
F/YR21/1424/F

Applicant: Conservative Club

**Agent : Mr David Broker
David Broker Design Services**

Land North Of 34, Whitmore Street, Whittlesey, Cambridgeshire

Erect 3 x 3-bed 2-storey terraced dwellings with associated parking area

Officer recommendation: Refuse

Reason for Committee: Number of representations received contrary to officer recommendation.

EXECUTIVE SUMMARY

- 1.1 The proposal is for the erection 3 x 3-bed 2-storey dwellings
- 1.2 The proposal site is part of the Conservative Club car park on Whitmore Street in Whittlesey
- 1.3 The Town Council recommends refusal on the grounds of access, the properties are being enclosed within the curtilage of the car park.
- 1.4 A large number of respondents (10) have supported the scheme on grounds of location close to the town centre and local financial benefits and 1 objection on grounds that future residents would be affected by activities in the car park of the Conservative Club.
- 1.5 It is considered that the design and scale of the proposed development would be out of keeping with the area, would result in unacceptable living conditions for future occupiers of the development, would compromise the function of the Conservative Club owing to the loss of parking and no justification has been provided for the loss of part of the community facility as required by prevailing policies.
- 1.6 The recommendation is therefore for the application to be refused.

2. SITE DESCRIPTION

- 2.1 The proposal site is part of the Conservative Club car park located to the rear of the Club and accessed from Whitmore Street, and the development is proposed to be located in the north-eastern corner of the site. An area photo of the site shows that there are currently about 43 parking spaces on the site
- 2.2 The Conservative Club building is within the Conservation Area boundary whilst the proposed development area is outside of it. The Club is also located within close proximity to the town centre.

2.3 The site is located within Flood Zone 1 in accordance with the Environment Agency Maps.

3. PROPOSAL

3.1 The applicant proposes to erect 3 x 3-bed 2-storey terraced dwellings consisting of kitchen/diner, living room and cloakroom on the ground floor and three bedrooms and a bathroom on the first-floor.

3.2 The development would be finished in facing brick and Redland Terracotta double pantiles.

3.3 The proposed terrace of 3 will be oriented in a north-east to south-west direction with its principal elevation facing into the Conservative Club car park. 6 car parking spaces are shown immediately to the front of the dwellings, with an area of garden to the rear of the properties with the two end properties also having space to the sides.

4. SITE PLANNING HISTORY

F/YR21/0032/F, Erect 4 x 3-bed 2-storey dwellings, Withdrawn.

5. CONSULTATIONS

5.1 Whittlesey Town Council:

The Town Council recommend refusal on the grounds of access, the properties are being encased within the curtilage of the car park and is contrary to LP3.

5.2 Archaeology:

Although this site lies in an area of archaeological potential within the historic core of Whittlesey, where medieval settlement remains have previously been identified to the south east and south-west along the line of Whitmore Street, an archaeological evaluation consisting of three trial trenches carried out only 25m to the east of the site redline did not reveal any archaeological features or finds, and all deposits identified were modern (Cambridgeshire Historic Environment Record reference ECB4223). In light of this evidence, we do not consider that an archaeological investigation of the small areas of impact of the proposed development currently under consideration would be likely to yield significant additional evidence to contribute to our understanding of the archaeological character of the area and consequently would not be justifiable under the terms of the NPPF if the anticipated outcome of such an investigation is weighed against the viability of the development. Consequently, we wish to raise no objections or requirements to the development.

We would however request to be consulted again if the scale of development proposed in this location changes, as that could materially alter the planning balance with regard to archaeological works.

5.3 Environmental Health:

I refer to the above application for consideration and would make the following observations. The Environmental Health Team note and accept the submitted information and have 'No Objections' to the proposal as it is unlikely to have a detrimental effect on local air quality or the noise climate.

As the proposed development site is currently used as a car park, a condition is suggested to be imposed in the event planning consent is granted regarding unsuspected contamination.

5.4 FDC Conservation Officer:

There is no objection to this application but unfortunately, the current scheme, though different, has similar issues of design as the previous one. The central gable feature and hipped roof detail now serves to present a development that is out of scale with its surroundings. The ridge height is virtually unchanged from the previous scheme, so these comments are advisory only, but a simple terrace would be more in keeping with the properties within the setting of the conservation area. However, the success of any scheme hinges on the quality of the materials used and those provided would make an attractive development. The use of any alternative material would amount to a variation and should require prior approval.

Of greater consideration is the listed mud wall which forms the boundary to the entrance of the site. The setting of the wall is a busy road, driveway and car park and surrounded by buildings. It is not felt that there is any element of its original historic setting that remains, and so there is no concern regarding the development on the setting of the wall – the impact will be neutral. However, great care must be taken during the construction phase to ensure that no damage arises or is caused to the mud wall. A condition is suggested to protect the wall from collision or vibrations during construction.

