

Application Number: F/YR13/0317/O

Minor

Parish/Ward: March North

Date Received: 15 May 2013

Expiry Date: 10 July 2013

Applicant: Mr & Mrs A Schofield

Agent: Mr T Feary, Trevor Fear (Town Planning Consultants) Ltd

Proposal: Erection of 4no dwellings with garages

Location: Land South of Westry Hall, 351 Wisbech Road, March

Site Area/Density: 0.51 hectares.

Reason before Committee: The recommendation is at variance to that of the Town Council.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks outline planning permission for the erection of 4 dwellings and garages. The site is located to the south of Westry Hall with the larger part of the site currently forming a paddock and the remaining being laid to lawn. The application site is beyond the established settlement of March located in an area which is mainly rural in character with linear groups of dwellings interspersed of open fields.

The key issues to consider are:

- Principle and Policy Implications
- Impact on Character and Appearance
- Impact on Listed Church and on Trees
- Access and Waste Collection

The relevant policies have been considered alongside the identified material considerations and as a result the proposal cannot be considered acceptable. The recommendation is to refuse the application as being contrary to both national guidance (NPPF) and local planning policy consisting of the Fenland Local Plan – Core Strategy Proposed Submission February 2003 and the Fenland District Wide Local Plan 1993.

2. HISTORY

Of relevance to this proposal is:

- | | | | |
|-----|---------------|------------------------|---------------------------------|
| 2.1 | F/YR03/0974/O | Erection of a dwelling | Refused on 12
November 2003 |
| 2.2 | F/YR02/0755/O | Erection of a dwelling | Refused on 18
September 2002 |

2.3 F/0462/80/F Erection of a dwelling house (to Granted on 17 July
replace dwelling damaged by fire) 1980

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 53: Local Planning Authorities should set out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Paragraph 64: Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Paragraph 128: Conserving and enhancing the historic environment.

3.2 **Fenland Local Plan Core Strategy (Proposed Submission February 2013):**

CS1: Presumption in favour of sustainable development.

CS3: Spatial strategy, the Settlement Hierarchy and the Countryside.

CS12: Rural Area Development Policy.

CS16: Delivering and Protecting High Quality Environments across the District.

CS18: The Historic Environment.

3.3 **Fenland District Wide Local Plan:**

H3: Settlement Development Area Boundaries.

H16: Housing in the open countryside.

E8: Proposals for new development.

E2: To restrict development on open spaces and gaps in the settlement framework which have intrinsic environmental qualities.

4. **CONSULTATIONS**

4.1 ***Town Council:***

Recommend approval.

4.2 ***Tree Officer (FDC):***

We require a full tree survey and arboricultural impact assessment for the trees before we can evaluate possible effects on the long term potential of the trees.

- 4.3 ***Environment & Leisure (FDC):*** In principle, no objection to the proposal, however the following concerns are required to be addressed. Refuse and recycling facility provision will be required as an integral part of the development, if the access road is expected to accommodate the refuse vehicles it would have to be constructed to take vehicle weights of up to 26 tonnes, the access width looks restrictive for a refuse vehicle, residents should not have to carry /pull waste for a distance of more than 30 metres.
- 4.4 ***Conservation Officer (FDC):*** No comments received.
- 4.5 ***Middle Level Commissioners:*** Will be commenting on the proposal, however no comments received to date.
- 4.6 ***Anglian Water:*** No comments to make on this occasion.
- 4.7 ***Environmental Health (FDC):*** No objection to the proposed development, as it is unlikely to have a detrimental effect on local air quality or the noise climate.
- 4.8 ***Highway Authority:*** The extent of the use of the existing access is unclear. Therefore the following comments and recommendations are made on the assumption that the existing use of the access is residential. Recommend conditions in respect of access width, visibility splays, parking areas, common turning area, temporary facilities, and adequate drainage measures. Recommend that the visibility splays are shown on amended plans to provide necessary comfort that the required splays are deliverable.
- 4.9 ***Local Residents:*** No comments received.

5. **SITE DESCRIPTION**

- 5.1 The application site is 0.51 ha in size and has been utilised for agricultural purposes. The larger part of the site is currently formed into a paddock with the remaining area being laid to lawn with various fencing on the boundaries. The site is bounded on the south by a group of trees protected by a TPO which extends along the southern boundary. The neighbouring building to the south occupies the Grade II Listed St Mary's Church and to the north is Westry Hall with open fields to the west and east.

6. **PLANNING ASSESSMENT**

- 6.1 The proposal seeks outline permission for 4 dwellings with garages served off the existing private drive. There has been no a pre-application discussion or advice given and the application has been submitted with all matters reserved.

