

**Application Number: F/YR14/0110/F
Minor
Parish/Ward: Benwick/Coates/Eastrea
Date Received: 10 February 2014
Expiry Date: 7 April 2014
Applicant: Mr J White
Agent: Mr J Burton, Swann Edwards Architecture**

Proposal: Erection of a 2-storey 4-bed dwellings involving demolition of exiting dwelling and relocation of existing site access.

Location: 15 Burnthouse Sidings, Turves

Site Area/Density: 0.25ha / 4 dph

Reason before Committee: This application is before committee as, due to the scale of the proposal, it is contrary to planning policies.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of a 2-storey 4-bed dwelling, at 15 Burnthouse Sidings, Turves. The site is within a rural location.

The proposal seeks to replace a bungalow which is positioned to the east of the existing access. The new dwelling will have approximately double the floor space of the existing bungalow mainly due to the addition of a first floor.

Policies within the emerging Core Strategy and the current Local Plan require replacement dwellings within the countryside to be of a similar scale to the existing dwelling (no more than 130% of the original dwelling as per H18) and to be sited on the same footprint unless there are alternative solutions which would render the proposal more acceptable.

In this instance it is considered that the size of the proposal, owing to the additional floor, would be of benefit as it provides a first-floor place of refuge and first-floor sleeping accommodation on land which is flood zone 3. The Environment Agency has confirmed this to be an improvement on the existing situation. CCC Highways has confirmed that the proposed works to the access are an improvement in highway terms and as such the siting of the dwelling is accepted.

The scale of the dwelling conflicts with replacement dwelling policies however given the benefits gained in terms of flood risk and that the large scale appearance of the dwelling would not appear at odds with the surrounding large buildings, it is considered in this instance that the scale of the proposal can be supported. The design and layout of the proposal is considered to be acceptable and it is unlikely that the scheme will result in an adverse impact on neighbouring residents or the rural setting of the area. It is therefore recommended that planning permission is granted.

2. HISTORY

None relevant to this particular piece of land however there are historic applications relating to wind turbines within the vicinity.

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 32: Decisions should take into account whether safe and suitable access to the site can be achieved for all people.

Paragraph 100: Inappropriate development in areas at risk of flooding should be avoided.

3.2 Draft Fenland Core Strategy:

CS1: Presumption in Favour of Sustainable Development

CS3: Spatial Strategy, The Settlement Hierarchy and the Countryside

CS4: Growth and Housing

CS5: Meeting Housing Need

CS12: Rural Areas Development Policy

CS14: Responding to Climate Change and Managing Flood Risk

CS15: Facilitating the Creation of a More Sustainable Transport Network in Fenland.

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

3.3 Fenland District Wide Local Plan:

E8: Proposals for new development should:

respect the scale, style and character of the surrounding development;

allow for protection of site features;

provide adequate access.

H3: To resist housing development outside DABs. To permit housing development inside DABs provided it does not conflict with other plan policies.

H19: Replacement dwellings in the countryside may be acceptable providing certain criteria are met.

E1: To resist development likely to detract from the Fenland landscape.

4. CONSULTATIONS

- 4.1 **Parish Council:** No objections and therefore recommend approval.
- 4.2 **Environment Agency:** The FRA is acceptable for the scale and nature of the proposed development. The development is a betterment to the existing bungalow as it is for a 2-storey dwelling with no ground floor sleeping accommodation. Applicants are advised of the flood warning system.
- 4.3 **Middle Level Commissioners:** Standard comments regarding the limited evidence relating to surface water drainage, and that the proposal should have due regard to the Middle Level Commissioners bylaws.
- 4.4 **CCC Highways:** The amendments to the access are an improvement on the existing situation, the layout is acceptable from a highway point of view. Conditions relating to construction of access, closure of existing access, laying out of parking spaces, provision of temporary facilities, and provision of gates are required.
- 4.5 **FDC Scientific Officer:** No objections, unsuspected land contamination condition is required.
- 4.6 **Neighbours:** None received

5. SITE DESCRIPTION

- 5.1 The site is located on the northern side of Burnthouse Sidings within a countryside location. There is an existing bungalow on site which is located to the east of an access track which serves the farm to the rear. The site boundaries are marked by a variety of landscaping. The only other dwelling within the vicinity is a replacement dwelling located to the east of the site which was completed in 2006.

The site lies within Flood Zone 3 and is within a Flood Warning Area and Burnthouse Sidings is an unclassified highway.

6. PLANNING ASSESSMENT

- 6.1 The key considerations for this application are:
- (a) Principle and policy implications
 - (b) Design, layout and highways
 - (c) Flood Risk

(a) Principle and policy implications

The Inspector's Report into the Core Strategy has concluded that the Core Strategy is 'sound,' subject to a number of 'main modifications.' The most up-to-date version of the Core Strategy is the Pre-Submission version (September 2013), as amended by the schedule of modifications. Due to its advanced stage, in accordance paragraph 216 of the NPPF, significant weight can be accorded to the Core Strategy when considering planning applications

The Council will consider the adoption of the Core Strategy (with main and minor modifications) at Cabinet and Full Council on 8 May 2014. Provided it is approved, the Core Strategy (incorporating main and minor modifications) will have full statutory weight as of 9 May 2014.

