
F/YR20/1123/F

Applicant: Mr Paul Farenden

**Agent: Mr Shane Reeve
Arcitek Building Design Ltd**

Woadmans Arms, 343 High Road, Newton-In-The-Isle, Wisbech PE13 5HS

Erect 4 x dwellings (2-storey 3-bed) and the formation of 3 x new accesses involving the demolition of existing public house

Officer recommendation: Grant

Reason for Committee: Previously deferred by the Planning Committee for further consideration of highways impact and development density.

1. EXECUTIVE SUMMARY

- 1.1. The application has previously been considered by the Planning Committee, which deferred the determination of the application to allow for the provision of further information regarding the highway safety implications of the proposal and the further consideration of the development density.**
- 1.2. Additional comments have been sought from the Local Highways Authority in respect of their stance in relation to the application and these are detailed below.**
- 1.3. Consideration is made in relation to the response received. The details provided do not amend the stance of 'no objection' provided by the Local Highways Authority previously reported, and it is therefore still recommended that permission be granted.**
- 1.4. The original report is attached as Appendix 1.**

2. BACKGROUND

- 2.1. The application was originally reported to the Planning Committee meeting on 28 July when Members resolved to defer the application to allow further comments to be obtained from officers at the Highway Authority regarding the impact on road safety and also to allow further consideration of the issue of density. The original report to Committee and the update is attached as Appendix 1.**

3. FURTHER CONSULTATIONS

Cambridgeshire County Council Highways Authority

- 3.1. *The speed survey evidence shows vehicles speeds below 30mph in both directions along the application site frontage. Vehicles/drivers are therefore travelling at suitable speed where they can slow down safely and react appropriately to vehicles emerging from, or manoeuvre vehicle accesses. The proposed vehicle accesses have been relocated at my request to ensure vehicle***

to vehicle visibility is maximised in both directions, this also ensures sight stopping distance (SSD) on the approach to these accesses is maximised, thus providing suitable reaction time and stopping distance for vehicles travelling along High Road.

- 3.2. *High Road in the location of the application site is low speed, as evidenced by the speed survey and therefore it is perfectly reasonable to apply the Manual for Streets visibility formula and design philosophy. The proposed accesses now have visibility splays/SSD's commensurate with the speed survey evidence. The street environment is no different to the numerous of other 30mph design speed classified roads across the District where accesses have been approved without turning.*
- 3.3. *If planning committee requires further reassurance; there is a row of chalet bungalows (No 351, 353, 355) round the corner from the application site that have no on-site turning provision, with sub-standard visibility/SSD. There is no accident data to suggest the absence of on-site turning provision has resulted in a highway safety problem with this example.*
- 3.4. A further response was then received in relation to technical matters regarding the highway, visibility splays and the photographs previously provided by the Parish Council. This response clarified that the visibility splay is located within the highway, that vehicles reversing off the proposed driveways are adequately protected by the sight stopping distances proposed, and that the parking of a van on the adjacent land would not present a problem to highway safety.

4. ASSESSMENT

Highway Safety

- 4.1. The comments of the Local Highways Authority make it clear that there is no justification for the refusal of the application on the grounds of highway safety. The plans are able to demonstrate an appropriate visibility splay based on a speed survey of the area in question, with that visibility splay provided within the adopted highway. The speed survey data demonstrates that it is not necessary for the proposed dwelling to provide on-site turning facilities, and that sight stopping distances are appropriate to ensure an appropriate level of highway safety.

Development Density

- 4.2. Given the confirmation from the Highways Authority that there is no requirement for the provision of on-site turning space associated with the plots it is not considered that there is any justification for reducing the number of dwellings proposed. As set out in the previous report to Committee it is considered that each plot has adequate private amenity space, that acceptable relationships with neighbouring dwellings can be achieved and that in terms of density the scheme would not be discernibly out of keeping with the surrounding residential development.
- 4.3. On that basis, there is no justification for the refusal of the development on the basis of overdevelopment of the site.

5. CONCLUSIONS

- 5.1. On the basis of the additional responses supplied, it is concluded that there is no justification for altering the previous recommendation to grant planning permission.
- 5.2. The previous recommendation therefore remains.

