

F/YR15/0716/F

**Applicant: McCarthy & Stone
Retirement Lifestyles Ltd**

**Agent : Mr N Martyn
The Planning Bureau Ltd**

Bricklayers Arms, 9 Station Road, Whittlesey, Peterborough

Erection of a 3-storey block of 35 x sheltered homes for the elderly comprising of: 20 x 1-bed and 15 x 2-bed units with communal facilities involving the demolition of existing building within a Conservation Area

Reason for Committee: In view of Whittlesey Town Council's support which is contrary to the Officer's recommendation.

1 EXECUTIVE SUMMARY

The proposed development would introduce 35 sheltered dwellings for older residents into a sustainable location and would provide a high quality and secure living environment for future occupiers thereby making effective use of a brownfield site. Furthermore, due to the dilapidated condition of the Brickmakers Arms, the redevelopment of the site (subject to design) would likely improve the general amenity of the area.

However, the site lies in the Whittlesey Conservation Area and the subject building, Bricklayers Arms makes a positive contribution to the form and character of the area and therefore its loss would cause harm to this historic environment and the character in general. It is considered that this loss has not been justified as the proposed building by reason of its large scale and massing would fail to conserve and enhance the character of the Conservation Area. The development would also result in the removal of 2No. substantial trees which currently provide high amenity value to the area. Their loss and lack of available opportunities to replant would also cause harm to the general character and amenity of the area. Finally, the development by reason of its scale and layout of windows serving habitable rooms would cause overlooking thereby compromising residential amenity to 3 adjacent properties.

The development therefore fails to comply with policies LP2, LP16 and LP18 of the FLP. It is considered that the public benefits of the scheme do not outweigh the identified harm.

The proposed development is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The application site is located within Whittlesey Town Centre, the front section and core building lying within Whittlesey Conservation Area. The site is 0.3Ha in and is located close to the junction of Scaldgate and Station Road. The site comprises of former Bricklayers Arms public house which incorporates a large curtilage to the north and rear.

- 2.2 The Bricklayers Arms is a public house which ceased trading in December 2014. It is a modest detached building with various, more modern, additions. It is finished in white render with extensions predominantly in facing brick.
- 2.3 The land to the rear of the building is laid to grass and there is some hardstanding. The boundaries are defined by a variety of walls, fencing and hedging. In the south western corner of the site is a black locust tree which is the subject of a Tree Preservation Order (TPO). The TPO was confirmed by the Planning Committee on 14 October 2015. On the northern boundary of the site is a large established Ash tree.
- 2.4 The area is characterised by detached and semi-detached dwellings, all of which are modest in scale. The buildings within the street scene are positioned at irregular intervals and the area benefits visually from gaps between the built form.
- 2.5 The site lies within flood zone 1 and is access from a Station Road which is an unclassified highway. A public footpath runs along the southern boundary of the site connecting Station Road to Inhams Road.

3 PROPOSAL

- 3.1 The application seeks full planning permission for the erection of 35 sheltered homes for the elderly. The proposal involves the demolition of the Bricklayers Arms.
- 3.2 The development comprises of a single building which extends along the entire site frontage returning along the northern and southern boundaries. The building will be 'U' shaped with a courtyard garden area positioned within the cavity. The building will comprise of sections varying in height from single storey at the tips of the 'U', rising to 3-storeys at the central building fronting Station Road. The rear elevation will incorporate walk-out balconies on all upper floors and with Juliette balconies serving dwellings closest to Inhams Road.
- 3.3 A sole vehicular access point is proposed at the northwest corner end of the site via Scaldgate (currently the vehicular access for the public house) through a double gate entrance set back approximately 6m from the adjacent footpath. This access leads under a 1st floor accommodation and into a courtyard which provides 27 parking spaces (including 6 disabled spaces) mainly arranged along the northern and eastern boundary.
- 3.4 Pedestrian access is gained from the front of the site to a main central entrance lobby and the frontage also includes access doors for refuse collection, a buggy store and a further single door access located towards the south of the frontage.
- 3.5 The development will be finished in a mixture of facing brick and render for the walls and natural slate and traditional clay roof tiles. The front of the building will be finished with black aluminium rainwater goods with the use of black uPVC at the rear. The fenestration is proposed as dark grey uPVC and with dark grey powder coated aluminium main entrance doors. The existing boundary treatments are to be retained comprising of both stone/brick wall and close boarded fence.
- 3.6 The site is proposed to be completely cleared with the exception of the eastern boundary hedge which provides ground level screening for occupiers of Inhams

Road. The clearance therefore results in the removal of the TPO tree at the south west corner and the Ash tree to the north. A communal amenity area is proposed within the core of the site which comprises a mixture of laid lawn, trees and paving. The perimeter frontage pavement is proposed to be laid with Conservation-type paving up to where it meets the public highway.

- 3.7 The applicant has provided an overview of the design's functional requirements as follows;

“The most important functional requirement relates to the ease of movement throughout the development and therefore a building of single mass and footprint is required by the client. The building should accommodate self-contained apartments linked by heated corridors accessed from a secure entrance. Communal facilities in the form of a refuse room, guest suite and resident's lounge must be located at the heart of the scheme, all accessible without residents having to leave the building.”

- 3.8 Full Plans and associated documents for this application are available at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=NRVQU9HE06P00>

4 SITE PLANNING HISTORY

F/0491/82/F Alterations and extension Granted 12/08/1982

5 CONSULTATIONS

Whittlesey Town Council

Supports the proposal

Cambridgeshire Highways (LHA)

No highway objections subject to conditions controlling;

- A 1.8m wide footway provided along the frontage of the development (prior to first occupation)
- A sealed and drained access provided prior to first occupation
- Access to CCC construction specification
- Visibility splays provided (prior to first occupation)
- Gates to open inwards and set back minimum 6m from highway
- Parking and turning to be laid and provided prior to first occupation
- Temporary facilities for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction to be clear of highway

Also provides informative in respect of LHA consents required to works to the highway

Cambs Constabulary (architectural division)

Considers the scheme demonstrates that the developers are experienced in providing safe and secure homes for the elderly

CCC Access (Rights of way)

No objections. (As the current boundary wall between the property and the Right of Way is to be retained).

