

**Application Number: F/YR12/0630/F**

**Minor**

**Parish/Ward: Christchurch Parish Council/Elm and Christchurch Ward**

**Date Received: 17 August 2012**

**Expiry Date: 21 October 2012**

**Applicant: Mr W Poole**

**Agent: Mr R Briscoe, Peter Humphrey Associates Ltd**

**Proposal: Erection of 4 x 4-bed and 5 x 3-bed 2-storey dwellings with garages involving demolition of existing hall and buildings.**

**Location: Christchurch Memorial Hall, 11 Church Road, Christchurch**

**Site Area/Density: 0.43 ha**

**Reason before Committee: This proposal is before the Planning Committee due to the request for a relaxation of normal planning obligation requirements for affordable housing due to viability issues.**

## 1. EXECUTIVE SUMMARY/RECOMMENDATION

The current application is a re-submission of a scheme for 10 dwellings that was withdrawn in December 2012, due to concerns about the design of the site access.

The revised application seeks full planning permission to erect a total of 9 x two-storey, houses on the site. A large part of the site is located within the DAB of Christchurch (as identified in the 1993 Local Plan), with the remainder containing buildings and hard standing associated with the existing farming use

The layout and design of the site as amended during the course of the application is considered to be acceptable, both in terms of design quality and impact on the amenities of neighbours.

The scheme is considered to be acceptable in highway design terms, subject to appropriate conditions.

The proposal is also considered to be acceptable in relation to biodiversity and tree protection, as well as making a positive contribution to sustaining and enhancing the conservation of the existing heritage assets in the vicinity of the site.

Due to the fact that the financial viability of scheme has been demonstrated to be marginal, planning contributions for affordable housing will not be sought in this instance.

Consequently the proposal is considered to be acceptable and complies with guidance contained in Policies H3, H16 IMP2 and E8 of the Fenland District Wide Development Plan and Policies CS3, CS5, CS12, CS16 & CS18 of the Fenland Core Strategy – Submission Version (Feb 2013).

## 2. HISTORY

Of relevance to this proposal is:

2.1	<b>F/YR11/0611/F</b>	Erection of 8 x 4-bed and 2 x 3-bed dwellings with detached double garages, involving demolition of existing hall.	Withdrawn 05.12.2011
-----	----------------------	--	-------------------------

## 3. PLANNING POLICIES

### 3.1 National Planning Policy Framework:

Paragraph 2: Planning law requires that applications for planning permission must be determined in accordance with the development plan.

Paragraph 14: Presumption in favour of sustainable development.

Paragraph 17(4): Seek to ensure high quality design and a good standard of amenity for all existing and future occupants (repeated and expanded on in paragraphs 56 to 56).

Paragraph 17 (5): Recognise the intrinsic character and beauty of the countryside and supporting thriving rural communities.

Paragraph 30: LPA's should support a pattern of development, which, where reasonable to do so, facilitates the use of sustainable modes of transport.

Paragraph 32: Decisions should take account that a safe and suitable access to the site can be achieved for all people.

Paragraph 55: In rural areas, housing should be located where it will enhance or maintain the vitality of rural settlements.

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 and the way it functions.

Paragraph 109: conserving and enhancing the natural environment - the planning system should contribute to and enhance the natural and local environment by: Minimising impacts on biodiversity and providing net gains where possible.

Paragraphs 129-131: LPAs should identify and assess the particular significance of any heritage assets that may be affected by a proposal. In determining applications LPAs should take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities and the desirability of new development making a positive contribution to local character and distinctiveness. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation.

- 3.2 **Draft Fenland Core Strategy – Proposed Submission Feb 2013:**  
 CS1: Presumption in Favour of Sustainable Development.  
 CS3: Spatial Strategy & Settlement Hierarchy and the Countryside  
 CS4: Housing  
 CS12: Rural Areas Development Policy  
 CS15: Creation of a More Sustainable Transport Network in Fenland  
 CS16: Delivering High Quality Environments  
 CS17 Community Safety  
 CS18 The Historic Environment  
 CS19: The Natural Environment

- 3.3 **Fenland District Wide Local Plan:**  
 H3: Development Area Boundaries/Protection of Character and  
 Amenity/Highway Safety  
 E7: Excavation and Recording of Archaeology  
 E8: Landscape and amenity protection  
 TR3: Car Parking  
 IMP2: Securing Benefits through Planning Agreements

#### 4. **CONSULTATIONS**

- |     |  |  |
|-----|--|--|
| 4.1 | <b><i>Parish/Town Council</i></b>      | The Parish Council in general support the application as it provides additional housing that will encourage people to the village to keep it vibrant and will help in ensuring the schools pupil population does not drop. However the Council is understanding of some residents concerns especially those relating to access to their property borders. The Council assumes that the concerns of the residents have been notified to FDC by them.  |
| 4.2 | <b><i>Cambs CC Archaeology</i></b>     | Site should be the subject of a programme of archaeological investigation and historic building recording, before development is commenced – presence of known Roman site in vicinity.   |
| 4.3 | <b><i>FDC Scientific Officer</i></b>   | Please attach contaminated land condition.   |
| 4.4 | <b><i>FDC Conservation Officer</i></b> | No objection to this proposal, which is an improvement on the previous scheme. Regarding the impact on the setting – in order to better protect and enhance the setting of the adjacent Grade II Listed Christchurch and War Memorial, the southern boundary treatment of post/wire stock fencing with infill of indigenous hedgerow would be agreeable. The house designs are acceptable and clearly take design elements from adjacent properties. |

