
F/YR23/0768/F

Applicant: Mr Ali Boyraz

**Agent : Mr Ivan Chonkov
ADP London**

91 High Street, March, Cambridgeshire, PE15 9LH

Erect a 3-storey building comprising of 2 x commercial units (Class E and Sui Generis) and 7 x dwellings (5 x 1-bed flats and 2 x 2-bed flats) with associated waste and cycle storage involving demolition of existing 2-storey building within a Conservation Area

Officer recommendation: Refuse

Reason for Committee: Town Council comments and number of representations received contrary to Officers recommendation.

1 EXECUTIVE SUMMARY

- 1.1 The application site is located on the western side of the High Street in March. The site contains a two-storey building, which sits slightly forward of the building line in the vicinity, alongside an irregular shaped area of hard standing with a 2m high timber and mesh fencing along its eastern and southern boundaries. The latter encloses a car sales business. The building to the north-east of the site currently operates as a pizza takeaway away (Leonardo's Pizza). The site adjacent to the north is a two and a half storey building, no. 89 – 87 High Street that at ground floor currently houses a hair salon and café and residential at first floor.
- 1.2 The application site is located within a Conservation Area, additionally there are two Grade II Listed buildings in close proximity to the site, no. 86 High Street, the former County Courthouse, directly opposite the site and no. 93 High Street, Audmoor House, to the south. As such, the setting of these designated heritage assets are a key consideration in this proposal.
- 1.3 The application seeks full planning permission for the erection of a 3-storey building comprising of 2 x commercial units (Class E) and 7 x dwellings (5 x 1-bed flats and 2 x 2-bed flats) with associated waste and cycle storage involving demolition of existing 2-storey building.
- 1.4 The proposed development would fail to preserve or enhance the character and appearance of the March Conservation Area and the setting of the adjacent listed buildings. By virtue of its scale, siting and design, the proposed development would form an unduly prominent and incongruous feature on High Street to the detriment of the historic buildings around it and this part of the Conservation Area. The proposed development would therefore be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Sections 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.
- 1.5 Policy LP2 of the Fenland Local Plan 2014 requires development proposals to promote high levels of residential amenity. Policy LP16 of the Fenland Local Plan 2014 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal. The proposed developed by virtue of its scale, siting and design would create unacceptable adverse impacts on the residential amenity of neighbouring dwellings surrounding the site, particularly those at Chapel Lane and those to the north of the site, in terms of overlooking, overshadowing and overbearing impacts. The proposed development is

therefore considered to be contrary to policy LP16 of the Fenland Local Plan 2014.

- 1.6 The applicant has failed to submit a Noise Impact Assessment and Odour Assessment as required and requested by the Council's Environmental Health officer.
- 1.7 Overall, and in applying the tilted balance, the proposed development is considered to be unacceptable, and the recommendation is one of refusal.

2 SITE DESCRIPTION

- 2.1. The application site comprises an area of approximately 403 sq m on the western side of the High Street in March. The site contains a two-storey building, which sits slightly forward of the building line in the vicinity, alongside an irregular shaped area of hard standing with a 2m high timber paladin fencing along its eastern and southern boundaries. The latter encloses a car sales business. The building to the north-east of the site currently operates as a pizza takeaway away (Leonardo's Pizza). The site adjacent to the north is a two and a half storey building, no. 89 – 87 High Street that at ground floor currently houses a hair salon and café and residential at first floor.
- 2.2. The site is located within the Town Centre Boundary in a mixed commercial/residential area that is characterised by two storey buildings with some three storey buildings interspersed. The site is also located within the March Conservation Area, there are two Grade II Listed buildings in close proximity to the site, no. 86 High Street, the former County Courthouse, directly opposite the site and no. 93 High Street, Audmoor House, adjacent to the south, separated by a narrow roadway serving the Oliver Cromwell Hotel to the rear and Chapel Lane which 'wraps around' the rear of the site.
- 2.3. The site is located within Flood Zone 1.

3 PROPOSAL

- 3.1. The application seeks full planning permission for the erection of a 3-storey building comprising of 2 x commercial units (Class E and Sui Generis) fronting the High Street, and 7 x dwellings (5 x 1-bed flats and 2 x 2-bed flats) with associated waste and cycle storage involving demolition of the existing two storey building. The building would measure a maximum of 17.5m in width, 19.7m in depth and 9m in height with a flat roof and 6 no. dormer windows within the front roof plane.
- 3.2. At ground floor there would be two central accesses to an entrance hall/stairwell to the flats above, one from the High Street and one at the rear of the building in between two commercial units which are to comprise a shop and takeaway. Storage areas are proposed to the rear of both commercial units. The first floor would consist of 4 flats, 3 x one bedroom and 1 x two bedroom and the second floor would consist of 3 flats 2 x one bedroom and 1 x two bedroom. Each of the flats comprises one bathroom with open plan living/dining/kitchen, Flat 3 would also have a utility room. At the rear of the building Flats 3 and 6 would have access to an external terrace. Externally at the rear of the building, a double stacking system cycle store with 10 spaces and commercial and residential bin stores are proposed.
- 3.3. The proposed materials would include buff/yellow bricks, timber framed sliding sash windows and timber doors and a flat green roof.
 - 3.3.1. Full plans and associated documents for this application can be found at: [F/YR23/0768/F | Erect a 3-storey building comprising of 2 x commercial units \(Class E and Sui Generis\) and 7 x dwellings \(5 x 1-bed flats and 2 x 2-bed flats\) with associated waste and cycle storage involving demolition of existing 2-storey building within a Conservation Area | 91 High Street March Cambridgeshire PE15 9LH \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR23/0768/F)

4 SITE PLANNING HISTORY

Reference	Description	Decision	Date
F/YR23/0118/F	Erect a 3-storey building comprising of 2 x commercial units (Class E) and 7 x dwellings (4 x 1-bed flats and 3 x 2-bed flats) with associated waste and cycle storage involving demolition of existing 2-storey building 91 High Street March Cambridgeshire PE15 9LH	Withdrawn	26/07/2023
F/YR20/0014/F	Relocation of extraction flue to side elevation and erect brick effect cladding to ducting on the side elevation to match finish of existing building (part retrospective)	Granted	16/04/2020
F/YR20/0049/F	Erect a single-storey rear extension, alterations to size of 2no first floor front windows and alteration to stairway to rear of existing building (retrospective)	Granted	15/04/2020
F/91/0966/F	Change of use of existing shop to cafe	Granted	29/04/1992

5 CONSULTATIONS

5.2. March Town Council (17/10/2023)

Recommendation: Approval, Cllr Field voted against the majority for this application and wished for his objection to be formally recorded.

5.3. CCC Archaeology (02/10/2023)

Our records indicate that the development lies in an area of high archaeological potential, within the historic core of March, in particular within the bounds of the southwards expansion of the core towards St Wendreda's church (Cambridgeshire Extensive Urban Survey: March 2015). The expansion followed the route of the High Street, an 18th century historic toll road (Cambridgeshire Historic Environment Record reference. MCB31386). Historic mapping shows that the development area itself housed a blacksmith workshop, lying adjacent to a Guildhall (CHER ref. MCB27633). Archaeological investigations in the vicinity have shown evidence for earlier periods such as areas of Roman to medieval quarry pitting to the south (CHER ref. CB14565) to the west of the schedule remains of the Civil War March Sconce (National Heritage List Entry reference. 1015200). Further medieval activity is known to the north-east, where a historic channel associated with medieval ditches and deposit was identified during archaeological investigations (CHER ref. MCB20266).

Due to the archaeological potential of the site a further programme of investigation and recording is required in order to provide more information regarding the presence or absence, and condition, of surviving archaeological remains within the development area, and to establish the need for archaeological mitigation of the development as necessary. Usage of the following condition is recommended:

Archaeology Condition

No demolition/development shall commence until the applicant, or their agents or successors in title, has implemented a programme of archaeological work, commencing with the evaluation of the application area, that has been secured in accordance with a

Written Scheme of Investigation (WSI) that 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 under the provisions of the agreed WSI, which shall include:

- a) The statement of significance and research objectives;*
- b) The programme and methodology of investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;*
- c) The timetable for the field investigation as part of the development programme;*
- d) The programme and timetable for the analysis, publication & dissemination, and deposition of resulting material and digital archives.*

REASON: To safeguard archaeological assets within the approved development boundary from impacts relating to any demolitions or groundworks associated with the development scheme and to ensure the proper and timely preservation and/or investigation, recording, reporting, archiving and presentation of archaeological assets affected by this development, in accordance with national policies contained in the National Planning Policy Framework (MHCLG 2021).

