

F/YR12/0337/O

1 May 2012

Applicant : Mrs M Barnes

Agent : Mr Ken Elener
KL Elener Architectural Design

Land West of 60 Back Road, Murrow, Cambridgeshire

Erection of 2 x dwellings

This application is before the Planning Committee at the request of Cllr Booth due to concerns regarding the highway implications resulting from the condition of Back Road.

This application is a 'Minor'

Site area: 0.04ha

1. **SITE DESCRIPTION**

The application site is located on the southern side of Back Road and is within the settlement core. The area is characterised by residential dwellings of varying scales and design. The use of the site is a garden land serving 79 Front Road however at present it does not appear to be actively maintained as a garden.

2. **HISTORY**

F/95/0360/F – Erection of single-storey side extension to existing house – Granted – 24/08/1995

3. **CONSULTATIONS**

Parish/Town Council: Not received at time of report

CCC Highways: Conditions required relating to retaining space for parking, construction details for the watercourse crossing and drainage measures.

FDC Environmental Protection: Unsuspected land contamination condition required

Neighbours: None received

4. **POLICY FRAMEWORK**

FDWLP Policy

- E8
- Proposals for new development should:
 - allow for protection of site features;
 - have regard to amenities of adjoining properties;

				- provide adequate access.
		H3		- To resist housing development outside DABs. To permit housing development inside DABs providing it does not conflict with other policies of the Plan
Core Strategy (Draft Consultation – July 2011)				
		CS1		- Spatial Strategy, The Settlement Hierarchy and the Countryside
		CS2		- Growth and Housing
		CS10		- Rural Areas Development Policy New development in villages will be supported where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Any proposal will need to satisfy policies CS1 and CS2 as well as specific criteria:
				<ul style="list-style-type: none"> • Site is in or adjacent to the existing developed footprint of the village • Would not result in coalescence with neighbouring villages; • Not have an adverse impact on the character and appearance of surrounding countryside and farmland; • Proposal is of a scale in keeping with the shape and form of the settlement • The proposal will not adversely harm the settlements character and appearance • Site retains and respects natural boundaries • Not result in the loss of high grade agricultural land
				Not put people or property in danger from known risks and would not result in unacceptable nuisances to residents and businesses.
		CS14		- Delivering and Protecting High Quality Environments across the District.
National Planning Policy Framework (NPPF)				
		Paras 2 and 11		- Planning law requires that applications for planning permission must be determined in accordance

		with the development plan unless material considerations indicate otherwise.
	Para 14	- Presumption in favour of sustainable development
Core planning principles	Para 17	- Support the transition to a low carbon future in a changing climate by encouraging the use of renewable resources (for example, by the development of renewable energy)

5. ASSESSMENT

Nature of Application

This application seeks outline planning permission for the erection of 2 dwellings. All matters have been reserved for later consideration. The application is considered to raise the following key issues;

- Principle and policy implications
- Design and layout
- Highways.

Principle and policy implications

The site is located within the established settlement of Murrow. The locality is primarily residential in nature and the site would, therefore, be considered acceptable in principle for residential development. The site is located close to the centre of the village and would be considered a reasonably sustainable location.

The policies of the Local Plan require consideration as the application site lies beyond the DAB where new development should be resisted (H3) unless justified. In terms of emerging policy the general good practice criteria set out in Policy CS10 of the Draft Core Strategy should be observed. As this document is still emerging only limited weight can be attached to the policy at this time. However, it is important to note the direction of travel of the emerging Core Strategy and its conformity to the policies of the NPPF in terms of the approach to rural housing and the requirement for sustainable development which is sensitive to the defining characteristics of the local area.

The development complies with the H3 of the Local Plan and the spirit of the NPPF in terms of the location being sustainable. It is, therefore, considered that the principle of the proposal can be supported.

Design and layout

The drawings are indicative only, however, the plan provided demonstrates that the site is capable of accommodating a pair of semi-detached houses of a scale, design and layout which respects the surrounding development. A recently completed pair of semi-detached houses is located to the immediate east of the site and is considered to be a good example of how the proposal would work.

The elevational details of the proposal have not been committed, however, it is considered that sufficient accommodation can be provided within the scheme without compromising the private amenity areas of adjoining properties. The site is similar in size to the new development to the east and it is envisaged that the final

design of the proposal will take inspiration from the adjoining development.

Highways

The application has been referred to the Planning Committee by Cllr Booth with regards to the highways implications of a development at this location. He understands that County Highways are currently considering whether they should support further developments on Back Road. He recommends that no decision is made on this application until the County Council have completed their review.

