

**Application Number: F/YR12/0167/F
Minor
Parish/Ward: Manea Parish Council
Date Received: 29 February 2012
Expiry Date: 25 April 2012
Applicant: Mr E. Barnes**

**Proposal: Erection of 4 x 2-storey 3-bed houses with attached garages
Location: Land North East of 9 Park Road, Manea**

Site Area/Density: 0.29 ha

Reason before Committee: This proposal is before the Planning Committee due to it being called in by Councillor Archer to consider the possible detrimental impact of this type of development on the existing single story dwellings and because of concerns raised by the Parish Council regarding drainage and inaccuracies in the submitted biodiversity report.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The site comprises a 'backland' site, which is located to the north-east of No. 9 Park Road and to the south of existing dwellings in High Street in Manea. The site lies within the built-up limits of Manea, apart from a small sliver of land along the southern boundary. There are a number of trees along the eastern site boundary and also alongside the proposed access.

This application seeks full planning permission for the construction of 4 x 2-storey 3-bed houses with attached garages, and a new access driveway to the side of No. 9 Park Road to access the site. A previous application for 5 x 2-storey dwellings was withdrawn in December 2011, due to concerns principally about the impact and relationship of the proposed dwellings to existing properties to the north. The current application has attempted to overcome these concerns by reducing the number and scale of the development.

The amended proposal reduces both the number of units from 5 to 4 and the height and scale of the dwellings and is considered to be acceptable, in terms of the principle of residential development in this location, design and layout, impact on the amenities of adjoining residential properties, impact on protected trees, and highway access.

Outstanding issues relating to biodiversity are currently being investigated and will be reported verbally to the Planning Committee.

A number of planning conditions are also recommended to mitigate the impact of this development.

The proposal is, therefore, recommended for approval.

4.2 <i>FDC Tree Officer</i>	No objections in principle. Recommend that original tree survey carried out in 2009 is updated and the tree constraints details shown on existing layout plans. Further details on the construction of the driveway, including site sections, should also be provided.
4.3 <i>FDC Scientific Officer</i>	Please attach unsuspected contamination condition to this application
4.4 <i>Cambs CC Highways</i>	Amended site plan now correctly identifies highway/site boundary.
4.5 <i>Cambs CC Ecology</i>	Awaited.
4.6 <i>Middle Level Commisioners</i>	Object – insufficient information has been provided to demonstrate that a viable scheme for appropriate water level/flood risk management exists or could be constructed.
4.7 <i>Environment Agency</i>	No objection - Application falls within cell F5 of the EA flood risk standing advice matrix. LPA should respond on behalf of EA with regard to surface water drainage issues.
4.8 <i>Local Residents:</i>	<p><u>Originally Submitted Plans</u> – 3 objections raising the following concerns:</p> <ul style="list-style-type: none"> - northern boundary shown incorrectly – includes part of our garden – should be centreline of ditch - biodiversity checklist and ecology report misleading – survey carried out in Jan 2012 does not reflect previous condition of site which contained many trees and comprised a wood pasture and parkland habitat and supports many different types of species – survey also carried out during particularly dry winter – survey should have been carried out at a more appropriate time of the year as the site does support grass snakes and amphibians - I comment as a qualified hydrologist as consider that the ditch and land within this site is constantly wet during winter months and therefore soakaways will not work - tree survey incorrect – 2009 survey now out of date as many trees in centre of site now removed

- access drive is in a dangerous position with poor visibility
- will not agree to existing ditch being filled and piped
- Plot 1 will directly overlook my lounge, dining room, a bedroom and patio – the house was specifically designed for my partner who is confined to a wheelchair – we cannot simply move elsewhere

One letter of objection was accompanied by a letter of a solicitor expanding on the above objections in relation to boundaries, drainage and overlooking.

Amended Plans - 2 objections repeating the above concerns.

5. SITE DESCRIPTION

- 5.1 The site comprises a 'backland' site, which is located to the north-east of No. 9 Park Road and to the south of existing dwellings in High Street in Manea. It forms part of a larger field, accessed off Park Road, which leads down to the SM Guy Memorial Playing Field. The site lies within the built-up limits of Manea, apart from a small sliver of land along the southern boundary. It also lies close to the village core and in a predominantly residential area.

