

F/YR12/0111/F

13 February 2012

Applicant : Mr R Goy

Agent : Mr Ken Elener  
KL Elener Architectural Design

North of 15 - 27 Mill Road, Murrow, Cambridgeshire

Erection of 6 dwellings comprising; 3 x 4-bed 2-storey, 1 x 4/6-bed 3-storey and 2 x 5/6-bed 3-storey with associated garages

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This application is before the Planning Committee due to the Officer recommendation being at variance with that of the Parish Council.

This application is a 'Minor'

1. **SITE DESCRIPTION**

The application site is located on the northern side of Mill Road, Murrow. The site currently serves as agricultural land with a drain positioned on the southern boundary. Although there is some housing on Mill Road, the area, particularly the northern side of Mill Road, is rural in character.

2. **HISTORY**

No relevant history

3. **CONSULTATIONS**

***Parson Drove Parish Council:***

Support the application in principle, recommend permission is granted subject to conditions for the provision of a footpath and street lighting and providing no objections are raised by North Level regarding the infilling of the drain. Concerns raised over inadequate parking for the larger dwellings.

***Wisbech St Mary Parish Council:***

Support this development and recommend approval.

***Environment Agency:***

The development is acceptable providing conditions relating to the Flood Risk Assessment are imposed on any planning permission.

***FDC Scientific Officer:***

Unsuspected land contamination condition is required.

***Cambridgeshire Fire and Rescue:***

A condition for the provision of fire hydrants is required.

**North Level District Internal  
Drainage Board:**

No objection in principle, however, no construction will be permitted within 9 metres of the northern brink of the watercourse which forms the southern boundary.

**CCC Highways:**

The access width, visibility splays and short footway length are acceptable. Drainage measures to prevent surface water run off onto Mill Road should be provided.

**Neighbours:**

9 letters of objection received, concerns regarding:

- Mill Road is a small road
- most of the road is not wide enough for 2 cars to pass
- the social impact of cramming another 6 houses into this small area would be catastrophic
- there are already plans for new houses along the road and this proposal will make the road busier
- the proposal will set a precedent for more buildings which will cause problems to the village
- 3 storeys are out of character with the village
- the extra dwellings would exacerbate the damage already caused by lorries waiting on grassed areas to pass
- this application is a deviation of erecting the dwellings on land at 27 Mill Road and the houses will now be built on green belt instead
- loss of view
- the dwellings do not offer any benefits to current residents
- a brownfield site is available
- the site is top grade agricultural land
- infrastructure and services in Murrow are inadequate
- surface water drainage problems if drain is infilled
- concerns with maintenance strip when field has access off Murrow Bank
- the local surgery and schools will not be able to cope
- the houses are not suitable for the area as there are cheaper houses in the area which have still not been sold
- permission was resisted for Gore Villas so should be resisted here too

#### 4. POLICY FRAMEWORK

FDWLP Policy	E8	-	Proposals for new development should: -allow for protection of site features; -be of a design compatible with their surroundings; -have regard to the amenities of adjoining properties; -provide adequate access
	H3	-	To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other policies of the Plan.
	TR3	-	To ensure that all proposed developments provide adequate car parking in accordance with the approved parking standards.
	R4	-	To require developers to provide and maintain public open space on developments of 10 or more dwellings or 0.4ha (one acre) in accordance with the set standards.
	PU1		To require new developments to make satisfactory arrangements for water supply, sewerage and sewage disposal, land drainage and flood protection matters.
East of England Plan	ENV7	-	Quality in the Built Environment
Planning Policy Guidance (PPGs and PPSs)	PPS1	-	Delivering Sustainable Development
	PPS3	-	Housing
	PPS7	-	Sustainable Development in Rural Areas

#### 5. ASSESSMENT

##### ***Nature of Application***

This application seeks full planning permission for the erection of 6 dwellings. The application is considered to raise the following key issues;

- Principle and policy implications
- Design, layout and impact on the character of the area
- Contributions
- Other matters

### ***Principle and policy implications***

The application involves the erection of 6 dwellings on land beyond the established settlement of Murrow. No justification in terms of agriculture, horticulture or forestry has been submitted in support of the application nor has it been proposed that the design is exceptional or ground-breaking. The proposal is, therefore, contrary, in principle, to H3 of the Fenland District Wide Local Plan and Planning Policy Statement 7.

