
F/YR21/0059/F

Applicant: Mr G Davies

**Agent: Mr Gareth Edwards
Swann Edwards Architecture Limited**

Land South Of 63, Creek Road, March, Cambridgeshire

Erect 1 dwelling (2-storey 3-bed)

Officer recommendation: Refusal

Reason for Committee: No. of neighbour representations received in opposition to the officer recommendation

1. EXECUTIVE SUMMARY

- 1.1. The proposal is for the construction of a single, two-storey three-bedroomed dwelling on the land, which is currently occupied by a dilapidated single-storey timber structure. Two parking spaces will be provided within the site.
- 1.2. The application site is located in a backland location, on land designated as flood zone 1. It is surrounded by residential gardens and is accessed by a narrow single-track lane with a dog-leg part way along its length.
- 1.3. The two-storey nature of the proposal will result in the dwelling dominating the surrounding area contrary to its existing character, with a poor amenity provision and resulting in increased pressure on a sub-standard access to the dwelling.
- 1.4. These elements would all be contrary to the relevant planning policies that apply to development with no prospect of mitigation to overcome the impacts.
- 1.5. The scheme is therefore recommended for refusal.

2. SITE DESCRIPTION

- 2.1. The application site is currently a piece of overgrown land located between the dwellings fronting Creek Road and Nene Parade in the centre of the Market Town of March.
- 2.2. It is accessed between the dwellings known as 61 and 63 Creek Road, along an unmade access track that also leads to the rear of several other properties. The access track bends south part way along its length and is flanked to either side by 1.8 metre high closeboard fencing.
- 2.3. The site itself is formed from three distinctly different parts. The first part is a timber structure, seemingly erected originally to be used as a garage for the property, although it is in a poor condition and does not appear to be used for these purposes at this time. The Design and Access Statement accompanying the application states that the building is used by the applicant and their friends

from time to time as a gym. There is some gym equipment in evidence amongst the photographs forming part of the wildlife survey accompanying the application, however from its condition it appears unlikely it is regularly used.

- 2.4. The structure is located immediately adjacent to the access road under a monopitch roof constructed from corrugated sheeting material. The second part is an area of concrete hardstanding immediately adjacent to the timber structure adjacent to the access road, although the surface is broken in places and overgrown with weeds growing between the intact sections. The third part of the site is located to the rear of the first two parts, and enclosed by a 1.8 metre high timber closeboard fence. There are tall trees to its rear boundary and a pond is located near to the current entrance through the fence at the north west corner of the land.
- 2.5. The site is within flood zone 1.

3. PROPOSAL

- 3.1. The proposal is for the removal of the existing structures from the site, and for the construction of a two-storey 3-bedroom dwelling in their place, with provision of 2 parking spaces alongside the property.
- 3.2. The site plan submitted alongside the application indicates the rear garden would remain enclosed by 1.8m high timber closeboard fencing, and a modest front garden would be provided, setting the main part of the front elevation of the dwelling back from the access track by approximately 2.5 metres.
- 3.3. The site plan shows a parking area alongside the dwelling measuring 4.6 metres wide by 7-7.5 metres deep.
- 3.4. Full plans and associated documents for this application can be found at: <https://www.publicaccess.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=QMTSORHE01U00>

4. SITE PLANNING HISTORY

F/YR19/0605/F	Erect 1 dwelling (2-storey 3-bed)	Refused 2/9/19
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5. CONSULTATIONS

- 5.1. **March Town Council**
Recommend refusal due to over-development and possible flooding issues for adjacent properties.
- 5.2. **Cambridgeshire County Council Highways Authority**
No objections subject to a parking layout condition
- 5.3. **FDC Environmental Health**
No implications for local air quality
No known sources of noise that could adversely affect the proposal, which has no implications on the local noise climate
No issues with ground contamination but would recommend standard condition regarding unsuspected contamination.

5.4. **Local Residents/Interested Parties**

14 responses were received in relation to the proposal from addresses on Nene Parade, Creek Road, Kingsley Street, Wisbech Road, Waterside Gardens, Burn Street, Southwell Close, and Harbour Square Wisbech. 8 responses were received in support of the scheme, and 6 in opposition to the proposals.

5.5. **Objections**

The objections to the proposal identified the following issues:

- Access Road is too narrow
- Access is prone to flooding
- Access has no lighting
- Could set a precedent
- Proposal could cause neighbouring properties to flood
- Impact on neighbouring privacy
- Impact on wildlife
- Will drastically impact on the character of the area
- Existing water pressure and sewerage provision inadequate
- Trespass during construction will lead to legal consequences

5.6. **Supporters**

The comments in support of the proposal identified the following justification:

- A building like this will only benefit the outlook on the land
- Will not overlook nearby properties
- Any type of affordable housing is beneficial to those trying to get on the property ladder
- Will provide a family home within walking distance of the town centre
- An opportunity for local developers and tradespeople
- Appears sympathetic to its surroundings

6. STATUTORY DUTY

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014).