Although the Core Strategy will replace all of the existing or "saved" policies of the Fenland Local Plan, this document remains part of the statutory development plan for the District until the Core Strategy is formally adopted by the Council.

The site is located beyond any established settlement within a rural location. The proposal seeks to replace a bungalow which is positioned to the east of the existing access. The new dwelling will have approximately double the floor space of the existing bungalow mainly due to the addition of a first floor. The proposal will be positioned clear of the footprint of the existing dwelling, to the west of the access.

Policies within the current Local Plan (H18) and the emerging Core Strategy (CS12) stipulate that replacement dwellings may be acceptable on a case by case basis providing that a) the original dwelling has not been abandoned, b) the original dwelling is not important to retain due to its character, c) the original dwelling is not a temporary structure, d) it is of a design appropriate to the rural setting, e) is of a similar size or scale to the original dwelling, f) is located on the same footprint as the original dwelling unless an alternative position would enhance the setting of the building.

The original dwelling has not been abandoned, is not of architectural or historic merit and is a permanent structure. The proposal therefore complies with parts a, b, and c of the replacement dwelling policy. The design of the proposal is considered to be appropriate and this will be discussed further in section (b) of this report. The replacement dwelling is larger than what would usually be supported under the H18 and CS12 therefore the proposal fails to satisfy part e. A discussion on this matter will follow. The proposal is positioned clear of the footprint of the original dwelling however this is due to the proposed improvements to the access. The application therefore complies with part f.

Discussion on part e is as follows: The accommodation within the existing dwelling equates to 86m² whereas the accommodation within the replacement dwelling is approximately 154m². This constitutes an 80% increase on the original dwelling, which is significantly over the threshold contained within H18 of the Local Plan (which requires no more than a 130% increase) confirms that the proposal is not of a 'similar size and scale to the original dwelling' contrary to part e of CS12.

The existing dwelling is a bungalow and the proposed dwelling is a pure 2-storey unit which will appear very different to the existing situation. Due to the site being within Flood Zone 3 the provision of a first-floor is an improvement as it provides sleeping accommodation in a safe place and provides an area for refuge. This has been acknowledged as a betterment by the Environment Agency. The first-floor accommodation could be accommodated within the roofspace of the dwelling thereby keeping the volume and massing of the building to a minimum. This has not been the case in this instance however the scale of the dwelling is considered to be acceptable on this occasion given that the site is surrounded by large buildings. The proposal would therefore not appear at odds with the surroundings and no harm would be caused to the characteristics of the open countryside. In view of the above it is considered that the principle of the proposal can be supported.

(b) Design, layout and highways

The dwelling has been designed to have a barn-style appearance which is considered to be appropriate to this rural location. The application proposed to agree the materials following the issuing of planning permission. There is a neighbouring property located to the east of the proposal however as the neighbour's garden area is nearly 30m away, the residents are unlikely to suffer from overlooking or overshadowing as a result of the proposal.

The proposal includes works to the existing access which serves both the dwelling and the farm buildings to the rear. The works have meant that there is no longer enough space on site to accommodate the replacement dwelling on the same footprint as the existing building; hence the relocation of the dwelling to the west of the access. CCC Highways has confirmed that the proposed works are an improvement in highway terms and as such the siting of the dwelling is accepted. A condition requiring the demolition of the existing dwelling following the completion of the new dwelling is considered necessary to avoid the scenario of having two dwellings on site without justification.

Ample space has been provided within the site for parking, turning and private amenity space. There are no proposed changes to the existing boundary treatments which comprise of a variety of landscaping and chain link and wooden fencing.

(c) Flood Risk

The site lies within Flood Zone 3 however as the proposal will not result in an additional dwelling unit, the principle of the proposal is acceptable on flood risk grounds. As per section (a) of this report, the design of the proposal is considered to be a betterment on the existing situation. The Middle Level Commissioners (MLC) has provided standard comments relating to the limited evidence provided regarding surface water drainage. The comments have been noted and since the MLC can secure these details under their own bylaws, no concerns are raised in respect of this application.

7. CONCLUSION

- 7.1 The proposal is for a replacement dwelling within the open countryside. The development complies with replacement dwelling policies with the exception of its scale. Part (e) of CS12 requires replacement dwellings to be of a 'similar' size and scale to the existing dwelling whilst (iii) of H18 *usually* requires the replacement to be no more than 130% of the original dwelling. In this case the proposal is significantly larger than the original dwelling however since the development is an improvement on the current situation in flood risk terms, and it is surrounded by other large scale buildings, it is considered that in this instance a replacement dwelling of this scale can be supported.

The design and layout of the proposal is considered to be acceptable and there are unlikely to be any adverse impacts on neighbouring residents or the locality in general. With the exception of CS12 (e) and H18 (iii) the proposal complies with policies of the Development Plan and it is therefore recommended that planning permission is granted.

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. **Particulars of the materials to be used for the external walls and roof shall be submitted in writing to and approved in writing by the Local Planning Authority before any development commences on the site and the work shall be carried out in accordance with the approved particulars.**

Reason

To safeguard the visual amenities of the area.

3. **If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then be carried out in full accordance with the amended remediation strategy.**

Reason

To control pollution of land and controlled waters in the interests of the environment and public safety.

