

F/YR14/0706/F

**Applicant: Whittlesey Properties Ltd**

**Agent : BM Design Consultancy**

**Church Hall, Station Road, Whittlesey, Cambridgeshire**

**Erection of a 2-storey block comprising 2 x 2-bed flats and 1 x 1-bed flat and a 2/3-storey block comprising 1 x 1-bed and 2 x 2-bed flats and 3 x 2-bed dwellings involving demolition of existing church hall within a conservation area**

**Reason for Committee: The Town Council support the scheme contrary to the officer recommendation**

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## **1 EXECUTIVE SUMMARY**

This application seeks full planning permission for the development of 9 dwellings comprising of one 2-storey block of 3 flats, one 2/3 storey block of 3 flats and 3 dwellings. The development of the site involves the demolition of the existing church hall and the site is located between Scaldgate and Station Road, within the main settlement of Whittlesey and the Conservation Area.

The key issues to consider are:

- Principle and Policy Implications
- Impacts on the Conservation Area
- Layout and Design
- Access and Highway Safety
- Impacts on Residential Amenity
- Section 106 Requirements
- Health and Well-being
- Economic Growth

The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be unacceptable on balance due to the unjustified removal of a "Building of Local Interest", impact upon the Conservation Area, and the lack of affordable housing provision.

## **2 SITE DESCRIPTION**

- 2.1 The application site is located at the Southern end of the Whittlesey Conservation Area and is in close proximity to the town centre and numerous facilities. The site currently houses the Church Hall which stands vacant. The Church Hall is classed as a Building of Local Importance. The site is bounded by Station Road to the West and Scaldgate to the East. To the north of the site is a hall/club premises and to the south is the St Jude's Church and Rectory. Across Station Road, opposite the site, is Manor Gardens residential estate and other dwellings. Residential development can also be found to the east on Scaldgate.

### 3 PROPOSAL

- 3.1 The proposal seeks to demolish the vacant church hall that currently occupies the site and replace this with a series of flats and dwellings fronting both Station Road and Scaldgate. Vehicular access to the site will be via Scaldgate. The proposed redevelopment of the site sees two areas of building to either side of the site. 3 x 2-bed 2-storey houses are proposed to front onto Station Road, along with a 3, storey block of flats comprising 2 x 2-bed flats and 1 x 1-bed flat. To the eastern side of the site a 2-storey block of flats, comprising 1 x 1-bed flat and 2 x 2-bed flats is proposed with a covered vehicular access. Within the site is a parking and turning area, bin storage areas, cycle storage areas and patio and garden areas.
- 3.2 Applications for this development were originally submitted in 2012 and these applications were withdrawn. The design was worked on resulting in the current scheme, submitted in September 2014. The design includes contrasting detailing to the gables and Juliet balconies to the first floors. There is a mixture of gable heights and when viewed within the street scene onto Station Road, the window detailing reflects the adjacent building to the North and the gable features reflect the detailing on the adjacent building to the South (Church).
- 3.3 The determination of the application has been delayed for some considerable time due to a lack of information in respect of the viability of the development and any potential affordable housing contribution. Due to the length of time which had elapsed a further consultation exercise was undertaken in September 2017.

### 4 SITE PLANNING HISTORY

|                |   |  |
|----------------|---|--|
| F/YR12/0997/CA | Demolition of Church Hall.  | Withdrawn 8 <sup>th</sup> August 2014. |
| F/YR12/0946/F  | Erection of a 2-storey block comprising 4 x 1-bed flats and 2/3 storey block comprising 1 x 1-bed and 2 x 2-bed flats and 3 x 2-bed dwellings involving demolition of existing church hall. | Withdrawn 8 <sup>th</sup> August 2014. |
| F/YR07/0813/F  | Erection of 11 flats in 2 blocks comprising 1 x 1-bed and 10 x 2-bed incorporating cycle and bin store.   | Withdrawn 10 <sup>th</sup> March 2007. |
| F/YR07/0855/CA | Demolition of former church hall.   | Withdrawn 10 <sup>th</sup> March 2007. |
| F/YR05/1227/CA | Demolition of former church hall.   | Refused 9 <sup>th</sup> December 2005. |
| F/YR05/1226/O  | Erection of 12 x 2-bed flats with associated parking involving demolition of existing hall.   | Refused 9 <sup>th</sup> December 2005. |
| F/YR05/0698/O  | Erection of 12 x 2-bed flats with   | Withdrawn 3 <sup>rd</sup>              |

associated parking.

August 2005.

F/YR00/0812/O Residential Development.

Withdrawn 5<sup>th</sup>  
February  
2001.

## 5 CONSULTATIONS

### 5.1 Whittlesey Town Council

The Town Council recommend refusal of this application on the following grounds

- It does not provide enough car parking spaces for residents and visitors
- 8 car parking spaces is below FDC's required minimum amount for 6 different dwellings included in this development, this is pointed out in the original CCC Highways Engineers report.
- WTC also have concerns that if this planning application is approved, it will have consequent knock on impacts of heavier traffic and car parking problems to Scaldgate and surrounding roads. These are already busy areas with considerable on street car parking and through traffic.

The Council are also concerned that the owner of the proposed development is reluctant to acknowledge any Section 106 obligations he would legally be required to fulfil.

### 5.2 FDC Conservation Officer

1. The site in question is occupied by the former Parish Rooms (as reference on the OS 1901 and 1926 maps) which was erected in 1900 as per the date inscribed above the entrance. The building is located within the Whittlesey Conservation Area and is recognized within the Whittlesey Conservation Area Appraisal and Management Plan (July 2008) as a Building of Local Interest (BLI). It is also noted that the adjacent building, St Jude's Church, is recognized as a Building of Local Interest.

