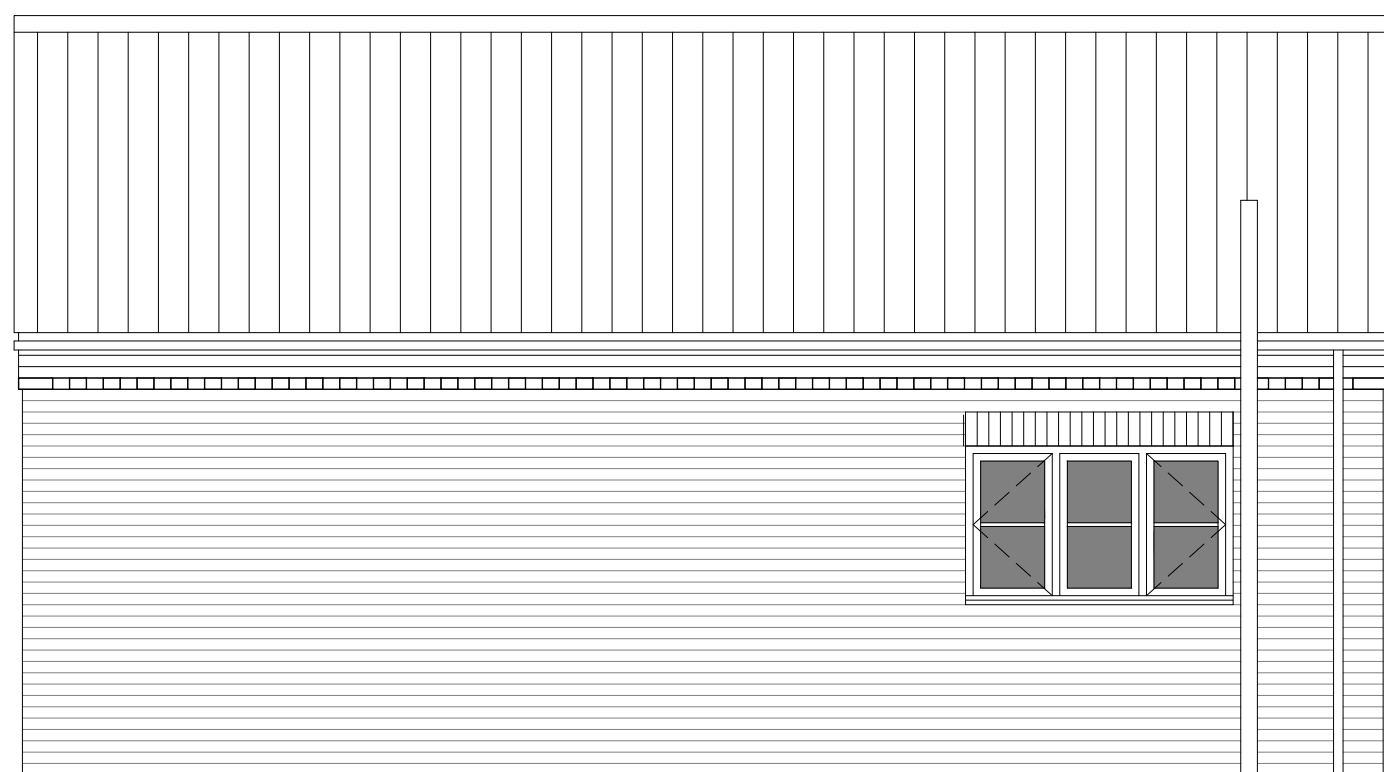
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Existing Front Elevation