- 4.5 **FDC Tree Officer** Concerns about impact on RPA's of mature trees in original scheme. Satisfied that amended plans moving dwellings away and reducing number of dwellings in vicinity of trees and their RPAs to be acceptable. The recommendations in the submitted tree survey (Arboricultural Impact Assessment and Method Statement) are acceptable and should be conditioned.
- 4.6 **Natural England** Used Standing Advice to assess submitted bat survey and mitigation strategy. Recommend that permission should be granted and that LPA should consider requesting enhancements.
- 4.7 **Cambs CC Highways** Thank you for the further amended layout plan. I note the layout, now appropriately dimensioned, is acceptable from the highway point of view.
- Please ensure that the recommendations made on the consultation dated 1 October 2012 are included as Conditions on any permission granted.
- 4.8 **Cambs Fire and Rescue** Request adequate provision for fire hydrants via planning condition – to be agreed with Fire Authority.
- 4.9 **Cambs Police Architectural Liaison Officer** Scheme provides reasonable degrees of surveillance which should assist reducing crime – some concerns about site boundary treatments where access can be gained from open land into rear gardens across low fences with hedgerows. Recommend 1.8m high heavy duty chain link fencing around rear gardens of Plots 6, 9 and 8, Also require access road to be lit
- 4.10 **Middle Level Commissioners** Raise concerns about surface water discharge from the site and require adequate evidence that a viable scheme for appropriate water level/flood risk management can be provided - in particular concerns about areas that have a history of becoming overloaded during high rainfall events that then contributes to increased flooding in the area. The application site and its surroundings fall into this category. There should be sufficient area within the site to accommodate Sustainable Urban Drainage (SUDs).

#### 4.11 **Local Residents:**

##### Originally Submitted Plans.

11 letters of objection (including one on behalf of a local residents action group) raising the following issues/concerns:

- no changes have been made to withdrawn scheme to take account concerns of local residents
- impact on bats/barn owls. The site is situated on a feeding corridor of colony of bats and use trees to roost, which are also used by barn owls who hunt over site
- Biodiversity checklist is inaccurate
- development too close to existing trees
- access to existing boundary walls for future maintenance
- not convinced that new housing will result in influx of young families to boost school numbers
- impact of Plots 6,7 and 8 on tree canopies along SW site boundary
- consider that a "7-house plan" as tabled by the residents committee to the Planning Officer would be a more appropriate development of the site
- will prevent access to septic tanks at rear of The Old School and The Old School House, which are currently emptied from the existing farmyard
- new fencing should not be put against existing boundary walls owned by neighbouring properties
- loss of light and impact on amenities
- too many house on the site

Development exceeds existing DAB

##### Amended Plans

Above concerns remain, but are pleased with some amendments including moving Plot 6 further away from the southern boundary of The Old School and inclusion of 2 smaller 3-bed dwellings. But still concerned about:

- need more smaller dwellings
- impact on tree canopies
- need access to septic tank
- Plot 9 should be turned to face Plot 6
- Now that Plots 2/3 have been moved back to line up with front of The Old School House, this will result in overlooking/loss of privacy at this property
- Our property has always benefitted from a rear vehicular access, which will now be blocked.

- full 'rights of light' survey should be undertaken of impact of positioning of Plots 2 and 3 on The Old School House.
- There is a large window in side wall of an outbuilding, serving a hobby room, which will now be blocked – will consider its relocation subject to the applicant paying for works.

## 5. **SITE DESCRIPTION**

- 5.1 The application site comprises an existing farmyard containing some agricultural buildings, open barns and open storage areas. The site frontage to Church Road contains the existing Christchurch village hall, which is proposed to be relocated. It also contains a number of mature trees on this frontage as well as some that lie on the boundary and within the churchyard to the south.

The majority of the site lies within the existing developed footprint of Christchurch, with residential properties lying immediately to the west and the north. An access track into the site serving the farmyard runs off Church Road, immediately to the north of The Old School, which is now a residential property. Part of the site beyond the barns forms a small grassed paddock. Beyond this lies open countryside to the south-east.

The Grade II Listed Christ church and War Memorial, which is sited within a large churchyard, lies immediately to the south of the site. The site is also close to a site of archaeological interest.

Church Road is a classified road (Class C).

The site lies within Flood Zone 1

The site measures 0.43 ha (1.1 acres)

## 6. **PLANNING ASSESSMENT**

### 6.1 **Background**

This is a re-submission of a previous scheme for 10 dwellings that was withdrawn due to issues relating to difficulties in achieving an acceptable and safe access to the site as well as an acceptable design.

The revised application seeks full planning permission to erect a total of 9 x two-storey, houses on the site. A large part of the site is located within the DAB of Christchurch (as identified in the 1993 Local Plan), with the remainder containing buildings and hard standing associated with the existing farming use.

The scheme has been amended on a number of occasions during the consideration of the application to improve its design and appearance, as well as moving houses further away from existing residential dwellings and the large trees on the site, on the churchyard boundary.