4. **Prior to the first occupation of the development the vehicular access from Burnthouse Sidings shall be laid out and constructed in accordance a detailed scheme to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Such a scheme shall include a metalled/ sealed surface for a minimum of 10m from the existing carriageway edge and measures to prevent surface water discharging on to the public highway.**

Reason

In the interests of highway safety and to ensure satisfactory access into the site.

5. **The existing access shall be permanently and effectively closed and the highway verge shall be reinstated in accordance with a scheme to be agreed with the Local Planning Authority, within 28 days of the bringing into use of the new access.**

Reason

In the interests of highway safety.

6. **Prior to the first occupation of the development the proposed on-site parking areas shall be laid out and constructed in accordance with the plans approved by the Local Planning Authority and thereafter maintained in perpetuity.**

Reason

To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.

7. **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 in accordance with a detailed scheme that has been approved by the Local Planning Authority prior to the commencement of development.**

Reason

In the interests of highway safety.

8. **Prior to the first occupation of the development any gate or gates to the vehicular access shall be set back a minimum of 16m from the near edge of the highway carriageway. Any access gate or gates shall be hung to open inwards.**

Reason

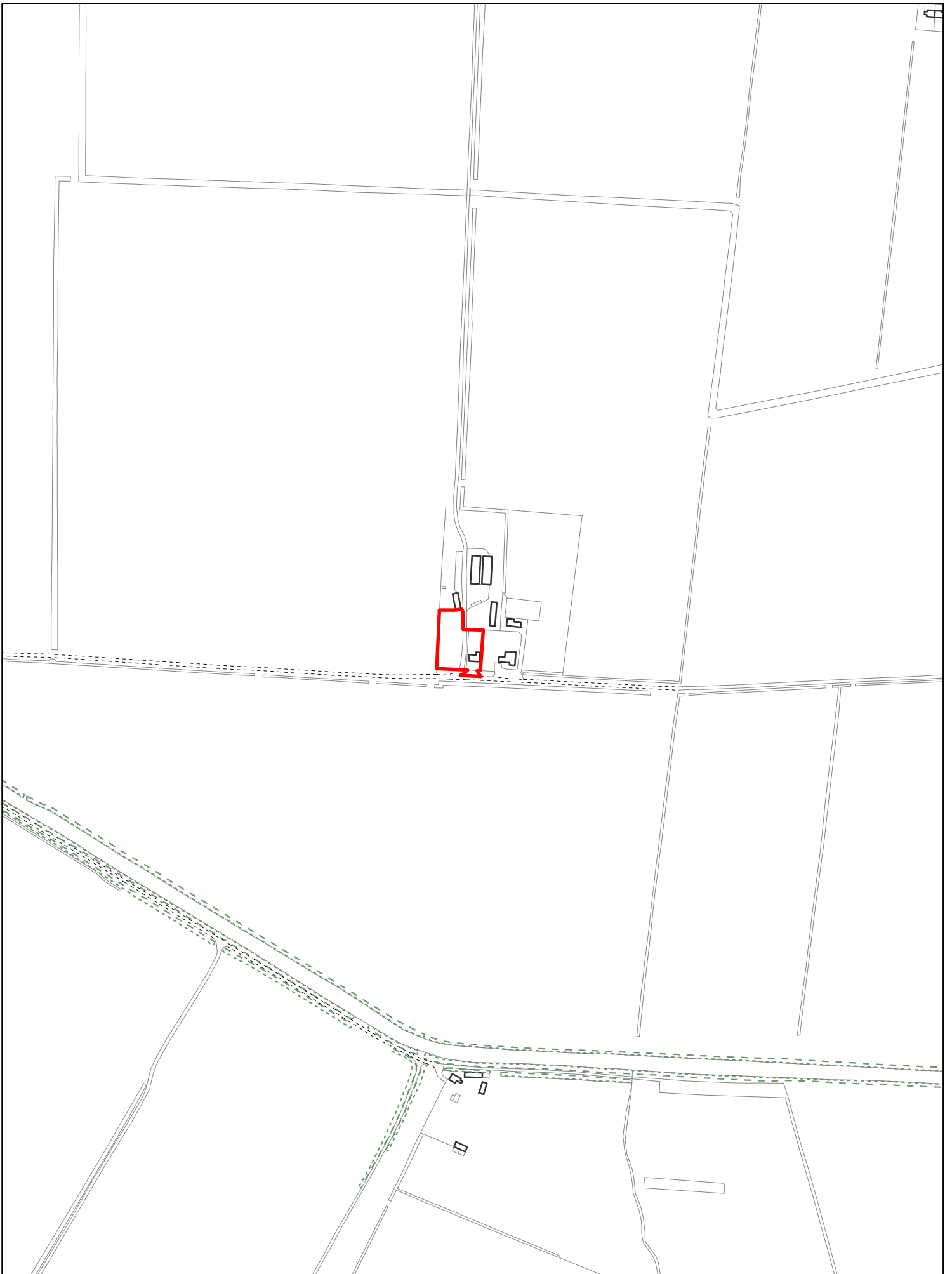
In the interests of highway safety.

9. **The existing dwelling known as 15 Burnthouse Sidings, Turves, shall be demolished in its entirety and all materials resulting from the demolition shall be removed from the site prior to the occupation of the dwelling hereby approved.**

Reason

The erection of an additional dwelling in the open countryside is contrary to this Authority's adopted policy.