5.5 Ward Member (Cllr Chris Boden)

The reduction from four dwellings in a previous application for this site to three dwellings is welcome. This addresses the overdevelopment concerns when it was proposed to develop this site for 4 dwellings

Access to and from the site is via an established entrance and exit for the existing club premises. With the reduction in club car parking spaces, I don't believe that the development would result in an increase in traffic using that exit and entrance to/from Whitmore Street.

There is clearly sufficient remaining parking on the site to accommodate needs

I have in the past been a member of the club but haven't been so since 2020

Taking these matters into account, on balance I support the application.

5.5 Local Residents/Interested Parties:

One objection has been received from a resident of Mayfield Road, Eastrea, on the grounds that future residents would be affected by activities in the car park.

10 responses have been received from residents of Viking Way, Mountbatten Way, Munday Gardens, Childers Street, Drybread Road, Whitmore Street and two from Eastrea Road, Whittlesey and two from residents of Coates Road, Coates, supporting the application on the grounds of:

- Whittlesey needs housing
- Proximity to town centre
- Not overdevelopment
- No traffic impacts

- local financial benefits associated with the development, particularly to the Conservative Club.

It should be noted that several of the letters of support state they are from members of the Club, as well as the Club secretary.

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).
- 6.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities when considering development to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

7. **POLICY FRAMEWORK**

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

National Design Guide 2019

Context

Identity

Built Form

Movement

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

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

LP18 – The Historic Environment

Whittlesey Draft Neighbourhood Plan 2021-2040 (Draft Plan out to consultation)

Policy 1 - Spatial Strategy

a. Whittlesey is the main centre for growth

Policy 2 - Local Housing Need

Policy 7 - Design Quality

Policy 8 - Historic Environment

Policy 12 - Delivering Sustainable Transport

Limited weight can be given to the plan at this stage.

8. **KEY ISSUES**

- 8.1 The key issues arising in relation to this development are:

- **Principle of Development**
- **Design Appearance and Impact on the Area**
- **Residential Amenity**
- **Parking and Access**
- **Economy and Protection of Community Facilities**

These are assessed in turn below.

9. BACKGROUND

- 9.1 A previous application for a development of 4 dwellings on the site was withdrawn when it was apparent that the scheme would be recommended for refusal on the grounds of possible harm to the character of the site and the area and insufficient residential amenity owing to a cramped form of development. The current scheme seeks to overcome the possible refusal reasons and as such has reduced the units to 3 to allow adequate residential amenity to be accorded for each unit.

10. ASSESSMENT

Principle of Development

- 10.1 The proposal site is located within the built-up part of Whittlesey which, in accordance with the settlement hierarchy set out in Local Plan Policy LP3 of the Local Plan, is identified as one of four market towns where development is encouraged to take place. The proposal is also just outside the town centre boundary. There are no policies to indicate that the principle of residential development in this area would not be acceptable. It is important to note that this point of general principle is subject to broader planning policy considerations and other relevant material considerations which will be discussed in more detail below

Design, Appearance and Impact on the Area

- 10.2 Paragraph 126 of the National Planning Policy Framework 2021 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This is further reflected in Local Plan Policy LP16 which seeks to deliver and protect a high-quality environment for those living and working within the district. Both national and local policies seek to ensure that development is only permitted if, among other criteria, it makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, reinforces local identity and does not adversely impact, either in design or scale terms, the street scene, settlement pattern or the landscape character of the surrounding area.
- 10.3 The proposal site is a backland location, forming part of the car park of an existing commercial building (the Conservative Club) which may be considered as a community facility and an employment generator.
- 10.4 As with the previous scheme, the currently proposed development would be located in the north-eastern corner of the site and oriented in a north-east to south-west direction, backing against an existing wall and facing into, what would be, the remainder of the Conservative Club car park. The development would consist of a terrace of three, two-storey dwellings designed with a simple geometric shape which would be in keeping with the prevailing styles within the general area. However, as has been stated by the Conservation Officer, the

scheme has some design peculiarities which, even though the site is outside of the conservation area, can be seen as alien when compared to development within it. The central gable feature and hipped roof detail now serves to present a development that is out of character with its surroundings. Based on the comments of the Conservation Officer, the current scheme differs from the previous one mainly in terms of number of units proposed but the ridge height is virtually unchanged from the previous scheme and the design features are alien to the area. Whilst it is noted that the applicant has tried to take on board the concerns raised in relation to the previously withdrawn scheme, the scale and design would still be out of keeping with the character of the area.

- 10.5 Whilst the location of the development on backland implies that the develop is unlikely to harm the significance of the Conservation Area, the scale and design of the scheme would result in a development that is out of keeping with the general character and appearance of the area contrary to Local Plan Policies LP16, LP18 and paragraph 126 of the National Planning Policy Framework 2021 which seek to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area as well as protecting heritage assets.

