

Application Number: F/YR13/0031/F
Minor
Parish/Ward: Parson Drove/Wisbech St Mary
Date Received: 06 March 2013
Expiry Date: 14 January 2013
Applicant: Mr R Goy
Agent: KL Elener Architectural Design

Proposal: Erection of 5 dwellings comprising of: 1 x 3-storey 6-bed dwelling with detached double garage, 2 x 2-storey 4-bed dwellings with detached double garages, 1 x 2-storey 5-bed dwelling with detached double garage and 1 x 2-storey 5-bed dwelling with integral garage.
Location: Land north of 15 – 27 Mill Road, Murrow

Site Area/Density: 0.51ha

Reason before Committee: The proposal constitutes a departure from the Development Plan and due to the number of objections received.

1. EXECUTIVE SUMMARY/RECOMMENDATION

The site is located beyond the established settlement of Murrow however is on piece of land which is surrounded by built up and sporadic housing. The variety and interest provided within the scheme are such that the scheme is considered to be of a good design which will be of no harm to the character and appearance of the open countryside. With this in mind it is considered that the proposal complies with the direct of travel set out in the emerging Core Strategy and with the spirit of the NPPF. Each dwelling is provided appropriate amenities and the layout, siting, scale and positioning of fenestration is such that no concerns are raised with regard to the impact on neighbouring properties. It is considered that the proposal is an acceptable form of development and it is therefore recommended that planning permission is granted.

2. HISTORY

Of relevance to this proposal is:

- | | | | |
|-----|---------------|---|----------------------|
| 2.1 | F/YR12/0111/F | Erection of 6 dwellings comprising: 3 x 4-bed 2-storey, 1 x 4/6-bed 3-storey and 2 x 5/6-bed 3-storey with associated garages | Refused – 19.04.2012 |
|-----|---------------|---|----------------------|

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

CS5: Meeting housing need

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:**

E7: Archaeology

E8: Landscape and amenity protection

H3: Settlement Area Boundaries

4. **CONSULTATIONS**

- | | | |
|------|---|---|
| 4.1 | <i>Parish/Town Council:</i> | Support the application but have concerns that there is insufficient off road parking. Request conditions are imposed for provision of street light and footpath in front of the development. |
| 4.2 | <i>Environment Agency:</i> | The development will only be acceptable if carried out in accordance with details contained within the FRA which should be conditioned. |
| 4.3 | <i>CCC Highways:</i> | Conditions relating to the provision of gates, construction of access, access drainage, provision of parking and turning space, and provision of temporary facilities. The drawings are accepted. |
| 4.4 | <i>EDF Energy:</i> | Comments awaited |
| 4.5 | <i>National Grid:</i> | Comments awaited |
| 4.6 | <i>FDC Scientific Officer:</i> | Unsuspected land contamination condition is required. |
| 4.7 | <i>North Level IDB:</i> | No objection in principle. The boards bylaw prohibits any construction within 9metres of the brink of a watercourse. It must be noted that access will be required to the drain via plot 5 and this will clearly impact on the garden to this plot. |
| 4.8 | <i>Wisbech St Mary Parish Council:</i> | Comments awaited |
| 4.9 | <i>CCC Archaeology:</i> | The site should be the subject of an archaeological investigation |
| 4.10 | <i>Cambs Fire and Rescue:</i> | Provision for fire hydrants should be made by virtue of a S106. |
| 4.11 | <i>Neighbours:</i> | 11 representations received, concerns regarding: |

- loss of agricultural land
- other uninhabited houses should be filled first
- precedent
- highway safety from narrow road
- loss of view
- loss of value of neighbouring properties
- houses in Murrow do not sell
- the schools are at capacity
- social impact of cramming 5 houses into a small space
- infilling of dyke
- disruption from construction vehicles
- Murrow does not have many amenities
- all occupiers along Mill Road should have been consulted
- the scheme is a deviation from what was approved next to 27 Mill Road
- out of keeping with surroundings
- exacerbate foundation shaking from increased traffic
- impact on open character of area
- access to rear field would lead to further housing development to rear
- dwellings may not be able to be sold
- lack of amenities in the village
- the proposal has been refused once already
- the road is substandard
- drainage issues
- a proper ecological survey has not been carried out
- there is no footpath
- the land is Grade 1 agricultural land
- no provision for open space
- Parson Drove Parish Council would not be bothered as the site is not in their village
- query the sewage pipeline
- Anglian Water do not require access
- noise and disturbance
- overlooking
- overshadowing

5. **SITE DESCRIPTION**

- 5.1 The application site is located on the northern side of Mill Road, Murrow. The site currently serves as agricultural land with a drain positioned on the southern boundary. Although there is some housing on Mill Road the area, particularly the northern side of Mill Road, it is rural in character.

6. **PLANNING ASSESSMENT**

6.1 The key considerations for this application are:

- Policy implications
- History
- Design, layout, impact on area
- Flood risk
- Contributions
- Other matters

(a) Policy implications

The site is located outside of, albeit next to and opposite, the established settlement of Murrow 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 seeks 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 plot which lends itself to forming the buffer between the existing built form and the existing sporadic housing to the west. Therefore on balance the proposal can be supported.

(b) History

Members will recall that the site was the subject of a planning application for the erection of 6 dwellings which was refused predominantly on the grounds of the impact on the character of the area due to the style and layout of the scheme. Another reason for refusal was the principle of the development, due to the scheme lying outside of the established settlement. However it is important to note that since the previous refusal the emerging Core Strategy has gathered more weight and as such policies within this plan, which are able to support this development, can be given greater consideration when assessing this application. With this in mind, it is considered that the reason for refusal in terms of principle can be overcome.

