

F/YR12/0256/O

27 March 2012

Applicant : Mr and Mrs P Loomes

Agent : Mr R Swann
Swann Edwards Architecture

Arfwayome, Mill Road, Murrow, Cambridgeshire

Erection of a dwelling involving the removal of existing mobile home and demolition of outbuildings

This proposal is before the Planning Committee as it constitutes a departure from the development plan.

This application is a minor application.

Site Area: 0.04 ha

1. **SITE DESCRIPTION**

The site is located outside of the Development Area Boundary of Murrow, within the parish of Wisbech St Mary. The site is located on the north side of Mill Road where there is currently a ribbon style of development. The site area is 393 square metres and is currently occupied by a mobile home and a number of small outbuildings, with space for parking and turning within the site. The site is bounded by conifer hedging. To the north and south of the site are agricultural fields, to the east and west are residential dwellings, with two storey dwellings immediately adjacent to the site.

2. **HISTORY**

This site has no planning history.

According to the Design and Access Statement, the mobile home occupying the site has been in situ for 24 years. Aerial photographs show evidence that the mobile home has been there for at least the last ten years. Council Tax records demonstrate that the current occupiers have been living on this site since 1999. No enforcement stop notices have been issued on this site. Therefore, the mobile home is immune from enforcement action, although it does not benefit from a certificate of lawfulness (existing).

3. **CONSULTATIONS**

Parish Council: No comments received at time of report.

Environment Agency:: No objections.

North Level IDB: No comments received at time of writing.

FDC Scientific Officer (Land Contamination): No objections.

Local residents/interested parties: Two addresses notified; no comments received at time of writing.

4. POLICY FRAMEWORK

FDWLP Policy

- | | |
|-----|---|
| H3 | - To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other policies of the Plan. |
| E8 | - Proposals for new development should: <ul style="list-style-type: none">-allow for protection of site features;- be of a design compatible with their surroundings;- have regard to amenities of adjoining properties;- provide adequate access. |
| TR3 | - To ensure that all proposed developments provide adequate car parking in accordance with the approved parking standards. |
| TR9 | - To identify protected access points to land which may be long term development potential beyond the Plan period. |

East of England Plan

- | | |
|------|------------------------------------|
| ENV7 | - Quality of the Built Environment |
|------|------------------------------------|

National Planning Policy Framework

- | | |
|---------|--------------------------------------|
| General | - Delivering Sustainable Development |
|---------|--------------------------------------|

5. ASSESSMENT

Nature of Application

This application seeks outline planning permission, with some matters reserved, for the erection of a dwelling involving removal of existing mobile home and demolition of outbuildings.

The application is considered to raise the following key issues;

- Principle and Policy Implications
- Character and Appearance
- Access

Principle and Policy Implications

Policy H3 of the Local Plan indicates that housing development will not normally be permitted outside defined DABs. There is no suggestion that this proposal falls within any of the categories accepted as exceptions to the general restriction in Policy H3. Accordingly, applying the Local Plan as it stands, the principle of a dwelling here would be contrary to the strict interpretation of Policy H3. Therefore, the overall conclusion will consider whether there are material considerations that indicate a decision, other than in accordance with the development plan, could be supported in this respect.

At the heart of the recently implemented National Planning Policy Framework (NPPF) is the presumption in favour of sustainable development. For decision making, this is where permission can be granted unless there are significant and adverse impacts that would arise from doing so.

The proposed site is located approximately 170m from the closest edge of the Murrow Development Area Boundary (DAB). The site is situated between Coronation Villa and The Patch, both two storey detached dwellings located on the north side of Mill Road, where ribbon development has occurred.

Due to the site having residential development on both the eastern and western boundaries, it is considered that the principle of residential development on the north side of Mill Road is acceptable. In addition, the principle of residential use of this site is further supported by the fact that a mobile home has been occupied on this site for the last 13 years by the applicants, without any enforcement action.

It is, therefore, considered that the principle of residential use of this site is acceptable and supported by National policy, as outline permission for a dwelling on this site would not give rise to any adverse impacts.

Character and Appearance

Whilst this is an outline application, and the matters regarding the appearance, scale, landscaping and layout of the site are reserved; consideration must be given to the current appearance of the site and the impact on the streetscene.

