

Application Number: F/YR13/0152/F  
Minor  
Parish/Ward: Elm  
Date Received: 06 March 2013  
Expiry Date: 01 May 2013  
Applicant: Mr D Housden  
Agent: Mr H Chapman, Brand Associates

Proposal: Erection of 1no 5-bed 3-storey dwelling with detached garage, 1no 4-bed 3-storey dwelling with attached garage and 1no 5-bed 2-storey dwelling with attached garage  
Location: Land West Of Soffits, Halfpenny Lane, Elm

Site Area/Density: 0.47ha

Reason before Committee: At the request of Cllr Cotterell due to concerns relating to highway safety.

1. **EXECUTIVE SUMMARY/RECOMMENDATION**

The proposal is considered to be of a quality design which will be of no harm to the character and appearance of the open countryside. For this reason, it is considered that the development complies with the aspirations of the emerging Core Strategy. The situation with regard to the narrow access road is regrettable however this is an existing highway to which widening improvements are proposed. No major issues appear to have been raised by CCC Highways in their pre-application comments and, subject to a positive formal consultation response from Highways, it is recommended that planning permission is granted.

2. **HISTORY**

Of relevance to this proposal is:

2.1 F/YR12/0735/TRTPO Felling of 7 Poplar Trees Granted – 06.11.2012  
covered by TPO 4/1976

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.

Paragraph 58: Development should respond to local character and be visually attractive as a result of good architecture and landscaping.

### 3.2 **Draft Fenland Core Strategy:**

CS1: A Presumption in Favour of Sustainable Development

CS3: Spatial Strategy, the Settlement Hierarchy and the Countryside

CS12: Rural areas development policy

CS15: Facilitating the Creation of a More Sustainable Transport Network in Fenland

CS16: Delivering and Protecting High Quality Environments

### 3.3 **Fenland District Wide Local Plan:**

E8: Landscape and amenity protection

H3: Settlement Area Boundaries

## 4. **CONSULTATIONS**

4.1 ***Parish/Town Council:***

Supported

4.2 ***FDC Arboricultural Officer:***

Development will not affect the character of the area regarding the trees. The applicant has planted a number of trees and many are being retained with additional planting to the front.

4.3 ***Middle Level Commissioners:***

Not yet received

4.4 ***FDC Scientific Officer:***

No objections or observations

4.5 ***CCC Highways:***

Not yet received

4.12 ***Neighbours:***

3 letters of objection received and 1 letter of objection with 7 signatures (2 of which have written separate letters) received. Concerns regarding:

- the road is unsuitable and dangerous
- the lane is too narrow
- the entrance to Halfpenny Lane is too narrow and restricted
- visibility is poor at the top of the lane
- a hedge and trees in a garden at the top of the lane have been damaged by vehicles
- the site is outside of the village envelope
- the size of the development is too large for the access
- the junction of Halfpenny Lane with the B1101 is a dangerous bend
- the same site had a planning application for 8 dwellings refused in 2006
- points 1, 2 and 3 of the previous refusal are relevant

## 5. SITE DESCRIPTION

- 5.1 The site is located on the northern side of Halfpenny Lane, beyond the established settlement of Elm. The site is a piece of land overgrown with various shrubs and trees and the south western corner of the site is bound by post and rail fencing. Halfpenny Lane is characterised typically by large detached dwellings of individual designs which are set within spacious grounds.

## 6. PLANNING ASSESSMENT

- 6.1 The key considerations for this application are:

- Policy implications
- History
- Design and layout
- Highways
- Other matters

### (a) Policy implications

The site is located outside of, albeit next to, the established settlement of Elm where countryside housing policies apply. Although policy H3 of the Local Plan states that that housing within the open countryside will not normally be allowed, CS12 of the emerging Core Strategy sets out criteria for where countryside housing will be supported.

The general thrust of the criteria ensures is to ensure that development in villages appears as a natural extension, will not harm the character or appearance of the countryside and is not isolated. It is considered that the proposal complies with these general principles as the site is positioned next to the existing established footprint of the village, and is on a corner plot which lends itself to forming the buffer between the existing built form and the open countryside. It is acknowledged that the proposal will result in a type of ribbon development which does not strictly comply with part (e) of CS12 however it is considered that no harm will be caused by the proposal which will appear as a natural end to the lane from which no further encroachment into the countryside can occur. Therefore on balance the proposal can be supported.

### (b) History

Although the site itself has no history of development (other than the felling of trees), it is important that Members are made aware of the history relating to the site to the immediate east known as 'The Soffits'. In 2006 outline planning permission for 8 dwellings (2 detached and a terrace of 6) was refused. This was due to the amount of dwellings proposed (which would cause noise and disturbance), the form of the buildings (which was out of keeping with the surroundings), insufficient visibility and manoeuvring of vehicles, the loss of important space within the settlement, and the lack of flood risk information.

