
F/YR24/0373/F

**Applicant: Jamie McGarvie
Ashewell Developments**

**Agent : Mr Ian Gowler
Gowler Architectural**

Land North Of The Walnuts, Flaggrass Hill Road, March, Cambridgeshire

Conversion of existing agricultural building to 2 x dwellings (2-storey 4-bed) involving demolition of existing sheds

Officer recommendation: Refuse

Reason for Committee: Number of representations contrary to Officer recommendation

Government Planning Guarantee

Statutory Target Date For Determination: 20 June 2024

EOT in Place: Yes

EOT Expiry: 22 November 2024

Application Fee: £1156

Risk Statement:

This application must be determined by 22.11.2024 otherwise it will be out of time and therefore negatively affect the performance figures.

1 EXECUTIVE SUMMARY

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| <ol style="list-style-type: none">1.1 The application seeks full planning permission to convert the grain store building to 2 x 2-storey 4 bed dwellings.1.2 The development proposal is considered to be satisfactory in respect of its impact on the highway network, parking provision, flood risk, ecological impacts and its impact on residential and visual amenity.1.3 Notwithstanding this, the application site is ultimately located in an unsustainable location outside the settlement limits of March, where residential development is not supported unless justified.1.4 Whilst Policy LP12, Part B of the Fenland Local Plan allows for residential development in locations that would usually be deemed unacceptable, the policy requires that this is for the re-use and conversion of rural buildings.1.5 Notwithstanding that the grain store building is not considered to have any particular architectural or historic merit worthy of its retention, only the steel frame and concrete floor slab are to remain, with all external materials to be removed and replaced. As such, the development is considered to effectively result in a re-build rather than a conversion, in a location with limited |
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connectivity, and as such the development is considered unacceptable and the recommendation is one of refusal.

2 SITE DESCRIPTION

- 2.1 The application site forms part of a wider agricultural unit adjacent the edge of the settlement of March within the countryside. It is located on the eastern side of Flaggrass Hill Road, a single-track road with wide grass verges, devoid of pedestrian infrastructure and lighting. There is an existing gated access, which is shared with The Walnuts to the southwest and is partially tarmac and gravel, there is also a grassed area to the front of the grain store with a substantial tree.
- 2.2 The grain store building is set back within the site with smaller sheds to the front, it features a curved roof to the front element with a lean-to, to the rear. The walls are primarily metal sheeting with a partial brick wall to the lean-to element. The roof is asbestos.
- 2.3 The site is within flood zone 1, the lowest risk of flooding.

3 PROPOSAL

- 3.1 The application seeks full planning permission to convert the grain store building to 2 x 2-storey 4 bed dwellings, each featuring a full height lounge/kitchen/dinner, sitting room, utility, bedroom and shower room at ground floor level and 3 further bedrooms (1 with en-suite and dressing room) at first floor level. External works will include replacement of the walls and roof and the insertion of fenestration.
- 3.2 Landscaping of the site is also proposed including the formation of a shared gravel drive and parking to serve the proposal and the existing dwelling 'The Walnuts'.
- 3.3 The proposal is a re-submission of the application which was refused under application F/YR21/0659/F.
- 3.4 Full plans and associated documents for this application can be found at:

<https://www.publicaccess.fenland.gov.uk/publicaccess/>

4 SITE PLANNING HISTORY

F/YR21/0659/F	Conversion of a grain store to 2no dwellings (2-storey, 4-bed) involving demolition of existing sheds	Refused 19/05/2023
F/YR21/0583/F	Temporary siting of a mobile home (during refurbishment and repair of existing dwelling) involving the demolition of existing outbuildings	Granted 16/07/2021

5 CONSULTATIONS

5.1 **March Town Council**

Approval subject to satisfactory attenuation measures being implemented.