7. POLICY FRAMEWORK

7.1. **National Planning Policy Framework (NPPF)**

Para 2: NPPF is a material consideration

Para 8: 3 strands of sustainability

Para 11: Presumption in favour of sustainable development

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.

Para 170: Contribution to and enhancement of the natural and local environment.

Para 175: Harm to habitats and biodiversity.

7.2. **National Planning Practice Guidance (NPPG)**

Determining a planning application

7.3. **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development
LP2 – Facilitating Health and Wellbeing of Fenland Residents
LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside
LP4 – Housing
LP15 – Facilitating the Creation of a More Sustainable Transport Network in Fenland
LP16 – Delivering and Protecting High Quality Environments across the District
LP17 – Community Safety
LP19 – The Natural Environment

7.4. March Neighbourhood Plan 2017

H2 – Windfall Sites

7.5. National Design Guide 2019

Context

Identity

Built Form

Movement

Nature

Uses

Homes and Buildings

Resources

Lifespan

8. KEY ISSUES

- **Principle of Development**
- **Access, and Highway Safety**
- **Visual Impact and Character**
- **Residential Amenity**
- **Biodiversity**
- **Flood Risk**
- **Other issues**

9. BACKGROUND

- 9.1. Pre-application advice was sought in respect of the proposal in 2018 with a response provided indicating that the proposal for development of the site would be unlikely to be supported. Indication was given at the time that there were concerns regarding environment quality, amenity levels for the occupiers, and conflict with planning policy in respect of the impact of the development on the character of the area, waste collection arrangements and the safety of the environment proposed.
- 9.2. A full planning application was submitted in 2019 following the pre-application advice, and permission was refused, with four reasons given for refusal, consisting of its impact on the character of the area, poor amenity levels for occupiers and neighbours, sub-standard access and parking provision, and insufficient evidence that biodiversity on the site had been properly investigated.
- 9.3. No subsequent pre-application contact has been made in respect of the current application.

10. ASSESSMENT

Principle of Development

- 10.1. The proposal is located within the settlement of March, identified within the Fenland Local Plan (2014) as a Primary Market Town. This level of settlement is identified as the most sustainable within the district, with the majority of new development expected to be located in these areas. There are no special designations on the land that would indicate that its development for residential purposes would be unacceptable as a matter of principle.
- 10.2. Consideration must therefore be given to the specific impacts of the proposal, considered as follows:

Access, and Highway Safety

- 10.3. The scheme is proposed to be accessed along the existing track between 61 and 63 Creek Road.
- 10.4. The Local Highways Authority has confirmed that they have no objection on highway safety grounds, on the basis that the development utilises an existing vehicular access point and the level of additional traffic will not harm highway safety. These comments do not however extend to the use of the access track itself, which is not adopted highway. The driveway is narrow, only 3 metres wide in places, in particular at the point where the road takes a dog-leg to the south, and although the access drive in this respect already serves several dwellings, the addition of another property would exacerbate the potential for conflict between vehicles using the access, as well as conflict between vehicles and pedestrians/cyclists. In addition, the access driveway would be the only point of access to the proposed dwelling and therefore the levels of traffic visiting the dwelling would be likely to be proportionately higher than that relating to the properties off Nene Parade and Creek Road that also utilise the driveway, as those properties also benefit from the ability to park along those roads near the front of the dwellings. Such a conflict would be contrary to the requirements of policy LP15 of the Fenland Local Plan.
- 10.5. The proposal includes 2 parking spaces alongside the dwelling, which is indicated within the Fenland Local Plan as being the required number of spaces for a property containing 3 bedrooms as proposed. The Local Plan does not contain specific dimensions for such spaces however the width of the space indicated is 4.6m in total, whilst typical minimum sizes for residential parking spaces would be 2.9m wide (with an obstruction on both sides) and 5.5m deep, with an allowance of at least 6 metres to the rear of the spaces to allow for reversing out. The spaces indicated are 2.3m wide by 5m deep, with a 6m allowance to the rear for reversing, although the existing 1.8m fence to the west of the site would restrict visibility for vehicles reversing out of the spaces. The spaces are further restricted by the presence on both sides of solid adjoining structures, the fence and the house itself, which would both restrict the opening of car doors when parked in the spaces. On that basis, the spaces indicated are below the standard that would be expected of a development proposal and would also exacerbate the potential for conflict in relation to the use of the access road.