By virtue of the current development site being on the adjoining land and the proposal consisting of only 3 dwellings which are detached, the current proposal has overcome refusal reasons 1, 2 and 4. The highways situation (which relates to refusal reason 3) will be discussed in the Highways section of this report and there are no flood risk issues associated with this particular site. Refusal reason 5 is therefore not relevant to this application.

Notwithstanding the above, it is important to note that this is a different site and proposal to the previously refused scheme. Officers are however mindful of the objections received from neighbouring residents in relation to the refused application and the precedent this decision could set when determining other applications along Halfpenny Lane.

(c) Design and layout

The proposal consists of three individual designed dwellings which is what would typically be expected along Halfpenny Lane. The eastern most property (plot 1) is traditional in appearance which is consistent with its existing neighbour at The Soffits. Plot 2 has been designed to have a gable front which is similar to the new dwelling at land east of The Soffits and Plot 3 has a contemporary appearance with curved elements to the front and a combination of roof designs.

Each dwelling is positioned on a generous plot with a large garden and sufficient on site parking and turning. The dwellings are positioned far enough apart and the first floor windows are positioned in such a manner that overlooking and overshadowing of both existing and proposed properties is not considered to be an issue. The agent has informally indicated that it likely that 1.8m high close boarded fencing will secure the garden areas between Plots 1 and 2; and 2 and 3. This has not been shown on the application drawings but can be secured via a planning condition on any consent given. A condition relating to the details of the materials is also considered necessary.

On the whole the appearance of the proposal is considered to be a quality design which positively contributes quality of the area. The dense, existing landscaping, on the south western boundary will form a good buffer between the built form and the open countryside. Despite the conflict in terms of policy H3 of the Local Plan, it is considered that the proposal has been designed so as to comply with the criteria set out in CS12 of the emerging Core Strategy.

(d) Highways

Comments have yet to be received from CCC Highways in respect of this application and Members will be updated formally on the day of Committee with their response. However the Planning Agent has provided a copy of the comments received from highways prior to the submission of the application. The comments are as follows:

*'Halfpenny Lane comprises an extremely narrow carriageway. Any planning application that I am consulted upon I would point out the restricted infrastructure to the LPA. That aside, the layout of the 3 dwellings shown on your submitted plan is acceptable in principle.'*

*Local carriageway widening within the area of the accesses to plots 2 and 3 would assist the passage of vehicles in the vicinity of the plots but does nothing from the increased likely vehicular conflict that may occur to the east between the site and the B1101.'*

The submitted drawings show an area of carriageway widening but of course this would be subject to agreement by CCC Highways.

It is acknowledged that the junction between Halfpenny Lane and the B1101 is not desirable and that the majority of Halfpenny Lane is too narrow for vehicles to pass. However as it does not appear that CCC Highways have a major objection with the scheme, Officers cannot substantiate a reason for refusal based on highway safety. Should a negative consultation response be received from CCC Highways Officers will have to revisit this stance.

(e) Other matters

Although comments of support have been received from Elm Parish Council, 8 separate sources of objection have been received from neighbouring residents. The objections mainly relate to highway safety and this has been addressed in paragraph 6.1 (d) of this report. Other objections include the position of the dwelling, outside of the village boundaries, which has already been discussed and the refused application on the adjoining site which has been discussed in length within the *History* section of this report.

## 7. **CONCLUSION**

- 7.1 The site is located outside of any established settlement however it is considered that the scheme complies with policies of the emerging Core Strategy particularly in relation to the quality of the design and the lack of harm caused to the wide open character of the countryside. It is acknowledged that access to the site is along a narrow lane with limited passing space however an attempt at improving the situation has been made by virtue of the road widening works along the front of the development site. Comments from CCC Highways have yet to be received but pre-application advice would suggest that no major issues are raised. Subject to agreement from CCC Highways it is recommended that planning permission is granted.

## 8. **RECOMMENDATION**

### **Grant subject to agreement from CCC Highways**

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 external finishes shall be submitted to and approved in writing by the Local Planning Authority and the development shall be executed in accordance with the approved scheme and retained in perpetuity thereafter.**

**Reason**

**To safeguard the visual amenities of the area.**

3. **Prior to the commencement of the development hereby approved, details of the location, height, design and materials of all screen walls and fences shall be submitted to and approved in writing by the Local Planning Authority and all such works shall be erected concurrently with the erection of the dwelling(s) and retained in perpetuity thereafter.**