A brief for the recommended programme of archaeological works is available from this office upon request. Please see our website for CHET service charges

5.4. FDC Conservation (12/10/2023)

*Due regard is given to the impact of this proposal on the architectural and historic interests of the listed building, setting of adjacent listed buildings and on the character and appearance of the conservation area with due regard to the duty in law under S66 and S72 Planning (Listed Buildings and Conservation Areas) Act 1990. **The proposal requires amendment.** The following comments are made:*

The site is located along High Street within the March Conservation Area. There are two listed buildings in close proximity to the site. One being no.86 directly opposite the site and the other being 93 adjacent south, separated by a narrow roadway. As such, the setting of these designated heritage assets are a key consideration in this proposal.

The existing site is considered to have a negative impact on the character and appearance of the conservation area. The host building, whilst of congruent form and overall proportion and once being a positive building, is much altered from its original appearance. The painted elevations awkwardly proportioned modern windows and a rather unsightly extraction system that has been clad in particularly poorly matching brick slips to the gable. This is an example of the damage that incremental poorly and considered alterations can have on the street scene. The rest of the site to the south is a forecourt bounded by industrial looking fencing and an unfortunate proliferation of unauthorised signage.

The principle of the proposal to demolish the host building is on balance supported owing to the limited contribution that it now provides to the March Conservation Area.

The previous scheme (withdrawn) proposed a three-storey flat roofed building with a parapet, which was considered to be of a scale that was too large for its setting. Concerns were made in relation to the depth of the building making it difficult to provide a positive roofscape that would result in a beneficial appearance within the Conservation Area, as set out below:

‘Similarly designed elevations could be achieved under a pitched roof with modestly proportioned dormers forming the second floor and be far more sympathetic to its immediate surroundings.

Owing to the access road directly to the south of the site, the very deep floorplan of the building would also be highly visible and prominent within the streetscene. Again the elevation detailing is not poor, but the unrelieved boxy form is.

The box like form of the building has to my mind been dictated by a wish to maximise profit from the site, but this has been done in lieu of designing a scheme that is appropriate to the position it is located and the setting of the heritage assets adjacent.'

The revised is essentially of the exact same scale with the only change being an approx. 10 degree tilt to the third floor, the addition of an alien cladding material and the presence of dormers that are frankly far too large. As such, other than the design becoming worse, and the concerns remain the same. It remains the case that not wishing to reduce the floorspace, is dictating the appearance of the proposal.

Additionally, the proposed building stands much further forward of the main building line and therefore will become the dominant feature in views when progressing along the High Street. The south elevation will be particularly visible owing to the gap created by the access road. The appearance is a building that remains far too deep and too tall to be designed in such an unrelieved form. This side elevation design may be acceptable where it is concealed with development on both sides, but not where the side elevation forms a prominent feature. The only change is the aforementioned awkward tilt of the meagre roof pitch with a flat roof above. It remains little changed and simply not good enough.

As a final point the main front entrance door that was previously objected to remains unaltered.

Amendment and Additional Information

- Reduce height to two storey with attic provided by way of a pitched roof.
- Omit boxy form for a design of traditional scale, that is respectful to its surroundings.

Suggested Conditions

All external facing materials to be submitted to and agreed in writing by the LPA.

All windows and doors shall be recessed into their reveals from the front face of the brickwork by at least 50mm to enable depth and shadowlines.

Pointing shall be carried out in a lime-coloured mortar (not grey cement)

RECOMENDATION: OBJECTION - AMENDMENT AND ADDITIONAL INFORMATION REQUIRE

5.5. Designing Out Crime Officer (12/10/2023)

I have viewed the documents in relation to crime, disorder and the fear of crime and have searched the Constabulary crime and incident systems covering the above ward and surrounding streets for the last 2 years. I would consider this to be an area of low to medium risk to the vulnerability to crime, as mentioned in my colleague's response to the planning application dated 22nd March 2023 (Your reference F/YR23/0118/F).

Having viewed the documents, I note the changes made to the design and layout, which appear to be acceptable, and that the building will be built to the standards of secured by design.

Cycle storage - the proposed cycle store must be lockable, and each resident provided with a key. Staff should be provided with a separate store of stands. Refuse store - commercial and residential, clarification required on who and or how this will be collected? Fence – the documents refer to 1.8m fencing, please could you clarify that there will be a matching gate, this should be lockable for all residents and commercial staff and fitted with a self-closer. It appears that this is accessed of the cycle path – could this be confirmed. Access control – audio/visual residential flats. Lighting - There

should be LED dusk to dawn wall mounted lights above each entrance/exit doors. I would like to see the lighting plan, including lux levels and calculations when available please. There should be a column light in the rear yard designed to BS5489-1:2020. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting.

Cycle storage - the proposed cycle store must be lockable, and each resident provided with a key. Staff should be provided with a separate store of stands.

Refuse store - commercial and residential, clarification required on who and or how this will be collected?

Fence – the documents refer to 1.8m fencing, please could you clarify that there will be a matching gate, this should be lockable for all residents and commercial staff and fitted with a self-closer. It appears that this is accessed off the cycle path – could this be confirmed.

Access control – audio/visual residential flats.

Lighting - There should be LED dusk to dawn wall mounted lights above each entrance/exit doors. I would like to see the lighting plan, including lux levels and calculations when available please. There should be a column light in the rear yard designed to BS5489-1:2020. Please note: Bollard lighting should be used as wayfinding only and not as a main source of lighting.

The drawings appear to show a gap between the existing retail and the new development, please could you clarify that there will be no access between the two buildings.

This office will be happy to discuss “Secured by Design” Homes and Commercial with the applicant/architect and or developer as I believe this development could achieve the accreditations with discussion.

I am happy for the above to be conditioned.

5.6. FDC Economic Growth Team (04/10/2023)

Fully support this application.

5.7. FDC Environmental Health (20/10/2023)

In the interest of brevity, comments have been received which refers to insufficient information having been submitted with regards to proposed mechanical and ventilation to serve the proposed commercial uses and how this could impact upon residential properties. This should include submission of a noise impact assessment and odour assessment.

Further to this, a request has been made for the hours of opening to be submitted along with a Construction Management Plan.

The introduction of a green roof has been welcomed as a way of maintaining compliance with local air quality objectives.

FDC Environmental Health (revised comments 4/4/24)

I have now had the opportunity to observe the details submitted for the proposed kitchen extraction system.

Whilst in principle the schematics and intended equipment to address noise, vibration and cooking odour look sufficient for purpose, the information has not been accompanied by noise and odour impact assessments as requested by Ms Laura Harwood (Senior Environmental Health Officer) on 20.10.23.

The stance taken was that an objection to the application would have to be raised unless sufficient information was provided, and the aforementioned impact

assessments formed part of that information, as well as the submission of proposed hours of use of the additional Class E and takeaway business.

5.8. **Historic England (24/10/2023)**

This scheme is a re-submission of an earlier proposal within the March Conservation Area, that we commented on in March of this year and raised concerns. We were particularly concerned with the scale of the new building and recommended that a pitched or hipped roof with dormers would be a more appropriate design response than the previous flat-roofed, three-storey design.

The amended scheme however proposes a mansard roof with bulky full height windows that are tightly-arranged with minimal space between them. This is uncharacteristic of the locality and gives the building a rather top-heavy appearance, and in our opinion the scale is not much different to the original scheme.

Whilst we acknowledge that some of the buildings in this part of the conservation area are three-storey, we believe that the proposed building would be somewhat at odds with the prevailing scale and form, which is a more modest two-storeys. We therefore suggest that a traditional pitched-roof with fewer and more modestly proportioned dormers.

Policy context

The National Planning Policy Framework (NPPF) makes it clear that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance (paragraph 189).

Paragraph 199 reminds us that that great weight should be given to an asset's conservation and the more important that asset, the greater that weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm.

Paragraph 200 states that Any harm to, or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification, and that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 202).

Historic England's position

We do not consider that the proposal as it stands would enhance the conservation area as fully as it could do. We therefore conclude that the proposal would result in a degree of less than substantial harm to the March Conservation Area in terms of the NPPF. However, we believe that this harm could be mitigated by revisions to the proposal, as per our original advice and as described above.

If however your authority is minded to approve this planning application, then in accordance with the tests and requirements of paragraph 202 of the NPPF we advise that it satisfies itself that the development would deliver public benefit that is sufficient to outweigh any harm that would result.

Recommendation

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189, 199, 200, 202 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

5.9. **CCC Highways (25/10/2023)**

Upon reviewing the plans and information submitted as part of this application, I have no objection in principle. However, I note that an access door is proposed where there is currently no footway within the highway, to the left-hand side of the elevation plan reference 210702-A117. I would recommend an extension of the existing footway, currently shown at the frontage of No. 89 and part of 91, that encompasses the full width of the frontage proposals for No. 91. Please provide details of a proposed footway design as an extension of the existing footway, to the right-hand side of the plan previously referenced, and resubmit for further comment or recommendations.

