

Application Number: F/YR14/0203/F
Minor
Parish/Ward: Elm/Elm & Christchurch
Date Received: 27 February 2014
Expiry Date: 24 April 2014
Applicant: Dr J Harrall
Agent: N/A

Proposal: Erection of a single-storey 3-bed dwelling
Location: North Of La Chaumiere, Back Lane, Colletts Bridge Lane, Elm
Site Area/Density: N/A

Reason before Committee: Number of representation received.

1. EXECUTIVE SUMMARY/RECOMMENDATION

This application seeks full planning permission for the erection of a detached dwelling on land north of La Chaumiere, Back Lane, Collets Bridge Lane (formerly side garden) . The application has been amended during the course of determination, which has replaced a parapet roof with a pitched roof and porch canopy to front, as well as repositioning of the access.

The proposal involves the development of former flank garden land that has historically been associated with The Hazels, which lies adjacent to the core of the settlement.

Policy LP3 of the Local Plan (2014) sets out the settlement hierarchy of towns and villages and Collets Bridge is identified as an 'other 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.

Policy LP12 supports development of sites which are in or adjacent to the existing developed footprint of the village but by definition excludes gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlements where the land relates more to the surrounding countryside than to the built up area of the settlement. Policy LP12 also seeks to retain and protect natural boundaries such as trees, hedgerows and drainage ditches and retain and respect biodiversity features.

Policy LP16 supports development that makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area.

The dwelling seeks to achieve a SAP rating of 140 and would be constructed to Code Level 6. The details submitted with the Application states that this is exceptionally high and that the proposal would be one of the more energy efficient buildings in the country.

Whilst the design would go towards mitigating climate change, it would introduce an otherwise urban form and design into a rural setting. The design is considered to be out of character with the established scale and form of properties in the locality; this harmful impact would be exacerbated as a section of hedgerow would be removed to facilitate a vehicular access and the application site is located on a prominent position on the outside of a bend.

2. HISTORY

Of relevance to this proposal is:

2.1	F/YR06/0867/O	Erection of a dwelling	Refused, (September 2006).
	F/93/0453/O	Erection of a dwelling	Refused, Appeal Dismissed (October 1993).
	F/0658/88/O	Erection of a dwelling	Refused, (September 1988)
	F/0537/87/O	Erection of a dwelling	Refused

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 17: Seek to ensure high quality design and a good standard of amenity for all existing and future occupants and conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations. Further ... encourage multiple benefits from the use of land in ... rural areas, recognising that some open land can perform many functions (such as for wildlife)
- Paragraph 55: Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances ... such as the exceptional quality or innovative nature of the design of the dwelling. Such a design should be truly outstanding or innovative, helping to raise standards of design; reflect the highest standards in architecture; significantly enhance its immediate setting; and be sensitive to the defining characteristics of the local area.
- Paragraphs 9 and 64: 'Pursuing sustainable development involves seeking positive improvements in the quality of the built ... environment ... 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 65: Local planning authorities should not refuse planning permission for buildings ... which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design...'
- Paragraph 109: 'the planning system should ... minimise impacts on biodiversity and provide net gains ... where possible'.
- Paragraph 118: 'When determining planning applications, local planning authorities should aim to conserve and enhance biodiversity'

3.2 Fenland Local Plan (2014).

LP1 – Presumption in Favour of Sustainable Development

LP3 – Settlement Hierarchy

LP4 – Housing

LP12 – Rural Area Development Policy

LP14 – Responding to Climate Change

LP15 – Creation of a More Sustainable Transport Network

LP16 – Protecting High Quality Environments

LP19 – Natural Environment

4. CONSULTATIONS

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| 4.1 | <i>Parish Council</i> | Object on the following grounds; 1) out of character with the nature of the existing dwellings within the area; 2) the site is located outside of the designated area boundary, and 3) the access road to the site is inadequate to serve additional properties. |
| 4.2 | <i>Environmental Health Officer</i> | No objection subject to attaching a condition with respect to dealing with unsuspected contamination. |
| 4.3 | <i>Middle Level Commission</i> | Comments; requests details of appropriate water level/flood risk management. |
| 4.5 | <i>CCC Highways</i> | Comments - Details of the access width, construction and visibility to be provided. Vehicle to vehicle visibility splays should be provided at 2.4mx43m at the access and detailed on the submitted plans. If this splay crosses third party land, relocating the access may be required to achieve acceptable visibility within land the applicant controls. Pedestrian splays should also be detailed either side of the access. |

Parking spaces dimensions should be detailed 2.5mx5m.