There have been some indicative plans submitted for illustrative purposes, however it is highly difficult for the Council to fully assess and judge the necessary impacts the development may have as a result of no details being committed at this stage.

The key considerations for this application are:

- Principle and Policy Implications
- Impact on Character and Appearance
- Impact on Listed Church and on Trees
- Access and Waste Collection

Principle and Policy Implications

The site is located outside the main settlement of March within an area known as Westry. Policy H3 of the Local Plan generally restricts development to within the settlement limits, and although given its age, this policy is generally consistent with the National Planning Policy Framework (NPPF).

Members may recall an application proposal for 3 dwellings which was reported to Planning Committee in October 2012 that was subsequently approved (LPA reference: F/YR12/0305/F) which is nearby to this site and has not yet been built out.

The subject site is located further north, outside the settlement of March and in a more prominent position than the permitted site detailed above. This proposal would be more readily seen than the other proposal which would be well shielded by the existing trees within that site.

The site is located close to local services such as those provided within the Hostmoor Avenue area and there is an existing footpath link to the town centre with a public transport route nearby, therefore the site is considered to be sustainable in this respect.

However the main issues relate to the character and form of the existing development of Westry and the impact further development within the Westry area would have on the character and appearance of that area which is discussed below in further detail.

Impact on Character and Appearance

The area of Westry is of a rural nature and is mainly characterised by linear groups of residential properties on both sides of the road spread out in a sporadic form with gaps of open fields. As it continues north it gradually disperses into the open countryside. As such it is considered that the form of development proposed on this site would erode this character. The style of development proposed i.e. small cul-de-sac style would be out of keeping and would urbanise the area to an unacceptable degree.

Consequently it is considered that the proposed development would be harmful to the character and appearance of the area, contrary to National and Local Policies contained within the Local Plan and Core Strategy.

Impact on Listed Church and on Trees

St Mary's Church is a grade II Listed Building and forms the neighbouring building to the development from the south. It is considered that the setting of the Church would be affected by the development proposal and may be compromised, particularly when taking into account the indicative site layout.

The application as submitted makes little reference to the Church and where reference is made in paragraph 8.1 in the submitted Planning Statement this does not sufficiently deal with this issue.

Due to the application being submitted in outline form, it is highly difficult to assess and judge the impact the development may have on the Listed Church and therefore it is considered that a Heritage Statement should have been submitted with the application in accordance with paragraph 128 of the NPPF.

There are a group of existing trees (which are the subject of a TPO) located close to the southern boundary within the curtilage of the Church. It is considered that it would have been imperative that a full tree survey and arboricultural impact assessment for the trees to accompany the application submission.

This information would be required with this application to establish if the principle of developing the site is acceptable given the proximity of the trees and the impact the development may have, as this could not be dealt with at a reserved matters stage.

Access and Waste Collection

The proposed development would be accessed off an existing private drive. The Highway Authority is reasonably content with the access arrangements and has suggested conditions in this respect.

Whilst 'access' has not been committed as part of the application, the Highway Authority have requested that a plan should be submitted showing the visibility splays marked clearly to ensure they are achievable.

As the proposed development would be served off a private drive the waste and recycling material would need to be presented at the edge of the public highway. This would mean that the occupants would have to pull or carry the waste for a considerable distance, far more than the recommendation of 30 metres as set out in the adopted Recap Waste Management Design Guide.

The agent has stated that a Management Company would see to the recycling collection and therefore not use the Council's refuse and recycling service. The Council would require details of the proposed management agreement for the proposed dwellings which should include collection points and a commitment for such an arrangement to be in place in perpetuity.