CCC Highways (revised comments 17/4/24)

Upon reviewing the updated plans and information submitted as part of this application, I have no objections in principle. I note that my previous recommendation regarding the extension of the footpath has been added to the submitted plan reference: 210702-01-A123 Revision C. As this amendment has been made, I have no further comments or recommendations. Please include the following informative should this application gain benefit of planning permission.

Works in the Public Highway

This development may involve work to the public highway that will require the approval of the County Council as Highway Authority. It is an OFFENCE to carry out any works within the public highway, which includes a public right of way, without the permission of the Highway Authority. Please note that it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consents or approvals under the Highways Act 1980 and the New Roads and Street Works Act 1991 are also obtained from the County Council.

Local Residents/Interested Parties

Supporters

5.10. 15no. letters of support have been received from 14 addresses within March which make the following summarised comments:

- The development will be in keeping with the area and will improve the visual aspect of the area
- Much needed homes for younger people
- Will help the community grow
- Great use of an existing space providing affordable housing for local residents
- Will provide jobs within the area
- Will bring additional retail opportunities at the southern side of town
- Will improve the street appearance and is an ideal location

6 STATUTORY DUTY

6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires a planning application to be determined in accordance with the Development Plan unless material planning considerations indicate otherwise. The Development Plan for the purposes of this application comprises the adopted Fenland Local Plan (2014), the March Neighbourhood Plan (2017) and the Cambridgeshire & Peterborough Minerals and Waste Local Plan (2021).

6.2. Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities when considering development to pay special attention to preserving a listed building or its setting and to the desirability of preserving or enhancing the character or appearance of a conservation area.

7 POLICY FRAMEWORK

7.1. **Planning Policy Framework (NPPF)**

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

Para 117: Promote effective use of land

Para 118: Opportunities and benefits of the reuse of land

Para 127: Well-designed development

Para 130: Permission should be refused for development of poor design that fails to take opportunities for improving the character and quality of an area.

Para 131: Great weight should be given to outstanding or innovative designs.

Para 184: Heritage assets should be conserved in a manner appropriate to their significance.

Para 189: Applicants should describe the significance of any heritage assets affected.

Para 194: Harm to or loss of significance of a heritage asset should require clear and convincing justification.

Para 195: Substantial harm should result in refusal unless substantial public benefits outweigh it.

Para 196: Less than substantial harm should be weighed against public benefits.

7.2. **National Planning Practice Guidance (NPPG)**

Determining a Planning Application

7.3. **National Design Guide 2021**

- Context
- Identity
- Built Form
- Uses
- Homes and Buildings
- Resources
- Lifespan

7.4. **Fenland Local Plan 2014**

LP1 – A Presumption in Favour of Sustainable Development

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP3 – Spatial Strategy, the Settlement Hierarchy and the Countryside

LP4 – Housing

LP6 - Employment

LP9 – March

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

LP17 – Community Safety

LP18 – The Historic Environment

LP19 – The Natural Environment

7.5. **March Neighbourhood Plan 2017**

H2 – Windfall Development

7.6. **Delivering and Protecting High Quality Environments in Fenland SPD 2014**

DM3 – Making a Positive Contribution to Local Distinctiveness and Character of the area

DM4 – Waste and Recycling Facilities

7.7. **Emerging Local Plan**

The Draft Fenland Local Plan (2022) was published for consultation between 25th August 2022 and 19 October 2022, all comments received will be reviewed and any changes arising from the consultation will be made to the draft Local Plan. Given the very early stage which the Plan is therefore at, it is considered, in accordance with Paragraph 48 of the NPPF, that the policies of this should carry extremely limited weight in decision making. Of relevance to this application are policies:

LP1 – Settlement Hierarchy
LP2 – Spatial Strategy for the Location of Residential Development
LP5 – Health and Wellbeing
LP7 – Design
LP8 – Amenity Provision
LP11 – Community Safety
LP16 – Town Centres
LP20 – Accessibility and Transport
LP22 – Parking Provision
LP23 – Historic Environment
LP27 – Trees and Planting
LP32 – Flood and Water Management

8 KEY ISSUES

- **Principle of Development**
- **Heritage, design considerations and visual amenity of area**
- **Residential Amenity**
- **Parking and Highways**
- **Flood Risk and Drainage**

9 BACKGROUND

- 9.1. Pre-application advice was provided in February 2022 which considered that the principle of development could be supported subject to compliance with other relevant policies. It was advised that there was potential to improve the character and appearance of the site to the benefit of the wider area. However, it was outlined that the proposed part 4 storey, part 3 storey building brought forward at this stage was an overdevelopment and needed to be scaled back considerably, the officer detailed that the height and building should take a steer from 87-89 and 93 High Street and provide a transition between these.
- 9.2. The officer expressed concerns regarding impacts of the proposed on the residential amenity of dwellings located at Chapel Street creating a sense of enclosure due to the proposed scale of the building and landscaping and some separation and/or mitigation should be provided as the existing road here sits lower than the site. Additionally, the officer also expressed concerns of adverse impacts on residential amenity on a number of dwellings to the north, with windows facing towards and gardens abutting the site.
- 9.3. The pre-application submission also detailed that no on-site parking was proposed, the officer commented that this may be preferable on this site given the need to turn within the site to exit onto High Street (which is a B Class road) and the constrained nature of Chapel Street, however the impact of additional traffic movements, potential for on street parking and use of public car parks will need to be considered and justified, it is likely that only a lesser number of units would be acceptable in this regard.
- 9.4. Within this pre-application advice the Conservation Officer also expressed concerns regarding the scale of the proposal on the character and appearance of the conservation area and the setting of listed buildings, by virtue of the potential of the scheme to completely overwhelm and dominate this area of High Street. It was advised that the proposed should be set back to align more with no. 87-89 than the current position of no. 91, as the existing no. 91 building does not overwhelm the area due to

its small scale. Overall, the Conservation Officer expressed concerns about the impact of the loss of 91 High Street on the character of the conservation area – the level impact of this loss could be altered by the impact of the proposed replacement building. The Conservation Officer stated the loss of the quaint and characterful building that is existing is not outweighed (architecturally) by the current proposal.

- 9.5. A full planning application (ref: F/YR23/0118/F) was submitted to the council in January 2023 to 'Erect a 3-storey building comprising of 2 x commercial units (Class E) and 7 x dwellings (4 x 1-bed flats and 3 x 2-bed flats) with associated waste and cycle storage involving demolition of existing 2-storey building'. The application was scheduled to be brought forward to the Planning Committee in July 2023 due to the Town Council comments and number of representations received contrary to the officer's recommendation. The case officer's recommendation was for refusal of the application due to the proposed development failing to conserve and enhance the March Conservation Area by virtue of its scale, siting and design creating a development that would stand unduly prominent and incongruous on High Street to the detriment of the historic buildings around it and this part of the Conservation Area. Furthermore, the application was also recommended for refusal due to adverse impacts on the residential amenity of neighbouring dwellings surrounding the site, particularly those at Chapel Lane and to the north of the site, in terms of overlooking, overshadowing and overbearing impacts the proposed development would create by virtue of its scale, siting and design. Subsequently, the application was withdrawn at the request of the applicant prior to being heard by the Planning Committee.
- 9.6. The submitted application is brought forward as a revised submission to the original application (F/YR23/0118/F) that was withdrawn in July 2023.

10 ASSESSMENT

Principle of Development

- 10.1. The application site is located within the settlement of March which is identified within the Settlement Hierarchy as a Primary Market Town; Market Towns are identified within Policy LP3 as the focus for where housing growth, employment growth, retail growth and wider service provision should take place, accordingly there is a presumption in favour of development within this location.
- 10.2. The site is located within the Town Centre Boundary where retail development would be supported. Policy LP6 of the Fenland Local Plan 2014 seeks to increase employment opportunities across the district and paragraph 85 of the NPPF 2023 places significant weight on the need to support economic growth and the proposed development would support this.
- 10.3. The principle of development is therefore acceptable subject to other considerations including residential and visual amenity, heritage, design, parking, highways and flood risk being addressed.

Heritage, design considerations and visual amenity of area

- 10.4. Paragraph 131 of the NPPF (2023) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. This is also reflected in Local Plan Policy LP16 which seeks to promote high quality environment through demonstrating they make a positive contribution to the local distinctiveness and character of the area, enhancing their local setting and both responding to and improving the character of the local built environment whilst not adversely impacting on the street scene, settlement pattern or landscape character of the surrounding area.