5.2 **CCC Highways**

No objection subject to conditions

5.3 **FDC Environmental Health**

No objections subject to conditions

5.4 **Local Residents/Interested Parties**

7 letters of support were received from residents of March (two from a single property on Flagrass Hill, two from a single property on Jordons Close, two from a single property on Morton Avenue and one from a property on Southwell Close, with only one representation giving a reason for this support :

- Limited number of properties currently available in the 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) the Cambridgeshire and Peterborough Minerals and Waste Local Plan (2021) and the March Neighbourhood Plan (2017).

7 POLICY FRAMEWORK

National Planning Policy Framework (NPPF)

Chapter 2 - Achieving sustainable development

Chapter 4 – Decision-making

Chapter 5 – Delivering a sufficient supply of homes

Chapter 9 – Promoting sustainable transport

Chapter 12 – Achieving well-designed and beautiful places

Chapter 14 – Meeting the challenge of climate change, flooding and coastal change

Chapter 15 – Conserving and enhancing the natural environment

National Planning Practice Guidance (NPPG)

Determining a Planning Application

National Design Guide 2021

Context

Identity

Built Form

Movement

Nature

Homes and Buildings

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
- LP12 – Rural Areas Development Policy
- 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
- LP19 – The Natural Environment

March Neighbourhood Plan 2017

- H2 – Windfall Development
- H3 – Local Housing Need

Delivering and Protecting High Quality Environments in Fenland SPD 2014

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

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
- LP12: Meeting Housing Needs
- LP18: Development in the Countryside
- LP20: Accessibility and Transport
- LP22: Parking Provision
- LP24: Natural Environment
- LP25: Biodiversity Net Gain
- LP27: Trees and Planting
- LP28: Landscape
- LP32: Flood and Water Management
- LP39: Site allocations for March

8 KEY ISSUES

- **Principle of Development**
- **Design and appearance**
- **Residential amenity**
- **Highways and Parking**
- **Flood Risk**
- **Ecology**
- **Biodiversity Net Gain (BNG)**

9 BACKGROUND

- 9.1 The application is a direct re-submission of that which was refused under reference number F/YR21/0659/F. The previous application was refused for the following reason:

The proposed development is located in an unsustainable location out the settlement limits of March, where residential development is not supported unless justified. Policy LP12, Part B of the Fenland Local Plan 2014 and para 80c of the NPPF set out one such exception, supporting the re-use and conversion of rural buildings for residential purposes, where they are worthy of retention and would enhance their setting.

The grain store building is not considered to have any particular architectural or historic merit worthy of its retention; only the steel frame and concrete floor slab are to remain, with all external materials to be removed and replaced, effectively resulting in a re-build rather than a conversion, contrary to the aforementioned policies.

Furthermore, the site by virtue of the lack of illuminated footpaths and single-track road would limit opportunities for sustainable modes of travel, and without sufficient justification for the proposal in such a location, it would also be contrary to Policy LP2 and LP15 of the Fenland Local Plan 2014 and the guidance contained in the National Planning Policy Framework, in particular; Chapter 9.

- 9.2 It should be noted that the NPPF have since been updated, and paragraph 80c is now paragraph 84c.

10 ASSESSMENT

Principle of Development

- 10.1 Policy LP3 of the Fenland Local Plan 2014 sets out the spatial strategy for the district and is an important part of the delivery of sustainable development in the area. It identifies March as one of the main areas for growth, however, the site is considered to fall outside of the main settlement of March and sits within a small outlier of development served by a single track, unlit road, devoid of pedestrian infrastructure. By virtue of the site location and characteristics, it is considered to fall within the countryside where policy LP3 dictates that development should be strictly limited.
- 10.2 Paragraphs 82 and 84 of the NPPF address rural housing, noting that where there is an identified need to support rural communities, Local Authorities should support opportunities to locate housing where it will enhance or maintain the vitality of rural communities, whilst avoiding isolated development in the countryside unless special circumstances apply, such as the re-use of redundant or disused buildings which would enhance the immediate setting. This is reflected in Policy LP12 of the Fenland Local plan 2014, Part B.
- 10.3 The site would not be considered 'physically isolated' having regard to NPPF paragraph 84, given there are dwellings in the immediate vicinity, albeit to the south and therefore closer to the main settlement. However, it could be considered 'functionally isolated' due to the limitations of the highway network and therefore access to services and facilities by sustainable modes of transport.
- 10.4 Whilst the future occupiers of the development would likely support the existing facilities and services of March (with likely reliance on private vehicles) and would add

