
F/YR24/0115/FDC

**Applicant: Mr Mark Greenwood
Fenland District Council**

**Agent : Miss Molly Young
Wilby & Burnett LLP**

Land South West Of 2, Broad Street, March, Cambridgeshire

Erect a single storey toilet block

Officer recommendation: Grant

Reason for Committee: Fenland District Council Application

Government Planning Guarantee

Statutory Target Date For Determination: 2 April 2024

EOT in Place: Yes

EOT Expiry: 20 September 2024

Application Fee: £293

Risk Statement:

This application must be determined by 20.09.2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

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| <p>1.1 The application seeks full planning permission for the erection of a toilet block to replace the previous facility that was demolished as part of the March Town Centre regeneration.</p> <p>1.2 Following amendments to the scheme – including a revised siting and design, less than substantial harm has been identified as the impact on the adjacent Conservation Area and Listed Buildings. However, it is considered on balance that this is acceptable when having regard to the public benefit arising from the scheme.</p> <p>1.3 The proposal is considered to be acceptable in all other regards, including design and character impact, and amenity impact.</p> <p>1.4 As such, the recommendation is to grant planning permission, subject to conditions.</p> |
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2 SITE DESCRIPTION

- 2.1 The application site is located within the Conservation Area of March and is also immediately adjacent to the boundary of the designated Town Centre.

- 2.2 The site is situated on the southern side of Grays Lane, which branches off the west at the bottom of Broad Street, and is approximately 25m from the junction between Grays Lane and Broad Street.
- 2.3 The site is also in close proximity to the riverbank – approximately 10m away – and has a number of trees present.
- 2.4 There are also a number of Grade II Listed Buildings in the vicinity of the site, the closest being Old Bank House to the north west of the site:
- 2.5 The proposals form part of the wider regeneration of March Town Centre.

3 PROPOSAL

- 3.1 The proposal seeks the erection of a new toilet block comprising 3no. additional toilets and a plant room.
- 3.2 The proposed palette of materials include red facing brickwork walls and reclaimed tiles on the roof.
- 3.3 Full plans and associated documents for this application can be found at:

[F/YR24/0115/FDC | Erect a single storey toilet block | Land South West Of 2 Broad Street March Cambridgeshire \(fenland.gov.uk\)](https://fenland.gov.uk/F/YR24/0115/FDC | Erect a single storey toilet block | Land South West Of 2 Broad Street March Cambridgeshire)

4 SITE PLANNING HISTORY

Pertinent to this case is:

F/YR22/1319/FDC	Demolition of the public toilets and shelter within a conservation area	Granted 10.2.23
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5 CONSULTATIONS

5.1 CCC Ecology

No objections following clarification

5.2 Conservation Officer

Amended scheme results in less than substantial harm on the Conservation Area and should be weighed against the public benefit.

5.3 March Town Council

No objection

5.4 Designing out crime Officer

Provision of additional lighting, CCTV and secure plantroom doors should be incorporated and can be secured by conditions.

5.5 CCC Archaeology

No objections

5.6 Middle Level Commissioners

The site appears to involve development within the Commissioners' 20m byelaw strip. Development within, over, or under a Commissioners' maintained watercourse, or within the Commissioners' maintenance strip, requires the Commissioners' prior written consent.

5.7 FDC Environmental Health

No objection

5.8 Local Residents/Interested Parties

Objectors

One letter of objection was received from a resident of March, raising the following issues:

- Risk of antisocial behaviour based on the use of the old toilet block.
- Amenity impact on neighbouring property garden due to proximity of building to garden wall.
- Requested re-positioning of building above the pump out station.

Representations

Two letters were received from one resident of March, neither objecting or supporting the application, with the following points raised:

- CCTV should be incorporated on building to deter antisocial behaviour
- Comments by MLC regarding 20m byelaw noted
- The design is in keeping with the Conservation Area

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) and March NHP 2017.
- 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

National Planning Policy Framework (NPPF)

Para. 2 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 10 - So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development

Para. 12 - The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making.

