

F/YR12/0084/F

2 February 2012

Applicant: Gaul Developments LPP.

Agent : L Bevens Associates Ltd.

Land North of 33 Gaul Road fronting Oxbow Crescent, March

Removal of Condition 7 and 8 of planning permission F/YR08/1051/O (Residential Development 0.49 ha – maximum of 20 dwellings) relating to provision of footpath link

This proposal is before the Planning Committee as the application was previously considered by the Planning Committee

This application is a minor.

Site area 0.49 ha

1. **SITE DESCRIPTION**

The site, which extends to 0.49ha, comprises an area of orchard land situated to the rear (north) of the detached, 2-storey dwelling at 33 Gaul Road, March. The site is occupied by an apple orchard and attendant workshop/storage buildings associated with apple growing.

The site lies within the Development Area Boundary (DAB) for March. The surroundings are residential comprising a mixture of new 2-storey dwellings to the west at Beck Close, Oxbow Crescent and Park View East and bungalows to the east side of The Chase. To the north is the Nene River Park, with pedestrian access to the Town Centre and across the Nene to the north via the footbridge which links West End and Marylebone Road. The Chase provides a footpath link between the Park and Gaul Road, as well as vehicular access for the dwellings served from it.

The site has a substantial walled boundary on its western side whilst the northern site boundary to the park and the part of the Orchard boundary to The Chase are of chain link fencing. The southern part of the site boundary to The Chase is a brick wall.

2. **HISTORY**

- | | |
|---------------|---|
| F/YR08/1051/O | - Residential Development (0.49ha) (maximum of 20 dwellings) Granted 15 July 2011 subject to Section 106 agreement. |
| F/YR07/0995/O | - Erection of 13 houses involving demolition of the existing outbuildings and sheds – Refused – 16 November, 2007 – Appeal Dismissed – 26 June, 2008. |
| F/90/0201/O | - Erection of 2 dwellings – Refused – 9 August, 1990. |

- | | |
|-------------|---|
| F/0199/88/O | - Residential development 8.5 acres (3.44ha) – Granted 16 February, 1990. |
| F/0493/89/O | - Erection of 2 dwellings – Refused – 10 August, 1989. |
| F/1257/88/F | - Erection of a Garden Wall – Granted – 15 December, 1988. |
| F/0548/87/O | - Residential Development – 3 Dwellings – Refused 8 October, 1987. |
| F/0203/84/F | - Retention of Orchard Building – Granted – 16 April, 1984. |
| F/0382/80/O | - Erection of 2 Dwellings – Refused – 19 May 1980. |
| F/0897/78/F | - Retention of Orchard Building – Granted – 11 January, 1979. |
| F/0015/75/O | - Low Density Residential Development – Granted – 6 June, 1975. |
| F/0434/74/O | - Residential development- Refused – 20 November, 1974. |

3. **CONSULTATIONS** (*received to date of report*)

March Town Council

Recommend Approval

CCC Highways

I neither object to, nor support this proposal from the highway point of view. It is for your Authority to consider its implications.

Architectural Liaison Officer

In discussions whether the link should be to the north of the site directly onto the park I stated that this was the least satisfactory position as it could encourage antisocial behaviour. Ideally there would be no link onto The Chase and any dwellings would then be able to face inward to the development providing additional surveillance of the entrance from Oxbow Crescent into this site thus increasing surveillance of the development and reducing the fear of crime and a deterrent to crime and antisocial behaviour within the development. This being said I would support this application for removal of Condition 7.

Safer Fenland Manager

No apparent crime and disorder issues

Local residents/interested parties:

2 letters supporting the removal of the link.

It will reduce the amount of anti social behaviour the new development may bring to both existing and new residents in the area.

A footpath to the northern end of the site to the park should be created.

The application should remain an outline application as there are no details.

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, parking, manoeuvring and amenity space. |
| H3 | To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other policies of the Plan. |
| TR6 | To ensure suitable facilities for pedestrians and cyclists are provided with new development and new highway construction and also to improve facilities in existing developments. |
| TR3 | To ensure that all proposed developments provide adequate car parking in accordance with the approved parking standards. |
| IMP2 | Securing benefits through planning agreements. |
| E3 | To retain existing trees and hedgerows. To impose, where appropriate, conditions on planning applications requiring landscaping and tree planting schemes. To request the submission of a landscaping scheme with planning applications on visually important sites. |
| PU1 | To require new developments to make satisfactory arrangements for water supply, sewerage and sewage disposal, land drainage |

and flood protection matters.

Core Strategy (Draft Consultation – July 2011)

CS14 - Delivering and Protecting High Quality Environments across the District

East of England Plan

SS1 - Achieving Sustainable Development.

ENV7 - Quality in the Built Environment.

National Planning Policy Framework

Para 14 - Delivering Sustainable Development.

Para 17 - To secure high quality design and a good standard of amenity for all existing and future occupants.

5. ASSESSMENT

The proposal can be assessed against the following:-

- Site history
- Principle and policy implications
- Layout, Residential Amenity, Access, and Highway Safety

Site History

Outline planning permission has already been granted for Residential Development of the site with the number of units being restricted to a maximum of 20 dwellings. Access was the only matter committed at that stage and a condition (No 7) was imposed which required a pedestrian access linking The Chase with the River Park, Gaul Road and the town centre. Associated condition No 8 related to the submission of barrier and lighting details of the footpath.

An indicative layout showing the site developed with 20 dwellings was also submitted with the outline application for illustrative purposes only.

Principle and policy implications

The site lies within the Development Area Boundary of March. It was not allocated in the Local Plan for residential development as such, and was granted planning permission as a windfall site (F/YR08/1051/O).

With regard to the provision of infrastructure and community facilities, Play Space, Affordable Housing and an Education Contribution was also required. A Section 106 Agreement was concluded, but this will require a supplemental deed should the current application be granted.

Layout, Residential Amenity, Access, and Highway Safety

The illustrative layout submitted with the outline application is considered to be acceptable in principle. Access to the site is taken from Oxbow Crescent

terminating in two short cul-de-sacs.

Condition 7 requires the provision of a footpath link from the centre of the site to The Chase which is a dual purpose pedestrian footpath linking the Riverside Park with Gaul Road and also an access road to residential property fronting onto The Chase. The reason for imposing the condition was to provide a through pedestrian link between Oxbow Crescent and The Chase in the interests of accessibility to Gaul Road and the Riverside park/town centre. Associated condition No 8 related to the submission of barrier and lighting details of the footpath.

The architect designing the detailed layout is of the view that: "The footpath link connecting the proposed development to The Chase would attract unwanted anti-social behaviour to both the development and nearby dwellings in The Chase and Oxbow Crescent. There is already access to the park from Oxbow Crescent. In the original application process there was fierce opposition from residents for the footpath link. Removal of the link would allow for a more coherent layout as part of a future reserved matters application".

Conclusion

The original intention of the proposed footpath link was to provide access to Gaul Road, Riverside Park and the town centre. The alternative pedestrian access to all three areas is via Oxbow Crescent which, from a design, safety and accessibility point of view, is considered to be acceptable. In addition, it will afford the development increased security and assist the architect in designing a creative layout. An alternative pedestrian link has not been proposed, but it is considered that there would be no merit in introducing one to the north of the site as suggested by a contributor. In addition, should this application to delete the conditions be granted, it would sit alongside the outline application which requires the submission of reserved matters relating to layout and design.

6. RECOMMENDATION

GRANT

Informative

All remaining conditions imposed on planning permission F/YR08/1051/O should still be adhered to.



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