

Application Number: FYR12/0475/O
Minor
Parish/Ward: March Town Council
Date Received: 19 June 2012
Expiry Date: 14 August 2012
Applicant: Mr & Mrs L Stacey
Agent: Mr K Elener

Proposal: Erection of a dwelling
Location: Plot 1, Land south of 28 Kingswood Road, March

Site Area/Density: 0.049 ha

Reason before Committee: The application is a departure from the Development Plan

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks outline planning permission for the erection of a dwelling on land south of 28 Kingswood Road, March and is referred to as Plot 1. The land in question has been sub-divided into 2 plots with Plot 2 being the subject of full planning application for the erection of a 5-bed dwelling and is dealt with under a separate report.

The land lies adjacent to the existing built settlement of March and is presently laid to lawn. Beyond the site lies open countryside and the development will round off the land available for development and will form a natural stop to further development due to the heavily landscaped land to the south.

The proposal is in outline with only access committed as part of the proposal. Access to the dwelling is via an unadopted private gravelled drive which will ultimately serve a maximum of 5 dwellings, should this and the other proposed unit come forward.

Bin collection distance is approximately 50 metres which is in excess of the guidance contained within the Recap Waste Management Design Guide however the site is sustainable and it is not possible to provide an adopted road. It should be borne in mind that the existing dwelling at No.28 already moves their refuse receptacles 40 metres.

The proposal falls to be considered under Policy E8 of the Local Plan, Policy CS14 of the emerging Core Strategy and the National Planning Policy Framework. The site is sustainable and is of a scale that is in keeping with the shape and form of the settlement pattern and will not adversely harm the character and appearance of the surrounding area and is recommended for approval.

2. HISTORY

Of relevance to this proposal is:

2.1	F/YR12/0480/F	Erection of a 2-storey 5-bed dwelling with attached double garage - Plot 2	Pending
	F/YR08/0473/F	Erection of a 4-bed detached house with attached double garage	Granted 15 July 2008
	F/YR06/1344/F	Erection of a 4-bed detached house with double integral garage	Granted 16 January 2007
	F/YR05/0864/O	Erection of 2 dwellings	Granted 28 September 2005

3. PLANNING POLICIES

3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that application for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants.

3.2 East of England Plan 2008:

ENV7: Quality in the Built Environment

3.2 Draft Fenland Core Strategy:

CS14: Delivering High Quality Environments

3.3 Fenland District Wide Local Plan:

E8: Landscape and amenity protection

4. CONSULTATIONS

4.1 *Parish/Town Council:*

Recommend approval.

4.2 *Middle Level Commissioners:*

The applicant has not provided adequate evidence that a viable scheme for appropriate flood risk management that meets current design standards exist or could be constructed. Therefore further information required to clarify the method and location of surface water disposal devices.

4.3 *Environmental Health:*

No objections or observations.

- 4.4 **Environment & Leisure (Operations Manager):** No objections however road would need to be made up to accommodate 26 tonne vehicle otherwise bin collection needs to be provided where the access road meets the public highway.
- 4.5 **Local Residents:** No comments received.

5. **SITE DESCRIPTION**

- 5.1 The application site is the garden area of No.28 Kingswood Road and is presently laid to lawn. It is bounded by fencing to the rear and side and there is a landscaped area of trees on the southern boundary. On the eastern boundary, within the site are a small number of sycamore trees. The site is accessed via an existing graveled private drive which serves 3 established dwellings.

6. **PLANNING ASSESSMENT**

- 6.1 The site is located on the edge of the settlement limits of March and comprises of an area of land of 0.049 ha. National planning policy and emerging local policy in the form of the National Planning Policy Framework (NPPF) and policy CS14 of the draft Core Strategy indicate that high quality environments should be delivered and protected throughout the District. Sustainable locations are generally found on the edge of established settlements which are well served with public transport systems and community facilities.

The application is in outline with access committed however the Design and Access Statement indicates that the proposed dwelling would be a 4 bed house with a similar footprint to Plot 2. The illustrative layout shows that parking and turning can be achieved to allow vehicles to exit the site in forward gear. Matters relating to design will be considered at Reserved Matters stage.

Waste collection

One of the main issues for consideration relates to the movement of refuse by each individual householder. The existing dwelling at No. 28 has to move their refuse approximately 40 metres to an existing bin collection point where the private drive meets the public highway. The dwelling proposed will have to move their refuse approximately 50 metres which is in excess of the standards quoted in the Recap Waste Management Design Guide which was adopted in February 2012.

Consideration has been given to the guidance and to the present waste collection situation on site. The land in question forms a natural end to development opportunities off this access road. In total the road will eventually serve 5 dwellings if both plots are built out, which is acceptable off an unadopted road and the LPA considers that the existing bin collection area can adequately accommodate further bins and, due to the sustainability of this location, the length for moving refuse should not be a barrier to developing this particular site.

Tree issues

There are 5 sycamore trees located along the eastern boundary of the 2 plots and following the production of an Arboricultural Assessment and Method Statement it has been concluded that 3 of the trees may be removed with the

replacement of 2 of the trees with semi mature specimens. This will form a condition of any approval on the site. This requirement is due to the trees forming a prominent group with high landscape value.

Drainage

The site lies within Flood Zone 1 and therefore there is no need to supply a Flood Risk Assessment. However the Middle Level Commissioners are concerned that surface water devices have not been clarified and that soakaways or other similar infiltration devices might not be any effective means of surface water/treated effluent disposal. Therefore it is considered that a surface water disposal condition should be attached to any approval to enable the developer to evidence that surface water can be dealt with appropriately.

