

**Applicant: Peter Humphrey Associates Agent:
Ltd**

Land North East of Eastleigh, Elm Low Road, Wisbech, Cambridgeshire

Erect 3 x 2-storey 3-bed dwellings

Officer recommendation: Refuse

Reason for Committee: Parish Council comments contrary to officer recommendation.

1. EXECUTIVE SUMMARY

- 1.1. The application is for the construction of three residential dwellings within the Primary Market Town of Wisbech, on land designated as being within flood zone 1.
- 1.2. The proposal is located on land benefitting from an extant outline planning permission for up to two dwellings, although matters of layout, design, scale and landscaping were reserved for later approval at that time.
- 1.3. The proposed terrace of dwellings would be located in close proximity to the highway boundary, and would therefore be prominent within the immediate setting, however its design is such that it would fail to make a positive contribution to the character of the area, instead creating an enclosed and overbearing form of development that detracts from its surroundings.
- 1.4. The proposal would be located in close proximity to the dwellings on the opposite side of Elm Low Road, and this proximity would result in adverse impacts on the privacy and amenity levels within both the existing and the proposed dwellings contrary to the requirements of local plan policy.
- 1.5. The amendments required to ensure the above issues are resolved would be substantial and would likely require a reduction of the number of dwellings proposed on the site. They therefore go beyond the scope of the current application and the proposal is therefore recommended for refusal.

2. SITE DESCRIPTION

- 2.1. The application site is located within Elm Parish, but physically forms part of the built form of Wisbech lying to the north of the A47 and to the southern end of the northern part of Elm Low Road.
- 2.2. The site is former garden land associated with the property known as Eastleigh to the south, although it has now been separated from that dwelling by a close board fence. Such fencing also forms the west and north boundaries of the site,

while the east boundary consists of a hedgerow running along the road frontage with Elm Low Road.

- 2.3. The dwelling of Eastleigh abuts the site to the south, with an open site to the north which benefits from outline planning permission for the erection of two dwellings. To the rear of the site is agricultural land. On the opposite (east) side of Elm Low Road are a staggered terrace of three dwellings, granted planning permission in 2008.
- 2.4. The site is located within flood zone 1.

3. PROPOSAL

- 3.1. The proposal is for the construction of three terraced dwellings in the southern part of the front of the site when viewed from Elm Low Road, with front facing pedestrian accesses, and a single shared vehicular access with parking to the north part of the site. The properties would be of red brick construction under a grey double pantile roof and each would have its own rear garden.
- 3.2. The scheme would result in the removal of the existing hedgerow to the front of the site and the provision of 1.8m close board fencing to the remaining boundaries of the site.
- 3.3. Full plans and associated documents for this application can be found at:
<https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QKMAHCHE01U00>

4. SITE PLANNING HISTORY

F/YR18/0443/O	Erection of up to 2no dwellings (outline application with matters committed in respect of access)	Grant	10.08.2018
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5. CONSULTATIONS

5.1. Elm Parish Council

“Elm Parish Council supports the proposals submitted in respect of application ref. F/YR20/1188/F, on condition that adequate parking facilities for up to six vehicles are provided for the properties.”

5.2. Cambridgeshire County Council Highways Authority

No objections subject to conditions

5.3. Environment & Health Services (FDC)

No objections

5.4. Local Residents/Interested Parties

None received

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)

Para 2: NPPF is a material consideration in planning decisions.

Para 117: Promote effective use of land

Para 118: Opportunities and benefits of the reuse of land

Para 127: Well-designed development

Para 130: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

National Planning Practice Guidance (NPPG)

Determining a planning application

National Design Guide 2019

Context

Homes and Buildings

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

8. KEY ISSUES

- **Principle of Development**
- **Visual Impact**
- **Amenity**
- **Highway Safety**
- **Other Matters**

9. BACKGROUND

The application site has previously been granted outline planning permission for residential development, however only matters of access were committed for approval at that stage. That permission granted consent for up to two dwellings on the land, however the plans submitted with the application contained no indication of where the properties were to be located on the site, or how they were to be arranged.