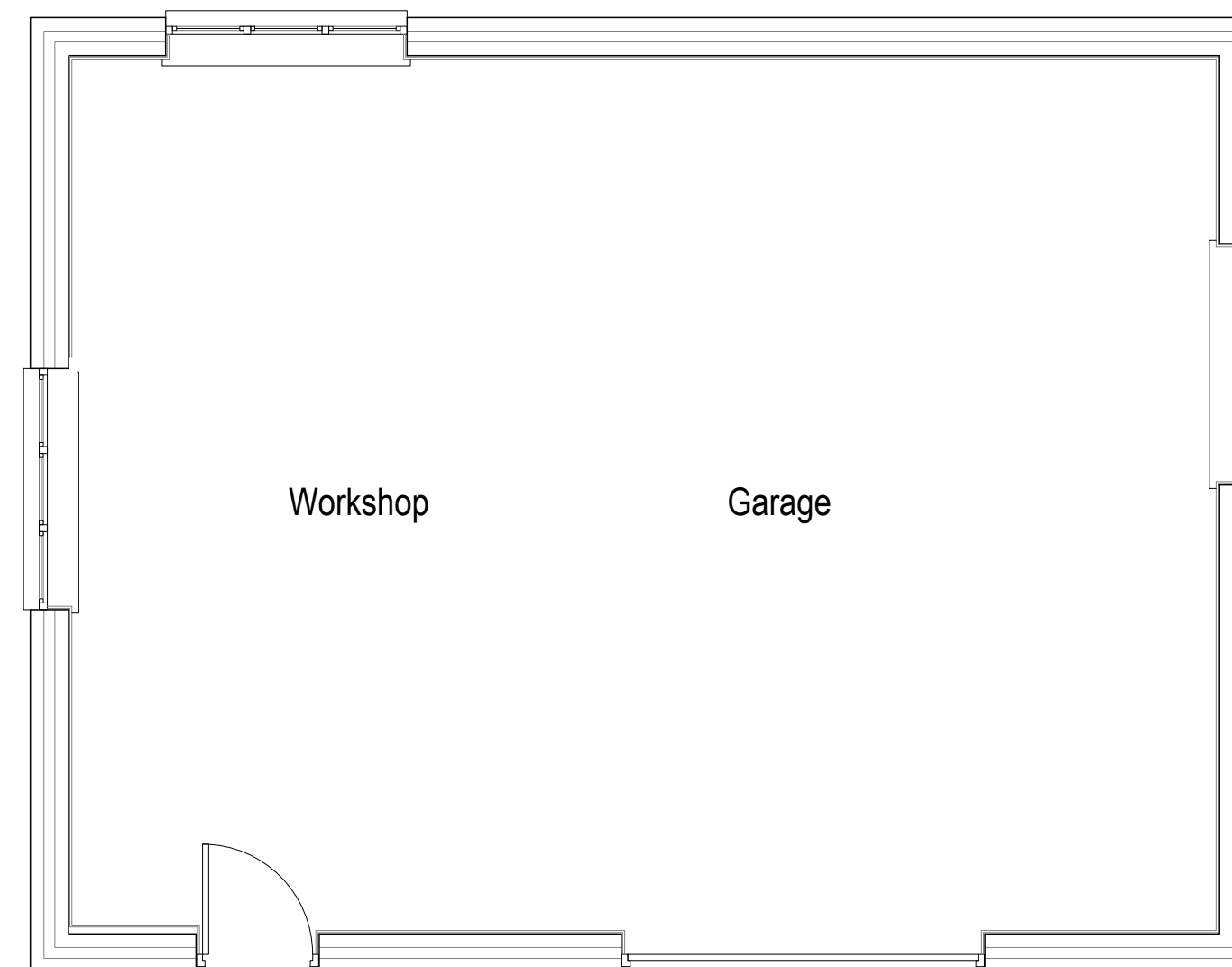
Existing Side Elevation



Existing Rear Elevation



Existing Side Elevation



Existing Ground Floor Plan



L Bevens Associates Architects Ltd
The Doghouse
10 Cricketers Way
Chatteris
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PE16 6UR
Tel: 01354 693969
Mob: 07739 562818
Email: enquiries@lbevens-associatesltd.co.uk
Web: www.lbevens-associatesltd.co.uk

DRAWING STATUS	PRELIMINARY <input type="checkbox"/>	CONSTRUCTION <input type="checkbox"/>
	PLANNING <input checked="" type="checkbox"/>	FILE COPY <input type="checkbox"/>

CLIENT
Mrs C Powell

PROJECT
86-88 Charlemont Drive,
Manea, Cambridgeshire.