Visual Impact and Character

- 10.6. The area within which the proposed dwelling is to be located is situated between Creek Road to the north and Nene Parade to the south. It currently consists of land forming rear gardens or ancillary land associated with the dwellings accessed from those streets, and although the dwellings off those two roads are themselves two-storey in nature, the land immediately surrounding the site is devoid of any structures above single-storey in height and has an open feel to it

despite the enclosure of the access road itself by 1.8m fencing. The area has a natural 'green' character as it is dominated by existing hedgerows, trees and other landscaping/planting although it is accepted that the current dilapidated building on the site detracts from this character.

- 10.7. The proposed dwelling would introduce a two-storey building into this environment, located in close proximity to the access driveway (approximately 2.5 metre set-back). Such a building would dominate its immediate setting to the detriment of the area and its characteristics as set out above, introducing a dwelling into the environment where none are currently present.
- 10.8. There are two chalet-bungalow dwellings located between Creek Road and Nene Parade approximately 70 metres to the south west of the site, however these dwellings are set within a substantially different environment to the proposed dwelling dominated by built structures of similar heights and do not therefore relate to the current proposal.
- 10.9. The proposal would be visible from Creek Road itself, through a gap to the south of the dwelling known as 55 Creek Road, although the impact in this regard would be minimal as it would be set against the backdrop of the existing dwellings along Nene Parade.
- 10.10. The proposal would not accord with the requirements of policy LP16 of the Fenland Local Plan (2014) as it would fail to make a positive contribution to the local distinctiveness and character of the area.

Residential Amenity

- 10.11. There are two elements to the impact of the proposal on residential amenity, comprising its impact on the residential amenity of the surrounding properties, and the levels of residential amenity for the residents of the dwelling itself.
- 10.12. With regard to the first of these matters, the windows within the dwelling are largely located on the front and rear elevations, with only a single first-floor window to a landing area located on one of the side elevations, which could reasonably be required by condition to be obscure-glazed should consent be granted.
- 10.13. The windows to the front elevation of the property open onto a bathroom and bedroom. It would be reasonable to expect/require the bathroom window to be obscure glazed, however the bedroom window would overlook the gardens of the properties on the opposite side of the access drive from a distance of approximately 6 – 6.5 metres, which could therefore result in an impact on the privacy of those gardens. To the rear of the building, there are two first-floor bedroom windows looking out over the garden of the property, approximately 6m from the rear boundary of the site, with private residential gardens beyond. The boundary is currently screened through existing trees, which are located within the neighbouring land and their retention could not therefore be secured through condition on the current application.
- 10.14. The second element of residential amenity is in relation to the occupation of the proposal itself, and the requirement within policies LP2 and LP16 of the Fenland Local Plan (2014) to promote high levels of residential amenity, providing sufficient private amenity space suitable to the type and amount of development proposed.

- 10.15. In this instance, the proposal would result in a dwelling in very close proximity to its access road, along which at least 5 other dwellings are accessed. Although the front of the property houses the kitchen and hallway rather than the living room/dining room areas, this will still result in a poor relationship with the vehicular traffic using the driveway, particularly given the lack of separation of vehicular traffic from the site due to the absence of a dedicated footway.
- 10.16. The garden to the rear of the property is modest, albeit large enough to meet the minimum one third requirement set out in policy LP16. Given the orientation of the dwelling, the size of the rear garden and the boundary treatment to the east that is required to ensure appropriate levels of privacy to the neighbouring garden however, it is likely that the garden associated with the proposal would not result in the high levels of amenity space for the dwelling detailed by the aforementioned policies.
- 10.17. There is ample space within the site to store bins associated with the occupation of the dwelling, however the site is located in such a position that the bin drag distance to present them for collection exceeds the distance indicated within the RECAP guidance. On that basis, the bin collection arrangements serving the dwelling are sub-standard, and the need to present the bins for collection along Creek Road is detrimental to the overall levels of residential amenity associated with the proposal.
- 10.18. The existing track accessing the site does not benefit from street lighting. No proposals to provide any such equipment are included as part of the scheme and as with the paragraph above, the lack of any such provision is a detrimental factor when considering the residential amenity standards associated with the proposed dwelling.

