

**Application Number: F/YR13/0440/O**  
**Minor**  
**Parish/Ward: Leverington/Roman Bank Ward**  
**Date Received: 17 June 2013**  
**Expiry Date: 12 August 2013**  
**Applicant: Mr & Mrs R Littlechild**  
**Agent: Mr J Maxey, Maxey Grounds & Co.**

**Proposal: Erection of 4 dwellings.**  
**Location: Land North of Cottage Two, Ringers Lane, Leverington.**

**Site Area: 0.38 hectares.**

**Reason before Committee: The application is a departure from the Development Plan.**

## 1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks outline consent for 4 dwellings on a piece of land fronting onto Ringers Lane in Leverington. The application seeks to commit the layout of the dwellings with all other matters reserved. The site is outside of the defined settlement core, however it is in close proximity to this. There are a number of dwellings opposite along Munday Way which form part of the main settlement, with further residential development to the South. The site currently comprises an orchard with an existing access.

The key issues to consider are:

- Relevant Policy
- Layout

The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be acceptable in this instance, therefore the application is recommended for approval.

## 2. HISTORY

There is no relevant history in relation to this site.

## 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 55: Avoid isolated homes in the countryside unless there are special circumstances.

Paragraph 109: Conserving and enhancing the natural environment.

### 3.2 Fenland Core Strategy – February 2013:

CS1: Presumption in favour of sustainable development

CS3: Spatial Strategy, The Settlement Hierarchy and the Countryside.

CS12: Rural Areas Development Policy

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

### 3.3 Fenland District Wide Local Plan:

H3 – Settlement Development Area Boundaries

H16 – Housing in the open countryside

E1 – Conservation of the Rural Environment

E8 – Proposals for new development.

## 4. CONSULTATIONS

- |     |                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----|----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 4.1 | <b><i>Town Council</i></b>             | Not received at the time of writing this report.                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| 4.2 | <b><i>North Level IDB</i></b>          | No objection in principle however Ringers Lane Drain forms the northern boundary to the site and therefore NLIDB byelaws prevent any structure within 9 metres of the brink of this drain. Access to the watercourse is required at all times and a clause must be included in the deeds of the plot affected notifying owners of the Board's rights of access.                                                                                                                                                            |
| 4.3 | <b><i>Environment Agency</i></b>       | No objection subject to the inclusion of conditions and informatives relating to flood resilience and warning, surface water drainage and foul water drainage.                                                                                                                                                                                                                                                                                                                                                             |
| 4.4 | <b><i>FDC Environmental Health</i></b> | No objections in terms of the local air quality or noise climate. Contaminated land is not considered to be an issue.                                                                                                                                                                                                                                                                                                                                                                                                      |
| 4.5 | <b><i>CCC Highways</i></b>             | Not received at the time of writing this report. To be updated at the Committee meeting.                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 4.6 | <b><i>Local Residents:</i></b>         | 2 letters of objection received concerning (in summary): <ul style="list-style-type: none"><li>• A very established orchard will be destroyed which is a hive for wildlife;</li><li>• The site is often used for people walking their dogs;</li><li>• Concerns over the disruption that would be faced by existing residents during the construction period;</li><li>• There is on-street parking near the site which would need to be moved during construction to allow for HGVs to get along the narrow road.</li></ul> |

- Ringers Lane is not suitable for HGVs.
- Ringers Lane is a busy road as it is used as a rat run between Leverington and Gorefield.
- There is a safety risk in having construction traffic along this road as children play in this area.
- 4 more houses are not needed in this location. One person's gain is a whole community's loss.
- Munday Way currently consists of 100+ houses and bungalows which make it hazardous when reversing out of driveways.
- This will open up the rest of the site for residential development.

## 5. **SITE DESCRIPTION**

- 5.1 The site is located on the Western side of Ringers Lane in Leverington. The site is currently an orchard and this proposal seeks outline consent for the development of the front part of this site only for 4 dwellings. The site has an existing access centrally, which will be retained to allow access to the remainder of the orchard. The site is bounded by trees and hedging, with agricultural land beyond, to the north and west. To the east of the site is the Munday Way development of dwellings and residential development is also prominent to the South on both sides of the road. The site is beyond the main settlement core however the defined settlement core begins at the Munday Way development therefore the site is in close proximity to this.

## 6. **PLANNING ASSESSMENT**

- 6.1 The key considerations for this application are:
- Relevant Policy
  - Layout

### Relevant Policy

The site is located beyond the established settlement of Leverington on land which is characterised as open countryside. Had it not been for the road itself the site would immediately adjoin the existing built up form of Leverington. The site adjoins existing residential development which sits to the South also. The proposal does not fully accord in principle to countryside housing policies, however this must be balanced with the overall character and form of the existing area. It is considered that the proposed development would round off this part of Leverington, with the drain and reduction in the width of Ringers Lane beyond the application site, serving to restrict any further development beyond this point. The level of development in the area, the mix of dwelling types and scales and the proximity to the current built form of Leverington results in the development being considered acceptable in this instance. .