These comments have been noted and have been taken into consideration. It is acknowledged that Back Road is a narrow road which serves a number of dwellings, however, as the Local Highway Authority are responsible for the quality of the highway, the width of the road cannot inform the outcome of this planning application. In terms of the planning considerations the indicative plans demonstrate that sufficient parking and turning can be provided for each dwelling within the development site and CCC Highways have raised no objection to the proposed arrangement.

The points raised about delaying the decision until the County Highways Team have undertaken a review of Back Road is noted, however, the application has been submitted and must be determined in line with the current guidance. It is considered to be unreasonable to hold the application in abeyance pending a separate highway review.

Conclusion

The indicative drawings demonstrate that a pair of semi-detached dwellings, with appropriate parking, turning, private amenity space, and of a scale and siting which matches the surrounding area can be accommodated within the site. The situation with regard to the substandard quality of Back Road is regrettable, however, this is a Local Highway Authority matter and is not material to the determination of this planning application. It is considered that the proposal would constitute a form of development which is sustainable and it is, therefore, recommended that planning permission is granted.

6. RECOMMENDATION

Grant

1. 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 means of access thereto;**
- (v) 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 to control the details of the development hereby permitted.

2. 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.

3. 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.

4. The details submitted in accordance with Condition 01 of this permission shall include:

- (a) a plan showing (i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 m above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree and (ii) the location of hedges to be retained and details of species in each hedge.

- (b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;

- (c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;

- (d) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development;

- (e) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.

In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the plans referred to in paragraph (a) above.

Reason - To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area and to protect the character of the site.

5. Prior to the first occupation of the development sufficient space shall be provided within the site to enable vehicles to park clear of the public highway. The area shall be levelled, surfaced and drained and thereafter retained in perpetuity for that specific use.

Reason - In the interests of highway safety.

6. Prior to the commencement of development the vehicular crossing of the watercourse along the frontage of the site shall be constructed in accordance with a scheme to be submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved particulars prior to the commencement of use of the development.

Reason - In the interests of highway safety.

7. The access shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway, in accordance with a scheme to be submitted to and approved by the Local Planning Authority. The works shall be carried out in accordance with the approved particulars prior to the commencement of use of the development.

Reason - In the interests of highways safety.

8. 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.

9. The Reserved Matters shall include an ecological survey to assess the impact on the potential for habitats for water voles and other protected species within the drain located to the north of the site.

Reason - In the interests of biodiversity.



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THE PRINCIPAL CONTRACTOR IS TO CHECK ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK AND REPORT ANY DISCREPANCIES TO THE DESIGNER. ALL SETTING OUT DIMENSIONS SHOULD BE CHECKED AGAINST THE CORRESPONDING FLOOR PLAN

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Rev.E	
Rev.D	
Rev.C	
Rev.B	
Rev.A	6.6.12 access revised and bt pole indicated

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Project
 PAIR TWO BED HOUSES
 ADJ. 64 BACK ROAD
 MURROW

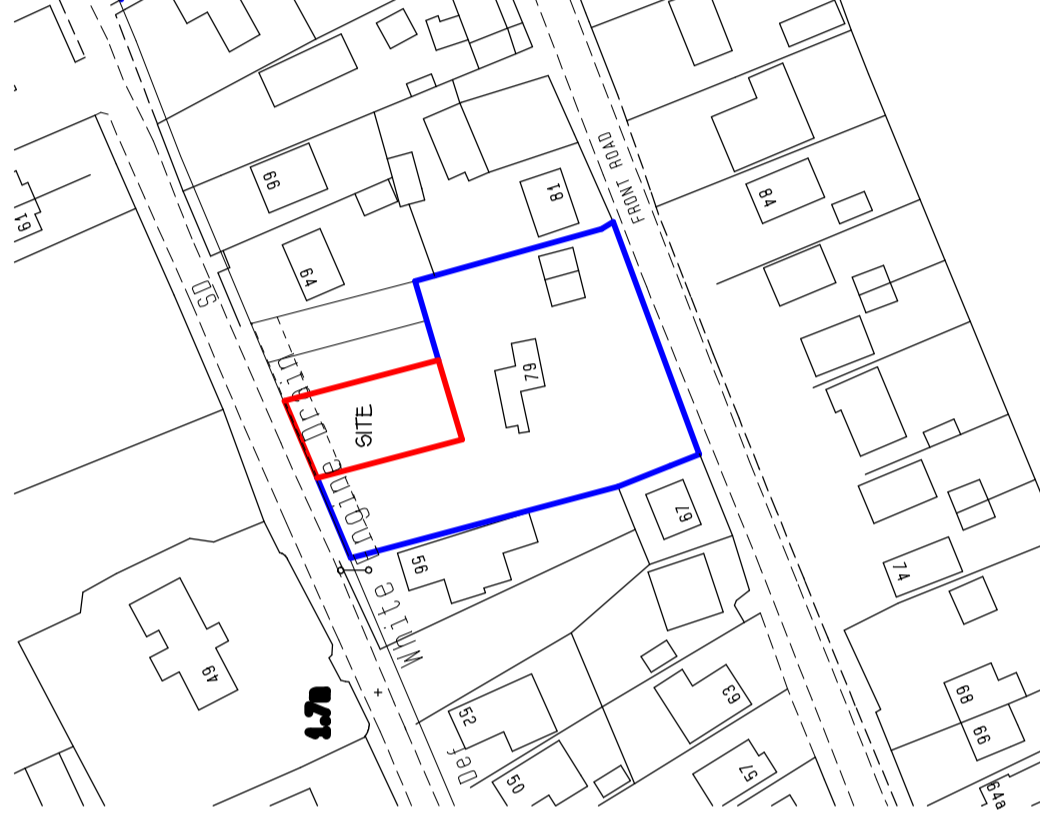
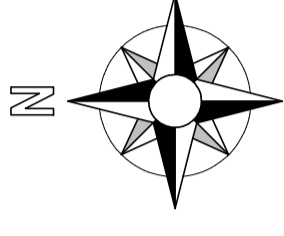
Client
 M BARNES

