

F/YR16/0122/F

Applicant: Mr R Compton
EMC Land

Agent : Mr N Stafford
DLP Planning Ltd

Land West Of the Old Rectory, The Walnuts Fronting, Elwyn Court, March, Cambridgeshire

Creation of 3 x dwellings involving: erection of a 3-storey 4-bed and a 2-storey 3-bed dwelling, and the conversion of existing coach house to a 2-storey 3-bed dwelling

Reason for Committee: The Officers recommendation is contrary to that of the Town Council.

1 EXECUTIVE SUMMARY

The site lies in the settlement of March to the east of the town centre and is accessed via Elwyn Court leading to The Walnuts.

The development would provide 3 family sized homes into a sustainable settlement with good access to services and facilities and would not compromise the residential amenity of existing residents or result in highway issues.

However, the layout of the development would result in dwellings with poor refuse collections arrangements, having to transport their bins over 100m to a collection point. Furthermore, in the case of Plot 1, the development would not secure adequate and usable private amenity space by reason of the heavy tree canopy shadowing which would greatly reduce residential amenity of the site. Furthermore, the close positional relationship between Plot and The Old Rectory would cause harm to residential amenity of occupiers of these properties through direct views into habitable rooms. In addition, in the case of Plot 3, due to its proximity to The Old Rectory and the window arrangement on the southern elevation of this building, future occupiers of Plot 3 would find their private amenity severely compromised through overlooking and overbearing impact from the scale of the Old Rectory adjacent.

Finally, the Old Rectory can be considered as an undesignated heritage asset due to its good condition and strong late Victorian architectural qualities. The introduction of dwellings at Plots 1 and 3 is considered to significantly harm the setting of this building.

As such it is concluded that the proposal fails to accord with policies LP2, LP16(a, e, f and h) and LP18 of the Fenland Local Plan 2014.

The application is recommended for refusal.

2 SITE DESCRIPTION

- 2.1 The site lies in the settlement of March to the east of the town centre and is accessed via Elwyn Court leading to The Walnuts.
- 2.2 The site comprises approximately 0.27ha of land in use as residential curtilage for the Old Rectory which is an imposing 3-storey dwelling built in 1882 and set in spacious grounds and formerly served as the Rectory to St Peters Church to the west. The Old Rectory has been well maintained retaining most of its original features. This building is not listed or registered as a building of local importance and does not sit within a Conservation Area.
- 2.3 The land subject to this application is within a TPO area (TPO 05/1975) comprising of substantial trees, shrubs and hedgerow which are overgrown in places and enclosed with a mixture of brick walls and fences. A driveway leads around the western perimeter of the host dwelling and leads to a 2-storey coach house in the south west corner which was likely to have been built around the same time as the Old Rectory. It is understood to be currently in use for storage.
- 2.4 Immediately adjoining the site to the west is the new rectory, to the north is a row of 2-storey houses within Elwyn Court which back onto the site and to the south is 13 Rosedene Drive. Part of the rear garden of this property is proposed to be used within the development. To the immediate east is a formalised garden area associated with the Old Rectory.
- 2.5 The site lies in Flood Zone 1.

3 PROPOSAL

- 3.1 The application seeks full planning permission to erect 2 dwellings within the site and convert the existing Coach House into one further dwelling.
- 3.2 The dwellings are arranged around the perimeter of the site gaining access from the existing road which leads from Elwyn Court. A turning head indicated as refuse lorry turning area is proposed at the north of the site. A bin collection point is proposed to be located within the site along the private drive approximately 24m from the junction of Elwyn Court and The Walnuts.
- 3.3 Plot 1 is to the north of the site and is a 3-storey 4 bedroom dwelling incorporating dormer windows at 2nd floor and parapets at the gable ends and measures 9.2m to the ridge. Plot 1 provides parking for 2 cars on a drive to the south of the dwelling.
- 3.4 Plots 2 and 3 are proposed to the south where the access road terminates.
- 3.5 Plot 2 is a conversion of the existing Coach House which will be substantially modified and will incorporate a 2-storey projecting gable wing to provide a lounge at ground floor and master bedroom at 1st floor. A row of 3 dormer windows is proposed to be inserted into the southern roof plane and into the eastern plane of the extension. The dwelling is proposed to incorporate existing materials with matching materials sourced to provide the extension element. In total the Coach house will provide 3 bedrooms. Parking for 2 cars is proposed on a driveway adjacent to the property. The dwelling measures 6.5m to the ridge.

