

Application Number: F/YR12/0587/F
Minor
Parish/Ward: March Town Council
Date Received: 1 August 2012
Expiry Date: 26 September 2012
Applicant: Miss A Ward
Agent: Peter Humphrey Associates

Proposal: Erection of 3 x 2-storey 3-bed dwellings with detached garages
Location: Land west of Greenacre, Elliott Road, March

Site Area/Density: 0.16 ha

Reason before Committee: The views of the Town Council are contrary to Officer recommendation

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application is a resubmission of a previous refusal on the site which Members considered at their meeting on 29 June 2012. The current application has been amended to try to overcome the reasons for refusal.

The key refusal issues relate to:

- i) the distance that refuse has to be moved to be collected;
- ii) the number of dwellings to be served off a private drive and
- iii) overdevelopment of the site.

The current submission now details a scheme for a road constructed to adoptable standards and a change of house type. A judgement by the LPA has now to be made as to whether the changes overcome the previous reasons for refusal.

Consideration has been given as to whether the proposal is fundamentally different to the previous refusal and whilst some elements of the scheme are better, i.e. the upgrading of the road, the change in house type does not really overcome the issue relating to the number of dwellings proposed, which will still be served off a private drive, and in itself brings issues of character and form.

Therefore, the recommendation remains one of refusal.

Comments have been received from the Local Highway Authority that the road layout as shown could not be considered for adoption due to the inability of the land available to meet Highway standards. Therefore, the road will remain as a private drive, which would serve 7 dwellings if the application was approved. Similarly refuse collection would have to be carried out from the edge of the public highway, which again does not overcome one of the earlier reasons for refusal.

2. HISTORY

Of relevance to this proposal is:

2.1	F/YR12/0267/F	Erection of 3 x single-storey 3-bed dwellings with detached garages	Refused	29 June 2012
	F/YR07/0442/F	Erection of 3 x 3-bed detached bungalows with detached single garages	Granted	22 January 2008
	F/YR03/0800/O	Erection of 2 bungalows	Granted	11 August 2003.
	F/0379/76/O	Erection of a bungalow	Refused	13 July 1976

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 Draft Fenland Core Strategy:

CS1: Spatial Strategy, The Settlement Hierarchy and the Countryside.

CS2: Growth and Housing.

CS14: Delivering High Quality Environments

3.3 Fenland District Wide Local Plan:

H3: Development should be within existing settlement

E8: Landscape and Amenity Protection

4. CONSULTATIONS

- 4.1 **Parish/Town Council:** Recommend approval.
- 4.2 **Scientific Officer (FDC):** Requests land contamination condition be attached to any approval.
- 4.2 **Local Highway Authority (CCC):** Vehicle to vehicle visibility splays of 2.4 m x 43 m should be provided on each side of the access. Pedestrian visibility splays of minimum 1.5 m x 1.5 m to be provided each side of the access measured from and along the back of the footway.
- Prior to the first occupation of the development the common turning area at the end of the private drive to be laid out, levelled and drained and thereafter retained for that specific use.

4.3 **Environment & Leisure (Refuse):** Whilst the roadway has been improved it will remain as a private drive and would require adoption for refuse vehicles to enter onto it.

Refuse and recycling bins will be required to be provided as an integral part of the development.

Please refer to the Waste Management Design Guide for further details.

4.4 **County Archaeology:**

Recommend that the same archaeological standard condition is placed on the development as was for prior application advice given (F/YR12/0267/F) within the same bounds, that is:

Records indicate the land is in an area of high archaeological potential. It is considered likely that important archaeological remains survive on the site and these would be severely damaged or destroyed by the proposed development. Therefore requests archaeological condition.

4.4 **Local Residents:**

3 letters of objection re:

- overshadowing
- loss of privacy
- 2-storey is out of keeping with the surrounding bungalows
- bungalows will be more appropriate
- too close to existing bungalow
- too many vehicles using the private drive
- no planned visitor parking spaces
- can existing drainage cope with extra dwellings?

5. **SITE DESCRIPTION**

5.1 The site is located to the rear of Greenacre, Elliott Road, March, with direct access off Elliott Road. The site is presently overgrown and untidy; it is bounded by residential dwellings to the south and west and further undeveloped land to the north.

6. **PLANNING ASSESSMENT**

6.1 The refused scheme was assessed against the introduction of new policy guidance, in particular the National Planning Policy Framework, the emerging Core Strategy and the Recap Waste Management Design Guide.