Residential properties and gardens adjoin the western, northern and eastern boundaries. The nearest property to the site is a bungalow 'The Strawberry Patch', whose rear elevation lies between 8.5m and 11.5m from the northern site boundary. No. 17 High Street comprises a large detached property within large grounds, whose side elevation lies 4.5m from the side boundary.

The site is currently part of a larger open field, which contains unmanaged grassland. There is a line of mature horse chestnut trees running along the eastern site boundary with No. 17 High Street, which have recently been the subject of a tree preservation order.

Access to the site is proposed to be via land at the side of 9 Park Road, which is also owned by the applicant. There are also 4 horse chestnut trees along the Park Road frontage and a line of 14 Lime Trees along the side boundary, where the proposed access road is to be sited. There were other mature and semi-mature trees within the site, but these were removed around 2 years ago.

6. PLANNING ASSESSMENT

- 6.1 This application seeks full planning permission for the construction of 4 x 2-storey 3-bed houses with attached garages, and a new access driveway to the side of No. 9 Park Road to access the site. A previous application for 5 x 2-storey dwellings was withdrawn in December 2011, due to concerns principally about the impact and relationship of the proposed dwellings to existing properties to the north. The current application has attempted to overcome these concerns by reducing the number and scale of the development.

Principle of Development

The application site lies almost wholly within the built up area of Manea, which is identified as a growth village in the emerging Fenland Core Strategy. Within these settlements, development either within the settlement or as small village extensions on a limited scale will be appropriate.

The proposal is, therefore, considered to comply with criteria for the location of new development as set out in Policy H3 of the Fenland District Local Plan and Policy CS1 of the emerging Fenland Core Strategy.

Design & Layout and Impact upon Amenity

The site is accessed via a 4.5m wide driveway off Park Road, which leads to a turning head, around which the 4 dwellings are proposed to be sited. They are of a similar design style, being in effect 1.5-storey in height, with first floor rooms contained in the roof space, lit by dormer windows and rooflights. Each dwelling has similar ground floor coverage, with heights ranging from 3.6m to the eaves and between 7.5m and 8.0m to the ridge. Single garages are proposed to be attached to the side elevation of each dwelling.

The rear elevation of Plot 1 is proposed to be sited a minimum of 20.5m from the rear elevation of The Strawberry Patch, which is detached bungalow with living room windows facing the site. It is also sited a minimum of 8.0m from the common boundary. There is only 1 first floor bedroom window facing towards this property (8.5m from this boundary), the rest of the rooms are lit by roof lights. Although the new dwelling at Plot 1 will change the outlook at the rear of 'Strawberry Patch' it is not considered that this is sufficient to warrant a planning refusal, given the fact that the proposed dwelling now has a reduced height and scale and is considered to be positioned a suitable distance from this property to mitigate against any loss of privacy.

The design and scale of the proposed houses is now considered to be acceptable in this location, as they will now be less dominant in this 'backland' location, compared to the previously proposed two-storey dwellings.

A condition restricting 'permitted development' can be attached to prevent any additional windows or extensions being added to this building, to prevent possible overlooking in the future.

The relationship between the other plots and existing dwellings adjoining the site is considered to be acceptable.

The proposal is, therefore, considered to comply with criteria for design and protection of amenity as set out in Policy H3 of the Fenland District Local Plan and Policy CS1 of the emerging Fenland Core Strategy.

Impact on Protected Trees

It is unfortunate that some clearance of trees has taken place on this site, although all other trees within the site are now protected by a Tree Preservation Order. Most of the trees that were removed, though, were shown on the tree survey below as being of poor quality, including three horse chestnuts which had evidence of poor health.

It is proposed that the majority of the access drive will be constructed using a 'no-dig' approach, to prevent damage to the roots of the lime trees. This will require the driveway to be laid on top of the existing ground surface rather than digging into it, with appropriate permeable surfacing (rolled gravel) to allow water to get through to the root systems.

A tree survey and report has been submitted with the planning application, along with a method statement regarding the future protection of the retained trees (via fixed barriers), while development is being carried out. The recommendations in this report are considered to be acceptable and will be the subject of a planning condition, which will include a requirement to plot the tree protection zones on the site layout plan to establish the correct location for the tree protection barriers.

A landscaping condition will also be applied to secure additional native tree planting and hedgerows, particularly along the site boundaries. On this basis the proposal is considered to be acceptable.

Access and Parking

The access design has been amended to address the requirements of Cambridgeshire CC Highways (that a satisfactory access design and visibility splays can be provided), and they have now confirmed that the design of the proposal is acceptable in highway terms, subject to appropriate conditions.