2. It is noted that the former Parish Room and this part of Station Street formed part of the original Whittlesey Conservation Area which was first designated on 4th February 1972. The conservation area was subsequently substantially enlarged in 1982. The former Parish Room has been recognized as a BLI since 1993 when it was first identified as a BLI in the Whittlesey Conservation Area Appraisal (August 1993).

3. It is noted that a previous planning application, F/YR12/0946/F, for an identical scheme was submitted in 2012 but withdrawn.

4. It is noted that an Enforcement Case, ENF/186/14/S215, remains open on this site in respect of the poor state of repair of this building and the potential for S215 action.

5. There does not appear to be a structural report or full survey of the former Parish Room accompanying this application verifying the true structural condition of the building at the time the application was submitted.

6. Due regard is given the comments made in 2014 by the Conservation Officer who reviewed the scheme when it was originally submitted. The

Conservation Officer reviewing the scheme at that time recommended the proposal be refused.

7. Consideration is given to the impact of this proposal on the character and appearance of the Whittlesey Conservation Area with due regards to the duty in law under S72 Planning (Listed Buildings and Conservation Areas) Act 1990 and the provisions of the Local Plan (May 2014) and NPPF (March 2012). The proposal put forward is not acceptable and will fail to preserve or enhance the character and appearance of the conservation area. The following comments are made:

i. The redevelopment of the site will involve the demolition of the former parish room. Within paragraph 1.1.1 of the Design Statement it states simply that "The hall has little architectural merit". This completely overlooks and conflicts with the fact the building is identified and recognised by the Local Authority as being a Building of Local Interest within the Whittlesey Conservation Area and has been recognized as such since 1993. In its current form the application fails to comply with para 128 NPPF (March 2012) as it fails to adequately consider the significance of the building. The historic building may not be a grand building but it is an example of a particular building type, which adds variety to the character and appearance of the conservation area, and it affords a charm in its simple Arts and Crafts style and was originally well built of good quality materials. The historic building also forms part of a grouping of Victorian buildings – Childers Building (1880), Church Hall (1900) and St Jude's Church (1851, formally a school) – which are all of differing styles but collectively reinforce the historic character of this part of Station Road and this part of the conservation area. To replace this historic building with new build flats erodes the very architectural and historic qualities of the conservation area which are intended to be protected. It is acknowledged that the building stands in a poor state of repair having been vacant and neglected for many years although there is no structural report or full building survey accompanying the application which verify its structural condition and demonstrate that options are not available to reuse the historic building in the first instance.

ii. Notwithstanding the comments made in point (i) above the layout, scale and design of the proposed development is not considered acceptable. The scheme proposes two blocks of buildings the first fronting Station Road which is for three houses and three flats and will replace the existing building. While the former parish room is a single story building the proposed building is much larger, having to accommodate three houses and three flats, and will be 2-2 ½ storeys in height. It is acknowledged that the height of this building is no higher than the adjacent buildings, Childers and St Jude's, but it is felt the new building would still appear excessively dominant within the streetscene, as result of its height, positioning and juxtaposition with adjacent buildings. The building will sit slightly forward of the former parish hall and will sit, as the former parish hall does, forward of St Jude's. The scale of the building sat 1m from the footpath edge at its closest point and its prominent blank south elevation is going to dominate Station Road when looking north along Station Road to the detriment of the streetscene and setting of St Jude's. There is also a concern that it will rival the Childers building detracting from the standing that historic building holds within the streetscene. Design wise the building has apparently being designed drawing inspiration form the adjacent club and "classical style" seen in the town but the embellishments of Juliet balconies is not consistent with the character and appearance of the buildings in the conservation area or the non-domestic buildings it is to sit between and such pronounced detailing is incongruous.

iii. Fronting Scaldgate a separate two storey building containing three flats has been proposed. The intention to have a building on this plot fronting Scaldgate is at odds with the very character and pattern of development of Scaldgate and conflicts with the character and appearance of this part of the conservation area. The west side of Scaldgate is distinctly characterized as being the rear of Market Place and Station Road property and sits with boundary walling of varying heights and coping details fronting the length of the street, the exception being a couple of dwellings at the northern end of the road. This walled streetscene is complemented in places by grass verges, trees and vegetation. It is acknowledged that the proposed building would sit between St Jude's whose side gable fronts Scaldgate and the back of Childers so there are structures facing Scaldgate in this locality but it is not felt the domestic frontage proposed is particularly fitting to the character of the west side of Scaldgate. Furthermore the building design is considered to be poor. The main emphasis of the design appears to be the wide vehicular access running through the building which will access the car parking in the middle of the site. The vehicular access dominates the appearance of the building and results in a poor balance to the overall design and the rhythm of the windows. It is not felt this block preserves or enhances the character and appearance of the conservation area.

iv. In summary it is felt the proposed development fails to preserve or enhance the character and appearance of the conservation area contrary to S72 Planning (Listed Buildings and Conservation Areas) Act 1990 and does not accord with Policy LP18 Fenland Local Plan (May 2014). Indeed the loss of a building recognized by the Local Authority as a Building of Local Interest can be viewed as causing harm to the conservation area under the provision of paragraph 138 NPPF (2012). Under the provisions of paragraph 133 as directed, which is best applied in this case given the buildings BLI status in a conservation area, the applicant should be demonstrating that there is no viable use for the heritage asset that will enable its conservation and the harm or loss is outweighed by the benefit of redevelopment and this has not satisfactorily been done. Indeed the provisions of paragraph 128 NPPF have not been met from the outset as now attempt has been made to understand the significance of the former parish room.