Confirms that Right of Way path 256 Whittlesey runs alongside the proposed planning application through Hardy Lane.

CCC Archaeology

No further archaeological work is necessary on the site.

CCC Lead Local Flood Authority (LLFA)

Concludes that the applicant has met the minimum requirements outlined in NPPF.

Requires a pre-commencement condition in respect of full surface water drainage details and consideration of sustainable drainage systems (SuDS).

Whittlesey Society

No objections. Impressed by the proposal. Considers the site “down at heel at the moment”

Natural England

Advises it is for the local planning authority to determine whether or not this application is consistent with national and local policies on the natural environment.

FDC Arboricultural Officer

Acknowledges that that the development proposes the removal of all trees on site.

Recognises that the tree report in respect of the TPO Tree (Black Locust/ False Acacia) confirms decay and concurs that there is adequate evidence to substantiate its removal and provides examples of replacement specimens.

PCC Wildlife Officer

Bats

Is satisfied that the site has been adequately assessed with regard to bats. However in view of historic evidence of presence and potential for foraging bats requests a condition ensuring that the recommendations as per the submitted survey report are adhered to.

Nesting Birds

Requests condition ensuring clearance work is undertaken outside of bird breeding season or that that a suitably qualified ecologist first carries out a survey to establish that nesting birds are not present or that works would not disturb any nesting birds. Also requests that nesting boxes are installed.

Landscaping

Request that the existing mature trees (the large ash tree in particular) and boundary hedges are retained wherever possible as these features are likely to be of benefit to foraging bats, as well as nesting birds. With regard to additional planting recommends the use of a range of native tree, shrub and plant species.

Subject to the above considers the scheme will result in result in no net loss to biodiversity.

FDC Conservation Team

Considers this site does offer development opportunity but any scheme must be developed with proper regard to understanding the site constraints and fundamentally working with the constraints of heritage assets that being the conservation area and the Bricklayers Arm PH.

The proposal fails to understand the contribution the Bricklayers Arms makes to the character of the conservation area and fails to clearly justify why this scheme presents the only development opportunity for this site thus going part way to explaining why the harm maybe outweighed by the benefit.

Considers that the form, scale and design of the scheme is wholly inappropriate for this southern part of the conservation area and has developed with a fundamental lack of understanding in identifying and appreciating what the character and appearance of this part of the conservation area is all about e.g. no three story buildings or dormers windows to this southern edge of the conservation area and The southern edge of the conservation area has a village feel to it in contrast to the urban character and appearance of the market place at the heart of the town.

The scheme will not improve the townscape but would overwhelm and dominate this southern entrance/exit into/out of the conservation area diminishing the character and appearance it currently possesses. The loss of trees would be to the detriment of the character and appearance of the area.

Therefore concludes that the scheme would fail to preserve the character and appearance of the Conservation Area as a result of the loss of the undesignated heritage asset and the replacement with unacceptable development which would cause harm to the historic environment.

Historic England

Considers the scheme is a 'watered down interpretation of the town's vernacular architecture, lacking in integrity.' Concludes that the scheme would harm the significance of Whittlesey's Conservation Area. Advises that the Council should weigh the harm the proposal would cause to this significance against such public benefits in accordance with paragraphs 132 to 134 of the NPPF.

FDC Environmental Health (EH)

No objections.

- Recommends a construction management plan is provided and agreed to protect neighbouring premises from noise and dust during the construction phase
- Requests the unsuspected contaminated land condition is imposed in view of the proposed demolition.

FDC s106/ Viability Officers

Confirms following the submission of a viability assessment that there are to be no s106 contributions for this scheme.

CCC s106 Officer

Confirms there are no s106 requirements from County Council.

FDC Environmental (Waste) Services

Assumes that the refuse and recycling vehicles are not expected to access the development;

- The security gating should not in any way impede the refuse store or collection process.
- The collection location/store should be convenient for user and service crew access. It is noted that the access to the main entrance and refuse store looks to be accessed via a ramp. For collection purposes surfaces should be smooth and solid and gradients should not exceed 1:12(see section 6 of the Building Regs.).
- If the store is to be a communal facility then the developer may wish to consider larger capacity 4 wheeled bins. In such cases the access way must be 2 metres wide.
- The refuse vehicle will not access the property.
- The proposed bin store is required to provide residents with sufficient storage for 3 types of waste, green for household, blue for recycling and brown for compost.
- New residents will require notification of collection and storage details by the developer before moving in and the first collection takes place.
- Refuse and recycling bins will be required to be provided as an integral part of the development.
- Residents should not be expected to pull or carry waste for a distance of more than 30 metres (refers to the waste management design guide RECAP)

Anglian Water

Confirms the sewerage system at present has available capacity.

The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option (refers to Building Regulations - Part H).

The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable at a maximum of 5l/s.

NHS England

No comments received

Local Residents/Interested Parties

6 letters of objection have been received raising the following points;

- Would harm the low-density character of the area
- 3-storey building is out of keeping with the area
- Overdevelopment
- The existing building is of historical and social value
- The existing building adds character and interest to the street
- Preference to incorporate the existing building in to the proposal
- Opposed to the removal of trees – loss of amenity (along Hardy's Lane)
- Visually exposed development following removal of trees – poor outlook
- Overlooking & loss of light
- Devaluation of property
- Will compromise highway safety through parking issues
- Recognises need for the development but concerned with noise pollution
- Queries that the layout is ideal for its intended market
- Disruption caused during building

5 letters of support have been received raising the following points;

- Preferable to the visual appearance of the current building
- Addresses housing need for elderly in ideal location
- The developer has a proven business model for this type of development
- Whittlesey is not short of Public houses
- No measurable harm

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF): para 132, 134

National Planning Policy Guidance (NPPG):

Planning (Listed Building and Conservation Areas) Act: Section 72 (1)

Fenland Local Plan 2014 (FLP):

- LP1: Presumption in favour of sustainable development
- LP2: Facilitating Health and wellbeing
- LP3: Settlement Hierarchy
- LP4: Housing
- LP5: Meeting Housing Need
- LP6: Employment and Retail
- LP13: Supporting and Managing the impact of a growing District
- LP14: Managing climate change
- LP15: Transport and highways
- LP16: High quality environments (inc. SPD: Delivering and Protecting High Quality Environments in Fenland)
- LP17: Community Safety
- LP18: Historic Environment
- LP19: Natural Environment

7 KEY ISSUES

- **Principle of Development**
- **Historic environment**
- **Scale and appearance**
- **Access**
- **Affordable housing**
- **Amenity**
- **Drainage**
- **Biodiversity**
- **Health and Wellbeing**
- **Economic Growth**
- **Other Matters**

8 BACKGROUND

The applicant has undertaken pre-application advice during which time the Council, whilst supporting the principle of the nature of the use have raised concerns over the impact of the development on the historic environment and area in general.