4.6 **Local Residents:**

11 letters of objection have been received raising the following matters:

- Increase in traffic;
- Plot dangerously close to a blind bend;
- Lane not wide enough for passing traffic or emergency vehicles on this one track lane;
- No pedestrian footway or street lights/pedestrian safety;
- The dwelling becoming a business and visitor destination; there is no public transport, no facilities, limited access and no off-plot parking to accommodate 'a destination';
- The proposed dwelling would be a blot on the landscape;
- Proposal is sited between the two oldest properties on Collets Bridge Lane. The design does not reflect the local vernacular;
- Design not in keeping with the area;
- Precedent;
- History of refusals for residential development;
- Proposal is not single dwelling infill;
- Previous appeal has identified the west of Collets Bridge Lane as a scattering of buildings and is not a linear strip of residential development on both sides of the lane;
- Land forms part of the open countryside;
- Scheme fails to accord with all criteria of Policy CS12 and CS16;
- Fails to comply with paragraph 66 of the NPPF (2012) – working closely with those affected by a proposal;
- No bat and/or bird survey undertaken – impact on biodiversity
- The land has not been used as a garden since 1987;
- Covenant identifies boundary treatments on north and western perimeters;

Loss of country views;

- Construction noise and traffic;
- Boundary dispute; and

- Errors in the Application Form.

- Site marked incorrectly;
- Loss of country views;
- Construction noise and traffic;
- Boundary dispute; and
- Errors in the Application Form.

7 letters of support have been received;

- Exemplar dwelling;
- Design will decrease demand on fossil fuels;
- Modest in size, design and boundary treatment will lessen any impact on neighboring properties; and
- Application should be supported and approved.

5. SITE DESCRIPTION

5.1 Collets Bridge is a group of 30 dwellings located in the countryside outside of Elm village.

The site is accessed via Collets Bridge Lane, a single track road. There is an established hedgerow to the north and eastern boundaries of the site with a metal-gate access in the north-west corner. A post and wire fence demarcates the south and western boundaries, leading onto an agricultural field access and open countryside respectively. There are 2x two-storey detached dwellings to the north and south with bungalows on the opposite side of the road.

The site is identified to be within Flood Zone 1.

6. PLANNING ASSESSMENT

The key issues for consideration to this application include:

1. Principle of Development
2. Design, impact upon appearance of area and rural character
3. Ecological impact
4. Access and Parking
5. Impact upon residential amenity
6. Ground Works
7. Other Matters

6.1 1) Principle of Development

Collets Bridge is identified by Policy LP3 as an 'Other Village' where development will normally be restricted to infill sites. In defining the existing developed footprint and continuous built up frontage of the village Policy LP12 excludes undeveloped land within the curtilage of buildings on the edge of the settlement where the land relates more to the surrounding countryside than to the built up area of the settlement.

There are only three dwellings on the west side of Collets Bridge Lane and it is not considered that these dwellings in isolation form part of a continuous built up frontage, however the application site is located between two residential properties therefore would constitute an infill site.

Whilst the site is now in separate ownership it has a close association with the Hazels and there is a defined edge along the western boundary. Beyond the site is agricultural land which gives a clear distinction between the two uses.

2. Design, impact upon appearance of area and rural character

Policy LP12 sets out a number of criteria for new development in rural areas including a requirement for proposals to not adversely harm the character and appearance of the settlement and to retain and respect ecological and biodiversity features and natural boundaries such as trees and hedgerows Policy LP16 seeks to ensure high quality environments and criterion (d) states;

‘... new development ... will only be permitted if it ... makes a positive contribution to the local distinctiveness and character of the area, enhances its local setting, responds to and improves the character of the local built environment, provides resilience to climate change, reinforces local identity and does not adversely impact, either in design or scale terms, on the street scene, settlement pattern or the landscape character of the surrounding area’.

The high energy efficiency standards the scheme seeks to achieve has influenced the design of the proposal. The original scheme had a parapet roof, amended plans provide a roof with a slight pitch to address concerns that the proposal would be out of keeping with adjacent properties. The proposal has minimal openings on the east elevation facing the road and would be finished in off-white render.

The application site is located between two architecturally attractive buildings of traditional design. The proposal would have a plot width of 18 metres to maximise west facing glazing, which would create a frontage width that is far greater than that of neighbouring properties. It is considered that this in combination with the minimal openings on the front elevation the scheme would result in a dwelling of a very different scale and design to the adjacent dwellings. Therefore, while the proposal would clearly provide for resilience to climate change, it is considered that the proposal would be harmful to the character and appearance of the area.

3. Biodiversity

There is a mature hedge that fronts the application site, parallel to Collets Bridge Lane. The submitted Biodiversity Checklist advises that no protected species are known to use the site, however letters of representation have highlighted that bats and breeding birds may be present.