- 3.6 Plot 3 is a virtual copy of Plot 2 in respect of scale, layout and appearance and will be located immediately south of The Old Rectory and orientated so that the principal elevation will face west. Again parking for 2 cars is proposed via a driveway at the front of the curtilage.
- 3.7 A number of trees are proposed to be removed to facilitate the development and an arboricultural impact assessment has been submitted with the application.
- 3.8 Full plans and associated documents for this application can be found at:
<https://www.fenland.gov.uk/publicaccess/applicationDetails.do?activeTab=documents&keyVal=O2SU9NHE06P00>

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR13/0504/TRT	Works to 2no Norway Maple trees covered by TPO 5/1975 The Old Rectory The Walnuts March Cambridgeshire PE15 9B	Granted	23/08/2013
F/YR08/0624/TRT	Works to 2 chestnut trees 1 walnut tree and 1 elm tree covered by TPO 05/1975 The Old Rectory The Walnuts March Cambridgeshire PE15 9B	Granted	28/08/2008
F/YR03/1366	Felling of 1 no. Birch Tree 1 no. Conifer Tree and works to 1 no. Yew Tree 2 no. Maple Trees the Old Rectory The Walnuts March Cambs	Granted	18/12/2003
F/YR03/0874	Works to 2 no. Norway Maples covered by TPO 5/75 the Old Rectory The Walnuts March Cambs	Withdrawn	16/05/2003
F/97/0928	Felling of 1 no. Walnut Tree covered by TPO 5/75 2 The Walnuts, March, Cambs PE15 9BJ	Approved	18/03/1998
F/94/0244/F	Change of use alterations and extensions to the Old Rectory to provide up to 15 flats together with the conversion of garage to dwelling the Old Rectory The Walnuts March Cambs	Granted	14/06/1995
F/91/0360/O	Retain and extend Old Rectory to provide up to 15 flats conversion of garage to dwelling the Old Rectory The Walnuts March Cambs	Granted	04/09/1991
F/0717/89/F	Erection of 24 flats (8 for elderly occupation) in two part 2 part 3 storey blocks;together with conversion of existing house & outbuilding to provide 5 flats (2 for elderly) & provision of 37 parking spaces. The Old Rectory Off The Walnuts March	Refused	14/12/1989
F/1299/87/O	Retain and extend old rectory to provide up to 15 flats and conversion of garage to dwelling Old Rectory The Walnuts March Old Rectory The Walnuts March	Granted	25/10/1988
F/0365/85/F	Extension to bungalow including a garage 3 The Walnuts March	Granted	06/07/1985
F/0263/82/F	Extension to bungalow 2 The Walnuts March 2 The Walnuts March Cambridgeshire PE15 9BJ	Granted	24/05/1982
F/084/75/RM	Erection of 3 bungalows with garages Grounds of St Peters rectory rear of St Peters Church High St	Approved	15/07/1976
F/0841/75/O	Residential development (maximum of the dwellings) - with deletion of condition 7 on F/0383/75/O Grounds of St Peters rectory rear of St Peters Church High St	Granted	23/02/1976
F/0383/75/O	Residential development (maximum of 3 dwellings) Grounds of St Peters rectory rear of St Peters Church High St	Granted	21/08/1975
F/0384/75/O	Demolition of the rectory and residential development of site (approximately 1.6 acres) St Peters rectory rear of St Peters Church High Street March	Refused	21/08/1975

5 CONSULTATIONS

5.1 March Town Council

Recommend Approval

5.2 Cambridgeshire County Council Highways

- Would not adopt the access road (only turning head at The Walnuts junction with Elwyn Court)
- A refuse vehicle will not to drive down a private drive and would therefore like to see a proposed turning head (offered up for adoption) made out of the existing private drive where it meets with Elwyn Court.
- Plot 1 should have minimum of 3 parking spaces

5.3 FDC Environmental Services (Refuse collection)

The Transport Statement suggests a collection point be placed 25 metres from the current collection point (Junction of The Walnuts and Elwyn Court). It is not clear how this impacts on the proposed new dwellings overall as drawing support evidence provided is poor.