10. **Approved plans**



Created on: 25/02/2014

© Crown Copyright and database rights 2014 Ordnance Survey 10023778

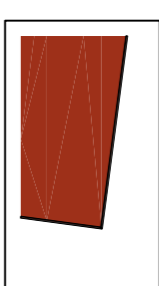
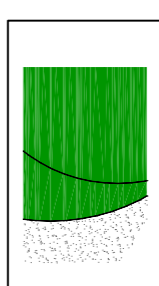
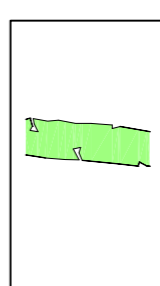
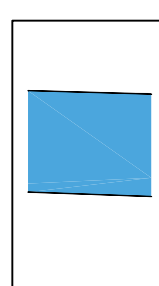
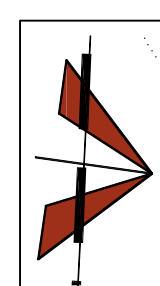
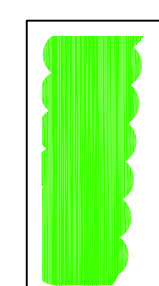
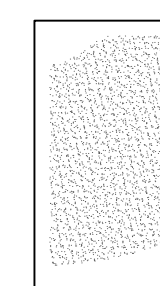

F/YR14/0110/F

Scale = 1:5,000



- General Notes**
1. The drawing shall not be scaled, (ground dimensions only to be used).
 2. All dimensions are shown in 'metres' unless otherwise stated.
 3. The contractor, sub-contractors and suppliers must verify all dimensions on site prior to the commencement of any work.
 4. The contractor must refer to the drawings, specifications, conditions and specialist sub-contractors drawings and specifications.
 5. Any discrepancies are to be brought to the designers attention.

KEY

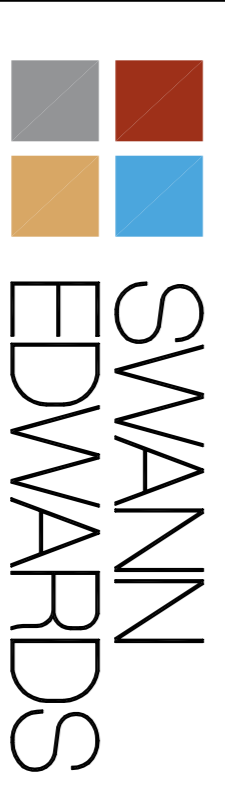
-  Indicates neighbouring properties (from Ordnance Survey location plan)
-  Indicates surveyed trees
-  Indicates surveyed hedgerows
-  Indicates position of ditch
-  Indicates the access point
-  Indicates proposed planting
-  Indicates grassed area
-  Indicates proposed gravel drive

AREA SCHEDULE
 APPLICATION SITE AREA = 2990m² (0.67 ha)
 PROPOSED DWELLING FLOOR AREA = 1177m²
 Ground Floor = 1177m²
 First Floor = 1177m²
 Total = 2354m²

Revisions

A	March 2014	Updated following Highways Comments
---	------------	-------------------------------------

FOR APPROVAL



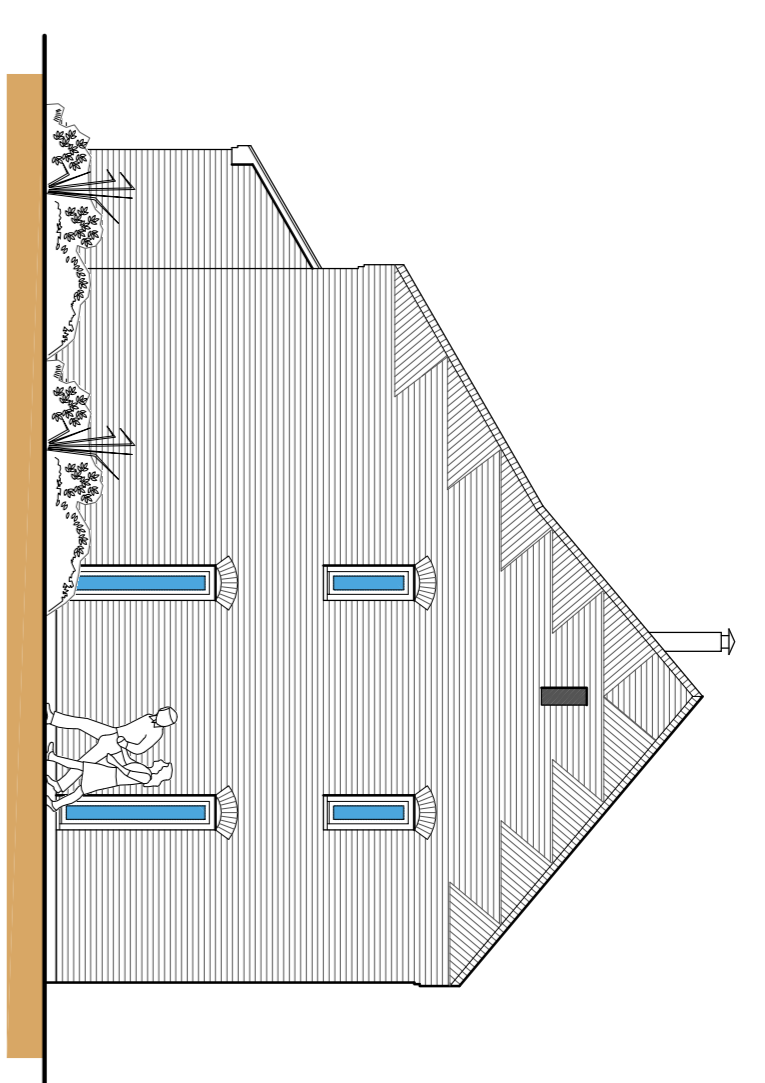
SWANN EDWARDS ARCHITECTURE
 Swann Edwards Architecture Limited, Evident House, Gull Road,
 Quilfin, Wicklow, Co. Wick, Ireland. P13 4EY
 t: 01945 450894 e: info@swannedwards.co.uk w: www.swannedwards.co.uk