10. ASSESSMENT

Principle of Development

10.1. The application site lies within the parish of Elm, however it forms part of the built form of Wisbech. It is separated from Elm village by the A47.

- 10.2. Consequently, it is considered that the principle of the development of the site is most appropriately considered under Policy LP3 of the Fenland Local Plan (2014) as part of the settlement of Wisbech rather than Elm.
- 10.3. Policy LP3 sets out the settlement hierarchy within the District, setting out the scale of development appropriate to each level of the hierarchy. Wisbech is a Primary Market Town, one of two such settlements within the highest level of the hierarchy where the majority of the development within the District is expected to take place over the plan period.
- 10.4. The application site also has an extant permission in outline for the construction of up to two dwellings.

- 10.5. On that basis the principle of residential development of the land is acceptable, and the detailed plans proposed will determine the acceptability or otherwise of the application.

Design/Character/Appearance

- 10.6. Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver and protect high quality environments throughout the district. Proposals must demonstrate they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.
- 10.7. Elm Low Road is almost continually developed from its junction with Weasenham Lane running south towards the application site. There are a variety of dwelling styles and sizes along its length, although the majority of the existing dwellings are of a modest scale. There are instances where dwellings are located in proximity to the back edge of the carriageway, however the general character of the road is prevented from being too enclosed in nature due to the number of bungalows and also those properties with a little bit of set-back plus instances of side gardens.
- 10.8. The application proposes a block of three terraced dwellings located adjacent (2.5m) to the back edge of the carriageway. While this may not be unacceptable in its own right, immediately opposite the application site is a further terrace of three dwellings. While these have a staggered arrangement, they nonetheless sit immediately to the back edge of the carriageway. It is considered that in combination with these existing dwellings the proposed development would result in an enclosed character to this part of Elm Low Road and a visually overbearing impact on users of the road. This would be to the detriment of the character and appearance of the area.
- 10.9. This impact on the character of Elm Low Road, would be exacerbated by the design of the proposed dwellings. Other than the provision of canopy porches to the front, these would form a flat fronted block with a straight ridge line and with no features to break up the mass of building or to provide visual relief or interest.
- 10.10. Overall, therefore it is considered that the development would not make a “positive contribution to the local distinctiveness and character of the area” as required by LP16(d).

Amenity

10.11. Policy LP2 of the Fenland Local Plan (2014) requires development proposals to promote high levels of residential amenity, and policy LP16 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal, with the guideline for non-flat development being one third of the plot area.

10.12. There are two main aspects to the amenity impacts of the proposed development. The first of these is whether the proposal will have unacceptable effects on the residential amenity of neighbouring and nearby dwellings. The second is whether, or not, the proposals provide high quality amenity space for their potential occupiers, in line with policy requirements.

10.13. The dwellings are to be located in close proximity to the road, and as such the impact of the proposal on neighbouring amenity has the potential to be significant. The front elevation of the proposed building is located between 9.9 and 11.2m from the front elevation of the properties opposite, and both sets of dwellings benefit from living room and bedroom windows located within their front elevations.

10.14. The amenity relationship between the dwellings in this respect is not acceptable, as it would result in the loss of privacy within the existing properties on the east side of Elm Low Road, and would not provide a high level of residential amenity to the proposed dwellings on the application site. These impacts would be contrary to the requirements of policies LP2 and LP16, and to mitigate against the impacts would require a substantial redesign of the proposed development.

10.15. In respect of the second point, each of the properties is shown on the proposed plans as benefitting from its own private garden space with appropriate bin storage facilities, all of which exceed the minimum one-third requirement set out in the development plan. The plan shows separation of the garden areas, and although no detail is provided of the means of separation this could reasonably be required by planning condition to protect residential amenity.

Highway Safety

10.16. Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport.

10.17. Appendix A of the Fenland Local Plan sets out the parking standards associated with development proposals, noting that for properties of up to three bedrooms, two parking spaces are required, and for properties of four bedrooms or more, provision of three spaces is required.