Current Council policy is that collections take place from the curtilage of where a property/development meets the Public Highway. This will now not be the case and requires further carry for refuse staff.

The Council also requires minimal carry for residents and as such use the planning process to establish the best option to achieve this. Would recommend we consider options of how this could be resolved.

5.4 FDC Environmental Health (EHO)

No objections

5.5 FDC Tree Officer

No objection to the removal of a number of the trees as shown on the Tree Protection Plan (drawing number 2654.TPP) as there will still be a significant population retained to provide screening to adjacent properties.

The TPP also provides the methodology to ensure that the retained trees are protected throughout the development and appropriate construction techniques are selected to limit any potential damage to the root systems.

The Arboricultural Implication Plan (drawing number 2654.AIP) does highlight the significant shading of Plot 1 although the removal of some of the trees (mainly understorey) will allow more ambient light through although this is still likely to be an issue and may result in repeated requests for pruning.

5.6 PCC Wildlife Officer (on behalf of FDC)

No objection subject to strict adherence with the recommendation within the submitted biodiversity report. Subject to this the development would result in no net loss to biodiversity.

5.7 Local Residents/Interested Parties

6 letters of objection received from local residents raising the following concerns;

- Increased traffic and parking and access implications (junction of 3 and 4 Elwyn Court) on vehicles and pedestrians. Questions whether traffic calming may improve matters.
- Concerns over construction traffic in view of the single track access road leading to the site and the impact this may have on the turning head at The Walnuts
- How will refuse be collected from the site (advises that refuse lorries currently stop at junction of The Walnuts and Elwyn Court)
- Queries whether the conifers will be cut back to aid visibility for vehicles accessing/ egressing the site
- Queries whether a large sycamore tree will be cut back to improve light/ amenity for existing residents
- Will the fencing at the rear of 4 Elwyn Court be replaced as part of the development
- Queries whether the access will remain gravel surfaced and the noise implications this could have.
- Queries clarity of application
- Overlooking impacts from 3-storey dwelling at Plot 1 and sited too close to the existing building
- Loss of light and outlook (from the new rectory)
- The development could compromise security
- Advises of poor condition of part of the boundary wall
- Queries whether the Coach House is to be retained or demolished and replaced.
- Queries the future intentions of the Old Rectory
- Damage to fences by existing Ivy
- Objects to a bin store directly behind their property

Representations

2 letters of representation received raising the following matters;

- Condition of northern boundary wall
- Query over who will be responsible for maintaining the trees in the future
- Whether they (adjacent neighbour) would be reimbursed for having maintained the trees in the past
- Requests whether the Sycamore tree along the access could be felled
- Assumes working hours and parking of contractor vehicles would be controlled through condition.

6 POLICY FRAMEWORK

National Planning Policy Framework (NPPF): Paragraph 135: Undesignated Heritage assets

National Planning Policy Guidance (NPPG): Paragraph: 039 Reference ID: 18a-039-20140306

Fenland Local Plan 2014 (FLP):

LP1: Presumption in favour of sustainable development

LP2: Facilitating Health and Wellbeing

LP3: Settlement Hierarchy

LP15: Transport

LP16: Delivering High Quality Environments

- Policy DM4 – Delivering and Protecting High Quality Environments SPD

- RECAP Waste Management Design Guide SPD
- LP18: Historic Environment
- LP19: Natural Environment

7 KEY ISSUES

- **Principle of Development**
- **Access**
- **Layout**
- **Scale and Appearance**
- **Residential Amenity**
- **Biodiversity**
- **Health and wellbeing**
- **Economic Growth**
- **Other considerations – resident comments**

8 BACKGROUND

This application follows pre-application advice in respect of refuse collection only whereby the Council's refuse team advised that collections would need to be carried out at the edge of the adopted highway as per current policy.