The key features of the revised scheme are as follows:

- The site access has been relocated further north to enable satisfactory vehicle to vehicle sight lines to be provided each side of the access.
- Two cottages and a detached dwelling are provided either side of the access
- The access road runs into the site to small square around which houses are grouped and then to a turning head at its end
- Plots 6 and 9 have been moved further away from the churchyard boundary to ensure the future protection/retention of some large trees.
- Plot 8 has been turned to face the open countryside
- The new boundaries to the countryside and churchyard plus the frontage of the site facing Church Road will all have estate railings with a native hedge behind, to provide a rural appearance
- The houses elevations have been designed to reflect the local character of the area – including buff stock bricks and slate roofs, plinth and window detailing in contrasting red brick, chimneys, ornamental ridge tiles.
- Most trees have been retained in the scheme apart from a medium sized copper beech where the new site entrance is proposed and a common beech which is currently growing against the wall of the village hall.

The application is considered to raise the following key issues;

- Principle and policy implications
- Loss of Community Facility
- Layout and Design
- Impact on the Setting of Heritage Assets
- Amenity
- Highways
- Biodiversity, Tree Protection and Landscape
- Other Matters – Existing 'Rights of Light' and access to a septic tank.
- Planning Obligations.

## 6.2 Principle and Policy Implications

A large part of the site is located within the developed footprint of Christchurch, and its historic core, with the remainder containing buildings and hard standing associated with the existing farming use. The existing developed character of the site and its relationship to the built form of the existing village, means that it has a closer relationship to the village rather than the adjoining open countryside.

The emerging Fenland Core Strategy – Submission Version (February 2013), seeks to concentrate new housing development in the most sustainable locations principally in the main market towns and to a lesser extent in the growth villages.

Policy CS3 identifies Christchurch as a Small Village, where development will be considered on its merits but is expected to be of a very limited nature and will be limited in scale to residential infilling.

Whilst the site is slightly larger than a basic infilling of the frontage, the site lies close to the village core and development in this form represents a sensible and efficient use of land close to services and local facilities.

Policy CS12 sets out detailed criteria for the assessment of new housing proposals in rural villages such as Christchurch. This policy allows some new development in villages, where it contributes to the sustainability of that settlement and does not harm the wide open character of the countryside. Under this policy new development will need to satisfy the applicable thresholds set out in Policy CS3, as well as all of the criteria set out in Policy CS12.

The site is located in or adjacent to the existing developed footprint of the village and is not considered to have an adverse impact on the character and appearance of adjoining countryside or farmland. (Criteria (a) and (c)).

Of particular importance is Criteria (d) of Policy CS12 which requires that any new proposal should be of a scale and siting that is in keeping with the core shape and form of the settlement, and will not adversely harm its character and appearance. The site is surrounded on two sides by the boundaries of existing dwellings and on the third by the churchyard. The siting and design of the proposal is therefore considered to have positively addressed this requirement, in terms of its relationship to the existing built form of the village and its relationship to the existing heritage assets to the south.

There are no concerns about satisfying the other criteria in Policy CS12 as it; does not project linear built form further into the countryside, respects existing trees and boundaries, respects the existing ecology and archaeology on the site, would not lead to the loss of important spaces within the village and can be acceptably served in terms of necessary infrastructure (access, drainage etc).

The principle of developing the site is therefore considered to be acceptable and complies with guidance contained in Policies CS3 & CS12.

***Loss of Community Facility.***

Although not connected directly with the application, the Parish Council have secured planning permission to build an extension to the existing pavilion at the sports field on Upwell Road to replace the existing hall on the current site.

Whilst not part of this application, it is understood that the applicant has already made a significant financial contribution to the parish council, towards the cost of the proposed pavilion extension.

In light of this history which demonstrates local commitments to alternative provision, the loss of the existing facility is considered to be acceptable.

***Layout and Design***

The development of the site has gone through a number of iterations, following negotiations with your officers, to produce an acceptable site layout and design that reflects the importance of this site in relationship to the village core. It also respects a number of constraints on and around the site, including the mature trees adjacent to the existing village hall and on the boundary with the churchyard, as well as the former school building which has been converted into two dwellings (The Old School and The Old School House).



The dwellings are of a traditional design and well spaced and good quality materials are proposed – gable projections to the house frontages, use of reduced height eaves, chimneys and verge/corbelling brickwork detailing, brick plinths at the bases of the houses.

The proposed layout contains houses that both face onto Church Road and also turn the corner into the site. A central access road runs into the site through a series of spaces, which are framed and partly enclosed by the positioning of the dwellings close to the highway boundary. This leads down to a turning head, which is of a suitable size to allow refuse vehicles/delivery vehicles to turn and leave the site in a forward gear.

Plot 8 is turned to face the countryside, whilst Plot 9 backs onto countryside. A new hedgerow is proposed to be planted along this boundary. This is considered to be appropriate in relation to the open countryside beyond the village.

The comments of the Police Architectural Liaison Officer are noted. As a result conditions will be included, requiring 1.8m high heavy duty chain link fencing around the rear gardens of Plots 6, 9 and 8 (with appropriate native hedgerow planting alongside), and that a lighting scheme be provided for the new access road.

The proposed layout and design is considered to be an acceptable design response to the village context and the built form of the village surrounding the site.