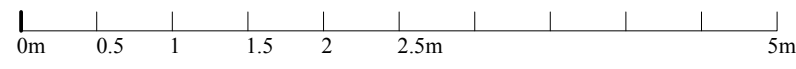
DRAWING TITLE
Existing Workshop and Garage
Existing Floor Plan and Elevations

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DRAWING NUMBER
CH20/LBA/546/EX-1-101

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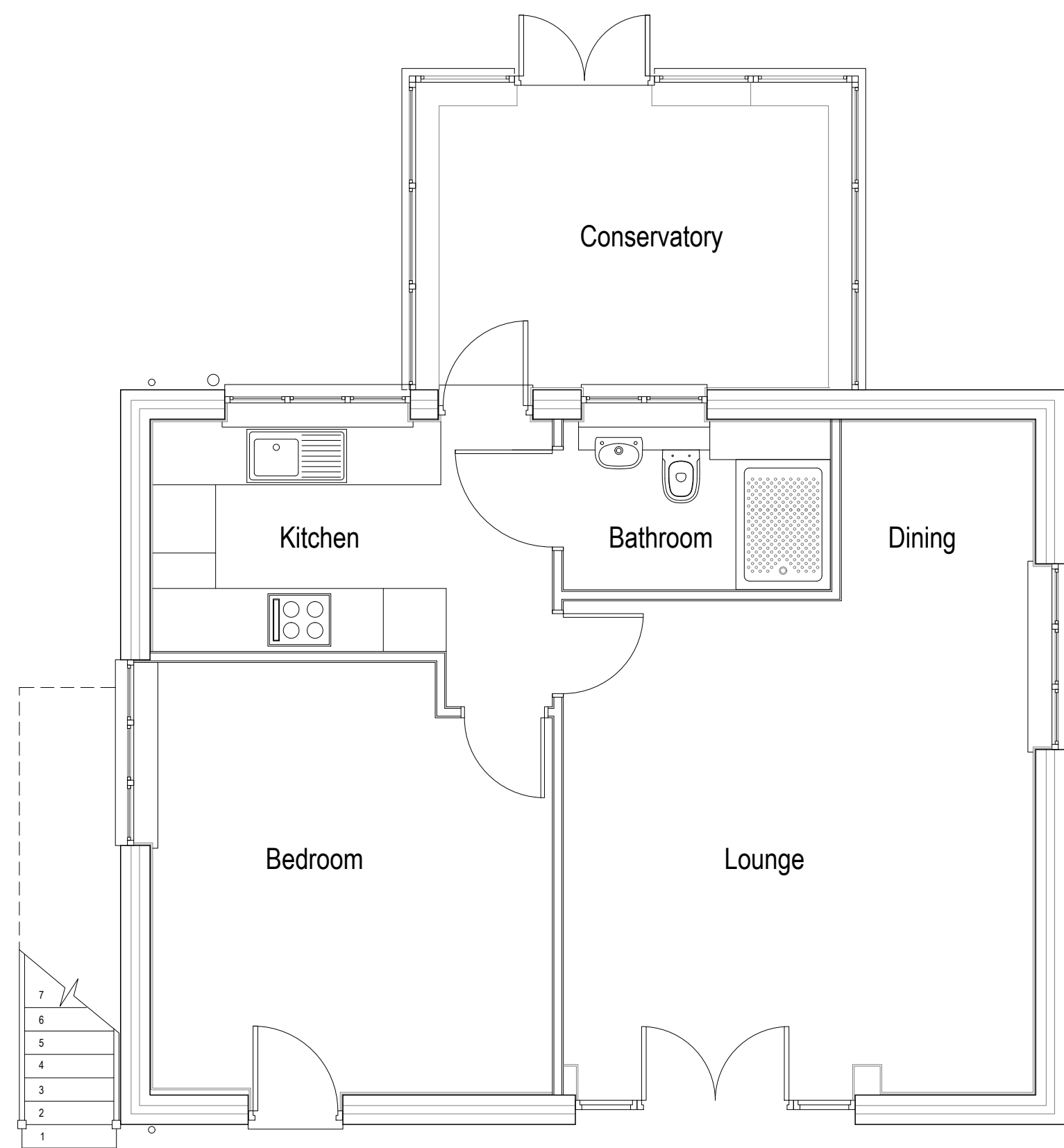
Proposed Front Elevation