### 5.3 **English Heritage**

Do not wish to offer any comments on this occasion. The application should be determined in accordance with national and local policy guidance and on the basis of conservation advice.

### 5.4 **CCC Archaeology**

We have commented on this site multiple times in recent years. We would recommend that the same archaeological standard condition is placed on the development as was for prior applications F/YR07/0813/F and F/YR12/0946/F within the same bounds, that is:

We do not object to development from proceeding in this location but consider that the site should be subject to a programme of archaeological investigation secured through the inclusion of a negative condition, such as the example condition approved by DCLG.

Archaeology

No demolition/development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI which shall include:

- the statement of significance and research objectives;
- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-excavation assessment and subsequent analysis, publication & dissemination, and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Developers will wish to ensure that in drawing up their development programme, the timetable for the investigation is included within the details of the agreed scheme.

A brief for the archaeological work can be obtained from this office upon request.

#### 5.5 **CCC Highways**

If approved the footpath to the front of the church hall should have all redundant pedestrian railings removed and the footway reinstated. The proposal has a parking shortfall and FDC should consider the suitability of this. The access into the site should be fully dimensioned and should be a minimum width of 5m wide. Both pedestrian and vehicle visibility are acceptable. If FDC deem the parking provision acceptable then no objections subject to conditions. Highway comments remain applicable. Amended plans required to address highway comments.

#### 5.6 **FDC Environmental Health**

Have some concerns that the proposed development may be affected by noise from the neighbouring business (a licenced establishment) which may give rise to complaints. The applicants will need to demonstrate that any future occupiers will not be affected by noise. As the proposal involves the demolition of a building the unsuspected contamination condition should be imposed on any permission granted.

*Following the initial comments an Acoustic Assessment has been carried out and the Environmental Health comments are as follows:*

Note the submitted noise report which demonstrates that noise from the neighbouring club will not be an issue as long as double glazing and the correct ventilation is installed. Require the unsuspected contamination condition is applied.

#### 5.7 **Middle Level Commissioners** (Commenting in 2014)

Provides advisory comments in relation to the capacity and arrangements for drainage. Applicants should demonstrate that a suitable drainage method can be achieved.

5.8 **Whittlesey Society**  
(Commenting in 2014)

No objections to the proposal. The site is untidy and the development will provide much needed accommodation in the town.

5.9 **Local Residents/Interested Parties**

One objection received on the grounds of detrimental impact upon the Conservation Area, the loss of the church hall, the lack of adequate parking provision, and the Church hall should be converted not removed.

## 6 **POLICY FRAMEWORK**

6.1 **National Planning Policy Framework (NPPF)**

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Paragraphs 100 – 103: Flood Risk

Section 7: Requiring Good Design.

Section 12: Conserving and Enhancing the Historic Environment.

6.2 **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.

LP5: Meeting Housing Need.

LP11: Whittlesey

LP14: Responding to Climate Change and Managing the Risk of Flooding in Fenland.

LP15: Facilitating the Creation of a More Sustainable Transport Network in Fenland.

LP16: Delivering and Protecting High Quality Environments across the District.

LP18: The Historic Environment.

6.3 **Delivering and Protecting High Quality Environments in Fenland: Supplementary Planning Document – Adopted July 2014**

Policy DM1: Buildings of Local Importance.

Policy DM3: Making a Positive to Local Distinctiveness and Character of the Area.

## 7 **BACKGROUND**

7.1 As detailed within Sections 3 and 4 of this report there has been a lengthy and detailed history on this site over a number of years and this application has been in the system for a significant period of time. Any discussions which took place following the withdrawal of the 2012 applications are now somewhat historic and it is considered that it falls for the application to be determined on its merits in light of present day consideration.

## 8 **KEY ISSUES**

- **Principle of Development**
- **Impacts on the Conservation Area**

- **Layout and Design**
- **Access and Highway Safety**
- **Impacts on Residential Amenity**
- **Section 106 Requirements**
- **Health and wellbeing**
- **Economic Growth**

## **9 ASSESSMENT**

### **Principle of Development**

- 9.1 This application proposes 9 dwellings involving the demolition of the existing church hall building on the site.
- 9.2 Local Plan Policy LP3 identifies Whittlesey as a Market Town where the majority of the District's development should take place. As such the principle of residential development is considered to be acceptable in this instance.
- 9.3 Policy LP18 of the Local Plan seeks to protect, conserve and seek opportunities to enhance the historic environment throughout Fenland. As such, the proposed scheme to replace the existing Church Hall is required to be of a high design standard and quality in order to enhance the Conservation Area within which it is set.
- 9.4 Supplementary Planning Policy DM1 – Buildings of Local Importance requires the following have been undertaken before the removal of the building can be justified:
- a) All reasonable steps have been taken to retain the building, including examination of alternative uses compatible with its local importance; and
  - b) Retention of the building even with alterations would be demonstrably impracticable; and
  - c) The public benefits of the scheme outweigh the loss of, or substantial alteration to, the building.

With the above Policies in mind the actual principle of developing the site for residential is acceptable but what the remainder of this report will do is assess whether there is justification for the removal of the Church Hall and then the impacts of the proposed development on the locality and adjoining occupiers given the sensitive nature of the site.