This is due to the fact that the mobile home has been in residential use for more than 10 years, and as such, may be considered lawful development immune from enforcement action. Therefore, regardless of the outcome of this application, the mobile home could remain in residential use on this site in perpetuity.

The existing mobile home is single storey, surrounded by conifer hedging, and, therefore, not highly visible from the streetscene. However, its existence between the permanent two storey dwellings is considered to be out of keeping with the streetscene.

Furthermore, the mobile home is in a poor state of repair and it is considered that its demolition and replacement with a modest two storey dwelling would be more in keeping with the existing dwellings located along Mill Road.

It is, therefore, considered that the erection of a dwelling on this site would be more in keeping with the character of the streetscene than the existing mobile home that could be retained on site in perpetuity.

It should be noted that the proposed plans do indicate a two storey three bedroom dwelling on this site, with a double garage and limited fenestration in the side elevations. The scale of this dwelling is what would be suitable should this site gain outline permission.

Access

The proposed dwelling would retain the use of the existing access to the site. There would be adequate space within the site for a layout that would allow sufficient parking and turning. The highways officer has no objections to the proposal. It is, therefore, considered that there would be no adverse highway implications that would arise from the erection of a dwelling on this site.

Conclusion

Although it is considered that the principle of development here would conflict with a strict interpretation of the Local Plan; national policy and the individual merits of this proposal must be given weight. It is considered that the proposal would not undermine the aims of Policy H3 in that residential use of the site is already lawful and the site is situated between two permanent dwellings, with continued ribbon development to the east and west. Given that there would be no harm to the character and appearance of the area through the principle of development of a permanent dwelling on this site, it is considered that the material considerations allow for a decision other than in accordance with the development plan.

For the reasons given above it is recommended that outline planning permission for the erection of a dwelling (following demolition of the existing mobile home and outbuildings) at the site known as 'Arfwayome', located on Mill Road in Murrow, should be granted.

6. RECOMMENDATION

GRANT

- 1. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.**

Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.

- 2. The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.**

Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.

- 3. Approval of the details of:**
 - i. the layout of the site**

- ii. the scale of the building(s);
- iii. the external appearance of the building(s);
- iv. the landscaping

hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development.

Reason - To enable the Local Planning Authority to control the details of the development hereby permitted.

4. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.