to the existing outlier community at Flaggrass Hill Road and Creek Fen, March town's facilities and the local community do not appear to be under any kind of threat to justify an exception to policy LP3 in this case, notwithstanding that this benefit would be very modest through the introduction of just 2 dwellings.

- 10.5 With regard to Policy LP2, part B; the grain store is not considered to have any particular architectural or historic merit worthy of its retention, nor would its retention and re-use enhance its immediate setting. Whilst the application is accompanied by a structural report which advises that the existing building is in a satisfactory condition structurally, only the steel frame and concrete floor slab are to remain, with all external materials to be removed and replaced, effectively resulting in a re-build rather than a conversion (having regard to consideration of 'conversion' under case law; *Hibbitt v Secretary of State for Communities and Local Government (1) Rushcliffe Borough Council (2) [2016]*), for which there is no local or national policy support. Furthermore, there is no fallback position in relation to Schedule 2, Part 3, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) as no such prior approval has been sought and the works proposed would fall outside the scope of this Class.
- 10.6 Whilst the policies of the emerging local plan carry extremely limited weight in decision making; Policy LP1, Part A identifies March as a Market Town; Part B advises that land outside settlement boundaries is defined as countryside where development is restricted (as set out in LP18), this site is outside of the defined settlement. LP39 defines residential site allocations in March and this site does not have such an allocation. As such the proposal would also be considered contrary to the aforementioned policies of the emerging Local Plan.

Design considerations and visual amenity of area

- 10.7 Whilst the dimensions of the building are to remain, external materials are to be replaced, including the use of red multi brickwork and timber cladding (full details would be required) with substantial glazing elements, which would result in a more contemporary appearance and an alteration to its rural character, though it is acknowledged that the building is set back from the road, within a complex of existing buildings, and there are modern developments and a variety of materials in the area.
- 10.8 The development proposes the formalisation of the access and parking arrangement, with allocated hardstanding areas for the proposed dwellings and The Walnuts, this, along with the segregation of the site with associated boundary treatments would result in a level of urbanisation. There is an opportunity for further soft landscaping to the front of the site to mitigate this and a condition could be imposed in this regard (as is requested by the Wildlife Officer with respect to ecology).
- 10.9 The proposed garden areas encroach within the agricultural field and therefore countryside beyond the site (which is clear from mid-2020 aerial photographs, where there is a defined boundary, prior to current works being undertaken), this is not a significant incursion given the limited amenity space proposed and there appears to be amenity land to the south that extends further east than the application site. Nevertheless, this does result in a development somewhat at odds with the spacious rural character of the area.
- 10.10 The sheds to be demolished are small wooden structures in poor condition, and as such their removal does not raise any concerns.