6. RECOMMENDATION

Grant permission subject to conditions as per the original report

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Erect 4 x dwellings (2-storey 3-bed) and the formation of 3 x new accesses involving the demolition of existing public house

Officer recommendation: Grant

Reason for Committee: Number of representations contrary to Officer recommendation

1. EXECUTIVE SUMMARY

- 1.1. The application proposes the construction of four dwellings on the application site, which is currently the site of the disused Woadman's Arms public house.**
- 1.2. The public house has been closed since 2017, and the application is accompanied by a statement indicating how it was marketed for sale following that closure. The statement is satisfactory in terms of confirming the public house use is no longer viable.**
- 1.3. The site is considered as an infill plot within a Small Village , and development of this nature is considered acceptable in principle under the terms of the settlement hierarchy of the development plan, representing the reasonable and effective re-use of a brownfield site.**
- 1.4. The specific impacts of the scheme are considered to be acceptable, following amendments made to the proposals to ensure a satisfactory for of vehicular access from the dwellings to the highway.**
- 1.5. It is therefore recommended to grant planning permission for the development.**

2. SITE DESCRIPTION

- 2.1. The application site is located in the western part of the village of Newton in the Isle, a settlement identified as a Small Village within the settlement hierarchy of policy LP3 of the Fenland Local Plan (2014).**
- 2.2. The site currently hosts the Woadman's Arms, a disused public house and its ancillary facilities (garden, car park). The public house is stated within the application particulars as having ceased trading in November 2017.**

- 2.3. The buildings on site comprise the main public house, a dark orange brick building of two storeys with external chimney stacks to both side elevations, and a natural slate hipped roof. The original building has been extended both to its rear (west) and to its side (north) elevations in a variety of styles, with some of these additions introducing render to the property as an external finish.
- 2.4. The car park was accessed to the north of the building, although this is now fenced off, and the garden area previously located immediately to the rear of the building has been cleared of vegetation. Signage has been removed from the building and the front ground floor windows have been blocked up.
- 2.5. The application site lies within a residential area of the settlement, with a range of properties located to its east and north along High Road, and a more planned form of residential development to its south and west accessed via Fen Road and Westfield Road.
- 2.6. The application site lies within flood zone 1, the zone of lowest flood risk.

3. PROPOSAL

- 3.1. The proposal is for the replacement of the existing disused public house building with 4 new 2-storey dwellings fronting onto High Road and with private gardens to the rear. These would all be 3-bedroom properties, with the 2 plots constructed on the southern half of the land being a semi-detached pair designed to reflect the appearance of the existing public house building from the street scene, with two detached dwellings located on the northern half of the site.
- 3.2. Each property would be provided with its own access off High Road, although Plots 3 and 4 would have a shared access point, and an access to the rear of the site would be provided to comply with a covenant on the land, replicating the current arrangement, albeit no access can practically be achieved at present. Parking is to be provided on the basis of 2 spaces per property to ensure compliance with Appendix A of the Fenland Local Plan (2014).
- 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=QJLFFPHE06P00>

4. SITE PLANNING HISTORY

- 4.1. There is no relevant site planning history.

5. CONSULTATIONS

5.1. Newton-in-the-Isle Parish Council

"Parking unsatisfactory with no turning points, leading straight onto main highway between two blind corners with a 40mph speed limit in place. Houses should be set further back on site to enable safer access.

Four houses deemed over development of the site.

Replica of public house as semi-detached not in keeping with the two detached houses on plans, these were more in keeping with surrounding area, no

advantage for the public house to be replicated. Design for houses on site should be similar.

Original pre-application suggested two bungalows to be built.

Query regarding covenant on access through from Westfield Road to back of one property.

No necessity for an extra access to one property from Westfield Road, when all properties have a front access from the High Road.

No consultation when the public house was first put on the market, enabling local residents the opportunity to investigate the purchase of the property. The public house had been in the family for many years, the landlady retired due to ill health and not through the public house being unviable as stated."

5.2. Cambridgeshire County Council Highways Authority

Following amendments to footways, access crossovers and visibility splays made in light of additional highway investigation undertaken during the course of the application:

No objection subject to conditions regarding provision of accesses, parking and visibility splays, and the removal of permitted development rights for the erection of gates across the accesses.

5.3. North Level Internal Drainage Board

No comments

5.4. Environment & Health Services (FDC)

No objection.

Recommend unsuspected contamination condition.

5.5. Councillor S Clark

"I am concerned that the site is not big enough for 4 houses. The parking arrangement will require vehicles to reverse in our out on to a busy road on to two blind bends I feel that the Woadmans Arms is a plane building and not worth copying.

The application does not mention the mobile home that is on sight now.

I am concerned about the access in to Westfield Rd as this could be used by construction traffic if this is passed.