10.18. The application proposes a single access point serving all three properties, and provides parking on the basis of two spaces per property, plus a single visitors space. 6m is provided to the rear of the parking space to allow vehicles to turn within the application site. The parking spaces provided are 2.4m wide by 4.8m deep, which is a common minimum size when designing parking proposals but does not provide generous amounts of space to enter or exit vehicles when using those spaces. The proposed parking arrangements would result in a certain amount of manoeuvring within the site to facilitate their use, and may result in

those spaces either being under-utilised or vehicles reversing out of the site onto Elm Low Road.

- 10.19. The Highways Authority have confirmed that they have no objection to the proposal from a highway safety point of view, and as such have requested conditions to ensure aspects of the highway works are in place prior to the occupation of the dwellings to ensure that the proposed facilities are provided and made available to the occupiers.
- 10.20. On that basis, despite the restricted parking space provision there is no justification for refusing the proposal on the grounds of highway safety.

Other Matters

- 10.21. The confirmation of no objection from the Environmental Health team is noted, and as such no conditions would be required with regard to the proposal in that respect.

11. CONCLUSIONS

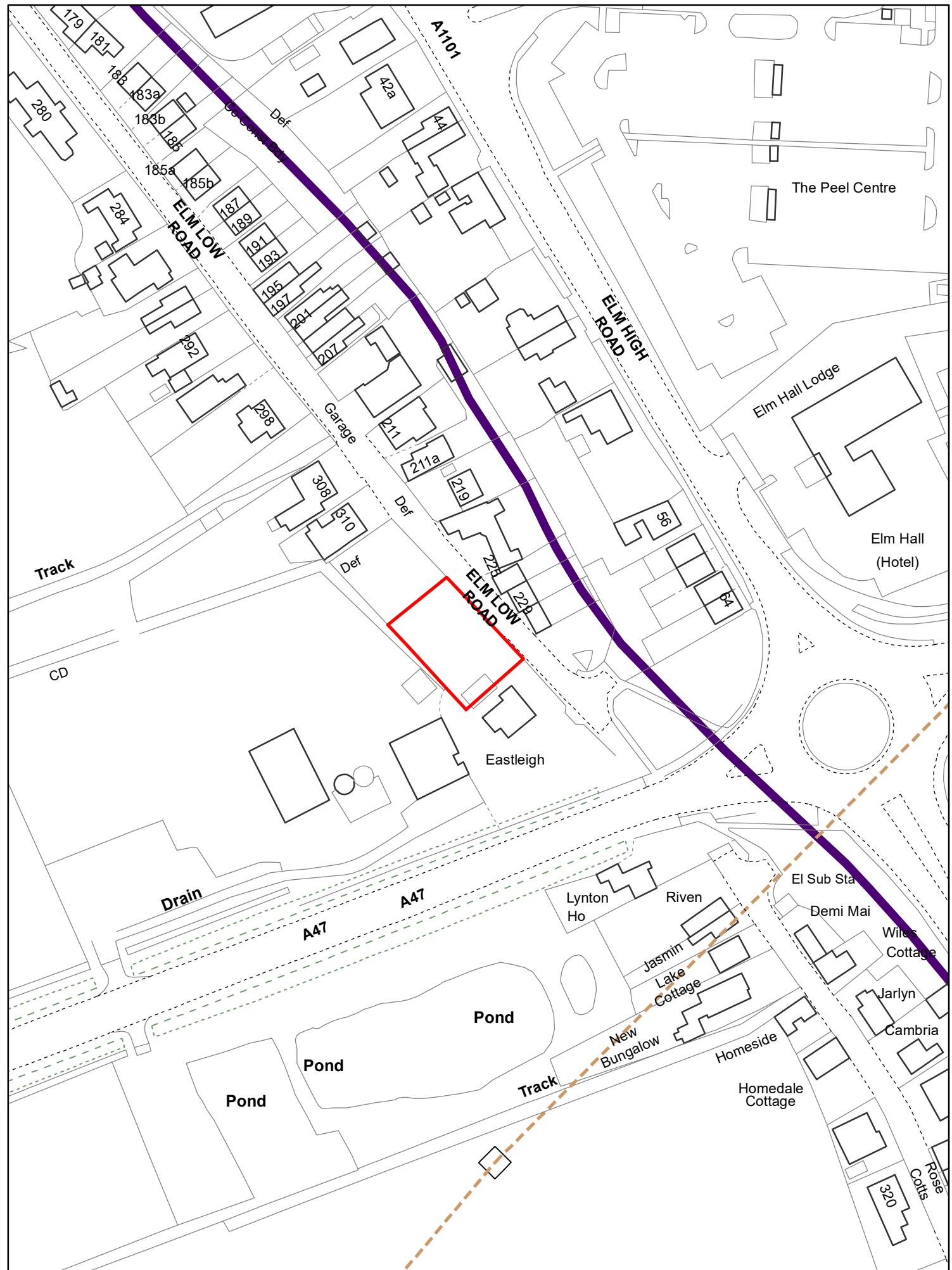
- 11.1. The principle of the development of the site for residential purposes is acceptable, being located within the built form of Wisbech.
- 11.2. The proposed application is for the construction of three dwellings, and the proximity of the proposals to the road, combined with the design of the scheme and the surrounding development would result in a detrimental impact on the character of this part of Elm Low Road.
- 11.3. The dwellings proposed are located between 9.9 and 11.2m from an existing residential development directly opposite the site on Elm Low Road. This proximity would result in direct overlooking between bedrooms and other living accommodation within the dwellings that would have a harmful impact on the privacy of both the existing properties and those proposed to be constructed. This impact would be contrary to the requirements of policies LP2 and LP16 to provide high quality living environments that do not result in adverse impacts on the amenity of neighbouring users.
- 11.4. It is accepted that there is a current outline permission in place on the site, however this was for up to two dwellings only and it may be that the adverse impacts identified above could be more readily addressed with a less intense form of development. This outline permission is not considered in any way to justify the current detailed scheme, which has been considered as being unacceptable for the reasons identified.