Residential Amenity

- 10.11 The relationship between the proposal and the existing dwelling of The Walnuts is not ideal, there would be approximately 18.5m between dwellings and the garden of the existing dwelling would be overlooked at a lesser distance, albeit at an oblique angle. The closest first floor window in the proposal would serve a landing and not a habitable room, and as such this could be conditioned to be obscure glazed to provide some mitigation in this regard. There is likely to be a perception of overlooking due to the extent of glazing where presently there is none, however the distance and angle (subject to the landing window being obscure) is such that this is not significantly adverse.
- 10.12 Any overlooking of the proposal by the existing dwelling would be to the front rather than private amenity. It is however presently unclear how the sites would be separated, and it would be necessary to have appropriate boundary treatments to all dwellings, including between the proposal and the agricultural unit surrounding, a planning condition could be imposed in this regard.
- 10.13 Policy LP16(h) seeks to ensure that developments provide sufficient private amenity space, suitable for the type and amount of development proposed and subject to the character of the area. The proposed dwellings are relatively large 4-bedroom dwellings and properties in the vicinity are generally located on more spacious plots affinitive with the rural nature of the area. The proposal is afforded very limited private amenity space when considering the size of the dwellings and character of the area, it is acknowledged that this is likely to limit encroachment into the countryside, however without wider justification for the development it is considered contrary to the aforementioned Policy.

Highways and Parking

- 10.14 The proposal is to utilise an existing access point to Flaggrass Hill Road, shared with The Walnuts. The LHA advises that this arrangement is adequate to serve the shared development and they have no objections subject to conditions in relation to parking and turning.
- 10.15 Policy LP15 and Appendix A of the Fenland Local Plan states that 3 parking spaces should be provided for 4-bed dwellings such as these; 3 spaces are allocated for each of the proposed and existing dwellings along with turning (though it is acknowledged that turning arrangement for northern plot is not ideal).
- 10.16 It is noted that there are no footpaths or street lighting available for around 410m from the site, until you reach the row of terraced dwellings along Creek Road to the west. This means that occupiers would have to navigate highway which does not prioritise pedestrian movements, taking safe refuge on the highway verge when vehicles pass and would have poor visibility during darker periods, due to the lack of streetlighting in conflict with the aims of NPPF para 112 and LP15 of the Fenland Local Plan. This further reinforces the unsustainable location of the site for unjustified new housing and provides an example for the rationale for the Council's settlement strategies under LP3 – in terms of placing people and property in the most sustainable location to safely access services and facilities and improve accessibility for everyone by all modes of travel.
- 10.17 Therefore, whilst the unsustainability of the site is highlighted through the limitations of the highway network which serves it, the development itself is not considered to have a significant adverse impact on the highway network.

Flood Risk

- 10.18 The application site falls within Flood Zone 1 (low risk) and as such the proposal is considered to be appropriate development in this respect and does not require the submission of a flood risk assessment or inclusion of mitigation measures.
- 10.19 The site has a very low risk of surface water flooding. As such, there are no issues to be addressed in relation to Policy LP14.

Ecology

- 10.20 The application is accompanied by a Preliminary Ecological Assessment which demonstrates that the site has a low potential for ecological constraints and biodiversity.
- 10.21 Comments have been sought from the Council's Ecologist, but these have not been forthcoming. Notwithstanding this, when giving consideration to the comments received in respect of the previous application and that nothing has changed materially since the last application, it is considered that the proposal remains acceptable on balance, in ecological terms.

Biodiversity Net Gain (BNG)

- 10.22 The Environment Act 2021 requires development proposals to deliver a net gain in biodiversity following a mitigation hierarchy which is focused on avoiding ecological harm over minimising, rectifying, reducing and then off-setting. This approach accords with Local Plan policies LP16 and LP19 which outlines a primary objective for biodiversity to be conserved or enhanced and provides for the protection of Protected Species, Priority Species and Priority Habitat.
- 10.23 There are statutory exemptions, transitional arrangements and requirements relating to irreplaceable habitat which mean that the biodiversity gain condition does not always apply. In this instance, one or more of the exemptions / transitional arrangements are considered to apply and a Biodiversity Gain Condition is not required to be approved before development is begun because the application was submitted prior to the requirement for statutory net gain coming into force.