Visibility from the drive ways at each end of the sight is inadequate.plots 1 and 2 have no front garden front doors opening on to main Rd"

5.6. Councillor M J Humphrey

"I note a comment that the pub closed due to lack of trade when in fact the premises was tenanted by the same family for many years, at least 60, with the previous tenants parents and only closed when Wendy was not well enough to continue.

I remain unconvinced the property was marketed well, the report says no local advertising, surely local village pubs normally go to local people. I also take issue with the price, this should have been available to local interested parties for an affordable price to maintain it as a village pub."

5.7. **FDC Economic Growth & Assets**

The marketing campaign and the summary of interest received is proportionate. 3 months marketing would perhaps be a bit light but they had it on a number of channels for 6 months and you can see the response they got. Given that there was over 2 year previous marketing exercises for pub use too when the tenants were trying to sell their lease on and had no takers would suggest poor demand for pub use (although that might depend on the lease terms at the time).

5.8. **Local Residents/Interested Parties**

12 objections have been received in relation to the proposal from properties on Fen Road, Rectory Road, Westfield Road, High Road (all Newton-In-The-Isle) and Tydd St Giles.

The responses highlight the following issues:

- Don't want to see Westfield Road opened up to access from the east. This will affect the safety of children playing on Westfield Road.
- Pub closed due to the incapacity of the tenant and no opportunity was given to seek a new tenant or purchaser.
- Misguided to refer to the appearance of the pub in the proposed semi-detached dwellings, it was neither attractive nor historically important.
- Greater impact on 24 Fen Road than existing building
- Highway safety
- Overdevelopment
- Currently a mobile home on the site, which is used for goods vehicle parking
- Nothing structurally wrong with the pub, which has historic value
- No front gardens
- Property design is poor
- Overlooking of neighbouring dwellings
- Access to rear was for agricultural access to fields, which have since been developed
- Semi-detached dwellings are both taller and deeper than existing building

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**

National Planning Policy Framework (NPPF)

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

Para 7: Purpose of the planning system is to contribute to the achievement of sustainable development

Para 78: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 117: Promote effective use of land

Para 118: Opportunities and benefits of the reuse of land

Para 119: Be proactive about bringing forward redevelopment sites

Para 121: Take a positive approach to alternative land uses

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

Identity

Built Form

Uses

Homes and Buildings

Resources

Lifespan

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

LP6 – Employment, Tourism, Community Facilities and Retail

LP12 – Rural Areas Development Policy

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**
- **Highway Safety**
- **Residential Amenity**
- **Appearance**
- **Other Matters**

9. BACKGROUND

- 9.1. A pre-application enquiry was submitted in September of 2020 regarding the premises, however this enquiry related to the conversion of the existing building on the site and is therefore not considered material to the consideration of the current application.

10. ASSESSMENT

Principle of Development

- 10.1. There are two aspects of the proposal to consider in respect of the principle of the development of the site. The first of these is the acceptability or otherwise of residential development within the settlement of Newton-in-the-Isle in accordance with policy LP3 of the Fenland Local Plan (2014), and the second is the need to justify the loss of the existing public house, which would be considered to be a community facility with regard to policy LP6 of the Fenland Local Plan (2014).

Residential Development

- 10.2. Policy LP3 of the Fenland Local Plan identifies Newton-in-the-Isle as a Small Village, where development is to be considered on its own merits, but will usually be limited in scale to residential infilling or a small business opportunity.
- 10.3. In this instance, it is clear that due to the residential properties surrounding the site, the development of the application site would be considered as an infill scheme. The site is brownfield in nature and the number of dwellings proposed is considered to represent the effective re-use of the site. Consequently, the proposal is considered, in principle, to accord with Policy LP3.

Loss of an existing community facility

- 10.4. Policy LP6 of the Fenland Local Plan sets out the strategy in relation to employment, tourism, community facilities and retail. The policy requires that any proposal resulting in the loss of a community facility demonstrates that the use is no longer viable or provides an alternative facility at least equivalent to that being lost.
- 10.5. In this instance, the application is accompanied by evidence of a marketing exercise undertaken once the property ceased trading as a public house for a period in excess of six months, and the contact received in relation to the premises during that exercise. The document also notes an earlier period of marketing in excess of two years for lease where no offers were received.
- 10.6. Comments received in relation to the scheme state that the premises should have been marketed to the local community, and at a price below that which was indicated. The marketing statement accompanying the application confirms that the building was fitted with a 'for sale' board, and notes that local press adverts were not used for reasons of cost effectiveness. It is concluded that had a local party been interested in the purchase of the premises then an offer could have been made during the period the building was for sale. The marketing statement indicates that none of the offers made met the asking price, and as such it is not considered that this point is material to the consideration of the application.
- 10.7. Given the information provided, and the comments of the Economic Growth and Assets Team, it is concluded that the marketing of the proposal for continued commercial use was sufficient to establish that the use in question was not viable, and as such the application meets with the requirements of policy LP6 of the Fenland Local Plan (2014).

