

F/YR12/0387/F

16 May 2012

Applicant : Mr & Mrs B Lee

Agent : Mr Lee Bevens
L Bevens Associates Ltd

The Walnuts, Roman Bank, Leverington, Cambridgeshire

Erection of 2no x 2-storey 4-bed and 3no x 3-storey 5-bed dwellings with detached double garages and 2.1 metre high fencing involving demolition of existing dwelling and outbuildings

This proposal is before the Planning Committee as it constitutes a departure from the Development Plan.

Site Area: 0.68 hectares.

This application is a minor.

1. **SITE DESCRIPTION**

The application site is on Roman Bank in Leverington and is sited outside of the settlement core but in relatively close proximity to other residential properties. The existing site comprises of a single dwelling with private amenity space and a disused agricultural yard with associated outbuildings. The existing buildings are to be demolished to facilitate this development.

2. **HISTORY**

- F/YR06/0291/F - Use of existing yard for the siting of 4 mobile homes for holiday accommodation – Refused 3rd May 2006.
- F/YR04/3952/F - Use of the existing yard for the stationing of 7 caravans for occupation by tourists and seasonal agricultural workers – Refused 9th December 2004.

3. **CONSULTATIONS**

- | | |
|-------------------------------|---|
| <i>Parish Council:</i> | No response received at the time of writing this report. |
| <i>CCC Archaeologist</i> | No response received at the time of writing this report. |
| <i>FDC Scientific Officer</i> | Requests the contaminated land condition be attached to any permission given. |

CCC Highways

Requests conditions in relation to access width, access layout, parking provision, provision of a turning area, provision of visibility splays (pedestrian and vehicular), adequate drainage measures and the provision of a footway to the South of the site.

Local residents/interested parties: None received.

4. POLICY FRAMEWORK

FDWLP Policy

- H3 - To resist housing development outside DABs. To permit housing development inside DABs providing it does not conflict with other policies of the Plan.
- H16 - Outside the DAB new dwellings must be justified as required for agricultural, horticultural or forestry operations.
- E8 - Proposals for new development should:
 - Allow for the protection of site features;
 - Be of a design compatible with their surroundings;
 - Have regard to the amenities of adjoining properties;
 - Provide adequate access.

- E1 - To resist development likely to detract from the Fenland landscape.
- Core Strategy (Draft Consultation)
- 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:
 - 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 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

		<ul style="list-style-type: none"> - 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)		
Achieving sustainable development	Paragraphs 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.
	Paragraph 14	- Presumption in favour of sustainable development.

5. ASSESSMENT

Nature of Application

This application seeks full planning permission for the erection of 5 dwellings at The Walnuts on Roman Bank in Leverington. The development comprises of 2 x 2-storey 4-bed dwellings and 3 x 3-storey 5-bed dwellings with detached double garages and 2.1 metre high fencing.

The application is considered to raise the following key issues;

- Principle and policy implications
- Layout and Design
- Access and Parking

Principle and Policy Implications

The application site is outside of the main settlement core of Leverington which lies mainly to the South of the site. The proposal has been considered in line with the Development Plan Policies and National Guidance detailed in the Policy Section of this report.

The NPPF seeks to promote sustainable development in rural areas where it will maintain the vitality of rural communities. This is further supported by the policies within the Local Plan and emerging Core Strategy where it is determined that new development in villages will be supported where it contributes to the sustainability of the settlement and does not harm the wide, open character of the countryside.

Policy CS10 of the Fenland Communities Development Plan Emerging Core Strategy Draft Consultation is relevant in this instance and lists the general good practice criteria. The criteria listed in this policy details that the site should be in or

adjacent to the existing developed footprint of the village, would not result in coalescence with neighbouring villages, would not have an adverse impact on the character and appearance of the surrounding countryside, should be in keeping with the shape and form of the settlement, respects natural boundaries, would not result in the loss of high grade agricultural land and would not result in risks or unacceptable nuisances to residents and businesses. This site is an existing dwelling, with associated amenity space and an adjoining disused yard with outbuildings. The site, therefore, does not constitute high grade agricultural land and due to the existing development on site, does not have an adverse impact on the character of the countryside. To the south of the site there is a row of dwellings that lead towards the main settlement core. These comprise of a mix of bungalows and houses with a mix of designs. As such it is considered in this instance that the site is adjacent to the developed footprint of the village and will not have an adverse impact on the form and character of the area. North of the site is an open area of agricultural land and as such the proposal does not result in the loss of any important gaps or views of the open countryside.

