

Application Number: F/YR13/0561/F
Minor
Parish/Ward: March West
Date Received: 24th June 2013
Expiry Date: 18th September 2013
Applicant: Mr S Duncan
Agent: Mr S Duncan

Proposal: Erection of 1 x 3-bed 2-storey dwelling and 1 x 4-bed 2-storey dwelling with integral double garages
Location: Land South of 5 Mill Hill Lane, March

Site Area/Density: 0.133 hectares.

Reason before Committee: This application is a departure from the Development Plan

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of 1 x 3-bed 2-storey dwelling and 1 x 4-bed 2-storey dwelling with integral double garages on land south of 5 Mill Hill Lane, March.

The site is almost triangular in shape and is located immediately outside the defined settlement core of March, accessed from Mill Hill Lane.

The key issues to consider are:

- Principle and Policy Implications
- Character and Appearance
- Impact on Residential Amenity
- Access, Parking and Turning
- Biodiversity

The key issues have been considered in line with the development plan policies and to the National Planning Policy Framework and the proposal is considered to be acceptable in this instance, therefore the application is recommended for approval.

2. HISTORY

Of relevance to this proposal is:

2.1	F/YR12/0448/F	Erection of 1 x 3-bed 2-storey dwelling and 1 x 4-bed 2-storey dwelling with integral double garages	Refused on 7 August 2013
	F/YR11/0785/F	Erection of 1no x 3-storey 5/7-bed with integral garage and 2no x 4-bed dwellings with integral garages	Withdrawn on 25 November 2011

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 55 - Avoid new isolated homes in the open countryside

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
- CS9 - March
- CS12 - Rural Areas Development Policy
- CS15 - Facilitating the Creation of a More Sustainable Transport Network in Fenland
- CS16 - Delivering and Protecting High Quality Environments across the District.
- CS19 - The Natural Environment

3.3 Fenland District Wide Local Plan:

- H3 - To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other policies of the Plan.
- E1 - To resist development likely to detract from the Fenland landscape. New development should meet certain criteria.
- E8 - Proposals for new development should:
 - allow for protection of site features;
 - be of a design compatible with their surroundings;
 - have regard to amenities of adjoining properties;
 - provide adequate access.
- TR3 - To ensure that all proposed developments provide adequate car parking in accordance with the approved parking standards.

4. CONSULTATIONS

4.1 **Town Council:**

Recommend approval.

4.2 **Middle Level Commissioners:**

Will be commenting on the application; however no further comments received at time of writing.

- 4.3 **Natural England:** Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. It is noted that a survey for European Protected Species has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect great crested newts.
- 4.4 **Wildlife Trust:** No comments received at time of writing report.
- 4.5 **FDC Environmental Health:** No comments received at time of writing report.
- 4.6 **Highway Authority:** No comments received at time of writing report.
- 4.7 **CCC Countryside Access Team:** The access to the proposed development is along Mill Hill Lane. Mill Hill Lane is recorded as a public vehicular road as far as No 5, Mill Hill Lane, currently the last house. South of No 5 the route is recorded solely as a Byway Open to All Traffic (BOAT No 22, March). Public Byways, although having vehicular rights, are normally maintained only to the standard required by horse riders and pedestrians, not to that needed by vehicles. It is not clear whether the developer is wishing to carry out any works on the byway to improve vehicular access. Any such works would require the prior consent of Cambridgeshire County Council.
- 4.8 **Ramblers:** No comments received at time of writing report.
- 4.9 **Local Residents:** 1 letter of concern received. Comments are summarised below:
- The lane is barely a track after No.5 and inadequate to service two extra properties particularly during the construction phase.
 - There is no measurement from Plot 2 in relation to the southern boundary of No.5. If there was enough space between Plot 2 and the boundary it would have less of an impact on No.5.
 - Expect all vehicles to enter and leave the site without turning in any existing driveways.
 - The tree planting at the back of the site should be completed at an early stage.

5. **SITE DESCRIPTION**

- 5.1 The site lies adjacent to the existing settlement limits of March and is presently vacant land with no buildings or features on. The land has been cleared of trees although there is a landscaped boundary to the south of the site and an open drainage ditch to the front of the site which is heavily overgrown.