Highway Safety

- 10.8. 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.
- 10.9. 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.
- 10.10. Plots 1 and 2 would have separate vehicular accesses and driveway parking for up to two vehicles, satisfying the requirements of Appendix A, as would Plots 3 and 4, albeit these properties would have a shared access

- 10.11. The Highway Safety matter relates to the proposed vehicular accesses onto High Road. Objections have been raised by responses received from both the Highways Authority and members of the public in relation to the proposal regarding the access to High Road provided for each of the dwellings and the potential impact that would have on highway safety from vehicles manoeuvring into/out of their parking provision.
- 10.12. In order to fully understand the implications of the proposal on the highway network, the applicant was requested at the behest of the Highways Authority to provide additional information to demonstrate that the proposed access arrangement would be acceptable, including a speed survey of the traffic along the section of High Road serving the development. This evidence was provided, and the site layout amended to ensure that appropriate sight stopping distances were able to be provided to serve the development (the two properties on the northern half of the site now have a shared access point to enable this).
- 10.13. The highways authority has subsequently confirmed that they no longer have an objection to the proposal from a highway safety perspective.
- 10.14. There is therefore no justification for the refusal of the scheme on this basis, and the proposal is considered overall to satisfy the requirements of policy LP15 of the Fenland Local Plan (2014).

Residential Amenity

- 10.15. 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.

Residential amenity of prospective occupiers

- 10.16. The development is required to provide high levels of residential amenity to its prospective occupants under policy LP16. In that respect, each dwelling is provided with ample rear garden space (rear gardens are shown as being between 12 and 14.5m deep) according with the requirements of Policy LP16 in respect of rear garden sizes, and the combination of separation distances from any neighbouring windows, the nature of those windows and the orientation of the dwellings in relation to those neighbouring properties means that the proposals would not result in unacceptable levels of privacy or residential amenity.
- 10.17. Each of the dwellings has ample space to store bins for waste collections, and access to an adopted highway immediately to their fronts from where collections can take place.

Residential amenity of neighbours

- 10.18. Policy LP16 also requires that applications do not result in unacceptable impacts on neighbouring levels of amenity from a range of sources.
- 10.19. The existing premises on the site is a public house, albeit currently closed for business. This business when in operation would have the potential to result in significant disturbance to the occupiers of neighbouring dwellings, particularly in

light of the potential for noise generation late at night and in close proximity to those dwellings. The removal of this potential source of disturbance would have a positive impact on the amenity levels of all the surrounding properties.

- 10.20. In this regard, the nature of the proposal as residential dwellings would not give rise to concerns over residential amenity of the neighbours, particularly when compared to the potential for disturbance caused to neighbouring dwellings by the existing use in such close proximity.
- 10.21. Concern has been raised over a loss of privacy to the neighbouring properties, however in this regard the rear windows of plots 1 & 2 are approximately 12m from the shared boundary to the west, which is considered to be satisfactory.
- 10.22. To the south of the application site lies 24 Fen Road, a residential dwelling that is currently overlooked from the first floor of the public house at a distance of approximately 6m. The proposal would see this relationship changed, with a bedroom window proposed on the southern elevation of plot 1. This window more directly overlooks the sub-station premises, however would still have an impact in terms of the privacy of the dwelling to the south. It would be possible however to protect the amenity of the neighbouring dwelling through design alterations to this proposed window, and therefore a condition is included to require amended details to be agreed prior to construction of the first floor of this plot.
- 10.23. The impact of the scheme on the neighbouring properties in relation to overshadowing and dominance of those dwellings is also relevant to the acceptability of the application. In this regard, the majority of impacts are of limited weight due to the orientation of the proposed dwellings in relation to the surrounding dwellings, and the existing buildings on the land that are to be replaced.
- 10.24. The proposed dwellings would be located closer to the boundary of the property to the south, bringing the built development in closer proximity to the neighbouring garden. It would still be separated by the width of the proposed driveway from the boundary however (3.2m) and would not result in a significantly different relationship to the existing scenario. The proposed buildings are also located on the north boundary of the neighbouring property and therefore would not impact in terms of overshadowing.
- 10.25. Revised consultation is currently being undertaken in respect of the property immediately to the south and the impact of the proposal on that dwelling due to changes made to the siting of the dwellings on plots 1 & 2 to facilitate acceptable driveway widths. Any further comments received in this respect will be reported to Members at the meeting.
- 10.26. The dwellings to the west are separated from the proposed buildings by a much larger distance as noted above, and so the proposals would not have an overbearing or dominant effect on those properties.
- 10.27. To the north, the neighbouring dwelling is separated from the development by its own ancillary outbuildings and as such will not be materially affected by the presence of the proposed dwelling on plot 4.