9 ASSESSMENT

9.1 Principle of Development

9.1.1 Policy LP3 seeks to focus the majority of growth in and around Fenland's four market towns as these are seen as the most sustainable areas for growth. The site is located within the market town of March within an area surrounded by residential properties. Therefore the principle of residential development of the site is supported subject to compliance with other policies contained within the local plan.

9.2 Access

- 9.2.1 The site will be accessed initially via that which serves The Walnuts which is an established access serving 4 dwellings at The Walnuts plus the Old Rectory. Further to this, the site will be accessed via a single track private road leading to and around the Old Rectory.
- 9.2.2 The surfacing of the physical access could be reasonably secured through a planning condition and it would likely be that a bound material would be more appropriate than the existing loose gravel in view of the intensification of use and the noise that could otherwise be generated taking into consideration the proximity of neighbouring properties.
- 9.2.3 The parking arrangements proposed would ensure that adequate on-site parking could be provided proportionate to the size of the dwellings. It is noted that Plot 1 only indicates parking for 2 cars and in accordance with the Council's current parking standards, 3 spaces should be provided. This detail has not been requested to be amended in view of the issues identified with the proposal, however it is considered that the layout could be amended slightly to achieve on-site parking for 3 cars which would ensure that occupiers would be able to park on site.

9.2.4 The LHA have raised no concerns in respect of additional vehicle movements to and from the site and the impact this would have to existing highways and no requirement for highways improvements in respect of traffic calming/ access widening has been requested.

9.2.5 As such the proposal raises no issues in respect of transport implications and complies with the requirements of policy LP15 in this regard.

9.3 Layout – Refuse collection

9.3.1 The LHA have however raised concerns over the lack of adoptable road acknowledging that a refuse lorry would not access a private drive. They have also advised that they would not wish to adopt the private access road in view of the limited number of dwellings it serves.

9.3.2 The Council's refuse collection team have advised that, in view of the access road being unadopted they would have no alternative but to collect from the edge of the adopted highway i.e. the junction of Elwyn Court and The Walnuts. The proposed bin collection point which sits inside the site would therefore not be accessed by the Council's refuse collection service. In view of this the proposed turning head to the north of Plot 1 would in essence become a redundant feature in respect of refuse collection.

9.3.3 Policy LP16(f) requires development to provide well designed facilities for the storage, sorting and collection of waste that is user friendly and appropriate to the amount and type of development proposed and refers to any current adopted design guidance. Policy DM4 of the associated design SPD provides 4 principles to designing out refuse collection which are as follows;

- a) *Storage areas need to have sufficient space*
- b) *Storage areas should be conveniently located with easy access for users – not more than 30m to storage*
- c) *Storage areas should be easily accessible by refuse vehicles*
- d) *Vehicular access in terms of vehicle weights should be taken into account in the design.*

9.3.4 Policy LP2 seeks to deliver environments which facilitate health and wellbeing, for example through planning housing that reflects changes that occur overtime so that people are not excluded by design as they grow older and frailer or as their circumstances change. The RECAP Waste Management Design Guide SPD advises that generally occupiers should not have to transport their waste more than 30m to a collection point.

9.3.5 The proposed layout would result in occupiers of Plots 2 and 3 having to transport their bins approximately 110m measured from the edge of the curtilage to the adopted highway where the Council would collect from. Whilst it is acknowledged that the current occupiers of The Old Rectory transport their bins approximately 60m to this collection point, the proposal to introduce further dwellings which are a further 50m away is not considered appropriate. Furthermore, if future occupiers' circumstances change and they could no longer physically transport their bins to the access at Elwyn Court, they may qualify for an assisted bin collection service whereby the Local Authority would have to

collect their bin from their curtilage. Given the access road is to remain unadopted this would mean either an operative walking to the curtilage from The Walnuts access, or the Council providing a dedicated smaller vehicle to access the site. Such a burden would likely have negative consequences on the efficiency of the Council's waste collection service.