- 10.5. Policy H2 of the March Neighbourhood Local Plan states that proposals for residential development will be supported where they meet the provisions of the Fenland Local Plan and, inter alia, f) the proposal is of a high standard of design.
- 10.6. Policy LP18 addresses matters concerning the historic environment within Fenland, noting that development proposals will be required to describe and assess the significance of any heritage asset, identify the impact of proposed works on its character and provide justification for those works, especially if they would harm the setting of the asset.
- 10.7. Due regard is given to the impact of this proposal on the architectural and historic interests of the setting of adjacent listed buildings and on the character and appearance of the conservation area with due regard to the duty in law under S66 and S72 Planning (Listed Buildings and Conservation Areas) Act 1990.
- 10.8. The application is located within a Conservation Area, additionally there are two Grade II Listed buildings in close proximity to the site, no. 86 High Street, the former County Courthouse, directly opposite the site across High Street and no. 93 High Street, Audmoor House, adjacent to the south, separated by the roadway serving the Oliver Cromwell hotel and Chapel Lane.
- 10.9. In comparison to the withdrawn application F/YR23/0118/F, the latest scheme has changed in some areas. Flat 5 has been brought forward as one bedroom accommodation rather than the previous two bedrooms. The scale has remained much the same, with the only change being an approx. 10-degree tilt to the third floor, the addition of a cladding material and the presence of 6 no. dormers at third floor within the front roof plane. The flat roof above remains, which is now proposed as a 'living/green' roof.
- 10.10. It is noted that the existing site is considered to have a negative impact on the character and appearance of the conservation area. The host building, whilst of congruent form and overall proportion and once being a positive building, is much altered from its original appearance. Alterations carried out include painted elevations, awkwardly proportioned modern windows and a rather unsightly extraction system. This is an example of the damage that incremental alterations can have on the street scene. The rest of the site to the south is a forecourt bounded by industrial looking fencing and an unfortunate proliferation of unauthorised signage. The principle of the proposal to demolish the host building is, on balance, supported owing to the limited contribution that it now provides to the March Conservation Area.
- 10.11. The area is characterised by two storey buildings, with evidence of three storeys of varied architectural forms, eras and materials. Nevertheless, the proposed height of the replacement building at a height of three floors is considered to be out of scale. The adverse impact of the height is increased further when the building is read in context of the surrounding built environment, as the site is set substantially further forward than the adjacent building no. 89 – 87 High Street which is a two-storey building with attics.
- 10.12. Historic England have provided comments for the application and acknowledge that there is evidence of three storey buildings within the conservation area, however, the proposed development would be at odds with the prevailing scale and form, which is of more modest two-storey buildings. They summarise by stating that the proposal would not enhance the conservation area as fully as it could do and would therefore result in a degree of less than substantial harm to the March Conservation Area in terms of the NPPF.
- 10.13. Further to comments from Historic England, the Councils' Conservation Officer has commented on the application and also objected to the proposed development. The Conservation Officer has stated 'the previous scheme (withdrawn application F/YR23/0118/F) proposed a three-storey flat roofed building with a parapet, which was considered to be of a scale that was too large for its setting. Concerns were made in

relation to the depth of the building making it difficult to provide a positive roofscape that would result in a beneficial appearance within the Conservation Area. The revised is essentially of the exact same scale with the only change being an approx. 10-degree tilt to the third floor, the addition of an alien cladding material and the presence of dormers that considered too large. As such, other than the design becoming worse, the concerns remain the same. It remains the case that not wishing to reduce the floorspace, is dictating the appearance of the proposal.'

- 10.14. Furthermore, the Conservation Officer has also provided comments on the revised scheme brought forward within this application outlining 'the proposed building stands much further forward of the main building line and therefore will become the dominant feature in views when progressing along the High Street. The south elevation will be particularly visible owing to the gap created by the access road. The appearance is a building that remains far too deep and too tall to be designed in such an unrelieved form. This side elevation design may be acceptable where it is concealed with development on both sides, but not where the side elevation forms a prominent feature. The only change is the aforementioned awkward tilt of the meagre roof pitch with a flat roof above. It remains little changed and simply not good enough.'
- 10.15. Amended plans were received during the course of the application that demonstrates the provision of an external flue to the northern elevation. The plans demonstrate that this would be set back from the front elevation and have been annotated to show that it would be boxed in with a brick effect cladding finished to match the proposed brick material with the cowl projecting above the roof by 1m. The Conservation Officer commented further stating that the design of the flue is the lesser of the concerns but notwithstanding that, questioned disguising the flue as a chimney and not extending it to ground floor level. The amended scheme does not alter the objections raised in respect of the development in terms of impact upon heritage assets.
- 10.16. It is therefore evident that the proposed scale, siting and design of the building would lead to an adverse impact on the Conservation Area and Grade II Listed buildings no. 86 and 93 High Street that are in close proximity to the application site. It is observed that the proposed development would provide public benefit associated with the redevelopment of the site, specifically the provision of additional housing catering located in close proximity to the town centre and the creation of commercial units leading to employment provision, though, these benefits would not outweigh the harm that would be created by the proposal on designated heritage assets, as other more sympathetic designs could likely achieve the same outcome without the same degree of harm. Therefore, it is apparent that the proposed development by virtue of its scale, siting and design would lead to an adverse impact on setting of adjacent listed buildings and on the character and appearance of the Conservation Area. Overall. It is therefore considered that the proposed development would be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014, Sections 66 and 72 Planning (Listed Buildings and Conservation Areas) Act 1990 and Section 16 of the NPPF.

Residential Amenity

- 10.17 Policy H2 of the March Neighbourhood Local Plan states that proposals for residential development will be supported where they meet the provisions of the Fenland Local Plan and, inter alia, a) The proposal will not result in unacceptable impact on levels of light, privacy and private amenity space for the occupants of the proposed dwellings. The impact of proposals on existing neighbouring properties will be assessed against Policy LP16 of the Local Plan and f) the proposal is of a high standard of design.
- 10.18 The proposal has the potential to result in amenity impacts on the surrounding developments through matters such as overlooking, loss of privacy, overshadowing and overbearing impact. Within the pre-application advice provided in February 2022 the officer expressed concerns regarding impacts of the proposed on the residential amenity of dwellings located at Chapel Street creating a sense of enclosure due to the proposed scale of the building and landscaping and some separation and/or mitigation

should be provided as the existing road here sits lower than the site. Additionally, the officer also expressed concerns of adverse impacts on residential amenity on a number of dwellings to the north, with windows facing towards and gardens abutting the site.

- 10.19 Within the latest proposed scheme brought forward it is noted that the four storey element proposed within the pre-application has been removed reducing the building to a maximum height of three storeys. Further to this, several of the previously proposed balconies have been removed with the external terrace remaining to serve flats 3 and 6. Nevertheless, besides the addition of a 1.8m chain and link fence on the boundary wall at the rear of the site, no separation and/or mitigation has been provided to Chapel Street, therefore this would create an additional sense of enclosure to the dwellings existing here that already sit lower than the site. Furthermore, and whilst the building has been reduced in height from that scheme previously withdrawn and some windows marked as obscure glazed, the dwellings to the north would still be adversely affected through overlooking from windows of the proposed flats leading to loss of privacy.
- 10.20 In addition to the above, there are two balcony areas proposed at first and second floor on the rear elevation that will serve flats 3 and 6. Balconies are ordinarily unacceptable within built-up urban areas due to the impact they can have in terms of privacy loss and general disturbance to neighbours. In assessing impact upon amenity, the degree of overlooking will be considered. The balcony areas would introduce an elevated and projecting vantage point on the rear elevation and, whilst the application plans demonstrate the installation of metal railings to enclose the balcony areas, these are 1m high and not sufficient to overcome a significant degree of overlooking that would occur to the neighbouring properties. Notwithstanding this, due to the elevated position of the balcony areas, this would create a higher level of noise and disturbance than would normally be expected in such situations in close proximity to other residential properties.
- 10.21 Overbearing and overshadowing adverse impacts would also be generated to the gardens of these dwellings to the north, especially in the winter months, due to the scale of the proposed building and the building sharing a boundary with the gardens serving these dwellings.
- 10.22 There is no indicated minimum level of amenity space provision within the policies of the development plan for flats, however, the plans demonstrate that the development would provide future occupants with an acceptable level of internal amenity space and in compliance with the Nationally Described Space Standards.