10.28. Overall therefore, the amenity levels of the scheme are considered to be acceptable, and do not justify refusal of the application.

Appearance

10.29. 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.

10.30. As previously stated, the proposal is designed so as to mimic certain aspects of the existing public house, in particular through its hipped roof, external chimneys and its brick construction. The application form states that bricks to match the existing public house will be used. The two detached dwellings will be part brick and part render (first floor), which is a material in use in both more modern and traditional properties within the vicinity of the application site, including in places on the dwelling immediately to the north (the remainder of this property is white painted brick/stone).

10.31. The ridge height of the semi-detached dwellings is raised above that of the existing public house, however it remains proportionate to other properties in the area within its context, and the proposed dwellings are well-spaced within the street scene to avoid the development having an overbearing impact. The detached properties have a higher ridge (approximately 1m), however due to their hipped design the additional height is not a dominant feature in the street scene. The properties are set back slightly from the existing highway so as to ensure they do not have an unacceptable relationship with the street in comparison to the existing dwelling further along High Road to the north.

Other Matters

10.32. Several other matters were raised in the consideration of the application, including the structural integrity of the existing building and the current use of the site following the pub's closure. These however are not matters material to the consideration of the application submitted at this time.

10.33. Also considered is the access point shown on the plans to Westfield Road at the rear of the development site, indicated on the drawings as being required by a covenant in respect of the land.

10.34. It is noted in this regard that the application layout shows the retention of the existing boundary treatment (1.8m closeboard fence) surrounding the application site, and that the land immediately to the west to which the access relates is occupied at present by a mature tree and a picnic bench and is not with the ownership of the applicant. On that basis, the indicated access would not be able to provide practical vehicular access onto Westfield Road and is simply to satisfy the requirement of a covenant on the land. This is similar to the previous/current situation in respect of the access, which was present within the car park of the public house during its operation.

11. CONCLUSIONS

- 11.1. The application proposes a residential infill scheme on land identified as being within flood zone 1. The Highways Authority have confirmed there are no outstanding safety issues in respect of the proposal, and the specific impacts of the buildings proposed have been assessed and do not justify the refusal of the application on the grounds of visual or residential amenity impact.
- 11.2. There are no other material considerations that justify the refusal of the scheme contrary to the relevant policies of the development plan

12. RECOMMENDATION

Grant

The proposed conditions are as follows;

<p>1. The development permitted shall be begun before the expiration of 3 years from the date of this permission.</p> <p>Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
<p>2. Notwithstanding the hereby approved plans, prior to any construction taking place above ground floor level of plot 1, amended details of the proposed first-floor south facing bedroom window of that plot shall be submitted to and approved in writing by the Local Planning Authority. The window shall be designed so as to protect the privacy of the residents of the adjoining dwelling to the south (24 Fen Road). The development shall not be carried out other than in strict accordance with the agreed details.</p> <p>Reason: To ensure that the dwellings approved do not have an unacceptable impact on the privacy and amenity of the adjoining properties, in accordance with the requirements of policy LP16 of the Fenland Local Plan (2014).</p>
<p>3. Prior to first occupation of the development hereby permitted, the High Road footway and vehicular accesses will be laid out and constructed in accordance with submitted plan 170435/GA01.</p> <p>Reason: In the interests of satisfactory access.</p>
<p>4. Prior to the first occupation of the development hereby permitted the proposed on-site parking shall be laid out in accordance with the approved plan and thereafter retained for that specific use.</p> <p>Reason - To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.</p>
<p>5. Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015, (or any order revoking, amending or re-enacting that order) no gates shall be erected across the approved accesses.</p> <p>Reason: In the interests of highway safety.</p>
<p>6. Prior to first occupation of the development hereby approved, visibility splays shall be provided as shown on the approved plan (VS02 Sheet 1 & 2) and shall be maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.</p>

