

Application Number: F/YR13/0648/F

Major

Parish/Ward: Parson Drove and Wisbech St Mary

Date Received: 27 August 2013

Expiry Date: 26 November 2013.

Applicant: Roddons Housing Association

Agent: Mr T Welland, The Design Partnership (Ely) Ltd.

Proposal: Erection of 4no 3-bed and 8no 2-bed 2-storey dwellings with associated external works and parking.

Location: Land South East of 6 Gull Road, Guyhirn.

Site Area: 0.37 hectares

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

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application is a full application for 12 dwellings at Land to south east of 6 Gull Road in Guyhirn. The site adjoins an existing area of residential development to the north west and open, agricultural land to the east and south east. The site currently comprises agricultural land. The development comprises of 4 x 3-bed and 8 x 2-bed 2-storey dwellings with a new access off Gull Road.

The key issues to consider are:

- Relevant Policy
- Layout and Design
- Affordable Housing

The proposal relates to an area of agricultural land that fronts onto Gull Road with a mix of residential development and open agricultural land. The site is outside of any defined settlement core with the main settlement of Guyhirn at some distance to the south east of the proposed site. The key issues have been considered along with current Local and National Planning Policies and the proposal is considered to be acceptable, on balance, in this location by virtue of the affordable housing need that it seeks to satisfy. Therefore the application is recommended for approval subject to a Section 106 Agreement.

2. HISTORY

There is no history relevant to this application.

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: 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 – Submission Version September 2013:**

CS1: Presumption in favour of sustainable development.

CS3: Spatial strategy, the Settlement Hierarchy and the Countryside

CS5: Meeting Housing Need.

CS12: Rural Areas Development Policy

CS14 Part B: Flood Risk and Drainage.

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

3.3 **Fenland District Wide Local Plan:**

H3 – Settlement Development Area Boundaries

H14 – Affordable Housing Rural Exceptions.

E8 – Proposals for new development.

4. **CONSULTATIONS**

4.1 ***Parish Council***

Support the development and recommend approval.

4.2 ***Environment Agency***

Object on the basis that the submitted FRA does not comply with the requirements of the NPPF. Objection can be overcome by submitting an FRA showing that proposals must be a minimum of 2 storeys with no ground floor habitable accommodation.

Following these comments a further Flood Risk report has been submitted by the Agents and further comments from the EA are awaited.

4.3 ***North Level IDB***

No objections in principle. A development levy will be payable for the increase in run-off for the site.

Further comments were then received which advised that the Members of the Drainage Board felt that the riparian drain to the rear of the proposed site should be taken over and maintained as a Board's drain to ensure that the developed area continues to drain freely into this system.

Therefore a survey has been arranged to ascertain the improvements required. In addition it was also stressed that the developer be encouraged to discharge all surface water from the development directly into the watercourse.

- 4.4 ***FDC Environmental Protection*** No objections as the development is unlikely to have a detrimental impact on local air quality or the noise climate. Contaminated land is not considered and issue.
- 4.5 ***CCC Highways*** The applicant has undergone ongoing discussions with the CCC Highway Authority and have developed a scheme which meets the highway requirements for this location.
- 4.6 ***Cambs Police Architectural Liaison*** Having reviewed the crime levels in the area, which are low, have no comments in relation to crime prevention and fear of crime.
- 4.6 ***Anglian Water*** Provides advisory comments relating to AW assets, drainage capacity and surface and foul water drainage. Requests conditions in relation to surface and foul water drainage strategies.
- 4.7 ***Housing Strategy/Enabling Officer*** Policy H14 of the Local Plan enables the Council in exceptional circumstances to consider releasing unallocated land for the provision of affordable housing to meet special local needs which are not likely to be met in other ways. The proposed homes will be allocated in accordance with a local lettings policy to ensure that people with the strongest local connection are given priority. Policy CS3 identifies Guyhirn as a small village settlement where development will be considered on its merits. In line with the 2009 Cambridgeshire ACRE study this application will help address the housing needs of people with a local connection to Guyhirn. It meets the housing need identified in the SHMA. The mix of housing meets the requirements of the SHMA and the WSM Parish Housing Needs survey.

4.8 **Local Residents:**

Councillor Booth has commented on the proposal advising that he supports the application and believes it should be granted subject to appropriate S106 agreements being put in place to ensure that the housing is allocated on local lettings/connection criteria.