Amendments have been made during the determination of the application particularly with regard to identified highways issues.

9 ASSESSMENT

9.1 Principle of Development

- 9.1.1 Policy LP3 recognises Whittlesey as an area for growth aiming to direct the majority of the District's new housing, employment and wider service provision to this and the 3 other Fenland market towns. As such the principle of residential development is supported subject to the development according with other relevant policies of the FLP. Furthermore the NPPF encourages the effective use of land by reusing land that has been previously developed (brownfield land) (Paragraph 17).
- 9.1.2 Policy LP6 of the FLP requires criteria to be met where development would lead to the loss of a community facility e.g. public house and states that such loss will only be permitted if:
1. it can be demonstrated that the retention of the facility is no longer financially viable and an appropriate marketing exercise has been carried out, and it can be demonstrated that there is a lack of community need for the facility, or
 2. an alternative facility is provided.
- 9.1.3 The applicant has provided costs of refurbishing the public house for retained use and conducted a marketing exercise during 2014/2015. The evidence demonstrates that there is no interest in retaining the use of the building as a public house and the refurbishment costs combined with strong evidence of declining sales would not make this a viable option. As such criteria (1) of LP6 is considered to have been met.
- 9.1.4 In conclusion the principle of the development is supported through policies LP3 and LP6 of the FLP.

9.2 Historic environment

- 9.2.1 Policies LP16(a) and LP18 require development to conserve, protect and enhance the District's heritage assets and the historic environment to an extent commensurate with policy with in the NPPF where it is recognised that the conservation of the historic environment forms part of the environmental dimension of sustainable development.
- 9.2.3 Section 72 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires of decision-makers that 'Special attention should be paid to preserving or enhancing the character or appearance of a conservation area'.
- 9.2.4 The NPPF requires local planning authorities to give great weight to the conservation of heritage assets and their significance, and the greater their significance the greater that weight should be and any harm to such assets and their significance should require clear and convincing justification (NPPF, 132). Such harm should be weighed against such public benefits as would also arise (NPPF, 134).
- 9.2.5 The Bricklayers Arms is recognised in the Whittlesey Conservation Area Appraisal and Management Strategy as contributing to that character, both through its own, albeit modest, architectural character and as one of the surviving

historic buildings of this outer part of the area. The Bricklayers Arms is considered to make a positive and intrinsic contribution to the character and appearance of this southern edge of the conservation area.

- 9.2.6 The loss of the Bricklayers Arms would fundamentally change the character and appearance of this part of the conservation area. Its demolition and loss would therefore result in an inevitable harm and would denude the historic fabric and character of the Conservation Area in this location. As such, the development through the demolition would fail to preserve the character of the conservation area contrary to policies LP16 and LP18 of the FLP and the NPPF.
- 9.2.7 Concerns have been raised by both the Council's Conservation Team, Historic England and some local residents that the scale and appearance of the development would be out of keeping with the character of the area. Officer's concur with these concerns and consider that the 3-storey scale of the development and dense frontage and inclusion of dormer windows would not reflect the existing scale, density and appearance in this part of the Conservation Area where buildings are more loosely knit and relatively modest in scale and form.
- 9.2.8 In summary, the development by reason of its scale, layout and appearance would appear incongruous to this area causing notable harm to the prevailing form and character of this part of the conservation area.

Justification for demolition

- 9.2.9 The applicant has carried out a survey of the Bricklayers Arms to consider the viability of reusing the structure by providing estimates of the likely cost of refurbishment into 3 No residential units and the cost of repairing it for licenced premises.
- 9.2.10 The report identifies that "areas of the property are in a particularly poor state of repair and it has been neglected over many years" and that there are areas that need significant injection of capital to make it suitable for future use. In conclusion the surveyor commissioned to undertake the survey assess that the cost of works to put the licenced premises back into a good state of repair will be in the region of £260,000 and that the residential conversion works will be in the region of £420,000 + VAT.
- 9.2.11 In summary the applicant concludes that the viability of continued use of the building either commercially or residentially would not be viable due to the costs of renovation/ improvement and so considers this is justification for its removal.
- 9.2.12 The assessment indicates that it may not be economically viable to retain the existing building in any form and therefore its loss must be assessed against the public benefits in doing so. In this instance, the loss of the building and replacement with a building which would cause demonstrable harm to the character and appearance of the conservation area by reason if its overall design and scale is not outweighed by the public benefits the development would otherwise deliver. As such it is considered that the loss of the building has not been fully justified.
- 9.2.13 It is considered that whilst the site has potential to develop and may improve the amenity of the area as a result when considered against the current visual

condition of the Brickmaker's Arms, insufficient regard has been given to conserving the historic environment and further design option should be explored.

9.2.14 As such it is considered that the incongruous scale and appearance and density of the development coupled with the unjustified demolition of the heritage asset would result in demonstrable and unwarranted harm to the heritage asset and the character and appearance of the Conservation Area which is contrary to the aims of policies LP16, LP18 and criteria within the NPPF.

9.3 Scale and appearance

9.3.1 Policy LP16(d) seeks to ensure that development makes a positive contribution to the local distinctiveness and character of the area, enhancing its local setting and responds to and improves the character of the local built environment.