Reason - In the interests of highway safety.
<p>7. No development other than groundworks and foundations shall take place until full details of the materials to be used in the development hereby approved for the walls and roof are submitted to and approved in writing by the Local Planning Authority. The details submitted for approval shall include the name of the manufacturer, the product type, colour and reference number. The development shall then be carried out in accordance with the approved details and retained in perpetuity thereafter.</p> <p>Reason: To safeguard the visual amenities of the area in accordance with Policy LP16 of the Fenland Local Plan, adopted May 2014.</p>
<p>8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the approved remediation strategy.</p> <p>Reason: To control pollution of land and controlled waters in the interests of the environment and public safety in accordance with the National Planning Policy Framework, in particular paragraphs 178 and 179, and Policy LP16 of the Fenland Local Plan 2014.</p>
<p>9. Details of the location, height, design and materials of all screen walls and fences shall be submitted to and approved in writing by the Local Planning Authority before commencement of the relevant parts of the work. The approved scheme shall be implemented concurrently with the erection of the dwelling(s) fully in accordance with the agreed details prior to occupation and thereafter retained in perpetuity.</p> <p>Reason: To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development are afforded an acceptable measure of privacy in accordance with Policies LP2 and LP16 of the Fenland Local Plan, adopted May 2014.</p>
<p>10. No development other than the demolition of the existing building shall commence on the site until details of existing ground levels (in relation to an existing datum point), proposed finished floor levels, floor slab levels and cross sections of the development shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in strict accordance with the levels shown on the approved drawing(s).</p> <p>Reason: To ensure that the precise height of the development can be considered in relation to adjoining dwellings to protect and safeguard the amenities of the adjoining occupiers in accordance with Policies LP2 and LP16 of the Fenland Local Plan 2014.</p>
11. The development hereby permitted shall be carried out in accordance with the following approved plans and documents

PLANNING COMMITTEE DATE: 28th July 2021

APPLICATION NO: F/YR20/1123/F

SITE LOCATION: Woadmans Arms, 343 High Road, Newton-In-The-Isle, Wisbech

UPDATE:

National Planning Policy

On the 20th July the Government published a revised National Planning Policy Framework (NPPF). There are no changes to the NPPF which have a material effect on the consideration of this application, however the paragraph numbers referred to in the Committee report have been amended as follows:

Para 79: Housing should be located where it will enhance or maintain the vitality of rural communities.

Para 119: Promote effective use of land

Para 120: Opportunities and benefits of the reuse of land

Para 121: Be proactive about bringing forward redevelopment sites

Para 123: Take a positive approach to alternative land uses

Para 130: Well-designed development

Para 134: Development that is not well-designed should be refused, especially where it fails to reflect local design policies.

Further responses received

8 further responses have been received in relation to the revised plans (including a response from the dwelling immediately to the south of the application site noted in paragraph 10.25 of the main report), noting the following objections.

- New dwellings have been moved closer to the boundary of the dwelling to the south, and they will be wider and taller than the existing building. This will create a dominant effect.
- The existing building is of no merit and constructing a replica represents poor design.
- Still have concerns over the accesses proposed. No provision for visitor parking.
- Why approve access onto Westfield Road – impact on those dwellings would be unacceptable.
- The proposal is unacceptable for the size of this road and is not needed.
- Proposals will impact on neighbouring privacy.

A written response has been received from Ward Cllr Clark stating the following:

As ward councillor I attended a meeting with the residents of Westfield Rd, this is the cul-de-sac behind the Woadmans Arms. Westfield Rd is a safe environment for the children to play and is almost a mile from the only public open space in the village. The proposed development includes vehicular access to the boundary of the site adjoining Westfield Rd. Residents are concerned that this will allow construction traffic to access the site.

If Permission is granted, please include a condition preventing any access from Westfield road.

A further written response has been received from Ward Cllr Humphreys in relation to the proposal stating the following:

It is still my view that the property was purchased as a development opportunity and

retention as a public house was never seriously considered, hence my earlier comments which I will not repeat.

I am disappointed by the officer recommendation because once lost the chances that the village will get another pub are extremely slim. The loss of yet another facility, like the school, will not serve this village well and should be resisted, a view shared by other objectors.

I have other concerns regarding the application to redevelop, the design, the density, the highway, this is not a good alternative if one has to be considered.