Title
 SITE & LOCATION PLAN

Ref
 B3068-1

Rev. A

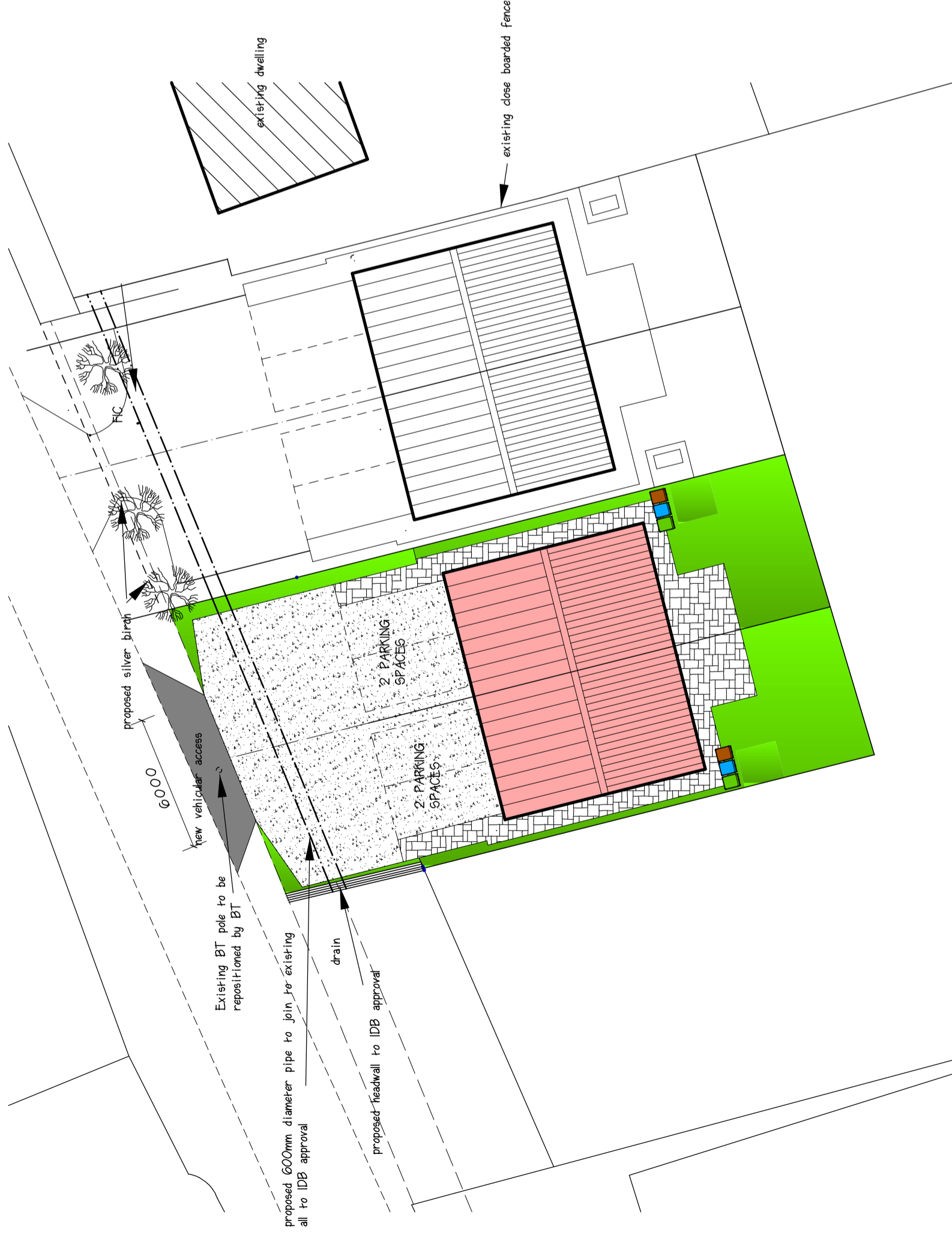
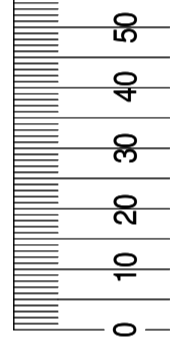
Scale: 1:200, 1:250 Date: APRIL 12