Para. 47 - Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Para. 135 - Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Public Spaces

Homes and Buildings

Fenland Local Plan 2014

LP2 – Facilitating Health and Wellbeing of Fenland Residents

LP6 – Employment, Tourism, Community Facilities and Retail

LP9 – March

LP16 – Delivering and Protecting High Quality Environments across the District

LP17 – Community Safety

LP18 – The Historic Environment

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:

LP5: Health and Wellbeing

LP7: Design

LP8: Amenity Provision

LP11: Community Safety
LP16: Town Centres
LP17: Culture, Leisure, Tourism and Community Facilities
LP23: Historic Environment
LP38: March Community Regeneration

Delivering and Protecting High Quality Environments in Fenland SPD 2014

DM2 – Natural Features and Landscaping Schemes

DM3 – Making a Positive Contribution to Local Distinctiveness and character of the Area

DM4 – Waste and Recycling Facilities

DM6 – Mitigating Against Harmful Effects

March Neighbourhood Plan 2017

There are no relevant policies within the Neighbourhood Plan for the purposes of this application

8 KEY ISSUES

- **Principle of Development**
- **Impact on character and appearance**
- **Impact on amenities**
- **Impact on Designated Heritage Assets**
- **Other matters**

9 BACKGROUND

9.1 This application is made by Fenland District Council as part of the wider regeneration scheme of March Town Centre, in order to provide a new toilet block following the demolition of the previous facility.

9.2 The application has been amended in its lifetime to revise the design and siting of the building following comments from the Council's Conservation Officer and due to concerns with the loss of a tree considered to be of good quality and high amenity value. The changes proposed are as follows:

- Revised siting adjacent to eastern boundary of site.
- Building geometry re-aligned to create symmetrical roof.
- Overhang at front of building reduced in depth.

10 ASSESSMENT

Principle of Development

10.1 This proposal seeks the creation of a new public toilet facility following the demolition of the previous facility as part of the regeneration of March Town Centre.

10.2 On the basis that the proposal seeks to provide a replacement facility for one that was previously demolished, still within a town centre location, it is considered that the principle of development is acceptable in this instance.

Character and appearance impact

- 10.3 The proposal is for a single storey building fronting onto the highway with a pitched roof. The proposed palette of materials includes red facing brickwork with reclaimed pantiles on the roof.
- 10.4 The original siting of the building would have resulted in the loss of a sycamore tree that was considered to be in good condition and of good amenity value due to its prominent location. The siting of the building was revised to allow the retention of this tree. Whilst the revised location would still result in the loss of a purple maple tree, it is considered that its amenity value is less than that of the sycamore tree.
- 10.5 It is considered that there is still likely to be some impact on the trees to be retained, but it is considered unlikely that these impacts will result in a severe detriment to these trees that would result in a significant decline in their quality and visual value.
- 10.6 It is therefore considered, on balance, that the scheme is acceptable in character and appearance terms in this regard.
- 10.7 The site is situated immediately to the south of the built-up area of March Town Centre. As such, it is not considered that the introduction of a new structure in this location would be out of keeping or incongruous on the character and appearance of the street scene and landscape of the area.
- 10.8 The design approach and proposed palette of materials on the building is considered to be a sympathetic and appropriate response to the character and appearance of development in this location, having regard to Policy LP16 of the Fenland Local Plan.

Amenity Impact

- 10.9 The building is not located in close proximity to the boundary of any neighbouring properties, and its single storey nature ensures that there will be no adverse impacts on amenities arising from the development, particularly in terms of overlooking
- 10.10 Concerns have been raised in local representations as to the risk of anti-social behaviour in the vicinity of the proposed building, which could have the potential to impact on neighbouring amenities. Notwithstanding this, proposals include the provision of CCTV and external lighting that will significantly reduce the risk of anti-social behaviour and ensure that suitable levels of residential amenity is maintained for residents in the surrounding area.
- 10.11 As such, it is considered that the proposal has appropriate regard to Policy LP16 of the Fenland Local Plan in respect of the retention of residential amenity.

Impact on designated heritage assets

- 10.12 The application site is located outside, but immediately adjacent to, the March Conservation Area. There are also a number of Grade II Listed Buildings in the surrounding area, particularly present in March Town Centre.
- 10.13 The Council's Conservation Officer raised concerns with the original scheme in respect of location of the site and original design of the proposed building. These concerns related to the site appearing in a sensitive and prominent location and the subsequent visual impacts arising from the development.