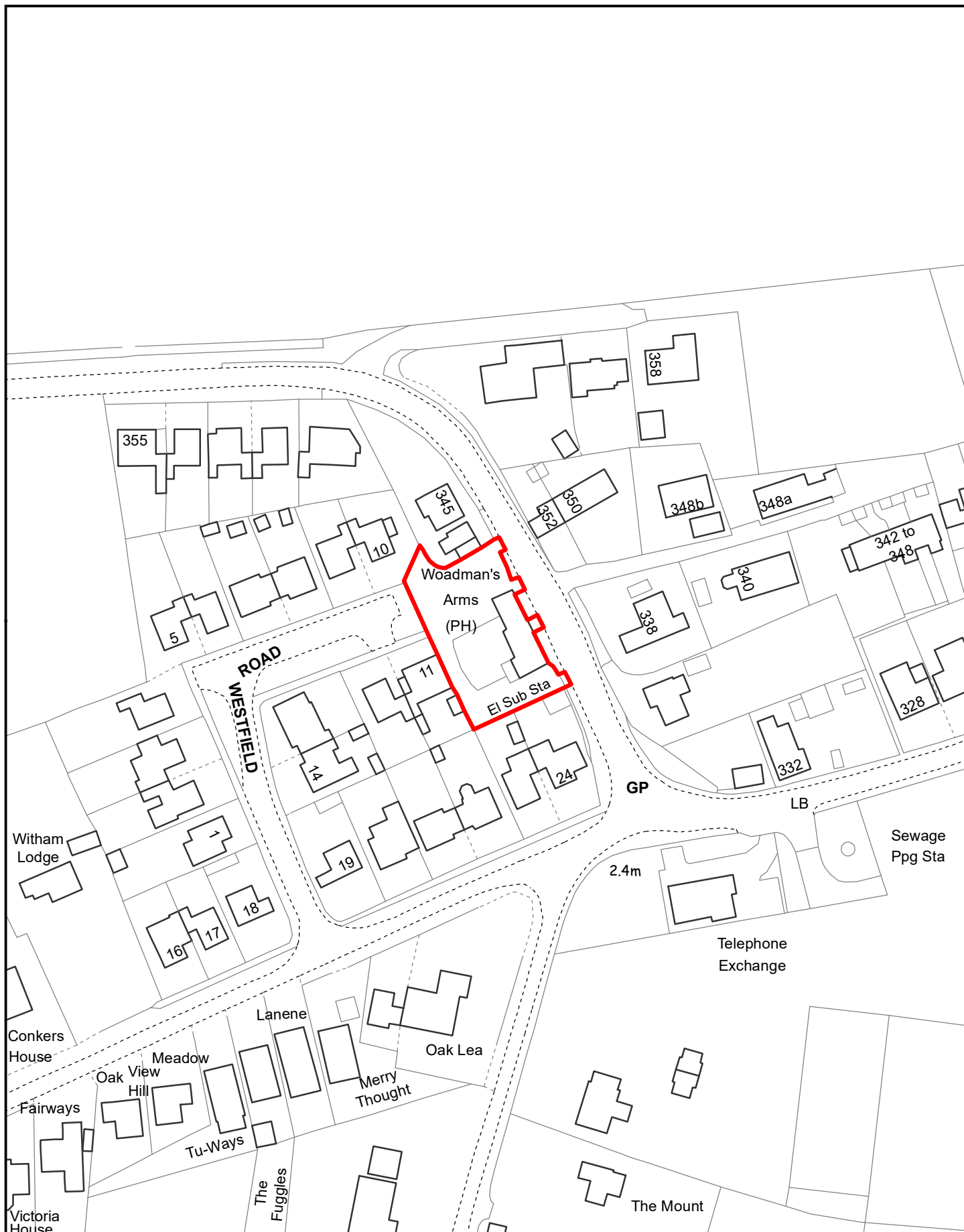
As Ward Councillor I support the concerns raised by local residents especially regarding access to Westfield Road, surely any access afforded by the covenant was given up when the agricultural land to which access was required was granted planning permission as Westfield Road.

Convenant Access to rear

The site plan shows a rear “Gravel driveway access to rear as per covenant”. This has generated a substantial level of concern in respect of the proposals. The plans also however state “Existing perimeter boundary to remain all around the site”. The access relates to a covenant on the land previously required to give access to the agricultural land on which Westfield Road was built. It was therefore present throughout the lifetime of the operation of the public house, and it can be seen from historic street photography that the pub car park was located in a similar position to the proposal, also facilitating access onto Westfield Road had the covenant been actioned. The previous post and rail fence in place between the pub car park and Westfield Road has been replaced by a closeboard fence of considerably more substantial construction, discouraging its use. It is also noted that the intervening land is now within the ownership of the Highways Authority and further consents would therefore be required to formalise any such access or undertake works to the tree located on the land.