Each dwelling is proposed to have two parking spaces (one in a garage), which meets the Council's adopted parking standards for dwellings with up to 3 bedrooms.

The proposal is, therefore, considered to be acceptable and complies with the requirements of Policies H3, E8 & TR3 of the Fenland District Local Plan and Policy CS13 of the emerging Fenland Core Strategy, which seek to ensure that a safe access/egress from the highway is achieved in new development.

Ecology & Biodiversity

Objectors and the Parish Council have raised concerns about the validity of the biodiversity study that has been submitted with the current proposal.

This was originally requested by your officers, following concerns initially raised by the occupier of a neighbouring property, during the consideration of the initial application. The biodiversity survey produced by 'Conservation Constructions Ltd', indicated that the site biodiversity interest is primarily related to foraging birds. No evidence of protected species or their habitats was found on the site. Opportunities to improve the site for biodiversity are suggested – retention of existing trees, sparrow nest boxes fitted to the garage gables of each plot, bat and bird boxes positioned around the site, and that gaps in boundary fencing for hedgehog access is provided.

The results of the biodiversity survey have been challenged by an objector, who asserts that the site contains bats, amphibians and reptiles, and provides a suitable habitat for these species.

As a result of the continued objection, Cambridgeshire CC Ecology Unit has been consulted to provide an independent assessment of the submitted

biodiversity study and any potential biodiversity features on the site. The results are awaited and will be reported verbally to your meeting.

Other Matters

The initial submission raised objections due to the northern boundary being shown incorrectly, with the site allegedly incorporating parts of adjoining gardens to the north. This has been amended in the latest revision to the plans, and the boundary line is now shown along the centerline of the existing dry ditch.

It is now considered that the boundary is correctly shown on the submitted plans.

Hydrological and drainage issues have also been raised by an objector, who claims that the land and ditch in question is wet during most winters and, therefore, the land will not drain properly using soakaways.

Both the surface water and foul drainage systems that serve this site will be the subject of a planning condition, to ensure that the site can be suitably drained. The plans show the foul drainage running to an existing sewer in Park Road. Soakaways are currently proposed for the surface water, and there appears to be sufficient space around the dwellings for these to be provided. They will also be subject to separate building regulation approval.

S106 Considerations

In accordance with Policy C3 of the emerging Core Strategy this site, given that it is in excess of 0.25 Ha will attract a requirement for affordable housing. In light of the design and layout of the site, and the level of affordable housing proportionate to the scheme it is considered appropriate that this should be secured as a contribution in lieu of on-site provision in accordance with the policy framework.

7. CONCLUSION

- 7.1 On the basis of the above, the amended proposal reducing both the number of units from 5 to 4 and the height and scale of the dwellings is considered to be acceptable, in terms of the principle of residential development in this location, its design and layout, impact on the amenities of adjoining residential properties, impact on protected trees, and highway access.

Outstanding issues relating to biodiversity are currently being investigated and will be reported verbally to the Planning Committee.

A number of planning conditions are also recommended to mitigate the impact of this development.

8. RECOMMENDATION

Approve, subject to the prior completion of a S106 in respect of Affordable Housing Contributions and the following conditions:

- 1 The development permitted shall be begun before the expiration of 3 years from the date of this permission.**

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

- 2 Prior to the commencement of the development hereby approved full details of the materials to be used for the external walls and roof shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.

Reason - To safeguard the visual amenities of the area.

- 3 Prior to commencement of development full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. Subsequently, these works shall be carried out as approved. The landscaping details to be submitted shall include:-

- a) proposed finished levels
- b) means of enclosure
- c) hard surfacing, other hard landscape features and materials
- d) existing trees, hedges or other soft features to be retained
- e) planting plans, including specifications of species, sizes, planting centres number and percentage mix
- f) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- g) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- h) location of service runs
- i) management and maintenance details

Reason - The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted.

- 4 Before the development is commenced, the tree survey, root protection areas and resultant tree protection measures as recommended in the submitted arboricultural report (Christopher Cooke - dated 23 November 2009) shall be re-surveyed plotted on the site layout plan and submitted for approval by the Local Planning Authority. The approved tree protection measures shall be implemented as per the approved details and remain in situ at all times that construction works are being carried out on this site including any site preparation works.

