

Application Number: F/YR13/0834/O

Minor

Parish/Ward: March North

Date Received: 7 November 2013

Expiry Date: 2 January 2014

Applicant: Mr & Mrs A Schofield

Agent: Mr T Feary, Trevor Fear (Town Planning Consultants) Ltd

Proposal: Erection of 2 x 3-storey 7-bed and 2 x 2-storey 4-bed dwellings with detached double garages

Location: Land South of Westry Hall, 351 Wisbech Road, March

Site Area/Density: 0.51 hectares

Reason before Committee: The recommendation is at variance to that of the Town Council. In addition Councillor Owen and Councillor George have requested the application is before Planning Committee as the proposed dwellings are the same as those granted planning permission on land at Phoenix House, therefore it is considered there is a precedent.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks outline planning permission for the erection of 4 dwellings and garages. The site is located to the south of Westry Hall with the larger part of the site currently forming a paddock and the remaining being laid to lawn. The application site is beyond the established settlement of March located in an area which is mainly rural in character with linear groups of dwellings interspersed of open fields.

The relevant policies have been considered alongside the identified material considerations and as a result the proposal cannot be supported. The recommendation is to refuse the application as being contrary to both national guidance (NPPF) and local planning policy consisting of the Fenland Local Plan – Core Strategy Proposed Submission September 2013 and the Fenland District Wide Local Plan 1993.

2. HISTORY

Of relevance to this proposal is:

| | | | |
|-----|---------------|--|---|
| 2.1 | F/YR13/0317/O | Erection of 4 dwellings with garages | Withdrawn on 16 July 2013 |
| 2.2 | F/YR03/0974/O | Erection of a dwelling | Refused on 12 November 2003 Committee |
| 2.3 | F/YR02/0755/O | Erection of a dwelling | Refused on 18 September 2002 Committee |
| 2.4 | F/0462/80/F | Erection of a dwelling house (to replace dwelling damaged by fire) | Granted on 17 July 1980 |

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 53: Local Planning Authorities should set out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Paragraph 55: Avoid new isolated homes in the open countryside.

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.

Paragraph 128: Conserving and enhancing the historic environment.

3.2 Fenland Local Plan Core Strategy (Proposed Submission February 2013):

CS1: Presumption in favour of sustainable development.

CS3: Spatial strategy, the Settlement Hierarchy and the Countryside.

CS12: Rural Area Development Policy.

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

CS18: The Historic Environment.

3.3 Fenland District Wide Local Plan:

H3: Settlement Development Area Boundaries.

H16: Housing in the open countryside.

E8: Proposals for new development.

E7: Archaeological Investigation.

E2: To restrict development on open spaces and gaps in the settlement framework which have intrinsic environmental qualities.

4. CONSULTATIONS

4.1 **Town Council:** Recommend approval.

4.2 **Tree Officer (FDC):** Awaited.

- 4.3 ***Economy, Transport & Environment (CCC):*** The proposed development lies partially within the Mineral Safeguarding Area (Sand & Gravel), as designated by the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy (2011). The proposed development also lies partially within the Waste Consultation Area of the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Plan for the March Anaerobic Digestion Plant (Fenmarc). However given the proximity to nearby residents the site would not be worked for mineral, and the proposed development is unlikely to prejudice the ongoing operation of the waste management facility. Therefore no objections to the application.
- 4.4 ***Archaeology (CCC):*** The site lies in an area of high archaeological potential. The site lies in an area of Bronze Age settlement, and is located just south of the line of the Fen Causeway, an important Roman route linking settlements across the Fens. Therefore it is considered that the site should be subject to a programme of archaeological investigation and recommend the inclusion of a condition should the application be approved.
- 4.5 ***Conservation Officer (FDC):*** Recommend the application is refused as the proposal is contrary to the emerging Core Strategy. The proposed layout and detailed drawings are not considered appropriate for the site. The impact of the proposed development on the setting of the Listed Church is material and there are good views of the Church and associated trees travelling in either direction along Wisbech Road. Concerns are expressed with the proximity of the proposed access road to the trees and remains unconvinced that the proposed 'no-dig' method to the drive would not lead to additional loading and compaction of feeder roots in the topsoil. It is suggested that the access would be damaging to the trees.
- 4.6 ***Middle Level Commissioners:*** No comments received.
- 4.7 ***Environmental Health (FDC):*** No comments received.
- 4.8 ***Highway Authority:*** No comments received.
- 4.9 ***Local Residents:*** No comments received.