11 CONCLUSIONS

- 11.1 The development raises no significant issues in respect of highway impacts, residential amenity, biodiversity or flood risk.
- 11.2 Notwithstanding this, the application site is ultimately located in an unsustainable and poorly connected location outside the settlement limits of March, where residential development is not supported unless justified.
- 11.3 Whilst Policy LP12, Part B of the Fenland Local Plan allows for residential development in locations that would usually be deemed unacceptable, the policy requires that this is for the re-use and conversion of rural buildings.
- 11.4 Notwithstanding that the grain store building is not considered to have any particular architectural or historic merit worthy of its retention, only the steel frame and concrete floor slab are to remain, with all external materials to be removed and replaced. As such, the development is considered to effectively result in a re-build rather than a conversion, resulting in the erection of residential development in the countryside without sufficient policy support, or material considerations that would indicate a

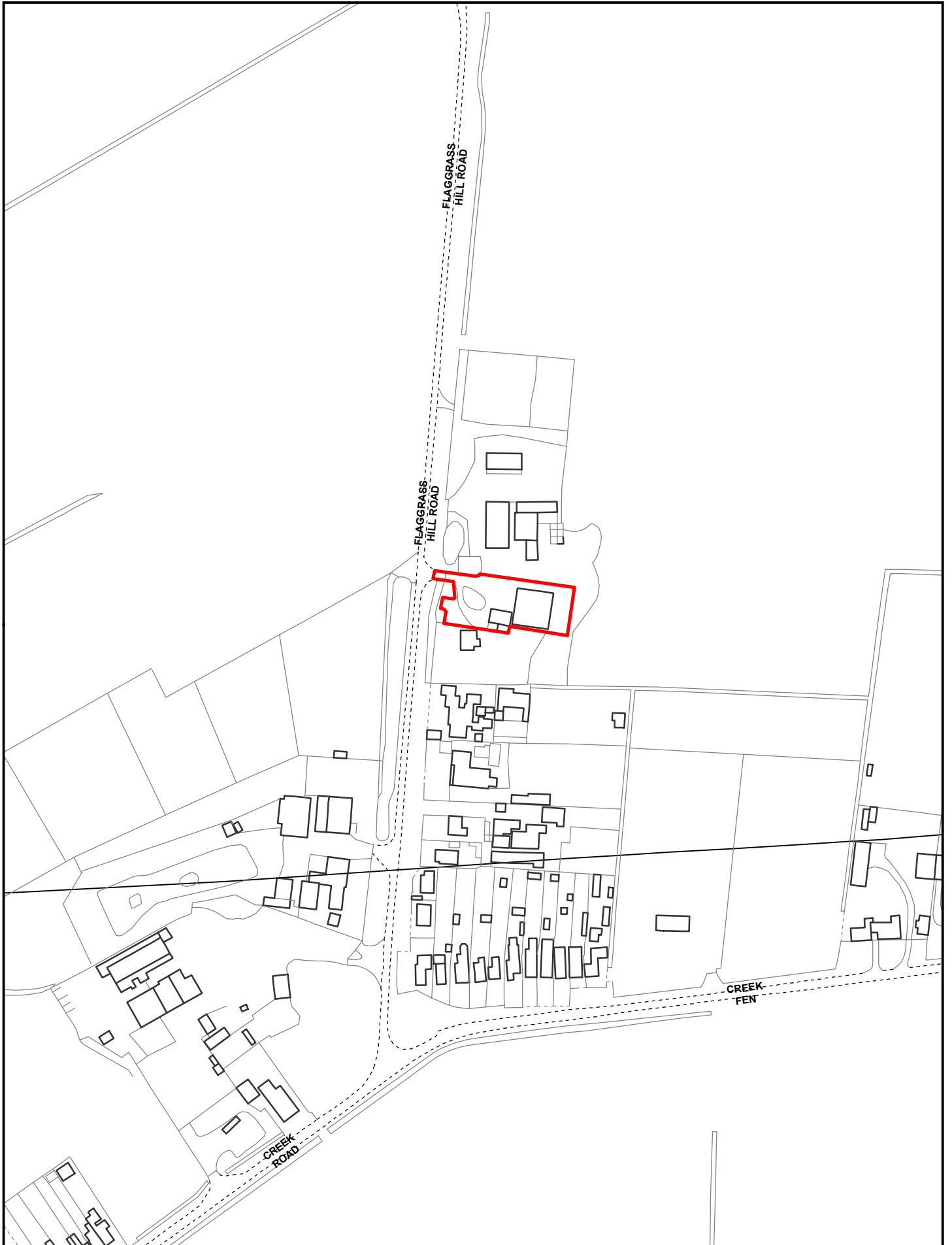
departure from policy is warranted in this instance, particularly given the Council's ability to demonstrate a sufficient supply of sustainable housing land.