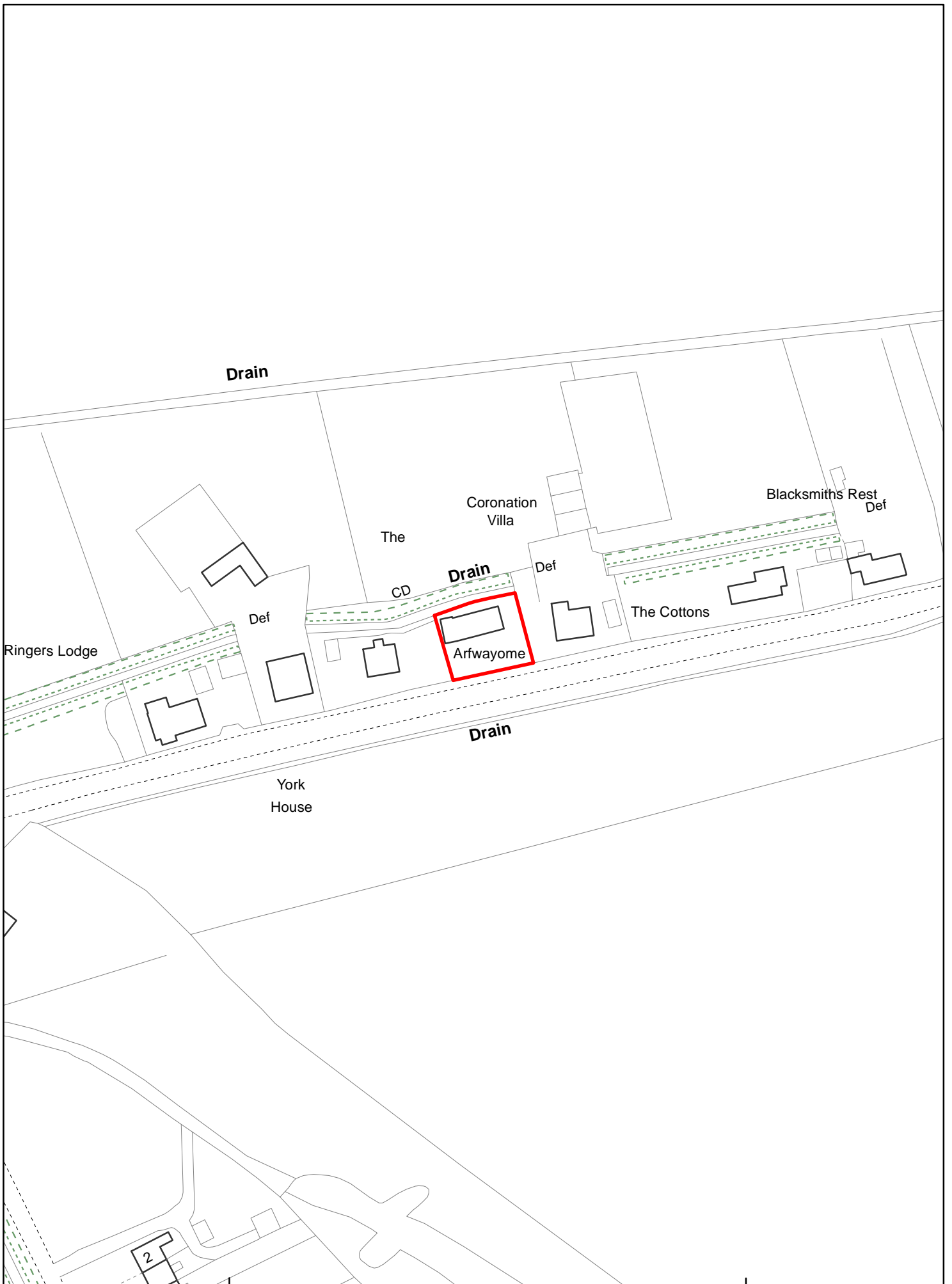
Reason - To control pollution of land and controlled waters in the interests of the environment and public safety.

5. Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to enter, turn and leave the site in forward gear and park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

Reason - In the interests of satisfactory development and highway safety.

6. Prior to the commencement of any development, a scheme for the provision and implementation of foul water drainage shall be submitted and agreed in writing with the Local Authority. The scheme shall subsequently be implemented in accordance with the approved details before the relevant parts of the development are first brought into use and thereafter retained in perpetuity.

Reason - To ensure a satisfactory method of foul water drainage and to prevent the increased risk of pollution to controlled waters.