Reason – To ensure that all trees shown for protection within the site are protected from possible damage during site construction

- 5 Before the development is commenced, details of the “no dig” construction method for the access drive alongside 9 Park Road shall be submitted for approval by the Local Planning Authority. The approved methodology shall be implemented as per the approved details.

Reason – To ensure that all trees shown for protection within the site are protected from possible damage during site construction

6 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:

- i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);**
- ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);**
- iii) alterations including the installation of replacement or additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);**
- iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);**
- v) the installation of satellite dishes (as detailed in Schedule 2, Part 1, Class H);**

Reason - To prevent overlooking of neighbouring properties, in the interest of the protection of residential amenity.

7 Prior to commencement of development a refuse collection strategy shall be submitted to and approved in writing by the Local Planning Authority. The refuse collection shall accord with the agreed details and thereafter be retained in perpetuity unless otherwise agreed in writing.

Reason - To ensure a satisfactory form of refuse collection.

8 Prior to the commencement of any development, a scheme and timetable for the provision and implementation of foul and surface water drainage shall be submitted and approved in writing by the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and thereafter retained in perpetuity.

Reason - To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of flooding.

9 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.

- 10 The access shall be a minimum width of 5.0m for a minimum distance of 10.0m measured from the near edge channel line of Park Road.

Reason – In the interests of highway safety

- 11 Prior to the first occupation of the development, the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.

Reason – In the interests of highway safety

- 12 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.

Reason – In the interests of highway safety

- 13 Prior to the first occupation of the development a common turning area shall be provided at the end of the private drive to enable visitor/delivery vehicles to enter, turn and leave the site in forward gear. The area shall be levelled, surfaced and thereafter retained for that specific use.

Reason – In the interests of highway safety

- 14 Prior to the first occupation of the development visibility splays shall be provided each side of the vehicular access. Minimum dimensions to secure the required splays shall be 2.4m measured along the centre line of the proposed access from its junction with the channel line of Park Road, and 43.0m measured along the channel line of Park Road from the centre line of the proposed access. The splays shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the carriageway of Park Road.

Reason – In the interests of highway safety

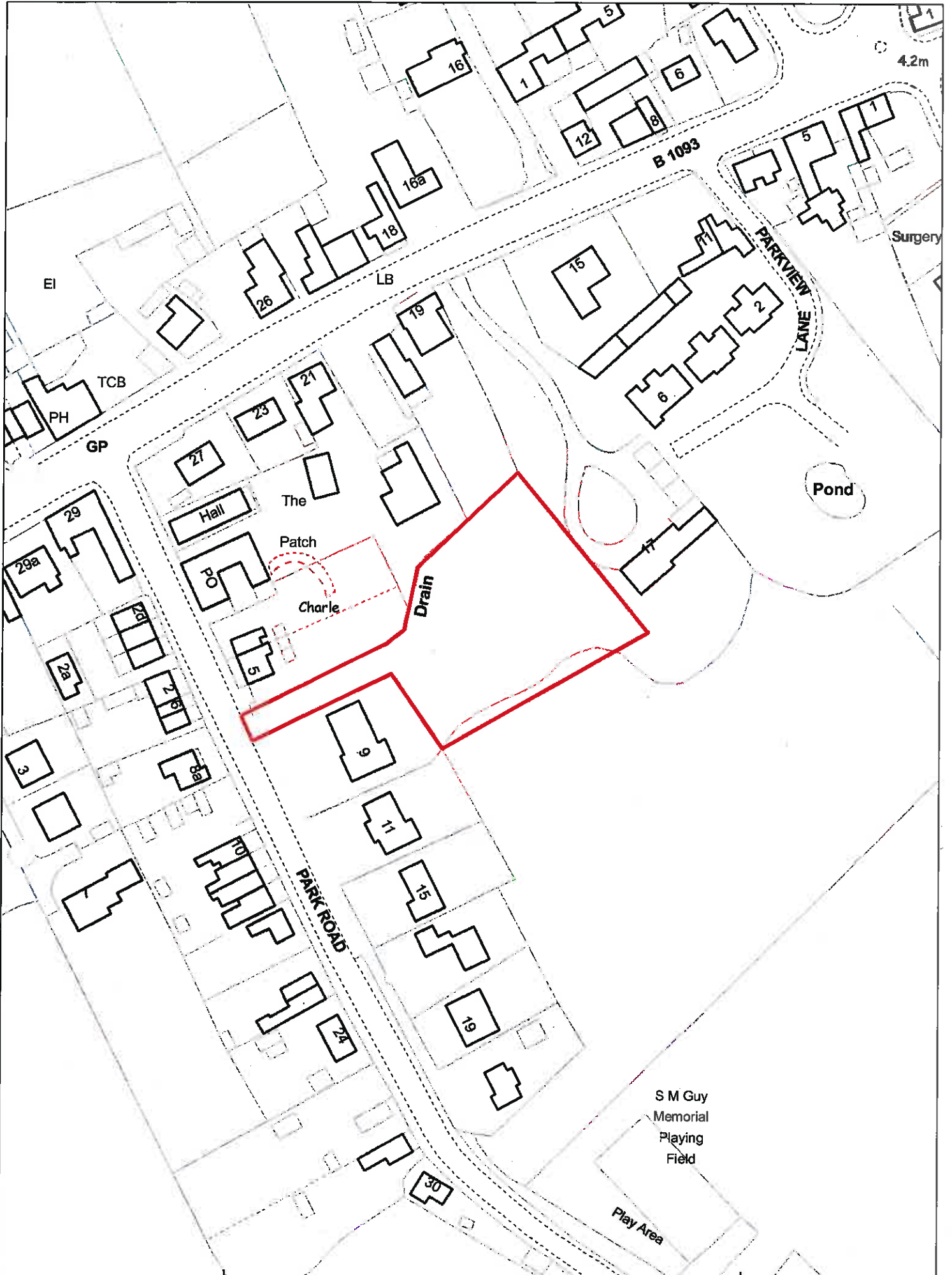
- 15 Prior to the first occupation of the development a pedestrian visibility splay of 2.0m x 2.0m shall be provided to the north of the vehicular access measured from and along the back of the footway. Such splay shall thereafter be maintained free from obstruction exceeding 0.6m above the level of the footway.