### **Impact on the Conservation Area**

- 9.5 Policy DM1 of the SPD identifies that for buildings of local importance the application should demonstrate that all reasonable steps have been taken to retain the building, and that it would be impractical to retain the building, even with alterations, and the public benefits of the scheme outweigh the loss of the building. The site is located within the Whittlesey Conservation Area and is in a prominent location. The comments of the Conservation Team and English Heritage have been noted and careful consideration has been given to the loss of the Church Hall and its replacement with the current scheme.
- 9.6 It is acknowledged that the building is in a poor state of repair but no formal structural report or costing exercise has been submitted to show this building

could not be reused in line with Policy DM1. Consequently it is also therefore not possible to conclude that the public benefit of the demolition of the building would outweigh the harm of the loss of the building. Therefore it is considered that the proposal does not comply with Policy DM1 and in turn Policy LP18 or the objectives of the NPPF.

### **Layout and Design**

- 9.7 The layout of the site is relatively high density which is characteristic of a site in close proximity to the town centre. The layout, with dwellings fronting onto both Station Road and Scaldgate, as a principle is considered to be acceptable but it is the detail of the proposal as shown below that presents the Council with issues.
- 9.8 To reiterate the comments of the Conservation Officer *“the layout, scale and design of the proposed development is not considered acceptable. The scheme proposes two blocks of buildings the first fronting Station Road which is for three houses and three flats and will replace the existing building. While the former parish room is a single story building the proposed building is much larger, having to accommodate three houses and three flats, and will be 2-2 ½ storeys in height. It is acknowledged that the height of this building is no higher than the adjacent buildings, Childers and St Jude’s, but it is felt the new building would still appear excessively dominant within the street scene, as result of its height, positioning and juxtaposition with adjacent buildings. The building will sit slightly forward of the former parish hall and will sit, as the former parish hall does, forward of St Jude’s. The scale of the building sat 1m from the footpath edge at its closest point and its prominent blank south elevation is going to dominate Station Road when looking north along Station Road to the detriment of the street scene and setting of St Jude’s. There is also a concern that it will rival the Childers building detracting from the standing that historic building holds within the street scene. Design wise the building has apparently being designed drawing inspiration form the adjacent club and “classical style” seen in the town but the embellishments of Juliet balconies is not consistent with the character and appearance of the buildings in the conservation area or the non-domestic buildings it is to sit between and such pronounced detailing is incongruous.”*
- 9.9 In addition the block fronting Scaldgate is considered to be overly domestic in appearance, with this side of the road generally characterised in this area with non-residential uses, and somewhat unattractive in appearance given the wide undercroft vehicular access.
- 9.10 The proposal is therefore considered to be contrary to Policies LP16 and LP18 of the Local Plan and Supplementary Planning Guidance Policy DM3 as a high quality development would not be delivered to the detriment of the character and appearance of the surrounding area and would therefore result in harm to the conservation area.

### **Access and Highway Safety**

- 9.11 The proposed development will provide a vehicular access from Scaldgate which will lead into a shared parking and turning area within the site. The proposal identifies a parking provision of 8 bays within the site. No vehicular access is proposed from Station Road.

- 9.12 The Local Highway Authority have considered the proposal and offer no objection, however they do note that the provision of 8 parking spaces for 9 dwellings represents a shortfall of 6 spaces, although they leave this for the Local Planning Authority to determine its acceptableness, and they consider that the access should be 5m in width. It is noted that there is some on-street parking available on Scaldgate. The level of parking has been carefully considered against the site's location in close proximity of the town centre, walking distance of a number of town centre facilities and proximity to bus stops and bus routes and, on balance, it is considered that the level of parking is acceptable given the sustainability of the site itself.
- 9.13 In terms of the access width, this currently stands at 4m, which is 1m less than required by the Highway Authority. Consequently it is considered that the application is unacceptable from a road safety perspective and that as such the development is contrary to Policy LP15 of the Local Plan.

### **Impacts on Residential Amenity**

- 9.14 The proposal will introduce 9 new dwellings into the area involving the demolition of the existing vacant, boarded-up, Church Hall. The dwellings have a minimum of 1/3 of the plot as amenity space which accords with LP16 (h) and the proposed flats will be provided with communal garden and patio areas for their amenity space. The density of the site is considered to be in keeping with the surrounding area and as such the resultant amenity space is considered to be acceptable in this location in accordance with LP16 of the Local Plan.
- 9.15 The Environmental Health Team initially raised concerns over the impacts on residential amenity in terms of the potential for noise from the adjoining function room facility and to address this the Agent carried out a noise assessment. The EHO has assessed this noise assessment and is satisfied that it demonstrates that the adjoining function room will not adversely affect the amenities of the future occupiers of the proposed development providing that double glazing and the correct ventilation are installed throughout the development. The proposal therefore complies with LP16 in terms of noise and residential amenity.

### **Section 106 Requirements**

- 9.16 As this proposal is for 9 dwellings it triggers the requirement for an affordable housing provision in accordance with Policy LP5 of the Local Plan.
- 9.17 The Housing Strategy Officer has confirmed that in accordance with the Local Plan the requirements for this site would be 1 affordable home plus a commuted sum of £41,193.60. However, they advise that if the developer would prefer to provide an additional commuted sum in lieu of on-site provision then the appropriate payment would be £51,492 in addition to the £41,193.60, totalling a contribution requirement of £92,685.60 and it would then be for the Planning Committee to determine the acceptability of no on-site affordable housing provision.
- 9.18 Despite continued assurances by the applicant that a viability assessment will be provided this has not been forthcoming and it is therefore not possible to make any assessment as to the development's ability, or not, to provide the required level of affordable housing. As such the proposal is contrary to adopted local plan Policy LP5 (Meeting Housing Need).

## **Flood risk and drainage.**

- 9.19 The application site lies within flood zones 1. For developments (other than changes of use) less than 1 hectare in Flood Zone 1, the main flood risk issue to consider is usually the management of surface water run-off. Drainage from new development must not increase flood risk either on-site or elsewhere. The applicant has stated that they will use the main sewer and at present the matter remains one for building control were permission to be granted. No reason to withhold permission exists in this respect.