- 9.3.6 It is considered in this regard that the development does not provide a high quality living environment and would have the potential to exclude certain occupiers though the poor refuse collection design. The applicant was advised of this concern at pre-application stage and during the determination of this application but has not adequately addressed this matter.
- 9.3.7 It is considered therefore that the layout fails to satisfy policies LP2 and LP16(f) in respect of refuse collection.

9.4 Scale and Appearance

- 9.4.1 The appearance of the dwellings would generally accord with the existing built form within the site and the imposition of planning conditions requiring full materials details would ensure the scheme respects the general appearance of the area, particularly the Old Rectory. Notwithstanding this, views of all 3 dwellings would be greatly restricted by the established trees, boundary treatments and existing buildings and as such would have little impact on the street scene.

Impact on Heritage asset

- 9.4.2 The height of Plot 1 is substantially higher than Plots 2 and 3 and those 2-storey dwellings to the north and east of the site. Plot 1 is located 13m from the Old Rectory.
- 9.4.3 Due regard is given to the importance of The Old Rectory. Whilst it is acknowledged that the building is not listed, does not sit within the Conservation area and is not registered as a building of local importance, its strong form, character and setting is still largely retained and the building and surrounding landscaping provides a good example of late Victorian architecture of this nature. The Old Rectory is therefore considered to be a heritage asset, albeit undesignated.
- 9.4.4 Paragraph 135 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset is to be taken into account when determining the application. In weighing applications that affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the asset. Policy LP16(a) and LP18 seek to ensure that the historic environment and heritage assets are protected and enhanced where possible.
- 9.4.5 Given that the Old Rectory was originally laid out in spacious, landscaped grounds which emphasises its grandeur, the introduction of Plot 1 in such close proximity and at such a scale, would significantly harm the setting of the Old Rectory contrary to policy LP16(a) and LP18 of the FLP and having regard to paragraph 135 of the NPPF.

- 9.4.6 The scale of Plot 2 which would reflect the height of the existing Coach House, would accord with the general character of the area and the application proposes to use materials matching that of the existing building in this regard. As such the scale and appearance of Plot 2 would not cause harm to the character of the area or to the setting of The Old Rectory
- 9.4.7 Plot 3, although of matching scale and appearance to plot 2, is sited within 7m of the Old Rectory. As with Plot 1, this close proximity would denude the setting of the Old Rectory causing significant harm contrary to policy LP16(a) and LP18 of the FLP and having regard to paragraph 135 of the NPPF.
- 9.4.8 As such the appearance of the proposed dwellings would generally accord with the immediate area around The Old Rectory. However, the location of Plots 1 and 3 and the scale of Plot 1 would significantly harm the setting of the Old Rectory. The proposal therefore fails to satisfy policy LP16(a) and LP18 of the Fenland Local Plan.

9.5 Residential Amenity

- 9.5.1 Notwithstanding the issue of refuse collection, the layout of Plot 1 – a 3-storey dwelling, is of concern. The development as a whole relies on the removal of a number of trees and the Council's Arboricultural Officer (AO) has raised no concerns in this regard. However, the AO has raised concerns that the proposed layout of Plot 1 would result in a private amenity area significantly shaded with tree canopy shadow (see Arboricultural Implications Plan ref: 2654.AIP) which would provide a heavily overshadowed amenity area for future occupiers of Plot 1. This in turn may place additional pressure to remove or heavily prune the remaining trees. Officers concur with this view.
- 9.5.2 Policy LP16(h) requires development to provide sufficient private amenity space, suitable to the type and amount proposed. It is considered that the proposed 5-bedroom, 3-storey dwelling in this location would not provide adequate private amenity space due to the dense canopy cover which would substantially reduce the amenity. As such the positioning of Plot 1 is not considered to satisfy policy LP16(h).
- 9.5.3 The scale of Plot 1, being a 3-storey dwelling has been raised as a concern by some residents, concerned that it may result in overbearing, overshadowing and overlooking. Whilst the introduction of a 3-storey dwelling in this location would alter the outlook for some residents, it is considered that due to its distance separation, particularly from the new Rectory (west) and dwellings along Elwyn Court (north), the dwelling would not result in overlooking, overbearing, loss of light or severely harm the outlook of existing residents.
- 9.5.4 However, it is noted that Plot 1 would be positioned facing directly onto the western elevation of the Old Rectory at a distance of 13m. Whilst the Council does not have any adopted design SPDs that consider this, it is generally recognised that window to window distance separations of less than 20m can be harmful on amenity. The proposal would result in 3-storeys of windows on both the Old Rectory and of Plot 1 facing directly onto one another and with these windows serving habitable rooms. For this reason it is considered that the development would result in unacceptable direct views in to each property