### ***Impact on the Setting of Heritage Assets***

Christ Church built c1870 adjoining the application site is listed Grade II, along with the War Memorial (1920) in the churchyard.

The amendments to the layout reducing the amount of dwellings adjacent to the churchyard boundary and also moving them further away from the retained trees, has resulted in Plots 6 & 9 now having substantial rear gardens adjoining the boundary to the churchyard. The mature trees provide a good screen and help to contain the setting of the Grade II listed church and its churchyard.

An archaeological condition is also proposed to ensure the recording of any potentially important archaeology within the site, given its location.

It is therefore considered that the amended scheme now makes a positive contribution to as well as sustaining and enhancing the conservation of the existing heritage assets in the vicinity of the site.

### ***Amenity***

There are nearby properties to the north-west (The Old School and The Old School House) and to the east and north-east (Hill Farm plus two bungalows to the rear accessed via Green Lane).

Critical dimensions measure as follows:

Rear of Plot 1 to boundary with Hill Farm – 11m

Rear of Plot 1 to gable wall of Hill Farm – 17.5m

Rear of Plot 5 to nearest bungalow – 10.0m

Gable wall of Plot 6 to boundary with The Old School House – 5.5m  
Gable wall of Plot 6 to rear wall of The Old School House – 24.0m

It is considered that these relationships are acceptable.

The rear gardens of The Old School and The Old School House - measuring 14.5m and 18.5m in depth – are also considered to provide sufficient spacing between existing and proposed houses. Plot 6 has been moved further away from the rear boundary of these properties during the course of the application evaluation.

The Old School House contains a kitchen/dining room window in the side wall of its rear addition, which faces towards the side wall of Plot 3. Although light to this window is already partly affected by a single-storey outbuilding in the side garden, the position of Plots 2 and 3 have been moved further forward, to allow more light around the new building to this window. This is now considered to produce an acceptable relationship, without compromising the appearance of the street frontage.

### ***Highways.***

The previous scheme was withdrawn to allow highway concerns regarding adequate sight lines to be provided at the site access onto Church Road to be addressed. This has now been overcome in the new design, by slightly re-aligning the kerb line in Church Road, to enable a 2.4m dimension to be provided, which means that a car leaving the site can pull up to the stop line with unobstructed visibility in each direction along Church Road.

Cambs CC Highways are satisfied with the design of the current scheme in highway safety terms, subject to appropriate conditions.

Satisfactory car parking provision – 2 spaces per 3-bed dwelling and 3 spaces for 4-bed dwellings – is made in this scheme.

### ***Biodiversity, Tree Protection and Landscape***

A Protected Species survey has been submitted with this proposal, which was prepared by Conservation Constructions. This concluded the following:

- the site is not used by bats, badger, or hedgehog and is not suitable for brown hare, amphibians or barn owls
- the memorial hall is currently used by nesting house sparrow and starling – both of which are Biodiversity Action Plan species due to recent population declines.

The following recommendations were made in the report:

- the provision of 5 x house sparrow terraces and 5 x starling nest boxes on site, to be located on the apex of buildings away from windows and not on south facing elevations
- the retention of the existing oak tree
- landscape planting should use native species and those known for their nectar/pollen production, which encourage invertebrates that are an important source of food for birds
- management of external lighting to avoid illuminating site vegetation

These recommendations will be included as a condition to the decision.

The proposed layout will require 2 trees to be removed – a sycamore growing close to the side wall of the village hall and a plum tree on the Church Road frontage. The large oak tree on Church Road and the mature Oak and Ash trees on the churchyard boundary and in the adjoining field will all be retained. The scheme has been amended during the course of the consideration of the application, reducing the number of dwellings close to this boundary and moving them much further away to provide adequate spacing around the trees.

A tree survey and protection plan (including an arboricultural impact assessment and method statement) has also been submitted.

FDC's Tree Officer has assessed the survey and recommendations, and considers it to be acceptable subject to conditions requiring tree protection during the construction period.

A condition will also be included requiring a landscaping scheme which contains a significant proportion of native species, to provide replacement foraging for the established sparrow and starling populations on this site.

On this basis the proposal is considered to be acceptable in relation to biodiversity and tree protection.

#### ***Other Matters – Existing 'Rights of Light' and Access to Septic Tank.***

The owner of a neighbouring property has raised concerns about possible infractions to the existing 'right of light' that he currently enjoys, by virtue of the impact of the positioning of Plots 6 and 9 to the rear of his property. Advice has been sought from FDC Legal Services who conclude that this is a private law matter between the complainant and the landowner and that if there is an infringement of his 'right to light' then he would be entitled to seek a mandatory injunction in the court, which is completely separate from established planning law.

In amenity terms the existing garden at the rear of the complainant's property measures 14.5m and Plot 6 is offset and approximately 22.0m away. This separation distance is considered to be more than satisfactory in order to protect the amenity of and mitigate any potential overbearing impact of the siting of Plot 6 on the existing properties to the north.

The plans have also been amended at the request of planning officers, and with the good will of the applicant, to enable a 1.0m wide service access to be provided - so that a lorry can park on the new access road and run a pipe along this service access to empty the septic tank in the rear garden of The Old School. This will remain a private matter between the respective landowners.

#### ***Planning Contributions.***

The emergence of the Fenland Core Strategy – Submission Version (Feb 2013) is now a material consideration, regarding the provision of planning obligations including affordable housing.