Biodiversity

- 10.19. The application is accompanied by an ecology report undertaken by Wild Wings Ecology on behalf of the applicant. This report indicates that the site has limited potential for use by protected species, and that there is good potential to achieve effective mitigation on the site such that residual impacts can be reduced to a neutral impact.
- 10.20. As noted above, the majority of the rear portion of the site is overgrown with scrub grass and other plants, and contains a pond that does not appear to contain any fish. The pond rated 'poor' in relation to habitat suitability for containing great crested newts. The timber building to the front of the site is constructed from weatherboarding and is in a poor condition with many gaps/cracks. Photographs submitted alongside the protected species survey show plants on the site intruding into the internal parts of the building.
- 10.21. Policy LP16 of the Fenland Local Plan requires that proposed development protect and enhance biodiversity on and surrounding application sites, whilst policy LP19 states that the Council will conserve, enhance and promote the biodiversity of the natural environment. The survey produced in conjunction with the development is sufficient to conclude that the application could be made acceptable in terms of its impact on biodiversity through the use of appropriate planning conditions. There is therefore no justification for refusal on these grounds.

Flood Risk

- 10.22. The application site is located within flood zone 1, however it also lies within an area where the main risk of flooding is identified as being from Internal Drainage Board Watercourses. According to the Environment Agency's Surface Water Flood Mapping, and the Cambridgeshire Surface Water Management Plan, the site lies within an area of high probability of surface water flooding, but at a low velocity. March itself is identified as the priority location within Fenland for investigation into the viability of potential surface water flood risk alleviation options.
- 10.23. The application is not accompanied by a formal flood risk assessment due to its location within flood zone 1. Given the identification of the site as being at risk of surface water flooding, if the application were recommended for approval it would be appropriate to impose a condition requiring the submission and approval of a surface water drainage scheme for the site, including details of finished floor levels to ensure that the mitigation proposed is appropriate to the level of risk identified.

Other issues

- 10.24. Comments received in relation to the proposal have raised the lack of street lighting in the area as a security concern in relation to the new dwelling. Policy LP17 of the Fenland Local Plan addresses the matter of community safety and notes that *"all footpaths should be well lit and, if possible, overlooked by dwellings. Footpaths to the rear of properties should be avoided where possible"*. Although it is noted that the driveway is not lit, the proposal would result in supervision of it from the proposed dwelling, which would provide a greater level of security to the area than is currently present, particularly in view of the fact that the driveway currently leads to the rear of several properties on Creek Road and Nene Parade, and would therefore on balance be likely to result in increased community safety in the area.
- 10.25. Whilst it is acknowledged that the narrowness of the access combined with its length is likely to mean that the site cannot be accessed by fire appliances, this matter is controlled by means of the Building Regulations and is not therefore material to the consideration of the planning application, and will instead likely require the installation of a sprinkler system within the building.

11. CONCLUSIONS

- 11.1. The principle of the development of the site for residential purposes is not opposed by the policies of the development plan, however the impact of the scheme on its surroundings would result in harm to the character of the area and residential amenity contrary to policies LP2 and LP16.
- 11.2. The use of the proposed access would not result in harm to highway safety in respect of the adopted highway network, but the additional traffic using the driveway and the parking/turning facilities would not result in the provision of a well-designed, safe and convenient access as required by policy LP15.