causing harm to residential amenity contrary to policies LP2 and LP16(e) of the FLP.

- 9.5.5 In respect of Plots 2 and 3; given their relatively low scale and orientation, it is concluded that their introduction would not cause harm to existing residential amenity through overlooking, loss of light and would not result in overbearing issues. Furthermore, details of boundary treatment/ screening for the development as a whole could be secured through a landscaping planning condition to ensure that residential amenity is further protected.
- 9.5.6 The layout of Plot 3 does however raise concerns in respect of residential amenity for future occupiers of this property. The main area of private amenity space is positioned behind the dwelling to the east. Whilst an adequate space for amenity land is provided commensurate to the Council's current standards under LP16(h), the amenity space for Plot 3 will be heavily overlooked by occupiers of The Old Rectory. The southern elevation of the Old Rectory incorporates a number of 1st floor windows and sits within 5m of the rear garden at its closest point. Furthermore the imposing nature of The Old Rectory and its close proximity to the boundary of Plot 3 would have a harmful overbearing impact for users of the associated amenity area resulting in a poor quality living environment.
- 9.5.7 As such whilst the residential amenity of existing neighbours would not be harmed through the development, the future occupiers of both Plots 1 and 3 would suffer amenity harm in respect of the layout of the private amenity area provided with each respective plot. In this regard the development fails to satisfy policy LP16 (e and h) and therefore fails to deliver high levels of residential amenity contrary to the aims of policy LP2.

9.6 Biodiversity

- 9.6.1 A number of trees would be removed in order to facilitate the development and the applicant has submitted an impact assessment in view of this. The Council's Arboricultural Officer has no objection to the removal of these trees and advises that it would assist in promoting growth of the remaining specimens. Furthermore the Council's Wildlife Officer has confirmed that the development, subject to adherence with the recommendations arising from the submitted ecology report, would not result in a net loss to biodiversity.
- 9.6.2 As such the development accords with the requirements of Policy LP16(b) and LP19.

9.7 Health and wellbeing

- 9.7.1 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.
- 9.7.2 It is acknowledged that the development would provide housing however in view of the negative impacts to future occupiers' amenity and the refuse collection issue it is considered that the proposal would not achieve the aims of policy LP2.

9.8 Economic Growth

9.8.1 The application constitutes an increase in housing stock which promotes economic growth in accordance with policy LP6 of the Fenland Local Plan 2014. However this does not outweigh the fundamental conflict with other policies of the FLP.

9.9 Other Considerations – resident comments

- 9.9.1 Whilst it is considered that most comments received from residents and interested parties has been addressed in this report the following matters require attention;
- 9.9.2 Concerns have been raised over the physical construction of the development and how this may affect amenity. This matter could be suitably addressed through an agreed construction management plan which would capture details such as operating hours, vehicle movements and general site operations.
- 9.9.3 Further concerns have been raised over the management and impact of the trees within the site. The application proposes to remove a number of trees to the extent as detailed on plan reference 2654.TPP Tree Protection Plan. A majority will be retained. The future maintenance would be the responsibility of the land owner and any issues arising through this would constitute a civil matter.
- 9.9.4 Likewise the poor condition of any existing boundary walls would constitute a civil matter. Suitable boundary treatments to ensure privacy and security are maintained could be secured through planning condition were the development approved.
- 9.9.5 One resident has questioned the clarity of the application. Officers consider the application submitted has provided enough detail in order for them to make a determination.
- 9.9.6 The future intention of the Old Rectory has also been questioned. At this time there are no planning applications held by the local planning authority to indicate the use of the building as anything other than as a dwellinghouse.