The proposal is considered to be acceptable in terms of the principle of the development of the site and is considered to comply with the relevant policies.

Layout and Design

The proposed development is for 5 dwellings in a linear layout along the frontage of Roman Bank. The dwellings to the south of the site also run in a linear fashion, therefore, the proposed layout is considered to be acceptable. Each dwelling is detached and is sited towards Roman Bank, with a single access point and ample parking and turning spaces. Each dwelling is afforded a large rear garden.

The design of the dwellings has been envisioned as a comprehensive development. In terms of the front elevations the two end plots, Plots 1 and 5, have been designed to reflect each other forming a start and finish to the development. These are the two storey dwellings. The 3 dwellings which form Plots 2, 3 and 4, are of a different design and are 3-storey properties. The dwellings are relatively large but not considered to be over-dominant in terms of the character of the area. The proposed streetscene shows that with the two storey dwellings being either end of the site it creates a comprehensive development and ensures that the 3-storey dwellings sit well within the wider area. The existing dwellings in the area are a mix of bungalows and two storey dwellings with a mix of designs. The existing dwelling on the site to be demolished is two-storey.

The proposed layout and designs of the dwellings are considered to be acceptable in terms of the character of the site and surrounding area and is unlikely to have an adverse impact upon neighbouring residential amenity.

Access and Parking

The proposed access for the 5 dwellings is via a single access point that comes off Roman Bank, centrally within the site. Each dwelling has a large parking and turning area as well as a double garage. It is considered that the access and parking arrangements are acceptable within the site. Discussions have been ongoing between the Agent and the Local Highways Authority in order to reach an acceptable arrangement in terms of the impacts upon the public highway and these are now acceptable. The Local Highways Authority have requested conditions in relation to the provision of visibility splays and the provision of a

footpath along the existing highway. Following the discussions between the Highways Authority and the Agent it is considered that the proposed access, parking and highway arrangements are acceptable.

Conclusion

It is considered that in light of the issues discussed in this report the proposed dwellings are considered to be acceptable. Although the site is outside of the main core of the settlement it is considered that due to the amount of residential development in close proximity to the site the principle of residential development is acceptable in this instance. The proposed design, layout and access arrangements are also considered to be acceptable in this instance.

The recommendation, therefore, is to grant planning permission for the development subject to appropriate conditions.

6. RECOMMENDATION

Grant

- 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 use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:**
 - a) enter, turn and leave the site in forward gear;**
 - b) park clear of the public highway****shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.**

Reason - In the interests of satisfactory and highway safety.

- 3. Prior to the commencement of the use hereby approved the access road shall be constructed to a minimum width of 5.0 metres for a minimum distance of 10.0 metres measured from the channel line of the carriageway of Roman Bank and thereafter maintained in perpetuity.**

Reason - In the interests of highway safety.

- 4. 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.

- 5. Prior to the first occupation of the development a common turning area shall be provided at the end of each access road spur. The areas shall be levelled, surfaced and drained and thereafter retained for that specific use.**

Reason - In the interests of highway safety.

- 6. 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 2.4 metres, measured along the centre line of the proposed access from its junction with the channel line of the carriageway of Roman Bank, and 120.0 metres measured along the channel line of the carriageway of Roman Bank from the centre line of the proposed access. The splays shall be thereafter maintained free from any obstruction exceeding 0.6 metres above the level of the carriageway of Roman Bank.**

Reason - In the interests of highway safety.

- 7. Prior to the occupation of the development pedestrian visibility splays of 2.0 metres x 2.0 metres shall be provided each side of the vehicular access measured from and along the back of the new footway to be provided. Such splays shall thereafter be maintained free from obstruction exceeding 0.6 metres above the level of the new footway to be provided.**

Reason - In the interests of highway safety.

- 8. 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.**

Reason - In the interest of highway safety.

- 9. A 1.5 metre wide footway to the specification of the County Council shall be provided from the existing footway to the South of the site up to and including the combined vehicular and pedestrian access to the development. Such footway, and attendant drainage of adjoining carriageway, to be completed prior to the first occupation of the development.**

Reason - In the interests of highway safety.