Job Title
 Proposed Replacement Dwelling
 15 Burnthouse Slings, Tuvers,
 Wexh, Cambs. PE7 2HS
 for Forston Farms Ltd.

Job No.	Date	Scale
SE-225	January 2014	Various Sheet Size
Revision		A1

Drawing File
 Planning Drawing

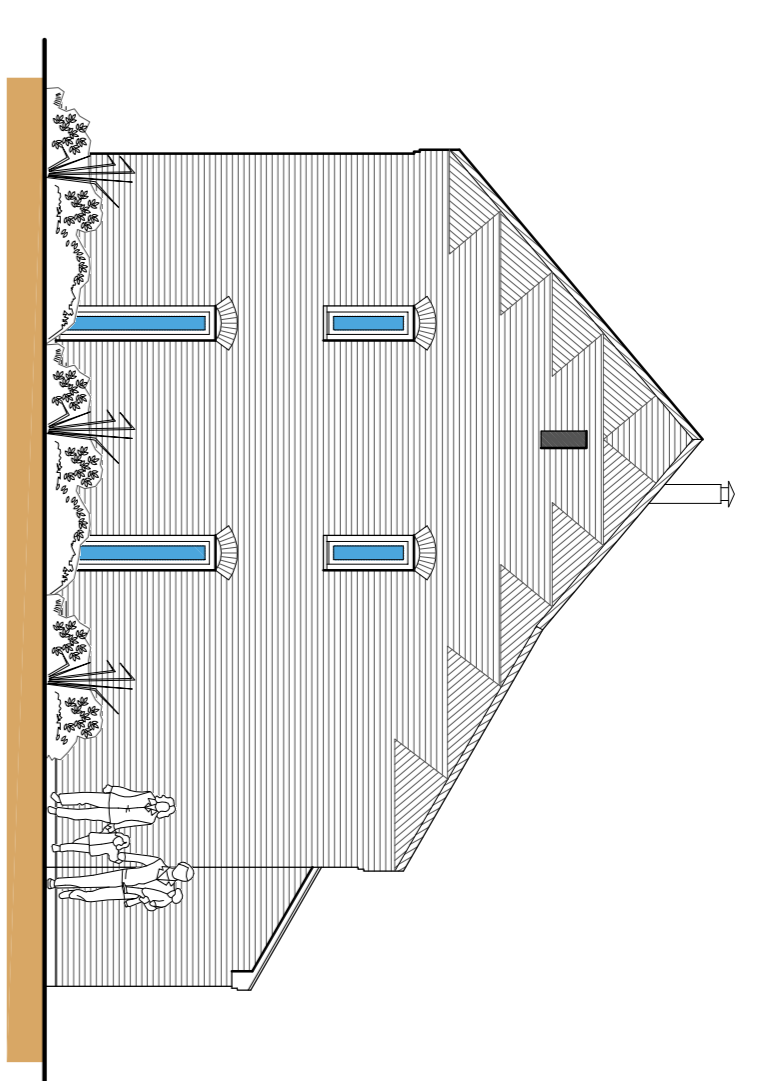
Job No.	Drawn by	Checked by
SE-225	JB	JB
Drawn by	Checked by	Revision
Ldw/04		A