Policy CS5 normally requires 20% of dwellings to be provided as affordable housing. The Council will though negotiate with developers if a viability assessment indicates that the affordable housing targets cannot be met in full.

The applicants have submitted a full financial viability assessment for the proposed development scheme. This indicated that an open market scheme would produce a break even residual value and one containing an affordable unit and a 80% contribution (as required for 9 dwellings under Policy CS5), would produce a negative residual land value.

This appraisal has also been assessed externally by FDC's appointed consultants, who confirmed that due to the current viability position, no affordable housing could reasonably be sought. It recommended that the situation be kept under review, particularly if a different scheme was submitted in the future.

In conclusion, there is insufficient surplus to support an affordable housing contribution.

## **7. CONCLUSION**

### **7.1 Conclusion**

The layout and design of the site as amended during the course of the application is considered to be acceptable, both in terms of design quality and impact on the amenities of neighbours.

The scheme is considered to be acceptable in highway design terms, subject to appropriate conditions.

The proposal is also considered to be acceptable in relation to biodiversity and tree protection, as well as making a positive contribution to sustaining and enhancing the conservation of the existing heritage assets (including Christ Church – Listed Grade II) in the vicinity of the site.

Due to the fact that the financial viability of scheme has been demonstrated to be marginal, planning contributions for affordable housing will not be sought in this instance.

Consequently the proposal is considered to be acceptable and complies with guidance contained in Policies H3, H16 IMP2 and E8 of the Fenland District Wide Development Plan and Policies CS3, CS5, CS12, CS16 & CS18 of the Fenland Core Strategy – Submission Version (Feb 2013).

## **8. RECOMMENDATION**

**Approve subject to the following conditions:**

- 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 materials to be used for the external walls and roof of the dwellings and the proposed access road shall be submitted to and approved in writing by the Local Planning Authority. The development shall then be carried out in accordance with the approved particulars and retained in perpetuity thereafter.

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

- 3 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) proposed finished levels
- b) means of enclosure
- c) car parking layout
- d) vehicle and pedestrian access and circulation areas
- e) hard surfacing, other hard landscape features and materials
- f) existing trees, hedges or other soft features to be retained
- g) planting plans, including specifications of species, sizes, planting centres number and percentage mix
- h) details of planting or features to be provided to enhance the value of the development for biodiversity and wildlife
- i) details of siting and timing of all construction activities to avoid harm to all nature conservation features
- j) location of service runs
- k) management and maintenance details

*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.*

- 4 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.*

- 5 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.*

- 6 No development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme and timetable of archaeological work and recording in accordance with a written scheme of investigation which has been submitted by the applicant 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.*

- 7 Prior to first occupation of the development the visibility splays at the site entrance as shown on the submitted plans shall be provided and maintained thereafter free from any obstruction exceeding 0.6m above the level of the adjacent highway carriageway.

*Reason – In the interests of highway safety*

8. 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;
- c) load and unload;

shall be levelled, surfaced and drained and thereafter retained for no other purpose in perpetuity.

*Reason - In the interests of satisfactory development and highway safety.*

9. 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 near edge of the highway carriageway and thereafter maintained in perpetuity.

*Reason - In the interests of highway safety.*

10. Notwithstanding the details shown on the submitted plans, details of the proposed boundary treatment to the which shall comprise a 1.8m dark green chainlink fence and native hedgerow to be erected along the rear boundaries (south-west) of Plots 6 and 9 and the side boundary (south-east) of Plot 9, shall be submitted to and agreed in writing by the local planning authority before development is commenced and installed before the development is first occupied.

*Reason – In the interests of crime prevention and visual amenity*

11. Before the development is first occupied the recommendations contained in Section 6 of the submitted Protected Species Survey Report by Conservation Constructions dated 30 July 2012, which shall include the siting of 5 no. sparrow terraces and 5 no. sparrow boxes on the non-south facing gable walls of the new dwellings, shall be installed/carried out and remain as such in perpetuity

*Reason – In the interests of biodiversity and nature conservation.*

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 details shown on the approved site layout plan and the submitted Tree Survey & Protection Plan – Arboricultural Impact Assessment & Method Statement dated 20 October 2012. 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. Prior to the commencement of development, a scheme for the provision of external lighting to the proposed access road shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to commencement of use/occupation of any dwellings and retained thereafter in perpetuity.

*Reason - In order to ensure that the site meets the crime prevention guidelines*

14. Prior to the commencement of the development a scheme and timetable for the provision of fire hydrants shall be submitted to, and agreed in writing by, the Local Planning Authority in consultation with the Chief Fire Officer and provision of the fire hydrants shall be made in accordance with the scheme and timetable.

*Reason - To ensure a satisfactory form of development.*

15. No additional window openings shall be inserted at first floor level in the west elevation of Plot 3, the north elevation of Plot 6 and east elevation of Plot 9 of the development hereby approved. Where window openings are shown at first floor level on these elevations, they shall be glazed with obscure glass and fixed shut to a height of 1.7m and so maintained in perpetuity thereafter.