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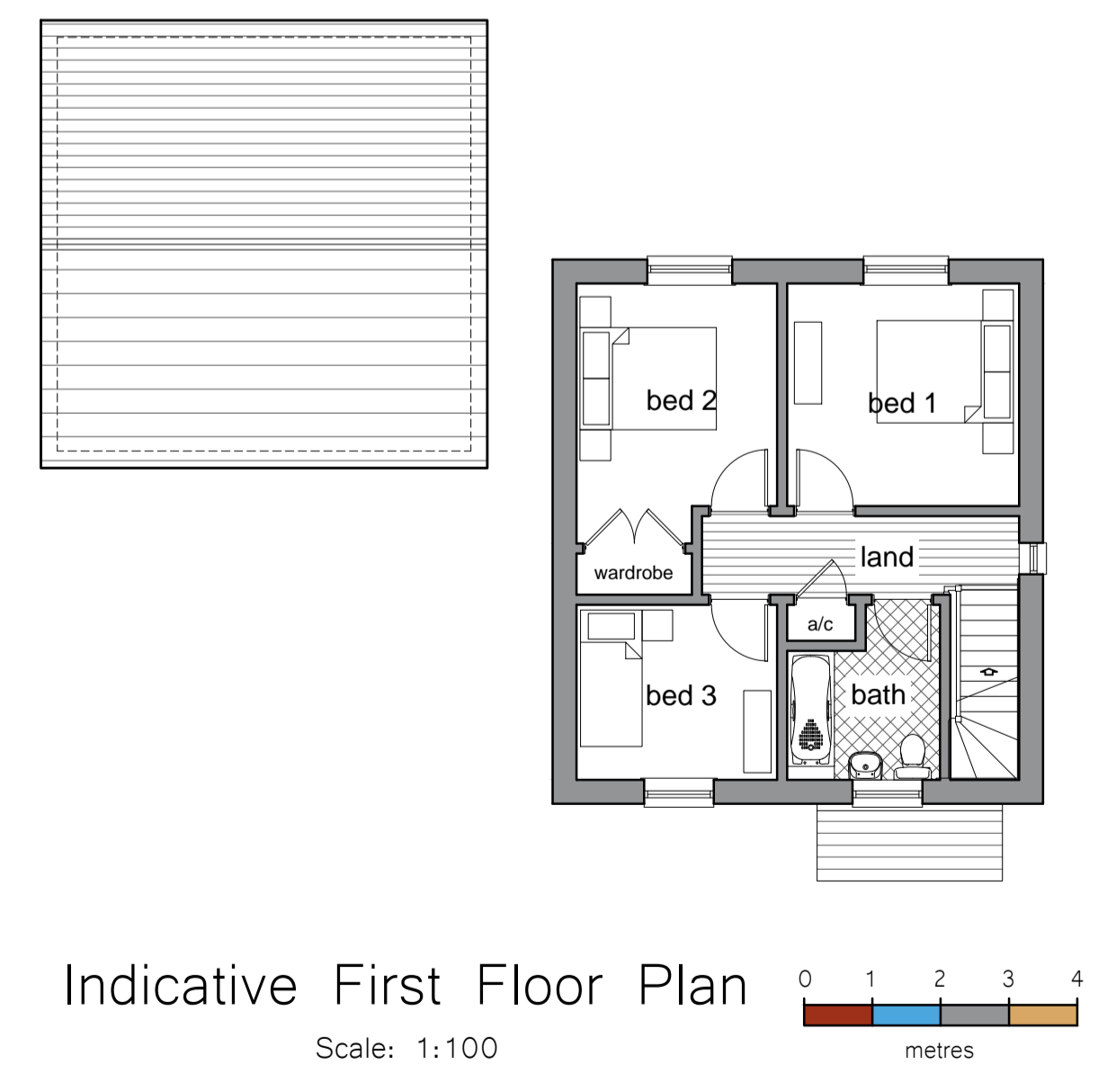
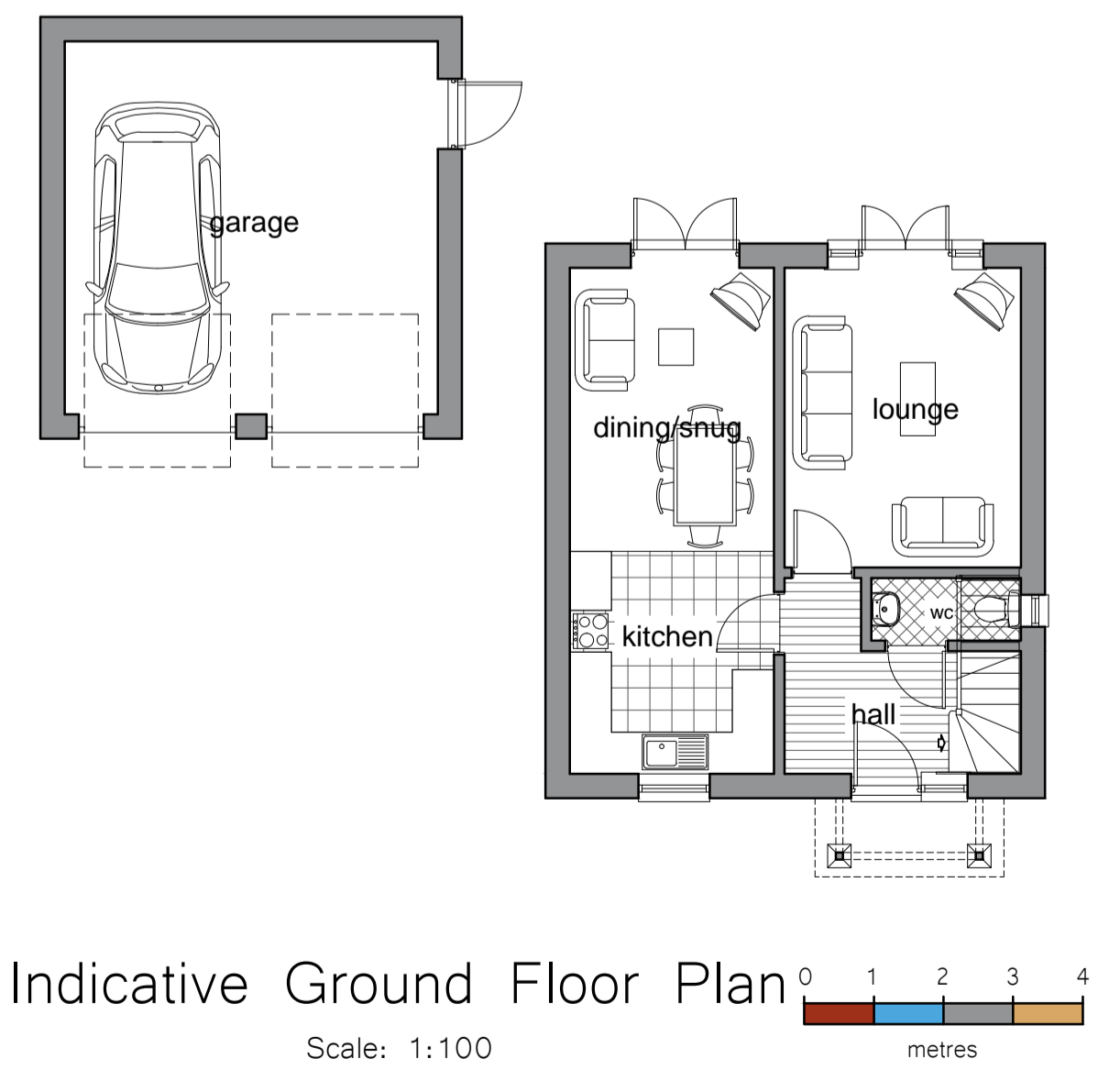
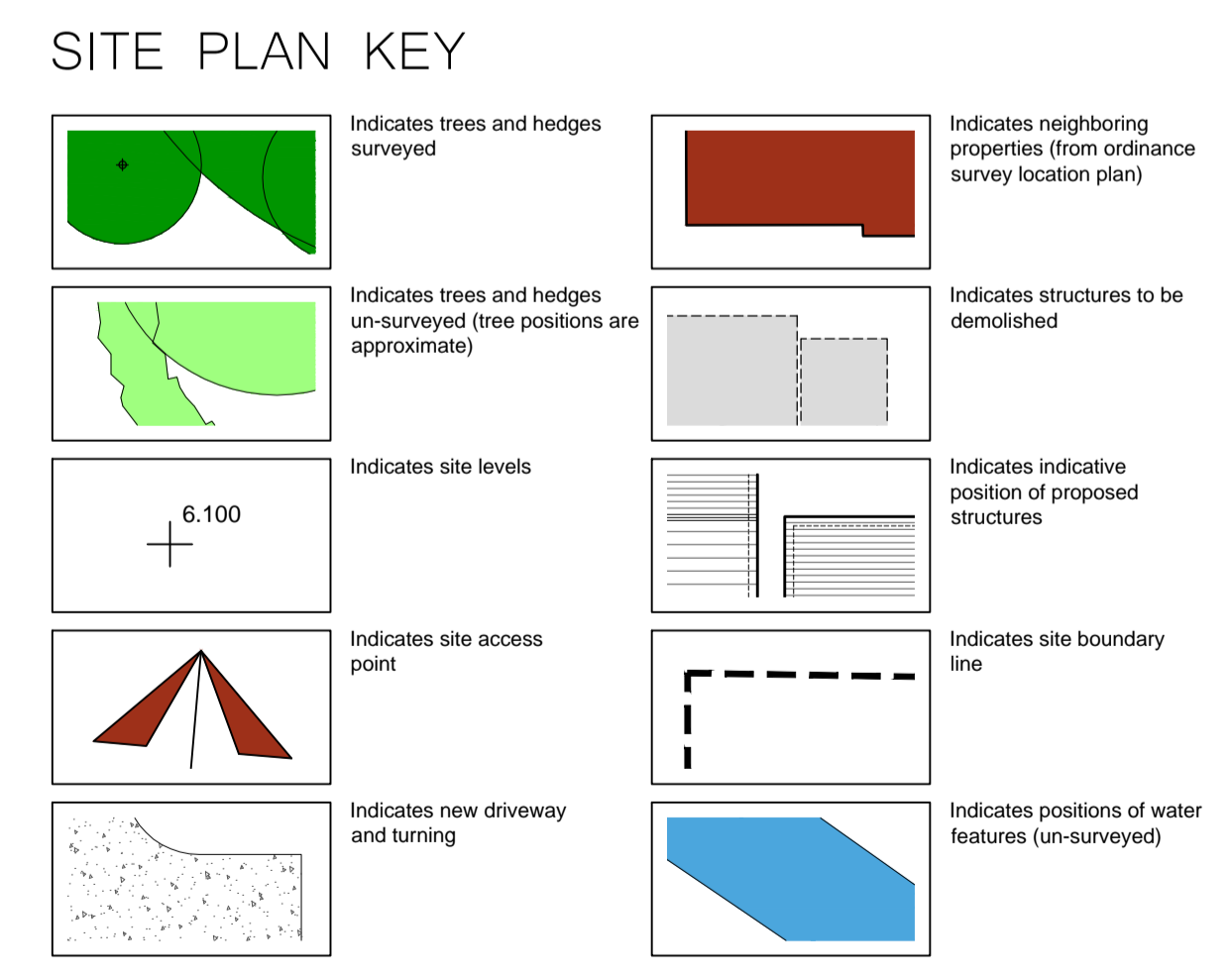