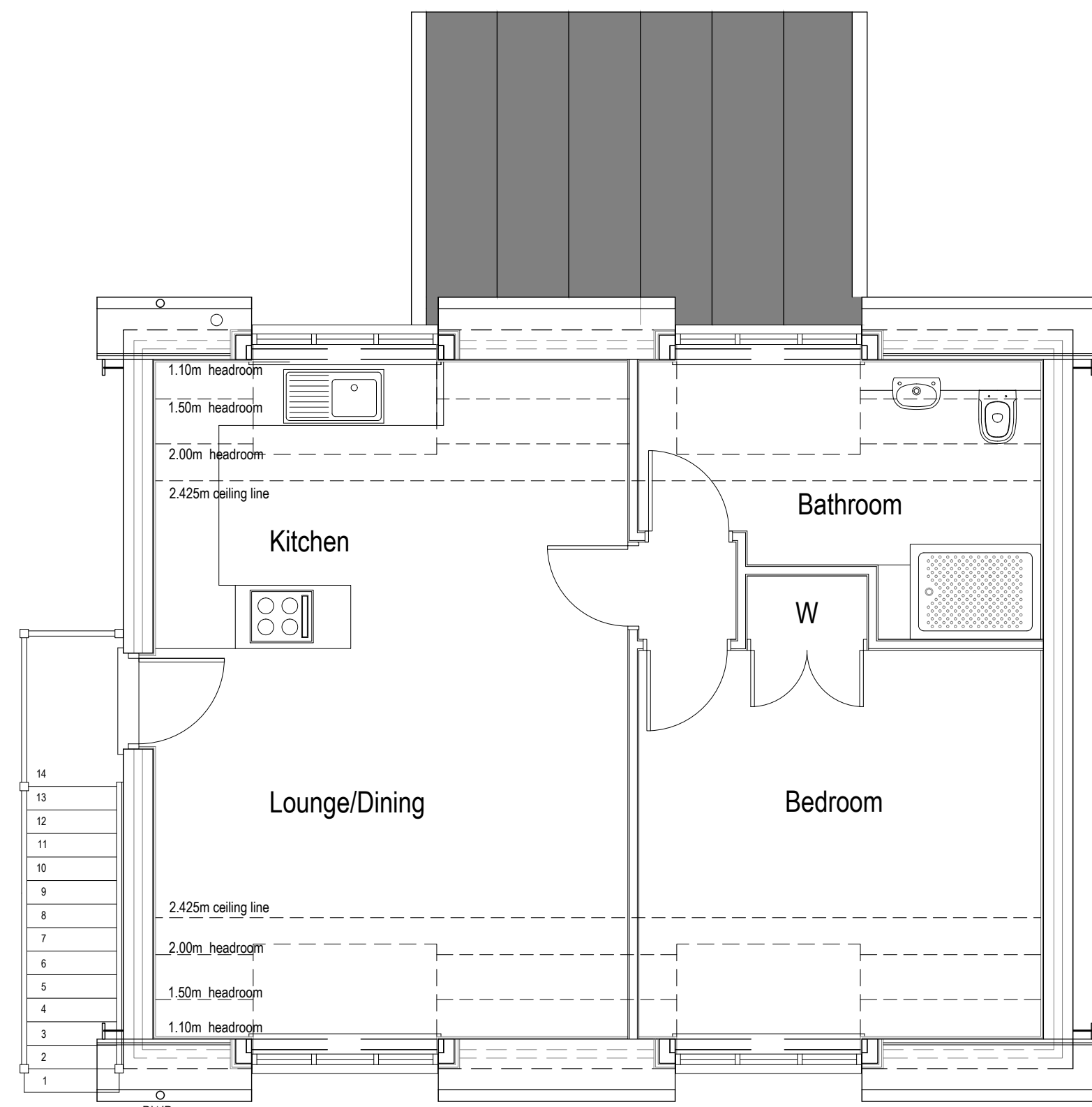
Proposed Side Elevation



Proposed Rear Elevation



Proposed Ground Floor Plan



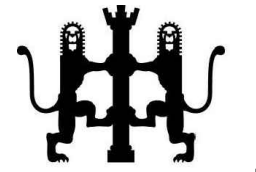
Proposed First Floor Plan



Proposed Side Elevation

Rev B Nov 2020 Revised to suit comments raised by neighbour regarding stair and door position to first floor.

Rev A Aug 2020 Revised to suit client comments.



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DRAWING STATUS: PRELIMINARY PLANNING CONSTRUCTION
FILE COPY

CLIENT: Mrs C Powell

PROJECT: 86-88 Charlemont Drive, Manea, Cambridgeshire.

DRAWING TITLE: Proposed Annex Extension Proposed Floor Plans and Elevations

SCALE: 1:50 @ A1 DATE: August 2020 DRAWN: LB CHECKED:

DRAWING NUMBER: CH20/LBA/546/FP-1-101 REVISION: B