*Reason - To safeguard the amenities currently enjoyed by the occupants of adjoining dwellings.*

16. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, (or any Order or Statutory Instrument revoking and re-enacting that Order with or without modification), planning permission shall be required for the following developments or alterations:

- i) the erection of freestanding curtilage buildings or structures including car ports, garages, sheds, greenhouses, pergolas, or raised decks (as detailed in Schedule 2, Part 1, Classes A and E);
- ii) the erection of house extensions including conservatories, garages, car ports or porches (as detailed in Schedule 2, Part 1, Classes A and D);
- iii) alterations including the installation of replacement or additional windows or doors, including dormer windows or roof windows (as detailed in Schedule 2, Part 1, Classes A and B);
- iv) alterations to the roof of the dwellinghouse (as detailed in Schedule 2, Part 1, Class C);

*Reasons - To ensure that the Local Planning Authority retains control over the future extension and alteration of the development, in the interests of its architectural and visual integrity and character of this part of the area/conservation area in which it is set and to prevent overlooking of neighbouring properties, in the interest of the protection of residential amenity.*



**UPDATE**

This application was considered by the Planning Committee on 24<sup>th</sup> July 2013 alongside a further 9 letters of representation received following a second re-consultation on two minor amendments to the layout (i.e. moving Plots 2/3 further forward and providing a 1m wide service access to the rear of the Old School/The Old school House). These raised the following concerns:

- application should not be approved in its current form
- would put strain on existing infrastructure in village
- surprised that application is 'back on the books' after indications that it may no longer be financially viable. No appears to be being rushed through
- resident's remain concerned about continued overcrowding of dwellings on current layout – would refer back to '7 house plan' tabled previously which is considered to be an acceptable alternative to residents of Christchurch.
- Owners of The Old School House requested Plots 2 and 3 to be moved further forward than indicated on amended plans – preferred original proposal with 1 detached house further forward.
- Concern that 'right of light' issue has not been addressed – no evidence of daylight/sunlight survey based on Waldram diagrams
- Please service access path has been included, but is not wide enough to get a vehicle down

Officers at that time also recommended a further condition in respect of the scheme, i.e. Notwithstanding the details shown on the submitted plans, further details of the design and orientation of the first floor window to Bedroom 4 on Plot 4 shall be submitted to and approved in writing by the Local Planning Authority before development is commenced. Recommended in the interest of residential amenity.

Following discussion by the committee the application was deferred to allow the Agent to consider the mix of development and take into considerations concerns of residents.

An amended plan has now been submitted showing a revised housing mix, which is as follows – 2 x 2-bed cottages (Plots 2 and 3), 3 x 3-bed houses (Plots 4, 5 and 8) and 4 x 4-bed houses (Plots 1, 6, 7 and 9), to address the Planning Committee's concerns regarding the previous housing mix which comprised 5 x 3-bed houses and 4 x 4-bed houses as they considered the housing mix should make provision for smaller properties.

A revised internal layout for Plot 4 has also been supplied, showing a bathroom window (which will be obscure glazed) in the rear elevation closest to the bungalow immediately to the north. An amendment to condition 18 will be included to ensure that the glazing is obscured and non-opening below 1.7m above ground level to prevent any possible overlooking of the garden at the adjoining property.

A further letter from an objector has been received from a neighbouring property (also copied to the Chairman) raising the following issues:

- Agent was somewhat economical with the truth at the last meeting about the level of contact between himself and local residents regarding residents concerns and the lack of communication between the parties.
- The geology of the proposed site means that if hammer driven piles are used, these would cause heavy vibrations to the existing strip foundations on which the Old School and Old School House sit. Augured piles should be specified.
- Hopefully concerned residents will be allowed to get round the table with the architect and FDC Planners to find an amicable resolution to the concerns of villagers. The '7-House-Plan' remains our goal and satisfies the majority of our outstanding concerns.

## **Conclusion**

As set out in the report to the 24<sup>th</sup> July Planning Committee, the scheme is considered to be acceptable in design and policy terms. It will also provide the most effective use of the site (and as such is compliant with guidance contained in the NPPF – para 17).

The comments of the objectors are noted and have in the main been covered already in the 24<sup>th</sup> July report. An additional informative regarding the concerns of some residents about the need to use augured rather than hammer driven piles for the foundations is suggested for clarity, although this matter generally falls outside of normal planning controls.

## **RECOMMENDATION**

Grant subject to conditions listed in 8 and amended condition 18 together with the inclusion of an additional informative.

**AMENDED CONDITION 18:** The bathroom window in the first floor rear elevation of Plot 4 hereby approved shall be glazed with obscure glass and fixed shut to a height of 1.7m above the bathroom floor level and so maintained in perpetuity thereafter.

**INFORMATIVE:** Due to the underlying geology and the fact that some adjoining dwellings (The Old School and the Old School House) are built on shallow strip foundations, it is suggested that if piling has to be used to construct foundations for the new dwellings, these are 'augured' rather than hammer driven, to mitigate any potential damage to these adjoining dwellings. Further advice and clarification on this should be sought from a suitable qualified structural engineer.