6. **PLANNING ASSESSMENT**

- 6.1 The application is considered to raise the following key issues;

- Principle and Policy Implications
- Character and Appearance
- Impact on Residential Amenity
- Access , Parking and Turning
- Biodiversity

Principle and Policy Implications

The site is located immediately adjacent the settlement of March, adjacent to No. 5 Mill Hill Lane which is a two-storey property at the end of a ribbon of development extending southwards from March along Mill Hill Lane. The proposed houses would continue this form of development. Policy H3 indicates that housing development will not normally be permitted outside defined Development Area Boundaries. This policy broadly accords with paragraph 55 of the National Planning Policy Framework (NPPF) which states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are specific circumstances are fulfilled. It is recognised that this site is immediately adjacent to the DAB, however areas outside the defined boundary are considered outside the settlement for policy purposes. There is no suggestion that this proposal falls within any of the categories accepted as exceptions to the general restriction in Policy H3.

Accordingly applying the Local Plan as it stands, the principle of an additional two dwellings here would be contrary to the strict interpretation of Policy H3 and to the NPPF. However in the overall conclusion it will be considered whether, in light of other matters including those addressed below, there are material considerations that indicate a decision other than in accordance with the development plan in this respect.

Character and Appearance

The proposed layout of the site demonstrates that two detached houses with ample garden, parking and turning space can be provided. The proposed houses are considered to be of a good standard of design and would be compatible with the surrounding built environment. The proposed layout of the houses would retain the existing character of development and would be of a scale and design that is in keeping with the shape and form of the settlement pattern.

As such the proposal complies with Policy E8 of the Local Plan which, amongst other things, requires new development to be of a design compatible with its surroundings in terms of townscape/landscape character.

Impact on Residential Amenity

The submitted plan for Plot 2 (closest to No.5) has been amended since the previous refusal (LPA reference: F/YR12/0448/F) on the site following Officers concerns with its relationship with No.5. Plot 2 has been repositioned further south approximately 5 metres away from the existing property and there are now no first-floor windows in the north elevation that would face this property. Accordingly the proposal is considered to have an acceptable relationship with No.5 and it is considered that there would be no undue impact on this existing property in terms of overlooking or overshadowing.

Access, Turning and Parking

Although no comments have been received from the Highway Authority at the time of writing this report, the proposed development provides a shared access for both houses. It allows for an access width of 5 metres for a minimum distance of 10 metres into the site. The proposal also provides ample parking for both dwellings via garaging and open parking to the front of the site together with adequate turning within the site to ensure that vehicles can enter and leave the site in forward gear. Any comments from the Highway Authority will be updated accordingly at the Planning Committee.

Biodiversity

An extended Phase I Habitat Survey Report was undertaken in February 2012, which recommended that further survey work should be undertaken to determine the presence or likely absence of great crested newts within the drains. Accordingly a further Amphibian Survey Report was undertaken in May 2013 and submitted with this application. The reports conclude that great crested newts are very unlikely to occur on the site and no mitigation for the species is required for the development to take place. It should also be noted that Natural England does not object to the proposed development.

7. CONCLUSION

- 7.1 Whilst it is considered that the principle of development here would conflict with a strict interpretation of Local Plan and to the NPPF, Officers have given due regard to the individual merits of this scheme. It is considered that the proposed development would not undermine the aims of Policy H3 or the NPPF of protection of the countryside; in that the site is self contained and benefits from an established landscaped area and drainage ditch directly to the south which would serve as a visual stop in development along this road frontage. Given that there would be no harm to the character and appearance of the area through the bringing forward of this site for development, it is considered that the material considerations allow for a decision other than in accordance with the development plan.

For the reasons given above it is recommended that the proposed development is approved.

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 commencement of the development hereby approved full details of the materials to be used for the external walls and roof 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 the first occupation of the development hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to:**

- 1. enter, turn and leave the site in forward gear;**
- 2. park clear of the public highway;**

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.