- 10.14 Following amendments to the scheme in respect of the siting and design of the building – particularly changes to the roof – revised comments were received from the Conservation Officer that concluded less than substantial harm on the low end of the spectrum would result.
- 10.15 Notwithstanding the less than substantial harm, it was also acknowledged that there would be a degree of public benefit arising from the scheme, and that this should be weighed in the overall planning balance as required by para 208 of the NPPF.
- 10.16 When considering the public benefits arising from the scheme – particularly the provision of a much-needed facility to replace that which was previously demolished – it is considered that this would outweigh the less than substantial harm identified.
- 10.17 It is subsequently concluded that the proposal would have appropriate regard to Sections 66 and 72 of the Planning (Listed Building and Conservation Area) Act 1990, and Policy LP18 of the Fenland Local Plan in respect of the preservation of the character, appearance and setting of the Conservation Area and nearby Listed Buildings.

Other Matters

- 10.18 The comments of the Middle Level Commissioners are noted in that the site is located within a 20m byelaw strip, and that permission will be required from the Commissioners before any development can take place.
- 10.19 Whilst not a consideration in the determination of this application, the comments are noted and it is recommended that an informative is placed on any permission granted to this effect.

11 CONCLUSIONS

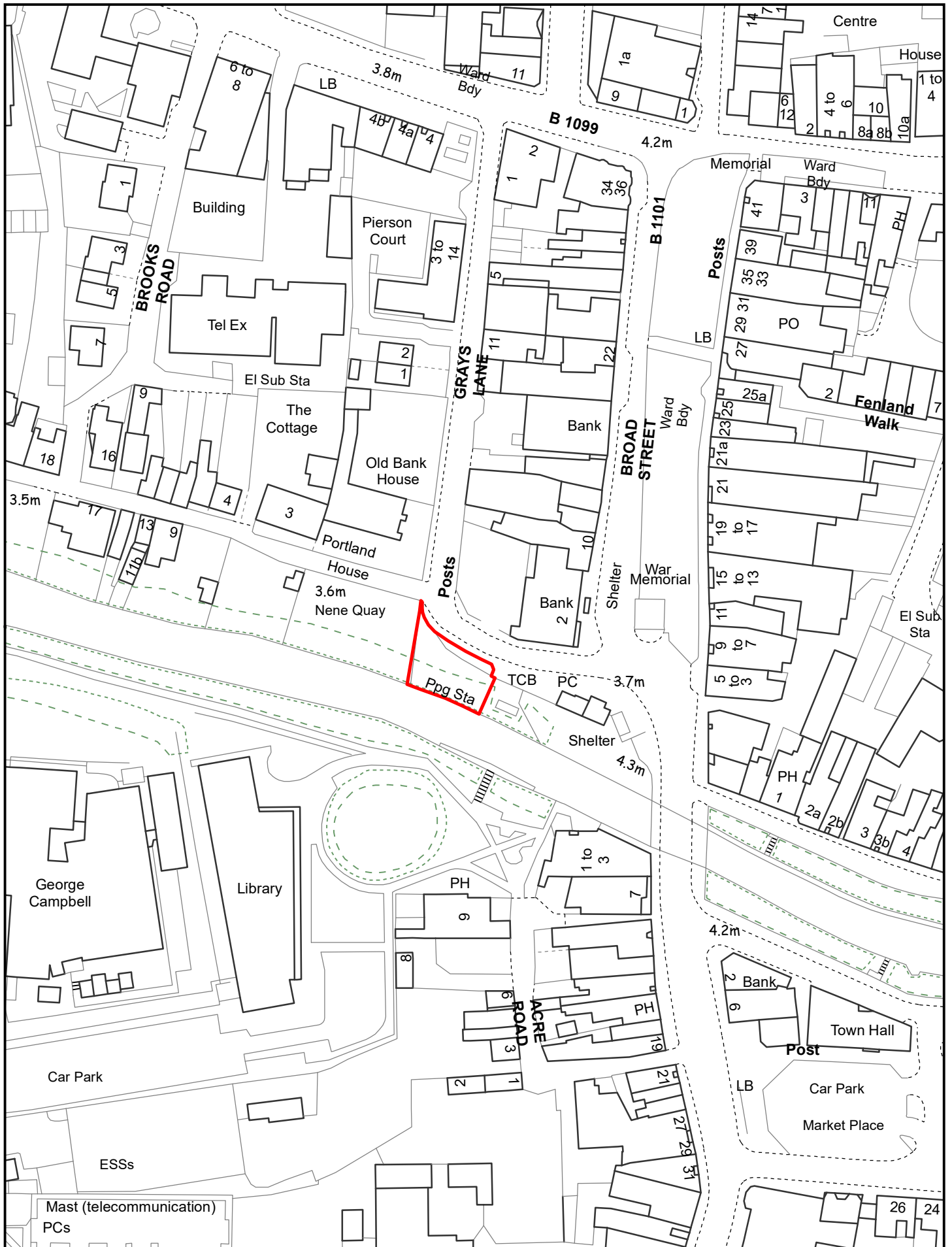
- 11.1 The proposal seeks planning permission for the erection of a toilet block to replace that previously demolished as part of the regeneration of March Town Centre.
- 11.2 The proposal is considered to be acceptable in all technical respects – design, amenity and, on the balance of public benefit, impact on designated heritage assets. Accordingly, it is considered that the proposals are acceptable in planning terms and planning permission should be granted in this instance.