Development on this land may, however, be acceptable if it can be demonstrated that no harm will be caused by the development. For example, there must be no adverse impact on the character of the area, neighbouring residents, highway safety etc. These issues will be discussed in the 'Design, layout and impact on the character of the area' section of this report.

In principle the proposal should be of a high quality which complements the distinctive character and best qualities of the local area. It should be of an appropriate scale and founded on clear site analysis and urban design principles. New development should have regard to the amenities of neighbouring residents and should provide adequate access, parking, manoeuvring and amenity space (ENV7, E8).

On sites of 0.4ha or more, provision should be made for open space within the site or a contribution should be made to enhance an existing public open space within the settlement (R4).

### ***Design, layout and impact on the character of the area***

The proposal comprises of 3 x 2-storey dwellings and 3 x 3-storey dwellings. The buildings have been individually designed and have been positioned in a linear fashion along the front of the site.

It is acknowledged that there are other dwellings within the vicinity, however, it remains that the site lies beyond the development area boundary. The northern side of Mill Road is distinctly rural in character and the sporadic housing, with large gaps between buildings, to the west of the site is a clear indication that the area no longer forms part of the built up settlement, but is in fact part of the open countryside.

Concerns are, therefore, raised with regard to the amount of buildings proposed. The dwellings and associated outbuildings form a cluster of structures which is not akin to this rural landscape. It is considered that the intensification of the built form in this location will have a harmful impact on the open countryside and will appear out of keeping with the character of the area.

The proposal includes one central access point with a private drive to serve all 6 dwellings. As FDC bin trucks can only access adopted highways, bin collection points have been provided each side of the access. Although this satisfies the collection criteria, it has resulted in the requirement for future occupiers to wheel bins in excess of 55metres from the furthest dwelling. This is contrary to the standards recently adopted by the Council in the RECAP Waste Management Design Guide.

Each dwelling has been provided with a double garage and the garages to plots 1 and 6 have been positioned to the front of the dwellings. The submission states that the garages have been strategically placed in these locations so as to bring the building line forward to tie in with the development towards the north of Mill Lane. Although these comments have been noted, it is considered the location of the garages in front of the dwellings represents a cluttered and incongruous form which is out of keeping with the character of the surroundings. An option would have been to bring the dwellings forward within the site, however, they would then most likely encroach on the 9m strip required to be kept free by the North Level Internal Drainage Board (NLIDB) bylaws. As the application currently stands the garages to plots 1 and 6 are within 9m of the centre of the drain and as such they currently encroach on the area protected by NLIDB.

The garages to the front of plots 1 and 6 raise further concerns with regard to design specifics. Although there is a window at first-floor level on the plot 6 garage, there is no interest at a human scale on either of the garages. Due to the prominent position of the garages, this lack of interest on street level raises significant concerns.

Each plot has been provided with at least four parking spaces which complies with TR3 of the Fenland District Wide Local Plan. CCC Highways has raised no objection to the proposal and has confirmed that the visibility splays and section of footpath shown are acceptable. However, significant concerns are raised with regard to the 6 houses being sited off a private road.

Each plot has been provided with an acceptable level of garden land and these areas will be made private by the erection of 1.8m high close boarded fencing on the side boundaries. The layout of the fenestration and inclusion of obscure glazing, where necessary, has meant that overlooking and loss of privacy on the whole is not an issue. However, concerns are raised with regard to the privacy of plot 5. Due to the position of rear balcony on plot 6, slightly behind the rear gable of plot 5, the balcony would allow users to step out and look directly towards the immediate private garden area of plot 5. This would be to the detriment of the residential amenities of future occupiers of this dwelling.

In view of the above, it is considered that the proposal fails to address fundamental urban design principles, contrary to policies within the Development Plan.