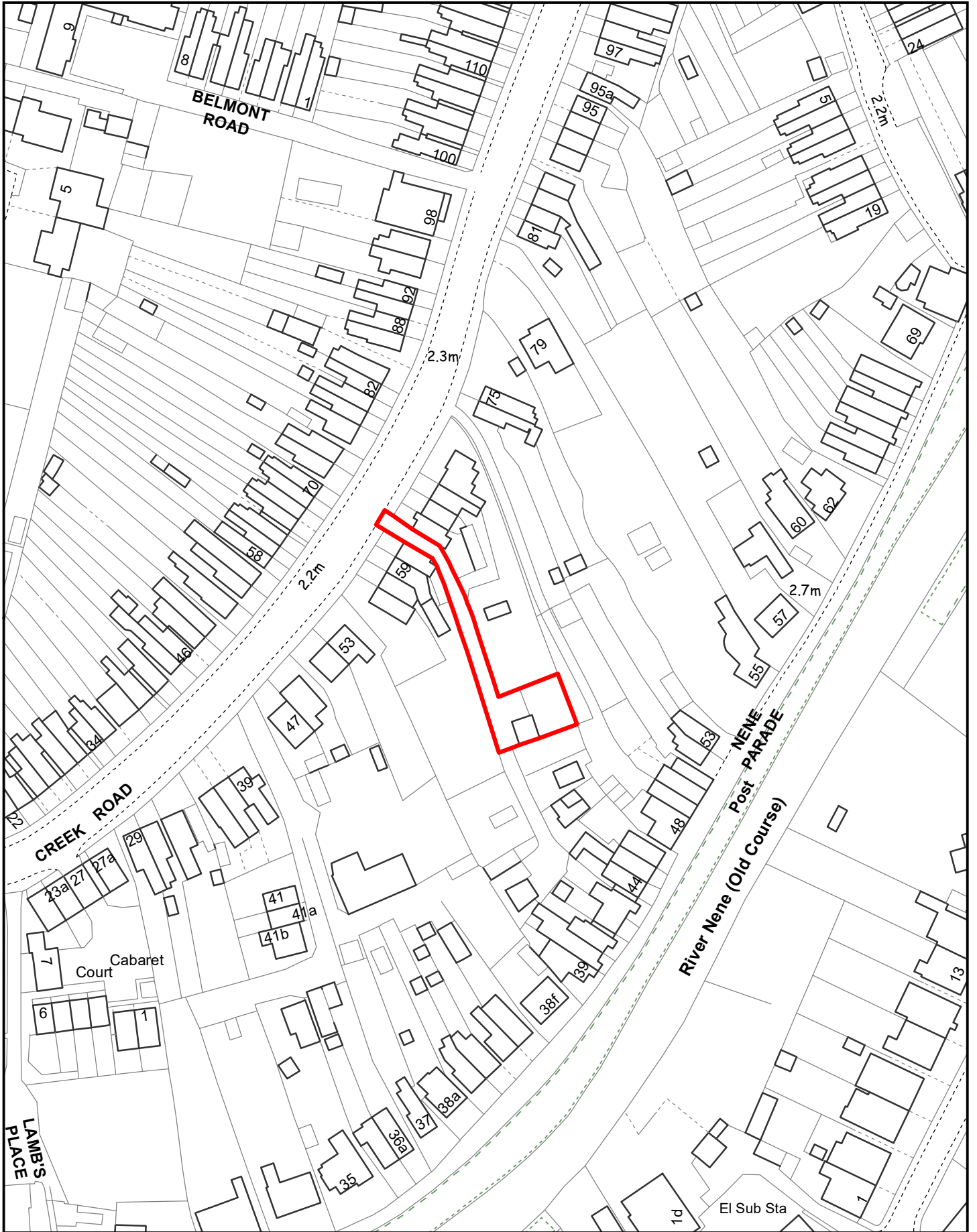
12. RECOMMENDATION

Refuse, for the following reasons:

Conditions

1	Policy LP16 of the Fenland Local Plan (2014) requires development to deliver high quality environments that make a positive contribution to
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	<p>the local distinctiveness and character of an area, enhancing their setting and responding to and improving the character of the local built environment. The proposal is for the construction of a two-storey dwelling as a backland form of development at odds with the character of the site as amenity land located between residential developments on Creek Road and Nene Parade. The proposal would introduce a two-storey dwelling in close proximity with an existing access driveway leading to the rear of these properties and the resulting dwelling would dominate its surroundings by virtue of its height and proximity to the driveway. This would fail to respect the existing character of the area, which is distinctive because of its limited and low-level development that contributes to a sense of openness and space in this backland location. The proposal would therefore fail to accord with the above requirements and would be contrary to policy LP16 of the Fenland Local Plan (2014).</p>
2	<p>Policy LP2 of the Fenland Local Plan requires development to promote high levels of residential amenity, whilst policy LP16 requires that development does not adversely impact on the amenity of neighbouring users. The proposed dwelling would be sited in close proximity to the access drive, which serves not only the proposed dwelling but several properties located further to the south. As a result, the proposed dwelling would be subject to poor levels of amenity due to the proximity of the access, and the distance required to move refuse and recycling bins to the nearest collection point. The dwelling would also have a detrimental impact on the privacy of the neighbouring properties due to the location and orientation of the first floor windows and its relationship with their private rear gardens. The proposal would therefore fail to provide high quality residential amenity levels and would be contrary to the requirements of policies LP2 and LP16 of the Fenland Local Plan (2014).</p>
3	<p>Policy LP15 of the Fenland Local Plan (2014) requires that developments provide "well designed, safe and convenient access for all". Although no objections have been raised to the point of access to the wider highway network by the Local Highways Authority, their comments do not relate to the safety and suitability of the access drive within the site. The access drive itself is of limited width, as little as 3 metres at the point where it turns to the south. The increase in traffic proposed as a result of the application, combined with the narrowness of the track would result in an access drive that fails to meet the above requirements of policy LP15 of the Fenland Local Plan (2014). The parking provision shown as part of the proposal is constrained in width by the proposed house wall to the south and the existing timber fence to the north and visibility when reversing out of the spaces is obscured by the flanking features such that the proposed parking would also be substandard and would have a detrimental impact on the safe use of the existing access track. The proposal would for the above reasons be contrary to policy LP15 of the Fenland Local Plan (2014).</p>