## **Ecology**

- 9.20 The Wildlife and Countryside Act 1981 is the primary mechanism for wildlife protection. The legislation requires (1) wildlife protection, including protection of wild birds, their eggs and nests, protection of other animals and the protection of plant, (2) Nature Conservation, Countryside and National Parks, including Sites of Special Scientific Interest, (3) Public Rights of Way and (4) Miscellaneous provisions. The Wildlife and Countryside Act is statutory legislation which must be adhered to.
- 9.21 Policy LP19 of the Fenland Local Plan 2014 requires the protection and enhancement of sites which have been designated for their international, national or local importance and to refuse planning permission for development which would cause demonstrable harm to a protected habitat or species. In addition opportunities should be taken to incorporate features for biodiversity in new developments and, where possible, to create new habitats.
- 9.22 The applicant did submit an initial biodiversity settlement showing there were no ecological assets on site but this was carried out in August 2014 and as such the potential for change in over three years is very real and an updated assessment would be required to demonstrate that the initial assertion that there are no ecological assets on site is accurate. Given the other reasons to resist the application, outlined elsewhere in this report, it is not considered necessary to pursue this issue further.

## **Health and Well-being**

- 9.23 In accordance with Policy LP2 of the Fenland Local Plan 2014 development proposals should positively contribute to creating a healthy, safe and equitable living environment. The site is located within a sustainable location which has access to a number of local town centre facilities thus will provide a good environment for future occupiers of the development.

## **Economic Growth**

- 9.24 The introduction of this new development in a sustainable location close to the town centre of Whittlesey will encourage economic growth for Whittlesey and the District as a whole and as such complies with LP6 of the Local Plan.

## **10 CONCLUSIONS**

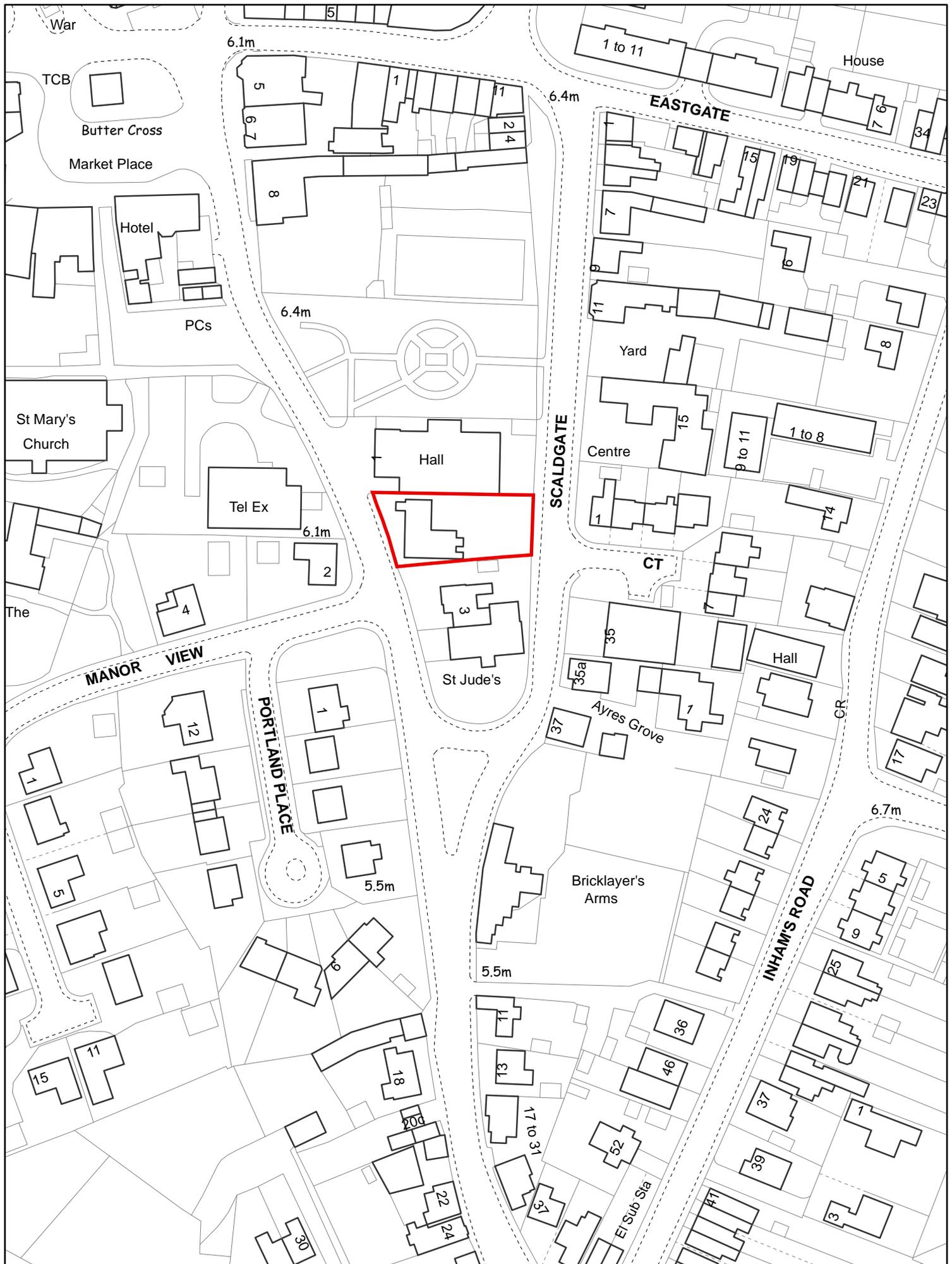
- 10.1 The proposal has been assessed in accordance with the relevant National and Local planning policies. The proposed development is considered to be unacceptable in terms of principle, layout, design and highway safety.
- 10.2 The development fails to preserve or enhance the character and appearance of the Conservation Area contrary to S72 Planning (Listed Buildings and Conservation Areas) Act 1990 and does not accord with Policy LP18 of the Fenland Local Plan 2014.
- 10.3 The building is recognized as a Building of Local Interest and the development proposal is viewed as causing harm to the Conservation Area under the provision of paragraph 138 of the National Planning Policy Framework 2012 and paragraph 133 is particularly relevant given the status of the Church Hall.
- 10.4 The applicant has failed to demonstrate that the Church Hall is structurally unsound and could not be converted or that the Hall could not be incorporated into an alternative scheme and therefore the proposal is contrary to Policy LP16 (a) which seeks to protect and enhance any affected heritage assets and their settings and Policy LP18 (c) of the Fenland Local Plan 2014.