The remaining matters identified as part of the revised consultation and received from the Ward Councillors all relate to points previously identified and considered within the main report, and the conclusions in that regard remain as per the main report.

Recommendation: The recommendation remains to grant planning permission as per the main report



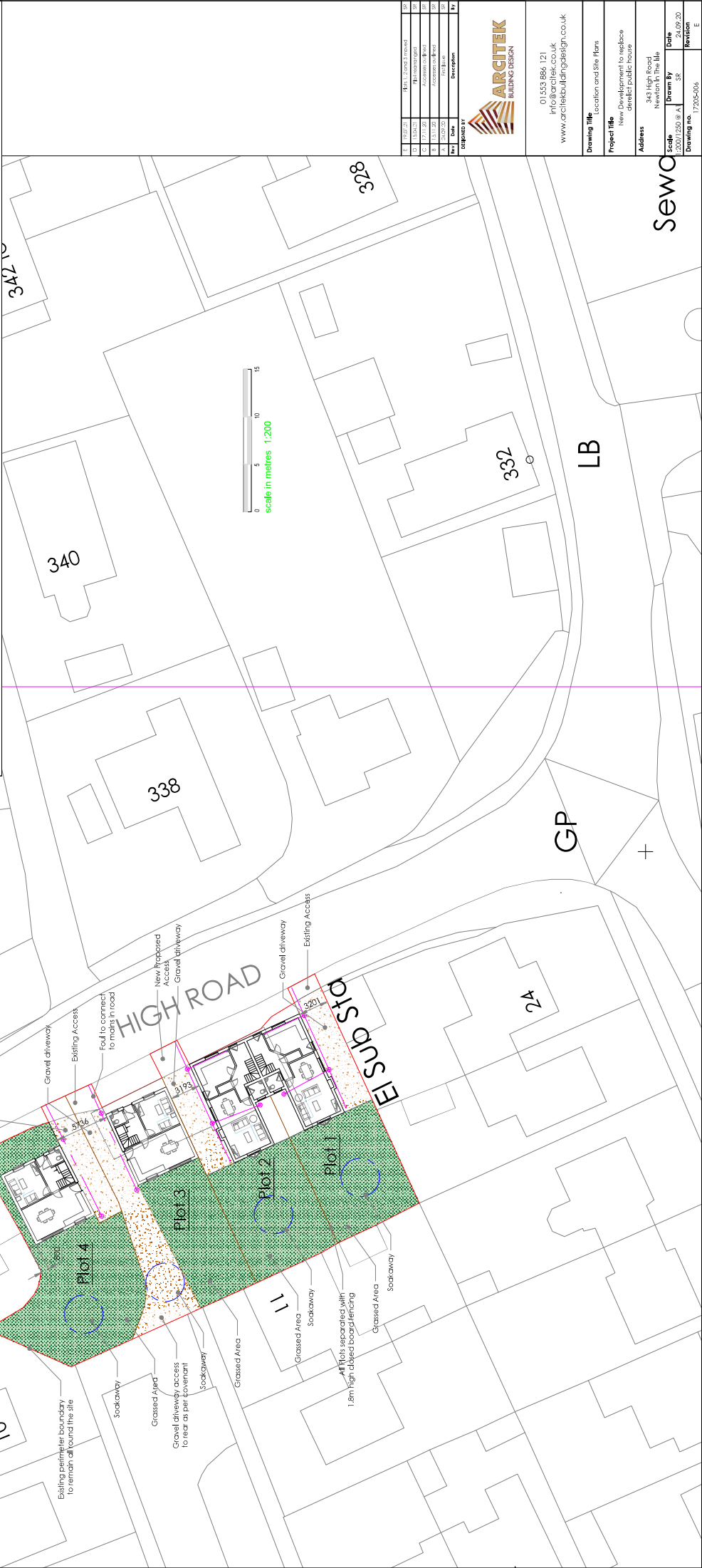
Created on: 30/11/2020

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Scale = 1:1,250





Rev	Date	Description	By
1	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
2	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
3	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
4	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
5	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
6	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
7	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
8	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
9	2023-10-10	Plot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	ARCITEK
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Drawing Title	Location and Site Plans
Project Title	New Development to replace existing public house
Address	343 High Road Newton In The Isle
Scale	1:250 / 1:500 @ A
Drawn By	SR
Checked By	SR
Date	24.09.20
Revision	E

Sewo