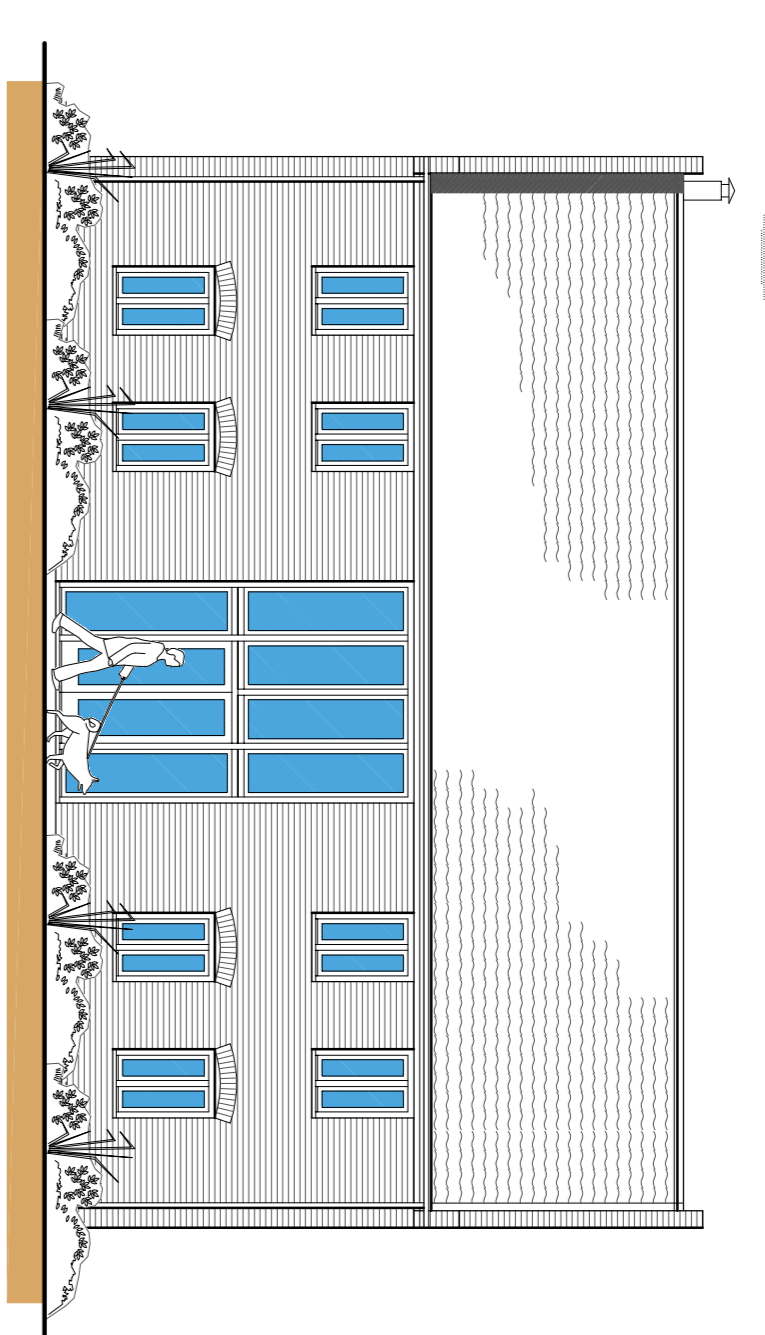
Side (W) Elevation
 Scale: 1:100



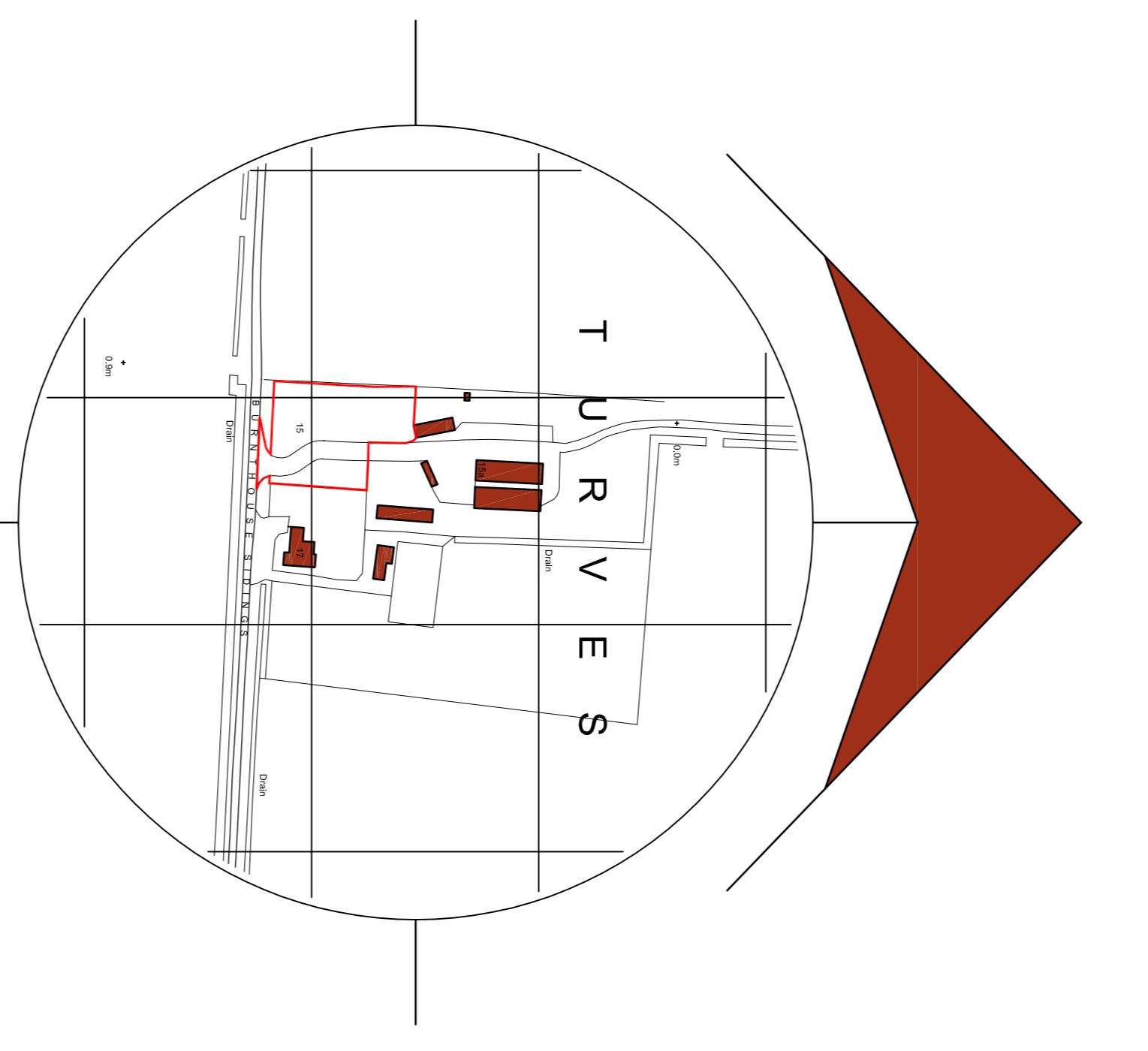
Rear (N) Elevation
 Scale: 1:100