- 10. 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) hard surfacing, other hard landscape features and materials**
- b) existing trees, hedges or other soft features to be retained**
- c) planting plans, including specifications of species, sizes, planting centres number and percentage mix**

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.

- 11. 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.

- 12. 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 5837:2005. 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.

- 13. No development approved by this permission shall be commenced prior to a contaminated land assessment and associated remedial strategy, being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs a), b) and c). This is an iterative process and the results of each stage will help decide if the following stage is necessary.**

(a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses, the proposed site usage, and include a conceptual model. The site investigation strategy will be based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

(b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitable qualified and accredited consultant/contractor in accordance with a quality assured sampling and analysis methodology.

(c) A site investigation report detailing all investigative works and sampling on site, together with the results of the analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified

contamination given the proposed end use of the site and surrounding environment including any controlled waters.

No development approved by this permission shall be occupied prior to the completion of any remedial works and a validation report/s being submitted to the LPA and receipt of approval of the document/documents from the LPA. This applies to paragraphs d), e) and f).

(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.

(e) If, during the works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

(f) Upon completion of the works, this condition shall not be discharged until a validation/closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from site, and what has been brought on to site.

Reason - To control pollution of land or water in the interests of the environment and public safety.

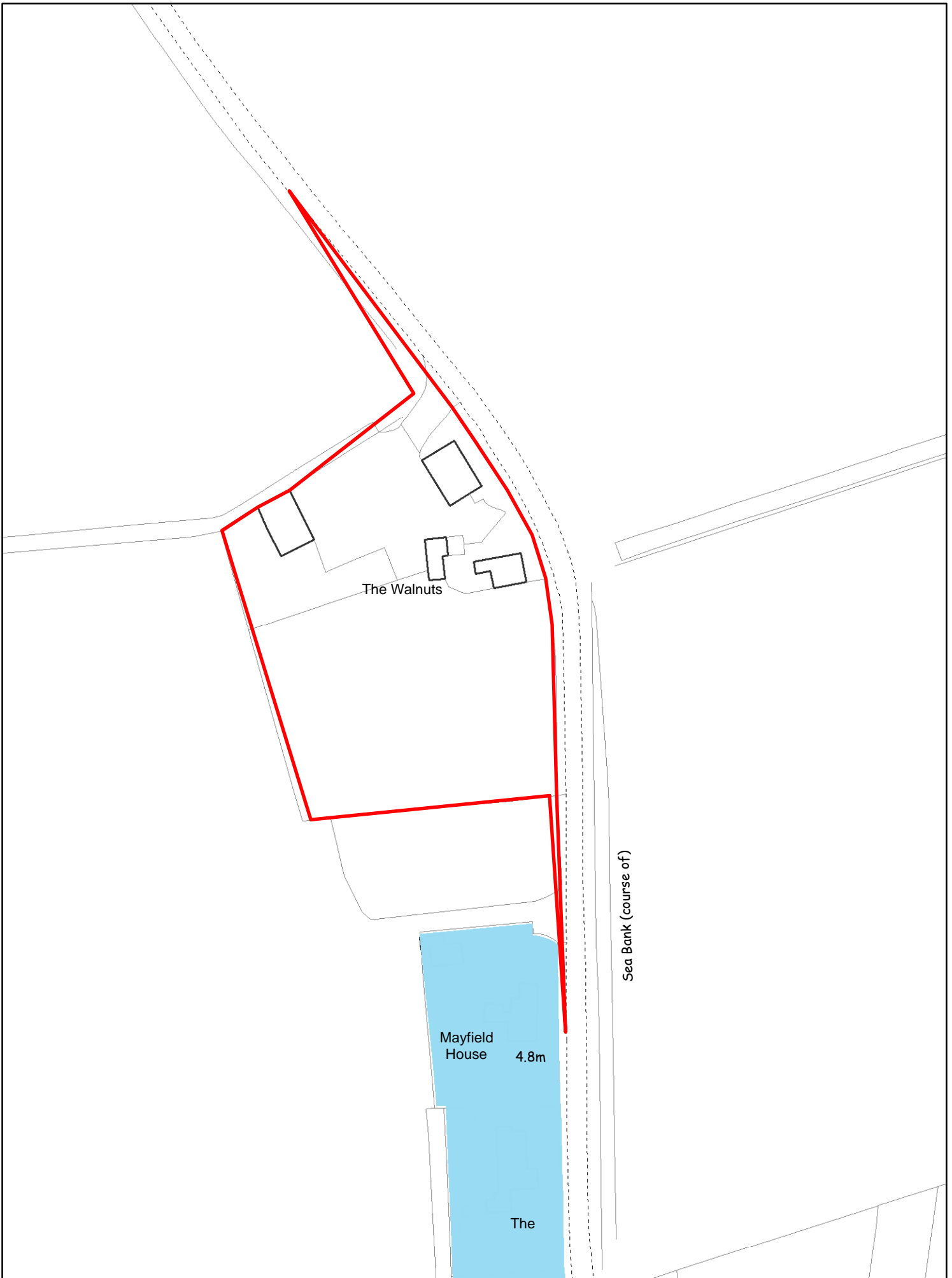
UPDATE

Members will recall that this application was heard at the 25 July 2012 Planning Committee where the resolution was to Grant permission subject to the applicant entering into a Section 106 Agreement for an in lieu contribution for affordable housing.

Subsequent to this and as a result of recent clarification from the Policy Team regarding the application of Policy CS3 – Meeting Housing Need (Fenland Communities Development Plan, Draft Core Strategy, July 2012) it is considered that the original contribution amount that was requested needs to be amended. Initially a figure based on 30% Affordable Housing in-lieu contribution was requested, however, the authority can now only request a 20% contribution in line with Policy, which equates to 1 dwelling, and will also be sought as an in-lieu contribution.

The principle of development and the design and layout of the dwellings has been agreed on this site by virtue of earlier consideration by Committee and no amendments to the detail of the scheme have been proposed. This application is before Members to seek authority for the amended contribution in relation to the Section 106 payments.

RESOLUTION – Approve subject to the conditions set out above, but with the amended requirement for a section 106 Agreement in relation to the provision of affordable housing.



Created on: 23/05/2012

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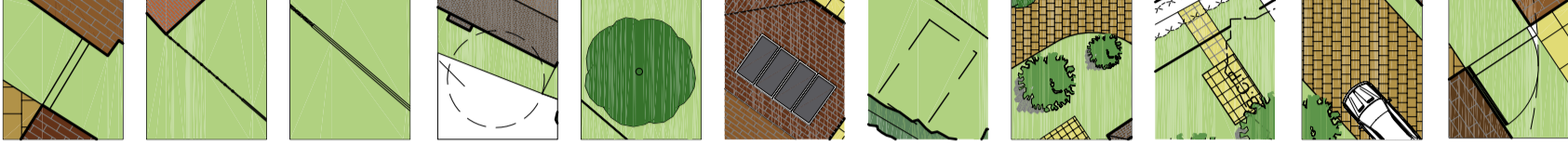
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KEY TO SYMBOLS