Created on: 28/08/2012

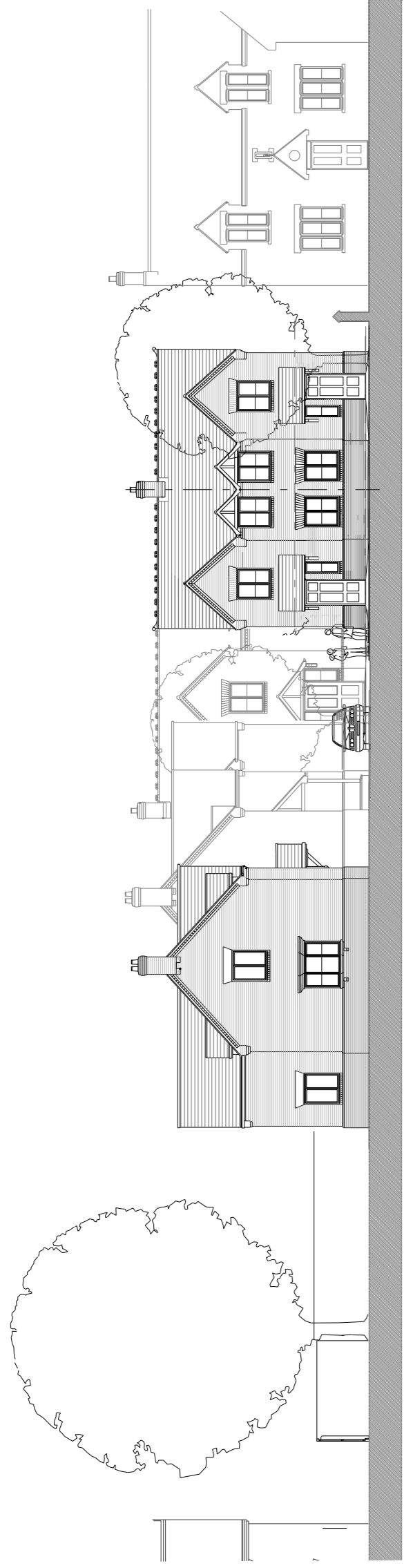
© Crown Copyright and database rights 2012 Ordnance Survey 10023778

**F/YR12/0630/F**

Scale = 1:1,250



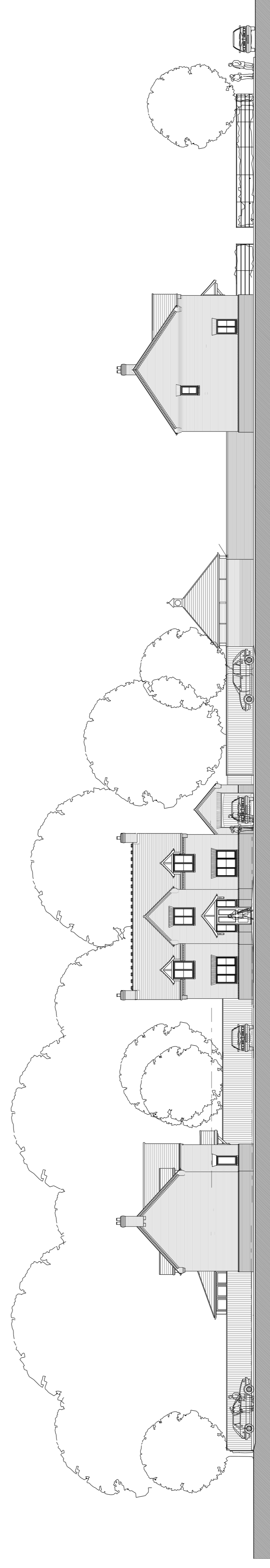




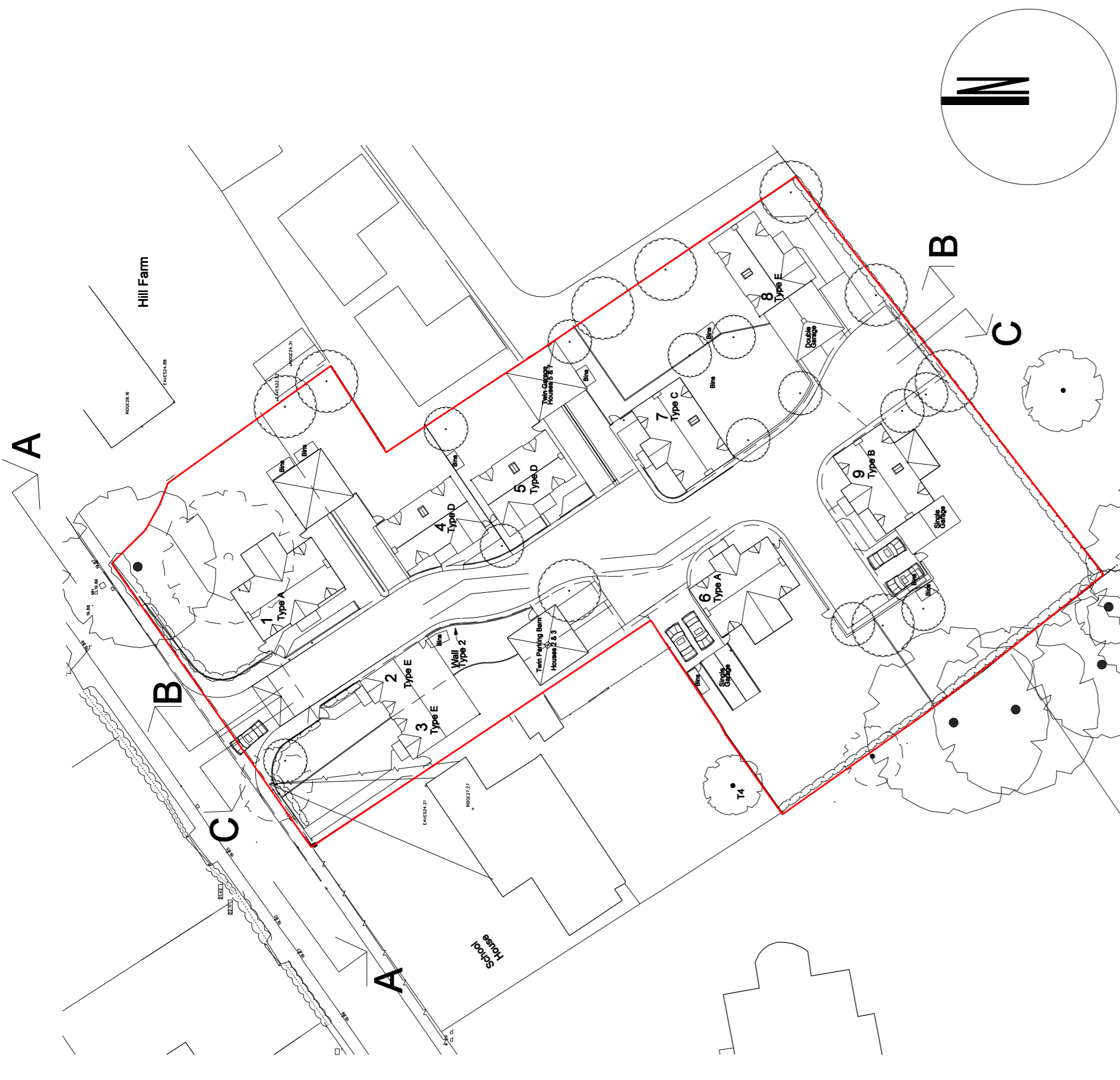
Street Front Elevation (A - A)