## **11 RECOMMENDATION**

**The application is refused for the following reasons:**

- 1. The applicant has failed to demonstrate that the existing building could not be retained and incorporated into a redevelopment of the site or that the building is structurally unsound and incapable of further use. As such the proposal is contrary to the provisions of Policy LP16 (a) and Policy LP18 (c) of the Fenland Local Plan and Policy DM1 of the Delivering and Protecting High Quality Environments in Fenland SPD as well as conflicting with the aims and objectives of the National Planning Policy Framework.**
- 2. Policy LP18 of the Fenland Local Plan states the Council will protect, conserve and seek opportunities to enhance the historic environment throughout Fenland. The proposed development by virtue of its size, scale, design and appearance will have a detrimental impact upon the character and appearance of the Conservation Area contrary to Policy LP18 of the adopted local plan and Policy DM3 of Delivering and Protecting High Quality Environments in Fenland SPD as well as conflicting with the aims and objectives of the National Planning Policy Framework.**
- 3. Policy LP15 of the Fenland Local Plan requires that development should provide well designed safe and convenient access for all. The vehicular access/egress as proposed is considered to be of insufficient width to the detriment of road safety contrary to Policy LP15 of the Local Plan 2014.**
- 4. Policy LP5 of the Fenland Local Plan requires development of five to nine dwellings to provide an affordable housing contribution. No such contribution is being provided as part of this application, and no**

**evidence demonstrating viability reasons for not doing so has been provided. The application is therefore contrary to the requirements of Policy LP15 of the Local Plan 2014.**



Created on: 08/09/2014

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Scale = 1:1,250



**Legend: Trees on Site**

-  Trees to be retained and fenced in accordance with the british standard
-  Shrubs to be removed

2.4m X 43m vehicle site lines

43000

SCALDGATE

43250.6

2.4m X 43m vehicle site lines achievable



STATION ROAD

- Rev F: Aug 14 - Sliding gates height added, demolished brick wall shown dashed, trees added
- Rev E: Feb 13 - arch widened, binstore omitted to suit planners requirements
- Rev D: Jan 13 - Flat omitted to suit planners requirements, sight line adjusted
- Rev C: Dec 12 - Drawings amended
- Rev B: Dec 12 - Drawings amended

|   |                             |   |                       |
|---|-----------------------------|---|-----------------------|
| Project<br><b>STATION ROAD WHITTLESEY</b> |                             | B M Design Consultancy                    |                       |
| Title<br><b>PROPOSED SITE PLAN</b>        |                             | Chartered Architects<br>CDM Co-ordinators |                       |
| Scale<br>1:200                            | Date<br>July 12             | Job No<br><b>4469</b>                     | © Copyright           |
| Category<br><b>D</b>                      | C/Sib Element<br><b>(-)</b> | Sequential No<br><b>01</b>                | Revisions<br><b>F</b> |