Residential amenity - noise and odours

- 10.23 Policy LP16 (e) and (l) requires proposals not to impact on the amenity of neighbouring users. The application proposes a takeaway. Amended plans have been received during the application that demonstrates the provision of an extraction system with an external flue is to be installed on the northern elevation. Plans show that this will be boxed in with a brick effect cladding finished to match the proposed brick material. The cowl is to project 1m above the roofline which will be powder coated black/grey, as annotated on the plan.
- 10.24 Whilst details of the extraction system have been submitted and welcomed, no accompanying Noise Impact Assessment and Odour Assessment have been submitted, as was requested in the original comments from the Councils Environmental Health Officer. Such assessments provide specific data to assess the effect of a proposed development in respect of noise levels generated and to gauge impacts from any odours that might occur adjacent to an existing receptor. Without submission of these assessments, it is not possible to conclude whether or not the extraction system proposed is sufficient to mitigate impacts upon neighbours amenity in terms of noise and odours. It is to be noted that the agent was made aware of the requirement but decided not to submit these. Further to the above, no details have been provided in

respect of opening hours, something requested from the Councils Environmental Health Officer.

- 10.25 Given the above, insufficient information has been provided to allow the LPA to determine whether or not an adverse impact would occur to existing residential amenity in terms of noise and odour impact and therefore the proposal fails to comply with policies LP2 & LP16 of the Fenland Local Plan 2014 and policy H2 of the March Neighbourhood Plan.
- 10.26 It is therefore considered that due to the adverse impacts the proposed development would have on residential amenity of dwellings located at Chapel Lane and to the north of the site, the proposed development would be contrary to LP2 and LP16 of the Fenland Local Plan 2014 and policy H2 of the March Neighbourhood Plan.

Parking and Highways

- 10.27 Policy LP15 of the Fenland Local Plan (2014) requires development to provide a well-designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport. Appendix A of the Fenland Local Plan sets out the parking standards associated with development proposals, noting that for flatted developments, 1.25 spaces per unit are required for units of a single bedroom, and 1.5 per unit for units of more than 1 bedroom. Appendix A also allows development to make an under provision of parking in places with good transport links, such as the central area of a market town.
- 10.28 The proposal includes the development of 5 x 1-bed flats and 2 x 2-bed flats, in line with Policy LP15 and Appendix A of the Fenland Local Plan 2014 the development would be required to provide 10 parking spaces. The submitted scheme has not provided any on-site parking within the proposed development, it is acknowledged that the proposed would provide a double stacking system cycle store with 10 spaces. Within the pre-application advice provided, the officer stated no on-site parking may be preferable on this site given the need to turn within the site to exit onto High Street (which is a B Class road) and the constrained nature of Chapel Street.
- 10.29 Noting the above comments from the pre-application advice given to the applicant, it is acknowledged that the proposed number of flats has been reduced from 8no to 7no. Additionally the constrained nature of the plot and potential inability to provide on-site parking along with availability of public car parks within the local area, existing approvals in the area whereby parking requirements have not been met and the sustainable nature of the site's location and availability to public transport links are noted. It is therefore considered that the presence of no on-site parking would not justify the refusal of this application on this basis.
- 10.30 Amended plans were received during the course of the application which addressed concerns raised from County Highways in respect of extending the footpath within the site. Following this amendment, there are no objections in principle to the development from County Highways subject to an informative to be added in the event of an approval.

Flood Risk and Drainage

- 10.31 The application site is located within Flood Zone 1 (low risk) and at very low risk of surface water flooding, as such the proposal is considered to be appropriate development and there are no issues to address in respect of Policy LP14.

11 CONCLUSIONS

- 11.1. Paragraph 208 of the NPPF states that where a development proposal will lead to less than substantial harm of the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Notwithstanding, any

harm/ disbenefits arising through developments should be weighed against any benefits they may bring.

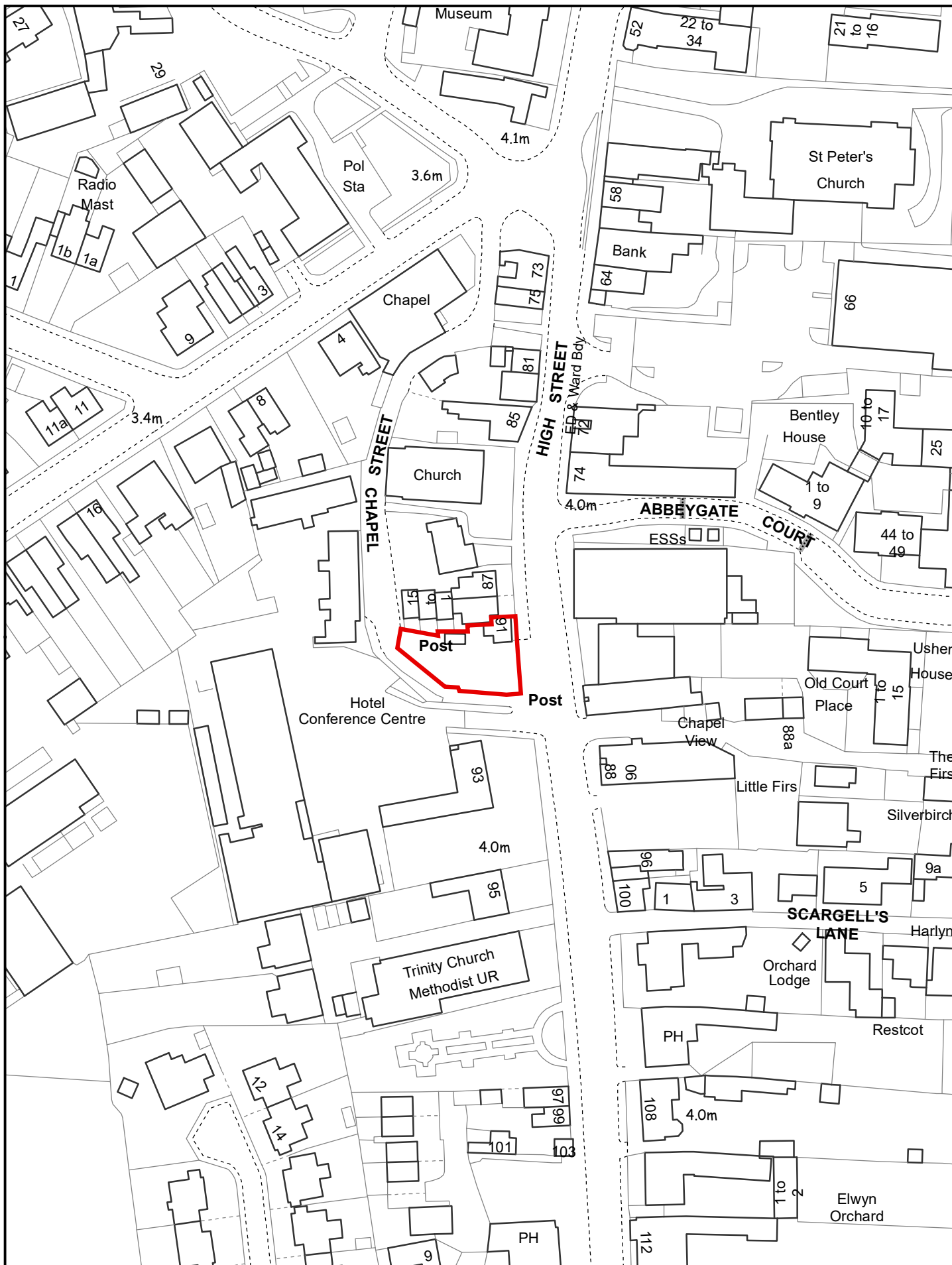
- 11.2. The development would result in the provision of 7no new dwellings along with two commercial units. As well as making a modest contribution to housing provision, economic benefits would be delivered in the construction period along with employment and from future residents spending within the locality. Furthermore, the commercial units would attract potential employment opportunities to the town centre, further choice of goods/ services for the community and therefore opportunities to enhance the vitality and viability of the town centre in general. This all carries substantial positive weight.
- 11.3. Whilst the harm to heritage assets is considered to be less than substantial, the requirements of the NPPF and Act require great weight to be attached the negatives due to the harm that would arise to the setting of the Listed Buildings and the Conservation Area and thereby the significance of these heritage assets. In balancing the conflicting factors, taking into account the public benefits, these would not be sufficient to justify the harm to the significance of the designated heritage assets that would be caused.
- 11.4. Furthermore, Policy LP2 of the Fenland Local Plan 2014 requires development proposals to promote high levels of residential amenity. Policy LP16 of the Fenland Local Plan 2014 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users. The proposed development would introduce elevated and projecting vantage points beyond the rear elevation. Development of the form proposed is not a characteristic of the area and its creation would present an unacceptable level of disturbance to neighbours. The proposal is therefore contrary to policies LP2 and LP16 of the Fenland Local Plan 2014 and policy H2 of the March Neighbourhood Local Plan.
- 11.5. In addition, Insufficient information has been submitted with the application relating to noise and odour impacts upon nearby residential properties and in order to assess adequately that the site is suitable for its proposed use or can be made through appropriate remediation. Accordingly, the proposal is contrary to Policies LP2 and LP16 of the Fenland Local Plan; paragraph 191 of the NPPF and policy H2 of the March Neighbourhood Plan.
- 11.6 In conclusion therefore, it is considered that the positive weight afforded to the benefits of this proposal, does not outweigh the identified harm and the associated conflicts with the development plan.