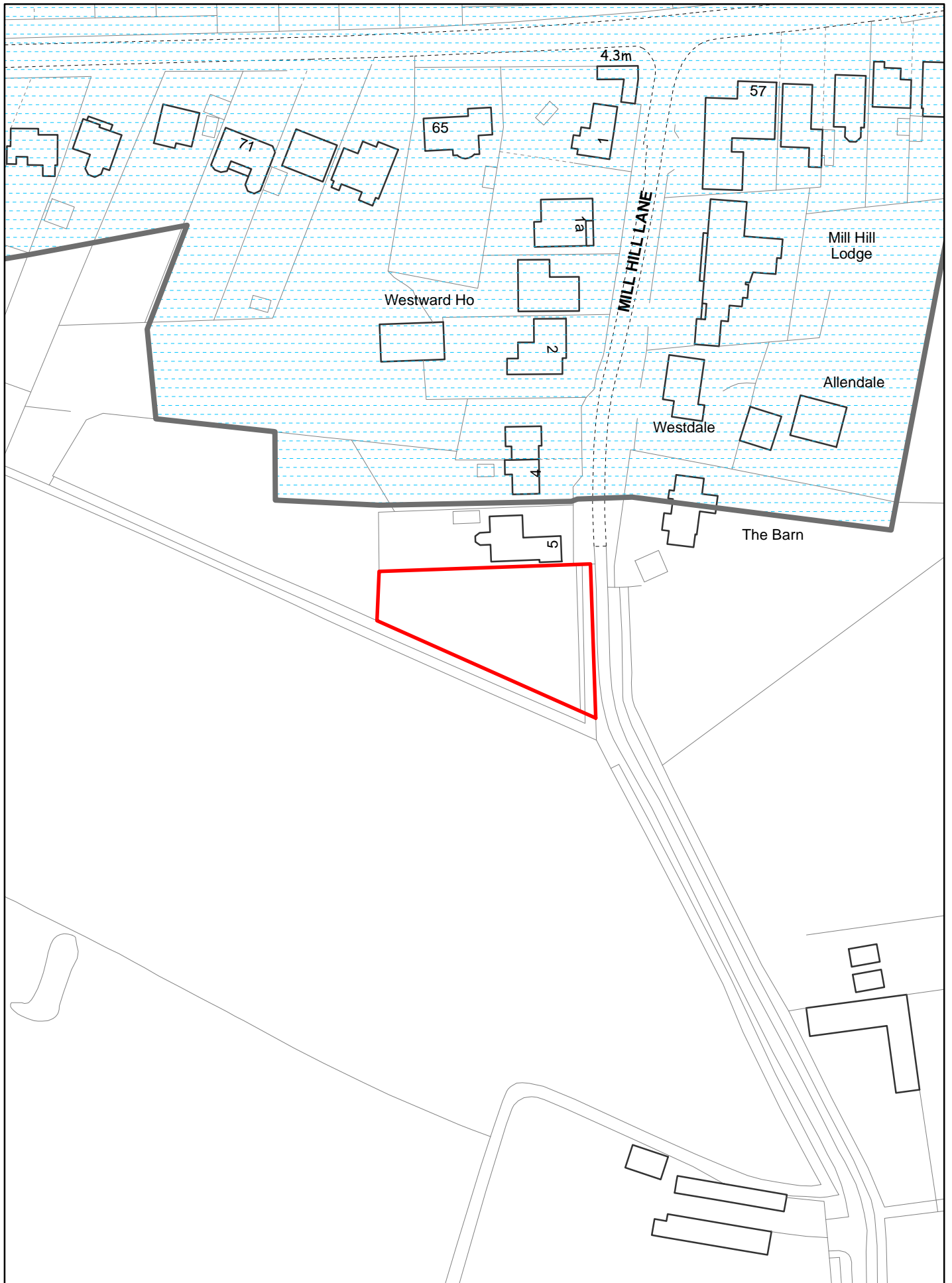
- 4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (or any other Order revoking or re-enacting that Order with or without modification), no first floor windows shall be placed in the northern side elevation of Plot 2 as depicted on drawing number 11:202/12 Revision B dated 24 July 2013 of the development hereby approved.**

Reason - To protect the amenities of the adjoining occupiers.

- 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.**

Reason - To ensure proper implementation of the agreed landscape details in the interest of the amenity value of the development.

- 6. Approved Plans**



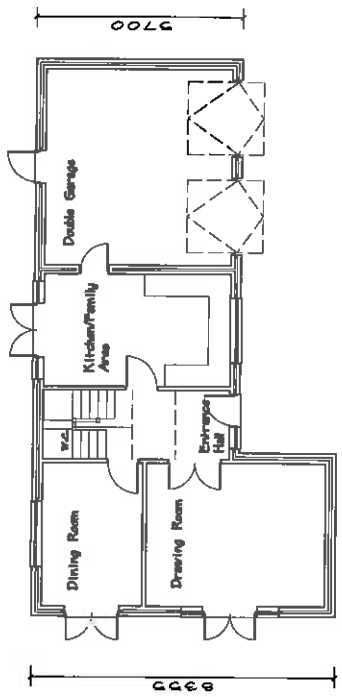
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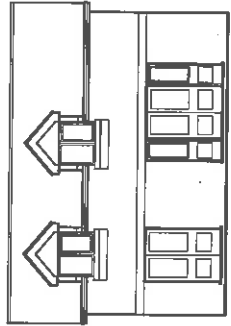
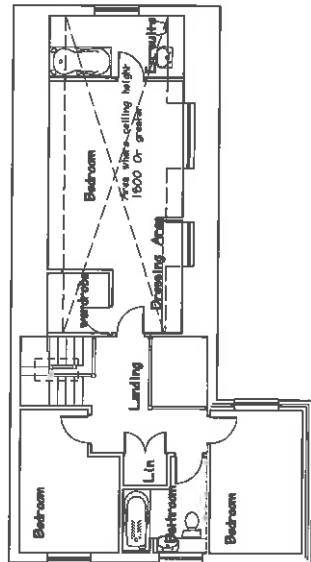
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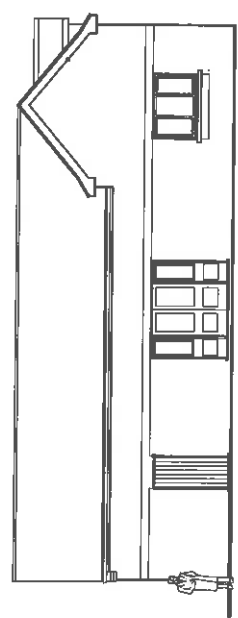
GROUND FLOOR PLAN