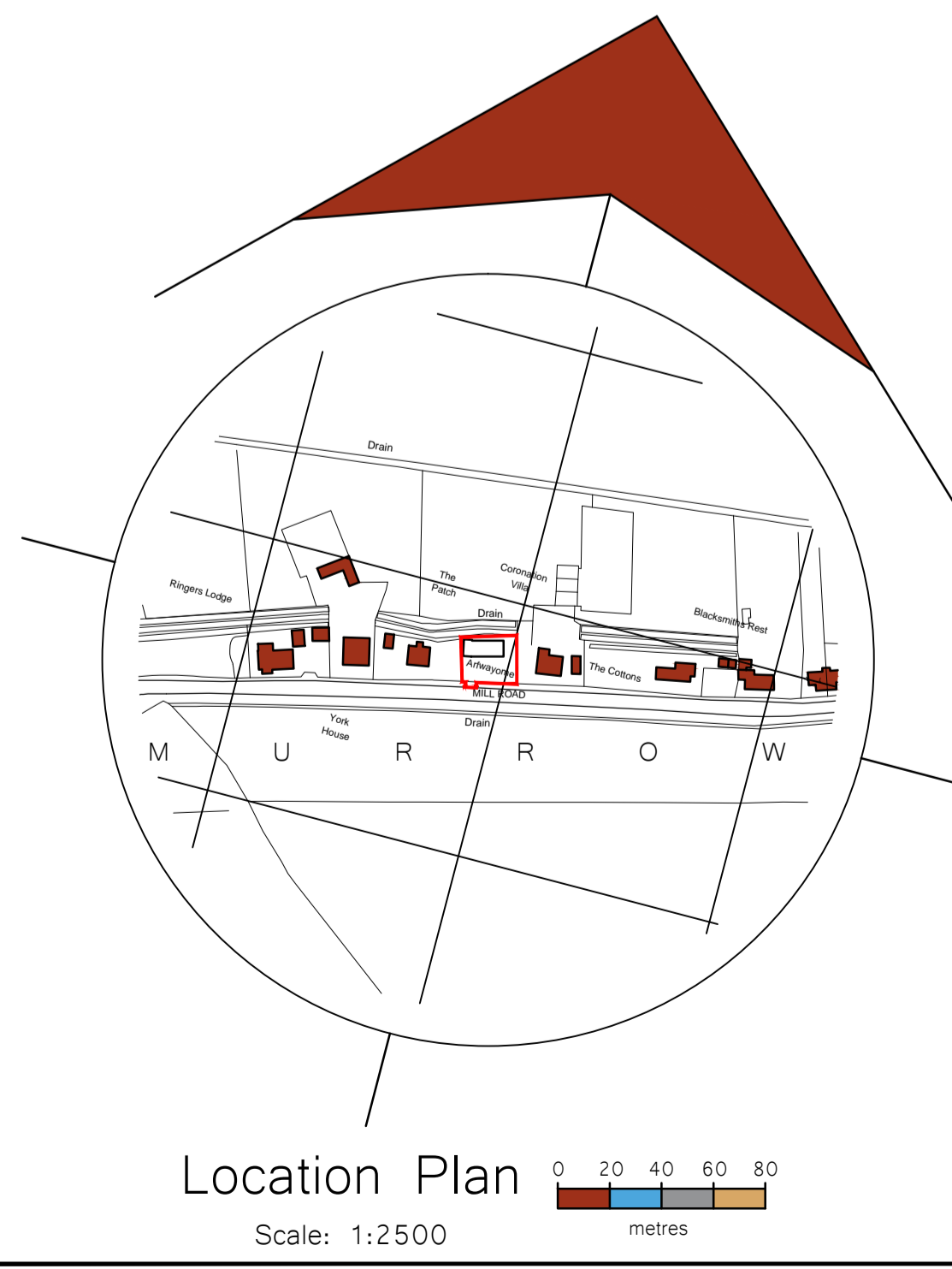
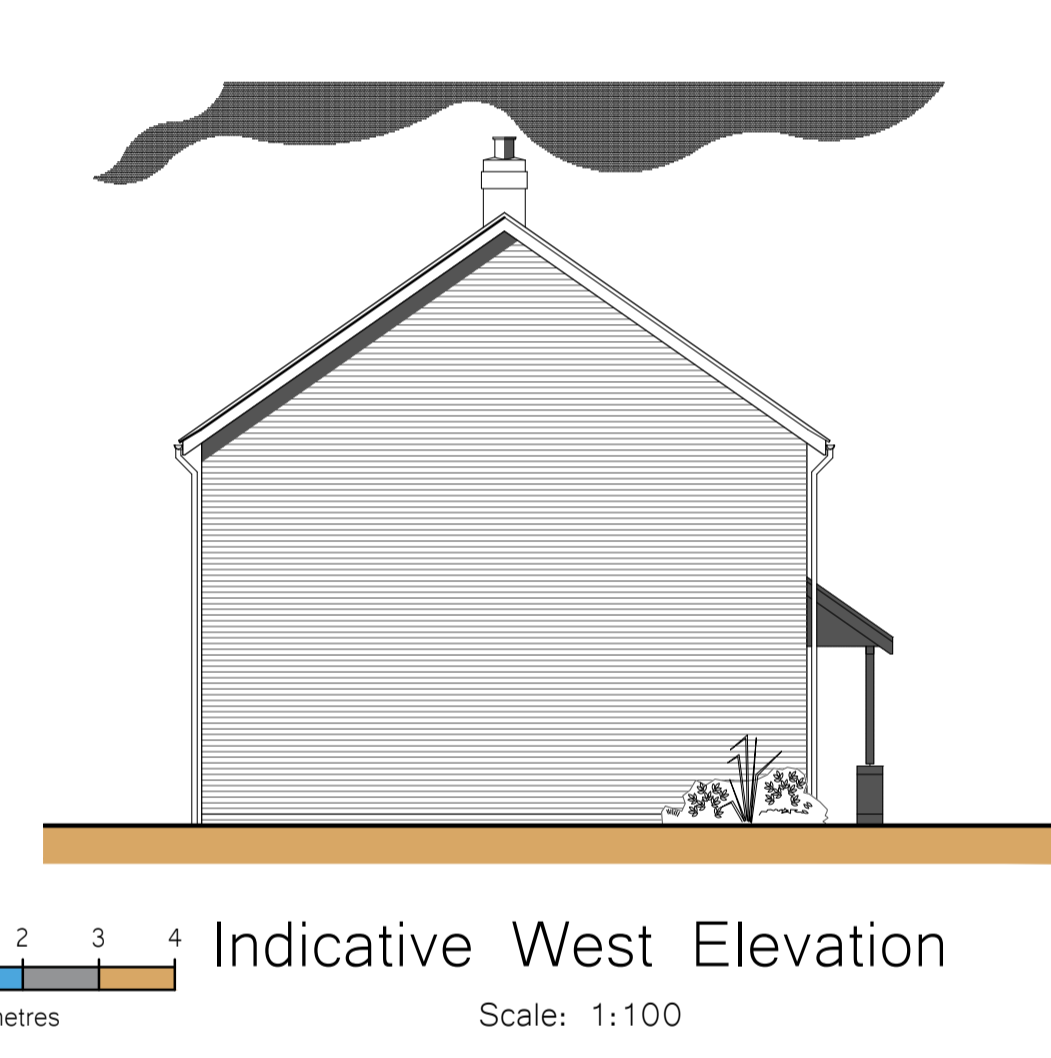
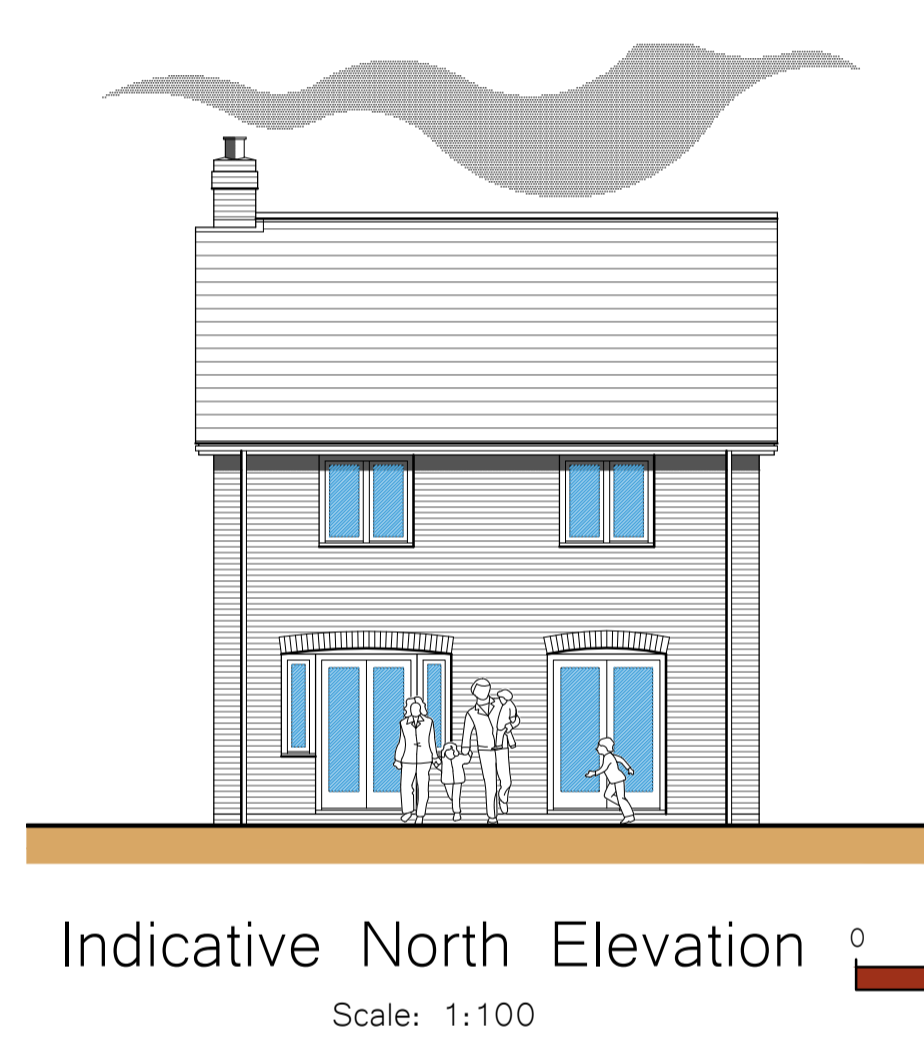
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Scale = 1:1,250

General Notes
 1. This drawing shall not be scaled, figured dimensions only to be used.
 2. All dimensions are shown in "mm" unless otherwise stated.
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 4. This drawing is to be read in conjunction with all relevant engineers and specialist sub-contractors drawings and specifications.
 5. Any discrepancies are to be brought to the designers attention.



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Drawing Title Scheme Drawing	Job No. SE-079	Drawn by RS
	Dwg No. 02	Revision