- 11.5 As such the development is considered unacceptable and the recommendation is one of refusal

12 RECOMMENDATION

Refuse; for the following reason

1.	<p>The proposed development is located in an unsustainable location outside the settlement limits of March, where residential development is not supported unless justified. Policy LP12, Part B of the Fenland Local Plan 2014 and para 84c of the NPPF set out one such exception, supporting the re-use and conversion of rural buildings for residential purposes, where they are worthy of retention and would enhance their setting.</p> <p>The grain store building is not considered to have any particular architectural or historic merit worthy of its retention; only the steel frame and concrete floor slab are to remain, with all external materials to be removed and replaced, effectively resulting in a rebuild rather than a conversion, contrary to the aforementioned policies.</p> <p>Furthermore, the site by virtue of the lack of illuminated footpaths and single-track road would limit opportunities for sustainable modes of travel, thereby reinforcing its unsustainable location. Without sufficient justification for the proposal in such a location, it would also be contrary to Policy LP2 and LP15 of the Fenland Local Plan 2014 and the guidance contained in the National Planning Policy Framework, in particular; Chapter 9.</p>
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F/YR24/0373/F

Scale = 1:2,500





Planning Proposed Front
1 : 100



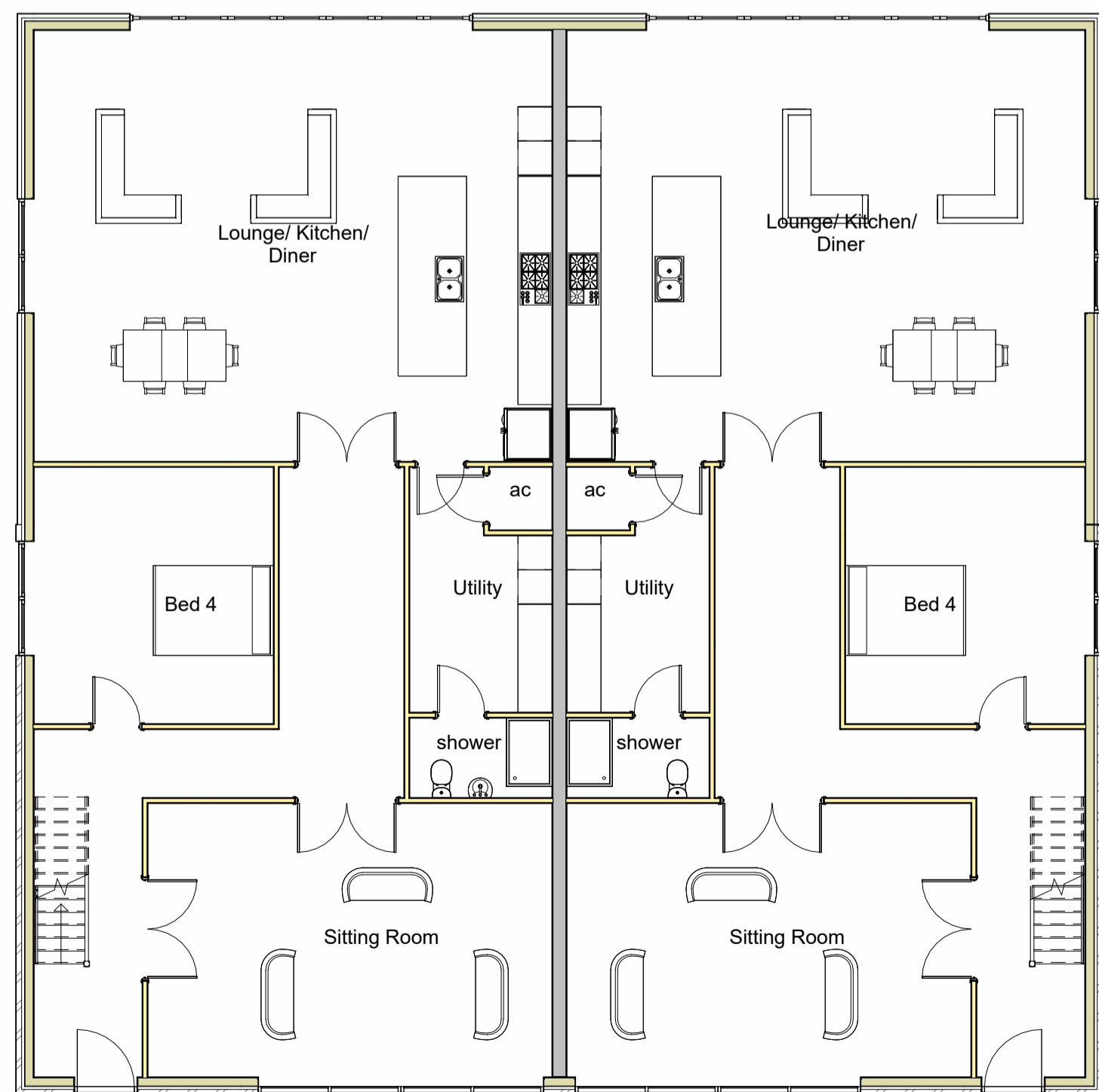
Planning Proposed Rear
1 : 100



Planning Proposed Side (north)
1 : 100



Planning Proposed Side (south)
1 : 100



Proposed Ground Floor
1 : 100

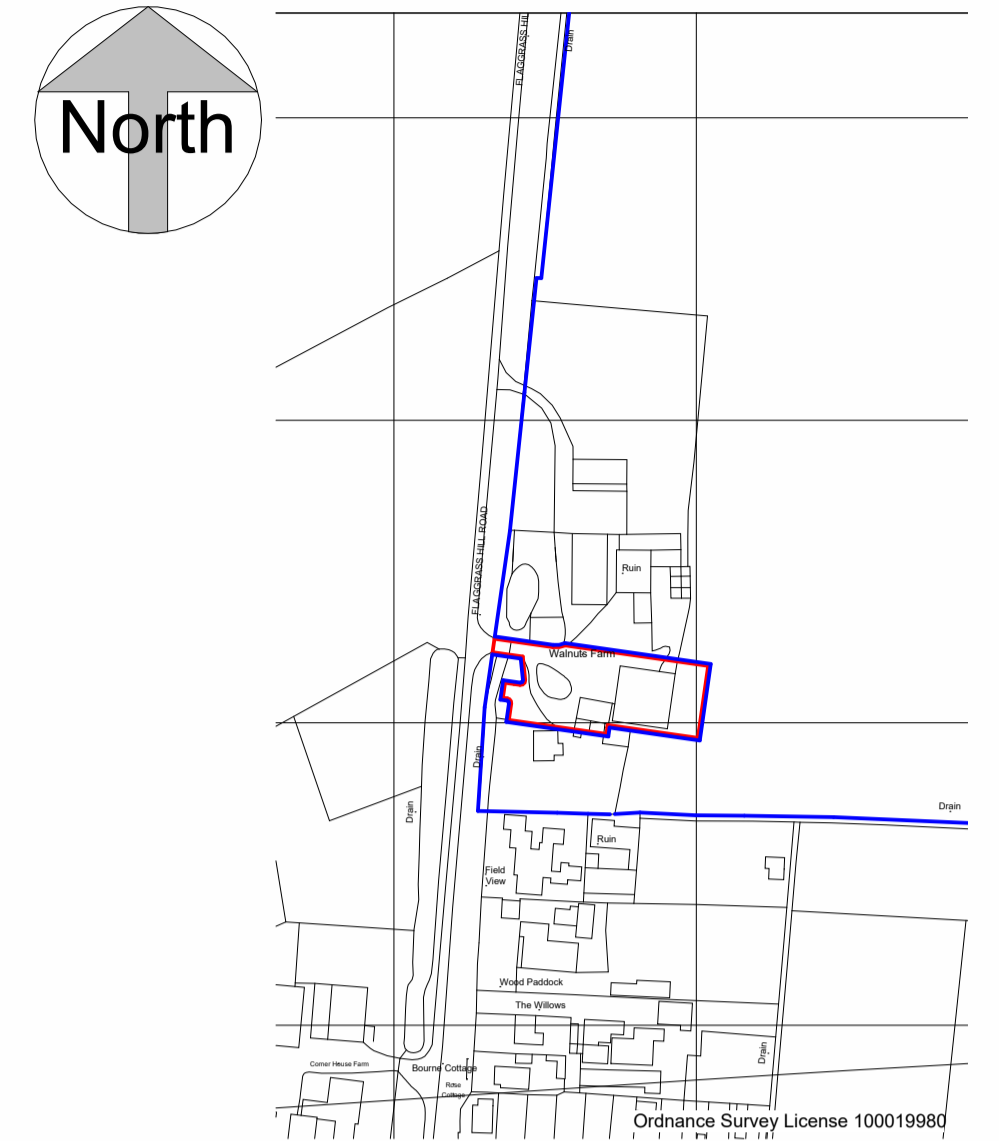


Proposed First Floor
1 : 100

MATERIALS
 Floors - Existing structural concrete floor retained, insulation and screed laid over
 Walls - Existing structural steel frame retained. Existing cladding replaced with Red multi brickwork or cedar/larch cladding where shown
 Roof - Existing structural steel frame retained. Cladding replaced with standing seam style cladding.
 Windows and Doors - Dark Grey UPVC/Aluminium
 Gutters and Downpipes - Dark Grey Aluminium/powder coated steel
 External Paving - As noted on site plan

BIODIVERSITY - Read in conjunction with Ecology Report