Members may also recall the consent for 4 dwellings on the site to the south west which was granted planning permission in the latter part of 2011. This consent is valid and therefore further supports the principle of developing the current application site.

(c) Design and layout, impact on area

The proposal comprises of 1 x 3-storey dwelling and 4 x 2-storey dwellings. In terms of height, the dwellings are generally reflective of other properties along Mill Road. The footprint of the buildings are relative large however as they are spaced out along the frontage and are of varying designs it is considered that the proposal respects the style and character of the neighbouring properties along the north of Mill Road.

The submission includes a mixed palette of materials which will provide variety and interest within the scheme. Each plot has been provided with an acceptable level of garden land and these areas will be made private by the erection of 1.8m high close boarded fencing on the side boundaries. The layout of the fenestration and inclusion of obscure glazing, where necessary, has meant that overlooking and loss of privacy on the whole is not an issue.

Each dwelling has been provided with at least four parking spaces which complies with TR3 of the Fenland District Wide Local Plan. CCC Highways has raised no objection to the proposal and have recommended a series of conditions which should be attached to any consent given. The dwellings have been set back from the highway which overcomes the previous concerns with regard to the drain. In addition an access road which also serves as a maintenance strip for Anglian Water has been included.

The distance between the proposed properties and the existing dwellings is such that overshadowing is not of concern.

(d) Flood risk

The site lies within Flood Zone 3 and as such justification with regard to releasing land in this high risk area should be made. A submission from the planning agent sets out considerations of a Sequential Test and, importantly, highlights that the proposal can be considered as in-fill type development which does not extend the village footprint. With this in mind, and the comments received from the Environment Agency, it is considered that the proposal can be supported on flood risk grounds.

(e) Contributions

As the scheme involves the erection of 5 dwellings, it triggers the need for affordable housing in accordance with policy CS5 of the emerging Core Strategy. Following negotiations with FDC Housing it has been agreed that a contribution in lieu of on-site provision can be made. The figure has been agreed and Section 106 preparations are currently being undertaken.

(f) Other matters

The comments received from neighbouring residents have been noted and all material planning considerations have already been addressed within the body of this report. Comments received from the Parish Council relating to the provision of a footpath have been noted however as CCC Highways have not requested this and are content with the proposal as it stands it is not considered necessary to pursue this point.

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. Due to the siting of the dwellings in relation to neighbouring properties it is considered unlikely that neighbouring properties will suffer unduly as a result of the proposal. Each dwelling is afforded adequate parking, turning and private amenity space and no concerns are raised with regard to flood risk. It is considered that the proposal is an acceptable form of development and it is therefore recommended that planning permission is granted.

8. **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 first occupation of the development any gate or gates to the vehicular accesses shall be set back a minimum of 5.0m from the near channel line of the carriageway of Mill Road. Any access gate or gates shall be hung to open inwards.**

Reason

In the interests of highway safety.

3. **Prior to the commencement of the development the vehicular crossings of the ditch / watercourse along the frontage of the site shall be constructed in accordance with a scheme to be submitted to and agreed with the LPA, in consultation with the Drainage Authority.**

Reason

In the interests of highway safety.

4. **Prior to the first occupation of the development sufficient space shall be provided within each plot to enable vehicles to park clear of the highway and enter, turn and leave the plot in forward gear.**

Reason

In the interest of highway safety

5. **Temporary facilities 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 in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.**

Reason

In the interests of highway safety

6. **The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent highway, in accordance with a scheme to be submitted to, and agreed by, the LPA prior to the commencement of development.**

Reason

In the interests of highway safety.

7. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA), ref: G2976, dated January 2012, and the following mitigation measures detailed within the FRA:
1. The eventual occupiers will sign on to the Environment Agency's Floodline Warnings Direct Service, as stated within paragraph 5.1.
 2. All sleeping accommodation will be located on the first floor, as stated in paragraph 6.2.
 3. Identification and provision of safe route(s) into and out of the site to an appropriate safe haven, as detailed in paragraph 6.1.
 4. Finished floor levels will be set no lower than 2.5m above Ordnance Datum (AOD).

Reasons: To reduce the impact of flooding on the proposed development and to reduce the risk of flooding to the proposed development and future occupants.

8. 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.

9. No development or preliminary ground works of any kind shall take place on the site [within the area indicated on the attached plan] until the applicant, or their agents or successors in title, has secured the implementation of a programme and timetable of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant to and approved in writing by the Local Planning Authority. The approved programme shall then be implemented in accordance with the approved timetable prior to any other works taking place on site.

Reason

To secure the provision of the investigation and recording of archaeological remains threatened by the development and the reporting and dissemination of the results in accordance with Policy E7 of the Fenland District Wide Local Plan.

10. Approved plans

TREE PLANTING



THE PRINCIPAL CONTRACTOR IS TO CHECK ALL DIMENSIONS ON SITE BEFORE COMMENCING WORK AND REPORT TO THE ARCHITECT AS TO ANY VARIATIONS. ANY VARIATIONS OUT DIMENSIONS SHOULD BE CHECKED AGAINST THE CORRESPONDING FLOOR PLAN.

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Rev/E	10.6.13	front boundary
Rev/D	29.5.13	access points reduced
Rev/C	8.3.13	plot 3 revised
Rev/B	28.3.12	LAYOUT REVISED
Rev/A	6.3.12	bin store vis splay

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Project
**RESIDENTIAL DEVELOPMENT
 FIVE DETACHED DWELLINGS
 NORTH OF MILL ROAD
 MURROW**

Client
R GOY

Title
SITE LAYOUT

Ref
G2976-17

Rev/A	B	C	D	E
Sheet A1				
Scale: 1:500, 1:250				Date: NOV 12