12. RECOMMENDATION

Refuse for the following reasons.

1	Policies LP2 and LP16 (2014) of the Fenland Local Plan require development proposals to provide high quality living environments that do not result in adverse impacts on the amenity of neighbouring users. The proposal is for the construction of 3 terraced dwellings located towards the front of the application site, with a separation distance of between 9.9m and 11.2m to the front facing habitable room windows within the three-unit terrace development on the opposite side of Elm
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	<p>Low Road. This limited separation would result in an unacceptable detrimental impact on the privacy of the existing dwellings, and would also fail to provide a high quality living environment to the occupants of the proposed dwellings. The scheme would therefore be contrary to the requirements of policies LP2 and LP16 of the Fenland Local Plan (2014).</p>
2	<p>Policy LP16 of the Fenland Local Plan (2014) requires development proposals to deliver high quality environments throughout the district, that make a positive contribution to local character and distinctiveness, enhancing their local setting and without resulting in adverse impacts in design terms on the street scene. The proposal is for a terrace of three properties located in close proximity to the road frontage that in combination with the existing dwellings opposite would result in a enclosed, overbearing street scene. The bland, largely featureless design of the properties exacerbates this detrimental impact as it fails to provide any visual relief to the mass and appearance of the proposed building. The proposal is therefore contrary to the requirements of policy LP16 of the Fenland Local Plan (2014).</p>