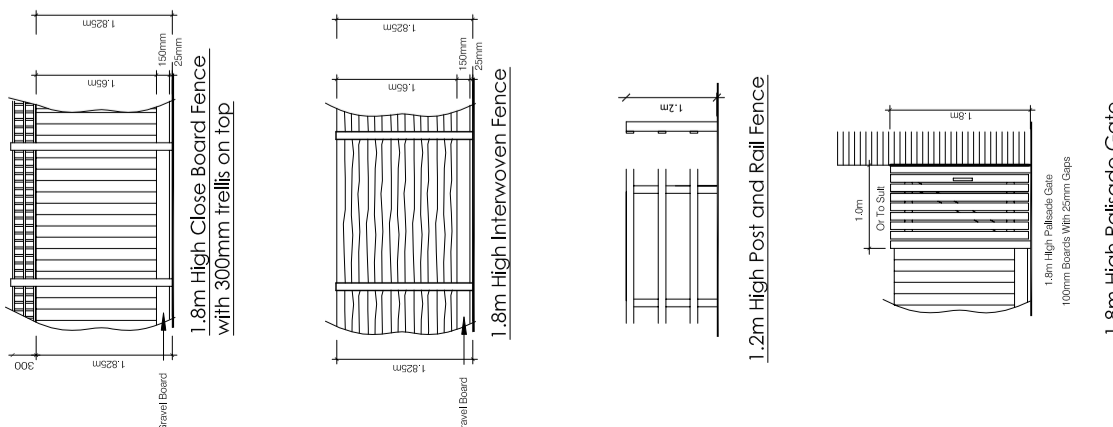
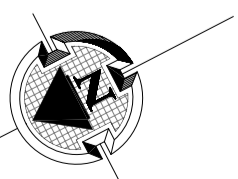
- HIGHWAY NOTES**
- The access shall be a minimum width of 5.0m, for a minimum distance of 10m measured from the channel line of the carriageway of Roman Bank.
 - Prior to the first occupation of the development the vehicular access where it crosses the public highway shall be laid out and constructed in accordance with the Cambridgeshire County Council construction specification.
 - Prior to the first occupation of the development the sufficient space shall be provided within the site to enable vehicles to park clear of the public highway. The areas shall be levelled, surfaced and drained and shall be provided with a kerb and drainage to the public highway.
 - Prior to the first occupation of the development a common turning area shall be provided at the end of each access road spur. The areas shall be levelled, surfaced and drained and thereafter retained for that specific use.
 - Prior to the first occupation of the development the visibility splays shall be provided each side of the vehicular access. Minimum dimensions to secure the required splay shall be 2.4m, measured along the centre line of the proposed access from its junction with the channel line of the carriageway of Roman Bank from the centre line of the proposed access. The splays shall be thereafter maintained free from any obstruction exceeding 0.6m above the level of the carriageway of Roman Bank.
 - Prior to the first occupation of the development pedestrian visibility splays of 2.0m x 2.0m shall be provided each side of the vehicular access measured from and along the back of the new footway to be provided. Such splay shall thereafter be maintained free from any obstruction exceeding 0.6m above the level of the new footway to be provided.
 - 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 LPA.

General notes

Junction visibility splays based on data from manual for street figure 7.18.
 Access to be min. 5m wide for a minimum distance of 10m from the channel line of Roman Bank



Existing grass verge in front of Mayfield House (see photo). Should be put back as tarmac.



MATERIALS SCHEDULE

PLOT NUMBER	BRICKWORK	ROOF TILE
PLOT 1	Traditional brick and Stone Company Granchester Blend. Garage to match house	Sandtoft 'Britlock' slate in Graphite.
PLOT 2	Traditional brick and Stone Company Audley Antique Garage to match house	Sandtoft 'Village' plain tile in Reclaimed.
PLOT 3	Hoskins Brick Melton Red Multi (78) Garage to match house	Sandtoft 'Old English' pantile in Flanders Garage to match house
PLOT 4	Hoskins Brick Amberley Garage to match house	Sandtoft 'Village' plain tile in Reclaimed Garage to match house
PLOT 5	Traditional Brick and Stone Company Traditional Red Blend Garage to match house	Sandtoft '20%' clay tile in Flanders

NOTE
 PLOT 1 TO HAVE MONOCOUCHE RENDER IN CREAM
 PLOTS 2 & 4 TO HAVE MONOCOUCHE RENDER IN PARCHMENT

Revision B July 2012 1.5m footpath added to south of application site and connecting to walking footpath as per request from
 Revision A July 2012 Local Highway Authority comments added to layout.

REVISION

L. Bevens Associates Ltd
 10 Chiswick Way
 Chiswick
 Uxbridge
 Middlesex
 UB8 3PH
 Tel: 01895 831111
 Fax: 01895 831112
 Email: info@lbevens.co.uk
 Web: www.lbevens.co.uk

DRAWING STATUS
 PRELIMINARY APPROVED CONSTRUCTION FILE COPY

CLIENT
 MR AND MRS B LEE

PROJECT
 THE WALNUTS, ROMAN BANK
 LEVERINGTON, CAMBRIDGESHIRE

DRAWING TITLE
 PROPOSED SITE PLAN

SCALE
 1:500 (B/A2)

DATE
 MARCH 2012

DRAWN
 LB

CHECKED
 LB

DRAWING NUMBER
 CH17/LBA/22/1FF202

REVISION
 B