The NPPF seeks to provide a presumption in favour of sustainable development and in particular delivering a wide choice of high quality homes whilst requiring good design and development should, therefore, contribute positively to making places better for people.

Similarly Policy CS14 of the emerging Core Strategy requires delivering high quality environments across the district when determining planning applications.

Key changes since the previous approval on the site in 2008, is the initial revision of and subsequent deletion of PPS3 which supported garden development and the Recap Waste Management Design Guide has been introduced and adopted as Policy.

Changes to the Resubmission

The agent proposes to provide a road to an adoptable standard to ensure that refuse can be collected from the individual dwellings, however, when consulted the Local Highway Authority has confirmed that the roadway proposed does not meet the standards for adoption and, therefore, the road will remain as a private drive.

Therefore, the previous reason for refusal relating to the number of dwellings served off a private drive has not been overcome.

Changes have also been made to the design of the dwellings and they are now 2-storey in nature with an overall ridge height of 6.5 metres. This change results in more private amenity space to the rear of the dwellings, but does not significantly change the character and appearance of the development to recommend approval of the scheme. The 2-storey dwellings have front dormer windows, which are a new feature in the area and the ridge height of the dwellings will result in roof heights that are in excess of the surrounding area and, therefore, the design is out of keeping with the area.

The main issues relating to this application are whether the differences between the refused application and the current submission overcome the earlier reasons for refusal.

Access

The road will now be constructed to a standard that will withstand the weight of refuse vehicles, however, the road will remain as a private drive. Householders would either be required to provide an indemnity against damage to the surface for the refuse collection service to enter the private drive or alternatively move their bins a maximum of 75 metres for plot 3, which far exceeds the guidance contained within the Recap Waste Management Design Guide.

The collection of refuse is a material planning consideration since the adoption of the RECAP Waste Management Design Guide; however, the specific logistics of collection is a matter which runs parallel to yet separate from any planning permission granted. In that whilst the planning system should be responsible for ensuring that the correct road environment is provided and maintained to meet the requirements of domestic and service vehicles associated with the domestic needs of the occupiers, it should not be responsible for ongoing contractual and indemnity issues arising from the refuse collection service.

The provision of a suitable refuse collection point, which allows householders to deposit their refuse at a position, which accords with the RECAP guidelines, either within individual plots or at a nominated collection point at back edge of pavement, should be resolved by the submission of suitable detail at planning submission stage. A planning permission should also make provision to ensure that roads are of adoptable standard, although it must be highlighted there is no obligation for such access ways to be adopted. In order to protect the future amenities of occupiers it is, however, prudent to highlight/and require the need for management arrangements to be put in place within a planning consent. This will ensure that the maintenance requirements of such access roads are expressed from the outset.

The submitted plans do not show a bin collection point at the edge of the public highway, however, it is considered that such an area would impede the free flow of traffic from the private drive onto the public highway by the reduction in available width into the site.

Design

The house type has been amended from bungalows with a ridge height of 5 metres to 2-storey dwellings with a ridge height of 6.5 metres. This changes the characteristics of the site, which is only suitable for single-storey dwellings hence the original approval on the site for bungalows.

7. CONCLUSION

- 7.1 It is concluded that the resubmission does not satisfactorily overcome the previous reasons for refusal and will result in 7 dwellings being served by a private drive, which is contrary to guidance contained within Manual for Streets that no more than 5 dwellings should be served off such a drive; the guidance which the LPA has strived to achieve in the past.

The changes to the dwellings, whilst resulting in more rear private amenity space, is now out of keeping with the surrounding single-storey dwellings.

The Local Planning Authority acknowledges that the site has previously received consent for a very similar proposal in 2008. However, with the introduction of new policies including the NPPF it is considered that the site can be more appropriately developed than the proposal shown.