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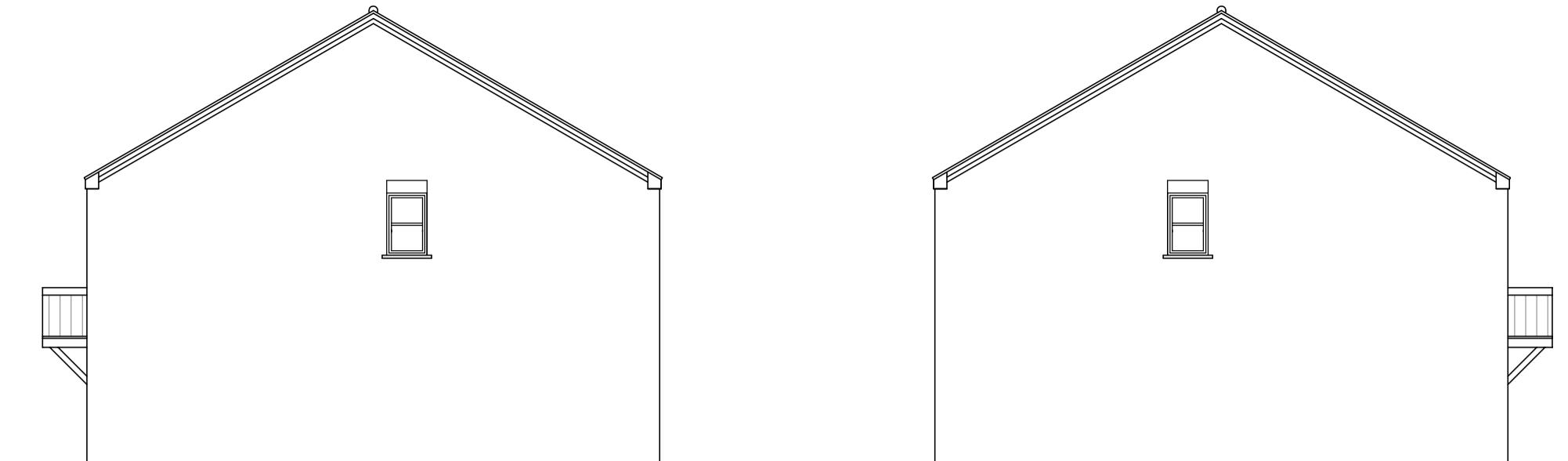
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MARLEY MENDIP DOUBLE PANTILES SMOOTH
GREY