 Locations marked on site plan
 a - Hedgerow box (up to 3 Total) page 40
 b - Bat Box (up to 5 Total) page 39
 c - Bird Box (up to 10 Total) page 38
 New Native Hedge
 400-600mm high
 5-7plants per metre
 Hawthorn (*Crataegus monogyna*)
 Blackthorn (*Prunus spinosa*)
 Alder (*Alnus glutinosa*)
 Wild Privet (*Ligustrum vulgare*)
 Wild Cherry (*Prunus avium*)
 Bird Cherry (*Prunus padus*)
 Spindle (*Eunymus europaeus*)
 Juneberry (*Amelanchier lamarckii*)

Notes
 Any discrepancies to be brought to attention of Author as soon as possible.
 All dimensions shown in "mm" unless otherwise shown.
 Unless stated otherwise, this drawing has been assessed for risks and nothing is deemed to be outside of normal good safe working practice that would be covered by a contractors Construction Phase Health and Safety Plan.



Location Plan
1 : 2500



Proposed Site Plan
1 : 500

B	Finishes Amended	01-12-22
A	Landscaping amended	27-09-21

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Conversion of Grain Store at Flaggrass Hill Road for Ashewell Developments

Planning Proposed

date created	scale	drawing no.	rev
02/02/21	As indicated @ A1	441-0R02	B