Reason – In the interests of highway safety

- 16 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 the LPA.

Reason – in the interests of highway safety

- 17 Amended Plans.



Created on: 26/06/2012

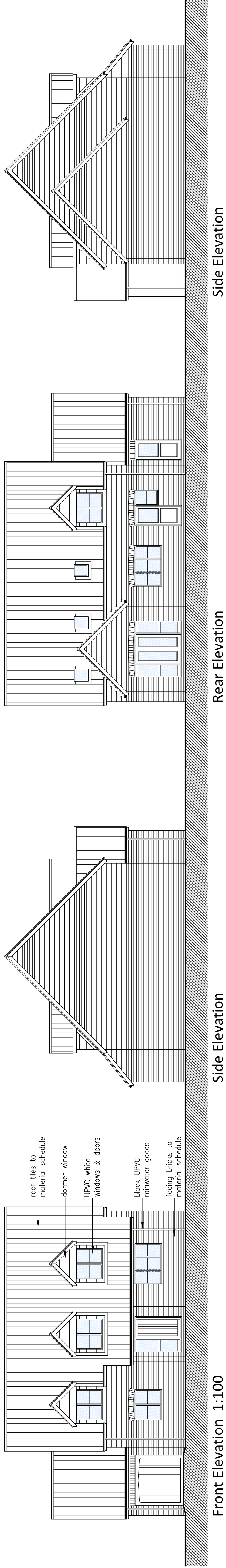
© Crown Copyright and database
 hts 2012 Ordnance Survey 10023778