Policy CS3 of the Fenland Local Plan Core Strategy – February 2013, identifies Leverington as a 'Limited Growth Village, where a small amount of new development will be encouraged and permitted in order to support their continued sustainability. Policy CS3 points out that such development may be appropriate as a small village extension. This application is for 4 dwellings and will not compromise the future development or policy aspirations of the village. As such the principle of development in this location is considered to be acceptable in this instance.

### Layout

This application seeks outline consent for 4 detached dwellings. The submitted layout is committed with all other matters reserved. The proposed layout shows the dwellings as detached and forming a frontage development, each with their own parking and turning areas and private amenity space. The submitted layout plan shows that 4 dwellings can comfortably be accommodated on the site, and given the mix of dwelling types in the surrounding area, is likely to be in keeping with the overall character of the area. The submitted layout does not give rise to any concerns over the impacts on residential amenity. The specific design of the dwellings will be addressed at Reserved Matters level.

The points of objection have been noted and highways comments are awaited. Ringers Lane currently serves a number of dwellings, including a large development at Munday Way and is an unclassified road. In the interests of highway safety, although not normally required on an unclassified road, it is considered appropriate to condition the development to provide parking and turning for each plot so that vehicles do not reverse onto the highway.

The site falls partially within Flood Zone 3 however in this instance it is the very front of the site, adjacent to the public highway, that is within FZ3. The rest of the site, including the areas where the dwellings will be sited, is within Flood Zone 1 therefore there has been no requirement for the sequential test to be carried out in this instance. The Environment Agency have assessed the proposal and raise no objections. In terms of the loss of the front part of the orchard, the trees have been assessed and have been found to be of a modern dwarf stock which are approaching the end of their cropping life and would, therefore, be due for removal within the next few years.

This is an outline application therefore, from the layout plan and information provided it is considered that 4 dwellings can be accommodated on this site. The proposal can be conditioned to protect highway safety and it is unlikely that the development would have an adverse impact on the character of the area or on any existing residential amenity.

## **7. CONCLUSION**

- 7.1 The proposal has been considered in light of the above points and the relevant National and Local Planning Policies. It is considered that, although the site is outside the defined settlement core, the proposal sits in close proximity and reflects the form of an area of existing built up development and, given the different types of dwellings in the surrounding area, the proposal is on balance acceptable. As such it is recommended for approval with suitable conditions.

## **8. RECOMMENDATION**

### **Grant**

#### **1. Approval of the details of:**

- (i) the scale of the buildings**
- (ii) the external appearance of the building(s);**
- (iii) the means of access thereto;**
- (ii) the landscaping**

**(hereinafter called "the Reserved Matters" shall be obtained from the Local Planning Authority prior to the commencement of development).**

***Reason - To enable the Local Planning to control the details of the development hereby permitted.***

#### **2. Application for approval of the Reserved Matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.**

***Reason - To ensure compliance with Section 92 of the Town and Country Planning Act 1990.***

#### **3. The development hereby permitted shall begin before the expiration of 2 years from the date of approval of the last of the Reserved Matters to be approved.**

***Reason - To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.***

#### **4. The details submitted in accordance with Condition 01 of this permission shall include:**

- (a) a plan showing (i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter, measured over the bark at a point 1.5 m above ground level exceeding 75 mm, showing which trees are to be retained and the crown spread of each retained tree and (ii) the location of hedges to be retained and details of species in each hedge.**
- (b) details of the species, diameter (measured in accordance with paragraph (a) above), and the approximate height, and an assessment of the general state of health and stability, of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;**
- (c) details of any proposed topping or lopping of any retained tree or of any tree on land adjacent to the site;**

- (d) details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;
- (e) details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or hedge from damage before or during the course of development;
- (f) the plans and particulars submitted shall include details of the size, species, and positions or density of all trees or hedges to be planted, and the proposed time of planting.

In this condition 'retained tree or hedge' means an existing tree or hedge which is to be retained in accordance with the plans referred to in paragraph (a) above.

*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 protect the character of the site.*

5. 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.
6. Prior to the commencement of any development, a scheme and timetable for the provision and implementation of foul and surface water drainage shall be submitted and approved in writing by the Local Authority. The works/scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme and thereafter retained in perpetuity.

*Reason - To ensure a satisfactory method of foul and surface water drainage and to prevent the increased risk of flooding.*

7. Prior to commencement of the use hereby approved a suitable area shall be provided within the site to enable vehicles to:
  - a) enter and leave in forward gear;
  - b) park clear of the public highway;
  - c) load and unload clear of the public highway.