Given the settlement's rural location it is likely that breeding birds could use the site, and the hedgerows used as a foraging corridors by bats.

To facilitate the access 3.5m of hedgerow would need to be removed, which is not considered to have an unacceptably harmful impact on the biodiversity of the area, however a condition could be attached to secure improved landscaping and biodiversity features for the site. A note to applicant/planning condition could secure the removal of the hedge outside of bird breeding season.

4. Access and Parking

The development proposes a three bedroom dwelling. Four off-street parking spaces would be provided at the front of the site, of which would also be served by a recharging point.

Letters of objection have raised concerns with respect to highway safety. Collets Bridge Lane is a single track road with few opportunities for vehicles to pass one another.

The County Highways team have advised that it would be possible to create a central access point for vehicles, with a turning and parking area to front. Details of access width, splays and temporary facilities for construction vehicles can be secured by planning condition.

5. Impact on residential amenity

Given the positioning of openings, the height and juxtaposition of the proposal the scheme is not considered to have any unacceptably adverse impact on neighbour amenity by virtue of loss of light, outlook, privacy or overbearing impact. The proposal would provide a garden area that would be 50% of the plot.

It is considered therefore that the development would not have an unacceptably adverse impact on neighbour amenity and would provide satisfactory amenity for future occupiers; however the scale and design proposed does not complement the more traditional style of dwellings within the locality and would have a harmful impact on the visual amenity of the area.

6. Ground Works

The Environment Health Officer has raised no objections subject to a condition being attached with respect to uncovering unsuspected contamination. Middle Level Commission (MLC) has requested a scheme for water level/flood risk management. The MLC have not sustained an objection, and in any event the site is located within Flood Zone 1 and is not considered to be a flood risk.

7. Other Matters

- Covenant and Boundary Dispute – This is civil matters which is separate to the planning process.
- Site incorrectly marked as Lowlands – Referring to the Ordinance Survey plans, Lowlands is marked over the application site. The name 'Lowlands' refers to a property within Collets Bridge and is incorrectly shown, however the details of OS plans is outside of the Council's control.
- Application form errors – The information contained on the submitted application form is accepted in good faith and does not prejudice the determination of the application.

7. CONCLUSION

Whilst the principle of residential development is accepted it is considered that the design, form and scale of the proposed dwelling is out of keeping with the traditional rural character of the area. The energy saving design of the dwelling is not considered to outweigh the harmful impact the proposal would have on the locality.

For the reasons given above, the proposal is recommended for **REFUSAL** for the following reasons;

8. RECOMMENDATION

Refuse

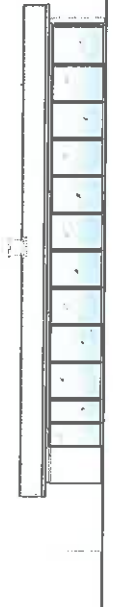
- R1 Whilst the principle of residential development of the site (formerly flank garden) within the village would be acceptable the design and scale of the proposed dwellinghouse would constitute an inappropriate form of development in this countryside location thereby adversely affecting local visual amenity. The proposal is therefore contrary to Policies LP12 and LP16 of the Fenland Local Plan (2014) and the NPPF (2012).**



