

Application Number: F/YR13/0667/O
Minor Dwellings
Parish/Ward: Manea Parish Council
Date Received: 5 September 2013
Expiry Date: 26 November 2013
Applicant: Mrs V Fox

Proposal: Erection of 4 dwellings

Location: Land south and west of Keswick, Station Road, Manea

Site Area: 0.3 ha

Reason before Committee: The recommendation of the Parish Council is contrary to the Officer's recommendation.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This is an outline application for the erection of 4 dwellings with all matters reserved.

The key issues relate to:

- Policy considerations
- Site constraints
- Layout
- Other considerations

The application lacks sufficient information in order to adequately assess the proposal and issues relating to access, siting and design have not been resolved. Furthermore the application site incorporates the site of a former orchard and no biodiversity report was submitted with the application. The LPA considers whilst the land may have scope for development the illustrative details fail to demonstrate that 4 dwellings can be accommodated on this land without detriment to neighbouring properties or any protected species that may be present on this site.

This site is located within the village of Manea which is categorized as a growth village in the Core Strategy. Manea has reached the 10% threshold of increased housing numbers in the village and therefore any proposal should have demonstrable evidence of strong local community support for the scheme. A proportional approach for such a proposal would include consultation with the Parish and immediate neighbours.

Whilst the applicant does not wish to commit any details as part of this application, the LPA considers that without further detailed information it is not possible to favourably determine this application. In the absence of the further information requested Officers have no option therefore but to recommend refusal.

2. HISTORY

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 109: Conserving and enhancing the natural environment.

3.2 Draft Fenland Local Plan Core Strategy:

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.

CS19: The Natural Environment

3.3 Fenland District Wide Local Plan:

H3 – Settlement Development Area Boundaries

E3 – Trees/hedges to be retained

E7 - Archaeology

E8 – Proposals for new development.

4. CONSULTATIONS

4.1 *Parish/Town Council:*

Supports the application.

4.2 *Local Highway Authority:*

No objections in principle, the access road alignment/ detail shown on the block plan is not acceptable.

An appropriate form of access comprise:

- 5m width for 10m
- 4.1m thereafter
- 2.4m x 43m visibility splays
- 2.0m x 2.0m vehicle to pedestrian visibility splays

and recommends appropriate conditions relating to the above.

4.3 *Middle Level Commissioners:*

Comments awaited.

4.4 *Environmental Health (FDC):*

No objection as mapping records show no contaminated land in this area.

4.5 ***Environment Agency:***

Main source of flooding is associated with watercourses under the jurisdiction of the IDB.

No objection but recommends a condition be imposed relating to the provision of a scheme for the disposal of foul water.

4.6 ***County Archaeology:***

Records indicate the site lies in an area of high archaeological potential. It is considered likely that important archaeological remains survive on the site and that these would be severely damaged or destroyed by the proposed development.

The site should therefore be subject to a programme of archaeological investigation which should be commissioned and undertaken at the expense of the developer.

4.7 **Local Residents:**

5 letters of objection re:

- part of the land is an ancient orchard and its removal will have a huge impact on local wildlife;
- traditional orchards are cultural landmarks;
- the value of old orchards was highlighted in August 2007 by their designation by Defra as priority habitats in UK Biodiversity Action Plans;
- no environmental study of the area has been undertaken;
- the site is rich in wildlife and possibly rare orchard species;
- there is already plans for a further 100 houses in Manea and the infrastructure cannot cope;
- access is unsafe as opposite Wisbech Road junction;
- loss of green spaces in the village should be avoided;
- Manea has too much building already approved;
- trees have already been removed with disastrous results for wildlife;
- limited amenities and infrastructure within the village will lead to drainage issues;
- possible overlooking into adjoining residential site;
- bus pick up from Station Road opposite the site access could cause highway safety issues;

5. **SITE DESCRIPTION**

- 5.1 The site is roughly rectangular in shape and appears to be the former garden area of Keswick. There is an overgrown orchard to the south west corner of the site and shrubs and hedgerows along the rear boundary. There is a range of garages to the rear of Keswick which are not within the site boundary. A row of conifer trees has been partially removed. There is a bungalow to the north of the site and 2-storey houses to the south.