9.3.2 It is considered that paragraph 9.2 mainly addresses concerns in respect of the proposed scale and appearance of the development. It is concluded that the introduction of an incongruous 3-storey, dense frontage building which also incorporates dormer windows would not respond to and improve the character of the local built environment which is more modest in scale and more loosely knit. As such the proposal would fail to make a positive contribution to the local distinctiveness and character of the area contrary to policy LP16(d).

9.4 Access

9.4.1 The proposed vehicular access, located in the north west corner of the site, is considered by the LHA to be acceptable and provides adequate visibility along Scaldgate when entering and exiting the site by car. They also conclude that the on-site parking and turning arrangements detailed are workable. The conditions as proposed by the LHA (which also requires the widening/ provision of a 1.8m wide footpath along the site) would ensure that the finishing and retention of the access and associated parking areas are acceptable in highway terms.

Parking

9.4.2 It is recognised that the development offers a shortfall of on-site parking spaces in consideration of the Council's adopted parking standards (Appendix A of the FLP) which for a scheme of 20 x 1 bedroom and 15 x 2-bedroom units would demand 47 spaces (which would include visitor provision). This therefore leaves a deficit of 20 parking spaces.

9.4.3 Annexe A also stipulates that;

"Where a site has good public transport links, such as in a central area of a market town, a reduction in car parking provision may be negotiated..."

9.4.4 The site lies approximately 100m from the town centre of Whittlesey where there are bus stops and good links to the Whittlesey train station which is approximately 700m south east of the site.

9.4.5 Therefore, whilst the development would produce a parking deficit, the FLP does enable town centre development to occur with a shortfall. Therefore and in the absence of any objections from the LHA indicating the development would result in demonstrable and severe harm in transport terms it is considered unreasonable to refuse the proposal on these grounds.

Refuse Collection

- 9.4.6 The Council's waste and refuse team have provided comments and advice in respect of the refuse facilities proposed. A centralised refuse store area is proposed within the ground floor front of the building. No specific detail has been provided as to how the waste will be collected and as such the Council's waste team have provided further guidance on this matter. It is considered that a waste collection strategy could be requested prior to the commencement of development to ensure that adequate collection facilities are provided. This could reasonably be secured via condition.
- 9.4.7 In conclusion it is considered that the proposal would not give rise to highways harm and adequate refuse collection facilities could be secured. As such the proposal is considered to accord with policies LP15 and LP16(f) of the FLP.

9.5 Affordable housing

- 9.5.1 Policy LP5 of the Fenland Local Plan seeks 25% affordable housing on all development sites on which 10 or more dwellings are proposed. Therefore on this development where 35 dwellings are proposed LP5 would require the provision of 9 affordable dwellings on site subject to viability.
- 9.5.2 In accordance with Local Plan Policy LP5, the mix of affordable tenures should be informed by and compatible with the latest government guidance and an up to date local Strategic Housing Market Assessment (SHMA). An affordable tenure mix of 70% affordable rented and 30% intermediate tenure is generally considered appropriate.
- 9.5.3 The County Council have confirmed that the scheme would not draw any s106 requirements.
- 9.5.4 The applicant has submitted a viability assessment against the scheme which has been considered by the Council's s106 Officers. The assessment purports to a present deficit with no S106 contributions and no Affordable Housing provision to be £221,530 for the scheme.
- 9.5.5 The Council's s106 Officer concurs with the findings of the assessment and it is concluded therefore that the scheme is not viable to provide any affordable units on the site and no other contributions are sought.

9.6 Amenity

- 9.6.1 Policies LP2 and LP16(e) seeks to ensure that high levels of residential amenity is secured through development - for both existing and future occupiers.
- 9.6.2 The development would provide a secure and sustainably located group of dwellings and would provide a high quality communal amenity area.

Overlooking

- 9.6.3 Residents have commented that the introduction of the development would result in overlooking and a poor outlook.
- 9.6.4 The development would accommodate the entire frontage of the site introducing a bank of 3-storey windows at approximately 7m which is the height of the ridge of the Bricklayers Arms. Occupiers of 4 and 5 Portland Place currently incur some degree of overlooking into their rear gardens from the 1st floor windows of the Bricklayers Arms at distances of approximately between 15m and 20m. The introduction of the bank of 3-storey windows would increase the amount of overlooking from multiple windows serving multiple occupiers' habitable rooms at greater heights enabling more of the private amenity space to be overlooked. Whilst it is recognised that this would be experience at distances of c.15m, the increased overlooking by reason of the increased scale and number of windows along the frontage would cause significant harm to the amenity of occupiers of No's 4 and 5 Portland Place contrary to the aims of policies LP2 and LP16(e).
- 9.6.5 The private amenity area of 34 Inhams Road is also of concern and it is concluded that this would be compromised by the introduction of the 2-storey element of the development which runs along the southern boundary. The dwelling identified as No.21 on the layout plans would incorporate a dining and kitchen window at 1st floor level from which views of the private amenity area of No.34 Inhams Road could be achieved at distances of c. 12m into rear garden and 15m to rear windows. This is considered to have potential for significant overlooking which would compromise the amenity of occupiers of 34 Inhams Road contrary to LP2 and LP16(e).
- 9.6.6 Overlooking concerns have also been raised by occupiers adjacent at Ayers Grove (No.1). This matter has been considered and it is concluded that whilst the development would introduce a dwellings over 3-storey approximately 28m from the southern boundary of No.1 Ayers Grove, the distance and oblique angle of view from the rear of the development into the rear amenity area of this property would constitute less than significant harm. Likewise properties along Inhams Road which back directly onto the site will also gain views of the development but at distances of approximately 20m at 1st floor receding to c.30m at 2nd floor, no significant overlooking will occur.

Loss of light

- 9.6.7 The site, although larger in scale and occupying more of the site than present, is not anticipated to result in loss of light for existing residents in the vicinity. It is considered that there is adequate separation from existing dwellings and associated amenity space to avoid serious overshadowing. It is recognised that some resident's views will be altered by the development however it is considered that residents' outlook will not be severely harmed through the development.

Noise

- 9.6.8 Some residents' have expressed concern over noise the development would introduce. The Council's Environmental Health team have raised no such concerns however given the scale of the development which would also involve demolition, it would be reasonable to impose a condition requiring a construction

management plan as requested by the EH team in order to ensure that the amenity of residents is protected during construction.