Front (North East) Elevation 1:100



Side (North West) Elevation 1:100



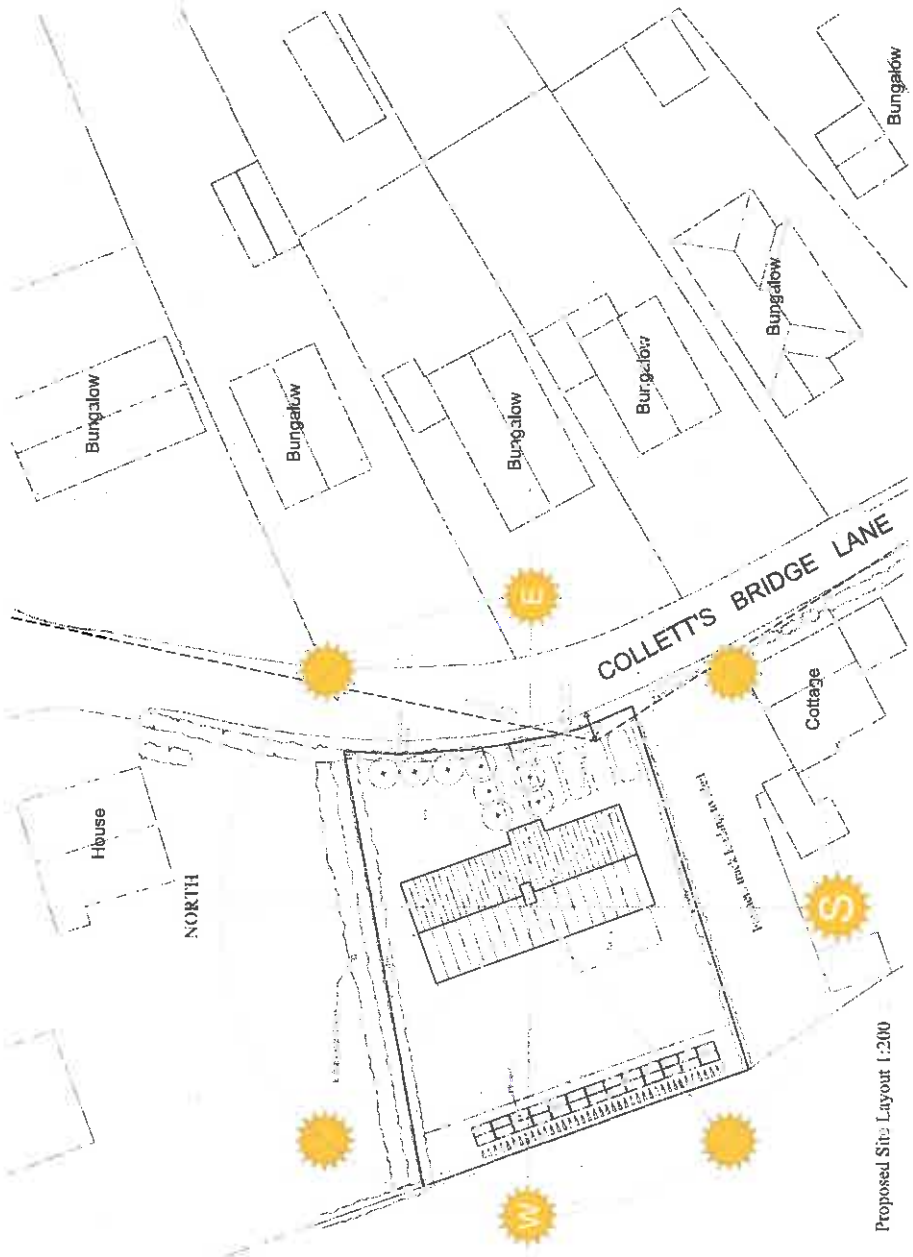
Rear (South West) Elevation 1:100



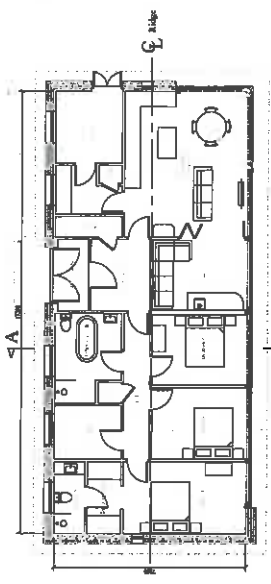
Side (South East) Elevation 1:100

The Unheated House Collett's Bridge Lane, Elm

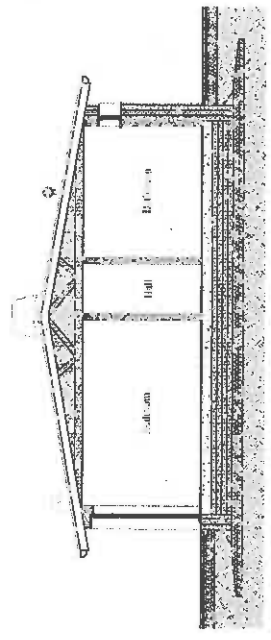
Dr. Jerry Harrall RIBA
Rev. A - 16.05.14



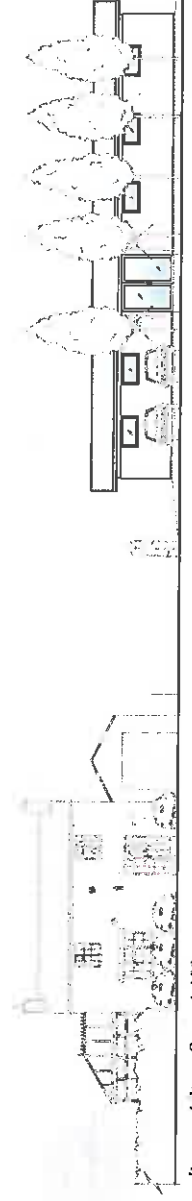
Proposed Site Layout 1:200



Floor Plan 1:100



Section A - A 1:50



Proposed Street Scene 1:100