12 RECOMMENDATION

Refuse; for the following reasons:

1	The proposed development would fail to preserve or enhance the character and appearance of the March Conservation Area and the setting of the adjacent listed buildings. By virtue of its scale, siting and design, the proposed development would stand unduly prominent and incongruous on High Street to the detriment of the historic buildings around it and this part of the Conservation Area. Any benefits arising from the development would not outweigh the harm on the Conservation Area and adjacent listed buildings which are designated heritage assets. The proposed development would therefore be contrary to Policies LP16 and LP18 of the Fenland Local Plan 2014 and Section 16 of the NPPF.
2	Policy LP2 of the Fenland Local Plan 2014 requires development proposals to promote high levels of residential amenity. Policy LP16 of the Fenland Local Plan 2014 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users whilst providing sufficient amenity space for the proposal. The proposed developed by virtue

	<p>of its scale, siting and design would create unacceptable adverse impacts on the residential amenity of neighbouring dwellings surrounding the site, particularly those at Chapel Lane and to the north of the site, in terms of overlooking, overshadowing and overbearing impacts. The proposed development is therefore considered to be contrary to policy LP16 of the Fenland Local Plan 2014.</p>
3	<p>Policy LP2 of the Fenland Local Plan 2014 requires development proposals to promote high levels of residential amenity. Policy LP16 of the Fenland Local Plan 2014 requires development proposals to demonstrate that they do not adversely impact on the amenity of neighbouring users. The proposed development would introduce elevated and projecting vantage points beyond the rear elevation. Development of the form proposed is not a characteristic of the area and its creation would present an unacceptable level of disturbance to neighbours. The proposal is therefore contrary to policies LP2 and LP16 of the Fenland Local Plan 2014 and policy H2 of the March Neighbourhood Local Plan.</p>
3	<p>Insufficient information has been submitted with the application relating to noise and odour impacts upon nearby residential properties and in order to assess adequately that the site is suitable for its proposed use or can be made through appropriate remediation. Accordingly, the proposal is contrary to Policies LP2 and LP16 of the Fenland Local Plan; paragraph 191 of the NPPF and policy H2 of the March Neighbourhood Plan.</p>



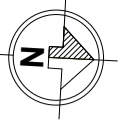
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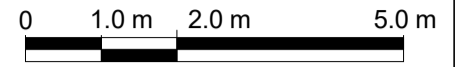
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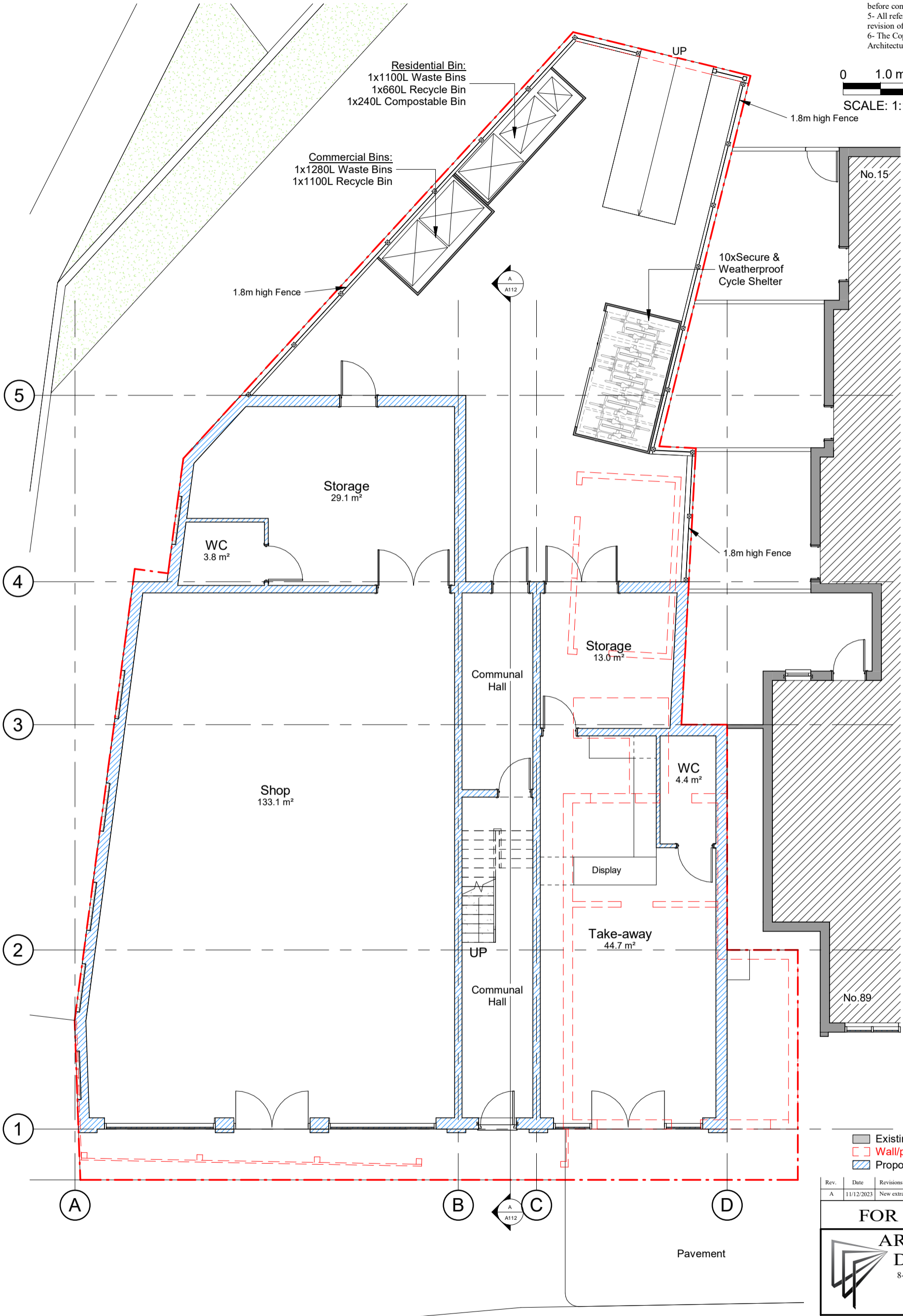




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SCALE: 1:100



- Existing Wall
- Wall/partition to be removed
- Proposed wall/partition

Rev.	Date	Revisions
A	11/12/2023	New extraction system added

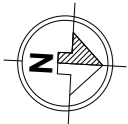
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ARCHITECTURAL DESIGN POINT

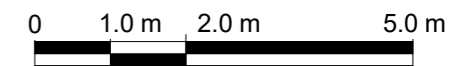
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Client		Mr Ali Boyraz	
Project		91 High Street, March, PE15 9LB	
Scale	1 : 100 @A3	Date	08/2023
Drawn By	I.C	Checked By	H.C
Project No.	210702-01	Drawing No.	A108
		Revision	A
Drawing Title			
Proposed Ground Floor Plan			