**The extent of this area shall be shown fully dimensioned on the layout plans to be submitted as part of the Reserved Matters application and such space shall be retained thereafter for no other use in perpetuity.**

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

- 8. 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.**

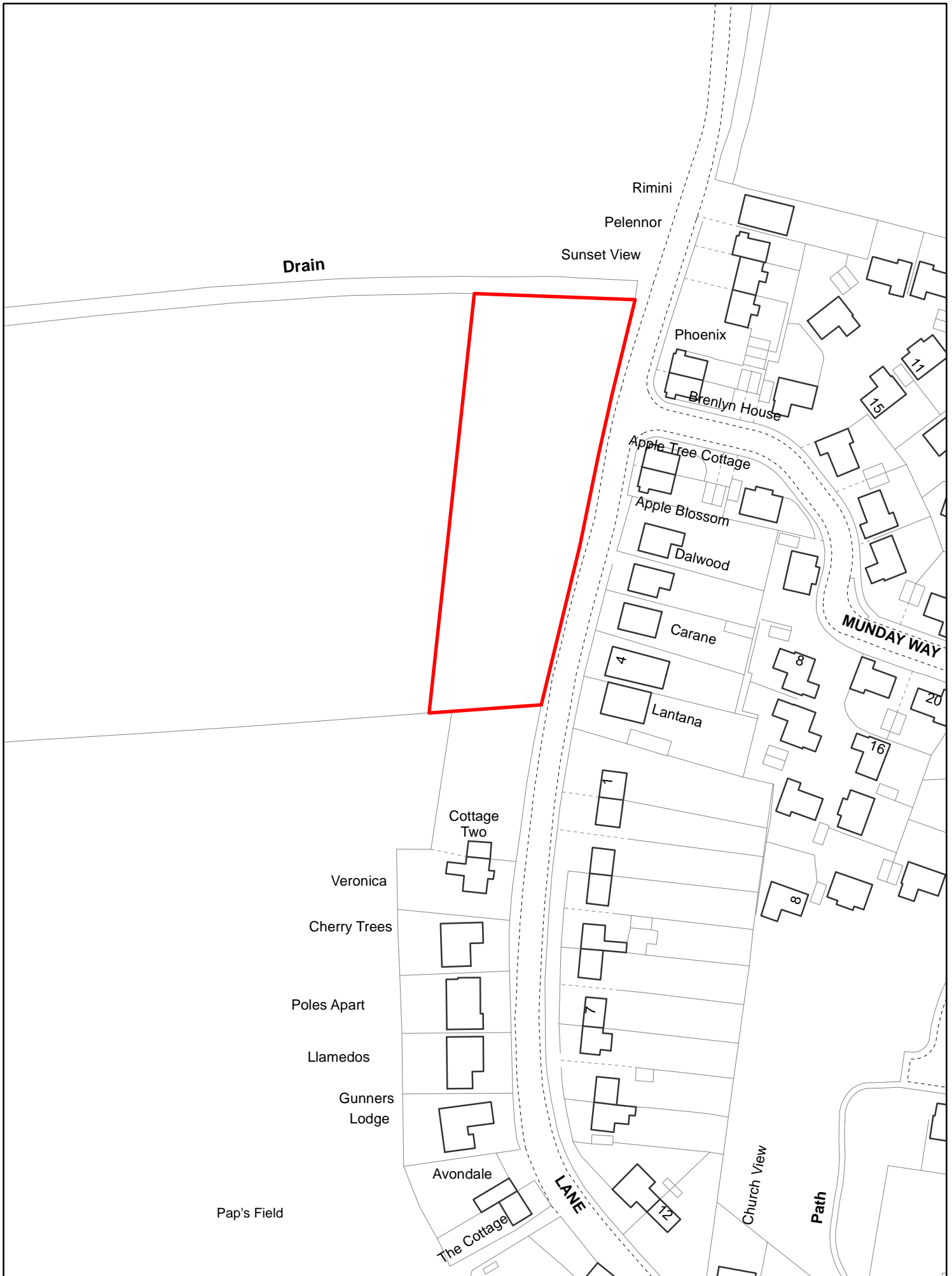
**Reason – In the interests of highway safety.**

- 9 The accesses shall be constructed with adequate drainage measures to prevent surface water run-off onto the adjacent public highway in accordance with a scheme to be submitted to and approved by the LPA.**

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

- 10. Any other conditions requested by the Local Highways Authority as a result of the reconsultation.**

- 11. Approved Plans**



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F/YR13/0440/O

Scale = 1:1,250





Rimini

Pelennor

Drain

Sunset View

EXISTING WINDBREAK TREES

Phoenix

Brenlyn Hc

Apple Tree Cottage

Apple Blossom

Dalwood

Greenlands

Carane

Lantana

ORCHARD

AGRICULTURAL  
ACCESS TO ORCHARD

EXISTING WIND BREAK  
TREES

WIND BREAK TREES  
RETAINED TO SOUTH  
SIDE AND FRONTAGE  
OF PLOT

Cottage

Two

LAND RIMBERS LANE LEVERINGTON

BLOCK PLAN (PROPOSED)

SCALE 1:500

Veronica

Cherry Trees

0m 10m 20m 30m