11 letters of objection received concerning (in summary):

- Moved to Guyhirn in order to live in a rural location on health grounds.
- The applicant was previously refused permission on the grounds of their charitable status and have circumnavigated this by means of using a Housing Association as applicant.
- Other applications of a similar nature have been refused by the Authority.
- Policy CS1 denotes Guyhirn as a small village with development of a very limited nature.
- Policy suggests that development should be directed to larger places with better facilities.
- The proposed development is not in keeping with nearby dwellings and cannot be described as infilling.
- There is no evidence that the developer will leave existing natural boundaries. Concerned that the hedgerow will be removed.
- Fail to see that any evidence has been provided demonstrating a specific local need for this type of property in Guyhirn and that this is the most suitable location for this.
- Is Gull Road capable of supporting the extra infrastructure by way of drainage and sewers?
- The access will be dangerous as despite the speed limit cars travel very fast along Gull Road.
- It is acknowledged that the site is at risk of rapid inundation in the event of a flood. Therefore presenting a danger to life and property.
- There will be considerable disturbance to the enjoyment of their property and the peace and quiet of Guyhirn itself.

- Have been waiting for a change to have part of this land as an allotment for some time and have been repeatedly fobbed off by the Parish Council.
- This is Charity Land (Poors Allotments registered with the Charities Commission) which is expressly for the use of the villagers as allotments.
- Guyhirn residents rely on cars as there is no shop, no post office, no newsagent and no facilities for children.
- The proposed dwellings are houses when the dwellings opposite are mainly bungalows.
- Gull Road is regularly awash after heavy rain so the lower ground would be inundated.
- Have received an email from the Parish Council to advise that Roddons and FDC have reached an agreement to build on this land therefore is this a rubber stamp exercise.
- More consideration should be given to the Gull Road residents.
- Is it necessary to build up all of the villages until they meet with Wisbech?
- The proposed development will impede existing views across Fenland.
- The dwellings will result in the bungalows opposite being overlooked and overwhelmed.
- Have all the necessary biodiversity surveys been carried out.
- The nearest shop is at the Shell garage on the other side of the A47 with no safe crossing facilities.
- Can the primary school cope with the extra capacity?
- Concerned that this development will open the flood gates to other developers wanting to build in Guyhirn.

- Many of the residents of Gull Road are elderly, some sick, living quietly in their bungalows. Why should people who have worked hard and saved all their lives to buy a modest bungalow be forced to lose their peace and space?
- The site is Greenfield and has been recently farmed to feed the country.
- The site is within Flood Zone 3.
- Normally the ditches around the site are full of water.
- Guyhirn should be kept as a small village.
- There are no footpaths or streetlights on the application site side of the road.

In addition a petition objecting to the proposed development has been submitted containing 26 signatures from 17 separate addresses.

5. **SITE DESCRIPTION**

- 5.1 The site currently comprises an area of agricultural land which adjoins a row of 6 semi-detached dwellings to the north west and agricultural land to the east and south east. The site is outside of any settlement core and the area is characterised by a mix of agricultural, open land and dwellings. There are a mix of dwelling designs and ages, with both bungalows and 2-storey dwellings opposite the site. The existing site affords a long view across the open countryside. The land levels at the site and adjacent land is currently lower than the road and dwellings to the West.

6. **PLANNING ASSESSMENT**

- 6.1 This is a full application for the erection of 12 dwellings. The applicant is Roddons Housing Association and the proposal is for the site to provide 100% Affordable Housing to serve the housing need identified in Guyhirn. The proposal will see a development of 4 x 3-bed dwellings and 8 x 2-bed dwellings in 6 semi-detached groups. All of the properties are to be 2-storey with private rear amenity space and driveways for each dwelling.

The key considerations for this application are:

- Relevant Policy
- Layout and Design
- Flood Risk

Relevant Policy

This application has been assessed in line with the Policies listed at the beginning of this report.

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. The NPPF advises that LPAs should deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. (Paragraph 50)

Policy H14 of the Fenland District Wide Local Plan, 1993 advises that the district council will 'in exceptional circumstances consider releasing unallocated land outside development area boundaries for the provision of affordable housing to meet special local needs.' The policy includes a number of criteria for the provision of affordable housing which includes the retention of the dwellings as affordable and availability for local people, the capability for long term management, and the need for the site to adjoin a settlement where there are adequate local services and facilities. The Policy advises that the scheme should meet highway requirements and the development must be subject to appropriate legal agreements.

Policy CS3 identifies Guyhirn as a small village where 'development will be considered on its merits but will normally be of a very limited nature and normally be limited in scale to residential infilling or a small business opportunity'. In addition Policy CS5 advises that the affordable housing mix should be informed by and be compatible with the latest government guidance and an up to date local Strategic Housing Market Assessment (SHMA).

As the site is outside of any defined settlement core Policy CS12 is also relevant which lists the criteria for developments in the open countryside. This includes (amongst other things):

- i) that the site should be in or adjacent to the existing developed footprint of the village,
- ii) would not have an adverse impact on the character and appearance of the surrounding countryside and farmland,
- iii) is of a scale and in a location that is in keeping with the core shape and form of the settlement and would not adversely harm its character and appearance,
- iv) would not extend existing linear features of the settlement or result in ribbon development.
- v) Would not result in the loss of important spaces and would not result in the loss of high grade agricultural land without evidence to justify the loss.