PROPOSED GROUND FLOOR PLAN
GIA: 259.54m²



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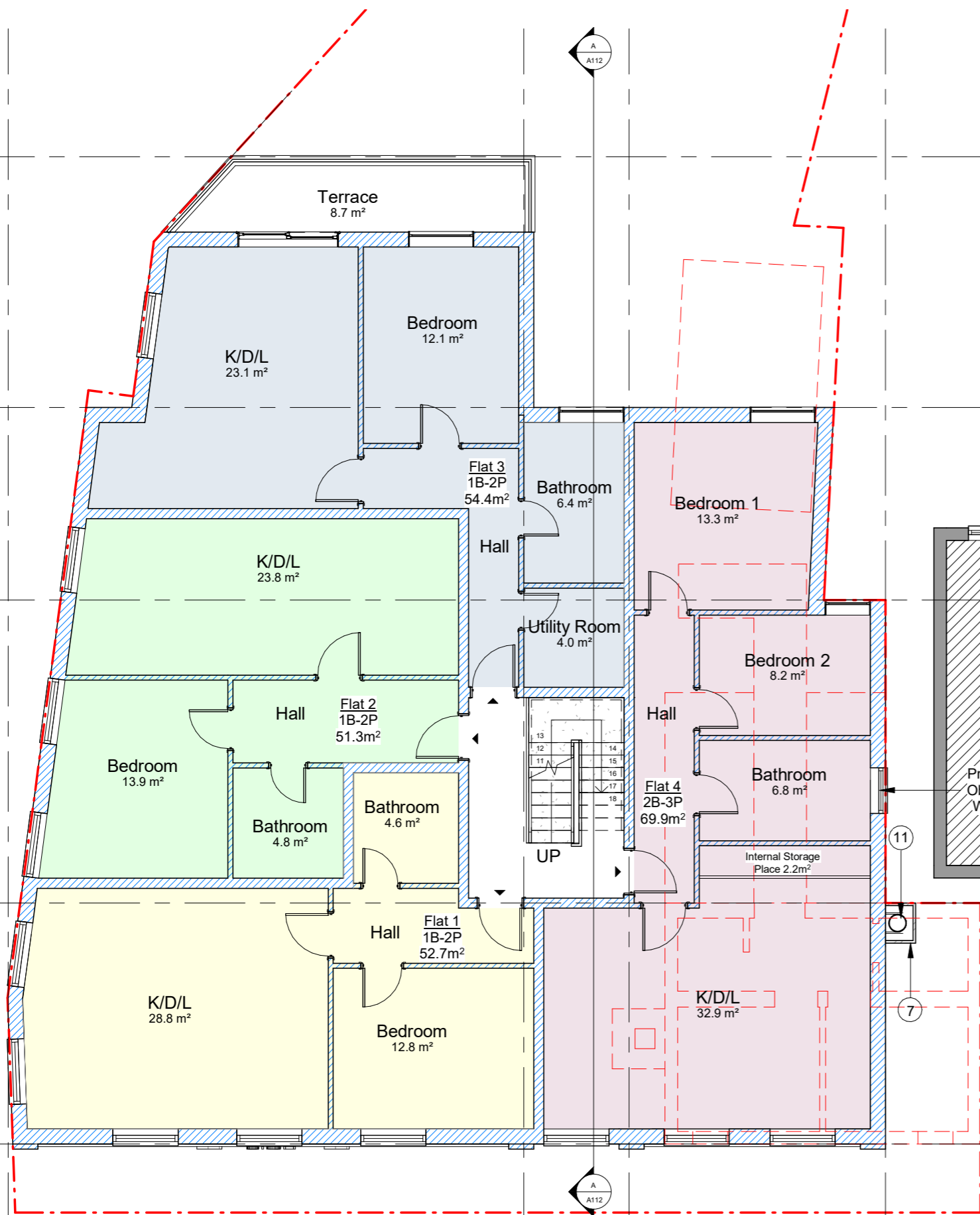
1

A

B

C

D



FLATS LEGEND:

FLAT NO.	Type of Dwelling	No. of Persons	GIA (m ²)	L/D/K ROOM (m ²)	BATHROOM (m ²)	BEDROOM1 (m ²)	BEDROOM2 (m ²)	HALL (m ²)	STORAGE (m ²)	TERRACE (m ²)
FLAT 1	1 Bed	2 Person	52.7	28.8	4.6	12.8	-	5.4	-	-
FLAT 2	1 Bed	2 Person	51.3	23.8	4.8	13.9	-	7.4	-	-
FLAT 3	1 Bed	2 Person	54.4	23.1	6.4	12.1	-	7.3	4.0	8.7
FLAT 4	2 Bed	3 Person	69.9	32.9	6.8	13.3	8.2	6.9	2.2	-
FLAT 5	1 Bed	2 Person	55.1	29.1	4.6	15.3	-	6.3	-	-
FLAT 6	2 Bed	3 Person	62.7	32.7	5.1	12.0	8.4	6.5	1.0	27.4
FLAT 7	1 Bed	2 Person	51.8	26.2	5.7	13.2	-	4.3	3.1	-

- Existing Wall
- Wall/partition to be removed
- Proposed wall/partition

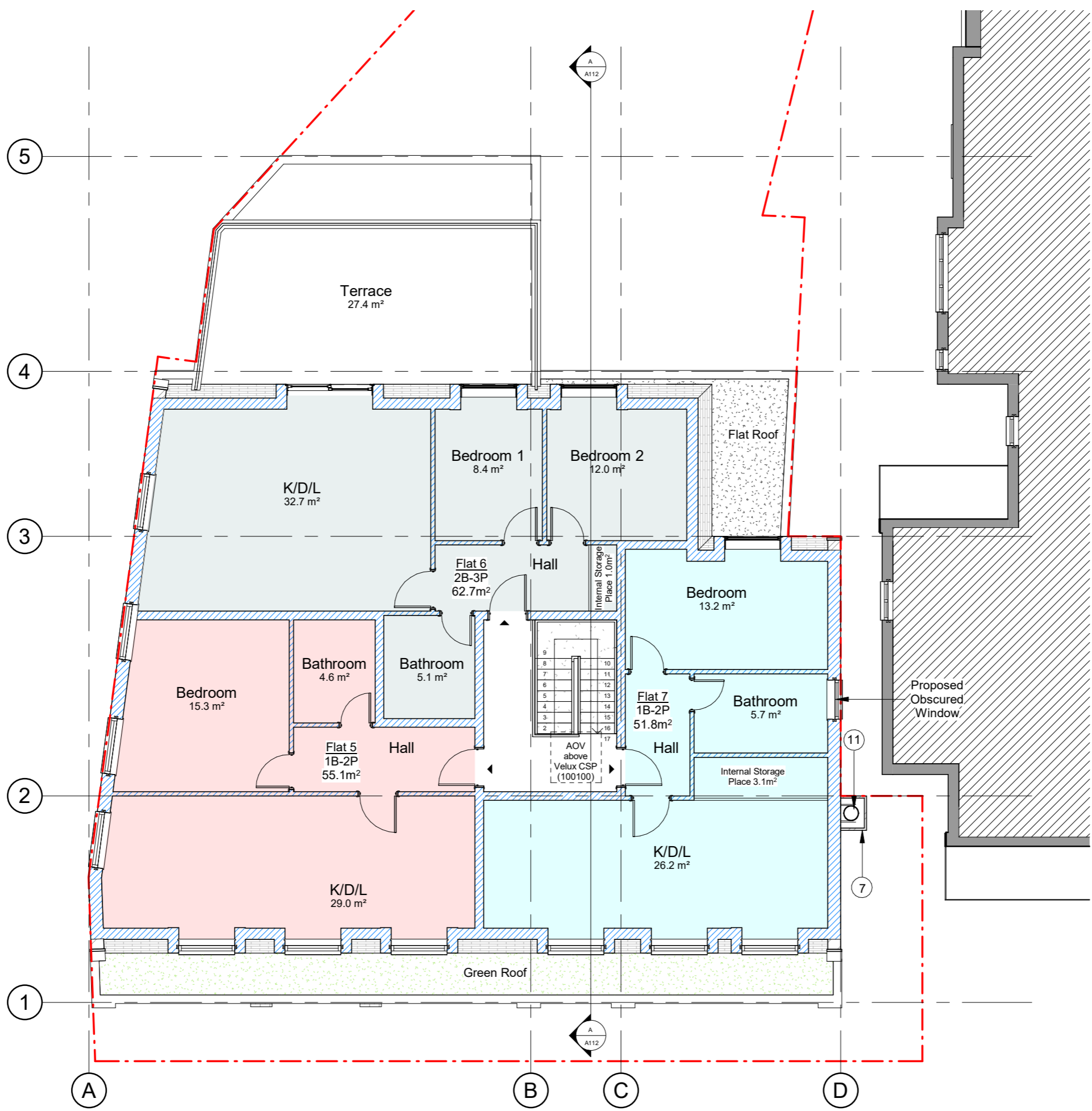
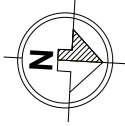
Rev.	Date	Revisions
A	11/12/2023	New extraction system added

FOR PLANNING

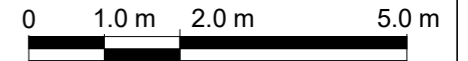
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Client	Mr Ali Boyraz	
Project	91 High Street, March, PE15 9LB	
Scale	1 : 100 @A3	Date 08/2023
Drawn By	I.C	Checked By H.C
Project No.	Drawing No.	Revision
210702-01	A109	A
Drawing Title Proposed First Floor Plans		

PROPOSED FIRST FLOOR PLAN
 GIA: 250.06m²



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- Proposed wall/partition

Rev.	Date	Revisions
A	11/12/2023	New extraction system added

FOR PLANNING

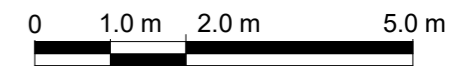
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Client	Mr Ali Boyraz	
Project	91 High Street, March, PE15 9LB	
Scale	1 : 100 @A3	Date 08/2023
Drawn By	I.C	Checked By H.C
Project No.	Drawing No.	Revision
210702-01	A110	A
Drawing Title Proposed Second Floor Plan		