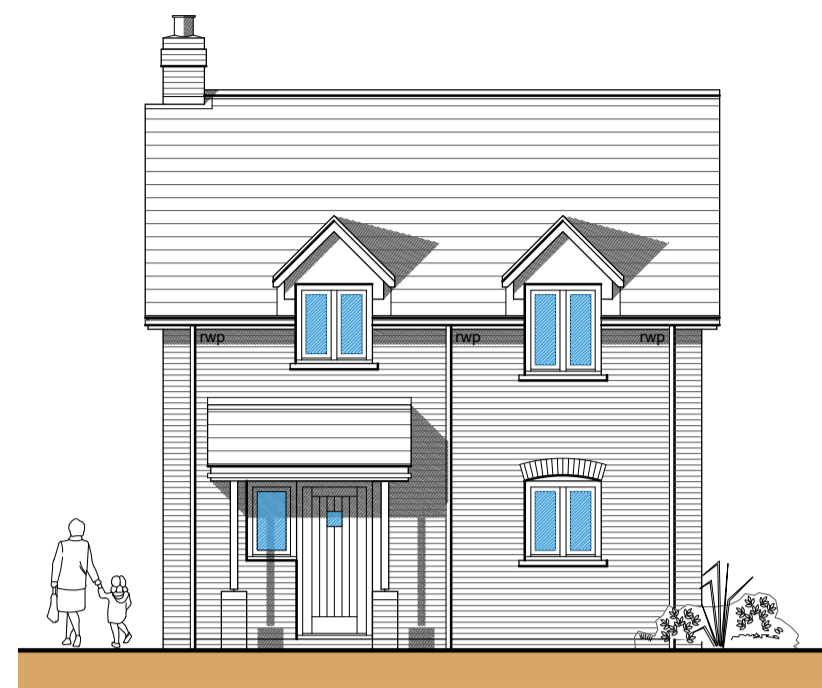
Created on: 28/01/2021

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Scale = 1:1,250





Front Elevation (W)

Scale: 1:100
0 1 2 3 4 metres



Side Elevation (S)