### ***Contributions***

Policy R4 of the Fenland District Wide Local Plan stipulates that on residential developments of either 10 dwellings or more or on land over 0.4ha, an area of public open space at a minimum rate of 40 square metres per dwelling is to be provided via a S106 agreement. This can be provided either on site or contributions can be made to enhance an existing piece of open space within the settlement. Since the application site area is 0.4998ha and no attempt at such provision has been made within the application, the proposal is contrary to R4 of the Local Plan and Planning Policy Statement 3 for failure to provide acceptable amenities for family homes.

The scheme falls marginally short of the trigger point for the provision of affordable housing which is 0.5ha or more. The site area is 0.4998ha due to an irregular shape which involves the omission of land within the centre to create an access point to the field to the rear and an 'adjoining plot if necessary'. It is disappointing to

note that the site and the field to the rear fall within the same ownership and that there is an existing access to the field which is gained via Murrow Bank. The requirement for this particular access and, therefore, the omission of the land is questionable. The strip of land in question has also been annotated as a 6m wide maintenance strip over Anglian Water pumping drain, however, as this land, including the 'maintenance strip' is currently farmed, whether it is now a requirement that it is maintained as an access is also questionable.

### ***Other matters***

9 letters of objection have been received from neighbouring properties, many of which relate to highway issues. Although the comments have been noted, highway issues are not of concern due to the 'no objection' feedback received from CCC Highways.

Other comments include the loss of the agricultural land. These comments have also been noted, however, as the grade of the land has not been provided, Officers are unable to comment fully. However, the nature of the crops which have been grown on the land could suggest that the land is up to grade 1 standard as per the Ministry of Agriculture, Fisheries and Food Agricultural Land Classification.

Comments received with regard to other sites being available and other dwellings being available have also been noted, however, Officers are unable to comment as the Local Planning Authority can only assess the scheme which has been submitted.

The site lies within the remit of Parson Drove Parish Council, who has supported the application. Their comments have been noted, however, Officers consider that there are fundamental principle and design objections which significantly outweigh any benefits gained as a result of this proposal.