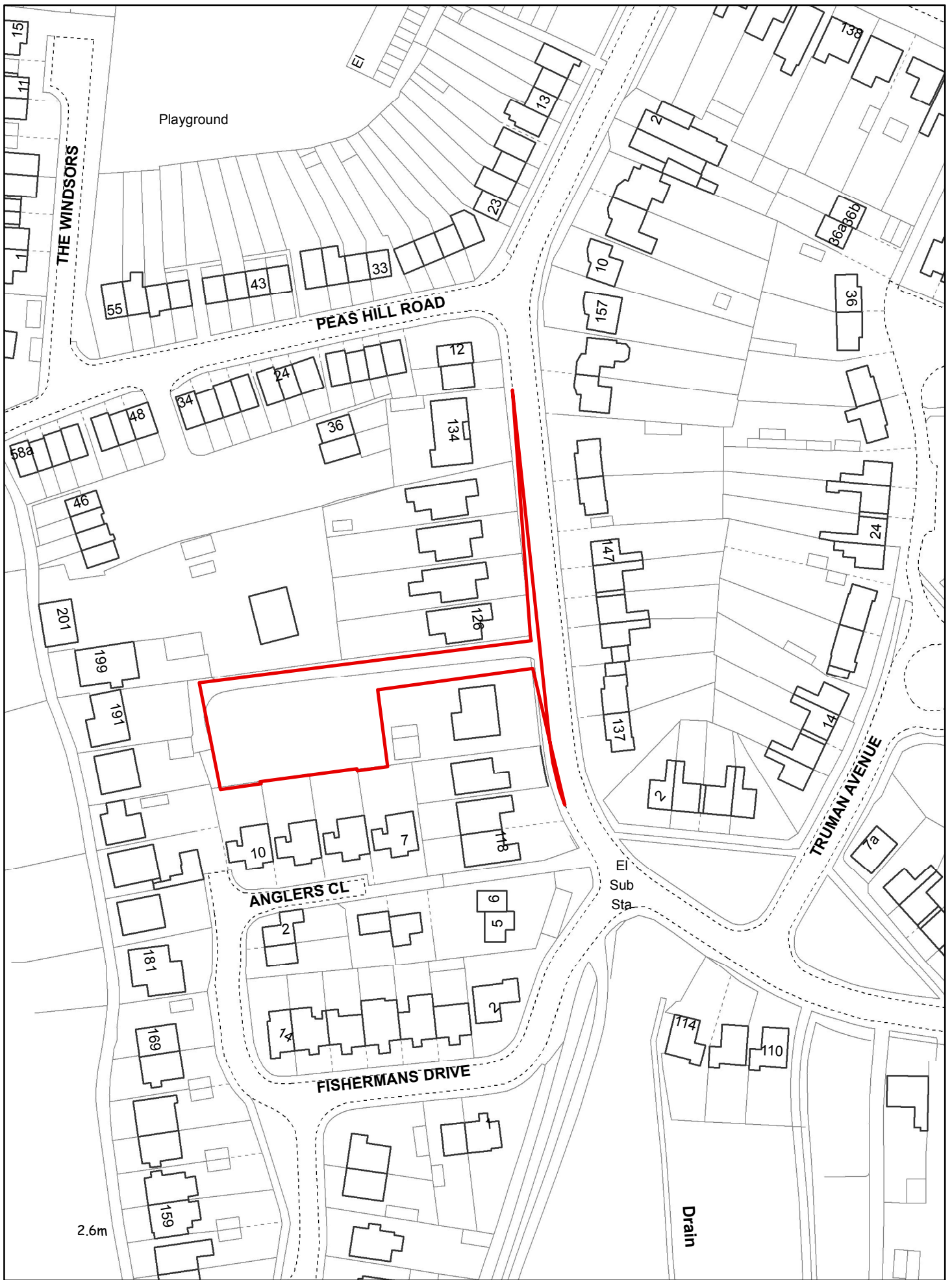
The proposal is of a high density and due to the confines of the site and the requirement for a turning head, the plots are contrived in nature and not of a similar character to Anglers Close to the south.

The serving of 7 dwellings off the private drive as shown is, on balance, to be resisted.

8. RECOMMENDATION

Refuse

- 1. The proposed development will result in 7 dwellings being served from a private drive which by virtue of the lack of footpaths could lead to the potential for pedestrian/vehicular conflict; this coupled with the overdevelopment of the site in a manner which is out of character with the sites immediate environs would result in the development being contrary to Policy E8 of the Fenland District Wide Local Plan 1993, Policy CS14 of the emerging Fenland Communities Development Plan and the National Planning Policy Framework.**