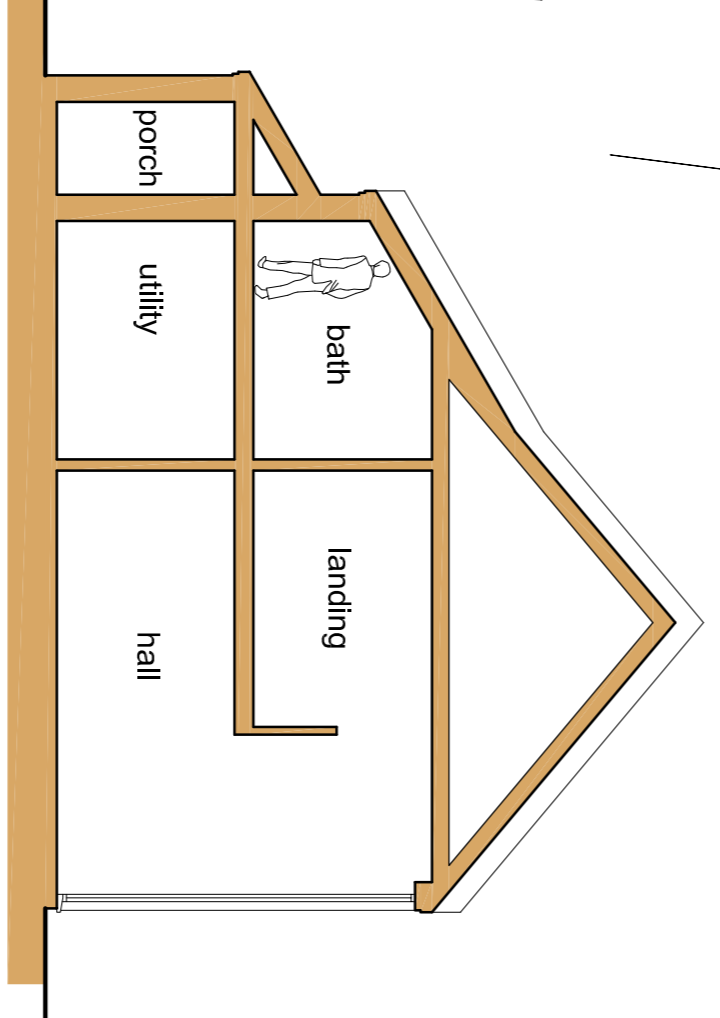
Side (E) Elevation
 Scale: 1:100



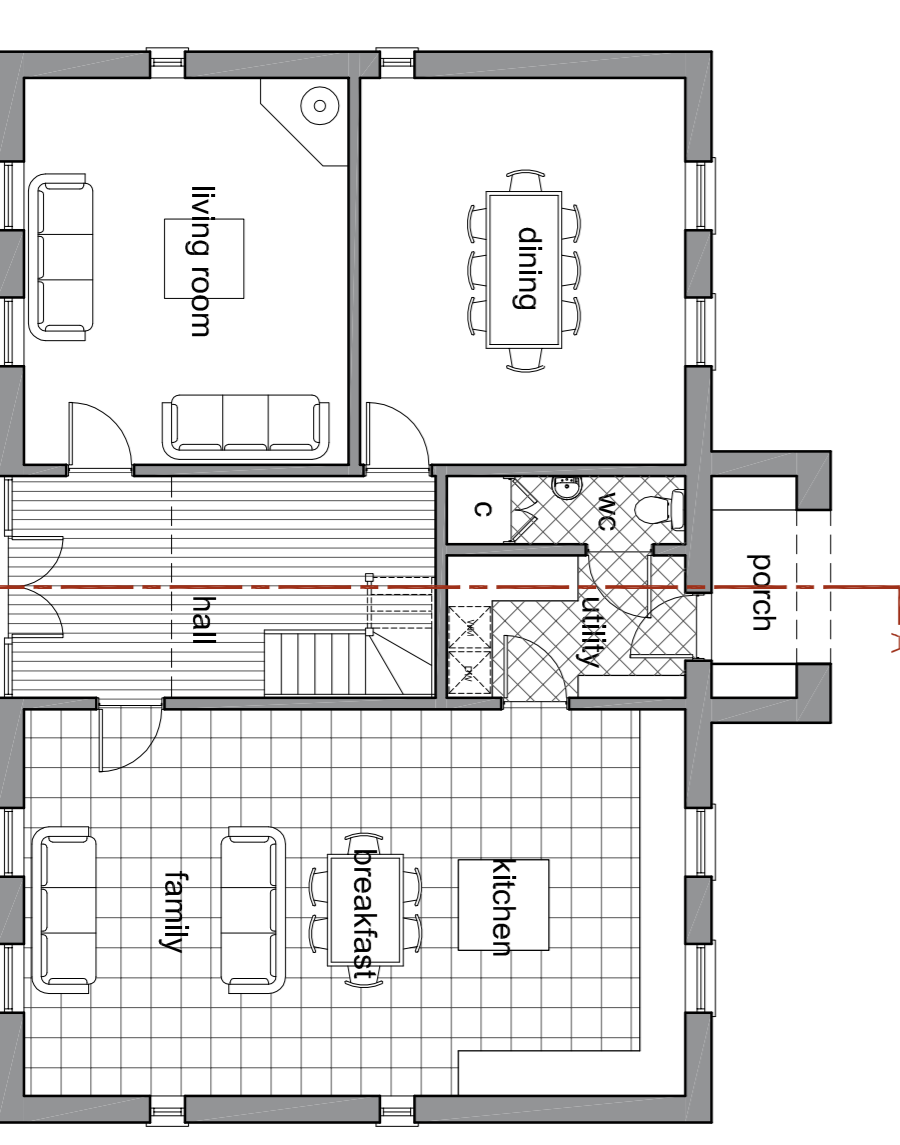
Front (S) Elevation
 Scale: 1:100



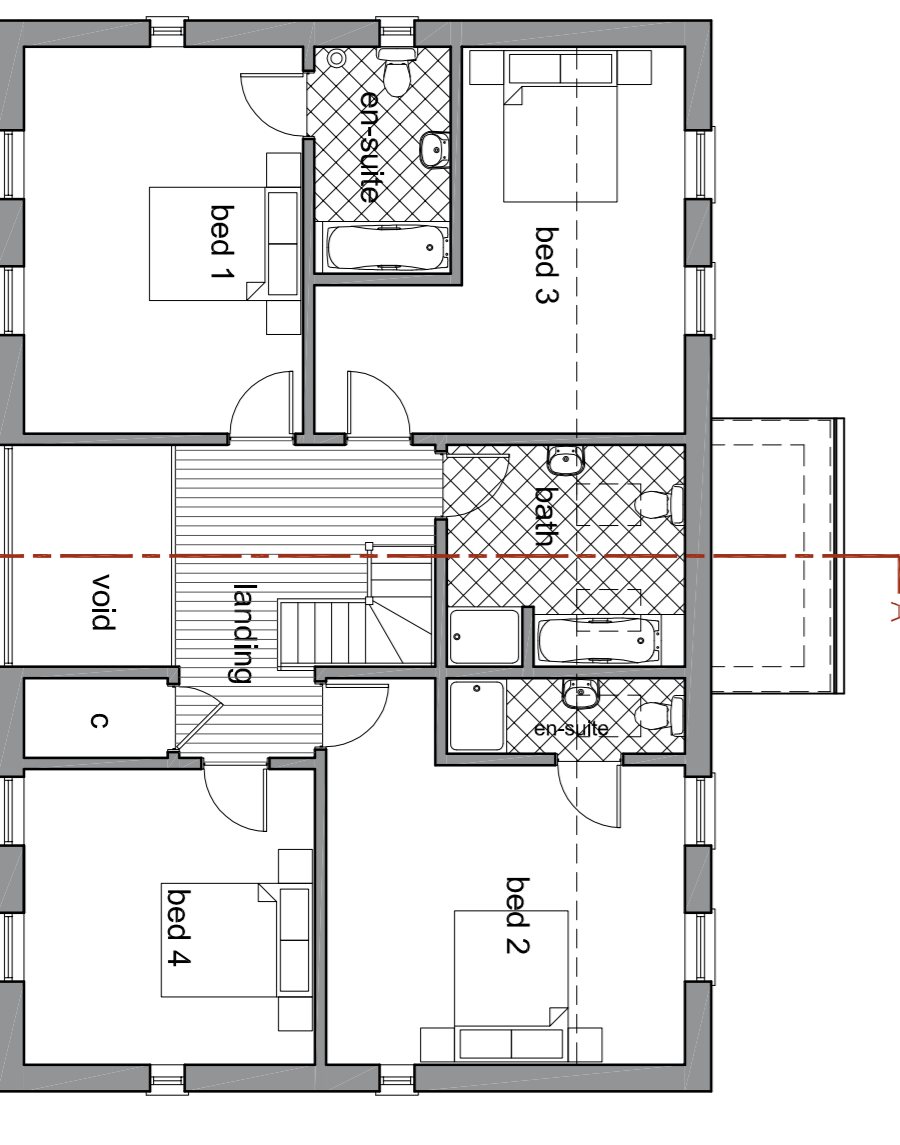
Location Plan
 Scale: 1:2500



Section A-A
 Scale: 1:100



Ground Floor Plan
 Scale: 1:100



First Floor Plan
 Scale: 1:100



Site Plan
 Scale: 1:250