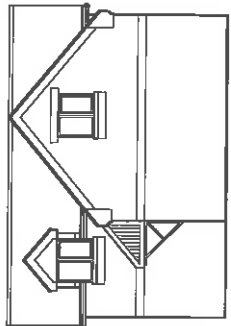
FIRST FLOOR PLAN



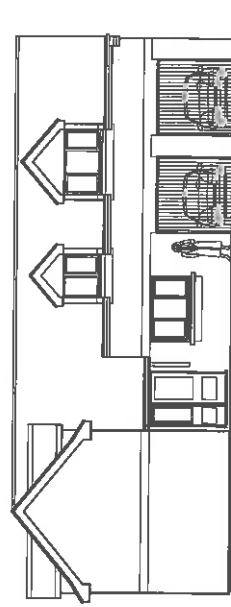
West Elevation



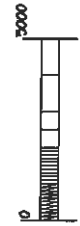
North Elevation



East Elevation



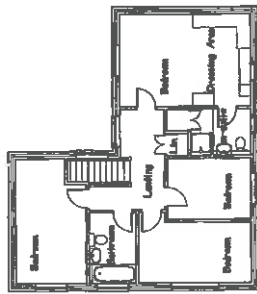
South Elevation



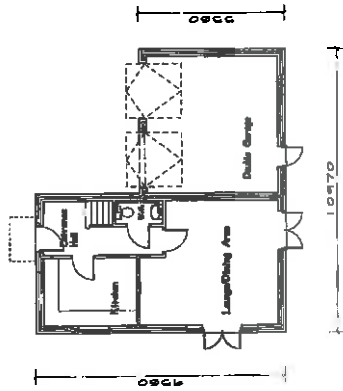
ELEVATIONS

FLOOR PLANS

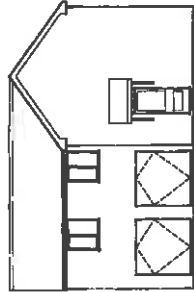
Revision B August 01/3 Planning amendments added
 Revision A July 01/2 Planning amendments added
Robert Powell - SURVEYOR
 48 Church Street, Millisley, Peterborough, PE7 1DS
 Telephone: 01753 203210 Fax: 01753 551210
 Land to the rear of 4 Mill Hill Lane, Millisley,
 Proposed Residential Development.
 Scale 1:1000 Date: March 2012 Drawing No: R12022/2



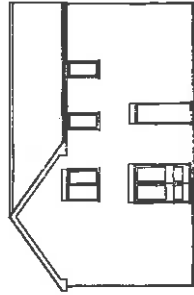
First floor
plan



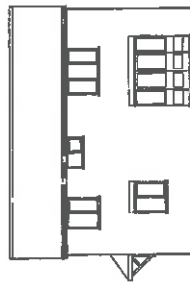
Ground floor
plan



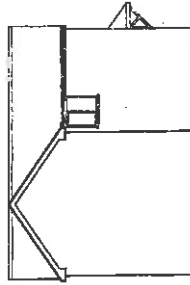
North
Elevation



South
Elevation



West
Elevation



East
Elevation



Robert Powell - SURVEYOR
 Building and Party Wall Surveyor
 70 Church Street, Ashburton, Devon, PL23 7AB
 Tel: 01752 202226 Fax: 01752 802120
 Land to the east of No 4 Mill Hill Lane North
 Proposed Residential Development.
 Ashburton, Devon, PL23 7AB
 525 1102 01/10/2011 Drawing No. J150271