Internal Road - Elevation B - B



Internal Road - Elevation C - C



Site Keyplan 1:500

**Peter Humphrey Associates**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT

PROPOSED RESIDENTIAL DEVELOPMENT

SITE

OFF CHURCH ROAD  
CHRISTCHURCH, CAMBS

DRAWING  
STREET FRONTAGE AND INTERNAL VIEWS

CLIENT  
MR W POOLE

DATE May 2011 SCALE 1:200 JOB No. 4674 / (P) 10 E

REV.	DETAILS	DATE
A	Updated to revised site plan	July 2012
B	Updated to revised frontage house arrangement	Aug 2012
C	Updated to latest plot arrangement	Nov 2012
D	Semi Detached Cottages E elevations updated.	Nov 2012
E	Updated to latest plot arrangement.	Dec 2012

DO NOT SCALE FROM THIS DRAWING  
COPYRIGHT: THIS DRAWING MUST NOT BE REPRODUCED

WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES



**Peter Humphrey Associates**  
ARCHITECTURAL DESIGN AND BUILDING  
TELEPHONE 01945 466 686  
FAX 01945 466 433  
E-MAIL: info@peterhumphrey.co.uk  
31 OLD MARKET, WISBECH, CAMBS PE13 1HE





Refer to MTC drawing 1216-03C for details of new junction and 1 in 7.5 kerb line adjustment for visibility splay arrangement

Existing Copper Beech removed and replaced with new tree in garden see 4674/(P) 04

Type 4 Railings backed with native hedge

The Paddocks

**Schedule of Accommodation**

9 Houses
2 Type A - 4 Bed, Houses 171.5 m <sup>2</sup>
1 Type B - 4 Bed, Houses 163.0 m <sup>2</sup>
1 Type C - 3 Bed, Houses 157.0 m <sup>2</sup>
3 Type D - 3 Bed, Cottage 135.5 m <sup>2</sup>
2 Type E - 2 Bed, Cottage (semi) 80.5m <sup>2</sup>

**Peter Humphrey Associates**  
ARCHITECTURAL DESIGN AND BUILDING

PROJECT  
**PROPOSED RESIDENTIAL DEVELOPMENT**

SITE  
**OFF CHURCH ROAD  
CHRISTCHURCH, CAMBS**

DRAWING  
**SITE ARRANGEMENT**

CLIENT  
**MR W POOLE**

REV.	DETAILS	DATE
C	Revised to avoid shading from Churchyard trees	Oct 2012
D	Adjusted to meet planning requirements and to meet the requirements of the Local Planning Authority	Nov 2012
E	Revised to meet the requirements of the Local Planning Authority	Feb 2013
F	Final plan revised to include areas of flood plains as shown	July 2013
G	House specifications revised to include 2 bed cottages	July 2013

DO NOT SCALE FROM THIS DRAWING  
COPYRIGHT THIS DRAWING MUST NOT BE ISSUED  
WITHOUT THE CONSENT OF PETER HUMPHREY ASSOCIATES



**Peter Humphrey Associates**  
ARCHITECTURAL DESIGN AND BUILDING  
TELEPHONE 01945 466 966  
FAX 01945 466 433  
E-MAIL: info@peterhumphrey.co.uk  
31 OLD MARKET WASHING CHAMBERS MK13 1BA

**PROPOSED SITE PLAN 1:200**  
Refer to drawing 4674/(P) 04 for external works + fencing and walls