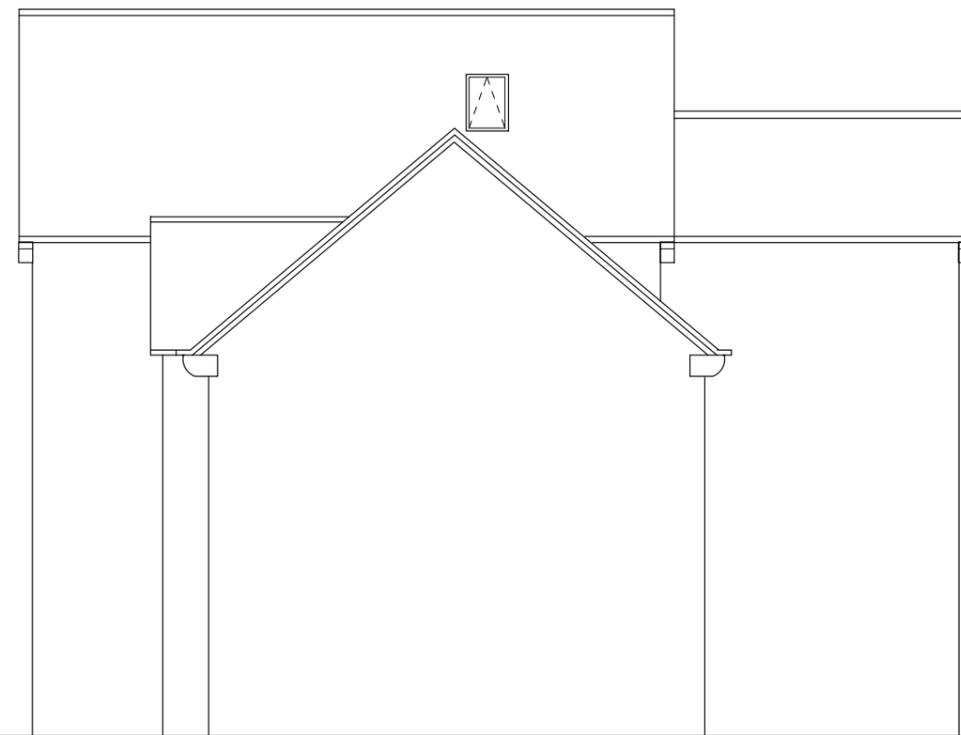
WEST ELEVATION



NORTH ELEVATION

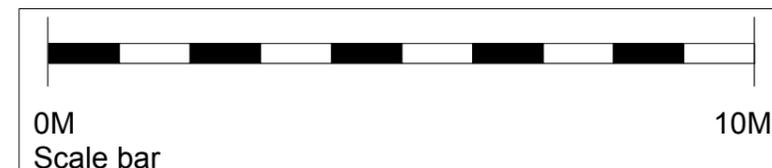


EAST ELEVATION

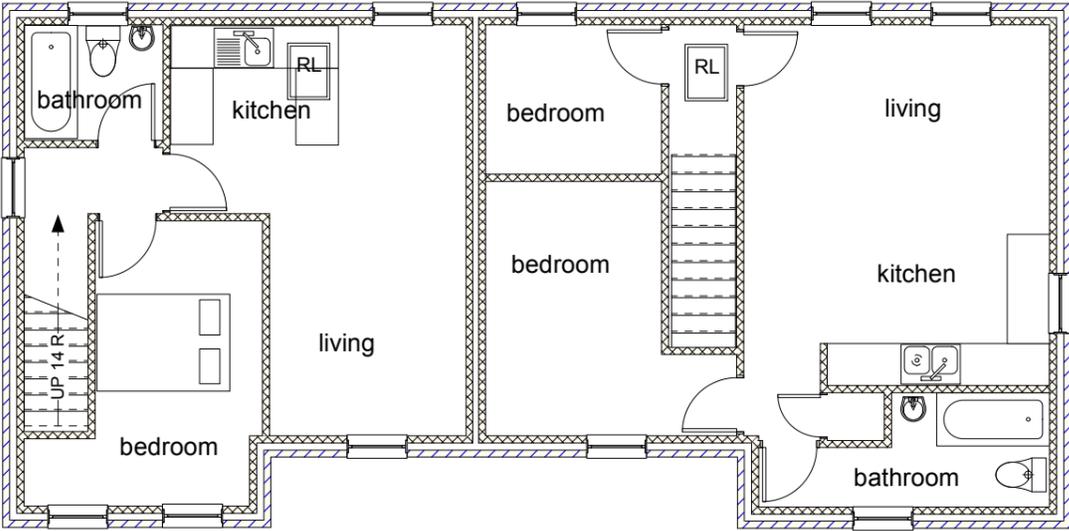


SOUTH ELEVATION

Rev B: Dec 12 - Drawings adjusted  
 Rev A: Dec 12 - Drawings adjusted



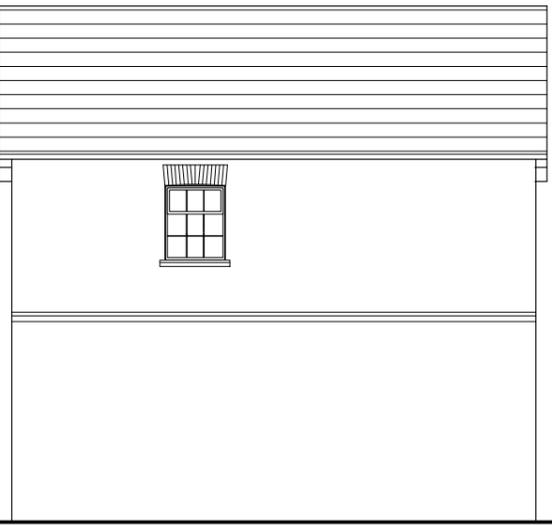
|  |                     |  |               |
|--|---------------------|--|---------------|
| Project<br>STATION ROAD<br>WHITTLESEY  |                     | B M Design<br>Consultancy                    |               |
| Title<br>HOUSES & FLATS<br>ELEVATIONS  |                     | Chartered Architects<br>Planning Supervisors |               |
| Archdeaconry House<br>Gravel Walk<br>Minster Precincts<br>Peterborough PE1 1YU<br>Telephone 01733 555971<br>Facsimile 01733 551285 |                     | © Copyright                                  |               |
| Scale<br>1:100   | Date<br>Aug 12      | Job No<br>4469                               |               |
| Category<br>D  | OSH Element<br>(--) | Sequential No<br>11                          | Revision<br>B |