Scale: 1:100
0 1 2 3 4 metres



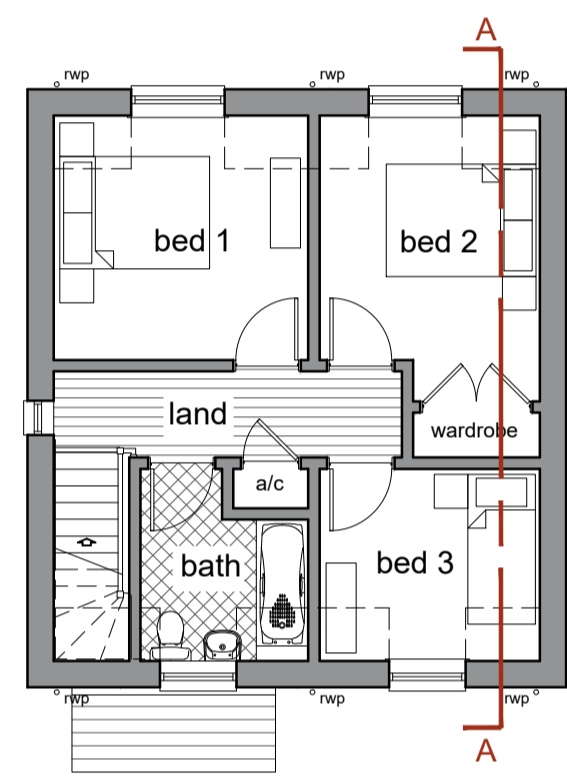
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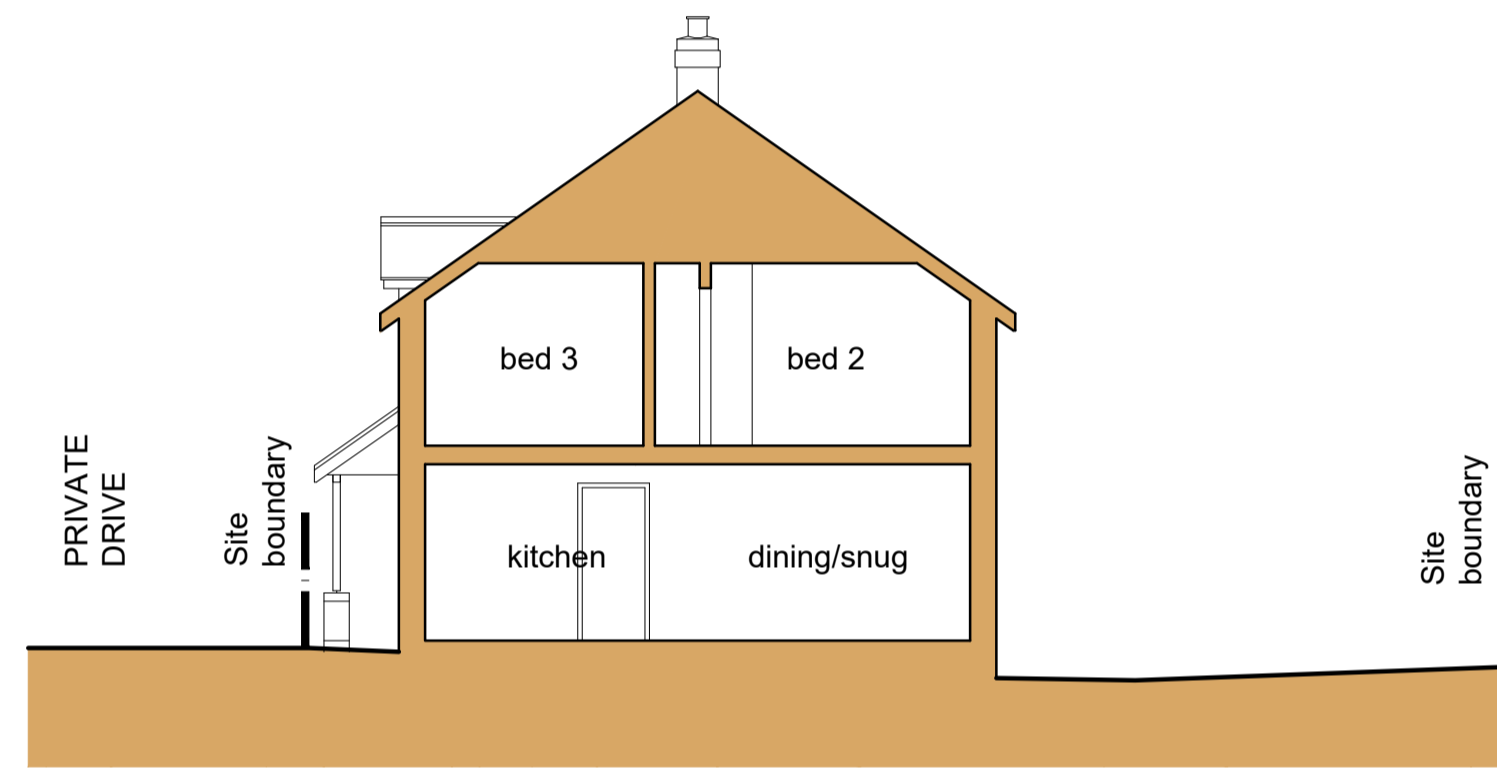
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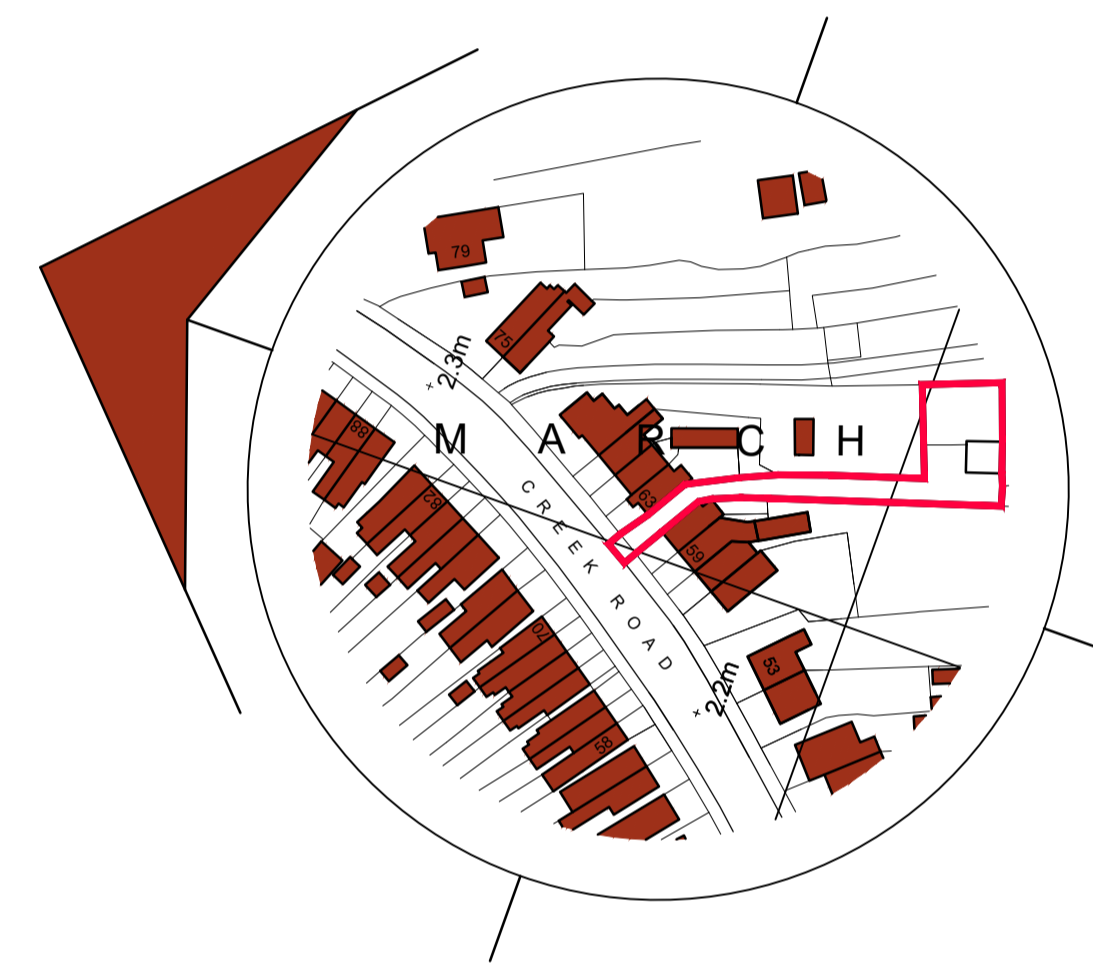
First Floor Plan