5. SITE DESCRIPTION

- 5.1 The application site is 0.51 ha in size and has been utilised for agricultural purposes. The larger part of the site is currently formed into a paddock with the remaining area being laid to lawn with various fencing on the boundaries. The site is bounded on the south by a group of trees protected by a TPO which extends along the southern boundary. The neighbouring building to the south occupies the Grade II Listed St Mary's Church and to the north is Westry Hall with open fields to the west and east.

6. PLANNING ASSESSMENT

- 6.1 The proposal seeks outline permission for a total of 4 dwellings comprising; 2 x 3-storey 7-bed houses and 2 x 2-storey 4-bed houses with detached double garages served off the existing private drive.

This submission follows the withdrawal of a previous application for 4 dwellings (LPA reference: F/YR13/0317/O) where all matters were reserved. At that time there had been no pre-application discussion or advice given, however since, officers have discussed the scheme at length with regard to concerns relating to the principle of development and the lack of information provided within the original application.

This re-submission is accompanied with a Heritage Statement, Tree Survey, and Arboricultural Impact Assessment. Whilst the application remains an outline application, the details of access, appearance, layout and scale have been committed with landscaping reserved for future consideration.

The key considerations for this application are:

- Principle and Policy Implications
- Impact on Character and Appearance
- Impact on Listed Church and on Trees
- Access and Waste Collection

Principle and Policy Implications

The site is located outside the main settlement of March within an area known as Westry. Policy H3 of the Local Plan generally restricts development to within the settlement limits, and although given its age, this policy is generally consistent with the National Planning Policy Framework (NPPF).

Members may recall an application proposal for 3 dwellings which was reported to Planning Committee in October 2012 that was subsequently approved (LPA reference: F/YR12/0305/F) which is nearby to this site and has not yet been built out.

The subject site is located further north, outside the settlement of March and in a more prominent position than the permitted site detailed above. This proposal would be more readily seen than the other proposal which would be well shielded by the existing trees within that site.

The site is located close to local services such as those provided within the Hostmoor Avenue area and there is an existing footpath link to the town centre with a public transport route nearby, therefore the site is considered to be sustainable in this respect.

However the main issues relate to the character and form of the existing development of Westry, particularly the impact further development within Westry would have on the character and appearance of that area which is discussed below in further detail.

Impact on Character and Appearance

The area of Westry is of a rural nature and is mainly characterised by linear groups of residential properties on both sides of the road spread out in a sporadic form with gaps of open fields. As it continues north it gradually disperses into the open countryside. As such it is considered that the form of development proposed on this site would erode this character. The style of development proposed is essentially a distended cul-de-sac of large houses, which bears no relationship to what is essentially a linear development. Accordingly the proposed development would be out of keeping and would urbanise the area to an unacceptable degree. This view is also shared by the Council's Conservation Officer, which also considers that the arrangement of buildings is haphazard and lacks cohesion.

Each of the standard house types submitted are repeated within the site and are the same as those previously approved on the nearby site, which is not visible from the public realm. The Conservation Officer is concerned with the overall design of the proposed dwellings and considered that they lack distinction and are not of a standard expected for new executive housing. This type of housing being proposed as part of the case put forward by the agent in support of their proposal.

Consequently it is considered that the proposed development would be harmful to the character and appearance of the area, contrary to National and Local Policies contained within the Local Plan and emerging Core Strategy.

Impact on Listed Church and on Trees

St Mary's Church is a Grade II Listed Building and forms the neighbouring building to the development from the south. The submitted Heritage Statement states that the Church has no particularly outstanding features, however this is not considered to be the case as it is well detailed, constructed of good quality materials and sits well on its site. It is a good example of modest Victorian Church Architecture. There are good views of the Church and associated trees traveling in either direction along Wisbech Road. The impact of the proposed development on the setting of this building is therefore a material consideration.