7. CONCLUSION

- 7.1 The site forms a natural extension to the existing built form and also naturally rounds off any further development in this area. The application is in outline format only however the indicative layout and scale is of a form that is acceptable in this location. There is adequate parking and turning available on the site and adequate private rear amenity space.

For the reasons stated above, it is considered acceptable to allow the movement of refuse in excess of the guidance contained within the Waste Management Design Guide due to the sustainable nature of the site and the number of dwellings proposed off an unadopted road. This development makes best use of land adjacent to the existing settlement limits and therefore may be favourably recommended.

8. RECOMMENDATION

Grant subject to suitable conditions:

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 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 the replacement trees along the eastern boundary of the site including species and size;
- (d) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;
- (e) 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;
- (f) 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. All hard and soft landscape works including any management and maintenance plan details, shall be carried out in accordance with the approved details. All planting seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the Local Planning Authority.

Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

6. Prior to the commencement of any works or storage of materials on the site all trees that are to be retained shall be protected in accordance with British Standard 5837:2012. Moreover measures for protection in accordance with that standard shall be implemented and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development for Building Regulations purposes.

Reason - To ensure that retained trees are adequately protected.

7. If within a period of five years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, or becomes, in the opinion of the local planning authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason - In the interest of visual amenity.

8. All vegetation clearance at the site shall only take place outside the bird breeding season of March to August inclusive.

Reason - To ensure compliance with Section 1 of the Wildlife and Countryside Act with respect to nesting birds and to provide biodiversity mitigation in line with the aims of Planning Policy Statement 9 Biodiversity and Geological Conservation.

9. Prior to the commencement of any development, a scheme for the provision and implementation of surface water drainage shall be submitted and agreed in writing with the Local Authority in consultation with the Drainage 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 surface water drainage and to prevent the increased risk of flooding.

10. Approved plans.



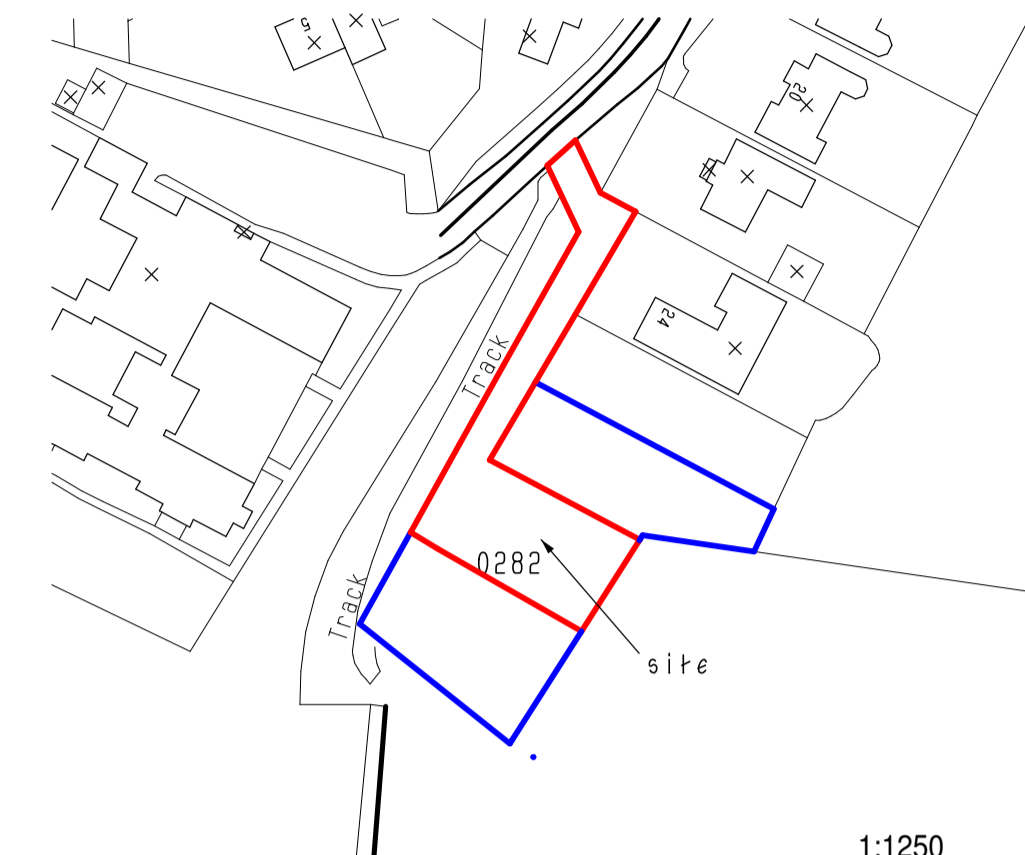
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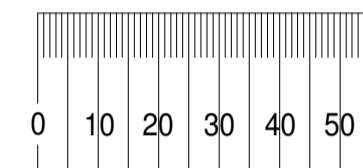
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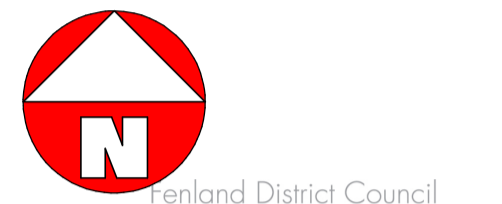


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LOCATION 1:1250



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Highly Commended 2010

Building Design Awards
Building Excellence in Fenland
Category Winner 2009

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Overall Winner 2008

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Rev.A	x	x

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Project
FOUR BEDROOM HOUSE
WITH INTEGRAL GARAGE
PLOT 1 SOUTH OF
28 KINGSWOOD ROAD
MARCH

Client
SPRINT 1124 LTD

Title
SITE AND LOCATION PLANS

Ref
S3002-5

Rev
Sheet A1
Scale: 1:200,1250 DATE: MAY 2011