Residential Amenity

- 10.6 Paragraph 185 of the National Planning Policy Framework 2021 states that planning policies and decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of noise pollution on health and living conditions and avoid noise giving rise to significant adverse impacts on health and the quality of life. This is reflected in Local Plan Policy LP16 which seeks to provide and protect comforts that the general environment provides and to this end ensures that development does not adversely impact on the amenities of the occupiers of the development and that of its neighbouring users owing to noise, light pollution, loss of privacy and loss of light.
- 10.7 The design and layout of the proposed development would result in gardens of substandard length (about 7m) which would be visually dominated by the wall on the eastern boundary. In addition, the proximity of the windows to the boundary wall would result in an overbearing effect on and a poor outlook for the future occupiers of the proposed development. The garden area of the middle terraced dwelling is shown as being located in front of the lounge window of the end dwelling (south end) which cannot be acceptable as the window of the end plot will be encompassed within the neighbours garden.
- 10.8 The siting of the development within the car park of the Club, enclosed in almost all directions by walls, would result in poor quality living environment owing to noise and disturbance from the constant use of the car park day and night.
- 10.9 As a private property, bin collection services would not extend to the development and thus residents would be forced to drag their wheely bins through the car park to the edge of Whitmore Street on collection days. The distance involved exceeds the 30 m drag distance as set out in the RECAP Guidance document. Also there is no identified bin location store shown on the site plan and the presence of up to 6 bins on collection day could impact either on the public footpath or indeed on the access into the Conservative Club car park.
- 10.10 Based on the above assessment, it is the view of the officers that the proposed development would result in harm to the living conditions of the future occupiers

of the said properties contrary to Fenland Local Plan Policy LP16 and paragraph 185 of the National Planning Policy Framework 2021.

Parking and Access

- 10.11 Fenland Local Plan Policy LP16 states that new development will only be permitted if it can be demonstrated that safe and convenient pedestrian and vehicle access to and from the public highway as well as adequate space for vehicle parking, turning and servicing would be achieved.
- 10.12 The scheme proposes 6 parking spaces at the rate of two parking spaces for each unit which will be located at the front of the development. The development is therefore able to provide enough parking for the new development in accordance with Fenland Parking Standards.
- 10.13 Being enclosed within the car park, vehicular access to the site will be by way of the existing car park access and would therefore not require the creation of or modification to the existing access.
- 10.14 In accordance with the prevailing parking standards, the club does not have enough parking spaces and the loss of about 10 parking resulting from this development is only likely to exacerbate this deficiency. Whilst the site is located at the edge of the town centre, there is a likelihood that any potential site shortfall may not be accommodated by the public car parks within the town centre. This is a concern that is raised by the Highways Engineer.
- 10.15 Based on the above assessment, it is the view of officers that the proposed development, owing to the loss of existing parking provision, would not comply with the provisions of Local Plan Policy LP16 and the prevailing Fenland Parking Standards.

Other Matters: Economy and Community Facilities

- 10.16 Paragraph 93 of the National Planning Policy Framework 2021 states that planning decisions should plan positively for the provision and use of shared spaces, community facilities such as public houses and other local services to enhance the sustainability of communities and residential environments. At the Local level, this is delivered through Local Plan Policy LP6 which states that proposals that would lead to the loss of community facilities will only be permitted if it can comply with two criteria, namely, demonstration that the retention of the facility is no longer financially viable and the facility has been marketed and secondly, that an alternative facility is provided.
- 10.17 As indicated above, the development would result in the loss of some 10 parking spaces for the club which may impair the future viability of the facility. There may very well be some financial benefits to the club for developing three houses, but this does not justify the creation of a substandard development and the loss of parking associated with the existing operation of the club.
- 10.18 Therefore, in concluding, the proposed development is predicated on the apparent reduced patronage resulting from the impacts of the coronavirus pandemic and, even though the development would not result in the total loss of the facility, the development would compromise its parking requirements and hence its use which would be contrary to Local Policy LP6 and paragraph 93 of the National Planning Policy Framework 2021.