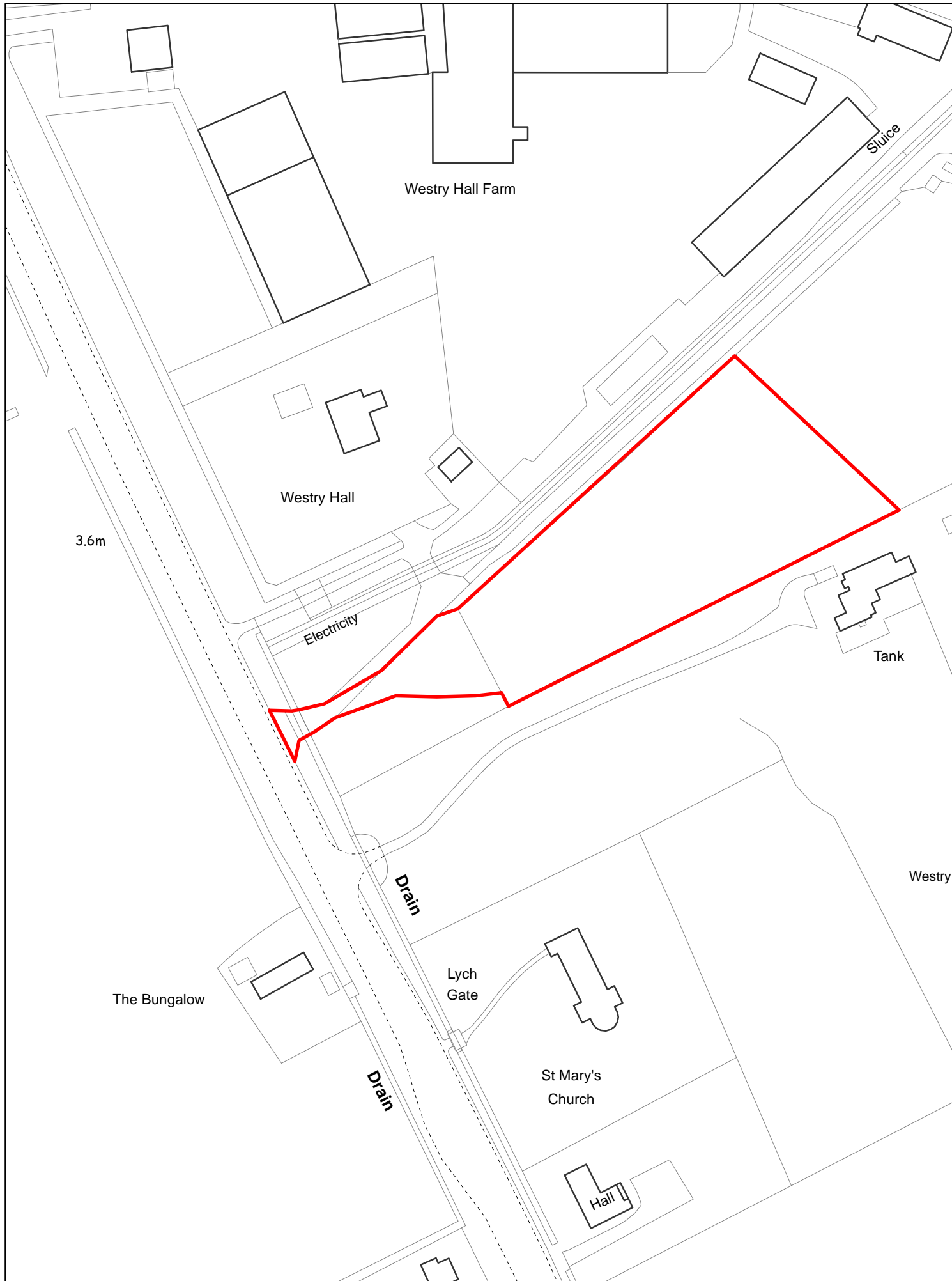
7. CONCLUSION

- 7.1 The development proposal has not been the subject of any pre-application discussions which is considered would have been prudent for a site and proposal such as this. Nevertheless the application raises serious issues in respect of the principle, impact on the character and appearance of Westry, impact on the adjacent Listed Church and protected trees and the refuse facility provision. There remains outstanding issues which need to be fully considered and assessed to be able to determine this application, therefore on the basis of the application as submitted, refusal is recommended.

8. RECOMMENDATION

Refuse

- 1 The proposal is contrary to Policy H3 of the Fenland District Wide Local Plan in that it would result in housing development outside a Development Area Boundary.**
- 2 The proposed development by virtue of its prominent location would appear incongruous and relate poorly to the predominately linear rural character of development along the road frontage of Westry. Accordingly the proposed development would unacceptably harm the character and appearance of the area contrary to Policies H3 and E8 of the Fenland District Wide Local Plan 1993 and to Policy CS12 of the Fenland Local Plan Core Strategy (Proposed Submission February 2013).**
- 3 The submitted application fails to demonstrate the potential impact it may have on the setting of the adjacent Listed Church and is therefore contrary to Policy CS18 of the Fenland Local Plan Core Strategy (Proposed Submission February 2013) and to the advice contained in Part 12 of the National Planning Policy Framework 2012.**
- 4 The submitted application fails to demonstrate the potential impact it may have on the protected trees located adjacent the southern boundary of the site, through the absence of any full tree survey and arboricultural impact assessment within the application submission. Accordingly the proposal is contrary to Policy CS12 of the Fenland Local Plan Core Strategy (Proposed Submission February 2013).**



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Scale = 1:1,250





Drain

Sluice

Westry Hall Farm

Westry Hall

Phoenix Lodge

Westry

SCALE 1:500

PROPOSED
SME LAYOUT
(ILLUS./RAINF)