The setting of the Church benefits from not only trees within its curtilage, but also an established tree line on the boundary between the neighbouring Phoenix House and the application site. The root protection area of these trees (as shown on the submitted plans) extends into the application site. Contrary to the views with the Tree Survey, these trees are protected by a Tree Preservation Order.

The future health and well being of these trees is a material consideration in this proposal both in terms of general amenity grounds and the setting they provide for the listed Church. The proposed new access road is located in close proximity to and within the root protection area of these trees. It is considered that the proposed access road could have been repositioned within the site to avoid these areas to avoid unnecessary damage to these trees.

The Conservation Officer remains to be convinced that the use of 'no dig' method of part of the construction of the access road would not be damaging to the trees. Although not requiring excavation, it would lead to additional loading and compaction of feeder roots in the topsoil and aesthetically 'no-dig' drives are rarely acceptable, particularly in what is purporting to be an executive standard of development. As such further details of the proposed access road or the possibility of realignment of the access would be required in order that proper consideration can be given to this issue.

Access and Waste Collection

The proposed development would be accessed off an existing private drive. Although the Highway Authority has not commented on this application, they did on the previously withdrawn application and were reasonably content with the access arrangements and suggested conditions in this respect.

As the proposed development would be served off a private drive the waste and recycling material would need to be presented at the edge of the public highway. This would mean that the occupants would have to pull or carry the waste for a considerable distance, far more than the recommendation of 30 metres as set out in the adopted Recap Waste Management Design Guide.

The agent has stated that a Management Company would see to the recycling collection and therefore not use the Council's refuse and recycling service. The Council would require details of the proposed management agreement for the proposed dwellings, which should include collection points, and a commitment for such an arrangement to be in place in perpetuity. This has not been submitted with the application.

In any event it is highly unlikely that any refuse vehicle would be able access the proposed development without compromising the roots of the trees, as it is clear that a large part of the access road would be constructed via a 'no-dig' approach. Moreover, there is concern that the 'no-dig' method of construction of the large area of access road would not be able to be constructed to comply with gross vehicle weights of up to 26 tonnes.

These concerns with regard to the potential damage to the trees and the lack of compliance with the adopted Recap Waste Management Design Guide together with the impact on the character and appearance of the area clearly demonstrate why the proposed development would be unacceptable.