10 CONCLUSIONS

- 10.1 The development would provide 3 family sized homes into a sustainable settlement with good access to services and facilities and would not compromise the residential amenity of existing residents or result in highway issues. However, the layout of the development would result in dwellings with poor access to refuse collection having to transport their bins over 100m to a collection point.
- 10.2 Furthermore, in the case of Plot 1, the development would not secure adequate and usable private amenity space by reason of the heavy tree canopy shadowing which would greatly reduce residential amenity of the site and would likely result in pressure to remove or heavily prune the remaining trees around this property thereby greatly reducing the amenity value of this grouping of trees.
- 10.3 In addition, in the case of Plot 3, due to its proximity to The Old Rectory and the window arrangement on the southern elevation of this building, future occupiers of

Plot 3 would find their private amenity severely compromised through overlooking and through overbearing by virtue of the scale of the Old Rectory adjacent.

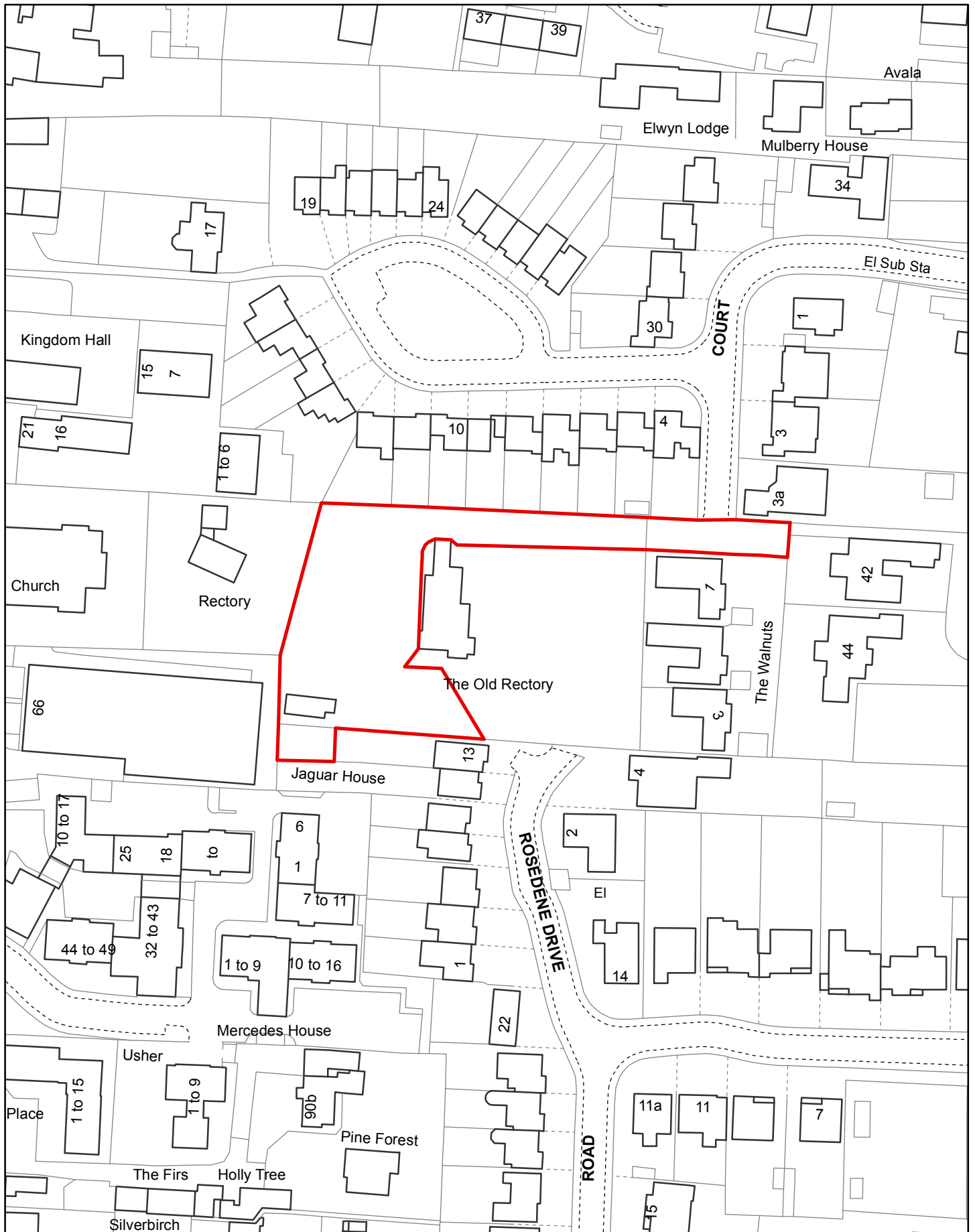
10.4 As such it is concluded that the proposal fails to accord with policies LP2 and LP16(e, f and h) of the Fenland Local Plan 2014.