12 RECOMMENDATION

Grant; subject to the following conditions:

1	The development permitted shall be begun before the expiration of 3 years from the date of this permission. Reason: To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2	Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local

	Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes. Reason - To ensure that retained trees are adequately protected.
3	The development hereby permitted shall be carried out in accordance with the following approved plans and documents



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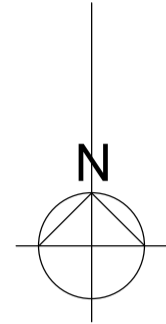
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KEY

- = BOUNDARY OF OWNERSHIP
- = SITE BOUNDARY
- - - = ROOF OVERHANG
- = DEMOLISHED
- = GRADIENT CONTOUR LINES / LEVELS
- = NEW GRASSED AREA
- = NEW HARDSTANDING AREA

PLANNING

NEW TOILET BLOCK
 GRAYS LANE
 MARCH
 PE15 8TQ

FENLAND DISTRICT COUNCIL

SITE PLAN AS PROPOSED

RIBA Chartered Practice **wilby & burnett**

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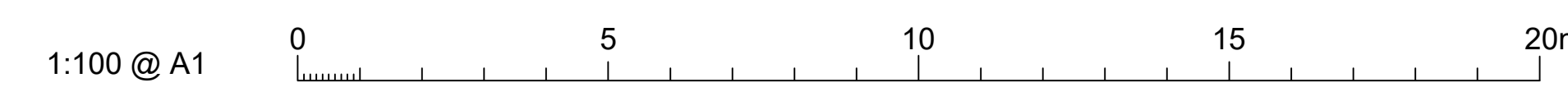
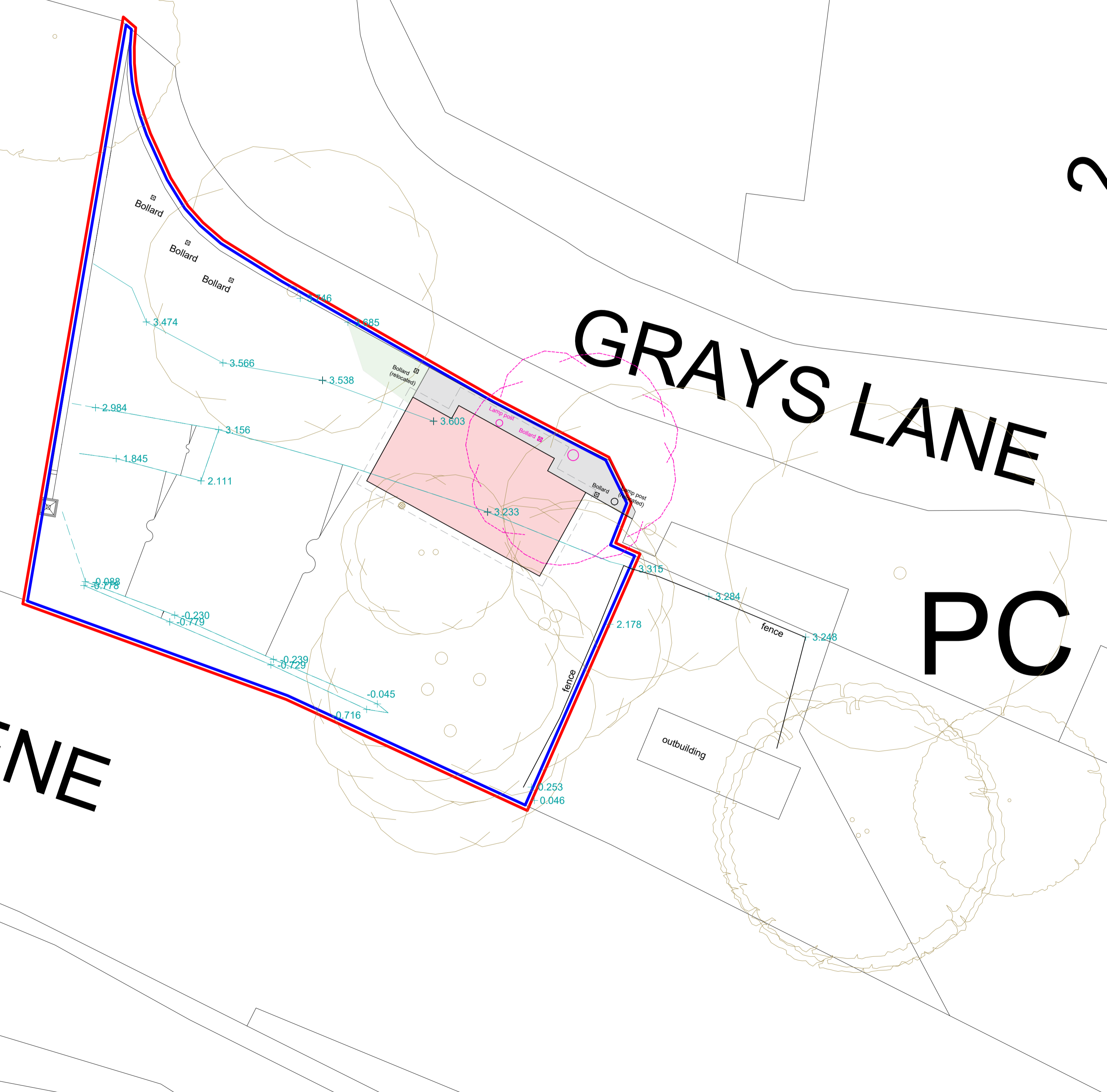
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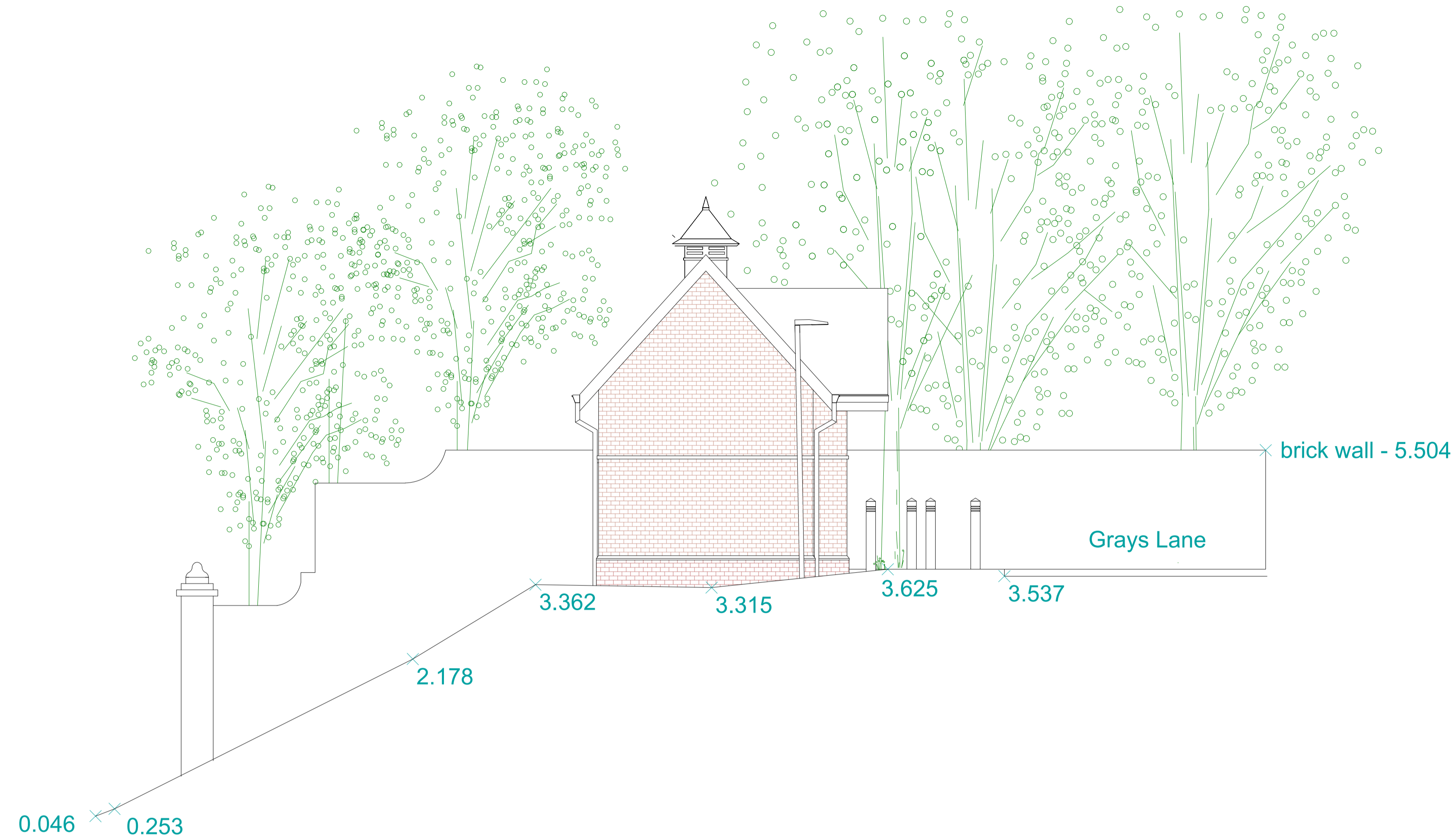
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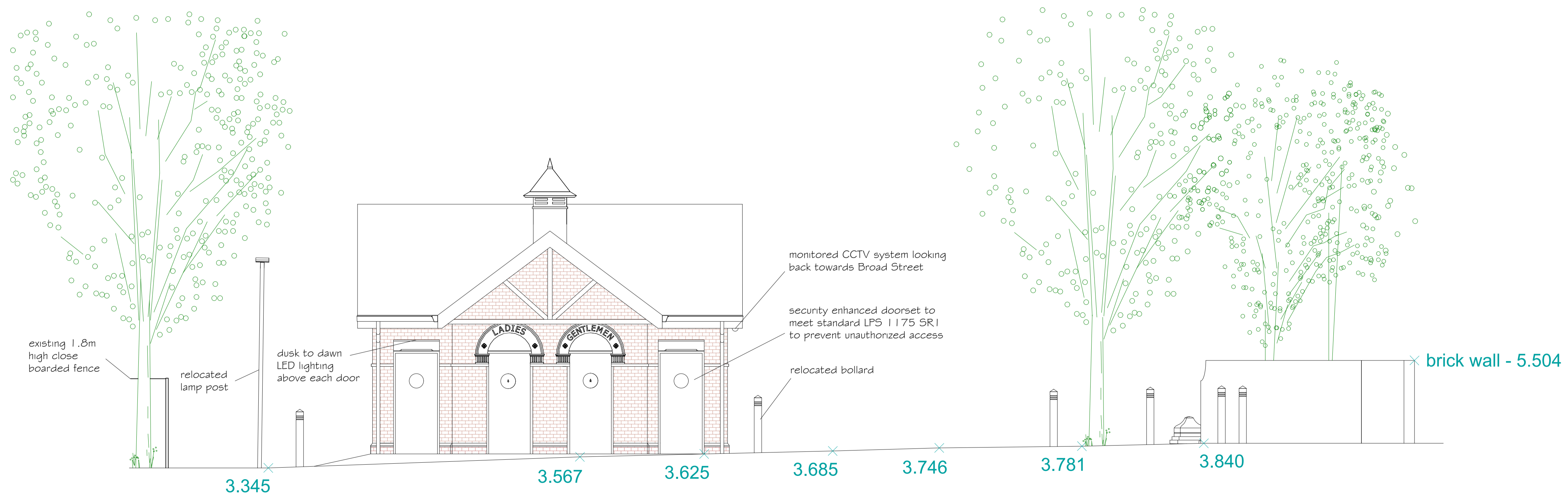