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Scale = 1:1,250



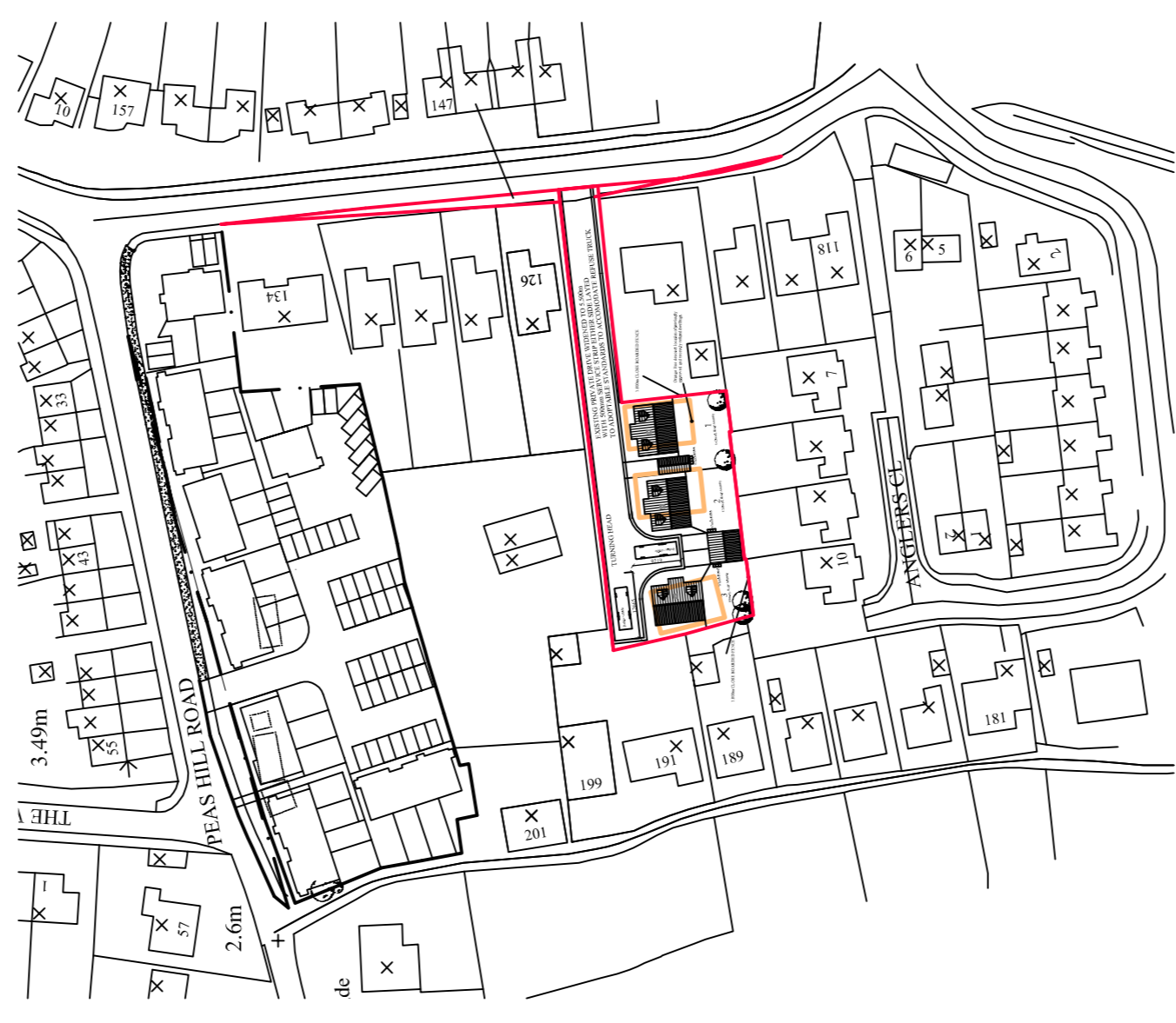
NOTES

- Contractors are responsible for checking dimensions, tolerances and references. Any discrepancy to be verified with Peter Humphrey Associates Limited before proceeding with the works.
- Where a detail is covered by drawings to different scales the larger scale drawing is to be worked to.
- Figured dimensions to be worked to in all cases.