6. **PLANNING ASSESSMENT**

The key considerations are:

- Policy considerations
- Site Constraints
- Layout

Policy Considerations

The application site is within the built up settlement of Manea which is considered to be a growth village as outlined in the Fenland Local Plan Core Strategy.

The NPPF seeks to promote sustainable development in rural areas where it will maintain the vitality of rural communities. This is further supported by the policies within the Local Plan and Emerging Core Strategy where it is determined that new development in villages will be supported where it contributes to the sustainability of the settlement and does not harm the wide, open character of the countryside.

Policy CS3 of the emerging Core Strategy seeks to support sustainable growth within Fenland. The focus for the majority of growth is in and around the four market towns. Policy CS3, together with other policies, steers most new development to those larger places that offer the best access to services and facilities, both for now and for the foreseeable future. This helps to reduce the need to travel as well as making best use of existing infrastructure and previously developed land in built up areas.

It is Government policy that development in the countryside should be strictly controlled in order to conserve its character and natural resources. By identifying the settlement hierarchy and distinguishing between settlements and the countryside, the policy restricts development in the countryside other than that where a rural location is fully justified.

Policy CS12 of the Core Strategy – September 2013 is also relevant to this application and lists the general good practice criteria for evaluating proposals. The criteria include reference to the development being within the existing developed footprint of the village and that the site should retain and respect ecological, archaeological and biodiversity features.

Site Constraints

Biodiversity

In the south west corner of the site is an old orchard which has shown on Ordnance Survey maps for a number of years. According to local residents the orchard still produces an abundance of fruit varieties however due to the overgrown nature of the orchard a detailed survey will be necessary. Such a survey will also indicate the presence or otherwise of any protected species or flora that may be present. A biodiversity survey is a requirement pre-determination of any application and cannot be conditioned as part of any approval. The application did not include such a survey.

Layout

An indicative layout has been provided which shows 4 single-storey dwellings served by a private drive to the side of Keswick. Whilst layout is not committed as part of this application, the layout shown does not provide sufficient information to allow the LPA to determine if 4 dwellings can be adequately accommodated on the site and still achieve parking and turning.

The dwellings will be served off a private drive and therefore the collection of household refuse will be undertaken from the back edge of the footpath. The recently adopted RECAP Waste Management Design Guide states that householders should not have to move their refuse more than 30 metres to a collection point. The distances from all of these plots far exceed the 30 metre guidance with the plots to the rear being in excess of 70 metres from the road

frontage.

The layout does not show how the access will be shared with Keswick and where Keswick will park and turn within the site.

8. CONCLUSION

- 8.1 This application is for outline planning permission with all matters reserved. The LPA considers that it is unable to fully evaluate the proposal without at least access and siting being committed. These details were requested but the agent has declined to submit further details and therefore the application cannot be supported in its present format.

In the absence of a biodiversity survey it is not possible to evaluate the possible effects the development could have on protected species and wildlife in general.

It is considered that from the information provided the LPA are unable to fully evaluate the proposal in terms of highways, impact on neighbours, any possible impact on protected species and further details relating to the orchard.

The Local Highway Authority has set out standard criteria relating to access, visibility etc but cannot make a recommendation on the standard of the site layout plan details submitted.

The Local Planning Authority considers that as a minimum the access and layout should be committed as part of any outline consent for this site and that an appropriate biodiversity study undertaken and submitted to prove that the development will not have an adverse impact on any protected species.

9. RECOMMENDATION

REFUSE:

1. **The application has failed to provide sufficient information relating to access and layout to enable full evaluation of the proposal and therefore the Local Planning Authority are unconvinced that the proposal will fully comply with Policy E8 of the Fenland District Wide Local Plan 1993 and Policies CS12 and CS16 of the Fenland Local Plan Core Strategy September 2013.**
2. **The application has failed to demonstrate that there will be no adverse impact on any protected species that may be present on the site due to the lack of a biodiversity study. The proposal is therefore contrary to Policy CS12, CS16 and CS19 of the Fenland Local Plan Core Strategy September 2013.**