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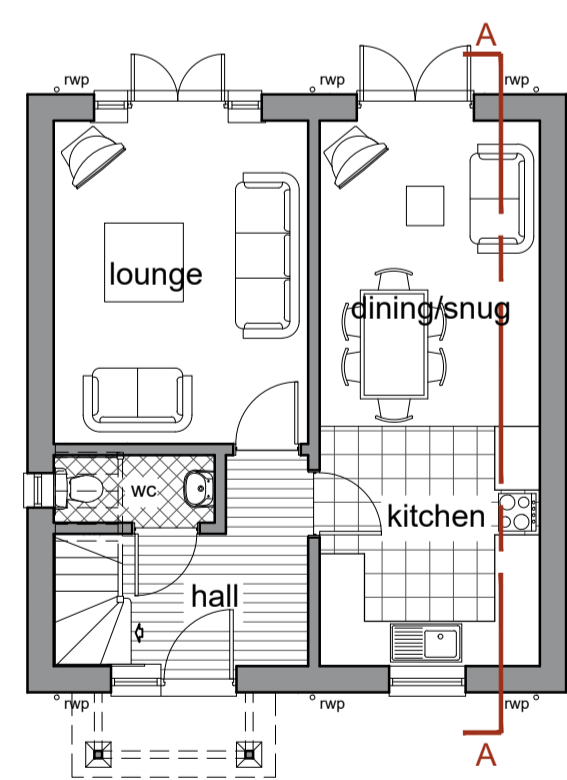
Section A-A

Scale: 1:100
0 1 2 3 4 metres



Location Plan

Scale: 1:1250
0 12.5 25 37.5 50 metres



Ground Floor Plan

Scale: 1:100
0 1 2 3 4 metres



Site Plan

Scale: 1:200
0 2 4 6 8 metres

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

SITE PLAN KEY

- Indicates proposed dwelling
- Indicates approximate position of unsurveyed trees and hedges
- Indicates site access
- Indicates proposed trees and shrubs
- Indicates existing features to be demolished

ELEVATION KEY

- Indicates brickwork
- Indicates roof tile
- Indicates joinery

Revisions		
B	Jan 2020	Revised for application

Status
FOR APPROVAL



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Job Title Proposed Dwelling Land rear of 63 Creek Road, March For Mr G Davies	Date April 2019	Drawn by JRB
Drawing Title Planning Drawing	Job No. SE-1104	Checked by SHe
Dwg No. PP-1000	Sheet Size A1	Revision B