FYR12/0167/F

Scale = 1:1,250



PLOTS 1 & 3

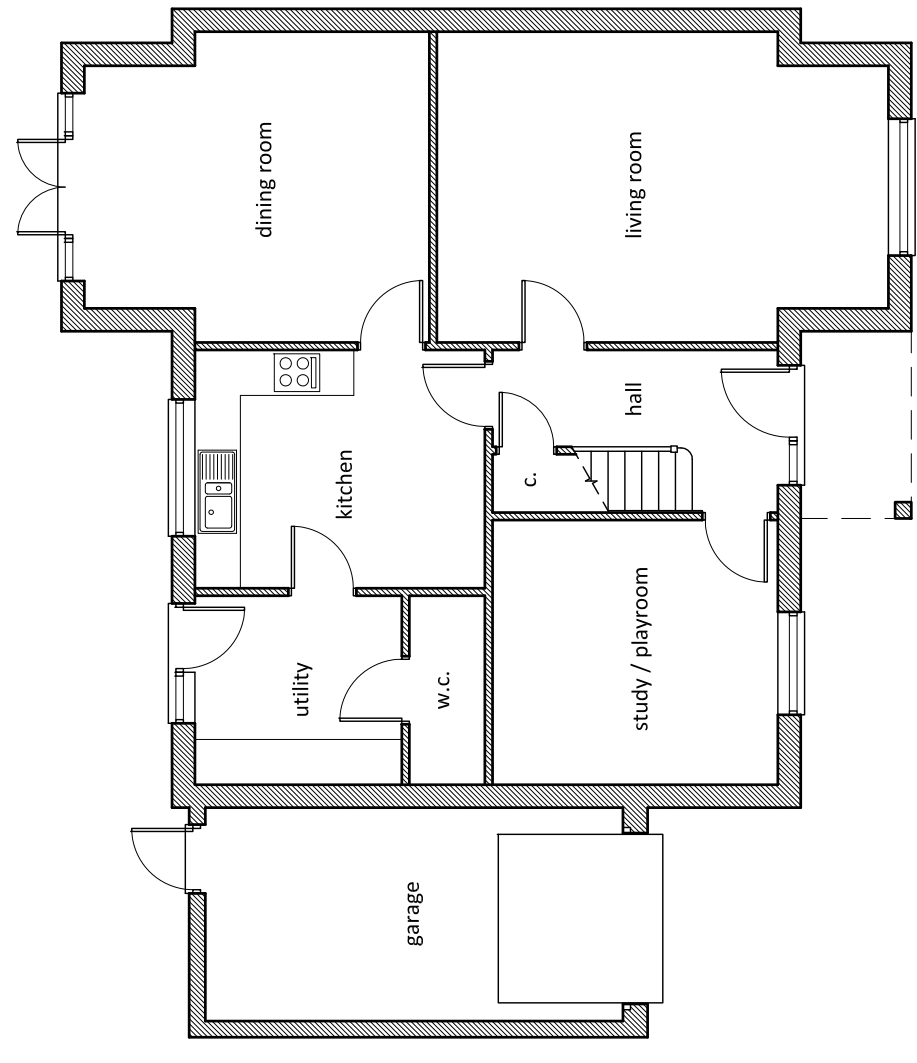


Front Elevation 1:100

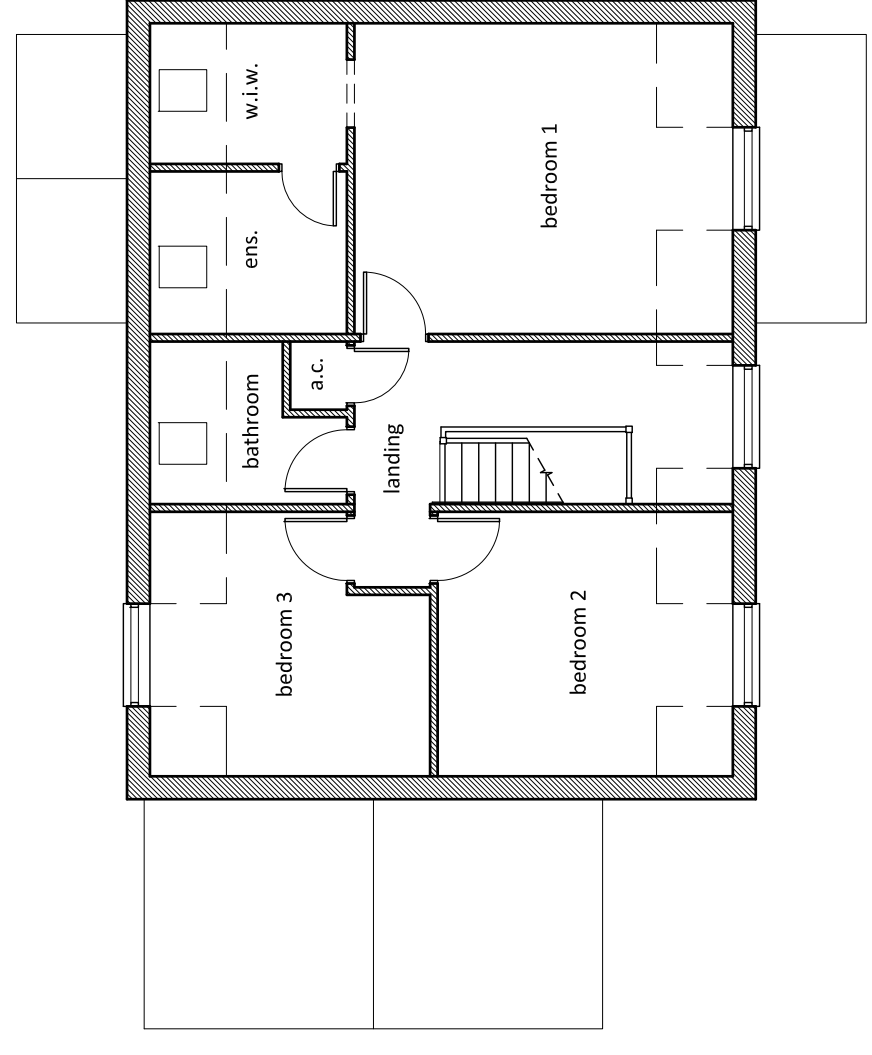
Side Elevation

Rear Elevation

Side Elevation

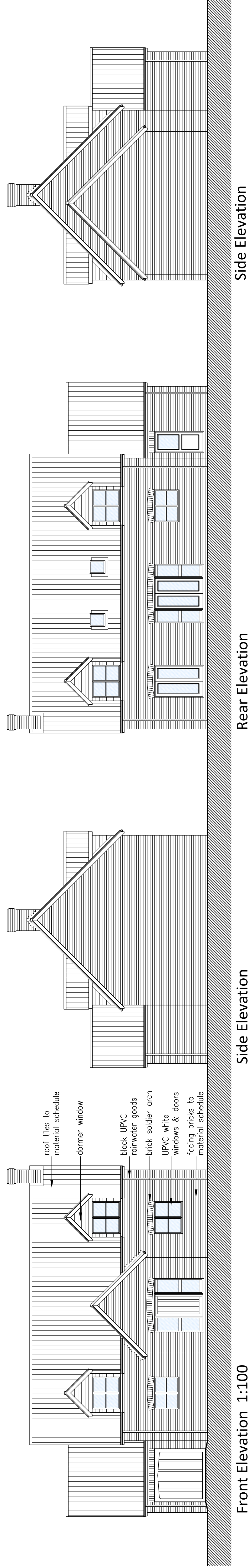


Ground Floor Plan 1:100



First Floor Plan 1:100

PLOTS 2