9.6.9 One resident has raised concerns that the completed development would also cause noise. It is acknowledged that the site would likely generate more pedestrian and vehicle movement than present however there is nothing to suggest that the use of the site would cause significant adverse effects on the acoustic character of the area and as such would not warrant refusal on this basis.

9.6.10 In conclusion, due to the scale and proximity of the structure to dwellings at No's 4 and 5 Portland Place and No.34 Inhams Road and their associated amenity space, the development would cause severe harm to residential amenity through overlooking contrary to the aims of policies LP2 and LP16(e) of the FLP.

9.7 Drainage

9.7.1 The site lies in Flood Zone 1 and is therefore at the lowest risk of flooding.

9.7.2 The applicant considers that infiltration will not be feasible for this site due to underlying geology however soakage tests will be undertaken to confirm. At present therefore, the applicant has proposed to provide storage through the use of an attenuation tank that will discharge surface water into an Anglian Water surface water sewer at 5l/s.

9.7.3 The LLFA strongly recommend that the applicant considers using non-infiltration SuDS (if infiltration is not possible) instead of using surface water drains. If infiltration is possible the applicant must produce a revised drainage strategy.

9.7.4 Such detail could reasonably be secured through planning condition and the LLFA have provided an example of wording for this.

9.7.5 Subject to agreement of drainage details, the development would comply with the aims of Policy LP14.

9.8 Biodiversity

9.8.1 Policies LP16 and LP19 seek to protect, promote and enhance biodiversity in and surrounding sites.

9.8.2 The initial ecology report submitted concluded that there is no requirement to conduct further survey work for any species other than Bats. Further survey works undertaken by the applicant have concluded the site is not occupied by Bats and therefore raises no concerns over the proposed demolition of the building or the removal of the tree.

9.8.3 The Council's Wildlife Officer has concurred with these findings but has recommended a condition to ensure that all works are carried out in accordance with the ecology survey report and the recommendations therein. Such recommendations include the careful monitoring during demolition and the provision of Bat and Bird boxes within the site.

9.8.4 It is concluded that that the applicant has demonstrated that (subject to adherence to the recommendation of the ecology report) the development would not result in significant harm to a protected species and would result in no net

loss of biodiversity and as such complies with policies LP16(b) and LP19 of the FLP.

9.9 Trees

- 9.9.1 Policy LP16(c) requires development to retain and incorporate natural and historic features of the site; such as trees.
- 9.9.2 The application proposes to remove all trees from the site including a False Acacia (Black Locust) at the front of the site which is subject to a 2015 TPO. Additionally a substantial Ash tree at the north of the site is also proposed to be removed. Both trees are substantial specimens and their removal has been considered by the Council's Arboricultural Officer (AO).
- 9.9.3 The AO has concluded that in view of the surveys carried out on the False Acacia which demonstrates significant decay, in view of its proximity to Hardy Lane, its removal can be supported. Furthermore, the Ash tree has previously been heavily pollarded and whilst its regrowth shows some vigour, it is likely that the tree will require regular pollarding into the future which will reduce its lifespan and amenity value over time. As such there is little justification to retain the tree.
- 9.9.4 The AO has recommended replacement species to offset the loss to amenity. It is acknowledged that the application proposes to plant trees in the courtyard area of the development which is away from the public realm. However, due to the layout and scale of the development which essentially utilises the perimeter boundaries of the site for buildings, there will be little opportunity to replant trees that will provide amenity value to the streetscene as is currently enjoyed when travelling along Station Road or down Hardy's Lane.
- 9.9.5 It is therefore concluded that, due to the layout of the development the amenity and character of the area is harmed through the loss of trees (and lack of replanting opportunities) in this location. Whilst the submitted details for the removal of the existing trees (Ash and False Acacia) demonstrate a justification for their removal, the scheme itself does not enable adequate replanting opportunities to offset the amenity harm the loss of trees would have. As such the development fails to retain or incorporate natural features of the site which would otherwise preserve and enhance the amenity and character of the area and is therefore contrary to policies LP16(a, c and d) of the FLP.

9.10 Health and Wellbeing

- 9.10.1 Policy LP2 of the FLP seeks to deliver development which positively contributes to creating a healthy, safe and equitable environment, creating an environment (built and social) in which communities can flourish. This is generally secured through the various policies contained within the FLP.
- 9.10.2 It is acknowledged that the development would provide much needed housing to what is a sustainable area and the development would provide a high quality and secure living environment for future occupiers enabling the local community to flourish.
- 9.10.3 However, given the identified harm to certain local residents' amenity through overlooking, it is concluded that the development would cause harm to the health and wellbeing of those identified residents which conflicts with the aims of LP2.

9.11 Economic Growth

9.11.1 Policy LP6 focusses on economic and employment growth across the district and in-line with LP3 focusses the majority of this to the market towns. The development whilst providing an identified need for housing, would also provide employment through the construction and ongoing operation of the sheltered housing provision. The future occupiers of the scheme would also likely feed into the local economy using the local services and facilities. Therefore, the development is acknowledged as assisting toward the economic growth of the district in-line with the aims of LP6 of the FLP.

9.12 Other Considerations

9.12.1 Devaluation of property

Residents have also raised concerns over potential devaluation of their property resulting from the development. It is recognised that the planning system does not exist to protect private interests such as value of land or property and as such no weight can be afforded to this concern.

10 CONCLUSIONS

10.1 The development would introduce 35 sheltered dwellings for older residents into a sustainable location and would provide a high quality and secure living environment for future occupiers thereby making effective use of a brownfield site. Furthermore, due to the dilapidated condition of the Brickmakers Arms, the redevelopment of the site (subject to design) would likely improve the general amenity of the area.