11 RECOMMENDATION

Refuse for the following reasons;

1. Policy LP16(f) requires development to provide well designed facilities for the storage, sorting and collection of waste that is user friendly. Policy LP2 seeks to deliver environments which facilitate health and wellbeing, for example through planning housing that reflects changes that occur overtime so that people are not excluded by design as they grow older and frailer or as their circumstances change. The RECAP Waste Management Design Guide SPD and DM4 of the 'Delivering and Protecting High Quality Environments in Fenland' SPD advises that generally occupiers should not have to transport their waste more than 30m to a collection point. The proposed layout would result in occupiers of Plots 2 and 3 having to transport their bins approximately 110m measured from the edge of the curtilage to the adopted highway. As such, it is considered that the development does not provide a high quality living environment and would have potential to exclude certain occupiers through the poor design in this regard. It is therefore considered that the development fails to satisfy policies LP2 and LP16(f) of the Fenland Local Plan (adopted May 2014).
2. Policy LP2 and LP16 (e and h) seek to deliver high quality living environments with high levels of residential amenity. The proposal would result in the rear garden area of Plot 1 being heavily overshadowed by tree canopy which would significantly reduce the amenity levels of this area thereby failing to provide sufficient private amenity space suitable for the development. Furthermore, due to the proximity of Plot 1 with the Old Rectory, significant harm to residential amenity would arise through direct views into each of these properties. In addition, future occupiers of Plot 3 would find their private amenity area severely compromised through overlooking and overbearing from the adjacent Old Rectory due to its scale, proximity to the site and the window arrangement on the southern elevation of this building. As such the development fails to provide sufficient private amenity space and as such does not promote high levels of residential amenity contrary to policies LP2 and LP16 (e and h) of the Fenland Local Plan (adopted May 2014).
3. Policy LP16(a) and LP18 seeks to ensure that the historic environment and heritage assets are protected and enhanced where possible. Paragraph 135 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset to be taken into account when determining the application. The development would result in the introduction of a 3-storey dwelling (Plot 1) and 2-storey dwelling (Plot 3) in close proximity to the undesignated heritage asset, the Old Rectory. In considering the setting of the undesignated heritage asset, the Old Rectory was purposefully laid out in spacious, landscaped grounds which form a key part of its character. It is concluded that the introduction of Plots 1 and 3 located in such close

proximity and at such a scale, would significantly harm the setting of the Old Rectory contrary to policy LP16(a) and LP18 of the FLP and having regard to paragraph 135 of the NPPF.



Created on: 29/02/2016

© Crown Copyright and database rights 2016 Ordnance Survey 10023778

F/YR16/0122/F

Scale = 1:1,250