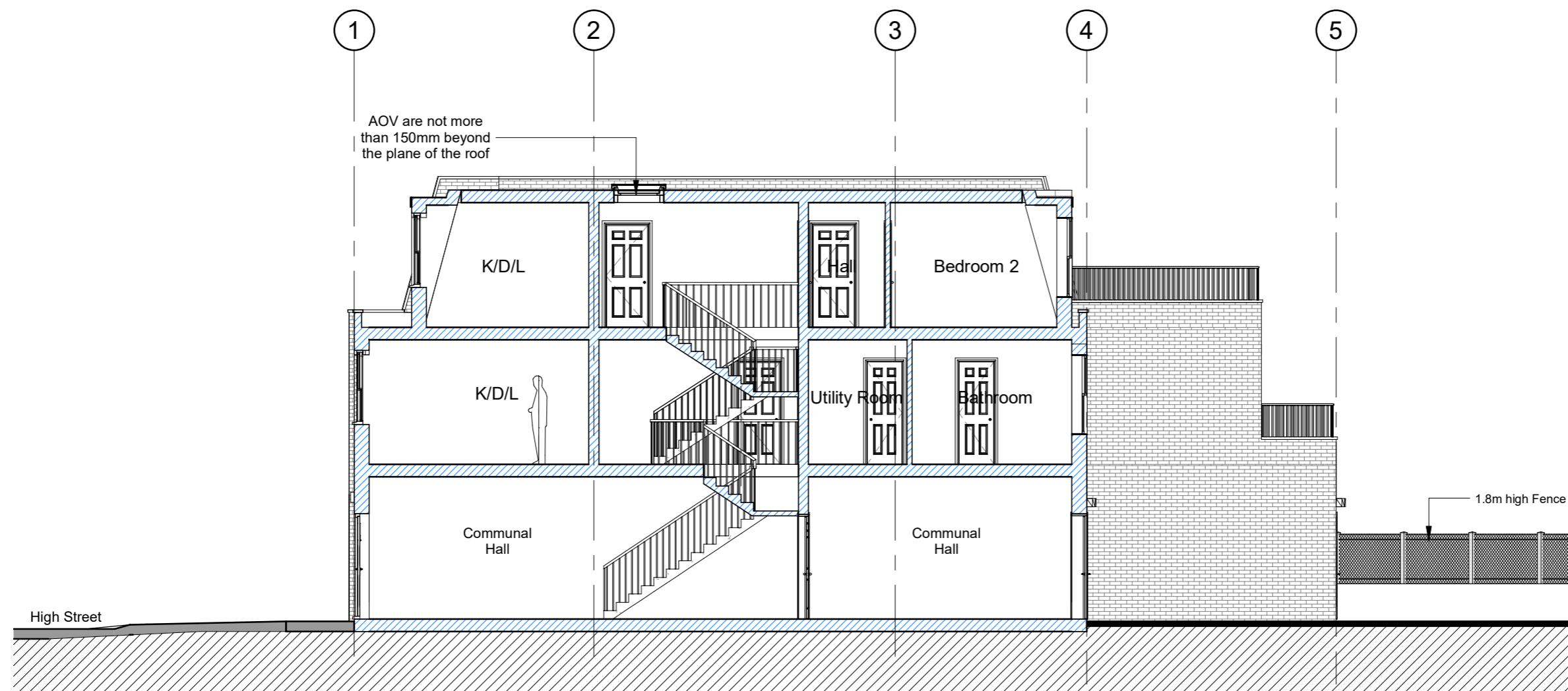
PROPOSED SECOND FLOOR PLAN

GIA: 194.79m²

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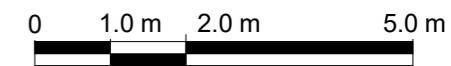


PROPOSED SECTION AA

- Existing Wall
- Wall/partition to be removed
- Proposed wall/partition

Rev.	Date	Revisions
FOR PLANNING		
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Client		Mr Ali Boyraz
Project		91 High Street, March, PE15 9LB
Scale	1 : 100 @A3	Date 08/2023
Drawn By	Author	Checked By Checker
Project No.	210702-01	Drawing No. A112
Drawing Title		
Proposed Section AA		

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SCALE: 1:100



PROPOSED REAR ELEVATION

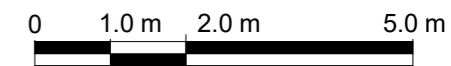
Rev.	Date	Revisions
A	11/12/2023	New extraction system added
B	23/01/2024	Amendments to the roof materials.

FOR PLANNING

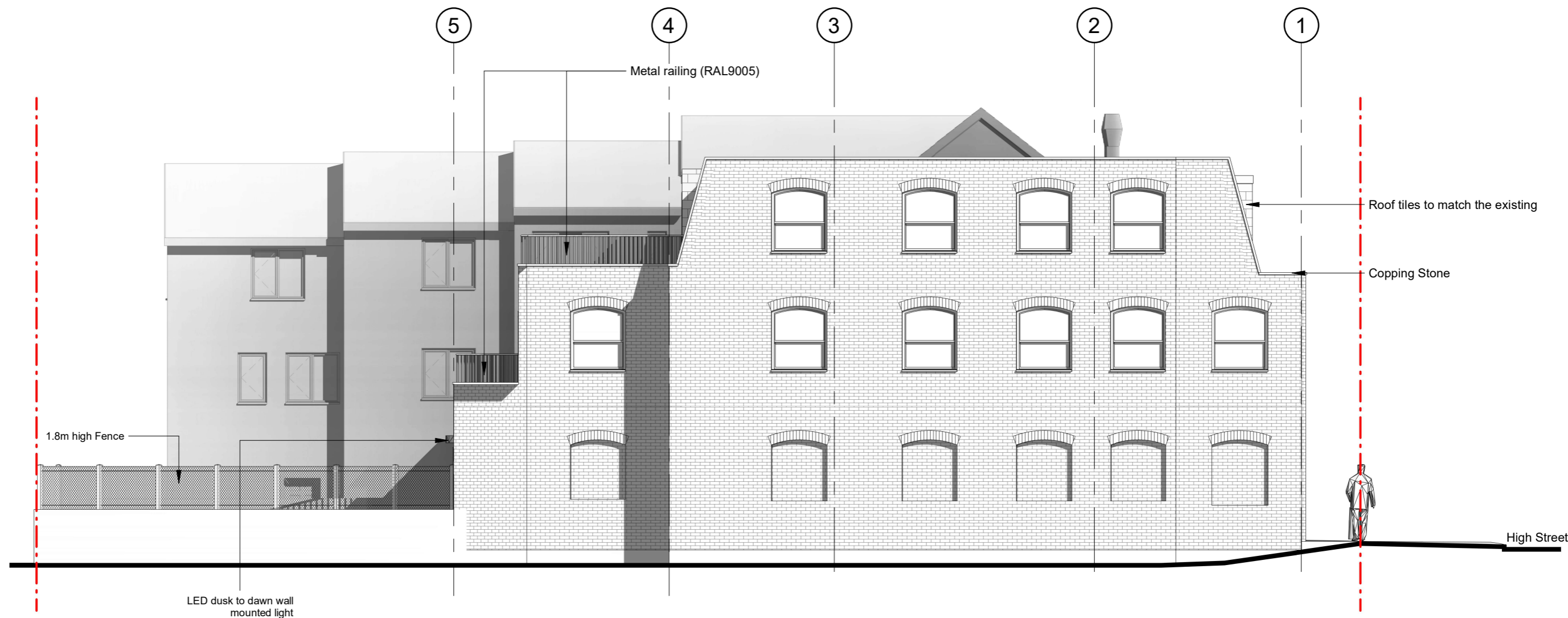
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Client		Mr Ali Boyraz	
Project		91 High Street, March, PE15 9LB	
Scale	1 : 100 @A3	Date	08/2023
Drawn By	I.C	Checked By	H.C
Project No.	210702-01	Drawing No.	A114
		Revision	B
Drawing Title			
Proposed Rear Elevation			

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SCALE: 1:100



PROPOSED SIDE(SOUTH) ELEVATION

Rev.	Date	Revisions
A	11/12/2023	New extraction system added
B	23/01/2024	Amendments to the roof materials.

FOR PLANNING

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Client	Mr Ali Boyraz	
Project	91 High Street, March, PE15 9LB	
Scale	1 : 100 @A3	Date 08/2023
Drawn By	I.C	Checked By H.C
Project No.	Drawing No.	Revision
210702-01	A115	B
Drawing Title Proposed Side Elevation		