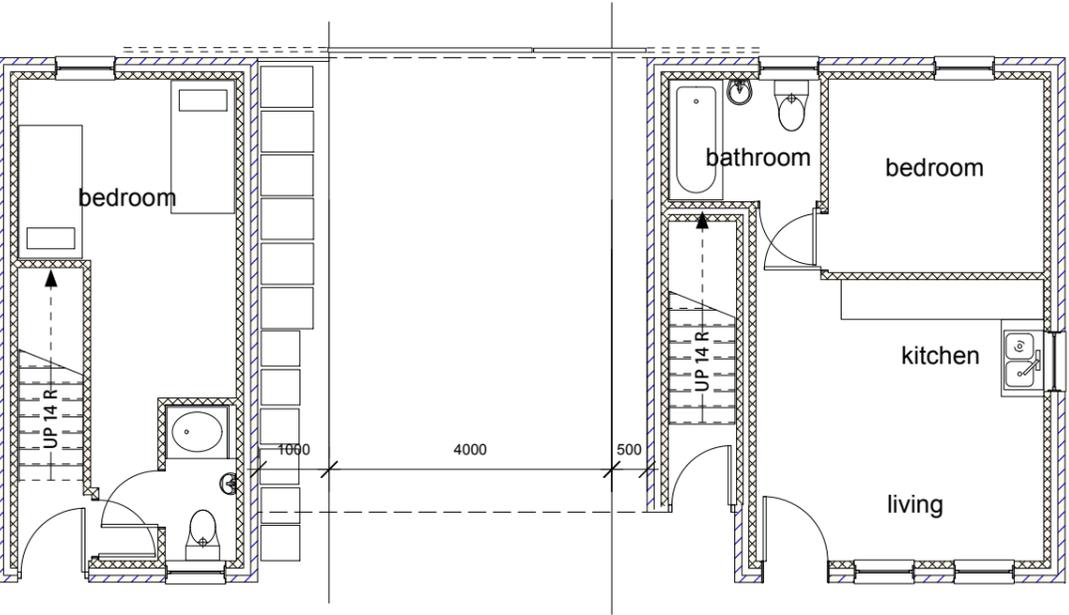
FIRST FLOOR PLANS



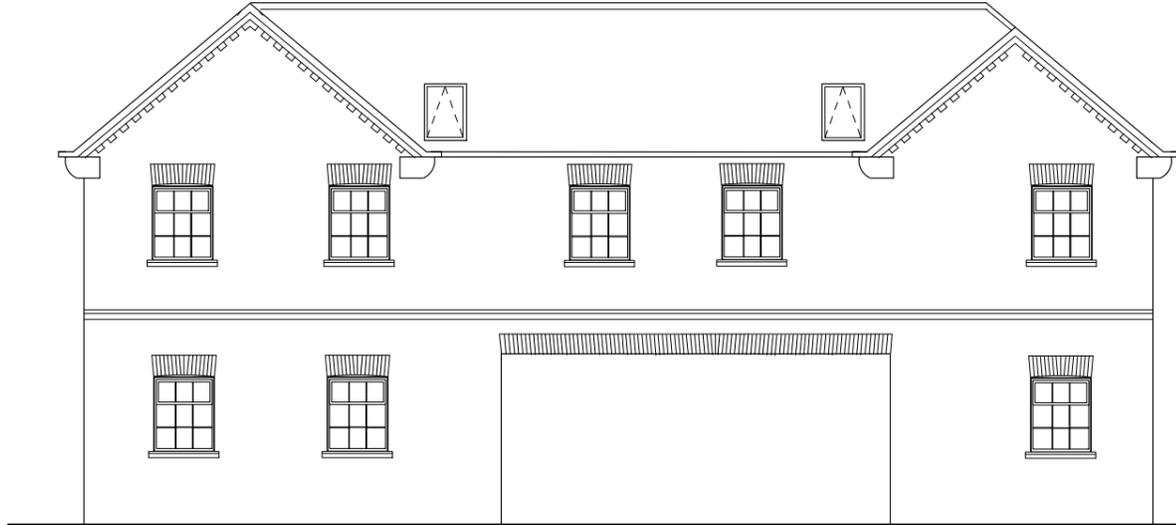
EAST ELEVATION



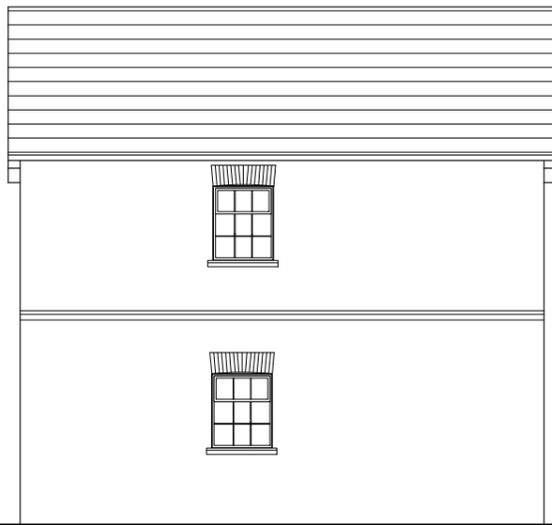
SOUTH ELEVATION



GROUND FLOOR PLANS



WEST ELEVATION



NORTH ELEVATION

- Rev H: Aug 14 - Floor plan living room window moved to suit elevation
- Rev G: Aug 14 - Floor plans & elevations amended to correspond, 1m high brick wall added to east elevation
- Rev F: March 13 - Windows lined up on elevation
- Rev E: Feb 13 - Binstore removed, arch widened to suit planners request
- Rev D: Jan 13 - Ground floor flat removed, binstore added
- Rev B: Dec 12 - Drawings altered
- Rev A: Dec 12 - Drawings altered



|  |                         |                           |                |
|--|-------------------------|---------------------------|----------------|
| Project<br><b>STATION ROAD<br/>WHITTLESEY</b>                    |                         | B M Design<br>Consultancy |                |
| Title<br><b>1 x 3 BEDROOM FLAT &amp;<br/>1 x 2 BEDROOM FLATS</b> |                         |                           |                |
| Scale<br>1:100   | Date<br>Aug 12          | Job No<br><b>4469</b>     | Revisions<br>H |
| Category<br>D  | CSI/SIB Element<br>(--) | Sequential No<br>12       | Revisions<br>H |

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