The key consideration for this scheme, given that it is a fully affordable housing development in conjunction with the SHMA and local lettings needs, has to be the balance between the housing exceptions policy of the 1993 Local Plan (H14) and the rural housing policy of the emerging Core Strategy (CS12).

Careful consideration has been given to both policies however it should be noted that policy H14 states that 'the District Council will, in exceptional circumstances, consider releasing unallocated land outside development area boundaries for the provision of affordable housing to meet special local needs....' The application has been accompanied by the Cambridgeshire ACRE housing needs survey report which reinforces that this proposal will provide 12 dwellings towards an identified need for local people of Guyhirn. The main principle issues have been considered in terms of the exceptions site and other policies and it is considered that, on balance, in this location the need for affordable housing outweighs the other parts of the policies that the site is not in direct compliance with.

Layout and Design

The proposed layout of the site involves 6 pairs of semi-detached dwellings in a linear form, fronting onto Gull Road. Each dwelling is two-storeys with the introduction of some gable fronts to add an element of interest and variation into the design. Each dwelling has its own area of private amenity space to the rear, with areas for patio, bin stores and a shed. Each dwelling has its own driveway with room for 2 cars to the side of the dwelling which are accessed off a shared private driveway. It is considered that the proposed amenity space for each dwelling is acceptable. There is a mix of dwelling types in the surrounding area, with some being newly built, large dwellings and other being established dwellings. Opposite the site are a row of modest bungalows, and adjacent to the site to the north west are a row of two-storey semi-detached dwellings. Given the mix of dwelling types, designs and scales present in the surrounding area it is considered that the proposed dwellings would not have an adverse impact on the overall character of the area.

There is a single point of access off Gull Road which has been the subject of discussions between the agent and the Local Highway Authority. The LHA are now satisfied that the access and parking are acceptable and the required access widths, tracking templates and visibility splays can be achieved. As such the proposal is considered to be acceptable in highway safety terms.

Flood Risk

The application site is within Flood Zone 3 and has been accompanied by a Flood Risk Assessment. At present the Environment Agency have objected to the proposal on matters within the FRA relating to finished floor levels due to the site being lower than the surrounding areas. They point out that the other aspects of the FRA are acceptable. Following this objection the Agents have been in discussion with the EA. The site falls within Flood Zone 3 and the NPPF advises that if a development is required in a higher flood risk it should be demonstrated that the development provides wider sustainability benefits to the community. As such, it is considered that the proposal is acceptable in this location given the level of affordable housing it will provide to the community of Guyhirn.

Affordable Housing

In relation to this site the applicant has proposed to provide 100% affordable housing however the Council can only require 25% under the current Policy. Any additional provision is a matter for the applicant.

The proposal has been designed to accord with the findings of the 2009 Cambridgeshire ACRE (the rural housing enabler) housing needs survey which identified a need for these affordable units to serve the Wisbech St Mary Parish. The proposal is in accordance with the SHMA in terms of the number, mix and tenure of the dwellings proposed. The occupation of these properties will be allocated in accordance with the local lettings policy which will ensure that priority is given to those with local connections to this Parish.

The level of affordable housing proposed has been considered on balance with the layout, design and principle of the development in this location. It is considered that, as the proposal meets the identified housing need, this carries significant weight in determining the application. As such the proposal has been assessed to be acceptable in this location and will be subject to a Section 106 agreement.

7. CONCLUSION

- 7.1 The proposal has been assessed in line with the National and Local Policies listed at the beginning of the report. The proposal is considered to be acceptable in terms of layout, highway safety and design however, the scheme fails to wholly comply with some of the provisions of the policies in principle terms. The fact that the development is meeting a defined local need has been taken into consideration and, in this instance it is considered that this is sufficient to outweigh the policy concerns in terms of developing this site. As such the proposal is recommended for approval subject to the completion of a Section 106 to ensure that the site is subject to a local lettings policy and is retained for use as affordable housing.

8. RECOMMENDATION

Grant – Subject to the completion of a Section 106.

- 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. No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.**

Reason: To prevent environmental and amenity problems arising from flooding.

3. **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 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.

4. **Prior to the commencement of the development hereby approved adequate temporary facilities, details of which shall be submitted to and agreed in writing with the Local Planning Authority, shall be provided clear of the public highway for the parking, turning, loading and unloading of all vehicles during the period of construction.**

Reason: To minimise interference with the free flow and safety of traffic on the adjoining public highway.

5. **Prior to the commencement of the use hereby approved the permanent space shown on the plans hereby approved to be reserved on the site to enable vehicles to 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.

6. **Any additional conditions required by the Environment Agency or LHA.**
7. **Approved Plans**