FRONT ELEVATION
SCALE 1:100



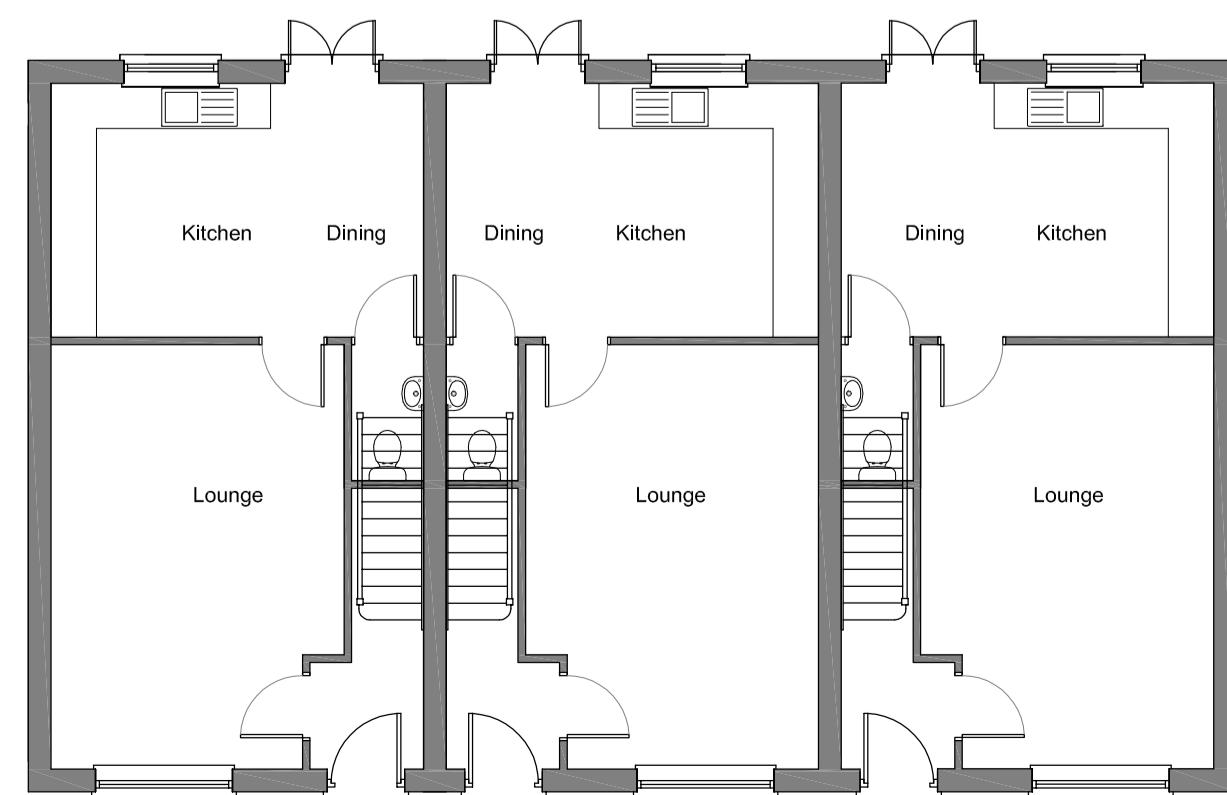
FORTERRA ARDEN SPECIAL RESERVE



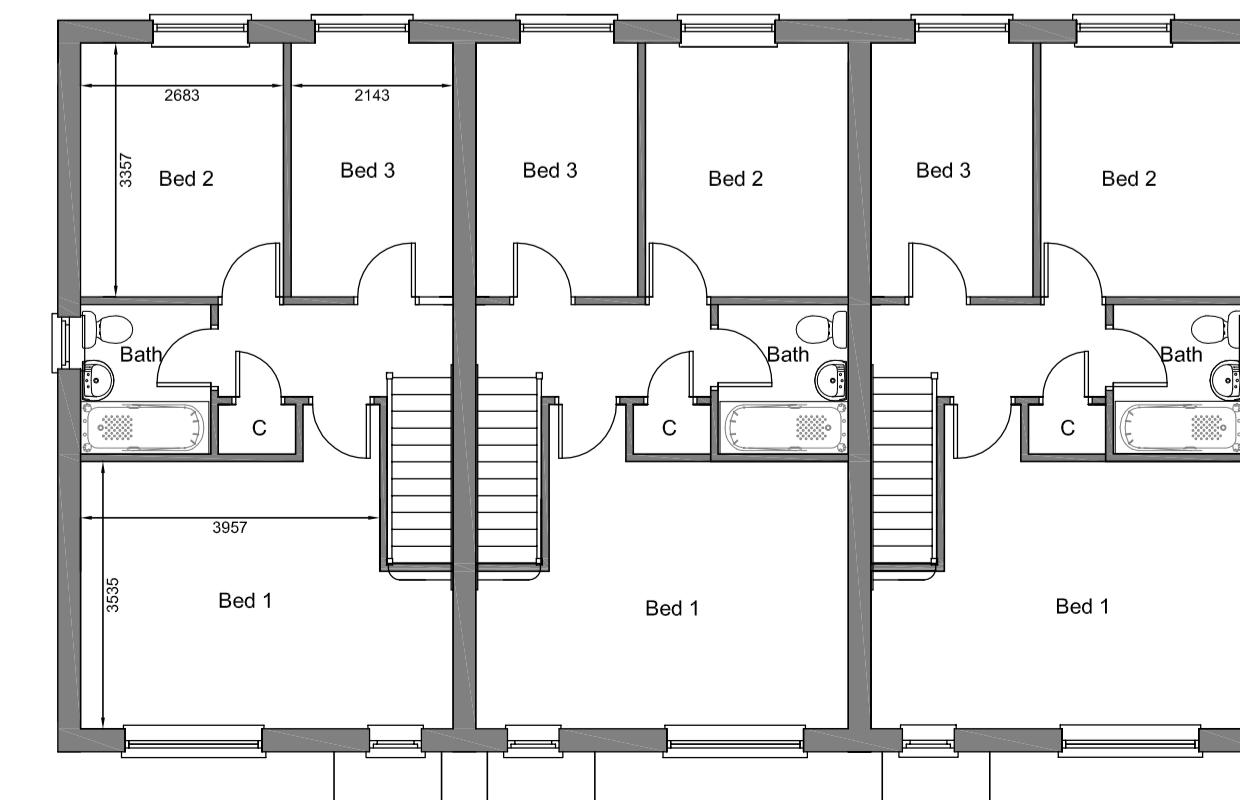
SIDE ELEVATION
SCALE 1:100



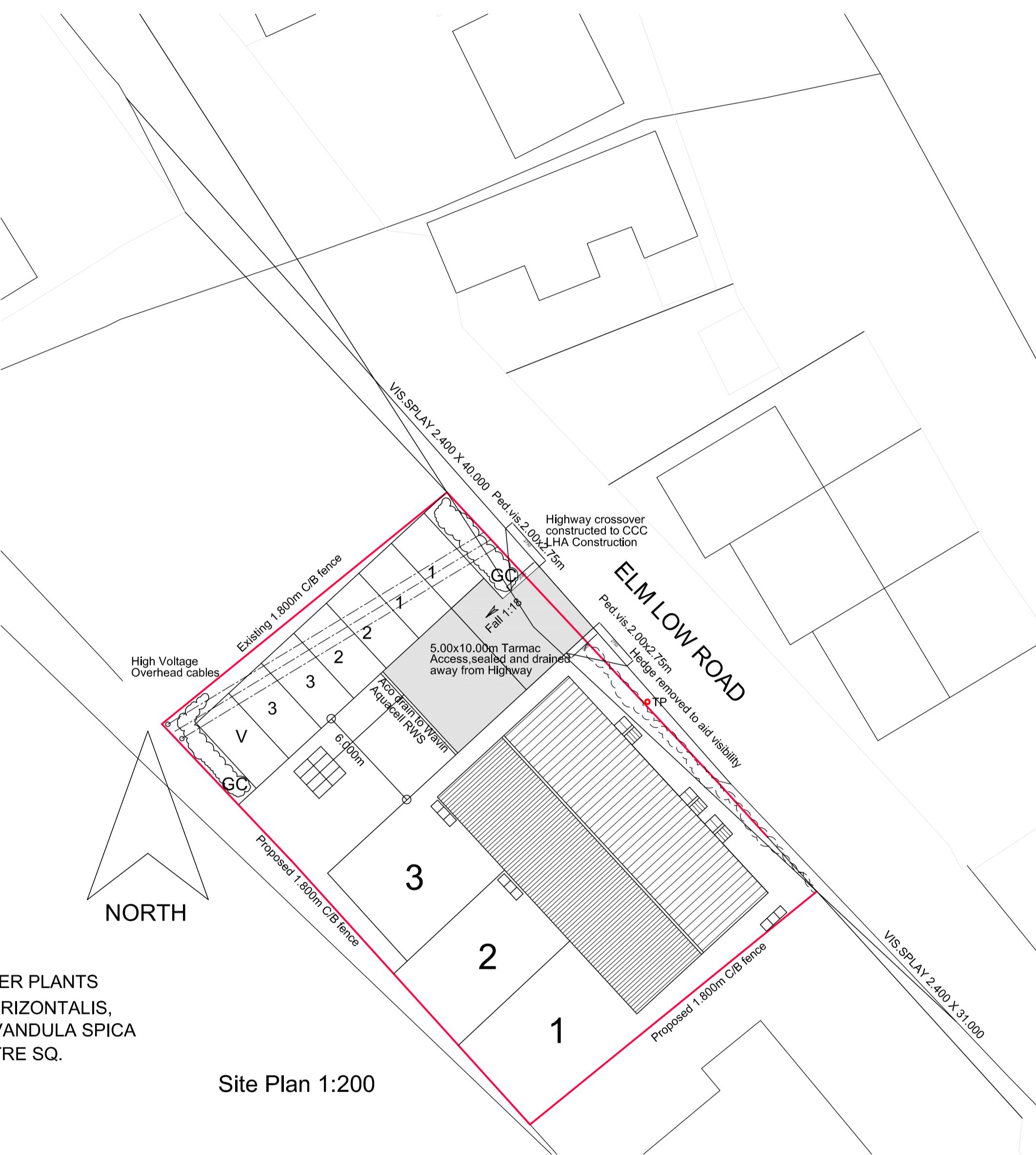
REAR ELEVATION
SCALE 1:100



GROUND FLOOR PLAN 1:100



FIRST FLOOR PLAN 1:100



Peter Humphrey Associates Ltd.
ARCHITECTURAL DESIGN AND BUILDING

PROJECT
Proposed Residential Development
Land North West of
Eastleigh
Elm Low Road
Wisbech

DRAWING TITLE
Planning
CLIENT
PHA Ltd.
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