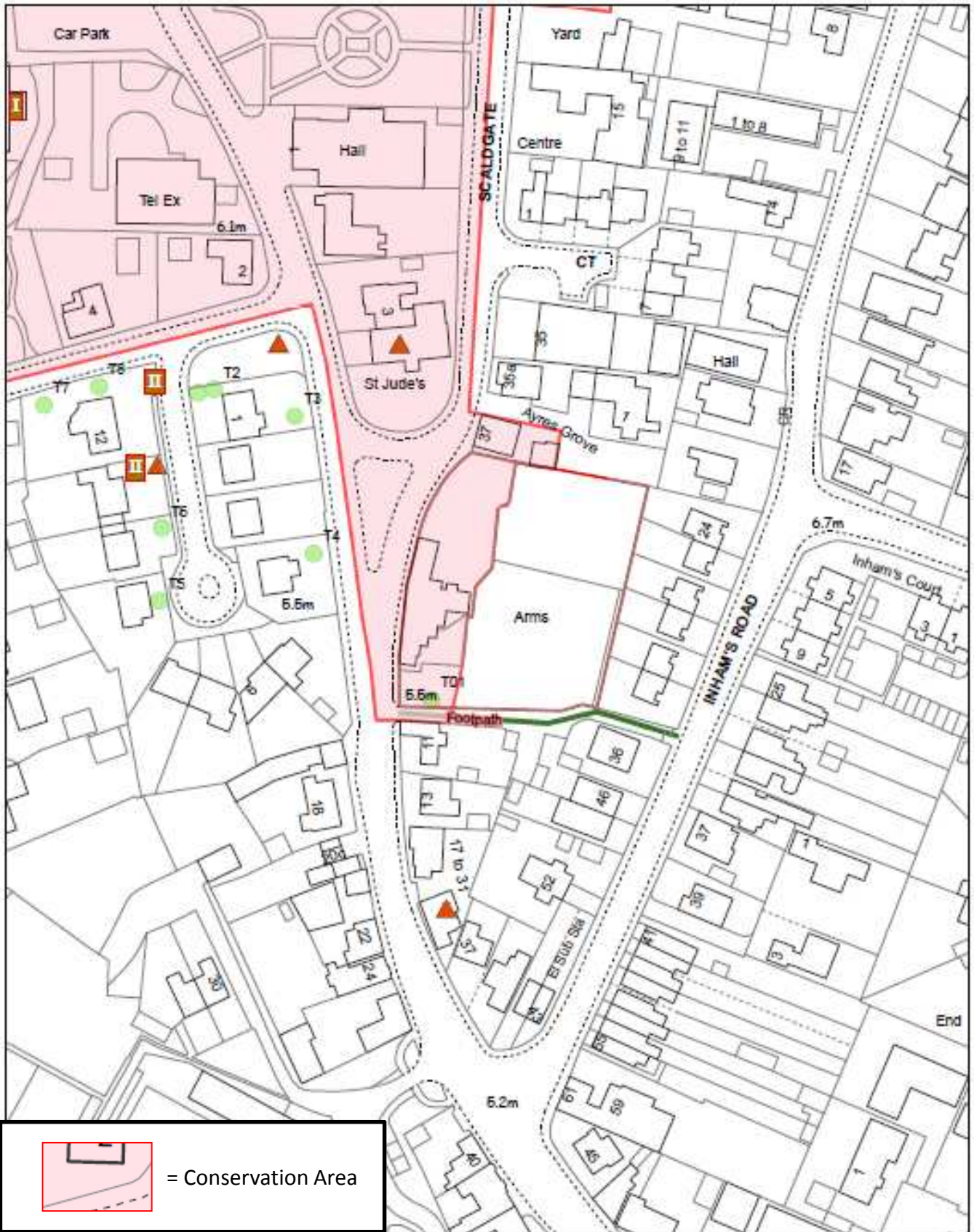
10.2 However, the site lies in the Whittlesey Conservation Area and the subject building, Bricklayers Arms makes a positive contribution to the form and character of the area and therefore its loss would cause harm to this historic environment and the character in general. It is considered that this loss has not been justified as the proposed building by reason of its large scale, massing and design would fail to conserve and enhance the character of the Conservation Area. The development would also result in the removal of 2No. substantial trees which currently provide high amenity value to the area. Their loss and lack of available opportunities to replant would also cause harm to the general character and amenity of the area. Finally, the development by reason of its scale and layout of windows serving habitable rooms would cause overlooking thereby compromising residential amenity to 3 adjacent properties.

The development therefore fails to comply with policies LP2, LP16 and LP18 of the FLP. It is considered that the public benefits of the scheme do not outweigh the identified harm and as such the development is recommended for refusal.

11 RECOMMENDATION

Refuse for the following reasons;

1. The Fenland Local Plan aims to deliver and protect high quality environments through policies LP16(b) and LP18 in respect of the protection and enhancement of heritage assets and through policy LP16(c) by the retention and incorporation of natural features. The proposal would introduce a 3-storey building that by reason of its scale, mass and design fails to assimilate within the established built environment in this part of the Conservation Area. Furthermore, the development proposes to remove 2 substantial trees from the site which currently provide high levels of amenity value to the locality and the scheme offers no provision for adequate replacement to offset this loss. As such the development fails to conserve and enhance the amenity and character of the conservation area and is therefore contrary to policies LP16(b, c) and LP18 of the Fenland Local Plan (adopted May 2014).
2. Policies LP2 and LP16(e) seek to ensure that high levels of residential amenity is secured through development. The development by reason of its introduction of a row of 2 and 3-storey windows fronting Station Road will cause overlooking into properties at No.4 and No.5 Portland Place and by reason of the proximity and arrangement of the 2-storey south east rear element will cause overlooking into the property of 34 Inhams Road thereby causing significant harm to the residential amenity of these properties contrary to the aims of policies LP2 and LP16(e) of the Fenland Local Plan (adopted May 2014).