**Reason**

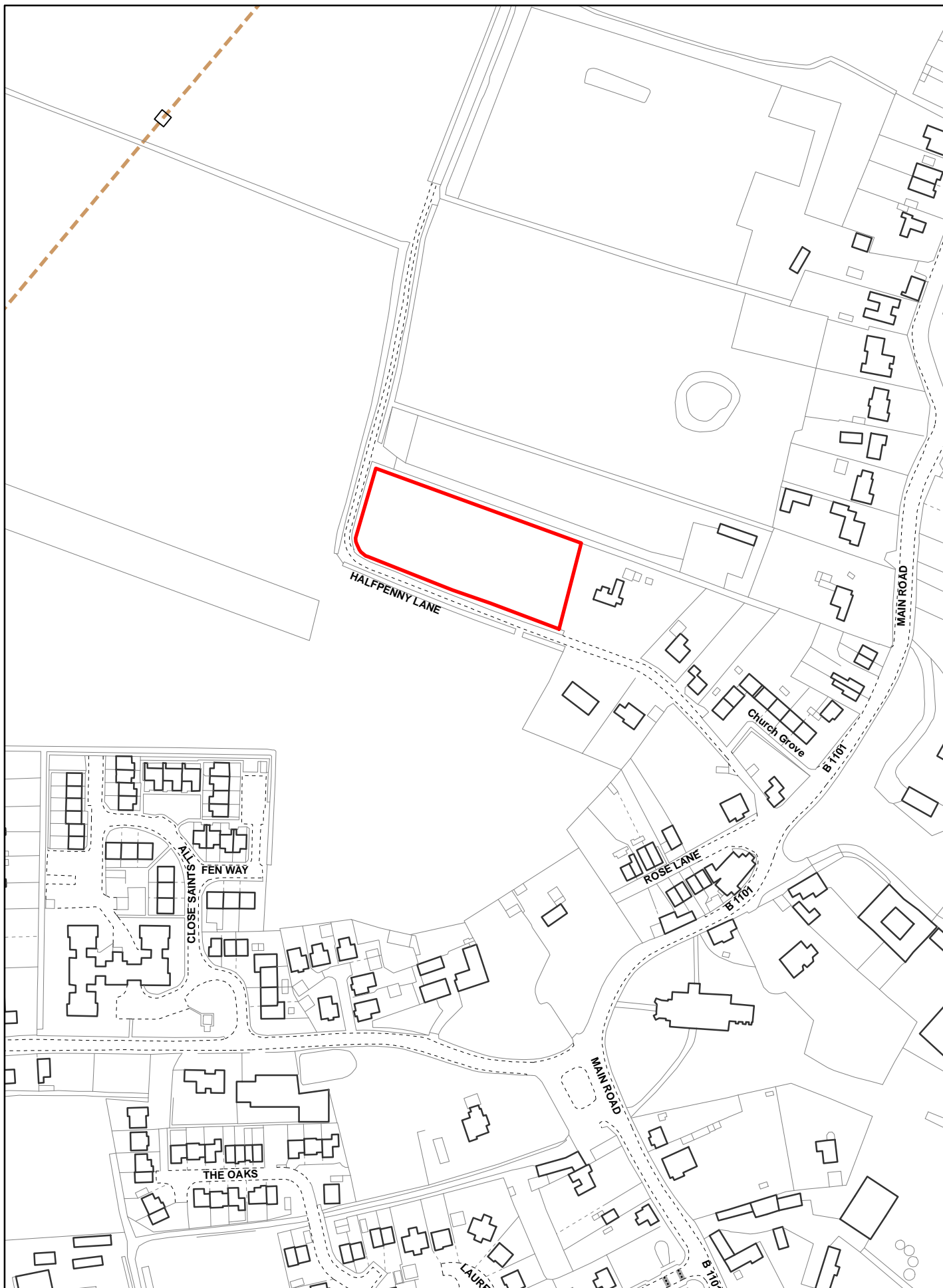
**To ensure that the appearance of the development is satisfactory and that it contributes to the visual character and amenity of the area, and to ensure that the private areas of the development are afforded an acceptable measure of privacy.**

4. **Prior to the commencement of the development hereby approved adequate temporary facilities (details of which shall have previously been submitted to and agreed in writing with the Local Planning Authority) shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles visiting the site during the period of construction.**