### ***Conclusion***

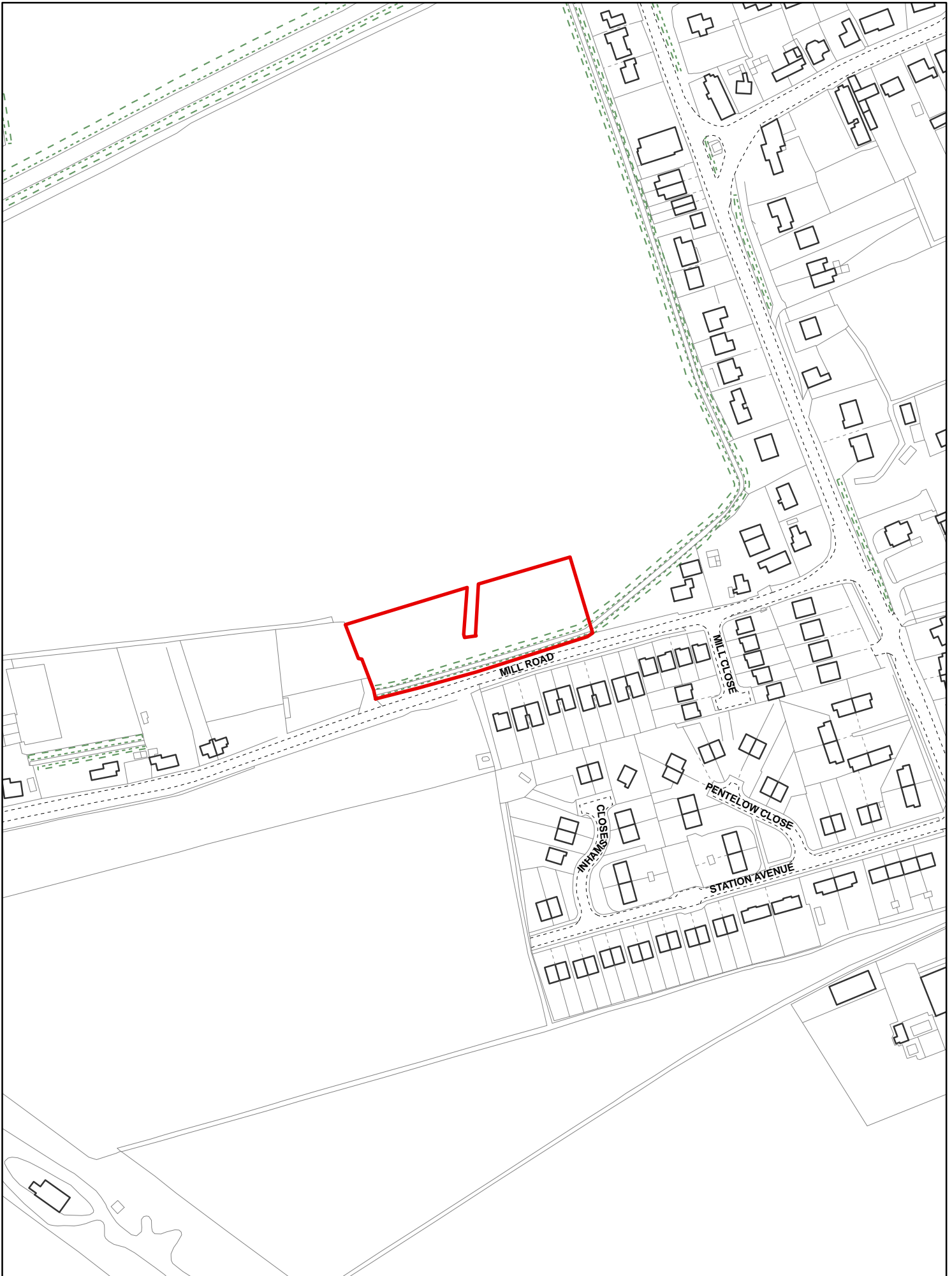
The proposal constitutes unjustified development on land outside of the established settlement of Murrow. The design and layout of the scheme is out of keeping with the surrounding area, to the detriment of this rural location. The proposal lacks provision of open space and fails to provide protected private amenity areas for future occupiers. The application is contrary to policies within the Development Plan and it is, therefore, recommended that planning permission is refused.

## **6. RECOMMENDATION**

### **Refuse**

- 1. Due to the scale, layout and principle of residential development in this location, the proposal fails to respect the rural character of the area. The application is, therefore, contrary to E8 of the Fenland District Wide Local Plan, ENV7 of the East of England Plan and Planning Policy Statement 1.**
- 2. The proposal would result in unjustified development beyond the established settlement area boundaries, contrary to H3 of the Fenland District Wide Local Plan and Planning Policy Statement 7.**

- 3. The proposal fails to include provision for on site public open space or contributions for enhancement to existing open space. The scheme is, therefore, contrary to R4 of the Fenland District Wide Local Plan and Planning Policy Statement 3.**
- 4. Due to the location of the balcony on plot 6 in relation to the garden space at plot 5, future occupiers of plot 5 will suffer from overlooking and loss of privacy. The proposal is, therefore, contrary to E8 of the Fenland District Wide Local Plan, ENV7 of the East of England Plan and Planning Policy Statement 1.**
- 5. The layout of the scheme and the length of the private drive would result in bin collection points being positioned in excess of 30m from the proposed dwelling houses. The proposal, therefore, fails to provide an acceptable level of residential amenity, contrary to E8 of the Fenland District Wide Local Plan, ENV7 of the East of England Plan and Planning Policy Statement 1 and it fails to comply with the standards set out in the RECAP Waste Management Design Guide.**
- 6. In view of the presence of the garages within the foreground of the dwellings and their bland elevations within the streetscene, the proposal would appear as an incongruous feature, to the detriment of the character of the area, contrary to E8 of the Fenland District Wide Local Plan, ENV7 of the East of England Plan and Planning Policy Statement 1.**
- 7. By virtue of the positioning of the buildings associated with plots 1 and 6, the proposal encroaches on the maintenance strip required as being kept free from obstruction by the North Level Internal Drainage Board. The proposal, therefore, fails to have due regard to land drainage and flood protection matters, contrary to PU1 of the Fenland District Wide Local Plan.**