7. CONCLUSION

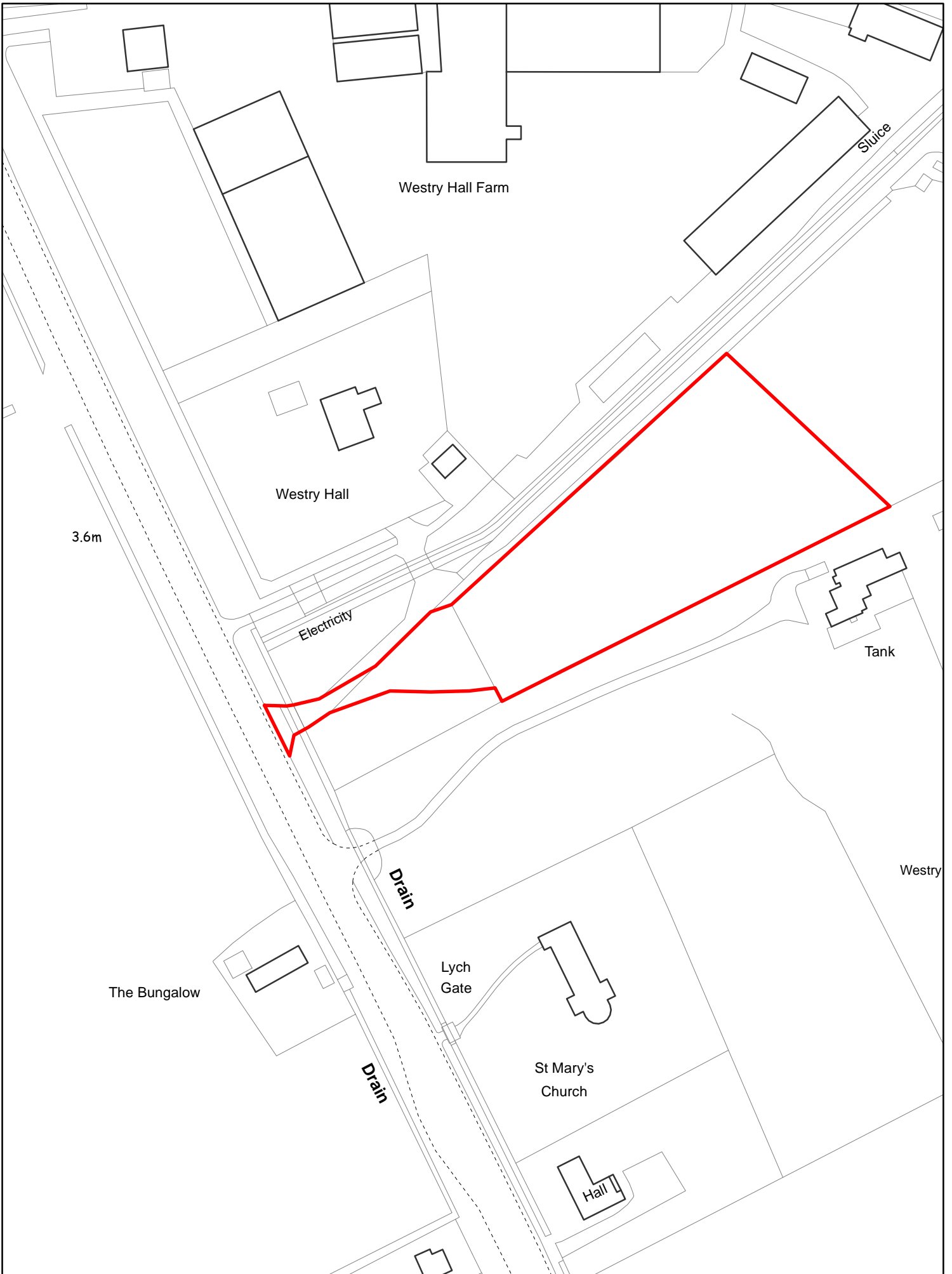
- 7.1 The proposal is contrary to the relevant development plan policies referred to above which restricts development in the countryside unless the proposal is essential to a particular location. The impacts of the proposal are considered to comfortably outweigh the benefits arising from the scheme. This proposal is

not consistent the NPPF nor a number of local policies and therefore refusal is recommended.

8. RECOMMENDATION

Refuse

- 8.1 The proposal is contrary to Policy H3 of the Fenland District Wide Local Plan in that it would result in housing development outside a Development Area Boundary.**
- 8.2 The proposed development by virtue of its prominent location would appear incongruous and relate poorly to the predominately linear rural character of development along the road frontage of Westry. Accordingly the proposed development would unacceptably harm the character and appearance of the area contrary to Policies H3 and E8 of the Fenland District Wide Local Plan 1993 and to Policies CS12 and CS16 of the Fenland Local Plan Core Strategy (Proposed Submission February 2013).**
- 8.3 The proposed development by virtue of its layout would interrupt the views of the Grade II Listed Church to the south of the site, thereby adversely affecting its setting. Consequently the proposal would be contrary to Policies CS16 and CS18 of the Fenland Local Plan Core Strategy Submission Version September 2013 and to the guidance contained within the National Planning Policy Framework.**



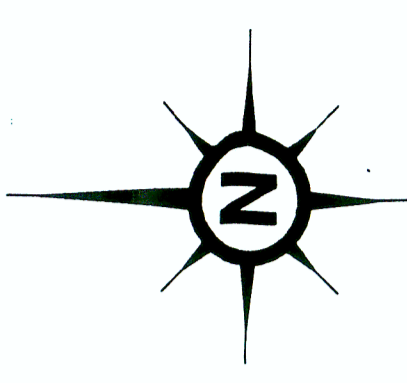
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Drain

SCALE 1:500

PROPOSED SITE LAYOUT

STURGE

Westry

Phoenix Lodge

NEW CLOSE BOUNDARY FENCE

Westry Hall Farm

Westry Hall

NEW LAMP STANDARDS

NB FOR "NO DIG" AREA OF ROADWAY AND POSITION OF ROAD PROTECTION BARRIER SEE TREE REPORT

3m WIDE X 120 METRE VISIBILITY SLOTTES