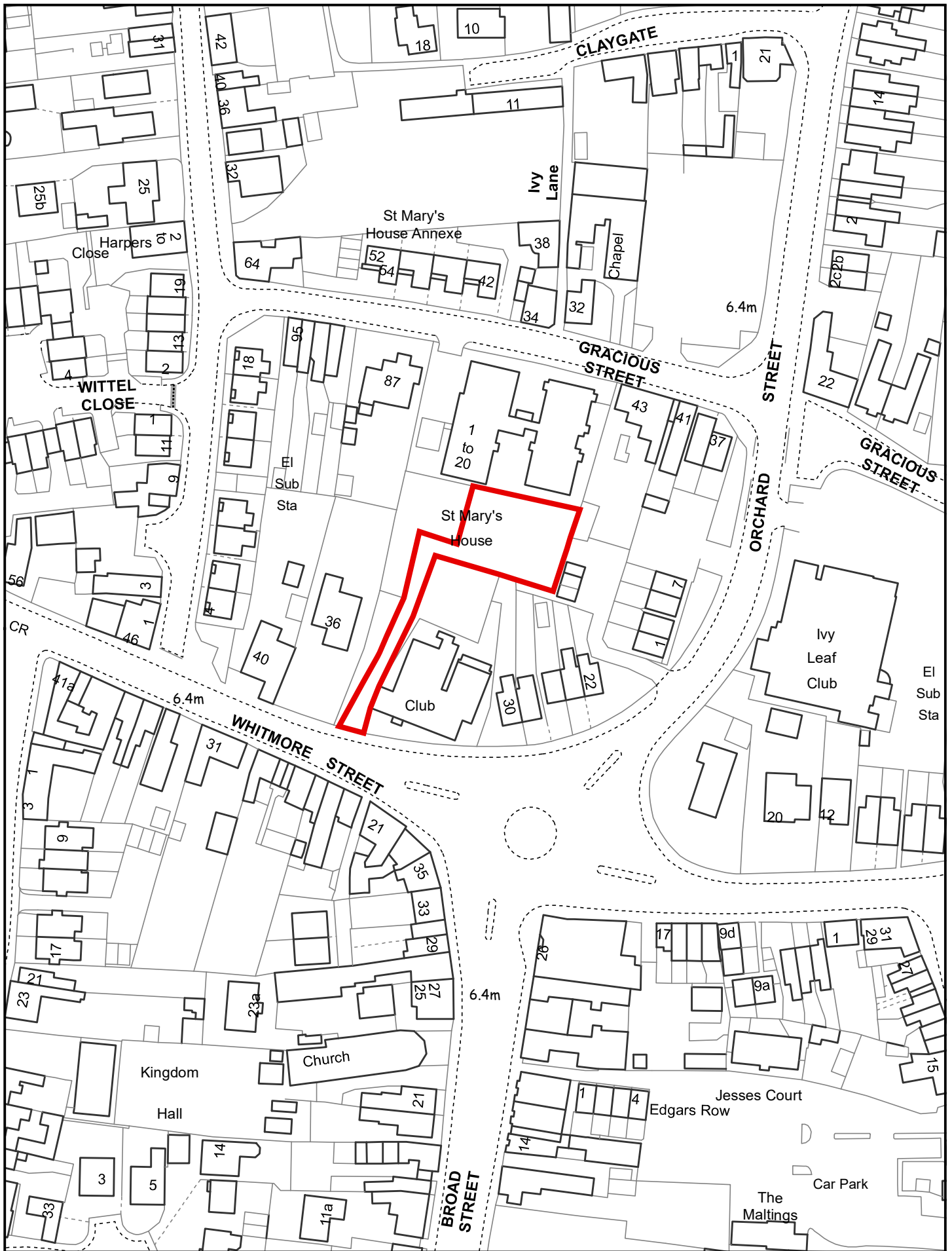
11. **CONCLUSIONS**

It is recognised that the applicant has tried to overcome the issues raised in relation to the previously withdrawn application. However, there are other matters such as the impacts on the residential amenities of the future occupiers of the development as well as any justification for wanting to reduce the existing parking provision for the club which have not been satisfactorily addressed in this current application.

12. **RECOMMENDATION.**

Based on the above assessment, it is the recommendation of officers that the application be refused based on the following reasons:

1. Whilst the location of the development on backland implies that the development is unlikely to harm the significance of the Conservation Area, the scale and design of the scheme would result in a development that is out of keeping with the general character and appearance of the area contrary to Local Plan Policies LP16, LP18 and paragraph 126 of the National Planning Policy Framework 2021 which seek to deliver high quality environments that make a positive contribution to the local distinctiveness and character of an area as well as protecting heritage assets.
2. The proposed development owing, to design, layout and location within the existing enclosed car park, would result in gardens of substandard length and the middle terrace garden impacting on the southern most dwelling by virtue of the gardens sub-division and be visually dominated by the wall on the eastern boundary resulting in a poor outlook and an overbearing effect for the future occupiers of the proposed development. This coupled, with the noise and disturbance from the car park use as well as almost 80m walk to kerbside bin collection, would result in poor quality living conditions for future occupiers of the proposed development contrary to Fenland Local Plan Policy LP16 and paragraph 185 of the National Planning Policy Framework 2021.
3. The proposed development would be sited on part of the existing Conservative Club car park and even though the development would not result in the total loss of the facility, the development would compromise its parking requirements and hence its use which would be contrary to Local Policy LP6 and paragraph 93 of the National Planning Policy Framework 2021 which seek to protect community facilities.



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