= Conservation Area

Created on: 01/09/2015

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F/YR15/0716/F

Scale = 1:1,250





Key:

- Trees
 - Existing retained outside of site boundary
 - Proposed within site boundary
- Existing hedge to be retained
- Existing tree removed
- Soft Landscaping
 - Trees and all soft landscaping design to be confirmed by landscape architect
- Pavement perimeter setts
 - (Conservation type rough cobble. Defensive strip between pavement and elevation.)
 - EG. Marshalls Conservation Granite Aggregate Setts - Harvest Buff mixed sizes - 150x150mm, 150x100mm and 100x100mm
 - Subject to Sample Approval
- Revised visibility splay and highways notation in blue

Site Plan

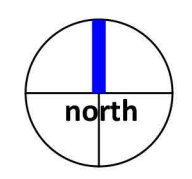
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Revision	Date	Details
A	04.08.2015	McCarthy & Stone reference added.
B	25.11.2015	Revisions in response to highways visibility splay and heritage comments

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SCALE 1 : 250
 SCALE 1 : 1

0m 5m 10m 15m 20m 25m
 0m 10m 20m 40m 60m 80m 100m

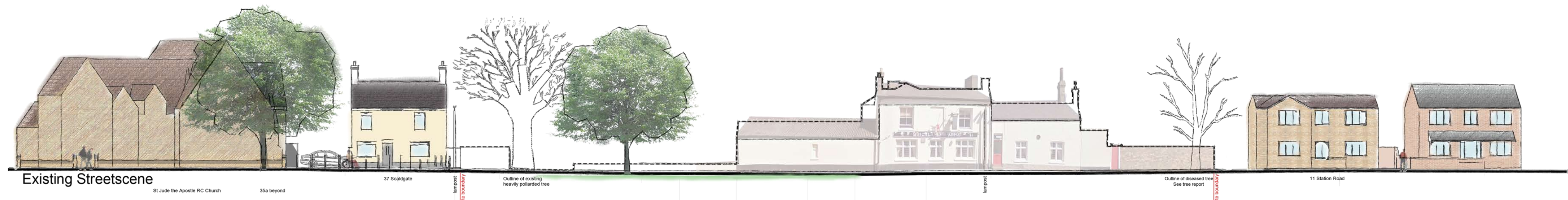


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Planning

Client:	McCarthy & Stone Retirement Lifestyles Ltd		
Job:	Station Road, Whittlesey		
Drawing title:	Site Plan		
Drawing Number: (Job number)	B6058	(PL)	101
Scale:	1:250@A1	1:500	@A3
Date:	July 2015		
Drawn by/ checked by:	JRD/MR		
McCarthy & Stone ref.:	MI-2091-03-AC-001-B		



The Bricklayers Arms - simple vernacular style: painted brick facade.
Unpainted exposed buff brick to small section of plinth. Red brick to rear.



Materials Key:

- Brickwork to sample approval: Front - Buff Facing Brick traditional Whittlesey buff mull, Rear - Buff/Brown stock brick
- Front elevation render: 1) Silicon cream/buff to approval 2) Silicon off-white to approval
- Front elevation feature plinth brickwork: Blue or black to sample approval
- Feature stonework: Smooth reconst stone cills
- Windows / doors: Entrance doors powder coated aluminium. Highly insulated, dual colour UPVC frame system, dark grey external and white internal.
- Balconies to rear (see plan): Juliet glass balconies - Powder coated black top and bottom metalwork
- Walkout Balconies - Hardwood decking boards to walk out balconies, balustrade in black metalwork, galvanised metal framework.
- Roofslates: 1) Natural slate to match existing building and conservation area - blue-grey 2) Traditional Clay to match St Jude's Church and neighbouring properties - red-brown
- Front elevation dormers: Pitched tiled dormers with cream dormer frames and leadwork. Grey fenestration.
- 205mm box eaves, supalux soffit & Merley Eternit Operal self finished board. Eaves flush with Hamblestone Danelaw black UPVC trim.
- Rainwater goods: Front - Black aluminium square gutter and downpipe Rear - Black UPVC half round gutter and downpipe
- Front boundary treatment: Pavement setback, stone cobbles

Refer also to Verified Visual Montage Artist's Impression Perspectives, drawing no. B6058 (PL) 102. Materials subject to sample approval.

Station Road Street Scene

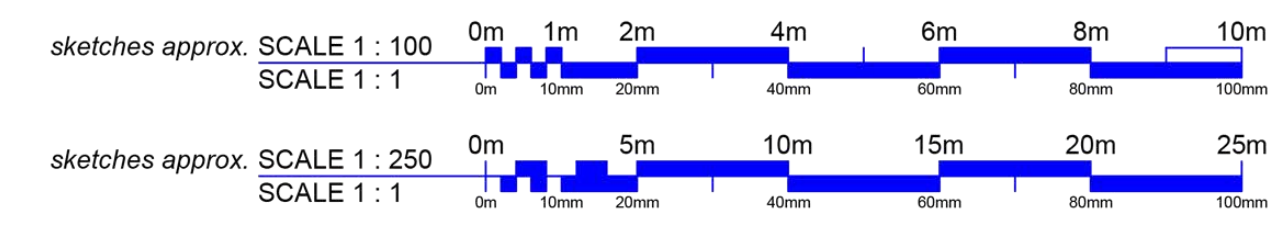
Revision	Date	Details
A	31.07.15	Streetscene scale adjusted from 1:200 to 1:250 in line with Site Cross Section/Elevation drawings B6058 (PL) 105-108
B	01.12.15	Revisions in response to highways visibility splay and heritage comments
C	21.12.15	Verified Visual Image removed.
D	21.01.16	Minor update to Verified Visual Image. Roof and OV over stairs corrected. Revision unclouded.

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Planning

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Client:	McCarthy & Stone Retirement Lifestyles Ltd
Job:	Station Road, Whittlesey
Drawing title:	Street Scene
Drawing Number: (Job number)	B6058 (PL) 103
Revision:	D
Scale:	1:100, 1:250@A1 NTS @A3
Date:	July 2015
Drawn by/ checked by:	JRD
McCarthy & Stone ref.:	MI-2091-03-AC-003-D