NORTH WEST ELEVATION AS PROPOSED 1:50 @ A1

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NORTH EAST ELEVATION AS PROPOSED 1:50 @ A1



PLANNING

NEW TOILET BLOCK
GRAYS LANE
MARCH
PE15 8TQ

FENLAND DISTRICT COUNCIL

NORTH WEST & NORTH EAST
ELEVATIONS AS PROPOSED

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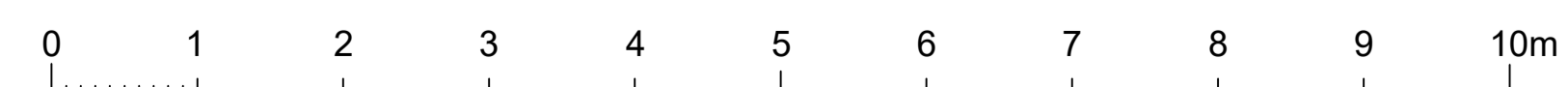
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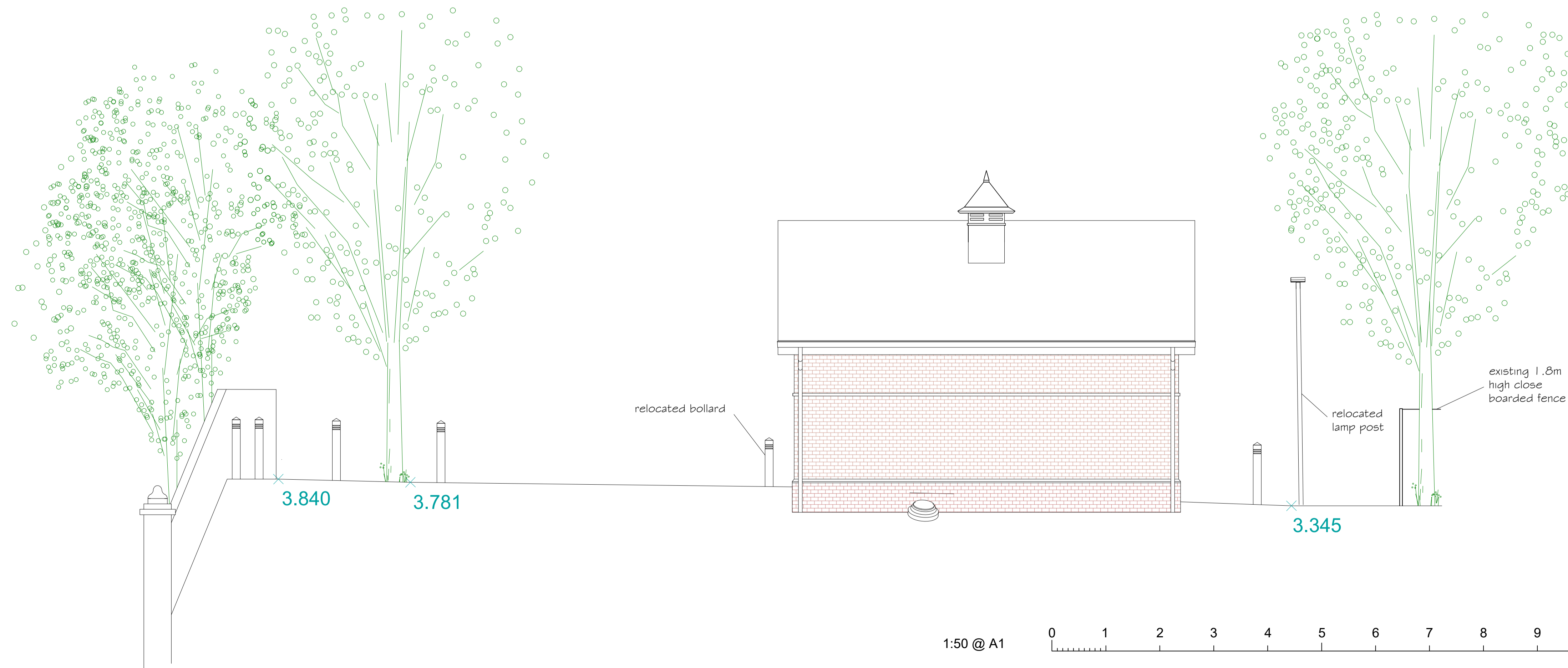
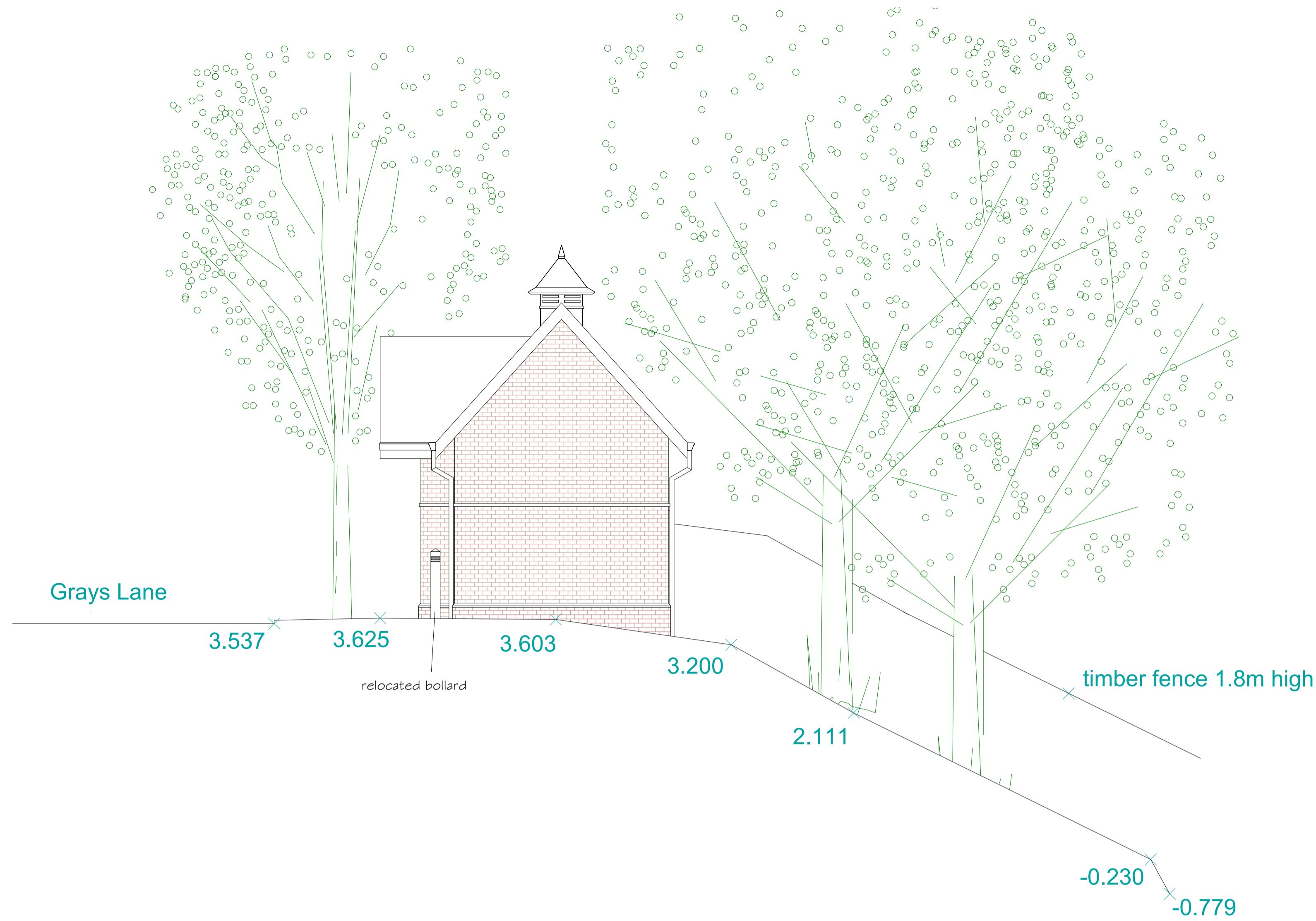
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PLANNING

NEW TOILET BLOCK
GRAYS LANE
MARCH
PE15 8TQ

FENLAND DISTRICT COUNCIL

SOUTH WEST & SOUTH EAST
ELEVATIONS AS PROPOSED

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