VISIBILITY SPLAY
2.400m x 67.700m

North

LOCATION PLAN
1:1250



PLOT AT A1

Rev.	Date	Description	Initials

Peter Humphrey Associates
ARCHITECTURAL DESIGN AND BUILDING

PROPOSED BUNGALOWS

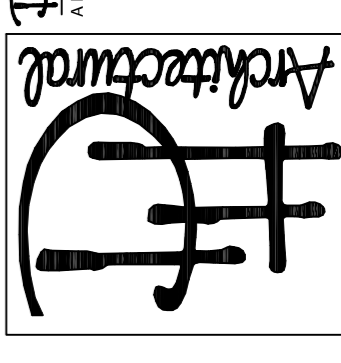
REAR OF 124
ELLIOT ROAD
MARCH

CLIENT
MISS A WARD

DATE	SCALE	DRAWN BY
JULY 2012		

JOB NO	REVISION
4808-PL02a	

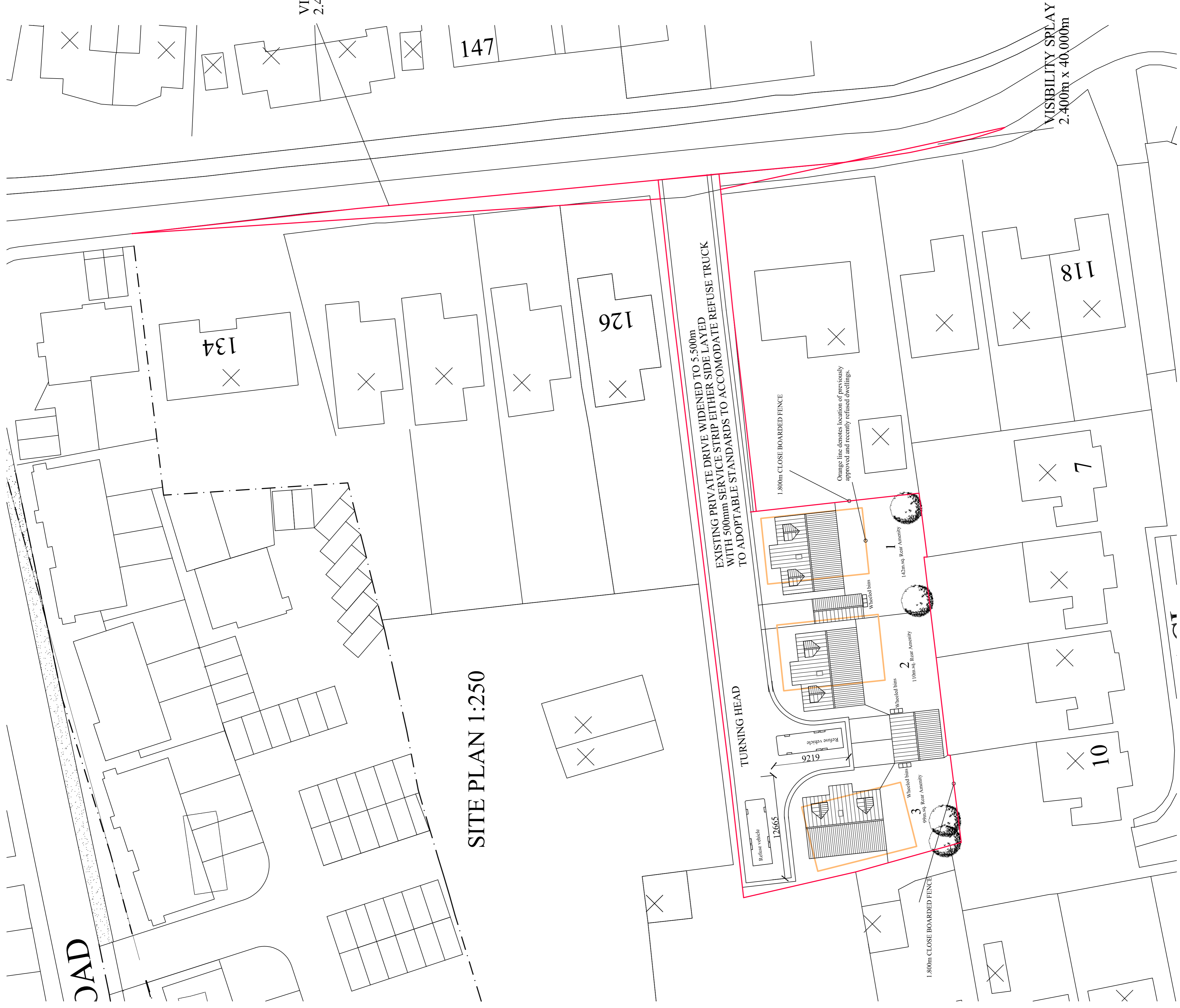
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Architectural Technologists

CAD

SITE PLAN 1:250



VISIBILITY SPLAY
2.400m x 40.000m

EXISTING PRIVATE DRIVE WIDENED TO 5.500m
WITH 500mm SERVICE STRIP EITHER SIDE LAYED
TO ADOPTABLE STANDARDS TO ACCOMMODATE REFUSE TRUCK

1.800m CLOSE BOARDED FENCE

Orange line denotes location of previously approved and recently revised drainage.

TURNING HEAD

Refuse vehicle

12665

6126

Wheeled bin

Wheeled bin

Wheeled bin

142sq. Rear Amenity

110sq. Rear Amenity

99sq. Rear Amenity

1.800m CLOSE BOARDED FENCE