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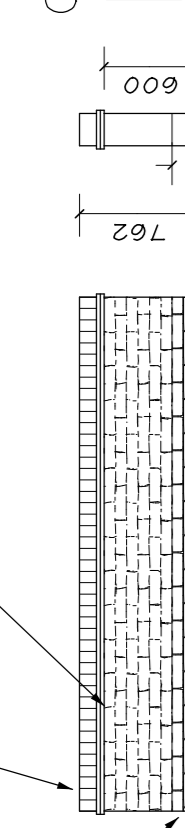
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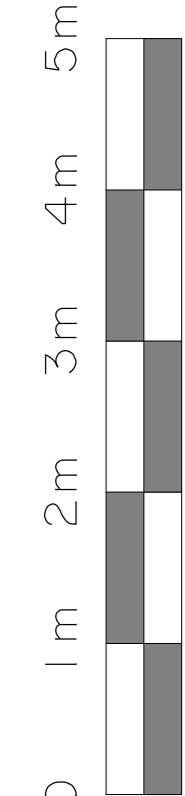
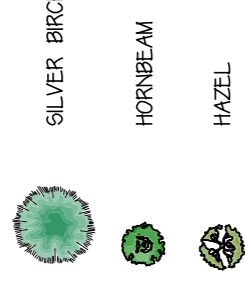
engineering brick coping and gpc

2 course tile crenating



BOUNDARY WALL ELEVATION 1:50

TREE PLANTING



SIDE

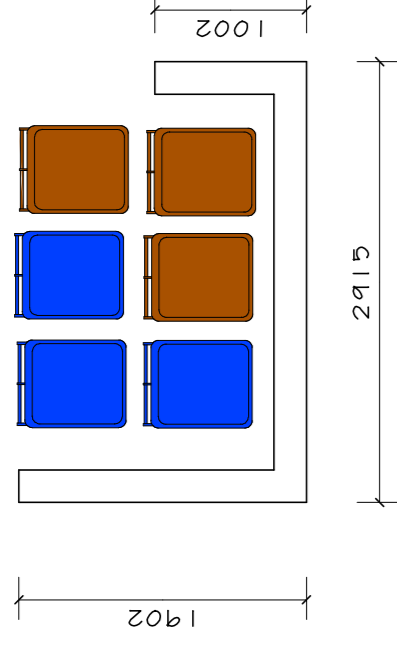
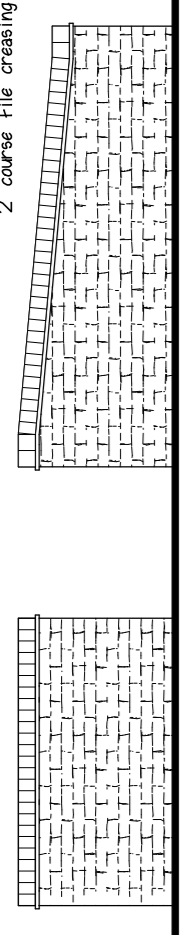
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SIDE