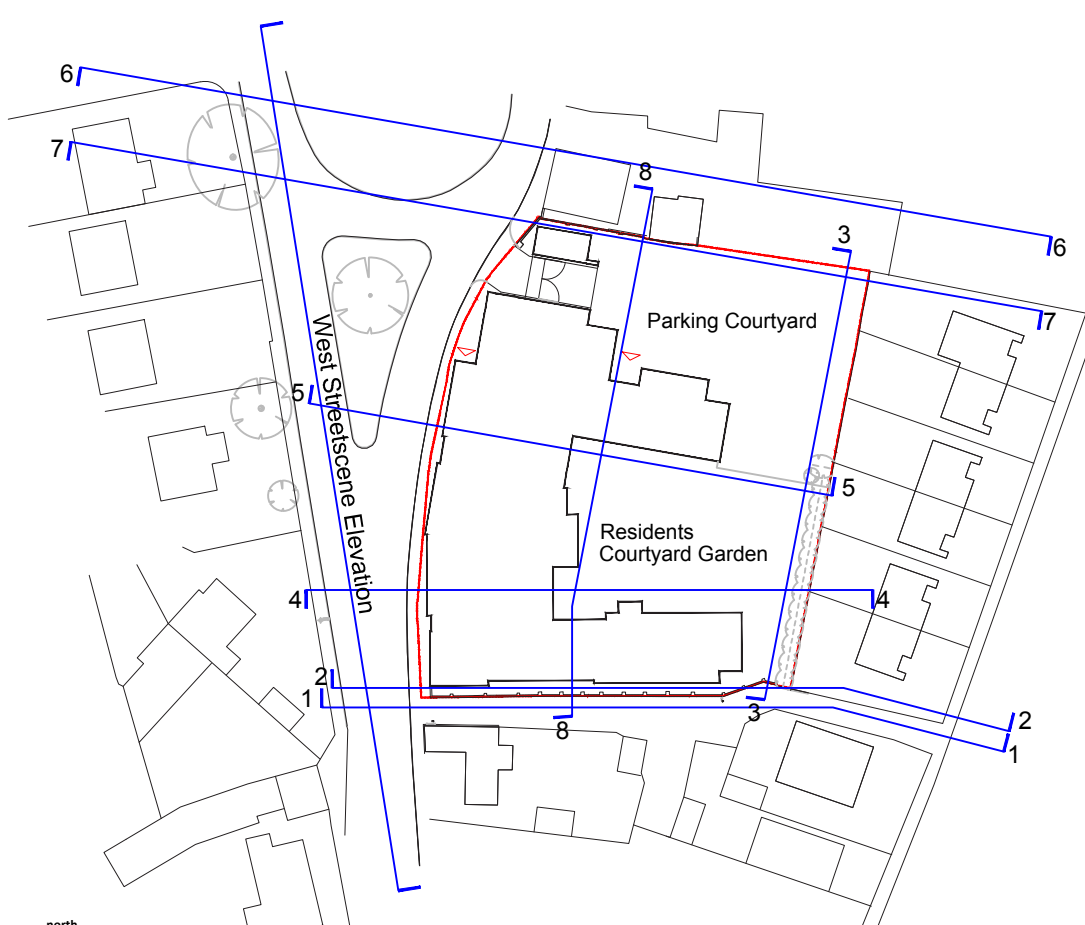
REAR (EAST) ELEVATION



Elevation 3 - East Elevation to landscaped courtyard
Scale: 1:100



Elevation 8 - East Elevation to landscaped courtyard
Scale: 1:100



Elevations Key:

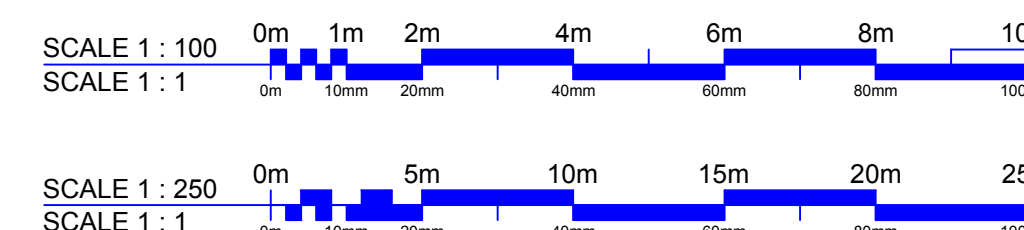
- Materials Key:**
- Brickwork to sample approval: Front - Buff Facing Brick, traditional Whittlesey buff multi, Rear - Buff/Brown stock brick
 - Windows / doors: Entrance doors powder coated aluminium, Highly insulated, dual colour UPVC frame system, dark grey external and white internal.
 - Front elevation render: 1) Silicon cream/buff to approval, 2) Silicon off-white to approval
 - Balconies to rear (see plan): Juliet glass balconies - Powder coated black top and bottom metalwork
 - Front elevation feature plinth brickwork: Blue or black to sample approval
 - Walkout Balconies - Hardwood decking boards to walk out balconies, balustrade in black metalwork, galvanised metal framework.
 - Feature stonework: Smooth reconst stone cills
 - 205mm box eaves, supalux soffit & Marley Eternit Operal self finished board. Eaves flush with Hambleside Danelaw black UPVC trim.
 - Rooflines: 1) Natural slate to match existing building and conservation area - blue-grey, 2) Traditional Clay to match St Jude's Church and neighbouring properties - red-brown
 - Rainwater goods: Front - Black aluminium square gutter and downpipe, Rear - Black UPVC half round gutter and downpipe
 - Front elevation dormers: Pitched tiled dormers with cream dormer frames and leadwork. Grey fenestration.
 - Front boundary treatment: Pavement setback, stone cobbles
- Refer also to Verified Visual Montage Artist's Impression Perspectives, drawing no. B6058 (PL) 102. Materials subject to sample approval.

For West Streetscene Elevation refer to drawing 103

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Revision	Date	Details
A	20.08.15	Windows to apartments 21 and 28 and dormer to apartment 36 added to Elevation 3.
B	21.01.16	Minor amendment - stair rooflight OV location added. Revision unclouded.

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Planning

Client:	McCarthy and Stone Retirement Lifestyles Ltd		
Job:	Station Road, Whittlesey		
Drawing title:	Elevations Sheet 3 of 4 - Rear Elevation		
Drawing Number: (Job number)	B6058	(PL)	107
Revision:	B		
Scale:	1:100@A1 NTS @A3		
Date:	July 2015		
Drawn by/ checked by:	ARD/EB		
McCarthy & Stone ref.:	MI-2091-03-AC-007-B		