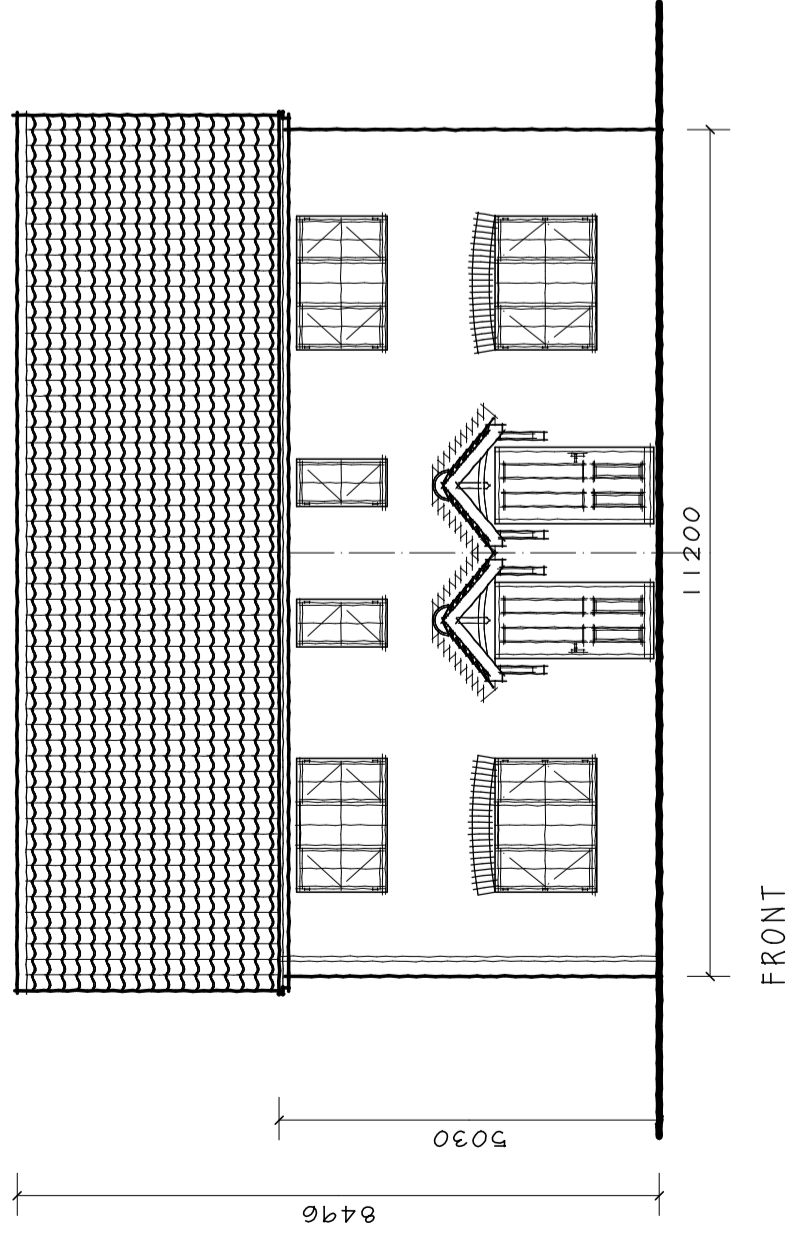
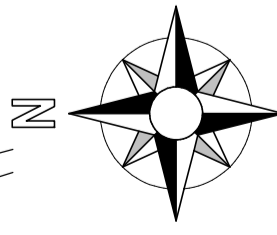
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LOCATION

1:1250



SITE 1:200



FRONT