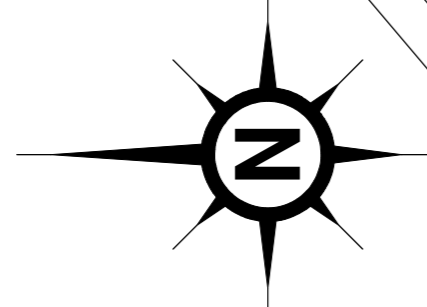
REAR

engineering brick coping and gpc

2 course tile crenating



BIN COLLECTION STORE 1:50

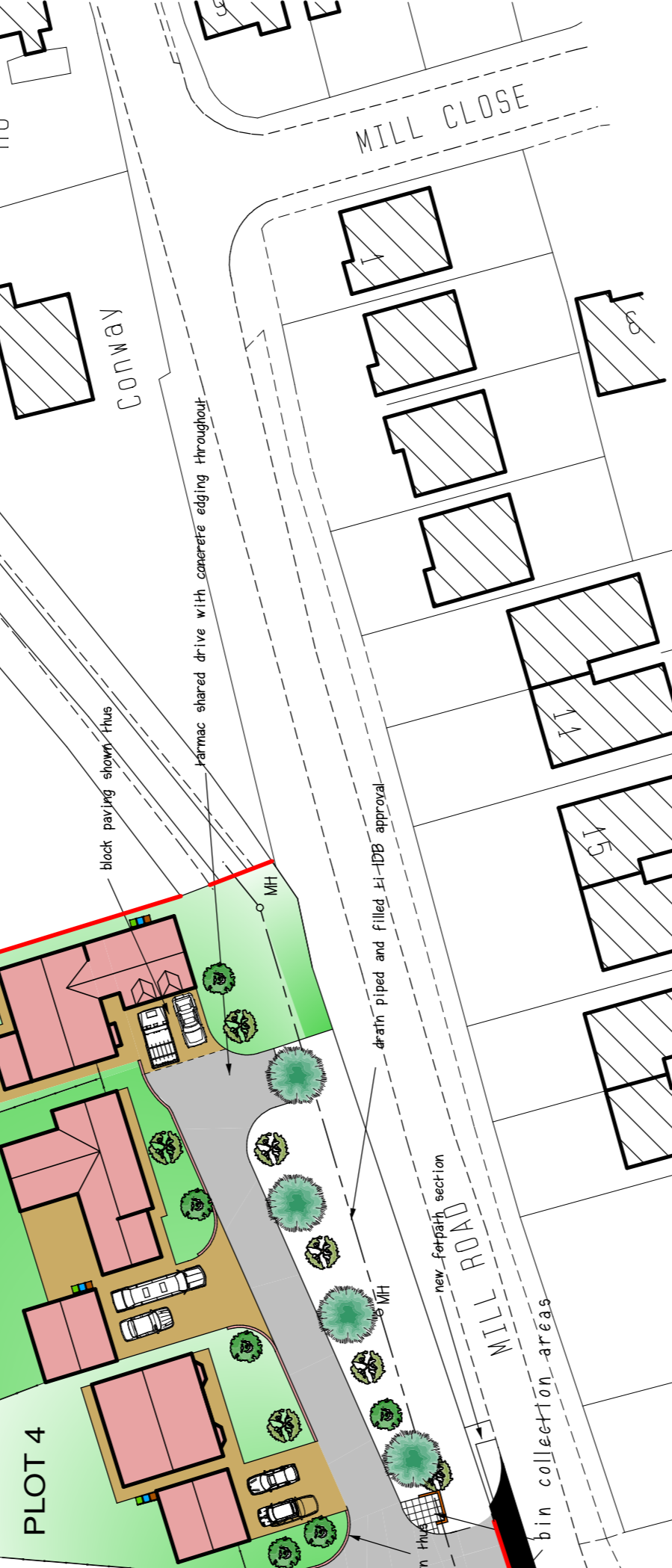


1.5m high close boarded fencing shown  
Hm, gated access to each property

6.4m x 7.2

6.4m wide MAINTENANCE STRIP  
OVER ANGLIAN WATER PUMPING  
MAIN TO FORM ACCESS TO FIELD  
IF NECESSARY

near boundaries to be 400mm  
high drain link



1.5m high close boarded fencing shown  
Hm, gated access to each property

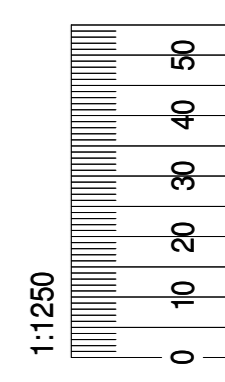
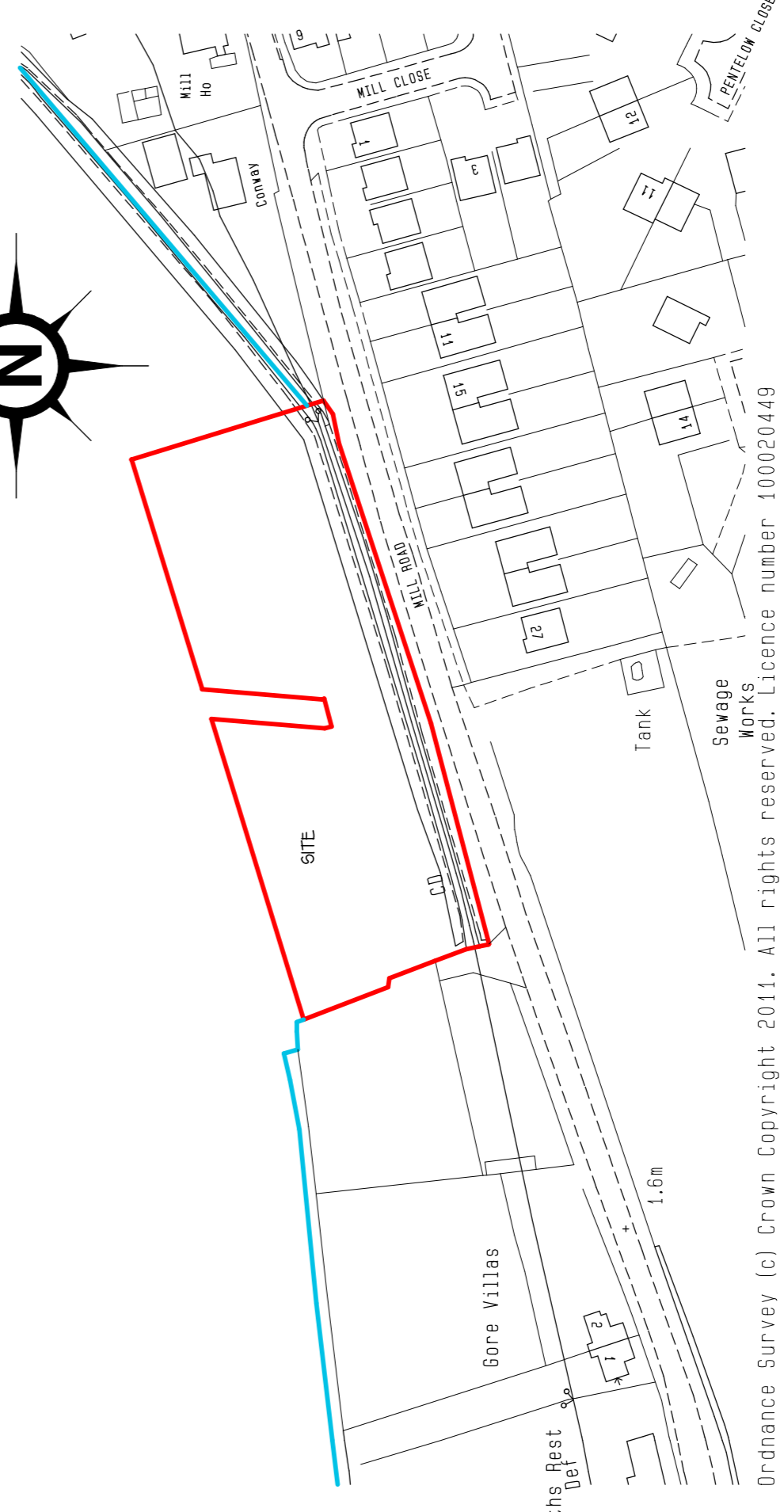
bin collection areas

new deposit section

drain piped and filled H-DBB approval

black paving along the

kermed ward drive with concrete edging throughout



1:1250

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Revision table with columns: Rev, Date, Description. Rows: Rev.D, Rev.C, Rev.B, Rev.A.

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Project: RESIDENTIAL DEVELOPMENT SIX DETACHED DWELLINGS NORTH OF MILL ROAD MURROW

Client: R GOY, Title: SITE LAYOUT, Ref: G2976-3, Rev: Sheet A1, Scale: 1:500, Date: DEC 2011