**Reason**

**To minimise interference with the free flow and safety of traffic on the adjoining public highway.**

5. **Approved plans**

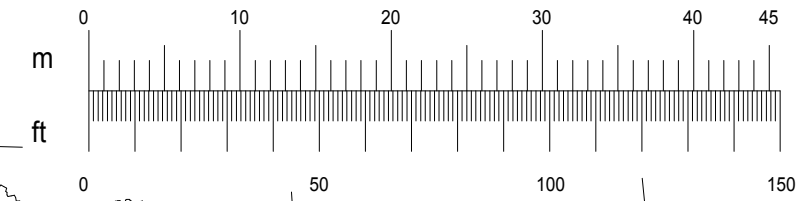


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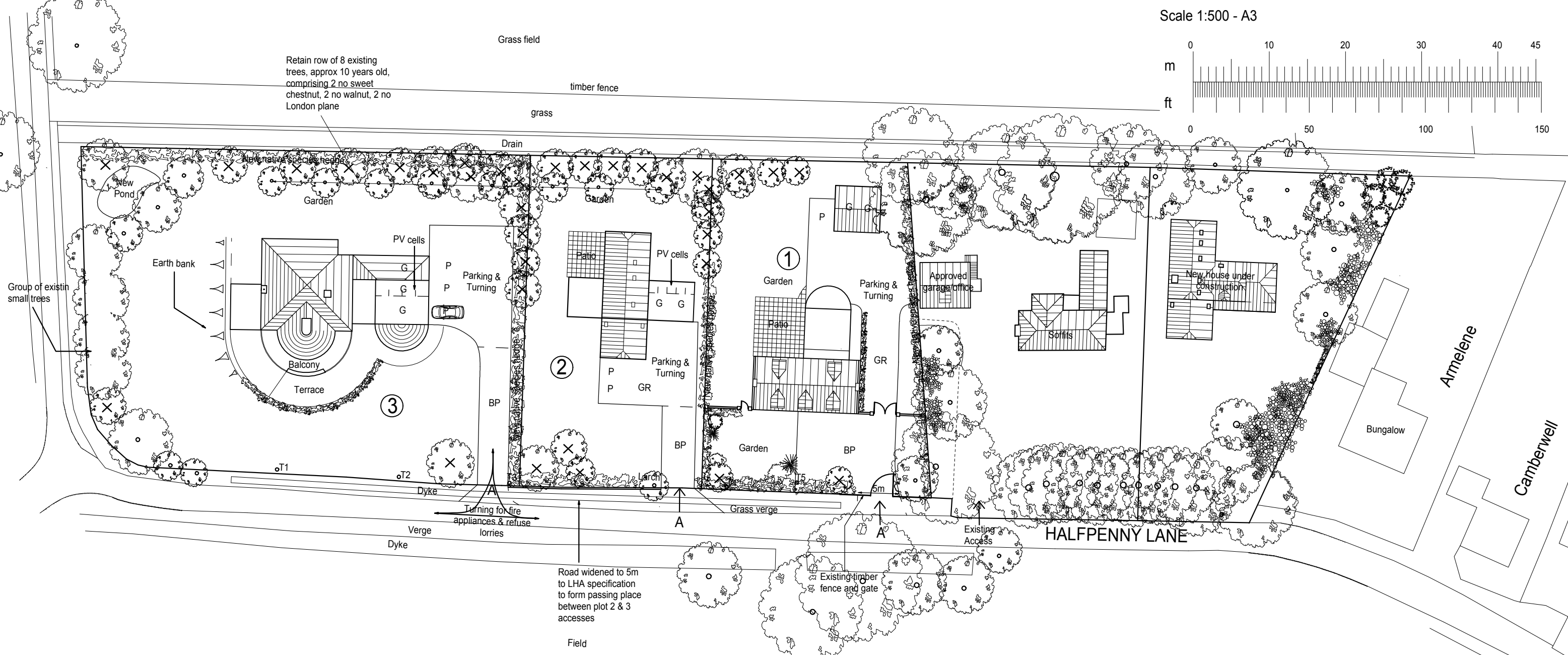
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F/YR13/0152/F  
Scale = 1:2,500





Retain row of 8 existing trees, approx 10 years old, comprising 2 no sweet chestnut, 2 no walnut, 2 no London plane



NOTES

- A = New access to LHA Specification plus access drive min 4m wide. Existing shallow dyke piped where necessary
- B = Access drive, particularly Plot 3 will be designed to allow larger vehicles (eg refuse lorries and fire appliances) to turn
- C = Few existing trees in position of, and within 2m of proposed houses, to be removed.

KEY:	
	= Existing Trees to be retained
	= Proposed trees
P	= Parking spaces (min 2.5m x 5m)
G	= Garage parking
GR	= Gravel
BP	= Block Paving
T	= Cut down poplars to be replaced with:
T1	- Sorbus Forrestii
T2	- Cornus Mas
T3 & T5	- Sorbus Scalaris
T4	- Crab apple - Malus Snowcloud

REVISIONS

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NEW DWELLINGS  
WEST OF 'SOFFITS'  
HALFPENNY LANE  
ELM, WISBECH  
DAVID HOUSDEN

**PROPOSED SITE  
PLAN & STREET SCENE**

1:500 : HJC : AUG 11

HOU.11 : **0.1** : **D**