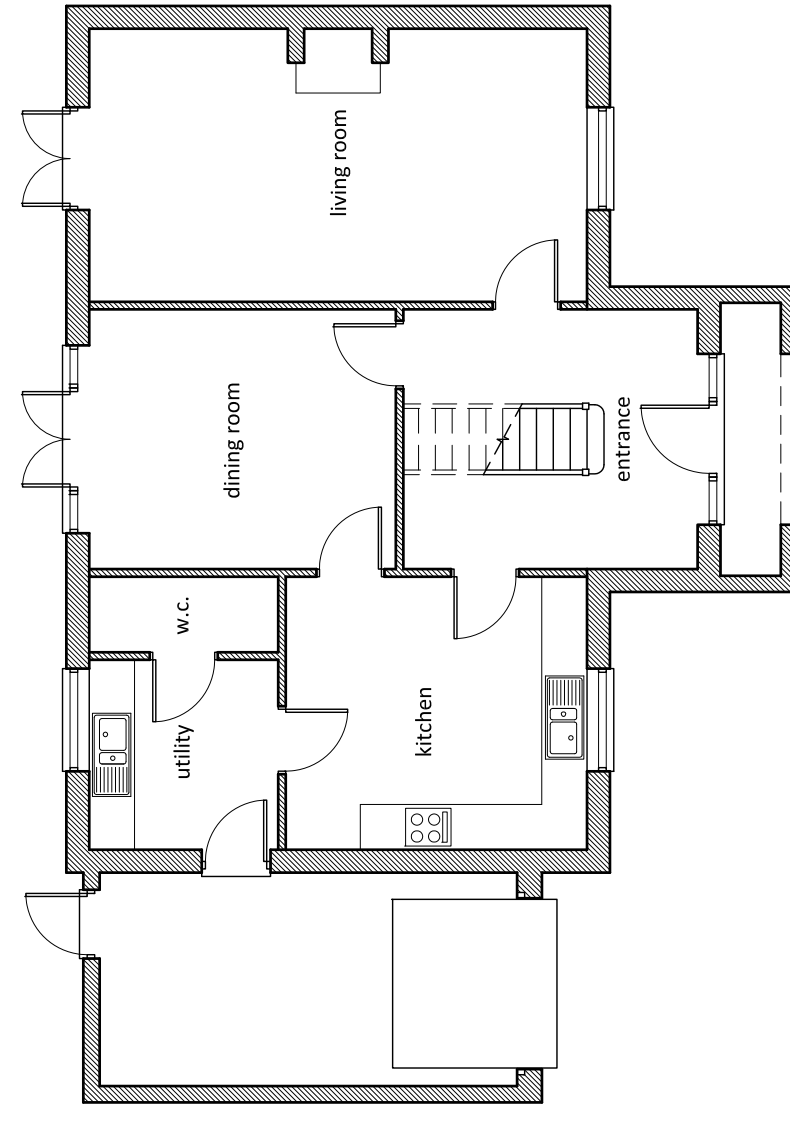


Front Elevation 1:100

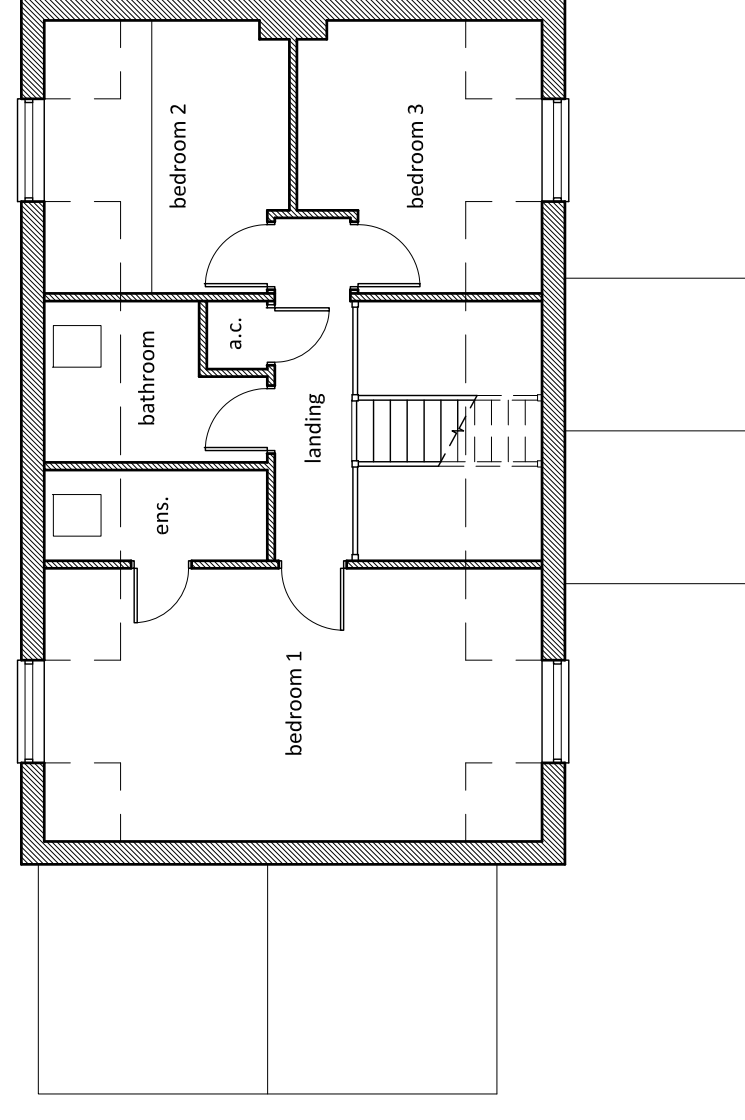
Side Elevation

Rear Elevation

Side Elevation



Ground Floor Plan 1:100



First Floor Plan 1:100

06/02/12 - Amended for Pre-app, REV B.
01/11/11 - Amended for Planning Department, REV A.



PROJECT
Proposed Residential Development
Land to Rear of 9 Park Road
Manea
Nr. March
Cambridgeshire

DRAWING TITLE	Proposed Layouts
CLIENT	Mr. E. Barnes
DATE: October 2011	SCALE: As shown
	JOB No: 4528/02B

DO NOT SCALE FROM THIS DRAWING
COPYRIGHT: THIS DRAWING MUST NOT BE ISSUED, LOANED OR COPIED
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES

