

**Application Number: F/YR13/0358/F**

**Minor**

**Parish/Ward: March East**

**Date Received: 22 May 2013**

**Expiry Date: 17 July 2013**

**Applicant: Mr A White**

**Agent: Mr David Broker David Broker Design Services**

**Proposal: Erection of a 2-bed single-storey dwelling**

**Location: Land North of 28A Upwell Road Fronting Noble Gardens, March**

**Site Area/Density: 0.02489 hectares.**

**Reason before Committee: The agent of the application is a Councillor**

**1. EXECUTIVE SUMMARY/RECOMMENDATION**

This application seeks full planning permission for the erection of a 2-bed bungalow on land north of 28A Upwell Road, March. The site fronts onto Noble Gardens and is within the defined settlement core of March in a predominantly residential built-up area.

The site is currently fenced off on all boundaries, however was formerly part of the rear garden area of the dwelling at 28A Upwell Road and previously housed a garage.

The site has previously benefitted from planning permission for a 2-bed detached bungalow. The principle of residential development in this location is considered acceptable in policy terms. The proposed design and layout of the dwelling is considered appropriate for the site where there would be no undue impact on residential amenities or highway safety. As such the proposal is considered to comply with Policies H3, E8 and TR3 of the Fenland District Wide Local Plan and to Policies CS1, CS3, CS15 and CS16 of the Fenland Local Plan Core Strategy Proposed Submission February 2013 and approval is recommended.

**2. HISTORY**

Of relevance to this proposal is:

2.1 F/YR12/0420/F	Erection of a 2-bed detached bungalow with integral garage	Withdrawn on 22 May 2013
F/YR08/1046/RM	Erection of a 2-bed detached bungalow with integral garage	Approved 7 January 2009
F/YR07/0656/O	Erection of a dwelling involving demolition of existing garage	Granted 21 September 2007

### 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.

Paragraph 120: To prevent unacceptable risks from pollution and where a site is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner.

#### 3.2 Fenland Core Strategy (Proposed Submission February 2013):

CS1: Presumption in favour of sustainable development.

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

CS4: Housing

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

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

#### 3.3 Fenland District Wide Local Plan:

H3: Settlement Development Area Boundaries.

E8: Proposals for new development.

TR3: Parking requirements.

### 4. CONSULTATIONS

#### 4.1 **Town Council:**

Recommend approval.

#### 4.2 **Middle Level Commissioners:**

No comments received at the time of writing this report.

#### 4.3 **Anglian Water:**

No comments to make on this occasion.

#### 4.4 **FDC Environmental Health:**

No objection to the proposed development as it is unlikely to have a detrimental effect on local air quality or the noise climate. Our records indicate that there has been previous potentially contaminative usage on part of this land the desk study that has been submitted is noted and accepted. The recommendations of the report are that a phase 2 (intrusive) investigation is carried out on the site to assess any problems arising from soil contamination. Therefore the contaminated land condition needs to be applied.

4.5 **Highway Authority:**

Whilst two vehicle parking spaces are shown within the plot, it is highly likely that the space to the east of the proposed gates will over time become part of the garden eventually leaving the dwelling with one space. Recommend that any gates are located in line with the back wall of the dwelling. This provides a minimum of 10m long driveway between the front boundary of the plot and the gates which can accommodate the parking of two vehicles.

Amended plans received following these comments above, and the Highway Authority followed this up by stating the layout is now acceptable from the highway point of view.

4.4 **Local Residents:**

2 objections received concerning (in summary)

- Parking problems already exist in the locality, this proposal would add to this, creating more congestion, and blocking the road.
- Concerns with parking during the construction period.
- Piling to make the ground useable would possibly cause damage through vibration to our property and this is not covered by the Party Wall Act.
- Impact on the view and loss of sunlight of objector's house at the front.
- Concerns about level of noise as the back garden would be close to the front of objector's house.

5. **SITE DESCRIPTION**

5.1 The site is almost square in shape and is bounded in most parts with close boarded fencing. The site is within the main settlement core of March and is characterised predominantly by residential development. The area to the north occupies a wooden shed and has not been the subject of any recent planning permission. This site has previously benefitted from planning permission for a dwelling dating back to 2007; however the last permission expired in January 2011.

6. **PLANNING ASSESSMENT**

6.1 The key considerations for this application are:

- Layout and Design
- Impacts on Residential Amenity
- Highway Safety

## Layout and Design

This application seeks full planning permission for a single-storey 2-bed dwelling with 2 associated parking spaces. Negotiation has taken place and the scheme amended to address concerns raised in respect of amenity space around the proposed dwelling within the previous withdrawn scheme (our reference F/YR12/0420/F).

This has resulted in the dwelling being repositioned further forward towards Noble Gardens with a reduced dwelling footprint allowing much more space around the dwelling creating a more appropriate sized garden to the rear.

The layout, design and scale of the proposed bungalow is in keeping with the surrounding built development. The proposed external finishes are considered to blend in well with the existing bungalows of Noble Gardens.

## Impacts on Residential Amenity

The proposed dwelling is single-storey in height with a maximum roof height of 5.5 metres and ridge height of 2.4 metres. It is considered that the proposal would not give rise to any adverse impacts upon residential amenity in terms of overlooking or overshadowing given the layout and scale of the proposal and its position in relation to the sun's orientation.

## Highway Safety

Access to the site is via Noble Gardens which caters for nine other dwellings and Shaftesbury Court – retirement flats.

The proposal has been amended following comments from the Highway Authority in respect of the position of a fence separating the parking spaces, this has now been revised so that two parking spaces can be provided in front of the fence allowing a clearer subdivision of the garden and parking areas.

The proposed 2-bed bungalow is afforded two on site parking spaces which is considered acceptable in line with the parking standards set out in the Local Plan and Core Strategy Proposed Submission.

The access arrangement includes 1.5m by 1.5m pedestrian visibility splays which is considered acceptable. The proposal does not allow for turning of vehicles within the site; however this would not be a requirement off an unclassified road such as Noble Gardens. Whilst turning of vehicles can be achieved within the highway, it is noted that this would be tight given the existing width of the road; however it is not considered so detrimental to highway safety to warrant a refusal on this basis.

The comments from a local resident in respect of the existing parking problems in Noble Gardens are noted, however these are existing problems that already occur, and as this proposal allows for adequate on site parking for vehicles, it is not considered that this proposed development would exacerbate any existing problems.

There is an area of land located within the site which has been marked up on the submitted plans for temporary facilities for parking, loading and unloading clear of the highway to be provided prior to commencement of development. The area of land shown is relatively small, however given the nature of the development i.e. for one dwelling it is considered that there would be only be a limited interference with the free flow and safety of traffic on the adjoining road and for only a limited period whilst the development is constructed, as such the arrangement is considered acceptable.

## **7. CONCLUSION**

- 7.1 The proposal has been considered in light of the above points and the relevant National and Local Planning Policies. The design, layout and scale of the proposed dwelling is considered to be acceptable together with sufficient access and parking provisions. Accordingly approval is recommended.

## **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 hereby approved, the proposed on-site parking shall be provided within the site to enable vehicles to park clear of the public highway. The area shall be levelled, surfaced and drained in accordance with the approved plan(s). Thereafter, these spaces shall be permanently retained and available for the parking of vehicles of residents/occupiers of the approved scheme, and shall not be used for any other purpose.**

**Reason - In the interests of highway safety.**

- 3. The height of any front boundary enclosure shall not at any time exceed 0.6 metres above the level of the carriageway.**

**Reason - In the interests of highway safety.**

- 4. Prior to commencement of first occupation of the development hereby approved, visibility splays shall be provided on both sides of the vehicular access and shall be maintained free from any obstruction over a height of 600 mm within an area of 1.5 metres by 1.5 metres measured along respectively the back of the footway.**

**Reason - In the interests of highway safety.**

**5. 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).**

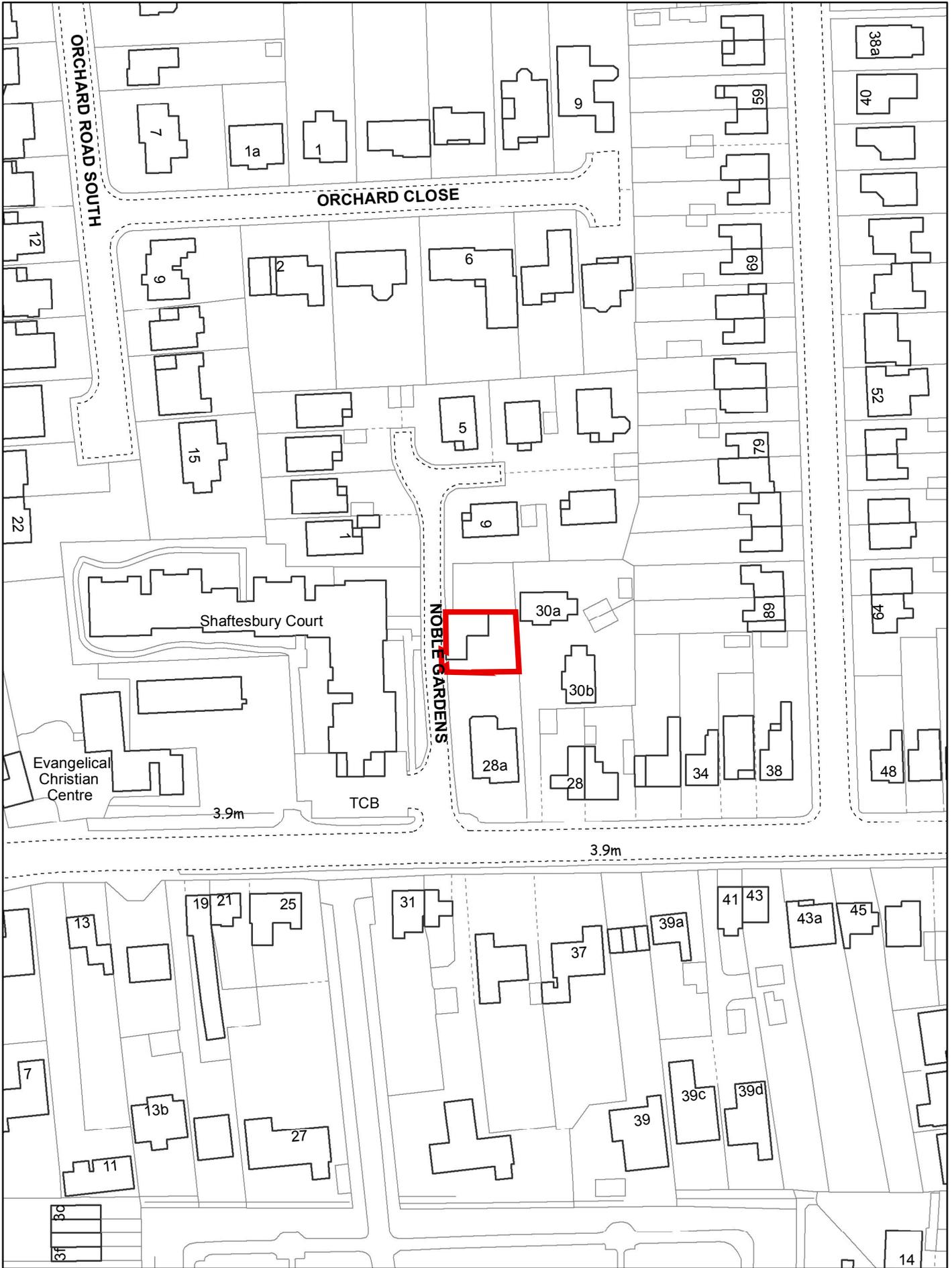
**(d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance.**

**(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.**

**6. Approved Plans**



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